

Town of Natick, MA 2023

YEARLY OPERATIONAL PLAN

This Yearly Operational Plan (YOP) submitted to the Department of Agricultural Resources pursuant to the Rights of Way Management Regulations (333 CMR 11.00), has been reviewed and is recommended for adoption in the named municipality. The undersigned hereby acknowledges to adopt and comply with the conditions of the Yearly Operational Plan. The Yearly Operational Plan will be effective for the 2023 calendar year unless sooner modified or revoked by the Department.

MUNICIPALITY: **Town of Natick**

PLAN TYPE: **Yearly Operational Plan YOP**

PLAN AUTHOR: **Arthur Goodhind, Supervisor**

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A copy of this document should be kept on file in the municipality offices. Please send the original to the Massachusetts Department of Food and Agricultural with the approved Vegetation Management Plan at Massachusetts Department of Food and Agriculture, Pesticide Bureau, Rights of Way Program, 251 Causeway Street Suite 500, Boston Massachusetts 02114-2151.
The Conservation Commission, Board of Health and chief elected official in the community must receive a copy of this signed page and the entire Yearly Operational Plan and Vegetation Management Plan

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YEARLY OPERATIONAL PLAN 2023

INTRODUCTION

The Town of Natick plans to follow an Integrated Vegetation Management (IVM) program to reduce the reliance on herbicides. Integrated Vegetation Management for Rights of Way (ROW) maintenance includes multiple techniques to control unwanted vegetation in a manner which considers the sensitivity of the environment and follows best management practices. The Town of Natick plans to submit and abide by this Yearly Operational Plan (YOP) in accordance with the Massachusetts Rights of Way Management Regulations (333 CMR 11.00) and the goals and objectives of the Vegetation Management Plan (VMP) approved by the Department of Agricultural Resources dated January 13th, 2020.

METHODS OF VEGETATION MANAGEMENT

The objective of vegetation management within and along the boundaries of ROW is to prevent or reduce defects that obstruct, hinder or incommode travelers within the ROW. Mechanical cutting and mowing of most conditions will achieve the objective, however, there are conditions that will require action by herbicide application.

Public Health Nuisance Vegetation

The control of public health nuisance vegetation within and along the ROW is a key objective of the IVM plan. Due to the low growing nature of some plants and stoloniferous growth habits, such as poison ivy, cultivation, hand pulling or mowing are not effective. Herbicide applications will be made in accordance with applicable laws, the VMP and manufacturer label.

Nuisance Woody Plants, Grass and Broadleaf Weeds

At times factors such as growth habit, terrain and location of target vegetation may require herbicide applications. Herbicide applications will be made in accordance with applicable laws, the VMP and manufacturer label.

Vegetation Which Creates a Risk Condition

At times factors such as growth habit, terrain and location of target vegetation may require herbicide applications. Herbicide applications will be made in accordance with applicable laws, this VMP and manufacturer label.

ROW vegetation management will consist of three method categories.

Cultural Control

Mulching- Mulching of planting beds and ROW boundaries where appropriate to reduce undesirable vegetation.

Street Sweeping- Street Sweeping with a mechanical street sweeper to remove soils on edges of curbing and roadside berms. This action reduces the likelihood of target vegetation germination and establishment.

(Methods of Vegetation Management-CONTINUED)

Crack Sealing- Crack sealing will be performed when possible to limit target vegetation growth by filling in cracks with sealer.

Mechanical Control

Selective Trimming- Selective trimming consists of mechanical pruning of woody plant material that may obstruct, hinder, or incommode travelers within the ROW.

Hand Cutting- Hand cutting consists of mechanical cutting of targeted woody plant material as close to the ground as practical. Hand cutting is used to protect environmentally sensitive sites or non-target vegetation.

Hand Pulling- Hand pulling consists of pulling targeted grass and broadleaf weeds by hand.

Mowing- Mowing consists of the use of mechanical cutting of target vegetation using machines such as a power trimmer, push mower, riding mower or other similar equipment.

Chemical Control

Herbicide Application- Herbicide application consists of using herbicides where and when such use is most appropriate according to applicable law and the VMP. Herbicide applications will be made in accordance with applicable law and by following the manufacturer label.

Within All Areas

- The minimum labeled rate of herbicide for the appropriate site, targeted pest, and application method shall be applied.

Within Sensitive Areas

- The minimum labeled rate of herbicide for the appropriate site, targeted pest, and application method shall be applied.
- Herbicides shall be applied selectively by low pressure foliar techniques or stem application only or other method approved by the Department of Agricultural Resources

Cut Stem- The cut stem process consists of cutting target vegetation immediately followed by an herbicide application. Herbicide applications will be made in accordance with applicable law and by following the manufacturer label.

OPERATIONAL GUIDELINES FOR APPLICATORS AND HERBICIDE USE

Massachusetts Pesticide Control Act and 333 CMR 11.00

All applicators and herbicide applications shall abide by Massachusetts General Law Chapter 132B (Massachusetts Pesticide Control Act) and 333 CMR 11.00.

(Operational Guidelines for Applicators and Herbicide Use-CONTINUED)

Manufacturer Label, Best Management Practices, Weather

All herbicide applications shall follow label instructions in a manner consistent with best management practices.

Calibration

Application equipment shall be calibrated in accordance with manufactures recommendation and best management practices. Application equipment shall be calibrated to maintain an operating pressure not to exceed sixty pounds per square inch and nozzles shall be adjusted to exclude drift and avoid run off.

Cleaning

Equipment used for the purpose of herbicide application shall be cleaned in an appropriate location which avoids sensitive areas.

Vehicles used in application operations shall be equipped with a bag of absorbent, activated charcoal, leak-proof containers, a broom and a shovel in case of minor spills.

A log of herbicides on vehicle will be kept within the vehicle

Product labels, fact sheets, the VMP, YOP, and Herbicide Spill Check List will be carried on site by the applicator.

Private Property

In General, the Natick Department of Public Works does not trespass or enter upon land to perform work on private property with the exception of eliminating a Public Nuisance.

Notifications

The Natick Department of Public Works shall notify the Board of Selectmen, the Board of Health, and the Natick Water Department at least twenty-one days in advance of the application of herbicides to ROW. The notice shall include the approximate date when the application will occur and the application shall occur no later than ten days after approximate date reported. The notice shall also include a copy of the MDAR approved product fact sheet for the active ingredient, name or names of applicators, or the name of the company contracted to conduct the application.

Linear spot treatment of ROW will be posted with an 8.5” by 11” caution sign with a white background and red lettering. The signs will include the date of application, name of product applied, product Environmental Protection Agency (EPA) registration number, and the phone number of the Natick Department of Public Works. Signs will be posted in the most visible locations by staking, attaching to posts, or other similar means. Signs shall be posted twenty-four hours before and after application and no less than every 200 feet along the treated ROW.

SUMMARY OF APPLICATIONS AND CONTROL METHODS

| Target | Techniques | Comments |
|---------------------------|---|--|
| Poison Ivy | Herbicide Application | May be growing within 10 feet of ROW. Application will be excluded within no spray zones and sensitive areas |
| Grass and Broadleaf Weeds | Mulching Mowing Hand pulling Herbicide Application | Preventative measures for planting beds In most cases When warranted Spot treatment of grass growing along guiderails or in cracks where mowing or cutting is not practical or safe |
| Low Growth | Mulching Mowing Herbicide Application Hand Cutting | Woodchips as a preventative measure along ROW boundary In most cases, option for sensitive areas When and where appropriate Terrain prevents mowing and re-sprouting is not a concern, option for sensitive areas |
| Tall Growth | Selective trimming Hand cutting Cut stem treatment | For risk conditions For risk conditions For species less than 12 feet in height that are capable of re-sprouting |

RIGHTS OF WAY MATERIALS LIST

The products chosen for this YOP and approved VMP shall comply with the Rights of Way Sensitive Area Materials List available at <https://www.mass.gov/service-details/rights-of-way-sensitive-area-materials-list>

Rights of Way Materials List

| Trade Name | Active Ingredient | EPA Reg # | Application Rate |
|----------------|-------------------------------|-----------|--|
| Round Up Pro | Glyphosate | 524-475 | Lowest Labeled Rate for Appropriate Site |
| Razor | Glyphosate | 228-366 | Lowest Labeled Rate for Appropriate Site |
| Razor-Pro | Glyphosate | 228-366 | Lowest Labeled Rate for Appropriate Site |
| Rodeo | Glyphosate | 62719-324 | Lowest Labeled Rate for Appropriate Site |
| Garlon 4 | Triclopyr, Butoxy Ethyl Ester | 62719-40 | Lowest Labeled Rate for Appropriate Site |
| Garlon 4 Ultra | Triclopyr, Butoxy Ethyl Ester | 62719-527 | Lowest Labeled Rate for Appropriate Site |

PROCESS, REFERENCES AND SOURCES FOR IDENTIFYING SENSITIVE AREAS AND CONTROL STRATEGIES PROPOSED FOR SENSITIVE AREAS

Identifying Sensitive Areas

333 CMR 11.04 defines sensitive areas as “...any areas within Rights of Way, including No-Spray and Limited Spray Areas, in which public health, environmental or agricultural concerns warrant special protection to further minimize risks of unreasonable adverse effects.”

Sensitive Areas regulated by 333 CMR 11.00 include

Water Supplies

Zone I

Zone II

IWPA (Interim Wellhead Protection Area)

Class A Surface Water Source

Tributaries to a Class A Surface Water Source

Class B Drinking Water Intakes

Private Wells

Surface Waters

Wetlands

Water Over Wetlands

The Mean Annual High Water Line of a River

The Outer Boundary of a Riverfront Area

Certified Vernal Pools

(Process, References and Sources for Identifying Sensitive Areas and Control Strategies Proposed for Sensitive Areas-CONTINUED)

Cultural Sites

Agriculture Areas

Inhabited Areas

Wildlife Areas

Certified Vernal Pool Habitat

Priority Habitat

Identification Methods

Identification of Sensitive Areas defined in 333 CMR 11.04

Readily identifiable in the field and Not readily identifiable in the field.

Readily identifiable in the field areas will be treated, identified and when appropriate, marked according to all applicable restrictions listed in 333 CMR 11.00. Not readily identifiable in the field areas will likewise be treated and marked when appropriate, but they are identified by the use of data marked on maps and collected in the Yearly Operational Plan and notification processes before the time of treatment.

The individuals assigned the task of identifying and treating sensitive areas in the field will use the appropriate sources and methods from the following list.

- Massachusetts Department of Environmental Protection (DEP) Watershed Maps delineate the perimeter of public watersheds and the location of public wells.
- Massachusetts DEP Wetland Conservancy Maps
- Municipal maps and records, Board of Health, Conservation Commission, and Natick Water Department Mapping
- Regional Planning Agencies maps and records
- Town of Natick Geographic Information System (GIS)
- A Copy of the Yearly Operation Plan (YOP) and Vegetation Management Plan (VMP)
- Correspondence, meetings, and input within the forty-five day YOP twenty-one day municipal ROW notification letter review and comment periods and the forty-eight hour newspaper notification. (333 CMR 11.06 and 11.07 and Chapter 85 of the Acts of 2000)
- U.S. Fish and Wildlife Service National Wetlands Inventory Maps, available from the University of Massachusetts, Cartographic Information Research Services, Amherst

The following is a description of how the sensitive areas will be identified for required protection.

- Consult the appropriate reference materials and sources to determine the location of such areas
- Place the boundaries of these sensitive areas on U.S. Geological Survey (USGS) topographical maps
- Prior to herbicide application the applicator will be provided the topographical map with sensitive areas for flagging boundaries

(Process, References and Sources for Identifying Sensitive Areas and Control Strategies Proposed for Sensitive Areas-CONTINUED)

- Sensitive area boundaries and/or the boundaries of the appropriate buffer zone will be flagged prior to herbicide application

Sensitive Areas readily identifiable in the field include surface waters, inhabited areas and agricultural areas. The method utilized to identify these sensitive areas is as follows.

- Consult USGS topographic maps to locate sensitive areas
- Prior to herbicide application the applicator will be provided the topographical map with sensitive areas for flagging boundaries
- Applicator will visually survey the area to be treated for any sensitive areas
- Applicator will locate sensitive areas prior to herbicide application and flag appropriate buffer zone
- Municipal Maps and records, Board of Health, Conservation Commission, and Natick Water Department maps

Sensitive Area Restrictions (333 CMR 11.04)

In any sensitive area

- The minimum labeled rate of herbicide for the appropriate site, targeted pest, and application method shall be applied
- Herbicides shall be applied selectively by low pressure foliar techniques or stem application only or other method approved for use by The Department of Agricultural Resources

Treatments in the limited spray areas require the use of herbicides from the Sensitive Area Materials List available at <https://www.mass.gov/service-details/rights-of-way-sensitive-area-materials-list>

Sensitive Area Restriction Guide (333 CMR 11.04)

| Sensitive Area | No Spray Zone | Limited Use Area | Where Identified |
|-----------------------------|--|--|-------------------------------|
| Water Over Wetlands | Within 10 feet | 10-100 feet 12 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Maps and identify on site |
| Certified Vernal Pool | Within 10 feet | 10 feet to the outer boundary of any Certified Vernal Pool Habitat 12 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Maps and identify on site |
| Public Ground Water Supply | Within 400 feet (Zone 1) | Zone II or IWPA (Primary Recharge Area) 24 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Maps |
| Public Surface Water Supply | Within 100 feet of any Class A public surface water source | 100 feet to the outer boundary of the Zone A 24 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Maps |
| Public Surface Water Supply | Within 10 feet of any tributary or associated surface water body located outside of the Zone A | 10 feet to the outer boundary of the Zone A 24 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Maps |
| | | | |

Sensitive Area Restriction Guide (333 CMR 11.04)-CONTINUED

| Sensitive Area | No Spray Zone | Limited Use Area | Where Identified |
|----------------------------------|--|--|------------------------------------|
| Public Surface Water Supply | Within a lateral distance off 100 feet or 400 feet upstream of any Class B Drinking Water Intake | Within a lateral distance of between 100-200 feet or 400 feet upstream of intake 24 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Maps |
| Private Water Supply | Within 50 Feet | 50-100 feet 24 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Well List and identify on site |
| Surface Waters | Within 10 feet from mean annual high water line | 10 feet from the mean annual high water line and the outer boundary of the Riverfront Area 12 months must elapse between applications Selective low pressure, using foliar techniques or cut stem applications | YOP Maps and identify on site |
| Agricultural and Inhabited Areas | N/A | 0-100 feet 12 months must elapse between applications Selective low pressure, using foliar techniques or cut stem | Identify on site |
| State Listed Species Habitat | No application within habitat area except in accordance with a Yearly Operational Plan approved in writing by the Division of Fisheries and Wildlife | N/A | YOP Maps |

METHODS USED TO DESIGNATE SENSITIVE AREAS

Sensitive areas as defined by 333 CMR 11.00 will be designated and marked by the Natick Department of Public Works using maps locating the Rights of Way and sensitive areas not readily identifiable in the field. The Natick Department of Public Works may consult with the Natick Conservation Agent, Natick Board of Health and any other applicable town official to ensure sensitive areas are protected and appropriately identified and designated.

Prior to herbicide applications within ROW listed in this YOP, the Right of Way will be walked by Natick Department of Public Works staff in order to appropriately identify sensitive areas. PINK pavement markings will be used to identify NO SPRAY ZONES. These markings will be placed on asphalt, curbing and sidewalks, stenciled "NSZ".

The Sensitive Area Guide can be referenced within the Vegetation Management Plan approved by the Department of Agricultural Resources.

PROCEDURES AND LOCATIONS FOR HANDLING, MIXING AND LOADING OF HERBICIDE CONCENTRATE

All herbicide concentrates will be handled, mixed, and loaded in a manner that avoids sensitive areas, abides by applicable law, best management practices and product labels.

Equipment used for the purpose of herbicide application shall be cleaned in an appropriate location which avoids sensitive areas.

Vehicles used in application operations shall be equipped with a bag of absorbent, activated charcoal, leak-proof containers, a broom and a shovel in case of minor spills.

A log of herbicides on vehicle will be kept within the vehicle

Product labels, fact sheets, approved VMP, current YOP, and Herbicide Spill Check List will be carried on site by the applicator.

PLAN TO ADDRESS SPILLS AND RELATED ACCIDENTS

All mixing and loading will be performed in a manner consistent with the manufacturer label and best management practices in a location to protect sensitive areas.

In the event of an incident such as a spill, immediate action will be taken to contain the spill and protect the surrounding area. The cause of the spill must be identified and secured. Spill containment should include covering the spill with adsorptive clay or other similar material. For larger spills clay or soil dikes should be built to impede spill progress. Until the spill is completely cleaned, protection of the spill area should include barriers, flagging, or stationed crew members. If a fire occurs, care shall be taken to avoid breathing fumes.

Clean up of minor spills may be accomplished by soaking up the spill with adsorptive clay or other material and placing the material in a leak proof container for proper disposal. All contaminated soil

(Plan to Address Spills and Related Accidents-CONTINUED)

should be placed in leak proof containers, removed from site and disposed of properly. Any minor spill will be reported to the Pesticide Bureau within twenty-four hours.

Major spills are defined by the Department of Environmental Protection (DEP) as reportable quantities of a hazardous material that are managed by 333 CMR. Any major spill should be evaluated under the reporting requirements of the Massachusetts Contingency Plan (MCP) 310 CMR 40.00. Major spills should be handled in the same manner as minor spills. More equipment and materials may be needed for cleanup and certain notifications are required. If the spill is too large for the application crew to clean up, then, after containment and site protection is secured, a hazardous waste cleanup company should be contacted immediately and directed to the site. The Natick Department of Public Works, MDAR (as per 333 CMR 10.15 (4) Record Keeping Requirements), DEP, and any other persons or agency required by applicable law will be notified.

In the event of a spill or incident, information on safety precautions and procedures can be found from the following sources.

- Product Label
- Product Safety Data Sheet
- Product Manufacturer
 - Corteva Agriscience (800) 992 5994
 - Bayer Crop Science (201) 307 9700
 - NuFarm (708) 377 1330
 - BASF (973) 245 6000
 - Rainbow Tree Care (952) 922 3810
- Massachusetts Pesticide Bureau (617) 626 1781
- Massachusetts Department of Environmental Protection Incident Response Unit (617) 556 1133 or (888) 304 1133
- Massachusetts Department of Public Health, Bureau of Environmental Health's Environmental Toxicology Program (617) 339 8351
- Chem Trec (800) 424 9300 or Clean Harbors (800) OIL TANK
- Natick Police and Fire Department 911 or (508) 647 9500
- Massachusetts Poison Information Centers (800) 682 9211
- Pesticide Hotline (800) 858 7378
- National Animal Poison Control Center (888) 426 4435

CONTRACTOR PERFORMING HERBICIDE APPLICATIONS

Individuals performing herbicide applications in accordance with this YOP and approved VMP shall be appropriately certified by the Department of Agricultural Resources, or licensed by the Department and working under the on-site supervision of an appropriately certified applicator in accordance with 333 CMR 11.00.

NAME: **TBD**

COMPANY: **TBD**

ADDRESS: **TBD**

PHONE NUMBER: **TBD**

SIGNATURE: **TBD**

INDIVIDUAL REPRESENTING THE YOP APPLICANT/SUPERVISING

NAME: **Arthur Goodhind**

TITLE: **Supervisor of Land Facilities and Natural Resources, Tree Warden**

ADDRESS: **75 West Street Natick MA 01760**

PHONE NUMBER: **508.647.6558**

SIGNATURE:



RIGHTS OF WAY TO BE TREATED 2023

Cochituate Rail Trail
Common Street
Cottage Street
East Central Street
Eliot Street
Everett Street
Farwell Street
Glen Street
Karen Lane
Kylie Lane
Main Street
Middlesex Ave
Mill Street
North Main Street
Park Street
Pleasant Street
Pond Street
Speen Street

South Street
South Main Street
Union Street
Washington Street
West Central Street
Windsor Ave

APPENDIX A: HERBICIDE FACT SHEETS

Fact Sheets for the herbicides and active ingredients listed in the YOP may be found at:

<https://www.mass.gov/service-details/rights-of-way-sensitive-area-materials-list>

APPENDIX B: PRODUCT LABELS

Product Labels and other forms for the herbicides listed in the YOP may be found at:

Round up Pro

<http://www.cdms.net/Label-Database/Advanced-Search#Result-product/854>

Razor

<http://www.cdms.net/Label-Database/Advanced-Search#Result-product/7466>

Razor Pro

<http://www.cdms.net/Label-Database/Advanced-Search#Result-product/6902>

Rodeo

<http://www.cdms.net/Label-Database/Advanced-Search#Result-product/5096>

Garlon 4

<http://www.cdms.net/Label-Database/Advanced-Search#Result-product/1925>

Garlon 4 Ultra

<http://www.cdms.net/Label-Database/Advanced-Search#Result-product/8141>

APPENDIX C: SENSITIVE AREA MAPPING

An interactive map can also be found at:

<https://natickma.mapgeo.io/datasets/properties?abuttersDistance=100&latlng=42.2898%2C-71.3524&zoom=12>