

Kathy. I have some comments related to the notification requirements in the Aquatic Permit. In order to set the stage for the comments I will share an example:

We are in the process of controlling knotweed in Chelan County. Mission Creek is a small stream that flows through orchard and private residences near and through the town of Cashmere. There are about 80 patches of knotweed along about 3.5 miles of stream but the square footage is very small (much less than 1 acre for all the patches). Parcels are often small (particularly within or near the town) and contacting just the owners is a real big job. Most patches are not really accessible since most properties are fenced and vegetation is dense. Many owners are gone during the day and some have free-roaming dogs. In our case it is common to have numerous owners within 200 feet of a very small knotweed patch due to the small parcels that occur near the stream on the edge of a parcel. Now apply the following requirements (from the permit language) to this scenario:

**a. The Permittee must notify residents/businesses within 200 feet of any treated area before chemical application. The Permittee may provide notice the same day as treatment.**

**b. The Permittee must provide notice to the resident/business by a notification form, letter, flyer, or a personal conversation. The notice must explain the purpose of the treatment, identify the herbicide used, any re-entry or water use restrictions, and provide the location of the treated area(s) in relation to the residences/businesses.**

The issue is that now we are notifying not just landowners but hundreds of adjacent folks who have no real ability to be exposed to the patch (maybe across the stream through dense vegetation) from their parcel. It seems that there needs to be some means of notification that takes into account a scenario like the above. We feel there should be some subjectivity built into the notification requirement to allow applicators to use their own judgment when it comes to who should reasonably be notified, rather than an arbitrary distance, like 200 feet.

Accessibility of patches—Is the spray site down a stream bank or fenced from access? Is there a natural barrier (such as a stream) that keeps the landowners on the other side from accessing the sprayed area? Putting flyers on every door is not always possible (free-ranging pit bull on the porch). Maybe notification of ADJACENT owners or OWNERS WITH POTENTIAL ACCESS might suffice. How do we deal with the owner who is unavailable by phone and not home?

When we apply the proposed notification requirements to our case (described above) we feel that it becomes a notification nightmare and the requirements don't currently provide any alternatives to reasonably notify folks. We are notifying folks when we are spraying a very small patch across the creek on the other side of the fence from their property. I can say that notifying owners is our biggest headache. People don't respond, aren't home or, in some cases their dogs make access to the house difficult if not impossible. We feel that the regulations pertaining to notification, add too much of a burden to the applicator without adding any appreciable increase in protection from danger when application is taking place in areas that are not easily accessible and on private property. If a patch is marked, a person approaching the patch will be warned, for all other persons who do not approach the patch, there is no danger, so notification seems unnecessary.

Suggestions: Could we notify the landowner and ribbon the patch? Maybe reduce the notification distance to the lesser of: adjacent parcels; or to 75 or 100 feet. It seems that small parcel size and/or accessibility of the treatment sites should be part of the mix. Should there be a patch size, stem

number or amount of material criterion applied? Is there some form of general notice that could be used?