

**WSR 21-08-089**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF AGRICULTURE**  
[Filed April 7, 2021, 10:00 a.m.]

Subject of Possible Rule Making: Chapter 16-303 WAC, Seed assessment, fees for seed services and seed certification, the department is considering amending this chapter to increase seed program fees and establish new fees for services not previously offered or services that are being provided that are not listed in the current fee schedule. In addition, the department is considering making clerical corrections to the address inconsistencies in crop kinds and additional crops listed in each category of crop kind. Also, the department is considering restructuring the fee schedule and revising rule language to provide clarity and allow for easier interpretation of the fees and rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.49.005 and [15.49].310.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A recent budget review revealed that the program's fund balance is starting to decline, so it is necessary to increase fees to maintain a six month operating reserve, as well as to add laboratory, field, and office staff for succession planning and to reduce overtime hours worked by current staff. There have been several new services offered since the last time this rule was amended, and since these services are not listed in the current fee schedule, the fees for these services have been charged based on staff time and other expenses. Establishing fees for these new services would increase transparency for customers using these services. The department is also considering making clerical changes, including adding native species not previously included and modifying crop groupings to ensure that all crops are listed under the correct groupings.

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Reanna McNamara, Division Rules Coordinator, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-1931, fax 360-902-2085, TTY 800-833-6388, email [rmcnamara@agr.wa.gov](mailto:rmcnamara@agr.wa.gov), website <https://agr.wa.gov/LawsRules/Rulemaking/>; or Paula Moore, Seed Program Manager, 21 North 1st Avenue, Suite 203, Yakima, WA 98902, phone 509-314-1032, fax 509-454-4395, TTY 800-833-6388, email [pmoore@agr.wa.gov](mailto:pmoore@agr.wa.gov), website <https://agr.wa.gov/Inspection/SeedInspection/ContactUs.aspx>.

April 7, 2021  
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