



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

BOARD OF PESTICIDES CONTROL

September 6, 2024

9:00 AM Board Meeting

Join the meeting in person in Room 101, Deering Building, 32 Blossom Lane, Augusta

Or

Join on your computer, mobile app or room device

[Join the meeting now](#)

Meeting ID: 211 517 425 920

Passcode: 7eSuDn

Dial in by phone

[+1 207-209-4724](tel:+12072094724), [387448343](tel:+1387448343)# United States, Portland

[Find a local number](#)

Phone conference ID: 387 448 343#

AGENDA

1. Introductions of Board and Staff
2. Minutes of the July 19, 2024 Board Meeting
Presentation By: Alex Peacock, Director
Action Needed: Amend and/or Approve
3. Report on Annual Funding to Maine CDC for Mosquito Monitoring

The Maine Center for Disease Control and Prevention (Maine CDC) coordinates state activities around preventing vector-borne diseases. As part of its responsibilities, the CDC coordinates mosquito and disease monitoring in Maine. The presence of mosquito-borne diseases and the species of vector mosquitoes present in Maine have been on the rise in recent years. Maine CDC and BPC entered into a Memorandum of Understanding in 2013 to establish cooperation to conduct surveillance for mosquito-borne diseases to protect public health. At the June 17, 2022 meeting Sara Robinson of the Maine CDC provided an overview of the trends and the state's monitoring program. At the April 5, 2022 meeting,

ALEXANDER PEACOCK, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731
WWW.THINKFIRSTSPRAYLAST.ORG

the Board voted to approve funding in the amount of \$25,000 for Maine CDC's mosquito monitoring efforts.

Presentation By: Sara Robinson, Infectious Disease Epidemiology Program Director

Action Needed: Approve/Disapprove transfer of funds to Maine CDC

4. Review Responsibilities of the BPC for the Protection of the Public Health from Mosquito-borne Disease

A five-year MOU between Maine CDC and the BPC expires on December 31, 2024. Overview of MOU and discussion and highlights of the Report and Plan to the Joint Standing Committee on Agriculture, Conservation and Forestry Pursuant to Resolve 2013, Chapter 13: Directing the Department of Agriculture, Conservation and Forestry to Develop a Plan for the Protection of the Public Health from Mosquito-borne Disease. Discussion of BPC policy regarding the establishment of exclusions zones in the event of large-scale aerial mosquito control operations.

Presentation By: Alex Peacock, Director

Action Needed: Discussion

5. Workshop Session to Review the Rulemaking Record on the Comments Received Related to Chapter 60

(Note: No additional public comments may be accepted at this time.)

A public hearing was held on July 19, 2024 via a hybrid meeting in Deering Building 101 at 90 Blossom Lane, Augusta and on the Microsoft Teams platform. The written comment period closed on July 29, 2024 at 11:59 PM. Three people spoke at the public hearing and two written comments were received by the close of the comment period. The Board will now review the rulemaking comments and determine how it wishes to proceed with the rulemaking proposals.

Presentation By: Karla Boyd, Policy & Regulations Specialist

Action Needed: Approve/Disapprove Continuation of Rulemaking

6. Update on EPA's Endangered Species Act Compliance Strategies

Highlights and discussion of the EPA's Final Herbicide Strategy and draft insecticide strategy. Brief overview of EPA's Bulletins Live Two! and Erosion and Run-off Mitigation websites.

Presentation By: Alex Peacock, Director

Action Needed: Discussion

7. Request that the Board consider making pesticides with the active ingredient Tebuthiuron, a State Restricted Use Pesticide

In 2023, the Board accepted a consent agreement with Arthur and Amelia Bond for the unauthorized use, off-label application and negligent use of the pesticide tebuthiuron. The herbicide was used to kill mature oak trees at a neighboring property to the Bond's property in Camden, presumably to enhance their views of Camden Harbor. The destruction of these trees and use of this product by the Bond's has been widely reported in the media. Due to this reporting, there is concern that other homeowners may make copycat applications and cause more destruction of vegetation in the shoreland zone. Designating tebuthiuron as restricted use will only allow licensed pesticide applicators access to this product.

Presentation By: Alex Peacock, Director

Action Needed: Discussion to determine next steps

8. BPC Field Trip

Historically Board members and BPC staff have taken an annual field trip to visit and learn about emerging technologies and practices within the regulated community. The last trip was forestry related in Greenville in 2019. The COVID-19 pandemic halted future field trips. This a short discussion to determine if the Board would like to reinstate annual field trips and discuss possible ideas and locations.

Presentation By: Alex Peacock, Director

Action Needed: Discussion

9. Other Old and New Business

- a. Variance Permit for CMR01-026 Chapter 29, Green Thumb Lawn Service, Eddington
- b. Variance Permit for CMR01-026 Chapter 29, Green Thumb Lawn Service, Hudson
- c. Variance Permit for CMR01-026 Chapter 29, Bartlett Tree Expert Co., Portland
- d. Variance Permit for CMR01-026 Chapter 29, Basswood Environmental, LLC, Brooksville
- e. Variance Permit for CMR01-026 Chapter 29, Northeast Vegetation & Mosquito Control, Lewiston
- f. Variance Permit for CMR01-026 Chapter 29, Forest to Shore, Union
- g. Obsolete Pesticide Collection Program Flyer
- h. Town of Athens Herbicide Notification Ordinance
- i. Report: Forever Pesticides: A Growing Source of PFAS Contamination in the Environment
- j. EPA Issues Emergency Order to Stop Use of Pesticide Dacthal
- k. Hiring of Manager of Compliance, Allison Smith
- l. Retirement of Peggy Lamb after more than 25 years of service to the State of Maine

10. Schedule of Future Meetings

The next scheduled Board meeting dates are October 25 and December 6. The Board will decide whether to change and/or add dates.

Maine Agricultural Trade Show, January 14, 15 & 16, 2025

Adjustments and/or Additional Dates?

10. Adjourn

NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at www.thinkfirstspraylast.org.
- Any person wishing to receive notices and agendas for meetings of the Board, Medical Advisory Committee, or Environmental Risk Advisory Committee must submit a request in writing to the Board's office. Any person with technical expertise who would like to volunteer for service on either committee is invited to submit their resume for future consideration.
- On November 16, 2007, the Board adopted the following policy for submission and distribution of comments and information when conducting routine business (product registration, variances, enforcement actions, etc.):
 - *For regular, non-rulemaking business*, the Board will accept pesticide-related letters, reports, and articles. Reports and articles must be from peer-reviewed journals. E-mail, hard copy, or fax should be sent to the Board's office or pesticides@maine.gov. In order for the Board to receive this information in time for distribution and consideration at its next meeting, all communications must be received by 8:00 AM, three days prior to the Board meeting date (e.g., if the meeting is on a Friday, the deadline would be Tuesday at 8:00 AM). Any information received after the deadline will be held over for the next meeting.
- During rulemaking, when proposing new or amending old regulations, the Board is subject to the requirements of the APA (Administrative Procedures Act), and comments must be taken according to the rules established by the Legislature.