



October 2, 2017

To Whom It May Concern:

This letter is intended to serve as formal notice that at 4:30 pm on Monday, October 2, 2017, a statewide emergency quarantine was declared for the insect pest Emerald Ash Borer (*Agrilus planipennis*). On August 4, 2017, my office was notified by the United States Department of Agriculture (USDA) that this wood boring insect had been detected in three South Carolina counties (Greenville, Spartanburg and Oconee). South Carolina is the 31st state to detect this invasive pest since the initial detection was confirmed in 2002 in Michigan. The USDA has indicated that a federal quarantine will be enacted in South Carolina in an effort to slow the spread of this insect into other states.

This emergency quarantine is being declared in accord with the South Carolina Administrative Procedures Act (APA) which states that if a natural resources related agency finds that abnormal or unusual conditions, immediate need, or the state's best interest requires immediate promulgation of emergency regulations to protect or manage natural resources, the agency may file the regulation with the Legislative Council and a statement of the situation requiring immediate promulgation.

In addition, under the authority of the South Carolina Code of Laws Title 46, Chapter 9, The South Carolina Crop Pest Commission ("Commission") may carry out operations, including quarantines or measures to locate, suppress, control, or eradicate or to prevent or retard the spread of plant pests, independently or in cooperation with counties or their political subdivisions, municipalities, farmers' associations or similar organizations, individuals, federal agencies, or agencies of other states, by regulation, compliance agreement, judicial action, or other appropriate means (46-9-40).

The Commission may quarantine the State or a portion of it when it determines that the action is necessary to prevent or retard the spread of a plant pest within or from this State and quarantine another state or portion of it whenever it determines a plant pest exists in it and that the action is necessary to prevent or retard its spread into this State (46-9-60 (B)).

In accord with the South Carolina Administrative Procedure Act (APA), a statewide hearing was held on Friday, September 29, 2017 to discuss a plan of action with internal and external stakeholders. Recommendations for a statewide quarantine came from the South Carolina Forestry Commission, The Forestry Association of South Carolina, The Foresters Council of South Carolina, and the Clemson University State Entomologist's Office.

In an effort to contain the spread of this pest and to ensure free movement of wood and wood products throughout the state of South Carolina, the following emergency quarantine regulations are being implemented:

Office of the Director
Regulatory and Public Service Programs

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www.clemson.edu/public/regulatory

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1. Regulated Articles:

- a. The emerald ash borer.
- b. Firewood of all hardwood (non-coniferous) species.
- c. Nursery stock, green lumber, and other material living, dead, cut, or fallen, including logs, stumps, roots, branches, and composted and uncomposted chips of the genus *Fraxinus*.
- d. Any other article, product, or means of conveyance not listed in paragraph (1) of this section may be designated as a regulated article if an inspector determines that it presents a risk of spreading emerald ash borer and notifies the person in possession of the article, product, or means of conveyance that it is subject to the restrictions of the regulations.

2. Conditions Governing the Movement of Regulated Articles.

- a. Regulated articles may not at any time be moved from quarantined parts of South Carolina or any other state into or through non-quarantined parts of South Carolina or any other state without a state- or federally-issued certificate and/or compliance agreement allowing for such movement.
- b. Regulated articles may be moved from quarantined parts of South Carolina or any other state into or through quarantined parts of South Carolina without state- or federally-issued certificates and/or compliance agreements provided that no other state or federal provisions prevent it.

3. Regulated Areas:

The entire state of South Carolina is quarantined for emerald ash borer. The official listing of quarantined areas in South Carolina shall be maintained and made publicly available on Clemson's website located at: www.clemson.edu/invasives

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen Cole".

Dr. Stephen Cole, Director
Regulatory Services

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