

FROM: AGRICULTURE
(Name of Agency)

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

The enclosed rules Permanent rules , being Order No. 1522
Emergency rules

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

the use of herbicides in Yakima County.

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

pursuant to Notice No. 7430 ^① filed with the code reviser
on February 24 ^② were regularly adopted as permanent rules of
(date)
this agency at Olympia on 3/31/77 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be April 30, 1977. ^③

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

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

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW have been fulfilled.

Dated this thirty-first day of March 1977.

STATE OF WASHINGTON
FILED
MAR 31 1977

AGRICULTURE
(AGENCY)

Ivan C. Packard
By Ivan Packard

CODE REVISER'S OFFICE
DOCKET # 8099 FILE # 29

Deputy Director
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.
- [Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

ADMINISTRATIVE ORDER NO. 1522

(1) I, GARY STROHMAIER, Director, Department of Agriculture of the State of Washington, by virtue of the authority vested in me under chapters 34.04 RCW, 15.58 RCW and 17.21 RCW after due notice and after carefully and fully considering the oral and written views of the public received in a meeting open to the public held in the Franklin County Public Utility District Auditorium, Pasco, Washington on March 21, 1977

as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt the annexed rules and regulations, to wit:

REGULATIONS RELATING TO THE USE OF HERBICIDES IN YAKIMA COUNTY.

as permanent rules of this agency.

(2) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED

March 31

1977

By

Gary F. Strohmaier
Gary Strohmaier

DIRECTOR

Title

REGULATION 1. AREA UNDER ORDER, RESTRICTED USE HERBICIDES, PROHIBITED FORMULATIONS, AND DEFINITION (see Eastern Washington Order 1508 for additional regulations).

AREA UNDER ORDER: All lands lying within the border of Yakima 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.

OIL-TYPE CARRIERS: 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.

REGULATION 2. AREA 1. (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 12, T12N, R23E; thence west along section lines 15 miles more or less to the southeast corner of Section 4, T12N, R21E; thence north 3 miles along section lines to the northeast corner of Section 28, T13N, R21E; thence west along section lines 13 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 6 miles to the northwest corner of Section 6, T13N, R17E; thence south 24 miles along section lines to the southwest corner of Section 31, T10N, R17E; thence east 24 miles along section lines to the southeast corner of Section 36, T10N, R20E; thence south 6 miles along section lines to the southwest corner of Section 31, T9N, R21E; thence east 6 miles along section lines to the northwest corner of Section 6, T8N, R22E; thence south 6 miles along section lines to the southwest corner of Section 31, T8N, R22E; thence east 12 miles along section lines to the Benton County line; thence north 29 miles to the point of beginning.

AREA 1. (Restrictions). The use or application of low volatile formulations of restricted use herbicide 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.

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

Aircraft applications of restricted use herbicides shall be allowed only on non-irrigated lands on and after November 1 through April 4 of the following year and shall be made using the Caution Area Restrictions (see Order 1508, Regulation 11). Aircraft applications of restricted use herbicides shall be prohibited on and after April 5 through October 31: PROVIDED, That aircraft applications shall be allowed using the Warning Area Restrictions in those dry land wheat growing areas east of Moxee and on the Rattlesnake Ridge up to within one mile of commercial grape plantings and to within 1/4 mile of other susceptible crops: PROVIDED, That hormone sprays may be applied to orchards to prevent fruit drop.

REGULATION 3. AREA 1A. (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.

AREA 1A. (Restrictions). On and after April 15 through October 31, the use and application of low volatile formulations of restricted use herbicides is prohibited. On and after April 15 through October 31, aircraft application of restricted use herbicides shall be allowed using the Warning Area Restrictions (see Order 1508, Regulation 11) on dry land wheat up to within 1/4 mile of susceptible crops.

REGULATION 4. AREA 2. All remaining lands in Yakima County.

AREA 2. (Restrictions). The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 5 through October 31.

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

On and after April 5 through October 31 aircraft applications of restricted use herbicides shall be made using the Warning Area Restrictions (see Order 1508, Regulation 11).

REGULATION 5. RESTRICTIONS ON MIXING AND LOADING. The mixing and/or loading of restricted use 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 restricted use herbicides is prohibited.

REGULATION 6. WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 1, 1A and 2 when the mean sustained wind velocity is over 12 miles per hour throughout the year: PROVIDED, That such application shall be prohibited in Areas 1 and 1A on and after April 5 through October 31 when the mean sustained wind velocity is over 10 miles per hour.

REGULATION 7. The distribution, use and application of restricted use herbicides in counties east of the crest of the Cascade Mountains shall comply with the restrictions in Order 1508 and Order 1470, WAC 16-228-165 (1) (o) and (9) and WAC 16-228-175.