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**DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**  
**BOARD OF PESTICIDES CONTROL**  
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Date: December 27, 2013  
 To: Board  
 From: Henry Jennings  
 Subject: Update on Planning Session Topics

At the September 6, 2013 monthly meeting, the Board discussed a number of “planning session” topics. Follow-up discussions were held at both the October and December meetings. The chart below attempts to capture the current status of all the planning session topics so that the Board can decide which areas it wishes to discuss/pursue further.

Topic	Discussion from the September 6 Meeting	Subsequent Discussion/Action
Streamlining of the licensing process	<ul style="list-style-type: none"> <li>• Maybe develop a combination Exam/License application that can be used, but specifically states that all fees are NOT refundable.</li> <li>• Maybe develop a system that includes a receipt that doubles as a temporary license for when Modern or Atlantic send someone with the application and fee.</li> <li>• Correct tests right away so they can pay while there if they pass.</li> <li>• Make a video and/or PowerPoint of Gary’s initial training so more people pass on the first attempt.</li> <li>• Offer computerized on-line testing that provides immediate exam results and feedback. Set up on-line application system.</li> </ul>	<ul style="list-style-type: none"> <li>• Department is pursuing a BPM software solution that should provide an online transaction capability</li> <li>• Staff is developing a combined exam/license application as an option</li> <li>• Staff is pursuing credit card capability</li> <li>• Staff is developing a temporary license that can be issued with a quick turnaround</li> </ul>
25' setback exemption	<ul style="list-style-type: none"> <li>• Develop BMPs.</li> <li>• Fill in the gaps with simple training.</li> <li>• Make sure they have a long-term plan when trying to control invasive organisms.</li> <li>• Give staff more authority to issue variances for other than large projects or very sensitive sites which would still go to the Board.</li> <li>• Add a long-term plan requirement</li> </ul>	<ul style="list-style-type: none"> <li>• Board authorized the staff to issue 3-year repeat variances for Chapter 22</li> <li>• Board adopted policy to authorize staff to issue 3-year variances from Chapter 29, Section 6, for invasive plant control, provided that the variance contains a long term plan, lists steps to protect</li> </ul>

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	<p>to the variance application.</p> <ul style="list-style-type: none"> <li>• Approve multiyear variances with a long-term plan.</li> <li>• Create criteria by which staff can approve: list of conditions, criteria, guidelines.</li> <li>• Include in BMPs strategies for those who don't want to use pesticides.</li> <li>• Multiyear variance could require a report at the end of each year—a picture and a percent controlled.</li> <li>• Maybe create a different variance process for invasive organisms.</li> </ul>	<p>surface water, and considers appropriate BMPs</p>
Staff Issuance of variances	<ul style="list-style-type: none"> <li>• Develop a new policy on variances (<i>see above</i>).</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>
Better online credit options	<ul style="list-style-type: none"> <li>• Reach out to David Yarborough to see if he could do some online modules.</li> <li>• Maybe record a few of our live trainings as well. Specific to categories/commodities.</li> <li>• Talk to each crop specialist at Cooperative Extension to see if they want to do some videos.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff summarized currently available online credit options</li> <li>• Staff will look for under-represented areas and work with extension on opportunities to fill the gaps</li> </ul>
Collaboration with IPM Council	<ul style="list-style-type: none"> <li>• IPM section on our exams?</li> <li>• Update <i>Got Pests?</i> website.</li> <li>• Try to get a grant for a school IPM conference? Maybe through Maine Community Foundation or Outdoor Heritage Fund? Work with EPMA.</li> <li>• IPM certification for schools through Tom Green is too expensive; Board could work with schools to offset cost?</li> <li>• Should the Board provide grants so schools can get IPM certified?</li> <li>• Help small farms comply with food safety, <i>et al.</i>, certifications?</li> <li>• IPM session at Trades Show.</li> <li>• Separate license category for IPM (Rich stresses this must be voluntary); separate IPM CE credits.</li> <li>• Collaborate on a listening session at Trades Show, help small farmers understand “maze” of licensing and certification requirements for food safety, e.g., GAP.</li> </ul>	<ul style="list-style-type: none"> <li>• Board to hold joint listening session at the Agricultural Trades Show</li> <li>• Council will prioritize IPM needs and present to Board</li> <li>• No consensus on IPM certification</li> </ul>

	<ul style="list-style-type: none"> <li>• Need info for commercial applicators that shows benefits of IPM and the impact on short- and long-term pest management costs.</li> <li>• IPM Council will develop list of priorities for funding and bring to Board.</li> </ul>	
Educational Outreach	<ul style="list-style-type: none"> <li>• Get a Master's candidate to do a PSA on the need for licenses, mosquito control, proper use of pesticides, etc. Put on You Tube.</li> <li>• Maybe a community college project to do some sort of videos. Could cover landlord responsibilities for bed bug management and the need for licensing if they will use pesticides, etc.</li> <li>• Try to get more people on board to help with the training.</li> <li>• Need to reach out to homeowners.</li> <li>• PSA suggestions: how to prevent spread of bedbugs; landlord responsibilities; need to be licensed; how to control mosquitoes in backyard; how to protect yourselves from mosquito bites; proper use of pesticides—geared toward trying to change behavior; title properly so can be found on YouTube.</li> </ul>	
Certification for those who make pesticide recommendations	(not covered)	<ul style="list-style-type: none"> <li>• Yet to be discussed</li> <li>• Future rulemaking?</li> </ul>
Policy on responding to complaints	<ul style="list-style-type: none"> <li>• Come up with a process to make sure complainants and the subject of a complaint are kept up to date on lab results or lack thereof, etc. Especially if the case is dismissed, etc. The Board wished to cover this topic along with consent agreement fine structures (<i>see below</i>).</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance staff has adopted new policy providing sample results to both parties when received</li> </ul>
More exam training for growers	<ul style="list-style-type: none"> <li>• Make a video and/or PowerPoint of Gary's initial training so more people pass the Core exam on the first attempt.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff considering online options</li> </ul>
Enforcement case turnaround	(not covered)	<ul style="list-style-type: none"> <li>• Yet to be discussed</li> </ul>

Reducing reliance on pesticides	<ul style="list-style-type: none"> <li>• Board still supports these efforts.</li> <li>• YardScaping all the way.</li> <li>• Master Gardener training to your heart's content.</li> <li>• Find more trainers.</li> <li>• Do more train-the-trainer programs and consider videotaping programs.</li> </ul>	
Enforceability of pesticide laws	(not covered)	<ul style="list-style-type: none"> <li>• Yet to be discussed</li> </ul>
Rulemaking/Licensing chapters	(not covered)	<ul style="list-style-type: none"> <li>• Yet to be discussed</li> </ul>
Awareness and operation of Chapter 28	(not covered)	<ul style="list-style-type: none"> <li>• Yet to be discussed</li> </ul>
Meeting @ Ag Trades Show	<ul style="list-style-type: none"> <li>• Listening session in conjunction with the IPM Council? Board still wanted to make this happen.</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting scheduled for January 8</li> <li>• Joint listening session with the IPM Council</li> </ul>
Consent agreement fine structure	<ul style="list-style-type: none"> <li>• Go over enforcement protocol at next meeting.</li> <li>• Bigger issues should come before Board before a consent agreement is offered: e.g., health issues, major environmental issues, repeat violations, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff provided a list of recent fines</li> <li>• Board made minor amendment to Enforcement Protocol</li> <li>• Staff will be mindful of Section 3B of protocol</li> </ul>
Policy on posting personal information	(not covered)	<ul style="list-style-type: none"> <li>• Yet to be discussed</li> </ul>
Update on GMOs	(not covered)	<ul style="list-style-type: none"> <li>• Yet to be discussed</li> </ul>