

WSR 25-22-071

PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed October 31, 2025, 12:09 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 of agriculture (department) is considering amending WAC 16-303-340 by increasing fees to align with the current cost of providing certification services and to otherwise align with the department's seed certification rules and fees.

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, quinoa, soybeans, small grain, and sorghum in WAC 16-302-010. WSCIA funds the cost of certifying these seed crops through the collection of fees in WAC 16-303-340. In October 2023, following a petition submitted to the department from WSCIA, the department initiated rule making to increase WSCIA fees set in WAC 16-303-340. Unfortunately, after the fees were adopted in August 2025, it was identified that the increase for field inspection fee per acre except millet and hybrid sorghum and the minimum reinspection fee for each field which did not pass field inspection plus \$0.46 for each acre over 25 were not included in the final submission due to a clerical error. The department has acknowledged that WSCIA requested for the fees to be increased from \$3.15/acre to \$5.30/acre in subsection (1)(b) and from \$0.46 to \$0.75 for each acre over 25 in subsection (1)(g). In order to correct the oversight, the department must reinitiate rule making for WAC 16-303-340. WSCIA also requested that the ordered listing of fees be rearranged to improve readability. Additional stakeholder communication regarding this increase will be sent out as we move through the rule-making process.

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 Timothy Estes, Division Rules Coordinator, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-485-1242, fax 360-902-2085, TTY 800-833-6388, email timothy.estes@agr.wa.gov, website <https://agr.wa.gov/LawsRules/Rulemaking>; or Paula Lundt, 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 paula.lundt@agr.wa.gov, website <https://agr.wa.gov/services/inspections-and-investigations/inspections/seed/contacts>.

October 31, 2025
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