



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

**July 24, 2020
9:00 AM**

Video conference hosted in Zoom
To join the meeting:

Web link for the Zoom meeting: <https://zoom.us/j/94976628725?pwd=b2crWGRpSTR0bXA4cmd4TkxkbUxXdz09>
Meeting ID: 949 7662 8725
Password: 105419
Dial in phone number: 1 (312) 626-6799

AGENDA

1. Introductions of Board and Staff
2. Minutes of the June 5, 2020 Board Meeting

Presentation By: Megan Patterson, 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 March 8, 2019 meeting Sara Robinson of the Maine CDC provided an overview of the trends and the state's monitoring program. At the April 19, 2019 meeting, the Board voted to approve funding in the amount of \$100,000 for Maine CDC's mosquito monitoring efforts. The Board will now review a report on work accomplished in the previous year and work projected for the current year.

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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

Presentation By: Representative from Maine CDC or Maine Medical Research Institute

Action Needed: Review Work Accomplished and Approve/Disapprove Future Funding to CDC for Environmental Monitoring of Mosquitoes

4. Request to Extend Special Local Need [24(c)] Registration for Milestone Herbicide (Corteva Agrisciences) for Herbaceous Broadleaf Weeds and Woody Plants for Forest Site Preparation

This SLN has been requested on behalf of the Maine forest industry. Milestone Herbicide reduces competition by controlling herbaceous broadleaf weeds and woody plants, including native conifers. The industry is seeking to replace the use of glyphosate with aminopyralid. This SLN has already been approved in eleven states indicating this is no longer a local need, but rather interregional or national in scope.

Presentation By: Mary Tomlinson, Pesticides Registrar and Water Quality Specialist

Action Needed: Approve/Disapprove 24(c) Registration Request

5. Review of Biological Pesticides for Treatment of Browntail Moth Near Marine Waters

On January 25, 2008, the Board adopted Section 5 of Chapter 29 which regulates the use of insecticides used to control browntail moth within 250 feet of marine waters. Section 5 limits insecticide active ingredients to those approved by the Board. At the April 19, 2019 meeting of the Board inquiries were received about active ingredients for removal from and addition to the list. Subsequently, the staff was directed to update the list of approved active ingredients for browntail moth control. Due to the differences in performing the risk assessments biological pesticides were assess separately from conventional products. This submission provides the remainder of the active ingredients to be reviewed and focuses solely on biological pesticides. The Board will now consider the list.

Presentation By: Pam Bryer, Toxicologist

Action Needed: Review and Approve/Disapprove the Draft Policy

6. Proposed Minimum Standards for Live and Pre-recorded Online Recertification Courses

Due to the ongoing pandemic, in person recertification training meetings have become difficult to both host and attend. Applicators are seeking, and will likely continue to seek, alternatives to in person, live events. Board staff have developed minimum standards for online courses.

Presentation By: John Pietroski, Manager of Pesticide Programs

Action Needed: Review and Approve/Disapprove the Draft Policy

7. Updating the Notification Process to Facilitate Improved Communication

At the February 28, 2020 meeting of the Board, staff was directed to follow up on approaches to identifying the party responsible for notification. Staff have identified numerous ways in which the notification process could be streamlined. These approaches have been divided into two groups, those best addressed through policy and those that may be accomplished through routine staff efforts. Two documents detailing this information have been provided for the Board's consideration.

Presentation By: Megan Patterson, Director

Action Needed: Approve/Disapprove the Proposed Policy and Approaches

8. Review of Budget

In early 2017, the Board reviewed the budget with a goal of identifying potential resources that could be allocated to Board priorities. At that time the Board requested ongoing annual updates on the status of the Pesticide Control Fund.

Presentation By: Megan Patterson, Director

Action Needed: Provide Guidance to the Staff on Board Budget Priorities

9. Water Quality Monitoring Proposal

7 M.R.S. § 607-A, Section 2-A, directs the Board to conduct water residue surveys, for both ground and surface water, to prepare profiles of the kinds and amounts of pesticides present. At the November 2018 Board meeting, Board staff proposed a continuation of past groundwater monitoring efforts. Due to multiple staff vacancies, ground water monitoring work planned for 2019 was scheduled for 2020. In 2020, this work was underway and unexpectedly terminated by issues related to the ongoing pandemic. Staff will now provide a review of the work completed in 2020 and a proposal and budget for ground water monitoring work tentatively planned for 2021.

Presentation By: Mary Tomlinson, Pesticides Registrar and Water Quality Specialist

Action Needed: Approve/Disapprove Funding the Proposed Water Quality Projects

10. Other Old and New Business

a. Variance Permit for Taylor's Invasive Plant Control

b. Future Format for Board Meetings

11. Schedule of Future Meetings

September 18, 2020 and November 6, 2020 are proposed meeting dates.

Adjustments and/or Additional Dates?

12. 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.