

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1339
Emergency rules

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

the use of herbicides in Spokane County.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 4415 ^① filed with the code reviser
on 12/13/73 ^② were regularly adopted as permanent rules of this
(date)
agency at Director's Office on 2/5/74 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 3/7/74 ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 5th day of February 1974.

STATE OF WASHINGTON
FILED
FEB 5 1974
CODE REVISER'S OFFICE
DOCKET # 301 FILE # 37

Department of Agriculture
(AGENCY)
Donald Robinson
By
Supervisor, Grain & Chemical Division
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1339
(Supersedes Order No. 1179)
EFFECTIVE MARCH 7, 1974

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
SPOKANE COUNTY

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapters 17.21 and 15.58 RCW, after due notice as provided under chapters 34.04 and 42.32 RCW, and a public hearing held in Colfax, Washington on January 12, 1974, hereby promulgate the following regulations relating to the use of growth regulating herbicides.

REGULATION 1. AREA UNDER ORDER, RESTRICTED USE HERBICIDES, PROHIBITED FORMULATIONS, AND DEFINITIONS.

AREA UNDER ORDER: All lands lying within the borders of Spokane County.

RESTRICTED USE HERBICIDES: All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides, including 2,4-D, 2,4,5-T and MCPA are by this order declared to be restricted use herbicides.

PROHIBITED FORMULATIONS: Dust formulations of all restricted use herbicides are prohibited in the area under order.

DEFINITION: VOLATILE ESTERS. High volatile and low volatile esters are those formulations labeled as high volatile and low volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide and Rodenticide Act.

REGULATION 2. AREA 1. An area contiguous with a portion of the southern city limits of Spokane which includes Sections 9, 10, 11 and that portion of Section 8 lying east of the Hatch Road, T24N, R43E and those incorporated cities and towns and areas within a distance of one mile of the city limits of incorporated cities or towns and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences within Area 2, and Cheney and Medical Lake in Area 3.

AREA 1. (Restrictions). The use and application of high volatile formulations of restricted use herbicides shall be prohibited throughout the year.

Ground application shall be made with ground equipment with nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

The aerial application of restricted use herbicides is prohibited within Area 1: PROVIDED, That aerial applications of non-volatile formulations of restricted use herbicides shall be allowed from 1/2 to 1 mile of the city limits of incorporated cities or towns and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences by permit when using a drift reducing system. Aerial applications shall be made

using the 5-gallon alternative (see Order 1347, Regulation 9).

REGULATION 3. AREA 2. That portion of Spokane County lying south and east of a line starting from the Whitman-Spokane County line at approximately the southwest corner of Section 32, T21N, R41E; thence northeasterly along Rock Lake Road and Cheney-Plaza Road, to its junction with State Highway No. 904; thence north and east along State Highway 904 to its junction with the Cheney-Spokane Road; thence northeasterly along the Cheney-Spokane Road to approximately the southwest corner of Section 33, T24N, R42E; thence north 13 miles more or less along the section lines to the northwest corner of Section 33, T26N, R42E; thence east to and along the northern Spokane city limits to the northeast corner of Section 34, T26N, R43E; thence east 15 miles more or less along the section lines to the Idaho border.

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

Ground applications shall be made with ground equipment equipped with nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

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

REGULATION 4. AREA 3. That portion of Spokane County lying west and south of a line starting from the Whitman-Spokane County line at approximately the southwest corner of Section 32, T21N, R41E; thence northeasterly along Rock Lake Road and Cheney-Plaza Road to its junction with State Highway No. 904; thence north and east along State Highway 904 to its junction with the Cheney-Spokane Road; thence northeasterly along the Cheney-Spokane Road to approximately the southeast corner of Section 32, T24N, R42E; thence north 8 miles more or less along section lines to State Highway No. 2; thence westerly along Highway No. 2 approximately 14 miles to the Lincoln-Spokane County line.

AREA 3. (Restrictions). The use and application of high volatile formulations of restricted use herbicides shall be suspended on and after April 16.

Ground applications shall be made with nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

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

REGULATION 5. FARM OPERATOR TO NOTIFY. The landowner or person in charge of the farming operation shall notify the aerial applicator he hires of any susceptible crops planted or to be planted bordering the field to which restricted use herbicides are to be applied.

REGULATION 6. COMMERCIAL GREENHOUSE NOTIFICATION. The owners of commercial greenhouses located in the area under order shall be notified by aerial applicators and public

operators in person or by certified mail at least 48 hours prior to the application of allowable restricted use herbicides to be applied within one-half mile of the above greenhouse.

REGULATION 7. The distribution, use and application of restricted use herbicides in counties east of the crest of the Cascade Mountains shall comply with the restrictions in Order 1347 and Order 1346, WAC 16-222-160(1)(n) and (9) and WAC 16-222-190.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated by the Department of Agriculture.

Stewart Bledsoe

STEWART BLEDSOE

Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date:

2/5/74