



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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DATE: October 24, 2018

TIME: 9:31 AM

WSR 18-21-192

**Agency:** Department of Agriculture

**Subject of possible rule making:** Chapter 16-752 WAC – Noxious Weed Seed and Plant Quarantine. In response to petitions received from The Washington State Noxious Weed Control Board and the Department of Ecology, the agency is considering adding additional species to the noxious weed seed and plant quarantine. These species are: Italian arum (*Arum italicum*); Ravenna grass (*Tripsidium ravennae*); spurge laurel (*Daphne laureola*); myrtle spurge (*Euphorbia myrsinites*); annual bugloss (*Lycopsis arvensis*); yellow flag iris (*Iris pseudacorus*); hoary alyssum (*Berteroa incana*); small-flowered jewelweed (*Impatiens parviflora*), American sponge plant (*Limnobium spongia*) and South American spongeplant (*Limnobium laevigatum*).

**Statutes authorizing the agency to adopt rules on this subject:** RCW 17.10.074, 17.24.011, RCW 17.24.041, and chapter 34.05 RCW

**Reasons why rules on this subject may be needed and what they might accomplish:** The intrusion into this state of non-native, invasive weed species continues to be a concern. The spread of these weeds presents a risk to the economic well-being of the agricultural, forest, horticultural, and floricultural industries, and the environmental quality and natural resources of the state. Initiating quarantines forbidding entry or distribution of weed species may be critical for their exclusion or control. Some of the candidate species for quarantine are also listed in chapter 16-750 WAC, the state noxious weed list, as a Class A or a Class B noxious weed, requiring mandatory control by county weed boards. However, designation as a noxious weed on the state noxious weed list doesn't prohibit its sale, allowing consumers to buy a plant species that's prohibited by their county weed board. Prohibiting the sale of plants designated under the state noxious weed list for mandatory control will support the efforts of county weed boards to control noxious weeds.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The Washington State Noxious Weed Control Board.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Department staff will discuss any proposed amendments with affected stakeholders. 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:**

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Additional comments:	
<b>Date:</b> October 24, 2018	<b>Signature:</b> 
<b>Name:</b> Brad White	
<b>Title:</b> Assistant Director	