

FOR INFORMATION AND ACTION
DA-2009-34
July 14, 2009

SUBJECT: Expansion of the Quarantine Area in Richmond County, New York, for Asian Longhorned Beetle (*Anoplophora glabripennis*)

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The Animal and Plant Health Inspection Service (APHIS) is expanding the Asian longhorned beetle (ALB) quarantine area to include an additional two square miles of Richmond County, New York. The expanded ALB quarantine area in New York now totals 142 square miles. The expanded quarantine area is necessary to restrict the movement of ALB host material. This action is effective immediately and attached is the Federal Domestic Quarantine Order describing the expanded quarantine area along with the associated reference to the Code of Federal Regulations listing the provisions for the movement of ALB host material.

On December 31, 2008, twelve infested trees were detected during delimitation surveys of the Staten Island quarantine. An additional tree in the immediate area was found on January 5, 2009. These trees were removed in addition to 25 high risk trees in the vicinity. Survey and treatment activities have also been expanded in response to this detection.

ALB is a destructive wood-boring pest of maple and other hardwoods. ALB was first discovered in the United States in Brooklyn, New York, in August 1996. ALB was later detected in Chicago, Illinois, in July 1998. In October 2002, the beetle was found in Hudson County, New Jersey, and then in Middlesex and Union Counties, New Jersey, in August 2004. In 2008, ALB was discovered in Worcester County, Massachusetts. After four years of negative surveys, ALB was recently declared eradicated in Chicago, Illinois, and Hudson County, New Jersey.

For more information about APHIS' ALB Eradication Program and the recent detections in Massachusetts, you may contact Christine Markham, APHIS' National ALB Program Director at (919) 855-7328 or Julie Twardowski, APHIS' National ALB Program Coordinator, at (301) 734-5332.

/s/ Michael A. Lidsky for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL ORDER

Domestic Quarantine of a Portion of Richmond County, New York, for Asian Longhorned Beetle (*Anoplophora glabripennis*)

This Federal Order is issued pursuant to the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 7712(a), which authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article, if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States and is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 CFR 301.51 et seq.

This Federal Order quarantines, effective immediately, a portion of Richmond County, Staten Island, for Asian longhorned beetle (ALB), *Anoplophora glabripennis*. This action is in response to a confirmed detection of ALB in this area of New York. Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined that it is necessary to quarantine this area in order to prevent the spread of ALB. Therefore, effective immediately, all interstate movement of ALB regulated articles from the area within the boundaries listed below must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.51 et seq. and any applicable provisions of this Federal Order.

A portion of Richmond County is currently quarantined for ALB and is listed as a regulated area for ALB in 7 CFR 301.51. This Federal Order adds areas to those currently quarantined in the Borough of Richmond in the City of New York. The revised boundary of the quarantined area for the Borough of Richmond in the City of New York is as follows:

That area in the Borough of Richmond in the City of New York bound by a line beginning at a point along the State of New York and the State of New Jersey border due north of the intersection of Richmond Terrace and Morningstar Road; then south to the intersection of Morningstar Road and Richmond Terrace; then southwest along Morningstar Road to its intersection with Forest Avenue; then east along Forest Avenue to its intersection with Willow Road East; then south and then southeast along Willow Road East to its intersection with Victory Boulevard; then west along Victory Boulevard to its intersection with Arlene Street; then south along Arlene Street until it becomes Park Drive North; then south on Park Drive North to its intersection with Rivington Avenue; then east along Rivington Avenue to its intersection with Mulberry Avenue; then south on Mulberry Avenue to its intersection with Travis Avenue; then northwest on Travis Avenue until it crosses Main Creek; then along the west shoreline of Main Creek to Fresh Kills Creek; then along the north shoreline of Fresh Kills Creek to Little Fresh Kills Creek; then along the north shoreline of Little Fresh Kills Creek to the Arthur Kill; then west to the border of the State of New York and the State of New Jersey in the Arthur Kill; then north along the borderline of the State of New York and the State of New Jersey; then east along the borderline of the State of New York and New Jersey excluding Shooters Island to the point of beginning.

APHIS has confirmed ALB infestations in various areas of the United States for which the Administrator has determined that it is necessary to quarantine these areas in order to prevent the human assisted spread of ALB. The areas quarantined due to the continuing

spread of ALB are designated in the federal regulations located at 7 CFR 301.51-3 and in the Federal Orders which are located at the following APHIS website:
http://www.aphis.usda.gov/plant_health/plant_pest_info/asian_lhb/spro.shtml

Section 7 CFR 301.51-3(a) allows the designation of less than an entire State as a ALB quarantined area only when the Administrator of APHIS has determined, as in this case, that the designation of less than an entire State as a quarantined ALB area is adequate to prevent the interstate spread of infestations of this pest. In addition, 7 CFR 301.51-3(a) requires that the State enforces an intrastate ALB quarantine that is equivalent to the Federal ALB regulations. The New York Department of Agriculture and Markets has established an intra-state quarantine for a portion of Richmond County that mirrors the Federal Regulatory requirements as specified in 7 CFR 301.51.

Section 7 CFR 301.51-3 (b) provides for the temporary designation of new quarantined areas pending publication of a rule to add areas to the list shown in 7 CFR 301.51-3(c). 7 CFR 301.51-3 (b) further requires written notification be given to the owner or person in possession of a newly quarantined area. This is the responsibility of the Federal and/or State regulatory personnel responsible for the ALB program in the affected State.

The previously issued Federal Orders pertaining to the quarantined areas in the ALB domestic regulations have been necessary due to the continuing spread of ALB. This July 14, 2009, Federal Order further expands the quarantined areas as described in the previous ALB Federal Orders.

If you wish more details on the Federal ALB regulatory program, you may contact Christine Markham, APHIS' National ALB Program Director at (919) 855-7328 or Julie Twardowski, APHIS' National ALB Program Coordinator, at (301) 734-5332.

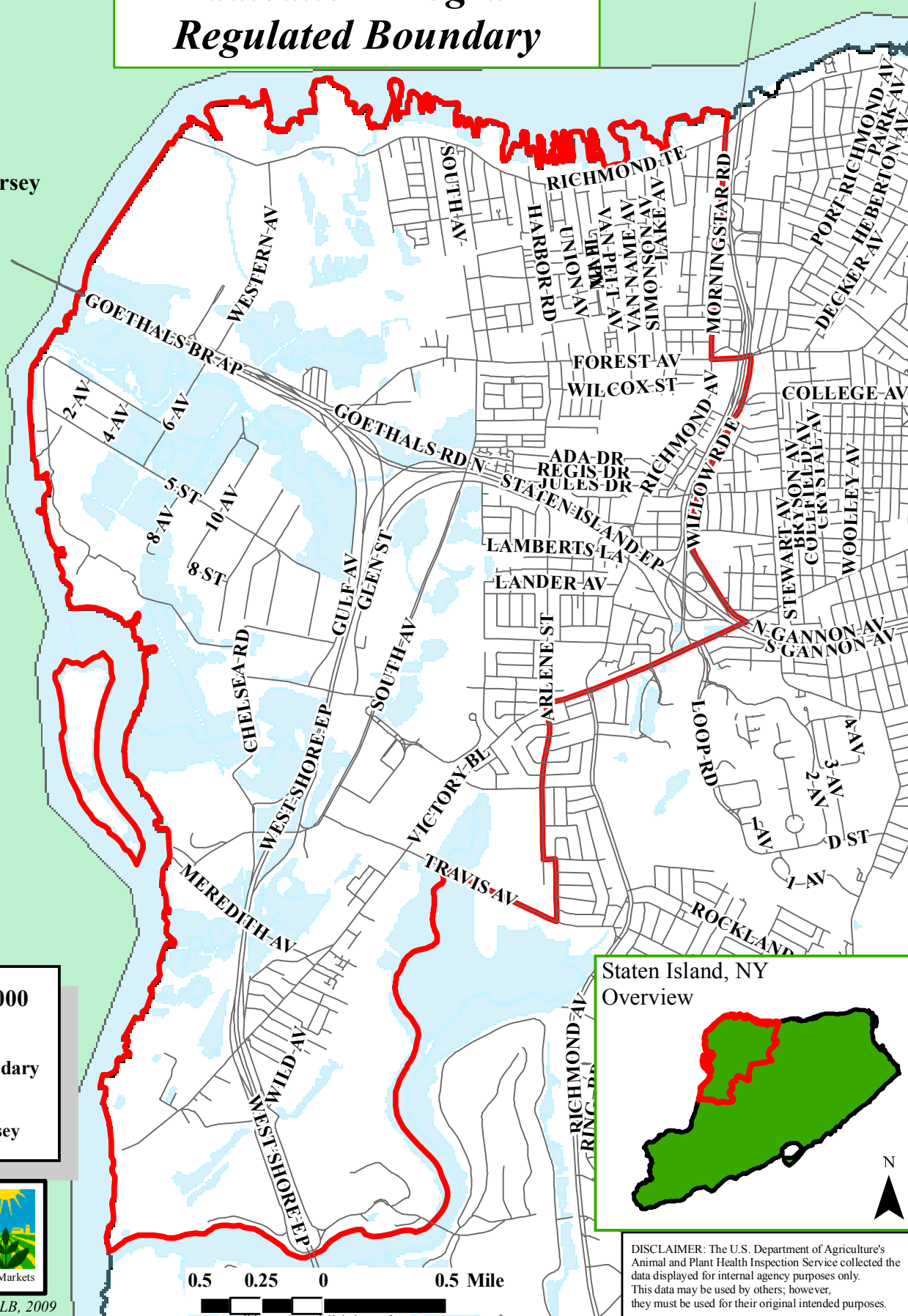
We appreciate the cooperative relationship with the State of New York in our effort to prevent the spread of ALB.



Staten Island, New York Asian Longhorned Beetle Eradication Program Regulated Boundary



New Jersey



N



Legend 1:36,000

- Roads
- Regulated Boundary
- Water
- State of New Jersey

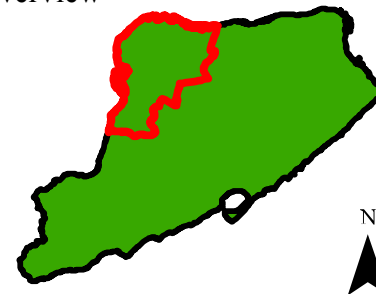
Map publication date: 02/09/09

Base data provided by:
NYC DOITT GIS
NJ OIT Office of GIS
Acknowledgment:
New York State Dept. of Agriculture & Markets



0.5 0.25 0 0.5 Mile

Staten Island, NY
Overview



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