

# Forest Herbicide Regulation in Washington State

## If there is a pesticide incident in the forest, who do you call?

The Washington State Department of Agriculture (WSDA) has the legal authority to enforce both state and Federal pesticide law per RCW 15.58 Washington Pesticide Control Act and RCW 17.21 Washington Pesticide Application Act.

WSDA responds to pesticide complaints involving exposure to people or animals immediately. All other complaints are investigated within 48 hours per WAC 16-228-1040.

WSDA's investigation includes swabbing for residues, collecting samples and interviewing witnesses. If employees are involved, the Department of Labor & Industries is contacted. If bystanders are involved, the Department of Health is contacted. WSDA, L&I and DOH operate under Memorandum of Understanding to jointly investigate and share information about pesticide complaints. It is illegal to apply a pesticide in a manner inconsistent with the label.

All applicators must hold a current license and complete continuing education per RCW 17.21.

Records must be kept for each application per RCW 17.21. Records must include the date, time, location, product used, amount, concentration, number of acres, wind direction and velocity, and the applicator's name, address, and telephone number.

## What is DNR's role?

A Forest Practices Permit is required for aerial application of herbicides per WAC 222-16-070.

Buffers are required along all water and wetlands. Buffer width varies depending on nozzle size, height of application and type of waterway.

## What is EPA's role?

No pesticide can be sold or used until it is approved by the Environmental Protection Agency (EPA). Each pesticide must pass at least 150 different tests to ensure that when used properly, it will not harm people, animals or the

environment. The pesticide label is a legal document that specifies how much to use, when to use it, how to mix it and more. The label must be followed by law.

## How are herbicides used?

Herbicides are generally used after logging as a site preparation treatment before new seedlings are planted. Herbicides are applied to a specific piece of forestland usually only once or twice during a 40-60 year harvest rotation. Most of the herbicides used on forestland are the same as those sold to homeowners in hardware stores. They are practically non-toxic to humans and wildlife. Herbicides are diluted before being applied. For most, only ounces per acre are used.

## What about drift?

Before spray applications, weather conditions including wind speed, temperature and humidity are monitored. Applications are made only when conditions are right. Aircraft are equipped with GPS navigation to ensure spray is deposited in the correct location. Nozzles release large droplets rather than a fine mist to ensure the spray falls straight down, minimizing the potential for drift.

## Posting

The landowner is required to post signs at regular access points at least five days prior to any aerial application. Signs must stay up at least fifteen days after spraying is complete. Signs must state the name of the product used, date of treatment and a contact telephone number.

WAC 222-38-020(4)(g)

