



Exempt Action Final Regulation Agency Background Document

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| Agency name | Department of Agriculture and Consumer Services |
| Virginia Administrative Code (VAC) citation | 2 VAC 5-325 |
| Regulation title | Rules and Regulations for Enforcement of the Virginia Pest Law – Regulations Governing Pine Shoot Beetle |
| Action title | Amends Regulations to Expand Quarantine Area for Pine Shoot Beetle to include Loudoun County |
| Final agency action date | November 3, 2010 |
| Document preparation date | October 28, 2010 |

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

By authority granted under Section 3.2-703 of the Code of Virginia, the Commissioner of Agriculture and Consumer Services can extend or reduce the area currently regulated for plant pests. Expansion of the area regulated under the Regulations Governing Pine Shoot Beetle is now necessary due to the detection of adult Pine Shoot Beetle in Loudoun County. The amendment will add the county of Loudoun to the Regulations Governing Pine Shoot Beetle.

The purpose of the promulgation of this regulation is to delay the long distance (artificial) spread of the pine shoot beetle from infested areas to non-infested areas. This will reduce the impact of the pine shoot beetle to landowners and forest users in Virginia thereby protecting the public's health and welfare. The quarantine restricts the movement of regulated articles, as defined in 2 VAC 5-325-20, from regulated localities to non-regulated localities. The regulated articles include pine products which pose a significant risk of transporting the pine shoot beetle. These regulated articles include pine products such as bark nuggets (including bark chips), Christmas trees, logs with bark attached, lumber with bark attached, nursery stock, raw pine material for wreaths and garland, and stumps. Regulated articles may move freely within the regulated areas.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On November 3, 2010, the Commissioner of the Department of Agriculture and Consumer Services adopted as a final regulation, 2 VAC 5-325, Rules and Regulations for Enforcement of the Virginia Pest Law – Regulations Governing Pine Shoot Beetle.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have no impact on the institution of the family and family stability.