



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

8c

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

May 6, 2022

Andrew Priestly  
Vegetation Control Service, Inc  
3242 Maine St  
Athol, MA 01331

**RE: Variance permit for CMR 01-026 Chapter 29, Robinson's Wood, Cape Elizabeth**

Dear Mr. Priestly,

The Board of Pesticides Control considered your application for a variance from Chapter 29. The variance is approved, with the condition that Escort XP (EPA #432-1549) not be applied within 25 feet of water. Due to its high leachability and moderate toxicity to aquatic organisms eliminating the use of metsulfuron-methyl within 25 feet of water greatly reduces the potential for negative effects on aquatic communities. This active ingredient is appropriate for use farther inland.

Mixing and loading activities must be completed at a distance greater than 50 feet from the mean high water line. Cut stump applications rather than foliar applications are preferable and using only non-powered low-pressure applications within 25 feet of water is required by law. Each of these approaches will aid in reducing the potential for off-target movement.

Please ensure compliance with all other regulations including public notification and posting near trails and sidewalks used by the public. Additional information about notification may be found in the BPC policy concerning 'Appropriate Methods for Notifying the Public About commercial Applications to Sidewalks and Trails' [[PDF](#)].

The Board of Pesticides Control does not manage the Shoreland Zone mentioned in the submitted variance application and suggests consulting with the local code enforcement officer to determine how related restrictions may pertain to the proposed application. Of note, many areas within this variance request are greater than 25 feet from the mean high-water line and may be managed without a variance.

The Board authorizes the issuance of three-year variances for Chapter 29; therefore, this variance is valid until December 31, 2024, as long as applications are consistent with the information provided on the variance request. Please notify the Board in advance of changes, particularly if you plan to use a different product from those listed.

MEGAN PATTERSON, DIRECTOR  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731  
THINKFIRSTSPRAYLAST.ORG

Please remember that your variance is based upon your company adhering to the precautions listed in Section X of your Chapter 29 variance request.

If you have any questions concerning this matter, please contact me at 287-2731.

Sincerely,

A handwritten signature in cursive script that reads "Megan L. Patterson". The signature is written in black ink and is positioned above the typed name.

Megan Patterson, Director