

PERMIT: S1.A (Page 10)

PERMIT COVERAGE A. Activities Covered Under This Permit

The Washington State Department of Ecology (Ecology), through the Irrigation System Aquatic Weed and Algae Control General Permit (permit)2, conditionally authorizes the use of pesticides (such as herbicides, algacides, and adjuvants), aquatic tracer dyes, and marker dyes (referred to throughout this permit as “chemicals”) to control aquatic weeds and algae in irrigation systems that flow to fresh surface waters of the State of Washington. This permit also covers **the treatment of emergent vegetation on the banks of conveyances within the irrigation system**, where pesticides may enter the water. All authorized discharges and activities must be in compliance with the terms and conditions of this permit. Once coverage is obtained, the entity that applied for permit coverage is known as the “Permittee.”

- *Language of the treatment of emergent vegetation should be removed, this permit has historically been used for covering aquatic herbicide and water tracer dye usage, and not herbicide treatments along the banks of an Irrigation conveyance system.*

S1.C.3 (Page 10)

Terrestrial pesticide treatments applied outside the **canal** system

- *The word canal should be referred to as “irrigation conveyance system”, which would more accurately reflect the entire irrigation system as a whole.*

S2.A (Page 11)

A. Who May Obtain Permit Coverage

Irrigation districts, **water companies**, and other similar entities which provide water for irrigation and discharge water from irrigation canals into waters of the state may apply for permit coverage. The entity must employ licensed pesticide applicators (applicators) (WAC 16-228-1545) to perform the chemical treatments conditionally approved in this permit. The entity seeking new coverage or renewing coverage under this permit must apply for permit coverage within the following time limits.

- *The permit needs to be more precise in defining what “water companies” are, or this wording should be removed.*

S2.B.1.d (Page 11)

Integrated Pest Management Plan

- *Change “Integrated Pest Management Plan” to “Integrated Vegetation Management Plan”, as equally that is what is being treated. The word;” Pest” is confusing.*

S4.A (Page 18)

THE APPLICATION OF PRODUCTS AND DISCHARGE LIMITS

A. Prohibited Discharges

Ecology prohibits the application of pesticides or other treatments that cause oxygen depletion to the point of stress or lethality to aquatic biota from plant die-off, the mortality of aquatic vertebrates, or unintended impacts to water quality or biota. This prohibition only applies to dissolved oxygen levels in receiving waters. During periods of low flow, high temperatures, or other conditions which may increase risk for oxygen depletion, we recommend that permittees consider mitigation measures such as phasing pesticide treatments.

- *WRD only performs aquatic herbicide treatments within our irrigation conveyance system and are only used to deliver irrigation water. WRD’s Irrigation Conveyance system is not used for any recreation or storing aquatic life.*

S4.B. (Page 18)

Authorized Discharges

This permit conditionally authorizes the use of adjuvants, active ingredients, and marker dyes to control aquatic weeds and algae, and **emergent vegetation on banks** of conveyances, within irrigation systems.

- *WRD does not use aquatic herbicides to treat canal banks. We request you remove “and emergent vegetation on banks of conveyances” from the permit.*

Table 2: Active Ingredients to Control Aquatic Weeds and Algae

Parameter	Maximum Instantaneous Concentration
Acrolein	21 µg/L
Copper (dissolved)	25 µg/L
Dipotassium Salt of Endothall	5,000 µg/L (acid equivalent)
Fluridone	NA
Imazapyr	NA
Mono Salt of Endothall (N,N-Dimethyl Alkylamine)	50 µg/L (acid equivalent) (except during timing windows)
	200 µg/L (acid equivalent) (subject to timing windows)
Sodium Carbonate Peroxyhydrate	NA
Xylene	5,100 µg/L
Diquat Dibromide	NA
Flumioxazin	NA
Topramezone*	NA
Glyphosate	NA
2,4-D	NA
Imazamox	NA

1 = The maximum instantaneous concentration of mono salt of endothall outside of timing windows is 50 µg/L. The maximum instantaneous concentration of mono salt of endothall during timing windows is 200 µg/L.

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- Numerous chemicals listed are not used by WRD to treat for aquatic vegetation, such as Diquat, Glyphosate, and 2-4D. *Improve the table by removing chemicals listed as “NA”.*

S4.C.2 (Page 20) Apply the pesticides in research and development efforts related to the chemical control of aquatic weeds and algae, and **emergent vegetation on the banks of conveyances**, in irrigation systems

- Correct the permit’s verbiage and eliminate the phrase, “and emergent vegetation on the banks of conveyance”. WRD does not use aquatic pesticides on Irrigation conveyance system banks.*

S5.A. & S5.3.c (Page 24 & 25)

General Monitoring Requirements

- Monitor all pesticide applications where the treated water flows to a POC, in accordance with Table 3 – Monitoring Requirements.
- Sampling requirements: Take two (2) samples per **treatment event** to identify the highest concentration of the pesticide. Take both samples at the POC when the pesticide is at its peak concentration. If you track multiple treatments simultaneously, use the shortest travel time. When the travel time is: ≥ twenty (20) hours, space the samples at least two (2) hours apart.
 - < twenty (20) hours, space the samples at ten (10) percent of the travel time.
 - If the permittee is tracking multiple treatments simultaneously, the permittee must use the shortest travel time to determine if the permittee follows S5.A.2.a or S5.A.2.b
- No discharge to a POC

Permittees are not required to monitor a **treatment event** when there is no possibility of the treated water flowing to a POC. For these **treatment events**, in that month’s DMR:

- Document all pesticides used during that **treatment event**, in accordance with Special Condition S8.A (Discharge Monitoring Reports).
- State that none of the treated water flowed to the POC.
- Explain why none of the treated water flowed to the POC
 - Change “treatment event” to either “treatment” or “application”.
- Explain why none of the treated water flowed to the POC (for example, there was low flow or the treated water was consumed by water purchasers).

S5.B (Page 29) Treatment events verbiage again

S6.5.3.ii (Page 35) Treatment events verbiage again

S8.D.1.a (Page 40) Treatment events verbiage again

S8.E.b (Page 41) Treatment events verbiage again

S5.A4.a (Page 25)

In some situations, the permittee prevents treated water from reaching some points of compliance by closing side canals/spillways. (For example, a permittee closes a gate to a spillway while treating the primary canal and all the treated water passes the closed gate.) The permittee must conduct full monitoring (S6.A) at the points of compliance corresponding to the closed canals/spillways when the canals/spillways are reopened unless: **a. The closed canal/spillway is kept closed for double the travel time it takes the treated water to reach the point of closure. In this situation, no monitoring is required.** For this special situation only, the travel time is counted from when the pesticide application ends. (For example, if a treatment ends at 1:00 and it takes four hours to pass the closed gate at 5:00, the permittee must keep the gate closed for another four hours until 9:00 for this special situation to apply).

- Clarify which “time of travel” study is to be used in basing the doubling of time of travel to reach or pass through. **To be edited**

S5.B.b (Page 29)

b. Treatment events when copper is applied

i. For these treatment events to be considered for reduced monitoring:

a) The irrigation system must be located in Eastern Washington.

b) Permittees must have the results of water hardness analysis for one (1) full permit cycle of monitoring. (A full permit cycle is five (5) years.)

c) All water hardness results are > 50 mg/l.

d) Submit to Ecology a table listing all of the results of the water hardness analysis for one (1) full permit cycle of monitoring (use the same footnote).

Permittees must have the results of water hardness analysis for one (1) full permit cycle of monitoring. (A full permit cycle is five (5) years.) Excluding existing permittees.

S6.B.1 . (Page 31)

Spill Prevention and Control

1. Spill prevention

a. Handle, store, and use all oil, fuel, chemicals, and products authorized under this permit, in a manner that prevents spills.

b. Maintain all mobile equipment to prevent leaks and spills of petroleum products. c. Materials needed to clean up a spill must be easily accessible. Use absorbent materials or the spill containment materials recommended in the Safety Data Sheet for that pr Education and Outreach

- Since this permit is designed to cover the use of aquatic herbicides in irrigation conveyance systems, the mention of oil and/or petroleum products is unnecessary and excessive. Spill plan should be specific to aquatic herbicides and treatments.

S6.C.1.c and S6.D.1.a (Page 32)

1. Permittees must develop and implement a community education and outreach program. Education and outreach plans may be developed on either a yearly or permitcycle (5-year) basis. This plan must inform the surrounding community about:

a. The role irrigation water plays in the community and in Washington State.

b. What the permittee does to ensure the irrigation water reaches the necessary destination.

c. The pesticides the permittee uses to control aquatic weeds and algae, and emergent vegetation on the banks of conveyances, in irrigation systems.

Public Notice and Posting Procedures

1. Public notice procedures

a. Permittees must use one of the following methods to notify the public about pesticide treatments to control of aquatic weeds and algae, and **emergent vegetation on the banks of conveyances, in irrigation systems**

- Eliminate “and emergent vegetation on the banks of conveyances”. WRD does not use aquatic herbicides to treat *Irrigation conveyance system bank*.

S6.1.D.ii (Page 33) The public notice must include:

i. The purpose of the treatment. ii. A general description of the **canals** to be treated, including the approximate location(s) of the treatment.

- *Change the word “canals” to (Irrigation conveyance systems)*

S6.D.2a and S6.D.2.c (Page 33)

Posting procedures

Permittees must comply with the following posting procedures when applying any chemical treatment.

a. Prior to each treatment season, post and maintain signs at locations where the public is likely to encounter treated water.

b. Permittees are not required to post signs upstream of the application site.

c. Permittees are not required to post signs in private areas with limited site accessibility where the public is highly unlikely to enter treated areas. (For example, public road crossings of canals or drainage ditches.)

- *WRD’s irrigation conveyance canals are NOT for public use. “No Trespassing” signs are placed at all public road crossings which are the most logical place for the general public to enter. The example listed in the draft permit is in direct conflict to what we are trying to convey to the public.*

S6.D.2.i & S6.D.2.f (Page 33 & 34)

Write information on the signs in English and Spanish at a minimum. If the permittee is aware of other languages commonly spoken by the community that uses the area, they may post signs in those languages as well. The signs must include: Irrigation System Aquatic Weed Control General Permit 34

- i. **The name and contact information of the person that can be contacted by the public.**
 - ii. ii. A statement that prohibits the public from trespassing.
 - iii. iii. A statement that during the irrigation season, pesticides are used to control aquatic weeds and algae, and emergent vegetation.
 - iv. iv. A pictogram or multiple pictograms approved by Ecology that communicate risk to the public, such as no trespassing. f. Signs may include the months of the treatment season (such as March through November) as an alternative to specific treatment dates. Remove signs by the end of the treatment season.
- *The District’s office should be the point of contact for the public.*
 - *Remove the language of “Remove signs by end of the treatment season”. WRD out of necessity, has made our signage to be weather, vandalism and theft resistant. The requirement of removing our signage would be counterproductive to our shared goal and very costly for WRD to accomplish.*

S6.E.1.a (Page 34)

Plans and Studies

1. Integrated Vegetation Management Plan a. Prepare and implement an Integrated Vegetation Management Plan (IVM Plan). New permittees must submit an IVM plan upon application. Before treating to reduce or eliminate pesticide residues, permittees must submit **two (2) copies of an engineering report to Ecology for review and approval. The engineering report must be developed in accordance with Chapter 173-240 WAC – Submission of Plans and Reports for Construction of Wastewater Facilities.**

- *WRD does NOT convey wastewater. The requirements for Engineering reports and submission of Plans and Reports for Construction of Wastewater Facilities, should be removed from the permit.*

S6.E.3.d . (Page 35)

Once per year, measure the travel time of each segment of the canal that contains an application site where treated water could flow to a POC. If there is a change in the travel time that differs more than 5% of the previously reported travel time, then complete a revised travel time study and submit it to Ecology in accordance with Special Condition S6.E (Plans and Studies).

- *This paragraph should be removed from the permit. Travel times are affected by changing flows and usage. A slight 5% fluctuation in travel times requiring a new travel time study is impractical.*

S8.A.1.b (Page 37)

Discharge Monitoring Reports

1. Permittees must submit a Discharge Monitoring Report (DMR) to Ecology:

a. Whether or not the permittee applied pesticides or discharged treated water that month. **b. On or before the first day of the second month after the month discussed in your DMR. Start complying with reporting requirements once you receive permit coverage. (For example, the April DMR must be submitted by June 1st).**

- Additional time to comply with the reporting requirements may be necessary, as many irrigation Districts rely on accredited laboratories that may have a backlog of work, or the inability to provide what is needed for reporting in the time frame suggested. Some sort of *allowance should be included* for those rare occasions.

S8.C.3 (Page 40)

Annual Treatment Reports

1. The permittee must keep complete application records on a report form provide by Ecology.

2. The report must include a listing of all pesticide applications, including the amount of pesticide used.

3. The permittee must submit the annual report to Ecology no later than February 1 of each year.

S8.F.1 (Page 43)

Reporting Noncompliance and Spills

1. Reporting noncompliance In the event the permittee is unable to comply with any of the permit terms or conditions, they must comply with the following requirements. **Cause for noncompliance includes breakdown of waste treatment equipment, accidents caused by human error or negligence, or other causes such as acts of nature.**

- The word “waste” should be eliminated. Application equipment is not used to collect or contain waste. Also, irrigation Districts have no control over acts of nature, remove *from the permit “or other causes such as acts of nature”*.

G8 (Page 48)

ADDITIONAL MONITORING

Ecology may establish additional specific monitoring requirements, including the installation of groundwater monitoring wells, by administrative order or permit modification.

- This entire paragraph needs to be eliminated. WRD does not treat groundwater, only surface *water*. This requirement *is* outside of the scope of this permit.