

WSR 23-21-090
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE
[Filed October 17, 2023, 3:27 p.m.]

Subject of Possible Rule Making: Chapter 16-303 WAC, Seed assessment, fees for seed services and seed certification. In response to a petition for rule making submitted by the Washington State Crop Improvement Association (WSCIA), the department is considering amending WAC 16-303-340 by increasing fees to align with the current cost of providing certification services, adding quinoa as a crop that is certified under this section, and otherwise aligning it with the department's seed certification rules and fees.

The department may also consider revising the language to increase clarity and readability and to conform with current industry practices and needs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.49.005, [15.49].310, and [15.49].370.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department designated WSCIA as the director's duly authorized agent for the purpose of certifying seed of buckwheat, chickpeas, field peas, lentils, millet, soybeans, small grain, and sorghum in WAC 16-302-010. WSCIA funds the cost for certifying these seed crops through the collection of fees in WAC 16-303-340. Overhead costs for providing these services have risen dramatically over the last several years; however, the fees in this section have not been revised since 2012. After a thorough budget review, the WSCIA board of directors have determined that they cannot continue to provide certifying services at the current fee rate and must revise the fees in this section to more accurately recover the cost for these services.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Affected stakeholders will be notified of proposed amendments. 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 Elisha Chambers, Division Rules Coordinator, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-974-9769, fax 360-902-2085, TTY 800-833-6388, email elisha.chambers@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, website <https://agr.wa.gov/services/inspections-and-investigations/inspections/seed/contacts>.

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