

# Ordinance Committee Meeting Minutes

## May 22, 2019

Present: Councilors Kuhn, Ferrante, and King  
Staff: Kimberly Darling  
Conservation Commission Members: Nancy Lightbody, Rich Bicknell  
Portland Country Club: J.B. Christie, Mel Dickenson

Kuhn began the meeting by briefing the committee on a meeting she had with Nancy and Kimberly on a concept plan which would be an ordinance that requires commercial applicators doing business in Falmouth to register with the Town, report monthly data showing what products they used (synthetic and organic) where they used them and how much they used. It is believed that this approach contains reasonable and effective enforcement procedures, and would call for a review of the data in 2-3 years to evaluate impacts on Casco Bay and the need for additional action.

This proposal also includes the Conservation Commission leading a voluntary compliance program to “sign the pledge” to practice healthy yardscaping. The commission may connect with a local design/marketing professional to help design and print materials about the program and a yard sign for participating homeowners to display.

The Sustainability website will be a place of vetted information for education and outreach materials about pesticides, fertilizers, and healthy yardscaping practices that residents can go to.

Jesse O'Brien from Down East Turf Farms out of Kennebunk was going to attend the meeting today but couldn't be here in person. Jesse has been involved in the Portland and South Portland ordinance development as a commercial licensed pesticide applicator; he has experience with developing the BMPs with the Maine Board of Pesticide Control, and is a part of the Maine Landscaping and Nursery Association. In terms of the new draft concept plan, Jesse noted that people in the industry are concerned with the overuse of pesticides and fertilizers, but favors education over legislation/regulation. Jesse referenced a resource from the State of Maine titled “Hiring a Landscape Professional”, as well as “Best Management Practices for Application of Turf Pesticides and Fertilizers” which is worth including in our outreach materials.

Guests from the Portland Country Club have attended the meeting to give their insight on the issues of pesticides and fertilizer from a golf course perspective. Mel Dickenson is a member of the Portland Country Club and a member of the “Green Committee” and JB Christie is the golf course superintendent at the Country Club who manages the grounds.

The committee inquired about Audubon Certification and what it entails. Christie responded saying Audubon International has been around for quite some time, and since 1997 Portland Country Club has been certified, and was the first in Maine to gain this certification. There are only 3 courses in the Maine that are certified, but maybe 14 involved in the program in some fashion. This program requires re-certification every three years, providing back up documentation. There are guidelines that are expected to be met to become certified. There are different categories to include:

Outreach and Education—which can involve working with students; Chemical Reduction in Pesticides—which involves using products that are environmentally responsible; Environmental Planning—includes

evaluating, planning and documenting environmental management practices to balance golf and the environment; Wildlife and Habit Management; Chemical Use and Reduction; Water Conservation and Water Quality Management –to ensure clean water quality and involves water testing every year for the ponds on the golf course. This includes buffers and vegetation around the water ways, leaving the grass taller around the ponds, includes no-spray zones. One area of no-spray is near the pool on the campus.

Christie stated that 144 acres encompass the PCC, 3 acres of greens, 2 acres of greens, 27 acres of fairways, 70 rough, 50 acres probably wooded. The water test this year, tested specifically for nitrogen level, highest level coming off Route 1, nitrogen levels dropped after going into their ponds and into Casco Bay. PCC tests their ponds once a year and soil testing also and suggests that their ponds lower the nitrogen levels entering the Bay.

The group question why another golf course wouldn't pursue this Audubon Certification.

Dickenson and Christie responded saying that it shouldn't be the expense, its \$300 a year to join the program, but there are other expenses for nesting boxes and things like that. Portland Country Club is also harvesting bee hives as part of the program. They both believe that other golf courses are worried about how much effort it would take; took PCC 4 years to become certified.

The group discussed how to motivate other golf courses to become Audubon Certified which could include pressure from members of the other clubs, or showcasing the work that PCC as accomplished. Nancy mentioned that the Falmouth Country Club has made progress to start mowing higher near ponds etc., but hasn't followed up with them as of late.

Christie mentioned that as a golf course there is a need for fertilizer and pesticides. Ferrante wanted to get some better insight on the need of these products. Christie mentioned that the chemicals used are at very small rates and amounts and the equipment is so specialized, and that staff that use these products are trained and always are working in favor of the weather, and also are aware of the cost of these products.

Dickenson and Christie believe that the Audubon provides the impetus to use the products necessary to maintain the golf courses. Golf courses are a bit difference than lawns. Christie requests that if we do reach out to the Audubon that mentioning this meeting would be great to address his outreach and education requirement. Mentioned the many conferences he attends on an annual basis.

The group questioned if there is a program for residents or individual home owners.

Dickenson and Christie believe that there is some sort of program and there is great information on their website. [www.auduboninternational.org](http://www.auduboninternational.org) phone number is 518-767-9051 and they're located in Troy New York. Nancy confirmed there are several different programs, including a Green Neighborhood's program.

Dickenson reported that a board member at PCC who is a lawyer had a question regarding the certification through Audubon for golf courses, and questioned what if that certification program goes away and how that would work in an ordinance. Dickenson further questioned what the next steps may be.

Kuhn responded that currently looking at a period for 2-3 years of reporting and as this goes through the public process there will be plenty of opportunity to provide public input. The next steps will be further discussed with the next ordinance committee. However, consensus was reached that we need to start with

education and understanding how to get information to other groups such as homeowners and condo associations etc.

The first meeting will be an organizational meeting for the next ordinance committee in the next couple of months. Things to consider include the need for monthly reporting, how to raise awareness on homeowners and condo associations, as well as monitoring development state and regionally.

Comments from the Commissions include general disappointment that it wouldn't be moving ahead quickly. They are working to better understand water quality testing as it relates to monitoring, and Nancy has been working with the BPC to better understand their testing. Wanted to collect data also on local garden centers on the amounts of products that are being sold (such as roundup), also curious if were not pursuing the pesticide restriction, but perhaps starting with fertilizer instead.

Regarding next steps, Kuhn is going to revise the draft concept plan and circulate to staff, and invite anyone in attendance today to come to the next meeting (date TBD), Ferrante will be connecting Macey to Nancy for the Conservation Commission's June 3 meeting. Kimberly will continue to work on the website.

Consensus was further reached that we need to establish a need for this ordinance, and hopefully the registration and reporting system will help us define that.

Meeting adjourned at 4:15pm.