



## **EMERALD ASH BORER**

### **Federal Regulatory Overview**

September 23, 2014  
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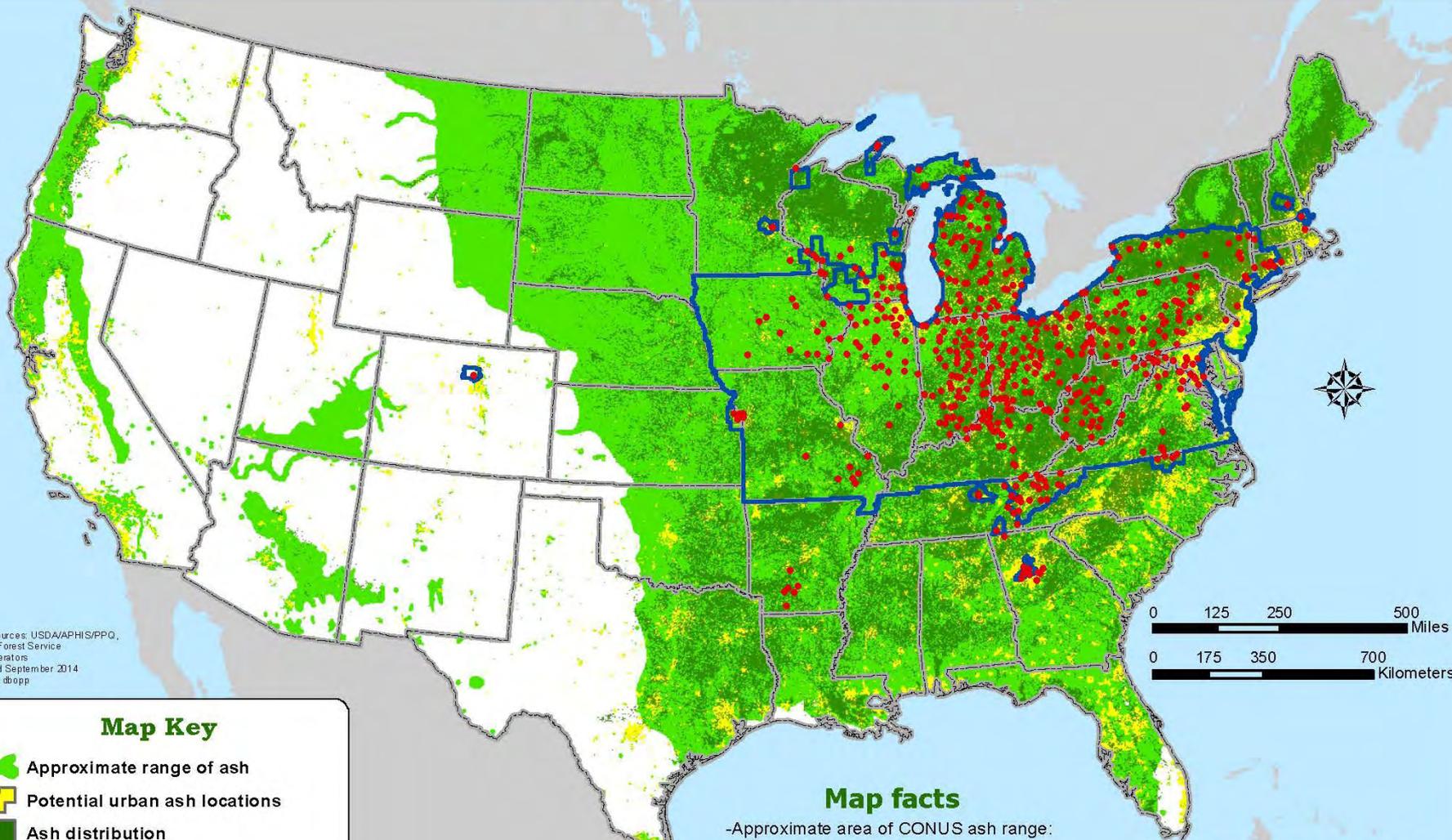




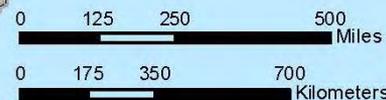
# Cooperative Emerald Ash Borer Project

Approximate range of ash species in the Contiguous U.S.  
with EAB positives and Federal quarantines

September 4, 2014



Data sources: USDA/APHIS/PPQ,  
USDA Forest Service  
& cooperators  
updated September 2014  
map by dbopp



## Map Key

-  Approximate range of ash
-  Potential urban ash locations
-  Ash distribution
-  Federal EAB quarantine boundaries
-  Initial county EAB detection

## Map facts

- Approximate area of CONUS ash range:  
4693100 sq. kilometers
- Area of U.S. Federal quarantine:  
1394452 sq. kilometers
- Total area of counties where EAB is present:  
776875 sq. kilometers

DISCLAIMER: These data, and all the information contained therein, have been collected by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), or by its cooperators on APHIS' behalf, for restricted government purposes only and is the sole property of APHIS. Data may be disseminated on a need-to-know basis only and must be used for their intended government purpose(s). All information contained within these data are subject to required Federal safeguards and shall only be shared and/or used consistent with the Trade Secrets Act (18 U.S.C. 1905), the Privacy Act of 1974, as amended (5 U.S.C. 552a), the Freedom of Information Act (5 U.S.C. 552), the confidentiality provisions of the Food Security Act of 1985 (7 U.S.C. 2276), Section 1619 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8791), and other applicable Federal laws and implementing regulations, as well as with the confidentiality or non-disclosure provisions of any other agreement entered into between APHIS and a cooperator.

Ash species distribution map source:  
USDA, Forest Service, Forest Health Technology Enterprise Team (FHTET).

Link to FHTET species distribution maps:  
<http://foresthealth.fs.usda.gov/host/>

# WHAT ARE WE PROTECTING?

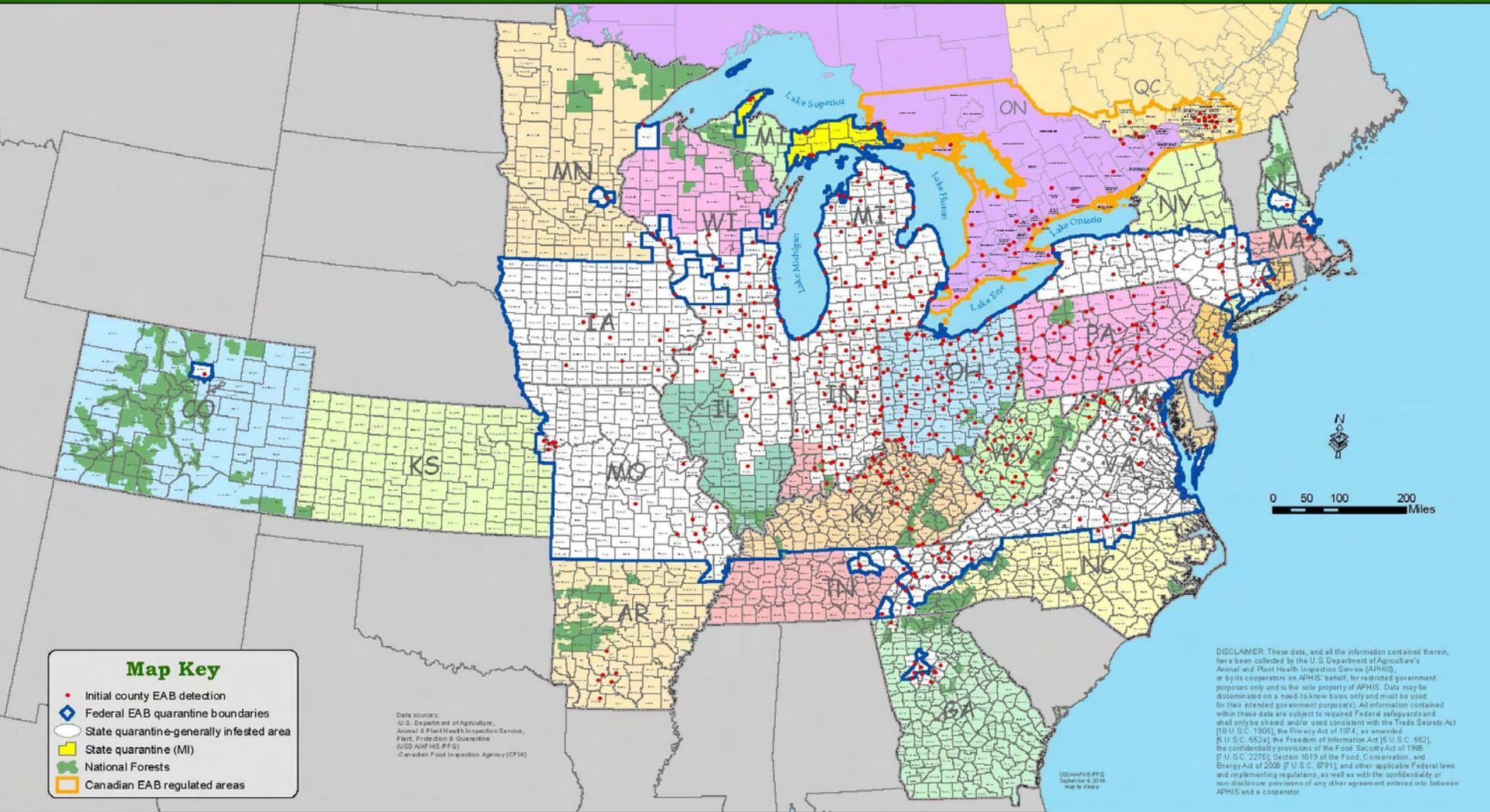




# Cooperative Emerald Ash Borer Project

Initial county EAB detections in North America

September 4, 2014





# FEDERAL REGULATORY AUTHORITIES



- ❖ The Federal Emerald Ash Borer Quarantine (7 CFR 301.53) provides the authority to conduct regulatory activities.
- ❖ The Plant Protection Act of 2000 (Statute 7 USC 7701-7758) provides authority for implementation of emergency quarantine action. This provision is for **interstate** regulatory action only.



# FEDERAL & STATE PARTNERS

- ❖ USDA, APHIS, Plant Protection & Quarantine
- ❖ USDA, Forest Service
- ❖ MA Department of Agricultural Resources
- ❖ MA Department of Conservation and Recreation





# COMPONENTS OF A QUARANTINE



- ◎ **Survey** – to determine extent of infestation
  - ◎ Federal/State
- ◎ **Regulatory** – to control the movement of articles that can spread the pest
  - ◎ Federal/State
- ◎ **Eradication/Control Measures** – to eliminate or control the spread of the pest
  - ◎ Federal/State/Local/Private



# REGULATORY WORK

- ❖ The regulatory challenge is to stop the artificial spread of EAB
- ❖ Officials determine who is handling ash
- ❖ Issue compliance agreements, certificates and limited permits
- ❖ Conduct operations targeting pathways of spread
- ❖ Outreach and Education
- ❖ Civil penalties if appropriate



# MAJOR INDUSTRIES IMPACTED

- ❖ Logging/Lumber
- ❖ Nursery
- ❖ Tree Work
- ❖ Firewood
- ❖ Milling and Manufacturing
- ❖ Wood Packing Materials (WPM)
- ❖ Wood by-products

# REGULATED ARTICLES



- ❖ All life stages of the Emerald Ash Borer.
- ❖ Hardwood firewood (non-coniferous).
- ❖ All species of *Fraxinus* (Ash)
  - Nursery Stock
  - Green lumber
  - Logs
  - Any other material living, dead, cut, or fallen, including chips, stumps, branches, roots and debris.
- ❖ Any article, product, or means of conveyance not listed above if an inspector determines that it presents a risk of spreading emerald ash borer.



United States  
Department of  
Agriculture

# Cooperative Emerald Ash Borer Project

Federal EAB Quarantine  
& Authorized Transit

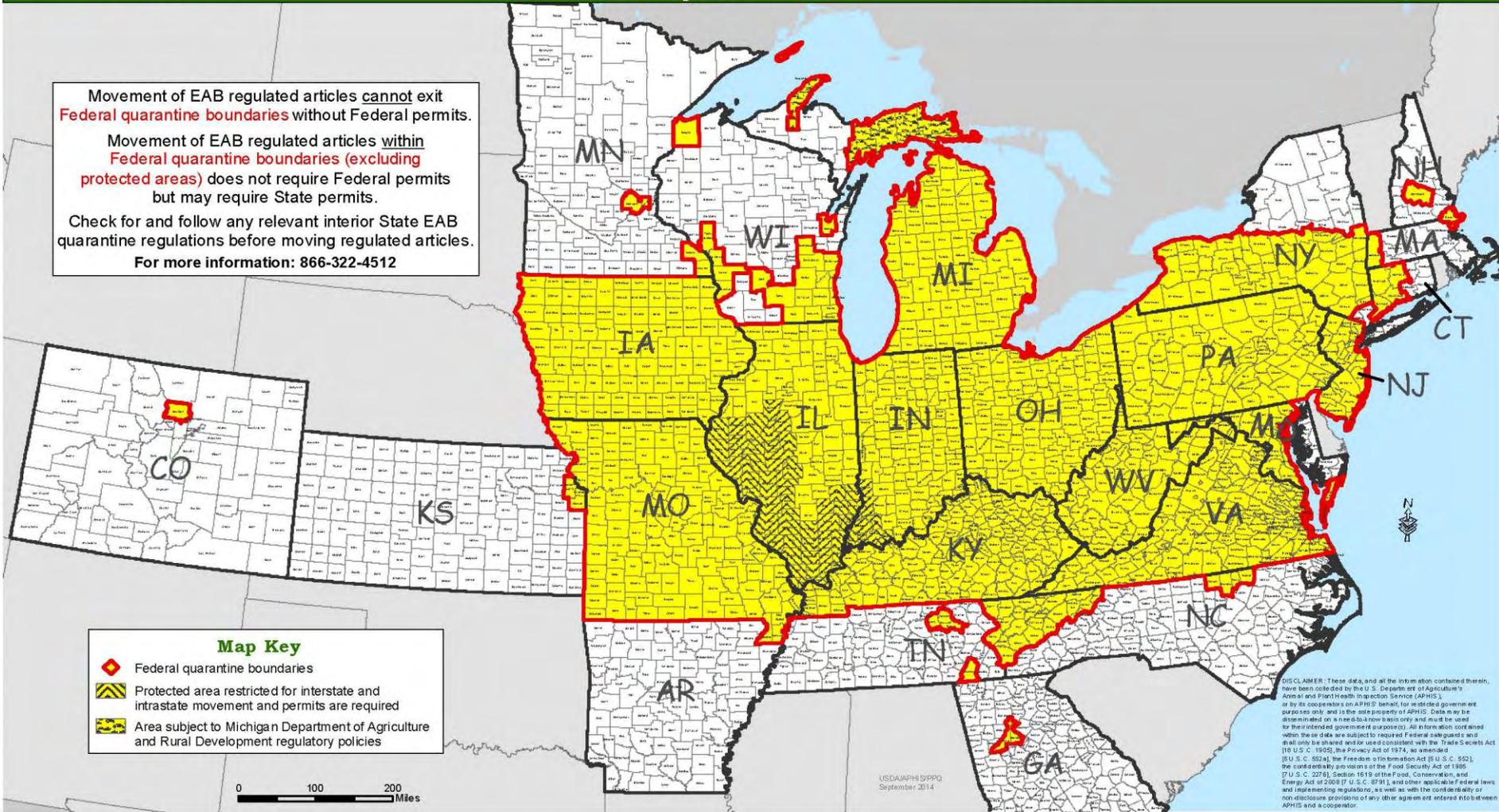
September 4, 2014

Movement of EAB regulated articles cannot exit  
**Federal quarantine boundaries** without Federal permits.

Movement of EAB regulated articles within  
**Federal quarantine boundaries** (excluding  
**protected areas**) does not require Federal permits  
but may require State permits.

Check for and follow any relevant interior State EAB  
quarantine regulations before moving regulated articles.

For more information: 866-322-4512



### Map Key

-  Federal quarantine boundaries
-  Protected area restricted for interstate and intrastate movement and permits are required
-  Area subject to Michigan Department of Agriculture and Rural Development regulatory policies

0 100 200  
Miles

USDA/APHIS/PPQ  
September 2014

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# THE MOVEMENT OF REGULATED ARTICLES IN THE QUARANTINE AREA

- ❖ Regulated articles can move freely within the quarantine area.
- ❖ No compliance agreement is required.





# APPROVED REGULATORY TREATMENTS

- ❖ Remove the bark and an additional ½ inch of wood
- ❖ Kiln sterilization treatment schedule. The maximum thickness of allowable wood is three inches (time/temp/moisture content)
- ❖ Fumigate with Methyl Bromide using a USDA approved fumigator
- ❖ Heat Treatment according to schedule (140°F/60°C at core for 60 minutes). Facility must be approved by USDA.
- ❖ Chipped to less than 1” in two dimensions or follow approved USDA APHIS composting protocol.
- ❖ ISPM-15 for ash lumber in wood packing material (132.8°F/56°C for 30 minutes) via accreditation of establishment via ALSC
- ❖ Nursery Stock of Fraxinus spp.: No treatments available. Not being moved at this time.





# COMPLIANCE AGREEMENTS

- ❖ Agreement between an approved establishment and federal and state agency.
- ❖ Allows for movement of regulated articles from the quarantined area.
- ❖ Defines acceptable treatments/mitigation of regulated articles.



According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control numbers for this information collection are 0578-0054, 0088, 0129, 0198, 0238, 0257, 0306, 0310. The time required to complete this information collection is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED  
OMB NUMBER 0578-  
0054/0988/0129/0198/  
0238/0257/0306/0310

<b>UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE</b>	<b>COMPLIANCE AGREEMENT</b>
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1. NAME AND MAILING ADDRESS OF PERSON OR FIRM	2. LOCATION
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3. REGULATED ARTICLE(S)  
All ash (*Fraxinus* sp.) material must be processed and/ or documented in accordance with Federal Emerald Ash Borer quarantine requirements before interstate transport. Regulated material includes, but is not limited to: ash nursery stock, ash logs, ash lumber, hardwood firewood (non-coniferous), ash chips/mulch, wood packing material constructed with ash.

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 301.53 Emerald Ash Borer (*Agrilus planipennis*), State of \_\_\_\_\_ EAB Interior Quarantine

5. I/ WE AGREE TO THE FOLLOWING:  
This establishment will ship regulated ash material interstate from a quarantined area ONLY after applicable treatments/ mitigations are completed at the establishment's expense. Explanations and schedules are detailed in attached addendum. Regulated articles that have undergone an approved treatment or mitigating process may be shipped throughout the year. This establishment will ensure that each shipment of regulated material moved interstate is accompanied by a completed Federally issued Certificate or Federally issued Limited Permit. All Federal forms are accountable and will be handled according to USDA requirements.

- This establishment will handle the following regulated article(s): (check all applicable)
- Ash logs
  - Ash lumber (green)
  - Hardwood firewood (non-coniferous)
  - Ash chips/ mulch
  - Wood packing material constructed with ash
  - Other (specify) \_\_\_\_\_

- Treatment/ Mitigation (check all applicable)
- 1. Remove the bark and an additional 1/2 inch of wood.
  - 2. Kiln sterilization
  - 3. Fumigation
  - 4. Heat Treatment
  - 5. Chip or Compost
  - 6. Safeguarding (transport)
  - 7. Facility outside of quarantine area
  - 8. ISPM-15 for ash lumber in wood packing material.

6. SIGNATURE	7. TITLE	8. DATE SIGNED
The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.		9. AGREEMENT NO.
		10. DATE OF AGREEMENT

11. PPQ/CBP OFFICIAL (NAME AND TITLE)	12. ADDRESS
13. SIGNATURE	
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)	15. ADDRESS
16. SIGNATURE	

EAB  
Compliance  
Agreement



# WHAT SHOULD I DO?

- ❖ Become familiar with the signs of EAB presence on ash trees.
- ❖ Report any suspected finds to the USDA EAB Hotline toll free  
**1-866-322-4512**
- ❖ Contact local USDA or State to apply for a compliance agreement to move regulated articles legally.
- ❖ Be especially careful when moving any firewood, logs or trees.



## FOR FURTHER INFORMATION ON EAB

<http://www.emeraldashborer.info/>

<http://www.usda.aphis.gov/>

<http://www.stopthebeetle.info/>