



## Roza-Sunnyside Board of Joint Control (RSBOJC)

P.O. Box 810 ■ Sunnyside, WA 98944 ■ (509) 837-5141 Roza Irrigation District  
P.O. Box 239 ■ Sunnyside, WA 98944 ■ (509) 837-6980 Sunnyside Valley Irrigation

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RSBOJC Board Committee Members

November 18<sup>th</sup>, 2021

Danielle Edelman  
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■  
Ric  
Valicoff  
Chairman

Dear Ms. Edelman,

On behalf of the Roza Irrigation District (RID) and the Sunnyside Valley Irrigation District (SVID), collectively formed as the Roza-Sunnyside Board of Joint Control (RSBOJC), we aim to provide much-needed perspective to work surrounding Department of Ecology's (Ecology) reissuance of the Irrigation System Aquatic Weed Control (ISAWC) General Permit. This National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge (SWD) permit is one regulatory license that RSBOJC holds in serious regard as it allows the irrigation districts to carry out the fundamental purpose of delivering irrigation water to landowners in an efficient manner at the lowest possible cost while consistent with good management practices. In addition, each district maintaining coverage under this permit allows RSBOJC to achieve its mission statement goal to enhance water supplies by improving water quality, supporting storage development, and increasing management efficiency throughout the Lower Yakima River Basin.

■  
Doug  
Simpson  
Vice  
Chairman

■  
Scott  
Revell  
Secretary/  
Auditing  
Officer

As Ecology begins to issue a draft ISAWC permit version in Winter 2021-2022 and anticipates reissuing a final permit version in Spring 2022, RSBOJC encourages Ecology's staff members working on this draft permit to consider the following comments and/or suggestions, regarding specific topics covered in recent meetings with most permittee stakeholders in attendance:

■  
Lori  
Brady  
Treasurer

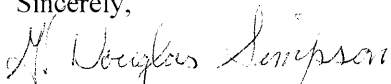
- Timing Windows – In the current permit version, timing windows are only subject to Teton (i.e., Mono(N,N-dimethylalkylamine salt of Endothall). Both districts are requesting the current permit condition for timing windows remain the same for the new version, as the reduced Teton application rate throughout most of the irrigation season is already restrictive towards the effective management of aquatic macrophyte and algae growth within constructed waterway systems throughout each district. If the timing window becomes a requirement for all other aquatic herbicides under the new permit, extreme complications or problems will arise in regards to district landowners not being able to receive their water through a streamlined and efficient process.

- Water Hardness – Each irrigation district is attempting to understand why more of this data collection is going to be required for this new permit version. If a district permittee never discharges treated water from a system to receiving waters, until twelve hours or several days after a treatment end time (ensuring other permit conditions are first met), why have to sample for hardness? Unless Ecology is trying to illustrate a correlation between copper-based aquatic herbicide products and the effects on hardness of receiving waters, it still would be pointless because a permittee would be able to prove through flow records, photo evidence, and DMR sampling data, that no dissolved copper was even discharged to the receiving waters. This certainly comes across as an extraneous requirement just for Ecology’s own research purposes, when no copper treated water is even discharged to begin with. There is also the possibility that this additional hardness data provided to Ecology by permittees will open the pathway for new tighter regulations such as lowering the copper criteria in the state surface water quality standards, which in turn could drive this permit’s copper effluent limit standard even lower when it is already as stringent as is. Therefore, RSBOJC does not endorse including additional water hardness testing in the new, updated version of this permit.
- Signage/Pictograms – Currently, both districts have many various signages widely posted at, near, and/or along facilities that intersect with public accessways to warn about trespassing and hazards. Requiring additional pictograms is unnecessary due to additional costs and time-consuming efforts, which may also lead to failed anticipated consequences, if public violators decide to ignore or misinterpret the message from additional postings (signs and/or pictograms). The bottom line is that the district facilities have restrictive access and are not open to the public (i.e., no fishing, no swimming, no drinking) for recreational activities. By already having permanent, districtwide “No Trespassing” signages in place, the districts are meeting the HEAL Act requirements by providing overburdened communities with hazard warnings to prevent and/or mitigate physical and environmental impacts of our operations to them.
- Education and Community Outreach – The districts currently offer plenty of resources on each of their websites. This range of information related to aquatic treatments can be anywhere from chemical labels, treatment schedules, district facility maps, agricultural extension program links, etc. In addition to the local law enforcement agencies along with the United States Bureau of Reclamation (USBR) in partnership with the irrigation districts sending out radio advisements reminding the public about canal waterway dangers and risks of drowning, both SVID and Roza also pay to release public service announcements about canal safety awareness on local television stations. Therefore, including additional public education and outreach programs required for implementation in the new permit will create an unnecessary burden of taking valuable efforts and time away from the districts’ crucial task(s) to ensure the efficient management and delivery of irrigation water for landowners.

- Treatment Notifications – Permit writing staff have indicated that the revised deadline would be no later than 12:00 PM one day prior to the scheduled treatment event(s). Both districts are requesting that Ecology provide flexibility and consideration by extending the “one day prior notice” deadline as notifying no later than 4:00 PM on the day prior to the treatment(s). This will provide ample opportunity to modify and/or add treatment events that may be required on an immediate or emergency basis throughout each of the seven days in a full week. Also, it is not realistic to provide Ecology with an accurate quantity of the aquatic herbicide(s) ahead of time before the occurred treatment(s) due to unanticipated circumstances, such as ending the duration of a treatment sooner than expected due to an emergency (i.e., equipment problems or failure, adverse weather conditions, etc.) We request Ecology accept an “estimated” quantity provided to them on the treatment notifications whereas the actual, total amount of product applied after each treatment event will be documented on the annual report(s) at the end of the year.
- Expansion on Holding Time Scenarios – S6.B.4.a. of the current permit requires district operators to hold treated water twice the time of travel from an application site to points of compliance (i.e., closed spillway gate), beginning at the end of a treatment duration. At the end of past treatment events, district applicator(s) may sometimes apply marker dye behind the chemical wave to gain a direct understanding of when its entire length and endpoint would pass a closed spillway gate, which recognizes there is no more treated water in the conveyance system. As a result, district operators have expressed recent concerns about why nontreated water needs to be held (i.e., no discharge from an open spillway gate to receiving waters) twice the time of travel, which at times can be a much longer hold time based on two factors: 1) the distance between the furthest upstream application site(s) and points of compliance, and 2) various inflows-outflows along the canal system, compared to a much shorter timeframe of when the entire length of the chemical wave completely exited the system and was either delivered on-farm or to a re-regulation reservoir. The districts are requesting that Ecology expand on this type of holding time scenario (S6.B.4.a. or inclusion of a new holding time special situation in S6.B.) to allow the release of nontreated water sooner than the twice travel hold time as long as another permit condition is met, such as minimum sampling frequency and/or submittal of monitoring data or other form of evidence (i.e., photos, dye tracing studies, etc.) for one full irrigation season during the permit cycle, in order to support this new reduced holding time scenario.

RSBOJC takes pride in our accomplishments as being responsible and strong environmental stewards while operating under the coverage of the ISAWC General Permit over the last two decades. We appreciate you and Ecology allowing us the opportunity to provide comments and/or input on this important matter. The ability for us to all work together as partners during this process will provide future generations with sustainability of water resources, and support the viability of agricultural production.

Sincerely,



RSBOJC Vice Chairman  
Doug Simpson

CC: Scott Revell, Lori Brady