



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

WALTER E. WHITCOMB
COMMISSIONER
HENRY S. JENNINGS
DIRECTOR

BOARD OF PESTICIDES CONTROL

August 28, 2015

Science Building, Room 102, University of Maine at Machias, Machias, Maine

AGENDA

9:00 AM

1. Introductions of Board and Staff
2. Minutes of the July 10, 2015, Board Meeting
Presentation By: Henry Jennings
Director
Action Needed: Amend and/or Approve
3. Review of the Hearing Record and Potential Adoption of Amendments to Chapters 31, 34, and 35

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

On June 17, 2015, a Notice of Agency Rulemaking Proposal was published in Maine's daily newspapers, opening the comment period on the proposed amendments to Chapters 31, 32, and 35. A public hearing was held on July 10, 2015, at the Deering Building. Three comments were received regarding the amendments. The Board will now review the comments and the responses drafted by the staff; the changes to the proposed amendments; the basis statements; and the statements of impact on small businesses; and determine whether it is prepared to adopt the proposed amendments or whether further refining is warranted.

Presentation by: Henry Jennings
Director

Action Needed: Review the hearing record and provide direction to the staff on further refinements or adopt the amendments

4. Letter from the Legislative Committee on Agriculture, Conservation and Forestry

On July 16, 2015, the Joint Standing Committee on Agriculture, Conservation and Forestry of the 127th Legislature sent a letter to the Board requesting a review of its rules "in order to determine whether the standards for pesticide application and public notification for public parks and playgrounds should be consistent with the standards that have been established for pesticide

application and public notification in school buildings and on school grounds under CMR 01-026, Chapter 27.” The Board will now consider that request and identify an appropriate response.

Presentation By: Henry Jennings
Director

Action Needed: Review the request from the Joint Standing Committee on Agriculture, Conservation and Forestry and provide guidance to the staff

5. Other Old or New Business

- a. Variance Permit for control of phragmites on Chebeague Island
- b. Variance Permit for control of poison ivy in Windham
- c. Variance Permit for control of phragmites in roadside ditches along forest roads
- d. Variance Permit for control of phragmites in York
- e. Other

6. Schedule of Future Meetings

October 9, November 13, and December 18, 2015, are tentative Board meeting dates. The Board will decide whether to change and/or add dates.

Adjustments and/or Additional Dates?

7. 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 attention of Anne Bills, at the Board's office or anne.bills@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.