Think First... Spray Last!

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Pesticide Inspector Narrative

150701MLP01

CC# 5921

Harpswell

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I (Megan Patterson) followed up on a complaint received July 2, 2015 from Jeff Gillis of Well Tree Inc in Brunswick. The complaint was made on behalf of Gillis's customer Debbie Thomas of 31 South Dyers Cove Rd, Harpswell. I contacted Gillis via phone on 7/7/15 and asked to schedule an appointment to view the complaint site. Gillis said he would be available on Friday, July 10, 2015 at 9:30 AM. Gillis also reiterated that a large variety of plant species were affected including hardwoods, softwoods and brambles. Of the trees most affected plants were saplings, but one affected tree was a twelve inch diameter pine. Gillis said the plants had twisted foliage and white venation. After digging down below the soil line near the pine, Gillis found a ¾" bored hole in the trunk/root. Gillis said the bulk of the damage occurred uphill, closer to the neighbor's property, but raspberries planted along the road about 15'-20' away were also affected. Gillis said he contacted Bill Ostrofsky with the Maine Forest Service and was encouraged to contact the Board of Pesticides Control. The damage was first noticed this spring. Thomas employs another arborist, Tim Vale, and when Vale saw the damage, he recommended that Thomas contact Gillis.

On 7/10/15 I met with Gillis at 31 South Dyers Cove Rd, Harpswell (see Attachment 1). Also present were Thomas, and Ned Douglas, Thomas's husband. I presented my credentials and then reviewed the area of concern with Gillis and Douglas. Douglas agreed to provide a statement (see Douglas Statement). Douglas went on to say that his concerns are worsened erosion on an already eroding and steep embankment and potential contamination of his well. Douglas said that he believes his neighbor, Joseph Fazekas may continue to attempt to kill trees in an effort to improve the ocean view of the house he is trying to sell.

Douglas stated that he and Thomas first noticed the 20' by 20' brown area on their property when they arrived at 31 South Dyers Cove Rd on 6/13/15. Douglas apparently addressed the issue of the dead vegetation with Fazekas at that time. While I was on site on 7/10/15, Douglas informed Fazekas that he had contacted, via his arborist, the Maine Board of Pesticides Control. Douglas stated that he told Fazekas I was presently conducting an inspection. Douglas stated that Fazekas told him that Fazekas had a lawyer on retainer.

I proceeded with my inspection and took numerous photos of the hillside vegetation, the Thomas/Douglas well and the bore hole in the pine (150710MLP01B). Immediately apparent were the defoliated saplings, pine tree, and understory vegetation at the northwestern corner of

the Thomas/Douglas property. Less apparent, but also noticeable were the saplings in the vicinity that retained vegetation, but had stunted, chlorotic, deformed foliage. Some of the more mature foliage was also deformed, but had a wrinkly texture and elongated form. Plants affected appeared to be oak, cherry, white pine, Virginia creeper, and brambles. Other plants may have also been affected.

I collected five physical samples while on site. For each sample I donned a new pair of disposable gloves prior to collection. Each sample was placed either in a tamper evident bag with a dedicated seal number or in an inverted plastic bag that was then tied in a mushroom knot and encircled with a sticker seal. For those samples placed in tamper evident bags, the rip off seals at the tops of the bags were included in the case file (see file).

A soil sample was taken from the top one inch of soil, near the ¾" bore hole, at the base of the white pine tree that was almost entirely defoliated. Approximately ¼ L of soil was collected in a 1 L amber glass jar with jar and lid labeled (1507010MLP01A). The jar was placed in a tamper evident bag (Seal# 292070).

A 1 L composite foliage sample taken primarily from an oak sapling that was at the northeastern corner of the area with defoliated vegetation (150710MLP01C). The foliage sample was placed in a 1 L amber glass jar with jar and lid labeled. The jar was placed in a tamper evident bag (Seal # 292067).

A plastic bag was filled with approximately 4 stems from raspberry canes that appeared to have damaged foliage (150710MLP01D). More mature foliage was wrinkled and elongated while less mature foliage was stunted, chlorotic, and twisted. Seal # 00791 was placed on the bag.

A plastic bag was filled with a composite sample from both oak and cherry saplings that were growing in the northeast corner of the affected area (150710MLP01E). Both the oak and cherry appeared to have damaged foliage. The oak leaves had some minor elongation and wrinkling. The cherry foliage appeared stunted and elongated. The oak also had a proliferation of buds and a thickening of new growth. Seal # 00820 was placed on the bag.

A 1 L composite sample of pine needles was collected from the lower branches of the almost entirely defoliated white pine with the bore hole. The needles were placed in an amber glass jar with both lid and jar labeled (150710MLP01F). The jar was placed in a tamper evident bag, seal # 292117.

All samples were immediately placed in coolers with ice packs. Upon return to the Board of Pesticides Control Office, all jars were placed in the sample freezer and all plastic bags were placed in the refrigerator.

I contacted Bill Ostrofsky at the Maine Forest Service at asked if he could look at sample 150710MLP01D and 150710MLP01E. He agreed and I delivered the samples to him on 7/13/15. Ostrofsky immediately indicated that the injury to the cherry and oak foliage appeared to be the result of herbicide damage. Ostrofsky indicated that the symptomatic raspberry foliage could be the result of viral infection (Attachment 2).

On 7/15/15 I sent a follow up email to Ned Douglas and Debbie Thomas with requested contact information for the Montana State University Analytical Laboratory.

MAINE DEPARTMENT OF AGRICULTURE, FOOD & RURAL RESOURCES

STATEMENT FORM

Address: BOARD OF PESTICIDES CONTROL
Deering Bldg, AMHI
28 State House Station
Augusta ME 04333 Tel: 207/287-2731

Code No. 150710MLP01

On June 13th 2015 when we arrived at 31 South Dyers Cove Road we noticed a 20' by 20' brown area and several dead trees on the northwestern corner of our property. Our neighbors were surprised by the dead trees and wondered why we would think that we would even entertain the idea of them doing anything. Jeff of Well Tree came to the site and collected samples and sent them to the state plant pathologist. On July 10th Meghan Megan arrived and collected further samples which would be fresh.

Jeff suspected a heavy use of pesticide caused the damage.

We are concerned because the site is near our well.

The neighbors are attempting to sell their house and want better views

Signature Ned Douglas	Date July 10 2015
Inspector's Signature Megan L Patten	Date July 10, 2015