



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

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JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

July 26, 2022

Basswood Environmental, LLC  
Mr. Erik Lema  
32 Brentwood Road  
Cape Elizabeth, ME 04107

**RE: Variance permit for CMR 01-026 Chapter 29, Royal River Conservation Trust, New Gloucester**

Dear Mr. Lema,

The Board of Pesticides Control considered your application for a variance from Chapter 29. The variance is approved, with the following conditions.

Mixing and loading activities must be completed at a distance greater than 50 feet from the mean high water line. Cut stump applications rather than foliar applications are preferable and using only non-powered low-pressure applications within 25 feet of water is required by law. Applications are required to be made with the applicator facing away from the water and when there is an onshore wind between 2-10 mph. Cut stem applications should be made with a sponge dauber/brush rather than spraying and applications to plants in standing water is not permitted. All pesticide label directions must be strictly adhered to.

Please ensure compliance with all other regulations including public notification and posting for any nearby trails and sidewalks used by the public. Additional information about notification may be found in the BPC policy concerning 'Appropriate Methods for Notifying the Public About Commercial Applications to Sidewalks and Trails' [[PDF](#)].

The issuance of two-year variances for Chapter 29 is authorized by the Board; therefore, this variance is valid until December 31, 2023, 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 remember that your variance is based upon your company adhering to the precautions listed in Section X of your Chapter 29 variance request.

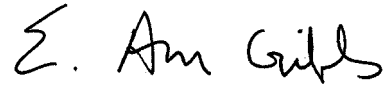
At its August 5, 2022 meeting, I will alert the Board that the variance permit has been issued. If you have any questions concerning this matter, please feel free to contact me at 287-2731.

MEGAN PATTERSON, DIRECTOR  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731  
THINKFIRSTSPRAYLAST.ORG

Sincerely,

A handwritten signature in black ink that reads "E. Ann Gibbs". The signature is written in a cursive style with a large, stylized initial "E".

E. Ann Gibbs  
Director, Animal and Plant Health Division

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

I. Erik Lema \_\_\_\_\_ (207)518-8442 \_\_\_\_\_  
Name Telephone Number

\_\_\_\_\_ Basswood Environmental LLC \_\_\_\_\_  
Company Name

32 Brentwood Rd \_\_\_\_\_ Cape Elizabeth \_\_\_\_\_ ME \_\_\_\_\_ 04107 \_\_\_\_\_  
Address City State Zip

II. Erik Lema \_\_\_\_\_ CMA-5752 \_\_\_\_\_  
Master Applicator (if applicable) License Number

\_\_\_\_\_ See above \_\_\_\_\_  
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](mailto:pesticides@maine.gov)**

IV. Area(s) where pesticide will be applied:  
\_\_\_\_\_ Japanese Knotweed, bank of the Royal River, New Gloucester. At the crossing of Rt 231, \_\_\_\_\_  
\_\_\_\_\_ Intervale Preserve Land, part of the Royal River Conservation Trust \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Pesticide(s) to be applied: (Including EPA Registration Number)  
\_\_\_\_\_ Rodeo EPA Reg#: 62719-324 \_\_\_\_\_  
\_\_\_\_\_

VI. Purpose of pesticide application:  
\_\_\_\_\_ Control Japanese knotweed along river at the location of the river access. \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

VII. Approximate dates of spray application:  
Late July/Early August 2022, depending on height of knotweed after initial June cut.

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VIII. Application Equipment:  
Low-volume backpack foliar spray fitted with a fan nozzle. Limited use of a sponge dabber

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IX. Standard(s) to be varied from:  
Spray within 25-feet of open water/river.

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X. Method to ensure equivalent protection and Revegetation Plan:  
The knotweed has been cut in mid June and will be allowed to resprout to a height that will allow for complete access (2-3') without spraying overhead or in a manner that may lead to off-target drift. Stems along the immediate bank will be cut and treated with a cut-stem application of 25% Rodeo where spraying would otherwise be applied directly to open water or would affect non-target native species. these native species (dogwoods, willows, and a variety of herbaceous species) will be preserved to the greatest extent possible to maintain bank integrity. Where the bank is observed to contain no native understory or woody plants, the knotweed will be re-cut but not treated to ensure that the bank will remain vegetated.

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XI. Revegetation Plan (attach separately if necessary)  
Native co-occurring species will be preserved wherever possible, with special emphasis on those woody plants that are currently colonizing the immediate bank. Any plantings will not occur until such time that the knotweed population has been controlled in a particular area. Upon controlling an area, any native or non-invasive herbaceous species that are currently on site will be preserved, and plantings of native woody species will be sourced from on-site, including fall planting of live stakes from native dogwoods and willows that are present. Transplanting volunteer seedlings from upland areas from the interior of the site may be performed if needed to achieve full colonization of the site. Knotweed that was

preserved along the bank will be cut and treated at such time as the remainder of the site is stabilized by desirable vegetation. These stems will still be routinely cut to inhibit spread until treatment can occur.

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Signed:  Date: 6/24/2022

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

Rev. 2/2022




Area to be treated.

# Rt 231 Crossing of the Royal River

Intervale Preserve, New Gloucester, Maine  
Approximately 5,300 square-feet of knotweed infestation total

## Legend

 Polygon Measure

