

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. 1344
Emergency rules
relating to (Name of rules or description of subject matter)

the use of herbicides in Douglas-Chelan Counties.

(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.

STATE OF WASHINGTON
FILED
FEB 5 1974
CODE REVISER'S OFFICE
DOCKET #306 FILE #217

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. 1344
(Supersedes Order No. 1295)

EFFECTIVE MARCH 7, 1974

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
DOUGLAS AND CHELAN COUNTIES

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 in Wilbur, Washington on January 4, 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 Douglas and Chelan Counties.

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 the area under order. Notification of this date, on and 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. CHELAN COUNTY. An area starting at the southeast corner of Section 32, T21N, R22E; thence west one mile to the southeast corner of Section 32; thence north five miles more or less to the right-of-way of the Malaga Road; thence along and including the Malaga Road right-of-way to the city limits of Wenatchee; thence east to the Columbia River, and along the west bank of the Columbia River to the point of beginning.

DOUGLAS COUNTY. An area on the east bank of the Columbia River, at the southwest corner of Section 33, T21N, R22E; thence east one mile to the southeast corner of Section 33; thence north one mile to the southwest corner of Section 27; thence

east one mile to the southeast corner of Section 27; thence north one mile to the southwest corner of Section 23; thence east one mile to the southeast corner of Section 23; thence north one mile to the northeast corner of Section 23; thence west one mile to the northwest corner of Section 23; thence north one mile to the northeast corner of Section 15; thence west one mile to the northwest corner of Section 15; thence north two miles to the northeast corner of Section 4; thence west west one mile more or less to and including the right-of-way of State Road 28; thence northwest along the highway right-of-way to the east section line of Section 25, T22N, R21E; thence north five miles more or less to the northeast corner of Section 1, T22N, R21E; thence west eight miles more or less to the east bank of the Columbia River; thence southeasterly along the east bank of the Columbia River to the point of beginning.

AREA 1. (Restrictions). The use or application of high and low volatile formulations of restricted use herbicides is prohibited.

On and after the specified date to and including October 31 ground applications shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons per acre).

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

REGULATION 3. AREA 2. Buffer Area -- A protective area around Azwell and Manson, the Bridgeport area and the mouth of the Moses-Coulee.

CHELAN COUNTY. Those areas lying within a one mile radius from the center of the towns of Azwell and Manson, Sections 13, 14, 15 and 16, T20N, R22E.

DOUGLAS COUNTY. (Moses-Coulee and Bridgeport area). Sections 1, 2, 3, 10, 11, 12, 13, 14, 24, 25, 26, 34, 35, and 36, T21N, R22E, and Sections 1, 2, 3, 4, 9, 10, 11, 12 and those portions of Sections 13, 14, 15, and 16, T20N, R22E and an area starting at the intersection of the east boundary of Section 23, T29N, R25E and the Columbia River; thence south to the southeast corner of Section 23, T29N, R25E; thence west 2 miles to the southwest corner of Section 22; thence north 1 mile to the northwest corner of Section 22; thence west 1 mile to the southwest corner of Section 16; thence north 4 miles to the northwest corner of Section 33, T30N, R25E; thence west 3 miles to the southwest corner of Section 25, T30N, R24E; thence south 1 mile to the southeast corner of Section 35, T30N, R24E; thence west 2 miles more or less to the Central Ferry Road; thence southerly along the Central Ferry Road and southwesterly along the county road to the old Bonita Ferry Landing lying within Section 31, T29N, R24E; thence easterly along the southern bank of the Columbia River to the point of beginning.

AREA 2. (Restrictions). The use and application of high volatile formulations of restricted use herbicides is 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.

On and after the specified date to and including October 31 ground applications shall be made using nozzles having a minimum orifice diameter of 0.036 inches (approximately 12 gallons

per acre).

On and after the specified date to and including October 31 aircraft applications shall be made with a 3-gallon alternative (see Order 1347, Regulation 9).

REGULATION 4. AREA 3. (Buffer area between Rock Island and Palisades). An area starting at the northwest corner of Section 6, T22N, R22E; thence east along the township line twelve miles to the Douglas-Grant county line; thence southwesterly along the county line to the east boundary line of Area 2; thence north and west along the Area 2 boundary line to the Area 1 boundary line; thence northerly along the Area 1 boundary line to the point of beginning.

AREA 3. (Restrictions). The use and application of high volatile formulations of restricted use herbicides shall be suspended on and after April 16. The use or application of low volatile formulations of restricted use herbicides is prohibited on and after May 1 to and including October 31.

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

REGULATION 5. AREA 4. All remaining lands in Douglas County.

AREA 4. (Restrictions). The use and application of high volatile formulations of restricted use herbicides shall be suspended on and after April 16.

Aircraft applications shall be made using the 1-gallon alternative (see Order 1347, Regulation 9).

REGULATION 6. RESTRICTIONS ON AIRCRAFT. 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 7. 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 one mile from commercial vineyards shall be allowed by written permit issued by the State Department of Agriculture.

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 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