

Paul Sweetland's comments on the ballot

	Rating
Recommendation 2. The Board should mandate a formal notification system for powered outdoor spraying that is timely and workable.	
Specific Recommendations	
Reevaluate the appropriateness of the current 500-foot limitation for requesting notification.	
Revise notification requirements to provide for timely notification (within 24 hours – weather permitting) for each spray event.	A
Develop an effective system to apprise landowners and residents of their right to know about pesticide spraying	
Develop a program to promote non-regulatory dispute resolution	
	Rating
Recommendation 5. The Board should monitor for drift.	C
Specific Recommendations	
Require unannounced drift monitoring on a prioritized basis.	
Require drift research on a prioritized basis	

The following general recommendations to be voted upon	
Specific Recommendations	Rating
Ban organophosphates	
Perform a cost benefit study	B
Have a no-spray day	
Review certification requirements	

- A Would have voted differently if didn't have "24 hours"
- B Not sure what this is asking
- C Duplication of work being done elsewhere

**Stakeholders Drift Committee
Board of Pesticide Control**

**John Harker
Maine Department of Agriculture**

Rationale and Comments

Recommendation 1: Since many different landowners may be affected by drift, then we should address all their interests. Most interesting a recommendation is the establishment of farm zones where the public KNOWS, when they live in those areas, that pesticide applications are a part of a farm operation.

We need to understand and deal with the areas where organic and conventional farmers meet. We need DATA on how big a problem that will be by collecting information on the location of all organic fields.

Buffer zones are not a solution to most drift situations, as the science has shown that pesticides, in very small amounts, may drift up to 10's of miles under the right conditions for spraying.

SOOO, while the Department wants to protect landowners from drift, in may just not be possible.

THEREFORE, we need to have standards for when HARM has been done. Most drift does not create any harm, just like most automobile exhausts create pollution, but in most cases, based on science, the levels are acceptable and allowed.

There may be a reason for a buffer in some circumstances, therefore the Department recommends research.

Recommendation 2: The Department does not have a problem with better notification systems, but we did not get the sense that mandating a different system than we have would be an improvement. Notification within 24 hours may not be doable in some cases. Applicators need to have flexibility in how they do the notification. Would agree that a 500 foot limit may not be practical, as others may want notification as well.

Promoting a non-regulatory dispute resolution process would be beneficial to all parties.

Recommendation 3: Education is always good. However, there needs to be a balance so that the public understands the BENEFITS of pesticides in their lives. It must start in High School.

Recommendation 4: Drift management plans should not be mandated, and certainly not just for aerial application. Too many variables exist to mandate one plan over another. The real concern is that applicators utilize BMP's as best as possible, but even so, some drift may still occur.

Some of the ideas on how to improve locating the right field could be implemented, including identification of sensitive areas.

Recommendation 5: Monitoring for drift will not SOLVE problems. However, if a problem exists, the Board should have the authority to do some research to help resolve problems.

Recommendation 6: Developing standards for HARM is one of the BEST recommendations. Understanding that some drift will occur in most applications, regardless of how perfect the application, then the next question usually is "how much harm was done?". Going back to the rationale for cars, if we wanted zero pollution from cars, is it possible?. Perhaps over time with better research and alternatives, but we have what we have....So, translating that to pesticide drift, we may have no choice but to accept some drift. However, we need to know if any physical harm has been done. The board would do well to adopt some new standards for harm. The Department suggests looking into pesticide tolerances as one measure.

Recommendation 7: It is a given that collecting the data on the extent of drift problems in the state will better inform us.

Recommendation 8,9 and the general recommendations: All these recommendations were added at the last minute without discussion and need to be rejected at this point. The original recommendations above were selected and discussed enough, and became the priority needs. Last minute additions by anyone seems more political than substantive.

However, if you are going to add them, then the only one that makes sense is to do a cost/benefit study on the costs of any increased regulation compared to the benefits to the public or costs to the farmer.

Hi Lebelle,

I'm on vacation in SC and haven't had internet access. I didn't remember a June 22nd deadline for voting but just read your email and wanted to get MOFGA's vote in asap.

Attached is our ballot.

I do want to make sure that the organization of specific recommendations under #1 reflect the important point that Harris made in our meeting. I think it must have been lost in the shuffle since we didn't have a projector for viewing.

Here's how it should be:

The research on buffer zones is first, the establishment of buffer zones is second, and the work with other agencies is third. And within both research and establishment groupings, "To protect landowners and residents from pesticides drift" is first and foremost.

As Harris pointed out, the main reason we have come together to work on this is that people are their lands are being sprayed.

Thanks again for all your hard work on this and I'll see you soon,

Heather

From: Hicks, Lebelle
Sent: Thursday, July 19, 2007 9:03 AM
To: Fish, Gary
Subject: FW: Comment to accompany Working Group Report
[Here's another comment form a committee member](#)

-----Original Message-----

From: Peter Aldridge [mailto:peter@hatchfarm.com]
Sent: Thursday, July 19, 2007 9:59 AM
To: Hicks, Lebelle
Subject: Comment to accompany Working Group Report

Hi Lebelle

Here are my thoughts following our meetings, and thanks for all your work on our behalf.
Peter

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At our first meeting Henry Jennings advised the group that the reason for our existence was to help the BPC formulate a response to recent legislative and citizen initiatives, these being to impose a 300 foot buffer around houses when aerial spraying, and to ban organophosphates. Given that objective it is hard to see anything the Group has proposed that would make the supporters of these initiatives feel their concerns were being taken seriously at all, or that they have any reason to stop advocating for more restrictions through the legislature or elsewhere.

Indeed the only proposed recommendation that speaks directly to these citizen concerns was Recommendation 9, ***The BPC should prohibit pesticide application where there is an appreciable likelihood of drift onto residences, yards, and drinking water wells.*** Stuningly this seemingly obvious mark of respect for our fellow citizens was rejected by the Group, with a full third of the membership so strongly opposed that they voted "-2". To my mind it is extraordinary that there is a majority not opposed to knowingly allowing pesticide drift onto people's homes. It seems that the negative consequences for the citizen are judged simply irrelevant compared to the financial advantage of increased crop yield for the grower over that small area that would otherwise remain untreated.

It is noteworthy that one of the substantive Recommendations that was approved concerned the interface between "conventional" and "organic" fields, which suggests the Group is a good deal more sensitive to the interests of fellow farmers than citizens at large.

It is my view that there needs to be a complete change in the attitude of the Board towards the use of restricted use pesticides. These are powerful biologically active compounds that, if they were being proposed as medicines to treat disease, would be subject to extensive safety trials before the public would be able to use them. In an agricultural context the public is expected to tolerate being exposed to an entirely arbitrary 20% of whatever "on target" application rate is achieved, and the

onus is in the victim to prove "harm" from this exposure, an almost impossible threshold for the individual. Since the effects of many of these compounds over the long period at small or repeated doses are mostly unknown it seems to me that the only rational approach is the Precautionary Principle. That is to assume these products are harmful unless proven otherwise, it being the responsibility of those promoting their use to prove them harmless.

Under this concept our Recommendation 9 would be the primary principle of the Board and of Applicators. It should be seen as simply unacceptable to knowingly allow drift onto people's homes and persons, and the Board should establish mandatory buffers, varying perhaps by weather conditions and classes of product, which Applicators would be required to observe inside the boundaries of their target areas, in order to be able to claim adherence to Best Practice methods.

The fact that there are areas where there is a lack of knowledge about drift or the effects of drift can never be a reason for inaction. Rather under the Precautionary Principle the less that is known the more restrictions should be applied, and only with a great deal of knowledge can these restrictions be relaxed to any degree.

In conclusion I appreciate the opportunity to be involved in this project - it is only through dialogue that progress can be made. One observation I have is that there is a substantial burden placed on private individuals such as myself in attending these meetings that cost us a day's work and out-of-pocket expenses, a point recognized by Henry at our last meeting. It seems to me that if there is felt to be some public good deriving from these meetings, then, rather as in the case of jury duty, some modest daily allowance or at least travel re-imbusement might be considered helpful in the future.

Sincerely,

Peter Aldridge
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