

FOR INFORMATION AND ACTION
DA-2013-36
August 23, 2013

SUBJECT: APHIS Expands *Phytophthora ramorum* Quarantine Area in Curry County, Oregon

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is expanding the *Phytophthora ramorum* quarantine area in Curry County, Oregon. APHIS is taking this action in response to the confirmation of *Phytophthora ramorum* in additional areas and the establishment of an intrastate quarantine for the areas in Curry County that mirrors the Federal Regulatory requirements as specified in 7 CFR 301.92. This federal order will expand the current quarantine area in Curry County from 202 square miles to 264 square miles.

Phytophthora ramorum is the pathogen that causes Sudden Oak Death (SOD), ramorum leaf blight, or ramorum dieback. Sudden Oak Death was first reported in 1995 in Mill Valley (Marin County), California, on tanoak. Since that time, the pathogen has been confirmed on various native hosts in Curry County, Oregon and fourteen coastal California counties:

- | | |
|-----------------|------------------|
| 1. Alameda | 8. Napa |
| 2. Contra Costa | 9. San Francisco |
| 3. Humboldt | 10. San Mateo |
| 4. Lake | 11. Santa Clara |
| 5. Marin | 12. Santa Cruz |
| 6. Mendocino | 13. Solano |
| 7. Monterey | 14. Sonoma |

Through ongoing surveys, APHIS-PPQ continues to define the extent of the pathogen's distribution in the United States and limit its artificial spread beyond infected areas through quarantine and a public education program.

Details on APHIS-designated *P. ramorum* quarantined and regulated areas and conditions to move regulated articles are in 7 CFR 301.92 and are also available at:
http://www.aphis.usda.gov/plant_health/plant_pest_info/pram/regulations.shtml.

For more information about the *P. ramorum* program and Federal regulations, you may contact Prakash Hebbar, National Policy Manager, at (301) 851-2228, or Stacy Scott, National Operations Manager, at (970) 494-7577.

/s/ Osama El-Lissy

Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine
Attachment: Federal Order

FEDERAL ORDER

Phytophthora ramorum
Expansion of Quarantined Areas in Curry County, Oregon
DA-2013-36
August 23, 2013

This Federal Order is issued pursuant to the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 7712(a), which authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article, if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States and is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 CFR §301.92 *et seq.*

This Federal Order quarantines, effective immediately, additional areas (62 square miles) in Curry County, Oregon for *Phytophthora ramorum*. The FO will expand the current quarantine area in Curry County from 202 square miles to 264 square miles. This action is in response to the detection of *P. ramorum* in these areas. Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate additional areas in Curry County, Oregon, in order to prevent the spread of *P. ramorum*. Accordingly, effective immediately, all interstate movement of *P. ramorum* regulated articles from these areas must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.92 *et seq.* and any applicable provisions of this Federal Order.

APHIS has confirmed infestations in various areas of the United States for which the Administrator has determined that it is necessary to quarantine these areas in order to prevent the spread of *P. ramorum*. The areas regulated and quarantined due to the continuing spread of *P. ramorum* are designated in the federal regulations located at 7 CFR 301.92-3. At this time, we are updating the quarantined area in Curry County to include additional areas in Curry County, Oregon. The following description designates the entire area that is now quarantined in Curry County, Oregon:

Oregon.

Curry County. *The following portion of Curry County that lies inside the area south of the northern border of T37S R 15W section 13, T37S R14W sections 15, 16, 17, and 18, then west of the eastern border of T37S R14W sections 15, 22, 27, and 34, and T38S R14W sections 3 and 10, then south of the northern border of T38S R14W sections 13 and 14, then west of the eastern border of T38S R14W sections 13, 24, 25, and 36, then south of the northern border of T39S R13W 1, 2, 3, 4, 5, 6 and T38S R12W sections 29 and 30 and; then west of the eastern border of T38S R12W sections 29 and 32, T39S R12W sections 5, 8, 17, 20, 29, and 32, T40S R12W sections 5, 8, 17, 20, 29, and 32, and then north of the southern border T40S R12W sections 31, 32 and T41S R13W section 12, west of the western boundary of section 13, north of the southern boundary of section 14 to the intersection with US Highway 101 and then northeast of US Highway 101 to the*

intersection with West Benham Lane and then north of West Benham Lane directly west to the Pacific Coastline; then east of the Pacific Coastline.

Section 7 CFR 301.92-3(a)(1) allows the designation of less than an entire state as a *P. ramorum* quarantined area only when the Administrator of APHIS has determined, as in this case, that the designation of less than an entire state as a quarantined *P. ramorum* area is adequate to prevent the interstate spread of infestations of *P. ramorum*. In addition, 7 CFR 301.92-3(a) requires that the state enforces an intrastate *P. ramorum* quarantine that is equivalent to the Federal *P. ramorum* regulations. The State Plant Regulatory Official for Oregon has confirmed the establishment of an intrastate quarantine for the areas in Curry County that mirrors the Federal Regulatory requirements as specified in 7 CFR 301.92.

Section 7 CFR 301.92-3 (a)(2) provides for the temporary designation of new quarantined areas pending publication of a rule to add counties to the list shown in 7 CFR 301.92-3(a)(3). Section 7 CFR 301.92-3 (a)(3) further requires written notification be given to the owner or person in possession of a newly quarantined area. This is the responsibility of the Federal and/or State regulatory personnel responsible for the *P. ramorum* program in the affected state.

If you wish more details on the Federal *P. ramorum* regulatory program, you may contact the *Phytophthora ramorum* National Policy Manager, Prakash Hebbar, at (301) 851-2228, Stacy Scott, National Operations Manager, (970) 494-7577. For information on regulatory requirements for movement of articles out of *P. ramorum* quarantined areas in Oregon, please contact APHIS State Plant Health Director Ann Ferguson at (503) 326-2814. We continue to appreciate the cooperative relationship with the State of Oregon in our effort to prevent the spread of *P. ramorum*.