



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 20, 2019

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WSR 19-08-002

Agency: Department of Agriculture

Subject of possible rule making: Chapter 16-483 (Grape Pest Quarantine). The department is considering modifying this chapter by:

- Adding Grapevine Red Blotch Virus, Glassy-winged Sharpshooter, European grapevine moth and *Xiphenema index* to the quarantine list;
- Clarifying that the quarantine regulates sites found infested within Washington state, as well as externally, and recommending mitigations;
- Removing the exemption allowing small shipments of softwood cuttings to be visually inspected for insect pests in lieu of treatment;
- Revising the acceptable treatments for insect pests to reflect current research;
- Allowing tissue culture plantlets in vitro from infested states in lieu of treatment; and
- Adding an exception allowing the Director to issue compliance agreements for activities prohibited under this chapter.

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 17.24.011 and 17.24.041

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 pest quarantines, developing a common pest list, and identifying universally acceptable cultural mitigations for common pests. 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 quarantine revisions will standardize requirements for the movement of certified grapevines between Pacific Northwest states, and 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 State 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 20, 2019

Name: Brad White

Title: Assistant Director

Signature:

