

01

**Department of Agriculture, Conservation and Forestry**

**22 and 28 State House Stations  
Augusta, Maine 04333  
(207) 287-3200**

**2021-2022 Regulatory Agenda**

**Prepared:  
July 8, 2021  
Amended:  
August 11, 2022**

---

**01-001: Bureau of Agriculture, Food and Rural Resources  
01-015: Maine Milk Commission  
01-017: Maine State Harness Racing Commission  
01-026: Board of Pesticides Control  
01-303: Pull Events Commission  
01-669: Bureau of Forestry (Maine Forest Service)  
01-670: Bureau of Parks and Lands  
01-672: Maine Land Use Planning Commission  
01-683: Land for Maine's Future Program**

---

**01-001**

AGENCY UMBRELLA-UNIT: **01-001**

AGENCY NAME: **Maine Department of Agriculture, Conservation and Forestry,  
Bureau of Agriculture, Food and Rural Resources**

**CONTACT PERSON:** Nancy McBrady, 28 SHS, Augusta, Maine 04333, (207) 287-7522,  
[nancy.mcbrady@maine.gov](mailto:nancy.mcbrady@maine.gov)

**EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA:** None

**EXPECTED 2021-2022 RULEMAKING ACTIVITY:**

**NEW RULE CHAPTER (# to be assigned): Rules to implement the Salmonella enteritidis Risk Reduction and Surveillance Program for Commercial Egg-type Flocks**

STATUTORY AUTHORITY: 7 MRS §1758.

PURPOSE: Rules governing Maine Salmonella enteritidis Risk Reduction and Surveillance Program for Commercial Egg-Type Flocks.

SCHEDULE FOR ADOPTION: Prior to June, 2022.

AFFECTED PARTIES: Poultry Farmers with egg laying flocks over 3,00 birds

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Rules for Expanding the Local Foods Economy by Promoting Local Foods Procurement**

STATUTORY AUTHORITY: 7 MRS Sec. 1. c. 8-A, sub-c. 3

PURPOSE: Establish and promote a local foods procurement program.

SCHEDULE FOR ADOPTION: Prior to July, 2022.

AFFECTED PARTIES: Farmers, food and seafood processors and public institutions.

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated.

CONTACT PERSON: Leigh Hallett, 28 SHS, Augusta, Maine 04333, (207) 287-3494,  
[leigh.hallett@maine.gov](mailto:leigh.hallett@maine.gov)

**CHAPTER 10: Rules for the Agricultural Compliance Program**

STATUTORY AUTHORITY: 7 MRS § 12; 17 MRS § 2701-B; 17 MRS § 2805

PURPOSE: These rules establish procedures for conducting the Agricultural Compliance Program.

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Farms/Farmers/Complainants

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

CONTACT PERSON: Matthew Randall, 28 SHS, Augusta, Maine 04333, (207) 287-7708,  
[matthew.randall@maine.gov](mailto:matthew.randall@maine.gov)

**CHAPTER 30: Quarantine (Potato)**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend the quarantine against various potato pests to take into consideration recent survey results on the distribution of such pests in the U.S.

SCHEDULE FOR ADOPTION: Prior to July, 2022.

AFFECTED PARTIES: Potato farmers, dealers, buyers, and shippers of imported seed.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Ann Gibbs, 28 SHS, Augusta, Maine 04333, (207) 287-7602, [ann.gibbs@maine.gov](mailto:ann.gibbs@maine.gov)

**CHAPTER 31: Rules for Operation of Potato Marketing Improvement Fund**

STATUTORY AUTHORITY: 7 MRS §12, 10 MRS §1023-N

PURPOSE: Make changes to the rules governing the operation of the Potato Marketing Improvement Fund.

SCHEDULE FOR ADOPTION: Prior to September, 2021.

AFFECTED PARTIES: Potato industry.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Nancy McBrady, 28 SHS, Augusta, Maine 04333, (207) 287-7522, [nancy.mcbrady@maine.gov](mailto:nancy.mcbrady@maine.gov)

**CHAPTER 32: Rules for Operation of Agricultural Marketing Loan Fund**

STATUTORY AUTHORITY: 7 MRS §12, §435

PURPOSE: Make changes to the rules governing the operation of the Agricultural Marketing Loan Fund.

SCHEDULE FOR ADOPTION: Prior to September, 2022.

AFFECTED PARTIES: Commercial agricultural enterprises and businesses engaged in the producing, processing, storing, packaging or marketing of products derived from an agricultural enterprise.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Leigh Hallett, 28 SHS, Augusta, Maine 04333, (207) 287-3494, [leigh.hallett@maine.gov](mailto:leigh.hallett@maine.gov)

**CHAPTER 33: Rules for Operation of Agricultural Development Grant Fund**

STATUTORY AUTHORITY: 7 MRS §§ 306-A - 309

PURPOSE: Make changes to the rules governing the operation of the Agricultural Development Grant Fund.

SCHEDULE FOR ADOPTION: Prior to December, 2022.

AFFECTED PARTIES: Individuals, firms or organizations interested in accelerating new market development, adoption of improved technology and promotion of agricultural products produced in Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Leigh Hallett, 28 SHS, Augusta, Maine 04333, (207) 287-3494, [leigh.hallett@maine.gov](mailto:leigh.hallett@maine.gov)

**CHAPTER 34: Rules for Operation of Dairy Improvement Fund**

STATUTORY AUTHORITY: 7 MRS §2910-B; 10 M.R.S. §1023-P; 8 M.R.S. §1036 sub-§2-A ¶M

PURPOSE: Make changes to the rules governing the operation of the Dairy Improvement Fund.

SCHEDULE FOR ADOPTION: Prior to September, 2022.

AFFECTED PARTIES: Commercial agricultural enterprises and businesses engaged in the producing, processing, storing, packaging or marketing of products derived from an agricultural enterprise.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Yvette Meunier, 28 SHS, Augusta, Maine 04333, (207) 592-0640, [Yvette.Meunier@maine.gov](mailto:Yvette.Meunier@maine.gov)

**CHAPTER 122: Fee Schedule for Inspection of Agricultural Commodities**

STATUTORY AUTHORITY: 7 MRS, 12, 441, 446, 951-B, 1033A, 1034, 1034A

PURPOSE: These rules and authorizing fees should be updated to comply with the language and intent of Title §441 which states, “These fees must, as nearly as possible, cover the costs of the inspection services for the commodity inspected.” Currently the fees do not cover the inspection costs. The fees have remained static for ten years.

SCHEDULE FOR ADOPTION: Prior to July, 2022

AFFECTED PARTIES: Commodities producers and shippers

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

#### **CHAPTER 201: Rules Governing Licensed Livestock Dealers**

STATUTORY AUTHORITY: 7 MRS §1303, §1307

PURPOSE: Rules governing livestock dealers

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Livestock owners and livestock dealers

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

#### **CHAPTER 203: Rules for the Participation in the Maine Chronic Wasting Disease Surveillance Program**

STATUTORY AUTHORITY: 7 MRS §1821

PURPOSE: Rules governing the Maine Chronic Wasting Disease Surveillance Program

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Deer and Elk Industry

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

#### **CHAPTER 204: Rule for the Licensing Requirements for Farmed Cervids**

STATUTORY AUTHORITY: 7 MRS §1821

PURPOSE: Rules governing the licensing requirements for farmed cervids

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Deer and Elk Industry

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

#### **CHAPTER 205: Rules Governing the Poultry Disease Control Fund**

STATUTORY AUTHORITY: 7 MRS §1756 -§1757

PURPOSE: Rules governing the poultry disease control fund

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Poultry farmers

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

#### **CHAPTER 206: Prevention and Control of Certain Diseases of Domestic Animals and Poultry**

STATUTORY AUTHORITY: 7 MRS §1752, §1812

PURPOSE: Rules governing the control of certain diseases of animals and poultry

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Livestock and poultry industry  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

**CHAPTER 207: Control of Equine Infectious Anemia**

STATUTORY AUTHORITY: 7 MRS §1820-A  
PURPOSE: Rules governing the management of equine infectious anemia  
SCHEDULE FOR ADOPTION: Prior to July 2022.  
AFFECTED PARTIES: Equine owners  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

**CHAPTER 208: Handling of Domestic Animal and Poultry Vaccines**

STATUTORY AUTHORITY: 7 MRS §1752  
PURPOSE: Rules governing animal and poultry vaccine use  
SCHEDULE FOR ADOPTION: Prior to July 2022.  
AFFECTED PARTIES: Livestock and poultry industry  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

**CHAPTER 209: Livestock Commission or Community Auctions**

STATUTORY AUTHORITY: 7 MRS §1453  
PURPOSE: Rules governing auctions  
SCHEDULE FOR ADOPTION: Prior to July 2022.  
AFFECTED PARTIES: Livestock auctions  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

**CHAPTER 216: RULES GOVERNING THE SALE OF DOGS AND CATS AND IMPORTATION OF DOGS AND CATS FOR RESALE OR ADOPTION**

STATUTORY AUTHORITY: 7 MRS §1809  
PURPOSE: Rules governing the sale of dogs and cat and importation of dogs and cats for resale or adoption  
SCHEDULE FOR ADOPTION: Prior to July 2022  
AFFECTED PARTIES: Animal Shelters and Rescues  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Rachael Fiske, 28 SHS, Augusta, Maine 04333, (207) 287-3846,  
[rachael.fiske@maine.gov](mailto:rachael.fiske@maine.gov)

**CHAPTER 220: Importation of Certain Deer into Maine**

STATUTORY AUTHORITY: 7 MRS §1331  
PURPOSE: Rules governing the importation of deer into Maine  
SCHEDULE FOR ADOPTION: Prior to July 2022.  
AFFECTED PARTIES: Deer farmers and commercial large game shooting area operations  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

**CHAPTER 226: Rules Governing the Administration of Certain Substances to Animals Entered in Pulling Competitions**

STATUTORY AUTHORITY: 7 MRS §97.5

PURPOSE: The Commissioner will continue to make minor corrections and modifications that are needed to meet the needs of the pulling industry.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Pulling teamsters, pull superintendents and the Pull Events Commission

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Miles Greenleaf, 28 SHS Augusta, ME 04333 (207) 287-7535, [miles.greenleaf@maine.gov](mailto:miles.greenleaf@maine.gov)

**CHAPTER 250: Rules for Certifying American Ginseng**

STATUTORY AUTHORITY: 7 MRS §2225

PURPOSE: May amend the rules for licensing ginseng growers.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Ginseng farmers, dealers, buyers, and shippers of imported seed

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 252: Rules Governing the Certification of Seed Potatoes in the State of Maine**

STATUTORY AUTHORITY: 7 MRS §§ 2101-2105

PURPOSE: May amend the list of diseases included in the certification program based on survey.

SCHEDULE FOR ADOPTION: Prior to July, 2022.

AFFECTED PARTIES: Seed potato producers in Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Eric Hitchcock, 744 Main Street Suite 9, Presque Isle, Maine 04769, (207)764-2036, [eric.hitchcock@maine.gov](mailto:eric.hitchcock@maine.gov)

**CHAPTER 266: Hemlock Woolly Adelgid Quarantine**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend the current quarantine against the Hemlock Woolly Adelgid to prevent its artificial spread in the State, to protect Maine's forest, timber and wildlife resources from this destructive pest.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Wood harvesters, nurseries, saw mills, paper mills, mulch dealers and the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 267: License Fees to Sell Nursery Stock**

STATUTORY AUTHORITY: 7 MRS §2171

PURPOSE: May revise the rules for selling or dealing in nursery stock.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Nursery owners

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 270: Maine Apiary Rules and Regulations**

STATUTORY AUTHORITY: 7 MRS §§ 2701-2872

PURPOSE: May amend the current apiary rules.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Beekeepers, blueberry and apple producers, and the general public

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 272: European Larch Canker Quarantine**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend a quarantine against the European Larch Canker to conform to the requirements of the federal European Larch Canker quarantine.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Saw mills, nurseries, and the general public

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 273: Criteria for Listing Invasive Terrestrial Plants**

STATUTORY AUTHORITY: 7MRS §§ Section 221, Chapter 405-A

PURPOSE: May amend the rules to add to the list of plants restricted from sale or import.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Nurseries, greenhouses and the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 274: Rules for Growing Industrial Hemp**

STATUTORY AUTHORITY: 7MRS §§ 2231, Chapter 406-A

PURPOSE: May amend the rules to allow for indoor growing, fee changes and additional rules to license processors or manufacturers.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Potential hemp growers

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 275: Emerald Ash Borer Quarantine**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend the current quarantine against the Emerald Ash Borer to prevent its artificial spread in the State, to protect Maine's forest, timber and wildlife resources from this destructive pest.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022.

AFFECTED PARTIES: Wood harvesters, firewood dealers, nurseries, saw mills, paper mills and the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 329: Rules Governing Maine Milk and Milk Products**

STATUTORY AUTHORITY: 7 MRS §§ 2900-2910A., PL 1999

PURPOSE: Rules need revision to come into compliance with the 2017 U.S. FDA Pasteurized Milk Ordinance.

SCHEDULE FOR ADOPTION: Prior to July, 2022

AFFECTED PARTIES: Dairy farmers and milk processors

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

**CHAPTER 330: Rules for Birch Syrup**

STATUTORY AUTHORITY: 7 MRS c. 103, sub-c. 8-C

PURPOSE: Create rules governing the Production and Sale of Birch Syrup and Birch Syrup Products.

SCHEDULE FOR ADOPTION: Prior to September, 2022.

AFFECTED PARTIES: Commercial agricultural enterprises and businesses engaged in the producing, processing, storing, packaging or marketing of products derived from birch syrup.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

**CHAPTER 501: Weights and Measures Law**

STATUTORY AUTHORITY: 10 MRS §§ 2621-2631 Subchapter 7-A

PURPOSE: These rules and authorizing legislation should be updated to adopt Handbook 133 Checking the Net Contents of Packaged Goods now that it is no longer part of Handbook 130 and is in fact a stand-alone handbook.

SCHEDULE FOR ADOPTION: Prior to December 31, 2022

AFFECTED PARTIES: Weights and Measures

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

**CHAPTER 600: Rules regarding disposal of cull potato piles**

STATUTORY AUTHORITY: 7 MRS §1007-A

PURPOSE: To update the rules regarding disposal of cull potato piles

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Potato farmers, Department of Agriculture, Conservation & Forestry

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Mark Hedrich, 28 SHS, Augusta, Maine 04333, (207) 287-7608, [mark.hedrich@maine.gov](mailto:mark.hedrich@maine.gov)

**CHAPTER 701: Rules for Governing Animal Welfare**

STATUTORY AUTHORITY: 7 MRS §3906-B. Section 10

PURPOSE: To ensure that only healthy animals, including birds, are offered for sale or adoption and that all animals, within the scope of the Commissioner's authority, shall receive proper care, housing facilities, disease control, records of sales and purchases, euthanasia records and licenses will be monitored by Animal Welfare.

SCHEDULE FOR ADOPTION: Prior to December, 2022.

AFFECTED PARTIES: Pet Stores, Breeding Kennels; Boarding Kennels; Equine Owners, Animal Shelters, Animal Control Officers

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Liam R. Hughes, 28 SHS, Augusta, Maine 04333, (207) 287-5531,  
[liam.hughes@maine.gov](mailto:liam.hughes@maine.gov)

**CHAPTER 702: Rules for the Low Income Spay/Neuter Program**

STATUTORY AUTHORITY: 7 MRS §3910-B

PURPOSE: To implement a low-income spay/neuter program for cats and dogs, to establish eligibility requirements, veterinarian reimbursement and program administration.

SCHEDULE FOR ADOPTION: Prior to July, 2022.

AFFECTED PARTIES: Low income pet owners and participating veterinarians

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Liam R. Hughes, 28 SHS, Augusta, Maine 04333, (207) 287-5531,  
[liam.hughes@maine.gov](mailto:liam.hughes@maine.gov)

**CHAPTER 751: Rules Governing Arborist Licensing, Testing and Enforcement in the State of Maine**

STATUTORY AUTHORITY: 7 MRS §404, §§ 2173-2191

PURPOSE: May need to amend the current requirements adopted in 2006 to clarify certain provisions relating to the licensing of arborists in the State of Maine.

SCHEDULE FOR ADOPTION: Prior to July, 2022.

AFFECTED PARTIES: Individuals currently licensed or wishing to become licensed as arborists in the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 802: Rules Governing Disbursal of Challenge Grant Funds**

STATUTORY AUTHORITY: 12 MRS §206

PURPOSE: Update and revise the rules governing the dispersal of challenge grant funds.

SCHEDULE FOR ADOPTION: Prior to Spring 2022.

AFFECTED PARTIES: Maine state soil and water conservation districts.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Tom Gordon, 28 SHS, Augusta, Maine 04333, (207) 287-4986,  
[tom.gordon@maine.gov](mailto:tom.gordon@maine.gov).

**NEW RULE CHAPTER (# to be assigned): Rules Governing the Maine Cattle Health Assurance Program**

STATUTORY AUTHORITY: 7 MRS §1309

PURPOSE: Rules governing the Maine Cattle Health Assurance Program

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Livestock industry

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Michele Walsh, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[michele.walsh@maine.gov](mailto:michele.walsh@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Designation of Potato Pests and Diseases; Seizure, Destruction, Disinfection**

STATUTORY AUTHORITY: 7 MRS §§ 2351-2352

PURPOSE: May need to designate those potato pests and diseases which pose a threat to the Maine potato industry; provide for the control and eradication of such pests and

diseases; and provide for the disinfection of any vehicles to prevent the spread of such pests and diseases.

SCHEDULE FOR ADOPTION: Prior to July, 2022.

AFFECTED PARTIES: Potato farmers in Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Eric Hitchcock, 28 SHS, Augusta, Maine 04333, (207) 764-2036, [eric.hitchcock@maine.gov](mailto:eric.hitchcock@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Veterinarian/Animal Shelter Serving as Dog Licensing Agent**

STATUTORY AUTHORITY: 7 MRS §3923-F.

PURPOSE: rules providing a process for identifying animal shelters and veterinarians who are willing to serve as dog licensing agents, for distributing license blanks, tags and stickers, and for the collection, distribution and deposit of license fees into the appropriate state accounts.

SCHEDULE FOR ADOPTION: Prior to July, 2022.

AFFECTED PARTIES: Animal Shelters, Veterinarians, Municipal Offices

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Liam Hughes, 28 SHS, Augusta, Maine 04333, (207) 287-5531, [liam.hughes@maine.gov](mailto:liam.hughes@maine.gov)

---

**01-015**

AGENCY UMBRELLA - UNIT NUMBER: **01-015**

AGENCY NAME: Department of Agriculture, Conservation and Forestry, **Maine Milk Commission**

**CONTACT PERSON:** Tim Drake, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [tim.drake@maine.gov](mailto:tim.drake@maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:**

**Chapter 3**, Schedule of Minimum Prices monthly

**EXPECTED 2021-2022 RULE-MAKING ACTIVITIES:**

**CHAPTER 26: Producer Cost**

STATUTORY AUTHORITY: 7 MRS §2953-2954

PURPOSE: Set minimum producer price based on Federal order and actual cost of production.

ANTICIPATED SCHEDULE: Prior to December 1, 2021

AFFECTED PARTIES: Producers, dealers, retailers and consumers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Drake, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [tim.drake@maine.gov](mailto:tim.drake@maine.gov)

**CHAPTER 29: Dealer Margins**

STATUTORY AUTHORITY: 7 MRS §2953-2954

PURPOSE: Set minimum dealer margin based on the results of a study to find the costs of processing and delivering milk to retail outlets in Maine.

ANTICIPATED SCHEDULE: Prior to January 1, 2022

AFFECTED PARTIES: Producers, dealers, retailers and consumers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Tim Drake, 28 SHS, Augusta, Maine 04333, (207) 287-7521,  
[tim.drake@maine.gov](mailto:tim.drake@maine.gov)

**CHAPTER 61: Maine Milk Pool Cost of Administration**

STATUTORY AUTHORITY: 7 MRS §§ 2952-A through 2954 and 3154

PURPOSE: Set new cost of administration of Maine Milk Pool after public hearings and testimony.

SCHEDULE FOR ADOPTION: Prior to October 1, 2022

AFFECTED PARTIES: Processors and producers

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Drake, 28 SHS, Augusta, Maine 04333, (207) 287-7521,  
[tim.drake@maine.gov](mailto:tim.drake@maine.gov)

---

**01-017**

AGENCY UMBRELLA-UNIT: **01-017**

AGENCY NAME: Maine Department of Agriculture, Conservation and Forestry, **Maine State Harness Racing Commission**

**CONTACT PERSON:** Henry Jennings, 28 SHS, Augusta, Maine 04333, (207) 287-3221,  
[henry.jennings@maine.gov](mailto:henry.jennings@maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2021-2022 RULE-MAKING ACTIVITY:**

**CHAPTERS 1 through 21 and/or New Rule: Various Titles**

STATUTORY AUTHORITY: 8 MRS §§ 263-A; 268, 275-C, 279-A and B, 281

PURPOSE: The Maine State Harness Racing Commission will continue to update its rules to meet the needs of an ever-changing industry.

SCHEDULE FOR ADOPTION: Prior to October 1, 2022.

AFFECTED PARTIES: Harness horse licensees, track owners and operators, pari-mutuel wagering facilities and those affiliated with the harness racing industry

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Henry Jennings, 28 SHS Augusta, ME 04333, (207) 287-3221,  
[henry.jennings@maine.gov](mailto:henry.jennings@maine.gov)

---

AGENCY UMBRELLA-UNIT: **01-026**

AGENCY NAME: **Maine Department of Agriculture, Conservation and Forestry, Board of Pesticides Control**

**AGENCY CONTACT PERSON:** Megan Patterson, 28 SHS, Augusta, Maine 04333, (207) 287-2731, [Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

**RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:**

**EXPECTED 2021-2022 RULE-MAKING ACTIVITY:**

## **CHAPTER 10: Definitions and Terms**

STATUTORY AUTHORITY: 22 MRS §§1471A-X

PURPOSE: In 1996, the Board consolidated all rule definitions in this Chapter. This chapter must be updated each time a new definition is added or amended. It received a series of housekeeping amendments in January 2005 and in 2012. The rule was amended in 2019 to change the definition of aerial applicator to allow for the use of UAS by those with agricultural pesticide applicator licenses. Issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021

AFFECTED PARTIES: All individuals and businesses affected by the Board's rules.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

## **CHAPTER 20: Special Provisions**

STATUTORY AUTHORITY: 22 MRS §§1471A-X

PURPOSE: In 2007, the Board amended Chapter 20 to clarify that authorization from the property owner is required prior to applying a pesticide. The Board passed an amendment in 2013 to eliminate the need for individual homeowner permission in the event of a public health threat. In 2014, a requirement was added for applicators making outdoor treatments to residential properties to implement a system to positively identify application sites in a manner approved by the Board. The Board may develop specific duties that an employer must perform to protect their employees from occupational exposure to pesticides. These amendments may be modeled on the 2015 Federal Worker Protection Standard and the 2017 Federal Pesticide Applicator Certification Standard. In addition, Chapter 20 is a key chapter for the Board when it determines that additional regulation is in the public interest, so other amendments are also possible.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Applicators making outdoor treatments to residential properties; since this is already required by policy, there will be no real affect.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

## **CHAPTER 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order to Minimize Off-Target Deposition**

STATUTORY AUTHORITY: 7 MRS §§ 601-625 and 22 MRSA §§1471A-X

PURPOSE: Aerial spraying is a very controversial issue and the Board completed a major overhaul of this chapter in 2009 to provide greater protection for area residents. In 2013 the Board passed amendments to exempt the sections concerning Identifying and Recording Sensitive Areas, Presence of Humans and Animals, and certain specifics of Site Plans in the event of a public health threat. In 2014, the requirement of identifying sensitive areas was eliminated for commercial applications conducted under categories 6A (rights-of-way vegetation management), 6B (general vegetation management) and 7E (biting fly & other arthropod vectors [ticks]). Issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All applicators making outdoor applications with powered application equipment.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

## **CHAPTER 24: Pesticide Storage Facility Standards/Pesticide Distributors**

STATUTORY AUTHORITY: 22 MRS § 1471-O and 7 MRSA § 610(2)(B)

PURPOSE: The Board has received letters expressing concern that odors and spilled chemicals may represent a health risk for both employees and customers who enter the self-service display areas of general-use pesticide distributors. In addition, inequities have been noted between the requirements for agricultural distributors versus the requirements for warehouse-style retailers. Finally, a few provisions are somewhat vague and would benefit from additional clarity. Consequently, the Board may adjust these standards to address concerns. Further issues may arise necessitating additional amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Pesticide retailers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

## **CHAPTER 26: Standards for Indoor Application of Pesticides**

STATUTORY AUTHORITY: 22 MRS §§1471A-X and 7 MRSA §§ 601-625

PURPOSE: The Board adopted this chapter during 2006 and it became effective in January of 2007. An amendment was made during 2007 to address concerns raised by structural applicators. Concerns have arisen about the higher risk of indoor applications versus outdoor applications. Issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All structural pest control applicators, owners or managers of businesses, institutions and apartment houses, as well as interested members of the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

## **CHAPTER 27: Standards for Pesticide Applications and Public Notification in Schools**

STATUTORY AUTHORITY: 22 MRS §§1471A-X and 7 MRSA §§ 601-625

PURPOSE: The Board adopted this rule in 2003 and made some housekeeping amendments to it during 2005, 2007 and 2012. Several minor clarifications have been identified which should be addressed. Since use of pesticides on school grounds continues to garner legislative and public attention, further amendments may be necessary in the future.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All public and private school systems as well as commercial applicators and all persons using school buildings and grounds.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

## **CHAPTER 28: Notification Provisions for Outdoor Pesticide Applications**

STATUTORY AUTHORITY: 22 MRS § 1471-M (2)(D)

PURPOSE: This rule was adopted in 1998 and slightly amended in 2000, 2007, 2011 and 2014. It contains all of the Board outdoor notification requirements. In 2014, it was amended to require posting for applications under categories 6B (general vegetation management) except when making applications to sidewalks and trails, power

substations, and railroad sidings; and 7E (biting fly & other arthropod vectors [ticks]) and to require notice per Board policy for applications to sidewalks and trails under 6B (general vegetation management). The Maine Legislature recently enacted and subsequently repealed a pesticide notification registry. There is some sentiment indicating that additional legislative initiatives may be forthcoming on this subject, which would likely necessitate rulemaking. This chapter also needs some updating to reflect the evolution of its usage.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Pesticide applicators and persons who live near sprayed sites.

Persons who believe they are sensitive to pesticides. Regulated parties include all commercial pesticide applicators, the landowners who hire them and anyone who applies pesticides outdoors in the vicinity of persons on the registry.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

### **CHAPTER 29. Standards for Water Quality Protection**

STATUTORY AUTHORITY: 22 MRS § 1471-M(2)(D)

PURPOSE: A recent federal court decision now requires applicators to work under a Maine Pollution Discharge Elimination System permit for certain outdoor pesticide applications that have the potential for a portion of the spray to deposit in surface water, so Chapter 29 may need to be amended to address this change. In addition, the Board may look to exempt certain urgent applications from the 25-foot buffer requirement. Recently, concerns have arisen relative to pesticides and the marine environment. A current outbreak of browntail moth may necessitate amendments to this rule around products approved for use for control. Finally, water quality has emerged as one of the more significant environmental fate concerns with pesticides. These and additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Pesticide manufacturers, outdoor applicators, persons owning land next to surface water bodies and environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

### **CHAPTER 31: Certification and Licensing Provisions for Commercial Applicators**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D and S

PURPOSE: The Board amended this chapter during 2007 and 2014, but may find it necessary to revise this regulation again to accommodate new licensing software, streamline processes or deregulate certain types of pesticide applications. Several amendments were adopted in 2015. Changes to the federal certification and training requirements necessitated amendments, which were adopted in 2019. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All persons licensed by the Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

### **CHAPTER 32: Certification and Licensing Provisions for Private Applicators**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D and S

PURPOSE: The Board may amend any of its current regulations dealing with the examination, certification, licensing and relicensing of private applicators to accommodate new licensing software, streamline procedures and/or adjust the fees. An amendment to reduce the waiting time for re-taking a failed exam was passed in 2014. Changes to the federal certification and training requirements necessitated amendments, which were adopted in 2019. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All persons licensed by the Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

### **CHAPTER 33: Certification Provisions/Private Applicators of General Use Pesticides**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D (2-D), 22 MRSA 1471-M (1) (C-1)

PURPOSE: This new rule was recently adopted to fulfill the requirements of Public Law 2011, Chapter 169 which requires pesticide applicator licensing for certain farmers who apply only general use pesticides. Since it is a newly adopted rule, experience may reveal some desirable upgrades. In addition, the potential for new licensing software may also necessitate changes. An amendment to reduce the waiting time for re-taking a failed exam was passed in 2014. Changes to the federal certification and training requirements will necessitate amendments to this rule. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

### **CHAPTER 34: Certification and Licensing Provisions for Pesticide Dealers**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D and S

PURPOSE: Amendments adopted in 2015 included shortening the wait time to re-take an exam after failing and changing both the license and certification periods to three years. Going forward, the Board may amend its current regulation to require pesticide dealers to have a company license in addition to having their employees licensed. Also, the license fee is outdated. Other changes may be necessary as the Board reviews all the licensing chapters with a view toward streamlining and simplifying procedures.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Pesticide distributors.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

### **CHAPTER 35: Certification and Licensing Provisions for Spray Contracting Firms**

STATUTORY AUTHORITY: 22 MRS §§ 1471-D and S

PURPOSE: In 2015 this chapter was amended to remove the requirements for spotters/monitors for forest insect aerial spray program. The license period was also changed in 2015 from two years to three. The Board may amend this chapter dealing with licensing and relicensing of firms to accommodate new licensing software, continue to streamline procedures and/or adjust fees.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All persons licensed by the Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

#### **CHAPTER 40: State Restricted Pesticide List**

STATUTORY AUTHORITY: 7 MRS §§ 601-625 and 22 MRSA §§ 1471A-X

PURPOSE: The Board amended this chapter in 2007 and may update its Restricted Use List by deleting products that are no longer registered. Also, it may be necessary to modify the list as a result of the Board's registration review process which may necessitate adding any products which present a unique threat to Maine's public health or the environment. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Pesticide manufacturers, pesticide applicators and environmental groups interested in pesticide issues.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

#### **CHAPTER 41: Special Restrictions**

STATUTORY AUTHORITY: 7 MRS §§ 601-625 and 22 MRSA §§ 1471A-X

PURPOSE: The Board amended this chapter in 2011 to relax some administrative burdens for the use of *Bt* corn seed, and in 2014 to reduce the restrictions on the use of hexazinone. This is a key chapter for the Board to implement appropriate restrictions associated with certain pesticides or classes of pesticides that pose unique risks to Maine. There have been significant changes to this chapter in the last ten years, and additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All applicators and environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

#### **CHAPTER 50: Reporting Requirements for Applicators and Dealers**

STATUTORY AUTHORITY: 22 MRS §§ 1471-G and M

PURPOSE: The Board adopted several housekeeping amendments to this chapter in January 2005 and 2019. Changes to Chapters 22, 27 and 41 have created additional record keeping requirements that might be more appropriately incorporated in Chapter 50. Current rulemaking around the licensing chapters may also necessitate changes to record keeping requirements. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All private and commercial applicators, dealers and consumer or environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

#### **CHAPTER 51: Notice of Aerial Pesticide Applications**

STATUTORY AUTHORITY: 22 MRS § 1471-R

PURPOSE: Legislative activity around pesticide notification may necessitate amendments to this chapter. The Board has expressed an interest in regulating unmanned aircraft

systems, which may require amendments to this chapter. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Aerial applicators, paper companies, utility officials, and environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

#### **CHAPTER 60. Designation of Critical Pesticide Control Area**

STATUTORY AUTHORITY: 22 MRS § 1471 - M (4)

PURPOSE: Upon receipt of a petition, the Board would be required to consider rulemaking to restrict pesticide usage within a designated area to protect public health, threatened or endangered species or their habitat, surface or ground water, or other environmental resources. During 2011, the Board repealed one of the two designated critical control areas since the subject of protected area no longer existed. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: Persons living within the requested area and all applicators wishing to do business within the designated zone.

CONSENSUS-BASED RULE DEVELOPMENT: The Board engaged in consensus-based rule development the last time a request was received and would likely try it again.

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

#### **NEW RULE CHAPTER (# to be assigned): Unmanned Aircraft Systems, Unmanned Ground Systems, Other**

STATUTORY AUTHORITY: 22 MRS §§1471A-X and 7 MRSA §§ 601-625

PURPOSE: The Board is considering implementing rules around both unmanned aircraft systems (UAS) and unmanned ground systems (UGS) for use in pesticide applications. Additional issues may arise necessitating adoption of a new rule chapter.

SCHEDULE FOR ADOPTION: Prior to September 30, 2021.

AFFECTED PARTIES: All pesticide applicators and dealers, as well as interested members of the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Megan.L.Patterson@maine.gov](mailto:Megan.L.Patterson@maine.gov)

---

#### **01-303**

AGENCY UMBRELLA - UNIT NUMBER: **01-303**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry,  
Pull Events Commission**

**CONTACT PERSON:** Miles Greenleaf, 28 SHS, Augusta, Maine 04333, (207) 287-7535,  
[miles.d.greenleaf@maine.gov](mailto:miles.d.greenleaf@maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2021-2022 RULE-MAKING ACTIVITIES:**

**CHAPTER 15: Rules for Superintendents and Assistant Superintendents of Pull Events**

STATUTORY AUTHORITY: 7 MRS §97.5 and §98

PURPOSE: The Pull Events Commission will continue to make minor corrections and modifications that are needed to meet the needs of the pulling industry.

SCHEDULE FOR ADOPTION: Prior to July 2022.

AFFECTED PARTIES: Pulling teamsters, pull superintendents, and licensed venues that conduct pulling competitions

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Miles Greenleaf, 28 SHS Augusta, ME 04333, (207) 287-7535, [miles.greenleaf@maine.gov](mailto:miles.greenleaf@maine.gov)

**CHAPTER 226: Rules Governing the Administration of Certain Substances to Animals Entered in Pulling Competitions.**

STATUTORY AUTHORITY: 7 MRS §97.5 and §98

PURPOSE: The Pull Events Commission will continue to make minor corrections and modifications that are needed to meet the needs of the pulling industry.

SCHEDULE FOR ADOPTION: Prior to October 2022.

AFFECTED PARTIES: Pulling teamsters, pull superintendents, and licensed venues that conduct pulling competitions

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Miles Greenleaf, 28 SHS Augusta, ME 04333, (207) 287-7535, [miles.greenleaf@maine.gov](mailto:miles.greenleaf@maine.gov)

---

**01-669**

AGENCY UMBRELLA-UNIT NUMBER: **01-669**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry, Bureau of Forestry (aka Maine Forest Service)**

**CONTACT PERSON FOR THE AGENCY:** Don Mansius, 22 State House Station, Augusta, ME 04333, 287-2791, [donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

**EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA:** None

**EXPECTED 2021-2022 RULE-MAKING ACTIVITY:**

**CHAPTER 20: Forest Regeneration & Clearcutting Standards**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.

AFFECTED PARTIES: Forest landowners and managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791; [donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

**CHAPTER 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: Clarify permitting procedures. If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest landowners and managers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

**CHAPTER 23: Timber Harvesting Standards to Substantially Eliminate Liquidation Harvesting**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.  
PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest landowners and managers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

**CHAPTER 25: Standards for Placing Wood Into Stream Channels to Enhance Cold Water Fisheries Habitat**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.  
PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Make rule standards consistent with federal program standards. Also correct errors and omissions in section references and general language cleanup.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest landowners and managers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

**CHAPTER 26: Forest Operations Notification Standards**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.  
PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest landowners and managers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

**CHAPTER 27: Standards for Timber Harvesting Activities within Unorganized and De-organized Areas of the State**

STATUTORY BASIS: 12 MRS Chapter 206-A, Subchapter 2 and Chapter 805, Subchapter 3-A; Public Law 2011, Chapter 599.  
PURPOSE: Amend current rule to establish streamlined permit procedures for proposed timber harvesting activities in certain protection sub-districts within the unorganized and de-organized areas of the state. If rulemaking to consolidate definitions under a

single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest landowners and managers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

#### **CHAPTER 28: Regulation of the Transportation of Firewood**

STATUTORY BASIS: 12 MRS §8305; Public Law 2009, Chapter 585.  
PURPOSE: Regulate the transportation and movement of firewood into and within the state to reduce the risk of spreading invasive insect species.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Out-of-state visitors who use firewood, firewood dealers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Allison Kanoti, 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[allison.m.kanoti@maine.gov](mailto:allison.m.kanoti@maine.gov)

#### **CHAPTER 29: Fee Schedule**

STATUTORY BASIS: 12 MRS §8867-F.  
PURPOSE: Conform bureau fees to those collected by agencies with similar rules. If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest managers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

#### **CHAPTER 30: Prior Approval Process and Stop Work Orders**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.  
PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest managers.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

#### **CHAPTER 32: Spruce Budworm Management**

STATUTORY BASIS: 12 MRS §8002(2), Chapter 803, Subchapter 4-A, and Chapter 805, Subchapter 3-A.  
PURPOSE: To establish timber harvesting standards for forest areas that have significant risk of damage from spruce budworm and are subject to a credible threat of imminent spruce budworm damage.  
SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.  
AFFECTED PARTIES: Forest landowners  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Donald Mansius, 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[donald.j.manius@maine.gov](mailto:donald.j.manius@maine.gov)

### **CHAPTER 33: Definitions**

STATUTORY BASIS: 12 MRS Chapter 803, Subchapter 4-A, and Chapter 805, Subchapter 3-A.

PURPOSE: To establish a common set of definitions that apply to all rules administered by the bureau.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2022.

AFFECTED PARTIES: Forest landowners

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Donald Mansius, 22 SHS, Augusta, ME 04333-0022, 287-2791; [donald.j.mansius@maine.gov](mailto:donald.j.mansius@maine.gov)

### **CHAPTER 34: Private Party Burn Permit Software Requirements**

STATUTORY BASIS: 12 MRS §9327

PURPOSE: To establish requirements for private party burn permit software pursuant to Public Law 2017, Chapter 447, An Act to Amend the Laws Governing Issuance of Burn Permits.

SCHEDULE FOR ADOPTION: Final rules are anticipated by late 2022.

AFFECTED PARTIES: Municipalities, developers of private party burn permit software

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Bill Hamilton, 22 SHS, Augusta, ME 04333-0022, 287-4990; [bill.hamilton@maine.gov](mailto:bill.hamilton@maine.gov)

### **Chapter 35: Browntail Moth Mitigation Fund**

STATUTORY BASIS: 12 MRS §8321

PURPOSE: To establish rules for distribution of funds for mitigation to areas impacted by browntail moth pursuant to Public Law 2022, Chapter 727, An Act To Provide Assistance to Areas Severely Infested with Browntail Moths.

SCHEDULE FOR ADOPTION: Final rules are anticipated by late 2022.

AFFECTED PARTIES: Government entities, non-profits, residents of and visitors to browntail moth infested areas.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Allison Kanoti, 87 Airport Road, Old Town, ME 04468, 827-1813; [Allison.m.kanoti@maine.gov](mailto:Allison.m.kanoti@maine.gov)

---

### **01-670**

AGENCY UMBRELLA - UNIT NUMBER: **01-670**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands**

**CONTACT PERSON:** Ron Hunt, 22 SHS, Augusta, Maine 04333, (207) 287-4717, [ron.hunt@maine.gov](mailto:ron.hunt@maine.gov)

**EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA:** None

**EXPECTED 2021-2022 RULE-MAKING ACTIVITY:**

### **CHAPTER 2: Rules for Recreational Use of the Allagash Wilderness Waterway**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1803, 2.15

PURPOSE: Various changes to correct minor spelling errors and typos.

ANTICIPATED SCHEDULE: The rule making process will begin in July of 2021 anticipated to be completed in the Spring of 2022.

AFFECTED PARTIES: Canoeists, fishermen, hikers, and the general public

CONCENSUS –BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Mark Deroche, 106 Hogan Rd., Ste. 7, 4<sup>th</sup> Floor., Bangor, ME 04401, (207) 941-4014, [mark.deroche@maine.gov](mailto:mark.deroche@maine.gov)

### **CHAPTER 2: Rules for recreational use of the Allagash Wilderness Waterway**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 § 1803, 2.19 D.

PURPOSE: Add: The bureau may take action to protect AWW resources, to protect public health and safety, to provide security, to avoid user conflicts, or for other reasons deemed necessary. A park superintendent or designee may exclude a person who violates any state park or historic site rule for a specified period of time.

ANTICIPATED SCHEDULE: The rule making process will begin in July of 2021 and is anticipated to be completed in the spring of 2022.

AFFECTED PARTIES: Campers, Snowmobilers, fishermen, and the general public

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Mark Deroche, 106 Hogan Rd., Ste. 7, 4<sup>th</sup> Floor., Bangor, ME 04401, (207) 941-4014, [mark.deroche@maine.gov](mailto:mark.deroche@maine.gov)

### **CHAPTER 2: Rules for State Parks and Historic Sites**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 § 1803, 20, b.).

PURPOSE: Add: The bureau may take action to protect state park & historic site resources, to protect public health and safety, to provide security, to avoid user conflicts, or for other reasons deemed necessary. A park manager or designee may exclude a person who violates any state park or historic site rule for a specified period of time.

ANTICIPATED SCHEDULE: The rule making process will begin in July of 2021 and is anticipated to be completed in the spring of 2022.

AFFECTED PARTIES: Campers, Snowmobilers, fishermen, and the general public

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Ron Hunt, 22 SHS, Augusta, Maine 04333, (207) 287-4717, [ron.hunt@maine.gov](mailto:ron.hunt@maine.gov)

---

### **CHAPTER 3: Rules for Navigational Aids**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1894

PURPOSE: Modify Rules and Regulations for the Aids to Navigation System.

ANTICIPATED SCHEDULE: The rule making process will begin July of 2021 and is anticipated to be completed in the spring of 2022.

AFFECTED PARTIES: Boating public and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Thomas Linscott, 22 SHS Augusta, ME 04333, (207) 287-6830, [Thomas.Linscott@maine.gov](mailto:Thomas.Linscott@maine.gov)

### **CHAPTER 4: Rules and Regulations Governing Boating Facilities**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1803

PURPOSE: Modify Rules of Conduct at Boat Launching Facilities.

ANTICIPATED SCHEDULE: The rule making process will begin in July of 2021 and is anticipated to be completed in the spring of 2022.

AFFECTED PARTIES: Boating public and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Thomas Linscott, 22 SHS Augusta, ME 04333, (207) 287-6830, [Thomas.Linscott@maine.gov](mailto:Thomas.Linscott@maine.gov)

**CHAPTER 5: Rules and Regulations for Lunch and Campsites in Penobscot Corridor, Lobster Lake and Chesuncook Lake.**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 § 1803, 20, b.).

PURPOSE: Add: The bureau may take action to protect state park resources, to protect public health and safety, to provide security, to avoid user conflicts, or for other reasons deemed necessary. A park manager or designee may exclude a person who violates any state park or historic site rule for a specified period of time.

ANTICIPATED SCHEDULE: The rule making process will begin in July of 2021 and is anticipated to be completed in the spring of 2022.

AFFECTED PARTIES: Campers, Snowmobilers, fishermen, and the general public

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Ron Hunt, 22 SHS, Augusta, Maine 04333, (207) 287-4717, [ron.hunt@maine.gov](mailto:ron.hunt@maine.gov)

**CHAPTER 7: Rules for Snowmobile Program**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 § 1893, paragraph 3

PURPOSE: Establish the Bureau's Grants-in-Aid program, identify the procedures for making grants-in-aid to political subdivisions for the construction and/or maintenance of snowmobile trails.

ANTICIPATED SCHEDULE: The rule making process will begin in the fall of 2021 anticipated to be completed in the fall of 2022.

AFFECTED PARTIES: Snowmobile clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Lana LaPlant-Ellis, 22 SHS Augusta, ME 04333, (207) 287-5574, [Lana.LaPlant-Ellis@maine.gov](mailto:Lana.LaPlant-Ellis@maine.gov)

**CHAPTER 8: Rules for Snowmobile Club Trail Maintenance Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1893, paragraph 3

PURPOSE: Establish the Bureau's process that qualified snowmobile clubs use to apply for grants, and the terms and the conditions of these grants.

ANTICIPATED SCHEDULE: The rule making process will begin in the fall of 2021 and is anticipated to be completed in the fall of 2022.

AFFECTED PARTIES: Snowmobile clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Lana LaPlant-Ellis, 22 SHS Augusta, ME 04333, (207) 287-5574, [Lana.LaPlant-Ellis@maine.gov](mailto:Lana.LaPlant-Ellis@maine.gov)

**CHAPTER 9: Rules for Snowmobile Capital Equipment Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS, Chapter 937, 13104-4

PURPOSE: Establish the Bureau's Snowmobile Capital Equipment Grant in Aid Program and its associated Capital Equipment Fund, identify the application and scoring process for qualified snowmobile clubs or political subdivisions and to define the terms and the conditions of these Grants.

ANTICIPATED SCHEDULE: The rule making process will begin in summer of 2021 and is anticipated to be completed in the summer of 2023.

AFFECTED PARTIES: Snowmobile clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Lana LaPlant-Ellis, 22 SHS Augusta, ME 04333, (207) 287-5574, [Lana.LaPlant-Ellis@maine.gov](mailto:Lana.LaPlant-Ellis@maine.gov)

**CHAPTER 15: Rules for General ATV Trail Guidance. ATV Trail Program Insurance**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1893, paragraph 2.

PURPOSE: Establish the Bureau's process to provide for the wise and orderly management of ATVs and the funding allocated to individual clubs.

ANTICIPATED SCHEDULE: The rule making process will begin in the fall of 2021 and is anticipated to be completed in the fall of 2022.

AFFECTED PARTIES: ATV clubs, political subdivisions and landowners.

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Brian Bronson, 22 SHS Augusta, ME 04333, (207) 287-4958, [Brian.N.Bronson@maine.gov](mailto:Brian.N.Bronson@maine.gov)

**CHAPTER 18: Rules for ATV Municipal Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1893, paragraph 2.

PURPOSE: Establish the Bureau's Grants-in-Aid Program, identify the procedures for making grants-in-aid to political subdivisions for the construction and/or maintenance of ATV trails.

ANTICIPATED SCHEDULE: The rule making process will begin in the fall of 2021 and is anticipated to be completed in the fall of 2022.

AFFECTED PARTIES: ATV clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Brian Bronson, 22 SHS Augusta, ME 04333, (207) 287-4958, [Brian.N.Bronson@maine.gov](mailto:Brian.N.Bronson@maine.gov)

**CHAPTER 160: Rules for ATV Club Trail Maintenance Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1893, paragraph 2.

PURPOSE: Establish the Bureau's process that qualified ATV clubs use to apply for grants, and the terms and the conditions of these grants.

ANTICIPATED SCHEDULE: The rule making process will begin in the fall of 2021 and is anticipated to be completed in the fall of 2022.

AFFECTED PARTIES: ATV clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Brian Bronson, 22 SHS Augusta, ME 04333, (207) 287-4958, [Brian.N.Bronson@maine.gov](mailto:Brian.N.Bronson@maine.gov)

**CHAPTER 53: Submerged Land Rules**

STATUTORY AUTHORITY: 12 MRS §§ 1801, 1803, and 1862

PURPOSE: These rules need to be amended to establish an annual rent fee schedule for renewable ocean energy projects located in state waters. Rule amendments will also update and clarify Submerged Lands Program definitions, procedures and user fees.

ANTICIPATED SCHEDULE: The rule making process will begin in January of 2022 and is anticipated to be completed in the spring of 2022.

AFFECTED PARTIES: Potential renewable ocean energy project developers and other users of publicly owned submerged lands.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: John Noll, 22 SHS Augusta, ME 04333, (207) 287-4919, [john.noll@maine.gov](mailto:john.noll@maine.gov)

**CHAPTER 54: Rules for Bear Baiting on Public Lands**

STATUTORY AUTHORITY: 12 MRS ss 1802

PURPOSE: May amend the rules to allow for a periodic review of permit fees and/or a standard price inflator; and may amend the rules regarding penalties to allow for an appeal process.

SCHEDULE FOR ADOPTION: The rule making process will begin in January of 2022 and is anticipated to be completed in the spring of 2022.

AFFECTED PARTIES: Individual and Commercial Bear Hunters

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Sarah Spencer, 650 State St., Bangor, ME, 04401, (207) 592-1039, [sarah.m.spencer@maine.gov](mailto:sarah.m.spencer@maine.gov)

---

## **01-672**

AGENCY UMBRELLA - UNIT NUMBER: **01-672**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry, Land Use Planning Commission**

**CONTACT PERSON:** Timothy Beaucage, 22 SHS, Augusta, Maine 04333, (207) 287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov)

**EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA:** None

### **EXPECTED 2021-2022 RULE-MAKING ACTIVITY:**

#### **CHAPTER 4: Rules of Practice**

STATUTORY BASIS: 12 MRS §684 and §685-C(5)

PURPOSE: Chapter 4 rules need to be updated periodically to address issues that become obvious through experience gained from applying current rules, as well as to correct errors, update references as appropriate, and make other revisions to Chapter 4.

SCHEDULE FOR ADOPTION: Consideration of comments received and possible adoption in August 2021.

AFFECTED PARTIES: The proposed changes will affect all individuals proposing development in the unorganized and deorganized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov)

#### **CHAPTER 10: Land Use Districts and Standards, NRPA-related Changes**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Rules need to be promulgated to improve resource protection in LUPC jurisdiction consistent with that provided under the Natural Resource Protection Act in organized areas of the state, as required by the NRPA statute.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2022 adopt amendments by July 2022; submit for legislative review during January 2023.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Corinne Michaud-LeBlanc, 22 State House Station, Augusta, ME 04333-0022; 207-557-2535, [corinne.michaud-leblanc@maine.gov](mailto:corinne.michaud-leblanc@maine.gov)

### **CHAPTER 10: Land Use Districts and Standards, Miscellaneous Changes**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Chapter 10 rules establish land use subdistricts and land use standards for lands within the unorganized and de-organized areas of the state. They need to be updated periodically to address issues which become obvious through experience gained from applying current rules, as well as to correct errors, ensure consistency with recently enacted legislation, update references as appropriate, and make other changes to Chapter 10. Examples of changes to be considered include updating standards governing nonconformity, updating road and road crossing standards, updating clearing standards, updating water withdrawal standards, updating the recreational lodging rules as more experience is gained in applying them, updating language regarding mining, updating standards to address marijuana law changes, improving consistency in terminology, adding areas to the list of DACSS, changing the terminology for bridge reconstruction and certain other development in flood prone areas, and updating standards for lighting.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2022; adopt amendments by July 2022; submit for legislative review during January 2023.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov)

### **CHAPTER 10: Land Use Districts and Standards, New Standards for Certain Development Activities**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Rules need to be promulgated to address current research, policy concepts, and new standards for small and mid-sized solar energy generation facilities, short-term rentals, and water withdrawals.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2022; adopt amendments by July 2022; submit for legislative review during January 2023.

AFFECTED PARTIES: Landowners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Stacie Beyer, 22 State House Station, Augusta, ME 04333-0022; 207-557-2535; [Stacie.R.Beyer@maine.gov](mailto:Stacie.R.Beyer@maine.gov)

### **CHAPTER 10: Land Use Districts and Standards, Update of Standards for Activities in Flood Prone Areas**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Rules need to be promulgated to revise standards for development in flood prone areas in accordance with the National Flood Insurance Program and consistent, where possible, with changes to standards adopted in the organized areas of the state.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2022; adopt amendments by July 2022; submit for legislative review during January 2023.

AFFECTED PARTIES: Landowners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Carr, 22 State House Station, Augusta, ME 04333-0022; 207-287-4930, [Tim.Carr@maine.gov](mailto:Tim.Carr@maine.gov)

### **CHAPTER 10: Land Use Districts and Standards, Citizens' Petition**

STATUTORY BASIS: 5 MRS §§ 8052(1); and 8055; 22 MRS §§ 2421 et. seq.; 28-B MRS §§ 101 et seq.; and 12 MRS §§ 685-A(1) and (8-A)

PURPOSE: On February 26, 2021, the Maine Land Use Planning Commission received a rulemaking petition signed by 191 registered voters of the state. The petition proposes to prohibit certain medical marijuana and certain adult use marijuana facilities in the Community Center Development (D-GN2) Subdistrict within the [Prospective Zoning Plan for the Rangeley Lakes Region](#). Pursuant to 5 MRS § 8055, the Commission initiated rulemaking on the petition.

SCHEDULE FOR ADOPTION: A hearing was held on June 16, 2021 and the comment period closes on August 2, 2021. The Commission anticipates consideration of the hearing record, and possible action on the rulemaking petition in September 2021. Pursuant to 12 MRS § 685-A(7-A)(B)(6), (if adopted) the Commission will submit the adopted revisions for legislative review during January 2022.

AFFECTED PARTIES: Residents and property owners in the Rangeley Region, and the owner of the only existing marijuana related development in the area.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov).

## **CHAPTER 2: Definitions**

STATUTORY BASIS: 12 MRS §§ 685-A(3) and 685-C(5)

PURPOSE: Relocate the Commission's definitions to a separate rule so the provisions relate more clearly to all of the agency rules.

SCHEDULE FOR ADOPTION: Adopted June 2021, anticipated effective date of October 1, 2021.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated/not warranted.

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov).

## **CHAPTER 16: Rules Relating to Large Lot Land Divisions**

STATUTORY BASIS: 12 MRS § 685-A

PURPOSE: Relocate the Commission's definitions to a separate rule so the provisions relate more clearly to all of the agency rules.

SCHEDULE FOR ADOPTION: Adopted June 2021, anticipated effective date of October 1, 2021.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated/not warranted.

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov).

## **CHAPTER 5: Rules for the Conduct of Public Hearings**

STATUTORY BASIS: 12 MRS §§ 685-C(5)

PURPOSE: To improve user convenience by consolidating or reorganizing provisions without changing their regulatory effect and revise visual characteristics to simplify or otherwise clarify each rule.

SCHEDULE FOR ADOPTION: The Commission anticipates consideration of comments received (if any), and possible action on the rulemaking in August 2021.

AFFECTED PARTIES: Property owners, applicants, abutters, and interested persons regarding any matter addressed within a public hearing conducted by the Commission.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated/not warranted.  
CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022;  
207-287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov).

**Remote Participation Policy**

STATUTORY BASIS: Public Law 2021 Chapter 290; 1 MRS §403-B

PURPOSE: To improve user convenience by consolidating or reorganizing provisions without changing their regulatory effect and revise visual characteristics to simplify or otherwise clarify each rule.

SCHEDULE FOR ADOPTION: The Commission anticipates a public hearing and possible adoption in September 2021.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated/not warranted.

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022;  
207-287-4894, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov).