



PERMIT TO CONDUCT RIGHT-OF-WAY HERBICIDE TREATMENT

Permit number: ROW\_2024\_05

Effective April 5, 2024

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: Vermont Electric Power Company (VELCO), 366 Pinnacle Ridge Road, Rutland, Vermont 05701  
[Contact Person: Jeffrey S. Disorda, 802-773-9161]

Permit conditions:

1. The permittee shall contact the Agency of Agriculture, Food and Markets (the Agency), [Morgan.Griffith@vermont.gov](mailto:Morgan.Griffith@vermont.gov), 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, [David.Huber@vermont.gov](mailto:David.Huber@vermont.gov).
3. This permit authorizes the use of pesticides this year in transmission line rights-of-ways in the towns of Fair Haven, Poultney, Leicester, Middlebury, Salisbury, Brandon, Pittsford, Proctor, West Rutland, Clarendon, Mount Holly, Shrewsbury, Cavendish, Ludlow, South Burlington, Williston, Castleton, Ira, Rutland City, Rutland Town, Monkton, New Haven, Hinesburg, Saint George, Ferrisburg, Vergennes, Charlotte, and Shelburne. This permit does not allow for treatment to control terrestrial invasive plant species, unless required for operator or worker safety, or public health and/or safety needs. This permit in no way authorizes the applicant to use pesticides on real estate where it has no lawful right to do so.
4. 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.
5. 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).
6. All distances described in this permit are horizontal (lateral) measurements.
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. Cut stump and basal bark applications of triclopyr products may be made up to 15 feet from surface water, as measured from the shoreline.
  - b. Aquatically labeled glyphosate products may be made up to 10 feet from surface water, as measured from shoreline.
  - c. All other applications shall not occur within 30 feet of surface waters.
8. No foliar application of pesticides shall take place within 100 feet of domiciles without prior notification.
9. Utility terrain vehicles (UTVs) may be used to apply the herbicides within the right-of-way if easements or other covenants do not prohibit the use of such equipment. UTVs shall be equipped with a spill kit capable of containing 125% of the combined storage total of the pesticide stored on the UTV.
10. 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.

11. A copy of this permit and accompanying digital or electronic maps identifying right-of-way boundaries, surface waters, public and potable water sources, and threatened or endangered species habitats shall be provided to the applicator for use during application.
12. The permittee or the permittee's contracted pesticide applicator shall submit to the Agency routine operational records, as required by the Vermont Rule for Control of Pesticides, on a weekly basis. For the purposes of this permit, a "week" is a seven-day timeframe that begins on a Sunday and ends on a Saturday. The routine operational records are due by close of business on the Monday immediately following the previous week's application. Should the Monday immediately following the previous week's application be a State or Federal holiday, then the routine operational records are due by the close of business on Tuesday.

Records shall be submitted electronically to: [morgan.griffith@vermont.gov](mailto:morgan.griffith@vermont.gov)

13. The use of the following pesticides is allowed under this permit:

Product	Active ingredient	EPA registration number
Garlon 4 Ultra	Triclopyr	62719-527
Krenite S	Ammonium salt of fosamine	42750-247
Escort XP	Metsulfuron methyl	432-1549
Polaris	Isopropylamine salt of imazapyr	228-534
Rodeo	Isopropylamine salt of glyphosate	62719-324
Aquamaster	Isopropylamine salt of glyphosate	524-343
Roundup Custom	Isopropylamine salt of glyphosate	524-343

14. 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.
15. 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.
16. 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 April 5, 2024

Expiration Date December 31, 2024

DocuSigned by:

*Anson Tebbetts*

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Anson B. Tebbetts, Secretary

Agency of Agriculture, Food & Markets