

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington
DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1658

(1) I, Bob J. Mickelson, director of Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Restricting the use of Paraquat in the general area of the southern portion of Walla Walla county in WAC 16-230-195.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on Such rules shall take effect:
[] pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, Bob J. Mickelson, director of agriculture find that an emergency exists and that the foregoing order 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 public interest. A statement of the facts constituting such emergency is:
In order to protect vegetable crops around the Cities of Walla Walla and College Place from damage caused by drift from Paraquat applications to wheat lands, the department promulgated Order 1598, effective May 27, 1979, to restrict the use of Paraquat in portions of Walla Walla county. A recent investigation by the department determined that the vegetable crops started receiving Paraquat drift again this fall. For this reason, as director of agriculture, I have determined that in the public's interest further Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser. (Cont'd)

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- [X] (a) This rule is promulgated pursuant to RCW 17.21 and 15.58 and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

- [] (c) This rule is promulgated under the general rule-making authority of the (agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED October 8 1979 FILED

By Bob J. Mickelson Director of Agriculture Title

OCT 8 1979 CODE REVISER'S OFFICE WSR 79-11-011

ALTERNATE B. Cont'd.

restriction on the application of Paraquat is necessary in order to protect the vegetable crops from further damage.



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

For the purpose of legislative review of agency rules, the following statement is submitted:

- (a) This rule relates to restricting the use of Paraquat in the general area of the southern portion of Walla Walla county (statutory authority RCW 17.21 and 15.58).
- (b) The emergency regulation restricts the use of Paraquat in the general area of the southern portion of Walla Walla county in order to prevent further damage to vegetable crops from drift of Paraquat.
- (c) Department of Agriculture
Grain and Chemical Division
Art G. Losey
406 General Administration Bldg., Olympia
753-5062
- (d) Proponents: Department of Agriculture
Opponents: None
- (e) No agency comments.

NEW SECTION

WAC 16-230-195 PROHIBITED AREA FOR THE APPLICATION OF PARAQUAT. (1) Area 1A description - southern portion of Walla Walla county: This area includes all lands lying within an area encompassed by a line starting at the Washington-Oregon border and the west section line of Section 18, T6N, R33E; thence north along section lines eight miles more or less to the Maxwell Road; thence northeast along the Maxwell Road and Dodd Road to the Touchet River; thence northerly along the Touchet River to north section line of Section 6, T8N, R34E; thence east along section lines 22 miles more or less to the northeast corner of Section 2, T8N, R37E; thence south along section lines seven miles more or less to the southeast corner of Section 2, T7N, R37E; thence west along section lines twenty miles more or less to the southwest corner of Section 3, T7N, R34E; thence south along section lines seven miles more or less to the Washington-Oregon border; thence west along the border nine miles more or less to the point of beginning.

(2) Area 1A restriction: The application of Paraquat or any mixture containing Paraquat is hereby prohibited in Area 1A; PROVIDED, That the department of agriculture, upon written request may issue a permit for the use of Paraquat for special weed control within Area 1A.