



Janet T. Mills
GOVERNOR

STATE OF MAINE
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AUGUSTA, MAINE
04333-0001

June 25, 2021

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 125, *An Act To Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture*.

L.D. 125 would ban the aerial application of glyphosate and other synthetic herbicides for the purpose of silviculture, including reforestation, regeneration or vegetation control after any timber harvest. This bill does not ban herbicides, such as glyphosate; rather it focuses only on one method of application.

There are widespread concerns about the chemical glyphosate and whether the aerial application of herbicides is performed safely and responsibly. Responding to these concerns, the Agriculture, Conservation and Forestry Committee's majority report on L.D. 125 (which passed 9-4) focused on expanding buffers and setbacks to further protect waterbodies, wetlands, wildlife habitat, and other natural resources. It also proposed additional setbacks around residential property. I support this approach and will be issuing an Executive Order directing the Maine Forest Service and the Board of Pesticide Control to institute additional specific safeguards to further limit aerial application of herbicides, consistent with best practices and state policy.

I cannot, however, support L.D. 125's blanket prohibition. I note that at the request of the 129th Legislature, the Board of Pesticide Control authorized an independent assessment of Maine's pesticide use regulations concerning aerial application by industrial forest management companies. The independent auditor, SCS Global Services, reported: "no evidence was gathered during the course of the verification audit to contradict the following overall conclusion: The State of Maine regulatory framework, within which aerial application of herbicides in forest operations takes place, is functioning as designed."

The aerial application of herbicides in forest management is extremely limited. In 2018, the acreage treated amounted to less than five percent of the total annual forest acres harvested statewide. And, in the last 30 years, Maine has seen an 82 percent reduction in acres treated.

Forest landowners strive to maximize growth and yield of their forest at a time when consumers are hungry for wood products. They work under tight margins, are susceptible to erratic weather patterns, and are constantly looking at ways to improve yields and maintain a healthy and



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sustainable product for generations to come. For Maine's large forest landowners seeking to improve the growth of desirable tree species and control competition of undesirable species, such as disease-prone beech, limited spraying of herbicides is an integral tool. Moreover, researchers at the University of Maine have identified increasing the density of spruce plantations as one of the most effective and efficient ways to sequester carbon. These plantations cannot be established unless weeds and other competition are controlled, which is impossible without targeted herbicide treatments.

Spraying for site preparation is conducted once or twice over the course of a 40- to 60-year rotation of a forest stand. It is applied with careful thought, planning, and consideration. It is applied under strict adherence to practices that account for weather conditions, wind direction and speed, rate of application, and the location of streams, brooks, and other water bodies.

Banning aerial application, however, would force landowners to conduct ground application, which is manually intensive, has a potential for greater site disturbance and soil compaction, and may require multiple applications with higher and more dangerous concentrations levels to achieve the same level of effectiveness.

The environmental concerns associated with aerial application need to be balanced with the goal of decarbonization and the legitimate needs of silviculture enterprises. This bill, the minority report of the Committee, fails to achieve that balance.

For these reasons, I return LD 125 unsigned and vetoed, and I urge the Legislature to sustain this veto.

Sincerely,



Janet T. Mills
Governor



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