

AGRICULTURE CODE
ARTICLE 1
DANGEROUS PLANT PESTS AND DISEASES

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ARTICLE 1

DANGEROUS PLANT PESTS AND DISEASES

[NOTE: Except as otherwise noted, the provisions of Article 1 of the Agriculture Code were enacted on August 12, 1983 by Ordinance No. 83-6.].

CHAPTER 1. GENERAL PROVISIONS

Section 1-101. Definitions.

In this Article, unless the context otherwise requires:

(1) "Committee" means the Colorado River Indian Tribes Pesticide Control Committee.

(2) "Crop diseases" includes all fungus, bacteria, virus or other organism of any kind and any unknown cause which is or may be found to be injurious, or likely to be or to become injurious to any domesticated or cultivated plant, or to the product of any such plant.

(3) "Crop pests" includes all noxious weeds, insects, mites, spiders, nematodes and other animal or plant organisms found injurious to any domesticated, cultivated, native or wild plant, or to the product of any such plant.

(4) "Environmental Protection Officer" means the Environmental Protection Officer of the Colorado River Indian Tribes.

(5) "Noxious weed" means any species of plant which is, or is liable to be, detrimental or destructive and difficult to control or eradicate and shall include any species that the committee, after investigation and hearing, shall determine to be a noxious weed.

(6) "Nursery stock" includes all trees, shrubs, vines, cacti, agaves, succulents, herbaceous plants whether annuals, biennials or perennials, bulbs, corms, rizomes, roots, decorative plant material, flowers, fruit pits or seeds, cuttings, buds, grafts, scions and other plants intended for sale, gift or propagation, either cultivated or collected in wild.

(7) "Plant" includes every kind of vegetation, wild or domesticated, and any part thereof, as well as seed, fruit or other natural product of such vegetation.

(8) "Reservation" means all territory within the exterior boundaries of the Colorado River Indian Reservation.

(9) "Shipment" includes anything brought into the Reservation or transported within the Reservation which may be the host or may contain or carry or may be susceptible of containing, carrying or having present on, in, or about it any plant pest or plant disease.

Section 1-102. Notice.

Except where otherwise provided elsewhere in this Article, any notice or order required to be served upon a person shall be in writing and shall be effective when personally delivered to the person to be served, or five (5) days after mailing by certified mail to the last known business address of the person to be served.

Section 1-103. Rules and Regulations.

The Colorado River Indian Tribes Pesticide Committee is authorized to issue such rules and regulations as are deemed necessary to carry out the provisions of this Article. Such rules and regulations shall include, but not be limited to, establishment of standards and/or restrictions on the importation, transportation, cultivation or sale of plants and any part thereof.

[Added June 8, 1984, Ord. No. 84-5, § 1.]

CHAPTER 2. INFESTED AND INFECTED PLANTS; ABATEMENT

Section 1-201. Public Nuisance.

All plants, soil or other things found infested or infected with a crop pest or disease, or which are the host or carrier or means of disseminating or propagating a crop pest or disease, are hereby declared to be a public nuisance.

Section 1-202. Restrictions on Importation.

Any plant or other thing may be excluded from or denied entry into the Reservation whenever in the opinion of the Committee such exclusion or denial of entry is necessary to prevent the introduction or spread of a crop disease or pest.

[Added June 8, 1984, Ord. No. 84-5, § 4.]

Section 1-203. Quarantine; Notice.

(A) Whenever a plant or other thing is found infested or infected by, or to contain or harbor, a crop pest or disease, the Environmental Protection Officer shall order quarantined the premises within which such plant or thing is found.

(B) The Environmental Protection Officer shall immediately cause to be posted upon the quarantined premises a written notice of quarantine. Such notice shall state that the premises are held under quarantine by order of the

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Environmental Protection Officer, and that all persons are forbidden to remove or otherwise disturb any plant or thing within the quarantined premises, pending further action by the Environmental Protection Officer.

(C) As soon thereafter as is practicable, the Environmental Protection Officer shall cause a notice of quarantine to be served upon the owner or person in charge or in possession of the premises subject to quarantine.

Section 1-204. Quarantine; Notice.

(A) Whenever a plant or other thing is found infested or infected by, or to contain or harbor, a crop pest or disease, the Environmental Protection Officer shall order quarantined the premises within which such plant or thing is found.

(B) The Environmental Protection Officer shall immediately cause to be posted upon the quarantined premises a written notice of quarantine. Such notice shall state that the premises are held under quarantine by order of the Environmental Protection Officer, and that all persons are forbidden to remove or otherwise disturb any plant or thing within the quarantined premises, pending further action by the Environmental Protection Officer.

(C) As soon thereafter as is practicable, the Environmental Protection Officer shall cause a notice of quarantine to be served upon the owner or person in charge or in possession of the premises subject to quarantine.

[As amended June 8, 1984, Ord. No. 84-5, § 2.]

Section 1-205. Abatement.

(A) If the Environmental Protection Officer finds that the danger to the Reservation agricultural industry is not imminent should the nuisance subject to quarantine pursuant to Section 1-202 not be speedily abated, or that the nuisance may not practically be summarily abated, the Environmental Protection Officer shall cause to be served upon the owner or person in charge or in possession of the quarantined premises a written order setting forth the measures required to be taken by the owner or person to control, suppress or eradicate the nuisance, and specifying the time period within which the required measures must be taken. The time period specified shall not be less than five (5) days after the order is served, or that amount of time necessary to comply with the order, whichever is greater.

(B) Should the owner or person in charge or in possession of the quarantined premises fail to take the measures required by the order within the time specified, the Environmental Protection Officer may proceed to take the measures as required in the order.

(C) The Environmental Protection Officer shall use all reasonable diligence to personally serve the abatement order, but it shall not be necessary

that service have been effected for the Environmental Protection Officer to summarily abate the nuisance.

[As Amended June 8, 1984, Ord No. 84-5, § 2.]

Section 1-206. Expense; Lien.

(A) The Tribes shall have a first claim and lien upon any crops growing on or any interest in the land upon which a nuisance has been summarily abated pursuant to Section 1-205(B) for the payment of expenses incurred thereby.

(B) Within five (5) days after a nuisance is summarily abated or required measures have been taken by the Environmental Protection Officer, he shall cause to be served upon the owner or person in charge or in possession of the crops or land subject to a lien a notice that such property is subject to a lien pursuant to this Section, and that unless the amount thereof is paid to the Tribes within thirty (30) days after the date of service of the notice, the lien will be foreclosed and the interest in the crops or land will be sold at a public sale, and the proceeds, or so much thereof as may be necessary, applied to satisfy the lien and the costs of sale.

(C) Within twenty (20) days after a nuisance is summarily abated or required measures have been taken by the Environmental Protection Officer, he shall cause to be prepared and filed in the office of the County within whose administrative boundaries the property subject to a lien is situated, and with the Colorado River Agency of the Bureau of Indian Affairs, a notice of the lien, setting forth the amount thereof, the name of the owner or person in charge or in possession, and stating the time within which the amount of the lien must be paid and that if it is not paid within such time the property will be subjected to payment thereof.

(D) If the amount of the lien is not paid within the time period prescribed, the Tribal Attorney, upon the written request of the Environmental Protection Officer, may foreclose the lien against the property subject thereto.

[As Amended June 8, 1984, Ord. No. 84-5, § 3.]

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ARTICLE 2
PINK BOLLWORM

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ARTICLE 2
PINK BOLLWORM

[NOTE: Except as otherwise noted, the provisions of Article 2 of the Agriculture Code were enacted on January 12, 1990 by Ordinance No. 90-1.]

CHAPTER 1. GENERAL PROVISIONS

Section 2-101. Purpose.

Treatment and control of the pink bollworm is herein regulated to reduce pink bollworm populations to a level that can be managed by pheromones alone, to reduce the amount of pesticides applied to lands on the Reservation, and to reduce the long-term costs of pest control on the Reservation.

Section 2-102. Findings.

(a) The pink bollworm is crop pest as that term is defined in Article 1 of the Agriculture Code of the Colorado River Indian Tribes.

(b) Pheromones, being naturally occurring substances, have less adverse impacts on the natural and human environment than pesticides.

(c) Development of agriculture pest control programs such as the pink bollworm program, which will reduce agriculture pest populations, have neutral or minimal environmental impacts, and reduce the costs associated with agriculture on the Reservation, are in the best long term interests of the Colorado River Indian Tribes and its lands.

Section 2-103. Scope.

All persons who plant, cultivate, grow or in any manner produce any cotton on the Reservation shall be subject to and comply with the provisions of this Article.

Section 2-104. Definitions.

(1) "Committee" shall mean the Pesticide Control Committee of the Colorado River Indian Tribes.

(2) "Advisory Committee" shall mean the committee established pursuant to Section 2-302 herein.

(3) "Environmental Protection Officer" shall mean an Environmental Protection Officer of the Colorado River Indian Tribes.

(4) "Field" shall mean a part of a farm which is separated from the balance of the farm by permanent boundaries such as fences, permanent waterways, woodlands, and croplines in cases where farming practices make it probable that such cropline is not subject to change or other similar features.

(5) "Reservation" shall mean all territory within the exterior boundaries of the Colorado River Indian Reservation.

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(6) "Person" shall mean an individual, partnership, association, corporation, cooperative, estate, trust, joint venture, joint operation, or other legal entity and shall include the Colorado River Indian Tribes farming enterprises.

(7) "Pink Bollworm Program" shall mean a program to control or suppress the pink bollworm on cotton located on the Reservation.

(8) "Producer" shall mean a person who as owner, landlord, tenant, or sharecropper shares in the risk of producing the crop or would have shared had the crops been produced.

Section 2-105. Notice.

Except where otherwise provided in this Article, any notice or order required to be served upon a person shall be in writing and shall be effective when personal delivery to the person to be served, or five (5) days after mailing by certified mail to the last known business address of the person to be served.

Section 2-106. Rules and Regulations.

The Colorado River Indian Tribes Pesticide Control Committee is authorized to issue such rules and regulations as are deemed necessary to carry out the provisions of this Article.

CHAPTER 2. PROGRAM REQUIREMENTS

Section 2-201. Participation and Notice.

(a) Any producer who produces or causes to be produced any cotton on the Reservation shall participate in the pink bollworm program.

(b) Any producer who anticipates planting any field on the Reservation to cotton shall notify the Environmental Protection Officer, or his designated representative, by March 1. Such notice shall include a description of the number of acres anticipated to be cultivated to cotton. Failure to provide such notice may result in the producer being barred from growing cotton during the crop year, or required to bear a proportionate share of the increased costs, in the event the pink bollworm program is unable to handle any increase in acreage planted to cotton which was not reported.

Section 2-202. Program Applications.

- (a) Treatments. Each producer shall, at a minimum, allow:
- (i) one treatment of pheromone and compatible insecticide at early pin square on each of its fields;
 - (ii) two treatments with a pheromone only scheduled by program personnel based on the first application of pheromone and compatible insecticide; and
 - (iii) a fourth treatment of pheromone and compatible insecticide scheduled by program personnel based on the timing of previous applications.

If a producer believes additional treatments are necessary to control pink bollworm in its fields, the producer may request such additional treatments from program personnel. The decision of program personnel concerning such additional treatments shall be final. In the event program personnel decide not to make such additional treatments, the producer shall be allowed to take whatever measures it deems appropriate after notification as provided in section 2-205.

(b) Additional measures. Producers shall allow such additional control measures as may be necessary in the discretion of program personnel.

Section 2-203. Data Collection.

(a) Traps. Each producer shall allow the placing of a minimum of two (2) traps per field or each forty acres, whichever is smaller. Program personnel shall attempt to locate traps in a manner which does not impair normal farm operations, provided, however, that the decision of program personnel on the location of traps shall be final.

(b) Bolls. Each producer shall allow the taking of bolls for program assessment and diapause assessment purposes. The bolls to be collected for assessment shall be randomly selected from at least forty-five (45) fields between the period of first bolls through October 1 of each year.

(c) 1080's. Each producer shall file with the Environmental Protection Office a copy of all 1080's pertaining to its lands which are subject to this program. Such documents shall be filed no later than September 30.

(d) Central Repository. All data collected during the program shall be held in a central repository to be conveniently located and accessible to the producers.

Section 2-204. Access.

Each producer shall allow program personnel the non-exclusive right for continuous ingress and egress by motor vehicles (including trucks) and on foot over the lands of producer to those locations necessary for the monitoring of traps, collection of data, application of pheromones, application of insecticides, and other activities necessary to the pink bollworm program. Such ingress and egress shall be by the least damaging route from existing roadways, irrigation roads or on-farm roads. Program personnel shall use all reasonable efforts to prevent damage to the land of a producer.

Section 2-205. Activities In Variance From Program.

In the event a producer determines measures in addition to those measures taken by the pink bollworm program are required to control pink bollworm populations in its fields, the producer shall provide notice to the Environmental Protection Officer, or his designated representative, twenty-four (24) hours in advance of taking such additional measures.

Section 2-206. Applicators.

Each producer shall be allowed to select any treatment applicator approved by the pink bollworm program for making applications on the producer's fields, provided, that in the event the selection of the treatment applicator creates a conflict with the orderly application of treatments to the land covered by the program, program personnel, in their sole discretion, shall make the decision on treatment applicator.

CHAPTER 3. PROGRAM ORGANIZATION

Section 2-301. Pesticide Control Committee.

The Committee shall be responsible for monitoring the progress and success of the pink bollworm program. The Committee shall report quarterly to the Tribal Council on the progress and success of the pink bollworm program. The Committee shall make recommendations to the Tribal Council for extension, cessation or modification of the pink bollworm program.

Section 2-302. Advisory Committee.

There shall be established an Advisory Committee to provide input into the development, implementation and operation of the pink bollworm program. The Advisory Committee shall consist of seven (7) Reservation cotton growers, to be selected by the growers, three (3) Reservation agriculture vendors, and one representative from the Extension Service. The Advisory Committee shall present its suggestions, comments and recommendations to the Committee for action by the Tribal Council.

CHAPTER 4. ASSESSMENT

Section 2-401. Assessment.

There shall be assessed against each producer each crop year a fee per acre, in the amount to be set by the Pesticide Control Committee upon the recommendation of the Advisory Committee, for all acres in cotton production for each crop year for which the program is implemented. Fifty percent (50%) of the assessment for each producer shall be due on or before April 15th and the remaining fifty percent (50%) shall be due on or before June 15th. Any assessment unpaid after the due date shall bear interest at eighteen percent (18%) per annum from the date it becomes due until paid, but this provision shall not be construed to relieve the producer from its obligation to pay each assessment at the time and in the manner specified.

[As Amended September 12, 1992, Ord. No. 92-4.]

Section 2-402. Acreage Calculation.

For purposes of calculating the assessment for each person pursuant to paragraph (a) above, the acres in cotton production shall be calculated by the same method utilized by the Agriculture Stabilization and Conservation Service for purposes of measuring crop acreage.

Section 2-403. Payment.

Assessments shall be paid to the order of "Colorado River Indian Tribes" and shall be delivered to the Environmental Protection Officer without prior notice or demand.

Section 2-404. Segregation of Funds.

All funds collected pursuant to this Article shall be segregated and set aside for use only for the purposes of this Article. Any surplus funds remaining after completion of all program activities for the crop year shall be (1) returned to each producer ratably based on its contribution to the program, or (2) utilized to defray program costs in any subsequent year.

CHAPTER 5. COMPLIANCE

Section 2-501. Lien.

(a) The Tribe shall have a first claim and lien upon any crops growing on or any interest in the land upon which a cotton crop is produced for payment of the assessment herein provided.

(b) Within five (5) days after failure to pay the required assessment, the Environmental Protection Officer shall cause to be served upon the owner or person in charge of or in possession of the crops or land subject to a lien, a notice that such property is subject to a lien pursuant to this Article, and that unless the amount thereof is paid to the Tribe within thirty (30) days after the date of service of the notice, the lien will be foreclosed and the interest in the crops or land will be sold at a public sale, and the proceeds, or so much thereof as may be necessary, applied to satisfy the lien and the costs of sale.

(c) Within twenty (20) days after failure to pay the required assessment, the Environmental Protection Officer shall cause to be prepared and filed in the office of

the County within whose administrative boundaries the property subject to a lien is situated, with each cotton gin with fifty (50) miles of the Reservation and with the Colorado River Agency of the Bureau of Indian Affairs, a notice of the lien, setting forth the amount thereof, the name of the owner or person in charge or in possession, and stating the time within which the amount of the lien must be paid and that if it is not paid within such time the property will be subjected to payment thereof.

(d) If the amount of the lien is not paid within the time period prescribed, the Tribal Attorney, upon the written request of the Environmental Protection Officer, may foreclose the lien against the property subject thereto.

Section 2-502. Summary Abatement.

(a) If the Environmental Protection Officer finds that a danger to the Reservation agricultural industry is imminent should a producer fail to comply with any requirement of this Article, and that the noncompliance may be summarily abated, the Environmental Protection Officer shall by written order direct the owner or

person in charge or in possession of the premises to comply in the manner and within the time period specified within the order.

(b) Should the producer or person in charge or in possession of the subject premises fail for any reason to comply within the period and in the manner specified in the order issued pursuant to subparagraph (a), the Environmental Protection Officer shall take the action specified in the written order.

(c) The Environmental Protection Officer shall use all reasonable diligence to personally serve the compliance order, but it shall not be necessary that service have been effected for the Environmental Protection Officer to take the action specified in the written order.

Section 2-503. Enforcement, Penalties.

(a) If at any time any person has violated or failed to comply with the provisions of this Article, or any of the rules, regulations, orders or directives issued pursuant to this Article, then the Environmental Protection Officer is authorized to have legal proceedings instituted in Tribal Court for any appropriate remedies, including declaratory or injunctive relief, seizure and forfeiture, and the posting of bonds or sureties to insure compliance.

(b) Any person who violates or fails to comply with any requirement, provision or condition of this Article shall be subject to a fine not to exceed Two Hundred and Fifty Dollars (\$250) per occurrence. Each day that a violation exists shall be considered a separate occurrence.

Section 2-504. Other Pest Control Laws.

Nothing in this Article shall operate to relieve any producer from compliance with any other laws, ordinances, rules and regulations applicable to producer or its lands.

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ARTICLE 3

PESTICIDE CONTROL

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ARTICLE 3

PESTICIDE CONTROL

[NOTE: Except as otherwise noted, the provisions of Article 3 of the Agriculture Code were enacted on February 28, 1978 by Ordinance No. 31 and amended on March 13, 1984 by Ordinance No. 31A. The provisions of Ordinance No. 31 as amended were redesignated and renumbered and were codified to Article 3 of the Agriculture Code on January 11, 1992 by Section 9 of Ordinance No. 92-2.]

CHAPTER I. PURPOSE; DEFINITIONS; PESTICIDE CONTROL COMMITTEE.

Section 3-101. Purpose.

The Tribal Council finds and declares as follows:

A. The economic welfare of the Colorado River Indian Tribes, their members, and others residing or working within the Reservation is dependent upon agricultural use and development of lands within the Reservation;

B. Maximum benefit from such use and development requires extensive application of various pesticides within the Reservation;

C. Use of pesticides may be required periodically for maintenance of healthful conditions within the Reservation; and

D. Pesticides also may jeopardize the public health, safety and welfare. Therefore, it is the intent of the Tribal Council to provide for the safe production, processing, transportation, handling, storage, application and other use, and disposal of pesticides within the Reservation by the enactment of this ordinance; by the creation of the Pesticide Control Committee; and by the authorization hereby delegated to the Committee to adopt a pesticide control program and rules and regulations, and to enforce this ordinance, that program and those rules and regulations.

Section 3-102. Definition of Terms.

As used in this ordinance, or when used for purposes of application of this ordinance, the terms set forth below shall have the following meanings, respectively:

A. Pesticide. Any substance or mixture of substances intended to be used for (i) preventing, destroying, repelling, or mitigating any pest, or (ii) defoliating or desiccating any plants, or (iii) accelerating or retarding the rate of growth or rate of maturation, or otherwise altering the behavior of plants or the produce thereof, but not to include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments. Any substance or mixture of substances defined or designated as or determined to be a pesticide or a plant regulator pursuant to F.E.P.C.A. or Arizona Statutes shall be a pesticide pursuant to this ordinance.

B. Restricted Pesticide. Any pesticide designated as such by the Committee upon a determination that it is or may be so toxic, hazardous or otherwise detrimental to humans, or to their environment, animals or crops, that particular provisions should be made applicable to its production, processing, transportation, handling, storage, application or other use, and disposal in order to adequately protect the public health, safety and welfare. Any pesticide defined or classified for restricted use, or for both

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restricted use and general use, pursuant to F.E.P.C.A. or Arizona Statutes shall be a restricted pesticide pursuant to this ordinance.

C. Pests. For all purposes of this ordinance, pests are all things included within the definition of that term in F.E.P.C.A. and Arizona Statutes.

D. Reservation. The Colorado River Indian Reservation as established, existing and geographically defined under the laws of the United States, encompassing all territory within its exterior boundaries as now or hereafter prescribed or ascertained, including fee patented lands, allotted lands, townsites, roads, waters, and lands and rights of way owned, used or claimed by any person. For purposes of any restriction, regulation, requirement, control, or prohibition of or upon the production, processing, transportation, handling, storage, application or other use, or disposal of pesticides pursuant to this ordinance and the pesticide control program, references herein, and in the rules and regulations of the Committee, to "within the Reservation" shall be deemed to include the air space both over the surface of the Reservation and in such proximity to it that any pesticide released in such air space, whether or not intentionally, is deposited or reasonably could be expected to drift or otherwise to be deposited upon land, plants, buildings, animals or water upon the surface of the earth within the exterior boundaries of the Reservation.

E. F.E.P.C.A. The Federal Environmental Pesticide Control Act of 1972, P.L. 92-516, Section 2, 86 Stat. 975 et seq., 7 U.S. Code Section 136 et seq., as amended and as it may be amended from time-to-time hereafter. Reference in this ordinance to F.E.P.C.A. shall be deemed to be reference to F.E.P.C.A. as it shall have been amended as of the time of application of the reference.

F. Arizona Statutes. Articles 5, 6, and 6.1 of Chapter 2, Title 3 of Arizona Revised Statutes, as amended and as they may be amended from time- to-time hereafter. Reference in this ordinance to Arizona Statutes shall be limited to the stated articles but it shall be deemed to be reference to them as they shall have been amended as of the time of application of the reference.

G. Committee. The Pesticide Control Committee created by this ordinance.

H. Person. Any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not, including a person acting in a fiduciary or representative capacity, and further including any governmental agency.

Section 3-103. Pesticide Control Committee.

A. Establishment. There is hereby established a Pesticide Control Committee to consist of three members of the Tribes, to be appointed by the Tribal Council for a term of one year each; provided, that members may be reappointed for successive terms at the discretion of the Tribal Council. Committee members shall serve at the pleasure of the Tribal Council and may be removed by the Tribal Council at any time, with or without cause. One of the Committee members shall be a member of the Tribal Council, who shall act as Chairman of the Committee. The expense of the Committee, including staff, equipment, and training, shall be pursuant to a budget to be approved by the Tribal Council.

[As Amended March 13, 1982, Ord. No. 31A.]

B. Functions. The Committee shall adopt and implement a pesticide control program, and rules and regulations pursuant thereto; and it shall enforce this ordinance,

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that program and those rules and regulations to protect the health, safety and welfare of all residents of the Reservation against adverse effects of the production, processing, transportation, handling, storage, application and other use, and disposal of pesticides within the Reservation. In recognition by Tribal Council that technical and scientific aspects of pesticides, and their production, processing, transportation, handling, storage, application and use, and disposal are subject continuously to new discoveries, modifications and requirements which cannot be adequately provided for specifically by an ordinance, the Committee is authorized and directed to utilize all reasonably available resources and services to regularly monitor such developments, and by its rules and regulations to adopt and impose such restrictions, requirements, controls, and prohibitions upon production, processing, transportation, handling, storage, application and other use, and disposal of pesticides within the Reservation as, considering all reasonably available and material data and information, appear technically and scientifically reasonable for the protection of the public health, safety and welfare.

C. Authority. The authority of the Committee shall include but it shall not be limited necessarily to the following procedures and undertakings, as may be necessary, reasonable or appropriate for the protection of public health, safety and welfare, and to prevent harm to desirable plants and animals, and the environment:

1. To designate restricted pesticides.
2. To restrict, regulate or prohibit the production, processing, transportation, handling, storage, application and use, and disposal of restricted pesticides within the Reservation.
3. To require, restrict, regulate or prohibit the use of designated facilities, equipment, material and methods for production, processing, transportation, handling, storage, application and other use, or disposal of restricted pesticides within the Reservation.
4. To enter in a lawful manner any public or private premises within the Reservation to observe or inspect (i) any stores of any pesticides, (ii) any apparatus, aircraft, vehicle, equipment, supplies, materials, storage and handling areas and facilities, disposal sites and devices which are used or intended for use for production, processing, transportation, handling, storage, application and other use, and disposal of restricted pesticides.
5. To define and designate geographical areas, and times and circumstances, where or when within the Reservation the production, processing, transportation, handling, storage, application or other use, and disposal of restricted pesticides shall be restricted, regulated or prohibited.
6. To require, and to issue or approve, certifications, permits and licenses for production, processing, sale, distribution, transportation, storage, application or other use, and disposal of restricted pesticides within the Reservation.
7. To issue, promulgate and enforce rules, regulations, orders and directives to implement this ordinance and the pesticide control program. Such rules, regulations, orders and directives may include adoption or incorporation of laws, rules, regulations, orders, directives or other requirements prescribed

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pursuant to authority of the United States of America or of any State with respect to pesticides.

8. To impose or assess civil fines and penalties for violation of this ordinance, and rules, regulations, orders, directives, certificates, licenses and permits issued pursuant hereto, not to exceed One Hundred Fifty Dollars (\$150.00) for each violation.
9. To obtain advice and assistance of federal, state, county and municipal government agencies, and private agencies, and persons with technical expertise, in the adoption and implementation of a pesticide control program; to coordinate activities and cooperate with such other governmental agencies having similar or related responsibilities within their respective jurisdictions; and to utilize the tribal courts to enforce the pesticide control program, the provisions of this ordinance, the rules and regulations adopted pursuant to this ordinance, and orders and directives issued pursuant thereto. The Committee may enter into agreements with such other governmental agencies providing for uniformity, coordination and cooperation in regulation and control of restricted pesticides.
10. To designate authorized representatives of the Committee and to delegate to them authority to act on behalf of the Committee in the conduct of inspections, observations, inquiries, and enforcement of inspections, observations, inquiries, and enforcement of this ordinance, the pesticide control program, rules and regulations adopted by the Committee, and orders and directives issued by it; and such representatives may include employees, agents and representatives of federal, state, county and municipal government agencies.

All rules, regulations, orders and directives issued by the Committee within the scope of its authority and responsibility hereunder, and consistent with the stated purpose of Tribal Council and the criteria set forth herein, shall have the force of law as if set forth in full in this ordinance.

CHAPTER 2. APPLICATION OF PESTICIDES.

Section 3-201. Certificates, Permits and Licenses.

A. No person who is or would be required to have any certificate, permit or license issued pursuant to F.E.P.C.A. or Arizona Statutes, or issued pursuant to any administrative rules, regulations, orders or directives issued pursuant thereto, to authorize that person to produce, process, transport, distribute, handle, sell or offer to sell, apply or otherwise use, or dispose of any pesticide or pesticides within the State of Arizona, shall conduct such activity within the Reservation without such certificate, license or permit.

B. In addition to the requirements of A. of this Section 3-201, no person who would be a commercial applicator, private applicator, or structural commercial applicator of pesticides within the definitions and meanings of F.E.P.C.A. and Arizona Statutes shall apply or otherwise use, or supervise the application or other usage, or any restricted pesticide within the Reservation without a license than currently in effect issued by the Committee. No such license

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shall be issued by the Committee to any person who does not have each certificate, license, and permit required by F.E.P.C.A. and Arizona Statutes to authorize that person to conduct or supervise such application or other usage within the State of Arizona. Revocation, suspension, or expiration or other termination of any such federal or state authorization (while such authorization continues to be required for conduct of the specified activity pursuant to federal or state law, rule, regulation, order or directive, as applicable) shall constitute automatic cancellation of the license issued by the Committee.

1. Application for such license shall be in such form as is prescribed by the Committee, to include such information and to be accompanied by such supporting data and verification of qualifications as may be required by the Committee.

2. Issuance of such a license shall be dependent upon the applicant demonstrating to or otherwise satisfying the Committee, or its designated representative, that the applicant, (i) is competent with respect to the application, use and handling of restricted pesticides; (ii) is familiar with the nature and characteristics of them, and the dangers inherent in them and which may result from their application, use, and handling; (iii) is knowledgeable about, and able and willing to take appropriate precautions to protect the public health, safety and welfare; (iv) has suitable equipment, in safe and proper operating condition, for such application or other usage, with trained, reliable and responsible operators, as appropriate; (v) has not demonstrated lack of reasonable care and responsibility in prior processing, transportation, handling, storage, application or other usage, or disposal of pesticides within the Reservation or elsewhere. The demonstration or other satisfaction of the foregoing requirements may be by oral or written examination, satisfactory completion of training courses, actual field operation or demonstration, questionnaires, reports from other agencies or persons, reliance upon federal and state certifications and licenses, or any combination of all or any of the foregoing; or such other appropriate means which may be adopted by the Committee.

3. Any such license issued by the Committee may be made subject to any reasonable qualifications, conditions, restrictions and limitations deemed to be appropriate by the Committee.

4. Before issuing such a license, the Committee shall require proof of financial responsibility consisting either of a deposit of money, liability insurance, surety bond or certified check protecting persons, and those claiming under them, who may suffer death, injury, illness, or property damage as a result of the operations of the applicant. The Committee shall not accept any bond or liability insurance except from companies authorized to do business in either of the States of Arizona or California. The amount of the deposit, insurance or bond, unless a greater amount is specified by the Committee, shall be One Hundred Thousand Dollars (\$100,000.00) for property damage, personal death, injury or illness, public liability and drift insurance, each separately, and it shall be maintained in not less than that sum at all times during the licensing period. Insurance shall be written in a form acceptable to the Committee and it shall be evidenced by certificates delivered to the Committee. Each policy by appropriate endorsement or other provisions shall provide for written notice to the Committee at least ten (10) days before any cancellation or material change thereof. The license of an applicator who permits the security to fall below the required sum shall be suspended by the Committee and it shall remain suspended until the security meets the minimum financial requirements. The Committee may increase the amount of required deposit, insurance, surety bond or other security at any time upon fifteen (15) days notice to the holder of a license.

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5. A license may be issued by the Committee pursuant to B. of this Section 3-201 for any period not to exceed one calendar year, or the remaining portion of the year for which issued. It may be renewed annually upon application to the Committee, and satisfaction of all qualifications and prerequisites therefor.

6. There shall be a fee charged for the issuance and each annual renewal of such a license, and an additional fee charge for the reactivation of any such license which is suspended for any reason. The Committee shall establish an applicable fee schedule which it may revise from time-to-time. All such fees shall be submitted through the Committee and payable to the Colorado River Indian Tribes.

C. The Committee may require such other certificates, licenses and permits as it deems appropriate from time-to-time as a condition to the production, processing, transportation, distribution, sale or offer for sale, handling, storage, application or other use, or disposal of restricted pesticides within the Reservation. Such authorizations may be based upon such criteria, qualification, and conditions as may be prescribed by the Committee in fulfillment of its responsibility set forth in Sections 3-101 and 3-103. It may charge annual fees for issuance and renewals of such authorizations in accordance with a schedule of fees to be established by the Committee, which fees shall be submitted through the Committee and payable to the Colorado River Indian Tribes. The schedule of fees may be revised by the Committee from time-to-time.

D. The Committee from time-to-time may alter, modify, enlarge or increase the requirements, conditions, restrictions and limitations imposed upon any person holding any certificate, license or permit issued by the Committee, as such reasonably appears necessary or desirable to the Committee to protect the public health, safety or welfare.

E. In addition to all other remedies hereunder and at law, the Committee may suspend or cancel any certificate, license or permit issued by it upon a determination by it that the holder thereof has violated or failed to comply with any applicable term, condition or provision of the certificate, license or permit, this ordinance, any rule, regulation, order or directive pursuant hereto, or F.E.P.C.A. or Arizona Statutes, or rule, regulation, order, directive, certificate, license, or permit issued pursuant thereto; or upon a determination by the Committee that the holder is operating within the Reservation or elsewhere in a faulty, careless or negligent manner, or has made false, inaccurate or incomplete reports or representations concerning pesticide operations or upon application for a certificate, license or permit hereunder, or is operating with improper or unsafe equipment or without adequate, competent and responsible personnel. Such suspension or cancellation shall be upon written notice and opportunity for hearing before the Committee not less than five (5) days after notice; unless the Committee determines that an emergency situation exists, in which event there shall be immediate suspension upon notice, to be followed by such a hearing within five (5) days.

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tion 3-202. Records and Reports.

Each person who applies or otherwise uses restricted pesticides pursuant to certificate, license or permit issued pursuant hereto shall keep a record of each property treated and, upon request by the Committee, shall furnish copies of said records to the Committee. Such records shall be kept for a period of two (2) years and they shall contain the name and address of the owner and exact location of the property treated; the crop treated; the pest or pests involved; the name, type, and strength of pesticide used; the name and address of the person or firm where the pesticide was purchased; the persons applying the pesticide; the date, month, year, and time of day of application; the direction and estimated velocity of the wind at the time of application and a description of the principal equipment used therefor; the person or persons who disposed of the pesticide containers, the type of container, and the manner and location in which the containers were disposed of.

CHAPTER 3. GENERAL PROVISIONS.

Section 3-301. Registration of Pesticides.

No person shall produce, process, distribute, sell, offer for sale, hold for sale, deliver, ship, transport, receive and deliver or offer to deliver, store, apply, or otherwise use any pesticide within the Reservation unless that pesticide is properly and currently registered pursuant to both the F.E.P.C.A. and Arizona Statutes; provided, however, that if an unregistered pesticide is subject to an experimental use permit issued pursuant to the F.E.P.C.A. and Arizona Statutes, the Committee may authorize its experimental use by the permittee within the Reservation in strict compliance with the terms of the permit and such additional restrictions or requirements as may be imposed by the Committee. Any other exemptions from registration of pesticides pursuant to the F.E.P.C.A. or Arizona Statutes shall be inapplicable within the Reservation.

Section 3-302. Usage Generally of Registered Pesticides.

Any person who produces, processes, distributes, sells or offers for sale, transports, handles, stores, applies or otherwise uses, or disposes of within the Reservation any pesticide registered as required by Section 301 of this ordinance shall do so only in strict conformity with the terms and provisions of the F.E.P.C.A. and Arizona Statutes, and all rules, regulations, orders and directives issued pursuant thereto, which are applicable to such registration, including those applicable to its particular classification of registration pursuant to the F.E.P.C.A.

Section 3-303. Prohibitions Generally.

No person shall produce, process, distribute, sell, offer for sale, hold for sale, deliver, ship, transport, handle, store or apply or otherwise use, or dispose of any pesticide within the Reservation if such activity or the manner of its conduct under the circumstances would be prohibited by F.E.P.C.A. or Arizona Statutes, or rules, regulations, orders or directives issued pursuant thereto, if it occurred outside the Reservation and within the State of Arizona.

Section 3-304. Violations and Penalties.

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Any person who violates or fails to comply with any requirement, provision or condition of this ordinance, any rule or regulations, order or directive, certificate, license, or permit, or condition, qualification, restriction, or limitation thereon, issued by the Committee pursuant to its authority granted by this ordinance shall be guilty of an offense, and shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00), or imprisonment for a period not to exceed six (6) months, or both.

Section 3-305. Judicial Proceeding.

If at any time it appears to the Committee that any person has violated or failed to comply with the provisions of this ordinance, or any of the rules, regulations, orders and directives of the Committee, or certificate, license or permit issued by the Committee, or that such person then is so violating or failing to comply therewith, then the Committee, or its representative so authorized by it, may institute proceedings in the tribal court for any appropriate remedies, whether criminal or civil in nature, including injunctive relief, seizure and forfeiture, and the posting of bonds or sureties to insure compliance. The foregoing shall not be deemed to limit or restrict the Committee or any other persons from taking other appropriate action, including issuance of cease and desist orders, and giving notification to representatives of federal, state, county or municipal government agencies, if it appears any person has violated or failed to comply as aforesaid; provided, however, the Committee and those acting on its behalf shall not undertake in its name or that of the Colorado River Indian Tribes any action in any court other than tribal court.

Section 3-306. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, its invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

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REGULATIONS OF THE PESTICIDE CONTROL COMMITTEE
ISSUED PURSUANT TO ORDINANCE NO. 31 [NOW AGRICULTURE CODE]

Reg. No. 31-1-78.

1. All pesticides shall be used in strict accordance with the directions and warnings stated on the container label.
2. Each applicator shall keep informed of weather conditions affecting pesticide application, and shall not use or apply pesticides when adverse weather conditions or wind direction and velocity might result in drift damage to persons or to property.
3. All pesticides transported within the Reservation shall be hauled in vehicles having a leak-proof floor and an entirely enclosed cargo space which shall be securely closed when in motion.
4. Any person having notice or knowledge of the theft, loss, disappearance, spillage, or unintentional but mistaken misuse of pesticides shall report such occurrence to the Committee as soon as such fact is known.
5. Applicators shall use only pest control methods and materials which are approved by the Pesticide Control Committee.
6. Pesticides and pesticide containers shall not be left unattended at any time, except where they are being stored in a safe and secure facility, and they shall be disposed of at the completion of the job.
7. No pesticide may be placed, repackaged or redistributed into any container which was, or which resembles, beverage bottles, food containers, or other containers which any person might mistakenly believe or contain the original product.
8. Pesticides shall not be stored in any place above or in close proximity to any human food or clothing, or any animal feed.
9. No empty pesticide containers shall be used for any other purpose on the Reservation, except those, which as part of the sales contract, are returnable to the seller, or those non-combustible containers which have been decontaminated and reconditioned in accordance with directions of the manufacturer of the pesticide.
10. Combustible containers may be disposed of by burning in an incinerator operated at a temperature above 699° F; except herbicide and defoliant containers which, when burned, produce vapors poisonous to humans and may damage local foliage. All containers not disposed of by combustion shall be buried in accordance with Regulation 11.
11. All containers not disposed of by combustion as provided in Regulation 10, when empty, shall be rendered incapable of any further use and shall be buried 18 inches below ground, at a site as designated by the Tribal Council where the underground water supply will not be contaminated, and where there will be no resultant hazards to humans or animals.

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12. Areas contaminated by any spillage shall be isolated and conspicuous warning signs posted, and only experienced personnel wearing protective clothing and safety devices may enter the restricted area. Signs shall be removed only when the area has been decontaminated.

13. Areas contaminated by liquid pesticides shall be covered by clay, earth fill, cinders, sand, sawdust, soda ash, or other suitable absorbent material.

14. Absorbents, residues, solids, granular or dust type pesticides and other material resulting from any spillage shall be placed in tight, non-combustible containers while being stored, or transported to the disposal site.

15. Hygiene:

(a) Persons engaged in using, handling, or applying open, bulk-type pesticides shall wear protective clothing and devices as necessary, or as recommended by the manufacturer's label.

(b) The following practices are listed for the safety of pesticide workers:

i. Clean clothes shall be worn daily, If there is unusual pesticide spillage on clothing, a change shall be made immediately.

ii. Workers shall take a shower bath immediately after completing pesticide operations, or if there is unusual spillage, a shower bath should be taken immediately.

iii. Emergency bathing facilities shall be maintained in all situations where any spillage may cause contamination of workers.

iv. All articles of clothing or devices shall be considered as potential sources of contamination, e.g., shoes, belts, hats, respirators, face pieces, gloves, rain suits, aprons.

v. No food, beverages, tobacco, eating utensils, or smoking equipment shall be stored in the work area.

vi. No one shall be permitted to eat, drink, smoke, or use tobacco in the work area.

vii. Protective type gloves shall be worn while handling containers of restricted pesticides.

viii. Personnel shall be instructed not to put their hands upon their faces, and particularly not near their mouth and eyes, while working with pesticides.

ix. Personnel shall be instructed to wash their hands before smoking, or use of the toilet; and to wash after loading, unloading, or transferring a shipment of pesticides.

16. The following are restricted pesticides:

Parathion

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Paraquat
Dalapon
Dinoseb
Diazinon
Malathion

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REGULATIONS OF THE PESTICIDE CONTROL COMMITTEE
ISSUED PURSUANT TO ORDINANCE NO. 31 [NOW AGRICULTURE CODE]

Reg. 31-2B-82: STUB COTTON BAN.

A. Findings.

The Pesticide Control Committee of the Colorado River Indian Tribes hereby finds and declares that:

1) Pink bollworm, heliothis complex (tobacco budworm and bollworm), cotton leaf perforator and beet army worm are dangerous insect pests of cotton and infestations of such pests are known to occur within the Colorado River Indian Reservation; and

2) Boll weevil is a dangerous insect pest of cotton and is known to be present within the Colorado River Indian Reservation; and

3) Morning glory, bermuda grass, Johnson grass and various pigweeds are noxious weed pests of cotton and are known to occur within the Colorado River Indian Reservation; and

4) It is necessary to curtail the early buildup and spread of these above mentioned insect and weed pests within the Colorado River Indian Reservation, and to facilitate the control and suppression of these pests, and thereby to obviate the need for earlier and more extensive applications of pesticides in order to control and suppress these pests.

B. Restrictions.

The Pesticide Control Committee hereby orders and declares that the following rules and regulations shall govern cotton growing within the Colorado River Indian Reservation:

1) No stub or volunteer cotton shall be grown or allowed to grow within the Colorado River Indian Reservation. Stub or volunteer cotton is defined as those cotton stalks or of a previous crop which, after over-wintering, begin to show signs of growing by displaying buds which swell or which send out shoots of new plant growth (either white or green).

2) All cotton stalks of a previous crop, and all stub or volunteer cotton found growing on idle lands, fallow land, in other crops, or in any other location, shall be destroyed in the manner provided in 3) below no later than the 31st of January of any year, or at the expiration of any lease or sublease under which a person or persons have farmed cotton, whichever shall come first.

3) All such cotton stalks or stub or volunteer cotton must be shredded and surrounding land shall be either:

- a. plowed sufficiently to bury the cotton stalks or stub or volunteer cotton to a depth of six (6) inches below the ground in the event that the next succeeding crop is to be cotton; or

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- b. disked and cross-disked to a depth of four (4) inches or more in the event that the next succeeding crop is to be a crop other than cotton and is lanted and irrigated prior to the 15th of February of any year.

All such cotton stalks or stub or volunteer cotton must be destroyed to the satisfaction of the Environmental Protection Officer of the Colorado River Indian Tribes.

4) The person or persons who are in current possession of land on which stub or volunteer cotton is growing, or on which cotton stalks have not yet been destroyed, shall be responsible for the destruction of said cotton or cotton stalks; provided, that, where such cotton or cotton stalks are the remains of a crop farmed by or belonging to a person or persons who previously possessed, farmed or made use of such land, said person or persons shall be primarily so responsible, and the current possessor of such land shall be secondarily responsible.

5) In the event that cotton stalks are found unshredded, or stub or volunteer cotton is found growing after the 31st of January of any year, the Environmental Protection Officer of the Colorado River Indian Tribes may cause such cotton stalks, stub or volunteer cotton to be destroyed, and all expenses thereof shall be billed to the person or persons responsible for compliance with these regulations.

6) No cotton shall be planted on the Colorado River Indian Reservation earlier than the 15th of March of each year.

7) Each day that stub or volunteer cotton shall be allowed to grown, or cotton stalks of a previous crop remain undestroyed, after the 31st of January of any year, or after the expiration of any lease or sublease under which a person or persons have farmed cotton, whichever shall come first, and each day that cotton shall be planted and remain planted prior to the 15th of March shall constitute a separate civil violation of these regulations.

8) All expenses involved in complying with these regulations shall be borne by the person or persons responsible for such compliance. Persons primarily responsible for any compliance shall have the obligation to reimburse persons secondarily responsible where such persons have borne any expenses involved in compliance.

9) These regulations supersede entirely Regulation No. 31-1-82, issued by the Pesticide Control Committee on April 8, 1982, and Regulation No. 31-2A-82, issued by the Pesticide Control Committee on October 22, 1982.

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REGULATIONS OF THE PESTICIDE CONTROL COMMITTEE
ISSUED PURSUANT TO ORDINANCE NO. 31 [NOW AGRICULTURE CODE]

Reg. No. 31-3-82: ACTIVITIES WITHIN RESTRICTED AND SCHOOL AREAS

A. RESTRICTED AREAS DEFINED.

The following areas, which are indicated on the attached map, are defined to be "restricted areas":

- 1) Parker Townsite, Bureau of Indian Affairs Agency, Public Health Service, CRIT Lodge, Parker Community Hospital, Dayton Superior Concrete, northeast to Blue Water Marina.
- 2) Tribal Administration Complex, Manataba Park, and Presbyterian Church.
- 3) Indian Assembly of God and Mission Subdivision on Second Avenue.
- 4) MoChem Housing Subdivision on Little Road.
- 5) All American Church on 8th Avenue and Burns Road.
- 6) Harvest Mission, north of Burns Road along Mohave Road.
- 7) 50-Homes Subdivision in Poston, Hatch Center, and Native American Produce Packing Shed.
- 8) Mormon Church, Baptist Church and Nazarene Church, located south of Hopi Road along Mohave Road.
- 9) Catholic Church, one mile south of Peterson Road along Mohave Road.

B. ACTIVITIES WITHIN RESTRICTED AREAS.

1) No person may transport any agricultural materials, such as pesticides, defoliants and fertilizers, by an aircraft (fixed wing or helicopter) over or across a restricted area at any time; provided, that agricultural materials may be transported over or across churches, not otherwise within the bounds of an restricted area, with the prior approval of the Colorado River Indian Tribes Environmental Protection Officer.

2) No person may dispense any agricultural material, such as pesticides, defoliants and fertilizers, by aircraft (fixed wing or helicopter) within one-quarter (1/4) mile of a restricted area unless the following conditions are met:

a) The Farm Pest Control Advisor and/or the applicator must notify and receive approval in advance from the Colorado River Indian Tribes Environmental Protection Officer.

b) The dispensing pattern must include a provision for an emergency landing which would not endanger persons or property.

ACTIVITIES WITHIN RESTRICTED AND SCHOOL AREAS

C. SCHOOL AREAS DEFINED.

The following areas, which are indicated on the attached map, are defined to be "school areas":

- 1) Le Pera School;
- 2) CRIT Head Start;
- 3) Valley Day Care Center.

D. ACTIVITIES WITHIN SCHOOL AREAS.

1) No person may transport any agricultural material, such as pesticides, defoliant and fertilizers, by aircraft (fixed wing or helicopter) over a school area at any time.

2) No person may dispense any agricultural material, such as pesticides, defoliant and fertilizers, by aircraft (fixed wing or helicopter) within one-quarter (1/4) mile of a school area unless the following conditions are met:

a) The school is on summer vacation break and there are no school activities being conducted; or

b) The school is on weekend break and there are no school activities being conducted (i.e., between 4:30 p.m. Friday evening, and 8:00 a.m. the following Sunday morning); or

c) The school is closed for the day (i.e., between 4:30 p.m. and 1:30 a.m. the following morning), an emergency pest situation has been declared by the Farm Pest Control Advisor, and the Colorado River Indian Tribes Environmental Protection Officer has been notified twenty-four (24) hours in advance, and advance approval therefrom is granted.

E. CHEMICALS WITHIN SCHOOL AREAS.

The use of Def, Folex, L-10 and Paraquat is prohibited within one mile of a school area.

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F. ACTIVITIES NEAR SCHOOL BUSES.

No person may dispense any agricultural material, such as pesticides, defoliant and fertilizers, by aircraft (fixed wing or helicopter) within five hundred (500) feet of an operating school bus.

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REGULATIONS OF THE PESTICIDE CONTROL COMMITTEE
ISSUED PURSUANT TO ORDINANCE NO. 31 [NOW AGRICULTURE CODE]

Reg. No. 31-4-82: PERMANENT LANDING SITES FOR AERIAL APPLICATORS.

A. Definition of Aerial Applicator.

For purposes of these regulations "aerial applicator" is defined as any fixed wing aircraft or helicopter utilized for the purpose of applying any substance classified as a pesticide pursuant to Section 102 of Ordinance No. 31.

B. Location of Permanent Landing Sites.

1) No permanent landing site to be used by an aerial applicator or applicators shall be located less than three hundred (300) feet from any river, main canal, drainage canal, storage pond or large body of water.

2) No person shall establish a permanent landing site to be used by an aerial applicator or applicators without prior authorization and approval from the Pesticide Control Committee.

C. Permanent Landing Site Facilities.

All permanent landing sites within the Colorado River Indian Reservation shall contain the following facilities:

1) A stable, posted and secured building for pesticide storage. The layout and contents of any such building shall be filed and updated as necessary with the Colorado River Indian Tribes Environmental Protection Office.

2) An area for temporary storage of empty pesticide containers.

3) A concrete wash area with a fenced and posted evaporative drainage pit or ditch.

D. Storage of Pesticide Containers at Permanent Landing Sites

1) All empty pesticide containers shall be stored within designated storage areas.

2) All empty pesticide containers shall be washed prior to storage. All containers five (5) gallons or less shall be crushed and rendered useless. All containers exceeding the capacity of five (5) gallons shall be triple rinsed, securely capped or sealed.

3) Empty pesticide containers may be stored at a permanent landing site for one (1) year or until March 31st, whichever comes first, prior to disposal. Storage periods in excess of one (1) year must be authorized in writing by the Colorado River Indian Tribes Environmental Protection Officer.

E. Maintenance of Equipment

1) Aerial applicators and other equipment may be washed externally and internally within a wash area at any permanent landing site.

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2) Aerial applicator tanks may be flushed only with water, including soap or detergent, or with chemicals, chemical compounds or solutions which have been approved for such use by the Federal Environmental Protection Agency.

F. Violations.

Each day that a permanent landing site used by an aerial applicator or applicators is established or located in violation of Section (B) of these regulations; each day that such a landing site is not equipped in compliance with Section (C) of these regulations; each day that containers are stored in violation of Section (D) of these regulations; and, each instance that aerial applicators, tanks or equipment is washed or flushed not in compliance with Section (E) of these regulations, shall constitute a separate civil violation of these regulations.

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REGULATIONS OF THE PESTICIDE CONTROL COMMITTEE
ISSUED PURSUANT TO ORDINANCE NO. 31 [NOW AGRICULTURE CODE]

Reg. No. 31-5-82: GROUND APPLICATORS.

A. Definitions.

For purposes of these regulations the terms set forth below shall have the following meanings respectively:

1) Ground Applicator. Any person or persons operating a tractor or motorized equipment for any purposes of applying any substance classified as a "pesticide" in Section 102 of Ordinance No. 31.

2) Commercial Ground Applicator. Any ground applicator who operates for hire.

3) Private Ground Applicator. Any ground applicator who operates for hire.

B. Operating Site Facilities.

All ground applicators operating within the Colorado River Indian Reservation shall establish a permanent operating site containing the following facilities:

1) A stable posted and secured building for pesticide storage. They layout and contents of any such building shall be filed and updated as necessary with the Colorado River Indian Tribes Environmental Protection Office.

2) An area for temporary storage of pesticide containers.

C. Storage of Pesticide Containers at Operating Sites.

1) All empty pesticide containers shall be stored within designated storage areas.

2) All empty pesticide containers shall be washed prior to storage. All containers with a capacity of five (5) gallons or less shall be crushed and rendered useless. All containers exceeding the capacity of five (5) gallons shall be either securely capped or sealed or rinsed and crushed.

3) Empty pesticide containers may be stored at an operating site for one (1) year or until March 31st, which ever comes first.

D. Rinse of Equipment used in Ground Application.

The effluent (rinse) resulting from the washing and rinsing of equipment, including tanks, used in ground application of any pesticide shall be dispensed back onto the field where such pesticide was most recently applied.

E. Activities Adjacent to Residences and School Areas.

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1) No person shall dispense or apply any substance classified as a pesticide in Ordinance No. 31 within one hundred (100) feet of a residence unless the occupants of such residence are given prior notice that they may wish to:

- a. remove exposed clothing from the area;
- b. cover livestock feed and water;
- c. remove children and toys from the area;
- d. remove pets and/or livestock from the area;
- e. monitor vegetables growing in the area due to possible contamination.

2) No person shall dispense or apply any substance classified as a pesticide in Ordinance No. 31 within one hundred (100) feet of a school area as defined in Regulation No. 31-3-82 unless the following conditions are met:

a. The school is on a weekend break and there are no school activities conducted (i.e., between 4:30 p.m. Friday evening and 8:00 a.m. the following morning); or

b. The school is closed for the day (i.e., between 4:30 p.m. and 1:30 a.m. the following morning), an emergency PEST situation has been declared by the Farm Pest Control Advisor, and the Colorado River Indian Tribes Environmental Protection Office has been notified twenty-four (24) hours in advance and advance approval is granted.

3) The use of DEF, FOLEX, L-10 and Paraquat are prohibited within one (1) mile of a school area.

F. Violations.

Each day that a ground applicator shall operate without an established permanent operating site meeting the requirements of Section (B) of these regulations; each day that containers shall be stored not in compliance with Section (C) of these regulations; each instance that rinse is dispensed in violation of Section (D) for these regulations; and, each instance that a pesticide is dispensed or used in violation of Section (E) of these regulations, shall constitute a separate civil violation of these regulations.

REG. NO. 31-2-97: Cotton

a. Findings

- (1) The Environmental Agriculture Committee [formerly the Pesticide Control Committee] of the Colorado River Indian Tribes hereby finds and declares that:

(A) pink bollworm, *Helicoverpa complex* (tobacco budworm and bollworm), cotton leaf perforator, boll weevil, whitefly and beet armyworm are dangerous insect pests of cotton; and

(B) morning glory, bermudagrass, Johnsongrass, *Sesbania* and various pigweeds are noxious weed pests of cotton and provide habitat for insect pests of cotton; and

(C) by controlling planting dates, insuring the timely shredding of cotton stalks and the timely tilling of land the Tribes can decrease the opportunity for these pests to harm the agricultural economy of the Reservation by decreasing the hosting ability of the land for these pests. In addition, these measures protect the health and safety of the Reservation and the surrounding community by minimizing the use of potentially harmful pesticides.

- (2) Therefore, in order to facilitate the suppression of these pests and thereby decrease the need for extensive applications of pesticides, the Environmental Agriculture Committee hereby enacts this Regulation No. 31-2-97.

b. Prohibitions

- (1) Non-Bacillus thuringiensis (B.t.) Cotton

(A) Non-B.t. cotton shall be chemically terminated in a manner that destroys the pink bollworm hosting ability of the cotton plant no later than the 15th of October.

(B) Non-B.t. cotton stalks shall be destroyed in a manner that destroys the cotton stalks no later than the 5th of December.

- (2) All cotton

(A) Unless an extension has been granted in writing by an Environmental Protection Officer pursuant to this Regulation No. 31-2-97, no person shall plant cotton or allow cotton to be planted earlier than the 10th of March and no later than the 10th of May of each year. An extension up to May 25th may be granted if a grower can demonstrate to the satisfaction of an Environmental Protection Officer that adverse weather conditions are the cause of a delay in

planting.

(B) No person shall grow or allow stub or volunteer cotton to be grown. For the purposes of this Regulation, stub or volunteer cotton is defined as cotton stalks of a previous crop which, after over-wintering, begin to show signs of growth by displaying buds which swell or by sending out shoots of new plant growth (either white or green).

(C) Land on which cotton is grown shall be tilled no later than the 20th of December of any year or at the expiration of a lease or sublease pursuant to which cotton has been farmed, whichever comes first.

(D) All such chemical termination, shredding or tilling shall be performed to the satisfaction of an Environmental Protection Officer of the Colorado River Indian Tribes.

(3) Noxious Weed and Insect Pests

(A) A field is a nuisance if at least two percent (2%) of the field is infested with noxious weeds.

(B) A field is a nuisance if the field is infested with dangerous insect pests of cotton. A field is infested with dangerous insect pests of cotton if an Environmental Protection Officer observes:

an average of seventy-five (75) adult whitefly per trap within a 24 hour period based on a trap density of one trap per field; or
five (5) pink bollworm per trap, per night, on non-B.t. cotton based on a trap density of one trap every ten acres; or
one (1) boll weevil in the daytime; or
if a count performed by two licensed Pest Control Advisors reveals the presence of a sustainable population of any other dangerous insect pest of cotton.

(C) The Environmental Protection Officer shall issue a written notice to the person in possession of the land that a field is a nuisance with an order detailing the steps to be taken in order to abate the nuisance. Failure to comply with an abatement order shall be a violation of this Regulation 31-2-97.

(4) Abatement by the Environmental Protection Office

In the event land is not in compliance with this Regulation 31-2-97, and if it is deemed necessary by an Environmental Protection Officer, then the Colorado River Indian Tribes may enter onto the premises and take any remedial steps necessary in order to bring the

land into compliance with this Regulation 31-2-97. In that event, the Environmental Protection Office may recover all expenses incurred as a result of such remedial measures either from the person in possession of the property or the person responsible for the lack of compliance.

c. Compliance

(A) Any person failing to comply with this Regulation 31-2-97 shall be subject to a civil penalty of at least fifty dollars (\$50) but not more than five hundred dollars (\$500.00), for each field in violation. Each day that a person fails to comply with this Regulation shall constitute a separate violation.

(B) In addition to the penalties set forth in Paragraph E(1) of this Regulation, any person failing to comply with this Regulation 31-2-97 shall be subject to a civil penalty in the amount of at least Five Dollars (\$5.00) but not more than fifty dollars (\$50.00) for every acre in violation.

(C) Each day that a person fails to comply with this Regulation 31-2-97 shall constitute a separate violation.

(D) In addition to the remedies provided for in this Regulation 31-2-97, the Environmental Protection Office is authorized to seek any appropriate remedy in Tribal Court, including, but not limited to, injunctive relief.

d. Entrance Onto Premises

In order to insure compliance with this Regulation 31-2-97, an Environmental Protection Officer may enter, at reasonable times, any establishment or place in order to place traps or conduct inspections and to collect samples. Each such inspection shall be conducted with reasonable promptness.

REPEALS

These regulations supersede entirely Regulation No. 31-2-94, issued by the Pesticide Control Committee [now the Environmental Agriculture Committee] on March 10, 1994.

CERTIFICATION

The foregoing rules and regulations are issued, as amended, pursuant to action of the Colorado River Indian Tribes Environmental Agriculture Committee,

which was duly taken at a Environmental Agriculture Committee meeting on April 10, 1997, pursuant to Section 3-103 of Article III of the Agriculture Code of the Colorado River Indian Tribes.

COLORADO RIVER INDIAN TRIBES
ENVIRONMENTAL AGRICULTURE COMMITTEE

By: *Bonita J. Fernandez*
Chairperson
Environmental Agriculture Committee

ARTICLE 4
WHITEFLY SUPPRESSION

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ORDINANCE 93-1

BE IT ENACTED by the Tribal Council of the Colorado River Indian Tribes, that the Agriculture Code of the Colorado River Indian Tribes is hereby amended by adding Article 4, to establish a Whitefly Suppression Program:

AGRICULTURE CODE
ARTICLE 4
WHITEFLY SUPPRESSION

CHAPTER 1. GENERAL PROVISIONS

Section 4-101. Purpose

Treatment and control of the Whitefly (Bemisia Tabaci) is herein regulated to reduce the whitefly population to a level that it does not present a direct threat to the livelihood of the agricultural economy of the Reservation, to reduce the amount of pesticides applied to lands on the Reservation, and to reduce the long-term costs of pest control on the Reservation.

Section 4-102. Findings

(a) The whitefly is crop pest as that term is defined in Article 1 of the Agriculture Code of the Colorado River Indian Tribes.

(b) Methods for controlling the whitefly are still in the experimental stage. It is generally accepted that chemical pesticides will only represent part of the program for suppressing the whitefly and that biological means, such as "friendly pests" (insects serving a beneficial purpose) will be an important part of any comprehensive suppression program. Both the chemical pesticides and biological means employed to suppress the whitefly will require experimentation in terms of both the kind, quantity, and combination of applications.

(c) The Tribes encourage individual farmers to participate in experimental programs to develop and improve methods for combatting the whitefly.

(d) Federal, state, and cooperative resources are available to assist in the suppression of the whitefly if the Tribes provide support for such programs. One of the purposes of this ordinance is to provide such support.

(e) Development of agriculture pest control programs such as the whitefly suppression program, which will reduce agriculture pest populations, have neutral or minimal environmental impacts, and reduce the costs associated with agriculture on the Reservation, are in the best long term interests of the Colorado River Indian Tribes and its lands.

Section 4-103. Scope

All persons who plant, cultivate, grow or in any manner produce any cotton on the Reservation shall be subject to and comply with the provisions of this Article, except where otherwise specified.

Section 4-104. Definitions

(1) "Committee" shall mean the Pesticide Control Committee of the Colorado River Indian Tribes.

(2) "Advisory Committee" shall mean the committee established pursuant to Section 302 herein.

(3) "Environmental Protection Officer" shall mean an Environmental Protection Officer of the Colorado River Indian Tribes.

(4) "Field" shall mean a part of a farm which is separated from the balance of the farm by permanent boundaries such as fences, permanent waterways, woodlands, and croplines in cases where farming practices make it probable that such cropline is not subject to change or other similar features.

(5) "Reservation" shall mean all territory within the exterior boundaries of the Colorado River Indian Reservation.

(6) "Person" shall mean an individual, partnership, association, corporation, cooperative, estate, trust, joint venture, joint operation, or other legal entity.

(7) "Whitefly Suppression Program" shall mean a program to control or suppress the whitefly within the Reservation.

(8) "Producer" shall mean a person who as owner, landlord, tenant, or sharecropper shares in the risk of producing the crop or would have shared had the crops been produced.

Section 4-105. Notice

Except where otherwise provided in this Article, any notice or order required to be served upon a person shall be in writing and shall be effective when personal delivery to the person to be served, or five (5) days after mailing by certified mail to the last known business address of the person to be served.

Section 4-106. Rules and Regulations

The Colorado River Indian Tribes Pesticide Control Committee is authorized to issue such rules and regulations as are deemed necessary to carry out the provisions of this Article.

CHAPTER 2. PROGRAM REQUIREMENTS

Section 4-201. Participation and Notice

(a) Any producer who produces or causes to be produced any cotton on the Reservation shall participate in the whitefly suppression program.

(b) Any producer who anticipates planting any field on the Reservation to cotton shall notify the Environmental Protection Officer, or his designated representative, by March 1. Such notice shall include a description of the number of acres anticipated to be cultivated to cotton. Failure to provide such notice may result in the producer being barred from growing cotton during the crop year, or required to bear a proportionate share of the increased costs, in the event the whitefly suppression program is unable to handle any increase in acreage planted to cotton which was not reported.

Section 4-202. Program Applications

(a) Treatments. Each producer shall be given twenty-four (24) hour notice before the application of any chemical pesticide by the program personnel or the introduction of any "friendly pest."

If a producer believes additional treatments are necessary to control whitefly in its fields, the producer may request such additional treatments from program personnel. The decision of program personnel concerning such additional treatments shall be final. In the event program personnel decide not to make such additional treatments, the producer shall be allowed to take whatever measures it deems appropriate after notification as provided in section 205 herein.

(b) Additional measures. Producers shall allow such additional control measures as may be necessary in the discretion of program personnel.

Section 4-203. Data Collection

(a) Traps. Each producer shall allow the placing of the necessary traps within its field. Program personnel shall attempt to locate traps in a manner which does not impair normal farm operations, provided, however, that the decision of program personnel on the location of traps shall be final.

(b) Central Repository. All data collected during the program shall be held in a central repository to be conveniently located and accessible to the producers.

Section 4-204. Access

Each producer shall allow program personnel the non-exclusive right for continuous ingress and egress by motor vehicles (including trucks) and on foot over the lands of producer to those locations necessary for the monitoring of traps, collection of data, introduction of "friendly pests", application of insecticides, and other activities necessary to whitefly suppression program. Such ingress and egress shall be by the least damaging route from existing

roadways, irrigation roads or on-farm roads. Program personnel shall use all reasonable efforts to prevent damage to the land of a producer.

Section 4-205. Activities In Variance From Program

In the event a producer determines measures in addition to those measures taken by the whitefly suppression program are required to control whitefly populations in its fields, the producer shall provide notice to the Environmental Protection Officer, or his designated representative, twenty-four (24) hours in advance of taking such additional measures.

Section 4-206. Applicators

Each producer shall be allowed to select any treatment applicator approved by the whitefly suppression program for making applications on the producer's fields, provided, that in the event the selection of the treatment applicator creates a conflict with the orderly application of treatments to the land covered by the program, program personnel, in their sole discretion, shall make the decision on treatment applicator.

CHAPTER 3. PROGRAM ORGANIZATION

Section 4-301. Pesticide Control Committee

(a) The Committee shall be responsible for monitoring the progress and success of the whitefly suppression program. The Committee shall report quarterly to the Tribal Council on the progress and success of the whitefly suppression program. The Committee shall make recommendations to the Tribal Council for extension, cessation or modification of the whitefly suppression program.

(b) Any actions undertaken by the Committee under the under the authority of the Pink Bollworm program and consistent with this article in order to suppress the whitefly are hereby ratified and affirmed.

Section 4-302. Advisory Committee

There shall be established an Advisory Committee to provide input into the development, implementation and operation of the whitefly suppression program. The Advisory Committee shall consist of seven (7) Reservation cotton growers, (one to be selected by the Colorado River Indian Tribes farming enterprises) to be selected by the growers, three (3) Reservation agriculture vendors, and one representative from the Extension Service. The Advisory Committee shall present its suggestions, comments and recommendations to the Pesticide Control Committee for action by the Tribal Council.

CHAPTER 4. ASSESSMENT

Section 4-401. Assessment

(a) Except as otherwise provided in this Chapter, there shall be assessed against each producer each crop year a fee per acre, in the amount to be set

by the Pesticide Control Committee upon the recommendation of the Advisory Committee, for all acres in cotton production for each crop year for which the program is implemented, with the amount and due dates specified by the Pesticide Control Committee.

(b) Any assessment unpaid after its due date shall bear interest at eighteen percent (18%) per annum from the date it becomes due until paid, but this provision shall not be construed to relieve the producer from its obligation to pay each assessment at the time and in the manner specified.

Section 4-402. Colorado River Indian Tribes Farming Enterprises

(a) Except as otherwise provided in this Section all provisions of this Chapter shall apply to the Colorado River Indian Tribes farming operation.

(b) The Colorado River Indian Tribes farming enterprises is hereby authorized to contribute to the whitefly suppression program, an amount not to exceed the amount that would be assessed against a comparably sized farming operation. The Colorado River Indian Tribes farming enterprises shall have the discretion to determine whether the size, operation, and the distinctions between a governmental farming operation and private farming operations make it advisable for Colorado River Indian Tribes farming enterprises to utilize the amount that it would otherwise contribute to the whitefly suppression program to its own activities to suppress the whitefly. After making such determination, the Colorado River Indian Tribes farming enterprises shall notify the entities named in section 4-401 of its decision.

(c) Provisions of Chapter 5 shall not apply against the Colorado River Indian Tribes farming enterprises.

Section 4-403. Acreage Calculation

For purposes of calculating the assessment for each person pursuant to paragraph (a) above, the acres in cotton production shall be calculated by the same method utilized by the Agriculture Stabilization and Conservation Service for purposes of measuring crop acreage.

Section 4-404. Payment

Assessments shall be paid to the order of "Colorado River Indian Tribes" and shall be delivered Colorado River Indian Tribes Accounting Department.

Section 4-405. Segregation of Funds

All funds collected pursuant to this Article shall be segregated set aside for use only for the purposes of this Article. Any surplus funds remaining after completion of all program activities for the crop year shall be (1) returned to each producer ratably based on its contribution to the program, or (2) utilized to defray program costs in any subsequent year.

CHAPTER 5. COMPLIANCE

Section 5-501. Lien

(a) The Tribe shall have a first claim and lien upon any crops growing on or any interest in the land upon which a cotton crop is produced for payment of the assessment herein provided.

(b) Within five (5) days after failure to pay the required assessment, the Environmental Protection Officer shall cause to be served upon the owner or person in charge of or in possession of the crops or land subject to a lien, a notice that such property is subject to a lien pursuant to this Article, and that unless the amount thereof is paid to the Tribe within thirty (30) days after the date of service of the notice, the lien will be foreclosed and the interest in the crops or land will be sold at a public sale, and the proceeds, or so much thereof as may be necessary, applied to satisfy the lien and the costs of sale.

(c) Within twenty (20) days after failure to pay the required assessment, the Environmental Protection Officer shall cause to be prepared and filed in the office of the County within whose administrative boundaries the property subject to a lien is situated, with each cotton gin with fifty (50) miles of the Reservation and with the Colorado River Agency of the Bureau of Indian Affairs, a notice of the lien, setting forth the amount thereof, the name of the owner or person in charge or in possession, and stating the time within which the amount of the lien must be paid and that if it is not paid within such time the property will be subjected to payment thereof.

(d) If the amount of the lien is not paid within the time period prescribed, the Tribal Attorney, upon the written request of the Environmental Protection Officer, may foreclose the lien against the property subject thereto.

Section 5-502. Summary Abatement

(a) If the Environmental Protection Officer finds that a danger to the Reservation agricultural industry is imminent should a producer fail to comply with any requirement of this Article, and that the noncompliance may be summarily abated, the Environmental Protection Officer shall by written order direct the owner or person in charge or in possession of the premises to comply in the manner and within the time period specified within the order.

(b) Should the producer or person in charge or in possession of the subject premises fail for any reason to comply within the period and in the manner specified in the order issued pursuant to subparagraph (a), the Environmental Protection Officer shall take the action specified in the written order.

(c) The Environmental Protection Officer shall use all reasonable diligence to personally serve the compliance order, but it shall not be necessary that service have been effected for the Environmental Protection Officer to take the action specified in the written order.

Section 5-503. Enforcement; Penalties

(a) If at any time any person has violated or failed to comply with the provisions of this Article, or any of the rules, regulations, orders or directives issued pursuant to this Article, then the Environmental Protection Officer is authorized to have legal proceedings instituted in Tribal Court for any appropriate remedies, including declaratory or injunctive relief, seizure and forfeiture, and the posting of bonds or sureties to insure compliance.

(b) Any person who violates or fails to comply with any requirement, provision or condition of this Article shall be subject to a fine not to exceed Two Hundred and Fifty Dollars (\$250) per occurrence. Each day that a violation exists shall be considered a separate occurrence.

Section 5-504. Other Pest Control Laws

Nothing in this Article shall operate to relieve any producer from compliance with any other laws, ordinances, rules and regulations applicable to producer or its lands.

The foregoing ordinance was on May 17, 1993, duly approved by a vote of 5 for and 2 against, by the Tribal Council of the Colorado River Indian Tribes, pursuant to the authority vested in the Tribes on March 1, 1975, and approved by the Secretary of the Interior on May 29, 1975, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984). This ordinance is effective as of the date of its enactment.

COLORADO RIVER INDIAN TRIBES
COLORADO RIVER INDIAN TRIBAL COUNCIL

Daniel Eddy, Jr., Chairman

LaWanda Laffoon, Secretary

COLORADO RIVER INDIAN TRIBES
COLORADO RIVER INDIAN RESERVATION

REGULATIONS OF THE PESTICIDE CONTROL COMMITTEE
ISSUED PURSUANT TO ORDINANCE NO. 31 [NOW AGRICULTURE CODE]

REG. NO. AG-93-1: Bermisia Tabaci (Silverleaf Whitefly)

(A) Findings

The Pesticide Control Committee of the Colorado River Indian Tribes, hereby finds and declares that Bermisia Tabaci is a dangerous pest which is a serious threat to all agriculture crops on the Colorado River Indian Reservation. The rules and regulations contained herein are deemed necessary in order to suppress and control populations of this pest.

(B) Definitions

For purposes of these regulations "Covered Commodities," means all varieties of melons, Melo and Melon Plants.

(C) Agriculture Practices

1. No later than ten (10) days after planting, anyone who produces or causes to be produced any melons, melo within the Colorado River Indian Reservation shall notify the Environmental Protection Officer. Such notice shall include a description of the location and number of the acres anticipated to be cultivated to melons. A second notice shall be given to the Environmental Protection Officer on the first day of harvest of each crop, location and the last day of harvest or abandonment of the crop.
2. All fields upon which covered commodities have been grown shall be disked or otherwise cleaned to the satisfaction of the Environmental Protection Officer of the Colorado River Indian Tribes within a reasonable time not to exceed five (5) days, after the last day of commercial harvest or abandonment of the crop.
3. In the event that a field upon which covered commodities have been grown has not been disked or otherwise satisfactorily cleaned in accordance with subsection 2. above, the Environmental Protection Officer of the Colorado Indian Tribes shall take necessary quarantine and abatement action pursuant to section 1-203 through 2-206 of the Agriculture code.
4. Upon notification by grower on the first day of harvest, the Environmental Protection Officer shall make daily inspection at each location in said notice for presence of harvesting crew. Absence of harvesting activities for seven (7) consecutive days after harvesting has commenced will constitute abandonment of crop, unless, the Grower contacts the Pesticide control committee during those seven (7) days.

5. Upon notification by grower or observation and recording of first day of harvest by the Environmental Officer, grower will be allowed 21 days to complete harvest. Any period greater than 21 days will require notice to the Pesticide Control Committee for the extension.

The foregoing rules and regulations are issued by the Pesticide Control Committee pursuant to Section 1-103 of the Agriculture Code of the Colorado River Indian Tribes, pursuant to action taken by the Pesticide Control Committee on October 14, 1993. These regulations are effective immediately.

COLORADO RIVER INDIAN TRIBES
PESTICIDE CONTROL COMMITTEE

By: 
Chairman, Pesticide Control
Committee