



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

WALTER E. WHITCOMB
COMMISSIONER

HENRY S. JENNINGS
DIRECTOR

August 5, 2015

Joseph Anderson
High Pine Environmental, LLC
105 Front Street
Portland, Maine 04103

RE: Variance Permit for CMR 01-026, Chapters 29 for Phragmites Control in York, Maine

Dear Mr. Anderson:

The Board adopted a policy in 2013 allowing for the issuance of multi-year variances for the control of invasive species. In determining this policy the Board emphasized the need for a long-term plan for re-vegetation of the site, and demonstration of knowledge of efficacy and appropriate practices—the goal being to ensure that the site is reverted to native species, and not made available for another invasive species.

The Board also emphasized the fact that there is a native species of phragmites (*Phragmites americanus*) and care should be taken to ensure proper identification.

This letter will serve as your Chapter 29 variance permit until December 31, 2017 for the treatment of phragmites (*Phragmites australis* subsp. *australis*) on the site on Barrells Millpond in York, Maine. This variance permit is only for the area within 25 feet upland of the high water mark, not to the wetland itself. I checked with the Department of Environmental Protection (DEP) to see if this application would be a concern. DEP's response was that applications may be made without a DEP Waste Discharge License provided that those applications are made in accordance with the guidelines in the attached fact sheet "Use of Herbicides in Wetlands in Maine".

Please bear in mind that your permit is based upon adherence to the precautions listed in Sections V and X of your variance application. If it is determined that a different product needs to be used, you must contact the Board first and get a new variance.

If you have any questions concerning this matter, please feel free to contact me at 287-2731.

Sincerely,

Henry Jennings
Director
Maine Board of Pesticides Control