PEST MANAGEMENT ADVISORY COMMITTEE (PMAC)
AGENDA - Monday, April 1, 2019

4:30-6PM – South Portland Community Center Conference Room

1. Review, revise and/or approve 3/4/19 meeting notes (ATTACHMENT)

2. Report of PMAC’s activities (ATTACHMENT)

3. Pesticide Ordinance Review & Evaluation
   - Meeting on Friday, April 5, 2019 will be attended by various interests including land care professionals
   - Ordinance Evaluation Report to Council due by 5/1/19
     o Include recommendations for revisions in response to 4/5/19 meeting and subsequent deliberations by PMAC and staff
     o Include available pilot project results (e.g., Yerxa Park, Bug Light, etc.)
     o Include metrics to measure progress
     o Process for completing report
     o Other considerations?

4. Animal Grazing Ordinance Status
   - Nearly ready for consideration by Council / Planning Board
   - Timeline still not entirely clear but shouldn’t be much longer before acceptance

5. Yerxa Park Planning Board Application Status
   - Approved by Planning Board on 3/14/19
   - Use of goats won’t be permitted until Animal Grazing Ordinance approved and enacted

6. Fertilizer Ordinance Update
   - 4/9 Council workshop with by Friends of Casco Bay, Casco Bay Estuary Partnership and perhaps Jay Feldman from Beyond Pesticides

7. Maine Flower Show Panel Discussion Summary

8. Other Discussion Items

9. Adjourn

NEXT MEETING ON MONDAY MAY 6, 2019 5-6:30 PM (note time change)
ATTENDEES

<table>
<thead>
<tr>
<th>Residents / Taxpayers</th>
<th>MBPC-Licensed Professionals</th>
<th>Agronomist</th>
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<tbody>
<tr>
<td>Cathy Chapman</td>
<td>Justin Nichols</td>
<td>Jesse O’Brien</td>
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<td>Bret LeBleu</td>
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<td>Ann Morrill (Chair)</td>
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<tr>
<th>City Staff</th>
<th>Guests</th>
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<td>Fred Dillon (notes)</td>
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1. Review, revise and/or approve 2/11/19 meeting notes (ATTACHMENT)
   - Justin wasn’t here...change accordingly

2. Possible revisions to Pesticide Ordinance
   - Based on feedback from 1/29/19 Applicator’s Roundtable: summarized for Manager at meeting on 2/14/19 (attended by Julie, Jesse, Ann and Fred)
   - Key concerns / suggestions include:
     - Top 3 things to address: grubs, high use fields and enforcement provisions
       - Put together subcommittee on grubs
     - High use fields
       - SMCC waiver request: used cultural practices prior to request and felt like they weren’t given enough flexibility for feasible measures; with grubs as safety concern they might decide to use artificial turf
       - Site has poor soil suitability (shallow) for use as athletic field
       - Consider more flexibility in ordinance for high use fields
       - Wainwright is unique in that it’s got ideal soils
       - Consider alternative products, such as “Grub Gone”, milky spore, nematodes, acalepyrne (potential issues with amphibians) – need more careful research
       - Need to consider public health impacts and how will these chemicals will affect kids
       - Plastic fields can have significant health impacts as well
       - May need to improve waiver application process
       - May need clarification on PMAC’s role in offering guidance to Council about whether to allow more flexibility
       - Importance of site visits: can’t really do it solely with waiver forms
       - There’s currently no waiver provision in ordinance that considers economic impacts but perhaps it should be relevant (i.e., consider allowing 1 synthetic application to save an athletic field)
       - Low risk products are only going to work during a certain time in grub life cycle
If the field gets really bad the only product that will work is dylox, which has all sorts of warnings. There’s some research suggesting that deep core aeration can actually puncture insects. Chip Osborne has apparently demonstrated that athletic fields can be managed solely using organic methods...it just takes a few years.

- Tank farm rep mentioned they used Roundup just before the ordinance went into effect – suggestion that we consider sending reminder notices (FD will do)
- Maine Natural Areas Program Nancy Olmstead was at Applicator’s Roundtable and discussed how they recommend synthetics to control some invasive plants in certain situations

- Julie will convene meeting to more closely consider specific revisions / changes to ordinance; will likely come back with proposed revisions for consideration by PMAC

3. Licensed Applicator Reports (due by 2/1 for each preceding calendar year)
   a. Must include same info as required by MBPC: target site; pesticide brand name; EPA registration number; total undiluted formulation (in pounds or gallons); total area treated.
      - Need legal clarification on what’s included beyond turf and landscape (FD will do)
   b. Applicators have not submitted this info to City so PMAC will need to send reminder letter to all licensed applicators in region (FD will do)

4. Report of PMAC’s 2017 & 2018 activities (due in March)
   a. What to include:
      - Meeting summaries (particularly for waiver & exemption considerations)
      - Participation / involvement in public events (can also be pulled from meeting summaries)
      - Direct to consumer info tabling at B’way Gardens, HD, Shopper’s Hardware, Drillens
      - Applicator’s meeting
      - Maine Flower Show
      - South Portland open house at SPHS with Chip
      - Stonyfield Farms
      - Website, brochures, calendar
      - City purchase of equipment for Wainwright
      - Library / Community Center displays
      - FD will meet with Ann on Thurs 3/7

5. Ordinance Evaluation by 5/1/19
   a. Will likely include recommendations for revisions in response to 1/29/19 Roundtable and subsequent deliberations by PMAC and staff.
b. Should include any available pilot project results (e.g., Yerxa Park, Bug Light, etc.)
   - Better to include this info with ordinance evaluation report

c. Should include metrics to measure progress (still TBD but could include participation in public events, retailer outreach, website visits, etc.)
   - Change in practices
   - New equipment
   - Retail sales – check with local retailers (e.g., Broadway Gardens is selling more organics)
   - Website visits (check with City Clerk, Emily Carrington)
   - Outreach efforts – count them all (similar to annual MS4 report)
   - Wainwright field improvements
   - Any way to measure scofflaws?
   - Importance of including recommendations to Council / PB to consider soil quality for redevelopment / new development projects – or protecting against soil stripping

6. Goat Ordinance Status
   a. 2/19/19 Council workshop recap and next steps
      - Revisions based on Council feedback (14 day notification and closer consideration of stocking rate)
      - Corporation Counsel drafts actual ordinance language for reconsideration by Council
      - Planning Board review

7. Yerxa Park Planning Board Application Status
   a. Upcoming Planning Board meeting on 3/14/19

8. Fertilizer Ordinance Update
   a. 2/22/19 PSP meeting overview
      - Cathy Ramsdell (Friends of Casco Bay Director), Julie and Fred met with PSP reps to discuss their concerns about fertilizers and plans to ask Council to consider fertilizer ordinance
   b. Next steps:
      - 4/9 Council workshop with possible presentations by Friends of Casco Bay, Casco Bay Estuary Partnership and Stormwater Program Coordinator (Fred)
        - MOFGA may also be presenting
        - Reached out to Jay Feldman at Beyond Pesticides
        - Also consider involving Dept. of Ag, Coop. Ext. and someone from academia

9. Maine Flower Show Panel Discussion
   - Portland Sustainability Director Troy Moon & South Portland Stormwater Program Coordinator Fred Dillon will provide brief overview of ordinances for both communities.
• Mary Cerullo with Friends of Casco Bay and Ali Clift with Cumberland County Soil & Water Conservation District will discuss the why and how of land care practices that don’t rely on (or at least reduce need for) synthetic pesticides.
• PMAC’s Justin Nichols will discuss strategies for complying with ordinance for ornamentals and perennials.

10. Other Discussion Items
• Consider meeting at City’s water pollution control facility on Waterman Drive: PMAC prefers Community Center
• Cathy Chapman is presenting to Oswewantha Garden Club next week
• Consider whether to move meeting time to 5-6:30PM: stay with 4:30 in April and then back to 5 PM in May
• Thanks to Ann for showing up at MELNA! Good presentations including Troy from Portland.

NEXT MEETING ON MONDAY APRIL 1, 2019 4:30-6pm
March 31, 2019

Emily Scully – City Clerk
City of South Portland
25 Cottage Road
South Portland, ME 04106

RE: Pest Management Advisory Committee 2018 Report

Dear Ms. Scully,

The members of South Portland's Pesticide Management Advisory Committee wish to provide the City Council with an update on our activities since the inception of the City's Pesticides Use Ordinance in September of 2016. As we near the three year mark of our phased in ordinance, we are also actively engaged in the process of evaluating the provisions of the ordinance, most specifically the waiver process, in order to share with you any recommendations we may have to improve the ordinance. We look forward to continuing our outreach and education to the community to better protect the health, safety, and well-being of South Portland’s populace and environment.

Sincerely,

Ann Morrill, PMAC Chair

Other Current PMAC Members
Cathy Chapman
Fred Dillon
Bret LeBleu
Justin Nichols
Jesse O’Brien

cc: Julie Rosenbach – Sustainability Director
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 also serves as a standing member and PMAC Secretary. (The Arborist position is currently vacant but should be filled by June 2019). The ordinance directs the PMAC to provide an annual activity report to the Council in March of each year. The PMAC did not submit a report in 2018. Therefore, this report will include an activity summary since the start of official PMAC meetings in January 2017. All PMAC agendas and meeting notes are also available on the City’s website.

The report is organized based on the PMAC’s primary duties as specified in the ordinance. These duties include:

- Assist Sustainability Director with outreach & education efforts and encourage participation in PMAC activities
- Review waiver applications
- Seek expert advice from professionals and practitioners in organic land care practices
- Evaluate ordinance on or before May 1, 2019 and every three years thereafter

OUTREACH & EDUCATION / ENCOURAGE PARTICIPATION

The primary initial goals for the PMAC were to promote widespread ordinance awareness while also encouraging the use of organic land care practices. 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</th>
<th>NOTES</th>
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<tbody>
<tr>
<td>4/26/17</td>
<td>Brooks to Bay (SPHS)</td>
<td>16</td>
<td>Dispensed soil test kits; most already practicing organic land care</td>
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<tr>
<td>5/20/17</td>
<td>SPLT Plant Sale</td>
<td>30</td>
<td>Dispensed soil test kits; most already practicing organic land care</td>
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<tr>
<td>7/8/17</td>
<td>Willard Fest</td>
<td>45</td>
<td>Several mentioned reseeding lawns with clover</td>
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<tr>
<td>8/12/17</td>
<td>Art in the Park</td>
<td>90</td>
<td>Provided background info on SP’s ordinance to residents from</td>
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<td></td>
<td></td>
<td>neighboring communities interested in ordinances; most practice</td>
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<td></td>
<td></td>
<td></td>
<td>organic landcare</td>
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<tr>
<td>5/5/18</td>
<td>Home Depot Greener Neighbors</td>
<td>12</td>
<td></td>
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<tr>
<td></td>
<td>Cleaner Streams</td>
<td></td>
<td></td>
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<tr>
<td>5/12/18</td>
<td>Broadway Garden</td>
<td>8</td>
<td></td>
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<tr>
<td>5/19/18</td>
<td>Drillens</td>
<td>32</td>
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<tr>
<td>5/26/18</td>
<td>Shoppers Hardware</td>
<td>15</td>
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<tr>
<td>6/2/18</td>
<td>E-waste collection event</td>
<td>200+</td>
<td>Handed out brochures</td>
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<tr>
<td>7/14/18</td>
<td>Willard Fest</td>
<td>23</td>
<td></td>
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<tr>
<td>8/11/18</td>
<td>Art in the Park</td>
<td>18</td>
<td>Visibility / location less than ideal</td>
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<tr>
<td>9/29/18</td>
<td>StonyFields Day</td>
<td>75</td>
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<tr>
<td>3/19</td>
<td>Osewantha Garden Club</td>
<td>16</td>
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<td></td>
<td>TOTAL:</td>
<td>380</td>
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The PMAC also distributed a number of outreach materials to the public, including:

- Created artistic and informative calendar (over 700 provided to public)
- Developed two brochures (“Top Ten Practices for Organic Land Care” and “What You Need to Know
About South Portland’s Pesticide Ordinance”)
- Yard signs (provided by Protect South Portland)
- Stickers
- Soil test kits

Additionally, the PMAC worked with USM planning workshop students in the fall of 2017 to identify web content ideas and develop a questionnaire to determine public attitudes toward pesticides in general and the ordinance in particular. These efforts were very helpful in developing and implementing the City’s outreach & education strategy.

REVIEW WAIVER APPLICATIONS

There have been two inquiries and three formal waiver requests since the ordinance became effective for City-owned properties in May 2017 and for private properties in May 2018. In April 2019, the Council rejected a formal request by representatives for oil storage facilities to exempt weed-clearing activities around tank farms (Table 2).

Table 2: summary of inquiries and formal waiver & exemption requests for Pesticide Use Ordinance

<table>
<thead>
<tr>
<th>Request Date</th>
<th>Source of Request/Inquiry</th>
<th>Pest Issue/Concern</th>
<th>Request/Inquiry Summary</th>
<th>PMAC/City Response</th>
<th>Response Date</th>
<th>Additional Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/20/17</td>
<td>Texas Instruments landscaping contractor</td>
<td>Goose control on land adjacent to Jet Port</td>
<td>Use of anthraquinone (active ingredient in Flight Control) to deter congregation of geese on TI field next to JetPort and reduce risk of bird/plane collisions</td>
<td>City attorney confirms that anthraquinone is a pesticide; geese are pests; airports can use pesticides to control geese but prohibited by South Portland’s ordinance</td>
<td>2/9/18</td>
<td>Inquiry issued before ordinance requirements became effective on 5/1/18</td>
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<td>2/26/18</td>
<td>Several oil companies with storage facilities in S. Portland</td>
<td>Weed control in areas immediately around oil storage tanks</td>
<td>Oil companies requested exemption from ordinance (and ordinance amendment) to apply synthetic pesticides in areas immediately around oil tanks</td>
<td>Denial by City Council due to availability of non-synthetic alternatives</td>
<td>4/10/18</td>
<td>Inquiry issued before ordinance requirements became effective on 5/1/18</td>
</tr>
<tr>
<td>6/13/18</td>
<td>Parks Department (WAIVER REQUEST DENIED)</td>
<td>Weed control along Wainwright Field fences</td>
<td>Use of glyphosate (Roundup) along fence lines</td>
<td>Denial by PMAC due to availability of non-synthetic alternatives</td>
<td>6/18/18</td>
<td>Flame thrower purchased for use in lieu of glyphosate</td>
</tr>
<tr>
<td>8/30/18</td>
<td>Bartlett Tree (WAIVER REQUEST DENIED)</td>
<td>Scale control for magnolia tree</td>
<td>Use of non-specified synthetic pesticide to control scale-producing pest(s)</td>
<td>Denial by PMAC due to availability of non-synthetic alternatives</td>
<td>NA</td>
<td>Staff missed waiver request for several days; staff informed applicant that more info needed to support request; applicant never responded.</td>
</tr>
<tr>
<td>9/12/18</td>
<td>SMCC landscaping contractor (WAIVER REQUEST DENIED)</td>
<td>Grub control for athletic field</td>
<td>Use of Dyfox to control grubs in athletic fields</td>
<td>Denial by PMAC due to availability of non-synthetic alternatives; SMCC appealed to City Manager</td>
<td>9/13/18</td>
<td>Appeal to Manager denied</td>
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SOUGHT EXPERT ADVICE

The PMAC consulted with various professionals and organizations for guidance to assist with implementing the ordinance. PMAC members also attended numerous professional meetings, workshops and symposia on land care practices, some of which the City hosted. These include:

P.O. Box 9422 • South Portland, Maine 04116-9422 • Telephone (207) 767-7675 • Fax (207) 767-5697
• Maine Landscape and Nursery Association (MELNA)
  o November 2017 meeting
  o March 2017 meeting

• Osborne Organics
  o September 2017 public meeting (hosted by City)
  o November 2017 retailer meeting (hosted by City)

• Applicator’s Roundtable (1/29/19): jointly sponsored event by Cities of Portland & South Portland (a summary of feedback from this meeting will be provided in the ordinance evaluation report).

EVALUATE ORDINANCE

As specified in the ordinance, the PMAC will submit a separate report by 5/1/19 that evaluates the ordinance and offers recommendations for possible improvements or amendments.