

I can hear some questioning the need to designate 2 "public members" of the pesticide-control board (pcb) as having demonstrated interest in environmental protection. Board members themselves all claim to have such interest despite obvious CONFLICTS of interest.

Here's the truth as I have witnessed it during many years of attending pcb meetings: The four members representing industry sectors -- agriculture, forestry, landscaping, and applicators -- are most aggressive defenders of chemical controls; the other three -- appointed for their expertise in water and soil quality and for medical credentials --all align routinely with narrow commercial objectives, to the detriment of public health and environmental welfare.

As you know, pcb has a designated mandate to reduce pesticide use. But at nearly every board meeting, pro forma variances are issued to contractors, authorizing them to apply dangerous chemicals in ways that would otherwise be illegal for the damage they cause to air, water, and soil, as well as to humans and animals. What then saturates conservation land, lawns, golf courses, and farm fields are a wide range of poisons, including most commonly the herbicide glyphosate (branded as Roundup, Rodeo, and other formulations). Although we oppose the spraying of all chemicals to eradicate so-called weeds that feed pollinators and are integral to ecosystems, especially in wetland areas, glyphosate gives particular reason for concern. Compelling evidence of cancer-causing potential has led to discontinuance of this herbicide in various places, especially after lawsuits have been won against the manufacturer (Bayer-Monsanto, over 43,0000 cases pending) and where liability restricts sales.

Before nearly all board meetings consent agreements are negotiated with individuals for infraction of laws governing pesticide use. Fines for unlicensed application, applying to the wrong property, spraying too close to water bodies, and other acts of noncompliance are simply the cost of doing business and do not compensate those harmed. One example stands out in particular: In 2015 the Portland firm Lucas Tree was fined \$2,000 for applying pesticides within 250 feet of property on the Notification Registry without advance notice to the property owner. This was Lucas Tree's fourth such violation. Devin Morrill, who works for Lucas Tree, has chaired pcb for several years.

The deference given to a type of pest management that relies on a calendar-driven application schedule, along with the obvious imbalance of the board, tells me that restoring two members with environmental interest is only barely adequate. I support LD 1159 provisionally, as a baby step, but more protective measures are warranted -- namely, that 4 seats on the board be filled with individuals knowledgeable about organic pest management (OPM), which is based on standards of the National Organic Program. Two should have agricultural expertise and two horticultural expertise, answering to the demand manifest in Maine's 29 local pesticide ordinances. This may mean expanding the board to eleven members.

Changes proposed in LD 1158, including a working group to review the composition of the pesticide-control board and whether it represents public and environmental interests, would answer to some of the deficiencies in LD 1159. I discuss those in separate testimony.

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