

WSR 24-20-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE
[Filed October 1, 2024, 7:39 a.m.]

Subject of Possible Rule Making: Chapter 16-202 WAC, Application of pesticides and plant nutrients through irrigation systems. The department of agriculture (department) is considering modifying the rules for chemigation and fertigation monitoring to incorporate current technological capabilities and potential automation future capabilities. The department is also considering clarifying changes to the rule that will aid in the readability and understanding of the rule language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.21.030, 15.58.040(2), 15.54.800(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing rules have not been updated since they were first adopted in 2001. Advances in automation and monitoring technology allow for improved and more efficient operation of chemigation and fertigation systems while introducing more robust monitoring capabilities. During review of chapter 16-202 WAC, it was discovered that the previous sections repealed by WSR 01-23-018 had caused unnecessary duplication throughout the chapter which the department may eliminate to avoid confusion and potential contradictions.

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

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholder groups. 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(s).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Caleb Cole, Compliance Case Review Officer, Agricultural Environmental Services, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone 206-492-1969, fax 360-902-2093, email ccole@agr.wa.gov, website agr.wa.gov; or Tim Stein, Agricultural Environmental Services, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone 509-990-8869, fax 360-902-2093, email tstein@agr.wa.gov, website agr.wa.gov.

October 1, 2024
Kelly McLain
Assistant Director