

FOR INFORMATION AND ACTION

DA-2016-77

December 15, 2016

Subject: APHIS Adds Portions of the Towns of Babylon and Oyster Bay on Long Island, New York, to the Asian Longhorned Beetle (*Anoplophora glabripennis*) Regulated Area

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) is adding two square miles in the Towns of Babylon and Oyster Bay on Long Island, New York, to the Asian longhorned beetle (ALB) regulated area. APHIS is taking this action in response to the recent detection of ALB-infested trees on Long Island. As a result, the total regulated area for ALB on Long Island has expanded from 51 square miles to 53 square miles.

The attached Federal Order describes the regulated area and includes the associated reference to 7 *Code of Federal Regulations* 301.51 *et seq.* that lists the provisions for the movement of ALB-regulated articles. This action is necessary to prevent the human-assisted spread of ALB.

ALB is a destructive wood-boring pest of maple and other hardwoods. ALB was first discovered in the United States in New York in August 1996. ALB was later detected in areas of Illinois (1998), New Jersey (2002, 2004), Massachusetts (2008, 2010), and Ohio (2011). After the completion of control and regulatory activities and following confirmation surveys, the program declared ALB eradicated from Illinois (2008); Hudson County, New Jersey (2008); Islip, New York (2011); Union and Middlesex Counties, New Jersey (2013); Manhattan and Staten Island, New York (2013); and Suffolk and Norfolk Counties, Massachusetts (2014). Program activities continue in the boroughs of Queens and Brooklyn and Nassau and Suffolk Counties in New York; Worcester County, Massachusetts; and Clermont County, Ohio.

For more information regarding APHIS' ALB Eradication Program, you may contact ALB National Policy Manager Dr. Robyn Rose at (301) 851-2283.



Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

Quarantine Notice for Asian Longhorned Beetle (*Anoplophora glabripennis*)

DA-2016-77

December 15, 2016

This Federal Order expands the list of regulated areas for Asian longhorned beetle (ALB) to include two square miles in the Towns of Babylon and Oyster Bay on Long Island, New York.

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

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is expanding the ALB quarantine area to include an additional two square miles in the Towns of Babylon and Oyster Bay on Long Island, NY. This action responds to the discovery of additional trees found to be infested with ALB in Central Long Island. Thus, the Administrator has determined that it is necessary to quarantine this area to prevent the human-assisted 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 any applicable provisions of this Federal Order, the regulations found at 7 CFR 301.51 *et seq.*, and the Federal Orders located at:

<http://www.aphis.usda.gov/planthealth/alb-quarantine>

The expanded ALB quarantine area in Nassau and Suffolk Counties now totals 53 square miles. The revised boundary for the regulated area of these counties is as follows:

That area in the Villages of Amityville, Babylon, Farmingdale, Lindenhurst, Massapequa Park and the hamlets of North Amityville, Bethpage, Old Bethpage, North Babylon, West Babylon, Copiague, Deer Park, East Farmingdale, South Farmingdale, North Lindenhurst, Melville, Massapequa, East Massapequa, North Massapequa, Wheatley Heights and Wyandanch; in the Towns of Babylon, Oyster Bay and Huntington; in the Counties of Nassau and Suffolk and bounded by a line beginning at a point where West Main Street (Route 27A) intersects the west shoreline of Carlls River; then west along West Main Street (Route 27A) to its

intersection with Little East Neck Road (Route 109); then northwest along Little East Neck Road (Route 109) to the point where Little East Neck Road and Route 109 diverge; continuing northwest along Little East Neck Road to its junction with Belmont Avenue; then north along Belmont Avenue to its intersection with August Road; then southeast on August Road to its junction with Chuck Boulevard.; then northeast along Chuck Boulevard to its intersection with Erlanger Boulevard; then east along Erlanger Boulevard to its intersection with Woods Road; then north along Woods Road to its intersection with Westview Avenue; then west along Westview Avenue to its intersection with W 24th Street; then north along W 24th Street to its intersection with Grand Boulevard; then east on Grand Boulevard to its intersection with W 23rd Street; then north along W 23rd Street continuing north over the Long Island Rail Road tracks and intersecting with Acorn Street; then west along Acorn Street to its junction with Adams Street; then following Adams Street north and then east to its junction with Somerset Place; then north on Somerset Place to its intersection with Nicolls Road; then west on Nicolls Road to its intersection with Venedia Drive; then north on Venedia Drive to its intersection with Straight Path; then southwest on Straight Path to its junction with Brown Boulevard; then north on Brown Boulevard to its intersection with Foothill Place; then west on Foothill Place to its intersection with Landscape Drive; then north on Landscape Drive to the point it becomes West Hills Place; then north on West Hills Place to the point it intersects with West Farm Drive; then west on West Farm Drive to its intersection with Bagatelle Road; then north along Bagatelle Road to its intersection with the south service road of the Long Island Expressway, following the south service road of the Long Island Expressway west to its intersection with Round Swamp Road; then south on Round Swamp Road to its junction with Quaker Meeting House Road; then southwest on Quaker Meeting House Road until it intersects with Merritts Road; then west on Merritts Road until the point it becomes Central Avenue; continuing west on Central Avenue until it intersects with the Bethpage Parkway; then south on the Bethpage Parkway until its intersection with Hempstead Turnpike (Route 24); then west along Hempstead Turnpike (Route 24) to its intersection with Hemlock Drive; then south along Hemlock Drive to its intersection with Cheryl Lane North; then east and south along Cheryl Lane North to its intersection with Boundary Avenue; then east on Boundary Avenue to its intersection with North Broadway; then south on North Broadway and Broadway to its junction with Hicksville Road; then south along Hicksville Road to the point it becomes Division Avenue continuing south along Division Avenue to its intersection with South Oyster Bay; then east along the shoreline to Carlls River, then north along the west shoreline of Carlls River to the point of beginning.

Section 7 CFR 301.51-3(a) allows the designation of less than an entire state as an ALB quarantined area only when the APHIS Administrator has determined—as in this case—that the designation is adequate to prevent the interstate spread of this pest. In addition, 7 CFR 301.51-3(a) requires that the state enforce an intrastate ALB quarantine that is equivalent to the federal ALB regulations. The New York Department of Agriculture and Markets has established an

intrastate quarantine for a portion of Nassau and Suffolk Counties that mirrors the federal regulatory requirements as specified in 7 CFR 301.51.

Previous Federal Orders pertaining to the expansion of quarantined areas in the ALB domestic regulations have been necessary due to the continuing spread of ALB. This Federal Order further expands the quarantined areas as described in the previous ALB Federal Orders.

For more information about APHIS' ALB Eradication Program, you may contact ALB National Policy Manager Dr. Robyn Rose at Robyn.I.Rose@aphis.usda.gov.

APHIS appreciates the cooperative relationship with New York in our effort to prevent the spread of ALB.