



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Agriculture

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 15-04-127 ; or | <input type="checkbox"/> Original Notice                                 |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or           | <input checked="" type="checkbox"/> Supplemental Notice to WSR 15-15-171 |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).                  | <input type="checkbox"/> Continuance of WSR                              |

Title of rule and other identifying information: (Describe Subject) WAC 16-301-490 through 580, crucifer seed quarantine.

**Hearing location(s):**  
 Department of Agriculture  
 Conference Room 238  
 21 North First Ave.  
 Yakima, WA 98902

Date: September 14 Time: 11:00 a.m.

**Date of intended adoption:** 9/25/15  
 (Note: This is NOT the effective date)

**Submit written comments to:**  
 Name: Teresa Norman  
 Address: PO Box 42560  
 Olympia, WA 98504-2560  
 e-mail [WSDARulesComments@agr.wa.gov](mailto:WSDARulesComments@agr.wa.gov)  
 fax (360)902-2092 by 5:00 p.m. 8/28/15

**Assistance for persons with disabilities:** Contact  
 Agency Receptionist by 9/8/15  
 TTY (800) 833-6388 or 711

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** A public hearing to amend the crucifer quarantine rules was held on July 7, 2015. Public comments were received at that time that prompted the Department to continue the rulemaking process with additional language that provides a better option for growers of organic seed in the regulated area and exempts seed grown in the regulated area and tested free of disease from treatment against the black leg and black rot pathogens.

**Reasons supporting proposal:** Additional options for producers of organic seed will help preserve that market and eliminating the requirement for treatment of seed originating in the regulated area and found free of disease will allow for greater efficiencies.

**Statutory authority for adoption:** RCW 15.49.005; RCW 17.24.041; chapter 34.05 RCW

**Statute being implemented:** chapters 15.49 and 17.24 RCW

**Is rule necessary because of a:**

|                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

**DATE**  
7/22/15

**NAME** (type or print)  
Brad Avy

**TITLE**  
Assistant Director

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

**DATE:** July 23, 2015  
**TIME:** 1:39 PM

**WSR 15-16-008**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None

**Name of proponent:** (person or organization) Columbia Basin Vegetable Seed Association and Columbia Basin Vegetable Seed Field Representatives Association

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

| Name                            | Office Location | Phone          |
|---------------------------------|-----------------|----------------|
| Drafting..... Victor Shaul      | Yakima          | (509) 249-6955 |
| Implementation.... Victor Shaul | Yakima          | (509) 249-6955 |
| Enforcement..... Victor Shaul   | Yakima          | (509) 249-6955 |

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared as this proposal will not create significant additional costs to the industry.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: The Washington State Department of Agriculture is not a listed agency under RCW 34.05.328(5)(a)(i).