

Appendix C

Department of Pesticide Regulation Recommended Permit Conditions

Introduction

This Appendix contains Department of Pesticide Regulation recommended permit conditions for various restricted material pesticides.

Topics discussed

This Appendix contains discussions on the following topics:

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C.4 – Carbofuran (Furadan)	C-28
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C.7 – Soil Fumigation <ul style="list-style-type: none">• 7.1 – 1,3-Dichloropropene (1,3-D)• 7.2 – Metam-Sodium and Metam-Potassium• 7.3 – Methyl Bromide<ul style="list-style-type: none">• 7.3.1 – Soil Fumigation Within A Greenhouse• 7.4 – Approved Alternatives<ul style="list-style-type: none">• 7.4.1 – Nighttime Applications of Metam-Sodium• 7.4.2 – Drench Application Method of Metam-Potassium or Metam-Sodium• 7.4.3 – Metam-Potassium and Metam-Sodium Sprinkler 4:00 a.m. Start Method	C-106

Section C.1

General Drift Minimization

Introduction The following drift minimization measures are recommended permit conditions for those pesticides that are restricted materials, in addition to the drift minimization measures described on the pesticide label. Applicators are encouraged to utilize these measures for other pesticides whenever possible to minimize environmental contamination from drift.

I. AIRCRAFT

- A. Aircraft application equipment used to apply a pesticide spray solution shall be configured as follows:
1. Functional boom length, measured from outboard nozzle to outboard nozzle, shall not exceed 75% of the overall wing span or rotor length.
 2. Boom pressure shall not exceed the manufacturer's recommended pressure for the nozzles being used.
 3. The flow of liquid from each nozzle shall be controlled by a positive shutoff system.
 4. Nozzle orifices shall be directed backward, neutral to the airstream.
 5. Aircraft shall be equipped with:
 - (a) Jet nozzles having an orifice of not less than one-sixteenth of an inch in diameter. Nozzles shall not be equipped with any device or mechanism which would cause a sheet, cone, fan, or similar type dispersion of the discharged material, except helicopters operating at 60 miles per hour or less may add a number 46 (or equivalent) or larger whirlplate;
 - (b) Helicopters operating at 60 miles per hour or less may, instead of (a), be equipped with fan nozzles with a fan angle number not larger than 80 degrees and a flow rate not less than one gallon per minute at 40 pounds per square inch pressure (or equivalent); or
 - (c) After evaluation, the director may authorize other nozzles for aircraft use.
- B. Aerial applications of a pesticide spray solution shall meet the following requirements:
1. Apply only when there is a positive air flow. Wind speed shall not be more than ten miles per hour at the application site, as measured by an anemometer positioned four feet above the ground.
 2. Discharge shall start after entering the target site; discharge height shall not exceed ten feet above the crop or target; discharge shall be shut off whenever necessary to raise the equipment over obstacles; discharge shall be shut off before exiting the target site.

Continued on next page

General Drift Minimization, Continued

II. GROUND

- A. Vehicle-mounted or towed ground equipment, other than handguns, used to make applications shall be equipped with:
 - 1. Nozzles having an orifice not less than one-sixteenth of an inch in diameter (or equivalent) and operated at a boom pressure not to exceed the manufacturer's recommended pressure for the nozzles being used; or
 - 2. Low-pressure fan nozzles with a fan angle number not larger than 80 degrees and nozzle orifice not less than 0.2 gallon per minute flow rate (or equivalent) and operated at a boom pressure not to exceed 15 pounds per square inch.

 - B. Applications of a pesticide spray solution made by vehicle-mounted or towed ground equipment shall meet the following requirements:
 - 1. Apply only when wind speed is ten miles per hour or less at the application site, as measured by an anemometer positioned four feet above the ground.
 - 2. Discharge shall start after entering the target site; discharge shall be shut off before exiting the target site.
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Section C.2

Recommended Permit Conditions for Rice Pesticides

Introduction This document provides recommended permit conditions for pesticide applications to rice.

Attachments This Appendix contains the following topics:

Subsection / Topic	See Page...
C.2.1 – Instructions to County Agricultural Commissioners on Rice Pesticide Permit Issuance	C-5
C.2.1.1 – Data Reporting Guidelines for the Rice Pesticide Program	C-13.1
C.2.2 – General Water-Holding	C-14
C.2.3 – Methyl Parathion	C-15
C.2.4 – (Placeholder – for future use – <i>formerly</i> Molinate)	C-16
C.2.5 – Phenoxy/Dicamba Herbicides	C-22
C.2.6 – Thiobencarb	C-23

Subsection C.2.1

Instructions to County Agricultural Commissioners on Rice Pesticide Permit Issuance

Introduction The Department of Pesticide Regulation (DPR), in cooperation with the Central Valley Regional Water Quality Control Board (CVRWQCB), developed recommended permit conditions to meet water quality management objectives for Malathion, Methyl Parathion, and Thiobencarb. These conditions reflect management practices required by current Board Resolution. DPR and CVRWQCB believe that use of these permit conditions will meet water quality management objectives for these rice pesticides.

Approved resolution The Central Valley Regional Water Quality Control Board (CVRWQCB) approved resolution is available for review at:
http://www.waterboards.ca.gov/centralvalley/adopted_orders/index.html

Rice Pesticide Water Monitoring and Annual Reporting

CRC responsibility The rice industry, via the California Rice Commission (CRC), will be responsible for leadership in water monitoring, annual reporting to the CVRWQCB, and coordinating the participation of all program stakeholders.

- The rice industry is ultimately responsible for meeting water quality objectives.
- DPR, as a co-regulator with the water boards, will continue to use its authority to regulate the sales and use of pesticides to address water quality issues involving pesticides. DPR will continue to actively participate with CVRWQCB and the rice industry staff to address rice pesticide issues.

Continued on next page

Instructions to County Agricultural Commissioners on Rice Pesticide Permit Issuance, Continued

Seepage Mitigation Requirements

Seepage defined For purposes of mitigating seepage in rice production:

- Seepage is lateral movement of irrigation water through a rice field levee or border to an area outside the normally flooded production area. Seepage can occur through levees into adjacent dry fields or into adjacent drains and canals.

Seepage documentation DPR requests that county agricultural commissioners (CACs) continue monitoring for seepage when inspecting for water-holding compliance by:

- Checking for seepage, or collection of seepage, that occurs through the outer borders of a field or the bottom border located at the lowest part of the field.
- Using the water-holding inspection logs to document seepage observations. The Pesticide Use Monitoring Inspection Form (PR-ENF-104) may also be used to document seepage observations. Indicate “water-hold inspection” on the blank line under “application inspection.”
- Document in the “Remarks” section on either form: Seepage flow less than five gallons per minute, or seepage flow more than five gallons per minute.

Enforcement action Any visible seepage moving offsite during the water-holding period that drains into the waters of the State is considered an early release and is a water-holding violation. An enforcement action should be taken in accordance with 3 CCR section 6128.

Brochure Please continue to distribute the brochure, *Seepage Water Management, Voluntary Guidelines for Good Stewardship in Rice Production*, Publication 21568, to growers at the time of permit issuance.

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Instructions to County Agricultural Commissioners on Rice Pesticide Permit Issuance, Continued

Drift Minimization Requirements

Mitigation measures

- DPR will provide “focused” oversight inspection of thiobencarb aerial applications to monitor thiobencarb drift mitigation requirements.
 - DPR recommends all rice pesticide permits be conditioned with *General Drift Minimization* restrictions.
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Thiobencarb Drift Mitigation Requirements

Mandatory preseason thiobencarb stewardship training (applies to Sacramento Valley counties only)

- Restricted material permits for the use of thiobencarb should not be issued to growers who have not received CRC certification that they have attended a Thiobencarb Stewardship Meeting.
 - The CAC may certify a grower that did not attend a Thiobencarb Stewardship Meeting by having them view a video of the preseason Thiobencarb Stewardship Meeting.
 - DPR will provide “focused” oversight inspection of thiobencarb aerial applications to monitor thiobencarb drift mitigation requirements.
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Instructions to County Agricultural Commissioners on Rice Pesticide Permit Issuance, Continued

General Information

Malathion water management recommendations

CVRWQCB has approved a water management practice for malathion applied to rice that will help meet water quality performance goals for malathion in surface water. Malathion is currently not a restricted material and not subject to permit conditions. However, it is important that growers comply with the following water management practice:

- **All water from fields treated with pesticides containing malathion should be retained on the site of application or contained within a tailwater recovery system, or other system, adequate to prevent discharge to waters of the State for at least four days following application.**

Storm Event Work Group

The Communication Plan developed by the Storm Event Work Group will be utilized in the event of a severe storm occurrence. The Storm Event Work Group will continue to meet as needed. Currently, the work group is comprised of staff from the Regional Water Board, DPR, University of California, a reclamation district representative, CACs, and the rice industry. The California Rice Commission will take the lead in facilitating this group.

One-page summary

Table B summarizes the recommended water-holding permit conditions for thiobencarb. This summary can be used as a quick reference. Please refer to the specific permit conditions and pesticide labeling for a complete explanation of the requirements.

Topic	See Table
(Placeholder – for future use)	A
Rice Pesticides Water Management Requirements Summary (Water-holding permit conditions for malathion, methyl parathion, and thiobencarb)	B

Continued on next page

Instructions to County Agricultural Commissioners on Rice Pesticide Permit Issuance, Continued

Emergency release forms

Form A is used for an emergency release request. Form B is used for reporting the emergency release. These DPR-suggested forms may be reproduced under county letterhead.

Topic	See Form
Rice Pesticides Water Management Requirements, Emergency Release Request Form	Form A
Rice Pesticides Water Management Requirements, Emergency Release Report Form	Form B

Continued on next page

TABLE A

(Placeholder – for future use)

Table B

Rice Pesticides Water Management Requirements Summary

Water must be held for the indicated number of 24-hour periods on site or containment before release into State waters	Bolero 15-G	Bolero UltraMax	Abolish 8EC	Methyl Parathion	Malathion
	Hold	Hold	Hold	Hold	Hold
Single field	30	30	19	24	4 (e)
Single field Southern area only (a)	19	19			
Release into tailwater recovery system or pond onto fallow field [Except Southern area (a)]	14 (b)	14 (c)	14 (b)		
Multi-growers & district release onto closed recirculating systems	6	6	6		
Multi-growers & district release onto closed recirculating systems in the Southern area (a)	6	6			
Release from closed recirculating system	19	19	19		
Release into area that discharge negligible amount into perennial streams	19	19	6 (d)		
Pre-flood application – Release onto tailwater recovery system etc.					
Emergency release of tailwater	19	19	19		
Commissioner verifies the hydrologic isolation of the fields	6	6	6		

- a – Sacramento/San Joaquin Valley defined as: South of the line defined by Roads E10 and 116 in Yolo County and the American River in Sacramento County.
- b – Thiobencarb permit condition allows Bolero 15G label hold period of 14 days.
- c – Thiobencarb permit condition allows Bolero UltraMax label hold period of 14 days.
- d – See hydrologic isolated fields.
- e – Voluntary hold.

FORM A

RICE PESTICIDES WATER MANAGEMENT REQUIREMENTS, Emergency Release Request Form

Thiobencarb

Grower: _____ Permit No.: _____

Address: _____ Zip: _____

Field Location: _____ Site No.: _____

Chemical applied: _____

Chemical applied: _____

Rate of application: _____

Rate of application: _____

Date of application: _____

Date of application: _____

Average water depth
at time of application: _____

Average water depth
at time of application: _____

Starting date of emergency release: _____

Acres treated in field: _____ Laser leveled: Yes _____ No _____

Type of irrigation system: _____ Flow through _____ Recycle _____ Static _____ Other _____

Date flooding began: _____ No. of days it takes to fill field: _____

Describe problem that led to emergency release: _____

Steps that can be taken to prevent emergency releases from this field in future years: _____

Recommendation by (attached): _____

Applications by: _____

Grower's signature: _____ Date: _____

Approved by: _____

Agricultural Biologist

Subsection C.2.1.1

Data Reporting Guidelines for the Rice Pesticide Program

Introduction This document outlines the data reporting guidelines for the Rice Pesticide Program.

Pesticide Use Reporting procedures Follow your normal download and submittal practices (i.e., via e-mail) when electronically sending pesticide use report (PUR) data to DPR. Please send your rice PUR data to DPR's **Pest Management and Licensing Branch** in a timely manner so this data can be compiled and summarized for the annual report.

California Rice Commission report preparation The California Rice Commission (CRC) will submit a routine information request¹ to each rice-growing county for inspection data, and compliance and enforcement action data. The CRC will contact DPR to obtain the PUR data.

The CRC will use the data to prepare the annual report required by the Central Valley Regional Water Quality Control Board (CVRWQCB) by December 31 of each year.

Reporting inspection, compliance, and enforcement action data The California Rice Commission will request the following inspection, compliance, and enforcement action data. You may continue to use the *Annual Rice Reporting Information* form that follows.

For **thiobencarb** (Bolero[®], Abolish[™]), report the number of:

- Mix/load inspections
 - Application inspections
 - Water hold inspections
 - Release inquiries
 - Emergency releases
 - Water seepage inspections apply only to Sacramento Valley Rice Growing Counties
 - Non-compliance inspections
 - Agricultural civil penalties (ACPs)
-

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¹ Starting in 2009, the California Rice Commission will obtain this information directly from the rice-growing counties.

Data Reporting Guidelines for the Rice Pesticide Program, Continued

Reporting seepage inspection data

When conducting thiobencarb seepage inspections, please characterize the amount of seepage observed during the inspection as: “no seepage,” “less than five gallons of seepage,” or “more than five gallons of seepage.” Use the *Annual Rice Reporting Information* form that follows; enter the number of sites with:

- No seepage
 - Less than five gallons of seepage
 - More than five gallons of seepage.
-

Mail, e-mail, or fax

Please mail, e-mail, or fax the inspection and compliance/enforcement action data requested above by **September 30** to:

Roberta Firoved
Industry Affairs Manager
California Rice Commission
8801 Folsom Blvd., Suite 172
Sacramento, California 95826-3249
Telephone: (916) 387-2264

e-mail: rfiroved@calrice.org
Fax: (916) 387-2265

“Completed” water-holding enforcement actions to CVRWQCB

Additionally, at the request of the CVRWQCB, please send all “completed” water-holding enforcement actions within 30 days after enforcement action is completed to:

Rice Pesticide Program
Central Valley Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, California 95670-6114

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ANNUAL RICE REPORTING INFORMATION

County: _____

Acres of Rice Planted: _____

		INSPECTION TYPES														
CHEMICALS	* A C P	APPLICA- TIONS		MIX / LOAD		RELEASE INQUIRES		EMERGENCY RELEASES		WATER HOLD		WATER SEEPAGE **				
												# of Water Seepage	# of Sites w/ No Seepage	# of Sites w/ Less Than 5 Gallons	# of Sites w/ More Than 5 Gallons	
		#	N/C	#	N/C	#	N/C	#	N/C	#	N/C	#	N/C			
BOLERO® 15G																
ABOLISH™ 8EC																
Totals																

Please send the above information to California Rice Commission by e-mail to rfiroved@calrice.org; by fax at (916) 387-2265; or by mail to 8801 Folsom Blvd., Suite 172, Sacramento, California 95826-3249 by **September 30th** of each year.

* Administrative Civil Penalty

** Sacramento Valley Rice counties only

Subsection C.2.2

General Water-Holding

- I. The following seepage control requirements apply to all rice pesticides having mandatory water-holding requirements such as thiobencarb, etc. Non-compliance with seepage requirements is considered a water-holding violation.
 - A. Rice pesticides, such as thiobencarb, shall not be applied to rice fields exhibiting visible water seepage that moves offsite into drains that are considered state waters.
 - B. Borders surrounding each rice field shall be compacted before water is allowed to fill the field; the degree of compaction shall be sufficient to prevent water from seeping through the border. For example, compaction may be achieved by driving the tires or tracks of a tractor, or other heavy vehicle, on one side of the border.
 - C. This requirement applies to new or reworked existing borders for the current rice season.
 - D. A common border between two existing rice fields does not need to be compacted.
-

Subsection C.2.3

Methyl Parathion

Drift mitigation No aerial application of liquid formulations of methyl parathion shall be made to rice within 300 feet of any agricultural drain unless there is a continuous positive air flow away from the drain.

Water management Water shall not be discharged to waters of the State from sites treated with methyl parathion for at least 24 days following application.

Subsection C.2.4

(Placeholder – for future use)

**U.S. EPA
Product
Cancellation
Order**

This section is a placeholder for future use. The previous section, *Molinate*, has been deleted; U.S. EPA had a stop use date of August 31, 2009.

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Subsection C.2.5

Phenoxy/Dicamba Herbicides

- I. The following requirements apply to Dicamba; 2,4-dichlorophenoxyacetic acid; 2,4-dichlorophenoxybutric acid; 2,4-dichlorophenoxypropionic acid; and 2-methyl-4-chlorophenoxyacetic acid (MCPA) herbicides when used on rice grown in the following areas of the Sacramento Valley:
 - A. The counties of Butte, Colusa, Glenn, Placer, Sutter, Yolo, Yuba; the portion of Sacramento County situated north of Highway 80; and the portion of Tehama County situated west of the Sacramento River.
 - B. No herbicide in an ester form shall be applied, unless expressly authorized by a permit issued by the country agricultural commissioner.
 - C. Restrictions on types of application.
 1. Fixed-wing aircraft and helicopter applications are prohibited April 1 through October 15.
 2. Ground equipment applications made between April 1 through October 15 shall be made in accordance with the following requirements:
 - (a) Unless expressly authorized by permit, no application shall be made within two miles of any cultivated commercial cotton, grape, or pistachio planting.
 - (b) Each operating nozzle shall produce a droplet size, in accordance with the manufacturers' specifications, not less than 500 microns volume median diameter (Dv0.5) with ten percent of the diameter by volume (Dv0.1) not less than 200 microns.
-

Subsection C.2.6

Thiobencarb

Drift Minimization

- I. The use of Bolero 10G formulation is prohibited in the Sacramento Valley rice growing counties of Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yolo, and Yuba.
 - II. No aerial applications shall be made or continued within ½ mile of the Sacramento or Feather Rivers in the Sacramento Valley rice growing counties of Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yolo, and Yuba unless there is a continuous positive airflow away from the river.
 - III. In the Sacramento Valley rice growing counties of Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yolo, and Yuba, no aerial application shall be made or continued within ½ mile of the Sacramento or Feather Rivers when the wind speed exceeds seven miles per hour.
 - IV. In Sacramento and Yolo Counties, no aerial applications shall be made or continued within ¼ mile of the Sacramento River unless they are made under the direct supervision of the county agricultural commissioner's representative.
 - V. In Sacramento and Yolo Counties, the maximum acres treated by air each day within ¼ mile of the Sacramento River shall not exceed 33 percent of the average acres treated per day by air within this area in each county during 2002.
-

Water Management

- I. The following water holding requirements apply to rice fields treated with thiobencarb in the Sacramento Valley (north of the line defined by Roads E10 and 116 in Yolo County and the American River in Sacramento County), except those treated with Abolish® 8EC:
 - A. Except as listed below, all water on treated fields must be retained on the treated fields for at least 30 days following application. When drainage begins, discharge must not exceed two inches of water over a drain box weir for seven additional days. Unregulated discharges from these fields may then begin after 37 days.
-

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Thiobencarb, Continued

1. When water is contained within a tailwater recovery system, ponded on fallow land, or contained in other systems appropriate for preventing discharge, the water must be retained in the system for 19 days, unless:
 - (a) The system is under the control of one permittee, then water may be discharged from the application site in a manner consistent with product labeling (14-day water hold).
 - (b) The system includes drainage from more than one permittee, then water must be retained on the site of application for six days before being discharged from the application site into the system.
 - (c) Water is on fields within the bounds of areas that discharge negligible amounts of rice field drainage into perennial streams until fields are drained for harvest. Water-hold may be reduced to six days if the commissioner evaluates such sites and verifies the hydrologic isolation of the fields.

- II. Rice fields treated with thiobencarb in the Sacramento/San Joaquin Valley (south of the line defined by Roads E10 and 116 in Yolo County and the American River in Sacramento County), except those treated with Abolish® 8EC:
 - A. Except as listed below, all water on treated fields must be retained on the treated fields for at least 19 days following application. When drainage begins, water discharge must not exceed two inches of water over a drain box weir for an additional seven days. Unregulated discharges from these fields may begin after 26 days.
 1. When water is contained within a tailwater recovery system, ponded on fallow land, or contained in other systems appropriate for preventing discharge, the system may discharge 19 days following the last application of thiobencarb within the system unless:
 - (a) The system is under the control of one permittee, then water may be discharged from the application site in a manner consistent with product labeling (14-day water-hold period).
 - (b) The system includes drainage from more than one permittee, then water must be retained on the site of application for six days before discharged from the application site into the system.
 - (c) Water is on fields within the bounds of areas that discharge negligible amounts of rice field drainage into perennial streams until fields are drained for harvest. Water-hold may be reduced to six days, if the commissioner evaluates such sites and verifies the hydrologic isolation of the fields.

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Thiobencarb, Continued

III. All areas, fields treated with Abolish® 8EC:

- A. Except as listed below, all water on treated fields must be retained on the treated fields for at least 19 days following application. When drainage begins, water discharge must be released at a volume not to exceed two inches of water over a drain box weir for an additional seven days. Unregulated discharges from these fields may begin after 26 days.
 - 1. For water contained within a tailwater recovery system, ponded on fallow land, or contained in other systems appropriate for preventing discharge, the system may discharge 19 days following the last application within the system unless:
 - (a) The system is under the control of one permittee, then water may be discharged from the application site in a manner consistent with product labeling (14-day water-hold period).
 - (b) The system includes drainage from more than one permittee, then water must be retained on the site of application for six days before discharged from the application site into the system.
 - (c) Water is on fields within the bounds of areas that discharge negligible amounts of rice field drainage into perennial streams until fields are drained for harvest, then water-hold may be reduced to six days if the commissioner evaluates such sites and verifies the hydrologic isolation of the fields.

IV. Emergency release requirements (Salinity damage):

The county agricultural commissioner may authorize the emergency release of field water after a minimum 19-day water-hold period after the last thiobencarb application, following the review of a written application that demonstrates salinity levels are damaging to the crop.

- A. Applicants for such emergency releases must provide the following information:
 - 1. All information indicated on the emergency release request (Form A), including a description of the severity and extent of salinity damage.
 - 2. Electrical conductivity (EC) measurements, expressed as deciSiemens per meter (dS/m) or microSiemens per centimeter ($\mu\text{S}/\text{cm}$), from field water in each paddy suspected of having salinity problems. To most effectively demonstrate salinity problems, measurements should be taken wherever salinity problems are evident.

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Thiobencarb, Continued

3. The instrument (make and model) used to determine EC measurements. The instrument must have a sensitivity range that accommodates the full range of EC values in intake and paddy water (usually a range of 0-5.0 dS/m or 0-5,000 μ S/cm should be sufficient) and should have a resolution of not less than five percent. The instrument must be calibrated according to the manufacturer's instructions. The applicant must specify the method of temperature compensation (i.e., automatic, conversion table).
 4. Who made the EC measurements.
 5. The source of irrigation water (e.g., district supply canal, drainage canal, well, etc.).
- B. An emergency release may be granted only if all of the following conditions are satisfied:
1. All required information is provided.
 2. Water management requirements for rice pesticides other than thiobencarb are satisfied.
 3. EC of paddy water exceeds 2.0 dS/m or 2,000 μ S/cm.
 4. The county agricultural commissioner or his/her staff inspects the site.
- C. Water may be released from paddies where EC measurements exceed 2.0 dS/m or 2,000 μ S/cm and from paddies down gradient from such paddies within the same field. Water shall only be released in an amount necessary to mitigate the salinity problem.
- D. Those issued an emergency release must submit to the county agricultural commissioner, a report (Form B) indicating the time and duration of the emergency release and data that can be used to calculate the total amount of water released during the emergency release.
-