

**From:** Wheeler, Wendy Sue (AGR)  
**Sent:** Friday, November 18, 2011 5:02 PM  
**To:** Hamel, Kathy (ECY)  
**Cc:** Johansen, Erik (AGR); Norman, Mike (AGR); Maxwell, Ted (AGR)  
**Subject:** Draft Aquatic Noxious Weed Management General Permit WSDA Comments

Hello Kathy,

Here are our comments.

S3. A. 2. It is not just Washington Pesticide Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act that govern the label. There are other laws and rules that impact the application of a pesticide. The use of herbicides and algaecides are regulated under Code of Federal Regulations (CFR) which includes from FIFRA.

S3. C. If a person only complies with the FIFRA label, there may be other laws and rules they would be in violation of. The applicators are regulated by other state and federal statutes, rules and regulations.

S4. B. 4. Table 2. - Need to correct 2 adjuvant brand names, should be "Destiny HC" and "Pro AMS Plus". Also need to correct Product use for Superb HC, should be "High Surfactant Oil Concentrate".

S4. C. If a person obtains a federal experimental use permit and wants to use that federal experimental use permit, they are still required to apply for and obtain a state experimental use permit prior to use of the federal experimental use permit in Washington State. The way that it is written, it may appear that they can use a federal experimental use permit without a state experimental use permit.

SEIS (pages 7 & 8) - Adjuvant criteria (4th bullet and exceptions) need to be revised to be consistent with current WSDA criteria  
(<http://agr.wa.gov/PestFert/definitions/DefinitionCriteriaRegistrationSprayAdjuvantsAquatic.pdf>).

SEIS (pages 9, 28, 42, 54 and 69) – "WSDA has registered ... for aquatic use in Washington."

SEIS (pages 20, 36, 63 and 77) – Honey bee is two words, not one word.

SEIS (page 21, 2nd paragraph) – Replace "chance" with "change".

SEIS (page 52, last paragraph) – First sentence is very confusing as written, what is "MSDA"?

Fact sheet (page 29) – Adjuvant criteria (4th bullet and exceptions) need to be revised to be consistent with current WSDA criteria  
(<http://agr.wa.gov/PestFert/definitions/DefinitionCriteriaRegistrationSprayAdjuvantsAquatic.pdf>).

Let me know if you have any questions. Thank you for the opportunity to comment. Comments are from Wendy Sue Wheeler and Erik Johansen.

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Wendy Sue Wheeler

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WSDA serves the people of Washington State by supporting the agricultural community and promoting consumer and environmental protection.

Web Site: <http://agr.wa.gov/PestFert/default.aspx>