



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
MAINE FOREST SERVICE  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB  
COMMISSIONER

TESTIMONY OF DAVE STRUBLE  
STATE ENTOMOLOGIST  
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY  
IN OPPOSITION TO  
LD 1181

AN ACT TO PROVIDE FUNDING TO MUNICIPALITIES SEVERELY INFESTED BY BROWN-TAIL  
MOTH CATERPILLARS

BEFORE THE COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

DATE OF HEARING: 27 APRIL 2017

SPONSORED BY: Representative Tepler

COSPONSORED BY: Representatives Battle, Berry, Daughtry, DeChant, Devin, McCreight, Pierce;  
Senators Dill, Vitelli

Senator Davis, Representative Dunphy, members of the committee, I am Dave Struble, State Entomologist and Director of the Forest Health & Monitoring Division within the Maine Forest Service, Department of Agriculture Conservation and Forestry. I am here today representing the administration and testifying in opposition to LD 1181.

This bill proposes to authorize the Commissioner of the Department of Agriculture, Conservation, and Forestry to conduct or contract management activities specifically targeting browntail moth (BTM), to establish a "Maine Brown-tail Moth Management Fund" to underwrite the costs of such activities, and to provide an initial one-time infusion of \$500,000 to this fund from the General Fund.

In the spirit of full disclosure I should also mention that this bill specifically identifies the State Entomologist as the party responsible for designating which municipalities would qualify for potential subsidy and for allocating expenditures from the fund.

While I commiserate with people who live and work in the current BTM-infested area, I do not believe that this bill represents a realistic solution for providing relief.

I do not mean to trivialize the situation. The current infestation is the worst BTM outbreak I have seen in my career. It is intensifying and spreading into new areas, and shows no signs of subsiding in the near future. However, although many people are being exposed to this pest for the first time, this is not a new phenomenon. Maine has dealt with browntail moth outbreaks before.

The last browntail moth outbreak in the 1990's led the Legislature in 1997 to enact legislation aimed at facilitating municipal response to this public health issue (22 M.R.S. §1444. Control of browntail moths). This statute created the process for declaration of a public health nuisance by

the Director of the Bureau of Health [now Maine CDC], which provides a foundation for municipal officers in the affected municipality to conduct aerial spraying subject to rules adopted by the Board of Pesticides Control.

Whether municipalities seek a public health nuisance declaration or not, they and their residents already have a range of response options, from immediate treatment with registered pesticides applied from the ground or aurally, to taking no action and dealing with the residual condition thereafter. Each situation is unique, and each client's assessment of treatment cost versus anticipated benefit reflects that reality.

The position of the MFS has been and continues to be that, except for emergency situations as defined in 12 M.R.S., Chap 803, §8301, the process of making decisions and raising necessary resources for pest control projects, whether in a municipal neighborhood or on private woodlands, is most appropriately dealt with on an individual or local level. And, except for such emergency situations where the MFS has an overriding decision role, we see no public benefit in inserting ourselves into what should be a local decision.

The Maine Forest Service continues to work on pest management problems with a broad range of constituencies, from municipalities and industrial landowners and service providers to landowner groups and individuals. We have directed our efforts over the years towards providing timely and useful information about current or pending forest and shade tree threats and health issues. Concurrently, we attempt to develop and provide management options to our clients so that they can make informed management decisions

In the case of browntail moth, we continue to monitor the situation and report our assessments to threatened municipalities and to the public health network via the Maine CDC. We work cooperatively with the Maine Board of Pesticide Control to ensure that municipalities and individual have options to manage their situation.

We continue to work with partners investigating additional potential treatments, with the objective of having effective, low risk treatment alternatives that can be used by individuals and municipalities. We have provided a technical guide to assist groups who are considering pesticide application to manage BTM, and have repeatedly met with local residents who are looking at their various options.

I strongly believe that this is the most appropriate role for the MFS, and is one that we can continue within currently available resources.

As regards creating a "Brown-tail Moth Management Fund," from a forest pest management perspective, there is no justification for providing state financial support for controlling browntail moth vs. other well established forest pests (e.g., spruce budworm, gypsy moth). Moreover, I do not believe that a single infusion of \$500,000 would prove sufficient to eliminate the problem, and it would set an expensive precedent for future requests for this and other pests.

The one distinctive characteristic about BTM is the human health nuisance aspect, and that is tied to the declaration of a public health nuisance by the Maine CDC. Following that reasoning, if you do decide to create a Maine Brown-tail Moth Caterpillar Management Fund, it would be better located within the Maine CDC; there is no justification for housing it in our department.

This concludes my testimony. I am available to answer any questions the committee may have, and will be present at the work session.