

Original



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Parker River National Wildlife Refuge
6 Plum Island Turnpike
Newburyport, Massachusetts 01950
978-465-5753
978-465-2807 (fax)



May 13th, 2020

Salisbury Conservation Commission
Salisbury City Hall
Salisbury MA

Dear Conservation Commission:

Enclosed please find our application for a Request for Determination of Applicability for removing an invasive plant, Perennial Pepperweed, from sites throughout Salisbury.

Sincerely,

Lauren Healey

Lauren Healey
Invasive Species Coordinator

Original



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Salisbury
City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

US Fish and Wildlife Service

Name

E-Mail Address

6 Plum Island Turnpike

Mailing Address

Newburyport

City/Town

MA

01950

State

Zip Code

978-465-5753

Phone Number

978-465-2807

Fax Number (if applicable)

2. Representative (if any):

Firm

Lauren Healey

Contact Name

lauren_healey@fws.gov

E-Mail Address

6 Plum Island Turnpike

Mailing Address

Newburyport

City/Town

MA

01950

State

Zip Code

978-465-5753 ext 5625

Phone Number

ext 978-465-2807

Fax Number (if applicable)

B. Determinations

1. I request the Salisbury Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Salisbury

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

<u>Town wide</u>	<u>Salisbury, MA</u>
<u>Street Address</u>	<u>City/Town</u>
<u>Assessors Map/Plat Number</u>	<u>Parcel/Lot Number</u>

b. Area Description (use additional paper, if necessary):

We would like to be approved for Town wide treatment of the invasive plant, perennial pepperweed, in Salisbury. Perennial Pepperweed (*Lepidium latifolium*) has been invading the Great Marsh and it is in the marshes and along the shores of the Merrimack River areas of Salisbury. Route 110 is the northern most boundary of pepperweed and we are working to prevent it from spreading further north. These areas are salt and brackish marsh habitats and adjacent to the intertidal zone where Pepperweed, a salt-tolerant species, is taking over. It can also be found on roadside and in ditches. Pepperweed can spread by wind and water up to several miles in a single growing season. We are hoping to stop the spread of this plant by eradicating any plants we find in and around waterways, marshes and roads throughout Salisbury.

c. Plan and/or Map Reference(s):

<u>Salisbury West- 2019 Invasive Plant Sites - Pepperweed</u>	<u>May 2020</u>
<u>Title</u>	<u>Date</u>
<u>Salisbury East- 2019 Invasive Plant Sites-Pepperweed</u>	<u>May 2020</u>
<u>Title</u>	<u>Date</u>
<u>Title</u>	<u>Date</u>

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Our goal is to improve wetland and salt marsh conditions by selectively targeting and removing the invasive plant Perennial Pepperweed (*Lepidium latifolium*). We do not expect any negative impacts to the wetlands, but in fact, enhancement of the habitat and ecological communities. This is part of a larger project to eradicate Perennial Pepperweed from the Great Marsh and Essex Co., MA. Trained staff and volunteers have and will continue to locate and record locations of pepperweed stands in Salisbury. We will obtain written permission from landowners. The USFWS will keep a record of known locations, treatment at the locations and efficacy of the treatment. We will control pepperweed with both mechanical and chemical control techniques. Mechanical control will consist of hand pulling of the plants by trained staff and volunteers. Pulled plant material will be removed from the site and sent to an incinerator. Chemical control will consist of application by Massachusetts certified pesticide applicators using backpack sprayers to apply wetland approved herbicides effective against Perennial Pepperweed. The herbicides we anticipate using are Renovate 3 (triclopyr, EPA Reg. No.: 62719-37-67690), Escort (Metsulfuron methyl, EPA Reg. No.: 352-439), Habitat (imazapyr, IPA Reg. No. 241-426, Aqua Pro (glyphosate, EPA Reg. No: 62719-324) and Rodeo (glyphosate, EPA Reg. No.: 62719-324). Applicators trained in pepperweed identification and other native marsh plants, and will specifically target pepperweed and apply herbicide when wind speeds are less than 15 mph and rain is not anticipated within 6 hours. Applicators will strictly adhere to the instructions on the herbicide label. For remote locations, the use of low psi motorized vehicles, Marsh Master or Rocon, may be used to access pepperweed populations. (See pages 5 - 6)



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Our project may be exempt from the wetland protection act's "Notice of Intent" requirement. As states under the Applicability heading contained within the Massachusetts Wetland Protection Act (WPA) 310 CMR 10.00: Wetlands Regulations, "Any construction in or near a wetland resource, including intertidal and subtidal habitat, is subject to the provisions of the WPA." Our project is not a construction project.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

US Fish and Wildlife Service

Name

6 Plum Island Turnpike

Mailing Address

Newburyport

City/Town

MA

State

01950

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Larven Healey

Signature of Applicant

May 14th 2020

Date

Signature of Representative (if any)

Date

C. Project Description

2. a. Work Description (continued from Page 2):

We are requesting the use of a “Rokon” and “Marsh Master” to access remote areas of the Great Marsh.

The use of a Rokon All Terrain Trail Bike (see photos below) will allow workers to reach more remote location. The Rokon has an attachable side care which provides additional storage space for applicator’s materials. The Rokon is designed for minimum ground impact. It weighs approximately 215 lbs. which is spread out over Three large, wide hollow fifteen inch aluminum wheels. The low ground pressure (approximately 3 psi) has no observable impact on saltmarsh vegetation leaving no visible tracks in the native high marsh grasses. By comparison, a 200 pound person (without including weight of backpack and chemicals) when on foot has a ground contact pressure of 6 psi. Our partners, personnel from the Northeast Massachusetts Mosquito Control and Wetland Management District, are trained to operate the Rokon with side car (as needed) in all marsh conditions. District personnel have years of experience reading marsh vegetation and features thereby avoiding sensitive areas and impact to the marsh platform. Most Rokon travel occurs in high marsh.

The Marsh Master is a hydraulically driven, two track vehicle that is designed specifically for wetland and marsh applications. It is fully amphibious allows access to swamps, marshes and wetland with the ability to cross creeks and channels (see photos below). Designed with a ground pressure of about 1 psi, the environmental impact to marsh vegetation is minimal. Operators are trained in the use of the Marsh Master in the salt marsh environment. The MA Division of Fisheries and Wildlife have given us permission to use low impact motorized vehicles such as the Rokon and Marsh Master on all of their properties.

The use of these vehicles gives us options for efficiency and reduced travel (number of trips) on the salt marsh. With the Rokon and the Marsh Master, we would only need to make one trip to treat a site. Without these, it would require traveling on foot, three to four trips over two to three days to treat the same amount of area.

It’s important to mention that the herbicide application is effective when plants are flowering, providing a window of only four to six weeks for effective treatment. The Pepperweed Program manages the control of this invasive species in the entire Great Marsh region (approximately 25,000 acres) and at the present time, we have recorded over 2000 pepperweed locations. To control this aggressive invasive plant, it is important to be efficient, delivering as much treatment in the short window (late June to early August) throughout the entire Great Marsh.



“Rokon” All Terrain Tail Bike w/ side car

"Marsh Master" 2 Track Wetland/Swamp Vehicle

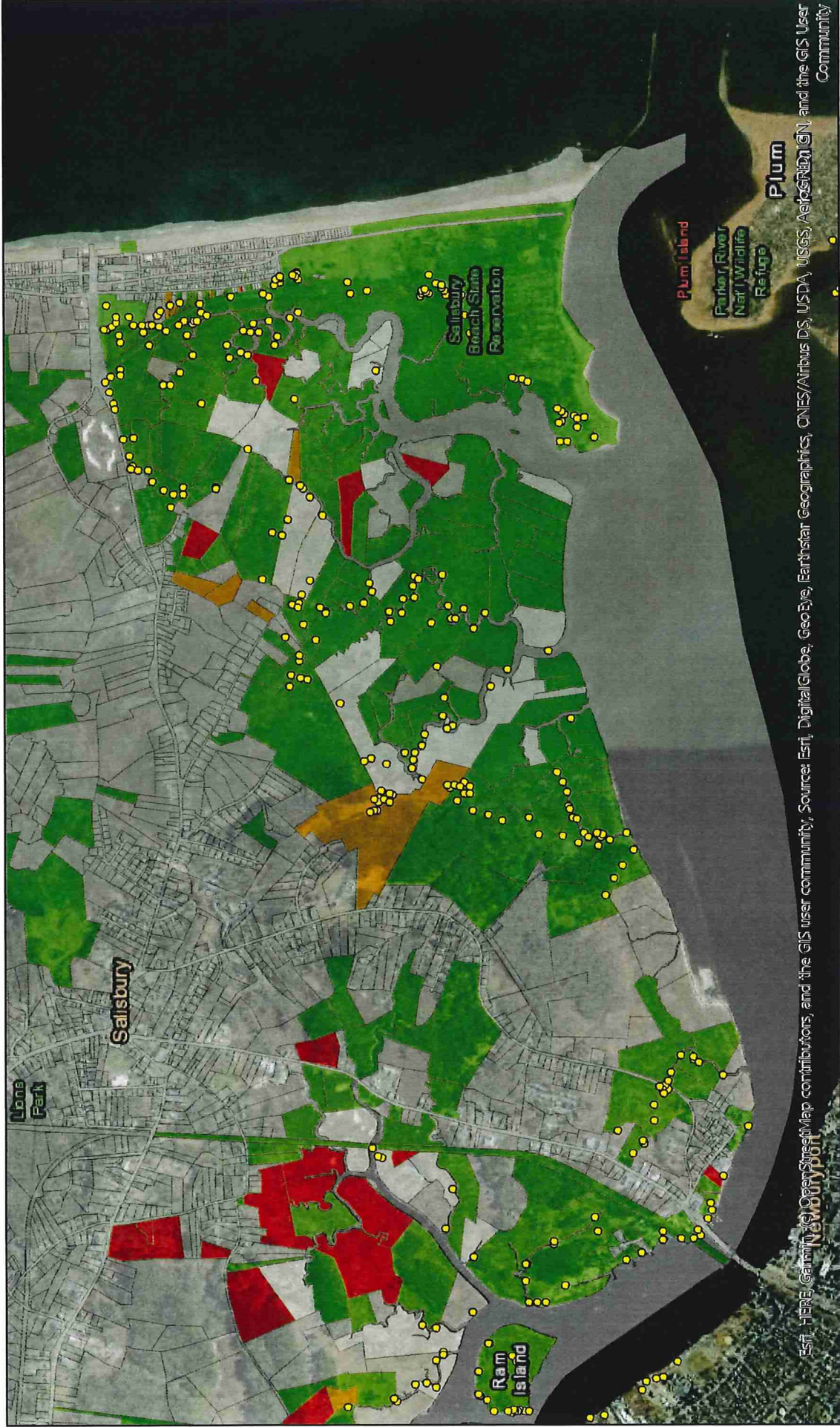


"Marsh Master" amphibious capability

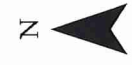




Salisbury East Pepperweed Sites 2019



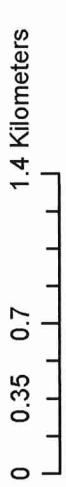
Est. HERE Garmin, OpenStreetMap contributors, and the GIS user community, Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Pepperweed_Locations_2019
 ● Pepperweed locations

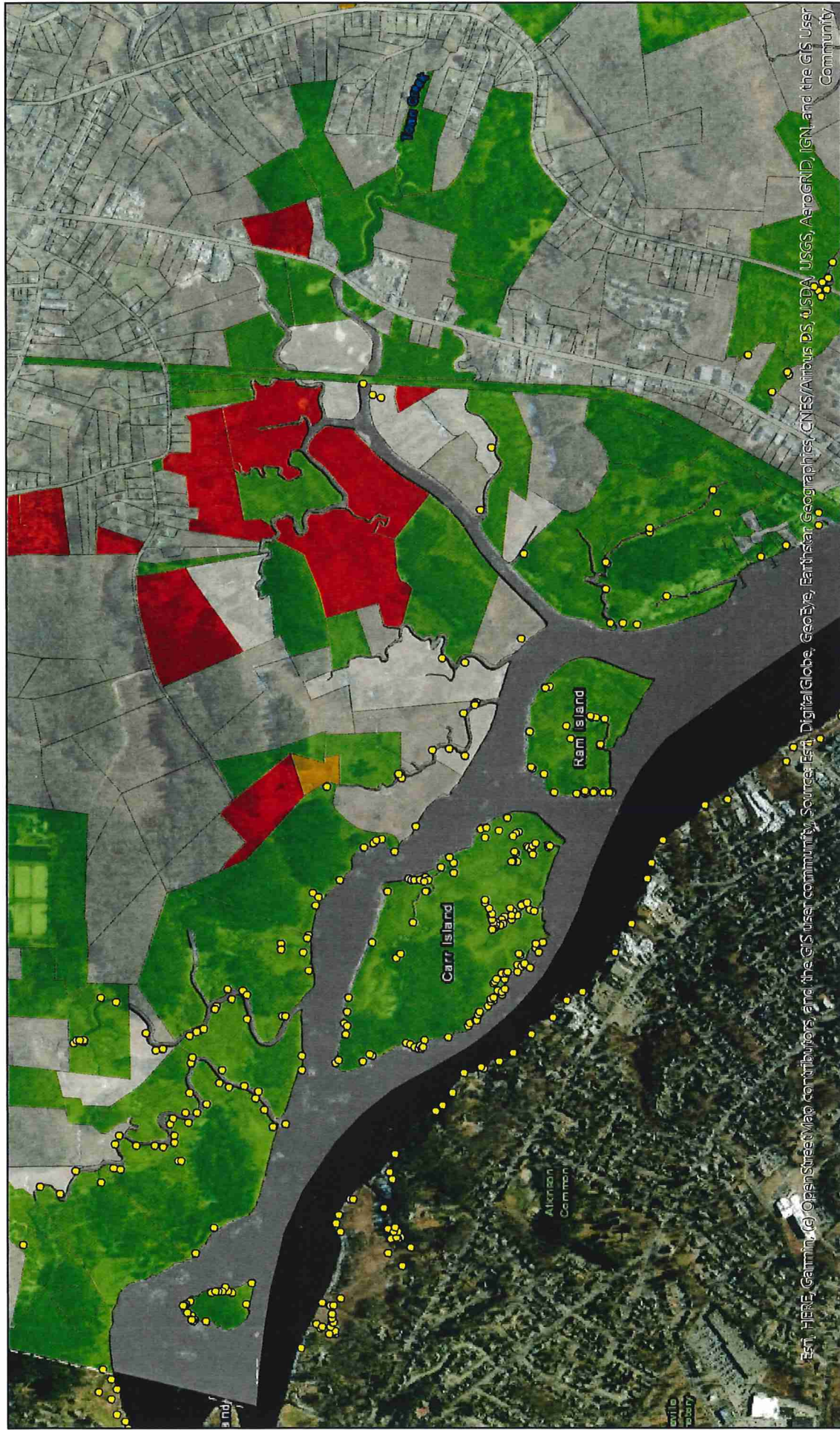
Pepperweed_Permissions_2019

- Need Permission
- No
- Owner Unknown
- Pull Only
- Self Pull
- Spray Only
- Yes
- <all other values>





Salisbury West Pepperweed Sites 2019



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Pepperweed_Locations_2019

- Pepperweed locations

Pepperweed_Permissions_2019

Yellow	Need Permission	Purple	Spray Only
Red	No	Green	Yes
White	Owner Unknown	Grey	<all other values>
Orange	Pull Only		
Blue	Self Pull		

0 0.15 0.3 0.6 Miles

0 0.23 0.45 0.9 Kilometers

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City, State, ZIP+4® Wilmington MA 01887

7019 1640 0000 4734 0974