RSBOJC Anonymous

These public comments were not submitted by one individual. These comments are provided by an organization, Roza-Sunnyside Board of Joint Control (RSBOJC).

RSBOJC

Roza-Sunnyside Board of Joint Control (RSBOJC)
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P.O. Box 239 ■ Sunnyside, WA 98944 ■ (509) 837-6980 Sunnyside Valley Irrigation

RSBOJC Board Committee Members

March 20th, 2023

Washington State Department of Ecology
Water Quality Program
Attn: Danielle Edelman
P.O. Box 47696
Olympia, WA 98504-7696
(360) 763-2597
Danielle.Edelman@ecy.wa.gov

Dear Ms. Edelman,

On behalf of the Roza-Sunnyside Board of Joint Control (RSBOJC), we have attached the following public comments on the Department of Ecology's (Ecology) **Draft Environmental Impact Statement (EIS) for Irrigation System Aquatic Weed Control (ISAWC)**. This proposed action of managing aquatic plants and algae is one 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. Furthermore, each district performing aquatic vegetation management activities allow RSBOJC to fulfill its mission statement goal to enhance water supplies by improving water conveyance and quality, supporting storage development, and increasing management efficiency throughout the Lower Yakima River Basin.

This draft EIS identifies and evaluates four alternatives that could be implemented to achieve the objectives of managing aquatic plants and algae: 1) No Action; 2) Physical, Mechanical, and Cultural Methods Only; 3) Use of Chemical Methods Only; and 4) Use of an Integrated Pest Management (IPM) Approach. Both the Roza and Sunnyside Valley Irrigation Districts currently apply and prefer the continuation of the Integrated Pest Management (IPM) Approach for the project proposal in this draft EIS.

RSBOJC takes pride in our accomplishments as being responsible and strong environmental stewards. We appreciate you and Ecology allowing us the opportunity to provide public 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,

Forrest Chapin
Water Quality Supervisor

CC: Scott Revell, Lori Brady

Attachment: **Public Comments by RSBOJC on Draft EIS - Irrigation System Aquatic Weed Control (ISAWC)**

Public Comments by Roza-Sunnyside Board of Joint Control (RSBOJC), sometimes referred to as "Roza and SVID" or "the Districts" on the Draft Environmental Impact Statement (EIS) – Irrigation System Aquatic Weed Control (ISAWC)

1. **Environmental Review** on page 2; **Alternative 4: Use of Herbicides and Algaecides Only** on pages 13 and 18; **2,4-D** on pages 113-116; **Diquat** on pages 117-121; **Flumioxaxin** on pages 125-128; **Glyphosate** on pages 133-137; and **Imazamox** on pages 138-142 – Neither Roza nor SVID use aquatic herbicides to treat emergent vegetation along the banks of irrigation conveyance systems within each district. Instead, each district may use mechanical control, such as mowing, as another method of aquatic vegetation management for emergent plant species along the ditchbanks of the irrigation conveyance systems. Therefore, this draft EIS must remove all assessment and other incorporated EIS documents that analyze aquatic herbicide discharge(s) to bank areas along the irrigation conveyance systems since these types of activities have been and are never performed by the districts. Eliminate the following pages of this draft EIS: 113-116, 117-121, 125-128, 133-137, and 138-142. Both Roza and SVID have Annual Report treatment records dating as far back as 2012 when this general permit was first issued that provide evidence the irrigation districts have never used the products: 2,4-D; Diquat; Flumioxaxin; Glyphosate; and/or Imazamox for aquatic applications.

2. **The Proposal and Alternatives** on page 3 – It is incorrect for Ecology to assume and/or claim that both the Roza and Sunnyside Valley Irrigation Districts use only chemical methods for management of aquatic plants and algae in irrigation conveyance systems. Each district currently uses an Integrated Pest Management (IPM) approach by also performing physical and mechanical methods, such as mowing, dredging, hand pulling, use of filtration devices (i.e., drum and traveling water screens), gravel pack installations, weed racks, conveyance linings, etc., in addition to the usage of aquatic herbicides and algaecides.

3. **Alternative 4: Use of Herbicides and Algaecides Only** on pages 13 and 18 – Remove any mention of diquat dibromide; glyphosate; 2,4-D; imazamox; and Flumioxazin from these sections of the draft EIS. These herbicides are predominantly used for terrestrial applications, and Roza and SVID do not use these for aquatic herbicide applications. In addition, neither Roza nor SVID use aquatic herbicides to treat emergent vegetation along the banks of irrigation conveyance systems within each district. Both Roza and SVID have Annual Report treatment records dating as far back as 2012 when this general permit was first issued that provide evidence the irrigation districts have never used the

products: 2,4-D; Diquat; Flumioxaxin; Glyphosate; and/or Imazamox for aquatic applications.

4. **Regulatory Status and Regulatory Control** on page 24 - When the Districts are performing aquatic herbicide applications, mainly during the irrigation season months of April to October each year, the primary type of water (or matrix) being treated and monitored for permit compliance is surface water(s), not groundwater(s) and/or sediment. Also, the Districts' respective irrigation conveyance systems are not used for water recreational activities and conveying or storing aquatic biota and/or vegetation, and the irrigation water in the conveyance systems is non-potable and not intended for human consumption. Therefore, the cited Washington State Groundwater Quality Standards (Chapter 173-200 WAC), Sediment Management Standards (Chapter 173-204 WAC), and Human Health-Based Criteria in the National Toxics Rule (40 CFR 131.36) must be removed from this section of the draft EIS because they are outside the scope of the proposed action analyzed in this document: irrigation system aquatic weed control in surface waters.

5. **Mitigation Defined** on page 31 – Neither Roza nor SVID have ever used the chemical product imazamox for aquatic applications in either of their irrigation conveyance systems. Remove mention of imazamox from this draft EIS and the draft ISAWC general permit.

6. **Table 3. Washington SLN correction factors.P** on page 38 – There is a missing greater than and equal sign (≥) that should be displayed in front of the correction factor value 1043, as shown on the WSDA 24c Special Local Needs (SLN) WA-040017 label for Magnacide H. Sometimes the Districts will end up with a correction factor far greater than 1043 when they discharge very minimal CFS flow (anywhere between less than one up to fifty) from their conveyance system spillways (or wasteways) to the natural receiving body of water in our basin which typically has a CFS flow in the upper hundreds to several thousands during the irrigation season. Each district has recent SLN Magnacide H correction factor and actual held time data, consistently as far back as 2019, that will corroborate this.

7. **Non Occupational Exposure Risk** to ***ESA Listed Species*** on pages 50-60; **Mammalian, Avian, and Human Toxicity** on page 68; **Non-Occupational Risk** to ***Endangered Species*** on pages 69-77; and ***Mammalian, Avian, and Human Toxicity*** to ***Endangered Species*** on pages 88-98 – The main purpose of the districts' irrigation conveyance systems is to convey and deliver irrigation surface water for beneficial usages. These facilities are not for conveying and storing aquatic biota (fish, birds, mammals, vertebrates, invertebrates, insects, amphibians, etc.) and/or vegetation; are private property and not open to the

public; and are not for water recreational activities. Lastly, the irrigation water is non-potable and not intended for human consumption.

8. **Fisheries and Fish Consumption** on page 60 – Annually, before the start of each irrigation season in March, the permittees, Roza and SVID, will send a formal notification letter to WDFW headquarters in Olympia, WA, informing them that we will be using Magnacide H (acrolein) in our irrigation conveyance systems, in accordance with both the product label (federal FIFRA and state SLN) and the *Irrigation System Aquatic Weed Control General Permit WA0991000* requirements.