

## Summary and explanation of major changes to Regulation 63/09 relating to golf – Effective May 1<sup>st</sup>, 2020

**The requirements for the annual public meeting have been removed.** This is what the industry wanted, however, there are some changes to pesticide posting requirements that should be noted.

**Sections 78 and 79 deal with the posting of pesticide application signs.** To be clear, section 78 and 79 were there prior to this year. Section 78 has not changed relating to golf and it outlines what most of you already practice. Section 79 is an alternative if you are required to post more than 20 signs and/or were looking for permission to post a fungicide application less than 24 hours to meet the obligations of section 78.

**Section 78** states that approved pesticide signs must still be posted at all entrances to the property, the pro shop, the starting tee(s) (described as ... ***all locations where visitors normally come into contact with the owner or operator of the application area or that person's employees...***) and at least every 100m around the perimeter of the application area, unless the golf course property has a barrier\*. The signs are to be posted 24 hours prior to application, but no earlier than 7 days in advance of the application.

This Section has not changed for golf courses in rural areas or ***to which access by unauthorized persons is controlled by means of gates, fences or other barriers\****.

\*barrier - Barriers that can reasonably be expected to prevent any person from entering the golf course. Some possible examples: fence, dense tree line, valley, water course, other golf holes, etc. This term is seen again in Section 79.

**Section 79** has been amended to change a previous approval process to a notification process and describes possible situations where exceptions to Section 78 may occur and/or when a notification process might be preferred.

One positive amendment is that they recognize that occasionally, fungicide applications need to be made immediately, without the luxury of having 24 hours to prepare and post a sign e.g. treating for *Pythium spp.* Therefore, signs notifying of an application of a fungicide can now be posted less than 24 hours prior to application, but there are strings attached.

This is why the special consideration for fungicide applications is in this Section that describes a public notification process. You must now notify the Ministry (the Director) as well as the public of your intent to follow Section 79 requirements and how you plan to follow the rules.

### **Why would you elect to provide public notice in accordance with Section 79?**

- To be allowed to post signs for fungicide applications less than 24 hours prior to application.
- The golf course has many residential properties without barriers\* that can reasonably be expected to prevent any person from entering the golf course and posting signage every 100m would not be reasonable (more than 20 signs).

### **Requirements for providing public notice**

Provide written notice to the Director that you elect to have Section 79 apply for a period of time specified in the written notice, not exceeding one year. This notice must be given to the Director before any public notice is given and at least one week before the day of the first extermination as indicated in the written notice.

Confirm you are posting at least 24 hours but not more than seven days before the extermination begins, Sign F at every entrance to the golf course (including a pedestrian walkway, a multi-use trail crossing and a driveway), each pro shop and each starting tee.

Clarify what means of notice you will be providing from the following 2 options:

1. Every 100 m around the perimeter of a golf hole wherever there is not a barrier.

OR

2. Give written notice to the occupant of each property, without barrier, that abuts the golf course at least one time per year, one week before pesticides are first used at the golf course in a calendar year, which is one week prior to your first application. (Define what is written notice - letter delivered to homeowner)  
Information required on letter: That pesticides are anticipated to be used on the golf course throughout the year, telephone number of representative that can provide more information, **that the occupant has the option to receive written notice each time a sign is required to be posted under this Section.**
  - a. Note: this choice of notifying residents gives the opportunity for a resident to receive written notice of every application 24 hours before the sign is required to be posted - unless it is a fungicide application where notice posted or written notice can be given before application begins. (Define what is a written notice to resident - email)

### **Changes to Section 80 – Written notice changes**

#### **Written notice**

**Section 80** (3) If a range of dates is provided for the purpose of paragraph 1 of subsection (1), the person mentioned in paragraph 6 of subsection (1) must be able to provide, at least 24 hours before the extermination, the actual date on which the extermination is to take place.

#### **Will this be part of the IPM program?**

No

#### **Do you have to give public notice if you are applying fungicides?**

No, as long as you are posting at least 24 hours prior to the fungicide application.

#### **Are you obligated to give public notice if there are residences around the golf course?**

No, you always have the option to post signs every 100m or install barriers (e.g. fencing, dense plantings) around the area being treated.

If you have any further questions, please feel free to reach out to an OGSA Board member or your local MECP representative.

Jason Boyce

OGSA, Past President

jason@smugglersglen.com