

**VERMONT AGENCY OF AGRICULTURE, FOOD AND MARKETS (AAFM)
VERMONT PESTICIDE ADVISORY COUNCIL (VPAC)
March 20, 2018 MEETING MINUTES – FINAL**

MEMBERS IN ATTENDANCE

Boccuzzo, Linda (Admin)
Giguere, Cary
Hoffman-Contois, Razelle (Chair)
Levey, Rick
Palmer, Eric
Schultz, Barbara
Shively, Andy

MEMBERS ABSENT

Bosworth, Sid
Hazelrigg, Ann

GUESTS

Meeting Called to Order

1:10: pm EDT

Meeting Adjourned

4:10 pm EDT (B. Schultz moved, C. Giguere seconded)

Announcements

- Minutes from the February 5, 2018 meeting were reviewed and approved (B. Schultz moved, R. Levey seconded; A. Hazelrigg via e-mail; E. Palmer and A. Shively abstained as were absent). Final minutes will be posted on the VPAC SharePoint (SharePoint).
- Razelle spoke regarding public comment. A set time period will be included at each meeting. All parties are welcome to offer comment in an orderly, constructive manner. Parties will be directed to the appropriate agency/entity for topics that do fall under not the purview of the Council. She reiterated that the Council is a technical advisory body with no authority to prohibit, or permit, any activity.
- Razelle received notice from SePRO with an update regarding federal registration of Procellacor®, a new aquatic nuisance control product with a new active ingredient (a.i.). Linda confirmed this product is not currently registered for use in Vermont. Members of the Council anticipate a request for use will come forward once registration is complete.
- Razelle asked Cary for a status report regarding ability to analyze water for n-methylformamide (NMF), a potential breakdown product of the herbicide fluridone (a.i. in Sonar® products). Cary indicated he'll be discussing with Guy Roberts (Lab Director Vermont Agriculture and Environmental Lab) and Misha Cetner (DEC Lakes and Ponds Program). Rick and Cary discussed reasonably achievable analytical laboratory reporting limits. Razelle will provide Rick with a list of references she has regarding testing for NMF. Members noted lake associations appear to be requesting use of products with a.i. triclopyr more often than products with a.i. fluridone this year. The potential impetus for and implications of such were briefly discussed.
- Razelle reported that as directed at the 2/5/18 meeting, a memo dated 2/14/18 was submitted to the Secretary of AAFM, on behalf of the Council, requesting that AAFM collaborate with the governor's office to identify qualified candidates for openings on the Council and reiterated existing Council recommendations regarding commercial use pesticides information management.

Public Comment

None. Razelle noted an e-mail from Mike Bald was received just before the meeting. As no one had seen, it was tabled for an upcoming meeting.

Business

Regulatory Coordination of Invasive Species Control – The Council discussed the current status. It appears that despite best efforts by all involved, no resolution or clear direction has been identified to date. Difficulties continue to exist as evidenced by continued requests for Council assistance in addressing this matter. It was noted that the number of entities potentially encountering such a situation is likely to increase. After extensive discussion, the Council determined that the crux of the matter is a State policy question. All agreed with Eric's suggestion that the Council request leadership discuss and advise. It was agreed that Razelle and Linda would create a draft request for Council review. Members of the Council suggested that once finalized, appropriate addressees may include the Secretary of AAFM, Secretary of Vermont Agency of Transportation, Commissioner of Fish and Wildlife, Chair of the Public Service Board and Commissioner of the Department of Environmental Conservation. The Council discussed the long-standing stance that chemical treatment for the control of invasive plant species, if not necessary to meet safety needs, is not justified under Integrated Vegetation Management Plans for herbicide use within ROWs. If advised that this continues to be consistent with State policy set forth in 6 VSA§1102 which establishes the Council and its function, pertinent state agencies and regulatory bodies should be advised and non-chemical means of control appropriate for consideration identified. If advised that a revised approach would be consistent with State policy, if so directed, the Council could work towards developing a set of criteria for use in determining when and under what use conditions chemical treatment may be appropriate for consideration. Such a revision would result in increased pesticide use.

Use of Water Quality Standards and Guidance Values in the Golf Course Permitting Program – Cary shared a list of pesticides that AAFM has proposed be removed from the Groundwater Protection Rule and Strategy (GPRS) and the rationale for doing so. He described the factors AAFM considered in developing the proposed list. The majority of chemicals listed were noted to be associated with the Golf Course permit program. Razelle asked what would replace requirements of the current golf course permit process in the AAFM Regulations for the Control of Pesticides (Regulation). Cary outlined an approach that would refer golf course permit applicants to Department of Health Drinking Water guidance values. He detailed how removing these chemicals from the GPRS and directing to Health's guidance values would improve the ability to rapidly update a guidance value as warranted. Razelle pointed out that if the desire is to remove all reference to the GPRS, the Regulation may require a more broad

sweeping change given Section IV. Regulations on the Use and Application of Pesticides “2.0. Standards of Operations – All pesticide applicator and licensed companies – o. Shall use pesticides so as not to exceed the primary groundwater quality groundwater enforcement standards identified in Chapter 12...of the groundwater protection rule and strategy in accordance with 10 V.S.A. Chapter 48.” A lengthy discussion ensued regarding the situations and circumstances under which legally enforceable values in the GPRS and Vermont Water Supply Rule apply. Health’s Drinking Water guidance values were also discussed. Cary will keep the Council apprised of the status of the proposal.

Next meeting: Set May 9, 2018 Annual Rights-of-Way permit application review meeting. Detailed agenda forthcoming.