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GOVERNOR

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

WALTER E. WHITCOMB
COMMISSIONER

BOARD OF PESTICIDES CONTROL

**May 18, 2018
9:00 AM**

Room 118 Marquardt Building
32 Blossom Lane, Augusta, Maine

AGENDA

1. Introductions of Board and Staff
2. Minutes of the April 6, 2018, Board Meeting

Presentation By: Megan Patterson, Manager of Pesticide Programs
Action Needed: Amend and/or Approve
3. Request from Integrated Pest Management Program for Funds for Mosquito Monitoring

The Integrated Pest Management Program is requesting funds to assist with mosquito surveillance and identification, development of a GIS-based mosquito habitat mapping system, and continued outreach around vector-borne diseases.

Presentation By: Kathy Murray, IPM Specialist

Action Needed: Approve or Deny Request

4. Review of Pesticide Sign for Self-Service Areas

BPC Chapter 26 Section 7 requires that pesticide self-service sales areas include a “Board approved sign informing the public where to obtain additional information”. The staff has drafted a new version of the sign. The Board will now discuss and provide guidance to the staff.

Presentation by: Amanda Couture, Certification & Licensing Specialist

Action Needed: Approve and/or Amend Proposed Sign

5. Continuing Discussion of the Board's Role in Public Education

At the April 6, 2018 meeting Jesse O'Brien spoke about municipal ordinances which led to a general discussion by the Board about public outreach. It was stated that the discussion should be continued at the next meeting.

Presentation By: Megan Patterson, Manager of Pesticide Programs

Action Needed: Provide Guidance to Staff

6. Discussion about Use of Unmanned Aircraft Systems (UAS) for Agricultural Purposes

Following the April 6, 2018 meeting, the staff had a further discussion about the use of Unmanned Aircraft Systems (UAS) for agricultural purposes. We realized there is a gap caused by the BPC rules. The definition of "aerial applicator" in Chapter 10 states that all aerial applicators shall be considered commercial applicators. The definition of commercial applicator does not allow for applications to lands owned or leased by the applicator for the purposes of producing an agricultural commodity. Therefore, it appears that UAS applications to agricultural crops could be done by hiring a commercial applicator, but could not be done by the owner/lessee. The Board should consider whether to pursue creating a policy (if possible) or amending its rules.

Presentation By: Anne Chamberlain, Policy & Regulations Specialist

Action Needed: Provide Guidance to Staff

7. 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, Manager of Pesticide Programs

Action Needed: Nominations and Election of Officers

8. Other Old or New Business

- a. Is *Bt* toxic to lobsters? Staff response to question raised at April 8 meeting
- b. Letter from B.K. Keller, Northport, Maine
- c. Portland Flower Show brief
- d. Unmanned Aircraft Systems for Aerial Applications-Presentation from South Carolina
- e. Variance permit for control of invasive species in Biddeford to Vegetation Management Services, Inc.
- f. Variance permit for control of invasive species in Great Pond to Vegetation Management Services, Inc.
- g. Variance permit for control of weeds in rights-of-way to Department of Transportation
- h. Variance permit for control of weeds on the Fort Kent levee along the St. John and Fish Rivers to Dubois Contracting

i. Job Posting: Pesticide Safety Education Program Professional

7. Schedule of Future Meetings

July 13, 2018 is a proposed Board meeting dates in Augusta. August 24, 2018 has been proposed for a tour of Green Thumb Farm in Fryeburg and Weston's Christmas Tree Farm in Fryeburg followed by a Board meeting locally. The Board also indicated an interest in having a Public Information Gathering Session in the fall but a date was not determined. The Board will decide whether to change and/or add dates.

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.