

6280.1300 STANDARDS FOR BLACK FLY CONTROL PERMITS.

The commissioner may issue a permit to control black fly larvae in streams subject to the following conditions:

A. the permit applicant must collect adult black fly specimens from the area adjacent to the stream requested for treatment and larval black fly specimens from the stream to be treated and provide species identification to the commissioner. Permit conditions may require an applicant to provide specimens to a qualified person to verify the species identification;

B. only *Bacillus thuringiensis var. israelensis* (Bti) may be approved for control of black fly larvae. Permit conditions may include specifications to minimize impacts to nontarget species, including, but not limited to, the location and timing of treatments;

C. a permit applicant must monitor the treated area before and after the treatment. Permit conditions may include specifications on the type and number of samplers to be used, the timing of placement and removal of samplers, and the data that needs to be recorded;

D. control of black fly larvae is prohibited in designated trout streams listed in part 6264.0050, subpart 4, and may be prohibited in other waters to prevent detrimental impacts to nontarget organisms;

E. the permittee must submit a report on forms provided by the commissioner no later than January 31 of the year following the treatment; and

F. if a permittee fails to comply with permit conditions, the commissioner may deny future permit applications from that permittee or the entity represented by that permittee.

Statutory Authority: *MS s 103G.615*

History: *32 SR 724*

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