

## Guide to Browntail Moth Public Health Nuisance Declaration

For up to date information please refer to: [www.maine.gov/dhhs/browntailmoth](http://www.maine.gov/dhhs/browntailmoth)

### Introduction

Pursuant to Maine Statute Title 22, §1444 the Director of Maine CDC (formerly the Bureau of Health) can declare an infestation of browntail moths as a public health nuisance. A public health nuisance is defined as any activity or failure to act that adversely affects public health. Examples include improperly stored solid waste such as rotting garbage or dead animals, or insect or rodent infestations. The declaration may be made on the Director's own initiative or on petition by municipal officers. The intent of this document is to clarify the process.

### What does a public health nuisance declaration do?

- A public health nuisance declaration allows a municipality to take actions to address an issue of public health concern affecting the community.
- Where browntail moths are concerned, a declaration can allow the municipality to use public municipal funds on private lands to control for browntail moth populations.
  - More specifically, a municipality may conduct aerial spray operations to target browntail moth infestations pursuant to Maine Statute Title 22, §1444. Other options may be available to control browntail moth populations and should be discussed with Maine Forest Service.
- A declaration can provide a municipality with more options for browntail moth treatment that may not have otherwise been available absent the declaration.
- A declaration does not provide access to additional state funds or services.

### Should a municipality wish to petition for a public health nuisance declaration:

#### The Municipality

1. Must complete the BTM public health nuisance request form **on town letterhead**.
2. Must submit a letter from the Maine Forest Service, documenting the infestation in the town. A request can be made through [forestinfo@maine.gov](mailto:forestinfo@maine.gov) or by calling (207) 287-2431
3. Must submit a letter from their local health officer supporting the request
4. The municipality should submit the documentation to Infectious Disease Epidemiology, Division of Disease Surveillance, Maine CDC by mail, fax, or e-mail
  - a. Mailing Address: Maine CDC, 286 Water Street, Augusta, ME, 04333
  - b. Fax number: 207-287-6865
  - c. E-mail address: [disease.reporting@maine.gov](mailto:disease.reporting@maine.gov)

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#### TOWN CHECKLIST FOR REQUEST SUBMISSION

- BTM public health nuisance request form**
  - Form on town letterhead**
- Letter from Maine Forest Service documenting infestation in the town**
- Letter from town public health officer supporting request**

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Maine CDC will

1. Make a copy of the request. The Vectorborne Epidemiologist will assess the documents for completion and notify the Maine Forest Service (State Entomologist) of the request.
2. Absent any issues, a copy will be submitted to the Maine CDC Director for review and signature.
3. The form indicating approval or denial will be signed by the Maine CDC director and returned to the municipality via US mail (a digital copy will also be sent if an email address is provided).
4. If approved, petitions submitted from:
  - a. January 1 to August 31 expire on December 31 of the same year.
  - b. September 1 to December 31 expire on December 31 of the following year.