



Forestry Pesticide Applications- Complying with Georgia's Pesticide General Permit (GAG820000)

Forestry herbicide applications are commonly used to help control competing vegetation in pine plantations. Pine plantations may occur in areas that could be considered waters of the state, especially in the Coastal Plain Region of Georgia. Much of this land has been managed as pine plantations for many years¹, and herbicide application occurs consistent with Georgia's Best Management Practices (BMPs) for Silviculture, as published by the Georgia Forestry Commission (2009). The BMPs mandate avoidance of streams, lakes, ponds and other water courses, as well as avoidance of streamside management zones (SMZs) which provide buffers around these water bodies.

When forest herbicide applications occur in such areas encompassing existing pine plantations and herbicide applications are consistent with Georgia's BMPs for Silviculture, those areas shall not be included in the calculation of annual thresholds requiring a notice of intent (NOI) for the PGP. Operators are still required to comply with the conditions of the general permit otherwise applicable to Forest Canopy Control.

Use the following as guidance when determining if your pesticide activity needs coverage under the general pesticide permit.

BMP's:

- 1a. Always follow the most current version of Georgia's Best Management Practices (BMP) Manual. In accordance with the manual, watercourses are protected with Streamside Management Zones (SMZ's) to serve as filters for storm flows from upslope. Broadcast pesticides should not be applied within these SMZ's, and the water courses they protect, during routine forestry operations (per GA BMP manual page 48).
- 1b. Generally speaking, intact SMZ's along a water course, where no pesticides are applied, are adequate buffers to prevent direct discharge to waters of the state.
2. Use these guidelines to determine whether your herbicide application is to a water of the State. The definition of Waters of the State is: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, and all other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State (Georgia) which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.
 - 2a. Use USGS topographic quadrangle maps to help identify "waters of the state". "Blue lines" or hydrologic features on these maps and data layers best indicate where "waters of the state" occur.

¹ Mechanical Site Preparation Memo with US Army Corps of Eng., Nov. 28, 1995.

- 2b. Because there is inherent inaccuracy (especially with GIS data layers) associated with some USGS "blue lines" and because stream channels meander over time, these lines should always be field verified.
- 2c. Any application of herbicides made directly into a "waters of the state" must be counted toward the NOI threshold. It is our intent to not apply pesticides to water that is connected to "waters of the state"

NOI Threshold Calculations:

- 3a. The intent of tracking acreage for the purpose of calculating the Notice Of Intent (NOI) thresholds in Georgia is to include those acres where pesticides are applied to waters of the state.
- 3b. If you are applying herbicides to a water of the State, count acreage where water exists.
- 3c. Do not count acreage where existing pine plantations are being reforested to future pine plantations and pesticide application is not being made to water connected to "waters of the state".
- 3d. You must count acreage toward the NOI threshold if your pesticide application is considered a point source discharge as defined below:

Silvicultural point source means any discernible, confined and discrete conveyance related to rock crushing, gravel washing, log sorting, or log storage facilities which are operated in connection with silvicultural activities and from which pollutants are discharged into waters of the United States.

- 3e. Do not count acreage toward the NOI threshold if your pesticide application is considered a non-point discharge as defined below:

Non-point source silvicultural activities include activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff. However, some of these activities (such as stream crossing for roads) may involve point source discharges of dredged or fill material which may require a CWA section 404 permit (See 33 CFR 209.120 and part 233). (2) *Rock crushing and gravel washing facilities* means facilities which process crushed and broken stone, gravel, and riprap (See 40 CFR part 436, subpart B, including the effluent limitations guidelines). (3) *Log sorting and log storage facilities* means facilities whose discharges result from the holding of unprocessed wood, for example, logs or roundwood with bark or after removal of bark held in self-contained bodies of water (mill ponds or log ponds) or stored on land where water is applied intentionally on the logs (wet decking). (See 40 CFR part 429, subpart I, including the effluent limitations guidelines).

HydricSoils:

- 4. "Hydric soils" may be one indicator of wetlands. However, acreage in pine plantations growing on hydric soils would not be included in calculating the NOI threshold acreage as long as water that is connected to waters of the state does not exist on the site when application occurs.

Roadside Spraying:

5. Pesticides applied to roadside ditches, where water either does not exist at the time of spraying or water is not "connected" to waters of the state do not count toward the calculation of the NOI threshold.

An example of this could be a ditch that is either dry or with water that is "turned out" (per GA BMP Manual page 28) into a pine plantation or upland/other land form before the water it conveys is "connected" to standing/flowing waters of the state.

Accidental Oversprays:

- 6a. Accidental oversprays, where pesticides may damage or kill individual trees in an SMZ, are not considered a "toxic or adverse incident" unless pesticides are discharged directly to the watercourse within the SMZ and effects occur in waters of the state as described in the permit definitions of "toxic and adverse incident" on pages 33 and 34.
- 6b. Accidental oversprays, where pesticides may damage or kill individual trees in an SMZ, are not considered a direct discharge to waters of the state unless pesticides are discharged directly to the watercourse within the SMZ.

Georgia Department of Natural Resources

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May 20, 2013

Mr. John Colberg, Water Quality Coordinator
Georgia Forestry Commission
P.O. Box 819
Macon, GA 31202-0819

RE: Forestry Pesticide Applications
Complying with Georgia's Pesticide
General Permit (GAG820000)

Dear Mr. Colberg:

The Georgia Environmental Protection Division (EPD) has reviewed the Georgia Forestry Commission's Pesticide Application guidance to assist operators in complying with the National Pollution Discharge Elimination System (NPDES) General Permit GAG820000. The guidance contains adequate information to assist operators in determining if they need coverage under the general pesticide permit and further refines Georgia's Forestry Best Management Practices as they relate to pesticide applications.

Please note that the conditions of the permit are only applicable to pesticide applications made directly to surface waters in defined channels in order to control pests in, or over the water, or applications to control pests near water in which pesticides will make unavoidable contact with such water. Once it is determined that a pesticide application meets these requirements, operators must comply with all the terms, conditions and limitations of the permit.

If you have any questions concerning anything addressed in this letter, please contact Gigi Steele, Municipal Permitting Manager at 404/362-2680.

Sincerely,



Jane Hendricks, Manager
Wastewater Regulatory Program
Watershed Protection Branch