



# 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: March 21, 2019

TIME: 2:17 PM

WSR 19-08-010

**Agency:** Department of Agriculture

**Subject of possible rule making:** Chapter 16-462 (Grape Planting Stock – Registration and Certification). The department is considering modifying this chapter by:

- Adding definitions from the national model standard developed by the National Clean Plant Network that align with the North American Plant Protection Organization (NAPPO) and European Plant Protection Organization (EPPO) standards;
- Revising language to create a regionally harmonized standard for grapevine certification in Pacific Northwest states;
- Adding mandatory testing of all Generation 2 & Generation 3 vines every five years;
- Adding language to address the establishment and maintenance of Generation 2 tissue culture lines and containerized propagation plants;
- Specifying the approved sources of Generation 1 plants that will be eligible to enter the certification program;
- Removing the requirement that certified plants must be free of Grapevine rupestris stem pitting virus;
- Repealing WAC 16-462-055, regarding grades and standards for certified grape planting stock; and
- Expanding certified tagging options.

The department may also consider revising the current rule language to make it more clear and readable.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 15.14.015 and 15.13.260

**Reasons why rules on this subject may be needed and what they might accomplish:** Proposed revisions to this rule are the result of a three year, stakeholder driven grant project, conducted in collaboration with Oregon Department of Agriculture, Idaho Department of Agriculture, industry groups and researchers, to create a regional approach to grapevine virus certification and to harmonize state quarantines for grapevine nursery stock. The project actively engaged stakeholders and agencies in comparing existing grapevine planting stock certification rules, developing a common list of pests under certification, and identifying universally acceptable sampling and testing procedures. These changes are being made as a result of the working groups' suggestions and a petition for rule making from the Washington Winegrowers Association. The certification rule revisions will standardize requirements for certifying grape planting stock in Washington and Oregon, and will strengthen protection of our regional grape and wine industry.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** United States Department of Agriculture – Animal & Plant Health Inspection Service (USDA-APHIS), Oregon Department of Agriculture, Idaho State Department of Agriculture.

**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, including

the Northwest Foundation Block Advisory Group, Washington wine and grape grower associations, and nurseries. 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:**

(If necessary)

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Additional comments:

**Date:** March 21, 2019

**Name:** Brad White

**Title:** Assistant Director

**Signature:**

