



CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

OFFICIAL NOTICE FOR THE CITIES OF SUNNYVALE AND SANTA CLARA PLEASE READ IMMEDIATELY

PROCLAMATION OF AN EMERGENCY PROGRAM FOR THE JAPANESE BEETLE

On September 18, 2015, two Japanese beetles (JB), *Popillia japonica* Newman, were trapped in the city of Sunnyvale, Santa Clara County. Based on the survey data, pest biology, information from the California Department of Food and Agriculture (CDFA) Japanese Beetle Science Advisory Panel (JBSAP), recommendations provided by the CDFA Primary State Entomologist, and the CDFA "Action Plan for Japanese Beetle *Popillia japonica* (Newman)," the CDFA concludes that an infestation of Japanese beetle exists in the area.

In accordance with integrated pest management (IPM) principles, the CDFA has evaluated possible treatment methods and determined that there are no physical, cultural, or biological control methods available to eradicate the JB from this area.

The treatment plan for the JB infestation will be implemented within a 200-meter radius of each detection site, as follows:

- The soil surface of grass turf areas and other ground cover plantings are treated targeting the young grubs. Acelepryn®, containing chlorantraniliprole, is applied once via hoses to the soil surface during mid-April to early May.

However, inclement weather may affect the timing of the treatment, and a significant delay would reduce the effectiveness of Acelepryn®. In that case, CDFA would reschedule the soil treatment for mid-June through mid-July using a diluted formulation of Merit® 2F.

Public Notification:

Residents of affected properties will be invited to a public open house meeting where officials from CDFA, the Department of Pesticide Regulation, the Office of Environmental Health Hazard Assessment, and the county agricultural commissioner's office will be available to address residents' questions and concerns. Residents are notified in writing at least 48 hours in advance of any treatment in accordance with the Food and Agricultural Code, Section 5779. Following the treatment, completion notices are left with the residents listing recommended precautions to take when re-entering the treated portion of the property. Treatment and other information is posted at <http://cdfa.ca.gov/plant/JB/index.html>. Press releases, if issued, are prepared by the CDFA information officer and the county agricultural commissioner, in close coordination with the program leader responsible for treatment. Either the county agricultural commissioner or the public information officer serves as the primary contact to the media.

For any questions related to this program, please contact the CDFA toll-free telephone number at 800-491-1899 for assistance. This telephone number is also listed on all treatment notices.

Enclosed are the proclamation, a map of the treatment area, the work plan, an IPM alternatives analysis, and a pest profile.

Attachments

PROCLAMATION OF AN EMERGENCY PROGRAM FOR THE JAPANESE BEETLE

On September 18, 2015, two Japanese beetles (JB), *Popillia japonica* Newman, were unexpectedly trapped in the city of Sunnyvale, Santa Clara County. Based on the survey data, pest biology, information from the California Department of Food and Agriculture (CDFA) Japanese Beetle Science Advisory Panel (JBSAP), recommendations provided to me by the CDFA Primary State Entomologist, and the CDFA "Action Plan for Japanese Beetle *Popillia japonica* (Newman)," I have determined that an infestation of Japanese beetle exists in the area. I further find that an emergency exists due to the detection of these beetles, for the reasons stated below.

The JB is originally from Japan, and was first found in the U.S. in 1916 in New Jersey. Both as adults and as grubs (the larval stage), the JB is a destructive plant pest. Adults feed on the foliage and fruits of several hundred species of fruit trees, ornamental trees, shrubs, vines, and field and vegetable crops. Among the plants most commonly damaged are apple, pears, caneberries, pears, blueberries, cherries, plums, corn, rose, grape, crabapple, turf grass and beans. Adults leave behind skeletonized leaves and large, irregular holes in leaves. The grubs develop in the soil, feeding on the roots of various plants and grasses and often destroying turf in lawns, parks, golf courses, and pastures. Today, the JB is the most widespread turf-grass pest in the United States. Efforts to control the larval and adult stages are estimated to cost more than \$460 million a year. Losses attributable to the larval stage alone have been estimated at \$234 million per year — \$78 million for control costs and an additional \$156 million for replacement of damaged turf (USDA Program Aid No. 1599, Managing the Japanese Beetle: Homeowner's Handbook, revised 2015). Additionally, as a general feeder, the JB likely poses a serious threat to the general environment and to some of California's threatened and endangered species.

In order to prevent the spread of JB through the movement of aircraft, the USDA maintains a Japanese Beetle Federal domestic Quarantine, 7 CFR 301.48 and a companion manual "Japanese Beetle Program Manual For Airports." The National Plant Board has representatives from each state's agricultural department. On March 4, 2016, it issued a revised "U.S. Domestic Japanese Beetle Harmonization Plan." This plan governs the movement of nursery stock between states to ensure JB is not spread artificially spread. Finally the Department maintains the Japanese Beetle Exterior Quarantine, Section 3280, Title 3, California Code of Regulations, to prevent the artificial introduction of JB into the State. In 2007 the Oregon Department of Agriculture conducted an economic risk analysis for the impact of JB in Oregon. They concluded that the estimated crop damage costs to be \$32,110,400 and estimated quarantine costs to be \$2,312,832 if JB was not controlled. As the value of California's affected industries are substantially larger than Oregon's, the economic impacts would be substantially higher. In addition, quarantines would target the movement of California produced nursery stock, which was valued at \$3.22 billion in 2014.

Under the California Environmental Quality Act (CEQA), "Specific actions necessary to prevent or mitigate an emergency" are exempt [Public Resources Code Section 21080(b)(4)]. "Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services" (Public Resources Code Section 21060.3). Clearly, the JB demands immediate action to prevent loss and damage to property, the agricultural industry and the environment. Without such action JB would continue to spread and ultimately result in other

western states implementing a JB quarantine against California which would result in further economic damage to the state's economy. Therefore, the Department is utilizing an emergency exemption as set forth under CEQA to prevent these detrimental actions from occurring.

This decision to proceed with treatment is based upon a realistic evaluation that it will be possible to eliminate JB from this area and prevent its spread using currently available technology in a manner that is based on an action plan developed in consultation with the Pest Prevention Committee of the California Agricultural Commissioners and Sealers Association, the United States Department of Agriculture, and scientists on the JBSAP. Due to the size of the infested area and the number of beetles detected, historical data indicates that eradication is possible. The first California detection occurred in Los Angeles County in 1951, and the first infestation occurred in Sacramento County in 1961, and in the following years occasional re-introductions have been detected and successfully eradicated. In making this decision, the CDFA has evaluated possible treatment methods. In accordance with integrated pest management principles, the following is the list of options that I have considered for the treatment of this JB infestation: 1) physical controls; 2) cultural controls; 3) biological controls; and 4) chemical controls.

Based upon input from my professional staff and outside experts familiar with JB, I have concluded that there are no physical, biological, or cultural control methods that are effective to treat the JB that allow the CDFA to meet its statutory obligations. To eradicate JB, I am ordering a soil treatment that is applied using ground-based equipment. The treatment will be performed using a liquid formulation of chlorantraniliprole that is applied to the soil surface over vulnerable roots in turf and ground cover. A description of this method is in the Work Plan summary below and in the enclosed Work Plan. This method was selected based upon biological effectiveness, minimal public intrusiveness, cost, and minimal impacts to the environment. However, inclement weather may affect the timing of the treatment, and a significant delay would reduce the effectiveness of Acelepryn®. In that case, CDFA would reschedule the soil treatment for mid-June through mid-July using a diluted formulation of Merit® 2F. If Merit® 2F is used, a Notice of Treatment will be issued in advance of any applications.

This treatment program will proceed as an emergency action as defined in the CEQA, Chapter 2.6 Section 21080(4). On December 10, 2015, the JBSAP recommended one application with chlorantraniliprole as the primary means to eradicate JB. The application will be made using ground-based spray equipment from mid-April to early May. There is a very short biological window in the spring where chlorantraniliprole may be used and be still effective. This recommendation is based upon their scientific evaluation of chlorantraniliprole being used in this manner in other states' successful JB eradication projects. Chlorantraniliprole is registered in California for the proposed use. CDFA has initiated the process to tier or amend its Program Environmental Impact Report (PEIR) to include the use of chlorantraniliprole. The U.S. Environmental Protection Agency classifies chlorantraniliprole as a "reduced-risk" pesticide. This means that chlorantraniliprole poses less risk to human health and the environment than other pesticides allowed for the same uses. Therefore, it is critical to have chlorantraniliprole available for use this spring in our JB eradication project areas.

Sensitive Areas

The treatment area has been reviewed by consulting the California Department of Fish and Wildlife's California Natural Diversity Database for threatened or endangered species. The CDFA also consults with the United States Fish and Wildlife Service, the National Marine Fisheries Service and the California Department of Fish and Wildlife when rare and endangered species are located within the treatment area. Mitigation measures will be implemented as needed. The CDFA will not apply pesticides to bodies of water or undeveloped areas of native vegetation. All treatment will be applied to residential properties, common areas within residential development, non-agricultural commercial properties, and right-of-ways.

Work Plan

The maximum treatment program area encompasses those portions of Santa Clara County which fall within 1.5 miles around each property on which a JB has been detected and any subsequent detection sites within the program boundaries. A map of the treatment program boundaries is attached. A map of the program boundaries is attached. The work plan consists of the following elements:

1. Delimitation. Intensive trapping is triggered after each beetle is detected. Following confirmation of the specimen, trap densities are increased over a 49-square mile area (127 km²). Trap density in the core square mile is increased to 100 traps within 24 hours of the detection. Trap densities in the remainder of the delimitation area are increased from the core outward within 48 hours of the find to complete a 100-25-5-5 array. Higher core trap densities, such as 160 or 640 traps per square mile, have been used in the past for heavy infestations and may be adopted if needed. Traps in the core mile are serviced daily for the first week, and all others serviced at least once within the first week. After one week of negative finds, trap inspection frequency changes to weekly. Delimitation trapping then continues for the remainder of the season. If eradication is not triggered, trap densities revert to detection levels after two consecutive years of negative finds. If eradication is triggered, trap densities revert to detection levels after two consecutive years of negative finds following the last treatment. In addition, visual survey for adults may occur on host plants within 400 meters of a detection at the discretion of program management. Other visual survey methods which may be used include sweep-netting host plants. Visual inspections may also be conducted as needed outside the 400-meter radius.
2. Treatment. Treatment is triggered or expanded by the detection of a total of two or more Japanese beetle adults within three miles of each other and during the timeframe of one life cycle, which includes the next flight season; or by a mated female; or by one or more immature beetles (eggs, grubs, pupae). Treatments will occur in a 200-meter radius of each detection location. Treatments are applied for one year past the last beetle detected, but may be extended to two years at the discretion of project management. The primary treatment targets young grubs. All properties within 200 meters of each detection site will be treated according to the following protocol.

- The soil surface of grass turf areas and other ground cover plantings are treated targeting the young grubs. Acelepryn®, containing chlorantraniliprole, is applied via hoses to the soil surface once during mid-April to early May.

In the event that Acelepryn® cannot be used during this time period due to weather or other factors, a significant delay would reduce the effectiveness of Acelepryn®. In that case, CDFA would reschedule the soil treatment for mid-June through mid-July using a diluted formulation of Merit® 2F.

Public Information

Residents of affected properties will be invited to a public meeting where officials from the CDFA, the California Department of Pesticide Regulation, the Office of Environmental Health Hazard Assessment, and the county agricultural commissioner's office will be present to address residents' questions and concerns. Residents are notified in writing at least 48 hours in advance of any treatment in accordance with the Food and Agricultural Code (FAC), Section 5779. Following the treatment, completion notices are left with the residents listing recommended precautions to take when re-entering the treated portion of the property. Information concerning the JB program will be conveyed directly to local and State political representatives and authorities via letters, emails, and/or faxes. Treatment and other information is posted at <http://cdfa.ca.gov/plant/JB/index.html>. Press releases, if issued, are prepared by the CDFA information officer and the county agricultural commissioner, in close coordination with the program leader responsible for treatment. Either the county agricultural commissioner or the public information officer serves as the primary contact to the media.

For any questions related to this program, please contact the CDFA toll-free telephone number at 800-491-1899 for assistance. This telephone number is also listed on all treatment notices.

Duty to Act

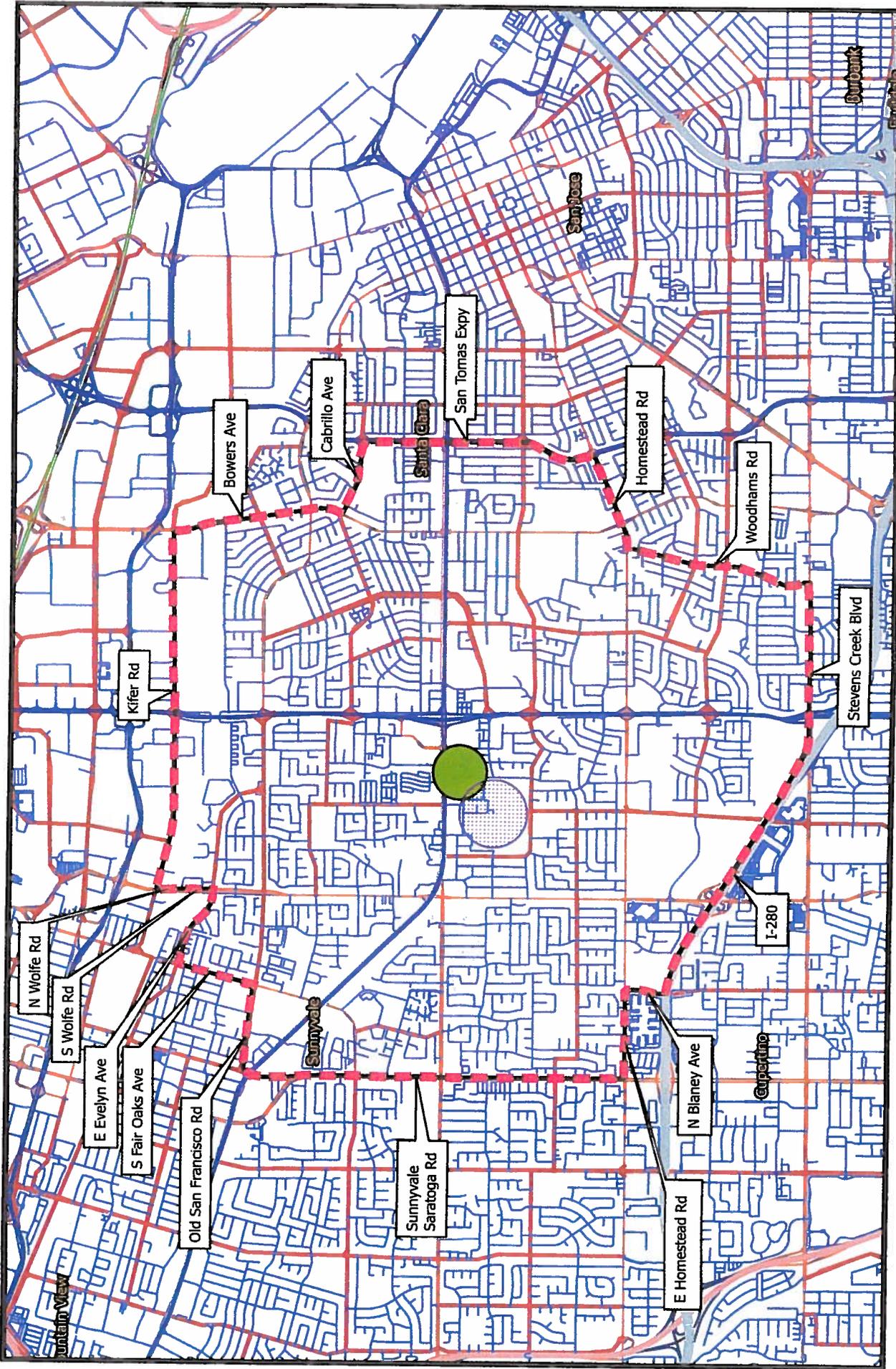
Under my statutory authority, as Secretary of the California Department of Food and Agriculture, I have decided, based upon the likely environmental and economic damage that would be inflicted by an established infestation of the JB in this area, that it is incumbent upon me to attempt to address this threat.

My duty to act, and this decision, is based upon authority set forth in Sections 24.5, 401.5, 403, 407, 408, 5401-5405, and 5761-5764 of the FAC, authorizing and mandating the Secretary to: thoroughly investigate the existence of the pest; determine the probability of the pest spreading to other areas; abate a pest from the established treatment area; and, to prevent further economic damage. The program work plan above describes the CDFA's actions that are necessary to mitigate the effects of this pest.

Karen Ross, Secretary

Date

Japanese Beetle
 Sunnyvale, Santa Clara County
 2016



-  Maximum Program Boundary
-  Treatment Mitigations in Place
-  Proposed 200 M Treatment Boundary
-  Sensitive Environmental Area

