

WSR 22-09-016  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF AGRICULTURE  
[Filed April 11, 2022, 8:49 a.m.]

Subject of Possible Rule Making: Chapter 16-240 WAC, WSDA grain inspection program—Definitions, standards, and fees. The Washington state department of agriculture (WSDA) is considering rule making to increase program fees, revise the fee structure to more accurately reflect the scope of services provided, including, but not limited to, adding fees for services that are not specifically identified, and to clarify language to ease in the understanding of the rule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 22.09.020 and 22.09.790.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 22.09.790 authorizes WSDA to adjust fees to meet the expenses necessary to carry out the provisions of chapter 22.09 RCW. Based on a recent budget review, it was determined that the program is operating with a fund balance that is below the required six month operating reserve. If the program continues performing services at the current fee schedule, the fund balance will continue to decline and the program will not be able to meet the needs of stakeholders.

Increasing program fees, revising the current fee structure to more accurately reflect the scope of services provided, including, but not limited to, adding fees for services that are not specifically identified, and clarifying language to ease in the understanding of the rule will enable the program to maintain financial stability while continuing to provide services described and provided for in chapter 22.09 RCW and will provide clarity on confusing language already present in the rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WSDA will consult with the United States Department of Agriculture, Agricultural Marketing Service, Federal Grain Inspection Service (USDA, AMS, FGIS) to confirm its approval of all changes to the WSDA grain inspection program's fee schedule.

Process for Developing New Rule: WSDA staff will develop the proposed amendments based upon program needs, requirements of USDA, AMS, FGIS, and will discuss any proposed amendments with affected stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Philip Garcia, P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1921, TTY 800-833-6388 or 711, email pgarcia@agr.wa.gov, website agr.wa.gov.

April 7, 2022  
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