

Pollinator Working Group Meeting

Date: Thursday November 10, 2016

Time: 4:00 p.m. – 7:00 p.m.

Location: NRCS, Conference Room
60 Quaker Lane,
Warwick, RI 02886

DRAFT Meeting Minutes

Working Group Members in attendance: Meg Kerr, Joel Tirrell, Shannon Brawley, David Brunetti, Gary Casabona, David Gregg, Rafael Nightingale, Don Joslin, Robert Mann, Lyn Spinella

Working Group Members absent:, Ken Payne, Lisa Tewksbury, Ken Ayars

Guests: Judie Sky, Nyssa Sky, Brianna O'Connor, James Wilkinson, Julie Medeiros

Acting Chair Joe Masino called the meeting to order at 4:09 PM.

Motion to approve minutes from 11/3/16 made by Gary Casabona, second by Don Joslin. All approved.

Powerpoint slides are available on the Working Group web site

<http://www.dem.ri.gov/programs/agriculture/pollinator-working-group.php>.

Minutes capture the important points but do not reflect the content of each slide.

I. Working Group discussion – what have we learned? What are our recommendations?

Our Charge: (a) Making findings with regard to: (1) Developments in the scientific and technical understanding of conditions and practices affecting pollinator population; (2) Conditions and practices affecting the maintenance, protection, and enhancement of pollinator habitat and health in Rhode Island; (3) Potential costs and benefits of changing such conditions and practices; and (b) With making recommendations, based on its findings, to maintain, protect, and enhance pollinator health and habitat in Rhode Island.

Emerging recommendations:

Education

1. Need for more public education.

- Could RI develop curriculum for a high school class to be taught in general science
- URI is offering a 1 credit class on bees next semester taught by Dr. Ginsberg and Jim Lawson

Pollinator habitats and health

2. What do we know about the state of pollinators?

- We do not have a lot of data specific to RI
- We know that there is limited transport of bees into RI for pollinator services. There is one cranberry bog in Coventry that uses trucked in bees – about 240 hives are brought in.

- It would be helpful to have more information on agricultural and nursery industry. Do growers also have hives? Do they have observations relative to pollination services and their industry?
- What do we know about bee interactions? There are studies that show that diseases in hives (verroa mites) are beginning to impact native bees. We don't know how the mites are traveling, so it is difficult to define how to protect from future infestations. Do we need to regulate bee imports?
- We do know that when there are more bees, agricultural productivity increases. And when both honey bees and native pollinators are present, they tend to encourage broader pollination.

ACTION ITEM: We need an assessment of pollinators from the perspective of the green industry. Are farmers seeing European honeybees? Other pollinators? Do they have hives? Lyn and Shannon said they could work together on a survey monkey query to their industry. The group also suggested including entities working on urban agriculture – like the South Side Community Land Trust.

ACTION ITEM: It would be useful to have a map of registered hives.

State oversight and management of the beekeeping sector

3. What do we know about DEM oversight of beekeepers? Our working group needs more information on the State program. What is the budget? Staffing? Tasks? How many beekeepers are registered? What is the trend in the numbers? How many hives does a keeper have (avg.)? Where are the hives? How often are the hives inspected? Do we have an estimate of the # of unregistered hives?
4. Why do beekeepers not register their hives? Many don't know that it is required. The RI Beekeeper Assn grant to distribute queens to registered hives was designed to encourage registration. The program needs more publicity.
5. How long is the average hobby beekeeper in the business? Bee distributors do not have to notify the state so there is no way to know where bees are being kept.

ACTION ITEM: Invite Jim Lawson to give a presentation to the Working Group.

6. What have we learned about pesticides?
 - There is a lot we don't know. For example, the impacts of pesticides when they are stacked and the multiple effects of any one pesticide (Nancy Ostiguy's presentation)
 - It is useful to encourage people to avoid use, but we know that some uses are necessary (eg. Chemicals needed to treat for verroa mites)

ACTION ITEM: Ask Dr. Wong for data showing ag and non/ag sales of pesticides (Bayer and Monsanto) in RI. It would also be useful to reach out to Scotts Miracle Grow.

ACTION ITEM: Can we determine how much treated seed is sold in RI? (DOT MSDs/seed suppliers might be able to help)

II. Presentation: Regulation of Pesticides in RI

Howard Cook

Pesticide regulation comes to the state from FIFRA, the Federal Insecticide, Fungicide, and Rodenticide Act under Section 23 (a)(1). State law is contained in the RI Pest Control Act (RIPCA). RIPCA 23-25-9 authorizes the Director of DEM to adopt regulations for the enforcement of the act.

RIPCA regulates:

- a) Labeling: labels of federally registered products are approved by EPA, states can not change them. Labels for products under section 25(b) (eg. Including “natural” substances like Lemongrass, cinnamon oil, etc.) are only approved by the state.
- b) Registration: all pesticides distributed in RI must be registered, including 25(b) products.
 - Restricted Use. (RUPs) for chemicals that are determined to have the potential to cause unreasonable adverse effects to the environment and injury to applicator or bystanders without added restrictions. The restriction can apply to the product or its use.
 - State Limited Use. If a product is designated as a RUP, the director may, after a public hearing, determine that the produce or use is state limited use.
- c) Transportation: requirements to transport pesticides and clean up requirements.
- d) Applicators: RIPCA recognizes five different types of pesticide applicators:
 1. Private applicator. Someone who applies or supervises the use of pesticides on land owned or rented by land owned or rented by him/her/employer or on land of another person if no compensation is receive. Examples – farmers with general use pesticides. The state does not know much about this group.
 2. Certified private applicator (160 in RI). Any private applicator certified under 23-25-14 – authorized to apply or supervise the application of any pesticide classified for restricted use by EPA or DEM Director. Examples – farmer using RUP.
 3. Commercial applicator. Someone who applies or supervises the application of pesticides on property not included in the definition of private applicator. Example. Golf course uses general use pesticides.
 4. Licensed commercial applicator (1,000 in RI). Commercial applicator who is licensed under 23-25-12 as authorized to use pesticides not classified for restricted use by EPA or limited use by DEM on land owned or rented by him/her. These applicators are subject to use inspections.
 5. Certified commercial applicators (800 in RI). Commercial applicator certified under 23-25-13 as authorized to use pesticide classified for restricted use by EPA or limited use by DEM on land not owned or rented by him/her.

Inspections: DEM does about 45 inspections/year of licensed & certified applicators and about 15 agricultural applicators. DEM schedules the inspection ahead of time. During the inspection DEM reviews to be sure the pesticide is applied in accordance with label, at the proper rate, with the proper equipment. The check mixing and loading, observe the application and take photographs to document the inspection. They review records to make sure the applicator is in compliance with regulations, check signage and leave behind notices, storage.

What does DEM know about pesticide use?

The approximately 160 certified private applicators report RUP use. Dealers submit RUP sales. There are approximately 9,000 registered pesticide products in RI. DEM has received few complaints of drift and has only received 2 – 3 reports of bee kills in the past 4 years.

What doesn't DEM know?

General use pesticides (GUP) are not tracked. DEM does not know how much GUP is applied by farmers (many farmers are not certified) or homeowners. DEM has limited enforcement presence and does not know how many unlicensed applications are made.

What does the DEM program include?

4 staff members that include a supervisor, C&T person/marketplace inspection, Inspector and clerical. This team registers and collects fees for approximately 9,000 pesticide products and trains and provides testing/recertification for 1,000 licensed applicators, 800 certified applicators, 160 certified private applicators, 50 RUP dealers.

Pesticide registration brings in about \$1.5 M, licensing/certification brings in about \$71,000. All money goes to the general fund. The pesticide program budget is about \$550,000. The budget has been decreased significantly over the past 4 years. They no longer have a collection program. They do not conduct routine enforcement inspections, reach out to non-certified private applicators to provide training.

Program needs 2 additional staff (\$204 K) and money to dispose of used chemicals (about \$150K)

III. Presentation: Pesticide Misuse Cases.

Dr. Steve Alm

The presentation reviewed serious US cases of pesticide misapplications inside homes with death and serious health issues resulting. Some examples of outdoor misapplications (Bumble bee kill in Oregon, Zika spraying, illegal dicamba spraying) were also reviewed. The presentation pointed out that in these cases, the state certification program was extremely weak and did nothing to protect human health and life. Steve pointed out that if applicators are going to misapply pesticides indoors where effects on people are going to be seen (illness and death), there may be more misapplications outdoors where effects on non-target organisms (bees, birds, etc.) may not be captured.

We are paying extraordinary fees to clean up after mis-application of pesticides. The methyl parathion example in the presentation cost \$100M to clean up. Yet we do not invest in preventative training and oversight.

Homework: Reading a label. We discussed the label assignment and reviewed how to calculate the proper application. It was not a simple task.

Funding for URI training program. EPA used to provide \$16K per year. This has now been reduced to \$5K – and URI takes \$2K for overhead.

Q. Is the training program rigorous enough?

A. The training should include more questions on reading the labels. RI does not have a reciprocal license with MA and CT. Their training is more rigorous. RI training does not include practical application of the information.

(Bob Mann) NH has the best training in New England. You have to verify your experience, past courses, etc. The test includes an oral exam which allows careful examination of expertise. RI's training program is nice in that you can walk in on day 1 and walk out on day 2 having completed the exam.

RI's curriculum is comprehensive and uses the Core Training Manual published by Cornell University. Many other states in the NE use the same training curriculum.

RI does require recertification credits. According to members of the working group, it is easy to get recertified in RI.

Question: How does NH fund its program?

Q. What is the responsibility of the chemical companies to help with disposal?

A. They are responsible but we are dealing with very old chemicals that have been stored for decades on people's property.

Q. Dr. Ostiguy recommended only selling pre-mixed pesticides to residential customers. What do we think of this suggestion?

A. The Working Group was generally in favor. Howie Cook raised a concern that the volume would be too large – especially for larger land owners.

Additional comments received from Dr. Alm after the working group meeting:

Howard also mentioned the "rogue applicators" that his agency does not seem to have the capacity to eliminate. Also, the indoor misapplications are a human health issue on top of the bee health issue.

I realize that the current law does not require initial applicators to attend URI's training program, however, I believe it is relatively easy for DEM to make it a policy or a "rule" to make attending the training program mandatory for all applicators. Either make it a policy, a rule or change the law. Rhode Island is unique in that we are small enough to have everyone come to a uniform mandatory training program.

Funding for two more people for DEM and one more for URI to come out of pesticide registration receipts seems reasonable. With additional competent testers, DEM could make the supervisory category as rigorous as the one in New Hampshire. With one additional trainer, URI could assist with more training on pesticide label comprehension (the key area that is not being tested to the extent it should be in any state to my knowledge), pest ID, etc.

Recommendations: 1) Make the category exams closed book. The current category training could be upgraded to a supervisory training and include more label comprehension for each category 2) create a supervisory category and test on label comprehension, avoidance of exposing bees and other non-target organisms to pesticide treatments (core, category and supervisory tests), IPM techniques, equipment

calibration, and mixing calculations. Or, make it mandatory to have passed a more rigorous category exam to open and operate a pest control business. 3) I would NOT recommend a mandatory apprentice period as some states have enacted. This may be an effort to reduce competition.