



## ORDER OF THE FOREST SUPERVISOR PREVENTING THE SPREAD OF EMERALD ASH BORER ON THE HURON-MANISTEE NATIONAL FORESTS

Under authority of the Act of Congress of June 4, 1897, as amended (16 U.S.C. 551), and pursuant to the Secretary of Agriculture's Regulations set forth at 36 CFR Part 261, Subpart B (CFR 261.50(a) and (b)), the following acts and omissions are prohibited on National Forest System lands in the Huron-Manistee National Forest (Michigan), said area being described and designated as shown on the map set forth at Exhibit A, which is attached hereto and made a part hereto:

1. Possessing, storing or transporting any part of a tree or other plant as described below, from regulated areas and identified by: USDA, Animal and Plant Health Inspection Service; Michigan Dept. of Agriculture; Ohio Dept. of Agriculture; and Indiana Dept. of Natural Resources; as shown on the maps set forth at Exhibit B and areas described in Exhibit C, which is attached hereto and made a part hereto. 36 CFR 261.58(t)
  - a. Entire Ash (*Fraxinus* spp) trees.
  - b. Ash limbs and branches.
  - c. Ash logs or untreated ash lumber with bark attached. Uncomposted ash wood chips and uncomposted ash bark chips larger than 1 inch in diameter.
  - d. Any cut firewood of any species originating from regulated areas.

### PURPOSE OF EMERGENCY ACTION:

The Emerald Ash Borer (EAB) (*Agrilus planipennis*) is a destructive, non-native wood-boring insect that attacks ash trees (*Fraxinus* spp., including green ash, white ash, black ash, and several horticultural varieties of ash). This emergency action is necessary to prevent the spread of Emerald Ash borer (EAB) into non-infested areas of the National Forest System.

This closure is consistent with the emergency Federal regulations found at Title 7 Code of Federal Regulations (CFR), Part 301, set forth in Exhibit D which is attached hereto and made a part hereto; all of which are necessary to restrict the interstate movement of certain articles from the quarantined areas to prevent the artificial spread of EAB to National Forest System lands.

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with a permit granted either by USDA-Animal and Plant Health Inspection Service (APHIS) or USDA-Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer or member of any organized rescue or fire fighting force in the performance of an official duty.
3. Any USDA, APHIS Administrator, Inspector or its agents thereof.

These prohibitions are in addition to the general prohibitions set forth in 36 CFR 261, Subpart A. The prohibitions will be in effect from the date of this order until specifically withdrawn by termination order of the Forest Supervisor.

Violations of these prohibitions are punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. (16 U.S.C. 551 and 18 U.S.C 3559 and 3571).

Dated this 7<sup>th</sup> day of October 2014 at Cadillac, Michigan.

**X** Leslie Auriemmo

Leslie Auriemmo  
Forest Supervisor  
Signed by: Department of Agriculture



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Dated this 17th day of October 2014 at Cadillac, Michigan.

  
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Leslie Auriemma  
Forest Supervisor  
Huron-Manistee National Forest