

Chapter 16-231 WAC

USE RESTRICTED HERBICIDES

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DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER

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| 16-231-001 | Restricted use herbicides—Benton County—Area under order. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-001, filed 2/26/91, effective 3/29/91; 80-03-038 (Order 1677), § 16-231-001, filed 2/20/80.] Repealed by 92-13-035, filed 6/10/92, effective 7/11/92. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-343 | Restricted use herbicides—Application records—Adams County. [Statutory Authority: Chapters 17.21 and 15.58 RCW. 87-18-060 (Order 1950), § 16-231-343, filed 9/1/87.] Repealed by 91-06-019 (Order 2073), filed 2/26/91, effective 3/29/91. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-005 | Restricted use herbicides. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-038 (Order 1677), § 16-231-005, filed 2/20/80.] Repealed by 92-13-035, filed 6/10/92, effective 7/11/92. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-345 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-035 (Order 1674), § 16-231-345, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-010 | Oil-type carriers. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-038 (Order 1677), § 16-231-010, filed 2/20/80.] Repealed by 92-13-035, filed 6/10/92, effective 7/11/92. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-430 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-034 (Order 1673), § 16-231-430, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-015 | Restricted use herbicides—Benton County—Area 1. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-05-033 (Order 1965), § 16-231-015, filed 2/12/88; 87-18-060 (Order 1950), § 16-231-015, filed 9/1/87; 80-03-038 (Order 1677), § 16-231-015, filed 2/20/80.] Repealed by 92-13-035, filed 6/10/92, effective 7/11/92. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-535 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-033 (Order 1672), § 16-231-535, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-020 | Restricted use herbicides—Benton County—Area 2. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-05-033 (Order 1965), § 16-231-020, filed 2/12/88; 87-09-015 (Order 1923), § 16-231-020, filed 4/6/87; 80-03-038 (Order 1677), § 16-231-020, filed 2/20/80.] Repealed by 92-13-035, filed 6/10/92, effective 7/11/92. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-625 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-029 (Order 1668), § 16-231-625, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-025 | Area 3. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-038 (Order 1677), § 16-231-025, filed 2/20/80.] Repealed by 92-13-035, filed 6/10/92, effective 7/11/92. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-730 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-027 (Order 1666), § 16-231-730, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-030 | Restricted use herbicides—Benton County—Wind conditions. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 87-09-015 (Order 1923), § 16-231-030, filed 4/6/87; 80-03-038 (Order 1677), § 16-231-030, filed 2/20/80.] Repealed by 92-13-035, filed 6/10/92, effective 7/11/92. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-845 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-028 (Order 1667), § 16-231-845, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-033 | Restricted use herbicides—Application records—Benton County. [Statutory Authority: Chapters 17.21 and 15.58 RCW. 87-18-060 (Order 1950), § 16-231-033, filed 9/1/87.] Repealed by 91-06-019 (Order 2073), filed 2/26/91, effective 3/29/91. Statutory Authority: Chapters 15.58 and 17.21 RCW. | 16-231-938 | Restricted use herbicides—Application records—Grant County. [Statutory Authority: Chapters 17.21 and 15.58 RCW. 87-18-060 (Order 1950), § 16-231-938, filed 9/1/87.] Repealed by 91-06-019 (Order 2073), filed 2/26/91, effective 3/29/91. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-035 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-038 (Order 1677), § 16-231-035, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. | 16-231-940 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-031 (Order 1670), § 16-231-940, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-120 | Area 1A. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 81-07-044 (Order 1726), § 16-231-120, filed 3/16/81; 80-03-037 (Order 1676), § 16-231-120, filed 2/20/80.] Repealed by 87-18-060 (Order 1950), filed 9/1/87. Statutory Authority: Chapters 17.21 and 15.58 RCW. | 16-231-950 | Restricted use herbicides—Distribution, use, and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-09-013 (Order 1973), § 16-231-950, filed 4/12/88.] Repealed by 91-06-019 (Order 2073), filed 2/26/91, effective 3/29/91. Statutory Authority: Chapters 15.58 and 17.21 RCW. |
| 16-231-148 | Restricted use herbicides—Application records—Franklin County. [Statutory Authority: Chapters 17.21 and 15.58 RCW. 87-18-060 (Order 1950), § 16-231-148, filed 9/1/87.] Repealed by 91-06-019 (Order 2073), filed 2/26/91, effective 3/29/91. Statutory Authority: Chapters 15.58 and 17.21 RCW. | | |
| 16-231-150 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-037 (Order 1676), § 16-231-150, filed 2/20/80.] Repealed by 88-09-013 (Order 1973), filed 4/12/88. Statutory Authority: Chapters 15.58 and 17.21 RCW. | | |
| 16-231-238 | Restricted use herbicides—Application records—Yakima County. [Statutory Authority: Chapters 17.21 and 15.58 RCW. 87-18-060 (Order 1950), § 16-231-238, filed 9/1/87.] Repealed by 91-06-019 (Order 2073), filed 2/26/91, effective 3/29/91. Statutory Authority: Chapters 15.58 and 17.21 RCW. | | |
| 16-231-240 | Distribution, use and application. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-036 (Order 1675), § 16-231-240, filed 2/20/80.] Repealed by 88-09- | | |

WAC 16-231-100 What are the restrictions for pesticide use in Franklin County? (1) The area under order includes all lands lying within the boundaries of Franklin County. WAC 16-231-110 through 16-231-183 applies to the area under order.

(2) The distribution, use, and application of use restricted pesticides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-680.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-100, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-100, filed 11/22/00, effective 12/23/00; 91-06-019 (Order 2073), § 16-231-100, filed 2/26/91, effective 3/29/91; 80-03-037 (Order 1676), § 16-231-100, filed 2/20/80.]

WAC 16-231-105 What are use restricted herbicides in Franklin County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop)),

MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

- (1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;
- (2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-105, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-105, filed 11/22/00, effective 12/23/00; 80-03-037 (Order 1676), § 16-231-105, filed 2/20/80.]

WAC 16-231-107 What are use restricted pesticides in certain areas of Franklin County? The following pesticides are declared to be use restricted pesticides in Areas 2A, 4A, and 6:

- (1) Use restricted herbicides*:
 - (a) Sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort);
 - (b) Desiccants and defoliant (such as Paraquat, Diquat, Endothall);
 - (c) Glyphosate (such as Roundup, Landmaster);
 - (d) Phenoxy hormone-type herbicides (such as 2,4-D, MCPA);
 - (e) Dicamba (such as Banvel);
 - (f) Bromoxynil except that the cutoff dates of April 5, April 15 and May 16 do not apply.

* This is to be used only as a guide and may not include all brand or trade names under which these chemicals are distributed.

(2) All aerial applications of Category I insecticides with the signal words danger/poison on the label, except granular and pellet formulations.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-107, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 34.05 RCW. 03-11-097, § 16-231-107, filed 5/21/03, effective 6/21/03. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-107, filed 11/22/00, effective 12/23/00.]

WAC 16-231-110 When are oil-type carriers prohibited? On and after April 5 through October 31, oil-type carriers are prohibited for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-110, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-037 (Order 1676), § 16-231-110, filed 2/20/80.]

WAC 16-231-115 What are the boundaries and restrictions for use restricted herbicides—Franklin County—Area 1? (1) Area 1 description.

(a) This area includes all lands lying within a boundary line starting at the northwest corner of Section 6, T14N, R28E; thence east along the Adams-Franklin County line thirteen miles more or less to the intersection with State Route 17; thence southeasterly along State Route 17, including the right of way, to the intersection with Highway 395 at the town of Mesa; thence southerly along Highway 395, including the right of way, seven miles more or less to the intersection with the common boundary between Sections 2 and 11, T11N, R30E at the town of Eltopia; thence east along

the section line, one mile more or less to the northeast corner of Section 12, T11N, R30E; thence south along the section lines twelve miles more or less to the southeast corner of Section 1, T10N, R30E; thence west two miles along section lines to the southeast corner of Section 3, T9N, R30E; thence north one mile along section lines to the northeast corner of Section 3, T9N, R30E; thence west along section lines three miles to the southeast corner of Section 31, T10N, R30E; thence north two miles along Highway 395 to the intersection with the Selph Landing Road near the northeast corner of Section 30, T10N, R30E; thence seven miles west along Selph Landing Road to the northwest corner of Section 30, T10N, R29E; thence north along section lines and portions of Fraser Drive until the intersection with Road 68, thence northwesterly along Road 68 until its intersection with the Esquatzel Channel; thence west along the Esquatzel Channel until its intersection with the Columbia River; thence northwesterly along the Columbia River to the Grant-Franklin County line at the north section line of Section 29, T14N, R27E; thence east along the Grant-Franklin County line four miles more or less to the northwest corner of Section 30, T14N, R28E; thence north along the Grant-Franklin County line four miles to the point of beginning.

(b) Also including Levey (Ice Harbor Dam area): This area includes all lands lying within a two-mile radius of Levey within Franklin County.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 5 through October 31 of each year: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 5 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after April 5 through October 31, aircraft applications of use restricted herbicides are prohibited except by written permit issued by the department: Provided, That on and after November 1 through April 4 of the following year, aircraft applications of use restricted herbicides are allowed using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 5 through October 31, aircraft applications of use restricted herbicides are prohibited within one mile of any commercial vineyard: Provided, That on and after April 5 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: Provided further, That on and after April 5 through April 30 written requests to apply 2,4 DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-115, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-115, filed 11/22/00, effective 12/23/00; 88-05-033 (Order 1965), § 16-231-115, filed 2/12/88; 87-18-060 (Order 1950), § 16-231-115, filed 9/1/87; 87-09-015 (Order 1923), § 16-231-

115, filed 4/6/87; 81-07-044 (Order 1726), § 16-231-115, filed 3/16/81; 80-03-037 (Order 1676), § 16-231-115, filed 2/20/80.]

WAC 16-231-119 What are the boundaries and restrictions on use restricted herbicides—Franklin County—Area 1A? (1) Area 1A description. This area includes all lands lying within a boundary line starting at the intersection of State Route 17 and the Adams-Franklin County line at the north section line of Section 5, T14N, R30E; thence east along the Adams-Franklin County line five miles more or less to the Burlington Northern Railroad; thence southeasterly along the railroad, including the right of way, four miles more or less to the intersection with Moon Road; thence southerly along Moon Road, including the right of way, two miles more or less to the intersection with State Route 260 at the southeast corner of Section 27, T14N, R31E; thence west along State Route 260, including the right of way, five miles more or less to the intersection with State Route 17; thence northwesterly along State Route 17, excluding the right of way, to the point of beginning.

(2) Area 1A restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 15 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of use restricted herbicides on asparagus shall be made using nozzles having minimum orifice diameter of 0.072 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 15 through October 31, aircraft applications of use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-119, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-05-033 (Order 1965), § 16-231-119, filed 2/12/88.]

WAC 16-231-125 What are the boundaries and restrictions on use restricted herbicides—Franklin County—Area 2? (1) Area 2 description. This area includes all of the lands lying inside a boundary line starting at the intersection of State Routes 17 and 260 located at the northwest corner of Section 36, T14N, R30E; thence east along State Route 260, excluding the right of way, five miles more or less to the northeast corner of Section 34, T14N, R31E; thence south along the section lines fifteen miles more or less to the Eltopia and Eye Road; thence easterly along the Eltopia and Eye Road, including the right of way, to the Brass Road; thence easterly along the Brass Road, including the right of way, to the Bannenburg Road; thence southeasterly along the Bannenburg Road, including the right of way, to the northwest corner of Section 6, T10N, R33E; thence south along the section line one mile more or less to the Snake River; thence

southwesterly along the Snake River to the east section line of Section 23, T9N, R31E; thence northerly along section lines approximately two miles until the intersection with the Pasco Kahlotus Road at the northeast corner of Section 11, T9N, R31E; thence west approximately five miles along section lines and a portion of the Pasco Kahlotus Road to the intersection of the southeast corner of Section 1, T9N, R30E; thence north along the section lines twelve miles more or less to the southeast corner of Section 1, T11N, R30E; thence west along the section line one mile more or less to Highway 395; thence northerly along Highway 395, excluding the right of way, seven miles more or less to its intersection with State Route 17 at the town of Mesa; thence northerly along State Route 17, excluding the right of way, seven miles more or less to the point of beginning, excluding lands in Franklin County within a two-mile radius of the town of Levey.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 5 through October 31 of each year.

(b) On and after April 5 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after April 5 through October 31, aircraft applications of use restricted herbicides are prohibited except by written permit issued by the Washington state department of agriculture.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-125, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-125, filed 11/22/00, effective 12/23/00; 88-05-033 (Order 1965), § 16-231-125, filed 2/12/88; 87-09-015 (Order 1923), § 16-231-125, filed 4/6/87; 81-07-044 (Order 1726), § 16-231-125, filed 3/16/81; 80-03-037 (Order 1676), § 16-231-125, filed 2/20/80.]

WAC 16-231-130 What are the boundaries and restrictions on use restricted herbicides—Franklin County—Area 3? (1) Area 3 description. (Dry land area south and east of Connell.) An area beginning at the northeast corner of Section 3, T14N, R33E and the Reeder Road; thence south along the Reeder Road to and along the Black Road to the Swanson Road; thence east and south along the Swanson Road to state Highway 260; thence southerly along state Highway 260 to the Munt Road; thence south along the Munt Road to the Largent Road; thence east along the Largent Road to the Pasco-Kahlotus Highway to the Walker Road; thence southerly along the Walker Road to the Snake River; thence southerly along the Snake River to the east boundary line of Area 2; thence northerly along the east boundary line of Area 2 and Area 1A to the Franklin-Adams County line; thence east fifteen miles more or less along the county line to the point of beginning.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after May 16 through October 31 of each year.

(b) On and after May 1 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-130, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-09-013 (Order 1973), § 16-231-130, filed 4/12/88; 80-03-037 (Order 1676), § 16-231-130, filed 2/20/80.]

WAC 16-231-135 What are the boundaries and restrictions on use restricted herbicides in Area 4? (1) Area 4 description. (Dry land area.) All of the remaining lands in Franklin County lying east of Area 3.

(2) Area 4 restrictions.

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

(b) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-135, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-037 (Order 1676), § 16-231-135, filed 2/20/80.]

WAC 16-231-140 What are the restrictions on mixing or loading aircraft? The loading and/or mixing of use restricted herbicides in Areas 1, 1A, 2, 3, and 4 is restricted to those formulations which may be applied in the area in which the airstrip is located.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-140, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-140, filed 11/22/00, effective 12/23/00; 80-03-037 (Order 1676), § 16-231-140, filed 2/20/80.]

WAC 16-231-145 What are the wind restrictions for use restricted herbicides—Franklin County? The use or application of use restricted herbicides shall be prohibited in Areas 1, 1A, 2, 3, and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such applications shall be prohibited in Area 1 on and after April 1 through October 31 when the mean sustained wind velocity is over ten miles per hour: Provided further, That applications of use restricted herbicides shall be allowed in winds up to and including twenty miles per hour when an approved hooded boom sprayer is used and allowed by the label. Hooded boom sprayers shall be approved by the department of agriculture. The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer. Approval shall be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-145, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-09-013 (Order 1973), § 16-231-145, filed 4/12/88; 87-18-060 (Order 1950), § 16-231-145, filed 9/1/87; 87-09-015 (Order 1923), § 16-231-145, filed 4/6/87; 80-03-037 (Order 1676), § 16-231-145, filed 2/20/80.]

WAC 16-231-149 What are the boundaries and restrictions on use restricted herbicides—Franklin County—Area 2A? (1) Area 2A description. An area including all lands lying in a boundary line beginning at the Columbia River and Interstate 182 near the east section line of Section 13, T9N, R28E; thence along Interstate 182 until its intersection with U.S. Highway 12; thence southeasterly along Highway 12 until its intersection with the Snake River

in Section 35, T9N, R30E; thence southwesterly along the Snake River until its intersection with the Columbia River; thence northwesterly along the Columbia River to the point of beginning.

(2) Area 2A restrictions.

(a) Application by air of use restricted pesticides as defined in WAC 16-231-107 is prohibited.

(b) The use or application of low volatile ester formulations of use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, applications of use restricted herbicides are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of use restricted herbicides are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the use restricted herbicides are exempt from the sunset and sunrise restrictions: Provided further, That applications of use restricted herbicides on small experimental plots for research purposes are exempt from the sunset and sunrise restrictions.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-149, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-149, filed 11/22/00, effective 12/23/00.]

WAC 16-231-153 What are the boundaries and restrictions on use restricted herbicides—Franklin County—Area 4A? (1) Area 4A description. An area including all lands lying within a boundary line beginning at the intersection of the Esquatzel Diversion Channel drain and the Columbia River; thence east along the Esquatzel Channel to its intersection with Road 68; thence southeasterly approximately one mile along Road 68 to its intersection with Fraser Drive near the northeast corner of Section 24, T10N, R28E; thence south approximately four miles along section lines and portions of Fraser Drive and Dent Road to the southwest corner of Section 6, T9N, R29E; thence east approximately eight and one-half miles along section lines and a portion of Foster Wells Road to its intersection with the Bonneville Power Administration power line in Section 4, T9N, R30E; thence southeasterly along the power line until its intersection with the Snake River near the east line of Section 25, T9N, R30E; thence southwesterly along the Snake River until its intersection with U.S. Highway 12 in Section 35, T9N, R30E; thence northwesterly along Highway 12 until its intersection with Interstate 182; thence westerly along Interstate 182 until its intersection with the Columbia River along the east section line of Section 13, T9N, R28E; thence northerly along the Columbia River to the point of beginning.

(2) Area 4A restrictions.

(a) Application by air of use restricted pesticides as defined in WAC 16-231-107 may be made by written permit only.

(b) The use or application of low volatile ester formulations of use restricted herbicides is prohibited: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(c) On and after April 5 through October 31 of each year, all applications of use restricted herbicides are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning: Provided, That applications of use restricted herbicides are exempt from the sunset and sunrise restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the use restricted herbicides are exempt from the sunset and sunrise restrictions: Provided further, That applications of the use restricted herbicides on small experimental plots for research purposes are exempt from the sunset and sunrise restrictions.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-153, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-153, filed 11/22/00, effective 12/23/00.]

WAC 16-231-156 What are the boundaries and restrictions on use restricted herbicides—Franklin County—Area 6? (1) Area 6 description. An area including all lands lying within a boundary line beginning at the north-west corner of Section 30, T10N, R29E; thence east seven miles along Selph Landing Road until its intersection with Highway 395 near the northeast corner of Section 30, T10N, R30E; thence south two miles along Highway 395 to the southeast corner of Section 31, T10N, R30E; thence east three miles along section lines to the northeast corner of Section 3, T9N, R30E; thence south one mile along section lines to the southeast corner of Section 3, T9N, R30E; thence east seven miles along section lines and a portion of the Pasco-Kahlotus Road until its intersection with the Ice Harbor Dam Road at the northeast corner of Section 11, T9N, R31E; thence southerly approximately two miles along section lines until the intersection with the Snake River; thence southwesterly along the Snake River until its intersection with the Bonneville Power Administration power line in Section 25, T9N, R30E; thence northwesterly along the power line until its intersection with Foster Wells Road in Section 4, T9N, R30E; thence west approximately eight and one-half miles along section lines and portions of the Foster Wells Road to the southwest corner of Section 6, T9N, R29E; thence north along section lines approximately three miles to the point of beginning.

(2) Area 6 restrictions.

(a) The use or application of low volatile ester formulations of use restricted herbicides are prohibited on and after April 5 through October 31 of each year: Provided, That hormone sprays may be applied by aircraft to orchards for the prevention of fruit drop.

(b) On and after April 5 through October 31 of each year, all applications of use restricted herbicides are prohibited daily from three hours prior to sunset to sunrise the following morning: Provided, That applications of use restricted herbicides are exempt from the sunset restrictions when using an application rate of forty gallons of water carrier or greater per treated acre at twenty pounds of pressure or less at the nozzle: Provided further, That applications of granular and pellet formulations of the use restricted herbicides are exempt from the sunset restrictions: Provided further, That applications of use

restricted herbicides on small experimental plots for research purposes are exempt from the sunset restrictions.

(c) On and after April 5 through October 31 of each year, aerial applications of use restricted herbicides are prohibited daily from three hours prior to sunset until two hours after sunrise the following morning.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-156, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-156, filed 11/22/00, effective 12/23/00.]

WAC 16-231-159 Can Paraquat or Diquat be applied by air in Franklin County? Aerial application of Paraquat and Diquat is prohibited in Areas 2A, 4A, and 6.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-159, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-159, filed 11/22/00, effective 12/23/00.]

WAC 16-231-162 Can sulfonyleurea herbicides be applied in Franklin County? Application of sulfonyleurea herbicides (such as Glean, Telar, Finesse, Escort) to fallow land or to land during the time between harvest and emergence above the furrows of the subsequent cereal grain crop is prohibited in Areas 2A, 4A, and 6.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-162, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-162, filed 11/22/00, effective 12/23/00.]

WAC 16-231-165 What are conditions applying to permits in Franklin County? The following conditions will apply to all permits issued in Areas 2A, 4A, and 6.

(1) Application for a permit may be made to the Washington State Department of Agriculture, Compliance Branch, 21 N. 1st Avenue Suite 236, Yakima, Washington 98902. Applications may also be taken in person or by facsimile. Permits will not be granted by telephone.

(2) The department may make on-site monitoring of the application a condition of any permit. A representative of the department may condition, deny, or revoke a permit at any time, if the representative determines that the situation at the application site creates an unreasonable risk of drift. In determining whether the situation at the application site creates an unreasonable risk of drift, the representative may consider all relevant factors such as temperature, air inversions, time of day, burning restrictions, wind direction, wind velocity, topography, and type and condition of application equipment.

(3) No permit shall be issued to apply any pesticide unless that permit is consistent with existing department laws and rules.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-165, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-165, filed 11/22/00, effective 12/23/00.]

WAC 16-231-168 Can use restricted pesticides be applied in an emergency clause? In the event of an emergency, as declared by the director, the department may issue permits for the use of use restricted pesticides in variation of any restrictions contained in Areas 2A, 4A, and 6. An emergency under this section may be declared if the director deter-

mines that the risk and amount of economic harm to any agriculture crop substantially outweighs the risk and amount of damage likely to occur if a variance permit is issued.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-168, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-168, filed 11/22/00, effective 12/23/00.]

WAC 16-231-171 What are the restrictions on applications in Franklin County due to wind? The use or application of all herbicides and class 1 and 2 insecticides are prohibited in Areas 2A, 4A, and 6 when the mean sustained wind velocity is over ten miles per hour throughout the year: Provided, That applications shall be allowed in higher velocity winds when an approved ground apparatus is used. Ground apparatus shall be approved by the department prior to application. Approval shall be based on research data: Provided further, That applications of granular and pellet formulations of use restricted pesticides defined in WAC 16-231-107 as well as applications made to structures are exempt from the wind restrictions.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-171, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-171, filed 11/22/00, effective 12/23/00.]

WAC 16-231-174 Application of pesticides in Franklin County—Areas 2A, 4A, and 6—Use restricted herbicides ground apparatus nozzle requirements. Ground applications of use restricted herbicides in Areas 2A, 4A, and 6 shall be made, throughout the year, using nozzles having a single orifice and minimum diameter of .052 inches or a LP 8002 nozzle. Pressure shall not exceed twenty-five pounds per square inch at the nozzle for .052 and other orifice openings and pressure shall not exceed fifteen pounds per square inch at the nozzle for LP 8002 or equivalent nozzle. Pressure up to fifty pounds per square inch at the nozzle may be used for equipment with handguns and up to ninety pounds per square inch at the nozzle manifold for an inert system: Provided, That the department may issue a permit for other nozzles and pressure combinations that are equal or better. Prior to issuing such permits, the request shall be reviewed by a scientific committee established by the director: Provided further, That when Glyphosate is the only use restricted herbicide being used during an application for weed control in reduced tillage cropping any nozzles may be used that delivers at a minimum ten gallons of water carrier or greater per treated acre at a pressure not exceeding twenty-five pounds per square inch at the nozzle: Provided further, That Glyphosate applications using a .052 nozzle at twenty-five pounds of pressure or less at the nozzle, and a LP 8002 nozzle at fifteen pounds of pressure or less at the nozzle shall be exempt from the ten-gallon minimum volume: Provided further, That pressurized hand-sized household devices used to apply use restricted herbicides, or any equipment, device, or contrivance of which the person who is applying the pesticide is the source of power or energy in making such herbicide applications shall be exempt from nozzle requirements.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-174, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-174, filed 11/22/00, effective 12/23/00.]

(7/8/10)

WAC 16-231-177 Application of pesticides in Franklin County—Areas 2A, 4A, and 6—Use restricted herbicides, aircraft boom length, pressure, and nozzle requirements. The aerial application of use restricted herbicides in Areas 2A, 4A, and 6 shall be made in accordance with the following requirements:

(1) The working boom length on fixed wing aircraft shall not exceed three-fourths of the wing span and the working boom length on a helicopter shall not exceed six-sevenths of the total rotor length where the rotor length exceeds forty feet.

(2) Pressure for aerial equipment shall not exceed twenty-five psi at the nozzles.

(3) Nozzles for aircraft:

(a) Fixed wing:

(i) Minimum nozzle orifice of .075 inches (no core plate): Provided, That RD8 nozzles with orifice size of 0.125 inches and No. 46 core plates may be used. Nozzles shall be directed downward and backward one hundred seventy degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

(b) Helicopter:

(i) Minimum nozzle orifice of .063 inches (no core plate): Provided, That RD8 nozzles with orifice size of .125 inches and core plate No. 46 may be used. Nozzles shall be directed downward and backward ninety degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-177, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-177, filed 11/22/00, effective 12/23/00.]

WAC 16-231-180 What are the restrictions on applications of pesticides in Franklin County—Areas 2A, 4A, and 6—Use restricted herbicides due to temperature conditions? All phenoxy compounds and dicamba must not be applied when the temperature is above eighty-five degrees F. or above at the point of application: Provided, That application at the rate of fifty gallons or more per acre using nozzles having a minimum orifice diameter of .072 inches is exempt from the eighty-five degrees F. temperature requirement: Provided further, That when using the invert system, applications may continue up to ninety-five degrees F. with a maximum wind velocity of fifteen miles per hour and with water carrier at twelve or more gallons per acre.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-180, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-180, filed 11/22/00, effective 12/23/00.]

WAC 16-231-183 What are the restrictions on application of pesticides in Franklin County due to weather conditions? Use restricted herbicides shall not be applied throughout the year in the entire area under order when there is a temperature inversion present or 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 of use restricted herbicides are exempt from the inversion requirements when using one hundred gallons or greater of water carrier per

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treated acre while using no greater than fifteen pounds of pressure per square inch at the nozzle.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-183, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 00-24-002, § 16-231-183, filed 11/22/00, effective 12/23/00.]

WAC 16-231-200 What are the restrictions for herbicide use in Yakima County? (1) The area under order includes all lands lying within the boundaries of Yakima County. WAC 16-231-205 through 16-231-235 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-200, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-200, filed 2/26/91, effective 3/29/91; 80-03-036 (Order 1675), § 16-231-200, filed 2/20/80.]

WAC 16-231-205 What are use restricted herbicides in Yakima County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-205, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-205, filed 2/26/91, effective 3/29/91; 80-03-036 (Order 1675), § 16-231-205, filed 2/20/80.]

WAC 16-231-210 When are oil-type carriers prohibited in Yakima County? On and after April 5 through October 31, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-210, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-210, filed 2/26/91, effective 3/29/91; 80-03-036 (Order 1675), § 16-231-210, filed 2/20/80.]

WAC 16-231-215 What are the boundaries and restrictions for Area 1 in Yakima County? (1) Area 1 description. (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 1, T11N, R23E; thence west along section lines seventeen miles more or less to the southeast corner of Section 31, T12N, R21E; thence north eight miles along section lines to the northeast corner of Section 30, T13N, R21E; thence west along section lines eleven 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 six miles to the northwest corner of Section 6, T13N, R17E; thence south twenty-four miles along section lines to the southwest corner of Section 31, T10N, R17E; thence east twenty-four miles along section lines to the southeast corner of Section 36, T10N, R20E; thence south six miles along section lines to the southwest corner of Section 31, T9N, R21E; thence east six miles along section lines to the northwest corner of Section 6, T8N, R22E; thence south six miles along section lines to the southwest corner of Section 31, T8N, R22E; thence east twelve miles along section lines to the Benton County line; thence north twenty-four miles to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 5 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops at any time.

(b) On and after April 5 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) Aircraft applications of use restricted herbicides are allowed only on nonirrigated lands on and after November 1 through April 4 of the following year and shall be made using the caution area restrictions (see WAC 16-230-675). Aircraft applications of use restricted herbicides are prohibited on and after April 5 through October 31: Provided, That hormone sprays may be applied to orchards to prevent fruit drop: Provided further, That aircraft applications are allowed by written permit issued by the Washington state department of agriculture in those dry land wheat growing areas east of Moxee and on the Rattlesnake Ridge and the area south of Horse Heaven Hills Ridge contained in Sections 25, 26, 27, 28, 32, 33, 34, 35 and 36, T8N, R23E up to within one mile of commercial grape plantings and to within one-quarter mile of other susceptible crops.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-215, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 87-09-015 (Order 1923), § 16-231-215, filed 4/6/87; 80-03-036 (Order 1675), § 16-231-215, filed 2/20/80.]

WAC 16-231-220 What are the boundaries and restrictions for Area 1A in Yakima County? (1) Area 1A description. (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.

(2) Area 1A restrictions. On and after April 15 through October 31, the use and application of low volatile formulations of use restricted herbicides is prohibited. On and after April 15 through October 31, aircraft applications of use restricted herbicides are allowed using the warning area

restrictions (see WAC 16-230-675) on dry land wheat up to within one-quarter mile of susceptible crops.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-220, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-036 (Order 1675), § 16-231-220, filed 2/20/80.]

WAC 16-231-225 What are the boundaries and restrictions for Area 2 in Yakima County? (1) Area 2 descriptions. All remaining lands in Yakima County.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 5 through October 31.

(b) On and after April 5 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after April 5 through October 31, aircraft applications of use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-225, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-05-033 (Order 1965), § 16-231-225, filed 2/12/88; 87-09-015 (Order 1923), § 16-231-225, filed 4/6/87; 80-03-036 (Order 1675), § 16-231-225, filed 2/20/80.]

WAC 16-231-230 What are the restrictions on mixing or loading for aircraft? The mixing and/or loading of use restricted herbicides is limited to those formulations which may be applied in that area. The loading of aircraft is prohibited in any area where aerial application of use restricted herbicides is prohibited.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-230, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-036 (Order 1675), § 16-231-230, filed 2/20/80.]

WAC 16-231-235 What are the restrictions due to wind conditions? The use or application of use restricted herbicides are prohibited in Areas 1, 1A and 2 when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such applications are prohibited in Areas 1 and 1A on and after April 1 through October 31 when the mean sustained wind velocity is over ten miles per hour: Provided further, That applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used. Ground apparatus shall be approved by the department of agriculture. Approval will be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-235, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-235, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-235, filed 4/6/87; 80-03-036 (Order 1675), § 16-231-235, filed 2/20/80.]

WAC 16-231-300 What are the restrictions for herbicide use in Adams County? (1) The area under order includes all lands lying within the boundaries of Adams County. WAC 16-231-305 through 16-231-340 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order must comply with rules

(7/8/10)

relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-300, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-300, filed 2/26/91, effective 3/29/91; 80-03-035 (Order 1674), § 16-231-300, filed 2/20/80.]

WAC 16-231-305 What are use restricted herbicides in Adams County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-305, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-305, filed 2/26/91, effective 3/29/91; 80-03-035 (Order 1674), § 16-231-305, filed 2/20/80.]

WAC 16-231-310 When are oil-type carriers prohibited in Adams County? On and after May 16 through October 31, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-310, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-310, filed 2/26/91, effective 3/29/91; 80-03-035 (Order 1674), § 16-231-310, filed 2/20/80.]

WAC 16-231-315 What are the boundaries and restrictions for Area 1? (1) Area 1 description. (Lands generally lying within the Columbia Basin irrigation project east of Warden and in the Othello area.) An area starting at the intersection of the East Low Canal and Grant-Adams County line in Section 18, T18N, R31E; thence southerly along the East Low Canal to the intersection of the East Low Canal and the Grant-Adams County line near the southwestern corner of Section 17, T17N, R31E; thence north six miles more or less to the point of beginning; and also all lands within a line starting at the intersection of the East Low Canal and the Grant-Adams County line near the corner of Section 6, T16N, R30E; thence southeasterly along the East Low Canal to the Adams-Franklin County line and the southwest corner of Section 31, T15N, R28E; thence north along the Grant-Adams County line beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 15 through October 31, ground applications of use restricted herbicides shall be made using

nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 15 through October 31, aircraft applications of use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-315, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-035 (Order 1674), § 16-231-315, filed 2/20/80.]

WAC 16-231-320 What are the boundaries and restrictions for Area 2? (1) Area 2 description. (Buffer area east of Area 1.) Beginning at the Grant-Adams County line Section 6, T18N, R31E; thence east six miles more or less along the Burlington Northern Railroad tracks to Kulm Road; thence south three miles more or less along Kulm Road to Franz Road; thence east one mile along Franz Road to Roxboro Road; thence south fourteen miles along the Roxboro Road to Cunningham Road; thence southeasterly one mile more or less along Cunningham Road to Lind-Hatton Road; thence southerly three miles more or less along Lind-Hatton Road to Roxboro Road; thence southerly three miles more or less to the Adams-Franklin County line; thence west seven miles more or less along Adams-Franklin County line to the East Low Canal; thence northwesterly along the East Low Canal to the Grant-Adams County line; thence east five miles more or less and three miles north more or less along the Grant-Adams County line to the East Low Canal; thence northeasterly along East Low Canal to the Grant-Adams County line; thence north two miles more or less along Grant-Adams County line to the point of beginning.

(2) Area 2 restrictions.

(a) On and after May 1 through October 31, the use or application of low volatile formulations of use restricted herbicides is prohibited.

(b) On and after May 1 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-320, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-035 (Order 1674), § 16-231-320, filed 2/20/80.]

WAC 16-231-325 What are the boundaries and restrictions for Area 3? (1) Area 3 description. An area starting at the northwest corner of Section 6, T20N, R31E, on the Lincoln-Adams County line; thence east twenty-three miles more or less on the Davis Road to Paha-Packard Road; thence south seventeen miles more or less along the Paha-Packard Road to the intersection of Paha-Packard Road and SR 395; thence southwesterly twenty-six miles more or less along SR 395 to the Adams-Franklin County line; thence

west one mile more or less along Muse Road to the Roxboro Road; thence northerly and westerly thirty-one miles more or less along the east and north boundary of Area 2 to the Grant-Adams County line; thence north twelve miles more or less along the Grant-Adams County line to the point of beginning.

(2) Area 3 restrictions.

(a) On and after May 16 through October 31, the use and application of low volatile formulations of use restricted herbicides is prohibited.

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

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-325, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-035 (Order 1674), § 16-231-325, filed 2/20/80.]

WAC 16-231-330 What are the boundaries and restrictions for Area 4? (1) Area 4 description. Outlying area east of Area 3.

(2) Area 4 restrictions. On and after May 16 through October 31, aircraft applications or use restricted herbicides shall be made using caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-330, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-330, filed 2/26/91, effective 3/29/91; 80-03-035 (Order 1674), § 16-231-330, filed 2/20/80.]

WAC 16-231-335 What are the restrictions on applications near vineyards? (1) Aerial applications of use restricted herbicides are prohibited within one mile of any commercial vineyard in the area under order: Provided, That aerial application of use restricted herbicides to lands located within one-half mile to one mile from commercial vineyards shall be considered through written request to the Washington state department of agriculture.

(2) Commercial vineyard means a parcel of land from which the grape crop is intended to be sold to a processor, or intended to be used for commercial wine making, or intended for the commercial fresh market.

[Statutory Authority: Chapters 15.58, 17.21, and 34.05 RCW. 10-15-015, § 16-231-335, filed 7/8/10, effective 8/8/10; 07-11-041A, § 16-231-335, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-035 (Order 1674), § 16-231-335, filed 2/20/80.]

WAC 16-231-340 What are the restrictions on applications due to wind conditions? (1) Area 1 and 2.

(a) The use or application of use restricted herbicides shall be prohibited on and after April 16 through October 31 when the mean sustained wind velocity is over ten miles per hour.

(b) The use or application of use restricted herbicides is prohibited on and after November 1 through April 15 of the following year when the mean sustained wind velocity is over twelve miles per hour: Provided, That application of allowable use restricted herbicides is exempt from these wind restrictions when applying fifty gallons or more per acre.

(2) Area 3 and 4. The use or application of use restricted herbicides is prohibited when the mean sustained wind velocity is over twelve miles per hour: Provided, That ground applications of use restricted herbicides are allowed when using No. 2RD or 2RA Raindrop nozzles when the mean sustained wind velocity is fifteen miles per hour or less: Provided further, That application of allowable use restricted herbicides is exempt from these wind restrictions when applying fifty gallons or more per acre: And provided further, That applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used. Ground apparatus shall be approved by the department of agriculture. Approval will be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-340, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-340, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-340, filed 4/6/87; 80-03-035 (Order 1674), § 16-231-340, filed 2/20/80.]

WAC 16-231-400 Use restricted herbicides—Columbia County—Area under order. (1) The area under order includes all lands lying within the boundaries of Columbia County. WAC 16-231-405 through 16-231-425 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-400, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-400, filed 2/26/91, effective 3/29/91; 80-03-034 (Order 1673), § 16-231-400, filed 2/20/80.]

WAC 16-231-405 What are use restricted herbicides in Columbia County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-405, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-405, filed 2/26/91, effective 3/29/91; 80-03-034 (Order 1673), § 16-231-405, filed 2/20/80.]

WAC 16-231-410 When are oil-type carriers prohibited in Columbia County? On and after May 1 through October 31, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-410, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-410, filed 2/26/91, effective 3/29/91; 80-03-034 (Order 1673), § 16-231-410, filed 2/20/80.]

(7/8/10)

WAC 16-231-413 What are the boundaries and restrictions for Area 1 in Columbia County? (1) Area 1 description. That area within a distance of one-half mile of the city limits of Dayton.

(2) Area 1 restrictions. Aircraft applications of use restricted herbicides are prohibited on and after April 5 through October 31: Provided, That upon written request to the Washington state department of agriculture, aircraft applications by permit shall be considered for purposes of critical weed control.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-413, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 85-07-029 (Order 1849), § 16-231-413, filed 3/15/85.]

WAC 16-231-415 What are the boundaries and restrictions for Area 2 in Columbia County? (1) Area 2 description. (Huntsville, Dayton, Baileysburg, and vicinity.) Sections 1 through 12, T9N, R38E; Sections 24, 25, 26 and 30 through 36, T10N, R38E; Sections 19, 20 and 28 through 33, T10N, R39E; Sections 2 through 11, 15 through 17, 21 and 22 and that portion of Section 20 lying east of the Payne Hollow Road in T9N, R39E in Columbia County.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after May 1 through October 31.

(b) On and after May 1 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches. On and after November 1 through April 30, ground application shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675). On and after November 1 through April 30, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-415, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-034 (Order 1673), § 16-231-415, filed 2/20/80.]

WAC 16-231-420 What are the boundaries and restrictions for Area 4 for Columbia County? (1) Area 4 description. This area includes all remaining lands in Columbia County not included in WAC 16-231-413 and 16-231-415.

(2) Area 4 restrictions.

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

(b) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-420, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-420, filed 2/26/91, effective 3/29/91; 80-03-034 (Order 1673), § 16-231-420, filed 2/20/80.]

WAC 16-231-425 What are the use restrictions due to wind conditions for Columbia County? The use or application of use restricted herbicides is prohibited in Area 2 and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That such application is prohibited in Area 2 on and after May 1 through October 31 when the mean sustained wind velocity is over seven miles per hour: Provided further, That applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval shall be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-425, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-425, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-425, filed 4/6/87; 80-03-034 (Order 1673), § 16-231-425, filed 2/20/80.]

WAC 16-231-500 What are restrictions for herbicide use in Whitman County? (1) The area under order includes all lands lying within the boundaries of Whitman County. WAC 16-231-505 through 16-231-530 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-500, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-500, filed 2/26/91, effective 3/29/91; 80-03-033 (Order 1672), § 16-231-500, filed 2/20/80.]

WAC 16-231-505 What are use restricted herbicides in Whitman County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-505, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-505, filed 2/26/91, effective 3/29/91; 80-03-033 (Order 1672), § 16-231-505, filed 2/20/80.]

WAC 16-231-510 What are the boundaries and restrictions for Whitman County—Area 1? (1) Area 1 description. (Cities and/or towns and Pullman vicinity.) The areas within a distance of one mile of the city limits of any incorporated city or town and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences within Whitman County: Provided, That the area under this section shall also include all of the lands in Section 28 through 33, T15N, R45E; Sections 25, 26, 27, 34, 35, and 36, T15N, R44E; Sec-

tions 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.

(2) Area 1 restrictions.

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

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

(c) On and after April 15 through October 31, aircraft applications of use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-510, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-510, filed 2/26/91, effective 3/29/91; 80-03-033 (Order 1672), § 16-231-510, filed 2/20/80.]

WAC 16-231-515 What are the boundaries and restrictions for Whitman County Area 3? (1) Area 3 description. (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 No. 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.

(2) Area 3 restrictions.

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

(b) On and after April 15 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-515, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-033 (Order 1672), § 16-231-515, filed 2/20/80.]

WAC 16-231-520 What are the boundaries and restrictions for Whitman County Area 4? (1) Area 4 description. (Outlying area west of Area 3.) All remaining lands in Whitman County west of Area 3.

(2) Area 4 restrictions.

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

(b) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-520, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-033 (Order 1672), § 16-231-520, filed 2/20/80.]

WAC 16-231-525 What are the notification requirements of farm operators for use restricted herbicides in Whitman County? The landowner or person in charge of

farming operations shall notify the aerial applicator he/she hires of any susceptible crops planted or to be planted bordering the field to which use restricted herbicides are to be applied in the area under order.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-525, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-525, filed 2/26/91, effective 3/29/91; 80-03-033 (Order 1672), § 16-231-525, filed 2/20/80.]

WAC 16-231-530 What are restrictions due to wind conditions? (1) Areas 1 and 3.

(a) On and after April 15 through October 31, the use or application of use restricted herbicides is prohibited when the mean sustained wind velocity is over seven miles per hour.

(b) On and after November 1 through April 14 the following year, the use or application of use restricted herbicides is prohibited when the mean sustained wind velocity is over twelve miles per hour.

(2) Area 4. The use or application of use restricted herbicides is prohibited when the mean sustained wind velocity is over twelve miles per hour: Provided, That ground applications of use restricted herbicides are allowed when using No. 2RD or No. 2RA Raindrop nozzles when the mean sustained wind velocity is fifteen miles per hour or less and allowed by the label.

(3) All areas. Applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval will be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-530, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-530, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-530, filed 4/6/87; 80-03-033 (Order 1672), § 16-231-530, filed 2/20/80.]

WAC 16-231-600 What are restrictions for herbicide use in Klickitat County? (1) The area under order includes all lands lying within the boundaries of Klickitat County. WAC 16-231-605 through 16-231-620 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-600, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-600, filed 2/26/91, effective 3/29/91; 80-03-029 (Order 1668), § 16-231-600, filed 2/20/80.]

WAC 16-231-605 What are use restricted herbicides in Klickitat County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-605, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-605, filed 2/26/91, effective 3/29/91; 80-03-029 (Order 1668), § 16-231-605, filed 2/20/80.]

WAC 16-231-610 When are oil-type carriers prohibited in Klickitat County? On and after May 1 through September 30, oil-type carriers are prohibited in the area under order for brush control: Provided, That oil-type carriers may be used in invert systems the entire year.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-610, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-610, filed 2/26/91, effective 3/29/91; 80-03-029 (Order 1668), § 16-231-610, filed 2/20/80.]

WAC 16-231-613 What are the boundaries and restrictions for Area 2? (1) Area 2 description. (Southeast corner of Klickitat County.) Sections 13, 14, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, 36, Township 5 north, Range 23 east; Sections 21, 22, south half of Section 23, Sections 26, 27, 28, 33, 34, west half of Section 35, Township 5 north, Range 22 east; Sections 1, 2, 11, 12, Township 4 north, Range 23 east.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That upon written request to the Washington state department of agriculture, a permit may be issued for purposes of critical weed control.

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

(c) On and after April 15 through October 31, aircraft applications of use restricted herbicides shall be made using danger area restrictions (see WAC 16-230-675): Provided, That aircraft applications shall be prohibited within one mile of commercial vineyards and within one-half mile of other susceptible crops: Provided further, That upon written request to the Washington state department of agriculture, aircraft applications from one-half mile to one mile of commercial vineyards and within one-half mile of other susceptible crops by permit shall be considered for purposes of critical weed control. On and after November 1 through April 14 of the following year, aircraft applications shall be made using caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-613, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 85-07-029 (Order 1849), § 16-231-613, filed 3/15/85.]

WAC 16-231-615 What are the boundaries and restrictions for Area 3 in Klickitat County? (1) Area 3 description. All remaining lands within the boundaries of Klickitat County not included in WAC 16-231-613.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after May 1

through September 30 of each year: Provided, That on and after May 1 through May 14 of each year, low volatile formulations shall be considered through written request to the department of agriculture.

(b) On and after May 1 through September 30, ground applications of use restricted herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through September 30, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-615, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-615, filed 2/26/91, effective 3/29/91; 85-07-029 (Order 1849), § 16-231-615, filed 3/15/85; 80-03-029 (Order 1668), § 16-231-615, filed 2/20/80.]

WAC 16-231-620 What are restrictions due to wind conditions? The use or application of use restricted herbicides is prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour throughout the year: Provided, That applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval will be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-620, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-620, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-620, filed 4/6/87; 80-03-029 (Order 1668), § 16-231-620, filed 2/20/80.]

WAC 16-231-700 What are restrictions for herbicide use in Okanogan County? (1) The area under order includes all lands lying within the boundaries of Okanogan County. WAC 16-231-705 through 16-231-725 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-700, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-700, filed 2/26/91, effective 3/29/91; 80-03-027 (Order 1666), § 16-231-700, filed 2/20/80.]

WAC 16-231-705 What are use restricted herbicides in Okanogan County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-705, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-705, filed

2/26/91, effective 3/29/91; 80-03-027 (Order 1666), § 16-231-705, filed 2/20/80.]

WAC 16-231-710 What are the boundaries and restrictions for Okanogan County Area 1? (1) Area 1 description. (Okanogan County) An area starting at the intersection of the east boundary line of Section 24, T29N, R25E, and the Columbia River; thence north 19 miles more or less to the southwest corner of Section 7, T32N, R26E; thence east three miles to the southeast corner of Section 9; thence north two miles to the northeast corner of Section 4; thence east three miles more or less to the southeast corner of Section 36, T33N, R26E; thence north four miles to the southwest corner of Section 7, T33N, R27E; thence east two miles to the southeast corner of Section 8; thence north six miles to the northeast corner of Section 17, T34N, R27E; thence west eight miles to the northwest corner of Section 18, T34N, R26N; thence south four miles to the southwest corner of Section 31; thence west three miles to the northwest corner of Section 3, T33N, R25E; thence south four miles to the southwest corner of Section 22, T33N, R25E; thence west three miles to the northwest corner of Section 30; thence south two miles to the southwest corner of Section 31; thence west two miles to the northwest corner of Section 2, T32N, R24E; thence south ten miles to the southwest corner of Section 23, T31N, R24E; thence west four miles to the northwest corner of Section 30; thence south seven miles more or less to the north bank of the Columbia River; thence easterly along the north bank of the Columbia River to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 15 through October 31 of each year.

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

(c) On and after April 15 through October 31, aerial applications of use restricted herbicides shall be made using caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-710, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-027 (Order 1666), § 16-231-710, filed 2/20/80.]

WAC 16-231-715 What are the boundaries and restrictions for Okanogan County Area 4? (1) Area 4 description. This area includes all remaining lands in Okanogan County not included in WAC 16-231-710.

(2) Area 4 restrictions. On and after May 1 through October 31, aerial applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-715, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-715, filed 2/26/91, effective 3/29/91; 80-03-027 (Order 1666), § 16-231-715, filed 2/20/80.]

WAC 16-231-720 What are the restrictions due to wind conditions? The use or application of use restricted herbicides is prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour

throughout the year: Provided, That applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval will be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-720, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-720, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-720, filed 4/6/87; 80-03-027 (Order 1666), § 16-231-720, filed 2/20/80.]

WAC 16-231-725 What are the restrictions on mixing or loading aircraft? The loading and/or mixing of use restricted herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-725, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-027 (Order 1666), § 16-231-725, filed 2/20/80.]

WAC 16-231-800 What are restrictions for herbicide use in Douglas and Chelan counties? (1) The area under order includes all lands lying within the boundaries of Douglas and Chelan counties. WAC 16-231-805 through 16-231-840 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-800, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-800, filed 2/26/91, effective 3/29/91; 80-03-028 (Order 1667), § 16-231-800, filed 2/20/80.]

WAC 16-231-805 What are use restricted herbicides in Douglas and Chelan counties? All formulations of phenoxy hormone-type herbicides, (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-805, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-805, filed 2/26/91, effective 3/29/91; 80-03-028 (Order 1667), § 16-231-805, filed 2/20/80.]

WAC 16-231-810 What are the boundaries and restrictions for Area 1? (1) Area 1 description - Chelan County. An area starting at the southeast corner of Section 32, T21N, R22E; thence west one mile to the southwest 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.

(7/8/10)

(2) Area 1 description - Douglas County. An area on the east bank of the Columbia River, beginning 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 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.

(3) Area 1 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 15 through October 31.

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

(c) On and after April 15 through October 31, aerial applications of use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-810, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-028 (Order 1667), § 16-231-810, filed 2/20/80.]

WAC 16-231-815 What are the boundaries and restrictions for Area 2? (1) Area 2 description. (Buffer area — a protective area around Azwell, Manson, and the mouth of the Moses-Coulee.)

(a) 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, T28N, R21E.

(b) Douglas County - (Moses-Coulee and Bridgeport area.) Section 1, 2, 3, 10, 11, 12, 13, 14, 24, 25, 26, 34, 35, and 36, N21N, R22E, and Sections 1, 2, 3, 4, 9, 10, 11, 12 and those portions of Sections 13, 14, 15 and 16, T20N, R22E.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after May 1 through October 31.

(b) On and after May 1 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-815, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-028 (Order 1667), § 16-231-815, filed 2/20/80.]

WAC 16-231-820 What are the boundaries and restrictions for Area 3? (1) Area 3 description. (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.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after May 1 through October 31.

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

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-820, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-028 (Order 1667), § 16-231-820, filed 2/20/80.]

WAC 16-231-825 What are the boundaries and restrictions for Area 4? (1) Area 4 description. All remaining lands in Douglas County not included in WAC 16-231-810, 16-231-815 and 16-231-820.

(2) Area 4 restrictions. On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-825, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-825, filed 2/26/91, effective 3/29/91; 80-03-028 (Order 1667), § 16-231-825, filed 2/20/80.]

WAC 16-231-830 What are the restrictions on mixing and loading aircraft? The loading and/or mixing of use restricted herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-830, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-028 (Order 1667), § 16-231-830, filed 2/20/80.]

WAC 16-231-835 What are restrictions for aerial applications near vineyards? (1) Aerial application of use restricted herbicides is prohibited within one mile of any commercial vineyard in the area under order: Provided, That aerial application of use restricted herbicides to lands located within one-half mile to one mile from commercial vineyards will be considered through written request to the Washington state department of agriculture.

(2) Commercial vineyard means a parcel of land from which the grape crop is intended to be sold to a processor, or intended to be used for commercial wine making, or intended for the commercial fresh market.

[Statutory Authority: Chapters 15.58, 17.21, and 34.05 RCW. 10-15-015, § 16-231-835, filed 7/8/10, effective 8/8/10; 07-11-041A, § 16-231-835, filed

5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-028 (Order 1667), § 16-231-835, filed 2/20/80.]

WAC 16-231-840 What are restrictions due to wind conditions? The use or application of use restricted herbicides is prohibited in Areas 2, 3 and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year and in Area 1 when the mean sustained wind velocity is over twelve miles per hour on and after November 1 through April 15 of the following year, and over seven miles per hour from April 16 through October 31: Provided, That applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval will be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-840, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-840, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-840, filed 4/6/87; 80-03-028 (Order 1667), § 16-231-840, filed 2/20/80.]

WAC 16-231-900 What are restrictions for herbicide use in Grant County? (1) The area under order includes all lands lying within the boundaries of Grant County. WAC 16-231-905 through 16-231-935 applies to the area under order.

(2) The distribution, use, and application of use restricted herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to use restricted herbicides in WAC 16-230-600 through 16-230-675.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-900, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-900, filed 2/26/91, effective 3/29/91; 80-03-031 (Order 1670), § 16-231-900, filed 2/20/80.]

WAC 16-231-905 What are use restricted herbicides in Grant County? All formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba except as listed below:

(1) Salt formulations, including amine and sodium, distributed in quantities of one gallon or less;

(2) Dry formulations of phenoxy hormone-type herbicides (e.g., 2,4-D, 2,4-DB, 2,4-DP (dichlorprop), MCPA, MCPB, MCPP (mecoprop)) and dicamba labeled and intended only for home and garden use or for turf.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-905, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-905, filed 2/26/91, effective 3/29/91; 80-03-031 (Order 1670), § 16-231-905, filed 2/20/80.]

WAC 16-231-910 What are the boundaries and restrictions for Grant County Area 1? (1) Area 1 description. (Lands generally within the Columbia Basin irrigation project.) An area starting at the southwest corner of Section 21, T14N, R27E; thence east along the county line four miles more or less to the southeast corner of Section 24, T14N, R27E; thence north along the county line sixteen miles to the southwest corner of Section 31, T17N, R28E; thence east along the county line thirteen miles more or less to the East

Low Canal; thence northerly and easterly along the East Low Canal to the Adams County line; thence north along the Grant-Adams County lines six miles more or less to the East Low Canal; thence northwesterly along the East Low Canal to the southeast boundary of Block 70; thence easterly, northerly, and westerly, encompassing Block 70, Soap Lake and Block 701, to the West Main Canal; thence southwesterly along the West Main Canal to the north boundary line of Unit 1, Block 73; thence westerly along the northern boundary line of Block 73 to the northwest corner of Unit 278; then due west to the Willow Springs Draw; thence down Willow Springs Draw to the Columbia River; thence southerly along the Columbia River to the south boundary line of Section 11, T15N, R23E; thence east along the crest of the Saddle Mountains approximately eighteen miles to the northwest boundary of the atomic energy reservation; thence southwesterly along the atomic energy reservation boundary to Highway 24; thence south and west along Highway 24 to Vernita Bridge; thence easterly along the Columbia River to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 15 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 15 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of use restricted herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(d) On and after April 15 through October 31, aircraft applications of use restricted herbicides shall be made using the danger area restrictions (see WAC 16-230-675).

(e) On and after April 15 through October 31, aircraft applications of use restricted herbicides are prohibited within one mile of any commercial vineyard: Provided, That on and after April 15 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: Provided further, That on and after April 15 through April 30 written request to apply 2,4-DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-910, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 17.21 and 15.58 RCW. 87-18-060 (Order 1950), § 16-231-910, filed 9/1/87; 87-09-015 (Order 1923), § 16-231-910, filed 4/6/87; 80-03-031 (Order 1670), § 16-231-910, filed 2/20/80.]

WAC 16-231-912 What are the boundaries and restrictions for Grant County Area 1A? (1) Area 1A description. Lands generally in the Mattawa area in the southwestern part of the county starting at the west end of the crest of Saddle Mountain at the Columbia River, south boundary

line of Section 11, T15N, R23E; thence east along the crest of the Saddle Mountains approximately eighteen miles to the northwest boundary of the atomic energy reservation; thence southwesterly along the atomic energy reservation boundary to Highway 24; thence following Highway 24 to the Vernita Bridge at the Columbia River; thence northwesterly along the Columbia River to the point of beginning.

(2) Area 1A restrictions.

(a) The use or application of low volatile formulations of use restricted herbicides is prohibited on and after April 5 through October 31: Provided, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 5 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: Provided, That applications of use restricted herbicides on asparagus shall be made using nozzles having a minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 4 of the following year, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675.)

(d) On and after April 5 through October 31, aircraft applications of use restricted herbicides are prohibited except by written permit issued by the Washington state department of agriculture.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-912, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 88-05-033 (Order 1965), § 16-231-912, filed 2/12/88; 87-09-015 (Order 1923), § 16-231-912, filed 4/6/87.]

WAC 16-231-915 What are the boundaries and restrictions for Grant County Area 2? (1) Area 2 description.

(Buffer area.) An area lying north and east of Area 1 starting at the junction of the Grant-Douglas County line and the Columbia River near Trinidad; thence north and easterly along the county line to the southwest corner of Section 35, T23N, R26E; thence east along section lines twelve miles to Grant County Road J/NW; thence south one mile along Grant County Road J/NW to the Burlington Northern Railroad tracks; thence east fourteen miles more or less to the Grant-Lincoln County line; thence south twenty-five miles more or less along the Grant-Lincoln and Grant-Adams County line to the northern boundary line of Area 1 (East Low Canal); thence northerly and westerly along the northern boundary line of Area 1 to the point of beginning; and also an area near Warden starting at the East Low Canal near the southeast corner of Section 13, T17N, R30E; thence westerly and southerly along the East Low Canal to the Grant-Adams County line near the corner of Section 32, T17N, R30E; thence east five miles and north three miles along the Grant-Adams County line to the point of beginning.

(2) Area 2 restrictions.

(a) On and after May 1 through October 31, the use or application of low volatile formulations of use restricted herbicides is prohibited.

(b) On and after May 1 through October 31, ground applications of use restricted herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-915, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-031 (Order 1670), § 16-231-915, filed 2/20/80.]

WAC 16-231-920 What are the boundaries and restrictions for Grant County Area 3? (1) Area 3 description. (Outlying area.) An area starting at the intersection of the Burlington Northern Railroad tracks near the northeast corner of Section 13, T22N, R30E; thence north nineteen miles more or less along the Grant County line to Highway 2; thence westerly along Highway 2 to the Douglas County line; thence southwesterly along the Douglas County line to the southwest corner of Section 35, T23N, R26E; thence east along section lines twelve miles to Grant County Road J/NW; thence south one mile along Grant County Road J/NW to the Burlington Northern Railroad tracks near Stratford; thence easterly along the Burlington Northern Railroad tracks fourteen miles more or less to the point of beginning.

(2) Area 3 restrictions.

(a) On and after May 16 through October 31, the use and application of low volatile formulations of use restricted herbicides is prohibited.

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

(c) On and after May 1 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-920, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-031 (Order 1670), § 16-231-920, filed 2/20/80.]

WAC 16-231-925 What are the boundaries and restrictions for Grant County Area 4? (1) Area 4 description. All remaining lands in Grant County lying north of Highway 2.

(2) Area 4 restrictions. On and after May 16 through October 31, aircraft applications of use restricted herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-925, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-031 (Order 1670), § 16-231-925, filed 2/20/80.]

WAC 16-231-930 What are the restrictions on mixing and loading aircraft? The loading and/or mixing of use restricted herbicides is restricted to those formulations which may be applied in the area in which the airstrip is located.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-930, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-03-031 (Order 1670), § 16-231-930, filed 2/20/80.]

WAC 16-231-935 What are restrictions due to wind conditions? The use or application of use restricted herbicides is prohibited in Areas 2, 3, and 4 when the mean sus-

tained wind velocity is over twelve miles per hour throughout the year and in Area 1 and 1A when the mean sustained wind velocity is over twelve miles per hour on and after November 1 through March 31 of the following year, and over ten miles per hour from April 1 through October 31: Provided, That applications of allowable use restricted herbicides are exempt from these wind restrictions when applying fifty gallons or more per acre: Provided further, That applications of use restricted herbicides are allowed in winds up to and including twenty miles per hour when an approved ground apparatus is used and allowed by the label. Ground apparatus shall be approved by the department of agriculture. Approval will be based on research data.

[Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. 07-11-041A, § 16-231-935, filed 5/9/07, effective 6/9/07. Statutory Authority: Chapters 15.58 and 17.21 RCW. 91-06-019 (Order 2073), § 16-231-935, filed 2/26/91, effective 3/29/91; 87-09-015 (Order 1923), § 16-231-935, filed 4/6/87; 80-03-031 (Order 1670), § 16-231-935, filed 2/20/80.]