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Testimony of Representative Vicki Doudera presenting
**LD 1697, An Act to Increase Penalties To Deter Violations of the Laws
Regarding Improper Pesticide Use**

Before the Joint Standing Committee on Agriculture, Conservation and Forestry

Good afternoon, Senator Talbot Ross, Representative Pluecker and honorable members of the Joint Standing Committee on Agriculture, Conservation and Forestry. My name is Vicki Doudera and I represent House District 41, the towns of Camden and Rockport. I appreciate the opportunity to present **LD 1687, An Act to Increase Penalties To Deter Violations of the Laws Regarding Improper Pesticide Use**.

I will never forget the day I learned of the well-heeled summer residents in my town who poisoned their neighbor's trees to facilitate their million-dollar view of Camden Harbor. Amelia Bond, former CEO of the St. Louis Foundation, which oversees charitable funds with more than \$500 million in assets, brought an herbicide from Missouri in 2021 and applied it near oak trees on the waterfront property of her neighbor. The incident was discovered by the trees' owner, Mrs. Lisa Gorman, who had the foresight – and the resources – to ask her arborist to test a stand of dying trees. Tissue sampling of the trees revealed tebuthiuron, a broad-spectrum herbicide used in airports, highways, and midwestern pastures to kill woody plants and oaks.

This herbicide damaged more than 80 trees, bushes and shrubs on Mrs. Gorman's property, including seven mature oaks, 39 to nearly 80 feet tall. None of the affected plants were salvageable. All needed to be removed. And because tebuthiuron contaminates soil, and doesn't break down, the soil needed to be removed as well.

As soon as this happened, I had two thoughts: first, that the perpetrators of this poisoning would pay state fines that would be miniscule, not only in comparison to the damage done, but also to the monetary value of their now expanded harbor view; and second, that I would be putting in legislation to increase the fines. I knew I wanted to do whatever I could to create a deterrent to those for whom money is not an object to getting what they want.

And then, a few weeks later, all of us in Camden learned that the chemical had leached into a neighboring park and beach – a town park and beach used by residents and tourists nearly every

day of the year. A place where dogs can romp early in the morning and where children dig in the sand and swim. A place where my grandson had his third birthday party last summer.

The neighbors responsible for the poisoning, the Bonds, admitted to it. They paid \$4,500 to resolve Maine Board of Pesticides Control Board violations for unauthorized use of an herbicide that was applied inappropriately and not allowed for residential use, \$180,000 to resolve violations with the town and another \$30,000 for additional environmental testing, according to documents. They also paid more than \$1.5 million to Gorman in a legal settlement.

To my knowledge, the Bonds have not paid anything for the damage to our park and beach, because the Bureau of Pesticide Control was not sure they could fine them for a violation of an abutting property. My bill aims to change that, raise the fines, and designate pesticides with the active ingredient tebuthiuron as state restricted use pesticides.

I wish that this was an isolated incident, but it is not. A similar “neighbor poisoning trees to improve their view” case has happened in Rockport, albeit with a different herbicide. And Alex Peacock, Director of the Bureau of Pesticide Control, assures me that this is not just a District 41 thing but that it has happened – and will continue to happen – in other parts of Maine.

Let’s strengthen our fines so that our state is not taken advantage of. Let’s deter greedy actors for whom our current fines are just a slap on the wrist. Let’s empower our Bureau of Pesticide Control to really be in control.

Thank you for your time and thoughtful consideration. I hope you will support this important measure.