



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

April 18, 2025

JBH Helicopters, LLC.  
720 Clough Mill Rd.  
Pembroke, NH 03275

**RE: Variance permit for CMR 01-026 Chapter 22 (B)(C), JBH Helicopters, LLC.**

Greetings,

The Board of Pesticides Control considered your application for a variance from Chapter 22, Section 3, subsections B&C. The variance is approved, provided all products to be used are registered in the State of Maine or were registered at the time of purchase. This permit does not exempt notification to owners/occupants of sensitive areas likely to be occupied (SALOs) that are within 500 feet of the spray area pursuant to Chapter 51: Notice of Aerial Pesticide Applications, Section II. Nor does this permit allow for the off-target deposition of pesticides (either through drift or direct application) onto a property you are not contracted to apply.

The Board has authorized the issuance of a single-season permit for Chapter 22, Section 3, subsections B&C, specifically for spruce budworm control applications only. Therefore, this permit is valid until July 31, 2025, 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.

Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section VIII of your Chapter 22 variance request.

I will alert the Board at its next meeting that the variance permit has been issued. If you have any questions concerning this matter, please feel free to contact me at (207) 287-2731.

Sincerely,

*Alexander Peacock*

Alexander Peacock  
Director

ALEXANDER PEACOCK, DIRECTOR  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731  
THINKFIRSTSPRAYLAST.ORG

## **SECTION 5. VARIANCES FROM STANDARDS**

### **A. Variance Permit Application**

An applicator may vary from any of the standards imposed under this chapter by obtaining a permit to do so from the Board. Permit applications shall be made on such forms as the Board provides and shall include at least the following information:

- I. JBI Helicopters  
720 Clough Mill Road, Pembroke, NH 03275 603-225-3134
- II. Aroostook County, Maine  
Western area being primarily the land which lies between the Quebec border and the St. John River. The Eastern area being primarily land directly adjacent to and north of the Fish River Chain of Lakes.
- III. Mimic 2LV(tebufenozide) and Foray 76b(Btk)
- IV. Spruce Budworm Early Intervention Strategy
- V. May 15 – June 30 depending on bud and larval development
- VI. The application will occur via aerial. Primarily fixed wing application, but all areas impacted by a SALO in the “Eastern” area will be rotary
- VII. Chapter 22 Section 3, B and C
- VIII. Alternative Method of Compliance for SALO Checklist
  1. Process and procedures to render any lease or structure in the “Western” project not likely to be occupied to exempt the SALO requirements
    - a. Notification
      - i. Notification of all leasees the treatment area will be closed during the program until impact area and methods of ingress and egress are treated and REI has elapsed
      - ii. Notification of all recreational user stakeholder groups the treatment area will be closed until treatment is complete and REI has elapsed
    - b. Signage
      - i. Large Temporary Signs will be placed in obvious locations on methods of ingress and egress with language specifying Aerial Pesticide Applications in progress and entry not permitted

- ii. Signage will also meet all requirements for Chapter 51.I.C
  - c. Ground Verification
    - i. Landowner representatives and supporting resources will traverse likely ingress and egress areas to ensure compliance with signage and prevent slippage
  - d. Aerial Verification
    - i. Pilots will be made aware of locations for final visual inspections while passing by on flight lines to insure no slippage
  - e. SALO Checklist Documentation
    - i. None Required due to efforts to ensure the areas were not occupied
2. Treat all SALOs in the “Eastern” project as a singular treatment area, reporting as a project level checklist instead of individual requirements
- a. Notification
    - i. Letters to all property owners within 500’
    - ii. Letters to all structure owners within 1000’
  - b. Signage
    - i. Large Temporary Signs will be placed in obvious locations on methods of ingress and egress with language specifying Aerial Pesticide Applications in progress and entry not permitted
    - ii. Signage will also meet all requirements for Chapter 51.I.C
  - c. Ground Verification
    - i. Landowner representatives and supporting resources will traverse likely ingress and egress areas to ensure compliance with signage and prevent slippage
  - d. Aerial Best Practices
    - i. Applications will be performed in early morning hours to limit amount of potential human activity
    - ii. Applications will be performed with a favorable wind direction to avoid drift to SALO locations
    - iii. Applications will be performed with a wind speed of 2-10 mph
  - e. SALO Checklist Documentation
    - i. Treat all identified SALOs as one treatment polygon requiring only one document