

Form 1

City/Town Seekonk
Applicant Mass. Highway Dept.

*Commonwealth
of Massachusetts*

**Request for a Determination of Applicability
Massachusetts Wetlands Protection Act, G.L. c. 131, s. 40**

1. I, the undersigned, hereby request that the Seekonk Conservation Commission make a determination as to whether the area, described below, or work to be performed on said area, also described below, is subject to the jurisdiction of the Wetlands Protection Act, G.L. c. 131, s.40.
2. The area is described as follows. (Use maps or plans, if necessary, to provide a description and the location of the area subject to this request.)

Location: Street Address Route I-195 from the Rhode Island State line east to the Rehoboth town line.

Lot Number: N/A

Please see the attached U.S.G.S. locus map and project scope of work.

3. The work in said area is described below. (use additional paper, if necessary, to describe the proposed work.)

The proposed work involves the use of herbicides to control weed growth directly beneath guardrail, within crevices between pavement and curbing in front of guardrail, and within joints between and under jersey barrier. MassHighway has an approved Vegetation Management Plan (VMP) filed with the Department of Food & Agriculture (DFA) and is preparing to submit a Yearly Operational Plan (YOP). The YOP will prescribe the procedures to be followed to ensure proper and limited use of herbicides in the selected locations. Areas scheduled for herbicide application are indicated on the attached USGS locus. The target guardrail areas will be identified in the field with signage. In order to minimize concern for this activity, MassHighway will treat all spray areas as limited spray zones. That is, the selected herbicide has been approved for sensitive area applications at low pressure (below 60 psi). The herbicide proposed for use is glyphosate, commonly known by the trade name of Roundup. This herbicide will be administered by low pressure spraying performed by a licensed, DFA-approved contractor.

Roundup is a foliar herbicide which has no residual toxicity and is readily available to the public.

It is not anticipated that the application of Roundup within buffer zone areas will have any effect upon wetland resources.

MassHighway is intending to spray the selected guardrail areas once every 12 months. However, certain areas will have 24 month application intervals. These areas include zone II's for public ground water wells; 100 to 400 feet from surface water supplies; and 50 to 100 feet from private drinking water supplies. Areas with a 24 month restriction will be delineated in the field with signs. Please see the attached scope of work.

4. The owner(s) of the area, if not the person making this request, has been given written notification of this request on 10/11/95 (date)

The name(s) and address(es) of the owner(s):

Mass. Highway Department
District Five Office
1000 County Street
Taunton, MA 02780

5. I have filed a complete copy of this request with the appropriate regional office of the Massachusetts Department of Environmental Protection 10/11/95 (date)

DEP Northeast Regional Office
10 Commerce Way
Woburn, MA 01801

DEP Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347

DEP Central Regional Office
75 Grove Street
Worcester, MA 01605

DEP Western Regional Office
State House West, 4th Floor
436 Dwight Street
Springfield, MA 01103

6. I understand that notification of this request will be placed in a local newspaper at my expense in accordance with Section 10.5(3)(b) 1 of the regulations by the Conservation Commission and that I will be billed accordingly.

Signature Bernard McCourt Name Bernard McCourt
mjd District Highway Director

Address Massachusetts Highway Department Tel. (508) 824-6633
District 5 Office
1000 County Street
Taunton, MA 02780

**Proposed Scope of Work
ROUTE I-195
Vegetation Management
Seekonk, Bristol County, MA**

Project Location: In the Town of Seekonk, Bristol County, MA, the proposed herbicide application on Route I-195 begins at the Rhode Island State Line and proceeds easterly to the Seekonk/Rehoboth town line.

The total length of this proposed project on Route I-195 is approximately 2.9 miles. Please see the attached U.S.G.S. locus map.

Project Description: The proposed work involves applying glyphosate herbicide at low pressure (under 60 psi) in guardrail areas on Route I-195. The herbicide will be applied directly beneath guardrail and within crevices between pavement and curbing in front of guardrail.

The herbicide will be applied beneath all the guardrail and jersey barrier at bridge abutments from the Rhode Island State Line to the Seekonk/Rehoboth town line. The guardrail on the outside edges of Route I-195 and at the Route 114A ramps will also be treated. Some sections of guardrail will not be treated due to the proximity of wetlands. All work will be performed within the existing State Highway Layout (S.H.L.O.)

No herbicide application will take place within ten (10) feet of any wetland or water body as prescribed by 333CMR 11.00 (Rights of Way Management). There are no public water supplies (ground or surface water) near Route I-195 in Seekonk, so restrictions relating to those areas do not apply to the proposed work.