



The Connecticut Agricultural Experiment Station

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*Putting Science to Work for Society
Protecting Agriculture, Public Health, and the Environment*

Founded 1875

RESCISSION OF EMERALD ASH BORER INTERIOR QUARANTINES AND NOTICE OF APPLICABILITY OF FEDERAL EMERALD ASH BORER QUARANTINE

WHEREAS, the Director of The Connecticut Agricultural Experiment Station has found that the emerald ash borer (*Agrilus planipennis* (Fairemaire)), has been detected in this state and is infesting and killing ash trees (*Fraxinus* spp.); and

WHEREAS, ash trees are a species of economic importance, particularly for the nursery, landscaping, and timber industries in Connecticut; and

WHEREAS, ash trees constitute an important component of the natural and urban environment in Connecticut; and

WHEREAS, on August 9, 2012, the Director established an Emerald Ash Borer Interior Quarantine in New Haven County; and

WHEREAS, on August 29, 2013, the Director established an Emerald Ash Borer Interior Quarantine in New Haven, Fairfield, Litchfield, and Hartford Counties; and

WHEREAS, the emerald ash borer is now infesting and killing ash trees in New Haven, Fairfield, Litchfield, Hartford, Middlesex, and New London Counties, and constitutes a serious pest throughout Connecticut, and

WHEREAS, the Director conducted a public hearing on December 4, 2014 at the Middlesex County Extension Center, Haddam, Connecticut concerning the rescission of the August 9, 2012 and August 29, 2013 Interior Quarantines, and the applicability of the Federal Emerald Ash Borer Quarantine; and

NOW, THEREFORE, by the authority of § 22-84 of the General Statutes and §§ 22-84-5d through 22-84-5g of the Regulations of Connecticut State Agencies, the Director:

- (1) rescinds the Emerald Ash Borer Interior Quarantine established on August 9, 2012;
- (2) rescinds the Emerald Ash Borer Interior Quarantine established on August 29, 2013; and
- (3) announces the applicability of the Federal Emerald Ash Borer Quarantine throughout Connecticut, effective December 5, 2014. The Federal Emerald Ash Borer Quarantine shall not affect the regulation of the transport of firewood into and within Connecticut, codified at § 22-84-5g of the Regulations of Connecticut State Agencies.

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I. DEFINITIONS.

- (A) DIRECTOR means the Director of The Connecticut Agricultural Experiment Station.
- (B) AUTHORIZED PERSON means an inspector or other person authorized by the Director to examine regulated articles, implement survey, suppression, control or eradication activities, establish regulated areas, and enforce quarantine regulations, including restrictions on intrastate movement of regulated articles.
- (C) EMERALD ASH BORER means the insect of the genus and species *Agrilus planipennis* (Fairemaire) [Coleoptera: Buprestidae].
- (D) INFESTATION means the presence of the emerald ash borer or the existence of circumstances that make it reasonable to believe that the emerald ash borer is present.
- (E) REGULATED ARTICLE means the emerald ash borer, or any living or dead plant material including nursery stock or wood products, or any means of conveyance that is infested or has the potential to be infested or may contribute to the spread of the emerald ash borer as listed or otherwise designated by an authorized person as a regulated article in 7 CFR 301.53-2(a), 7 CFR 301.53-2(b), and §§ 22-84-5d through 22-84-5g of the Regulations of Connecticut State Agencies.
- (F) REGULATED AREA means a geographic area infested or potentially infested with the emerald ash borer that is designated by the Director to quarantine regulated articles.
- (G) PERMIT means a document issued or authorized to be issued by the Director, including state-issued certificates of quarantine compliance, state phytosanitary certificates, and certificates by a person operating under a Connecticut compliance agreement or specialized permit to allow the movement of regulated articles that such article is eligible for intrastate movement in accordance with this quarantine.
- (H) CONNECTICUT COMPLIANCE AGREEMENT means a written agreement or permit issued to a person by The Connecticut Agricultural Experiment Station to authorize the movement of regulated articles wherein the former shall comply with the requirements specified in the compliance agreement.
- (I) PERSON means an individual, society, association, partnership, corporation, or other organized entity.
- (J) MOVED (MOVE, MOVEMENT) means shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved, shipped, transported, or carried.

II. REGULATED AREAS.

The following counties are designated as regulated areas:

Fairfield County — Quarantine Boundary: the entirety of Fairfield County.

Hartford County — Quarantine Boundary: the entirety of Hartford County.

Litchfield County — Quarantine Boundary: the entirety of Litchfield County.

Middlesex County — Quarantine Boundary: the entirety of Middlesex County.

New Haven County — Quarantine Boundary: the entirety of New Haven County.

New London County — Quarantine Boundary: the entirety of New London County.

Tolland County — Quarantine Boundary: the entirety of Tolland County.

Windham County — Quarantine Boundary: the entirety of Windham County.

The movement of the emerald ash borer or any regulated article between regulated areas shall not be subject to the Federal Emerald Ash Borer Quarantine. However, the transport of firewood of all species, including ash, continues to be regulated by § 22-84-5g of the Regulations of Connecticut State Agencies.

III. CONDITIONS OF MOVEMENT OF REGULATED ARTICLES.

- (A) Movement of regulated articles from a regulated area to any destination outside the regulated area (i.e., outside Connecticut) is prohibited, except under the following conditions, as outlined under the Federal Orders for the quarantine for the emerald ash borer:
1. Movement is within the contiguous area of the Federal Emerald Ash Borer Quarantine. For a map of this area, go to: : <http://www.aphis.usda.gov/wps/portal> and then select “Plant Health”, then “Pests and Diseases”, then “Pest and Disease Programs” and then “Emerald Ash Borer”.
 2. With a compliance agreement with the Plant Protection and Quarantine (PPQ), Animal and Plant Health Inspection Service (APHIS), of the U.S. Department of Agriculture (USDA) for interstate movement confirming that the subject regulated article may be transported from an area currently under federal and state quarantine and attached in accordance with 7 CFR 301.53-5 and 301.53-8.
- (B) All regulated articles except firewood originating outside the regulated area may move through the regulated area without a certificate of inspection for the emerald ash borer, provided the bill of lading or shipping documents identify (1) the point of origin of each regulated article, by county and state and (2) the final destination of each regulated article, by county and state.
- (C) No person shall transport firewood originating from a quarantined or non-quarantined area into Connecticut unless the firewood is handled and transported under a permit, compliance agreement, or otherwise in compliance with the applicable requirements of § 22-84-5g of the Regulations of Connecticut State Agencies.
- (D) A regulated article originating outside a state or federal regulated area that is moved into Connecticut and exposed to potential infestation by the emerald ash borer shall be considered to have originated from a regulated area, and may only be moved from the regulated area under the conditions provided in Section III(A) above.
- (E) The bill of lading or shipping documents accompanying any shipment of regulated articles within or through Connecticut shall indicate the county and state of origin of the regulated articles.

IV. SPECIAL EXEMPTIONS AND COOPERATION WITH FEDERAL REGULATORY ENFORCEMENT.

Inspectors or other authorized persons may encounter violations of a federal quarantine or federal compliance agreement that involves interstate shipment of regulated articles. State regulatory

officials will take action to safeguard regulated articles and contact local federal officials at Plant Protection and Quarantine, Animal Plant Health Inspection Service, U.S. Department of Agriculture.

A copy of this order is available from The Connecticut Agricultural Experiment Station, from its website (www.ct.gov/caes/site/default.asp) and upon request at 123 Huntington Street, New Haven, Connecticut 06511, and from the Division of Forestry, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, Connecticut 06106.



Theodore G. Andreadis, Director

Date: December 5, 2014