

Town of Wilbraham, Massachusetts

2026-2030

VEGETATION MANAGEMENT PLAN

This Vegetation Management Plan has been submitted to and reviewed by the Massachusetts Department of Agricultural Resources pursuant to the Rights of Way Management Regulations (333 CMR 11.00) and to the MassWildlife Division of the Department of Fish & Game under the Massachusetts Endangered Species Act Regulations (321 CMR 10.00). The Department of Public Works serving the Town of Wilbraham hereby acknowledges to adopt and comply with the conditions of this Vegetation Management Plan. The Vegetation Management Plan will be effective for five years unless sooner modified or revoked by the Massachusetts Department of Agricultural Resources or Department of Fish & Game.

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Date: October 28, 2025

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 Agriculture with the submitted Vegetation Management Plan. 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 page and the entire Vegetation Management Plan.

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VEGETATION MANAGEMENT PLAN

1.0 INTRODUCTION

This Vegetation Management Plan (VMP) has been prepared by the Department of Public Works (DPW) for vegetation management along Right(s)-of-Way (ROW)¹ throughout the Town of Wilbraham, Massachusetts. This document has been prepared pursuant to the Pesticide Board's ROW Management regulations under 333 CMR 11.00. ROW maintenance includes multiple techniques to manage and handle vegetation in a manner which considers the sensitivity of the environment and follows best management practices. It's imperative that vegetation along and within ROWs historically managed by DPW be appropriately managed into the future to maintain the safety, infrastructure, charm and rural appeal of the Town.

1.1 Town Characteristics and Resources

Wilbraham is a town in Hampden County, and a suburb of the City of Springfield. The population was 14,613 at the 2020 census. The Town is approximately 22 square miles.

The Town of Wilbraham has about 108 miles of accepted public roads. In addition, there are several more miles of unaccepted/private ways scattered throughout Wilbraham. Miles of sidewalks and utility facilities such as power lines, underground pipelines, conduits, and communication lines run alongside or beneath the roads throughout Town. There are several ROW corridor easements across public and private properties with water, sanitary sewer, or storm water infrastructure, conduits, and drainage channels maintained under DPW's jurisdiction.

Approximately two-thirds of the Town's residents receive publically supplied water sourced from the Quabbin Reservoir under the Massachusetts Water Resources Authority. The remainder of the Town's population receives their drinking water from private drinking water supply wells. There is one Interim Wellhead Protection Area (IWPA) within Town for an established community public water supply well serving a billiard/restaurant. Large areas of Town lie over medium and high-yield productive or potentially productive aquifers. Many residences are greater than 500-feet from public water service mains. For purposes of oil/hazardous material release reporting, groundwater throughout much of the Town is classified as GW-1 under the Massachusetts Contingency Plan (MCP 310 CMR 40.00).

The Town borders the Chicopee River, has a handful of Great Ponds, with several other miles of rivers, streams, and small ponds. According to MassDEP's photo-interpreted wetlands dataset (MassGIS), Wilbraham has roughly 2,200–2,400 acres of mapped wetlands. The actual acreage of the Town's wetlands is likely almost double this amount based on Town GIS mapping² and wetland delineations of record. According to the 15th

¹ Right(s)-of-way (ROW), any roadway, or thoroughfare on which public passage is made and any corridor of land over which facilities such as railroads, powerlines, pipelines, conduits, channels or communication lines or bicycle paths are located. (as defined in 333 CMR 11.02)

² Town of Wilbraham GIS Mapping. <https://hosting.tighebond.com/wilbraham/main.htm##search-count>

edition of Massachusetts Natural Heritage Atlas (2021)³, Wilbraham contains about 3,000–3,200 acres of mapped Priority and Estimated Habitat, covering approximately 22% of the Town’s 22 square miles of land. A number which is likely to expand with the 16th edition tentatively planned for release in the late summer of 2026.

Throughout Town, ROWs maintained by the DPW, pass through or alongside these resources and protected areas.

1.2 Scenic Roads and this Vegetation Management Plan

Much of Wilbraham's charm and rural appeal is due to its roadside trees and stone walls. Those lucky enough to live and regularly do business in Wilbraham know that this community has many special attributes. Some of its best treasures are vast conservation lands, towering tree canopies, picturesque views, local farms and orchards, interesting historical sites, meandering brooks, fascinating rock formations, swamps and bogs with rare flora and fauna. These areas have not been preserved by accident.

In 1973 the General Court of the Commonwealth enacted into law the Scenic Roads Act which authorizes municipalities to designate any street other than a numbered route or state highway as a Scenic Road. The Wilbraham Conservation Commission subsequently introduced an article in the 1974 annual town meeting which received the overwhelming approval of the voters. The following ROWs are designated as Scenic Roads under the provisions of Chapter 40, Section 15C of the General laws:

Beebe Road, Bennet Road, Bolles Road, Branch Road, Burleigh Road, Chilson Road, Crane Hill Road, East Longmeadow Road, Faculty Street, Glendale Road, Hollow Road, Main Street, Maple Street, Maynard Road, Monson Road, Mountain Road, Ridge Road, Soule Road, Springfield Street (Main Street to Faculty Street), Stony Hill Road, and Tinkham Road (east of Main Street).

Under provisions of the law, any repair, maintenance, reconstruction, or paving work done with respect to Scenic Roads by the Department of Public Works or its agent shall not involve or include the cutting or removal of trees or the tearing down or destruction of stone walls except with prior written consent of the Planning Board. The Planning Board must hold a public hearing before making any decision concerning the provisions of the law. Scenic Road hearings for tree work often overlap with Shade Tree hearings under M.G.L. Ch. 87. The provision of a public hearing affords the opportunity for citizen reaction and input on projects or activities occurring along Scenic Roads.

Designation of the major roads of the town as Scenic Roads gives greater assurance of continued roadside amenities. The amenities include the management of vegetation by the Department of Public Works along these scenic ROWs to maintain the Town’s roadway safety, infrastructure, charm and rural appeal.

³ Priority and Estimated Habitat Mapping <https://www.mass.gov/info-details/regulatory-maps-priority-estimated-habitats>

1.3 Vegetation Management Plan Requirements

Pursuant to 333 CMR 11.05(2), the VMP shall include, but not be limited to, the following:

- (a) General statement of goals and objectives of the VMP.
- (b) Identification of target vegetation.
- (c) Intended methods of vegetation management and rationale for use, including vegetation control techniques, equipment proposed for use, timing of applications and alternative control procedures.
- (d) Discussion of justification for proposed herbicide applications, including a description of the alternative control methods considered and the reasons that they were rejected.
- (e) Methods, references and sources for identifying sensitive areas and control strategies proposed for sensitive areas. Applicants should note that the Department of Environmental Protection regulations at 310 CMR 10.03(6)(b) require Wetlands Determinations for applicants that are not eligible for a public utility exemption.
- (f) Operational guidelines for applicators relative to herbicide use.
- (g) Identification and qualifications of individuals developing and submitting a plan.
- (h) A detailed description of the IPM Program, showing how it will minimize the amount and frequency of herbicide application.
- (i) Description of alternative land use provisions or agreements that may be established with individuals, state, federal or municipal agencies that would minimize the need for herbicides, including the rationale for accepting or denying any reasonable request made by any individual.
- (j) Description of a remedial plan to address spills and related accidents.
- (k) For state agencies and authorities as defined in M.G.L. c. 3, § 39, a description of the applicant's policy to eliminate or, if necessary, reduce the use of pesticides for any vegetation management purpose along roadways, and a demonstration that, for the proposed application, the costs of non-chemical vegetation control significantly outweigh the benefits.

The requirements for this VMP are addressed in order in the following sections.

2.0 GENERAL STATEMENT OF GOALS AND OBJECTIVES

The goals of this VMP is to establish a five-year plan to control vegetation within and along the boundaries of ROW within the Town of Wilbraham in compliance with the Massachusetts ROW Management Regulations (333 CMR 11.00). The goals of this VMP, is to also maintain compliance with overlapping regulations and by-laws of the Massachusetts Endangered Species Act Regulations (321 CMR 10.00), the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00), the Town of Wilbraham Wetlands By-Law, and other Massachusetts General Laws as they may apply to vegetation management Projects or Activities conducted by the DPW or its authorized agents.

The objectives of this VMP is to manage and handle vegetation in a manner which holds public safety and welfare paramount, while also maintaining the infrastructure and appeal of the Town. These objectives must be met while balancing the sensitivity of the environment, and following best management practices. Vegetation management within and along the boundaries of ROWs is necessary to control unwanted vegetation that deteriorates public ways, deteriorates existing features or infrastructure, creates a public nuisance, or creates a condition that obstructs pedestrian or vehicular travel and safety. Best management practices will be utilized that reduce the reliance on herbicides, control undesirable vegetation (invasive or nuisance species), and efficiently maintain ROWs to the benefit of the Town.

3.0 IDENTIFICATION OF TARGET VEGETATION

As defined in 333 CMR 11.02, Target Vegetation is any plant species which has the potential to interfere with the operation and safety of the right-of-way.

In Wilbraham, the “Tree Belt” refers to the strip of land within the public right-of-way along town roads that lies between the paved roadway and the private property line. It is essentially the roadside margin that the Town controls, even though it often looks like part of a homeowner’s front yard. Its width varies depending on the roadway layout (often 40–50 feet wide total), with the paved road centered, and the tree belt compromising of approximately 10 feet to either side of the road. The tree belt provides space for public shade trees, sidewalks, utilities, drainage, and snow storage.

The DPW considers all vegetation within the “Tree Belt” as Target Vegetation, including but not limited to grass, weeds, brush, shrubs, small and large trees. It is imperative that Target Vegetation in the tree belt be maintained by local residents and DPW for roadway safety and sight distances. Target Vegetation must also be maintained to limit interference or damage to utilities and drainage, and allow room for snow plowed off the road during the winter. Roots undermine asphalt, brick, concrete or other surface used for pedestrian and/or vehicular travel. Roots also may interfere with underground utilities or surface drainage. Vegetation creates a risk condition when the vegetation obstructs pedestrian or vehicular travel, obstructs visibility, or reduces to a degree the ability of pedestrians to see vehicles, and drivers of vehicles to see pedestrians. Dense vegetation along roadways also contributes to an increased frequency of deer and wildlife strikes by motor vehicles.

Target Vegetation also includes trees or shrubs that pose a hazard or nuisance as determined by the Town Tree Warden or DPW Superintendent of Operation or DPW Director. For example, this can include a privately owned tree that is dead or diseased leaning over the ROW, or loosing limbs that could pose a hazard to travelers or infrastructure. Other examples include thorny bushes or poison ivy creeping out over a public sidewalk. Poison ivy (*Toxicodendron radicans*) is one of the most common public health nuisance Target Vegetation, it is also a nuisance to DPW and public utility workers.

The ROW definition also includes any corridor of land over which facilities such as powerlines, pipelines, conduits, channels or communication lines or bicycle paths are located. Where these features are located within the tree belt, the surrounding vegetation is considered Target Vegetation by the DPW, as the Town has an interest in maintaining conditions where public utilities and infrastructure pass to serve its residents and businesses.

Several miles of ROW easements on private property in favor of the Town lie scattered town-wide. These easements contain Town owned water and sewer utility pipelines, as well as storm drain channels, pipelines or other necessary infrastructure. Vegetation in and along these easement ROWs is considered Target Vegetation by DPW, to the limited extent that it needs to be maintained to preserve or provide access to said infrastructure.

4.0 JUSTIFICATION FOR PROPOSED HERBICIDE APPLICATION

Manual and mechanical cutting and mowing of Target Vegetation in the ROW will achieve most objectives of this VMP. The vast majority of the vegetation management work by DPW is indeed performed by mechanical cutting and mowing. Grass and small brush are cut with a hand held brush cutter/string trimmer or tractor mounted mower. Larger brush and trees are cut with a chain saw. Brush is chipped and the chips left spread evenly on-site or disposed appropriately off-site. Wood from cut or fallen trees in the ROW by DPW is typically removed from the site for disposal or use.

There are conditions along Town ROWs that require the application of MDAR-approved herbicide products.

Herbicide is often necessary to treat public health nuisance vegetation, such as poison ivy, as manual cutting and removal poses a significant risk to DPW workers. Cultivation, hand pulling or mowing are often not effective of getting rid of nuisance plants or invasive species. At which point, herbicide application, becomes a feasible means of management.

The Town has several areas with guard rails, steep rip-rap slopes, chain-link fencing, and gabions (retaining walls of rip-rap held together with wire mesh or chain-link style cages). Aside from roadway safety, these features often serve a critical function to surrounding infrastructure. These features pose a greater maintenance challenge to DPW workers. The DPW does not have the staff, nor budget, to maintain the vegetation around all of these features solely by manual or mechanical means of cutting. Manual and mechanical cutting combined with limited application of MDAR-approved herbicide products around these features is the only practical alternative.

Other areas where herbicide application is justified is where vegetation poses a direct threat to critical infrastructure or roadway safety.

5.0 SENSITIVE AREAS AND CONTROL STRATEGIES

Methods, references and sources for identifying Sensitive Areas and control strategies proposed for sensitive areas are described in detail below. Quite simply, the control strategy utilized by Wilbraham DPW for Sensitive Areas can be summarized as: map it, buffer it, cut it mechanically where possible, and only spray with MDAR-approved herbicide products outside the no-spray zones.

Herbicide applications within sensitive areas shall comply with the Rights of Way Sensitive Area Material List as published by MDAR⁴.

5.1 Sensitive Areas

As described above in Section 1.1, there are numerous natural resources, agricultural and environmentally significant areas in Town worthy of protection. The Commonwealth's MassGIS dataset and the Town's GIS mapping⁵ system are the best tools to quickly reference and identify these areas. The Massachusetts Department of Environmental Protection (MassDEP) also has a Well Location Viewer⁶ which can be used to supplement Town private drinking water well records for identifying properties with private water supply wells. Aside from a desk-top review, these GIS programs are readily available to DPW employees on Town issued mobile devices.

The following definitions are important for both identifying sensitive areas and control strategies for the Wilbraham DPW:

Sensitive Areas, as defined in 333 CMR 11.04, include 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.

No-spray Area, any area that is both within a Right-of-Way and within:

- (a) any Zone I;
- (b) 100 feet of any Class A Surface Water Source;
- (c) 100 feet of any tributary or associated surface water body where the tributary or associated surface water body runs within 400 feet of a Class A surface water source;
- (d) ten feet of any tributary or associated surface water body where the tributary or associated surface water body is at a distance greater than 400 feet from a Class A surface water source;
- (e) a lateral distance of 100 feet for 400 feet upstream, on both sides of the river, of a Class B Drinking Water Intake;
- (f) 50 feet of any identified Private Well;
- (g) ten feet of any Wetlands or Water Over Wetlands;
- (h) ten feet of the mean annual high-water line of any river; and
- (i) ten feet of any Certified Vernal Pool.

⁴ <https://www.mass.gov/service-details/rights-of-way-sensitive-area-materials-list>

⁵ Town of Wilbraham GIS Mapping. <https://hosting.tighebond.com/wilbraham/main.htm##search-count>

⁶ MassDEP Well Location Viewer <https://mass-eoea.maps.arcgis.com/apps/webappviewer/index.html?id=cdd11842864942178b71f2c7bd5a0b95>

Limited Spray Area, any area that is both within a Right-of-Way and within:

- (a) any Zone II or IWPA;
- (b) a distance of between 100 feet and 400 feet of any Class A Surface Water Source;
- (c) a distance of between ten and 200 feet of any tributary or associated surface water body where the tributary or associated surface water body runs outside the Zone A for the Class A surface water source;
- (d) a lateral distance of between 100 and 200 feet for 400 feet upstream, on both sides of the river, of a Class B Drinking Water Intake;
- (e) a distance of between 50 and 100 feet of any identified Private Well;
- (f) a distance of between 10 and 100 feet of any Wetlands or Water Over Wetlands;
- (g) a distance of between ten feet from the mean annual high water line of any river and the outer boundary of the Riverfront Area;
- (h) a distance of between ten feet from any Certified Vernal Pool and the outer boundary of any Certified Vernal Pool Habitat; and
- (i) a distance of 100 feet of any Agricultural or Inhabited Area.

State-Listed Species Habitat, the Estimated Habitats of Rare Wildlife (310 CMR 10.59 and 10.37) and the Priority Habitats for State-listed Species (321 CMR 10.02) as shown on the most recent edition of the Massachusetts Natural Heritage Atlas prepared by NHESP [Natural Heritage & Endangered Species Program]

In Wilbraham, there are no Zone I or Zone II aquifer protection areas, no Class A Surface Water Sources or tributaries to such, and no Class B Drinking Water Intakes.

Private Wells, Wetlands, Water Over Wetlands (ponds), rivers, Riverfront Areas, Certified Vernal Pools, Agricultural or Inhabited Area, Estimated Habitats of Rare Wildlife, the Priority Habitats for State-listed Species, and a sole Interim Wellhead Protection Area (IWPA) comprise the Sensitive Areas throughout the Town of Wilbraham pursuant to 333 CMR 11.00.

5.2 Control Strategies

Map it, buffer it, cut it mechanically where possible, and only spray with MDAR-approved herbicide products outside the no-spray zones. This short and simple control strategy is easy to understand and convey to DPW workers, or their agents, performing work in the field.

The DPW has been issued a wetlands Order of Conditions (MassDEP File # WE 341-0392) by the Wilbraham Conservation Commission. This Order of Conditions was issued for a DPW bundled Notice of Intent that includes the cutting of vegetation along all Town roads. A copy of the Order of Conditions and project narrative are attached. The manual and mechanical cutting and management of vegetation under the Order of Conditions helps reduce the need for herbicides in and near sensitive areas and serves in part as a control strategy.

Spraying of MDAR-approved herbicide products by DPW workers, or DPW's agents, is only allowed by those individuals that are licensed applicators. Low-pressure, targeted applications to prevent herbicide drift into water, wetlands, agricultural or inhabited areas will be the prioritized method of application.

As a control strategy, locations where herbicide application is planned to occur will be reviewed by senior DPW staff in accordance with this VMP and Yearly Operational Plan (YOP) prior to application. The reference of GIS data in the field with real boots on the ground awareness of the surrounding environment is one area where Wilbraham DPW workers excel. Sensitive area boundaries and/or the boundaries of the appropriate buffer zone may be flagged in the field if appropriate prior to herbicide application. Flagging in the field will be limited to the ROW where DPW workers, or DPW's agents, have legal access to do so.

The DPW acknowledges that determining the location of private drinking water wells can be challenging in the field. Private wells are not typically accurately mapped on GIS programs. Where an easement upon private property does not exist, the DPW has no authority to enter private property to search for a well location without landowner permission. If there is a question about the location of a private well relative to the planned application area, further inquiry will be made by reviewing Town paper records, such as well installation logs or septic system plans in the Board of Health/DPW Engineering Office files. A verbal or written inquiry to the resident or landowner of the suspected private well may also be performed by DPW if necessary prior to herbicide application to be conservatively protective of public health.

As a supplemental control strategy, no person shall apply an herbicide within State-listed Species Habitat unless the application is approved by the Division of Fisheries and Wildlife pursuant to 333 CMR 11.04(3)(a) and (3)(b), and such approval is submitted to the Department of Agricultural Resources.

6.0 GUIDELINES FOR HERBICIDE APPLICATORS

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

6.1 Public Notification

The Wilbraham DPW, or DPW's agent or applicator if contracted to do so, shall notify the public and appropriate parties at least 21 days in advance of application of herbicide pursuant to 333 CMR 11.07. This includes providing notice to the Department of Agricultural Resources, the Select Board, the Board of Health, the Conservation Commission, and the Wilbraham Water Commission. A public notice must also be published in at least one newspaper of general circulation.

6.2 Public Works Awareness

DPW staff, or DPW's agent performing the herbicide application, shall notify the DPW Director and DPW Superintendent via e-mail at least 48 hours in advance of application.

6.3 Best Management Practices

All herbicide applications shall follow label instructions in a manner consistent with best management practices. A log of herbicides on vehicle or utilized in the field shall be kept within the vehicle. Product labels, fact sheets, this VMP, and current YOP should be carried on site by the applicator.

The applicator (DPW or DPW's agent) shall provide any employee or worker applying herbicide, handling herbicides, supervising the use of herbicides, or present during the use of herbicides, with the appropriate personal protective equipment (PPE) and clothing. This personal protective equipment is to include protections according to product Safety Data Sheets (SDS's), the product label, and any other supporting technical data supplied by the manufacturer. Other state or federal laws (such as OSHA) may also apply to the provision and use of personal protective equipment.

All mixing and loading shall be performed in a manner consistent with the manufacturer label and best management practices in a location to protect sensitive areas. Under 333 CMR 11.03(3), no person shall handle, mix or load an herbicide concentrate on a ROW within 100 feet of a sensitive area.

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. No herbicide shall be applied when the wind velocity is such that there is a high propensity to drift off target and/or during measurable precipitation, and no person shall apply herbicides in such a manner that results in drift into any No Spray Area.

Equipment used for the purpose of herbicide application shall be cleaned in an appropriate location which avoids sensitive areas. Waste and wastewater from cleaning should be containerized (as applicable) and appropriately managed.

Vehicles used in application operations shall be equipped with a bag of absorbent, leak proof containers, a broom and a shovel to respond on the scene in case of minor spills. For larger spills or releases, applicators should follow the protocol in section 10.0.

In general, the Wilbraham DPW, or DPW's agents, do not trespass or enter upon land to perform work on private property, except where a written agreement with the current landowner is in place or recorded easement for access by DPW exists. Other exceptions include emergencies, or eliminating an imminent threat to public health and safety.

7.0 QUALIFICATIONS OF INDIVIDUALS DEVELOPING THIS PLAN

This plan was reviewed and approved by DPW Director/Town Engineer Tonya Capparello, P.E., as well as DPW Superintendent of Operations William Sperrazza. This VMP was developed by DPW Engineer/Field Inspector Mark O'Malley.

Mr. O'Malley is a life-long resident of western Massachusetts. He holds a 2009 Bachelors of Science in Earth Systems from the University of Massachusetts, Amherst. Mr. O'Malley joined the Town of Wilbraham DPW as an Engineer/Field Inspector in February of 2025. As part of his role, he reviews plans for construction projects for regulatory and local by-law compliance, issues local permits, and performs field inspections on behalf of the DPW and the local Conservation Commission. He assists with ensuring Town and private contractor compliance with the Town's Wetlands By-Law and Local Stormwater Management By-Law. As a former Environmental Scientist and Project Manager at a private firm, Mr. O'Malley carries with him approximately 14 years of full-time experience responding to oil/hazardous material releases to the environment. His prior work focused on conducting fieldwork, site assessments, remediation, and reporting for projects primarily in Massachusetts and Connecticut, with limited project work in Vermont, New York, and New Jersey. He holds paramount the health, safety, and welfare of the public and the environment for which we all live, work, and play. Mr. O'Malley strives to stay up to date on local and regional environmental issues, guidance, and regulatory changes. He has a strong technical understanding of the Massachusetts Contingency Plan, and regularly works with other local, state, and federal regulations and by-laws.

8.0 DESCRIPTION OF THE IPM PROGRAM

An Integrated Pest Management (IPM) Program is a decision-making process that combines biological, cultural, mechanical, and chemical methods to manage vegetation in the most environmentally sensitive and effective way. Key elements of this program include:

- Prevention First, with emphasis on non-chemical methods for vegetation control (mowing, cutting, selective trimming) before resorting to herbicides.
- Sensitive Area Protection
- This VMP and a Yearly Operational Plan (YOP) that provide an annual update that specifies the exact methods, herbicides, and locations for that year's work.

Decisions at the DPW are made daily in the field by DPW staff, and are communicated up the chain of command as necessary to foremen, supervisors, the DPW Superintendent of Operations, and/or the DPW Director. The Wilbraham DPW has a full-time staffed administration/engineering office and highway division garage with resources and senior mentors to provide support to DPW workers in the field.

9.0 DESCRIPTION OF ALTERNATIVE LAND USE PROVISIONS

The DPW has been issued a wetlands Order of Conditions (MassDEP File # WE 341-0392) by the Wilbraham Conservation Commission. This Order of Conditions was issued for a DPW bundled Notice of Intent that includes the cutting of vegetation along all Town roads. A copy of the Order of Conditions and project narrative are attached. The manual and mechanical cutting and management of vegetation helps reduce the need for herbicides in and near sensitive areas.

Any reasonable request made to DPW by any individual, state, federal or municipal agencies to reduce or eliminate the need for herbicides in a certain location will be forwarded to the DPW Director, and if warranted forwarded to the Town Administrator for further consideration.

Section 612 of the Town's local by-laws⁷ allows owners whose land abuts upon any street to beautify the same tree belt immediately adjacent to their own parcel in such a manner as will not interfere with the flow of storm water or public travel. With the exception of cutting trees, land owners may mow, cut, or otherwise maintain vegetation in the tree belt fronting their property in compliance with other applicable laws or regulations.

Pursuant to 333 CMR 11.05(2)(i), the DPW is not aware of other alternative land use provisions or agreements that have been established with individuals, state, federal or municipal agencies that would minimize the need for herbicides.

10.0 DESCRIPTION OF A REMEDIAL PLAN TO ADDRESS SPILLS

10.1 Minor Spill Response

In the event of an incident such as a minor spill, action shall be taken by DPW, or DPW's agent, to contain the spill and protect the surrounding area. Health and safety is paramount. Safety precautions shall be taken and responding personnel shall don appropriate personal protective equipment. The product Safety Data Sheet should be reviewed for cleanup procedures. The cause of the spill shall be identified and secured. Spill containment should generally include soaking up the spill with adsorptive material or wiping the material with rags. Dry products that are spilled to the surface should be scooped and containerized. 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. The Fire Department should be notified. Spent absorbent, residual product, and used personal protective equipment should be containerized, removed from the site, and properly disposed.

Minor spills should be reported to the DPW Superintendent of Operations, or supervisor in charge. If there's any chance of impact to soil, wetlands, storm drains, or drinking water, even a "minor" spill of hazardous material should be initially treated as a

⁷ <https://www.wilbraham-ma.gov/DocumentCenter/View/2012/Annual-Town-By-Laws>

reportable release under the Massachusetts Contingency Plan (MCP) 310 CMR 40.00 for which there are 2-hour Department of Environmental Protection (MassDEP) notification requirements.

10.2 Reportable Spill Response

When there's a sudden release of a reportable quantity of oil or hazardous material in Massachusetts, the MassDEP requires a very structured and time-sensitive response under the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000). Here's the recommended approach:

- Call 911 / Local Fire Department first – to address any immediate threats to public safety (fire, explosion, evacuation).
- Stop the release if safe to do so (shut valves, plug leaks, stand up tipped over containers). Contain the spill using absorbents, booms, or berms to prevent migration into soil, groundwater, or storm drains.
- Secure the site to limit access and prevent exposure.
- Notify the DPW Superintendent of Operations, or supervisor in charge.
- 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 by the Local Fire Department, DPW Superintendent of Operations, or supervisor. MassDEP maintains a list of cleanup and transport contractors⁸.
- The Local Fire Department, DPW Superintendent of Operations, or supervisor should notify MassDEP's 24-hour Emergency Response line at 1-888-304-1133 as soon as possible if there is a threat to environmental receptors, human health, or safety. MassDEP should be consulted if additional state or federal agency notifications are required, such as notifying the National Response Center (NRC).
- Within 2 hours of obtaining knowledge of the release, those required to notify pursuant to 310 CMR 40.331, shall call and provide formal written notification to MassDEP. There are also releases, or Conditions of Substantial Release Migration, which require notification within 72 hours of obtaining knowledge. This notification must be made in addition to 2 hour release notification.
- When in doubt, **report** — failure to notify carries significant penalties, while over-reporting is not penalized.
- Document actions taken and follow up with DPW administrative/engineering staff.
- Following the initial response actions, the Town or responsible parties must hire a Massachusetts Licensed Site Professional (LSP) to oversee assessment, containment, and cleanup (remediation) in compliance with MCP performance standards.

⁸ <https://www.mass.gov/info-details/list-of-emergency-response-hazardous-waste-transporters>

11.0 POLICY FOR ELIMINATING OR REDUCING PESTICIDES

The Town of Wilbraham Department of Public Works (DPW) is not a state agency or authority as defined in M.G.L. c. 3, § 39. As such the provisions of 333 CMR 11.05(2)(k) do not apply.