

**MICHIGAN DEPARTMENT OF AGRICULTURE  
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION  
EMERALD ASH BORER INTERIOR QUARANTINE**

(Revised December 5, 2006)

**WHEREAS**, the Director, Michigan Department of Agriculture, having found that an exotic pest, known as the emerald ash borer, *Agrilus planipennis* (Fairemaire), has been detected in this state; and

**WHEREAS**, the emerald ash borer has been found infesting and killing ash, *Fraxinus* spp., trees in certain counties, cities, and townships; and

**WHEREAS**, ash trees are a valuable resource for the nursery, landscaping, and timber industries in Michigan; and

**WHEREAS**, ash trees represent a significant component of the natural environment in Michigan; and

**NOW, THEREFORE**, the Director of the Michigan Department of Agriculture by the authority of Act No. 72 of the Public Acts of 1945, as amended, does promulgate this quarantine to prevent the further spread of this pest and sets forth: definitions, regulated articles, quarantined areas, conditions of movement, violations and penalties, and special exemptions. This revised quarantine shall become effective immediately and will remain in effect until rescinded by the Director.

**I. DEFINITIONS.**

The following terms shall be construed to mean:

- (A) **CERTIFICATE and CERTIFICATE OF INSPECTION** mean a document issued or authorized to be issued by the Director, including state-issued certificates of quarantine compliance, state phytosanitary certificates, limited permits, and multiple-use quarantine certificates to allow the movement of regulated articles to any destination.
- (B) **COMMERCIAL SHIPMENT** means movement for a business purpose that involves a sale or financial transaction.
- (C) **COMPLIANCE AGREEMENT** means a written agreement between a person moving or receiving regulated articles and the Director.
- (D) **DIRECTOR** means the Director of the Michigan Department of Agriculture or his or her authorized representative.
- (E) **INFESTATION** means the presence of the emerald ash borer or the existence of the circumstances that make it reasonable to believe that the emerald ash borer is present.
- (F) **INSPECTOR** means an employee of the Michigan Department of Agriculture authorized to enforce the provisions of this quarantine.
- (G) **LOG** means tree parts cut into lengths 4 feet or longer.
- (H) **MICHIGAN'S LOWER PENINSULA** means the area that consists of those 68 contiguous Michigan counties lying between the Michigan-Indiana/Ohio state line to the south and the northernmost point of Emmet County to the north. For the purpose of this quarantine, Michigan's Lower Peninsula is divided into three quarantined areas as described below.

- (I) **MICHIGAN'S UPPER PENINSULA** means the area that consists of those 15 contiguous Michigan counties lying between the Michigan-Wisconsin state line to the west and Canada to the east.
- (J) **MOVED (MOVE, MOVEMENT)** means shipped, held for shipment, received for shipment, transported, carried, or allowed to be moved or shipped.
- (K) **PERSON** means an individual, firm, association, partnership, corporation, governmental entity, or other legal entity.
- (L) **LUMBER** means timber sawed into boards, planks, or other structural members of standard or specified length.
- (M) **PALLET** means a portable platform used for moving cargo or freight
- (N) **BARK** means the natural bark of a tree, including the ingrown bark around knots and bark pockets between rings of annual growth and an additional ½ inch of wood, including the vascular cambium.
- (O) **BARK-FREE WOOD** means a piece of wood from which the bark has been removed. See I(N)

## II. REGULATED ARTICLES.

- (A) The emerald ash borer, *Agrilus planipennis* (Fairemaire), in any living stage of development.
- (B) Entire ash (*Fraxinus* spp.) trees.
- (C) Ash limbs and branches.
- (D) Ash stumps.
- (E) Ash logs with bark as described in I (N).
- (F) Ash lumber with bark as described in I (N).
- (G) Non-coniferous (hardwood) wood chips and non-coniferous (hardwood) bark chips larger than 1 inch in two dimensions.
- (H) Any article, product or means of conveyance when it is determined by the Director to present the risk of spread of the emerald ash borer.
- (I) Firewood of any non-coniferous (hardwood) species with bark as described in I (N).

## III. QUARANTINED AREAS.

The counties and portions of counties listed below are designated as quarantined areas. In addition, the Director may designate any area as quarantined for the emerald ash borer in the future. Information on additional quarantined areas will be provided on the Michigan Department of Agriculture website located at [www.michigan.gov/eab](http://www.michigan.gov/eab). A current printed copy of the quarantine is available upon request at all Michigan Department of Agriculture Regional offices and through the Michigan Department of Agriculture Pesticide and Plant Pest Management Division Lansing Office, P.O. Box 30017 Lansing, Michigan 48909, (517) 373-1087.

### (A) Quarantine Level I

The counties listed below are designated as Quarantine Level I, based on the general presence of emerald ash borer.

**Branch County** – the entirety

**Calhoun County** – the entirety

**Clinton County** – the entirety

**Eaton County** – the entirety

**Genesee County** – the entirety

**Gratiot County** – the entirety

**Hillsdale County** – the entirety

**Ingham County** – the entirety

**Jackson County** – the entirety

**Lapeer County** – the entirety

**Lenawee County** – the entirety

**Livingston County** – the entirety

**Macomb County** – the entirety

**Monroe County** – the entirety

**Oakland County** – the entirety

**Saginaw County** – the entirety

**Saint Clair County** – the entirety

**Sanilac County** – the entirety

**Shiawassee County** – the entirety

**Washtenaw County** – the entirety

**Wayne County** – the entirety

**(B) Quarantine Level II**

The counties listed below are designated as Quarantine Level II, based on the several isolated occurrences of emerald ash borer in a contiguous area.

**Alcona County** – the entirety

**Allegan County** – the entirety

**Alpena County** – the entirety

**Antrim County** – the entirety

**Arenac County** – the entirety

**Barry County** – the entirety

**Bay County** – the entirety

**Benzie County** – the entirety

**Berrien County** – the entirety

**Cass County** – the entirety

**Charlevoix County** – the entirety

**Cheboygan County** – the entirety

**Chippewa County** –

Quarantine Boundary – Brimley area\*

That area in Bay Mills and Superior Twps. in Chippewa Co. that is bounded as follows: beginning at the intersection of M-28 and Crawford St.; then north on Crawford St. to Irish Line Rd.; then continuing north on Irish Line Rd. to where it ends; then continuing north on an imaginary line to the boundary between Bay Mills and Superior Twps.; then continuing north and east on the boundary between Bay Mills and Superior Twps. to the shore of Lake Superior; then east on the shore of Lake Superior to the boundary between Bay Mills and Soo Twps.; then south on the boundary between Bay Mills and Soo Twps. to 6 Mile Rd.; then continuing south on the boundary between Dafter and Superior Twps. to Forrest Rd.; then continuing south on Forrest Rd. to M-28; then west on M-28 to the point of beginning.

\*Michigan's emerald ash borer internal quarantine encompasses tribal lands. The Bay Mills Indian Community has in effect a similar quarantine that regulates the movement of ash wood products. The violation of quarantine regulations on tribal lands is also punishable by criminal prosecution.

**Clare County** – the entirety

**Crawford County** – the entirety

**Emmet County** – the entirety

**Gladwin County** – the entirety

**Grand Traverse County** – the entirety

**Huron County** – the entirety

**Ionia County** – the entirety

**Iosco County** – the entirety

**Isabella County** – the entirety

**Kalamazoo County** – the entirety

**Kalkaska County** – the entirety

**Kent County** – the entirety  
**Lake County** – the entirety  
**Leelanau County** – the entirety  
**Manistee County** – the entirety  
**Mason County** – the entirety  
**Mecosta County** – the entirety  
**Midland County**– the entirety  
**Missaukee County** – the entirety  
**Montcalm County** – the entirety  
**Montmorency County** – the entirety  
**Muskegon County** – the entirety  
**Newaygo County** – the entirety  
**Oceana County**– the entirety  
**Ogemaw County** – the entirety  
**Osceola County** – the entirety  
**Oscoda County** – the entirety  
**Otsego County** – the entirety  
**Ottawa County** – the entirety  
**Presque Isle County** – the entirety  
**Roscommon County** – the entirety  
**Saint Joseph County** – the entirety  
**Tuscola County** – the entirety  
**Van Buren County** – the entirety  
**Wexford County** – the entirety

#### **IV. CONDITIONS OF MOVEMENT OF REGULATED ARTICLES.**

- (A) The sale and/or movement of all ash nursery stock within, out of or into Michigan's Lower Peninsula is prohibited under all conditions. The sale and/or movement of all ash nursery stock within, out of or into Michigan's Upper Peninsula is prohibited, except under certification methods approved by the Director.
- (B) Ash wood material, including ash lumber, used in the State of Michigan for the manufacture of pallets and wood crating must be bark free, as described in Section I. (N)
- (C) Shipping documents are required for any commercial shipment of; ash logs with bark, ash lumber with bark or firewood of non-coniferous species and must include a description of the regulated article, the point of origin and final destination of the regulated article by township, county, and state in the following movement circumstances:
  - 1. Originating from a Quarantine Level I area
  - 2. Originating from a Quarantine Level II area and leaving the Lower Peninsula
- (D) The movement of regulated articles that does not leave a Quarantine Level I area does not require shipping documents.
- (E) The movement of regulated articles, originating from the Quarantine Level I area to any destination outside of the Quarantine Level I area is prohibited, except under a thorough examination of all regulated articles and treatment methods approved by the Director which must take place under a Compliance Agreement.
- (F) The movement of regulated articles, originating from the Quarantine Level II area to any destination outside of the Quarantine Level II area is prohibited, except under a thorough examination of all regulated articles and treatment methods approved by the Director which must take place under a Compliance Agreement. Regulated articles may move from the Quarantine Level II area to the Quarantine Level I area without a Compliance Agreement.
- (G) A regulated article may move outside of the Quarantine Level I area, or outside of the Quarantine Level II area, only to a facility under Compliance Agreement approved by the Director from September 1 through April 30, for processing, utilization, and/or disposal.
- (H) The movement of regulated articles, originating from outside any Quarantined Level which are moved into a Quarantined Level shall be considered to have originated from that Quarantined Level. These regulated articles may only be moved from that Quarantined Level under the conditions noted in IV (E) and (F) above.
- (I) Regulated articles moved in violation of this quarantine shall be removed from the area immediately or destroyed at the expense of the owner or owners, under the direction of the Director.

#### **V. VIOLATIONS AND PENALTIES.**

- (A) Any violation of this quarantine is subject to the full authority of Act No. 72, Public Acts of 1945, as amended.

#### **VI. SPECIAL EXEMPTIONS.**

- (A) The Director may allow, with written approval, the movement of regulated articles, into or within Michigan for research purposes.

- (B) Non-coniferous (hardwood) wood chips and non-coniferous (hardwood) bark chips 1 inch and smaller in two dimensions are not considered to be regulated articles under this quarantine and therefore are exempt from the conditions of movement described.



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Mitch Irwin, Director

December 5, 2006

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Date