

From: Englander, David <David.Englander@vermont.gov>
Sent: Friday, January 13, 2023 3:29 PM
To: Anthea DexterCooper <ADexterCooper@leg.state.vt.us>; Huber, David <David.Huber@vermont.gov>
Cc: Charlene Dindo <CHARLENE@leg.state.vt.us>; Mark MacDonald <MMacDonald@leg.state.vt.us>; Joe Benning <JBenning@leg.state.vt.us>; Christopher Bray <CBray@leg.state.vt.us>; Virginia Lyons <VLyons@leg.state.vt.us>; Trevor Squirrell <TSquirrell@leg.state.vt.us>; Seth Bongartz <SBongartz@leg.state.vt.us>; Mark Higley <MHigley@leg.state.vt.us>; Carol Ode <COde@leg.state.vt.us>; Levine, Mark <Mark.Levine@vermont.gov>; Michael O'Grady <MOGrady@leg.state.vt.us>; Tebbetts, Anson <Anson.Tebbetts@vermont.gov>; Collier, Steven <Steven.Collier@vermont.gov>
Subject: Re: Letter on behalf of LCAR - Re: 22-P06 - Vermont Rule for Control of Pesticides

Mr. Chair and Members:

Thank you for your attention to this matter and your patience as the Department of Health and the Agency Agriculture, Food & Markets (AAFM) worked together to find solutions to address our common goals. We wish to apprise you of the following developments.

AAFM has agreed to propose the following emendation to the rule to codify the role of VDH when the Agency is considering permitting aerial or truck-mounted spraying operation:

Section 6.07 Mosquito Adulticide Permit

1. Section 6.07(e) has been amended to read, “Prior to the issuance of any permit for aerial or truck-mounted pesticide application, the Secretary shall consult with the Department of Health to evaluate whether issuing the permit would cause a significant public health risk. As used in this Section, “significant public health risk” means a public health risk of such magnitude that the Commissioner or a local health officer has reason to believe that it must be mitigated. The risk’s magnitude is assessed by evaluating the characteristics of the public health hazard, the degree of exposure to it, and the circumstances of exposure.”

AAFM will file an amended rule consistent with their obligations under 3 V.S.A. Chapter 25.

In addition, to address the issues of pesticides in schools, VDH and AAFM will convene a workgroup to include the Agency of Education that will work to expand information and implementation of the Integrated Pest Management (IPM) in schools program established in the Healthy Schools Envision Program. Please see, <https://www.healthvermont.gov/health-environment/healthy-schools/envision-program> and <https://www.epa.gov/ipm>

With this, VDH agrees that the rule before the committee represents an important step forward in modernizing the approach of pesticide application in the state and believes the Committee should approve the Rule. We look forward to continuing to work with AAFM on these important shared issues.

I have been authorized by AAFM to represent that they are in agreement with the above.

Truly,
David

David C. Englander ([he/him](#))
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From: Englander, David <David.Englander@vermont.gov>
Sent: Tuesday, January 10, 2023 2:50 PM
To: Anthea DexterCooper <adextercooper@leg.state.vt.us>; Huber, David <David.Huber@vermont.gov>
Cc: Dindo, Charlene <charlene@leg.state.vt.us>; Mark MacDonald <MMacDonald@leg.state.vt.us>; Joe Benning <JBenning@leg.state.vt.us>; Christopher Bray <CBray@leg.state.vt.us>; Virginia Lyons <VLyons@leg.state.vt.us>; Trevor Squirrel <TSquirrel@leg.state.vt.us>; Seth Bongartz <SBongartz@leg.state.vt.us>; Mark Higley <MHigley@leg.state.vt.us>; Carol Ode <COde@leg.state.vt.us>; Levine, Mark <Mark.Levine@vermont.gov>; Michael O'Grady <mograde@leg.state.vt.us>; Tebbetts, Anson <Anson.Tebbetts@vermont.gov>; Collier, Steven <Steven.Collier@vermont.gov>
Subject: Re: Letter on behalf of LCAR - Re: 22-P06 - Vermont Rule for Control of Pesticides

Madame Counsel and Committee Members:

The Department of Health (VDH) and the Agency of Agriculture, Food & Markets (AAFM) have been working collaboratively on the Rule for Control of Pesticides (22-P06). These discussions have been productive and helpful for both agencies.

Rather than providing comments to the Committee and AAFM today, the agencies expect to jointly provide the Committee with a resolution that meets our common goals of modernizing the rule and protecting Vermonters by close of business on January 13, 2023.

Best,
David

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From: Anthea DexterCooper <ADexterCooper@leg.state.vt.us>
Sent: Thursday, January 5, 2023 3:45 PM
To: Englander, David <David.Englander@vermont.gov>; Huber, David <David.Huber@vermont.gov>
Cc: Dindo, Charlene <charlene@leg.state.vt.us>; Mark MacDonald <MMacDonald@leg.state.vt.us>; Joe Benning <JBenning@leg.state.vt.us>; Christopher Bray <CBray@leg.state.vt.us>; Virginia Lyons <VLyons@leg.state.vt.us>; Trevor Squirrell <TSquirrell@leg.state.vt.us>; Seth Bongartz <SBongartz@leg.state.vt.us>; Mark Higley <MHigley@leg.state.vt.us>; Carol Ode <COde@leg.state.vt.us>; Levine, Mark <Mark.Levine@vermont.gov>; Michael O'Grady <mogrady@leg.state.vt.us>; Tebbetts, Anson <Anson.Tebbetts@vermont.gov>
Subject: Letter on behalf of LCAR - Re: 22-P06 - Vermont Rule for Control of Pesticides

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello David and David,

Please see the attached letter.

Best,

Anthea

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