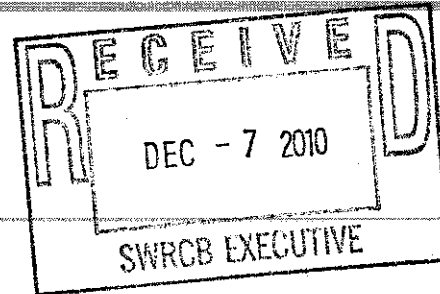


**commentletters - Application for Spraying Permit**

**From:** Janus <bjmatthes@comcast.net>  
**To:** <commentletters@waterboards.ca.gov>  
**Date:** Tuesday, December 07, 2010 9:48 AM  
**Subject:** Application for Spraying Permit



Dear Water Board:

I understand that the permit under consideration is USFS land which comprises about 50% of the north coast region. The draft permit appears to cover a whole range of toxic chemicals--pesticides, herbicides, fungicides, etc. (I'll call all of these pesticides) and a wide range of applications from localized treatment to aerial spraying. Some of these pesticides may be applied in a very localized way and could be of lesser concern. However, the larger projects, especially spraying and aerial spraying, are very worrisome and I object to the "kitchen sink" approach. I don't know how such a large and on-going permit could be monitored and enforced. Do you? How?

Spraying pesticides assumes perfect conditions of no wind, no unintended wildlife in the area, nothing that will enter the area right afterward, no migration of of poisons, no impacts from the chemical breakdown byproducts or the inert chemicals, no rain or moisture to dissolve and carry off chemicals, and no other animals that will visit the site to consume a targeted species and carry it into the food chain. All that is required is for the applicator to read and follow exactly what is on the label. Unfortunately, even if the label did have sufficient information and in the right language, perfect conditions really don't exist so there will always be toxic impacts beyond the target. With this in mind, how will public notification be implemented?

There is a range of potential problems with not only how it is applied but also with the adverse impacts of the formulations. Some of the listed pesticides are carcinogenic and cause birth abnormalities. The active ingredients in the formulation are not the only chemicals in the formulation that are toxic to the target species and also on unintended targets. In the formulation, there are "inert" chemicals that can be as toxic as the active ingredient or more. Many of the pesticides claim a kind of proprietary secrecy on the formulations but this is basically a ruse since the other companies have the means to do chemical analysis while the public does not. Therefore, this is a secret kept from the public and one has to assume the worst when transparency is not forthcoming. Without this information how does an agency like yourself assess the consequences? How about come clean or don't play?

There is a phrase used in the document, "The BMPs required herein constitute Best Available economically feasible." I object to having BMP, Best Management Practice, construed or interpreted as economically feasible. "Economically feasible" is subjective and cannot be determined without bias to the detriment of adverse impacts to the environment. Will this interpretation be used?

Also, the following statement was made in the draft permit: "The conditions of this General Permit require residual pesticide discharges to meet applicable water quality objectives. Waters of exceptional quality may be degraded due to the application of pesticides; however, it would only be temporary and in the best interest of the people of the State." What best

interest of the people of the State are intended here? This is not necessarily in my interest I assure you.

Your agency, of course, is mainly concerned with waters of the state and preventing pesticides from polluting such waters as a point or non-point source. As a concerned citizen, an informed advocate for clean water, a camper, boater and a swimmer, I see no way to regulate a permit of such breadth of pesticide applications and be any way assured that our waters are not being polluted. In my view, this permit should be denied. The various projects should be parsed out into sub-projects and come back for review. Some have varying levels of pollution implications while others, such as aerial spraying, have much greater ones. These projects should have greater scrutiny, and if appropriate, denied on the grounds they are infeasible due to containment problem. This should be considered on a case by case need basis with full public participation.

Finally, please apply the following laws and guidelines:

Beneficial Uses in Basin Plans  
National Toxics Rule (NTR) and California Toxics Rule  
State Implementation Policy  
Antidegradation Policy  
Endangered Species Act  
Resolution No. 68-16

Thank you for your attention to this matter.

Sincerely,

Janus Matthes  
Sonoma County Water Coalition