

Proposed Adoption of 02 NCAC 09L .0707
To be published in the NC Register 10/15/14

TEXT OF PROPOSED RULE:

02 NCAC 09L .0707 EASTERN AND HAIRY-TAILED MOLES

(a) The North Carolina Pesticide Board hereby declares the eastern mole, *Scalpus aquaticus*, and the hairy-tailed mole, *Parascalops breweri*, to be pest as provided by law.

(b) Pesticides registered for use to control the eastern mole and the hairy-tailed mole may be used when either species is tunneling in managed turf in the following areas:

- (1) residential;
- (2) commercial;
- (3) government property, excluding federal and state parks;
- (4) golf courses, driving ranges, and golf instructional facilities;
- (5) sod farms;
- (6) athletic fields; or
- (7) visitor centers and cemeteries.

(c) For purposes of this regulation, managed turf shall not include pastures.

(d) Pesticides used to control the eastern mole and the hairy-tailed mole shall not be applied within 100 feet of natural or man-made bodies of water, including but not limited to, streams, rivers, ponds, swamps, lakes, and wetlands.

(e) Pesticides used to control the eastern mole and the hairy-tailed mole shall not be applied at elevations of 4000 feet or greater.

History Note: Authority G.S. 143-444(1); 143-458

EXPLANATION/REASON FOR PROPOSED RULE:

This rule declares the Eastern and Hairy-Tailed Moles as pests provided by law. In addition, the rule prescribes places pesticides registered by the NC Pesticide Board may be applied in controlling the moles listed above, and the manner in which pesticides are to be applied to minimize hazards to nontarget species, including the Star-Nosed Mole, carrying out G.S. 113-300.2(g).

HOW TO DEMAND A PUBLIC HEARING:

Any person may request a public hearing on the proposed rules by submitting a request in writing no later than October 30, 2014, to James W. Burnette, Jr., Secretary, NC Pesticide Board, 1090 Mail Service Center, Raleigh, NC 27699-1090.

INSTRUCTIONS ON HOW AND WHERE TO SUBMIT COMMENTS ON THE PROPOSED RULE:

Written comments may be submitted to Jim Burnette, Secretary of the NC Pesticide Board, 1090 Mail Service Center, Raleigh, NC 27699-1090. Written comments may also be received via email (james.burnette@ncagr.gov).