PEST MANAGEMENT ADVISORY COMMITTEE 2019 REPORT – 5/18/20

I. INTRODUCTION

In August 2016, the City Council enacted the Pesticide Use Ordinance and by the end of that year appointed a Pest Management Advisory Committee (PMAC) consisting of seven members including the City’s Stormwater Program Coordinator, who provides staff support to the committee. The ordinance directs the PMAC to produce an annual activity report for review by the Council in March of each year. This report largely derives from the PMAC’s agendas and meeting notes and is organized based on the PMAC’s primary duties as specified in the ordinance. These duties include:

- Work with Sustainability Director on outreach & education to encourage broad community support
- Review & issue decisions on waiver applications
- Review annual data (e.g., annual applicator’s reports)
- Seek expert advice from professionals and practitioners in organic land care practices
- Advise Council & Sustainability Director on problems encountered or amendments needed to successfully implement pesticide ordinance

II. OUTREACH & EDUCATION / ENCOURAGE PARTICIPATION

The primary goals for the PMAC are to promote widespread ordinance awareness and implementation while also encouraging land care practices that rely minimally on pesticides. The PMAC accomplished these goals by supporting the City’s development of a comprehensive Outreach & Education Plan (including the Grow Healthy South Portland website) and attending numerous public events to provide ordinance information by directly engaging with event participants and retail customers (Table 1).

<table>
<thead>
<tr>
<th>DATE</th>
<th>OUTREACH EVENT</th>
<th># OF CONTACTS (approx)</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/29/19</td>
<td>Landcare Professional Roundtable</td>
<td>50</td>
<td>Joint event hosted by Cities of South Portland &amp; Portland to provide forum for ordinance feedback from landcare professionals</td>
</tr>
<tr>
<td>3/20/19</td>
<td>Osewantha Garden Club</td>
<td>20</td>
<td>PMAC member presented on landcare practices consistent with ordinance</td>
</tr>
<tr>
<td>3/29/19</td>
<td>Maine Flower Show</td>
<td>50</td>
<td>Panel discussion on landcare practices consistent with S. Portland &amp; Portland ordinances; panel included reps form PMAC, Portland, CCSWCD and FOCB</td>
</tr>
<tr>
<td>7/20/19</td>
<td>WillardFest</td>
<td>40</td>
<td>PMAC members tabling event with flyers and soil test kits</td>
</tr>
<tr>
<td>8/10/19</td>
<td>Art in the Park</td>
<td>40</td>
<td>PMAC members tabling event with flyers and soil test kits</td>
</tr>
<tr>
<td>10/21/19</td>
<td>NOFA Training Workshops</td>
<td>40</td>
<td>PMAC members present on land care topics consistent with ordinance</td>
</tr>
<tr>
<td>12/2/19</td>
<td>Maine Stormwater Conference</td>
<td>50</td>
<td>Presentation on development of City’s Animal Grazing Ordinance in response to Pesticides Use Ordinance</td>
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</tbody>
</table>

| TOTAL 2019 CONTACTS: | 290 |
Of particular note is the *Landcare Professional Roundtable* held in conjunction with the City of Portland in late January. Over 35 representatives from public, private and nonprofit sectors attended the event to provide feedback on how the implementation of the ordinances was affecting these various interests. While most attendees acknowledged a need for the more widespread adoption of improved practices to reduce pesticides applications, there were also numerous concerns with the ordinances, including:

- Need for more education and outreach to inform public and retailers about ordinance provisions
- Concerns with adverse business impacts from potential cost increase to manage / maintain landscapes organically (without synthetic pesticides)
- Concerns with weak or no enforcement provisions
- Concerns with need to distinguish between residential lawns and athletic playing fields (i.e., “performance turf”)
  - Unique stresses on latter may require synthetic interventions to maintain adequate playability (esp. for grubs and broad leaf weeds)
- Importance of metrics to meaningfully measure success of ordinance implementation
- Importance of soil quality for new development and redevelopment – poor soil quality requires more inputs to promote growth (this has been a frequent PMAC discussion topic)
- Need for more flexibility in waiver process (e.g., allowance for “least toxic alternatives” when organic products aren’t working)
  - Consider allowing waivers for judicious use of synthetics by licensed professionals for certain invasive plants

The PMAC also continued distributing a number of educational resources and materials, including:

- Artistic and informative calendar (~500 provided to public)
- Two brochures (“Top Ten Practices for Organic Land Care” and “What You Need to Know About South Portland’s Pesticide Ordinance”)
- “Bee Safe” yard signs (provided by Protect South Portland)
- Grow Healthy South Portland stickers and soil test kits

**Yerxa Park Demonstration Project**

The PMAC also continued to provide input and guidance for City projects intended to demonstrate and model sustainable land care practices that residents and businesses can use in lieu of pesticides. The *Yerxa Park Demonstration Project* will transform an underutilized half-acre parcel along the City’s greenbelt and directly adjacent to the Fore River from a dense stand of Japanese Knotweed and other invasive plants to an attractive and accessible community amenity with native plantings, a trail and benches. In early September 2019, the Parks Department once again hired goats\(^1\) to remove the aerial portions of the invasive plants. The event generated considerable media interest (Figure 1) for the 7

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\(^1\) In April 2019, the City established an Animal Grazing Ordinance (Chapter 3, Article IV) to permit the use of goats and sheep for vegetation control.
goats that defoliated the quarter acre project area in 5 days. Later in the fall, Parks Department staff applied a heavy ground cloth to suppress knotweed root system growth. The ground cloth will remain in place for a 2-3 year period after which the next project phases will begin.

Figure 1: news coverage for the goats at Yerxa Park in September 2019

**Bug Light Park Demonstration Project**

Throughout the summer and fall of 2019, City staff worked with Osborne Organics to restore a 1 acre portion of Bug Light Park that had become excessively compacted and was underlain by rubble and assorted fill materials. A variety of cultural practices were employed, including:

- Aeration/scarification to enhance soil permeability and allow for improved nutrient absorption by root systems
- Incorporation of fertilizer/soil inoculant to combat fungus and promote nutrient absorption
- Incorporation of organic fertilizer and overseeding to promote increased plant growth
- Topdressing of organic compost to enhance soil quality and structure

During this period, Parks Department staff interacted with numerous members of the public to explain the purpose of the project and how similar practices could be employed on residential properties.

**Resident Questionnaires**

To determine the effectiveness of the City’s efforts to inform and educate the public about the provisions in the Pesticide Use Ordinance, the PMAC developed a questionnaire for South Portland residents in June of 2019 (Appendix 1). Paper versions of the questionnaire were placed in various municipal buildings throughout the City (e.g., City Hall, libraries, Community Centers, etc.) and offered to participants of WillardFest and Art in the Park. Approximately 60 questionnaires were completed in a paper format. To solicit more input, the PMAC also created an online version of the questionnaire for
the Grow Healthy South Portland website and ran an announcement in the City’s electronic newsletter from mid-November until mid-February 2020. The online questionnaire was closed in late March and approximately 70 additional responses were received. Between the paper and online questionnaires, 131 anonymous responses were submitted and provide some useful perspective in guiding the City’s ordinance implementation efforts. The main findings are as follows:

- Nearly 90% of respondents were generally aware of the ordinance and its most important provisions.
- Most respondents (~60%) learned of the ordinance through local newspapers.
- Most respondents (~86%) do their own landscaping.
- ~80% of respondents were aware that most synthetic pesticides are prohibited and ~79% of respondents were aware that most organic pesticides are allowed.
- 74% of respondents were aware of the 75’ setback requirement from water bodies or wetlands.
- ~45% of respondents have used organic products and ~37% have used synthetic products.
- Pesticides (organic and synthetic) were used most commonly on lawns and landscaping features (~38% and 29%, respectively).
- Of the respondents who have used synthetic pesticides, 64% have changed products to comply with the ordinance while ~20% continue to use synthetic products. (See full summary of questionnaire responses in Appendix A for individual comments).
- Most respondents (~57%) were not sure if their neighbors were complying with the ordinance while ~27% believed their neighbors were complying.
- ~33% of the respondents (43 individuals) suggested changes to the ordinance. Of these 43 respondents (Figure 2):
  - ~26% (11 individuals) suggested making the ordinance more strict.
  - ~30% (13 individuals) suggested increasing or improving education & outreach efforts.
  - ~26% (11 individuals) suggested making the ordinance less strict.
  - ~18% (8 individuals) suggested repealing the ordinance.

**Land Care Professional Questionnaires**

To supplement our understanding of how landscaping professionals were experiencing the ordinance following the roundtable in January 2019, the PMAC partnered with the City of Portland’s Sustainability Office to develop a separate questionnaire for contractors working in both communities (Appendix 2). This questionnaire was also initially developed in paper format and distributed through SiteOne, a wholesale landscaping supplier located in Portland. Since the response rate was quite low using only paper questionnaires, an online version was created and distributed through the Maine Landscape and Nursery Association. 34 anonymous questionnaires were completed and many of the responses echo comments offered at the 1/29/19 roundtable.

![Figure 2: breakdown of resident responses on how to change the City’s pesticide ordinance](image-url)
~94% of respondents were familiar with the ordinances in both communities and half learned about the ordinances from “other” sources (presumably through other professionals or their clients).

Most respondents had clients in both communities.

Most respondents (~69%) believed their clients were aware of the pesticide ordinances.

About half the respondents (~52%) believe their clients do not like the ordinances; ~32% believe their clients either like or are neutral about the ordinance and the remainder of respondents weren’t sure.

Nearly all respondents were familiar with the prohibitions for synthetic pesticides, allowances for organic products and 75’ setback distance from water bodies or wetlands.

Nearly 82% of respondents were familiar with the products allowed for use.

Nearly 74% of respondents had visited the pesticide ordinance websites for both communities.

~43% of respondents found the websites helpful.

30% did not find the websites helpful and ~27% weren’t sure.

~56% of respondents did not believe that only cultural practices would be successful in establishing healthy soils for plants & lawns; ~27% believed this would be the case and ~17% weren’t sure (see comments in Appendix B for detailed responses).

A strong majority of respondents indicated that grubs and crab grass were the two most challenging pests/weeds to manage (~85% and ~76%, respectively).

A majority of respondents (~52%) were not sure if most residents were complying with the ordinances; ~42% believed they were not.

~41% of respondents believed their businesses had not been affected by the ordinances and ~32% believed their businesses had decreased because of the ordinances; ~21% weren’t sure and the remainder (~6%) believed their businesses had increased because of the ordinances.

III. WAIVER APPLICATIONS

There were two inquiries and three formal waiver requests to use prohibited pesticides for the 2019 calendar year (Table 2). In April 2019, PMAC members met with land care staff from Southern Maine Community College and the Wainwright Field complex to discuss formal waiver requests. Both locations were experiencing severe grub infestations on their athletic fields. Both were also diligently employing cultural land care practices and had previously applied organic pesticides allowed by the ordinance with little to no success. Consequently, both requested the use of Acelepryn (considered a “reduced risk” synthetic pesticide by EPA) as a “rescue treatment” for the affected areas. After careful consideration of the risks associated with this pesticide relative to other more toxic synthetic rescue treatments (e.g., Dylox), proximity to water features, and potential for athletic injuries due to poor turf quality, the PMAC’s waiver review committee approved the requests with stipulations for one-time applications at both locations and continued implementation of cultural land care practices.

There were also inquiries and July and August that did not require any formal action by the PMAC as no formal waiver requests were submitted. The waiver request submitted by Wainwright Field staff in December was postponed until early 2020 because it coincided with the resignation of the PMAC Chair, which the ordinance specifies must also serve on the waiver review committee.
IV. ANNUAL DATA REVIEW / APPLICATOR’S REPORTS

A misunderstanding by staff about the difficulties to identify Maine licensed pesticide applicators and create an associated data collection system delayed the collection of annual reports until 2019. In actuality, this process was fairly straightforward as evidenced by the City of Portland’s approach. To identify the relevant applicators, Portland used the most current list maintained by the Maine Board of Pesticides Control (MBPC), which identifies applicators by location and includes their contact information. Portland also created a simple online data entry form (using Google Forms) for applicators to provide the requisite annual reporting information. South Portland generally employed the same process and contacted all of the applicators from Cumberland County on the MBPC list via email. Of the 75 MBPC licensed applicators contacted, 13 provided documentation that they applied pesticides in South Portland in 2019, 6 sent emails stating they did not apply pesticides in 2019, and 56 did not respond (Figure 3). There were a variety of uses for which pesticides were applied in South Portland in 2019 (Figure 4).
Due to staffing limitations, individual reports were not scrutinized to confirm that all of the applications were entirely consistent with the ordinance provisions and a more detailed review of the annual applicators’ reports could be considered in the future. The City of Portland used an intern to conduct a very detailed analysis for every property listed on their 2019 applicators’ reports. It includes the following data:

- Property ownership types (public/private)
- Target site type and pest(s)
- Pesticide brand name and EPA registration number
- Volume of pesticides applied in pounds or gallons
- Area treated (in acres)
- Name of licensed applicator & company / business
- Total acres treated for public and private properties
- Total pounds and gallons of pesticides used
- Number of buildings receiving pesticide treatments
- Number of trees receiving pesticide treatments

Tracking this information on an annual basis could provide a useful metric to measure the relative success of the ordinance in reducing the use of pesticides overall.

V. RECOMMENDATIONS FOR ORDINANCE IMPROVEMENTS

The PMAC’s 7/22/19 Pesticide Ordinance Evaluation & Recommendations for Improvement offered several suggestions to enhance the ordinance implementation process. A couple of the recommendations have since been completed as detailed in this report (e.g., collection of annual applicators’ reports; distribution of community questionnaires) and a few remain outstanding (e.g., tracking of Grow Healthy South Portland website traffic statistics, water quality monitoring, waiver review committee composition, more flexibility in City staff position designated to provide PMAC support). Only the latter two recommendations would require an ordinance amendment and therefore action by the Council. The PMAC has carefully considered other issues that may also warrant ordinance amendments and Council action. These include:

- Allowance for preemptive application of Acelepryn on performance turf / athletic fields (see discussion in Section III)
- Allowance for targeted use of specific synthetic pesticide by ONLY licensed applicators to control invasive plants as identified by the Maine Natural Areas Program
- Additional flexibility in waiver review requirements to allow for use of Acelepryn to control grubs on residential lawns since none of the alternatives permitted by the ordinance have proven to be satisfactorily effective

The PMAC will draft ordinance language accordingly if the Sustainability Director and City Manager agree with these recommendations.
Improvements could also be made to ensure a coordinated request and/or complaint tracking process between City staff and Councilors so the PMAC can be well informed about the extent of perceived difficulties with the waiver process and related ordinance implementation issues. Also, the City is very fortunate that the current members of the PMAC have extensive professional expertise and practical experience relative to various land care practices. However, except for the Stormwater Program Coordinator, all of them serve in a volunteer capacity and are rarely able to conduct site visits. Therefore, additional staff support to assist with ordinance implementation may be worth considering in the future, particularly if there is an increase in waiver requests that require site visits to the affected properties. Finally, the PMAC would also like to encourage the inclusion of soil quality provisions in the either the fertilizer ordinance that is currently being developed or the appropriate section of the City’s land use code. Poor soil quality used for new development or redevelopment projects frequently results in conditions favorable for common pests and weeds while also increasing the need for fertilizers.

**2020 PMAC Members**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Email Address</th>
<th>Comments</th>
<th>Term Start</th>
<th>Term End</th>
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</thead>
<tbody>
<tr>
<td>Andrew Capelluti</td>
<td>Resident; also serves on ERC and FWG</td>
<td><a href="mailto:acsopoerc@gmail.com">acsopoerc@gmail.com</a></td>
<td>Replaced Bret LeBleu in July 2019</td>
<td>Jan. 2018</td>
<td>Jan. 2021</td>
</tr>
<tr>
<td>Cathy Chapman</td>
<td>Resident</td>
<td><a href="mailto:chapman.peggy3@gmail.com">chapman.peggy3@gmail.com</a></td>
<td>Reappointed by Council on 1/3/19</td>
<td>Jan. 2019</td>
<td>Jan. 2022</td>
</tr>
<tr>
<td>Fred Dillon</td>
<td>Stormwater Program Coordinator</td>
<td><a href="mailto:fdillon@southportland.org">fdillon@southportland.org</a></td>
<td>Consider amending ordinance to allow other municipal positions to staff PMAC</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Justin Nichols</td>
<td>NOFA Accredited Landscape Professional</td>
<td><a href="mailto:justinnichols70@yahoo.com">justinnichols70@yahoo.com</a></td>
<td>Replaced Dave Melevsky in June 2017; reappointed by Council in Jan. 2018</td>
<td>Jan. 2018</td>
<td>Jan. 2021</td>
</tr>
<tr>
<td>Jesse O'Brien</td>
<td>Agronomist</td>
<td><a href="mailto:jesseobrien81@gmail.com">jesseobrien81@gmail.com</a></td>
<td>Replaced Ann Morrill as PMAC Chair in Jan. 2020</td>
<td>Jan. 2019</td>
<td>Jan. 2022</td>
</tr>
<tr>
<td>Linden Thigpen</td>
<td>Resident</td>
<td><a href="mailto:lindenthigpen@maine.rr.com">lindenthigpen@maine.rr.com</a></td>
<td>Replaced Ann Morrill in Jan 2020</td>
<td>Jan. 2020</td>
<td>Jan. 2023</td>
</tr>
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APPENDIX 1
PESTICIDE USE ORDINANCE QUESTIONNAIRE FOR RESIDENTS

1. Are you aware of the City’s Pesticide Use Ordinance and that it is intended to protect public health and the environment?  □ YES □ NO

2. If so, how did you find out about it?
   [ ] Public Event [ ] Website [ ] Newspaper [ ] Landcare Professional [ ] Other____________________

3. How do you take care of your lawns, gardens and shrubs/trees? (please check all that apply)
   [ ] Do it Myself [ ] Hire Professional Landscaper / Arborist [ ] Other____________________

4. Are you aware that the ordinance affects your property in the following ways?
   - Most conventional (“synthetic”) pesticides/herbicides/fungicides are prohibited  □ YES □ NO
   - Most “organic” pesticides/herbicides/fungicides are allowed  □ YES □ NO
   - Application of pesticides within 75’ of water body or wetland is prohibited  □ YES □ NO

5. If you’ve previously used pesticides/herbicides/fungicides, what types of products have you used? (please check all that apply)
   [ ] Synthetic Products [ ] Organic Products [ ] Not Sure [ ] Have Not Used

6. Why do you use pesticides/herbicides/fungicides? (please check all that apply)
   [ ] Lawn Care [ ] Trees, Shrubs and Flowers [ ] Vegetable Gardens [ ] Other:__________________ [ ] None

7. If you used synthetic pesticides/herbicides/fungicides in the past, have you changed your product use to comply with the ordinance?  □ YES □ NO □ NOT SURE

8. If not, please briefly explain your reasons:______________________________________________________________
   ________________________________________________________________

9. Do you think most of your neighbors are complying with the ordinance?  □ YES □ NO □ NOT SURE

10. Would you change anything about the ordinance and if so what?________________________________________
    ________________________________________________________________
    ________________________________________________________________

11. Please provide any suggestions for how we can better educate the public about the ordinance:
    ________________________________________________________________
    ________________________________________________________________
    ________________________________________________________________

Pesticide Ordinance Questionnaire - Aug2019
SOUTH PORTLAND PESTICIDE USE ORDINANCE QUESTIONNAIRE RESPONSES FROM RESIDENTS (131 on 4/12/20)

1. Are you aware of the City's Pesticide Use Ordinance and that it is intended to protect public health and the environment?

130 responses

![Pie Chart]

2. If so, how did you find out about it? (check all that apply)

119 responses

![Bar Chart]

3. How do you take care of your lawns, gardens and shrubs/trees? (check all that apply)

125 responses

![Bar Chart]

4. Are you aware that the ordinance affects your property in the following ways?

![Bar Chart]

5. If you've previously used pesticides/herbicides/fungicides, what types of products have you used? (check all that apply)

118 responses

![Bar Chart]

6. Why do you use pesticides/herbicides/fungicides? (check all that apply)

110 responses

![Bar Chart]
7. If you used synthetic pesticides/herbicides/fungicides in the past, have you changed your product use to comply with the ordinance?

78 responses

- Yes: 26.5%
- No: 15.4%
- Not Sure: 64%

B. If not, please briefly explain your reasons:

28 responses

- I disagree with the ordinance. I keep my materials on my property. The only possible way 'others' might be affected is if they trespass on my property.
- In most cases there is little or no proof that the materials are hazardous to humans.
- Rarely use anything? Just moved to S. Portland
- This ordinance is ridiculous and will lessen the value of my home considerably.
- I rarely use anything anymore.
- did not use synthetic fertilizers in the past
- I live within 75' of Mill Cove and did not realize I couldn’t use organic pesticides, even sparingly. Not sure how to replace their use when needed.
- Was aware of safety issues before ordinance
- I don't use any pesticides; just let the weeds grow

Haven't found a suitable replacement for GrubX.
Don't use chemicals
Science demonstrates harm
Changed deliberately, years ago as made aware of pollinator, insect, soil, wildlife, health
I do not know which products the ordinance applies to. Is it just lawn care products?
Organic crap doesn’t work!
Never needed to! We love bees - my husband home brews his own beers & we grow our own hops. Always just taking care of our plants, flowers & lawn - we’ve been lucky!
no idea what the pest control company is using
I disagree with the ordinance!

First time with a yard
For ticks
NA
Don't want pesticides
Not using anything
Knotweed is highly invasive and difficult to control/eliminate through organic methods
The landscape company has changed their products. For my individual use I have used weed killers in order to tame invasive plants.
Not only the City ordinance, Roundup just is not safe to use
While shopping for fertilizer, SP ordinance doesn't come to mind and don't know how to check bag labeling.
Need a N/A category Not applicable, never used them
Nothing else works sometimes
9. Do you believe most of your neighbors are complying with the ordinance?

- Yes: 56.9%
- No: 16.3%
- Not Sure: 26.8%

10. Would you change anything about the ordinance and if so what?

- No
- Nothing

By going without, the grubs have appeared and the crows are recking the lawn! I believe there should have been a slow change over rather than cold turkey.

I don’t like you telling me what or how to do things. If you can prove that an action of mine causes a problem then I should be penalized. Until then keep out of my life.

Repeal it

Drop the ordinance against Pesticides/ Herbicides/ Fungicides. There is no organic why to fight weeds and bugs (Grubs). We have in the past had major damage from grubs, so it is just a matter of time before they come back. Also the weeds will take over in time. If applied by a professional properly there is no environmental damage. Until they come up with a practical organic replacement it should not be band.

More education signs at hardware stores including Home Depot and pamphlet explaining why

Invasive plants like Japanese knotweed, bittersweet, etc. are a serious threat to local ecology. Strategic application of Roundup is one of the best eradication tools and is applied in such a minute amount that it only harms the targeted species (plus Roundup does not biopersist or bioaccumulate). Homeowners should be granted exemptions if working to eradicate invasives, especially if planting native species in their place.

I haven’t seen much about it since it passed.

Wider reaching information for wider awareness. Many South Portland residents wouldn’t even read this newsletter etc.

Get the word out

Make it more clear what products it applies to. Require signage at businesses which sell these products.

Enforce it

Absolutely not. We need to stop polluting!
10. Would you change anything about the ordinance and if so what?

61 responses

No or only to tighten the restrictions

I would add judicious use of pesticides as recommended by my landscape company.

For lawn care, I don’t think the ban is necessary

No thanks

We have worked very hard to install and maintain our lawn over the years and now we have a massive weed bed full of grubs, moles, moss and fungus!

I think the city should speak with the lawn care companies. My lawn shows significant change for the worse.

More availability of 'how to' guides

Before you enact an ordinance you should have answers and solutions! I have an organic lawn company servicing my lawn and he admits it it a guess to what MIGHT work. I think you folks are CLUELESS. Nice spending $600 for a terrible looking lawn, I am sure the taxes will be reflected in my house with a former nice lawn being a cluster of weeds! Well done!

Make it easier to treat for pests that commonly do significant damage, like grubs, especially where there is no efficient organic method of treatment.

Provide lawn care workshops. Maybe you already do? It’s ok not to have a perfect lawn

Allow proper use of these products

You need to help us with invasives like Black Swallow Wort, Japanese knotweed, bittersweet, honeysuckle.

Falmouth comes to peoples’ properties and helps eliminate invasive plants. We are being overrun by swallow wort which is killing everything near it. Cooperative Extension says only Roundup will kill it.

Exemption for athletic fields, similar to Portland

Keep the stores from selling them, ie Walmart and Broadway Gardens, Home Depot and Lowes

Make it stricter!

More publicity so we all know

Make it more strict and enforce it

Help people know which products are OK to buy (at Home Depot for example)

Not sure

nothing

Not sure

I would let individual homeowners use what they like on their lawns. The city and public lands can use organics and natural remedies.

Enforcement

No changes

Ban certain items from being sold.

Make it stronger

To allow some exemptions. I have apple trees that are dying from fungus and natural isn’t working. It’s too restrictive

REVERSE IT. Educate people then let them make a decision. Don’t mandate. Or, you can come to my house and dig the weeds from my lawn. I am horribly allergic to bees. I do not want anything that flowers in my lawn as it could kill me if I step on a bee. I have flowers, I don’t spray them because the bees are welcome there. I do not walk in the flower beds but I do have to walk on the lawn. I use mostly natural products. I resent you mandating how I garden.

More awareness

Needs more oversight and penalties
11. Please provide any suggestions for how we can better educate the public about the importance of the ordinance:

68 responses

Maybe there should be more information about how to have a good lawn organically. A good landscape makes neighborhoods more attractive and better for sales. What products work?

Maybe more articles? I'd love to see more of a push (and education) to encourage people to plant more natives, move away from pristine green laws, and leaving fall leaves to increase pollinator overwintering habitat.

A general meeting with a horticulturist who can explain effective alternatives to pesticides. If you have already done this, I never saw a notice about it.

Just keep educating.

Periodic mailing distribution including actual evidence would be helpful.

Repetition, repetition, repetition. Demonstration, education, information, consequences of not having ordinance.

It is not important. Just another ban initiated by the hippies of Ferry Village.

More signage and education - maybe at garden centers?

Newspaper articles in the free weekly papers

Starts at elementary level and the educate at every day

Information booths

regular blubs of various ways to remove unwanted plants.

City could mail information. City could give free organic products to start people off.

Amend ordinance to require signage and educational materials wherever pesticides are sold in the city with no exceptions based on the size of the store.

Provide a website to send questions.

Stay out of our lives. You are out of control. Bring back the good old South Portland I grew up in.

See #10

Facebook on SP Rec & Public Works

continued efforts at city events, website, newsletter, etc. / A time frame question ie: How often, how long, etc. might be helpful for survey stats.

No suggestions....

I just moved here so I'm not a good gauge :)

Healthy lawn signs? For example "Zero Pesticide Used Here" or "Save Our Planet - Go Organic!"

School events (educate younger)

I saw many signs about bees in neighbors yards when I moved here last August. Is this related to your ordinance? If they were, it was unclear to me. Perhaps a general mailing in the early spring and later in the summer to remind citizens to not use poisonous chemicals on their lawns and property.

Flyers to the home

Thank you!

Lawn and garden centers

Workshops on organic alternatives, tabling at Broadway Gardens, tours of native plant gardens that use organic methods.

Keep it up and thank you!

Educational talk at library

Mailing? Articles in print & social media???

Articles in paper / other news sources
11. Please provide any suggestions for how we can better educate the public about the importance of the ordinance:

- Require condo / commercial users to restrict
- Have lawn and garden and big box stores post alerts for the ordinance next to the offending products within the store.
- More signage in stores, etc.
- Have more free workshops
- Place signage at businesses that sell these products. List specific products that are banned on your website.
- Provide more info on what works on lawns
- Push the promotions on social media. I think the stands at public events are important!
- Newsletter articles, notices in public places (Transfer Station, City Hall, etc), hardware stores, broadway, Gardens, Lowe’s, Home Depot, etc.

I want to thank you for making my once gorgeous lawn a collection of crabgrass and weeds. I am spending over $500 a year for an organic lawn company's service. Maybe in a few years organic "weed control" will work, but products aren't here yet. We tried organic 10 years ago for two years had to go back to pesticides UNTIL this ordinance came into effect, now best collection of crabgrass we ever had.

Article in paper
Possibly partner with schools for community service programs. Teach the kids about lawn and garden care and let them help in community to provide the care
Stop generalizing. List specific product names that are banned. Stop calling it "pesticide ordinance" when herbicides, fungicides are included, too.
I don't think they fail to comply because they don't know. I think they fail to comply because there is no penalty for non-compliance and because many shop at Wal Mart and Home Depot, etc. In Scarborough where the prohibited products are widely available
Mailed leaflets, Signs at schools (children can pass info to family) city entrances, require licences for landscape business use?
More outreach - library speaker?
Can you do anything with CMP or water (resources?) mailings to educate?
YouTube channel with how to videos
Continuous education is important - attending events like this is great

Again, for residential lawn care, I feel it is not necessary. Come to country Gardens and see how terrible the lawns look. But be careful that you do not trip on all the broken sidewalks which the city ignores. I requested repairs TWENTY YEARS ago. Still waiting

Keep up with what you are doing! Thanks

I haven't seen any publications delivered by mail in the last year, that I can recall. I think that would help. The resources sent by EcoMaine in early 2019 about trash vs recycling were extremely useful to me. Simple messages with visuals that encourage people to visit a website "to learn more" might be effective.

Get factual scientific information on the true impact of the ordinance (if there is any) and study logistics of where the ordinance would really be helpful, for instance fertilizers use on shore lines and water shed areas.

Would the Sentry help with a "spring into summer" awareness program one would think it would be donated for our city knowledge?

full page ad in the Sentry or send a letter to all residents

I'm not sure that purchase availability and use allowances match up - is it possible to educate at point of sale? Yes, this sounds tricky to me, too.

Workshops to highlight organic alternatives and how to maintain healthy landscape for wildlife and aesthetics

Easy to understand guide on what's OK to use and what's not.

This is great, thank you

Provide educational materials on alternative methods and products to make it easier to follow the ordinance.

Also, Change zoning to allow for goats on residential property!

Continue using all social media platforms, school flyers, have a presence at all gatherings (Art In The Park, etc.)

Ensure lawn service vendors only use appropriate products.

Have demo yards/workshops for folks to see how getting rid of even some lawn, a biological desert, and replacing with perennials, shrubs and trees creates beneficial habitat.

More publicity on social media

Direct mailing to every household
NOTES

Questions were developed by the Pest Management Advisory Committee in June 2019 and initially distributed on a limited basis at public events, such as WillardFest and Art in the Park (each event produced ~25 completed questionnaires). In September, PMAC members then distributed questionnaires along with a PSA (below left) to several municipal buildings including City Hall, public libraries and the Community Center. In mid-November 2019, a PSA (below right) was placed in the City’s e-newsletter and has been running in every edition until 2/14/20. It was also placed on the Sustainability Office’s Facebook page in mid-November. 134 questionnaires had been submitted with the response period was closed on 4/12/20. The PMAC will use the responses to guide the ongoing implementation of the ordinance. FMI please contact Fred Dillon (fdillon@southportland.org / 207-347-4138).

![Questionnaire on Pesticide Ordinance for Private Properties](Image1)

![Questionnaire on Pesticide Ordinance for Private Properties](Image2)
APPENDIX 2
PESTICIDE USE ORDINANCE QUESTIONNAIRE FOR LICENSED APPLICATORS

1. Are you aware of the Cities’ Pesticide Use Ordinances? □ YES □ NO □ NOT SURE

2. If so, how did you find out about them? (please check all that apply)
   □ Public Event □ Website □ Newspaper □ Client □ Other

3. In which City do you have clients? (please check all that apply) □ South Portland □ Portland

4. Do your clients know about the Cities’ ordinances? □ YES □ NO □ NOT SURE

5. How do your clients feel about the ordinances? □ LIKE □ NEUTRAL □ DON’T LIKE □ NOT SURE

6. Are you aware that the ordinances affect your clients’ properties in the following ways?
   • Most synthetic products are prohibited □ YES □ NO □ NOT SURE
   • Most organic products are allowed □ YES □ NO □ NOT SURE
   • Pesticides can’t be applied within 75’ of water body or wetland □ YES □ NO □ NOT SURE

7. Do you know and understand the allowable products for use? □ YES □ NO □ NOT SURE

8. Have you visited the Cities’ websites to learn about the ordinances? □ YES □ NO □ NOT SURE

9. If you have visited the websites, have you found them helpful? □ YES □ NO □ NOT SURE

10. Do you believe that cultural practices alone will result in healthy soils for plants & lawns? □ YES □ NO □ NOT SURE

11. If not, please briefly explain your reasons:
________________________________________________________________________

12. Which pests & weeds are most challenging to manage? (please check all that apply)
   □ GRUBS □ KNOTWEED □ CRAB GRASS □ CRACKS & CREVICES □ OTHER(S)
________________________________________________________________________

13. Do you think most residents are complying with the ordinances? □ YES □ NO □ NOT SURE

14. How has your business been affected by the ordinances?
   □ INCREASED □ NO CHANGE □ DECREASED □ NOT SURE

15. What would you like to see changed in the ordinances or websites (please use back side if needed)?
________________________________________________________________________
SOUTH PORTLAND & PORTLAND PESTICIDE USE ORDINANCE QUESTIONNAIRE RESPONSES FROM CONTRACTORS (34 on 4/12/20)

1. Are you aware of the Pesticide Use Ordinances for South Portland & Portland?
   34 responses
   - Yes: 94.1%
   - No: 5.9%

2. If so, how did you find out about the ordinances? (please check all that apply)
   34 responses
   - Public Event: 10 (29.4%)
   - Website: 9 (26.5%)
   - Newspaper: 12 (35.3%)
   - Client: 4 (11.8%)
   - Other: 17 (50%)

3. In which City do you have clients? (please check all that apply)
   22 responses
   - South Portland: 15 (68.2%)
   - Portland: 18 (81.9%)

4. Do your clients know about the ordinances?
   32 responses
   - Yes: 28.1%
   - No: 68.8%
   - Not sure: 3.1%

5. How do your clients feel about the ordinances?
   31 responses
   - They like it: 51.6%
   - Neutral: 16.1%
   - They don't like it: 0.7%
   - Not sure: 22.6%

6. Are you aware that the ordinances affect your clients' properties in the following ways?
   - Most conventional ("synthetic") pesticides/herbicides/fungicides are prohibited: 20
   - Most "organic" pesticides/herbicides/fungicides are allowed: 30
   - Application of pesticides within 15 ft of water body or wetland is prohibited: 25
11. If not, please briefly explain your reasons:

18 responses

Just like any living organism, sometimes they get sick and need medicine to get better.

Weeds need to be managed at least on a spot treatment basis with “selective” synthetic pesticides. Many of the allowable “organic” products for weeds are not “selective”, thereby, also killing the grass.

You cannot control grubs and aggressive weeds like crabgrass on organic program

I improve but not 100%.

Our customers purchase our services to provide them with a specific aesthetic look that they desire for their properties and outdoor spaces. The absence of the use of the “traditional,” peer reviewed, rigorously studied, responsibly applied pesticides of which our industry makes use has not been documented, in any respected scientific literature with which I am familiar, to improve soil health for the development of plants. It does, however, demonstrably impede the desires of the tax paying land-owners, residents, and property managers of the afflicted cities to enjoy and maintain their own properties and outdoor spaces in the way that they see fit.

Weed control is very important where I work! More harm than good.

Organic suck bluntly. Oil base were worse, water soluble if used centrally can work but, your going in the end not end up in a healthy environment. The plants will eventually die and your adding a undo stress to homeowners and small businesses. Not cost effective.

They do not address pest outbreaks or concern about weeds.

Organic programs can absolutely work but is more expensive and takes more inputs with an overall more weed filled lawns that is less desirable for client which negatively affects our bottom line when clients are upset and don’t understand why lawns look worse.

Over time potentially, this transition comes with short term frustration and high capital investment in also more labor intensive methods, labor is hard to come by and clients are irritated and may blame us for lack of results, requires a lot more customer touches to deal with this.

Yes but some customers are not happy with only cultural practices. Customers want a golf course but don’t want to spend the money on a true organic approach to their lawns. Also the term “organic” is very broad nowadays and needs to be defined. Are we talking true organic or “natural”?

Professional companies that apply herbicides and pesticides properly are not doing that much damage to the soil and plants. I believe that nothing is every black or white.

Do not address above threshold populations of pests

Proper use of all tools available greatly enhance soils and plant health.

It is a tool that aids in better soils however synthetic products should be part of the arsenal of tools aiding in a better soils.

Pests can’t be controlled at infestation levels organically.

Soil products contain a variety of fertilizers (miracle gro) is a good example is there fertilizer product permissible under the ordinance.

Garden shop staff were not sure.

No exact definition of healthy soils applies to all soil/environmental types. Timing of cultural practices, accurate mathematics, proper plant identification, etc. etc., this type of practical knowledge is not wide spread as may be assumed.

12. In complying with the ordinances, which pests & weeds are most challenging to manage (please check all that apply)?

33 responses

- Grubs
- Knotweed
- Crab grass
- Crack & crevices
- Others

Grubs: -25 (75.8%)
Knotweed: -13 (39.4%)
Crab grass: -25 (75.8%)
Cracks & crevices: -9 (27.3%)
Others: -9 (27.3%)
12a. If Other(s), please list:

Most weeds are difficult to manage culturally and organically.

Black swallow wort, brown tail moth

Invasive plants; insects such as emerald ash borer

You don't have enough space for me to list them here. Here are a few: Chinch bugs, nitsedge, dandelions, clover, spotted spurge, wild violets, etc.

Broad leaf in turf

other perennial broad leaf weeds-(clover, dandelion, plantain)

IN THE URBAN ENVIRONMENT YOU NEED TO USE ALL PARTS OF IPM TO REALLY WORK WELL.

wild violets, wild strawberry, hawkweed, plantain, clover

All invasives

Human expectations. Avoidance of sincere learning one's craft.

Try hard to name

Any lawn weed

13. Do you think most residents are complying with the ordinances?

33 responses

- Yes: 51.5%
- No: 42.4%
- Not Sure: 6.1%

14. How has your business been affected by the ordinance?

34 responses

- Increased: 52.7%
- No change: 30.5%
- Decreased: 11.7%
- Not sure: 5.1%

15. What would you like to see changed in the ordinances or websites?

25 responses

- A realistic approach to how and why pesticides may need to be used by licensed users but still continue to prohibit use by unlicensed applicators, i.e. home owners

- I would like to see IPM used sparingly and when necessary as we have been doing for a number of years. Allow the professionals who are licensed and trained to determine what the lawn needs just as your road crews use road salts as needed in the winter. Residents are putting down pesticides (without posting the lawn) that they have no idea how to use even after reading the labels. They call us for assistance which we are not able to give.

- Large area athletic fields that are in constant use should have a more lenient waiver process, than residential lawn care, for the safety of the users of the facilities.

- Only allow licensed applicators to apply and ban homeowner applications. Allow acelepryn / synthetic ferts.

- Let the license professionals through strict IPM practices manage the properties. You need to focus on the home owners and the companies that aren't licensed and uneducated in pest management, who are doing the damage to the environment.
15. What would you like to see changed in the ordinances or websites?
25 responses

Sale of synthetic products at hardware stores and big box retailers eliminated
no comment

Further explanation to general public:

I would like to see these ordinances eliminated altogether, as the State of Maine already manages the responsible and legal, licensed application of pesticides in the service of our communities, environment, ecology, and economy. It does so in a more comprehensive and responsible way than either SP or Port have chosen to and it provides tax paying entities with options to effectively exercise their American freedoms without flying in the face of ill-advised, poorly conceived, ordinances which were forced upon licensed, insured, responsible parties by biased advocacy from groups with an agenda at odds with the facts and realities of the industry they are seeking to dismantle.

Allow some low risk pesticides even with limited use and put back in the hands of licensed and regulated professionals. Client homeowners are applying themselves at who knows what rate?

Instead of invoking laws, continue to educate the wider community year round. Give homeowners the confidence and language to be able to talk to their landscapers, lawn movers, and pesticide applicator companies. Empower homeowners to be able to set reasonable expectations to protect stormwater and the greater environment outside of their own yards and not just rely on someone paid to do it.

Acelerpyrin should be considered as a grub control. Spot treatment of weeds, no blanket applications.

I LET GO OF MY ACCOUNTS. I WILL NOT WORK UNDER THESE RULES...

I've been out of it do to liability and cost. Good luck because its going g to fail eventually.

Allow small list of low risk pesticides and only allow professionals to apply

More promotional information of products clients can use & where they can purchase them

Acelerpyrin added to allowable list

We need significantly more outreach from municipal government and potentially tax breaks for this in compliance to offset the significant capital investment required to comply and get the desired results, contractors are by far the ones hurt the most by this swift and all encompassing legislation. Acelerpyrin and crabgrass preemergent would solve 90% of the overall issue we’re combating. More data on the benefits associated with these ordinances and who and what they’re benefitting outside of a handful of suppliers pushing organic products and outside consultants hijacking local ordinance.

Whoever is passing the ordinances should work in the industry prior.

There is absolutely no reason why acelapryn should not be allowed to use to control white grubs - it has no effect on mammals - zero risk. Lack of education on the council and committee on how this product works. Athletic fields should be under strict guidelines but should be allowed to use pesticides. FAA should be cleared to use certain non selective products for vegetation control under strict guidelines. WHY does Hadlock field get an exemption from the ban? it will cost the city of Portland money to lose SeaDogs. The council obviously looked the other way on this one - hypothetical. Why does structural pest control get an exemption? Structural pest applications are 90% of the time to prevent an infestation - over use of pesticides. Again, cost the city money in tax revenue if they started losing businesses i.e. restaurants, banks, and residents to other neighboring towns. The ordinance has great intentions and has a lot of merit for reducing exposure to pesticides, however there needs to be consistency with exemptions and what industries or applications are allowed. What are the 2 cities going to do when grubs have destroyed a large portion of the city grounds both public and private. Augusta found out the hard way. You will have a major epidemic on your hands before you know it. ACT NOW BE PROACTIVE!!!!

Let’s see how fields are doing in two years and re-evaluate

Go back to IPM!!

Vendors selling products should have a check list of acceptable fertilizers products

Nothing that I can think of. A population of solid outdoor growers who understand work, should be an eternal goal.

Allow weed control chemicals!!
NOTES

A questionnaire for landcare professionals was developed by the Pest Management Advisory Committee in August 2019 and initially distributed through SiteOne Landscape Supply in Portland. The initial responses were quite low (only ~10 questionnaires completed), so an online version of the questionnaire was created in November 2019 and direct requests were sent to Maine Landscape and Nursery Association (MELNA) members. 34 questionnaires had been submitted when the response period was closed on 4/12/20. The PMAC will use the questionnaire responses to guide the ongoing implementation of the ordinance. For questions or concerns please contact Fred Dillon (fdillon@southportland.org / 207-347-4138).

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Questionnaire for Professional Landscapers

The Cities of South Portland & Portland now have Pesticide Ordinances that apply to all private properties. To help us learn more about how the implementation of the ordinances is going, please take a few moments to complete this brief questionnaire. The responses will be compiled into a summary report to help inform our ongoing efforts to implement the ordinances. To complete an online questionnaire please visit the link below or scan the QR code:

[Link to questionnaire]

For more information, please visit South Portland’s & Portland’s websites:

[South Portland's website]
[Portland's website]

Please return completed paper questionnaires to:
South Portland Sustainability Office, 25 Cottage Rd, 04106