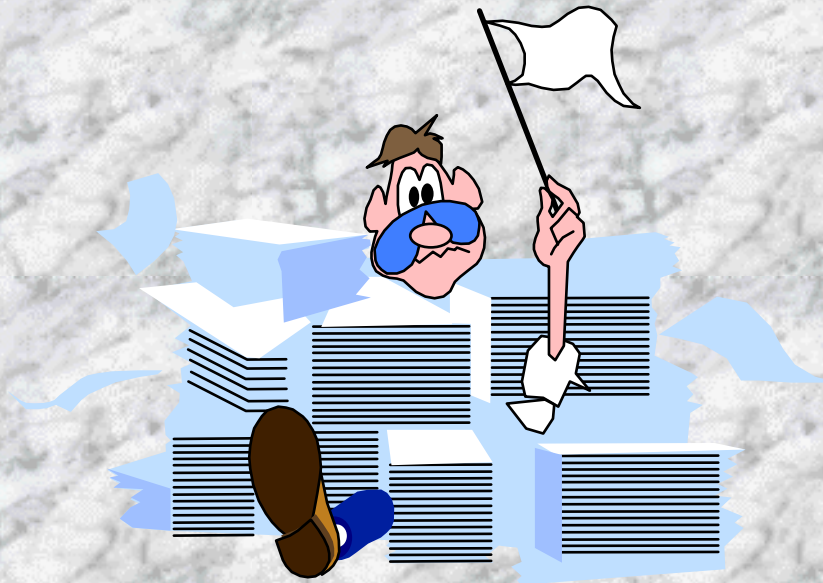
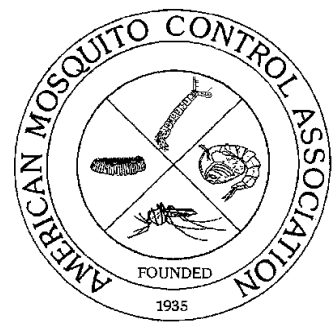
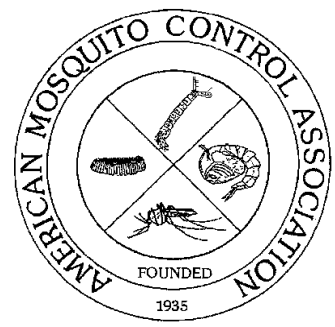


Legislative/Regulatory Issues Affecting Mosquito Control





- “Big Four”
 - CWA vs FIFRA
 - USFWS
 - Tools in the Tool Box
 - Funding



■ FIFRA

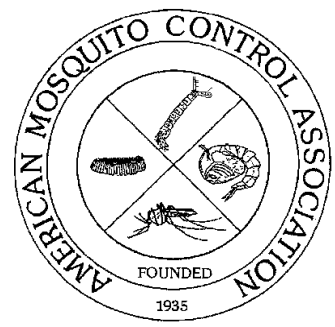
- Federal Insecticide, Fungicide, and Rodenticide Act
- Initially passed in 1947
- Amended in 1964 requiring Fed. Registration Number and Signal Words



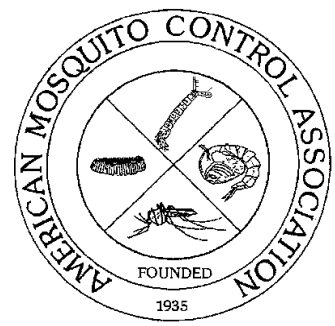
CAUTION

WARNING

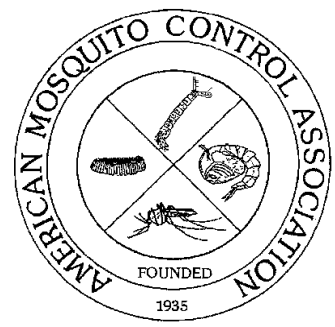
DANGER



- Significant Amendments to FIFRA in 1972
- MUST FOLLOW LABEL
- Violations result in heavy fines and/or imprisonment
- All Pesticides must be registered by EPA
- States may register pesticides

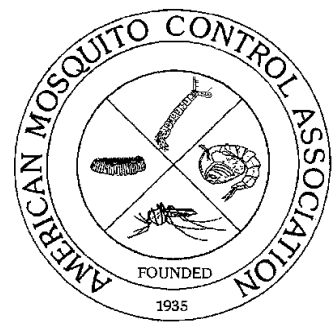


- For a Product to be Registered....
- There must be scientific evidence (“testing”) to demonstrate:
 - it will control the pests listed AND
 - not injure humans, crops, livestock, wildlife, or the environment, and not result in illegal residues in food or feed



- CLEAN WATER ACT
- Objective is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters.

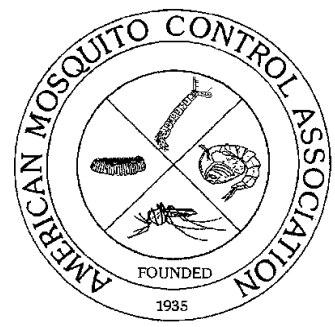




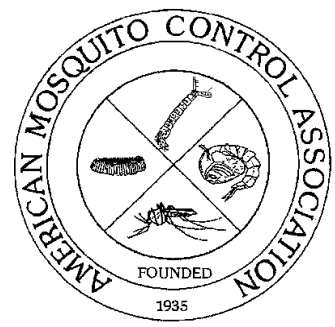
■ Goals:

- Zero discharge of pollutants by 1985
- Water quality that is "fishable" and "swimmable" by mid-1983



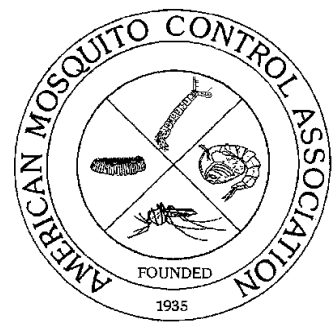


- **1972: The Birth of NPDES**
- **National Pollutant Discharge Elimination System**
- **Amendments prohibited discharge of pollutants to waters of the USA from a *point source* unless authorized by an NPDES permit (excluding agricultural)**
- **Permitting program designed to:**
 - track point sources
 - monitor discharges from specific sources
 - require pollutants controls to meet progressively more stringent numeric effluent limitations

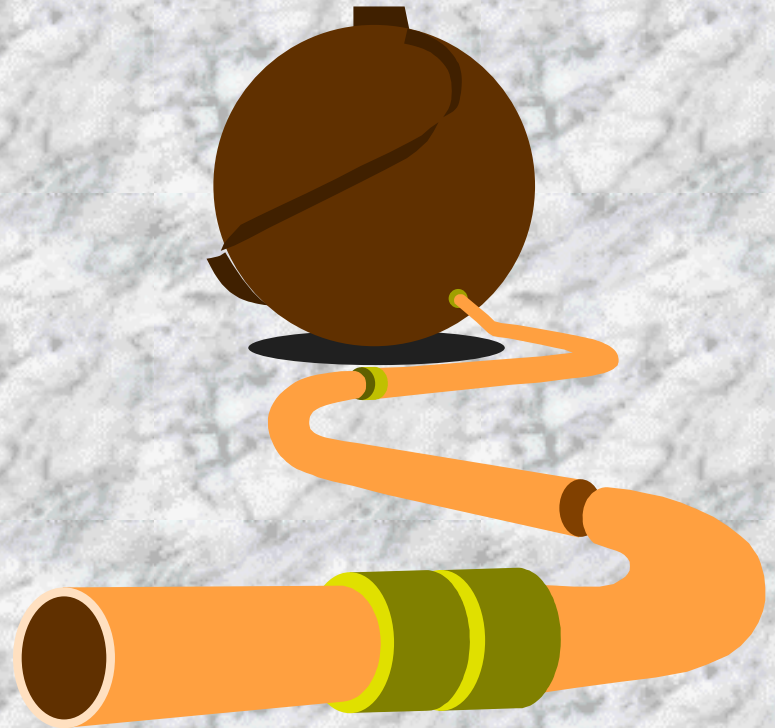


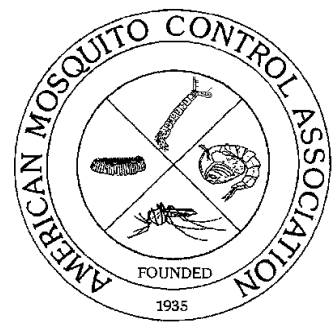
CWA :Recent Court Cases

- Talent Irrigation District**
- City Of Amherst**
- No Spray Coalition**
- US Forest Service**

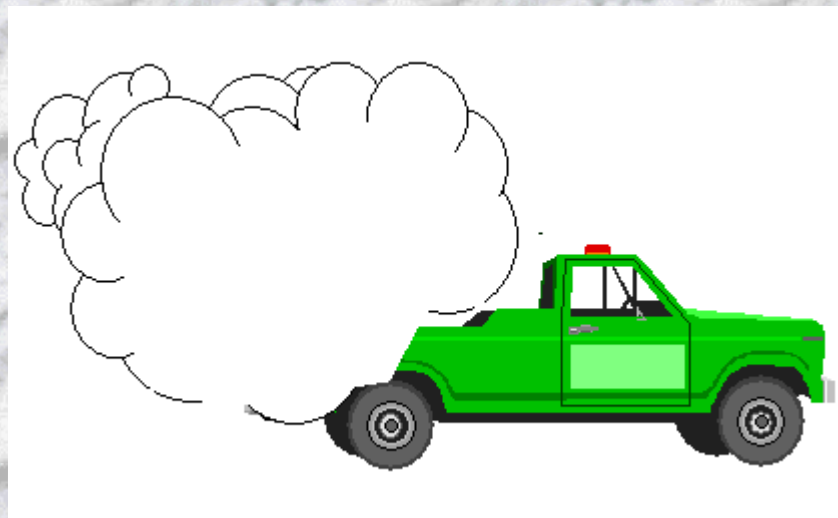
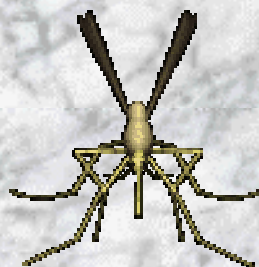


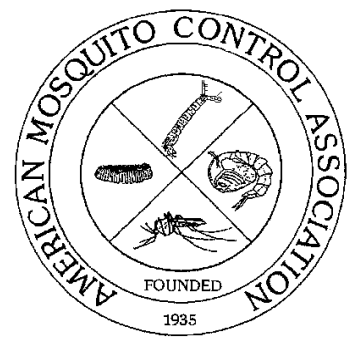
- **Talent Irrigation District**
 - **Application of an herbicide requires an NPDES Permit**



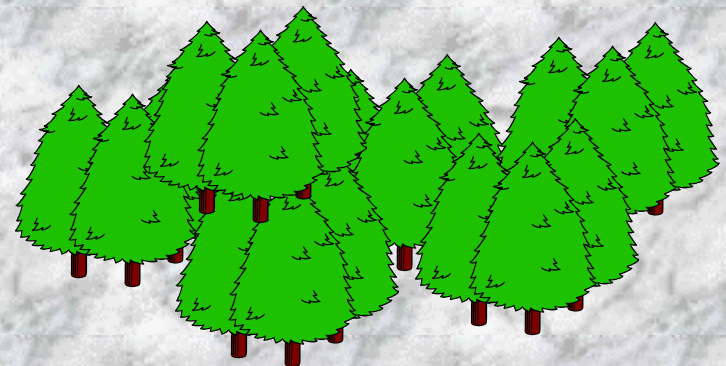
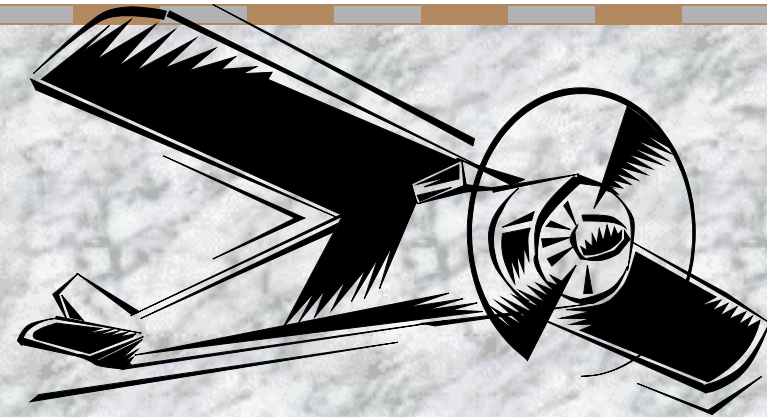


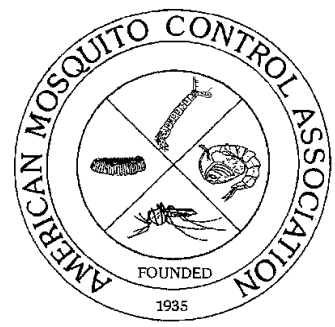
■ City of Amherst and No Spray Coalition





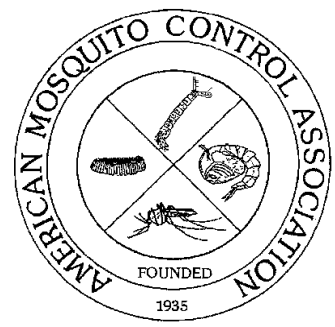
- US Forest Service
 - Application of insecticide by air requires NPDES permit



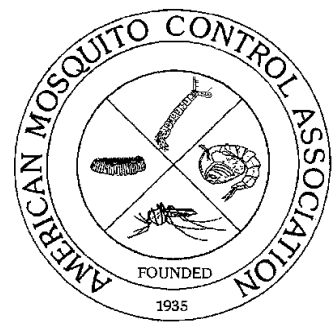


- **More of Clean Water Act**
 - **Best Management Practices (“BMP’s”) for Stormwater or surface runoff actually creating public health hazards?**





- **Clean Water Act- 1987**
- **Clean water goals could never be achieved without addressing urban discharges (i.e. stormwater) estimated at >50% of remaining problems**
- **Amendments prohibited discharge of any pollutant to waters of the USA from a non-point source unless authorized by an NPDES permit**



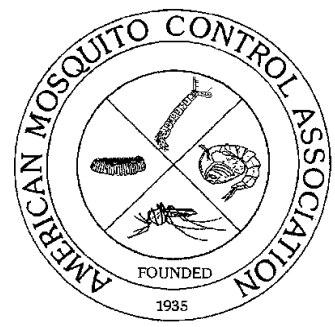
Non-Point Source:

Diffuse, widespread sources of pollution including urban and industrial areas, roads, highways, parking lots, construction sites, mining, and livestock grazing. NPS pollution can occur any time water runs over land (i.e. stormwater, snowmelt, irrigation)

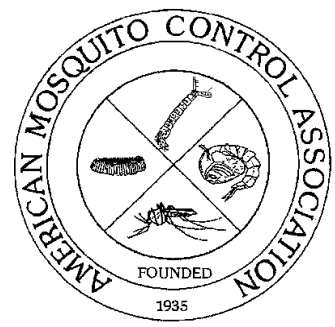
Pollutants of concern include trash, sediments, toxic materials, metals, and nutrients (i.e. N and P).

Three Main Targets: Industrial, Construction, Municipal.



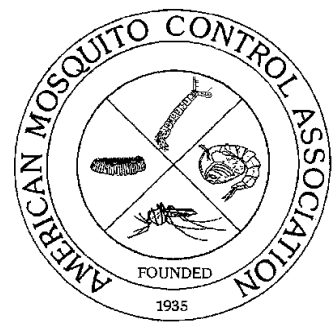


- NPDES Stormwater Permits
- Do not contain numeric effluent limitations for water quality
 - Require a reduction in runoff pollution
 - Require elimination of dry-weather discharges
- Permit must identify Best Management Practices (BMPs) to reduce or prevent discharge of pollutants into receiving waters



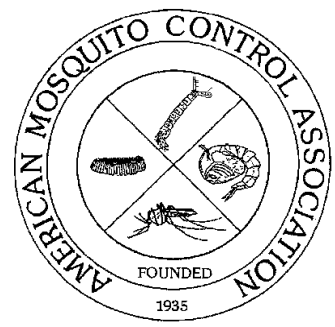
- **“BMP” Best Management Practice.**

Involves the structural, nonstructural and managerial techniques recognized to be the most effective and practical means to reduce surface and ground-water contamination while still allowing the productive use of resources.

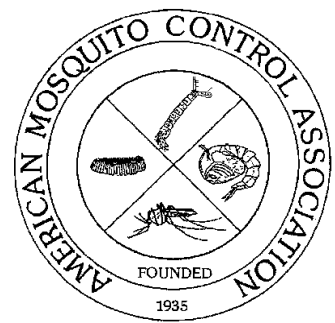


■ BMPs and Public Health

Certain BMPs potentially create a public health hazard by increasing habitat availability for aquatic stages of mosquitoes, and by creating harborage, food, and moisture for other reservoir and nuisance species



- **Treatment BMP Technologies**
All Shapes and Sizes!
- **Extended Detention Basins**
- **Media Filter Devices**
- **Biofiltration Swales and Strips**
- **Infiltration Basins and Trenches**
- **Permanent Ponds / Wetlands**
- **Oil-Water Separators**
- **Proprietary Devices**



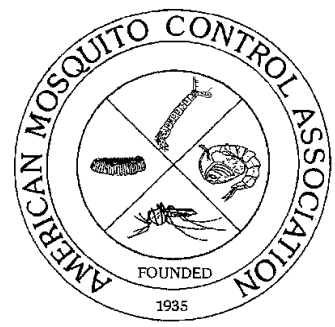
AMCA

THE AMERICAN MOSQUITO CONTROL ASSOCIATION

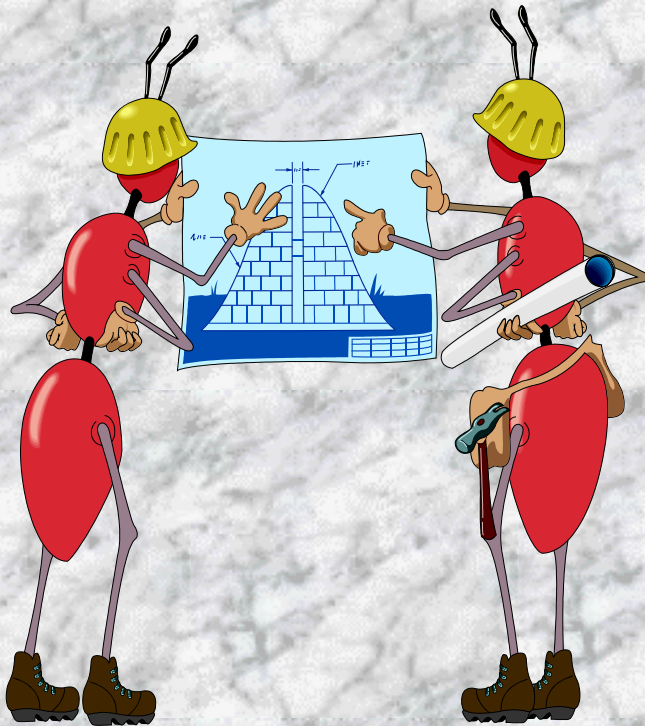


- Biofiltration Swales
- “wetlands”
- Extended Retention basins



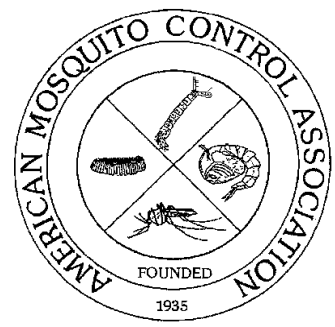


■ Two Primary Factors Contribute to Mosquito Production in BMPs

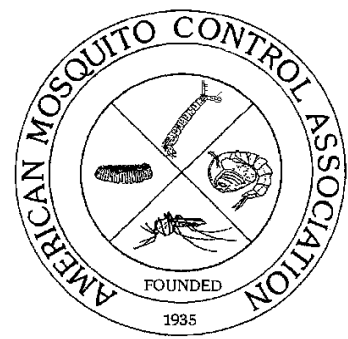


1) Design

2) Maintenance

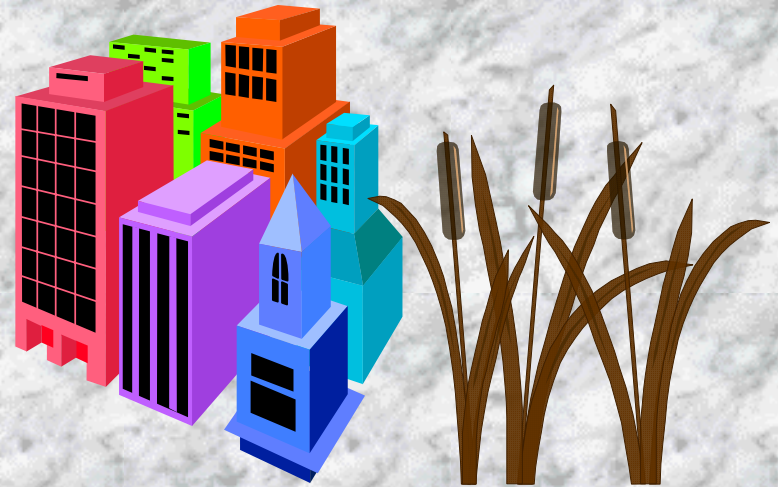


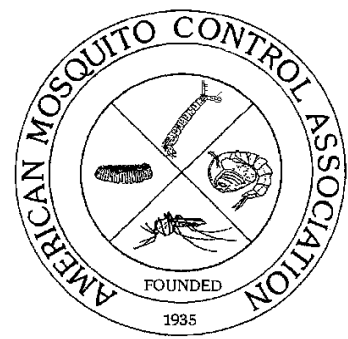
- **AMCA attempting to address CWA issue by:**
- **1) Members have testified at Congressional Hearings outlining problem with controlling WNV under current CWA direction**
- **2) AMCA has filed a Petition directly to USEPA asking for regulatory rule making clarifying position of FIFRA vs CWA**



■ USFWS and Mosquito Control

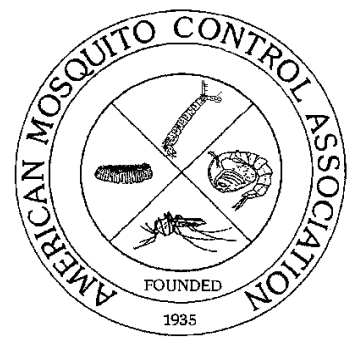
- Compatible Uses
- Nuisance vs. Public Health
- Treatment vs. No treatment unless “Public Health” issue





“Tools of the Trade”

- Food Quality Protection Act
 - Reregistration of all products
- OP's
- Pyrethroids
 - Is there sufficient data to retain uses?



FUNDING ISSUES

- California faces \$30 Billion Dollar Deficit

HR 342 (MASH Bill)

- Mosquito Abatement for Safety and Health
- 46 Cosponsors to Date
- Funding MAY be available, but how should it be distributed?

