

**Proposed Administrative Consent Agreement
Background Summary**

Subject: Stephen Antonson
9 Mechanic Street
Rockport, Maine 04856

Date of Incident(s): Autumn 2021 and Autumn 2023

Background Narrative: On October 13, 2022, The BPC was contacted by a Maine Forest Service Entomologist regarding observations of declining tree health and evidence of large drill holes and possible herbicide application to trees at the Graham property located at 11 Mechanic Street in Rockport, Maine. This evidence included leaf curling, bore holes, and impact limited to a distinct corridor of trees directly in line with the deck of the Antonson residence. On October 29, 2021, Board representatives conducted a site inspection at 11 Mechanic Street and collected samples of the liquid present in the bore holes of the affected trees. The samples were positive for Imazapic and Triclopyr. On October 23, 2023, the Chair of the Rockport Parks and Beautification contacted the BPC to report additional tree decline at the Graham property visible from Rockport Harbor. A Board representative returned to the property on October 23, 2023, and observed a distinct circular disturbance around the base of each newly affected tree. Three soil samples were collected for combined analysis and tested positive for Triclopyr at 360ppm. While Antonson denies any involvement in the herbicide applications to the trees at 11 Mechanic Street in Rockport, the Board finds that the positioning of the affected trees in addition to prior correspondence from the Antonson's to the Graham's requesting tree removal indicate that Antonson would have been the only one to benefit from the application of herbicides to the affected area.

Summary of Violations: CMR 01-026 Chapter 20 Section 6(D)2: No person may apply a pesticide to the property of another unless prior authorization for the pesticide application has been obtained from the owner, manager, or legal occupant of that property.

Rationale for Settlement: Antonson did not have authorization to apply pesticides at 11 Mechanic Street in Rockport. Imazapic and Triclopyr active ingredients detected in the samples from 2021 and Triclopyr detected in the samples from 2023 indicate that at least two applications of pesticides were made to trees at the 11 Mechanic Street location without authorization.

Attachments: Proposed Consent Agreement