

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. 1348
Emergency rules

relating to (Name of rules or description of subject matter)
the use of herbicides in Walla Walla County.

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

pursuant to Notice No. 4414 ^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
(place) on (date) and are herewith filed in
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (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 #507 FILE #17

Department of Agriculture
(AGENCY)
By *Howard Johnson*
Supervisor, Grain & Chemical Division
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-
VISER'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 REVIS-
ER'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. 1348
(Supersedes Order No. 1287)

EFFECTIVE MARCH 7, 1974

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN
WALLA WALLA COUNTY

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapters 15.58 and 17.21 RCW, after due notice and public hearings held in Pasco and Colfax, Washington on January 11 and 12, 1974, as provided under chapters 42.32 and 34.04 RCW, do 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 border of Walla Walla 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: All dust formulations of restricted use herbicides are prohibited in the entire 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.

DEFINITION: SPECIFIED DATE. Specified date as referred to in this order is that date to be determined by the state department of agriculture in consultation with local authorities and shall be as near as possible to the date of bud break of grapes being grown in Walla Walla County and/or adjacent counties. Notification of this date, on and after which such operations that are applicable are so restricted, shall be made by mailing a notice to each of the known commercial applicators working in the area and an announcement to the local newspapers, radio stations, and county extension offices.

REGULATION 2. AREA 1. (Columbia River Buffer Area). An area starting at the intersection of the Northern Pacific Railroad and the Washington-Oregon state line, T6N, R32E; thence north nineteen miles more or less to the Snake River; thence westerly along the Snake River and southerly along the Columbia River to the Washington-Oregon state line; thence east to the point of beginning.

AREA 1. (Restrictions). The use or application of high volatile formulations of restricted use herbicides is prohibited. The use or application of low volatile ester formulations of restricted use herbicides is prohibited on and after the specified date to and including October 31.

On and after May 1 to and including October 31, ground

applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

Aerial applications shall be made with a 3-gallon alternative (see Order 1347, Regulation 9) on and after the specified date to and including October 31,

REGULATION 3. AREA 2. (Walla Walla and vicinity, Dixie, Waitsburg, and Prescott areas). Those areas lying within a 1-mile radius from the center of the town of Dixie and within 1 mile of the city limits of the towns of Waitsburg and Prescott and an area starting at the Washington-Oregon state line and the southeast corner of Section 16, T6N, R36E; thence north one mile more or less to the southwest corner of Section 3, T6N, R36E; thence east 2 miles to the southeast corner of Section 2, T6N, R36E; thence north 3 miles to the southwest corner of Section 24, T7N, R36E; thence east 1 mile to the southeast corner of Section 24, T7N, R36E; thence north 1 mile to the southwest corner of Section 18, T7N, R37E; thence east 1 mile to the southeast corner of Section 18, T7N, R37E; thence north 1 mile to the northeast corner of Section 18, T7N, R37E; thence west 9 miles to the northwest corner of Section 14, T7N, R35E; thence south 1 mile to the northwest corner of Section 23, T7N, R35E; thence west 1 mile to the northwest corner of Section 22, T7N, R35E; thence south to State Road 410; thence westerly along State Road 410 to the York Road and south along the York and Sayer Road to the Frog Hollow Road; thence east along the Frog Hollow Road to the Locker Road; thence south along the Locker Road to the Washington-Oregon state line, thence east along the state line to the point of beginning.

AREA 2. (Restrictions). The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 16 to and including October 31.

On and after April 16 to and including October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

On and after November 1 to and including April 15 of the following year, aircraft applications shall be made using the 3-gallon alternative (see Order 1347, Regulation 9). Aircraft applications shall be prohibited on and after April 16 to and including October 31: PROVIDED, That the aerial application of MCPA shall be allowed with a 5-gallon alternative (see Order 1347, Regulation 9): PROVIDED, FURTHER, That aerial application of non-volatile formulations of restricted use herbicides shall be allowed from 1/2 to 1 mile of the center of the town of Dixie and from the city limits of Waitsburg, Prescott, and Walla Walla by permit when using a drift reducing system.

RESTRICTIONS ON THE USE OF AIRSTRIPS. The loading and/or mixing of restricted use herbicides is prohibited on any airstrip, airfield or any location within Area 2: PROVIDED, That the municipal airport located northeast of Walla Walla shall not be subject to this provision.

REGULATION 4. AREA 2A. (Buffer Area Surrounding Walla Walla). An area starting at the intersection of the Northern

Pacific Railroad and the Washington-Oregon state line, T6N, R32E; thence north six miles more or less to the northwest corner of Section 14, T7N, R32E; thence east ten miles more or less to the southwest corner of Section 9, T7N, R34E; thence north one mile to the northwest corner of Section 9, T7N, R34E; thence east two miles to the southwest corner of Section 2, T7N, R34E; thence north one mile to the northwest corner of Section 2, T7N, R34E; thence east 2 miles to the southwest corner of Section 31, T8N, R35E; thence north 6 miles to the northwest corner of Section 6, T8N, R35E; thence east 24 miles to and along the Columbia-Walla Walla county line to the northeast corner of Section 1, T8N, R38 E; thence south 14 miles more or less to the Washington-Oregon state line and west to the point of beginning.

AREA 2A. (Restrictions). The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 16 to and including October 31: PROVIDED, That 2,4-DB shall be allowed on alfalfa seed crops at any time. The use of oil-type emulsifiers and oil-type spreader stickers is restricted to one pint or less per acre.

On and after April 16 to and including October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

On and after April 16 to and including October 31, aircraft applications of restricted use herbicides shall be made using the 3-gallon alternative (see Order 1347, Regulation 9).

REGULATION 5. AREA 3. All of the remaining lands within the border of Walla Walla County.

AREA 3. (Restrictions). The use and application of high volatile formulations of restricted use herbicides shall be suspended on and after April 16. The use and application of low volatile formulations of restricted use herbicides shall be prohibited on and after May 16 to and including October 31.

On and after May 16 to and including October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches (approximately 8 gallons per acre).

On and after May 16 to and including October 31, aircraft applications shall be made using a 3-gallon alternative (see Order 1347, Regulation 9).

REGULATION 6. AERIAL APPLICATION NEAR VINEYARDS. Aerial application of restricted use herbicides shall be prohibited within one mile of any commercial vineyard: PROVIDED, That aerial application of restricted use herbicides to lands located within 1/2 mile to one mile from commercial vineyards shall be allowed by written permit using a drift reducing system.

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