



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

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PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

July 26, 2022

Basswood Environmental, LLC
Mr. Erik Lema
32 Brentwood Road
Cape Elizabeth, ME 04107

RE: Variance Permit for CMR 01-026, Chapter 29 for Invasive Species Control in Alna, ME

Dear Mr. Lema:

The Board of Pesticides Control considered your application for a variance from Chapter 29. The variance is approved, with the following conditions.

Mixing and loading activities must be completed at a distance greater than 50 feet from the mean high water line. Cut stump applications rather than foliar applications are preferable and using only non-powered low-pressure applications within 25 feet of water is required by law. Applications are required to be made with the applicator facing away from the water and when there is an onshore wind between 2-10 mph. Cut stem applications should be made with a sponge dauber/brush rather than spraying and applications to plants in standing water is not permitted. All pesticide label directions must be strictly adhered to.

Please ensure compliance with all other regulations including public notification and posting for any nearby trails and sidewalks used by the public. Additional information about notification may be found in the BPC policy concerning 'Appropriate Methods for Notifying the Public About Commercial Applications to Sidewalks and Trails' [[PDF](#)].

Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section X of your application.

The Board has authorized the issuance of two-year permits for Chapter 29. Therefore, this permit is valid until December 31, 2023, as long as applications are consistent with the information provided on the variance request. Please notify the Board, in advance, of significant changes, particularly if you plan to use a different product from those listed.

At its August 5, 2022 meeting, I will alert the Board that the variance permit has been issued. If you have any questions concerning this matter, please feel free to contact me at 287-2731.

Sincerely,

A handwritten signature in black ink that reads "E. Ann Gibbs". The signature is written in a cursive, flowing style.

E. Ann Gibbs
Director, Animal and Plant Health Division

**BOARD OF PESTICIDES CONTROL
APPLICATION FOR VARIANCE PERMIT
(Pursuant to Chapter 29, Section 6 of the Board's Regulations)**

I. Isobel Curtis _____ (203-814-7224)
Name Telephone Number

_____ Midcoast Conservancy
Company Name

290 Rt 1 _____ Edgecomb, ME 04556
Address City State Zip

II. Erik Lema, Basswood Environmental LLC _____ #CMA-5752__
Master Applicator (if applicable) License Number

32 Brentwood Rd Cape Elizabeth ME 04107
Address City State Zip

III. **As part of your application, please send a revegetation plan and digital photos showing the target site and/or plants and the surrounding area, particularly showing proximity to wetlands and water bodies, to pesticides@maine.gov**

IV. Area(s) where pesticide will be applied:
_____ Along bank of Sheepscot River in Alna, ME. Area below Head Tide Damn, GPS
44.109896, -69.617874. Knotweed patch is 0.89 acres in size.

V. Pesticide(s) to be applied: (Including EPA Registration Number)
_____ Rodeo (i.e. glyphosate) EPA #62719-324

VI. Purpose of pesticide application:
_____ Eliminate a Japanese Knotweed infestation on the bank of the Sheepscot River in order to
improve native biodiversity in this area of rich floodplain flora, safeguard water quality on this section of river, and prevent knotweed from washing down river and starting new colonies farther downstream.

VII. Approximate dates of spray application:
_____ One spray application in late summer (august) or early fall (September)

VIII. Application Equipment:

Applied with a low-volume backpack unit fitted with a fan nozzle. Rodeo applied as a 3% solution. Knotweed on the terrestrial edge of patch will be treated with the cut and dab method, utilizing a spong applicator with a 25% solution of Rodeo and water. A volume not to exceed label requirements per acre will be prepared, and application will cease if this volume is used prior to complete treatment.

IX. Standard(s) to be varied from: Foliar application within 25-feet of river/open water

X. Method to ensure equivalent protection and Revegetation Plan:

For application: 1) cutting of knotweed prior to treatment (no spraying tall vegetation), 2) use of a non-persistent herbicide, 3) low-volume application by non-powered equipment, 4) avoid application on windy or wet days and 5) application will be highly targeted to preserve any co-occurring native plant species. The terrestrial edge of the knotweed patch will be treated with a cut and dab method so as to avoid any native plant species. A 10ft wide strip of knotweed that borders the Sheepscot River will not be cut and treated in order to minimize drift and to prevent erosion. 6) For revegetation, native plantings will not be made until the area is mostly free of knotweed and maintenance treatments can be made with negligible impact to planted and co-occurring native species.

XI. Revegetation Plan (attach separately if necessary)

Once an area is mostly free of knotweed and no longer requires foliar herbicide application, the following re-vegetation schedule will commence paired with appropriate erosion control measures to stabilize the river bank while native vegetation takes root. 1) Early spring: Live staking of cut stems of native plant species such as Dogwood (*Cornus species*), Elderberry (*Sambucus canadensis*), and Willow (*Salix species*) sourced on site when possible. Dormant seeding of native seed species. Start planting landscape plugs of native wetland species. 2) Summer: continue planting native spp landscape plugs. 3) Fall: Resume live staking and continue with landscape plugs.

Signed:



Date: 6/23/2022

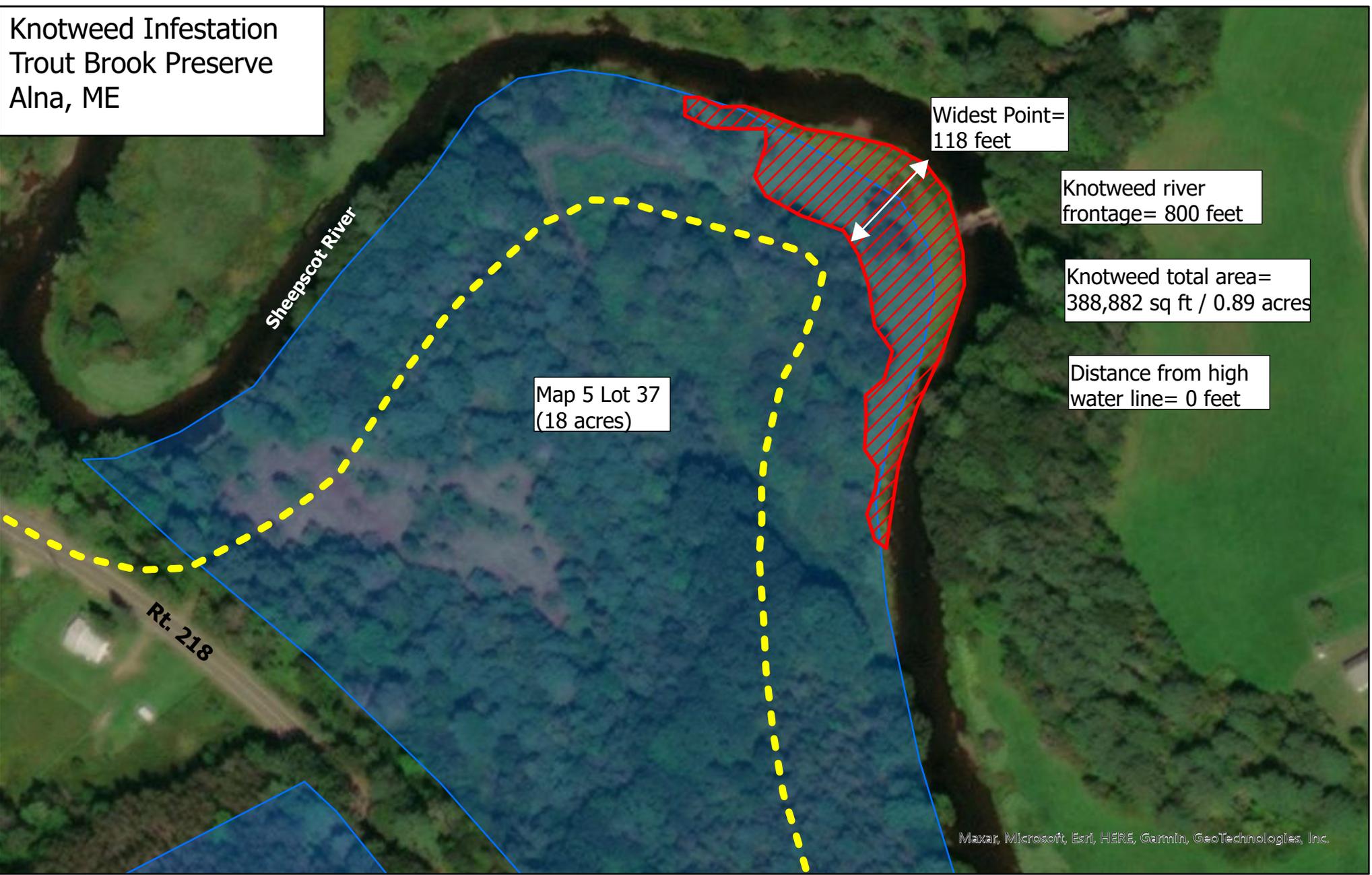
Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**
OR E-mail to: pesticides@maine.gov

Rev. 2/2022

Attached: Site photos and location map.



Knotweed Infestation
Trout Brook Preserve
Alna, ME



Widest Point=
118 feet

Knotweed river
frontage= 800 feet

Knotweed total area=
388,882 sq ft / 0.89 acres

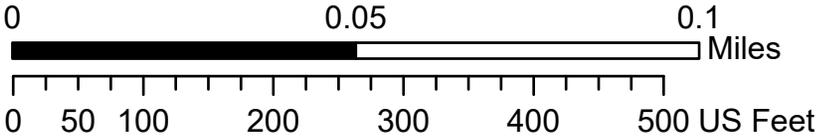
Distance from high
water line= 0 feet

Map 5 Lot 37
(18 acres)

Sheepscoot River

Rt. 218

Maxar, Microsoft, Esri, HERE, Garmin, GeoTechnologies, Inc.



Center: 69.6186°W 44.1094°N

-  Knotweed Infestation
-  Property Bounds
-  Resource Protection Zone (150ft setback)

Map by I. Curtis May 2022
Data Sources: ESRI World Imagery (ESRI);
BWH Dataset (MNAP);
Alna Town Parcels (MEGIS)