



*12th Annual Meeting
Costs & Consequences of
Invasive Plants*

NPDES Permits for Aquatic Herbicide Use in California

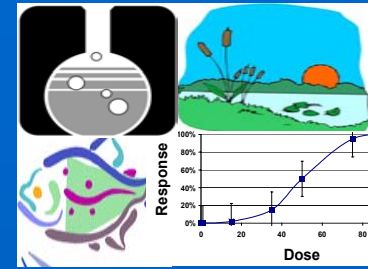
October 11, 2002



*Blankinship & Associates, Inc.
Agricultural & Environmental
Consultants*

Presented By:
Michael Blankinship

History



● 1996 Talent Irrigation District

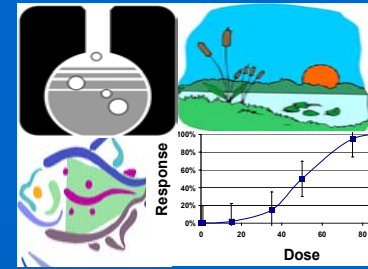
- Acrolein/Copper
- Leaking gate
- 90,000 juvenile steelhead dead



● 1998 Headwaters Suit

- Alleged CWA Violation
- FIFRA Prevails...suit unsuccessful

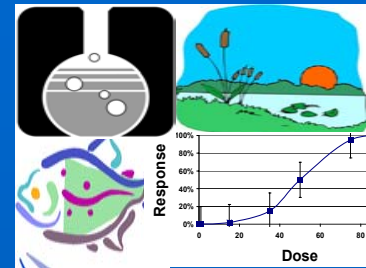
History (con't)



- **2001 9th Circuit Court Decision**
 - Overturns Lower Court
 - CWA violation cited
 - NPDES Permit required
 - FIFRA superceded
 - \$ 200,000 Settlement
 - Regional Consequences

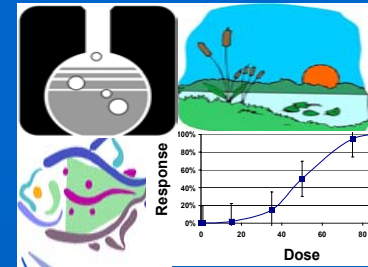


Regional Consequences



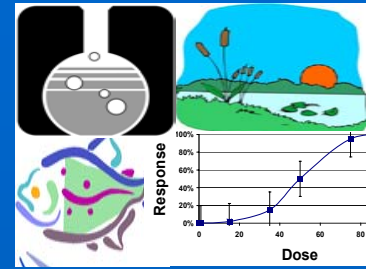
- California Subject to 9th Circuit Court Decision
- SWRCB issues Emergency General Permit for Discharge of Aquatic Pesticides
- Permit Expires January 2004

The Permit for Discharge of Aquatic Pesticides



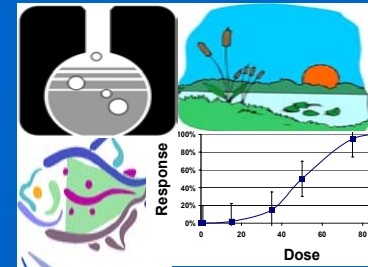
- *You Need One if....*
- *The Requirements Are...*
- *It Costs How Much !?!*
- *How Long Does It Take ?*

You Need One if....



- *You apply aquatic pesticides to a waterbody*
- *Perceived CWA Violations and Subsequent Citizen Lawsuits Concern You*
- *You are Public Entity*
- *Note: If you are not a Public Entity, you need your own individual NPDES permit*

Typical Aquatic Weeds

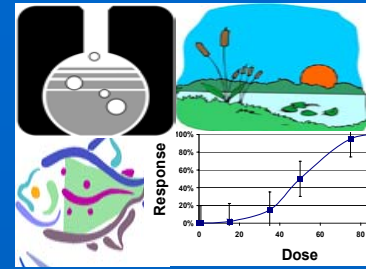


- Water milfoil (*Myriophyllum aquaticum*)
- Water Primrose (*Ludwigia hexapetala*)
- Cordgrass (*Spartina alterniflora*)
- Parrot feather (*Myriophyllum aquaticum*)
- Cattail (*Typha* spp)
- Bulrush (*Scirpus fluviatilis*)
- Giant reed (*Arundo donax*)



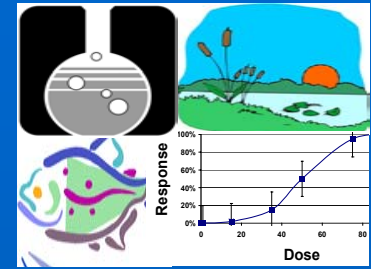


You May Not Need One if You Apply to



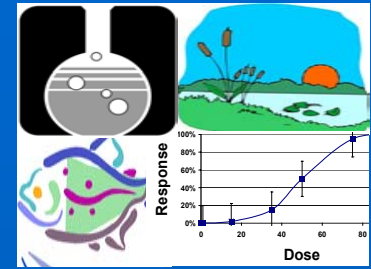
- A canal or ditch bank above the water level
- A dry canal that was or will be filled with water later
- To land where pesticide may be conveyed in storm or irrigation runoff
- Vernal pools
- Ponds that are not hydrologically connected to a water of the U.S.





The Requirements Are:

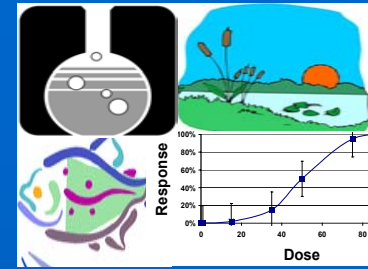
- **Submit Notice of Intent**
- **Prepare Monitoring, Inspection and Reporting Plan**
- **Implement/Document BMPs Used for Control**
- **Evaluate Alternatives that May Protect Water Quality**
- **Report Monthly & Annually**



The Requirements Are:

- **Submit Notice of Intent**
 - **Easy: \$400, 2 page form & map**



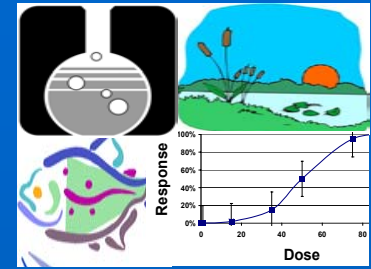


The Requirements Are:

- Submit Notice of Intent
- Prepare Monitoring, Inspection and Reporting Plan



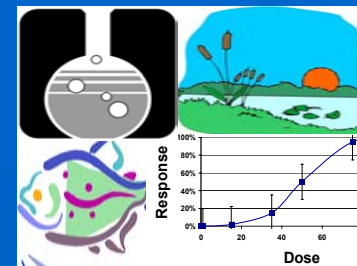
...A little more work



The Requirements Are:

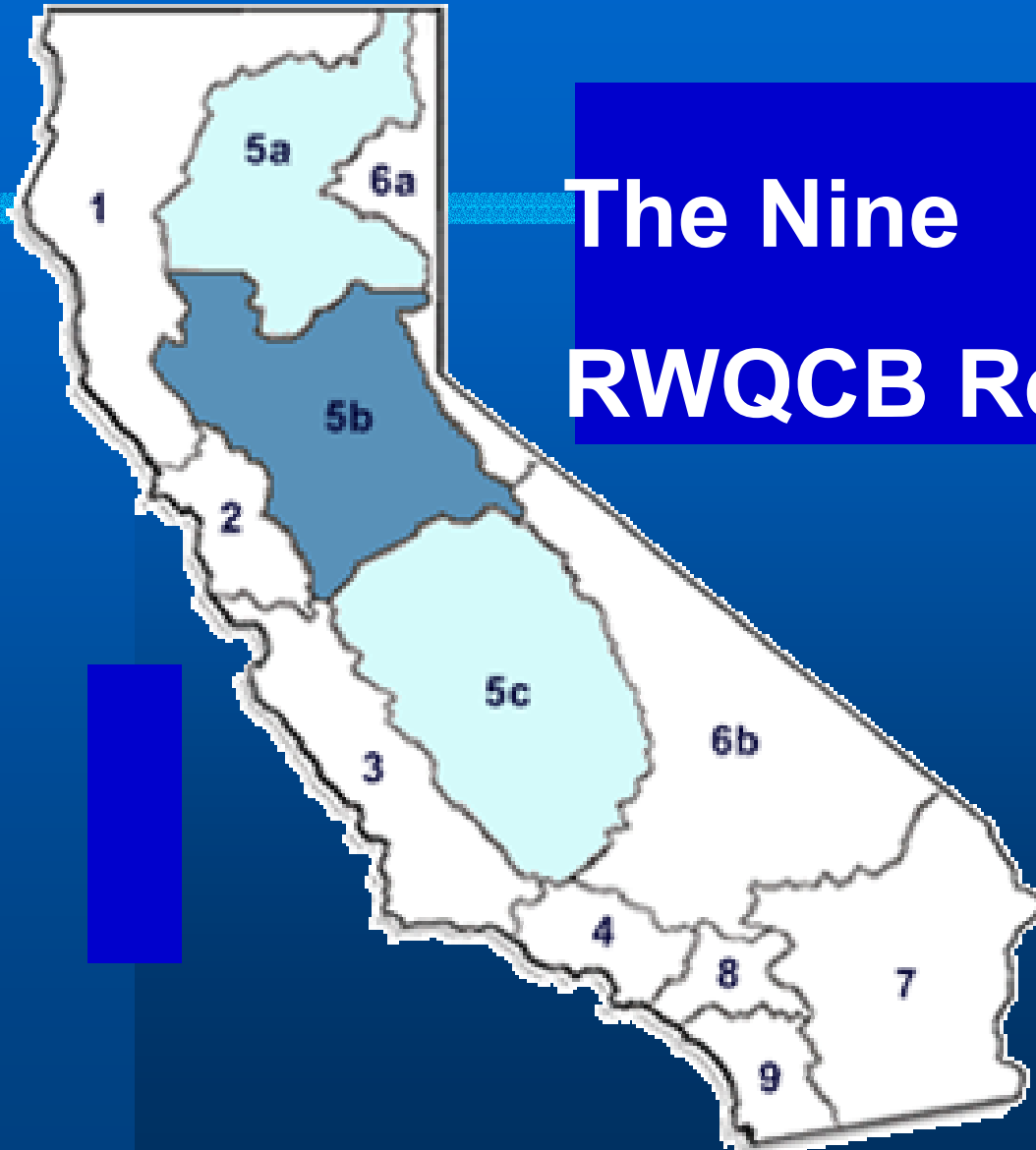
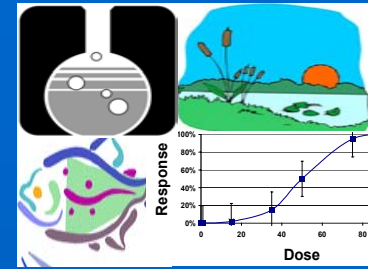
- **Prepare Monitoring, Inspection and Reporting Plan**
 - 1) **Characterize typical application sites**
 - 2) **Visually assess impacts**
 - 3) **Perform water quality analyses**
 - 4) **Prepare Quality Assurance Plan (QAP)**
 - 5) **Evaluate non- or less-toxic methods**
 - 6) **Evaluate BMP effectiveness**
 - 7) **Get Local RWQCB Approval**

RWQCB Aquatic NPDES Permit Contacts

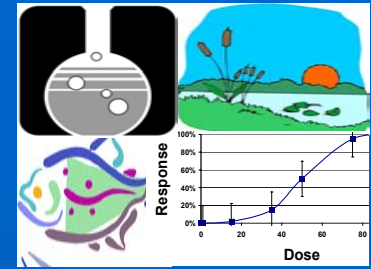


<i>Region/Office</i>	<i>Aquatic Pesticide Contact</i>	<i>Phone Number</i>	<i>Email address</i>
1 Santa Rosa	John Short	(707) 576-2065	Shorj@RB1.swrcb.ca.gov
2 Oakland	Tina Low	(510) 622-5682	TJL@RB2.swrcb.ca.gov
3 San Luis Obispo	Bill Arkfeld	(805) 542-4627	Barkfeld@rb3.swrcwca.gov
4 Los Angeles	Augustine Anijelo	(213) 576-6657	Aanijiel@rb4.swrcb.ca.gov
5 Fresno	Doug Patteson	(559) 445-5156	PattesD@rb5f.swrcb.ca.gov
5 Redding	Dennis Wilson	(530) 224-4848	WILSOND@rb5r.swrcb.ca.gov
5 Sacramento	Emily Alejandrino	(916) 255-0736	AlejanE@RB5S.swrcb.ca.gov
6 S. Lake Tahoe	Alan Miller	(530) 542-5430	Milla@RB6S.swrcb.ca.gov
6 Victorville	Jehiel Cass	(760) 241-2434	Jcass@RB6V.swrcb.ca.gov
7 Palm Desert	Doug Wylie	(760) 346-6585	Wylie@RB7.swrcb.ca.gov
8 Riverside	Nikki Outwin	(909) 782-3238	noutwin@RB8.swrcb.ca.gov
8 Riverside	Gary Stewart	(909) 782-4379	Gstewart@RB8.swrcb.ca.gov
9 San Diego	Peter Michael	(858) 467-2990	Michp@RB9.swrcb.ca.gov
SWRCB	Wayne Sobieralski	(916) 445-9379	sobiw@dwq.swrcb.ca.gov
SWRCB	Larry Nash	(916) 341-5586	nashl@dwq.swrcb.ca.gov

(See your handout for a larger version)

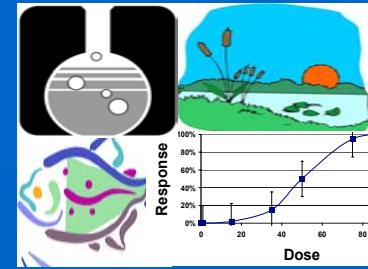


The Nine RWQCB Regions



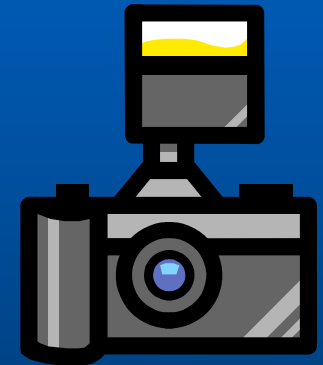
The Requirements Are:

- Submit Notice of Intent
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- Implement/Document BMPs Used for Control
- Evaluate Alternatives that May Protect Water Quality
- Report Monthly & Annually



The Requirements Are:

- **Implement/Document BMPs Used for Control**
 - Pictures and Field Notes
- **Evaluate Alternatives that May Protect Water Quality**
 - Pictures and Field Notes





PRIESTMAN

DD-M
Crane & Rigging
374-2000

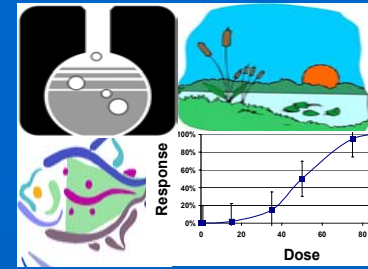
VC20-1

DD-M
Crane & Rigging

(707) 374-2000

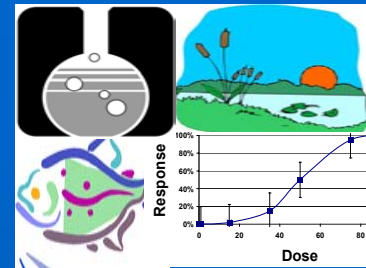


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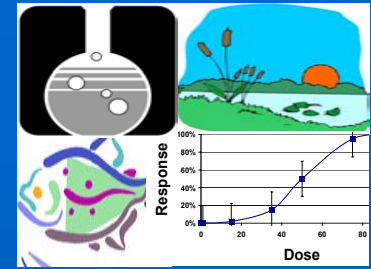
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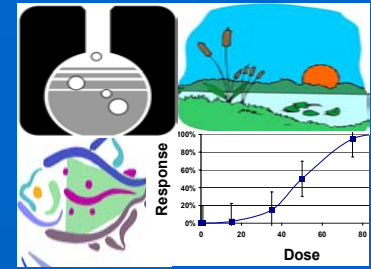
- **Report Monthly & Annually**
 - 1) **Location, Name & Size of water body treated**
 - 2) **Name & amount of pesticide used**
 - 3) **Document BMP's and Alternatives**
 - 4) **Data on Sampling & Analysis**





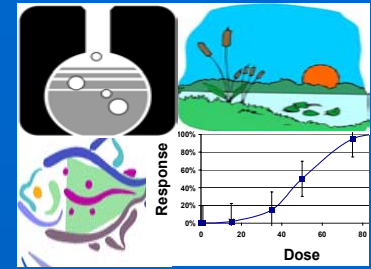
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It Costs How Much !?! *Example: One Agency*

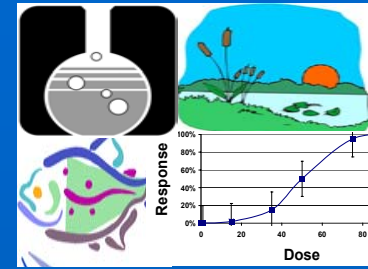
- **NOI \$400**
- **PMP \$5,000**
- **Sampling..... \$1,000**
- **Reporting..... \$2,500**
- Est. Total: \$8,900**



It Costs How Much !?! *Example: Five Agencies*

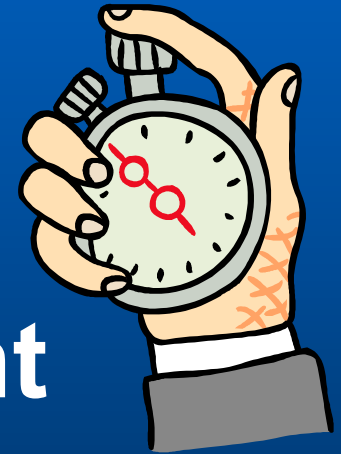
- NOI \$400
- PMP \$10,000
- Sampling \$5,000
- Reporting \$5,500
- Est. Total: \$20,900
- Per Agency Cost: \$4,180





How Long Does It Take ?

NOI	1-2 weeks
PMP	2-4 weeks
PMP Approval...	RWQCB
	Dependent
Sampling.....	1-6 months
Reporting.....	4 weeks

















California Regional Water Quality Control Board

Central Valley Region

Robert Schneider, Chair



Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

Sacramento Main Office
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
3443 Routier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

6 August 2002

Michael Blankinship
Blankinship & Associates, Inc
2940 Spafford Street, Suite 110
Davis, CA 95616

**APPROVAL OF MONITORING PLAN UNDER THE GENERAL NPDES PERMIT NO.
CAG990003 FOR DISCHARGES OF AQUATIC PESTICIDES**

We have reviewed your Yolo Regional Monitoring Plan dated 31 July 2002. The plan is approved as submitted.

If you have any questions, please contact Emily Alejandrino at 916-255-0736.

THOMAS R. PINKOS
Acting Executive Officer

cc: Christy Barton, Yolo County Flood Control & Water Conservation District
Sal Espinoza, Yolo County Flood Control & Water Conservation District
Lewis Bair, Reclamation District #108
John Webber, Reclamation District #999

California Environmental Protection Agency

