

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1333
Emergency rules
relating to (Name of rules or description of subject matter)

the use of herbicides in Okanogan County.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 4413 ① filed with the code reviser
on 12/13/73 ② were regularly adopted as permanent rules of this
(date)
agency at Director's Office on 2/5/74 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 3/7/74 ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this fifth day of February 1974.

STATE OF WASHINGTON
FILED
FEB 5 1974
CODE REVISER'S OFFICE
DOCKET #5115 FILE #27

AGRICULTURE
(AGENCY)
[Signature]
By
Supervisor, Grain & Chemical Division
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1333
(Supersedes Order No. 1240)
EFFECTIVE MARCH 7, 1974

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
OKANOGAN COUNTY

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapters 15.58 and 17.21 RCW, after due notice and public hearing held at Wilbur, Washington on January 4, 1974, as provided under chapters 42.32 and 34.04 RCW, do hereby promulgate the following regulations relating to the use of growth regulating 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 County.

RESTRICTED USE HERBICIDES: All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D, 2,4,5-T and MCPA 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: 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 county under order. Notification of this date, on and after which such operations that are applicable are so restricted, shall be made by mailing a notice 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 Section 24, T29N, R25E, and the Columbia River; thence north 19 miles more or less to the southwest corner of Section 7, T32N, R26E; thence east 3 miles to the southeast corner of Section 9; thence north 2 miles to the northeast corner of Section 4; thence east 3 miles more or less to the southeast corner of Section 36, T33N, R26E; thence north 4 miles to the southwest corner of Section 7, T33N, R27E; thence east 2 miles to the southeast corner of Section 8; thence north 6 miles to the northeast corner of Section 17, T34N, R27E; thence west 8 miles to the northwest corner of

Section 18, T34N, R26E; thence south 4 miles to the southwest corner of Section 31; thence west 3 miles to the northwest corner of Section 3, T33N, R25E; thence south 4 miles to the southwest corner of Section 22, T33N, R25E; thence west 3 miles to the northwest corner of Section 30; thence south 2 miles to the southwest corner of Section 31; thence west 2 miles to the northwest corner of Section 2, T32N, R24E; thence south 10 miles to the southwest corner of Section 23, T31N, R24E; thence west 4 miles to the northwest corner of Section 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.

AREA 1. (Restrictions). The use or application of high volatile formulations of restricted use herbicides is prohibited. The use or application of low volatile formulations of restricted use herbicides shall be prohibited on and after the specified date to and including October 31 of each year.

Ground applications of restricted use herbicides in Area 1 shall be made with ground equipment with nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

Aerial applications of restricted use herbicides shall be made using the 3-gallon alternative (see Order 1347, Regulation 9).

REGULATION 3. AREA 4. This area includes all remaining lands in Okanogan County.

AREA 4. (Restrictions). The use and application of high volatile formulations of restricted use herbicides shall be suspended on and after April 16.

REGULATION 4. RESTRICTIONS ON AIRCRAFT. The loading and/or mixing of restricted use herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

REGULATION 5. AERIAL APPLICATIONS NEAR VINEYARDS. Aerial application of restricted use herbicides in the entire county shall be prohibited within one mile of any commercial vineyard: PROVIDED, That aerial application of restricted use herbicides to lands located within 1/2 mile to 1 mile from commercial vineyards shall be allowed by written permit issued by the State Department of Agriculture.

REGULATION 6. The distribution, use and application of

restricted use herbicides in counties east of the crest of the Cascade Mountains shall comply with the restrictions in Order 1347 and Order 1346, WAC 16-222-160(1)(n) and (9) and WAC 16-222-190.

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

Stewart Bledsoe

STEWART BLEDSOE
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: 2/5/74