

TRANSMITTAL OF RULES ADOPTED

FROM: Department of Agriculture
(Name of Agency)

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

The enclosed Permanent rules , being order No. 1345
Emergency rules
relating to (Name of rules or description of subject matter)

the use of herbicides in Grant County.

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

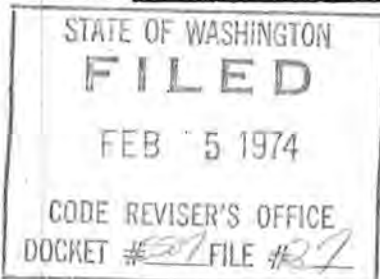
pursuant to Notice No. 4412 ① filed with the code reviser
on 12/13/73 ② were regularly adopted as permanent rules of this
(date)
agency at Director's Office on 2/5/74 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules 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 5th day of February 1974.



Department of 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. 1345
(Supersedes Order No. 1289)

EFFECTIVE MARCH 7, 1974

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
GRANT 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 Moses Lake, Washington on January 3, 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 lands lying within the borders of Grant 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 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 Grant County. 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 commercial applicators working in the area and an announcement to the local newspapers, radio stations, and county extension offices.

REGULATION 2. AREA 1. (Lands generally within the Columbia Basin Irrigation Project). An area starting at the southwest corner of Section 21, T14N, R27E; thence east along the county line four miles more or less to the southeast corner of Section 24, T14N, R27E; thence north along the county line 16 miles to the southwest corner of Section 31, T17N, R28E; thence east along the county line 13 miles more or less to the East Low Canal; thence northerly and easterly along the East Low Canal to the Adams County line; thence north along the Grant-Adams County line six miles more or less to the East Low Canal; thence northwesterly along the East Low Canal to the southeast boundary of Block 70; thence easterly, northerly, and westerly, encompassing Block 70, Soap Lake, and

Block 701, to the West Main Canal; thence southwesterly along the West Main Canal to the north boundary line of Unit 1, Block 73; thence westerly along the northern boundary line of Block 73 to the northwest corner of Unit 278; then due west to the Willow Springs Draw; thence down Willow Springs Draw to the Columbia River; thence southerly and easterly along the Columbia River to the point of beginning.

AREA 1. (Restrictions). The use or application of high volatile formulations of restricted use herbicides shall be prohibited. The use or application of low volatile formulations of restricted use herbicides is prohibited on and after the specified date to and including October 31: PROVIDED, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 to and including April 30.

Ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre): PROVIDED, That ground applications of low volatile formulations (other than 2,4-DB), allowed from November 1 to but not including the specified date of the following year, shall be made with ground equipment using nozzles having a minimum orifice diameter of 0.052 inches (approximately 20 gallons per acre).

On and after November 1 to but not including the specified date of the following year, aircraft applications of restricted use herbicides shall be made using a 3-gallon alternative (see Order 1347, Regulation 9).

On and after the specified date to and including October 31, aircraft applications of restricted use herbicides shall be made using a 10-gallon alternative (see Order 1347, Regulation 9).

REGULATION 3. AREA 2. (Buffer area). An area lying north and east of Area 1 starting at the junction of the Grant-Douglas County line and the Columbia River near Trinidad; thence north and easterly along the county line to the southwest corner of Section 35, T23N, R26E; thence east along section lines 12 miles to Grant County Road J/NW; thence south one mile along Grant County Road J/NW to the Burlington Northern Railroad tracks near Stratford; thence easterly along the Burlington Northern Railroad tracks 14 miles more or less to the Grant-Lincoln County line; thence south along the Grant-Lincoln and Grant-Adams County line; thence 25 miles more or less to the northern boundary line of Area 1 (East Low Canal); thence northerly and westerly along the northern boundary line of Area 1 to the point of beginning; and also an area near Warden starting at the East Low Canal near the southeast corner of Section 13, T17N, R30E; thence westerly and southerly along the East Low Canal to the Grant-Adams County line near the corner of Section 32, T17N, R30E; thence east five miles and north three miles along the Grant-Adams County line to the point of beginning.

AREA 2. (Restrictions). The use or application of high volatile formulations of restricted use herbicides shall be suspended on and after April 16. On and after May 1 to and including October 31, the use or application of low volatile

Formulations of restricted use herbicides shall be prohibited.

On and after May 1 to and including October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre).

On and after May 1 to and including October 31, aircraft applications of restricted use herbicides shall be made with a 3-gallon alternative (see Order 1347, Regulation 9).

REGULATION 4. AREA 3. (Outlying area). An area starting at the intersection of the Burlington Northern Railroad tracks near the northeast corner of Section 13, T22N, R30E; thence north 19 miles more or less along the Grant County line to Highway 2; thence westerly along Highway 2 to the Douglas County line; thence southwesterly along the Douglas County line to the southwest corner of Section 35, T23N, R26E; thence east along section lines 12 miles to Grant County Road J/NW; thence south one mile along Grant County Road J/NW to the Burlington Northern Railroad tracks near Stratford; thence easterly along the Burlington Northern Railroad tracks 14 miles more or less to the point of beginning.

AREA 3. (Restrictions). The use or application of high volatile formulations of restricted use herbicides shall be suspended on and after April 16. On and after May 16 to and including October 31, the use and application of low volatile formulations of restricted use herbicides shall be prohibited.

On and after May 1 to and including October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

On and after May 1 to and including October 31, aircraft applications of restricted use herbicides shall be made with a 2-gallon alternative (see Order 1347, Regulation 9).

REGULATION 5. RESTRICTIONS ON AIRSTRIPS. 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 6. AERIAL APPLICATIONS NEAR VINEYARDS. Aerial application of restricted use herbicides 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 one mile from commercial vineyards shall be allowed by written permit issued by the state department of agriculture.

REGULATION 7. 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