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29 OCT 2007

MEMORANDUM FOR All Employees

SUBJECT: Policy Letter No. 08-02, Firewood Policy for St. Paul District Recreation Areas and Other Project Lands

1. Purpose: To protect the forest resources on Corps land by implementing an effective firewood policy consistent with policies formulated by the State natural resource agencies that reduces the likelihood of emerald ash borer (*Agrilus planipennis*) (EAB) and other damaging forest pests from spreading onto project lands and adjacent areas.

2. History and Background: EAB is an exotic beetle that was accidentally introduced into the Detroit area from Asia in the early 1990s. It was not discovered until 2002, after it had already spread though most of the lower peninsula of Michigan. Since then it has become established in Ohio, Indiana, and Ontario, and introductions have been found in Maryland, Illinois, and the Upper Peninsula of Michigan. EAB larvae attack and kill ash trees by tunneling into the bark and destroying the tree's circulatory system. The insect has damaged or killed millions of ash trees in affected States. It is extremely important not to transport ash firewood out of areas of EAB infestation.

Within the St. Paul District, the States of Minnesota and Wisconsin have already implemented rules regarding possession of firewood on State lands. No out-of-State firewood is allowed on State park or forest properties within these States. Minnesota and Wisconsin also limit the distance from which firewood brought onto these properties may originate: 100 miles in Minnesota and 50 miles in Wisconsin. This restriction does not apply in Minnesota if the firewood is approved by the Commissioner of Natural Resources or in Wisconsin if the firewood is certified by the Secretary of Agriculture, Trade and Consumer Protection. The State of North Dakota, through its Departments of Agriculture, Parks and Recreation, and the North Dakota Forest Service are asking the public to leave out-of-State firewood at home.

The St. Paul District has conducted extensive coordination with these State agencies, as well as other Federal natural resource agencies, to develop an appropriate firewood policy for Corps lands. Consistent policy and management actions among natural resource agencies within a State are critical to delivering a clear message to users of public facilities.

3. Policy: It is the policy of the St. Paul District to support and contribute toward the efforts of State and other Federal agencies to impede the movement of invasive species by the transport of firewood. The three main components of this policy are as follows:

a. Public Information and Education – Through visitor contacts, signage, interpretive displays and programs, or other methods the Corps will convey the message to the public about

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EAB and other forest pests that are potentially spread via transport of firewood. Sources for EAB and other forest pest information appropriate for use at Corps recreation areas are referenced in Appendix B. The Recreation and Natural Resource Project Office will coordinate a consolidated district order for informational signs.

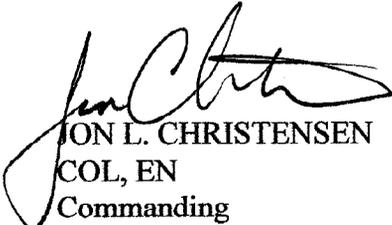
b. **Firewood Restrictions** – Under the authority of Title 36 Rules and Regulations, Section 327.12 (a), the District Commander hereby establishes a restriction on St. Paul District project lands that prohibits the possession, transportation, use, or storage of firewood originating more than 100 miles from project lands, or the current State limit, whichever is more restrictive, or from across State or national boundaries, unless the firewood has been officially certified as pest-free. This restriction will be enforced by Corps staff with citation authority using the lowest level of enforcement necessary, as per ER 1130-2-550, Section 6-2. f.

c. **Interagency Cooperation** – As per ER 1130-2-540, Chapter 4 – Forest Service Pest Suppression Assistance at Civil Works Water Resources Development Projects, districts are required to cooperate fully with the U.S. Department of Agriculture (USDA) to prevent and suppress damaging forest insect and disease outbreaks. Corps project staff will be responsive and supportive of requests from the USDA or their partners to conduct forest pest monitoring activities or follow-up control measures on project lands that are not in conflict with Corps missions. This policy would address a great number of invasive species in addition to EAB (such as gypsy moth, oak wilt, Asian long-horned beetle, sirenix wood wasp, etc.). These pests are generally slow moving when left to their own movement patterns. However, all can move great distances as hitchhikers on firewood transported from one location to another. While the threat of pest movement exists with local firewood, it is greatly reduced. In addition, Corps staff will strive to remain alert to identify any firewood that originated from a quarantined or regulated area and promptly report the information to the USDA Animal and Plant Health Inspection Service (APHIS). Refer to the appendixes for additional information and contacts.

4. **Implementation:** To assist in the implementation of this policy, a number of specific management actions have been identified in Appendix B. This list is not inclusive. However, it is recommended that as many of these and other updated actions are taken at Corps recreation areas and on project lands as staff and budget resources allow.

5. In summary, the forests on and around Corps lands are an important natural resource for the States and the Nation. In affected areas, the Federal and State governments have spent millions of dollars on eradication and control of EAB and other forest pests. This district policy is a proactive measure that will help reduce the risk of similar financial and ecological impacts within the St. Paul District.

APPENDIXES A & B


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APPENDIX A

REFERENCES AND DEFINITIONS

1. References

- a. Wisconsin Administrative Code, Department of Natural Resources, Chapter NR 45.04(1)(g).
- b. **2007 Minnesota Statutes 89.551 Approved Firewood Required, Sec. 2 Subd. 3b.**
- c. 7 CFR 301.53 (USDA Animal and Plant Health Inspection Service quarantine)
- d. Title 36, Chapter III, Part 327, Section 327.12 (a) Restrictions
- e. ER 1130-2-540, Project Operations, Environmental Stewardship Operations and Maintenance Guidance and Procedures, Chapter 2, Section 2-2. c. (7), Natural Resources Protection
- f. ER 1130-2-550, Project Operations, Recreation Operations and Maintenance Procedures, Chapter 6, Section 6-2. f, Title 36 Citation Authority

2. Definitions

- a. **FIREWOOD** means any part or portion of a tree that has been cut and removed from its original location and is to be burned as fuel for heating or cooking in open pit, grill, fireplace or stove.
- b. **OFFICIALLY APPROVED OR CERTIFIED PEST-FREE FIREWOOD** means firewood from a vendor whose product has been approved or certified by the appropriate State as being pest free. The vendor application process requires firewood dealers to indicate the firewood origin or the treatment process they used to eliminate invasive insects and diseases in their firewood. The treatment processes include heat treatment or kiln-drying, debarking, fumigation, 2 or more years of storage or another manner approved by the State.
- c. **QUARANTINE** by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) restricts movement of regulated articles.
- d. **A REGULATED ARTICLE** is defined as:
 - emerald ash borer;
 - firewood of all hardwood species, such as ash, oak, maple and hickory;
 - nursery stock and green lumber of ash;
 - any other ash material living, dead, cut or fallen including logs, stumps, roots, branches, as well as composted and uncomposted chips of the genus *Fraxinus*;
 - In addition, any other article, product or means of conveyance not listed above may be designated as a regulated article if a USDA inspector determines that it presents a risk of spreading EAB.

APPENDIX B

FIREWOOD MANAGEMENT IMPLEMENTATION GUIDELINES, PROCEDURES AND RESOURCES FOR RECREATION AREAS AND OTHER CORPS LANDS IN THE ST. PAUL DISTRICT

1. Implementation

To effectively implement this policy, the following management actions will be considered for implementation at recreation areas and other Corps lands in the St. Paul District.

- a. Corps staff should refer to current approved pest-free firewood vendor lists or work with their respective State departments of natural resources or agriculture to identify other approved vendors who can provide firewood for use at Corps facilities. This information should be made available to recreation visitors. Information or current lists are available at:

Minnesota - <http://files.dnr.state.mn.us/forestry/firewood/firewoodVendors.pdf>
Wisconsin - http://datcp.state.wi.us/press_release/result.jsp?prid=1983

- b. Place a 'firewood alert' message on the web-based reservation system RECREATION.GOV for St. Paul District recreation areas. A suggested format that could be placed under the 'Alerts and Important Information' section of the campground details webpage is as follows:

Firewood Alert - When camping or picnicking at this recreation area, purchase your firewood from a local vendor. Don't bring firewood from home. To help prevent the spread of the Emerald ash borer and other forest pests, the U.S. Army Corps of Engineers is prohibiting firewood if it originates **more than 100 miles** (or 50 miles in Wisconsin) from this facility. Firewood originating in another State is also prohibited.

If possible, include a statement about availability of approved pest-free firewood in or near the recreation area.

- c. Add a similar message to the reservation information voice messages at the parks.
- d. Where feasible, mail postcards or otherwise follow up with campers who made reservations prior to this policy being in effect.
- e. Place firewood information signs or posters throughout campgrounds, picnic areas, boat landings and other appropriate locations. Information at boat landings will help address firewood use at undeveloped areas.

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- f. Make informational handouts available to all campers at check-in as well as at kiosks and brochure racks (see the resources section of this appendix for suggested materials).
- g. Use the Corps Interpretive Services and Outreach Program to educate recreation visitors and the public about the firewood policy and potential impacts from EAB and other firewood borne forest pests.
- h. Ask campers upon check-in whether they brought firewood and educate them about the policy. If necessary, take appropriate actions to ensure compliance. See Section 2 of this appendix for recommended procedures.
- i. Issue verbal warnings in the majority of cases. Transport of firewood from a quarantined State (Illinois, Ohio, Indiana, and much of Michigan) may merit referral to USDA APHIS at 866-322-4512. Violators may be subject to fines up to \$250,000 and/or imprisonment.
- j. Modify real eState lease agreements where possible and incorporate this policy into new leases of Corps lands used for recreation purposes.
- k. Provide information on this policy, EAB and other firewood borne forest pests to all Corps shoreline management permit holders.
- l. Coordinate these actions with adjacent Corps of Engineers districts.
- m. Coordinate these actions with local offices of the U.S. Fish and Wildlife Service and State departments of natural resources who have management responsibilities on Corps lands.
- n. Cooperate with the U.S. Forest Service regarding requests to establish and monitor EAB trap trees on Corps lands where possible.
- o. Respond immediately to any suspected detection of EAB at Corps project lands by contacting the appropriate State department of agriculture.

2. Recommended Firewood Handling Procedures

The following are the recommended procedures for enforcing firewood restrictions at recreation areas and other Corps lands in the St. Paul District under the Visitor Assistance Program using Title 36 citation authority.

Title 36, Chapter III, Part 327, Section 327.12 (a) Restrictions:

The District Commander may establish and post a schedule of visiting hours and/or restrictions on the public use of a project or portion of a project. The District Commander may close or restrict the use of a project or portion of a project when necessitated by reason of public health, public safety, maintenance, resource protection or other reasons in the public interest. Entering or using a project in a manner that is contrary to the schedule of visiting hours, closures or restrictions is prohibited.

What firewood is allowed?

All firewood that the camper States originated from **within the State and within 100 miles (or 50 miles in Wisconsin)** of the camping area and is NOT identified somewhere on the bundle as originating from farther than 100 miles (50 in Wisconsin) or out-of-State. For example, if the camper bought the firewood from a gas station from within 50 miles and no identification on the bundle to indicate origin or the origin is identified as local, the wood is allowed. Firewood from an approved vendor that has treated the wood according to State guidelines so that it is free of harmful pests such as EAB is also allowed.

What firewood is not allowed?

1. All firewood that the camper States originated from out-of-State or from an area greater than 100 miles (50 in Wisconsin) from the camping area.
2. All firewood that is identified on the bundle as originating from a location greater than 100 miles (50 in Wisconsin) from the camping area, no matter where the wood was purchased. For example, if the camper bought the wood at a local gas station but identification on the bundle states "processed in Texas, Illinois etc." – this wood must not be allowed on Corps land.

Refunds of camping fees

If a camper wants to bring in firewood that originated from more than 100 miles (50 in Wisconsin) from the camping area or from out-of-State and will not surrender the wood, the camper can keep the firewood and camp elsewhere – off Corps land. You may give them a refund of camping fees within the usual limitations.

Warnings versus citations

2007 will be a year of transition and education about the Corps firewood policy. Verbal or written warnings should be used for the majority of discoveries. Citations should be considered for 2008 and beyond, or if deemed necessary by the Park Manager to address especially difficult situations. If a violation of the Federal quarantine for a regulated article is detected, it should be referred to USDA APHIS at 866-322-4512.

Searching vehicles

Do not search vehicles or campers. We will take the campers at their word.

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Confiscating firewood

Generally, we will try to minimize confiscation of firewood, at least during the initial year of this policy. However, if campers do not want to move to a non-Corps site where firewood is not restricted, they may voluntarily turn their firewood supply over to park staff. If they turn over the firewood, they (or we) will double bag the wood, and we will store it under a clear tarp that is placed in the sun. This method will heat the wood and kill or confine the harmful organisms until the wood is destroyed, either by chipping or burning. In some unusual cases, it may be in the best interest of the public and the Corps to allow campers to burn their entire supply of firewood on the day of check-in as an alternate way of addressing the issue. However, this decision will be at the discretion of the park manager, on a case-by-case basis only, and will not be used as justification to allow ALL campers to bring unapproved firewood onto Corps land.

3. Resources

a. The following is a list of State and Federal websites with a wide range of information on EAB and firewood issues, including links to brochures, posters, quarantine maps, and aids for identifying ash firewood and the various life stages of EAB.

- Multi-State effort between Michigan, Illinois, Indiana, Maryland, Ohio, Pennsylvania and Wisconsin (uninfested) to bring the latest information about EAB - <http://www.emeraldashborer.info/>
- Minnesota Department of Natural Resources - <http://www.dnr.state.mn.us/firewood/index.html>
- Minnesota Department of Agriculture - <http://www.mda.state.mn.us/plants/pestmanagement/eab.htm>
- North Dakota Department of Agriculture - <http://www.agdepartment.com/links/pest%20links.html>
- North Dakota Forest Service - http://www.ndsu.edu/ndsu/lbakken/forest/doc/emerald_ash_borer.pdf
- Wisconsin Department of Natural Resources - <http://www.dnr.state.wi.us/org/land/Forestry/FH/Ash/>
- Wisconsin Department of Agriculture, Trade and Consumer Protection - <http://www.datcp.state.wi.us/arm/environment/insects/emerald-ash-borer/index.jsp>
- U.S.D.A. Animal and Plant Health Inspection Service - http://www.aphis.usda.gov/newsroom/hot_issues/emerald_ash_borer/emerald_ash_borer.shtml
- U.S. Forest Service - <http://na.fs.fed.us/fhp/eab/>

b. St. Paul District Firewood Policy Posters, Handouts and Signs

These materials are available through the Recreation and Natural Resources Project Office.