

FROM: AGRICULTURE
(Name of Agency)

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

The enclosed rules Permanent rules , being Order No. 1520
Emergency rules

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

the use of herbicides in Walla Walla 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.

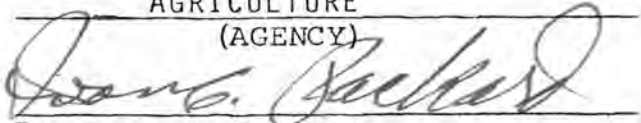
The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW have been fulfilled.

Dated this thirty-first day of March 1977

STATE OF WASHINGTON
FILED

MAR 31 1977

AGRICULTURE
(AGENCY)


By Ivan Packard

Deputy Director
Title

CODE REVISER'S OFFICE

DOCKET # 7077 FILE # 29

- 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. 1520

(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 WALLA WALLA 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 DEFINITION. (See Eastern Washington Order 1508 for additional regulations.)

AREA UNDER ORDER. All lands lying within the border of Walla Walla 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.

REGULATION 2. AREA 1. (Columbia River Buffer Area). An area starting at the intersection of the Northern Pacific Railroad and the Washington-Oregon state line, T6N, R32E; thence north nineteen miles more or less to the Snake River; thence westerly along the Snake River and southerly along the Columbia River to the Washington-Oregon state line; thence east to the point of beginning.

AREA 1. (Restrictions). The use or application of low volatile ester formulations of restricted use herbicides is prohibited on and after April 5 through October 31.

On and after April 5 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 April 5 through October 31 aerial applications of restricted use herbicides shall be made using the Caution Area Restrictions (see Order 1508, Regulation 11).

REGULATION 3. AREA 2. (Walla Walla and vicinity, Dixie, Waitsburg, and Prescott areas). Those areas lying within a 1 mile radius from the center of the town of Dixie and within 1 mile of the city limits of the towns of Waitsburg and Prescott and an area starting at the Washington-Oregon state line and the southeast corner of Section 16, T6N, R36E; thence north one mile more or less to the southwest corner of Section 3, T6N, R36E; thence east 2 miles to the southeast corner of Section 2, T6N, R36E; thence north 3 miles to the southwest corner of Section 24, T7N, R36E; thence east 1 mile to the southeast corner of Section 24, T7N, R36E; thence north 1 mile to the southwest corner of Section 18, T7N, R37E; thence east 1 mile to the southeast corner of Section 18, T7N, R37E; thence north 1 mile to the northeast corner of Section 18, T7N, R37E; thence west 9 miles to the northwest corner of Section 14, T7N, R35E; thence south 1 mile to the northwest corner of Section 23, T7N, R35E; thence west 1 mile to the northwest corner of Section 22, T7N, R35E; thence south to State Road 410; thence westerly along State Road 410 to the York Road and south along the York and Saver Road to the Frog Hollow Road; thence east along the Frog Hollow Road to the Locker Road; thence south along the Locker Road to the Washington-Oregon state line; thence east along the state line to the point of beginning.

AREA 2. (Restrictions). The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 15 through October 31.

On and after April 15 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 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 Regulation 11). Aircraft applications shall be prohibited on and after April 15 through October 31: PROVIDED, That the aerial application of MCPA shall be allowed using Warning Area Restrictions (see Order 1508, Regulation 11): PROVIDED FURTHER, That aerial application of non-volatile formulations of restricted use herbicides from $\frac{1}{2}$ to 1 mile of the center of the town of Dixie and from the city limits of Waitsburg, Prescott and Walla Walla shall be considered through written request to the state department of agriculture.

RESTRICTIONS ON THE USE OF AIRSTRIPS. The loading and/or mixing of restricted use herbicides is prohibited on any airstrip, airfield or any location within Area 2: PROVIDED, That the municipal airport located northeast of Walla Walla shall not be subject to this provision.

REGULATION 4. AREA 2A. (Buffer Area surrounding Walla Walla). An area starting at the intersection of the Northern Pacific Railroad and the Washington-Oregon state line, T6N, R32E; thence north six miles more or less to the northwest corner of Section 14, T7N, R32E; thence east ten miles more or less to the southwest corner of Section 9, T7N, R34E; thence north one mile to the northwest corner of Section 9, T7N, R34E; thence east two miles to the southwest corner of Section 2, T7N, R34E; thence north one mile to the northwest corner of Section 2, T7N, R34E; thence east 2 miles to the southwest corner of Section 31, T8N, R35E; thence north 6 miles to the northwest corner of Section 6, T8N, R35E; thence east 24 miles to and along the Columbia-Walla Walla county line to the northeast corner of Section 1, T8N, R38E; thence south 14 miles more or less to the Washington-Oregon state line and west to the point of beginning.

AREA 2A. (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 2,4-DB shall be allowed on alfalfa seed crops at any time.

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

REGULATION 5. AREA 3. All of the remaining lands within the border of Walla Walla county.

AREA 3. (Restrictions). The use and application of low volatile formulations of restricted use herbicides shall be prohibited on and after May 15 through October 31.

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

REGULATION 6. AERIAL APPLICATION 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 $\frac{1}{2}$ mile to one mile from commercial vineyards shall be considered through written request to the state department of agriculture.

REGULATION 7. WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 1, 2, 2A and 3 when the mean sustained wind velocity is over 12 miles per hour throughout the year: PROVIDED, That such applications shall be prohibited in Areas 1 and 2 on and after April 5 through October 31 when the mean sustained wind velocity is over 7 miles per hour.

REGULATION 8. 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 1470, WAC 16-228-165 (1)(o) and (9) and WAC 16-228-175.