



May 07, 2024

Marla Koberstein
Department of Ecology
Water Quality Program
PO Box 47696
Olympia, WA 98504-7696

Re: Chapter 173-201A WAC - Aquatic Life Toxics Criteria

Dear Ms. Koberstein,

The Washington State Water Resources Association (WSWRA) appreciates the opportunity to comment on the proposed changes to Chapter 173-201A - Aquatic Life Toxics Criteria.

While our comments are brief and general in nature, we wish to note that we concur with the comments submitted by our member irrigation and water districts across the state, as well as those submitted by the business coalition headed by the Association of Washington Business.

The members of WSWRA diligently manage the water rights within their jurisdiction by constantly applying sound stewardship practices. WSWRA is a trade association representing Washington irrigation districts and irrigation companies, and other agricultural water providers throughout Washington. WSWRA's members deliver water to enable billions of dollars of food production annually. Water is the lifeblood of food and fiber production in Washington, and our members strive to ensure adequate water is delivered. One significant impediment to that goal is aquatic vegetation.

Our members responsibly apply aquatic pesticides to maintain irrigation canals and other water storage and delivery structures, keeping them free of aquatic vegetation, algae, moss, and pondweed. Accumulation of aquatic vegetation eventually leads to obstructions that block canals, delivery points, screens, trash racks, and check gates. When this occurs, water flows are restricted, hindering or preventing water from reaching irrigators. Carefully managed, responsible pesticide application helps avoid these impediments.

As you know, our members operate under the Irrigation System Aquatic Weed Control Permit as a general permit under the authority of the National Pollutant Discharge Elimination System (NPDES). This permit regulates the use of pesticides for weed and algae control within irrigation system boundaries. The permit provides clear rules and guidance for the application of aquatic pesticides, with specific allowance and restrictions on the use of acrolein and copper based products.

We wish to reiterate that Acrolein and copper remain vital tools for irrigation districts to control nuisance aquatic vegetation. The current regulatory scheme districts adhere to features a multitude of regulatory and safety measures to ensure these products are applied in a responsible and safe manner. Additionally, there are no alternative products available that deliver the same benefits.

The proposed freshwater acute limits for acrolein and copper would effectively eliminate use of these essential tools. With no viable alternatives, this would greatly hinder the ability to deliver water to farms.

Food security is already a challenge for our state, nation, and the world. Without sufficient irrigation water, it will be further threatened. Washington produces approximately \$8.6 billion in crop production each year. More than 75% of this is from irrigated agriculture. We cannot afford to negatively impact our ability to feed ourselves and the world with safely produced, nutritious food.

We believe the current standards are protective and encourage you to **not adopt** the proposed changes.

Thank you for this opportunity to comment. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John Stuhlmiller", with a long horizontal flourish extending to the right.

John Stuhlmiller
Executive Director
Washington State Water Resources Association