

MASSACHUSETTS ASIAN LONGHORNED BEETLE COOPERATIVE ERADICATION PROGRAM

December 8, 2008

Dear Property Owner:

As you know, inspectors from the Massachusetts Asian Longhorned Beetle (ALB) Cooperative Eradication Program have surveyed trees on your property for signs of ALB infestation. Our professional survey and analysis confirmed one or more infested trees or high-risk host trees on your property that must be removed by and through the regulatory authority of the Commonwealth of Massachusetts.

The Massachusetts ALB Cooperative will begin removing infested trees from the ALB regulated area beginning on Monday, December 15th. All tree removals and chipping will be performed by the Massachusetts ALB Cooperative Eradication Program, or those contracted by the ALB Program, at no charge to the property owner.

Enclosed please find a *Notice of Infestation and Tree Removal* from the Commonwealth's Department of Conservation and Recreation (DCR) and a list of Frequently Asked Questions. We ask that you please read both carefully and sign the Notice of Infestation and Tree Removal and return in the self-addressed, stamped envelope within seven (7) days of receipt. The purpose of this action is to acknowledge your receipt of this information. Please note that the Massachusetts ALB Cooperative will visit your property approximately seven (7) days prior to the removal process to notify you of removal timelines.

If you have additional questions, knowledgeable staff from the Massachusetts ALB Cooperative will be available by appointment at one of the following locations on the following dates to speak with property owners about this notification, the required signed acknowledgement and the tree removal process. If you are interested in scheduling an appointment, please call 508-799-8330.

Wednesday, December 17, 2008
3 p.m. – 6:45 p.m.
Quinsigamond Community College
670 West Boylston Street
Harrington Learning Center (Library)

(continued on back of page)



Thursday, December 18, 2008
3 p.m. – 7 p.m.
Clark Street Community School
280 Clark Street
Computer Lab

We thank you in advance for your cooperation and understanding for what is most certainly difficult and unfortunate news. Our collective goals are to eradicate this pest from our midst, stop the further spread of this invasive beetle, and to replant as soon as possible.

Sincerely,

Christine Markham
National Program Director
USDA APHIS PPQ
ALB Eradication Program

Commissioner Rick Sullivan
Commonwealth of Massachusetts
Dept. of Conservation and Recreation

Michael V. O'Brien
City Manager
City of Worcester



**NOTICE OF INFESTATION AND TREATMENT ORDER REGARDING
ASIAN LONGHORNED BEETLE (TREE REMOVAL)**

NOTICE

The Massachusetts Department of Conservation and Recreation (DCR), in consultation with the United States Department of Agriculture's (USDA) Animal Plant Health Inspection Service (APHIS) and the Massachusetts Department of Agricultural Resources (DAR), hereby issues this notice of determination that the presence of the Asian Longhorned Beetle (*Anoplophora glabripennis*) ("ALB") in trees on or near the premises of [Street address] in [Municipality] poses an imminent threat to hardwood trees in the Commonwealth of Massachusetts. DCR has further determined that it is necessary to remove, destroy and dispose of the trees infested, or exposed to potential infestation, by these insects on this premises in order to eradicate this nuisance, and prevent its spread to additional trees or areas of the Commonwealth.

FINDINGS

Consistent with M. G. L. c. 132, § 8, 11 and 12 and M. G. L. c. 132A, § 1F, DCR has declared the ALB to be a public nuisance and has instituted a quarantine pursuant to an Order (August 8, 2008), an Amended Order (August 20, 2008), a Second Amended Order (September 28, 2008), and a Third Amended Order (November 24, 2008) issued for parts of Worcester County. DCR has issued these orders to prevent the spread of this destructive invasive insect and/or pest. The ALB has also been the subject of a Declaration of Emergency and quarantine by USDA pursuant to 7 F.R. ? (?) and 7 C.F.R. § 301.51. USDA/APHIS has also instituted programs for eradication of the ALB. Finally, the destruction of the trees which are the subject of this Notice and Order, and disposal of the wood, is necessary to eradicate the ALB and abate this nuisance.

ORDER

Pursuant to the Third Amended Order, DCR hereby orders that:

1. The hardwood trees that have been previously marked with red paint (indicating an infested tree) on the above-referenced Premises are to be cut, removed and destroyed in the following manner. Additional hardwood trees marked with a blue paint (indicating a host tree that could become infested) on the Premises, may need to be removed and destroyed. If such a determination is made by USDA or DCR, notice will be provided in advance that such additional hardwood trees are subject to this Order.
2. 7 – 10 business days prior to the arrival of contractors on your street, you will be notified by duly authorized DCR and/or United States Department of Agriculture (USDA) personnel with visible credentials to make you aware of the plans for work on the Premises to remove and destroy hardwood trees. If no person is available at the Premises, a door hanger will be left with a phone number for you to call with questions.

Neither the Owner/Landlord nor Tenant of the Premises shall be responsible for the cost to remove or destroy the marked trees.



NOTICE

Failure to permit authorized contractors to perform the removal actions at the Premises, and any failure to otherwise comply with this Order, will result in the DCR seeking enforcement of this Order in Superior Court. DCR reserves the right to require further treatment or action to abate this nuisance, and to issue further orders to authorize and require such actions.

Further information may be obtained by contacting DCR by telephone at 508-799-8330 or by Fax at 508-799-8321.

So Ordered: December 10, 2008



James DiMaio, Chief
Bureau of Forestry



APPROVED:

Richard K. Sullivan, Jr., Commissioner
Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114

Acknowledgement and Permission

The undersigned declares and warrants to be the sole and lawful owner(s) of the Premises at _____, in the city or town of _____ (“Premises”), that is the subject of the “NOTICE OF INFESTATION AND TREATMENT ORDER REGARDING ASIAN LONGHORNED BEETLE (TREE REMOVAL)” (the “Removal Order”) issued by the Commissioner of the Department of Conservation and Recreation (DCR) regarding the Premises, a copy of which is attached hereto or on the reverse side hereof.

The undersigned has read and understands the Removal Order and authorizes DCR and the United States Department of Agriculture (USDA), their employees or agents, to enter the Premises for the sole and exclusive purpose of undertaking any and all actions to cut, remove and destroy the hardwood trees, including stumps that are the subject of the Removal Order. The undersigned acknowledges that all work will be conducted pursuant to eradication plans and specifications approved by USDA or DCR.

The undersigned agrees that all hardwood trees, including stumps, determined by USDA or DCR to be infested with the Asian Longhorned Beetle (ALB), and which have been previously marked with red paint on the above-referenced Premises shall be cut, removed and destroyed. The undersigned acknowledges that hardwood trees not determined to be infested, but which could be exposed and become infested by ALB (so called “host trees”, which are marked with blue paint), are not required to be cut and removed at this time from the Premises. However, the undersigned also acknowledges that such host trees may be cut, removed and destroyed at this time at no cost to the lawful owners or tenants if the undersigned so chooses, and in that regard

the undersigned ____ **DOES** / ____ **DOES NOT** request and authorize host trees to be cut and removed from the Premises and destroyed.

The undersigned further authorizes any contractor duly authorized by DCR pursuant to the authority referenced in the Removal Order to enter upon the Premises to undertake all actions to cut, remove and destroy the hardwood trees, including stumps, that are the subject of the Removal Order; and to undertake all actions to cut, remove and destroy the host trees if the undersigned has so requested and authorized such above.

The undersigned agrees that any removed hardwood trees, including stumps, have no monetary value and that no financial compensation will be provided to the undersigned for such. The undersigned agrees that any removed hardwood trees will not be replaced with a hardwood tree, and that a program of tree replacement will be implemented, at a later date, within the areas affected in Worcester County, with species of trees not subject to re-infestation by Asian Longhorned Beetle, as determined to be appropriate by the USDA and DCR and not necessarily at a 1 to 1 replacement ratio for trees removed on the Premises, but in any event at no cost to the lawful owners or tenant.

Signed:

Print name:

Date: _____

Print name:

Date: _____

Address of Premises: _____