

**WAC 16-305-040 Industrial hemp license application.** (1) A person wishing to participate in the industrial hemp research program must submit a license application on a form provided by the department. A person wishing to obtain an application form for an industrial hemp research license may contact the department at: 509-249-6950, hemp@agr.wa.gov, 21 North 1st Avenue, Suite 203, Yakima, WA 98902 or download the application form from the department's web site at <http://agr.wa.gov/>. The department will post on its web site any deadline for submitting an application.

(2) Each applicant for a license to grow, produce, possess, process, or market or exchange industrial hemp shall submit a signed, complete, accurate, and legible application on a form provided by the department. Applications must be submitted at least thirty days prior to commencing industrial hemp operations regulated under this chapter. To maintain continuous licensing, an applicant must submit an application for a renewal license at least thirty days prior to the expiration of the previous license. The application must include the following information:

- (a) The name and business address of the applicant;
- (b) For corporate applicants, the type of business entity, such as corporation, LLC, or partnership, the state or country where the business is incorporated, and the name and address of the entity's agent in Washington state;
- (c) If applicable, the legal description (section, township, and range) in which any proposed registered land area is located;
- (d) The global positioning location coordinates taken at the approximate center of any proposed registered land area;
- (e) The results of a soil quality test for each field, which, at a minimum, provides test results on the soil for pH, nitrogen, phosphorus and potassium. This requirement is not applicable for greenhouses;
- (f) A map of the proposed registered land area, showing the boundaries and dimensions of the proposed registered land area in acres or square feet, and the proposed location of any variety of industrial hemp crop to be grown in the registered land area(s); and
- (g) The applicant's signature accepting the license terms and conditions including the following:
  - (i) That the applicant agrees to collect, retain and transmit to the department data gathered while conducting each licensed activity as specified in the license for use by the department in studying the feasibility and desirability of industrial hemp production in Washington state. Such information shall be retained and transmitted to the department in a schedule and a format identified in each license;
  - (ii) That the applicant agrees to allow the department to inspect and sample any industrial hemp, or inspect any registered lands, facilities, and records required of the licensee under the terms of each license;
  - (iii) That the applicant is responsible to pay any fees adopted under the department's rules applicable to the licensed activities;
  - (iv) If applicable, the applicant must have the legal right which includes, but is not limited to, a valid deed or lease, to the registered land area, including the legal authority to grant the department access for inspection and sampling; and
  - (v) That the individual grower or combination license applicant or any member of the applicant's business occupying a leadership position has not been convicted of any felony related to the possession, production, sale, or distribution of a controlled substance in any

form in the United States or any other country within ten years of the date of the application.

(3) In addition to the completed application form, each applicant must submit a nonrefundable application fee. If the application fee does not accompany the application, the application will be deemed incomplete.

(4) An application may be deemed incomplete if the applicant does not include information sufficient for the department to make a determination about the nature and scope of the applicant's proposed uses or activities.

(5) The department may deny an application where the applicant seeks to conduct activities or uses outside the scope of these rules and chapter 15.120 RCW; where the applicant has not met a material requirement identified in the application requirements; or where the applicant proposes a use or activity in conflict with local, state, or federal law. An application may be denied should the application contain goals or information that the department could reasonably conclude would be out of conformance with state or federal laws.

[Statutory Authority: RCW 15.120.030 and chapter 34.05 RCW. WSR 17-09-034, § 16-305-040, filed 4/13/17, effective 5/14/17.]