



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

**June 7, 2019
9:00 AM**

Room 101 Deering Building
32 Blossom Lane, Augusta, Maine

AGENDA

1. Introductions of Board and Staff
 - 1a. Introduction of Dr. Hannah Carter, Dean, University of Maine Cooperative Extension
2. Minutes of the April 19, 2019 Board Meeting

Presentation By: Megan Patterson, Director
Action Needed: Amend and/or Approve
3. Workshop Session to Review the Rulemaking Record on the Proposed Amendments to Chapters 10, 26, 27, 28, 31, 32, 36, and 50

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

On February 5, 2019, a Notice of Agency Rulemaking Proposal was published in Maine's daily newspapers, opening the comment period on the proposed amendments to Chapters 10, 26, 27, 28, 31, 32, 36, and 50. A public hearing was held on March 8, 2019 at the AMHI Complex, Marquardt Building, in Augusta, and the written comment period closed at 8:00 AM on March 25, 2019. No one spoke at the public hearing and no written comments were received by the close of the comment period. The Board will now review the rulemaking documents and determine how it wishes to proceed with the rulemaking proposals.

MEGAN PATTERSON, DIRECTOR
32 BLOSSOM LANE, MARQUARDT BUILDING



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

Presentation by: Megan Patterson, Director

Action Needed: Discussion and determination on how the Board wishes to proceed with the rulemaking proposals

4. Consideration of a Consent Agreement with Tick Talk of Rockport, Maine

On June 3, 1998 the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine to resolve the matter. This case involved failure to notify an individual on the registry and drift.

Presentation By: Raymond Connors Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

5. Election of Officers

The Board's statute requires an annual election of officers. The members will choose a chair and vice-chair to serve for the coming year.

Presentation By: Megan Patterson, Director

Action Needed: Nominations and Election of Officers

6. Other Items of Interest

- a. CMP 2019 Foliar Herbicide Plan
- b. Letter from Emera Maine
- c. Letter from ACF Committee re Government Evaluation Act Review
- d. IPM Council suggestion to consider re-establishing its Plant-Incorporated Protectants Technical Review Committee
- e. Variance Permit for Asplundh Tree Experts—Railroad Division
- f. Variance Permit for RWC, Inc.
- g. Variance Permit for the Maine Department of Transportation
- h. LD 908— An Act To Require Schools To Submit Pest Management Activity Logs and Inspection Results to the Board of Pesticides Control for the Purpose of Providing Information to the Public
- i. LD 1273—An Act To Ensure Funding for Certain Essential Functions of the University of Maine Cooperative Extension Pesticide Safety Education Program
- j. LD 1518— An Act To Establish a Fund for Portions of the Operations and Outreach Activities of the University of Maine Cooperative Extension Diagnostic and Research Laboratory and To Increase Statewide Enforcement of Pesticide Use
- k. LD 1691—An Act To Ban Use of Aerial Herbicide Spraying for the Purpose of Deforestation

7. Schedule of Future Meetings

July 12, 2019 as proposed meeting dates. This meeting will focus on forestry and will include a visit to forestry management sites. Staff would like to request that this meeting be rescheduled for an alternate date.

Adjustments and/or Additional Dates?

8. 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.