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Marquette Biological Station
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Marquette, Michigan 49855
U.S.A.

and

U.S. Fish and Wildlife Service
Ludington Biological Station
5050 Commerce Drive
Ludington, Michigan 49431
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and

Fisheries and Oceans Canada
Sea Lamprey Control Centre
1219 Queen Street East
Sault Ste. Marie, Ontario P6A 2E5
Canada

ADMINISTRATIVE OPERATING PROCEDURE

PROCEDURE TITLE:

Notifying and Reporting to Jurisdictional and Cooperating Agencies

APPLICABILITY:

Procedure applies to the chemical control program conducted at the Department of Fisheries and Oceans, Sea Lamprey Control Centre.

PURPOSE:

To outline the responsibilities of notifying jurisdictional and cooperating agencies of lampricide control activities.

PROCEDURE:

- I. Treatment requests and notification
 - A. A request to perform a water extermination is submitted to the Ontario Ministry of Environment for each stream scheduled for treatment. Authorized permits are returned prior to the field season.
 - B. An online application to conduct research in Ontario Provincial Parks is submitted for stream treatments that are conducted in or are adjacent to Park boundaries (<http://www.ontarioparks.com/english/form2.html>). The process for review requires a period of up to two months before approval is granted

- C. An online application to the Parks Canada Research and Collection Permit System is submitted for stream treatments that are conducted in or are adjacent to heritage areas (http://www.pc.gc.ca/apps/rps/page1_e.asp). Application for a permit should be submitted a minimum of 60 days before the scheduled date of the treatment.
- D. A notification of proposed treatments is sent to the New York State Department of Environmental Conservation and to appropriate districts of the OMNR. Also, an application to obtain a license to collect larval lampreys and nontarget fish is submitted to NYSDEC for treatments in New York.
- E. In New York a request is made to the USFWS for a review of federally-listed endangered, threatened, and candidate species that may be present in areas proposed for treatment.
- F. Cooperating agencies (First Nations, Parks Canada, Health Canada, Conservation authorities, municipalities, industries, and hydro-electric power companies) are notified to request and assist with access to treatment sites, to provide discharge regulation, and to discuss possible water use restrictions and other pertinent treatment details.
- G. An overview of the annual treatment program is released to the news media prior to the field season. The release lists streams and approximate dates of treatment. Notifications of treatments on high profile streams are placed in local newspapers a few days prior to treatment.
- H. Immediately prior to treatment, a confirmation of treatment dates and details is provided to the Ontario Ministry of Environment and the OMNR and other cooperating agencies.

II. Reporting

- A. Notification of completion is sent to the OMNR, and to the NYSDEC. Information is provided (where applicable) on the amounts of lampricide used, distance and discharge treated, and observations on mortality of nontarget species.
- B. An annual report is submitted to Ontario Parks following the completion of the field season and prior to applying for a subsequent permit to conduct research in Ontario Provincial Parks. A brief summary is to include information on treatment location, operations conducted and observations of mortality of sea lamprey and nontarget species.
- C. An Annual Investigator's Report is submitted to Parks Canada following the completion of the field season. A brief summary is to include information on treatment location, operations conducted and observations of mortality of sea lamprey and nontarget species.
- D. Reports of treatment results and observations are sent to other cooperating agencies as deemed necessary.
- E. A lampricide use compliance report is sent to the Ontario Ministry of Environment on completion of the field season.
- F. Canadian personnel will comply with requirements of Section 6(a)(2) of FIFRA in waters of both Canada and the United States. The USEPA requires registrants of pesticides to submit adverse effects reports (Attachment 1) to fulfill Section 6(a)(2) of FIFRA. These reports provide the USEPA with information regarding unreasonable adverse effects that occur from the use of pest control products. Such data are evaluated to determine if changes to the product label are necessary or, in extreme cases, if cancellation of the product label is required.

According to USEPA Federal Register: September 19, 1997 (Volume 62, Number 182), it is necessary to file a 6(a)(2) adverse effects report at the following mortality thresholds:

- (A) Fish: Affected 1,000 or more individuals of a schooling species or 50 or more individuals of a non-schooling species. Fish will be identified as schooling or non-schooling at the time of the mortality.
- (B) Birds: Affected 200 or more individuals of a flocking species, or 50 or more individuals of a songbird species, or 5 or more individuals of a predatory species.
- (C) Mammals, reptiles, amphibians: Affected 50 or more individuals of a relatively common or herding species or 5 or more individuals of a rare or solitary species.

This procedure has been reviewed and approved by the undersigned representative of Fisheries and Oceans Canada.

REVIEWED/APPROVED Mike Jones DATE 05 MAR 2020
Program Manager (Canada)