



Butte County Mosquito and Vector Control District

5117 Larkin Road • Oroville, CA 95965-9250
Phone: 530-533-6038 • Fax: 530-534-9916
www.BCMVCD.com

Matthew C. Ball
Manager

For Immediate Release

June 11, 2009

Subject: 6th Circuit Court of Appeals Grants Two-Year Stay of Decision

Contact: District Manager, Matt Ball at 530-533-6038 and/or 530-342-7350

Butte County Mosquito and Vector Control District (District) will continue to control adult mosquitoes (fog) because the Sixth Circuit Court of Appeals approved the United States Environmental Protection Agency's (EPA) request to stay the effective date of its decision until April 9, 2011. The court ruling voiding the EPA regulation will not take effect until that date. As a reminder, the regulation (which therefore will remain in effect) adds the following to the list of discharges that do **not** require NPDES permits:

“(h) The application of pesticides consistent with all relevant requirements under Federal Insecticide, Fungicide, Rodenticide Act (FIFRA) (i.e., those relevant to protecting water quality), in the following two circumstances:

(1) The application of pesticides directly to waters of the United States in order to control pests. Examples of such applications include applications to control mosquito larvae, aquatic weeds, or other pests that are present in waters of the United States.

(2) The application of pesticides to control pests that are present over waters of the United States, including near such waters, where a portion of the pesticides will unavoidably be deposited to waters of the United States in order to target the pests effectively; for example, when insecticides are aerially applied to a forest canopy where waters of the United States may be present below the canopy or when pesticides are applied over or near water for control of adult mosquitoes or other pests.”

(Federal Register vol. 71, no. 227, p. 68483, Nov. 27, 2006; adding subsection (h) to 40 Code of Federal Regulations section 122.3.)

Residents are urged to protect themselves from mosquitoes by avoiding peak mosquito activity times, wearing repellent, wearing long pants and long sleeves, and preventing mosquito breeding on their property. Residents should inspect their properties for any standing water and do what is necessary to remove the water and safeguard their property to ensure water won't stand in the future where applicable. Residents are encouraged to report any suspected mosquito breeding sites and mosquito problems to the District at 530-533-6038, 530-342-7350, or www.BCMVCD.com.