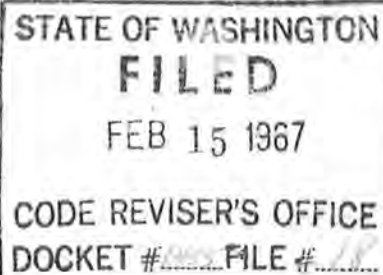


STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1039

(Supersedes Order No. 937)

Effective March 16, 1967



REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
OKANOGAN, DOUGLAS, AND CHELAN COUNTIES

I, Donald W. Moos, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapters 15.57 and 17.21 RCW after due notice and public hearing held at Okanogan, Washington on December 14, 1966, as provided under Chapters 42.32 and 34.04 RCW, do hereby promulgate the following regulations relating to the use of phenoxy hormone-type herbicides.

REGULATION 1. Area Under Order, Restricted Use Herbicides, Prohibited Formulations, and Definitions.

AREA UNDER ORDER. All the lands lying within the boundaries of Okanogan, Douglas, and Chelan Counties.

RESTRICTED USE HERBICIDES. All formulations of phenoxy hormone-type herbicides including 2,4-D, 2,4,5-T, and MCP are by this order declared to be restricted use herbicides.

PROHIBITED FORMULATIONS: The use of dust formulations of any and all restricted use herbicides is prohibited in the entire area under order.

DEFINITION: HIGH VOLATILE AND LOW VOLATILE ESTERS. High volatile and low volatile esters are those formulations labeled as high volatile and low volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide, and Rodenticide Act.

DEFINITION: SPECIFIED DATE. Specified date as referred to in this order is that date to be determined by the State Department of Agriculture in consultation with local authorities and shall be as near as is possible to the date of bud break of fruit being grown in the counties under order. Notification of this date, after which such operations that are applicable are so restricted, shall be made by mailing a notice to each of the known wheat growers and to each of the known commercial applicators working in the area and an announcement to the local newspapers, radio stations, and County Extension Offices.

REGULATION 2. AREA 1. OKANOGAN COUNTY. An area starting at the intersection of the east boundary line of Sec. 24, T29N, R25E, and the Columbia River; thence north 19 miles more or less to the southwest corner of Sec. 7, T32N, R26E; thence east 3 miles to the southeast corner of Sec. 9; thence north 2 miles to the northeast corner of Sec. 4; thence east 3 miles more or less to the southeast corner of Sec. 36, T33N, R26E; thence north 4 miles to the southwest corner of Sec. 7, T33N, R27E; thence east 2 miles to the southeast corner of Sec. 8; thence north 6 miles to the northeast corner of Sec. 17, T34N, R27E; thence west 8 miles to the northwest corner of Sec. 18, T34N, R26E; thence south 4 miles to the southwest corner of Sec. 31; thence west 3 miles to the northwest corner of Sec. 3, T33N, R25E; thence south 4 miles to the southwest corner of Sec. 22, T33N, R25E; thence west 3 miles to the northwest corner of Sec. 30; thence south 2 miles to the southwest corner of Sec. 31; thence west 2 miles to the northwest corner of Sec. 2, T32N, R24E; thence south 10 miles to the southwest corner of Sec. 23, T31N, R24E; thence west 4 miles to the northwest corner of Sec. 30; thence south 7 miles more or less to the north bank of the Columbia River; thence easterly along the north bank of the Columbia River to the point of beginning.

DOUGLAS COUNTY. An area starting at the intersection of the east boundary of Sec. 23, T29N, R25E, and the Columbia River; thence south to the southeast corner of Sec. 23, T29N, R25E; thence west 2 miles to the southwest corner of Sec. 22; thence north 1 mile to the northwest corner of Sec. 22; thence west 1 mile to the southwest corner of Sec. 16; thence north 4 miles to the northwest corner of Sec. 33, T30N, R25E; thence west 3 miles to the southwest corner of Sec. 25, T30N, R24E; thence south 1 mile to the southeast corner of Sec. 35, T30N, R24E; thence west 2 miles more or less to the Central Ferry Road; thence southerly along the Central Ferry Road and southwesterly along the county road to the old Bonita Ferry Landing lying within Sec. 31, T29N, R24E; thence easterly along the southern bank of the Columbia River to the point of beginning.

CHELAN COUNTY. Those areas lying within a one mile radius from the center of the towns of Azwell and Manson.

AREA 1. RESTRICTIONS. The use or application of high and/or low volatile ester formulations of restricted use herbicides is prohibited: PROVIDED, That low volatile ester may be applied from November 1 to the specified date the following year.

REGULATION 3. AREA 2. SECONDARY BUFFER ZONE. Sections 1, 2, 11, and 12, and those portions of Sections 3 and 10 lying East of the Central Ferry Road, T29N, R24E; and Sections 5, 6, 7, and 8, T29N, R25E all lying in Douglas County.

AREA 2. RESTRICTIONS. The use or application of high volatile ester formulations of restricted use herbicides is prohibited from the specified date to November 1 of the same year.

REGULATION 4. AREA 3. PRIMARY BUFFER ZONE. Sec. 36, T30N, R24E, and Sections 31 and 32, T30N, R25E lying in Douglas County.

AREA 3. RESTRICTIONS. The restrictions for Area 2 shall be effective in Area 3; PROVIDED, That aerial applications of restricted use herbicides shall be prohibited when the air movement is from the southeast through south to the southwest.

REGULATION 5. Ground applications of restricted use herbicides in Areas 1, 2 and 3 shall be made with a minimum of 8 gallons of water per acre and ground equipment must be equipped with nozzles having a minimum orifice diameter of 0.031 inches. Pressure for ground equipment must not exceed 35 pounds per square inch at the nozzles.

REGULATION 6. Aerial applications of restricted use herbicides in Areas 1, 2, and 3 shall be made with a minimum of 3 gallons of water per acre and aircraft must be equipped with nozzles having a minimum orifice diameter of 0.125 inches, and directed downward or backward 90 degrees or more from the direction of flight.

REGULATION 7. The application of restricted use herbicides is prohibited from two hours prior to sunset to 4:00 a.m. in Areas 1, 2, and 3 from the specified date to November 1 of the same year.

REGULATION 8. The owners of commercial vineyards located in Sec. 6, T31N, R25E and in Sec. 11, T33N, R26E lying in Area 1 of Okanogan County shall be notified in person or by certified mail at least 48 hours prior to the application of allowable restricted use herbicides applied within a one-mile radius of the above vineyards.

REGULATION 9. SPECIAL RESTRICTED USE HERBICIDE PERMITS. The Washington State Department of Agriculture may approve written requests to apply certain restricted use herbicides for purposes of critical weed control in the restricted areas under Order. Such requests shall contain information verifying the safety of the proposed application.


REGULATION 10. RESTRICTIONS ON AIRCRAFT. Loading and/or mixing of restricted use herbicides in aircraft is prohibited on any airstrip, airfield, or on any location within one mile of any city or town within the area under order: PROVIDED, That the airstrips at Okanogan and Brewster may be used for this purpose.

Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying over towns and cities, or residences windbreaks, orchards or susceptible crops belonging to any person other than the owner of the property being treated, EXCEPT by permission of the person whose residence windbreak, orchard or susceptible crop is involved, within the area under regulation.

REGULATION 11. DISPOSAL OF RESTRICTED USE HERBICIDES AND CONTAINERS. Restricted use herbicides or their emptied containers shall not be dumped or abandoned or allowed to remain at any place where plants of value are likely to be injured by the vapor or by water flowing through or over the material. Equipment used for restricted use herbicides shall not be stored or allowed to remain at any place where susceptible crops might be affected.

REGULATION 12. WIND AND WEATHER CONDITIONS. Application of restricted use herbicides by ground or aerial equipment shall not be allowed when the mean sustained wind velocity is over 7 miles per hour from any direction. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization.

I hereby certify that the foregoing is a true and correct copy of the regulation promulgated by the Department of Agriculture.


DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: _____