

PUBLIC NOTICE

Modification to the Willapa Bay/Grays Harbor Oyster Growers Association Farm and Forest Helicopter Service Permit in order to make the language consistent with other state aquatic pesticide NPDES permits

Applicant:

Willapa Bay/Grays Harbor Oyster Growers Association
P.O. Box 3
Ocean Park, WA 98640
And
Farm and Forest Helicopter Service, Inc.
P.O. Box 404
Napavine, WA 98565

The draft modification of the NPDES permit for the application of carbaryl

The Department of Ecology (Ecology) is proposing to modify the NPDES permit issued to the Willapa Bay/Grays Harbor Oyster Growers Association and Farm and Forest Helicopter Service, Inc. for the application of carbaryl. Ecology is requesting public comment on the draft permit modification. The proposed modification would make the permit language consistent with other state aquatic pesticide NPDES permits. This modification would allow the permittee to apply pesticides on an experimental basis under the jurisdiction of the Environmental Protection Agency and the Washington State Department of Agriculture through the issuance of a Federal Experimental Use Permit. The modification of this permit also requires the permittee to report experimental use applications in the Annual Operations Plan submitted to Ecology.

The current language reads as follows:

Experimental Use application may be included in the Annual Operations Plan. Carbaryl and other pesticides may be applied in the context of a research and development effort under the jurisdiction of the Washington State Department of Agriculture through the issuance of a Washington State Experimental Use Permit (WSEUP).

The proposed language reads as follows:

1. The Permittee may apply other pesticides on a limited basis in the context of a research and development effort under the jurisdictions of the Environmental Protection Agency (EPA) and WSDA through the issuance of a Federal Experimental Use Permit.
2. The Permittee shall obtain coverage under this general permit for any burrowing shrimp control projects conducted under a Federal Experimental Use Permit.
3. For projects of one acre or less in size, the applicant shall obtain coverage under a State Experimental Use Permit and coverage under this general permit is not required. For projects one acre or more in size the permittee shall obtain coverage under this permit.

4. Experimental Use pesticide application(s) must be included in the Annual Operations Plan.

Requesting Copies of the Draft Permit Modification

Beginning April 16, 2008, you can request copies of the draft permit modification or download copies from the website listed below:

Website: http://www.ecy.wa.gov/programs/wq/permits/southwest_permits.html

Ecology Contact: Derek Rockett
Washington State Department of Ecology
PO Box 47775
Olympia, WA 98504-7775
Telephone: (360) 407-6697
Fax: (360) 407-6305
Email: droc461@ecy.wa.gov

Submitting Written and Oral Comments

Ecology will accept written and oral comments on the draft Willapa Bay/Grays Harbor Oyster Growers Association Farm and Forest Helicopter Service NPDES Permit modification until **5pm, May 16, 2008**. Ecology prefers comments to be submitted by email. Comments should reference specific text when possible.

Submit written comments to: Derek Rockett
Washington State Department of Ecology
PO Box 47775
Olympia, WA 98504-7775
Email: droc461@ecy.wa.gov

If you submit written comments, you must ensure that they are postmarked no later than **5pm, May 16, 2008**. You must send email comments before **5pm, May 16, 2008**.

Issuing the modification of the Willapa Bay/Grays Harbor Oyster Growers Association Farm and Forest Helicopter Service NPDES permit

After Ecology receives and considers all public comments it will make necessary changes and issue the permit modification. If public comments cause a substantial change in the permit modification, another public notice of draft and comment period may ensue.

Ecology expects to issue the permit modification on or about June 16, 2008, if there is no substantial change to the draft. When issued, Ecology will send a copy of the notice of issuance and Ecology's responses to the comments to all persons who submitted written comment or gave public testimony.

