

WSR 23-18-012

DEPARTMENT OF ECOLOGY

[Filed August 24, 2023, 10:38 a.m.]

PUBLIC NOTICE

Announcing the Reissuance of the Irrigation System Aquatic Weed Control General Permit

The Washington state department of ecology (ecology) is reissuing the Irrigation System Aquatic Weed Control National Pollutant Discharge Elimination System (NPDES) and state waste discharge general permit (permit) on August 23, 2023. The permit becomes effective on October 2, 2023, and expires on October 1, 2028.

Purpose of the Permit: The permit addresses various legal requirements and responsibilities, and regulates the discharge of pollutants to protect water quality in Washington state. The permit provides coverage for the conditional use of pesticides, marker dyes, and other chemicals to manage and eradicate aquatic plants and algae in irrigation canals that flow into surface waters of the state of Washington. The permit is a combined NPDES and state waste discharge permit that limits the discharge of pollutants to surface waters under the authority of the federal Water Pollution Control Act (33 U.S.C. 1251) and limits the discharge of pollutants to surface and groundwater under the authority of the state Water Pollution Control Act (chapter 90.48 RCW).

Public Notice Process and Comments: Ecology accepted public comments on the draft permit and fact sheet from January 18, 2023, **through** March 20, 2023. Ecology held informational public workshops and hearings during this time via online statewide webinars on February 21 and 22, 2023. Ecology received written public comments and emails. The comments and ecology's responses are included as Appendix E of the fact sheet.

Copies of the Permit: The final permit, fact sheet, and response to comments are available online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Aquatic-pesticide-permits/Irrigation-system-aquatic-weed-control>. You may request hard copies from Jackie Lince at jackie.lince@ecy.wa.gov or 360-407-6600.

Applying for Coverage Under the Permit: Your irrigation district, reclamation district, or water company covered under the existing permit that reapplied for permit coverage will be covered under the new permit. New or unpermitted irrigation districts, reclamation districts, or water companies may obtain coverage under the permit by submitting a complete permit application to ecology and satisfying all applicable public notice and State Environmental Policy Act requirements (WAC 173-226-200). The application is available online at <https://secureaccess.wa.gov>.

Ecology Contact: Danielle Edelman, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone 360-763-2597, email Danielle.Edelman@ecy.wa.gov.

Assistance for Persons with Disabilities: To request Americans with Disabilities Act accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

En Español: Para información en español, por favor comuníquese con Danielle Edelman al 360-769-2597.

Your Right to Appeal: You have a right to appeal the final general permit and general permit coverage for a specific facility to the

pollution control hearings board. The appeal process is governed by chapters 43.21B RCW and 371-08 WAC.

- Appeals of the general permit issuance must be filed **within 30 days of issuance** of the general permit. See the *Appeal of the General Permit Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710009.pdf>.
- Appeals of general permit coverage for a specific facility must be filed **within 30 days of the effective date of coverage**. See the *Appeal of a General Permit Coverage Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710007.pdf>.

If you have questions, please contact Danielle Edelman at Danielle.Edelman@ecy.wa.gov or 360-763-2597.