

The Contractor must deliver bundled, bulk or artificial firewood as specified, and provide delivery services as required by the Department. In order to prevent the spread of invasive species and disease, **all bundled and bulk firewood should conform to the following specifications.**

1. General Requirements.

- a. Heat Treatment:** (if selling Artificial Firewood, move to Section **g.** below). The Department strongly prefers all firewood be heat treated in a USDA / APHIS certified kiln per Heat Treatment Schedule T314-c at 160° Fahrenheit for 75 minutes (Asian Longhorn Beetle) or Treatment Schedule T314-a at 140° Fahrenheit for 60 minutes (Emerald Ash Borer, Walnut Twig Beetle and Hemlock Woolly Adelgid). The Contractor shall make efforts to convert to heat treated firewood by the year 2021. For kiln certification requirements or additional information on heat treatment schedules, please go to www.aphis.usda.gov.
- b. Prevention of Invasive Species and Disease:** Contractor shall prevent the spread of invasive species and disease in the firewood through the following **MINIMAL PROCEDURES:**

 - i.** Non-heat-treated firewood should be obtained by the Contractor within the same county as the delivery location. The State is requesting that non-heat treated firewood obtained outside the delivery county be moved not more than fifty (50) miles from the point of origin to the delivery location, per National Firewood Task Force Recommendations (<https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/firewood>). The State defines the delivery location as the approximate center of the Park or Recreation Area. Non-heat-treated firewood should originate and be processed within one county, or within 50 miles of the delivery location. The transportation distance will not violate any Federal or State EAB (or other species) quarantine restrictions that may be in place. Non-heat-treated firewood may be moved fifty (50) miles within the EAB quarantine area (per National Firewood Task Force Recommendations), but must NOT be moved outside the quarantine area, even if the delivery location is within 50 miles; AND
 - ii.** Contractor shall review the attached quarantine maps (see **Attachment A**) and verify that any wood sourced will not violate any established quarantine areas; AND
 - iii.** Non-heat-treated firewood should have had at least one (1) full year to dry (season) prior to transport to delivery location to prevent oak wilt transmission and avoid wood infestation by exotic and native insects; AND
 - iv.** To avoid violation of federal interstate restrictions on the movement of wood or wood products, non-heat-treated firewood should be obtained and originate within the State of Michigan and certify this requirement annually by submitting a completed **Statement of Wood Origin** (see **Attachment A**)
- c. Transportation:** All firewood, heat-treated and non-heat treated, must be transported in accordance with restrictions under Act 72 of the Public Acts of 1945, as amended, Michigan Department of Agriculture Emerald Ash Borer Quarantine and the Michigan Department of Agriculture Hemlock Woolly Adelgid Interior State Quarantine. Hardwood firewood that has been heat treated per USDA / APHIS heat treatment schedule T314-a is exempt from EAB

quarantine movement restrictions if it is packaged, bears a USDA compliance stamp and is clearly marked with the producer's name and address.

- d. **All firewood: Firewood must** be bundled a minimum size of 10" x 10" x 16", however, bidder may offer a larger alternate size bundle with Department pre-approval. Bundled Firewood may be split log, slab wood, or a mixture of split log and slab wood.
- i. **Split Log Firewood:**
- (1) Each bundle must contain at least 60% hardwood, **excluding poplar, ash and hemlock.**
 - (2) Each bundle must contain no more than 10% bark.
 - (3) Each bundle must contain wood pieces of varying sizes.
 - (4) Each bundle must be comprised of at least 10 pieces of wood.
 - (5) The largest piece of wood no larger than 5" x 5" x 16", the smallest piece no smaller than 1" x 2" x 16".
- ii. **Slab Wood Firewood:**
- (1) Each bundle must contain at least 90% hardwood, **excluding poplar, ash and hemlock.**
 - (2) Each bundle must contain no more than 10% bark.
 - (3) Each bundle must contain wood pieces of varying sizes.
 - (4) Each bundle must be comprised of at least 12 pieces of wood.
 - (5) The largest piece of wood at least 4" x 8" x 16" and the smallest piece no smaller than 1.5" x 2" x 16".
- iii. **Mixed Split Log and Slab Wood Firewood:**
- (1) Each bundle must contain at least 90% hardwood, **excluding poplar, ash and hemlock.**
 - (2) Each bundle must contain no more than 10% bark.
 - (3) Each bundle must contain wood pieces of varying sizes.
 - (4) Each bundle must be comprised of at least 12 pieces of wood.
 - (5) The largest piece of wood at least 4" x 8" x 16" and the smallest piece no smaller than 1" x 2" x 16".
- iv. **Bulk firewood:**
- (1) Firewood may be sold in bulk quantities measurable by the cord, half cord or one-quarter cord, if pre-approved by the Unit Supervisor.
 - (2) Each cord shall be stacked four feet long, four feet wide, and one foot high.
 - (3) Each half cord shall be stacked two feet long, two feet wide, and one foot high.
 - (4) Each one-quarter cord shall be stacked one foot long, one foot wide, and one foot high.
- v. **Woodchips, mulch, soil, etc.:** All forms of firewood that are not split log, slab wood, or artificial wood pre-approved by the Department are prohibited.
- e. **Packaging:** Firewood bundles must be securely wrapped or banded with non-toxic, combustible material. Plastic film, plastic twine, plastic stretch film, plastic shrink wrap, and metal bands shall not be used. A separate handle or handle formed from the wrapping material is desired.

- i. Natural sisal twine must be new and must have a minimum tensile strength of 110 pounds and minimum knot strength of 60 pounds.
 - ii. Synthetic twine must be biodegradable, non-toxic and harmless if eaten by animals or burned in a fire.
- f. **Artificial Firewood:** Must be non-toxic, safe for food preparation, and packaged in non-toxic, combustible wrapping.

2. Warranties.

- a. All firewood shall be dry and free from insects and disease at the time of delivery.
- b. Department staff will notify the Contractor of any firewood bundles discovered to be unseasoned (green), damp or moldy. Within 48 hours of notification, the Contractor agrees to pick up, properly dispose of and replace any unseasoned (green), damp or moldy bundles free of charge.
- c. The Department reserves the right to require additional warranties other than those identified in this Contract.



Michigan Department of Agriculture and Rural Development
Pesticide and Plant Pest Management Division

HEMLOCK WOOLLY ADELGID INTERIOR STATE QUARANTINE

June 5, 2017

WHEREAS, the Director of the Michigan Department of Agriculture and Rural Development, having found that a dangerous pest commonly known as hemlock woolly adelgid, *Adelges tsugae* Annand, is injurious to native eastern hemlock, has become established in parts of the eastern and western United States; and, that this pest has been detected in the state of Michigan; and,

WHEREAS, hemlock woolly adelgid has been found infesting hemlock, *Tsuga* spp., trees in Allegan, Muskegon, Oceana and Ottawa counties; and,

WHEREAS, once eastern hemlock native stands are infested with this pest, it is difficult to eradicate, and

WHEREAS, many species of wildlife benefit from the excellent habitat that hemlock provides, and hemlock is considered a critical component to wildlife habitat, and

WHEREAS, the Secretary of Agriculture of the United States has not determined that a federal quarantine is necessary.

NOW, THEREFORE, the Director of the Michigan Department of Agriculture and Rural Development, by authority of Section 6 of Act No. 72 of the Public Acts of 1945 (Section 286.256, Compiled Laws of 1948) and Regulation No. 620 Quarantine, does establish a quarantine to prevent the further spread in Michigan of the insect pest, hemlock woolly adelgid, and sets forth definitions, regulated areas, regulated articles, shipping restrictions, and violations.

I. DEFINITIONS.

The following terms shall be construed to mean:

- (A) **CERTIFICATE** means a State Phytosanitary Certificate, Certificate of Quarantine Compliance or equivalent certification document issued by an authorized state agricultural official.
- (B) **COMPLIANCE AGREEMENT** means a written agreement between the Director and a person moving or receiving regulated articles.
- (C) **DEPARTMENT** means the Michigan Department of Agriculture and Rural Development.
- (D) **DIELECTRIC HEAT (DH)** means lumber has been heat treated using dielectric heating.
- (E) **DIRECTOR** means the Director of the Michigan Department of Agriculture and Rural Development or her/his authorized representative.

- (F) **FIREWOOD** means tree parts in lengths less than 1.22 meters (4 feet).
- (G) **HEAT TREATMENT (HT)** means lumber which has been placed in a closed chamber and artificial heat added until the lumber or packing achieves a minimum core temperature of 56 degrees Celsius (132.8 degrees Fahrenheit) for a minimum of 30 minutes.
- (H) **INFESTATION** means the presence of the hemlock woolly adelgid or the existence of the circumstances that make it reasonable to believe that hemlock woolly adelgid is present.
- (I) **KILN DRIED (KD)** means lumber seasoned in a closed chamber by means of artificial heat to a maximum moisture content of 19 percent at time of surfacing.
- (J) **LOG** means tree parts cut into lengths 1.22 meters (4 feet) or longer.
- (K) **LUMBER** means timber sawed into boards, planks, or other structural members.
- (L) **MOVED (MOVEMENT)** means shipped, held for shipment, received for shipment, transported, carried, or allowed to be moved or shipped.
- (M) **PERSON** means an individual, firm, association, partnership, corporation, governmental entity, or other legal entity.
- (N) **SAFEGUARDED** means protective measures which have been taken to prevent the introduction of hemlock woolly adelgid onto hemlock nursery stock. Protective measures include:
- a) transporting and/or holding nursery stock that is enclosed by a covering such as canvas, plastic, or closely woven cloth;
 - b) transporting and/or holding the nursery stock in an enclosed trailer body or vehicle; and,
 - c) holding the nursery stock in an enclosed building or in a secure, screened greenhouse or in a secure, screened hoop house.

II. PEST

Hemlock woolly adelgid, *Adelges tsugae* Annand, in any living form.

III. REGULATED AREAS WITHIN MICHIGAN

The entire counties of Allegan, Muskegon, Oceana and Ottawa in Michigan

IV. REGULATED ARTICLES

Hemlock woolly adelgid, *Adelges tsugae* Annand, in any living form.

Tsuga spp. (hemlock) and *Picea torano* (syn. *Picea polita*) (tiger-tail spruce) nursery stock; uncomposted chipped/shredded/ground or otherwise mechanically processed forest products and forest products bearing twigs and needles, including branches, boughs, logs, lumber and firewood.

V. EXEMPTIONS

1. Composted chipped/shredded/ground or otherwise mechanically processed forest products of regulated species.
2. Lumber, logs and other forest products of regulated species with all twigs and needles completely removed.
3. Lumber, pallets and similar products that bear markings as being compliant with International Standards for Phytosanitary Measures No. 15, including American Lumber Standards Committee requirements for Kiln Dried (KD), Heat Treatment (HT), Dielectric Heat treatment (DH) or Kiln Dried Heat Treatment (KDHT).
4. Lumber and posts which have been treated with a wood preservative compound per label requirements of the compound.
5. Seeds and cones of regulated species.
6. The Director may allow, with written approval, the movement of regulated articles from the regulated area into non-regulated areas of Michigan for research purposes.
7. The Director may allow movement of regulated articles from the regulated area into non-regulated areas of the state through a written compliance agreement issued by the Director.
8. The Director may allow movement of regulated articles from locations within the regulated area to destinations inside the regulated area through a written compliance agreement issued by the Director.
9. Firewood and other forest products of the regulated species which have no attached twigs or needles.
10. *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating from outside the regulated area which is moved into the regulated area for the purpose of immediate installation at a landscape site in the regulated area and is shipped directly to the landscape site is exempt.
11. *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating from outside the regulated area which is moved into the regulated area for the purpose of installation at a landscape site in the regulated area and is held in a safeguarded manner until subsequent installation is exempt.

Note: Hemlock nursery stock originating outside of the state of Michigan must meet the requirements of the Michigan HWA Exterior Quarantine.

VI. RESTRICTIONS

Movement of regulated articles from the regulated area to any destination outside the regulated area is prohibited, except for exempt articles listed in Section V. Exemptions.

Movement of regulated articles from locations within the regulated area to any destination inside the regulated area is prohibited, except for exempt articles listed in Section V. Exemptions.

Tsuga spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating from outside the regulated area which is moved into the regulated area will be considered exposed to potential infestation by hemlock woolly adelgid and may not be subsequently moved to destinations outside the regulated area except under written compliance agreement issued by the Director. This restriction does not apply

to safeguarded articles as described in Section VII. Part 2 or to articles shipped entirely during the low risk, four-month period of November through February.

VII. CERTIFICATION AND SHIPPING REQUIREMENTS

1. Certificates - *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating in the regulated area in Michigan must be accompanied by a certificate issued by the Director. The certificate must indicate the county of origin, and compliance agreement number (where applicable). A copy of the certificate shall accompany said nursery stock to the final destination.

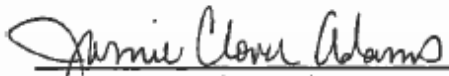
2. Transportation requirements - During the high risk, eight-month period of March through October, *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating outside the regulated area may be transported through the regulated area, provided that: a) said nursery stock is enclosed by a covering adequate to prevent the introduction of hemlock woolly adelgid (such as canvas, plastic, or closely woven cloth), or is transported in an enclosed trailer body or vehicle; and, b) said nursery stock was not off-loaded in the regulated area; and, c) no *Tsuga* spp. (hemlock) or *Picea torano* (tiger-tail spruce) nursery stock was added to the shipment in the regulated area. Safeguarded *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock transported through the regulated area must be accompanied by shipping documents which clearly identify the place of origin. During the low risk, four-month period encompassing November through February the above requirements do not apply.

VIII. RECORD KEEPING REQUIREMENTS

Persons receiving regulated articles from any source shall retain a copy of shipping records, invoices, waybills, bills of lading, certificates of quarantine compliance, phytosanitary certificates or equivalent certification documents for a period of 36 months after receipt of the articles. Said documents shall be provided upon request to the Director.

IX. VIOLATIONS

1. Any violation of this quarantine is subject to the full authority of Act No. 72, P.A. of 1945, as amended.
2. Common carriers or other carriers, persons, firms, or corporations who transport or move regulated articles in violation of this quarantine and these rules may be subject to the penalties described above.
3. Regulated articles transported in violation of this quarantine may be ordered destroyed, or returned to the point of origin at the discretion of the Director.



Jamie Clover Adams, Director

6/5/17

Date

This quarantine shall become effective on: 7/5/2017

Effective Date

History: Promulgated 8/5/2017, Eff. 7/5/2017

**MICHIGAN DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION**

Thousand Cankers Disease of Walnut Quarantine

WHEREAS, the Director of the Michigan Department of Agriculture, having found that a destructive pest complex, commonly know as Thousand Cankers Disease of Walnut, consisting of an insect pest, the walnut twig beetle, *Pityophthorus juglandis*, and a fungal pathogen, *Geosmithia morbida sp. Nov*, is injurious to black walnut trees; and,

WHEREAS, Thousand Cankers Disease of Walnut has become established in parts of the western United States; and,

WHEREAS, this pest complex is not known to exist in Michigan; and

WHEREAS, black walnut trees are an economically important source of lumber and veneer, used in the wood product industry; and,

WHEREAS, the Secretary of Agriculture of the United States has not determined that a federal quarantine is necessary.

NOW, THEREFORE, the Director of the Michigan Department of Agriculture, by authority of Section 23 of Act No. 189, P.A. of 1931, as amended, (Section 286.223, Compiled Laws of 1948) and Section 20 (2) and (3) of Act No. 189, (Section 286.220(2)(3), Compiled Laws of 1948, and Regulation No. 620, does establish a quarantine to prevent the introduction into Michigan of the causal agents of Thousand Cankers Disease of Walnut and sets forth regulated areas, regulated articles, shipping restrictions, and violations.

I. PESTS

The walnut twig beetle, *Pityophthorus juglandis*
The fungal pathogen *Geosmithia morbida sp. nov.*

II. REGULATED AREAS

The entire states of, Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Washington, Utah and any other areas where Thousand Cankers Disease of Walnut may become established.

III. DEFINITIONS

1. "Bark" means the natural bark of a tree, including the ingrown bark around the knots and bark pockets between rings of annual growth and an additional one-half inch of wood, including the vascular cambium.
2. "Compliance agreement" means a written agreement between the Director and a person or entity moving regulated articles from or through a regulated area into Michigan.
3. "Director" means the Director of the Michigan Department of Agriculture or his or her authorized representative.
4. "Firewood" for the purposes of this quarantine shall be defined as wood, either split or unsplit, in sections less than four feet in length.

IV. REGULATED ARTICLES

1. The walnut twig beetle, *Pityophthorus juglandis*, in any living stage of development.
2. The fungal pathogen *Geosmithia morbida sp. nov.*
3. Firewood of any non-coniferous (hardwood) species.
4. All plants and plant parts of the genus *Juglans* including but not limited to nursery stock, budwood, scionwood, green lumber, and other material living, dead, cut, or fallen, including logs, stumps, roots, branches, and composted and uncomposted chips.
5. Any article, product, or means of conveyance when it is determined by the Director to present the risk of spread of the walnut twig beetle, *Pityophthorus juglandis*, or the fungal pathogen, *Geosmithia morbida sp. nov.*

V. EXEMPTIONS

Juglans species plant parts and processed plant products as follows are exempt from the provisions of this quarantine:

1. Nuts, nut meats and hulls.
2. Processed lumber that is 100% bark-free, kiln-dried with squared edges.
3. Finished wood products without bark, including walnut furniture, instruments, and gun stocks.

VI. RESTRICTIONS

1. All regulated articles originating from regulated areas are prohibited entry into the State of Michigan.
2. Regulated articles originating in an area not known to have Thousand Cankers Disease but transiting through an area known to have Thousand Cankers Disease will be considered to be regulated articles.
3. Regulated articles to be used for research purposes, at the discretion of the Director, may move under a compliance agreement.

VII. CERTIFICATION AND SHIPPING REQUIREMENTS

Regulated articles originating from states outside a regulated area must be accompanied by documents indicating the state of origin.

VIII. RECORD KEEPING REQUIREMENTS

Persons receiving regulated articles from interstate and international sources shall retain a copy of shipping records, invoices, waybills, bills of lading certificates of quarantine compliance and/or phytosanitary certificates for a period of 36 months.

IX. VIOLATIONS

Any person found to violate any provision of this quarantine is guilty of a misdemeanor and upon conviction may be fined according to the provisions of Act 189 of 1931 as amended.



Don Koivisto, Director

5-17-10

Date

STATEMENT OF WOOD ORIGIN

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
BUNDLED AND ARTIFICIAL FIREWOOD FOR RESALE AT STATE PARKS AND RECREATION AREAS

REQUIRED UNDER AUTHORITY OF ACT 72, P.A. 1945

PREVENTING THE SPREAD OF EMERALD ASH BORER (EAB):

To prevent and control the spread of EAB, the Michigan Department of Agriculture has issued quarantine on all ash trees, ash materials, and all species of hardwood firewood, for the affected counties.

Regulated Firewood Articles include:

The Emerald Ash Borer, in any living state of development.

Ash Limbs, Branches, and or Stumps

Entire Ash Trees

Ash Logs with Bark

Firewood of any coniferous (hardwood species). NOTE: Firewood that has been certified for the Federal Emerald Ash Borer Quarantine by the USDA's Animal and Plant Health Inspection Service, is exempt if it is packaged, bears a USDA compliance stamp and is clearly marked with the producer's name and address.

Any article, product, or means of conveyance when it is determined by the Director to present the risk of spread of the emerald ash borer.

Under Land Use Order 8.2 as issued by the Director of the Department of Natural Resources on May 2, 2005, a person shall not do any of the following upon state-owned lands administered by the department:

- (1) Possess ash wood upon any state lands unless that ash wood is without bark attached.
(2) Possess regulated deciduous cut firewood on state lands outside of a regulated area.
(3) A regulated area means those areas as defined by the emerald ash borer interior quarantine, published by the Michigan Department of Agriculture under the authority of insect pests and plant diseases, 1945 PA 72.
(4) Movement of regulated articles out of Level I is prohibited, except with a Compliance Agreement.
(5) Movement of regulated articles out of Level II is prohibited, except with a Compliance Agreement. (Regulated articles may be moved out of Level II into Level I without a Compliance Agreement).
(6) Regulated Articles may be moved out of a Non-Quarantined area into Level I or Level II without a Compliance Agreement.

Level I: The regulated areas include the following Counties in all sixty-eight(68) Counties of the Lower Peninsula.

Level II: The regulated areas include the following Counties of Alger, Baraga, Chippewa, Delta, Dickinson, Houghton, Keweenaw, Luce, Mackinaw, Marquette, Menominee, and Schoolcraft.

Protected Islands: The protected areas include the following Counties of Gogebic, Iron, and Ontonagon

NOTE: Michigan's emerald ash borer internal quarantine encompasses tribal lands. Each tribe may have in effect a similar quarantine that regulates the movement of ash wood products. The violation of quarantine regulations on tribal lands is also punishable by criminal prosecution.

VIOLATIONS AND PENALTIES:

Any regulated article from the quarantined area, moved within Michigan in violation of this quarantine shall be removed from the non-regulated area immediately or destroyed at the expense of the owner or owners, under the direction of the Director.

Any violation of this quarantine is subject to the full authority of Act No. 72, Public Acts of 1945, as amended.

Under penalty of law, I certify that the firewood products offered for sale at: _____, (Location)

were obtained from _____ County(s)

I also certify that the firewood products offered for sale do not include ash wood containing bark.

Signed: _____ (Contractor)

Dated: _____