

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
 For Inclusion on Board Agenda

<u> X </u>	Resolution or Ordinance (Blue)
<u> </u>	Recommendations of Boards, Commissions & Committees (Green)
<u> </u>	Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: February 20, 2007 (B of T) Date: March 1, 2007

TITLE: Emerald Ash Borer Compliance Agreement

SUBMITTED BY: Steve Kremske, Forestry/Electrical & Streets Supervisor *SK*

BACKGROUND/POLICY IMPLICATIONS:

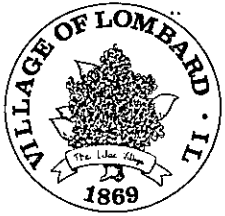
See attached memo

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date _____
Finance Director X	_____	Date _____
Village Manager X	<u>W. T. Lichter</u>	Date <u>2/21/07</u>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



To: William Lichter, Village Manager
Through: Wes Anderson, Director of Public Works *Wes Anderson*
From: Steve Kremske, Forestry/Electrical/Streets Supervisor *SK*
Date: February 19, 2007
Subject: Emerald Ash Borer Compliance Agreement

The Illinois Department of Agriculture is requesting that all municipalities within the state agree to comply with the regulations set forth in an effort to control the spread of the Emerald Ash Borer. Although the insect has not been found in Lombard, it is recommended that in the event of an infestation, all municipalities and private tree care companies follow the same, standardized procedures to minimize the potential spread of this pest. The signing of this agreement prior to any infestation will ensure that the Village will comply with all regulations and expedite all control measures that are needed.

Please present this item to the Board of Trustees at the March 1, 2007 meeting for their approval.

Attachments: Agenda
Compliance Agreement

RESOLUTION

R _____ 07

**A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON AN AGREEMENT**

WHEREAS, the Corporate Authorities of the Village of Lombard have received an Agreement between the Village of Lombard and the State of Illinois Department of Agriculture, as attached hereto and marked Exhibit "A"; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

Adopted this 1st day of March, 2007

Ayes: _____

Nays: _____

Absent: _____

Approved this 1st day of March, 2007

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

Illinois Department of Agriculture

EMERALD ASH BORER COMPLIANCE AGREEMENT

Nursery, Nursery Dealer, Landscape Waste, Tree & Shrub Maintenance, Tree Pruning & Removal, Firewood

Company Information:

Company Name: _____ Contact Name: Mr./Ms. _____

Mailing Address: Street _____ City/Town _____ State _____ Zip code _____

Telephone: _____ Fax: _____ E-mail: _____

Disposal or Processing Yard Location (if different than mailing address):

Street _____ City/Town _____ Zipcode _____

Applicable to State or Federal Cooperative Domestic Quarantines for the Emerald Ash Borer (*Agrilus planipennis*) pursuant to the Insect Pest and Plant Disease Act (505 Illinois Compiled Statutes 90/1 et seq.)

I acknowledge State and Federal regulations governing the Emerald Ash Borer (EAB) and "regulated articles"*. When working within and near EAB quarantine zone(s), I agree to supply records that may be required for inspection. I agree to comply with the procedures listed in this agreement or with other procedures as required by the Director of the Illinois Department of Agriculture as follows:

1. Regulated articles shall not be moved out of quarantine zone(s) unless: a) the regulated articles have been chipped/processed to a size measuring less than 1.0 inch in two dimensions; b) the bark and outer ½ inch of sapwood has been removed; or c) the regulated articles are moved to a certified processing site (Certified processing sites may accept any regulated articles from September 1st to April 30th. Only regulated articles processed to a size measuring less than 1.0 inch in two dimensions or with the bark and outer one-half inch of sapwood removed may be accepted by a certified processing site from April 30 to September 1st);
2. All ash stumps will be ground to eight inches (8") below the soil surface and covered with soil;
3. Employers will inform their employees about the EAB quarantine zone(s) borders and about EAB quarantine regulations. Employers will also instruct employees how to identify the EAB and its signs;
4. The Illinois Department of Agriculture will be informed of any suspected EAB infestation;
5. A copy of this compliance agreement will be carried by employees working within EAB quarantine zone(s);
6. Per this agreement, ash products, ash nursery stock and/or live ash trees that originate from or are brought into a quarantine zone may not be removed from the zone, and may be subject to confiscation and destruction; and
7. Movement of ALL deciduous (non-coniferous) firewood out of or through the quarantine zone(s) is prohibited, regardless of initial origin unless the firewood has been kiln-dried and is accompanied by an appropriate regulatory certificate.

*"Regulated Articles" are hereby defined as the following:

- 1) The Emerald Ash Borer (*Agrilus planipennis* Fairmaire) in any living stage of development;
- 2) Ash trees (*Fraxinus spp.*) of any size;
- 3) Ash limbs and branches;
- 4) Any cut non-coniferous firewood;
- 5) Bark from ash trees and wood chips larger than one inch in two dimensions from ash trees;
- 6) Ash logs and lumber with either the bark or the outer one-half-inch of sapwood or both, attached;
- 7) Any item made from or containing the wood of the ash tree which is capable of spreading the emerald ash borer;
- 8) Any other article, product, or means of conveyance when it is determined by the Director of Agriculture that it presents the risk of spread of the Emerald Ash Borer in any stage of development.

Affixing of the signatures below will validate this agreement which shall remain in effect until cancelled. This document may be revised as necessary or revoked for noncompliance by the Department.

Signature/Title _____ Date Signed _____

State Agency Official Signature _____ Compliance Agreement No: _____

Illinois Department of Agriculture
2280 Bethany Road, Suite B
DeKalb, Illinois 60115
Phone: 815-787-5476
Fax: 815-787-5488



Illinois Department of Agriculture
P.O. Box 19281
Springfield, Illinois 62794-9281
Phone: 217-785-2427
Fax 217-524-4882

One original signed agreement to be maintained at the Illinois Dept. of Agriculture and a second original signed agreement to be maintained at the company office. For up-to-date information on EAB please go to: www.agr.state.il.us or www.mortonarb.org/plantinfo/plantclinic/EAB.htm.
[11/9/2006, EABComplianceAgreement IV.doc]