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To: The Legislative Committee on Agriculture, Conservation, and Forestry

My name is Ronald Lemin and I live in Bangor, Maine. I'm a licensed professional forester in Maine and New Hampshire, a Society of American Foresters, Certified Forester, and a licensed pesticide applicator in Maine and 4 other states. I have been working with forest landowners throughout the US and New England, both small and large, since 1995 to manage vegetation scenarios from invasive plants, diseased beech, and native plant competition in an integrated pest management (IPM) approach. Since 1995 I have been involved with advancing the technology involved with aerial application of pesticides in forest management and helped to formulate the Best Management Practices adopted by the industry and the Maine Board of Pesticides Control.

I am writing this response in "OPPOSITION TO LD 125"

First, I wonder about the basic bill as it stands. As, I listened to the testimony on Tuesday March 2, 2021, those in support of the bill were against glyphosate because of its supposed danger to humans and our food source. This bill does nothing to protect application to humans or our food supply unless we are consuming wood? The applications on forest land are far from our food crops, and the areas we treat are clear of humans as required by BMP's and State regulation. The application technology used has very little potential for drift. We are applying large droplets that fall like raindrops. The testimony that we are aerially applying product that drifts miles to affect crops is not happening and as I mentioned before this technology has changed significantly since 1995 to eliminate the risk of drift in our applications. This is not to say aerial application in other sectors may cause drift, but in forestry applications drift IS NOT an issue. I can take you to a site that was treated last year, and you can see the line along the buffer of green versus controlled vegetation indicating the lack of a droplet drift component in our aerial herbicide applications.

Mitch Lansky's testimony that we sprayed only 1300 acres one year and now spray 15,000 is totally wrong and should be fact checked. I have personally been involved with the entire aerial and ground program for forest industry since 1995 and we have NEVER sprayed less than 11,000 acres in a given year. We average somewhere around 13,000-15,000 acres annually. It was also asked whether there is herbicide application to state lands and the answer is yes. On two separate years we applied herbicides aerially for state owned land and there have been multiple state contracts for skidder application on state lands. In all these applications, the goal was to control the diseased beech component to improve the stand dynamics to a healthier maple and birch component. There are also many cases of backpack foliar treatments to state owned lands to control the invasion of invasive plants that compete with our native plant communities.

I would like to take this argument one step further to ground application which this bill does not address. If this bill passes as written and the landowners treat with ground equipment, the droplet size of the application will decrease, and a lot of the areas will be treated with a mist blower apparatus attached to a skidder. The results will look similar the following year to the conventional aerial application. There will be significant drift potential in this treatment, and the amount of glyphosate used per acre will actually be more. So, I ask you, why we are targeting aerial application of glyphosate, and allowing ground application of glyphosate at a higher risk and rate? Is it because this bill is not directed at glyphosate and aerial, but actually an anti-forestry bill? That would be very dangerous since the healthy Maine forest is the only reason Maine is one of the few Net Positive Carbon states in the US. Is your intention to drive healthy productive forest management out of this state and depend on lower stand growth and productivity to keep your Carbon initiative. I would hope not.

Alternatively, if it is actually a glyphosate issue, which many of those in favor of this bill testified last Tuesday, then why are we wasting time on forestry which is a very small portion of the actual glyphosate used annually in the State? Farmers apply glyphosate twice a year on the same acre, and if you think they only use ground application you are wrong. There is also aerial application in agricultural farming in Maine. What about homeowner use of glyphosate. Homeowner purchase and use of glyphosate in many cases exceeds other uses. These are untrained and unlicensed individuals purchasing and applying glyphosate throughout the state. I ask you again. You owe your constituents to make the most of your decisions and time on this committee. If you actually believe glyphosate is a danger, approving this bill will do absolutely nothing for protecting our food crop and citizens of the State of Maine. I personally do not consider glyphosate to be a dangerous pesticide, but I will respect the opinions and concerns of others. Like I said before, if your glyphosate issues are those presented in testimony, we are barking up the wrong "tree" here because our applications in forestry are not affecting people or agriculture food crops. Those arguments are null with respect to this bill as written.

I believe that glyphosate is the safest and most effective product to use for my vegetation management treatments. Under Risk analysis and all studies on Risk, glyphosate is proven to be safe when used and applied as labeled. The EPA has reviewed glyphosate on at least 5 occasions since the WHO listed it as a probable cancer threat (based on HAZARD not RISK analysis). The EPA has specifically stated it is not a cancer risk to humans when used and applied properly. The third-party audit last year determined that our applications were professional and minimized Risk.

All the anti-glyphosate data presented in testimony Tuesday was based on Hazard studies, not Risk Studies. The Maine Board of Pesticides Control, Patty Cormier from the Commissioner's office, and the third party audit of the aerial release program in 2020 all have testified that this program as it stands with the written best management practices is a low risk program. So why are we targeting the lowest risk application program in the entire state? Again, I ask you the question on whether this is just an anti-forestry bill? Because if you look at the science, the best management practices currently used, the constant review of this process, and the way the bill is worded you are attacking one of the lowest risk and precise applications performed annually in this state. I ask you to look at the entire picture and not this small piece of Maine's application and glyphosate use and decide if you should be wasting your time discussing an issue that is best to be addressed by the Maine Board of Pesticides Control, their toxicologists, and pesticide inspectors. It is their job to regulate the products and treatments of pesticide applicators in the State of Maine. Please turn this type of decision making process over to the Board of Pesticides Control. This is their job what they were designed to regulate.

In the testimony on Tuesday I heard someone ask what spruce budworm was and how glyphosate affected the spruce budworm. I am hoping that the members of this committee at least understand the difference between an insecticide and an herbicide if they intend to vote on this bill. The use of herbicides to grow healthy productive spruce stands over balsam fir stands has made our northern forest less susceptible to the next attack from the spruce budworm. The spruce budworm's first choice is pure stands of balsam fir and we have used species diversity to deter them from impacting our resource. This is another example of "silviculture" and also a key IPM control strategy called a "cultural control strategy".

Our Maine forest is healthier than it was in early 1980's when it was attacked by the Spruce Budworm due to the forest management and silvicultural strategies over the last 40 years. A large portion of the areas being harvested now were stands that were released by glyphosate in the late 70's early 80's after the budworm salvage cuts. Since they were released these stands have undergone several "mechanical" thinning or weeding treatments to get to the commercial forest we have today. Mechanical weeding is another IPM control strategy used by foresters to grow their stands.

Foresters are not loggers, we are farmers (tree farmers to be exact). Our goal is to grow trees in a healthy forest. To think that our goal would be to spray herbicides to totally kill everything on that site forever would be outrageous. I ask you to think about the statements made in testimony on how dead the stand is following an herbicide treatment. If we were killing everything as presented what do you think our forests would look like if we sprayed 15,000 every year with nothing coming back? I offer to take anyone out to look at these stands in all stages, not just the year after treatment. I would argue that a stand that was sprayed 2 years ago, has the same native plants that were present the year prior to application. The "only" difference is that the crop trees have advanced in height growth which is our primary goal. The University of Maine Department of Wildlife wrote several publications on the effect of herbicides on wildlife. The most interesting paper showed that deer and moose browse is extended for a longer period on stands that were treated with herbicide. This is because the hardwoods are knocked back and not completely controlled, therefore eventually sprouting back as viable browse. I can get you copies of these publications if you desire. Please, there are many foresters, including industrial foresters that would be willing to showcase their work. We have nothing to hide and you can choose the areas you want to visit based on the maps supplied to the State in our notification process.

I ask you to not make this an anti-forestry issue and drive forestry from our state. We are lucky to have open private land to recreate, hunt and fish on in our state. All the other states in the US have restricted use access to these private land ownerships. Forcing needless regulations on the forest industry will only result in companies to gate off their land for recreation and public access. It is one of the most enjoyable assets of our State's land base. Please don't be part of the closing of this private land to the citizens of the state of Maine.

Thanks for listening. I would be happy to answer any questions you might have.

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