VTrans and Emerald Ash Borer (EAB)
February 2019

Background

Emerald ash borer (EAB), *Agrilus planipennis*, is a non-native beetle that was discovered in southeastern Michigan near Detroit in the summer of 2002. The adult beetles nibble on ash foliage but cause little damage. The larvae (the immature stage) feed on the inner bark of ash trees, disrupting the tree's ability to transport water and nutrients. Since its discovery, EAB has:

- Killed hundreds of millions of ash trees in North America.
- Caused regulatory agencies and the USDA to enforce quarantines and fines to prevent potentially infested ash trees, logs or hardwood firewood from moving out of areas where EAB occurs.
- Cost municipalities, property owners, nursery operators and forest products industries hundreds of millions of dollars.

VTrans Response

What?

- Working with Vermont Forests Parks and Recreation to understand associated risks and best practices and to train VTrans staff and contractors.
- Implementing Special Provision language following ANR's guidance to slow the spread into all construction contracts and as guidance to Districts in the performance of their maintenance activities.

Why?

It is in VTrans' best interest to help slow the spread of this devastating forest pest on all projects and maintenance activities for the following reasons:

- The spread of plant pests is regulated by federal code and in state statute (see below for more detail).
- Slowing the spread will give VTrans and its partners more time to develop management plans and to set aside money to deal with a pest that will eventually infest the entire state.
- It ensures VTrans and its contractors adhere to federal regulations and state guidance.
- Quarantine zones are expected to increase rapidly.
- Ash trees make up a high percentage of trees in Vermont (and along our public rights of way).
- Infested trees will become hazard trees and introduce a risk to the traveling public and a liability to the State.
- Costs for management and/or removal of these trees increases dramatically as they are infected.

FAQs

Q: Will there be an assessment of tree cutting during the PE phase of project design?
A: Tree cutting is reviewed since it may impact several regulated resources including bats, or wetlands. However, in relation to EABs, due to the fact that there are tens of millions of ash trees in Vermont it is too time consuming to do a specific ash tree inventory review. Because of this, assumed presence of ash trees is the best course of action for all VTrans projects.

Q: Are there times of year where it is safe to move ash wood that is not processed or chipped?
A: No, the larval stage of the EAB can survive approximately one year in ash as small as a piece of firewood. Once mature they can then fly out from this wood and infest nearby ash trees.

Q: Can ash wood be treated if it is not chipped so it can safely be moved?
A: Yes, please see *Recommendations to SLOW THE SPREAD of Emerald Ash Borer When Moving Ash from the Infested Area* memo linked above for more details.

Q: Are all ash species susceptible to infestation from EABs?
A: Yes, all species of ash found in VT can become infected. This includes: white ash, green ash, and black ash.

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Q: Is there a diameter minimum for infestation?
A: EABs are known to infest ash trees and branches as small as 1" in diameter.

Q: Are there treatment options for healthy ash trees?
A: Yes, while expensive, there are chemical options to treat individual trees. There is a potential, non-chemical, bio-control for future generations of ash trees, but it is unknown how effective these will be.

Related Regulations

Federal

EAB is on the United States Department of Agriculture's *U.S. Regulated Plant Pest List* and is known to infest all species of ash tree in the United States.

USDA Regulatory Language Under US Code: Title 7 → Subtitle B → Chapter III → Part 301 → Subpart

§301.53-4 Conditions governing the interstate movement of regulated articles from quarantined areas.

Regulated articles may be moved interstate from a quarantined area only if moved under the following conditions:

(a) With a certificate or limited permit issued and attached in accordance with §§301.53-5 and 301.53-8;

(b) Without a certificate or limited permit if:

(1) The regulated article is moved by the United States Department of Agriculture for experimental or scientific purposes; or

(2) The regulated article originates outside the quarantined area and is moved interstate through the quarantined area under the following conditions:

(i) The points of origin and destination are indicated on a waybill accompanying the regulated article; and

(ii) The regulated article, if moved through the quarantined area during the period of May 1 through August 31 or when the ambient air temperature is 40 °F or higher, is moved in an enclosed vehicle or is completely covered to prevent access by the EAB; and

(iii) The regulated article is moved directly through the quarantined area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed, or handled at locations approved by an inspector as not posing a risk of infestation by emerald ash borer; and

(iv) The article has not been combined or commingled with other articles so as to lose its individual identity.

State

Emerald ash borer (EAB) was first confirmed in Vermont in February 2018. ANR encourages all Vermont towns and other public entities to prepare for and manage the impacts of EAB and the loss of ash trees.

Vermont State Statute 6 V.S.A. § 1035 states: "No person may sell, offer for sale, barter, expose, move, transport, deliver, ship, or offer for shipment into or within this State any plant pest or biological control agent in any living stage without first obtaining either a federal permit, where applicable, and a State permit from the Secretary."

VT ANR has provided several resources to assist in understanding the threat, slowing the spread, and managing the impacts of EAB. One such resource is at:
https://www.vtinvasives.org/sites/default/files/images/SlowSpreadWoodVT.pdf