



Town of Swampscott Conservation Commission Pilot Japanese Knotweed Control Program



Application Form and Instructions for Minor Japanese knotweed Removal Permit

The Swampscott Conservation Commission has approved a town-wide Order of Conditions for a pilot program permitting small-scale Japanese Knotweed control efforts by landowners, where knotweed patches are located in areas subject to the jurisdiction of the Swampscott Conservation Commission. Under the program, homeowners can apply for a Minor Japanese Knotweed Removal Permit. The goal of this program is to encourage landowners to undertake projects with review and oversight to ensure protection of the interests of the Wetlands Protection Act.

Japanese Knotweed (*Fallopia japonica*) is a highly aggressive invasive species that forms dense monocultures and adversely affects native plant communities. There is also strong circumstantial evidence that knotweed can damage buildings, foundations, and pavements.

The Minor Japanese Knotweed Removal Permit authorizes administrative review and approval of specific Knotweed removal projects by landowners so long as the special conditions in the Permit are met. If these conditions are not met, the landowner will be required to file a separate Request for Determination of Applicability or Notice of Intent (*see: mass.gov/lists/wetlands-permitting-forms*) and undergo a full review by the Commission.

In order for the project to qualify for the Minor Japanese Knotweed Removal Permit:

- 1) Work may not be located within Priority/Estimated Habitat for Rare Species (if it is, a separate MESA filing may be required). *See: mass.gov/info-details/rare-species-viewer*
- 2) A variety of treatment methodologies may be used individually or in combination under this Permit, including:
 - a. Foliar spraying of commercial herbicides
 - b. Stem injection of herbicides into individual knotweed canes.
 - c. Organic methods of treatment (e.g., coffee, vinegar) (a multi-year long term commitment is required for this type of treatment)
 - d. Hand cutting and removal (a multi-year long term commitment is required this type of treatment).
- 3) All herbicides used must be applied in accordance with labeled instructions and be safe for use in and near aquatic environments (i.e., Rodeo instead of RoundUp be used) and in accordance with the requirements of the Massachusetts Pesticide Control Act. No foliar spraying may be conducted within 100' of vernal pools. (Certified and potential vernal pools are listed at massgis.state.ma.us).
- 4) In other areas, best efforts should be made to minimize foliar spraying so as to avoid contact with other species. All herbicide application must be made either by the property owner or a licensed pesticide applicator.

- 5) Herbicide treatment of Knotweed may only be conducted from July through October.
- 6) All plant material cut or removed must be burned or disposed of properly and in a manner that prevents regrowth and/or dispersal of Knotweed to new areas.
- 7) Excavation of soils is not permitted without an individual permit, with the exception of tilling of soil to break up Knotweed rhizomes. If bare patches of soil are created by removal of plants, then erosion controls (e.g., straw wattle) must be installed prior to work and maintained until the area is revegetated, then removed.
- 8) Advance written notice for each Knotweed removal project must be provided to the Conservation Commission, including a sketch map and photos of the area to be treated, a brief narrative describing the methods of treatment proposed, and the proposed replanting (which must be native plants, shrubs, and trees and not lawn if within 35' of the wetland). The method of disposal of vegetative materials must also be identified. The corners of the area to be treated shall be staked in the field. Each project should include at least five years of monitoring for Knotweed regrowth.
- 9) Knotweed projects may be approved by the Conservation Commission in accordance with this Pilot Japanese Knotweed Control Program. Notification to the Commission and a site visit is required before the project is approved. The Commission has the discretion to condition projects or to reject projects that are large and complicated, located in sensitive areas, or which, in its opinion, requires a more detailed review under a separate application. The Commission may also limit the geographic extent of treatment or removal in any given calendar year.

The Commission intends to review the Minor Knotweed Removal Permit program and any lessons learned after three years and decide whether it is advancing the goals or whether it should be modified or eliminated. It is a pilot program and is not be applicable to other invasive species at this time. The results of this evaluation will also be provided to the Department of Environmental Protection.

Swampscott Conservation Commission

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Swampscott, MA 01907
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MINOR JAPANESE KNOTWEED REMOVAL PERMIT APPLICATION

Date: _____ Assessors Map/Lot: _____

Applicant: _____

Owner (if different): _____

Address: _____

Phone: _____

Email Address: _____

Project Scope: _____

Approx. Timeframe for Proposed Work (Start/End date): _____

Approx. Total SF of Knotweed Patch: _____

SF Proposed for Removal: _____

Approx. Distance to Wetland at Closest Point:

Proposed Method(s) of Knotweed Removal (Check all that apply and provide narrative):

- ☐ Herbicide – Cut and Treat
- ☐ Herbicide – Stem Injection
- ☐ Herbicide – Foliar Spray
- ☐ Organic Method
- ☐ Hand Cutting and Removal
- ☐ Other (Describe):

Proposed Method of Disposal for Knotweed Plants:

Proposed Replanting:

Additional Documents/Certifications:

- ☐ Sketch map of Knotweed Removal area and photographs attached
- ☐ The corners of the area to be treated have been staked in the field.
- ☐ I authorize the Conservation Commission to conduct site visits to evaluate and/or monitor this knotweed removal project
- ☐ I certify that all herbicides used for knotweed removal will be applied by the owner and/or a licensed herbicide applicator.

Applicant's Signature:

Date:

Owner's Signature (if different):

Date:

For Swampscott Conservation Commission Use:
Knotweed Removal Authorization
and Issuance of Minor Japanese Knotweed Removal Permit

Applicant:

Address:

Map/Lot:

Approval Conditions:

1. Work is not permitted within Priority/Estimated Habitat for Rare Species.
2. All herbicides shall be applied in accordance with labeled instructions and be safe for use in and near aquatic environments (e.g., Rodeo instead of Round up) and in accordance with the requirements of the Massachusetts Pesticide Control Act. No foliar spraying may be conducted within 100' of vernal pools. In other areas, best efforts should be made to minimize foliar spraying so as to avoid contact with other species. Any herbicide application shall be made either by the property owner or a licensed pesticide applicator. Herbicide treatment of Knotweed shall only be conducted from July through October. **The Commission urges caution in the use of any herbicide to minimize health and ecological risks.**
3. All plant material cut or removed must be burned or disposed of properly and in a manner that prevents regrowth and/or dispersal of knotweed to new areas.

Special Disposal Requirements:

4. Excavation of soils is not permitted without an individual permit, with the exception of tilling of soil to break up knotweed rhizomes. If bare patches of soil are created by removal of plants, then erosion controls (e.g., straw wattles) shall be installed prior to work and maintained until the area is revegetated, then removed.

Special Erosion Control Requirements:

5. Only native shrubs and trees may be planted within 35' of the wetland, no new lawn is permitted to be planted within the 35' no disturb buffer. The corners of the area to be treated shall be staked in the field. Each project should include at least five years of monitoring for knotweed regrowth.

Special Planting and Monitoring Requirements: _

6. Treatment methodologies approved:

- ☐ Herbicide – Cut and Treat
- ☐ Herbicide – Stem Injection
- ☐ Herbicide – Foliar Spray
- ☐ Organic Method
- ☐ Hand Cutting and Removal
- ☐ Other:

7. *Limitations on Extent of Work (if any):*

8. All work shall be performed in accordance with this Minor Japanese Knotweed Removal Permit. Any deviation from this authorization shall require prior approval from the Swampscott Conservation Commission. This may require the filing of a separate Request for Determination of Applicability or Notice of Intent and a full review by the Commission.

9. No filling of land beyond the limits or above the grades on the submitted plans is authorized.

10. The areas of tilling shall remain in a stable condition at the close of each treatment day. Erosion controls shall be inspected at this time, and repaired or reinforced or replaced done as necessary.

11. If disturbed areas are not permanently stabilized by the end of the growing season, the owner must monitor the area and install or repair erosion controls to protect the resource area.

12. There shall be no outside storage of herbicide, or other potentially hazardous materials within the 35 foot buffer.

13. All waste and excavated material shall be disposed of in accordance with applicable laws. Any soil containing knotweed rhizomes shall be considered contaminated and disposed of appropriately.

14. All fill material brought onto the site shall be clean fill and reasonably free of invasive species.

15. A Swampscott Conservation Commissioner, agent of the Commission, or the Department of Environmental Protection (DEP) reserves the **right to enter and inspect the property at all reasonable times**, to evaluate and/or monitor the knotweed removal project and compliance with these conditions. The Commission may request submittal of a status report or other information during the Permit period. Further, work shall be halted on the site if the Commissioner, agent, or the DEP determines that any of the work is not in compliance with this Permit. Work shall not resume until the Commission is satisfied that the work will comply, and has so notified the applicant in writing.

16. Additional Conditions (if any): _

☐ Site Visit Conducted: _____

☐ Confirmed Not in Rare Species Habitat / No Vernal Pools

☐ Approved as Conditioned Above

☐ Denied, filing an individual project application with the Conservation Commission is required.

Approved by:

Date: _

Treatment Expiration Date: