



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
BOARD OF PESTICIDES CONTROL  
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**Memorandum**

To: Board of Pesticides Control  
From: Karla Boyd | Policy and Regulations Specialist | Maine Board of Pesticides Control  
Re: Summary of potential “residential landscapes” rulemaking concepts for CMR 01-26  
Chapter 10: Definitions  
Date: February 24, 2023

***Introduction***

At its February 25, 2022 meeting, the Board discussed further defining the term “Residential Landscapes” in the context of Chapter 41, Section 6. Currently in rule, the term “sensitive areas likely to be occupied” includes residential properties, but residential is not defined. The Board requested information on all potential rulemaking concepts at its January 11, 2023 meeting. To aid in facilitating continued discussion of rulemaking concepts, staff have prepared a summary of definitions that could be used for “residential landscapes”.

***Defining Boundaries***

Additionally, staff have identified inquiries relating to Chapter 41, Section 6 regarding the boundaries of what would be considered “residential landscapes”. An inquiry came in on January 26, 2023 regarding a land manager that operates a private estate in Maine. The property consists of formal gardens as well as significant forested areas. This person hires a commercial applicator to do tree injections. They were interested in applying a dinotefuran product as a trunk spray to control HWA, bronze birch borer, and potentially spruce adelgid. Staff discussed best management practices and integrated pest management that could be used in this situation. In accordance with Chapter 41, section 6 and policy, only trees that are identified to be infested with HWA could be treated on the property, but questions arose about if the forested sector of this land would be considered “residential”. The Board may want to provide additional guidance regarding defining boundaries of “residential landscapes”.

MEGAN PATTERSON, DIRECTOR  
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*Table of Potential Definitions*

Below is a summary of potential definitions from three sources.

	<b>Source and Definition</b>		
<b>Term</b>	<b>Merriam-Webster</b>	<b>Cambridge Dictionary</b>	<b>The Britannica Dictionary</b>
Residential	restricted to or occupied by residences	relating to where you live or have lived	of or relating to the places where people live
Landscape	the landforms of a region in the aggregate	a large area of land, especially in relation to its appearance	an area of land that has a particular quality or appearance