

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1284
(Supersedes Order 1234)
Effective Date March 15, 1973

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN YAKIMA COUNTY

I, Ivan C. Packard, Acting Director of Agriculture of the state of Washington, by virtue of the authority vested in me under chapters 17.21 and 15.58 RCW, after due notice and a public hearing held in Yakima, Washington on December 18, 1972, as provided under chapters 42.32 and 34.04 RCW, do 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 border of Yakima 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 M.C.P.A. are by this order declared to be restricted use herbicides.

PROHIBITED FORMULATIONS: Use of high volatile ester formulations and all dust formulations of restricted use herbicides are prohibited in the entire area under order. The use of all oil-type carriers, emulsifiers, and spreader stickers are also prohibited: PROVIDED, That oil-type emulsifiers and spreader stickers may be used when not in excess of 1 pint per acre; and from November 1 to the specified date of the following year oil-type carriers may be used for brush control.

DEFINITION: HIGH 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 grapes being grown in Yakima County and/or adjacent counties. Notification of this date, after which such operations that are applicable are so restricted, shall be made by mailing a notice to each commercial applicator working in the area, and an announcement to the local newspapers, radio stations, and county extension offices.

REGULATION 2. AREA 1. (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 12, T12N, R23E; thence west along section lines 15 miles more or less to the southeast corner of S4, T12N, R21E; thence north 3 miles along section lines to the northeast corner of S28, T13N, R21E; thence west along section

lines 13 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 6 miles to the northwest corner of S6, T13N, R17E; thence south 24 miles along section lines to the southwest corner of S31, T10N, R17E; thence east 24 miles along section lines to the southeast corner of S36, T10N, R20E; thence south 6 miles along section lines to the southwest corner of S31, T9N, R21E; thence east 6 miles along section lines to the northwest corner of S6, T8N, R22E; thence south 6 miles along section lines to the southwest corner of S31, T8N, R22E; thence east 12 miles along section lines to the Benton County line; thence north 29 miles to the point of beginning.

AREA 1. (RESTRICTIONS) The use or application of restricted use herbicides is restricted to the liquid amine, sodium, or solubilized acid formulations: PROVIDED, That low volatile esters may be applied from November 1 to the specified date of the following year by ground equipment only: and PROVIDED FURTHER, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops at any time.

Ground applications 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 allowed from November 1 to 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).

Aircraft applications of restricted use herbicides shall be allowed only on non-irrigated lands from November 1 to the specified date of the following year and shall be made with a 3-gallon alternative (see Regulation 6). Aircraft applications of restricted use herbicides from the specified date to November 1 shall be prohibited: PROVIDED, That aircraft applications shall be allowed in those dry land wheat growing areas east of Moxee and on the Rattlesnake Ridge up to within one mile of commercial grape plantings and to within $\frac{1}{4}$ mile of other susceptible crops using a 3-gallon alternative (see Regulation 6); and PROVIDED FURTHER, That hormone sprays may be applied to orchards to prevent fruit drop.

REGULATION 3. AREA 1A. (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.

AREA 1A. (RESTRICTIONS) Area 1 restrictions shall apply to Area 1A; PROVIDED, That the specified date for Area 1A shall be bud break of fruit trees in the area, as determined by interested fruit growers and wheat growers: and PROVIDED FURTHER, That aircraft applications from specified date to November 1 shall be allowed only on dry land wheat lands up to within $\frac{1}{4}$ mile of susceptible crops using a 5-gallon alternative (see Regulation 6).

REGULATION 4. AREA 2. All remaining lands in Yakima County.

AREA 2. (RESTRICTIONS) The use or application of restricted use herbicides is restricted to the amine, sodium, or solubilized acid formulations and those ester formulations labeled as low volatile: PROVIDED, That low volatile ester formulations may be applied only from November 1 to May 1 of the following year.

From May 1 to November 1 ground applications shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

From May 1 to November 1 aircraft applications shall be made with a 3-gallon alternative (see Regulation 6).

REGULATION 5. RESTRICTIONS ON AIRCRAFT. The loading and/or mixing of restricted use herbicides in aircraft is prohibited on any airstrip, or any location within the area under order, except in the areas where aerial application is permitted.

Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying, during spraying operations, over cities and towns, unless authorized by the city or town in question pursuant to an agreement for pesticide applications; or over residences, windbreaks, orchards, or susceptible crops belonging to any person other than the owner of the property being treated, except by permission of the person whose residence, windbreak, orchard, or susceptible crop is involved.

REGULATION 6. AIRCRAFT NOZZLE REQUIREMENTS FOR APPROXIMATE GALLONS PER ACRE.

3-GALLON ALTERNATIVES

1. Fixed Wing -

- (a) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 14 inches of effective swath width.
Nozzles directed downward and backward 170 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width.
Nozzles directed downward and backward 135 degrees or more from direction of flight.

2. Rotorcraft-Helicopter -

- (a) Minimum nozzle orifice 0.063 inches (less core plate).
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.

- (c) Minimum nozzle orifice 0.094 inches (may use No. 45 or larger core)
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive.
- (d) Minimum nozzle orifice 0.125 inches (may use No. 45 or larger core)
Minimum of one operating nozzle per each 24 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive.

5-GALLON ALTERNATIVES

3. Fixed Wing -

- (a) Minimum nozzle orifice 0.094 inches (less core plate).
Minimum of one operating nozzle per each 12 inches of effective swath width.
Nozzles directed downward and backward 170 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.125 inches (less core plate).
Minimum of one operating nozzle per each 18 inches of effective swath width.
Nozzles directed downward and backward 135 degrees or more from direction of flight.

4. Rotorcraft-Helicopter -

- (a) Minimum nozzle orifice 0.075 inches (less core plate).
Minimum of one operating nozzle per each 16 inches of effective swath width.
Nozzle directed downward and backward 90 degrees or more from direction of flight.
- (b) Minimum nozzle orifice 0.094 inches (less core plate).
Minimum of one operating nozzle per each 20 inches of effective swath width.
Nozzles directed downward and backward 90 degrees or more from direction of flight.
- (c) Minimum nozzle orifice 0.156 inches (may use No. 45 or larger core).
Minimum of one operating nozzle per each 20 inches of effective swath width.
Nozzle directed downward and backward 90 degrees or more from direction of flight.
Use recognized drift reducing system or additive:

PROVIDED, That any person who has an aircraft which cannot be equipped to effectively comply with these specifications shall obtain a permit from the Department for variations prior to applications of restricted use herbicides.

REGULATION 7. WIND AND WEATHER CONDITIONS. Spraying of restricted use herbicides by ground or aerial equipment shall not be allowed when the mean sustained wind velocity is over 10 miles per hour from any direction from November 1 to the specified date and over 7 miles per hour from the specified date to November 1. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied from May 1 to November 1 when the temperature is 85 degrees F. or above at the point of application, if there is a temperature inversion, or if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops, and plantings through physical drift or volatilization: PROVIDED, That applications at the rate of 50 gallons or more per acre shall be exempt from the 85 degree F. temperature cut-off requirement.

REGULATION 8. RESTRICTED EVENING APPLICATIONS IN THE AREA UNDER ORDER. The application of allowable formulations of restricted use herbicides shall be prohibited daily from two hours prior to sunset to sunrise the following morning, from the specified date to November 1.

REGULATION 9. MAXIMUM PRESSURE FOR EQUIPMENT. INVERT AND FOAM SYSTEM RESTRICTIONS. Pressure for aerial and ground equipment, applying restricted use herbicides, shall not exceed 35 pounds per square inch at the nozzle: PROVIDED, That pressures up to 55 pounds per square inch at the nozzle may be used when necessary for applying restricted use herbicides by drift reducing systems such as invert and foam systems and for ground equipment with hand guns.

REGULATION 10. SPECIAL RESTRICTED USE HERBICIDE PERMITS. The Washington State Department of Agriculture may approve written requests to apply restricted use herbicides for specific weed control problems in the restricted areas under Order; the Director will consider recommendations of the 2,4-D Committee for Yakima County.

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



IVAN C. PACKARD
Acting Director of Agriculture
State of Washington

Signed at Olympia, WA.

DATE: January 5, 1973