

**From:** [Steven Richmond](#)  
**To:** [Hamel, Kathy \(ECY\)](#)  
**Subject:** FW: Draft Aquatic Noxious Weed Management General Permit  
**Date:** Tuesday, October 25, 2011 11:14:27 AM

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Hello Kathy, I don't have specific comments about specific provisions, but I do have a few opinions about how pesticide regulations could work better.

1. The idea of permitting use doesn't make sense to me. It's either okay or it's not, or it's tolerable in limited quantities which the on/off permit doesn't address.
2. Punitive fines for misuse are always too late, and they are an abusive stick (\$7000 and out of business) hanging over our heads that could be more effectively administered. Licensed applicators are unfairly targeted when detectable overuse is likely to come from homeowners.
3. I'm suggesting a proactive pricing mechanism that factors in the health and environmental risks into the price of the product. If detectable herbicide amounts show up in waterways, and they're suspected of having detrimental effects, then raise a fee/tax on the product commensurate with its damage (including contributions to landslide risks), because price is one label people are guaranteed to read, and the money raised could compensate those harmed. Industry, with their marketing abilities and direct contact with customers, could educate consumers far better than an ineffective bureaucracy.
4. I have to drive 50 miles to pick up regulated herbicide, and the two gallons of gas used is a hundred times more toxic than the 2 gallons of wetland-safe glyphosate, a safer formulation (no surfactants) of Roundup that homeowners can't even buy. The regulations won't stop homeowners from applying Roundup in the wrong place, so you may as well offer the safer version, particularly because it works better for cut and paint applications of invasive holly, laurel, hawthorn, knotweed - invasive plants whose spread may pose a greater threat to diversity and salmon habitat than a "practically non-toxic" herbicide (according to the EPA) such as glyphosate. If its overuse causes superweeds on farmland, then a tax reflecting that risk would engage industry and their consumers to find a better practice. Hope this helps.

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**From:** JROB461@ECY.WA.GOV  
**To:** JROB461@ECY.WA.GOV  
**CC:** kham461@ECY.WA.GOV  
**Subject:** Draft Aquatic Noxious Weed Management General Permit  
**Date:** Wed, 5 Oct 2011 21:22:53 +0000

October 5, 2011

**RE: [Draft Aquatic Noxious Weed Management General Permit](#)**

### **Proposed Permit**

The Washington State Department of Ecology (Ecology) is reissuing the Aquatic Noxious Weed Management General Permit (permit). Ecology issued the current permit in 2008. The revised permit will replace the current permit in 2012.

### **Website:**

[http://www.ecy.wa.gov/programs/wq/pesticides/final\\_pesticide\\_permits/noxious/noxious\\_index.html](http://www.ecy.wa.gov/programs/wq/pesticides/final_pesticide_permits/noxious/noxious_index.html)

### **Purpose of the Permit**

The permit regulates the use of pesticides and other products applied to manage Washington State-listed noxious weeds and Washington State quarantine-listed weeds where pesticides or other products may indirectly enter the state's surface waters. An indirect application occurs when there may be inadvertent and incidental overspray or dripping of a chemical from the treated plants into waters of the

state.

The permit covers all marine and freshwater activities that result in a discharge of herbicides, adjuvants, and marker dyes indirectly into streams, rivers, estuaries, marine areas, wetlands, along lake shorelines, and other wet areas. The permit also covers the treatment of noxious- and quarantine-listed vegetation for roadside/ditch bank management activities where chemicals may indirectly enter the water. This permit does not apply to the in-water application of chemicals directly into lakes, ponds, streams, or rivers to manage freshwater noxious- and quarantine-listed weeds. The Aquatic Plant and Algae Management General Permit is the appropriate permit for any in-water projects.

Please note the changes to posting requirements and the revised sign templates.

### **Submitting Written Comments**

Ecology will accept written comments on the draft permit, fact sheet, and supplemental environmental impact statement until **5 pm, November 18, 2011**. Ecology prefers comments be submitted by email to [kathy.hamel@ecy.wa.gov](mailto:kathy.hamel@ecy.wa.gov). Emailed comments must contain the commenter's name and postal address. Comments should reference specific permit text when possible.

**Submit comments by email to:** [kathy.hamel@ecy.wa.gov](mailto:kathy.hamel@ecy.wa.gov)

**Submit written comments to:**

Kathy Hamel  
Washington State Department of Ecology  
PO Box 47696  
Olympia, WA 98504-7696

You must send email comments before **5 pm, November 18, 2011**. Written comments must be postmarked no later than **5 pm, November 18, 2011**.

### **Workshop and Hearing**

Ecology will hold one public workshop and hearing on the draft general permit. The purpose of the workshop is to explain the general permit, and answer questions in order to facilitate meaningful testimony during the hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and comments on the proposed permit. Written comments will receive the same consideration as oral testimony. The public workshop and hearing will begin at 1:30 p.m. on November 10, 2011 and conclude when public testimony is complete.

#### **November 10, 2011 (1:30 p.m.) Workshop and Hearing:**

Lacey Timberland Library  
500 College Street SE  
Lacey, WA 98503

### **Issuing the Permit**

The final permit will be issued after Ecology receives and considers all public comments. If public comments cause a substantial change in the permit conditions from the original draft permit, another public notice of draft and comment period may ensue.

Ecology expects to issue the general permit in 2012. If you have questions, contact Kathy Hamel at (360) 407-6562, or by email at [kathy.hamel@ecy.wa.gov](mailto:kathy.hamel@ecy.wa.gov).