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MINNESOTA DEPARTMENT OF AGRICULTURE

STATE FORMAL QUARANTINE

EMERALD ASH BORER

Version 45

Section I: Declaration of State Quarantine

Whereas, the Commissioner of the Minnesota Department of Agriculture, having found that an exotic pest, known as the emerald ash borer, *Agrilus planipennis* Fairmaire, has been detected in other states and has only a limited distribution in Minnesota at this time; and

Whereas, the emerald ash borer has been found infesting and killing ash trees, *Fraxinus* spp., in certain states; and

Whereas, ash trees are a valuable resource for the nursery, landscaping, and timber industries in Minnesota; and

Whereas, ash trees represent a significant component of the natural, urban and rural forest environments in Minnesota; and

Whereas, no federal quarantine is in place through the United States Department of Agriculture, Animal and Plant Health Inspection Service ("APHIS") that will limit the movement of emerald ash borer into un-infested areas of Minnesota through interstate commerce;

Now, therefore, the Commissioner of the Minnesota Department of Agriculture by the authority of Minnesota Statutes Section 18G.06 (2008) declares this quarantine to prevent the further spread of this pest and sets forth: definitions, regulated articles, quarantined areas, conditions of movement, violations and penalties, and special exemptions. This quarantine shall become effective immediately and will remain in effect until withdrawn or superseded.

Section II: Definitions

"Ash" means all species of the genus *Fraxinus.*

"Certificate" means a document authorized or prepared by the Commissioner or their designee that affirms, declares, or verifies that movement or use of a regulated article complies with this quarantine and other legal requirements.

"Commissioner" means the Commissioner of the Minnesota Department of Agriculture or their designee.

"Compliance agreement" means a written agreement between a person and the Commissioner to achieve compliance with this quarantine.

"Emerald Ash Borer" ("EAB") means the insect known as emerald ash borer, *Agrilus planipennis* Fairmaire, in any stage of development.

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"Firewood" means wood cut to lengths less than four feet long. This includes firewood cut for personal use.

"Inspector" means an employee of the Minnesota Department of Agriculture or other individual authorized to enforce the provisions of this quarantine.

"Log" means tree parts cut into lengths four feet or longer.

"MDA designated receiving facility" is a facility located outside the quarantine areas that has an active compliance agreement with the Department to accept regulated articles for processing.

"Minnesota" means the State of Minnesota.

"Move" ("moved," "movement") means shipped, transported, carried; held or offered for shipment, transport or carriage; received for shipment, transport or carriage; or allowed to be shipped, transported or carried.

"Person" means any individual, firm, association, partnership, corporation, governmental entity, or other legal entity.

"Quarantined Area" means any area listed in Section IV of this quarantine.

"Regulated Article" means any article listed under Section III of this quarantine.

"State" means the District of Columbia, Puerto Rico, the Northern Mariana Islands, or any state, territory, or possession of the United States.

"Transit" ("transiting") means movement through an area.

Section III: Regulated Articles

Regulated articles are as follows:

(A) The emerald ash borer, *Agrilus planipennis* Fairmaire, in any stage of development.
(B) All plants and plant parts of the genus *Fraxinus*, including but not limited to:
    a. Logs
    b. Nursery stock, scion wood, and bud wood
    c. Chips and mulch, either composted or uncomposted
    d. Stumps, roots, and branches
(C) Firewood of any non-coniferous (hardwood) species
(D) Any article, product, or means of conveyance which the Commissioner determines to present a risk of spread of EAB and the Commissioner has notified the person in possession of that article, product, or means of conveyance, is subject to this quarantine.
(E) Exceptions are:
    a. Ash seeds and leaves that contain no ash twigs, branches, and wood
    b. Processed lumber that is generally bark free, kiln dried, and with squared edges
    c. Finished wood products without bark, including furniture, baskets, and baseball bats

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Section IV: Quarantined Areas

(A) The following are designated as quarantined areas:

a. All areas of all U.S states

b. The following are designated as quarantined areas in Minnesota:

i. **The entire county of:**
Aitkin, Anoka, Benton, Blue Earth, Brown, Carver, Chisago, Cottonwood, Crow Wing, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Isanti, Jackson, Kanabec, Kandiyohi, Le Sueur, Lincoln, Lyon, Martin, McLeod, Meeker, Mille Lacs, Morrison, Mower, Murray, Nicollet, Nobles, Olmsted, Otter Tail, Pine, Pipestone, Pope, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sherburne, Sibley, Stearns, Steele, Todd, Wabasha, Wadena, Waseca, Washington, Watonwan, Winona, Wright

ii. **The portion of St. Louis County including:**
West boundary: St. Louis/Carlton County border to Hwy 33. Then Hwy 33 traveling north to the southern boundary of Northland Township. Then westward through the southern boundary of Cedar Valley Township. Then the western border of St Louis County north to the northern boundary of French Township.
North Boundary: The northern border of French Township continuing east through the northern border of Babbitt City.

iii. **The portion of Lake County including:**
West boundary: St Louis/Lake County border traveling north to the northern quarantine line of St. Louis County. Then eastward 13.5 miles to Lake Superior following across the northern border of Twp 53N, R 11W, Twp 53N, R 10W, and Twp 53N R 9W.

iv. **Carlton County, excluding the Fond du Lac Band of Lake Superior Chippewa Reservation.**

v. **The portion of Clay County including;**
Western half of Clay County; west boundary; Minnesota/North Dakota state border, northern boundary county road 102 eastward to eastern boundary County Road 9, south to County Road 50, southern boundary County Road 50 then westward toward state line.

vi. **The portion of Cass County including:**
The northern border of the quarantine extends west from county line along highway 34 to Walker, Highway 200 to the southern exterior border of Leech Lake Band of Ojibwe, north to highway 200 and east to the county border.

vii. **The following townships in Lake County: T54 R11W, T54 R10W, T54 R9W, T54 R8W, T55 R11W, T55 R10W, T55 R9W, T55 R8W, T55 R7W, T56 R11W, T56 R10W, T56 R9W, T56 R8W, T56 R7W, T57 R11W, T57 R10W, T57 R9W, T57 R8W, T57 R7W, T57 R6W, T58 R11W, T58 R10W, T58 R9W, T58 R8W, T58 R7W, T58 R6W**

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viii. **The southeastern portion of Itasca County:**

1. **Southern border: the border with Aitkin County**
2. **Western border: the Cass County border until that border meets State Highway 6, then following State Highway 6 north, west and north again until the junction with County Road 19**
3. **Northern border: County Road 19 east to State Highway 38, State Highway 38 south to Clearwater Road, Clearwater Road east to Wabana Road, Wabana Road east to Scenic Drive, Scenic Drive east to County Road 57, County Road 57 east to County Road 8, County Road 8 east to State Highway 65, State Highway 65 south to US Highway 169, US Highway 169 east to the St Louis County border**
4. **Eastern border: the border with St Louis County**

(B) The Commissioner may designate additional quarantined areas based upon future confirmation of the presence of the emerald ash borer. Such designations or changes will become effective upon the posting of notification on the Minnesota Department of Agriculture website located at http://www.mda.state.mn.us/eab and in the printed listing available upon request through the Minnesota Department of Agriculture Plant Protection Division, 625 N. Robert St., St. Paul, MN 55155, 651-201-6684 or 1-888-545-6684. In addition, notification will be made according to the requirements in Minnesota Statutes Section 18G.06, subd. 3(c).

Section V: Restrictions on Regulated Articles

(A) Movement From a Quarantined Area to a Non-Quarantined Area.

a. The sale and/or movement of ash nursery stock from a quarantined area is prohibited.
b. The movement of all regulated articles other than ash nursery stock is also prohibited, except under conditions i or ii below.
    i. The regulated article shall have been treated under a Compliance Agreement and a Certificate must be issued. The point of origin shall be indicated on the bill of lading or other shipping documents. The Certificate shall be attached to or associated with the regulated articles and shall remain on/with the regulated articles until such articles reach their final destination. The Certificate shall be given to the recipient at the destination of the shipment and shall be retained with the shipping documents.
    ii. The regulated article is transported to an MDA designated receiving facility between October 1 and April 30 only.
    iii. The regulated article is transported under a state phytosanitary certificate issued by the state of origin with prior approval from the Commissioner.

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(B) Movement Transiting a Quarantined Area When Regulated Articles Originate from a Non-Quarantined Area.
    a. The transit of regulated articles originating from a non-quarantined area, through a quarantined area, to a non-quarantined area is prohibited, except under the following conditions:
        i. During the period of May 1 through September 30, if the regulated articles are shipped in an enclosed vehicle or completely enclosed by a covering adequate to prevent the infestation of regulated articles by emerald ash borer.
        ii. During the period of May 1 through September 30, uncovered regulated articles may transit without stopping except for refueling or traffic conditions.
        iii. Transit is not regulated during the period October 1 through April 30.

(C) Movement Transiting from a Quarantined Area through a Non-Quarantine Area to a Quarantined Area.
    a. This movement is allowed for ash logs greater than 4 feet in length.

(D) Movement From A Non-Quarantined Area Into A Quarantined Area.
    a. Regulated articles may move from a non-quarantined area into a quarantined area. Once an article has entered a quarantined area, it is subject to the same restrictions as an article that originated from the quarantined area.

(E) Movement Within A Quarantined Area
    a. Regulated articles may move within a quarantined area.
    b. Exceptions are:
        i. Ash genus *Fraxinus* Nursery stock, scion wood, and bud wood

(F) Removal Of Regulated Articles From Unauthorized Areas.
    a. Any regulated articles moved in violation of this quarantine shall be removed to a permitted area within 24 hours of discovery or shall be subject to destruction under the direction of the Commissioner and at the expense of the owner or owners.

(F) Documentation.
    a. All regulated articles originating from the quarantined area that are moved within Minnesota or that have been moved within Minnesota must be accompanied by certifications and/or shipping documents showing the movement was in accordance with this quarantine. Such documents must be shown to the Commissioner when requested.

Section VI: Penalties

Any person violating these quarantine regulations is subject to the civil penalties up to $7,500.00 per day of violation or misdemeanor penalties set forth in Minnesota Statutes Sections 18J.10 (2011) and may be subject to criminal penalties set forth in Minnesota Statutes Sections 18J.11 (2011).

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Section VII: Special Exemptions

(A) The Commissioner may allow, with written approval, the movement of emerald ash borer, in any living stage of development, into or within Minnesota for research purposes.

(B) The Commissioner may allow, with written approval, the movement of regulated articles, into or within Minnesota, after proper documentation has been provided to the Commissioner.

This Notice and State Formal Quarantine

Signed by:
Thom Petersen
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Effective on 11/9/2026

Thom Petersen
Commissioner
Minnesota Department of Agriculture