

FROM: AGRICULTURE
(Name of Agency)

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

The enclosed rules Permanent rules , being Order No. 1519
Emergency rules

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

the use of herbicides in Spokane 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)
Ivan Packard
By Ivan Packard

Deputy Director
Title

CODE REVISER'S OFFICE
DOCKET #8096 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. 1519

(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 SPOKANE 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 L. 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 borders of Spokane 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 3. An area contiguous with a portion of the southern city limits of Spokane which includes sections 9, 10, 11 and that portion of Section 8 lying east of the Hatch Road, T24N, R43E and those incorporated cities and towns and areas within a distance of one mile of the city limits of incorporated cities or towns and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences within Area 4 and Cheney and Medical Lake in Area 4.

AREA 3. (Restrictions). On and after May 1 through October 31 ground applications of restricted use herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

The aerial application of restricted use herbicides is prohibited within Area 3: PROVIDED, That aerial applications of non-volatile formulations of restricted use herbicides from $\frac{1}{2}$ to 1 mile of the city limits of incorporated cities or towns and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences shall be considered through written request to the state department of agriculture. On and after May 1 through October 31, aerial applications shall be made using the Warning Area Restrictions (see Order 1508, Regulation 11).

REGULATION 3. AREA 4. All remaining lands in Spokane County

AREA 4. (Restrictions). On and after May 1 through October 31, ground applications of restricted use herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

On and after May 1 through October 31, aircraft applications of restricted use herbicides shall be made using the Caution Area Restrictions (see Order 1508, Regulation 11).

REGULATION 4. FARM OPERATOR TO NOTIFY. The landowner or person in charge of the farming operation shall notify the aerial applicator he hires of any susceptible crops planted or to be planted bordering the field to which restricted use herbicides are to be applied.

REGULATION 5. COMMERCIAL GREENHOUSE NOTIFICATION. The owners of commercial greenhouses located in the area under order shall be notified by aerial applicators and public operators in person or by certified mail at least 48 hours prior to the application of allowable restricted use herbicides to be applied within one-half mile of the above greenhouses.

REGULATION 6. WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited when the mean sustained wind velocity is over 12 miles per hour throughout the year.

REGULATION 7. 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