

# **Spray Applications General Permit**

Item #8

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



# Points to Ponder

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

# Why Do Toxicity Testing?

- Monitor toxic effects of pesticide applications.
- Determine if **combined effects of active ingredients, inerts, and pesticides in receiving water** are causing or contributing to toxicity.
- Implement Basin Plans' objective of no toxics in toxic amounts.
- Determine if application methods/equipment are causing toxicity.

# 12/16/10 Comment Letters

Letter Number	Affiliation	Representative
1	California Department of Food and Agriculture (CDFA)	Victoria L. Hornbaker
2	National Marine Fisheries Service	Joseph Dillon
3	San Francisco Baykeeper	Naomi Melver
4	National Environmental Law Center Pesticide Watch Education Fund Pesticide Action Network of North America Health and Habitat Stop the Spray East Bay Stop West Nile Spraying Now Better Urban Green Strategies Butte Environmental Council Environment California Californians for Pesticide Reform Pesticide-Free Sacramento Mothers of Marin Against Spray Center for Environmental Health Play Not Spray	Joseph J. Mann Paul Towers Katherine Gilje Sandy Ross Nan Wishner Don Mooney Samantha McCarthy Maggi Barry Dan Jacobsen David Chatfield Amy Barden Debbie Friedman Caroline Cox Lynn Murphy
5	United State Department of Agriculture (USDA) Forest Service	David Bakke
6	East Bay Municipal Utility District	Richard Sakaji
7	Northern California River Watch	Larry Hanson

# 12/16/10 Comment Letters

<b>Letter Number</b>	<b>Affiliation</b>	<b>Representative</b>
8	California Farm Bureau Federation	Kari Fisher
9	Forest and Wildlife Advocate Environmental Protection Information Center Kalmath Riverkeeper	Kimberly Baker Scott Greacen and Erica Terrence
10	Heal The Bay	Kirsten James
11	Yurok Tribe	Suzanne Fluharty
12	Sonoma County Water Coalition	Janus Mattes
13	General Public	Anne Greenblatt
14	General Public	Ann Hernday
15	General Public	Anneliese Agren
16	General Public	Barbara Goodell
17	General Public	Diane Beck
18	General Public	Mary E. Langley
19	General Public	Ronald Ward
20	General Public Form Letters (118)	Individuals

# Response to 12/16/10 Comments

- Provided five toxicity testing options for Board consideration.
- Sixth Option: State Water Board conducts toxicity study.
- Changed Receiving Water Monitoring Trigger of 0.1  $\mu\text{g}/\text{L}$  to Receiving Water Limitation for Malathion.
- Deleted references to Watershed Monitoring.
- Revised antidegradation finding.
- Added the following:
- 30-day public comment period for Pesticide Application Plan (PAP).



# Response to 12/16/10 Comments

- Added the following (continued from Page 6):
  - PAP processing, approval, and modifications information.
  - Minimum BMP requirements to PAP.
  - Prohibition on discharge of a class of pesticides to waterbodies impaired by an active ingredient of same class.
  - Required actions when monitoring results show toxicity or exceedance of triggers or limits.
  - 60-day deadline to complete corrective actions.
  - Justification for six-sample requirement.
  - Requirement for web posting of pesticide application schedule if discharger maintains a website.

# 2/18/11 Comment Letters

Letter Number	Affiliation	Representative
1	California Department of Food and Agriculture	Michele Dias
2	City of Los Angeles Department of Water and Power	Katherine Rubin
3	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	David Chatfield Dan Jacobsen Sandy Ross Debbie Freidman Katherine Gilje Ginger Souders-Mason Paul S. Towers Nancy Jamello Karen Laslo Jason Flanders Nan Wishner



# Response to 2/18/11 Comments

- Added Dinotefuran as an active ingredient and its receiving water monitoring trigger.
- Revised visual monitoring requirements to six application areas or 10% of all application areas, whichever is greater, during an application event.
- Added two more pesticide products to Attachment E.
- Added definitions for Biological Pesticide, Receiving Waters, and Self-Monitoring.
- Added description of CDFA's Palm Weevil Program in Fact Sheet.
- Added description of Dinotefuran and its toxicity data in Fact Sheet.
- Deleted description of Pyrethroid from Fact Sheet since it is not used by CDFA or USDA.





## 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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