



EAST COLUMBIA BASIN IRRIGATION DISTRICT

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May 6th, 2024

Marla Koberstein
Department of Ecology
P.O. Box 47696
Olympia, WA 98504-7696

RE: Chapter 173-201A WAC (Aquatic Life Toxics Criteria)

Dear: Ms. Koberstein,

The East Columbia Basin Irrigation District (East District) is a member of the Columbia Basin Project (CBP), a project responsible for the irrigation of approximately 700,000 acres annually. Agricultural commodities cultivated with CBP irrigation infrastructure yield an estimated annual economic output exceeding \$2.66 billion and help sustain 45,000 plus employment positions within the State of Washington. The agricultural output and subsequent food processing activities facilitated by CBP irrigation systems embody substantial economic significance, not only for the State of Washington but also for the broader national economy.

The East District manages the allocation and distribution of irrigation water to over 169,000 acres, with authorization to irrigate an additional 300,000 acres, some of which are presently undergoing development through the Odessa Ground Water Replacement Project (OGWRP). Hundreds of millions of dollars in federal and state funds have been allocated for the OGWRP, aiming at stabilizing declining aquifers and ensuring access to clean, available water for both present and future needs. The inability to control aquatic vegetation not only risks diminishing the beneficial outcomes of this multimillion-dollar project but also poses a threat to the sustainability of the extensive network of canal, laterals and drains the East District currently maintains. Controlling aquatic vegetation is essential in providing a reliable source of water to over 4,500 East District landowners.

Irrigation districts encounter numerous challenges in the distribution of irrigation water to landowners. The dynamic nature of an irrigation conveyance system necessitates proactive management to mitigate proliferation of aquatic vegetation throughout the infrastructure. Ongoing changes demand constant vigilance from personnel in the implementation of specific water management strategies. The presence of submerged vegetation imposes constraints on the carrying capacity of the system, thereby decreasing the volume of water available for agricultural production. Capacity limitations elevate water levels, posing risks to the structural integrity of the canals. These circumstances not only impede operational efficiency but also pose threats to the safety of individuals and properties in the vicinity. Districts rely heavily on aquatic herbicides and algaecides for the control of nuisance plants and algae. Any disruption in the availability of these products would cause significant operational challenges and substantially hinder the beneficial use of irrigation water and operational safety.

In the absence of aquatic chemicals, mechanical cleaning stands as the sole recourse. This method of cleaning is destructive by nature and relies on heavy machinery. Mechanical cleaning disturbs native grass stands along ditch banks, stirs up sediment in the water column, undermines or compromises concrete panels and disperses target species downstream, potentially enabling their propagation in areas previously unestablished. Mechanical cleaning not only demonstrates the lowest efficiency for controlling aquatic vegetation, but often exhibits the most adverse environmental impacts. Frequently, the turbidity and disturbed aquatic vegetation present during mechanical cleaning renders the water unusable for producers and results in unwanted waste of valuable water supplies as the system flushes the debris-laden water out of the conveyance system.

The utilization of acrolein and copper within irrigation districts in Washington State is already subject to stringent regulation. Some regulations have been recently updated through the implementation of a revised April 2022 Section 24c SLN label for acrolein and a renewed October 2023 Irrigation System Aquatic Weed Control NPDES Permit. A 2023 Washington State Department of Ecology Environmental Impact Statement (EIS) analyzed the potential impacts of using these chemicals for controlling aquatic plants and algae within an Integrated Pest Management framework. In conclusion with its own recent EIS, ecology reaffirmed the previously established maximum instantaneous use concentration of 21 µg/L for acrolein and 25 µg/L for copper.

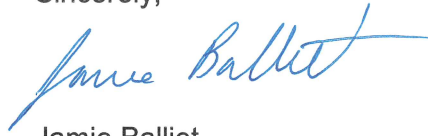
The proposed Freshwater Acute acrolein limit of 3 ppb (ug/L) would effectively render acrolein unusable as a means for irrigation districts to manage aquatic plants and algae. Acrolein stands out as the sole non-selective and rapidly acting herbicide within our already constrained toolbox. Drawing from experience, the East District understands the challenges inherent in operating facilities without access to acrolein. The selective limitations of alternative products have facilitated the resurgence of previously controlled invasive plants and algae, requiring increased copper usage and undesirable mechanical cleaning efforts to sustain essential water deliveries.

The proposed utilization of the MLR model as a framework for deriving copper criteria values raises significant concerns and presents inherent challenges. In the absence of a robust dataset, relying on predictors such as pH, hardness and dissolved organic carbon (DOC) to forecast criteria introduces uncertainty for districts. If concurrent sampling of pH, hardness, and DOC is deemed essential for establishing site-specific criteria, questions arise regarding the longevity of such criteria and the amount of data required to establish a viable baseline. Furthermore, understanding the role of DOC in relation to copper is an important factor that needs further explanation. Will districts be mandated to adopt the default (in our case East) MLR Model acute criteria of (2.5 ppb) or will there be sufficient time allocated for the collection of data necessary to formulate a more accurate site-specific criterion? Similar to acrolein, imposing a 2.5 ppb threshold for copper would greatly limit the beneficial use of the product and cause widespread operational difficulties.

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The East District values the opportunity to provide input and comments on the Aquatic Life Toxics Criteria. The East District supports viewpoints expressed by the Washington State Water Resources Association (WSWRA), Yakima Basin Joint Board and other irrigation districts associated with the WSWRA. We implore the Department of Ecology to recognize the impacts of restricting our diligent use of the limited tools available to supply water for domestic food production that supports local, state, and national economies.

Sincerely,



Jamie Balliet
Water Quality Supervisor

JB:jb

cc: John Stuhlmiller
SCBID
QCBID