



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: April 9, 2002

(2) Purpose: The Seed Potato Isolation District in Whatcom County was established to protect certified seed potato plantings from virus diseases spread from commercial potato plantings. Certified seed potatoes must meet the highest standards of disease sanitation. They generally cannot be grown in proximity to commercial potato crops (that is, potatoes grown for table or processing) without significantly increased disease risk. The rule ensures adequate quality certified seed potatoes can continue to be grown within the isolation district. This amendment expands the boundaries of the seed potato isolation district within Whatcom County.

(3) Citation of existing rules affected by this order:

Repealed:
Amended: WAC 16-325-015
Suspended:

(4) Statutory authority for adoption: Chapter 15.15 RCW
Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 02-04-020 on 1/24/02 (date).
Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

Yes No If Yes, explain:

(6) Effective date of rule:

Permanent Rules

- 31 days after filing
- Other (specify) _____ *

Emergency Rules

- Immediately
- Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)
William E. Brookreson

Signature
William E. Brookreson

Title
Director

Date
April 9, 2002

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

APR 9 2002

TIME 3:51 PM
WSR 02-09-030

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New	Amended	Repealed

The number of sections adopted at the request of a non-governmental entity:

New	Amended	Repealed
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The number of sections adopted in the agency's own initiative:

New	Amended	<u>1</u>	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	Amended	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended	Repealed

AMENDATORY SECTION (Amending WSR 98-09-071, filed 4/20/98, effective 5/21/98)

WAC 16-325-015 Regulated area. The seed potato isolation district consists of that area of Whatcom County lying within the following boundaries:

On the west the boundary follows (~~Interstate 5 from its intersection with Smith Rd., northwesterly to the intersection with Loomis Rd., then from the intersection of Loomis Road and Interstate 5 north along Giles Rd. to its end, continuing north through the center of Range 1 East to the Canadian border~~) Georgia Straight from the Canadian border south to Slater Road.

On the north the boundary follows the Canadian border from (~~its intersection with the center of Range 1 East~~) Georgia Straight easterly to South Pass Road.

On the east the boundary follows South Pass Rd. southwestly to the point where the eastern edge of Range 4 East intersects South Pass Road, then south along the eastern boundary of Range 4 East to the Nooksack River (south of the town of Deming).

On the south the boundary follows the Nooksack River northwestly to the City of Everson, south from Everson on Mission Road to Smith Road (~~then~~), westerly on Smith Rd to Interstate 5, southeasterly on Interstate 5 to Slater Road, westerly on Slater Road to Rural Ave., southwestly on Rural Ave. to Marine Dr., westerly on Marine Dr. to Ferndale Rd., northerly on Ferndale Rd. to Slater then westerly on Slater to Georgia Straight.