

2 SJM 8025 - S AMD 459

3 By Senators Fraser and Morton

4 On page 2, line 7, after "WHEREAS," strike everything through
5 "Appeals." on line 17 and insert the following:

6 "aquatic pesticides are also applied to other waters in addition to
7 irrigation canals in Washington state for a wide variety of purposes
8 designed to protect and further beneficial uses of such waters,
9 including applications to tidelands to control and eliminate spartina,
10 applications to freshwater lakes, streams and rivers to control noxious
11 aquatic plants and algae, applications against mosquitoes for human
12 health purposes, applications to control insect and other pests that
13 threaten agricultural crops or silvicultural resources, applications to
14 eliminate nonindigenous fish, invertebrates and other species that
15 compete with native species; and

16 WHEREAS, the state of Washington has provided for protection of
17 water quality in such pesticide applications through procedures
18 specific to categories of activities and water bodies but has not
19 incorporated these procedures into the state-administered NPDES permit
20 system; and

21 WHEREAS, the court of appeals decision has placed great uncertainty
22 regarding the regulatory procedures to approve necessary pesticide
23 applications in many such circumstances in the next few months;

24 NOW, THEREFORE, Your Memorialists respectfully pray that the United
25 States Environmental Protection Agency (1) fully employ all available
26 means and resources to work with the Washington state departments of
27 Ecology and Agriculture to achieve an expeditious procedure for
28 approving state-administered regulatory approvals for aquatic pesticide
29 applications as qualifying under the NPDES permit system on an interim
30 basis during the balance of calendar year 2001, (2) work with such
31 state agencies in achieving general permits under the NPDES system that
32 are consistent with the state's water quality protection measures, and
33 (3) make recommendations to the Congress for any necessary revisions to
34 the NPDES system to facilitate aquatic pesticide application approvals
35 consistent with state regulatory programs."

« END ---