

Committee: Agriculture, Conservation and Forestry  
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**Majority Report OTP-A  
(Minority Report OTP-A)**

**COMMITTEE AMENDMENT TO LD 125, AN ACT TO PROHIBIT AERIAL  
SPRAYING OF GLYPHOSATE AND OTHER SYNTHETIC HERBICIDES FOR THE  
PURPOSE OF SILVICULTURE**

Amend the bill by striking out the title and replacing with the following;

Resolve, To Establish New Setback Standards for Aerial Application of Pesticides in  
Areas Next to Waterbodies and Residential Homes

Amend the bill by striking out everything after the title and inserting the following:

**Sec. 1. Department of Agriculture, Conservation and Forestry, Board of Pesticides Control. Resolved:** That the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall amend rules relating to setback standards for aerial application of pesticides in shoreland areas and areas next to permanent occupied residential homes. As provided under Title 7, section 610, subsection 6, amendments to those rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. The board shall amend the rules in the following manner:

1. For streams and rivers with drainage less than 300 acres, the setback must increase from zero, if no water is present, or from 25 feet, if water is present, to 75 feet regardless if water is present.
2. For streams and rivers with drainage of 300 acres or more, but less than 25 square miles, the setback must increase from 25 feet to 75 feet.
3. For streams and rivers with drainage of 25 square miles or more, but less than 50 square miles, the setback must increase from 25 feet to 75 feet.
4. For streams and rivers with drainage of 50 square miles or more, the setback must increase from 25 feet to 250 feet.
5. For ponds and nonforested wetlands less than 10 acres, the setback must increase from 25 feet to 75 feet.

6. For ponds and nonforested wetlands 10 acres or greater, the setback must increase from 25 feet to 250 feet.

7. For permanent occupied residential homes, the setback must be 250 feet unless permission is granted by the owner or tenant of the home.

### **SUMMARY**

This amendment, which is the majority report, strikes and replaces the bill with a resolve. The amendment directs the Board of Pesticides Control to amend rules, which are major substantive rules, relating to setback standards for aerial application of pesticides in shoreland areas and areas next to permanent occupied homes.