



THE CENTRAL PLANT BOARD

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June 12, 2014

Osama El-Lissy,
Deputy Administrator
USDA-APHIS-PPQ
Washington DC

Dear Osama:

The cooperative working relationship between state regulatory agencies and USDA-APHIS-PPQ (PPQ) is an absolute necessity for the success of our collective pest detection and response efforts. A critical aspect of this relationship is communication. While communication has generally been good, a recent scenario highlights the need for continued focus on direct communication at the earliest developmental stages of new regulatory concepts and approaches.

This specific scenario is related to PPQ's Gypsy Moth Program and possible changes to the requirements for the processing of regulated logs at receiving facilities outside the quarantine area. In this instance, Wisconsin regulatory staff were informed by the Minnesota forestry industry that they had received assurances from PPQ staff that with the implementation of the new gypsy moth quarantine in Minnesota, the regulatory approach being implemented there would be substantially different than what Wisconsin was requiring. The Wisconsin State Plant Health Director was consulted and had no knowledge of any planned change in the gypsy moth regulatory approach. In mid-April, Wisconsin requested more detail from PPQ's Gypsy Moth National Policy Manager and was told "...nothing is cast in stone yet ...we intend to convene a multi-organizational workgroup...over the upcoming months." Two weeks later, Wisconsin received an industry announcement of significant changes regarding the gypsy moth regulatory program to be implemented on July 1.

The Central Plant Board wants to emphasize that we are not opposed to change and we support evaluating creative regulatory strategies that are both effective in mitigating pest movement and reducing the regulatory burden on industry. This is what we in the regulatory community need to be doing, but it must be done in an open and transparent process with Plant Board involvement at the conceptual stage, before making commitments to industry representatives.

Recently PPQ reached out to the National Plant Board to form a Gypsy Moth Working Group to begin addressing this potential regulatory change. While we fully believe that a well-rounded group with a broad perspective will be formed, the fact that this yet-to-be-discussed approach will apparently be implemented in less than a month is deeply concerning. Wisconsin will be impacted immediately, and the effects could undermine that state's cooperative working relationship with the forestry industry.

During this year's Central Plant Board meeting we were informed by the PPQ Gypsy Moth National Operations Manager that "big changes" were coming to the Gypsy Moth Program. However, there was no overview given of what those changes might be. We have been told by PPQ that this regulatory change is grounded in "several analyses" of national survey and operational data; however, neither these data, nor the analyses, have been shared with states.

PPQ is now creating a Working Group to discuss a new regulatory approach that is effectively being implemented (on July 1) prior to the group even beginning its work. This approach is distressing and calls into question the validity of the evaluation process. The fact that PPQ is already implementing this approach and has made assurances to the Minnesota forestry industry make it difficult to understand how PPQ would address a scenario where the Working Group did not validate the new regulatory approach.

The Central Plant Board is committed to working with PPQ to continuously improve our communication and working relationship; it is imperative for our mutual success. On significant policy changes, we request PPQ's commitment to early engagement with the Central Plant Board and potentially impacted states at the concept development level in an open and transparent process.

Sincerely,

A handwritten signature in blue ink that reads "Philip T. Marshall". The signature is written in a cursive style with a large, stylized initial "P".

Philip Marshall
Central Plant Board President
Indiana

Cc:
Geir Friisoe, President, National Plant Board
Carol Holko, President, Eastern Plant Board
Mike Evans, President, Southern Plant Board
Mitch Yergert, President, Western Plant Board