



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Washington State Department of Agriculture

- Permanent Rule
 Emergency Rule

(1) Date of adoption: March 23, 1992

(2) Purpose: To place additional restrictions on the use of herbicides in Franklin, Yakima, Adams, Grant and Walla Walla Counties.

(3) Citation of existing rules affected by this order:

Repealed:
Amended: See Back of Form
Suspended:

(4) Authority for adoption:

Statute: 17.21 and 15.58 RCW
Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR _____ on _____ (date).

Describe any changes other than editing from proposed to adopted version:

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: Due to unusually early budbreak in grapes and fruit crops this year, emergency rules are hereby adopted which incorporate earlier dates for restricting the application of herbicides.

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

- | | |
|--|---|
| Permanent Rules | Emergency Rules |
| <input type="checkbox"/> 31 days after filing | <input checked="" type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____ * | <input type="checkbox"/> Later (specify) _____ |

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAR 23 1992

Time: 2:51 PM
Mail: 92-08-028

NAME (TYPE OR PRINT)

C. Alan Pettibone

SIGNATURE

C. Alan Pettibone

TITLE

Director

DATE

3/23/92

AMENDATORY SECTION (Amending Order 1965, filed 4/6/87)

WAC 16-230-640 Restricted use herbicides--Eastern Washington--Weather and temperature conditions. Restricted use herbicides shall not be applied on and after ~~((April-1))~~ March 25 through October 31 of each year when there is a temperature inversion; or throughout the year if weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization, or the temperature is 85 F. or above at the point of application: PROVIDED, That application at the rate of fifty gallons or more per acre using nozzles having a minimum orifice diameter of .072 inches shall be exempt from the 85 F. temperature cutoff requirement: PROVIDED FURTHER, That when using the invert system, applications may continue up to 95 F. with a maximum wind velocity of fifteen miles per hour and with water carrier at twelve or more gallons per acre.

AMENDATORY SECTION, (Amending Order 1923, filed 4/6/87)

WAC 16-230-645 Restricted use herbicides--Eastern Washington--Evening cutoff. On and after ~~((May-1))~~ April 20 through October 31 of each year, the application of restricted use herbicides shall be prohibited daily from three hours prior to sunset to sunrise the following morning: PROVIDED, That if there is a mean sustained legal wind velocity of not less than five miles per hour the application of restricted use herbicides shall be allowed in Areas 3 and 4 up to one hour prior to sunset in all counties as restricted by rule except Benton, Franklin, Yakima, and Walla Walla counties.

AMENDATORY SECTION (Amending Order 1676, filed 2/20/80)

WAC 16-231-110 Restricted use herbicides--Franklin county--Oil-type carriers. On and after ~~((April-5))~~ March 25 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.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-231-115 Restricted use herbicides--Franklin county--Area 1. (1) Area 1 description.

(a) This area includes all lands lying within a boundary line starting at the northwest corner of Section 6, T14N, R28E; thence east along the Adams-Franklin County line thirteen miles more or less to the intersection with State Route 17; thence southeasterly along State Route 17, including the right of way, to the intersection with Highway 395 at the town of Mesa; thence southerly along Highway 395, including the right of way, seven miles more or less to the intersection with the common boundary between Sections 2 and 11, T11N, R30E at the town of Eltopia; thence east along the section line, one mile more or less to the northeast corner of Section 12, T11N, R30E; thence south along the section lines fifteen miles more or less to the Snake River; thence southwesterly along the Snake River to its confluence with the Columbia River; thence northwesterly along the Columbia River to the Grant-Franklin County line at the north section line of Section 29, T14N, R27E; thence east along the Grant-Franklin County line four miles more or less to the northwest corner of Section 30, T14N, R28E; thence north along the Grant-Franklin County line four miles to the point of beginning.

(b) Also including Levey (Ice Harbor Dam area): This area includes all lands lying within a two-mile radius of Levey within Franklin County.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after ~~((April-5))~~ March 25 through October 31 of each year: 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))~~ April 19 of the following year.

(b) On and after ~~((April-5))~~ March 25 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum orifice diameter of 0.072 inches.

(c) On and after ~~((April-5))~~ March 25 through October 31, aircraft applications of restricted use herbicides shall be prohibited except by written permit issued by the department: PROVIDED, That on and after November 1 through ~~((April-4))~~ March 24 of the following year, aircraft applications of restricted use herbicides shall be allowed using the caution area restrictions (see WAC 16-230-675).

(d) On and after ~~((April-5))~~ March 25 through October 31, aircraft applications of restricted use herbicides shall be prohibited within one mile of any commercial vineyard: PROVIDED, That on and after ~~((April-5))~~ March 25 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: PROVIDED FURTHER, That on and after ~~((April-5))~~ March 25 through ~~((April-30))~~ April 19 written requests to apply 2,4-DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-231-119 Restricted use herbicides--Franklin county--Area 1A. (1) Area 1A description. This area includes all lands lying within a boundary line starting at the intersection of State Route 17 and

the Adams-Franklin County line at the north section line of Section 5, T14N, R30E; thence east along the Adams-Franklin County line five miles more or less to the Burlington Northern Railroad; thence southeasterly along the railroad, including the right of way, four miles more or less to the intersection with Moon Road; thence southerly along Moon Road, including the right of way, two miles more or less to the intersection with State Route 260 at the southeast corner of Section 27, T14N, R31E; thence west along State Route 260, including the right of way, five miles more or less to the intersection with State Route 17; thence northwesterly along State Route 17, excluding the right of way, to the point of beginning.

(2) Area 1A restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after ~~((April 15))~~ April 4 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))~~ April 19 of the following year.

(b) On and after ~~((April 15))~~ April 4 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having a minimum orifice diameter of 0.072 inches.

(c) On and after November 1 through ~~((April 14))~~ April 3 of the following year, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after ~~((April 15))~~ April 4 through October 31, aircraft applications of restricted use herbicides shall be made using the danger area restrictions (see WAC 16-230-675.)

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-231-125 Restricted use herbicides--Franklin county--Area 2. (1) Area 2 description.

This area includes all of the lands lying inside a boundary line starting at the intersection of State Routes 17 and 260 located at the northwest corner of Section 36, T14N, R30E; thence east along State Route 260, excluding the right of way, five miles more or less to the northeast corner of Section 34, T14N, R31E; thence south along the section lines fifteen miles more or less to the Eltopia and Eye Road; thence easterly along the Eltopia and Eye Road, including the right of way, to the Brass Road; thence easterly along the Brass Road, including the right of way, to the Bannenburg Road; thence southeasterly along the Bannenburg Road, including the right of way, to the northwest corner of Section 6, T10N, R33E; thence south along the section line one mile more or less to the Snake River; thence southwesterly along the Snake River to the east section line of Section 25, T9N, R30E; thence north along the section lines fifteen miles more or less to the southeast corner of Section 1, T11N, R30E; thence west along the section line one mile more or less to Highway 395; thence northerly along Highway 395, excluding the right of way, seven miles more or less to its intersection with State Route 17 at the town of Mesa; thence northerly along State Route 17, excluding the right of way, seven miles more or less to the point of beginning, excluding lands in Franklin County within a two-mile radius of the town of Levey.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after ~~((April 5))~~ March 25 through October 31 of each year.

(b) On and after ~~((April 5))~~ March 25 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after ~~((April 5))~~ March 25 through October 31, aircraft applications of restricted use herbicides shall be prohibited except by written permit issued by the Washington state department of agriculture.

AMENDATORY SECTION (Amending Order 1675, filed 2/20/80)

WAC 16-231-210 Restricted use herbicides--Yakima county--Oil-type carriers. On and after ((April-5)) March 25 through October 31, oil-type carriers are prohibited in the area under order for brush control: PROVIDED, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-215 Restricted use herbicides--Yakima county--Area 1. (1) Area 1 description. (An area south of the Yakima firing center including the upper and lower Yakima Valley.) An area starting at the Yakima-Benton County line and the northeast corner of Section 1, T11N, R23E; thence west along section lines seventeen miles more or less to the southeast corner of Section 31, T12N, R21E; thence north eight miles along section lines to the northeast corner of Section 30, T13N, R21E; thence west along section lines eleven miles to the Yakima River; thence northwesterly along the Yakima River four miles more or less to the junction of the Yakima and Naches Rivers; thence northwesterly along the Naches River for seven miles more or less to the northwest corner of Section 31, T14N, R18E; thence south one mile along the section line to the southwest corner of Section 31, T14N, R18E; thence west along section lines six miles to the northwest corner of Section 6, T13N, R17E; thence south twenty- four miles along section lines to the southwest corner of Section 31, T10N, R17E; thence east twenty-four miles along section lines to the southeast corner of Section 36, T10N, R20E; thence south six miles along section lines to the southwest corner of Section 31, T9N, R21E; thence east six miles along section lines to the northwest corner of Section 6, T8N, R22E; thence south six miles along section lines to the southwest corner of Section 31, T8N, R22E; thence east twelve miles along section lines to the Benton County line; thence north twenty-four miles to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after ((April-5)) March 25 through October 31: PROVIDED, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops at any time.

(b) On and after ((April-5)) March 25 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum orifice diameter of 0.072 inches.

(c) Aircraft applications of restricted use herbicides shall be allowed only on nonirrigated lands on and after November 1 through ((April-4)) March 24 of the following year and shall be made using the caution area restrictions (see WAC 16-230-675). Aircraft applications of restricted use herbicides shall be prohibited on and after ((April-5)) March 25 through October 31: PROVIDED, That hormone sprays may be applied to orchards to prevent fruit drop: PROVIDED FURTHER, That aircraft applications shall be allowed by written permit issued by the Washington state department of agriculture in those dry land wheat growing areas east of Moxee and on the Rattlesnake Ridge and the area south of Horse Heaven Hills Ridge contained in Sections 25, 26, 27, 28, 32, 33, 34, 35, and 36, T8N, R23E up to within one mile of commercial grape plantings and to within one-quarter mile of other susceptible crops.

AMENDATORY SECTION (Amending Order 1675, filed 2/20/80)

WAC 16-231-220 Restricted use herbicides--Yakima county--Area 1A. (1) Area 1A description. (Tieton-Naches area). That portion of T14N, R17E and those portions of Sections 31, 32 and 33, T15N, R17E, lying southwest of the Naches- Selah Canal; and that portion of T14N, R16E, and those portions

of Sections 35 and 36 lying southeast of the Tieton and Naches rivers.

(2) Area 1A restrictions. On and after (~~April-15~~) April 4 through October 31, the use and application of low volatile formulations of restricted use herbicides is prohibited. On and after (~~April-15~~) April 4 through October 31, aircraft applications of restricted use herbicides shall be allowed using warning area restrictions (see WAC 16-230-675) on dry land wheat up to within one-quarter mile of susceptible crops.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-231-225 Restricted use herbicides--Yakima county--Area 2. (1) Area 2 description. All remaining lands in Yakima County.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after (~~April-5~~) March 25 through October 31.

(b) On and after (~~April-5~~) March 25 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after (~~April-5~~) March 25 through October 31, aircraft applications of restricted use herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

WAC 16-231-315 Restricted use herbicides--Adams county--Area 1. (1) Area 1 description. (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 Sections 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 twelve miles and then east thirteen miles more or less to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after (~~April-15~~) April 4 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~~) April 19 of the following year.

(b) On and after (~~April-15~~) April 4 through October 31, ground applications of restricted use herbicides shall be made using nozzles have a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum orifice diameter of 0.072 inches.

(c) On and after November 1 through (~~April-14~~) April 3 of the following year, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after (~~April-15~~) April 4 through October 31, aircraft applications of restricted use herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1950, filed 9/1/87)

WAC 16-231-910 Restricted use herbicides--Grant county--Area 1. (1) Area 1 description. (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 sixteen miles to the southwest corner of Section 31, T17N, R28E; thence east along the county line thirteen 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; thence due west to the Willow Springs Draw; thence down Willow Springs Draw to the Columbia River; thence southerly along the Columbia River to the south boundary line of Section 11, T15N, R23E; thence east along the crest of the Saddle Mountains approximately eighteen miles to the northwest boundary of the atomic energy reservation; thence southwesterly along the atomic energy reservation boundary to Highway 24; thence south and west along Highway 24 to Vernita Bridge; thence easterly along the Columbia River to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after ~~((April-15))~~ April 4 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))~~ April 19 of the following year.

(b) On and after ~~((April-15))~~ April 4 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum orifice diameter of 0.072 inches.

(c) On and after November 1 through ~~((April-14))~~ April 3 of the following year, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after ~~((April-15))~~ April 4 through October 31, aircraft applications of restricted use herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

(e) On and after ~~((April-15))~~ April 4 through October 31, aircraft applications of restricted use herbicides shall be prohibited within one mile of any commercial vineyard: PROVIDED, That on and after ~~((April-15))~~ April 4 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: PROVIDED FURTHER, That on and after ~~((April-15))~~ April 4 through ~~((April-30))~~ April 19 written request to apply 2,4-DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-231-912 Restricted use herbicides--Grant county--Area 1A. (1) Area 1A description. Lands generally in the Mattawa area in the southwestern part of the county starting at the west end of the crest of Saddle Mountain at the Columbia River, south boundary line of Section 11, T15N, R23E; thence east along the crest of the Saddle Mountains approximately eighteen miles to the northwest boundary of the atomic energy reservation; thence southwesterly along the atomic energy reservation boundary to Highway 24; thence following Highway 24 to the Vernita Bridge at the Columbia River; thence northwesterly along the Columbia River to the point of beginning.

(2) Area 1A restrictions.

(a) The use or application of low volatile formulations or restricted use herbicides is prohibited on and after ((April-5)) March 25 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)) April 19 of the following year.

(b) On and after ((April-5)) March 25 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: PROVIDED, That applications of restricted use herbicides on asparagus shall be made using nozzles having a minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through ((April-4)) March 24 of the following year, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (See WAC 16-230-675).

(d) On and after ((April-5)) March 25 through October 31, aircraft applications of restricted use herbicides shall be prohibited except by written permit issued by the Washington state department of agriculture.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-232-010 Restricted use herbicides--Walla Walla county--Area 1. (1) Area 1 description. (Columbia River Buffer area.) An area starting at the intersection of the common boundary line between Sections 14 and 15, T6N, R32E and the Washington- Oregon state line; thence north along the section lines ten miles more or less to the southeast corner of Section 22, T8N, R32E; thence east along the section lines two miles to the southeast corner of Section 24, T8N, R32E; thence north along the section lines five miles more or less to the intersection with the Northern Pacific Railroad; thence northeasterly seven miles more or less along the railroad, including the right of way, to the intersection with State Route 124 and C. M. Rice Road at the northeast corner of Section 2, T9N, R33E; thence northerly along C.M. Rice Road, including the right of way, to the Snake River; thence southwesterly along the Snake River to the Columbia River; thence southerly along the Columbia River to the Washington-Oregon state line; thence east along the state line nine miles more or less to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile ester formulations of restricted use herbicides is prohibited on and after ((April 5)) March 25 through October 31.

(b) On and after ((April 5)) March 25 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches or a LP8002 equivalent nozzle.

(c) On and after ((April 5)) March 25 through October 31, aerial applications shall be prohibited except by written permit issued by the department.

AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

WAC 16-232-015 Restricted use herbicides--Walla Walla county--Area 2. (1) Area 2 description. (Walla Walla and vicinity, Dixie, Waitsburg, and Prescott areas.) Those areas lying within a one mile radius from the center of the town of Dixie and within one mile of the city limits of the towns of Waitsburg and Prescott and an area starting at the intersection of the common boundary line between Sections 15 and 16, T6N, R36E and the Washington-Oregon state line; thence north along the section line one mile more or less to the southwest corner of Section 3, T6N, R36E; thence east along the section lines two miles to the southeast corner of Section 2, T6N, R36E; thence north along the section lines three miles to the southwest corner of Section 24, T7N, R36E; thence east along the section line one mile to the southeast corner of Section 24, T7N, R36E; thence north along the section line one mile to the southwest corner of Section 18, T7N, R37E; thence east along the section line one mile to the southeast corner of Section 18, T7N, R37E; thence north along the section line one mile to the northeast corner of Section 18, T7N, R37E; thence west along the section lines nine miles to the northwest corner of Section 14, T7N, R35E; thence south along the section line one mile to the northeast corner of Section 22, T7N, R35E; thence west along the section line one mile to the northwest corner of Section 22, T7N, R35E; thence south along the section lines one mile more or less to State Route 12; thence westerly along State Route 12, including the right of way, three miles more or less to the intersection with Detour Road; thence southwesterly along Detour Road, including the right of way, one-half mile more or less to the intersection with Forest Road; thence south along Forest Road, including the right of way, one mile more or less to the intersection with Frog Hollow Road at the southwest corner of Section 6, T6N, R35E; thence east along Frog Hollow Road, including the right of way, one mile more or less to the intersection with Locher Road; thence south along Locher Road, including the right of way, one mile more or less to the Washington-Oregon state line; thence east along the state line eight miles more or less to the point of beginning.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after ((April-15)) April 4 through October 31.

(b) On and after ((April-15)) April 4 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after November 1 through ((April-14)) April 3 of the following year, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230- 675) Aircraft applications shall be prohibited on and after ((April-15)) April 4 through October 31: PROVIDED, That:

(i) The aerial application of MCPA shall be allowed using warning area restriction (see WAC 16-230- 675).

(ii) Aerial applications of nonvolatile formulations of restricted use herbicides from one-half to one 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 Washington state department of agriculture.

(iii) Those portions of the city of Walla Walla fall within Sections 13, 14, 22, 23 and 24, T7N, R35E of Walla Walla County shall not be considered as part of the city limits of Walla Walla for purposes of issuing permits by the department for aerial application of nonvolatile formulations of restricted use pesticides.

(d) 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.

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-232-020 Restricted use herbicides--Walla Walla County--Area 2A. (1) Area 2A description. (Buffer area surrounding Dixie and Walla Walla.) An area, excluding a one mile radius from the center of the town of Dixie, starting at the intersection of the common boundary line between Sections 14 and 15, T6N, R32E and the Washington-Oregon state line; thence north along the section lines six miles more or less to the northwest corner of Section 14, T7N, R32E; thence east along the section lines ten miles to the southwest corner of Section 9, T7N, R34E; thence north along the section line one mile to the northwest corner of Section 9, T7N, R34E; thence east along the section lines two miles to the southwest corner of Section 2, T7N, R34E; thence north along the section line one mile to the northwest corner of Section 2, T7N, R34E; thence east along the section lines two miles to the southwest corner of Section 31, T8N, R35E; thence north along the section lines six miles to the northwest corner of Section 6, T8N, R35E; thence east along the section lines and the Columbia-Walla Walla County line twenty-four miles to the northeast corner of Section 1, T8N, R38E; thence south along the Columbia-Walla Walla County line fourteen miles more or less to the Washington-Oregon state line; thence west along the state line fifteen miles to the common boundary line between Sections 15 and 16, T6N, R36E; thence north along the section line one mile more or less to the northwest corner of Section 10, T6N, R38E; thence east along the section lines two miles to the southwest corner of Section 1, T6N, R36E; thence north along the section lines three miles to the northwest corner of Section 25, T7N, R36E; thence east along the section line one mile to the southwest corner of Section 19, T7N, R37E; thence north along the section line one mile to the northwest corner of Section 19, T7N, R37E; thence east along the section line one mile to the northeast corner of Section 19, T7N, R37E; thence north along the section line one mile to the southwest corner of Section 8, T7N, R37E; thence west along the section lines nine miles to the northeast corner of Section 15, T7N, R35E; thence south along the section line one mile to the southeast corner of Section 15, T7N, R35E; thence west along the section line one mile to the southwest corner of Section 15, T7N, R35E; thence south along the section lines one mile more or less to State Route 12; thence westerly along State Route 12, excluding the right of way, three miles more or less to the intersection with Detour Road; thence southwesterly along Detour Road, excluding the right of way, one-half mile more or less to the

intersection with Forest Road; thence south along Forest Road, excluding the right of way, one mile more or less to the intersection with Frog Hollow Road at the southwest corner of Section 6, T6N, R35E; thence east along Frog Hollow Road, excluding the right of way, one mile more or less to the intersection with Locher Road; thence south along Locher Road, excluding the right of way, one mile more or less to the Washington-Oregon state line; thence west along the state line fifteen miles more or less to the point of beginning.

(2) Area 2A restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after ~~((April-15))~~ April 4 through October 31; PROVIDED, That 2,4-DB shall be allowed on alfalfa seed crops at any time.

(b) On and after ~~((April-15))~~ April 4 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after ~~((April-15))~~ April 4 through October 31, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1965, filed 2/12/88)

WAC 16-232-027 Restricted use herbicides--Walla Walla county--Area 3A. (1) Area 3A description. An area beginning at the southwest corner of Section 11, T7N, R32E; thence east along the section lines six miles more or less to the intersection with the Touchet North Road at the southeast corner of Section 10, T7N, R33E; thence northerly along the Touchet North Road, including the right of way, to the intersection with State Route 124; thence west one-half mile more or less along State Route 124, excluding the right of way, to the intersection with the Northern Pacific Railroad at the northwest corner of Section 1, T9N, R33E; thence southwesterly seven miles more or less along the railroad, excluding the right of way, to the intersection with the common boundary line between Section 25, T9N, R32E and Section 30, T9N, R33E; thence south along the section lines five miles more or less to the northeast corner of Section 25, T8N, R32E; thence west along the section lines two miles to the northwest corner of Section 26, T8N, R32E; thence south along the section lines four miles to the point of beginning.

(2) Area 3A restrictions.

(a) The use and application of low volatile formulations of restricted use herbicides shall be prohibited on and after ~~((April-15))~~ April 4 through October 31.

(b) On and after ~~((April-15))~~ April 4 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after ~~((April-15))~~ April 4 through October 31, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).