



PERMIT TO CONDUCT RIGHT-OF-WAY HERBICIDE TREATMENT Permit number: ROW_2023_06 Effective May 2, 2023

Office of the Secretary, Anson B. Tebbetts

www.agriculture.vermont.gov

116 State Street • Montpelier, Vermont 05620-2901 • (802) 828-5667 • (802) 828-1410 fax

Permittee: Village of Old Bennington, Monument Ave, Old Bennington, VT 05201
 [Contact Person: James Warren]

Permit conditions:

1. The permittee shall contact the Agency of Agriculture, Food and Markets (the Agency) one business day prior to initiating this permit.
2. Each application crew, including sub-contractors, working under this permit shall coordinate one use inspection with the Agency.
3. This permit authorizes the use of pesticides this calendar year for brush and stump and ground broadcast stem and foliar treatments along the municipal highway system to maintain sight distances; for guardrail vegetation control; for maintenance activities in town-owned rest areas; and for other safety and public health concerns in these specific areas. This permit does not allow for treatment to control terrestrial invasive plant species, unless required for operator or worker safety, public health needs, or in compliance with specified conditions in appendix of this permit. This permit in no way authorizes the applicant to use pesticides on real estate where it has no lawful right to do so.
4. All applications, except when made by manual backpack sprayer, shall include a spray additive to control drift.
5. At least one certified applicator shall be a member of each application crew. All label recommendations and requirements for protective clothing shall be adhered to for all applicators.
6. Proof of public notification as detailed in the permit application shall be provided, upon request, to the Agency as proof that the notification occurred (e.g., copies of newspaper tear sheets, invoices).
7. Pesticides shall not enter the waters of the State. Buffers to water are as follows, unless the product label prescribes a greater buffer:
 - a. Applications made **parallel** to surface water shall have a visible limit of 15 feet from the edge of the water.
 - b. Aquatically labeled glyphosate products may be made up to 10 feet from surface water, as measured from shoreline.
 - c. Applications made at a surface water **crossing** shall have a visible limit of 30 feet from the water's edge.
8. Public and potable (non-public) water sources are to be avoided.
 - a. Applications shall not be made within 200 feet of a public or potable water source, as identified by the Vermont ANR Atlas, through well owner notification to permittee, or identified in the field.

- i. Buffer can be reduced to within 100 feet of a public non-community groundwater drinking water source.
 - ii. Buffer can be reduced to within 100 feet of potable water sources in bedrock or confined surficial aquifers.
9. A copy of this permit and accompanying digital or electronic maps identifying surface waters and both public and potable water sources shall be provided to the applicator for use during application.
 10. Routine operational records as required by the Vermont Rule for the Control of Pesticides shall be submitted by the pesticide applicator to the Agency of Agriculture on a weekly basis.

Records shall be submitted electronically to:

morgan.griffith@vermont.gov

11. The following pesticides may be applied at the rates listed below and in accordance with the label:

Product name	Active ingredient	EPA registration number	Rate not to exceed
Garlon 3A	Triclopyr	62719-37	1.25 gallon per acre
Makaze	Glyphosate	34704-890	64 fl oz per acre

12. In the event the permittee sub-contracts or assigns any of the applications authorized by this permit, the permittee shall continue to remain responsible for the conditions of this permit. This condition does not relieve any sub-contractor or assignee from compliance.
13. All operations shall be conducted in accordance with the representations made by the permittee in its permit application under these permit conditions unless, and until, the permit is amended.
14. The Secretary reserves the right to further limit or restrict the application of pesticides approved under this permit as conditions or circumstances warrant.

This application was published for public comment and forwarded with recommendation to the Secretary.

Effective Date May 2, 2023

Expiration Date December 31, 2023

DocuSigned by:

Anson Tebbetts

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Anson B. Tebbetts, Secretary
Agency of Agriculture, Food & Markets