



Swab sample of track taken in June 1987 are non-detect for alachlor, atrazine, bromacil, cyanazine, diuron, metolochlor, simazine and treflan. July 1987 – tracks inspected for evidence of herbicide use – none detected.

- 1988: No documented activity
- 1989: No documented activity
- **1990:** Permit issued to St. Lawrence and Atlantic Railroad. Includes Condition (#11) that a **No Spray Zone (NSZ)** be established along the subject property. Agency personnel are present in May 1990 when the **NSZ** is marked by the railroad. **NSZ** inspected in June, July and August 1990 and there was no evidence of herbicide use within.
- 1991: Permit issued to St. Lawrence and Atlantic Railroad. Tracks inspected 6/11/91. Compliance with **NSZ** observed.
- 1992: Permit issued to St. Lawrence and Atlantic Railroad. Tracks inspected June and July 1992. Compliance with **NSZ** observed.
- 1993: Permit issued to St. Lawrence and Atlantic Railroad. Tracks inspected June and July 1993. Compliance with **NSZ** observed.
- 1994: No permit issued – no documented activity
- **1995:** Permit issued to St. Lawrence and Atlantic Railroad – March 1995 Vermont Pesticide Advisory Council (VPAC) meeting – VPAC recommends that all sensitive areas and areas with high potential for human contact be flagged.
- 1996: No permit issued – no documented activity
- **1997:** Permit issued to St. Lawrence and Atlantic Railroad. During March 1997 VPAC meeting, VPAC is advised **NSZ** is still marked. Application of herbicides and subsequent investigation results in enforcement action and administrative penalties totaling \$6000 to both railroad and applicator for application within **NSZ**.
- **1998-2001:** Notes from May 14, 2001 VPAC meeting state 2001 will be 4th season no treatment will occur on stretch that runs from Bloomfield to Norton, Vermont. Surmise No Treatment 1998 – 2001.

- **2002:** Notes from February 5, 2002 VPAC meeting state St. Lawrence and Atlantic Rail line (SLAR) was sold to Genesee and Wyoming (GWRR). Steve Knutson, with SLAR, and a member of the Railroad Alternative Methods of Vegetation Management Committee (Alternatives), is to stay on as track manager. Mr. Knutson assures the VPAC Chair that the new owners are committed to the project.
- **2004:** Notes from January 27, 2005 VPAC meeting state SLAR bought out by GWRR and the new management was not aware the line was involved in the Alternatives project. VPAC Chair is working to open discussion with the new management. Mr. Knutson, the point of contact with SLAR, had committed to not using any herbicides along the stretch in question, but Mr. Knutson has left and it is unknown if the new management will keep to this commitment. If the new management does not want to be involved in the Alternatives project, there is the issue of returning the publicly owned part of the equipment.
- **2005:** Notes from March 22, 2005 VPAC meeting state SLAR has submitted an application requesting a permit to conduct chemical control of vegetation within their Right-of-Way. Mr. Knutson, a former employee of SLAR, had committed to a “no use” policy. As there is new ownership and management, the management may not be aware of the prior commitment. VPAC noted this issue will need to be examined and resolved.
- **2005:** Notes from April 13, 2005 VPAC meeting state the Council extensively discussed the SLAR permit application and agreed that the application would be forwarded to the Secretary of the Agency for approval of a conditional permit with the goal of allowing the line to deal with immediate safety issues that had been identified on the tracks. The rail line voluntarily offered to continue a **NSZ** through the Town of Norton. Implementation of the Plan is contingent upon the Secretary receiving and approving an operational Plan from the rail line. Discussion must continue as to how this line will be managed considering commitments previously made to the Council, the public and the legislature and there has been investment of public funds in the development of an alternate means of treatment technology piece of equipment.
- **2005:** September 12, 2005 letter from VPAC Chair to Executive Vice President of Genesee and Wyoming, Inc. In brief, the SLAR will not be using the equipment for vegetation management in their railbed and GW has agreed to donate the equipment the Vermont Agency of Transportation (VTRANS).
- **2005:** Notes from the November 8, 2005 VPAC meeting state that the VTRANS representative on the Council reported the SLAR has agreed to give up ownership of the piece of equipment to VTRANS, which VTRANS has accepted. Details of the transfer were under development.
- **2006:** May 3, 2006 e-mail to VPAC from the VPAC Chair notes SLAR submitted a permit application requesting permission to treat ROW in Norton, VT. It is noted that in 2005 SLAR voluntarily agreed not to treat in Norton.

Permit ROW #2005-14 signed by the Secretary on May 4, 2005 includes Condition #18 “No herbicide applications shall take place within Norton, Vermont.”

- **2006:** Notes from the April 11, 2006 VPAC meeting indicate SLAR agreed to skip treatment in 2006 as would be doing surfacing and ballast maintenance and bush cutting that year. It was noted that the Alternative equipment had been transferred to VTRANS. Also, inspection was reported to reveal that use of the Alternative approach did not result in control but that regrowth had occurred and use of the equipment had burned some of the railroad ties.
- **2007:** Notes from May 14, 2007 VPAC meeting note that SLAR agreed not to treat in Norton, Vermont.
- **2008:** Notes from April 16, 2008 VPAC meeting indicate a permit application from SLAR was submitted for review.
- **2009:** Notes from April 2009 VPAC meeting do not indicate that a permit application from SLAR was submitted for review.
- **2010:** Notes from April 2010 VPAC meeting do not indicate that a permit application from SLAR was submitted for review. However, notes dated 4/2011 indicates a permit was issued in 2010.
- **2011:** Notes from April 2011 VPAC meeting indicate a permit application from SLAR was submitted for review. The presenter stated that although the line goes through Norton, they do not spray at all in this town and have not done so for approximately 10 years. He noted that new ballast was put in 2 years ago, which would be ~2009 but the only note located regarding ballast work is from 2006. However, this could have been a stepped project as there is also a note that indicates SLAR was proposing to redo on about a 4 year cycle. The Council had questions about how the line is currently being managed in Norton and whether treatment did indeed occur anywhere in 2010 as a permit was issued allowing using of diuron which may or may not have actually been used.
- **2012:** From the VPAC SharePoint: Permit Number: **ROW #2012-RR9 Condition # 18.** “No herbicide applications shall take place within Norton, Vermont.” Notes from May 2012 VPAC meeting state in 2011 ballast regulation was done in Norton and that the 5 ¾ mile stretch was not treated with herbicides. It was stated this is 2 year old ballast (~2009 which indicates stepped work may be the case). The representative present noted that in 2011 diuron was used in areas other than Norton, per the permit.
- **2013:** Permit Number: ROW #2013-RR9 Condition #19. “No herbicide applications shall take place within Norton, Vermont.”

- 2014: Permit Number: ROW #2014-RR8 signed May 9, 2014 does not include condition prohibiting application within Norton, Vermont. This was later identified as an administrative error. However, AAFM subsequently verified that treatment in Norton did not occur.
- 2015: Permit Number: ROW #2015-RR9 Condition #19. "Buffers of 500' are in place and physically marked for the property owned by the Grahams, as represented by maps provided with the application." Notes from the April 2015 VPAC meeting state presenter noted the Graham family still resides at the same location in Norton, Vermont. He stated that Norton has not been treated for years which caused issues with the railroad management in 2014. The line has done some work up in this area. A **NSZ** that will run adjacent to the property and 500 feet both north and south of the property was proposed and that this buffer must be flagged.
- **2016:** Permit Number: **ROW #2016-RR9** Condition #21. "Buffers of 500' are in place and physically marked for the property owned by the Grahams, as represented by maps provided with the application."