



# 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: September 23, 2020

TIME: 9:09 AM

WSR 20-19-141

**Agency:** Dept. of Agriculture

**Subject of possible rule making:** Chapter 16-483 (Grape Pest Quarantine). As a result of a multi-year federally funded stakeholder driven pilot project and a petition from the Washington Winegrowers Association, the department is considering amendments to this chapter that include:

- Amending quarantine regulations to better align and harmonize with other Pacific Northwest states;
- Clarifying and reorganizing the language, as well as adding new definitions;
- Adding to and clarifying the list of pests under quarantine;
- Clarifying that the quarantine regulates sites found infested within Washington state, as well as externally;
- Establishing mitigation requirements for the movement of grape planting stock and equipment from a site found infested with a quarantine pest;
- Adding cultivation and harvesting equipment to the list of items regulated under the quarantine and establishing mitigation requirements;
- Clarifying and providing requirements for importing grape planting stock from outside of the state; and
- Adding an exception allowing the Director to issue compliance agreements for activities prohibited under this chapter and permitting the movement of G1 plants under certain situations.

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:** The revisions under consideration in 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 and their pests. 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 grape pest quarantine has protected the grape industries of Washington from the establishment of harmful pests that could endanger production, quality, and yield. The revisions under consideration serve to further strengthen the quarantine, thus safeguarding Washington nurseries, vineyards, and wineries.

**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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Web site: <https://agr.wa.gov/LawsRules/Rulemaking/wac-16-483-grape-pest-quarantine-032019>

Web site: <https://agr.wa.gov/LawsRules/Rulemaking/wac-16-483-grape-pest-quarantine-032019>

Other:

Other:

Additional comments:

**Date:** 9/23/20

**Signature:**

**Name:** Brad White



**Title:** Assistant Director