

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE  
STATE OF WASHINGTON**

In the matter of the Washington Asparagus Commission's request	)	
To amend the marketing order established in WAC 16-557	)	
By increasing District 2's representation from two to three positions	)	<b>FINDINGS OF FACT,</b>
And decreasing District 3's representation from two to one position effective	)	<b>CONCLUSIONS OF LAW</b>
January 1, 2002	)	<b>AND FINAL DECISION</b>

The above titled matter came to public hearing at the Franklin PUD Auditorium, 1411 W. Clark, Pasco, WA on February 7, 2001, beginning at 1:00 p.m. The hearing officer was William E. Brookreson, Deputy Director, Washington State Department of Agriculture. There were nineteen persons in attendance including the Administrator for the Asparagus Commission, Margaret Webring.

**FINDINGS OF FACT**

The Director, having reviewed the complete record, hereby adopts the following Findings of Fact:

1. The Washington Asparagus Commission submitted a request to the Director of Agriculture to amend the asparagus marketing order in chapter 16-557 WAC. The proposed amendment would increase District 2's representation from two to three positions and decrease District 3's representation from two to one position effective January 1, 2002.
2. As presented by the Washington Asparagus Commission, the change would reflect the change in patterns of production. According to the information provided, the acreage and production by district are as follows:

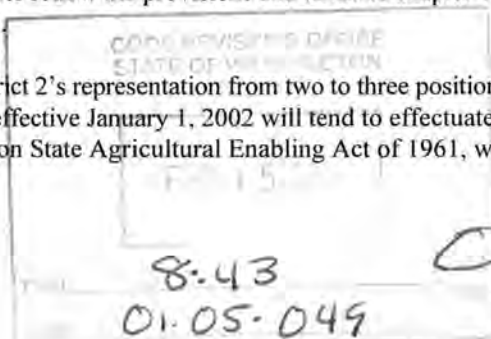
District 1	7,100 acres producing 24,500,000 pounds annually
District 2	14,300 acres producing 42,200,000 pounds annually
District 3	1,400 acres producing 4,300,000 pounds annually
3. A notice of the hearing was published in the Washington State Register on January 17, 2001, and was sent to all asparagus growers in District 2 and District 3 who were on a list maintained by the Washington Asparagus Commission. Notice was also published in the Yakima Herald Republic on January 26 and January 27, 2001.
4. Those in attendance at the public hearing were in support of the proposed change in representation in District 2 and District 3. One note of support was presented at the hearing.
5. All those in attendance at the hearing waived the 10-day period to file objections to a recommended decision of the Director and accept the Director's decision as final as provided in RCW 15.65.110.

**CONCLUSIONS OF LAW**

The Director adopts the following conclusions:

1. The procedures to amend the marketing order follow the provisions and terms of chapter 15.65 RCW, Washington State Agricultural Enabling Act of 1961.
2. The proposed amendment to increase District 2's representation from two to three positions and decrease District 3's representation from two to one position effective January 1, 2002 will tend to effectuate one or more of the declared policies of chapter 15.65 RCW, Washington State Agricultural Enabling Act of 1961, with respect to the Asparagus Commission.

FINAL DECISION



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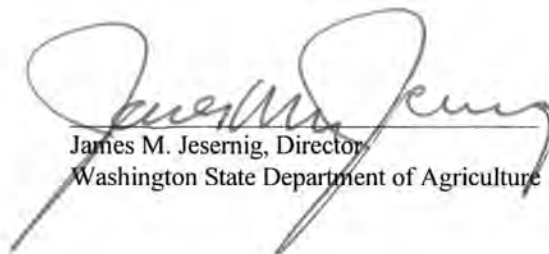
3. Through the public hearing process it was determined that there is sufficient support for the proposed amendment to increase District 2's representation from two to three positions and decrease District 3's representation from two to one position effective January 1, 2002, and to submit the proposal to a referendum vote of the growers.

4. In accordance with RCW 15.65.110, the Director may in his discretion waive the 10-day period to file objections to a recommended decision and issue a final decision.

#### FINAL DECISION

It is hereby the Director's final decision that the request to amend the Asparagus Commission's marketing order established in WAC 16-557, by increasing District 2's representation from two to three positions and decreasing District 3's representation from two to one position effective January 1, 2002, be accepted and submitted to a referendum of the growers for final approval.

DATED at Olympia, Washington this 12th day of February 2001.



James M. Jesernig, Director  
Washington State Department of Agriculture