

Chamberlain, Anne

From: Paul Schlein
Sent: Monday, August 15, 2016 3:43 PM
To: Chamberlain, Anne
Subject: Board meeting packet submission

Hi Anne,

Can you please add this to this week's Board meeting packet and be sure it gets sent to the attention of the Board before Friday's meeting? This was the response to *The Portland Press Herald* op-ed by South Portland Conservation Commission member Charles McNut that already appears in the packet: <http://www.pressherald.com/2016/06/21/maine-voices-as-debate-over-pesticides-ramps-up-lets-dispel-a-number-of-myths/>.

Thank you and best regards,
Paul

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Paul Schlein

Chamberlain, Anne

From: Paul Schlein
Sent: Tuesday, August 16, 2016 6:26 AM
To: Chamberlain, Anne
Subject: Re: Board meeting packet submission
Attachments: pressherald.com-Maine Voices As debate over pesticides ramps up lets dispel a number of myths.pdf; pressherald.com-South Portland council approves penalty-free pesticide ordinance.pdf; terminix-st-john-settlement_8-2-16.pdf

Hi Anne,

For your convenience, attached is a PDF of the PPH op-ed. Also, please include the following two additional articles in this week's Board packet:

- Today's *Press Herald* on the South Portland ordinance (PDF also attached): <http://www.pressherald.com/2016/08/15/south-portland-council-approves-penalty-free-pesticide-ordinance/>
- A followup to an article you included in a previous Board packet on the Terminix pesticide exposure incident in the Virgin Islands (PDF attached): <http://www.cbsnews.com/news/87m-settlement-to-family-sickened-by-toxic-pesticide-terminix-on-vacation/>

Thanks,
Paul

On Mon, Aug 15, 2016 at 3:42 PM, Paul Schlein <pschlein@gmail.com> wrote:
Hi Anne,

Can you please add this to this week's Board meeting packet and be sure it gets sent to the attention of the Board before Friday's meeting? This was the response to *The Portland Press Herald* op-ed by South Portland Conservation Commission member Charles McNut that already appears in the packet: <http://www.pressherald.com/2016/06/21/maine-voices-as-debate-over-pesticides-ramps-up-lets-dispel-a-number-of-myths/>.

Thank you and best regards,
Paul

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Paul Schlein

Maine Voices: As debate over pesticides ramps up, let's dispel a number of myths

 www.pressherald.com/2016/06/21/maine-voices-as-debate-over-pesticides-ramps-up-lets-dispel-a-number-of-myths/

By Jay Feldman and Heather Spalding Special to the Press Herald

[Maine Voices](#)

Posted June 21

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The EPA hasn't provided a long-term look at the effects of toxic lawn and garden materials.

Towns and cities nationwide are going organic in the management of land within their jurisdictions because it eliminates the use of chemicals that have known environmental and public health hazards.

Maine is on the forefront for good reason, being a coastal state with waterways that need protection and steeped in the tradition of marine biologist Rachel Carson, who, with the publication of "Silent Spring" over 50 years ago, alerted the nation to the adverse effects of DDT and other pesticides on people and wildlife.

Since the 1960s, as U.S. pesticide use to kill insects, weeds and fungus has climbed to nearly a billion pounds a year, with per-acre use in parks, home lawns and golf courses in some cases higher than in agriculture, a number of safety myths have emerged and are voiced in [Charles McNutt's June 17 Maine Voices](#) on South Portland's [proposed](#) lawn-pesticide ban.

- Myth 1: Our health is adequately protected by the federal Environmental Protection Agency and the Maine Board of Pesticides Control.

While Maine relies on the EPA for the underlying assessment of pesticides' legal use patterns and allowable harm, epidemiologic and laboratory studies link pesticide use to disease outcomes, including cancer, neurological and immune system effects, reproductive disorders, Alzheimer's and Parkinson's disease, respiratory problems and learning disabilities.

The effects on vulnerable population groups, such as children and those with pre-existing health conditions, are elevated. The American Academy of Pediatrics [concluded](#) in 2012: "Children encounter pesticides daily and have unique susceptibilities to their potential toxicity. ... Recognizing and reducing problematic exposures will require attention to current inadequacies in medical training, public health tracking and regulatory action on pesticides."

- Myth 2: The environment is adequately protected by the EPA and the state.

The ecological hazards of pesticides and their impact on complex biological systems in nature are even less studied than human health effects. With the severe decline of bees and other pollinators, the EPA recently acknowledged that bees experience many indirect exposure pathways to a widely used bee-toxic insecticide, such as contaminated surface water, plant sap, soil and leaves, and [said](#) it "lacks information to understand the relative importance of these other routes of exposure and/or to quantify risks from these other routes."

This deficiency extends to the life-sustaining microbiome, or microbes, in the soil and in mammalian species, performing critical digestive, immune and biological functions.

- Myth 3: EPA toxicity classifications assess the full range of acute and chronic effects.

The toxicity classification of pesticide products does not tell the full story because it is limited to immediate effects and not long-term illnesses, such as cancer. Equally important, incomplete data are not a part of the classification. So the public is not aware that the pesticides have not been tested for their ability to disrupt the endocrine system, the message center of the body, or the increased toxicity associated with mixtures of multiple pesticides on a treated lawn or playing field.

- Myth 4: Pesticides used on private and public property stay where they are used.

Pesticides move off the use site through drift and runoff. Those not allowed for indoor use find their way into houses through air currents and being tracked inside. [According to the U.S. Geological Survey](#), the overwhelming majority of the most popular pesticides have been detected in surface waters, including popular herbicides.

In referring to various pollutants, including pesticides and fertilizers, the Maine Department of Environment Protection [states on its website](#), “Individually small amounts of pollutants may seem insignificant, but collectively they add up to create the largest source of pollution to Maine’s waters.” As a result, pesticide use on all property is a community public and environmental health concern.

- Myth 5: Beautiful lawns require toxic pesticides.

Toxic pesticides are not necessary for beautiful turf, just as they are not needed in a \$40 billion organic food industry. Organic turf systems focus on building soil health to support healthy lawns that do not threaten the health of children and pets that play on them.

Numerous practices and organic-compatible products work in concert with nature to enhance soil biology and the resiliency of grass and other plants, and cycle nutrients naturally. They also reduce energy and water use, sequester atmospheric carbon and provide business opportunities for retailers and service providers. It’s a win-win for health, the environment and business.

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South Portland council approves penalty-free pesticide ordinance

 www.pressherald.com/2016/08/15/south-portland-council-approves-penalty-free-pesticide-ordinance/

By Kelley Bouchard Staff Writer | @KelleyBouchard | 207-791-6328

[News](#)

Posted Yesterday at 10:34 PM

Updated August 15

[increase font size](#)

City officials hope property owners will voluntarily comply with a ban on the use of certain lawn-and-garden chemicals.

SOUTH PORTLAND — The City Council approved a first reading Monday of a revised cosmetic landscape pesticide ban, with several members describing it as a flawed but bold step to reduce chemicals in the environment.

The council voted 6-1 for a penalty-free ordinance that would prohibit the use of certain lawn-and-garden pesticides and herbicides on private and city-owned property.

“We’re making an imperfect leap, no question about it,” Councilor Claude Morgan said. “What we’re doing is leading and moving in a particular direction.”

Morgan and other councilors predicted that shortcomings in the ordinance would be addressed over time and hoped that residents would comply without punitive enforcement. A final vote on the ordinance will be held Sept. 7.

Councilor Linda Cohen provided the sole vote against the ordinance, saying it would be unenforceable and could give residents a false sense that they’re being protected from harmful chemicals.

[Under the revised ordinance](#), retailers in South Portland could still sell banned products, including glyphosate-based Roundup, neonicotinoids and certain weed-and-feed applications. And residents could still buy them.

However, only pesticides allowed by the U.S. Department of Agriculture and classified as “minimum risk” by the Environmental Protection Agency could be used within city limits. The local ban also would exempt commercial agriculture and playing surfaces at golf courses, and it would allow waivers for public health, safety and environmental threats, such as mosquitoes, poison ivy and invasive tree insects.

But rather than implement the ordinance in a “punitive way,” city officials plan to develop an education and outreach campaign to promote non-toxic land care practices and help the community comply with the ordinance.

As a result, the revised ordinance eliminates penalties. As first proposed, the ordinance called for escalating fines of \$200, \$500 and \$1,000 per offense following an initial warning.

The revised ordinance also calls for the city’s sustainability coordinator, not police officers, to receive complaints, educate alleged violators to bring them into compliance and keep a public record of how complaints are resolved.

Among other changes, the revised ordinance clarifies the waiver process and prohibits pesticide use within 75 feet of water bodies and wetlands, including ponds, streams and drainage ditches.

And because some synthetic pesticides are allowed in organic methods, the revised ordinance also reframes its focus from organic-versus-synthetic pesticides to allowed-versus-prohibited pesticides.

Activists on both sides of the issue say South Portland's effort could be copied by other communities across Maine and beyond. Portland residents and officials have been monitoring South Portland's progress over the last year.

Supporters of the ordinance have noted that the EPA doesn't require conclusive independent safety testing of pesticides and has acknowledged that it doesn't know the full impact of many chemicals on humans or the environment.

Rachel Burger, founder and president of Protect South Portland, a group that has pushed for environmental action on several fronts, urged the council to support a move away from being at war with nature.

"Let's work together at it," Burger said. "If you give nature a chance, it will take care of itself."

Opponents of the ban said it will confuse many homeowners who won't know which chemicals to use and likely pit neighbors against one another. Several spoke in favor of integrated pest management, which promotes a controlled use of pesticides, whether organic or synthetic, that is most effective and least toxic to humans and the environment.

"I don't favor the ordinance. I favor the smart use of pesticides," said David D'Andrea, superintendent of the Sable Oaks Golf Club in South Portland.

If approved on a second reading, the ordinance would apply to city property starting May 1, 2017, and broaden to private property May 1, 2018. It would be reviewed during the third year for possible revision.

The ordinance would apply to the South Portland Municipal Golf Course and the privately owned Sable Oaks Golf Club starting May 1, 2019.

Kelley Bouchard can be contacted at 791-6328 or at:

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[Send questions/comments to the editors.](#)

Huge settlement for family sickened by toxic pesticide on vacation

The parent company of Terminix has agreed to pay a \$87 million to a Delaware family that was [poisoned by a banned pesticide last year](#) during a Caribbean vacation and may suffer lifelong effects.

The Esmonds' nightmare started last March, when the family of four was exposed to toxic pesticides in this Virgin Islands villa.

The pesticide was methyl bromide, an odorless chemical that was banned for residential use in 1984. Terminix was fumigating the property just below the Esmonds. They were vacationing at the Sirenusa Villa on the island of St. John.



Stephen Esmond is still paralyzed, sixteen months after his family's exposure to methyl bromide.

CBS NEWS

Sixteen months later, Stephen Esmond is still paralyzed, unable to speak and battling tremors. His wife Theresa, who suffered seizures, has improved and is looking after their two sons who can barely move.

"It's highly acutely toxic. At very low levels it has chronic effects," said Jay Feldman, executive director of Beyond Pesticides.

"The bottom line here is that just because EPA slapped a label on a product, and told the pest control industry you shall not use this in residences, doesn't mean that the law will be

followed. We need much more control over how these chemicals are allowed into the environment."



The Esmond family was sickened at the Sirensusa Villa on the island of St. John.

CBS NEWS

Court documents show Terminix "knowingly" used methyl bromide on the St. John property twice.

In March, they admitted to spraying the banned pesticide at a total of 14 locations -- including residential villas in St. Croix and St. Thomas.

Under the terms of the \$87 million settlement, they will also pay \$10 million in criminal fines.

Terminix refused to comment on the story despite our repeated requests. The Department of Justice is also conducting a criminal investigation. A hearing is expected in late August.

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