Concise Explanatory Statement
for amendments to
Chapter 16-470 WAC
Quarantine – Agricultural Pests
Japanese Beetle Quarantine

On August 2, 2022, the Washington State Department of Agriculture held an in-person hearing in Grandview that had an option for participating virtually through teleconference, to accept testimony on its proposal to amend chapter 16-470 WAC by:

1. Establishing an internal quarantine for Japanese beetle in Washington state that would include 49 square miles in the southeastern corner of Yakima County and the southwestern corner of Benton County.
2. Regulating the following articles that pose a high risk of transporting Japanese beetle:
   a. The upper eight inches of topsoil containing vegetative material from all properties, including but not limited to residential, agricultural, and commercial properties (including construction sites).
   b. Humus and compost (except when produced commercially), and growing media (except when commercially packaged).
   c. Yard debris, meaning plant material commonly created in the course of maintaining yards and gardens and through horticulture, gardening, landscaping, or similar activities. This includes, but is not limited to, grass clippings, leaves, branches, brush, weeds, flowers, roots, windfall fruit, and vegetable garden debris.
   d. Plants for planting and propagation, except when dormant and bareroot and free from soil or growing media, including: all plants with roots, plant crowns or roots, bulbs, corms, tubers, and rhizomes.
   e. Turfgrass (sod).
   f. Hop bines and un-shucked corn ears harvested during the Japanese beetle adult flight season (May 15 –October 15).
   g. Cut flowers for decorative purposes.
   h. Any other plant, plant part, article, or means of conveyance when determined by the Director to present a hazard of spreading live Japanese beetle due to either infestation, or exposure to infestation.
3. Establishing conditions for the movement of regulated articles.
4. Allowing the director to issue compliance agreements as defined in RCW 15.13.250, admitting the regulated articles above from areas within the external or internal quarantine, that are not otherwise eligible for entry or movement from the area under quarantine.

[Date Completed]
Reasons for Adopting the Rule

Chapter 17.24 RCW mandates “a strong system” to protect the forest, agricultural, horticultural, floricultural, and apiary industries of the state from the impact of insect pests, plant pathogens, noxious weeds, and bee pests and infestations. WSDA is charged with implementing that mandate by excluding plant and bee pests and diseases from pest free areas of the state through the regulation of agricultural commodity movement and the quarantining of infested areas. RCW 17.24.041 authorizes the director of WSDA to adopt quarantine areas by rule.

Japanese beetle (Popillia japonica Newman) is a highly invasive plant pest native to Japan. It has been known to cause severe damage to more than 300 species of ornamental and agricultural plants, including roses, grapes, and hops. Adult beetles damage plants by skeletonizing foliage and feeding on buds, flowers, and fruit. The larvae also damage the roots of plants, such as turf grass. Although this feeding does not always kill the plant, it weakens it and may reduce the plant’s overall yield. A quarantine against Japanese Beetle has already been declared for certain areas outside of the state of Washington.

Since June 2021, the Department has collected thousands of Japanese beetles in traps around the city of Grandview in Yakima County. Many beetles were also collected from traps in nearby Benton County, indicating an established population in these areas. Its presence poses a serious threat to gardens, parks, and farms by destroying vegetation. If Japanese beetle becomes permanently established throughout the state, it could result in a severe economic threat to several of Washington’s agricultural industries. The threat this pest poses is particularly concerning due to the area in which the detection occurred. There are a number of farms and nurseries in close proximity to the detection site that grow plants targeted by Japanese beetle.

Not only do these beetles pose a threat to the plants themselves, but if established they have the potential to impact export markets for agricultural commodities grown in the area. Expanding the Japanese beetle quarantine to include portions of Yakima and Benton counties will help prevent the spread of this invasive pest and protect Washington’s agricultural industries, as well as maintain access to national and international markets.

The proposed amendments are intended to prevent the spread of Japanese beetle in Washington state by reducing the risk of infested host material moving outside of the quarantine area.

Summary of Comments and the Department’s Response

The public comment period ran from June 8, 2022, until the close of business on August 2, 2022. During that time, no written comments were received regarding the proposed amendments. Two oral comments were received.

The following summarizes the testimony:

Mary Barrett, representing herself (and a handful of neighbors) submitted oral comment against the proposed amendments. Ms. Barrett stated, “I live in Grandview, on the East Side part. As far as the quarantine, honestly, my personal views is it's not gonna take care of the problem. We have so much traffic, so many trucks coming through bringing this and that and the other thing. I just honestly don't think it's going to end. I would be in favor of quarantine next year, after they do the analysis of how much the larva is gonna hatch next year and so forth. If we can't do that,
please give us time to get things in order so we can get it out before we have to not be able to get it out. The trees have grown so much, everybody's foliage have grown so much, this year because of the wacky weather, that is so much more to cut so much more to get rid of. Grandview really takes pride in its yards. I understand some of the areas are really heavily infested and some of them aren't. Umm, I'll be cooperative, and I'll follow the rules, but I really am not in favor of the quarantine 'till next year when you have more data. Thank you.”

Response: Thank you for your comment. It is correct that the infested area is within a highly trafficked corridor used by interstate commerce and industry. This fact gives us an even greater sense of urgency when trying to control the spread of Japanese beetle, as it provides an easy avenue for this pest to spread beyond the current infested area. It also enables the beetle to spread further than it would typically be able to travel under its own power.

When driving through Grandview, it is clear how much the city prides itself on its yards. One side effect of this however, is that the yard debris needs to be disposed of somewhere. This creates the possibility of yard debris being disposed of outside the infested area where major transfer stations and landfills are located. Japanese beetle can be transported and spread in yard debris such as grass clippings, tree cuttings, and sod. Regulating the transport of these items will help limit the spread of Japanese beetle to other areas of the state.

Finally, the WSDA has trapped Japanese beetle in the proposed quarantine area since 2020. This includes the over 24,000 beetles that were caught during our 2021 trapping survey. These high detection numbers, along with the detection of larvae, confirms the presence of an established population in the area which needs to be addressed as quickly as possible to reduce (and hopefully prevent) the spread of the infestation to the rest of the state.

Melodie Smith, representing herself submitted oral comment in support of the proposed amendments. Ms. Smith stated, “I live in Grandview. I am in support of the quarantine. I think that we need to do some heavy control issue options here. I do feel sad and frustrated for the farmers and other growers who are within this area, but I do think that if we could contain it as much as possible with all of our mitigation things that are happening; the spraying, the trapping and trying to control the yard waste, et cetera, I think we might get a handle on it. I don't think we can wait another year. This is the third year I've seen them, and they just kept going exponentially. I'm in favor and I hope that it works and that you review it again next year to see if the mitigation things have worked at all, and if we need to expand it or shrink it down.”

Response: Thank you for your comment.

Differences Between the Proposed and Adopted Rule

There are no differences between the proposed and adopted rule.