

To: Washington State Department of Ecology

From: Cygnet Enterprises North West Inc.

Cygnet Enterprises North West Inc. is a distributor of aquatic herbicides in Washington State and we strive to work closely with WA State Licensed Applicators, providing information about aquatic herbicides and algaecides and supporting their professional activities wherever possible.

Our comments on the Draft Permit of September 1 2010 (Aquatic Plant and Algae Management National Pollutant Discharge Elimination System State Waste Discharge General Permit) are partly based upon general feedback on the draft permit that we sought from various applicator customers.

We note that some comments by applicators have been in support of areas of the Draft Permit, on the basis that it successfully addresses some of the issues of concern in the current State permit, which expires on April 1 2011.

Comment 1. Page 7,ii 2. The limitation of 10 feet either side of the dock that is placed on treatment is problematic and could lead to poor control as a result of movement and dilution. The areas at or near docks are high riparian, high usage areas and it might be argued that additional allowance for aquatic weed control is justified in such places.

Comment 2. Page 7 ii 4. The area where the Permittee intentionally applies chemicals must remain the same for the entire length of the permit... The entire length being five years, this appears to mean that the Permittee cannot apply chemicals to any other part of the water body for the length of the permit, which is five years, even if the situation arises where chemical application is required. This appears to be unreasonably restrictive over such a time period.

Comment 3. Page 9 C. Activities that may not need coverage under this permit. The words 'may not' are particularly open to interpretation. Applicators need to know exactly what does not need coverage.

Comment 4. Table 2. On page 20. The swimming and fishing restrictions on Hydrothol 191 and Aquathol K have been removed (Product labels attached to this E Mail).

Comment 5. Page 14-18. Authorized Discharges -where a specific list of chemicals authorized for use in state waters is listed. The list creates a problem because the General Permit would have to be revised via rulemaking to add new active ingredients, adjuvants and other chemicals to the list. NPDES General Permits are typically revised and reviewed every five years and so within this potential time frame, aquatic applicators would have to wait five years to use new pesticides or adjuvants that might potentially be of benefit to aquatic control practices. Perhaps the list could be removed and a link installed to the Washington State website that has the approved list of active ingredients, adjuvants etc.

Comment 6. Page 19. Diquat. Reward is sometimes used as an algaecide, on either algae alone or algae that grows on nuisance or noxious weeds. This would mean the Reward could not be used on those weeds as technically this would constitute an illegal discharge. The wording, do not spray on algae, should be removed.

General Comments:

- a) The cost of obtaining a Permit and developing a Discharge Management Plan may be restrictive for stakeholders in lakes and particularly for new lakes, resulting in a gradual decline in lake and pond management practices.
- b) The Permit is an extensive and detailed document with many requirements that may be met more readily by those aquatic applicators that already have experience with previous permits and have good water management knowledge. It is a concern that new applicators may experience difficulties in comprehending and implementing the action to meet the requirements. This may result in limiting newcomers to aquatic applications, and as a result of that, possibly impact our aquatic environments to their detriment in the longer term.

Thank you for your consideration of these comments.