



TOWN OF FALMOUTH RESOLUTION

Town Council Commitment to Monitor the Use of Fertilizers and Pesticides from Licensed Applicators through Ordinance and Delegate the Conservation Commission to Lead an Outreach Campaign to Educate Falmouth Residents on the Importance of Proper, Environmentally Sound Lawn Care Practices

- WHEREAS,** the Town of Falmouth is a coastal community and the Town has the responsibility to protect its natural resources; and
- WHEREAS,** the United States Environmental Protection Agency (EPA), the Committee on Environmental Health of the American Academy of Pediatrics, the National Academy of Sciences, and the President's Cancer Panel have all concluded that exposure to many synthetic pesticides is linked to reproductive disorders, birth defects, learning disabilities, neurological disease, endocrine disorders, and cancer; and
- WHEREAS,** the EPA and Mt. Sinai Children's Environmental Health Center agree that children, with their still-developing bodies and brains, are especially vulnerable to the harmful effects of lawn and garden pesticides; and
- WHEREAS,** the Clean Water Act has protected waters in the United States since 1972; because of advocacy at that time and throughout the present, bacterial and toxic pollution flowing into Casco Bay has decreased; and
- WHEREAS,** the Friends of Casco Bay was formed in 1989 with a mission to improve and protect the environmental health of Casco Bay, and "advocates for new protections, laws, ordinances, policies, and rules when simply educating the public is not enough to address a threat to the health of the Bay"; and
- WHEREAS,** for over 25 years, Friends of Casco Bay has been testing the Bay's water quality and measuring salinity, dissolved oxygen, water temperature, water clarity, pH, and, since 2005, nitrogen; and
- WHEREAS,** based on scientific data, the biggest threats to Casco Bay include excess nitrogen, ocean and coastal acidification, stormwater pollution, climate change, and a lack of governmental resources to tackle these issues that therefore threatens the health of the bay; and
- WHEREAS,** excess nitrogen can trigger nuisance algal blooms that may reduce water clarity, prevent juvenile clams from settling, and suffocate animals in the mud; and
- WHEREAS,** nitrogen is one of the primary components of fertilizers, along with phosphorus and potassium; and due to the availability and abundance of synthetic fertilizers, there has been a drastic increase in the amount of fertilizer use for ornamental purposes; and

Resolution No 74-2020

WHEREAS, consistently, data have shown that nitrogen levels are highest closer to land in tidal creeks and lower nitrogen levels are found farther from shore; and

WHEREAS, both by definition and by their very nature, pesticides are products that kill, control, or repel living things. Pesticides are toxic by design; they are the only chemicals we release purposely into our environment to kill living things; and

WHEREAS, between 2001 and 2009, Friends of Casco Bay collected rainwater flowing into the bay and analyzed the samples for a variety of pesticides. The goal for this project, in collaboration with the Maine Board of Pesticides Control, was simply to determine “presence” or “absence” of pesticides. Lab results identified 10 different pesticides in 14 locations all around the Bay; and

WHEREAS, from the study mentioned above, the two partners concluded that pesticides in stormwater were flowing into Casco Bay from thirteen communities/neighborhoods, three of which were in Falmouth: in the Presumpscot River, Mussel Cove, and the Foreside; and

WHEREAS, licensed pesticide applicators must be trained and pass exams to obtain their license. They also have restrictions on applications due to weather and proximity to bodies of water. Furthermore, they must report total use of pesticides to the Maine Board of Pesticides Control annually; and

WHEREAS, there are currently no State of Maine or local regulations in place for fertilizer applicators,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FALMOUTH ASSEMBLED THIS 9TH DAY OF MARCH 2020, THAT:

- A. The Town Council will adopt an ordinance that will require licensed pesticide applicators and commercial fertilizer applicators to register and report their use of pesticides and fertilizers in the Town of Falmouth on an annual basis. The data collected through the required reporting will act as a baseline and inform water-testing procedures and protocols the Town may want to pursue;
- B. The mission of the Falmouth Conservation Commission (FCC) is to protect the natural resources of Falmouth. The FCC will lead an Education and Outreach Campaign to educate Falmouth residents on the importance of proper, environmentally sound lawn care practices; and
- C. The Town Council will assess annual data on fertilizer and pesticide use as well as evaluate the effectiveness of the Education and Outreach Campaign to determine if future regulations are warranted.

Attest: _____
Ellen Planer, Town Clerk

Date: _____