

FROM: AGRICULTURE
(Name of Agency)

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

The enclosed rules Permanent rules , being Order No. 1521
Emergency rules

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

the use of herbicides in Whitman 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)

By Ivan Packard

CODE REVISER'S OFFICE

Deputy Director
Title

DOCKET # 2098 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. 1521

(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 WHITMAN 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 F. 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 Whitman 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 1. (Cities and/or towns and Pullman and vicinity). The areas within a distance of 1 mile of the city limits of any incorporated city or town and the same distance from the center of any unincorporated town comprised of 10 or more inhabited, closely grouped residences within Whitman County: PROVIDED, That the area under this regulation shall also include all of the lands in Sections 28 through 33, T15N, R45E; Sections 25, 26, 27, 34, 35 and 36, T15N, R44E; Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21, T14N, R45E; Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T14N, R44E.

AREA 1. (Restrictions). The use or application of low volatile ester formulations of restricted use herbicides shall be prohibited throughout the year: PROVIDED, That the low volatile formulation of MCPA shall be allowed on and after November 1 through April 15 of each year.

On and after April 15 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

On and after April 15 through October 31, aircraft applications of restricted use herbicides shall be made using the Warning Area Restrictions (see Order 1508, Regulation 11).

REGULATION 3. AREA 2. PROTECTIVE AREA BETWEEN WAWAWAI AND BISHOP. An area starting at the Snake River at Wawawai; thence southeasterly along County Road No. 512 to the east boundary line of Section 17, T13N, R44E; thence south along section lines one and one-half miles more or less to the Snake River; thence northwesterly along the Snake River to Wawawai.

AREA 2. (Restrictions). The use or application of low volatile formulations of restricted use herbicides shall be prohibited on and after April 15 through October 31.

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

On and after April 15 through October 31, aircraft applications of restricted use herbicides shall be made using the Caution Area Restriction (see Order 1508, Regulation 11).

REGULATION 4. AREA 3. (Eastern portion of Whitman County). An area east of a north-south line starting at the Whitman-Spokane County line and State Highway 195; thence southerly along Highway 195 to Colfax; thence southerly along County Roads No. 478 and No. 141 to the junction of County Roads No. 141 and 451; thence southerly on County Road No. 451 to County Road No. 143; thence southerly along County Road No. 143 to Almota and the Snake River.

AREA 3. (Restrictions). On and after April 15 through October 31 ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

On and after April 15 through October 31, aircraft applications of restricted use herbicides shall be made using the Caution Area Restrictions (see Order 1508, Regulation 11).

REGULATION 5. AREA 4. Outlying area west of Area 3. (Rosalia, Colfax and Almota). All remaining lands in Whitman County west of Area 3.

AREA 4. (Restrictions). On and after May 1 through October 31 ground applications of restricted use herbicides shall be made using 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 6. 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 7. WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 1, 2, 3, and 4 when the mean sustained wind velocity is over 12 miles per hour throughout the year: PROVIDED, That such applications shall be prohibited in Areas 1, 2, and 3 on and after April 15 through October 31 when the mean sustained wind velocity is over 7 miles per hour.

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 1508 and 1470, WAC 16-228-165 (1) (c) and (9) and WAC 16-228-175.