

Aquatic Noxious Weed Control General Permit

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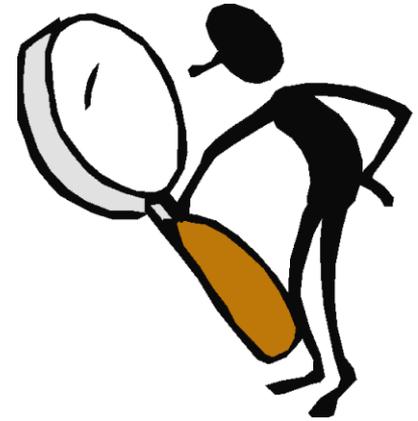




Permit Development

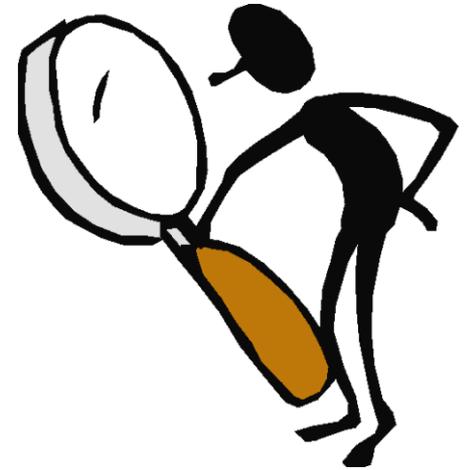
Purpose of this Permit

- A National Pollutant Discharge Elimination System (NPDES) permit is required to discharge chemicals to waters of the state.
- This permit covers indirect discharge of herbicides, for shoreline and emergent noxious weed management, to waters of the State.



Permit Duration

- NPDES permits are issued for a duration of five years.
- Current Permit
 - Effective February 3, 2017
 - Expires February 2, 2022



NPDES Permits Balance Competing Beneficial Uses.



- Salmonids spawning, rearing and migration,
- Recreation, navigation, boating and aesthetics,
- Wildlife Habitat
- Commerce and harvesting
- All beneficial uses are equal

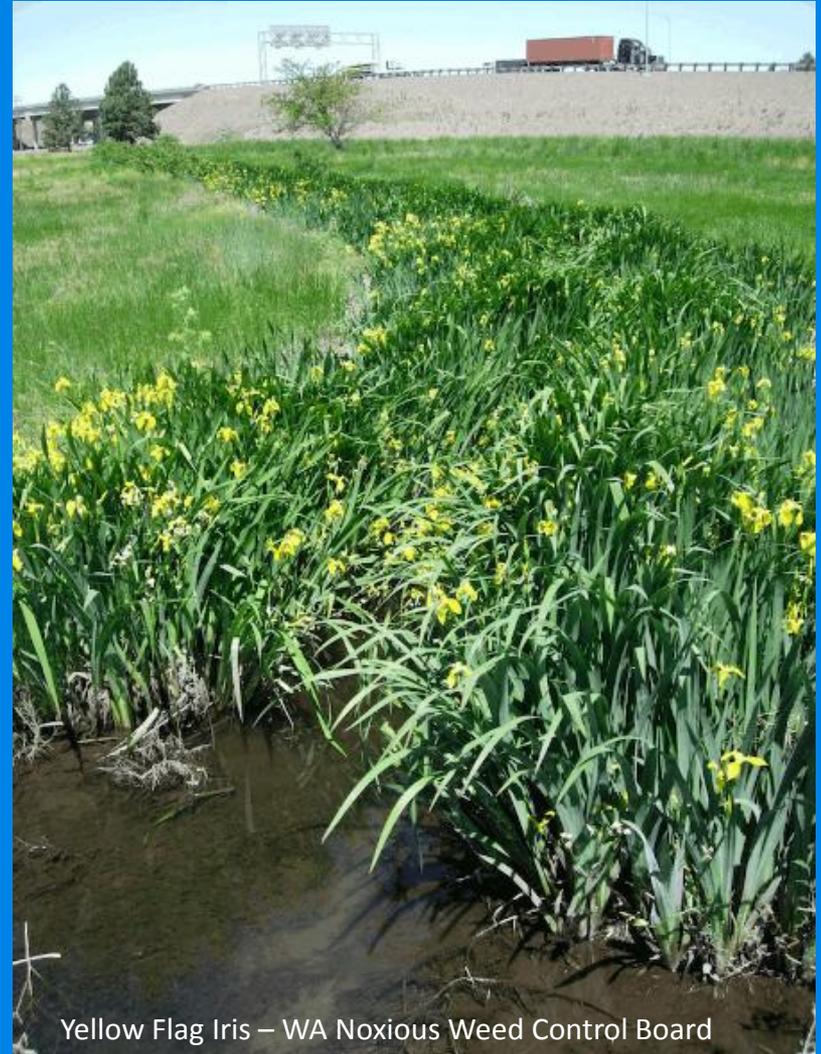




Permit Conditions

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MITIGATE IMPACTS FROM DISCHARGE



Yellow Flag Iris – WA Noxious Weed Control Board

Special Condition S1. Permit Coverage

Herbicides applied to manage noxious and quarantine listed weeds where pesticides indirectly enter surface waters of the state of Washington.



Reed Canary Grass— WA Noxious Weed Control Board



Special Condition S1. Permit Coverage

- Areas Excluded from needing permit coverage.
- Geographic Area Covered
 - This permit does not apply to:
 - Federal Lands
 - Tribal Lands



Special Condition S1. Permit Coverage

- Changes
 - Updated language under S1.B. Geographic Area Covered



Non-native Cattail– WA Noxious Weed Control Board



Special Condition S2. Application for Coverage

- Who may obtain coverage
 - Washington State Department of Agriculture (WSDA).
 - WSDA may contract with government entities, non-governmental organizations, and private applicators or individuals.
 - Contractors are referred to as “Limited Agents” by WSDA and must comply with the permit.



Special Condition S2. Application for Coverage

- How to Obtain Permit Coverage
 - Not for Limited Agents
- Permit Coverage Timeline
 - For WSDA permit coverage
 - Limited Agents must re-apply annually with WSDA



Special Condition S2. Application for Coverage

- Changes
 - Permit coverage available only to WSDA
 - Instructions to limited agents
 - Removed Requirement to submit a SEPA Checklist.
 - Added S2.C. Permit Coverage Timeline



Williams Lake, Photo by Ecology



Special Condition S3. Discharge Limits

- Compliance with standards
- Impaired Waterbodies
- Application Requirements
 - Licensed Pesticide Applicator with Aquatic Endorsement
 - Comply with FIFRA Label



Special Condition S3. Discharge Limits

- Integrated Pest Management (IPM)
 - WSDA IPM Plan
 - Limited Agents must follow WSDA IPM Plan



Special Condition S3. Discharge Limits

- Changes
 - S3.A. Removed Temporary Exceedance of Water Quality Standards (WAC 173-201A-410)
 - WSDA only required to update their IPM plan as changes occur
 - S3.D - Protecting Native Vegetation, was removed from the permit.



Special Condition S4. Application of Products

- Prohibited discharges
 - Treatments that cause unintended non-target impacts.
 - Direct discharge of pesticides to water.



Special Condition S4. Application of Products

- Authorized discharges
 - Application of the nine listed active ingredients
 - Adjuvants listed in Table #2.



Special Condition S4. Application of Products

- Experimental Use
 - Active Ingredients
 - Federal
 - State



Bohemian Knotweed – WA Noxious Weed Control Board



Special Condition S4. Application of Products

- General Application Restrictions
 - High use weekends
- Changes
 - Updated Adjuvant List



Special Condition S5. Notification, and Posting Requirements

- Ecology Notification Requirements
 - Adverse Incident or Spill

Williams Lake, Photo by Ecology



Special Condition S5. Notification, and Posting Requirements

- Spartina Notification and Posting Requirements
 - Legal Notice from Appendix B published to State Register and WSDA website
 - Press release announcing the upcoming treatment season

Williams Lake, Photo by Ecology



Special Condition S5. Notification, and Posting Requirements

- Spartina Notification and Posting Requirements
 - For aerial treatments: Post all public access areas that are within two miles of a treated area along the shoreline.
 - For ground-based treatments: Post according to aerial treatments, or post the corners of the treatment area, or if treating an individual plant post a sign at the treated plant.



Special Condition S5. Notification, and Posting Requirements

- Spartina Notification and Posting Requirements
 - Use templates on the permit webpage.
 - When posting public access areas post signs prior to treatment.
 - When posting treatment area corners or individual plants post signs within 72 hours of treatment.
 - Remove signs after the period of water use restriction has ended or by the end of the treatment season.



Special Condition S5. Notification, and Posting Requirements

- Marine, Estuarine and Brackish Water Weed Notification and Posting Requirements
- Freshwater Weed Notification and Posting Requirements
 - Private property
 - Public Access Areas



Special Condition S5. Notification, and Posting Requirements

- Changes
 - Location of public access sites no longer specified.
 - Added additional shoreline posting sign options for ground based Spartina treatment.
 - Post signs within 72 hrs. of treatment when posting treatment corners and individual plants.



Special Condition S5. Notification, and Posting Requirements

- Changes
 - Marine, Estuarine and Brackish Water Weed Notification and Posting Requirements
 - Post signs within 72 hrs. of treatment when posting treatment corners and individual plants.



Special Condition S5. Notification, and Posting Requirements

- Changes
 - Updated posting templates
 - Shoreline sign posting templates translated to Spanish.



Special Condition S6. Monitoring Requirements

- WSDA must submit an annual monitoring plan by February 1st annually.
- Monitor a subset of treatments when using penoxsulam, flumioxazin, carfentrazone-ethyl and bispyribac-sodium.



Special Condition S6. Monitoring Requirements

- Changes
 - Updated sampling and analytical methods language for consistency with federal requirements.
 - This was Special Condition 7 in the previous permit.
 - Removed the requirement to sample a subset of imazamox treatments based upon previous monitoring data.



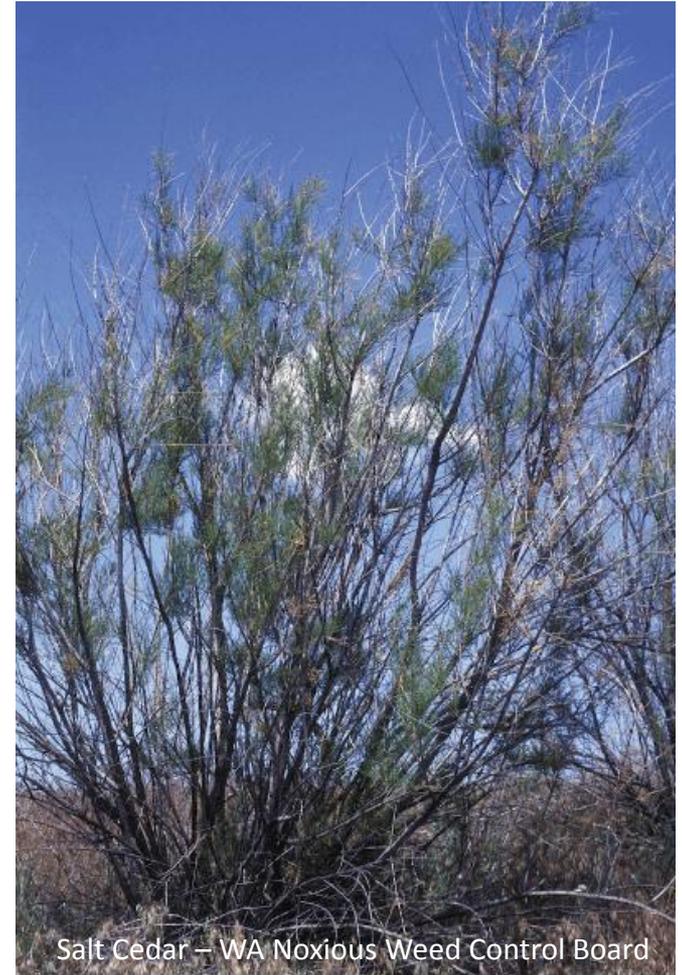
Special Condition S7. Reporting and Recordkeeping

- Annual Treatment/Monitoring Reports
 - February 1st Annually
 - Water body name, date(s) of treatment, chemicals used, amount of active ingredient applied, acreage treated, monitoring results, and the plant species targeted.



Special Condition S7. Reporting and Recordkeeping

- Records Retention
- Recording of Results
- Noncompliance Notification



Salt Cedar – WA Noxious Weed Control Board



Special Condition S7. Reporting and Recordkeeping

- Changes
 - S7 was Analytical Procedure in the previous permit.
 - Report pounds of A.I.
 - Clarified limited agents role in reporting.
 - Updated non-compliance notification language for consistency with other permits.



Special Condition S8. Spill Prevention and Control

- Spill Prevention
- Spill Notification Requirements
- Spill Cleanup Requirements



Oil Clean-Up after Valdez Spill by NOAA



Special Condition S9. Appendices

- Appendix A- Definitions
- Appendix B- Legal Notice for Spartina Treatments
- Changes
 - Sign templates moved to permit webpage.



General Conditions

- Ecology bases the General Conditions on state and federal law and regulations.



Draft SEIS Open for Comment

- Draft Supplemental Environmental Impact Statement: Aquatic Plant and Algae Management and Noxious Weed Control Permits
- Comment period runs May 8, 2017 to June 6, 2017
- Submit comments to
<http://www.ecy.wa.gov/programs/wq/pesticides/draftSEIS.html> or
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Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696
- This SEIS will be relied upon to determine whether to add new pesticides to the Noxious Weed Control General Permit.



Questions and Discussion

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