

FROM: AGRICULTURE
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 1509
Emergency rules

relating to (Name of rules or description of subject matter)

the use of herbicides in Adams County.

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

pursuant to Notice No. 7430 ^① filed with the code reviser
on February 24 ^② were regularly adopted as permanent rules of
(date)
this agency at Olympia on 3/31/77 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 April 30, 1977. ^③

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

pursuant to its finding in the attached administrative order,
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
(place) (date)
are herewith filed in 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 have been fulfilled.

Dated this thirty-first day of March 1977

STATE OF WASHINGTON
FILED
MAR 31 1977

AGRICULTURE
(AGENCY)
Ivan Packard
By Ivan Packard

CODE REVISER'S OFFICE
DOCKET # 8086 FILE # 29

Deputy Director
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.
[Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

ADMINISTRATIVE ORDER NO. 1509

(1) I, GARY STROHMAIER, Director, Department of Agriculture of the State of Washington, by virtue of the authority vested in me under chapters 34.04 RCW, 15.58 RCW and 17.21 RCW after due notice and after carefully and fully considering the oral and written views of the public received in a meeting open to the public held in the Franklin County Public Utility District Auditorium, Pasco, Washington on March 21, 1977

as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt the annexed rules and regulations, to wit:

REGULATIONS RELATING TO THE USE OF HERBICIDES IN ADAMS COUNTY.

as permanent rules of this agency.

(2) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED

March 31

1977

By

Gary F. Strohmaier
Gary Strohmaier

DIRECTOR

Title

REGULATION 1, AREA UNDER ORDER, RESTRICTED USE HERBICIDES, PROHIBITED FORMULATIONS AND DEFINITIONS. (See Eastern Washington Order 1508 for additional regulations.)

AREA UNDER ORDER: All lands lying within the borders of Adams 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.

OIL - TYPE CARRIERS: On and after May 16 through October 31, oil-type carriers are prohibited for brush control: PROVIDED, That oil-type carriers may be used in invert systems the entire year.

REGULATION 2. AREA 1. (Lands generally lying within the Columbia Basin Irrigation Project east of Warden and in the Othello area). An area starting at the intersection of the East Low Canal and Grant-Adams County line in Section 18, T18N, R31E; thence southerly along the East Low Canal to the intersection of the East Low Canal and the Grant-Adams County line near the southwestern corner of Section 17, T17N, R31E; thence north six miles more or less to the point of beginning; and also all lands within a line starting at the intersection of the East Low Canal and the Grant-Adams County line near the corner of Section 6, T16N, R30E; thence southeasterly along the East Low Canal to the Adams-Franklin County line and the southwest corner of Section 31, T15N, R28E; thence north along the Grant-Adams County line 12 miles and then east 13 miles more or less to the point of beginning.

AREA 1. (Restrictions). The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 15 through 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 through April 30 of the following year.

Ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches on and after April 15 through October 31: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

On and after November 1 through April 14 of the following year, aircraft applications of restricted use herbicides shall be made using the Caution Area Restrictions (see Order 1508, Regulation 11).

On and after April 15 through October 31 aircraft applications of restricted use herbicides shall be made using the Danger Area Restrictions (see Order 1508, Regulation 11).

REGULATION 3. AREA 2. (Buffer area east of Area 1). This area includes all of the lands in Adams County lying east of Area 1, to a north-south line starting at the northeast corner of Section 5, T20N, R31E and the Batum Road; thence south along the Batum Road to Interstate 90; thence west one mile to Schrag; thence south along the Schrag Road three miles; thence east along the Cunningham Road nine miles more or less to the northeast corner of Section 3, T15N, R33E (Jantz Road); thence south along the Jantz Road six miles to the Adams-Franklin County line.

AREA 2. (Restrictions). On and after May 1 through October 31, the use or application of low volatile formulations of restricted use herbicides shall be prohibited.

On and after May 1 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

On and after May 1 through October 31, aircraft applications of restricted use herbicides shall be made using the Warning Area Restrictions (see Order 1508, Regulation 11).

REGULATION 4. AREA 3. This area includes all lands lying east of Area 2 to a north-south line starting at the northwest corner of Section 4, T20N, R33E; thence east on the Lincoln-Adams county line for 20 miles more or less to the northeast corner of Section 3, T20N, R35E in Ritzville; thence south for 9 miles more or less to the southeast corner of Section 15, T19N, R35E; thence southeast to the southeast corner of Section 23, T19N, R35E; thence south on state highway 261 for 25 miles to the town of Washtucna located in Section 28, T15N, R36E; thence south on highway 260 two miles more or less southwest to the Adams-Franklin county line; thence west on the Adams-Franklin county line for 15 miles more or less to the southwest corner of Section 35, T15N, R33E.

AREA 3. (Restrictions). On and after May 16 through October 31, the use and application of low volatile formulations of restricted use herbicides shall be prohibited.

On and after May 1 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

On and after May 1 through October 31, aircraft applications of restricted use herbicides shall be made using the Caution Area Restrictions (see Order 1508, Regulation 11).

REGULATION 4. AREA 4. Outlying area east of Area 3.

AREA 4. (Restrictions). On and after May 16 through October 31, aircraft applications of restricted use herbicides shall be made using Caution Area Restrictions (see Order 1508, Regulation 11).

REGULATION 5. AERIAL APPLICATIONS NEAR VINEYARDS. Aerial application of restricted use herbicides shall be prohibited within one mile of any commercial vineyard in the area under order: PROVIDED, That aerial application of restricted use herbicides to lands located within 1/2 mile to 1 mile from commercial vineyards shall be considered through written request to the state department of agriculture.

REGULATION 6. WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 3 and 4 when the mean sustained wind velocity is over 12 miles per hour throughout the year and in Area 1 when the mean sustained wind velocity is over 12 miles per hour on and after November 1 through April 15 of the following year, and over 10 miles per hour from April 16 through October 31: PROVIDED, That application of allowable restricted use herbicides shall be exempt from these wind restrictions when applying 50 gallons or more per acre.

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 1508 and Order 1470, WAC 16-228-165 (1) (o) and (9) and WAC 16-228-175.