Yearly Operational Plan

City of Framingham

Department of Public Works

2023

Prepared and Submitted by:

Framingham Department of Public Works

Yearly Operational Plan

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APPENDICIES

1. INTRODUCTION

The purpose of 333 CMR 11:00, Rights of Way Management, is to establish a statewide and uniform regulatory process which will minimize the uses of, and potential impacts from herbicides in right-of-ways on human health and the environment while allowing for the benefits of public safety provides by the selective use of herbicides.

The process allows for public and municipal agency review and input on the Right of Way (ROW) maintenance plans.

In accordance with 333 CMR 11:00 and the City of Framingham's Vegetation Management Plan (VMP), a Yearly Operational Plan (YOP) is required to be submitted to the Massachusetts Department of Agricultural Resources (MDAR) in each year that the City intends to utilize herbicides for maintenance of vegetation in the ROW. This YOP provides a detailed program for vegetation management for the calendar year. A five-year VMP was approval in 2022 for the period of 2022-2026 in conjunction with this YOP. The VMP has been made available at the Framingham Department of Public Works (FDPW), Board of Health, Conservation Commission, and the Office of the Mayor.

Upon receipt of this YOP, MDAR will public a notice in the Environmental Monitor. The Applicant (FDPW) shall provide a copy of the proposed YOP and Environmental notice to the Framingham Board of Health, Conservation Commission, and the Office of the Mayor. MDAR allows a 45-day comment period on the proposed YOP beginning with the publication of the notice in the Environmental Monitor and receipt of the YOP and Environmental Monitor notice by the municipality.

Public notification and ROW herbicide application is made at least 21 days in advance of the treatment by a separate notice. Notice is made to MDAR, the Framingham Board of Health, the Conservation Commission, and the Office of the Mayor.

Any comments on this YOP should be directed to the contact person listed on page 3.

This Yearly Operational Plan, approved by the Massachusetts Department of Agricultural Resources pursuant to Rights-of-Way Management Regulations (333 CMR 11:00), has been adopted by the following roadway vegetation management program in the City of Framingham and will be complied with.

Municipality:	City of Framingham
Name:	Kathryn Ronconi
Title:	Director of Highway and Sanitation
Department:	Department of Public Works
Address:	100 Western Avenue
	Framingham, MA 01702
Telephone:	508-532-6030
Email:	kdr@framinghamma.gov
Signature:	Kathryn Ronconi
Date:	4.14.23
Wetland Determination:	Issued by the Framingham Conservation Commission

2. INDIVIDUAL SUPERVISING YOP

Name:	Ryan Rastani
Title:	Highway Division Operations Manager
Department:	Department of Public Works
Address:	100 Western Avenue
	Framingham, MA 01702
Telephone:	508-532-6030
Email:	rrr@framinghamma.gov
Signature:	
	Ryan Rastani

3. MUNICIPAL DEPARTMENT PERFORMING HERBICIDE TREATMENT

A licensed herbicide applicator under contract to the City of Framingham, Department of Public Works will perform the herbicide treatment. Applicators are certified by the Massachusetts Department of Agricultural Resources in the applicator category:

Name:	Matthew Tolppa	License Number: AL-0037089
	Jonas Bussiere	License Number: CC-0034911 (CAT 40)
Company:	**Integrated Vegetation Services, LLC**	
Address:	73 J Street	
	Athol, MA 01331	
Telephone:	978-424-5713	
Email:	m.tolppa@integratedvegetationservices.com	

4. HERBICIDES PROPOSED

The herbicides proposed for use in calendar year 2023 are:

Trade Name	EPA REG NO.	Active Ingredients	Guidelines
Roundup Pro	524-475	Glyphosate	See attached
Razor Pro	228-366	Glyphosate	See attached
Rodeo	62719-324	Glyphosate	See attached

The names and active ingredients of the herbicides proposed and the names of any carriers, adjuvants, or additives to be used are listed below. Herbicide Fact Sheets for the proposed herbicides can be found in Appendix A.

Control Method	Herbicide Mixture %	Carriers or Adjuvants	Application Rate/Acre
Foliar Treatment	2 oz/gal 3%	N/A	N/A

Control methods shall be one of the following: hand cutting, mowing, foliar treatment, cut stump treatment, or selective trimming.

5. HERBICIDE APPLICATION TECHNIQUES AND ALTERNATIVE CONTROL APPLICATIONS

The herbicide(s) will be applied in accordance with the instructions in the attached manufacturer's information. Alternative control procedures, applicable at the designated "No Spray Zones" will consist of hand cutting, mowing, or selective trimming. Other alternative controls will include routine street sweeping along with crack and road repairs. Specific methods will be utilized based on numerous factors that will result in establishing an easily maintainable, stable plant population that will not interfere with vehicles or pedestrians. Emphasis will be given to the control tactic that will address the vegetation problems in the most environmentally sound manner and in such a way as to minimize vegetation control in the long term. The specific method utilized for a given vegetation problem will attempt to achieve a long-term, low maintenance program.

Chemical controls include foliar treatments. The type of equipment utilized will be a hand sprayer, low pressure hydraulic pump utilizing hand gun and/or low-pressure hydraulic pump boom or nozzle application with manual control. The treatment uses low pressure (below 60 psi at the nozzle) for application.

Both the Contractor and the City are responsible to ensure that all vegetation management activities are conducted in a safe, professional, and efficient manner, with special attention on minimizing environmental impacts. The Contractor shall be qualified, licensed, and certified to apply herbicides, whereas "qualified" refers to personnel who have been trained to recognize and identify target and non-target vegetation and are knowledgeable in the safe and proper use of both mechanical and chemical vegetation management techniques. All personnel applying herbicides in Massachusetts must be licensed in the Commonwealth and must work under the on-site supervision of a certified applicator. All contracted personnel will also follow all Label instructions regarding Personal Protective Equipment (PPE).

The City will rely on the independent contractor listed in the YOP for vegetation management applications and requires, in a contractual agreement, that the contractors comply with all applicable federal and state laws and regulations. These include, but are not limited to applicable OSHA, FIFRA, and DOT regulations, 333 CMR 11:00 Rights-of-Way Management, Chapter 132B, Chapter 85 of the Acts of 2000, and 321 CMR 10.00 as managed by NHESP.

Herbicides will only be applied in a safe and judicious manner, in compliance with all applicable federal and state pesticide regulations.

Applicators will at all times exercise sound judgement during herbicide treatment activities and will immediately cease operations if adverse conditions or other circumstances warrant.

6. IDENTIFICATION OF TARGET VEGETATION

Target vegetation in the ROW is limited to vegetation which poses a risk to pedestrian and/or vehicle safety, as well as that which creates a public nuisance. Target vegetation and intended control methods are indicated below. For a full description of all target vegetation, refer to the City's VMP.

Target Vegetation	Reason/Example	Mechanical Control	Chemical Control
Public Nuisance Vegetation	Poison Ivy and other Irritants growing within 10 feet of roadway	N/A	Low volume, low pressure foliar spray
Public Nuisance Grass	Stem density and height impedes movement or hampers visibility	Selective trimming/mowing	Low volume, low pressure foliar spray
Vegetation Posing a Risk to Safety	Vegetation hampers visibility or impedes movement along roads or pedestrian areas	Hand cutting/selective trimming	Low volume, low pressure foliar spray

7. FLAGGING METHODS TO DESIGNATE SENSITIVE AREAS ON THE ROW

Sensitive areas are identified as water supplies including public ground water sources, public surface water sources and associated surface water bodies, and private wells; wetlands; state-listed species habitats; and inhabited and agricultural areas. For the purpose of identification, sensitive areas are separated into two categories: areas not readily identifiable in the field and areas that are identifiable in the field.

Sensitive areas that are not readily identifiable in the field include public groundwater supplies, wetlands, private water supplies, and public surface water supplies. These will be flagged and marked as "No Spray Zones" in the following manner:

> Pink pavement markings will be used to identify "No Spray Zones." Pavement, granite curbing, and sidewalks will be marked with a pink line with stenciled letters: "NSZ."
>
> Qualified FDPW personnel will be deployed ahead of crews to flag the "No Spray Zones." Crews will be provided with street maps with "No Spray Zones" clearly marked.

Sensitive Area Determinations:

Areas to be sprayed are walked ahead of time to ensure proper determination of sensitive areas. Any questionable areas are to be confirmed with the Conservation Commission. Board of Health records are reviewed to locate private wells of older homes that do not confirm to current setback requirements. Homeowners are contacts in cases where no records are available.

Sensitive Area Restrictions (Per 333 CMR 11:04)

Sensitive Area	No-Spray Zone	Limited Use Zone
Wetlands	125 feet	10-100 feet; Selective low-pressure; using foliar techniques, basal, or cut-stump applications; must comply with local Conservation Commission regulations
Pubic Ground Water Sources	400 feet	Primary Recharge Area; 24 months must elapse between applications; Selective low-pressure; using foliar techniques, basal, or cut-stump applications
Public Surface Water Sources	100 feet	100-400 feet; 24 months must elapse between applications; Selective low-pressure; using foliar techniques, basal, or cut-stump applications
Private Drinking Water Sources	125 feet	50-100 feet; 24 months must elapse between applications; Selective low-pressure; using foliar techniques, basal, or cut-stump applications
Surface Waters	125 feet	10-100 feet; 12 months must elapse between applications; Selective low-pressure; using foliar techniques, basal, or cut-stump applications

Agricultural and Habituated		0-100 feet; 12 months must elapse between applications; Selective low-pressure; using foliar techniques, basal, or cut-stump applications

8. PROCEDURE AND LOCATIONS FOR HANDLING MIXING AND LOADING OF HERBICIDE CONCENTRATES

All mixing and loading of herbicides will be conducted at a Framingham Public Works facility or at the contractor's facility. Based on anticipated need and prior use, only the minimum amount of herbicide shall be mixed that is required to perform the vegetation control. The vehicle carrying out the herbicide spraying operations and/or the supervising Public Works vehicles will be equipped with a bag of absorbent, activated charcoal, leak-proof containers, a broom, and a shovel in the event of minor spills. A clipboard log of the herbicides on board, shall be kept inside the vehicle used to transport the material. Herbicide labels and fact sheets shall be carried onsite by the applicator.

If a spill is observed, immediate action will be taken to contain the spill and protect the spill area. The cause of the spill shall be identified and secured. Spill containment will be accomplished by covering the spill with absorptive clay or other absorptive material. For large spills, building clay or soil dikes should be used to impede spill progress. Until completely clean, protection of the spill area will be accomplished by placing barriers, flagging, or crew members at strategic locations. If a fire is involved, care will be taken to avoid breathing fumes from any burning chemicals.

Major spills will be handled in a similar manner as minor spills, except in cases where the spill cannot be contained and/or removed by the crew. In this case, the DEP Incident Response Unit and Pesticide Bureau must be contacted.

9. EMERGENCY CONTACTS

In the event of a spill or emergency, information on safety precautions and cleanup procedures may be gathered from the following sources:

Herbicide Label

Herbicide Fact Sheet

Herbicide Safety Data Sheet

Herbicide Manufacturer

Bayer U.S. – Crop Science, Monsanto Company	309-928-9445
Bayer Crop Science	866-99-BAYER
Nufarm	855-280-6609
Corteva	800-992-5994
MDAR Boston Office	617-626-1720
Massachusetts Pesticide Program	617-626-1776
Massachusetts Department of Environmental Protection Boston Office	617-292-5500
Massachusetts Department of Environmental Protection Emergency Response	888-304-1133
Massachusetts Department of Public Health Environmental Toxicology Program	617-624-5757
Chem-Trec	800-262-8200
National Pesticide Information Center	800-858-7378
Massachusetts Poison Control Center	800-222-1222
National Animal Poison Control Center	888-426-4435
Town of Framingham Public Works (Highway Division)	508-532-6030
Police/Fire Emergency Services	911