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SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

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State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
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PERMIT TO APPLY RESTRICTED USE PESTICIDES BY AIRCRAFT

Permit No. KA-17-02

Certification No. C50169/A15001

Date Issued: August 28, 2017

Expiration Date: September 3, 2017

Pesticide application date: ~ August 31, 2017

To: (Name) [REDACTED] Cat 4); [REDACTED] Cat 2)

(Address) C/O Hawaii Department of Land and Natural Resources

Permission is hereby given to apply a restricted use pesticide by aircraft as specified in your application of: August 11, 2017
(Date)

This permit is conditioned upon compliance with the Administrative Rules on Pesticides of the Department of Agriculture applicable to aerial applications of restricted-use pesticides and upon the following additional conditions deemed necessary to avoid unreasonable adverse effects on the environment:

A responsible certified supervisor shall be present at the site during aircraft operations.

No aircraft application shall be conducted when wind velocity exceeds 25 MPH (21.7244 knots) for aerial applications of diphacinone rodenticide bait; Ditrac D-50 pellets, EPA Reg. No. 12455-147

Additional Restrictions: See listing attached

- FOLLOW ALL PESTICIDE LABEL DIRECTIONS
- You must adhere to all instructions, procedures, and additional restrictions of this permit.
- The applicant must notify the Pesticides Branch at 973-9404 of any changes on the permit.
- The applicant must notify the Pesticides Branch at 973-9404 to report death of fish, marine mammals or birds immediately – see threshold in attachment.

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Attachment: Additional Conditions to SPECIAL PERMIT TO APPLY RESTRICTED USE PESTICIDES BY AIRCRAFT. These conditions apply to all Lehua Island Ecosystem Restoration Project aerial pesticide applications scheduled during the month of August and September 2017.

1. Separate aerial application permits will be issued by the State of Hawaii Department of Agriculture ("HDOA") Pesticides Branch for each rodenticide application.
2. The permittee shall notify the HDOA Pesticides Branch at (808) 973-9404 of any change in the application schedule at least three (3) days prior to such changed application dates. Under emergency conditions, this three (3) day notification requirement may be waived.
3. Representatives of the HDOA Pesticides Branch shall be authorized to monitor and inspect all operational events leading up to, during, and after each application. This authorization specifically includes the inspection and copying of any and all records connected with the Lehua Island Ecosystem Restoration Project.
4. Any aerial pest control applicator must possess a Commercial Category 4 certification (Aerial Pest Control) issued by the HDOA Pesticides Branch.
5. A Certified Commercial Applicator with a Commercial Category 2 certification (Forest Pest Control) issued by the HDOA Pesticides Branch shall supervise the ground-based pesticide operations that support the aerial application and shall be responsible for determining and implementing, if for any reason, the rodenticide application must be halted.
6. The permittee shall determine and record wind direction and speed at the application site, beginning no later than one hour before, hourly during, and one hour after each application is made. The wind speed measurements shall be taken from Lehua Island. If the wind speed at time of measurement exceeds 25 MPH (21.7244 knots) all application shall cease, pause or be delayed until such time that the wind speed no longer exceeds 25 MPH (21.7244 knots).
7. The aerial pest control applicator shall guide and record bait applications with an onboard differential global positioning system (GPS) to assure uniform and complete coverage of Lehua Island and to minimize over lapping of bait pellet swaths. All GPS data will be provided to the HDOA Pesticides Branch.
8. At points where flight lines overlap, the amount of bait applied may locally exceed the prescribed application rate. The bait application rate for the total acreage shall not exceed the label rate of 27 lbs. per acre.
9. All helicopter bait buckets shall be equipped with a deflector shield device to ensure bait pellets are directed towards Lehua Island during bait applications along the coastline.
10. All safety precautions listed on the pesticide label, including proper use of Personal Protective Equipment (PPE) for applicators, handlers, and ground personnel shall be followed.

Attachment: Additional Conditions to SPECIAL PERMIT TO APPLY RESTRICTED USE PESTICIDES BY AIRCRAFT. These conditions apply to all Lehua Island Ecosystem Restoration Project aerial pesticide applications scheduled during the month of August and September 2017.

11. The death of:

- Ten (10) or more birds of any species,
- Twenty-five (25) or more fish of any species,
- Any endangered or threatened birds or marine mammals,

Or any human illness or injury suspected of being related to the use of or exposure to the pesticide shall be reported immediately to HDOA Pesticides Branch (808) 973-9404.

12. Samples of any dead fish, birds, or marine mammals shall be collected, appropriately stored with a proper chain of custody maintained by USDA, and shall be provided to the HDOA Pesticides Branch via shared samples in accordance with their mutual agreement.

13. The special permits to apply restricted use pesticides by aircraft may be canceled at any time for reasonable cause. The reason(s) for cancellation shall be stated in writing.

14. The issuance of the special permits to apply restricted use pesticides by aircraft by the HDOA Pesticides Branch, shall not relieve the permittee from the penalty provisions of Chapter 149A of the *Hawaii Revised Statutes*, and Title 4, subtitle 6, Chapter 66 of the *Hawaii Administrative Rules*.

15. The issuance of the special permits to apply restricted use pesticides by aircraft by the HDOA Pesticides Branch, shall not relieve the permittee from any liability for any damage or contamination of crops, plants, animals, humans, and the environment resulting from the aerial pesticide application.

16. The Lehua Island Ecosystem Restoration Project shall be implemented in a manner that substantially complies with Action Alternative 2 of the Final Environmental Assessment Lehua Island Ecosystem Restoration Project, dated July 2017, and the Finding of no Significant Impact for the Proposed Lehua Island Ecosystem Restoration Project by the U.S. Fish and Wildlife Service, Kauai County, Hawaii, dated July 11, 2017.



Date: _____

8-28-17

Scott E. Enright
Chairperson, Hawaii Department of Agriculture

Inspection Photograph Checklist

Storage Container

- Before opening, is the container secured?
- After opening (view contents)
- Disposal of boxes

Application

- Application equipment: helicopter
- Bucket/hopper
- Deflector
- Bucket/hopper rigged to the helicopter

Site of Application

- Photograph helicopter taking off with bucket/hopper attached
- Any materials for containing spills; *tarp on ground where bucket located.*

Label Photos

- Front page of label
- Weather (circle one): windy, sunny, rainy, cloudy
- Wind = applications may not be made in winds higher than ²⁵35 mph *(21.7244 knots); special condition.*

PPE

- Pilot (applicator): wear long sleeved shirt and long pants, gloves, and shoes plus socks.
- Ground crew (handler/loader):
 - wear long sleeved shirt and long pants, gloves, and shoes plus socks
 - loaders must wear protective eyewear or a face shield
 - NIOSH approved particulate filtering face piece respirator with any N,R, or P filter (TC84A) or another NIOSH approved particulate respirator with N,R, or P filter or NIOSH approved power air purifying respirator with an HE filter.