

**STATE OF VERMONT Department of Agriculture and Department
of Forests, Parks and Recreation**

Joint Quarantine #2 - Hemlock Woolly Adelgid

Section I.: Statement of Concerns

Whereas Hemlock Woolly Adelgid (*Adelges tsugae* Annand) has been found to cause mortality of Eastern Hemlock (*Tsuga canadensis*);

Whereas Hemlock Woolly Adelgid is established in Southern New England and has shown rapid movement northward;

Whereas this pest has been found to be difficult to control in natural Hemlock stands;

Whereas Hemlock is a very valuable component of Northern New England 's forest for both timber and wildlife as well as a high value landscape ornamental.

Therefore, the State of Vermont is hereby establishing this exterior plant quarantine against Hemlock Woolly Adelgid for the protection of these valuable resources.

Section II.: Definitions

1. "Bark" means the tissue of woody stem outside cambium.
2. "Hemlock" means all the species within the genus, *Tsuga*.
3. "Compliance Agreement" means the contract between State of Vermont and lumber mills to allow movement of Hemlock.
4. "Hemlock Woolly Adelgid" means the insect known as Hemlock Woolly Adelgid, *Adelges tsugae* Annand, in the order Homoptera and family Adelgidae.
5. "Nursery Stock" means all woody or herbaceous shrubs, trees, plants and vines, including bulbs and rhizomes as well as buds, grafts, scions and other parts capable of propagation whether wild, cultivated or grown under artificial covering or artificial conditions. This definition does not include cut flowers or seeds.
6. "Lumber" shall include sawed timber.
7. "Logs" means the main stem of a tree including smaller sections used for pulp.

Section III.: Statutory Authority.

The statutory authority for these regulations is 6 V.S.A., Chapter 84 'Pest Survey, Detection and Management'

Section IV.: Specific Purpose and Factual Basis

The specific purpose of these regulations is to protect Vermont's Hemlock resource by preventing the introduction of Hemlock Woolly Adelgid into Vermont and its spread within the State.

The Agency of Agriculture, Food, and Markets and Department of Forests, Parks and Recreation have determined that this exterior quarantine is necessary based on the following facts:

1. The Hemlock Woolly Adelgid is an introduced species native to Asia, and a serious pest of Eastern Hemlock in many Eastern States.
2. This insect feeds mainly on the young branches by inserting its piercing and sucking mouthparts and removing sap.
3. This feeding retards or prevents tree growth, causes needles to discolor and drop prematurely, kills branches, generally weakens, disfigures and causes tree mortality.

Section V.: Hemlock Woolly Adelgid Exterior Quarantine.

A quarantine is established against the following pest and possible carriers.

A. Pest. Hemlock Woolly Adelgid (*Adelges tsugae* Annand).

B. Area Under Quarantine. In the Eastern United States, the counties included in the USDA Forest Service's publication entitled "List of Counties and States with Known Hemlock Woolly Adelgid Infestations" dated December 2003, and any subsequent lists published hereafter.

In western United States, the State of Alaska, the State of California, the State of Oregon and the State of Washington. Also the province of British Columbia in western Canada.

C. Regulated Articles. Hemlock seedlings, hemlock nursery stock, hemlock logs, hemlock lumber with bark and chips.

D. Restrictions. All regulated articles are prohibited entry into the State of Vermont except as specifically allowed and conditioned below.

1. Hemlock seedlings and nursery stock originating from or having previously been held in an area under quarantine are prohibited entry into Vermont.

2. Hemlock seedlings and nursery stock from non-quarantined areas shipped into Vermont must be accompanied by a State Phytosanitary Certificate, or a Certificate of Origin, indicating the number and type of regulated articles, and attesting to the fact that the regulated articles:

- a. originated from a non-quarantined area;
- b. non-quarantined areas adjacent to quarantined counties are annually surveyed and found negative for Hemlock Woolly Adelgid by State Plant Protection Agencies.
- c. have not been held in an area under quarantine; and
- d. have not been exposed to regulated articles from quarantined areas.

A copy of the State Phytosanitary Certificate or Certificate of Origin must be signed by a plant regulatory official in the originating state and upon issuance must be faxed to the Agency of Agriculture, Plant Protection Section, at (802) 241-3008 or such other fax number as the Agency may from time to time publish. A copy must also be mailed to the Vermont Agency of Agriculture, Laboratory Building , Plant Protection Section, 103 South Main Street , Waterbury , VT 05671-0101 within 3 days of issuance.

The hemlock seedlings and nursery stock may not be sold or further distributed unless a written release is issued by the Vermont Agency of Agriculture.

3. Hemlock seedlings and nursery stock which have been transported through an area under quarantine are prohibited entry into Vermont except in accordance with the following conditions:

- a. the vehicle transporting the regulated articles must transit the area under quarantine without stopping, except for refueling;
- b. the regulated articles were not off-loaded in the area under quarantine; and
- c. no regulated articles were added to the shipment in the quarantined area.

4. Hemlock logs, hemlock lumber with bark and chips are admissible provided that said material is only shipped to pre-approved sites within Vermont where compliance agreements are in effect. If said material is shipped to other sites, it must be accompanied by a certificate issued by the Departments of Agriculture or Forestry of the state of origin affirming:

- a. originated from a non-quarantined area;
- b. non-quarantined areas adjacent to quarantined counties are annually surveyed and found negative for Hemlock Woolly Adelgid by State Plant Protection Agencies.

- c. have not been held in an area under quarantine; and
- d. have not been exposed to regulated articles from quarantined areas.

A copy of the State Phytosanitary Certificate or Certificate of Origin must be signed by a plant regulatory official in the originating state and upon issuance must be faxed to the Agency of Agriculture, Plant Protection Section, at (802) 241-3008 or such other fax number as the Agency may from time to time publish. A copy must also be mailed to the Vermont Agency of Agriculture, Laboratory Building , Plant Protection Section, 103 South Main Street , Waterbury , VT 05671-0101 within 3 days of issuance.

STATE OF VERMONT Department of Forests, Parks and Recreation and
Department of Agriculture HEMLOCK WOOLLY ADELGID QUARANTINE

Compliance Agreement

Agreement between the State of Vermont and _____ for movement of hemlock logs, pulpwood, and other hemlock parts from states with known infestation of hemlock woolly adelgid (HWA) to preapproved sites in the State of Vermont.

1. Objective: To protect the hemlock resource of Vermont from the reported threat of HWA while not interrupting delivery of hemlock raw materials to using mills in Vermont.
2. Responsibility: As defined by Vermont State Law Title 6, Chapter 83, Section 981, Interstate Pest Control Compact, and Sections 982 and 983, the Commissioners of the Departments of Forests, Parks and Recreation and Agriculture may prohibit, prevent, or regulate the entry into the State of any plants or parts of plants which may cause the introduction or spread of a dangerous forest insect or disease. As defined in the above law, the commissioners, when it is found that there exists in another state any dangerous insect infestation, are authorized to promulgate and enforce a quarantine prohibiting or restricting the transportation into or through the State. The Vermont Department of Agriculture and Department of Forests, Parks and Recreation, in cooperation with their counterparts in Maine and New Hampshire, have determined that HWA constitutes a potential threat to the hemlock resource of the State and the region.

Hemlock woolly adelgid is classed a dangerous forest insect, and transport of uncertified hemlock host material from infested states to unapproved sites in Vermont is prohibited. The Vermont Department of Forests, Parks and Recreation, in cooperation with the Vermont Department of Agriculture, will allow uncertified interstate transport of hemlock logs, pulpwood, and parts to preapproved sites.

3. Agreement: The Vermont Department of Agriculture and the Department of Forests, Parks and Recreation agrees to allow _____ and its wood suppliers to move uncertified hemlock logs, pulpwood, and parts from infested states (see attached map) to the premises located: _____ .

This agreement is to become effective _____ and will be renewed annually until conditions of pest risk are such that continuance of the agreement is inappropriate.

4. Special Requirements:

A. Hemlock logs, pulpwood and parts from these premises will not be moved to another location without approval of a State quarantine inspector and in compliance with the regulatory action prescribed by him, except that free movement between the premises listed herein is allowed.

B. Vermont Department of Forests, Parks and Recreation/Vermont Department of Agriculture representatives may go on _____ premises at any time to check for presence of HWA, but must be accompanied by a representative of _____ for safety reasons.

C. _____ shall undertake sanitary action against any infestation of HWA found on the above premise to the satisfaction of the Commissioner.