



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID AND HAZARDOUS MATERIALS  
BUREAU OF PESTICIDES MANAGEMENT**

**INSTRUCTIONS TO COMPLETE FORM NUMBER AQV (04/09)  
APPLICATION FOR A PERMIT TO USE A PESTICIDE FOR THE CONTROL OF AN AQUATIC PEST  
TITLE 6 NYCRR PART 327/328**

The following numbered directions correspond to the numbered blocks on the "Application for a Permit to Use a Pesticide for the Control of an Aquatic Pest" form. Please read the instructions carefully and complete the application form accordingly. If all information is not provided, or if the information is not correct, the application will be incomplete and returned to the applicant for correction. Application review may not begin until a complete, accurate application has been received by the Department.

1. Check whether your application is for a new treatment or a repeat treatment (identical to previous year.) If there are any changes to your application from the previous year, you should check the new application block. Put in your prior permit number from the previous year, if applicable.
2. The name of the applicant proposing the treatment should be provided. If the application is being prepared for an organization, the applicant should be the organization.
3. If the applicant in block 2 is not an individual, please provide the name of the person authorized to submit the application for the organization.
- 4.-6. The address and telephone number of the applicant must be provided.
7. Check the appropriate block to identify whether the applicant is a riparian owner or lessee, or an organization, agency or other entity.
8. Provide the names of all water bodies proposed to be treated. Indicate "none", or "unknown" if the name(s) are not known. A copy of the relevant portion of the 7 1/2' U.S.G.S. quadrangle map containing the water body or stream(s) proposed for treatment must be attached. In addition, an expanded scale drawing on 8 1/2" x 11" paper showing in detail, including but not limited to, the following features of the treatment areas (if necessary, more than one such drawing may be submitted).
  - A. A detailed drawing of the water body, with outlines of the weed beds, and outlines of area(s) proposed for treatment, or a diagram of all stream(s) proposed to be treated. All areas to be treated must be clearly identified. Be sure to include map scale.
  - B. Length of shoreline in proposed treatment area(s) in feet; or length of target stream(s) proposed for treatment in feet.
  - C. Width of proposed treatment area(s) outward from the shore (in feet).
  - D. Depth soundings in area(s) proposed for treatment and their location(s). Information must be sufficient to determine correct pesticide application dosage if calculation is based upon the volume of water to be treated.
  - E. Inlet and outlet streams, and location of any outflow control devices.
  - F. Names and locations of public and private water supply intakes, livestock watering areas, bathing areas, public boat launches or public lands in vicinity of the treatment areas and on the outlet waters.
  - G. Any NYSDEC regulated freshwater or tidal wetland, if known.
9. Indicate Township(s) where waterbody is located.
10. Indicate county(ies) where waterbody is located.
11. The purpose of the treatment must be specified. Indicate the target pest, ie. vegetation species or fish species.
12. Check all known uses of the water proposed for treatment.
13. Provide the total acreage of the water body, if the proposed treatment is for a lake, pond or similar water body.
14. Indicate the number of acres of the water body to be treated.

15. If the entire water body is not going to be treated, indicate the number of areas in the water body that are proposed for treatment.
16. Indicate whether the water body has an outlet and if “yes”, show the location of the outlet on the detailed map of the water body.
17. If the answer to Question 16 is “yes”, the applicant must indicate whether the water level in the water body can be controlled during and for the required period of time after treatment provide the estimated flow from the outlet during the time of treatment in cubic feet per second (CFS.)
18. Some pesticide products contain water use restrictions as either label requirements or in regulation. Outflow from the treated water body must not be permitted if the pesticide label states that there must be little or no outflow from the water body.

If the answer to question 17 is “yes”, the applicant must describe how the water will be held from the outlet, and must include a draw down study outlining how the water will be contained for the restriction period. The study should include formulas and drawings of outlets, dams, etc. and clearly indicate how the water will be retained.

If the answer to question 17 is “no” and there will be outflow, data will be needed to demonstrate how far the outlet waters will flow during the use restriction period in order to identify potentially adversely affected downstream riparian owners, together with an estimate of outflow in cfs.

19. If the proposed treatment is for a stream or stream system, indicate the number of streams in the treatment area to be treated and provide the miles of streams requested for treatment.
20. The name(s) and location(s) of every private and public water supply intake within the treatment area must be provided. If necessary, use additional 8 ½" x 11" sheets to complete the list.
21. The presence of regulated freshwater wetlands may require additional permits. Check off either Yes, No or Unknown. If known, please make sure that all regulated freshwater and tidal wetlands are located on the detailed map.
22. If the water body or stream is stocked, indicate yes or no and if fish are stocked by the State.
23. Provide the product name of the pesticide proposed for use. Only one pesticide product may be requested on each application.
24. Specify the active ingredient in the pesticide product proposed for use.
25. Specify the percent active ingredient in the pesticide product proposed for use.
26. Provide the EPA Registration Number for the pesticide product proposed for use.
27. Specify the proposed application rate as described on the product labeling (ie. parts per million, parts per billion, gallons per acre, pounds per surface acre).
28. Specify the total amount of product per application that is proposed to be applied.
29. Specify the proposed date(s) of treatment. These must be the dates contained in the notification notice sent to all riparian owners. If dates change for any reason, the riparian owner(s) must be renotified of the date change. Generally, the local DEC Regional Office must be notified of the exact dates at least seven (7) days prior to treatment, if the dates change from those authorized in the permit.
30. Specify the method of pesticide application (e.g. ground equipment, application from boat, etc.)
31. Type of application equipment must be specified (e.g. boom sprayer from boat, etc.)
32. If application is proposed by aircraft, information must be provided about the aircraft and the aircraft application equipment, including the FAA number.

33. If riparian owner/user notification has been completed, indicate if they have approved your plans and agreed to water use restrictions. If the notification has not been completed prior to application submission, contact your local DEC office. An example of a notification letter is attached at the end of this instruction sheet (Attachment A). This suggested letter contains the minimum wording necessary to satisfy riparian owner/user notification and consent. You may add additional information. Certification that these written notices were provided must be submitted. Attachment B in this packet is the "Certification of Notification of Riparian Owners and Users" form. If the proposed treatments is to a water body under sole ownership, check off the appropriate box on this form, sign, and submit with the application.

Riparian owners are persons who own property along the shore of the proposed treatment areas. The ownership of the riparian property surrounding or bordering the water body proposed for treatment must be established, and if there is to be outflow during the restriction period along any outlet, this ownership must also be established.

Riparian users are those users of a water body who have a vested right to the use of the water body. Examples of such a vested right include a person with deeded access to the water body for recreational or other purposes, or a person who has a vested right to withdrawal and use of water from the water body.

If there is more than one riparian owner, or if there are one or more vested riparian users, these riparian owners/users must be notified in writing of the treatment and their right to object. If there will be outflow of treated waters through lands owned by parties other than the sole water body riparian owner, they too must be notified.

If a partial water body treatment is proposed in a small lake/pond (500 acres or less), all riparian owners/users must be notified. For large water bodies (greater than 500 acres in size) receiving partial treatments, the applicant must notify all affected riparian owners/users located within one-half mile of the treatment area.

Riparian owner/user notification must include:

- A. The date of the notice.
- B. The purpose of the proposed aquatic pesticide application.
- C. The pesticide(s) to be used. A copy of the pesticide product label (or the label with only the application directions not relevant to the proposed application deleted) must accompany the letter.
- D. The anticipated water use restrictions.
- E. The date(s) of the proposed treatment. If treatment dates change from those stated in the notice or if dates are uncertain, a contact person and phone number with hours of availability must be provided.
- F. The fact that they may object to the treatment, how to file an objection, the location of the Department Regional Office and the contact person where they may register their disapproval of the proposed application.
- G. The period of time, no more than 21 calendar days, to respond to the Department if they do not consent to the proposed application.
- H. A statement that lack of comment will be considered agreement to the treatment.

34. Indicate if the applicant is aware of any other proposed or approved treatments to the water body or stream(s), or is proposing to apply other chemicals to the same water or stream(s). If yes, specify who is proposing the treatment, the dates of treatment and the products to be used, including EPA registration numbers if known.

35 to 37. If applicable, provide the name and address, and business registration number of the pesticide business conducting the pesticide application.

38. Provide the name of the certified pesticide applicator performing the pesticide application.

39. Provide the certified pesticide applicator's certification identification number and telephone number.

40. Answering this question has no effect on the application review process, and will not affect issuance or denial of a permit. The Department of Environmental Conservation encourages and promotes the development of Lake Management Plans which incorporate information on addressing the aquatic pest problem holistically by utilizing integrated aquatic pest management practices such as control of nutrient and sediment runoff, use of benthic vegetation barriers, mechanical vegetation harvesting, and

herbivorous fish. Information on management plan development and integrated pest management is available from your local DEC Regional Office.

41. The application must be signed by an authorized individual, such as a riparian owner, an authorized representative of a lake association, or an authorized agency employee. NOTE: The individual signing the application must be the individual identified either under Item 2 or Item 3 on the application form. Also include the individual's title, if a representative of a lake association or employee of an agency, and the date of endorsement.

42. In certain cases, the signature of the Certified Pesticide Applicator, or a representative of the Commercial Application Company, must sign the application, indicate title, and the date of endorsement. Contact your local DEC Regional Office to determine if this signature is required.

**PLEASE USE THE ATTACHED ✓ CHECK OFF FORM TO INSURE THAT  
THE APPROPRIATE DOCUMENTS HAVE BEEN ATTACHED TO THE APPLICATION.**

**MAIL THE COMPLETED APPLICATION, ATTACHMENTS, AND APPLICATION FEE TO THE APPROPRIATE REGIONAL  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION OFFICE LISTED BELOW:**

Region 1	Nassau, Suffolk	Loop Rd., Building 40, Stonybrook, NY 11790-2356 (631) 444-0340
Region 2	New York City (Bronx, Richmond, New York, Kings, Queens)	1 Hunters Point Plaza, 47-40 21 <sup>st</sup> Street, Long Island City, NY 11101 (718) 482-4994
Region 3	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester	21 South Putt Corners Road, New Paltz, NY 12561-1696 (845) 256-3097
Region 4	Delaware, Greene, Otsego, Schenectady, Albany Schoharie, Montgomery, Rensselaer, Columbia	1130 North Wescott Road, Schenectady, NY 12306 (518) 357-2045
Region 5	Clinton, Essex, Franklin, Fulton, Hamilton Saratoga, Warren, Washington	Hudson St. Ext., P.O. Box 220, Warrensburg, NY 12885-0220 (518) 623-1200
Region 6	Herkimer, Jefferson, Lewis, Oneida, St. Lawrence	State Office Building, 317 Washington St., Watertown, NY 13601 (315) 785-2263
Region 7	Broome, Cayuga, Chenango, Cortland, Tioga Onondaga, Oswego, Madison, Tompkins	1285 Fisher Ave., Cortland, NY, 13045-1090 (607) 753-3095
Region 8	Chemung, Genesee, Livingston, Monroe Ontario, Orleans, Wayne, Schuyler Seneca, Steuben, Yates	6274 East Avon-Lima Rd., Avon, NY 14414-9519 (716) 226-2466
Region 9	Allegany, Cattaraugus, Niagara, Erie Chautauqua, Wyoming	270 Michigan Ave., Buffalo, NY 14203-2999 (716) 851-7220