

# Aquatic Animal Invasive Species Control General Permit

Item #7



State Water Resources Control Board  
Adoption Meeting, March 1, 2011



# Points to Ponder

- Permit regulates **residual chemical pesticide** discharges.
- Chemical pesticide becomes a **residual** if applied in excess or after the pesticide has served its intended purpose.
- Pesticide products in Permit contain a **toxic inert ingredient**.
- Cannot disclose **toxic or other inert ingredients** due to DPR's confidentiality requirements.
- **Permit cannot set limits on toxic or other inert ingredients.**
- Chemical testing for active ingredient will not account for **toxic or other inert ingredients.**

# Why Do Toxicity Testing?

- Monitor toxic effects of application **after project completion.**
- Determine if **combined effects of active ingredients, inert ingredients, and pesticides in receiving water** are causing or adding to toxicity.
- Implement Basin Plans' objective of no toxics in toxic amounts.
- Determine if application methods/equipment are causing toxicity.

# 11/16/10 Comment Letters

Letter Number	Affiliation	Representative
1	Association of California Water Agencies	Mark S. Rentz
2	California State Lands Commission	Maurya Falkner
3	City of Los Angeles Department of Water and Power	Katherine Rubin
4	Coachella Valley Water District	Steve Bigley
5	Marin Municipal Water District	Michael J. Ban
6	Metropolitan Water District of Southern California	Bart Koch
7	San Francisco Baykeeper	Naomi Kim Melver
8	Better Urban Green Strategies (BUGS) Butte Environment Council Californians for Pesticide Reform Center for Environmental Health Environment California Health and Habitat Mothers of Marin Against the Spray Pesticide Action Network of North America Pesticide Watch Education Fund Pesticide-Free Sacramento Play Not Spray Stop the Spray East Bay Stop West Nile Spraying Now	Samantha McCarthy Maggi Barry David Chatfield Caroline Cox Dan Jacobsen Sandy Ross Debbie Friedman Katherine Gilje Paul S. Towers Amy Barden Nan Wishner Lynn Murphy Don Mooney
9	Regional Board 6	Daniel Sussman Mary Fiore-Wagner
10	San Diego County Water Authority	Frank Belock, Jr.

# Response to 11/16/10 Comments

- Provided five toxicity testing options for Board consideration.
- Sixth Option: State Water Board conducts toxicity study.
- Revised antidegradation finding.
- Clarified that Permit does not apply to vessels enrolled under USEPA's Vessel General Permit.
- Added the following:
  - 30-day public comment period for Aquatic Pesticide Application Plan (APAP).
  - Minimum BMP requirements to APAP.
  - Requirement for web posting of pesticide application schedule if discharger maintains a website.

# Response to 11/16/10 Comments

- Added the following (continued from Page 5):
  - APAP processing, approval, and modifications information.
  - Required actions when monitoring results show toxicity or exceedance of triggers or limits.
  - 60-day deadline to complete corrective actions.
- Deleted references to Coalition and Watershed Monitoring.
- Deleted internal inconsistent statement on toxicity testing exemption.
- Clarified in Table C-1 that sampling coincide with pesticide applications.
- Provided justification for six-sample requirement.

# 2/18/11 Comment Letters

Letter Number	Affiliation	Representative
1	Association of California Water Agencies	Mark S. Rentz
2	City of Los Angeles Department of Water and Power	Katherine Rubin
3	<p>Californians for Pesticide Reform            Environment California            Health and Habitat            Mothers of Marin Against the Spray            Pesticide Action Network of North America            Pesticide Free Zone            Pesticide Watch Education Fund            Safe Alternatives to Pesticides            Safety Without Added Toxins (SWAT)            San Francisco Baykeeper            Stop the Spray East Bay</p>	<p>David Chatfield            Dan Jacobsen            Sandy Ross            Debbie Freidman            Katherine Gilje            Ginger Souders-Mason            Paul S. Towers            Nancy Jamello            Karen Laslo            Jason Flanders            Nan Wishner</p>





# Response to 2/18/11 Comments

- Added “if the Discharger has a website” to the requirement for web posting of application schedule.
- Revised visual monitoring requirements to six application areas or 10% of all application areas, whichever is greater, during an application event.
- Clarified toxicity monitoring requirements by adding “when the Background sample shows toxicity, the discharger must collect paired Background and Post-Event samples to determine whether the application is causing or adding toxicity to the Background receiving water.”





## Effective Date of Permit

- USEPA and State Water Board Memorandum of Agreement specifies 100 days before a general permit becomes effective.
- USEPA in a 2/17/11 email waived the requirement.
- Staff proposes that the permit become effective immediately after adoption.





# Contact Information



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