



# Napa County Flood Control and Water Conservation District

**PHILLIP M. MILLER, P.E.**  
**ACTING DISTRICT ENGINEER**



August 16, 2012

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

**Subject: Comment Letter-Draft Aquatic Weed Control Permit.**

Dear Ms. Townsend:

The Napa County Flood Control and Water Conservation (District) requests clarification of the language regarding applicability of the Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Pesticide Discharge to Waters of the United States from Algae and Aquatic Weed Control Applications. Specifically, the District requests further clarification of what constitutes a discharge of algacides and aquatic herbicides and their residues and degradation byproducts to waters of the United States?

Under permit from the State Department of Fish and Game, the District has actively been treating non-aquatic, invasive species such as *Arundo donax* (Giant Reed) and *Lepidium* (Perennial Pepperweed) throughout the Napa River Watershed with an aquatically-approved form of glyphosate and on occasion with an aquatically-approved form of imazapyr. *Arundo* spreads rapidly through riparian corridors reducing the hydrological capacity of streams and flood control channels. *Lepidium* also spreads rapidly in riparian and wetland areas precluding establishment of native flora. The majority of the District's projects are above the ordinary high water level (OHWL); however, there are instances when it is necessary to treat patches of invasive plants below the OHWL. Treatment occurs during the dry season, when water is absent, but if treatment is proximal to water, the District has developed best management practices (BMPs) to avoid overspray or drift into nearby water. Please provide improved clarification in the permit whether, and under what conditions, organizations such as ours would be required to apply for coverage under this permit in order to conduct important non-aquatic invasive species management activities between the top of bank and water's edge, or if an exemption could be granted for non-aquatic applications such as ours. Thank you for providing the requested clarification.

Sincerely,

A handwritten signature in black ink that reads "Richard Thomasser". The signature is written in a cursive style and is positioned over the typed name and contact information.

Richard Thomasser, P.G.  
Watershed and Flood Control Operations Manager  
(707) 259-8657  
[richard.thomasser@countyofnapa.org](mailto:richard.thomasser@countyofnapa.org)