

WSR 26-06-046
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE
[Filed February 25, 2026, 10:49 a.m.]

Subject of Possible Rule Making: Chapter 16-401 WAC, Nursery inspection fees. The department of agriculture (department) is considering amendments to increase the annual assessment rate on the sale of fruit tree and related nursery stock.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.13.260, 15.13.310, 15.13.370, and 15.14.015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To ensure sufficient funding for the fruit tree certification program, it is necessary to increase the annual assessment rate on the sale of fruit tree and related nursery stock. The rate was last increased in 1999. Expenditures have increased over the years, with them doubling in the last six years. The emergence of little cherry disease, as well as other required testing, necessitates increasing the assessment rate.

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 stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Brooks, Plant Services Program Manager, 1111 Washington Street S.E., Olympia, WA 98504 [98501], phone 360-485-1235, fax 360-902-2094, TTY 800-833-6388 or 711, email sbrooks@agr.wa.gov, website <https://agr.wa.gov/services/rulemaking>; or Alison Halpern, Acting Assistant Director, Plant Protection Division, 1111 Washington Street S.E., Olympia, WA 98504 [98501], phone 360-742-7175, fax 360-902-2094, TTY 800-833-6388 or 711, email Alison.Halpern@agr.wa.gov, website <https://agr.wa.gov/services/rulemaking>.

February 25, 2026
Alison Halpern
Acting Assistant Director