

Emerald Ash Borer Regulations...everything you wanted to know but were afraid to ask!

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As many of you are aware, emerald ash borer was found in New York State last year. Recently, it has been discovered in Greene and Ulster Counties. This find has prompted the state and federal government to expand their respective regulations to include these two counties in the Hudson River Valley along with fourteen new counties in western New York State. These new counties plus the two counties under regulation from 2009 (Cattaraugus and Chautauqua) constitutes a total of eighteen counties under regulation for emerald ash borer here in New York.

Many people find it confusing why we have multiple government agencies involved in regulating this pest. The reason for this is authorities over plant pests. The federal government (USDA) has authority over interstate movement or to put it simply the movement out of the state. The state government (NYSDAM) has authority over the intrastate movement or movement within the state. In order to keep things the same for the industries affected, the state tries to match the federal government regulations.

What is regulated? The simple answer is any wood material that can be infested by emerald ash borer, in any of its life stages. This includes Ash (*Fraxinus sp.*) nursery stock, ash logs, chips and other material. It also means that various wood materials that have ash comingled or are not identifiable need to be regulated. As a result all species of firewood (soft and hardwood) and all wood chips and mulch are regulated.

These items are allowed to move freely within the designated regulated area. The restrictions on movement are when you want to move these items out of the regulated counties or through to counties not under regulation.

Regulated articles are allowed to move if the person or business is under a compliance agreement and the regulated article has received an approved treatment. Examples of treatments would be kiln dried, heat treatment, fumigation, chipping, removing the bark and half inch of sapwood. They also would need to be accompanied by a certificate.

There is no treatment for ash nursery stock; therefore, movement is restricted to within the regulated area. Ash nursery stock may not move out of a designated regulated area under any condition.

If the regulated article is from an area not regulated, it is allowed to move through the regulated area to another area not regulated only if the load is accompanied with documentation declaring the origin. The load would also need to be covered during the flight season of the beetle and the vehicle is not permitted to stop other than for traffic conditions.

Lastly, some regulated articles (ash logs, lumber, etc.) are allowed to move out of the regulated area during the non-flight season. The transporter must be under a compliance agreement and the load must be accompanied by a limited permit. The destination receiving the material must also be under a compliance agreement and apply a treatment to the regulated article prior to the end of the non-flight season.

Compliance agreements, limited permits, and certificates can be obtained by contacting either USDA's Animal Plant Health Inspection Service at 845-883-6445 or New York State Department of Agriculture and Markets Division of Plant Industry at 518-457-2087. If you have questions, please ask to avoid any issues. To learn more about EAB, please visit NYSDAM's website at <http://www.agmkt.state.ny.us/PI/eab.html>.