



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Agriculture

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 15-06-051 _____ ; or	<input type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____ ; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input checked="" type="checkbox"/> Continuance of WSR <u>WSR15-18-071</u>

Title of rule and other identifying information: (Describe Subject) Chapter 16-470 WAC, Quarantine – agricultural pests.

The agency continues to consider amending the apple maggot quarantine as stated in the CR 102 filed August 28, 2015. However the agency is revising the proposed "Date of intended adoption" for the reasons stated below.

Hearing location(s):

Date: _____ Time: _____

Submit written comments to:

Name:
Address:
Olympia,
e-mail
fax () by (date)

Assistance for persons with disabilities: Contact

_____ by _____

TTY () _____ or () _____

Date of intended adoption: March 11, 2016

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The agency is continuing the proposed date of intended adoption to address issues raised by its consultants and by persons from the apple industry and the composting industry during the public comment period and the hearings on October 8 and 9, 2015. The agency has retained the service of consultants to conduct a Pest Risk Analysis of risks associated with composting operations in the pest-free area. Preliminary consultant reports suggest that there are additional potential risks that require further review and analysis. The agency has determined that this information will be necessary to consider for purposes of amending the apple maggot quarantine rules to add a new section allowing for the issuing of special permits for composting municipal green waste in the pest-free area. The Pest Risk Analysis is expected to provide more definitive guidance on risk and mitigation conditions, which will assist the agency in identifying conditions in the proposed special permit rule and potentially preparing an amended SBEIS if such conditions are to be identified in the amended special permit rule section. The agency may propose an additional hearing and comment period depending on the decisions it makes about the special permit rule section following receipt of the Pest Risk Analysis.

Statutory authority for adoption: RCW 14.24.011, 17.24.041 and chapter 34.05 RCW

Statute being implemented: Chapter 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:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **October 23, 2015**

TIME: **1:32 PM**

WSR **15-22-013**

DATE

October 23, 2015

NAME (type or print)

Brad White

SIGNATURE

TITLE

Assistant Director

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) Department of Agriculture.

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... James Marra	1111 Washington Street SE, Olympia, WA 98504-2560	(360) 902-2071
Implementation....James Marra	1111 Washington Street SE, Olympia, WA 98504-2560	(360) 902-2071
Enforcement..... James Marra	1111 Washington Street SE, Olympia, WA 98504-2560	(360) 902-2071

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: Teresa Norman

Address:

PO Box 42560

Olympia, WA 98504-2560

phone (360) 902-2043

fax (360)902-2092

e-mail wsdarulescoments@agr.wa.gov

No. Explain why no statement was prepared.

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).