

**VERMONT AGENCY OF AGRICULTURE, FOOD AND MARKETS (AAFM)
VERMONT PESTICIDE ADVISORY COUNCIL (VPAC)
SEPTEMBER 26, 2018 MEETING MINUTES – FINAL**

MEMBERS IN ATTENDANCE

Ballard, Katie
Bosworth, Sid
Giguere, Cary
Hoffman-Contois, Razelle (Chair)
Levey, Rick
Palmer, Eric
Royer, Liz
Schultz, Barbara
Shively, Andy

MEMBERS ABSENT

Hazlrigg, Ann

GUESTS

Linda Boccuzzo
Erica Cummings

Meeting Called to Order

0:10 am EDT

Meeting Adjourned

11:45 am EDT (E. Palmer moved, S. Bosworth seconded)

Announcements

- Minutes from the May 9, 2018 meeting were reviewed and approved (E. Palmer moved, S. Bosworth seconded; 4 abstentions including new members). Final minutes will be posted on the VPAC SharePoint (SharePoint).
- Liz Royer and Katie Ballard were welcomed to the Council. Cary provided a brief background on each new appointee. A brief overview of the Council role and work efforts to date was provided.

Public Comment

None

Business

Briefing on Topics of Interest

Chlorpyrifos – Cary and Linda provided a synopsis of the regulatory history/registration status of chlorpyrifos. Indoor uses of chlorpyrifos products were phased out in the early 2000s by US EPA. In 2007, US EPA was sued to cancel outdoor uses as well. The US EPA convened a Science Advisory Panel which concluded exposure was of concern and it should be cancelled. The current federal administration's response to the suit was not to cancel but rather wait for a full evaluation (this was primarily related a request from the citrus industry). The Vermont legislature petitioned the Secretary of AAFM not to register products with this active ingredient and Secretary Tebbetts agreed. As of November 1, 2018 (first day of the new product registration year), Vermont will cancel all chlorpyrifos-containing product registrations. Linda has spoken with the affected industry (pesticides dealers etc.) and has confirmed they have alternative chemistries available. Products with this active ingredient will be removed from golf course permits. Overall, the impact to Vermont is expected to be minimal. The issue with revoking is that there isn't a pesticide with a different mode of action for certain agricultural insect pests- this is especially pertinent for true Army Worm. A federal district court has determined that the EPA determination is incorrect and declared tolerances must be revoked. The 60 day period for revocation of tolerance is currently in effect.

Product Registration Information – Sid requested information regarding the options available for searching for information on product registration. Linda will post links to Vermont Registered Product Databases on the VPAC Homepage and Razelle will share by e-mail with the Council. It was noted that Kelly Solutions is updated weekly and USAPlants is updated in real time.

Glyphosate – Rick asked if there's any surface water monitoring for glyphosate. Cary noted surface water samples have been analyzed for such but they don't tend to find either the parent or breakdown products. He noted that the breakdown product AMPA was detected once in 2006. Cary briefed the Council on a recent study from John Hayden (noted to be on the Pollinator Protection Committee) that looked at potential impact of exposure to glyphosate on bees. He noted some uncertainty as the exposure route studied is not similar to a route a bee may experience in the field. The bee would need to be exposed to the spray itself. But, if bees are directly fed glyphosate, it will cause harm. AAFM encourages use of cover crops and no till which requires chemical termination, usually with glyphosate. Sid noted in some areas it's sprayed on wheat and small grain as a desiccant. Rick looked at the food tolerance revisions and stated they'd increased. Linda noted that on a national level, use has decreased due to resistance issues. There was further discussion regarding potential routes of exposure for pollinators.

Dicamba – The Council discussed concerns with certain use patterns previously raised by Mr. Mike Bald (Got Weeds?). Cary provided an overview of the issue encountered on a national level. The crux is whether offsite crop damage is related solely to volatilization from a specific product used in a specific mode to treat dicamba resistant soybean or if impact could potentially be associated with use of treated seed. Cary noted very little soybean is used in Vermont and dicamba resistant soybean seeds are not in use at all. He described the issue is to try and determine if the issue is with the trait and/or the treatment method. He noted a proposal to legislature to establish a committee to look at GMO traits and vet them before they're allowed to be used in Vermont – i.e., create a panel of experts to vet new technology – such as treated seeds – before it is allowed for use in the State.

Regulatory Coordination of Invasive Species Control – Cary provided an overview. At the 3/20/18 VPAC meeting, after extensive discussion, the Council determined the crux of the matter is a State policy question and agreed with Eric’s suggestion that the Council request that leadership discuss and advise. As requested by the Council, Razelle and Linda began a preliminary draft request, however, it has not been completed as it appears discussion at the meeting itself may have led to initiation of necessary work. Leadership at VTRANS has met with Linda and identified issues which they’re working on addressing on a case by case basis (isn’t resolved globally). Eric was interested to know if there’s a challenge to Fish and Wildlife on this issue. Rick was not aware of such. Cary noted this topic should continue to be followed as we approach the annual Rights-of-Way meeting.

ProcellaCOR® - Razelle reported that Josh Mulhollem, DEC Aquatic Invasive Species Management Coordinator, conveyed that his program expects to receive multiple Aquatic Nuisance Control permit applications requesting use of ProcellaCOR® to control the growth and spread of aquatic nuisance plants in multiple water bodies in 2019. The Council agreed to initiate review of this newly registered product with a newly registered active ingredient (florpyrauxifen-benzyl). Razelle will share information related to the active ingredient, formulated product and its use and also post to the SharePoint. She asked that Council members please send her any pertinent information for distribution and posting to the SharePoint.

Status of Policy for Pesticide Use on ANR Lands – Barbara Schultz (Vermont Department of Forest, Parks & Recreation Forest Health Program Manager) provided a status report. She noted the document was last revised in 2005, VPAC reviewed and a copy is posted on the SharePoint. The revision process slowed due to staff changes but is now moving forward. Legal review was recently completed. Revisions are still in draft form.

Emerald Ash Borer and Forest Tent Caterpillar – Barbara provided a status report. Recommendations for homeowners have been put together and are available on line. Recommend do not treat with products available to homeowners as they can harm pollinators. Recommend applications be made by a certified pesticide applicator with an active commercial license with AAFM in Ornamental and Shade Tree pest control, using the products available to those so licensed. Active ingredients include azadirachtin and emamectin benzoate. Linda noted aerial treatment for the Forest Tent Caterpillar was significantly delayed this year due to the wet spring. Barbara had confirmed for AAFM that treatment would still be efficacious before the permits were extended. Two aerial applications with *bacillus thuringiensis* var. *kurstaki* occurred: one near Westminster, the other in the Northeast Kingdom. Map of defoliation across Vermont is now up. Don’t have reason to believe will see collapse. Will do egg survey. Defoliation due to drought can weaken trees. Saw a general westward movement in 2018.

Army Worm – Sid provided a status report. Received very few reports in 2018. Sid checked with extension agronomists, horticulturists and others and learned were only a couple of farms impacted in Vermont. Private applicator saw a few less than 12 but not greater than the threshold. Are seeing grubs. The Army worm population size rises and falls in cycles. There was a spike in 2001. As is one species, really can’t predict next spike. AAFM received reports and calls in early July that it was looking like would be a bad year (and all 12 calls came at once) but it wasn’t.

Groundwater Protection Rule and Strategy (GPRS) – Cary provided an update on the proposed removal of certain pesticides from the GPRS. He noted the conversation is ongoing and hopefully will soon achieve resolution. It was acknowledged that Razelle had identified some points for further attention as the Regulations for the Control of Pesticides (Reg) are reviewed and updated. Cary advised that 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” will be retained as is important for the monitoring program, corn herbicides and everything that doesn’t fall under a permit program. The objective is to remove outdated golf course chemistry. The Golf Course Permit Program’s Prescreen list also needs to be revised. He described how the process works if a pesticide not in the GPRS is detected in a drinking water supply: if a private supply it goes to the Department of Health for follow up; if a public water supply and there is health concern, an emergency rule could be issued. Razelle asked when revisions to the Reg must be completed. The Council was informed AAFM has 5 years from May 2018 to be compliant with the federal regulation.

Next VPAC Project – Razelle suggested the Council initiate a review of existing buffer distances. AAFM conducted some work this past summer doing a buffer distance test for VTRANS (guardrails) with drift cards. It is her understanding that the information collected is being processed and a report will eventually be prepared. The Council could ask for a presentation when the report is completed. Extensive discussion ensued. Council consensus was that a review would be of value added and that the effort should begin by focusing on buffers and products currently employed in the AAFM Rights-of-Way permit program. It was suggested that review include consideration of product labels, required buffers, legal requirements and checking into how buffer distances are set/used by other entities.

Next meeting: Razelle will send out a doodle poll to the Council with options for the next 3 meeting dates. Dates and agendas to be determined.