



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

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

**BOARD OF PESTICIDES CONTROL**

**April 10, 2026**

**9:00 AM Board Meeting**

Join the meeting in person in Room 101, Deering Building, 90 Blossom Lane, Augusta  
**Or**

Join on your computer, mobile app or room device

**Microsoft Teams meeting**

**Join:** <https://teams.microsoft.com/meet/26022036782521?p=GT5KPoylwUGoEmmLMF>

Meeting ID: 260 220 367 825 21

Passcode: nP2XB9tE

**Dial in by phone**

[+1 207-209-4724](tel:+12072094724), [264712858#](tel:+12072094724) United States, Portland

[Find a local number](#)

Phone conference ID: 264 712 858#

**Minutes**

1. Introductions of Board and Staff
  - Adams, Bohlen, Carlton, Fanning, Gray, Neavyn
  - Boyd, Gayoso, Gustanski, Leibowitz, Peacock, Richard, Saucier, Steinman, Vacchiano, Van Hoewyk

2. Minutes of the February 27, 2026 Board Meeting

Presentation By: Alex Peacock, Director

Action Needed: Amend and/or Adopt

**Carlton/Bohlen: Moved and Seconded to adopt February 27, 2026, meeting minutes with amendments.**

**In favor: Unanimous**

ALEXANDER PEACOCK, DIRECTOR  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731  
WWW.THINKFIRSTSPRAYLAST.ORG

3. 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: Alex Peacock, Director  
Action Needed: Nomination and Election of Officers

- Peacock informed the board of the term dates for each Board member. After the first term of two years, board seats last for four years.

**Carlton/Gray: Nominated and Seconded Dave Adams for Chair of the Board  
In Favor: Unanimous**

**Carlton/Adams: Nominated and Seconded Dr. Curtis Bohlen for Vice-Chair of the Board  
In favor: Unanimous**

4. Request for Variance Permit from Irving Woodlands and JBI Helicopters

Due to increased populations of spruce budworm and the threat of large-scale defoliation that may result in tree decline and death, aerial forestry insecticide applications are being considered for 2026 to combat the potential budworm outbreak. JBI Helicopters will be conducting aerial applications for Irving Woodlands and is seeking a variance permit for Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order to Minimize Off-Target Deposition Sections 3(B) and 3(C).

Presentations By: Alex Peacock, Director & Ron Lemin, JBI Helicopters, Inc.  
Action Needed: Discuss; Approve/Disapprove Variance Request

- Peacock introduced Ron Lemin from JBI Helicopters, Inc. to the Board and described the section of Chapter 22 Lemin was requesting a variance for.
- Lemin informed the Board the variance would be similar to last year's variance with some key differences. Lemin stated that this year's early intervention strategy planned for applying to 68,000 acres (300,000 acres in 2025) with 5 helicopters and no fixed wing aircraft this year. Instead of blocking off the entire area, they would be checking that sites are unoccupied while working in blocks. Lemin requested permission to identify and monitor some closely grouped SALOs (sensitive areas likely to be occupied) below Fort Kent as one site instead of individual sites. SALOs would be determined by treatment time and area. Each SALOs would have 5-6 Master Applicators; 3 from JBI, 1 from Irving, and 1 from the Bureau of Public Lands.
- Carlton asked Lemin how long he expected the project to take.
- Lemin predicted starting on May 26, 2026, depending on the temperatures. He said it was possible for them to finish by June 15<sup>th</sup>, but it was heavily dependent on the weather. He explained that they have enough equipment and people to finish in 4 all-

day spray sessions, but they expect small windows of viable application time each day. Their goal is to apply early mornings or evenings when winds are at a minimum.

- Adams asked for clarification on the request to group multiple sites into one SALO.
- Lemin explained the sites would be identified separately, but there would be one SALO checklist instead of multiple.
- Adams noted the decrease in the acreage from before and asked if last year's application as successful.
- Lemin said there was a hot area near Fort Kent where many farms had woodlots infected by budworm. They would be spraying that area and wouldn't touch the 300,000 acres from the previous year as last years application had decreased the SBW population in those areas.

**Carlton/Gray: Approved and Seconded variance permit for JBI Helicopters  
In Favor: Unanimous**

5. Southern Maine Invasive Plant Coalition (SMIPC)

SMIPC has requested an audience with the Board to discuss the existing BPC Policy Concerning Denying Access to the Public for Seven Days to Areas "Open to Use by the Public" and potential amendments that allow volunteers to apply herbicides on public lands to manage invasive plants under the supervision of a licensed applicator.

Presentations By: Joan Griswold, Representative for SIPMC & Alex Peacock, Director  
Action Needed: Discussion, Approve/Disapprove Policy Amendment

- Peacock introduced Joan Griswold to the Board.
- Griswold explained to the Board that she is a part of a town-appointed committee created to help combat invasive species. She said Southern Maine feels left behind in these efforts, so people are coming together to solve town issues. SMIPC has received cover letters of support from Amanda Devine of the Maine Coast Heritage Trust. There are many towns and volunteers who would like to take part. Griswold described one of their treatment plans as targeting invasives with small hand-held sprayers. Volunteers would work beside a master applicator who would prepare the chemicals. Waivers would be signed and the towns would take responsibility for the volunteers. Griswold introduced Steve Books, the master applicator they were working with, as someone she met at UMass who was managing invasive species already.
- Griswold told the Board that an assessment of invasive species was done in 2011, and the town was told it was a lost cause. She ignored that conclusion and has over 80 people wanting to volunteer to help combat the invasives. She asked if the Board could adapt their policy to include volunteers so they can continue the work they are doing. Because they do not want to affect the native plants in the area, a group of 3-5 people, including the master applicator, apply plant-by-plant instead of a cover spray. Towns like Kennebunk, Kittery, and York have people desperate to help, but they feel like their hands are tied. That is why they are hoping for change.
- Adams said that historically, all that is needed to work under a master applicator is worker liability.

- Brook (Certified master Applicator) explained the towns would be picking up the liability. He has created training packets for people doing similar things in Missouri and Illinois. They would mostly be working on town land, so they have to take the town's budget into account. Being able to use volunteers would help towns save money.
- Bohlen had questions about the legality of using volunteers. He asked for clarification on the use of on-site supervisors and how a private license vs a commercial license would affect it.
- Peacock explained that private applicators can only apply to land they own or lease, so they can train handlers to mix and load without licensing. Commercial applicator licensing is required to apply to areas open to the public, so any unlicensed applicator needs direct supervision from a licensed applicator. In those instances, the unlicensed person is under the company's insurance. In the instance being discussed, the Master would be supervising non-employees.
- Bohlen asked if this was a rule, policy, or statute.
- Gustanski answered that it is in statute.
- Gray asked if it is required that someone working under a master applicator needs to be under their employment.
- Peacock said he didn't think there was specific language under statute stating they needed to be employed.
- Gustanski said it is up to the Board to interpret the language.
- Peacock read part of the statute that said they shall provide safety equipment set forth by the label.
- Gray mentioned that if there is an error in PPE use or if there is a misapplication, the master applicator would be liable.
- Adams told Brook he had the ability to supervise 3-5 people.
- Brook confirmed he worked with a team of 4 volunteers.
- Griswold mentioned her group knew more about plants than some of the applicators the town hired. Griswold's group identify and tag plants that are invasive and those that are beneficial before Brook's group arrive. That way when they hire him for the day, he knows exactly what plants to apply to.
- Neavyn brought the conversation back to volunteer liability. He said if a mistake happens and the Board has to step in, the responsibility will be on the master applicator, not the town. He wanted to make sure the master applicator understood they were responsible for the volunteers. They need to be able to see and hear what everyone is doing.
- Brook confirmed his group worked 10-15 feet apart and that 90% of the applications were cut stump. He himself said he didn't feel comfortable having more than 4 volunteers at a time.
- Neavyn said if the Board continues with this, then volunteers can do the same in other situations, so he wanted to make it clear.
- Carlton thanked Griswold and Brook for the work they are doing against invasives. His concern was that, while the Board was talking to a very dedicated group, the decision they made would affect the entire state.
- Brook offered to show the Board the work that has been done. He recommended the possibility of a pilot program to make an official training for volunteers.
- Carlton asked if any of the participating towns have herbicide ordinances.
- Griswold answered that those that do have exemptions on poison ivy and invasives.

- Gray reminded the Board they still hadn't determined if it is a law that they need to be employed.
- Peacock read part of the statute that said any commercial applicator needs to be a master, operator, or supervised for the entire time with vision and voice contact. It cannot be over video, and the master applicator cannot lose sight of the volunteers for more than 5 minutes.
- Gray said it is likely a person does not need to be an employee, but they need to be under direct supervision. The master applicator would be responsible for the person's training and PPE. Gray said that as long as Brook and Griswold aren't looking for an exemption to that interpretation, he thinks what they are doing is fine.
- Adams asked if the affidavits the volunteers signed were under Brook's insurance or the towns.
- Brook said it would be under his insurance. The volunteers would be dabbing herbicide onto stumps with a brush.
- Adams said that under statute, a competent person who is not certified can use a pesticide like this under a licensed supervisor.
- Gustanski asked if this language has been applied by the Board before.
- Brook reiterated he will train the volunteers and there will be limited applications and no spraying. He estimates about five ounces of herbicide would be used on half an acre.
- Adams said the Board determined they haven't done anything wrong by using a small group of volunteers under a master applicator's supervision.

6. Discussion Regarding Appropriate Commercial Pesticide Applicator Category for Tree Injection Applications in Forest Settings to Control Invasive Insect Species

BPC Staff has received questions regarding the appropriate Commercial Pesticide Applicator Category for tree injections in forest settings. The commercial applicator category for forestry applications is Category 2 (Forestry). Tree injections are more commonly used under Category 3A (Outdoor Ornamentals). Discussion to determine if the Board agrees that both categories are appropriate for tree injections in a forest setting.

Presentation By: Alex Peacock, Director  
 Action Needed: Discussion

- Peacock asked the Board for clarification on which commercial applicator category, between 2 and 3A, would best suit tree injections in forest settings. Category 3A, Outdoor Ornamentals, commonly use tree injections while Category 2, Forestry, encompasses applying in a forest setting.
- Bohlen asked if Outdoor Ornamental applicators were trained on how to deal with standing water like Forestry applicators were.
- Gray said that private applicators have some flexibility within their commodities, but commercial applicators need each category for the types of applications they do with little overlap.
- Peacock clarified that because Maine is a state with many categories, there are often times overlap. He gave an example of how those with the 3A category could spray ornamental flower beds for weeds.
- Carlton said he didn't see tree injection applications needing the Forestry category.

- Adams explained how the Forestry exam was updated to reflect the different dynamics found in wooded areas. It contains a lot of information so Adams doesn't think there would be a lot of overlap between Forestry and Outdoor Ornamentals. He did say he hadn't seen the outdoor ornamental exam himself, though.
- Boyd mentioned she had taken the forestry exam recently and found it was very specific and included a lot of information on insects. She said that the Outdoor Ornamental exam was much broader.
- Peacock reminded the Board they were trying to determine if applicators performing tree injections in a forest setting need a forestry category.
- Gray suggested possibly using variances for these cases.
- Peacock mentioned seeing cases of tree injections near urban settings that then encompassed the forests near it. Peacock also brought up that land trusts might not be actively forested land but may be considered a forest setting. The applicators in this situation are typically encouraged to get the Forest category.
- Adams said they were trying to determine the definition of the license. He mentioned he is more inclined to accept a Forest applicator injecting a tree on a person's lawn than an Outdoor Ornamental applicator injecting a tree in the forest.
- Peacock confirmed that the BPC will continue to recommend the Forestry category to land trusts

#### 7. Update on PFAS Active Ingredients No Longer Registered in Maine

The BPC is acutely aware of concerns regarding PFAS in pesticides. This presentation is to inform the Board of several pesticide active ingredients that are no longer registered for use in Maine.

Presentations By: Doug Van Hoewyk, Ph.D., Pesticide Toxicologist & Julia Vacchiano, Pesticide Registrar and Water Quality Specialist  
 Action Needed: None, Informational

- Van Hoewyk updated the Board of a trend with pesticides containing active ingredients that are PFAs. Data shows there are 7 active ingredients defined as PFAs that are no longer registered in Maine. 6 out of 7 of those were dropped in 2023, while the last one was dropped in 2024. Van Hoewyk was unable to determine if this trend is specific to Maine as Massachusetts and Vermont only had one of these active ingredients registered. The EPA has defined these active ingredients as slightly toxic or almost non-toxic. Van Hoewyk also mentioned that Minnesota plans to ban PFAs active ingredients as well.
- Bohlen asked if they use the same definition of PFAs.
- Van Hoewyk clarified that Minnesota's definition is broader than Maine's
- Gray asked if Vermont and Massachusetts have the same laws and definitions.
- Bohlen asked if the products were dropped in Maine because we are a small market. Gray expressed concern about the viability of commercial agriculture in Maine in the future.

#### 8. Consideration of Public Comments for Rulemaking Amendments to Chapter 40: Restricted and Limited-Use Pesticides

On February 27, 2026, the Board hosted a public hearing in accordance with MAPA for proposed rulemaking to add the 4 second-generation anticoagulant rodenticides and one herbicide active ingredient to the State of Maine list of Restricted-Use pesticides. The written comment period closed on March 9, 2026. The comments and responses have been summarized for the Board's consideration.

Presentation by: Alex Peacock, Director  
Action Needed: Accept/Revise Comment Responses

- Peacock told the Board that the BPC tried to address everyone's comments. He mentioned that most of the comments were in support of restricting rodenticides and many asked for more severe actions, like banning them all together. The rulemaking would make second-generation rodenticides only usable by licensed applicators.
- Adams commented on how overwhelmingly in support the community was on the rulemaking.
- Bohlen commented on how a lot of work was put into the detailed responses to all the comments.
- Boyd said that the comments were generally in support of what the Board was doing with some asking for complete banning of rodenticides.
- Gustanski told the board the responses to the comments need to be adopted when the Board goes into rulemaking.

#### Other Old and New Business

- a. Variance Permit for CMR01-026, Chapter 29, Dubois Contracting, Fort Kent
- b. Variance Permit for CMR01-026, Chapter 29, Parterre Ecological, Brunswick
- c. Variance Permit for CMR01-026, Chapter 29, Legacy Woodlot Services, Orono
- d. Variance Permit for CMR01-026, Chapter 29, Wilkinson Ecological Design, Freeport
- e. Syngenta to discontinue sales of Gramoxone Herbicide
  - Peacock mentioned the EPA put in a request for more data on volatilization.
- f. Letter to DACF Commissioner regarding forestry herbicide applications
- g. Update: Report on the Implementation of LD 356: Resolve, Directing the Board of Pesticides Control to Prohibit the Use of Rodenticides in Outdoor Residential Settings
  - Peacock mentioned the finalized version was submitted to the Board

#### 9. Schedule of Future Meetings

The next scheduled Board meeting date is May 29, 2026, at the Marquardt Building, Room 118, Augusta

Future Meetings: July 10, 2026, August 21, 2026, and October 2, 2026

Adjustments and/or Additional Dates?

- The Board moved the May meeting to June 5, 2026, at the Deering Building, Room 101, Augusta

10. Adjourn

**Carlton/Bohlen: Moved and seconded to adjourn at 10:44**  
**In Favor: Unanimous**

## NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at [www.thinkfirstspraylast.org](http://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](mailto: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.