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Bob Barkalow
Damariscotta Mills Consulting, Inc.
25 Main Street
Nobleboro, ME 04555
bob@invasivepestcontrol.com
973-214-9458 (C)
207-458-3389 (O)

February 11, 2024

Board of Pesticides Control
28 State House Station
August, ME 04333-0028

To Whom it May Concern:

For your consideration, please find attached an application for variance of the 25-foot buffer requirement specified in CMR 01-026, Chapter 29 Section 6, as further clarified in a Policy Memorandum adopted March 5, 2010.

In summary, an infestation of Japanese knotweed is present in and around the historic alewife fish ladder in Damariscotta Mills. This invasive plant threatens the structural integrity of the fish ladder and also creates the risk of this problem weed spreading along the banks of the Damariscotta River. The proposed treatment is a manual cut-stump application of glyphosate to each plant stem. While tedious, this approach has been demonstrated at other sites to be successful, although repeated treatments for 3 – 5 years are required.

Due to the painstakingly careful application method, it is requested that the entire knotweed population be treated, rather than being limited to the policy's 20% area per year.

As a side note, this variance request is one of several steps being pursued for this project. Shoreland zoning permits will also be required, as well as approval from all landowners (two towns, KEI Power and 3 private owners). The Department of Marine Resources, as stewards of diadromous fish passages, will also be included.

Please let me know if anything is missing from the application or if additional information would be helpful. I would be happy to discuss this project by phone, video conference or in a face-face setting.

Thank you for your consideration,



Bob Barkalow

**BOARD OF PESTICIDES CONTROL
APPLICATION FOR VARIANCE PERMIT
(Pursuant to Chapter 29, Section 6 of the Board's Regulations)**

I. Robert Barkalow (bob.barkalow@gmail.com) O: 207-458-3389 C: 973-214-9458
Name Telephone Number

Damariscotta Mills Consulting, Inc.
Company Name

25 Main Street Nobleboro Maine 04555
Address City State Zip

II. Robert Barkalow CMA-6156
Master Applicator (if applicable) License Number

25 Main Street Nobleboro Maine 04555
Address City State Zip

III. **As part of your application, please send a revegetation plan and digital photos showing the target site and/or plants and the surrounding area, particularly showing proximity to wetlands and water bodies, to pesticides@maine.gov**

IV. Area(s) where pesticide will be applied:
Areas around the Damariscotta Mills Fish Ladder, located on the border between Nobleboro and Newcastle. There are several, mostly distinct, patches of knotweed throughout a roughly 0.5 acre area. See attached map for specific locations and approximate treatment area dimensions.

V. Pesticide(s) to be applied: (Including EPA Registration Number)
Round-Up Pro Concentrate, diluted to 5% active ingredient. EPA registration 524-529

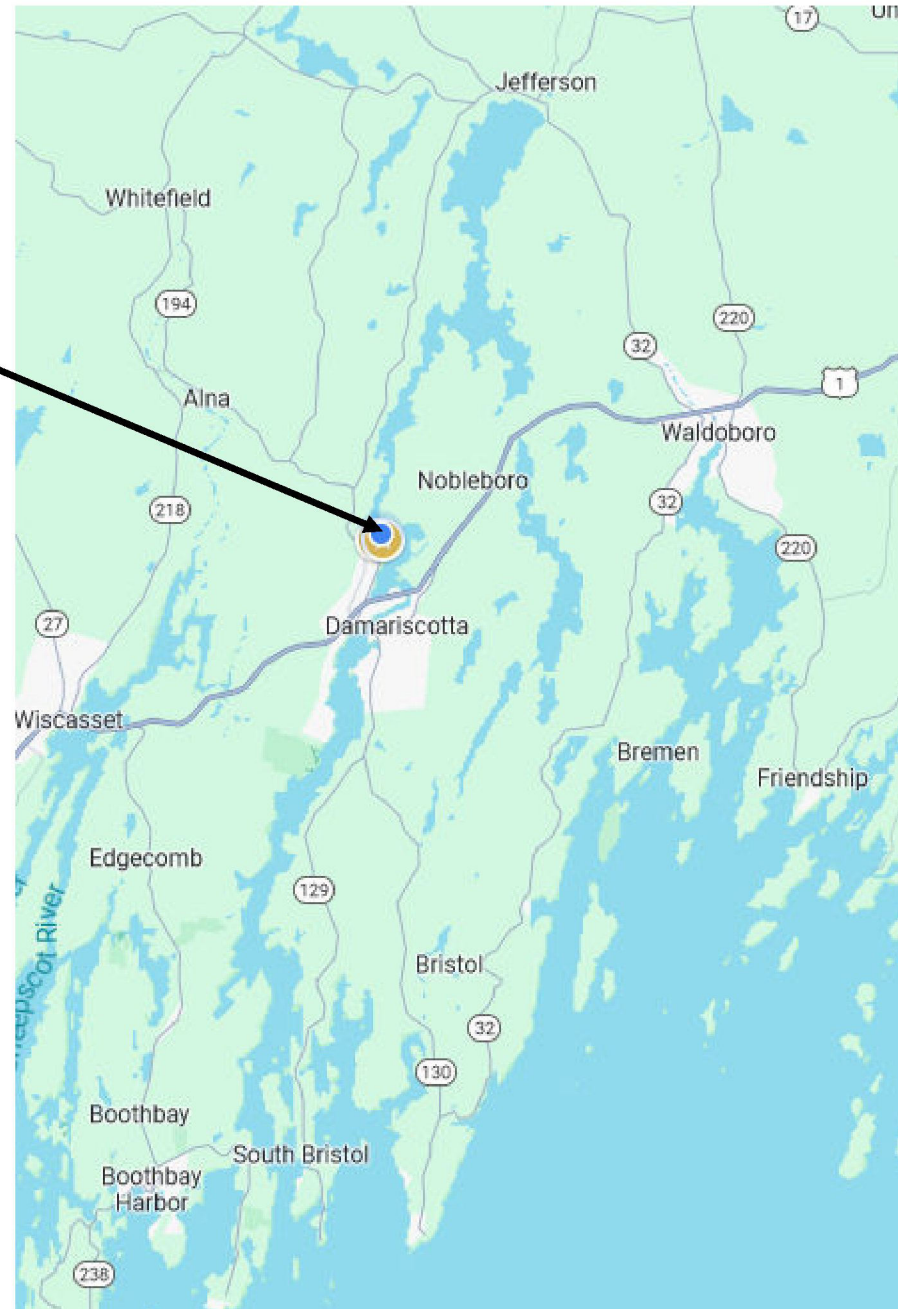
VI. Purpose of pesticide application:
Knotweed is known to cause structural issues with stone foundations. Controlling it in and around the fish ladder area will help protect the masonry work that has been performed over the past several years as the fish ladder was reconstructed. Further, plant fragments may be carried downriver, spreading this invasive plant along the banks of the Damariscotta River.

- VII. Approximate dates of spray application:
Not applicable. Knotweed stems will be treated with a cut-stump application in late June or early July, with re-sprouts treated again in mid- to late-September. This will be repeated, as needed, for 3 – 5 years.
- VIII. Application Equipment:
Four ounce “buckthorn blaster” bottles equipped with wicking tops. No powered equipment will be used.
- IX. Standard(s) to be varied from:
Chapter 29 section 6 (A) – Buffer Requirement. The treatment will use non-powered equipment directed at the specific target pest (knotweed). However, due to the tenacity of knotweed, treatment will need to be repeated for 3 – 5 years as the plant roots re-sprout, therefore all plant stems will be treated. To facilitate this approach, a variance is requested from the 20% treatment limit per calendar year for plants growing within 25’ of the water.
Note that the total volume of pesticide applied will be well below the allowable maximum yearly amount.
- X. Method to ensure equivalent protection and Revegetation Plan:
The cut-stump application will be undertaken by a trained professional to ensure that all chemicals are applied directly to the target pest and not released directly into any water.
Glyphosate’s inherent quality for low-mobility in soil will further ensure the protection of water resources.
- XI. Revegetation Plan (attach separately if necessary)
Due to the small size of the knotweed patches, no re-planting will be necessary. Native plants will fill in around the treatment sites once the knotweed stops overshadowing the area.

Signed:  Date: 2/11/2024

Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**
OR E-mail to: pesticides@maine.gov

Damariscotta Mills Fish Ladder



Bob Barkalow
Damariscotta Mills Consulting, Inc.
February, 2024

Damariscotta Mills Fish Ladder

Knotweed Locations (approximate coverage)

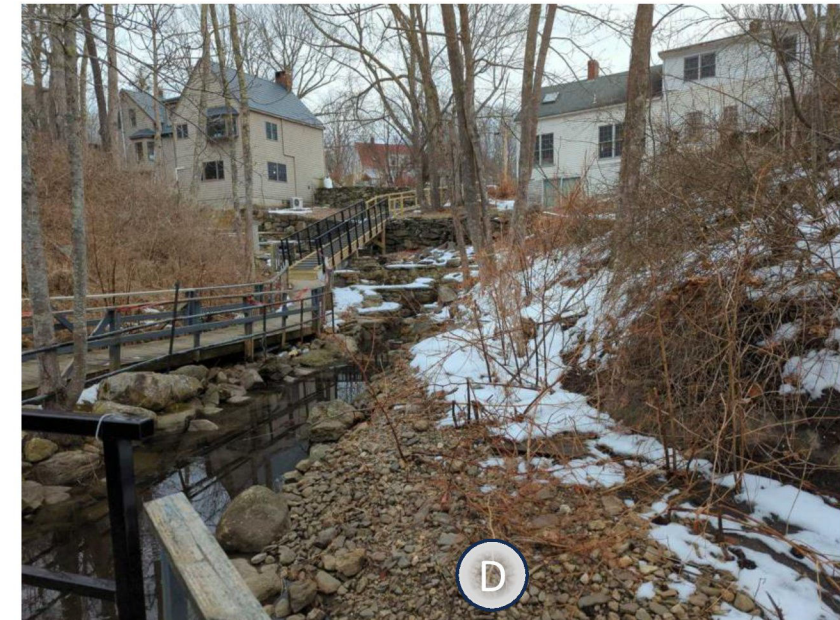
A - ~ 400 ft² – south side of middle stream, below dam

B - ~ 1,300 ft² – either side of middle pools, non-contiguous

C - ~ 675 ft² – west side of stream, by dippers

D - ~ 2,500 ft² – north wall, lower walkway, east side of lower pools, non-contiguous





Bob Barkalow
Damariscotta Mills Consulting, Inc.
February, 2024



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

March 27, 2024

Damariscotta Mills Consulting, Inc.
Robert Barkalow
25 Main St.
Nobleboro, ME 04555

RE: Variance permit for CMR 01-026 Chapter 29, Damariscotta Mills Consulting, Inc

Greetings,

The Board of Pesticides Control considered your application for variance from Chapter 29. The variance is approved, with the condition that all products to be used are currently registered in the State of Maine or were registered at the time of purchase and any application is made above the high-water line.

The Board authorizes the issuance of two-year permits for Chapter 29, therefore this permit is valid until December 31, 2025, as long as applications are consistent with the information provided on the variance request. Please notify the Board in advance of changes, particularly if you plan to use a different product from those listed.

Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section X of your Chapter 29 variance request.

I will alert the Board at its next meeting that the variance permit has been issued. If you have any questions concerning this matter, please feel free to contact me at 287-2731.

Sincerely,

Alexander Peacock
Director

ALEXANDER PEACOCK, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731
THINKFIRSTSPRAYLAST.ORG