

**VERMONT AGENCY OF AGRICULTURE, FOOD AND MARKETS (AAFM)
VERMONT PESTICIDE ADVISORY COUNCIL (VPAC)**

November 2, 2020 MEETING MINUTES

Virtual Meeting

Members in Attendance	Members Absent	Others in Attendance
Ballard, Katie Decker, Kathy Giguere, Cary Hazelrigg, Ann Levey, Rick Royer, Liz Shively, Andy Vose, Sarah	Palmer, Eric	Boccuzzo, Linda Gandhi, Kanika Wood, Matthew Casey, Patti Shambaugh, Nat Callahan, Jennifer

Meeting Called to Order: 9:35 AM EST

Meeting Adjourned: 11:33 AM EST

Announcements:

This is the third virtual VPAC meeting via Microsoft Teams and the meeting audio is being recorded.

Public Comment:

Nat Shambaugh asked –

1. Can members of the public virtually be part of the conversation?
2. When will 2019 usage data be publicly available for the public to see?
3. Is the membership having discussions on the role and responsibilities of VPAC?

Linda Boccuzzo responded that the Agency of Digital Services prohibits the agency from using Zoom for our public meetings. VAAFMM will continue to explore options that allow members of the public to engage with video capabilities on virtual meetings. Linda Boccuzzo also mentioned that the 2019 usage data is in progress and VAAFMM will inform the council upon its completion.

Cary Giguere explained that S.180, a bill introduced in the last legislation to amend VPAC, was not passed last session and that the council will have conversations about its roles and responsibilities.

Business:

Meeting Minutes

Rick Levey mentioned that the April 20th and April 27th minutes are lacking page numbers and there is a misspelling on page 5 of the April 27th minutes.

Katie Ballard motioned to approve the minutes after the minor changes are made, Ann Hazelrigg seconded the motion. The motion passed.

Impact of COVID-19 on other Agencies

The council had a brief conversation on how other agencies were impacted by COVID-19.

Review of the 2020 ROW Permit Season

Linda Boccuzzo mentioned that permit inspections were considered essential under COVID-19 restrictions, so field agents were able to complete that work. VAAFM field agents inspected all ROW Permittees. These applications were all as permitted with the exception of one outstanding case. Companies expressed to VAAFM that the lack of applicators in the state is challenging.

VAAFM also did aquatic use inspections to make sure that applications were done according to our regulations and label requirements. VAAFM had a permit request to use the “bloody glove technique” but Linda Boccuzzo explained that this application should not be approved. If members of the committee know of other agencies using this technique VAAFM should be notified. Cary Giguere mentioned that there is no updated training for this method and there are no product labels that support this application method.

Rick Levey asked if field agents had been involved in any lampricide treatments. Matt Wood explained that he inspected a lampricide treatment at the La Platte River and it was conducted according to the permit issued by ANR.

Montpelier Junction Water Samples

VAAFM conducted Railroad ROW sampling this year, sampling on 4 separate dates. The Agency found low detect levels for imazapyr in Montpelier Junction only at the ballast drainage, all other compounds tested for were non-detect, including diuron. These samples were taken in Montpelier Junction from ballast drainage, wetland area, and at the river water edge

Linda Boccuzzo also mentioned that VAAFM has two new field agents going through training, as well as one field agent that retired in September.

Golf Course Permit Regulations

Matt Wood from VAAFM gave the committee an overview of changes to the golf course permitting process made in 2019. The Vermont Golf Course Superintendent’s Association has agreed to these changes.

Some major changes to the process include:

1. The addition of pesticide storage management planning and spill remediation
2. A detailed nutrient management plan of all golf courses
3. Annual permit expirations (previously, golf courses had no permit renewal requirements)
4. Requiring buffer permits for environmentally sensitive areas
5. Reporting of application data

Nat Shambaugh asked if the golf course permitting has gone through official rulemaking process. He continued to ask if we had removed the pre-screened list and the process behind selecting pre-screened items.

Rick Levey mentioned that there had been a lot of discussion with the council and the pre-screened list. He continued to mention the comments from the council to VAAFM in 2015 that recommended the disuse of the pre-screen list. He said it would be helpful to know the human health criteria that changed the pre-screened pesticide list in 2020.

Cary Giguere mentioned that new pesticides are routinely added to the pre-screened list if they meet the defined criteria.

Rick Levey asked if additions to the pre-screen from 2013 to 2020 and the criteria to determine what is on the list could be shared with the council for consideration. He also asked about how approval for certain chemistries are done when the pesticide is not on the pre-screen list.

Cary Giguere said this would be a possibility. He continued to highlight the history of the pre-screened list and that most of the chemistries on the list are significantly less harsh than those that are not. He explained that the pre-screened list is something that statutorily the golf course association is tied to. Removing the pre-screened list is something could be a future item for VPAC discussion.

Nat Shambaugh suggested that VPAC should consider having a meeting on what the role of the council should be because there appears to be confusion on what should or should not be regulated by the council. The suggestion was acknowledged by council members.

Sarah Vose mentioned that in the pre-screened pesticide list for golf courses there are no listed human health criteria. Cary Giguere indicated this was done informally, for instance by adding hydrogen peroxide and other softer chemistries that meet the chemical criteria.

Surface Water Pesticide Monitoring Updates

Patti Casey of VAAFM provided the council with an overview of the state Ambient Surface Water Study (ASWS), as well as the Lake Carmi study. The goal of the ASWS is to establish baseline levels and monitor the presence of neonicotinoids, glyphosate, corn herbicides, and nitrate in Lake Champlain and its contributing tributaries. Since 2014, VAAFM has collected 504 water samples at 33 sites in agricultural use areas throughout the state. The water samples showed no detection of glyphosate. The samples did show detection of neonicotinoids, atrazine, and metolachlor ESA. Most detections were found at sites in Franklin County.

Patti Casey continued to discuss the Lake Carmi Study. VAAFM surveyed surface water and groundwater to improve lake water quality at 50 sites. The study focused mainly on phosphorus and was of particular importance given the frequency of detection levels found in Franklin County sites based on the ASWS.

Nat Shambaugh asked why the samples are taken using acute EPA benchmarks but the slide indicated that there are no implications for chronic exposure.

Cary Giguere mentioned that the EPA chronic detection levels have changed and that we do need to re-compare VAAFMs newer data to the new chronic detection benchmarks.

The council continued to have a discussion about the EPA acute and chronic benchmarks. VAAFMs will continue to analyze data against more recent EPA benchmarks and adjust the slide if needed. The Agency will also reach out to EPA HQ to request the development of an ambient water quality benchmark.

Andy Shively motioned to adjourn the meeting. Rick Levey seconded the motion. The council agreed to adjourn by voice vote.