

## COMMENTS ON THE DRAFT NPDES PERMIT

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I believe most of these are in the order of the document and then some additional comments. I hope this helps.

TABLE 1 (page 5) S5A.

'Pre-treatment notice' timeframe is given, no 'post treatment' timeframe is given. It can be an understanding but is not mentioned. It would be difficult to give a post-treatment report "Prior to the first week of treatment each treatment season".

S.1.A ii (page 7)

Nuisance weed control

Limits of 20 feet per lot for individual treatments mentioned in ii 1) versus what is mentioned in ii 4)

What determines the individual treatments versus treating high use areas within the entire lake?? I am speculating that a management plan needs to be used to determine the 'high use' areas, since the definition of high use does not include high use by residents, just community areas. Most property owners I know use their own waterfront for skiing, swimming and boating rather than community areas.

As an applicator, trying to limit the size on a per lot basis is even harder that trying to follow property lines out into the water. I also hear that people need more space to swim than 20 feet.

S1A ii 4 a-(page 7)

Treated areas has to remain the same. Does this mean it cannot be reduced over the time of permit or just not expanded?

S 2 A 1 a-(page 9 & 10)

Many questions here for clarification.

Sponsor and legal oversight-

As defined Lake Management Districts, Special Purpose Districts and Homeowners Association can be sponsors but really, only the DOE has legal oversight for the waters of the state. The DNR is only concerned with the bed of the lake, not the water.

for b- where multiple sponsors, there are multiple permits eg. Lake Washington. Who determines the number of permits for a waterbody?

for b- if individual lots need individual permits, the size limit for nuisance control amounts to MORE money for the permit than the cost of the treatment. For an example the annual permit fee is \$417. Cost of treating 20 feet may be \$100 or less per year.

Does it make senses to have the permit cost FOUR TIMES MORE than the treatment???

Home owners associations are not governing bodies (usually voluntary in nature) and many are non-profit organizations. How do these organizations get 'legal oversight'? Lake Management Districts and voting etc. I would like some clarification on how recreational use/property owners are expected to participate in those elections when the counties run the elections and the recreational owner lives in another county??

S2 B (page 10 & 11)

Sponsor questions are mentioned above. I would really like an better understanding of the intention here.

For individual lots, the legal authority is not needed but the sponsor must be able to administer the treatment. What is meant by administer? This also gets back to an individual permit needed for each lot. Which, as mentioned above, costs more for the permit than the treatment.

The Discharge Management Plant looks like an abbreviated IAVMP. Experience tells me the action thresholds are probably going to be "when plants are growing". No one wants to wait for plants to be a certain size before treating.

S2 B 4 (page 11)

Written notice about potable water and intakes? Is there a form for these entities or is it up to the applicator to determine the content of the written consent? Legally, this could have specific language that may or may not work.

S3 C 1 (page 12)

the direct supervision states that as "verbal and visual contact at all times. (page 43 &44)", This is extremely difficult to do if there is more than one boat involved. Going around a point or back into a cove blocks visual contact and motor noise limits or inhibits verbal contact.

S3 C 3 (page 12)

Appropriately trained personnel. Is there special training needed for equipment calibration besides the continuing education classes?

S3 D (page 13)

After looking over the Discharge Management Plan, it looks a lot like an IAVMP. How does one get the sponsor to spent the time to develop one?

Some of the specifics on the DMP include a list of water rights and water users. How is one to find this information? Experience shows that many of the records here are not accurate or up to date.

S3 D 4 (page 18)

The WDFW time table.

A brief scanning shows timing windows on at least 20 lakes to be after July 1 or 15 to "(avoid impact to large mouthed bass)"

In addition, there are windows that are July 1 or July 15 to start. This eliminates the ability to treat curly-leaved pondweed which is usually not growing actively by July. It also eliminates the ability to treat nuisance aquatic plants when the growing season starts. Treating earlier decreases the amount of plant material that decomposes thereby reducing the amount of phosphorus recycling and the potential for oxygen depletion.

#### Specific Lakes-

##### Lake Spokane Canal

This is a man-made canal that is used for boat moorage and access to Lake Spokane. The timing is limited from Sept 1 to Sept 15, which includes Labor Day week-end. In reality, no treatment could be done. Since this is a high-use area by design, boat passage and moorage, there should be no restrictions on the timing.

##### Lake Spokane (Spokane & Stevens counties)

Sept 1 to Sept 15-Again includes Labor Day week-end which further limits the time. Obviously, WDFW doesn't want any treatments done here or is tired of the complaints. Either way, this window is too restrictive. The residents are in favor of some plant control measures that allow for boating and swimming along the waterfront. Treating only after Labor Day essentially diminishes the beneficial uses of the residents along the reservoir.

#### TABLE 3 (pages 20 & 21)

This lists 'drinking water' restrictions beyond the label requirements. Does it include irrigation uses or JUST drinking water? What about other potable water for showers and dishes, etc?

Also, is the applicator (or employee) allowed to sample the water for the tests?

Obviously, this will mean that testing will be done and the costs will get passed along to someone.

#### S8 A 1 (page 30)

Does the annual report acreage include re-treatment acreage? If two treatments occur on the same acreage, which acreage do you report?

A few additional comments on the discharge management plan:

Basically, this is a very costly addition to the permit. I see that it is necessary though.

Is the DOE going to help with the costs or the plant surveys, bathymetry and education requirements that are needed to complete the DMP?

How does one get the governing agencies to participate in this process? Which government agencies need to be involved?

It also brings back the question of sponsors and the legal authority to oversee or administer.