



# 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 <u>14-22-093</u> ; or | <input checked="" 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 type="checkbox"/> Continuance of WSR _____         |

**Title of rule and other identifying information:** (Describe Subject) Quality orchardgrass seed certification under chapter 16-302 WAC. In response to a petition for rule making received from industry, the department is proposing to add orchardgrass to the quality seed certification program.

**Hearing location(s):**

WSDA Building  
Room 238  
21 North First Ave.  
Yakima, WA 98902

Date: February 25, 2015 Time: 11:00 a.m.

**Submit written comments to:**

Name: Teresa Norman  
Address: P.O. Box 42560  
Olympia, WA 98504  
e-mail [WSDARulesComments@agr.wa.gov](mailto:WSDARulesComments@agr.wa.gov)  
fax (360)902-2043 by 5:00 p.m. 2/25/2015

**Assistance for persons with disabilities:** Contact

The Agency Receptionist by calling

TTY 1-800-833-6388 or (711) no later than 2/11/15

**Date of intended adoption:** March 11, 2015

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** This proposal will establish quality seed standards for orchardgrass, which will allow orchardgrass hay producers to select seed lots that are free from contaminants detrimental to orchardgrass hay production.

**Reasons supporting proposal:** This proposal is supported by members of the seed industry, the hay industry and the Organization of Kittitas County Timothy Hay Growers as this proposal will allow for selection of orchardgrass seed lots free from detrimental contaminants.

**Statutory authority for adoption:** RCW 15.49.005 and 15.49.021 and chapter 34.05 RCW

**Statute being implemented:** Chapter 15.49 RCW Seeds

**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: January 12, 2015**

**TIME: 3:53 AM**

**WSR 15-03-040**

**DATE**  
1/12/15

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

**SIGNATURE**

**TITLE**  
Assistant Director

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

None.

**Name of proponent:** (person or organization) Casey Kilts – Bailey Seed Company

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Victor Shaul	Yakima	(509) 249-6950
Implementation.... Victor Shaul	Yakima	(509) 249-6950
Enforcement..... Victor Shaul	Yakima	(509) 249-6950

**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 actually allow for a net profit for lots meeting the quality seed standards rather than creating a cost.

**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 in RCW 34.05.328(5)(a)(i).