

Umatilla County Control Area

603-052-0201

Definition

As used in OAR 603-052-0206 to 603-052-0209 unless the context requires otherwise:

(1) "Disease Organism" means *Venturia inaequalis* causal organism of Apple Scab.

(2) "Insect" means Codling Moth (*Laspeyresia pomonella*), Peach Twig Borer (*Anarsia lineatella*), San Jose Scale (*Aspidiotus perniciosus*), Western Peach Tree Borer (*Sanninoides existiosa graefi*), Oblique Banded Leafroller and Apple Maggot.

(3) "Host Plants" or "Host Trees" means the plant or tree herein identified for the particular disease organism or insect herein defined:

(a) Apple Scab:

(A) Mountain Ash -- *Sorbus* spp.;

(B) Firethorn -- *Pyracantha* spp.;

(C) Hawthorne -- *Crataegus* spp.;

(D) Apple, crab apple -- *Malus* spp.

(b) Codling Moth (*Laspeyresia pomonella*): Apples, pears, crab apple, apricots, cherries, peaches, plums, prunes, and similar fruit;

(c) Peach Twig Borer (*Anarsia lineatella*): Peach, apricot, apple, cherry, prune, plum;

(d) San Jose Scale (*Aspidiotus perniciosus*): Apple, crab apples, pear, peach, plum, prune, cherry, quince, apricot, willow;

(e) Western Peach Tree Borer (*Sanninoides existiosa graefi*): Peach, apricot and prune, plums, cherries and (any trees on peach root stock);

(f) Oblique Banded Leafroller: Peaches, prunes, and cherries;

(g) Apple Maggot: Apple, crab apple, pear, hawthorne, and may include other rosaceous hosts of Apple Maggot.

Stat. Auth.: ORS 561 & ORS 570_Stats. Implemented: ORS 561.190, ORS 561.510 - ORS 561.600, ORS 570.305, ORS 570.405 & ORS 570.410 - ORS 570.415_Hist.: AD 1031(22-74), f. 6-20-74, ef. 7-11-74; AD 15-1981, f. 7-24-81, ef. 8-7-81

603-052-0206

Boundaries of Control Area

As authorized by ORS 570.405 to 570.435, a control area is created for the control of insects and disease organisms including Apple Scab, San Jose Scale, Peach Twig Borer, Codling Moth, Oblique Banded Leafroller, and Apple Maggot within Umatilla County, Oregon, and said area being more particularly described as follows: Beginning at the point of intersection of the North and South Center Line of section 18, Township 6 North, Range 35, E.W.M. and the boundary between the States of Oregon and Washington; thence Southerly along the North and South center lines of sections 18, 19, 30, and 31 in Township 6 North, Range 35, E.W.M. to the quarter corner common to section 31, Township 6 North, Range 35, E.W.M. and section 6 Township 5 North, Range 35, E.W.M. thence Easterly along the line common to sections 31 and 32, Township 6 North, Range 35, E.W.M. and 6 and 5 Township 5 North, Range 35, E.W.M. to the corner common to sections 32 and 33 in Township 6 North, Range 35, E.W.M. and sections 4 and 5 in Township 5 North, Range 35, E.W.M.; thence Southerly along the line between sections 4 and 5 in Township 5 North, Range 35, E.W.M. to the quarter corner between said sections 4 and 5; thence Easterly along the East and West center line of sections 3 and 4 in Township 5 North, Range 35, E.W.M. to the quarter corner between sections 2 and 3, Township 5 North, Range 35, E.W.M.; thence Southerly along the line between said sections 2 and 3 to the South 1/16 corner between sections 2 and 3, Township 5 North, Range 35, E.W.M.; thence Easterly along the South 1/16 line in said section 2 to the 1/16 corner in the South half of section 2, Township 5 North, Range 35, E.W.M.; thence Southerly to the quarter corner between sections 2 and 11, Township 5 North, Range 35, E.W.M.; thence Easterly between

said sections 2 and 11 to the Easterly 1/16 corner between sections 2 and 11 in Township 5 North, Range 35, E.W.M.; thence Southeasterly to the North 1/16 corner between sections 11 and 12 in Township 5 North, Range 35, E.W. M.; thence Southeasterly to the quarter corner between sections 12 and 13 in Township 5 North, Range 35, E.W.M.; thence Easterly along the line between said sections 12 and 13 to the Easterly 1/16 corner of said sections 12 and 13; thence Southeasterly to the 1/4 corner between section 13, Township 5 North, Range 35, E.W.M. and section 18 in Township 5 North, Range 36, E.W.M.; thence South along the line between sections 13, Township 5 North, Range 35, E.W.M. and section 18, Township 5 North, Range 36, E.W.M. to the corner common to sections 13 and 24, Township 5 North, Range 35, E.W.M. and sections 18 and 19, Township 5 North, Range 36, E.W.M.; thence Easterly along the line between the said sections 18 and 19 to the Easterly 1/16 corner between said sections 18 and 19, Township 5 North, Range 36, E.W.M.; thence South along the North and South centerline of the Northeast Quarter of said section 19 to the center of said Northeast Quarter of said section 19; thence East along the East and West centerline of said Northeast Quarter of section 19, Township 5 North, Range 36, E.W.M. extended East, along the East and West centerline of the North Half of Said section 20 to the North 1/16 corner in the interior of said section 20; thence South along the North and South center line of said section 20 to the center of said section 20; thence East along the East and West center line of said section 20 and the East and West Center line of section 21 in Township 5 North, Range 36, E.W.M. to the quarter corner between sections 21 and 22 in Township 5 North, Range 36, E.W.M.; thence South along the line between said sections 21 and 22 to the South 1/16 corner between the said sections; thence East along the South 1/16 line in said section 22 to the North and South center line of section 22, Township 5 North, Range 36, E.W.M.; thence South along the said North and South center line of said section 22 to the quarter corner between sections 22 and 27, in Township 5 North, Range 36, E.W.M.; thence East along the line between said sections 22 and 27 to the corner common to sections 22, 23, 26, and 27 in Township 5 North, Range 36, E.W.M.; thence Southeasterly in a straight line across sections 26, 25, and 36, Township 5 North, Range 36, E.W.M. and section 31, Township 5 North, Range 37, E.W.M. to the Southeast corner of said section 31; thence continue Southeasterly in section 5, Township 4 North, Range 37, E.W.M. to the South 1/16 corner between sections 4 and 5 in Township 4 North, Range 37, E.W.M.;

thence Southeasterly in said section 4 to the South Quarter corner of said section 4; thence North on the North and South center line of said section 4 to the South 1/16 corner on the North and South center line of section 4, Township 4 North, Range 37, E.W.M.; thence Northwesterly to the West Quarter corner of section 4, Township 4 North, Range 37, E.W.M.; thence Northwesterly to the North Quarter corner of section 5, Township 4 North, Range 37, E.W.M.; thence Northwesterly to the corner common to sections 30 and 31 in Township 5 North, Range 37, E.W.M. and sections 25 and 36 in Township 5 North, Range 36, E.W.M.; thence Northwesterly through sections 25 and 26, Township 5 North, Range 36, E.W.M. to the West 1/16 corner between said sections 23 and 26; thence Northwesterly to the center of section 22, Township 5 North, Range 36, E.W.M.; thence East along the East and West center line of the East Half of the said section 22 and of said section 23 to the Quarter corner between said section 23 and section 24 in Township 5 North, Range 36, E.W.M.; thence Southeasterly through said section 24 to the South 1/16 corner on the East line of section 24, Township 5 North, Range 36, E.W.M.; thence Southeasterly through sections 19 and 30 in Township 5 North, Range 37, E.W.M. to the North 1/16 corner between section 29, Township 5 North, Range 37, E.W.M. and said section 30; thence Southeasterly through said section 29 to the quarter corner between sections 28 and 29 in Township 5 North, Range 37, E.W.M.; thence East along the East and West center line of said section 28 to the center of section 28, in Township 5 North, Range 37, E.W.M.; thence North along the North and South Center line of said section 28 to the North quarter corner of section 28 in Township 5 North, Range 37, E.W.M.; thence West along the North line of said sections 28, 29, and 30 to the East 1/16 corner between said sections 19 and 30; thence Northwesterly through section 19, Township 5 North, Range 37, E.W.M. to the quarter corner between section 19, Township 5 North, Range 37, E.W.M. and section 24, Township 5 North, Range 36, E.W.M.; thence Northwesterly through section 24, Township 5 North, Range 36, E.W.M. to the North 1/16 corner between sections 23 and 24 in Township 5 North, Range 36, E.W.M.; thence West through sections 22 and 23 in Township 5 North, Range 36, E.W.M. along the North 1/16 line to the North 1/16 corner between sections 21 and 22 in Township 5 North, Range 36, E.W.M.; thence North along the line between said sections 21 and 22 to the corner common to sections 15, 16, 21, and 22 in Township 5 North, Range 36, E.W.M.; thence West along the line between Sections 16

and 21 in Township 5 North, Range 36, E.W.M. to the East 1/16 corner between sections 17 and 20, Township 5 North, Range 36, E.W.M.; thence Northwesterly through said section 17 to the South 1/16 corner between sections 17 and 18 in Township 5 North, Range 36 E.W.M.; thence Northwesterly through said section 18 to the West 1/16 corner between sections 7 and 18, Township 5 North, Range 36, E.W.M.; thence Northwesterly in section 7 Township 5 North, Range 36, E.W.M. to the West 1/4 corner of section 7, Township 5 North, Range 36, E.W.M. on the range line between Ranges 35 and 36; thence North along said range line to the Northerly right-of-way line of the O.W.R. & N. Co.; thence Northeasterly along said Northerly right-of-way line of the O.W.R. & N. Co. to the intersection with the East and West center line of the North Half of section 31 in Township 6 North, Range 36, E.W.M.; thence West along said East and West center line to the center of the Northwest Quarter of said section 31 in said Township; thence North along the North and South center line of the West Half of sections 31, 30, 19, and 18 of Township 6 North, Range 36, E.W.M. to the boundary between the States of Oregon and Washington; thence West along said boundary between the States of Oregon and Washington to the point of beginning. All being in Umatilla County and State of Oregon.

Stat. Auth.: ORS 561 & ORS 570_Stats. Implemented: ORS 561.190, ORS 561.510 - ORS 561.600, ORS 570.305, ORS 570.405 & ORS 570.410 - ORS 570.415_Hist.: AD 1031(22-74), f. 6-20-74, ef. 7-11-74; AD 15-1981, f. 7-24-81, ef. 8-7-81

603-052-0207

Intent and Purpose

It is the intent and purpose of OAR 603-052-0201 to 603-052-0209, in addition to the general intent and purpose to control and eradicate plant pest and diseases, to prevent the build-up and spread of injurious plant and tree insects and pests from tree to tree and orchard to orchard and particularly from areas not properly treated or from areas untreated or abandoned to commercial or semi-commercial trees or orchards.

Stat. Auth.: ORS 561.190, ORS 561.510 - ORS 561.600, ORS 570.305, ORS 570.405 & ORS 570.410 - ORS 570.415_Stats. Implemented: ORS 561.190, ORS 561.510 - ORS 561.600, ORS

570.305, ORS 570.405 & ORS 570.410 - ORS 570.415_Hist.: AD 1031(22-74), f. 6-20-74, ef. 7-11-74

603-052-0208

Control by Spraying

(1) All host plants and host trees, including but not limited to, those in commercial orchards and those on residential, public, and abandoned property, within the control areas shall be sprayed by the owner or person in possession thereof by using the agricultural chemicals or pesticides formulation, at the rate, at the times, and in the manner recommended by Oregon State University (whether by its own publications, approval of other publications, or otherwise).

(2) In order to determine whether the Apple Maggot has infested any of the control area, and to determine the emergence dates of the adult Apple Maggot in the control area, the Department or its contractors may annually inspect any of the areas described in section (1) of this rule.

Stat. Auth.: ORS 561 & ORS 570_Stats. Implemented: ORS 561.190, ORS 561.510 - ORS 561.600, ORS 570.305, ORS 570.405 & ORS 570.410 - ORS 570.415_Hist.: AD 1031(22-74), f. 6-20-74, ef. 7-11-74; AD 15-1981, f. 7-24-81, ef. 8-7-81

603-052-0209

Inspection and Control Procedures

(1) In order to determine whether the provisions of OAR 603-052-0208 have been complied with by the persons obligated to do so, the Department may inspect any field, orchard, residential property, public property, or abandoned property within the control area. If such person has been found to have failed, neglected, or refused to comply with the provisions of such rule, the Department may, by a written order delivered or mailed to the owner or person in possession, direct that the host plants or host trees be removed and destroyed in accordance with the provisions of section (2) of this rule.

(2) The only approved methods for removal and destruction of host trees or host plants are as follows:

(a) Digging out of the trees or plants and their complete root structures; or

(b) Cutting down the trees or plants and thereafter treating the remaining stumps and root systems thereof with an effective chemical to prevent their regrowth or resprouting.

(3) If within five days after the issuance of the order described in section (1) of this rule it is determined that said order has not been complied with, such failure to comply shall be deemed to be a violation of ORS 570.410 and so subject the person to whom the order was directed to the penalty provisions of ORS 570.990.

Stat. Auth.: ORS 561.190, ORS 561.510 - ORS 561.600, ORS 570.305, ORS 570.405 & ORS 570.410 - ORS 570.415_Stats.
Implemented: ORS 561.190, ORS 561.510 - ORS 561.600, ORS 570.305, ORS 570.405 & ORS 570.410 - ORS 570.415_Hist.: AD 1031(22-74), f. 6-20-74, ef. 7-11-74