

## **Ecology General Permits – Update for May 2012**

Aquatic Invasive Species Management General Permit, effective May 20, 2011. The permit covers use of chemicals and other products to control aquatic species animals and non-native invasive marine algae. It is unique in the nation for these uses.

Aquatic Mosquito Control General Permit, reissued June 2010. The permit covers chemical management of mosquitoes through the use of larvicides and adulticides.

Aquatic Noxious Weed Control General Permit, effective February 17, 2012. It covers treatment of spartina and emergent noxious weeds like purple loosestrife. It is possible that Japanese eelgrass will be listed as a noxious weed on commercial shellfish beds. Ecology is discussing allowing treatment of Japanese eelgrass on commercial beds.

Aquatic Plant and Algae Management, effective March 18, 2011. This permit covers the in-water treatment of both noxious weeds like Eurasian watermilfoil and native nuisance plants.

Boatyard Permit, effective 6/1/11 – Permit covers commercial boatyards engaged in the construction, repair and maintenance of small vessels, 85% of which are 65 feet or less in length, or revenues from which constitute more than 85% of gross receipts.

Concentrated Animal Feeding Operation (CAFO), effective July 21, 2006. It covers livestock operations that confine animals for 45 days or more in any 12 month period in an area where there is no available forage and that have a discharge.

Construction Stormwater, effective January 1, 2011. Construction site operators are required to be covered if they are engaged in clearing, grading, and excavating activities that disturb one or more acres and discharge stormwater to surface waters of the state. Smaller sites may also require coverage if they are part of a larger common plan of development that will ultimately disturb one acre or more.

Fresh Fruit Packing Permit, managed out of our CRO, effective July 2, 2009. This general permit applies to the entire fresh fruit packing industry in the state of Washington except for those that have obtained individual permits from Ecology.

Industrial Stormwater, effective January 1, 2010. Ecology proposes to modify the permit. This permit modification is necessary to address the April 25, 2011 ruling by the Pollution Control Hearings Board, which requires changes to the sampling and corrective action requirements. Ecology is also proposing to remove the numeric effluent limitations for fecal coliform that apply to approximately 80 facilities discharging to 303(d)-listed impaired waterbodies, and replace them with Best Management Practices. The modified draft permit and fact sheet were available for review and public comment from February 1, 2012 to March 16, 2012.

Irrigation System Aquatic Weed Control, modified in March 2010. Ecology is proposing to reissue the permit. The new draft permit includes changes for endothall (Cascade and Teton) and fluridone. The effective use of endothall enables less use of the more toxic acrolein. Ecology intends to reduce the use

of acrolein in favor of less toxic alternatives. Ecology accepted written comments on the draft permit and fact sheet from February 15, 2012 to March 30, 2012. Ecology hosted a workshop and hearing March 27, 2012 in Yakima, Washington.

**Japanese Eelgrass Management on Commercial Clam Beds in Willapa Bay General Permit.** After considering public comments, Ecology decided to develop a permit that will allow the treatment of commercial clam beds in Willapa Bay with the aquatic herbicide imazamox to manage the growth of the Class C noxious weed Japanese eelgrass. These management activities will result in the discharge of imazamox and marker dyes to the surface waters of the state of Washington. Ecology will follow a public process that includes issuing a draft permit and fact sheet, holding at least one public hearing and workshop about the draft permit, and establishing a public comment period

**Municipal Phase I and Phase II Permits,** effective February 16, 2007. The permits are scheduled to be reissued this summer. There will be 1-2 year permits issued along with 5 year permits that become effective after the short term permits expire.

**Sand and Gravel,** effective 10/1/10 and appealed by Puget SoundKeeper Alliance (PSA), and Washington Aggregates & Concrete Association (WACA) intervened for Ecology. We have a tentative settlement between Ecology and PSA, and one issue outstanding with WACA. A draft permit modification per settlement agreement and the draft antidegradation plan were open for public review and comment (June 1-July 8). Reissuance of the modified permit is scheduled for 8/4/11.

**Upland Fin-Fish Hatching and Rearing** On June 28, 2010, Ecology issued the Upland Fin-fish Hatching and Rearing NPDES General Permit. The permit controls the discharge of pollutants from upland hatcheries.

**Water Treatment Plants** Ecology reissued the general permit with minor changes on July 15, 2009.

**WSDOT Municipal Stormwater** Ecology issued the permit on February 4, 2009 with an effective date of March 4, 2009. Ecology made minor modifications to the permit on May 1, 2009. On March 3, 2009, the Puget Soundkeeper Alliance appealed the WSDOT Stormwater Permit. A stipulated stay/settlement agreement was reached in January 2010. The modification adds substantive language to the permit. Permit will be modified again in November to add new TMDL requirements to the permit.