

**BOARD OF PESTICIDES CONTROL  
APPLICATION FOR VARIANCE PERMIT  
(Pursuant to Chapter 29, Section 6 of the Board's Regulations)**

I. Terry Stephens CMA#45404/3A 3C 5a 6A 6B (207) 951-2332  
14 Sargeant Drive, LLC  
14 Sargeant Drive Northeast Harbor ME 04662

II. Area(s) where pesticide will be applied:  
  
14 Sargeant Drive, Northeast Harbor, Maine  
Please see attached topographical cutout for the area where pesticide will be applied.

III. Pesticide(s) to be applied:  
**Capstone EPA Reg. No. 62719-572**  
**Rodeo EPA Reg. No. 62719-324**

IV. Purpose of pesticide application:  
  
To control a substantial stand of Japanese Knotweed (*Fallopia japonica*, syn. *Polygonum cuspidatum*)

V. Approximate dates of spray application:  
  
May 15, 2012 to June 15, 2013. Using this time frame for the knotweed to foliate to 3 feet

VI. Application Equipment:  
  
Backpack Sprayer

VII. Standard(s) to be varied from:  
  
Chapter 29, Section 6. Buffer Requirement  
A. No person shall make an outdoor terrestrial broadcast application of pesticides except for applications to control arthropod vectors of human disease or stinging insects, within twenty-five (25) feet from the mean high water mark of:


IV. Estuarine and marine waters as defined under 38 M.R.S.A. 361-A (5)

VIII. Reason for variance:  
  
To allow for the broadcast application of the above mentioned pesticides to control the invasive Japanese Knotweed down to the mean high water mark at this property

IX. Method to assure equivalent protection:

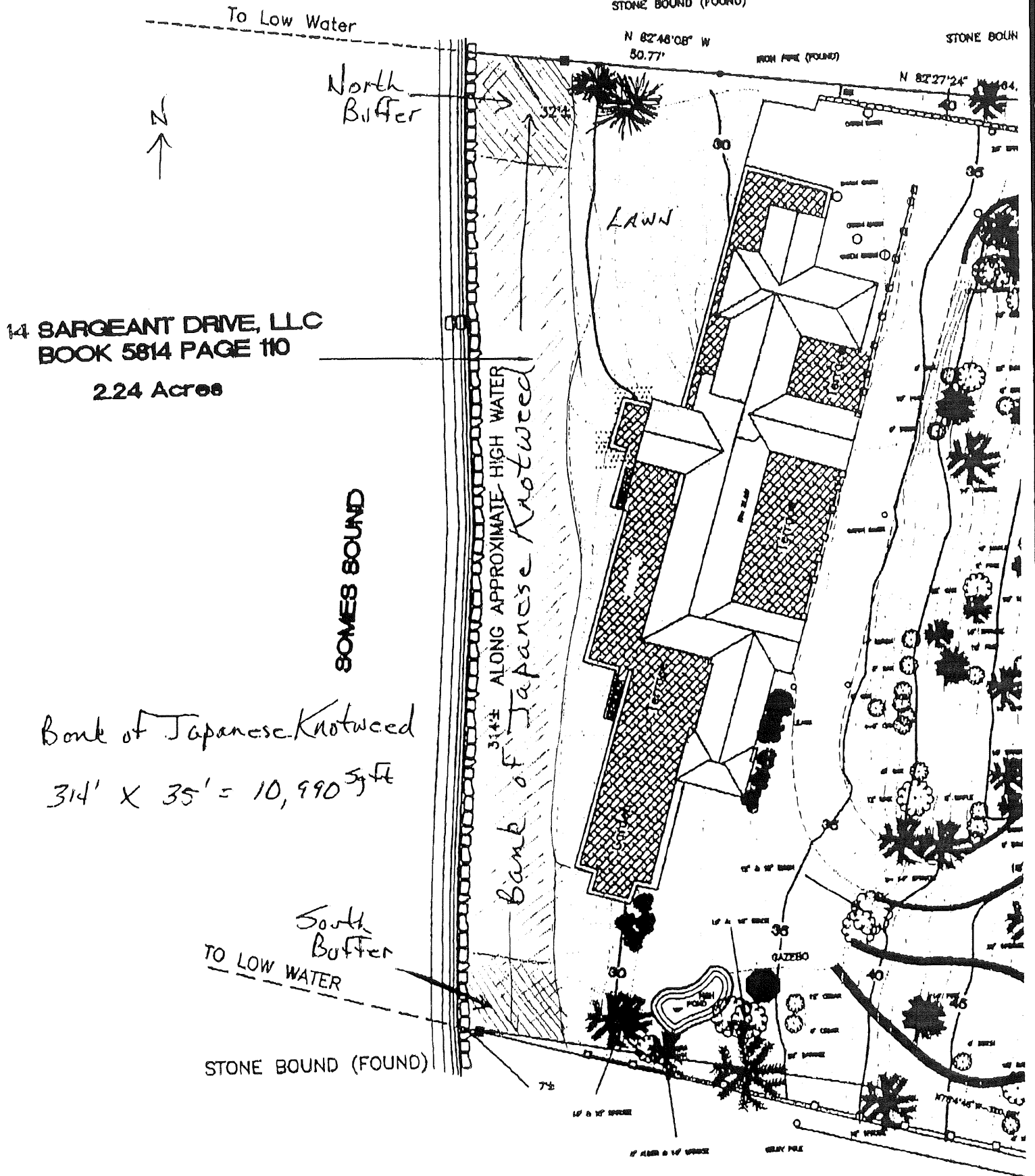
To assure equivalent protection the following actions will be taken:

1. An erosion control barrier will be placed at the top of the existing sea wall which is also the mean high water mark for this section of land. At the top of the slope a small berm of wood chips will be placed to mitigate the beginning of any erosion that might occur where the lawn meets the top of the slope.
2. In the next several weeks the entire area will be over-seeded with annual rye.
3. Buffer areas on both north and south property lines will be established and the Capstone will not be used in these areas due to its effect on the root system of conifers. The knotweed in these areas will be treated with Rodeo. These buffer areas, in addition to the erosion control mentioned in #1, will also be covered with an erosion cloth because of the use of the Rodeo.
4. Wait for the Knotweed to reach a height of 3' more or less so that there is sufficient foliar surface area to translocate the pesticide.
5. Spray the identified land as the tide is ebbing, spraying away from the water with no breeze or a light sea breeze to minimize drift towards water and adjacent properties.
6. Mixing of all pesticide will occur at the beginning of the property, approximately 400 feet away from the mean high water mark.

Signed:  Date: 4-3-13

Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**

**OR E-mail to: [pesticides@maine.gov](mailto:pesticides@maine.gov)**



14 SARGEANT DRIVE, LLC  
 BOOK 5814 PAGE 110  
 2.24 Acres

Bank of Japanese Knotweed  
 314' X 35' = 10,990 sq ft

Bank of Japanese Knotweed  
 314'± ALONG APPROXIMATE HIGH WATER

South Buffer  
 TO LOW WATER

STONE BOUND (FOUND)

STONE BOUND (FOUND)

STONE BOUND

N 82°48'08" W  
 50.77'

IRON PIPE (FOUND)

N 82°27'24" W 148.4'

LAWN

00

05

1' & 1/2" SPACE

1' & 1/2" SPACE

GAZEBO

75

75

1' & 1/2" SPACE

1' & 1/2" SPACE

VELVET PILE

N 77°44'48" W 120.0'