



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE FOREST SERVICE –FOREST HEALTH & MONITORING
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October 31, 2018

Dr. Robyn Rose
National Policy Manager, PPQ, APHIS
4700 River Road Unit 26
Riverdale, MD 20737-1231

Dear Dr. Rose:

The timing of the USDA-APHIS proposal to eliminate the domestic quarantine for emerald ash borer (EAB) could not be worse from the perspective of the Maine Forest Service (MFS). While the MFS supports the use of quarantine measures to minimize spread of this insect within the state, the federal government is saying, effectively, quarantines don't work, let's throw in the towel. It sends a confusing message to the public and forestry professionals.

Regulating the movement of articles that can move a pest is the basis of most federal quarantines. Unless there is a reason why this strategy is different for EAB with respect to other quarantines, eliminating the federal EAB quarantine is an acknowledgement that this strategy doesn't work, calling into question the effectiveness of all other federal quarantines.

In addition, the discussions leading up to this deregulation proposal have contributed to a mindset that EAB inevitably will be everywhere, so government should not expend any resources to slow its spread. Although we agree that EAB will spread through natural and human assisted movement even with a quarantine, we feel that elimination of the federal quarantine will accelerate this spread.

In our view, the quarantine is an imperfect but important dam on unregulated flow of the pest. Living with the resulting trickles of movement from holes in the dam is preferable to an unregulated flood. The dam, though leaky, would continue to allow people time to work to mitigate future damage through further applied research into management. MFS have not heard anything in the presentations about the deregulation proposal to convince us that management options (primarily biological control) are anywhere near the point where opening the floodgates for EAB to more rapidly infest the remaining ash resource is a wise option if the ultimate policy goal is to preserve ash in the forest.

Based on discussions with our counterparts who have been working with this pest for years, MFS believes that the county and quarantine maps presented showing the spread of this pest across the country and implied complete infestation are misleading. The fixation on county and state boundaries provides a more dismal view of the situation than exists, with some states only having a very small area known to be infested, and the quarantine has contributed to slowing spread more adequately than portrayed by APHIS in its presentation of the facts.

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The loss of federal involvement in the regulation of firewood movement promises to be catastrophic to forest health. The federal rules provide additional teeth to state regulations on firewood movement, which are only present in some areas of the country. The threat of higher penalty and available investigation and enforcement resources with violations of the federal rule are important to the success of state regulations. As APHIS knows, the firewood regulation provides an added benefit not only of slowing the spread of emerald ash borer, but easily dozens of known and to date unrecognized forest health threats. It is irresponsible to abdicate involvement in the regulation of this pathway for movement of EAB and other exotic forest pests to the states.

MFS also is concerned about the impacts on intrastate and international commerce. Most pressing given our geography is the status of emerald ash borer regulation in Canada. Unless CFIA deregulates EAB on a similar timeline to USDA APHIS, this could impact several important markets for Maine ash to un-regulated areas of the Maritimes.

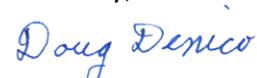
With deregulation at the federal level, APHIS will shift the burden of regulation to the states at significant cost to the states and impose additional complications to commerce involving ash. A harmonized state quarantine system may mitigate some of the intrastate movement headaches. In northern New England, for example, states have gotten close to harmonization of our HWA quarantines in the past. However there were still enough differences across state lines to add to confusion for people moving hemlock, as well as for those trying to explain how those differences in state quarantines impacted those industries.

MFS also is concerned with the loss of survey support in the areas where EAB has not been detected. Using citizen scientists as proposed to replace the current formal survey for EAB expansion into currently uninfested and unregulated areas is unlikely to pass the straight face test for organizations such as CFIA that treat uninfested and unregulated counties differently from the standpoint of import requirements. Nor is such a program likely to provide the level of coverage currently seen in the formal survey. Finally, one cannot ignore that the citizens are already being actively engaged by multiple partners. There are likely marginal gains to be had from further efforts.

Finally, we question the implication that funding redirected from the regulatory efforts would be available to the EAB program to support biocontrol. This is a comforting idea in the absence of regulation, but we do not believe it is as cut and dried as presented. Given past experience with government funding, our conclusion is it is not a guarantee.

In summary, although MFS agrees that the federal quarantine has not prevented the spread of emerald ash borer, it has been effective in slowing it. Given our current situation, with a fraction of a percent of our forest known to be infested, we are not in a hurry to lose that tool. In addition, given the uncertainty of the eventual success of biocontrol and funding for such program, abandoning a valuable tool to slow continued spread is reckless.

Sincerely,



Doug Denico

Director, Maine Forest Service



Allison Kanoti

Acting State Entomologist, Maine Forest Service