

FOR INFORMATION AND ACTION

DA-2014-20

APR 11 2014

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

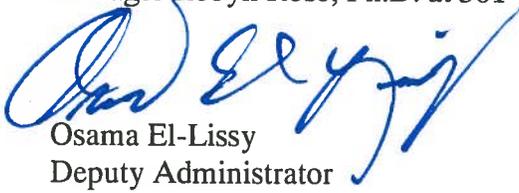
TO: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is adding 28 square miles in the Towns of Oyster Bay, Huntington, and Babylon 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 has expanded from 23-square miles to 51-square miles on Long Island.

The attached Federal Order describes the regulated area and includes the associated reference to the *Code of Federal Regulations* at Section 7 CFR Part 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 Brooklyn, New York in August 1996. Subsequent ALB finds occurred in Illinois, New Jersey, Massachusetts, and Ohio. After the completion of control and regulatory activities and confirmation surveys, ALB has been eradicated in Illinois; New Jersey; and Islip, Manhattan and Staten Island, New York.

For more information regarding the ALB Eradication Program, please call National Policy Manager Robyn Rose, Ph.D. 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-2014-20

APR 11 2014

This Federal Order adds 28 square miles in the Towns of Oyster Bay, Huntington, and Babylon on Long Island, New York, to the Asian longhorned beetle (ALB) regulated area.

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 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 and found in the *Code of Federal Regulations* at 7 CFR 301.51.

Federal Orders amending quarantined areas of New York have been necessary due to the ongoing delimitation of the ALB infestation. This Federal Order updates and replaces all previous versions of Federal Orders pertaining to the expansion of quarantine areas in the ALB domestic regulations.

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is expanding the ALB quarantine area to include an additional 28 square miles in the Towns of Oyster Bay, Huntington, and Babylon on Long Island, New York. This action is in response to the discovery of additional trees found to be infested with ALB in Central Long Island. Thus, the APHIS 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 the regulations found at 7 CFR 301.51 *et seq.* and any applicable provisions of this Federal Order. The expanded ALB quarantine area in Central Long Island now totals 51 square miles.

The revised boundary for the regulated area of Central Long Island is:

Nassau and Suffolk Counties. That area in the villages of Amityville, West Amityville, North Amityville, Babylon, West Babylon, Copiague, Lindenhurst, North Lindenhurst, East Farmingdale, Bethpage, Old Bethpage, Melville, Massapequa, Massapequa Park, East Massapequa, Wyandanch and Wheatley Heights; in the Towns of Oyster Bay and Huntington, and Babylon; in the counties of Nassau and Suffolk that is bounded as follows: Beginning at a point where West Main Street intersects the west shoreline of Carll's River; then west along West Main Street to Route 109; then northeast along Route 109 to its junction with Little East Neck Road, continuing northwest along Little East Neck Road to its junction with Belmont Avenue, then north along Belmont Avenue to its intersection with Essex Street, then west and north on Essex Street to its junction with Mount Avenue, then northwest along Mount Avenue to

its intersection with Straight Path, then northeast along Straight Path to its intersection with S. 18th Street, then north along S. 18th Street to the point it becomes N. 18th Street, then north along N. 18th Street to its intersection with Lee Avenue, then west along Lee Avenue to its intersection with Conklin Avenue, then north along Conklin Avenue to the point it becomes Bagatelle Road, then north along Bagatelle Road to its intersection with 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 Bethpage Road, then crossing Bethpage Road and continuing southwest on Thomas Powell Boulevard to its intersection with Merritt('s) Road, continuing south on Merritt('s) Road to its intersection with (Route 24) Hempstead Turnpike, then west along Hempstead Turnpike to its intersection with Hemlock Drive, then south along Hemlock Drive to its intersection with Cherry Lane North, then east and south along Cherry 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 Carll's River, then north along the west shoreline of Carll's River to the point of the 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 Administrator of APHIS has determined, as in this case, that such a 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.

APHIS has confirmed ALB infestations in various areas of the United States for which the Administrator has determined that it is necessary to regulate these areas to prevent the human-assisted spread of ALB. The quarantined areas established to contain the 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/planthealth/alb-quarantine>

For more information about the ALB Eradication Program, you may contact National Policy Manager Robyn Rose, Ph.D. Her telephone number is 301-851-2283, and her e-mail address is <Robyn.I.Rose@aphis.usda.gov>.

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