

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



DEVAL L. PATRICK
Governor

MAEVE VALLELY BARTLETT
Secretary

GREGORY C. WATSON
Commissioner

Notice

Pursuant to the provisions of the Rights-of-Way Management Regulations, 333 CMR 11.00, to apply herbicides to control vegetation along rights-of-way (ROW), a five year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the Department of Agricultural Resources (DAR). NSTAR has submitted and holds a current VMP, therefore, notice of receipt of a YOP and procedures for public review is hereby given as required by Section 11.06 (3).

The Kenerson Group (TKG) of Athol, Massachusetts submitted a YOP to DAR for NSTAR, A Northeast Utilities Company in December 2014.

In 2015 NSTAR will conduct an Integrated Vegetation Management (IVM) program on their transmission and distribution lines. The intended vegetation control program will be consistent with NSTAR's VMP (approved by DAR in 2013). In accordance with the guidelines set forth in NSTAR's VMP and YOP, herbicides will be selectively applied to target vegetation by licensed/certified applicators carrying backpack or hand held application equipment for the IVM program.

NSTAR's YOP identifies the following 50 municipalities as locations where they intend to use herbicides to treat their electric Rights-of-Way in 2015:

Acushnet	Carver	Marion	Needham	Uxbridge
Ashland	Dartmouth	Marshfield	New Bedford	Walpole
Avon	Dedham	Mattapoisett	Norfolk	Waltham
Bellingham	Dover	Medfield	Plymouth	Wareham
Blackstone	Duxbury	Medway	Plympton	Wayland
Boston	Fairhaven	Mendon	Randolph	Weston
Braintree	Framingham	Middleborough	Sharon	Westwood
Bridgewater	Franklin	Millis	Sherborn	Weymouth
Burlington	Holbrook	Millville	Stoughton	Wilmington
Canton	Kingston	Natick	Sudbury	Woburn

RECEIVED
2014 JAN 29
COMMUNICATIONS SECTION

NSTAR will only use herbicides recommended by DAR for use in Sensitive Areas for their IVM program. Pursuant to 333 CMR 11.04, no herbicides will be sprayed within any designated "no spray sensitive sites" instead mechanical only methods will be used to control vegetation.

Public notification, by certified mail, will be provided to each "affected" municipality at least twenty-one days prior to any herbicide application.

In accordance with 333 CMR 11.06 (2), NSTAR's YOP includes the identification of target vegetation; methods of identifying, marking and protecting Sensitive Areas; application techniques; the herbicides, application rates, carriers and adjuvants proposed for use; alternative control measures, a list of the application companies and YOP supervisor; procedures for handling, mixing and loading herbicides; emergency resources including local,

state and federal emergency telephone numbers; maps of the ROW which included mapped Sensitive Areas, and herbicide fact sheets and labels.

PUBLIC REVIEW

The DAR seeks to verify the location of Sensitive Areas defined in Section 11.02 reported in the YOP. DAR itself has a limited ability to survey the geography, land use and water supplies in all the communities through which ROWs pass. Municipalities have most of this information readily available, and the particular knowledge with which to better certify the Sensitive Areas in their communities. DAR, therefore, requests, and urges the assistance of the "affected" municipalities in reviewing the completeness and accuracy of the maps contained in the submitted YOP.

DAR has established the following procedures for this review:

Copies of the YOP and this *Notice* will be sent by the applicant to the Conservation Commission, Board of Health (or designated health agent), and the Head of Government (Mayor, City Manager, Chair of the Board of Selectman) of each municipality where herbicides are to be applied during the calendar year of 2015; and if applicable to the Natural Heritage Endangered Species Program of the Massachusetts Department of Fisheries and Wildlife, the Massachusetts Water Resource Authority and the Massachusetts Department of Conservation and Recreation. Municipal agencies and officials will have forty-five days, following receipt of the YOP, to review its map for inaccuracies and omissions in the location of "Sensitive Areas not readily identifiable in the field."

Municipal agencies and officials are requested to forward the YOP to the appropriate official(s) in their municipality qualified to certify the accuracy of the Sensitive Areas indicated on the maps. The maps should then be "corrected" and returned to the applicant and a copy should be sent to DAR at the address listed below within the forty-five day review period.

If a city or town needs more time to carry out this review, it should send a written request for an extension to DAR and cite why there is a "good cause" for requesting additional time.

The applicant is required to make all corrections and the corrected maps will be sent back to the city/town that requested the disputed changes within fifteen days of receipt of the request. DAR will decide whether or not the YOP should be approved without the requested changes. DAR will consider the "final approval" of a YOP individually for each municipality.

The twenty-one day public review period of the Municipal ROW Notification Letter may serve concurrently with the forty-five day YOP review period in order to provide public notifications as required by 333 CMR 11.07, if the applicant has an approved VMP and if all the requisite city-town offices that received copies of the YOP completed their review and all corrections were duly made by the applicant and approved by DAR.

A failure by the city/town to respond to the applicant's submission of the YOP within the forty-five day period will automatically be considered by DAR to indicate agreement by the municipal officials with the Sensitive Area demarcations provided by the applicant in their YOP.

Any questions or comments on the information provided in this *Notice* and the procedures established for the municipal review outlined above should be addressed to:

Michael McClean
Director of Rights-of-Way Programs
Massachusetts State Pesticide Bureau
251 Causeway Street, Suite 500
Boston, MA 02114-2151

Any questions or comments regarding the YOP should be addressed to:

William Hayes, Senior Transmission Arborist
NSTAR, A Northeast Utilities Company
Vegetation Management
One NSTAR Way, SE-370
Westwood, MA 02090-9230
781-441-3837 (office)

COMMENT PERIOD ENDS AT THE CLOSE OF BUSINESS ON FRIDAY, February 6, 2015



One NSTAR Way
Westwood, Massachusetts 02090

DEC 29 2014
RECEIVED
WESTWOOD, MASS.

December 23, 2014

**45 Day Yearly Operational Plan
Public Notice, Review and Comment Period**

Dear Municipal Officials:

In compliance with 333 CMR 11.06, *45 Day Yearly Operational Plan Public Notice, Review and Comment*, please review NSTAR Electric and Gas 2015 Yearly Operational Plan.

NSTAR's Yearly Operational Plan (YOP) details specific information pertaining to the intended 2015 program. NSTAR's YOP is posted at the following website:

<http://www.kenersongroup.com/yop/2015/nstar>

Please review the enclosed YOP maps that locate the rights-of-way and the plotted location of known *sensitive areas* including public and private drinking water supplies. If there are any additional *sensitive areas* located on or near the right-of-way, please advise us as soon as possible, so we may establish permanent records and implement appropriate field protective actions. We particularly rely on this process to collect corrections to the public wells and to record the locations of private wells. The enclosed maps will be updated with any new information that is received by NSTAR and posted at the above website. If you would like a hard copy of the YOP please contact us with this request.

Also please review the enclosed hard copy of the Environmental Monitor Notice, published under the Massachusetts Environmental Policy Act (MEPA) also located at:

www.env.state.ma.us/mepa/emonitor.aspx

Enclosures: 21 Day Letter
Environmental Monitor Notice
2015 Yearly Operational Plan Maps

Notice Sent to: Chief Elected Municipal Official
Board of Health
Conservation Commission
Municipal Water Supplier
Massachusetts Pesticide Bureau



One NSTAR Way
Westwood, Massachusetts 02090

DEC 23 2014

U.S. MAIL PERMIT NO. 1000 WESTWOOD, MASSACHUSETTS 02090

December 23, 2014

Dear Municipal Official:

This letter is to inform you that NSTAR Electric & Gas intends to selectively apply herbicides along power line and natural gas rights-of-way that pass through your municipality. This treatment is conducted as a component of an integrated vegetation management program that also utilizes mechanical and natural control techniques.

NSTAR's five-year Vegetation Management Plan (VMP) for 2013-2017 is posted at the following website: www.kenersongroup.com/vmp/2013/nstar. If you would like a hard copy please contact us with this request.

NSTAR's Yearly Operational Plan (YOP) for 2014 is posted at the following website: www.kenersongroup.com/yop/2015/nstar. If you would like a hard copy please contact us with this request. Please note that the YOP also includes the rights-of-way (ROW) from the 2014 treatment program. This is just in case NSTAR needs to request a "touch-up" retreatment of scattered locations from its contractor(s). For some municipalities, these "touch-up" ROW's are the only ones that are located within your boundaries; please note the difference on pages 3 & 4 in the YOP.

Please review the YOP map(s) that locate the ROW corridors and the plotted location of known sensitive areas including public and private drinking water supplies. **If there are any additional sensitive areas located on or near the ROWs please advise us as soon as possible so a permanent record can be established and appropriate field protective actions implemented. We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.** The enclosed maps will be updated with any new information that is received by NSTAR and posted at the above website.

The herbicides are listed in Section VII of the YOP and will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the ROWs using backpack equipment.

The foliage treatments will take place between June 1st and October 16th along with cut surface treatments (CST). Fall CST, basal treatments or sensitive foliar treatments may be necessary and are scheduled between October 5th and December 31st in areas along the ROWs that might not have received a foliage treatment or to trees over 12 feet tall. The exact time is dependent upon weather conditions and field crew progress.

In compliance with 333 CMR 11.06-11.07, No herbicide applications will occur before the conclusion of the 45 day YOP review period, the 21 day treatment notice and the 48 hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

All of the herbicides selected for this program are registered by the Federal Environmental Protection Agency, the Massachusetts Pesticide Board, and are recommended for use in and around sensitive areas jointly by the Massachusetts Pesticide Bureau and Massachusetts Department of Environmental Protection (please refer to the YOP for specifics).

The treatments will be performed by one of the following companies:

Vegetation Control Service, Inc.
2342 Main Street
Athol, MA 01331
(978) 249-5348

Lewis Tree Service, Inc
300 Lucius Gordon Drive
West Henrietta, NY 14586
(585) 436-3208

Lucas Tree
636 Riverside St.
Portland, ME 04104
(888) 845-7870

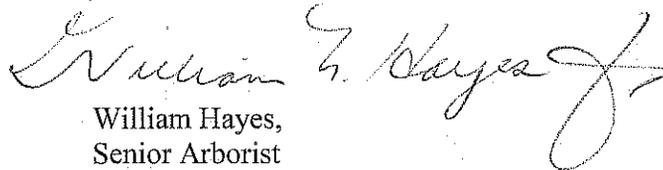
This informational 21-day notification is in compliance with Chapter 132B, section 6B of the Massachusetts General Laws and 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000.

For inquires concerning the safety of the herbicides please contact:

Director of Rights of Way Program
Department of Food and Agriculture
251 Causeway Street, Suite 500
Boston, MA 02114-2151

If there are any questions or comments relative to technical questions about the treatment program, you would like a hard copy of the VMP or YOP, or have any questions about NSTAR and its electrical rights-of-way system please contact William Hayes (781) 441-3932 for transmission lines and Paul Sellers (508) 957-4517 for distribution lines.

Sincerely,


William Hayes,
Senior Arborist

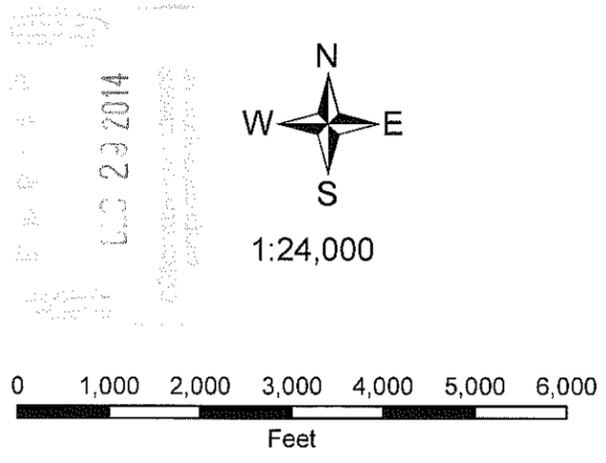
Enc: Environmental Monitor Notice
2015 Yearly Operational Plan Maps
45 Day YOP Public Notice and Review and Comment Period Document

cc: Board of Health
Board of Selectmen
Conservation Commission
Municipal Water Supplier
Massachusetts Pesticide Bureau

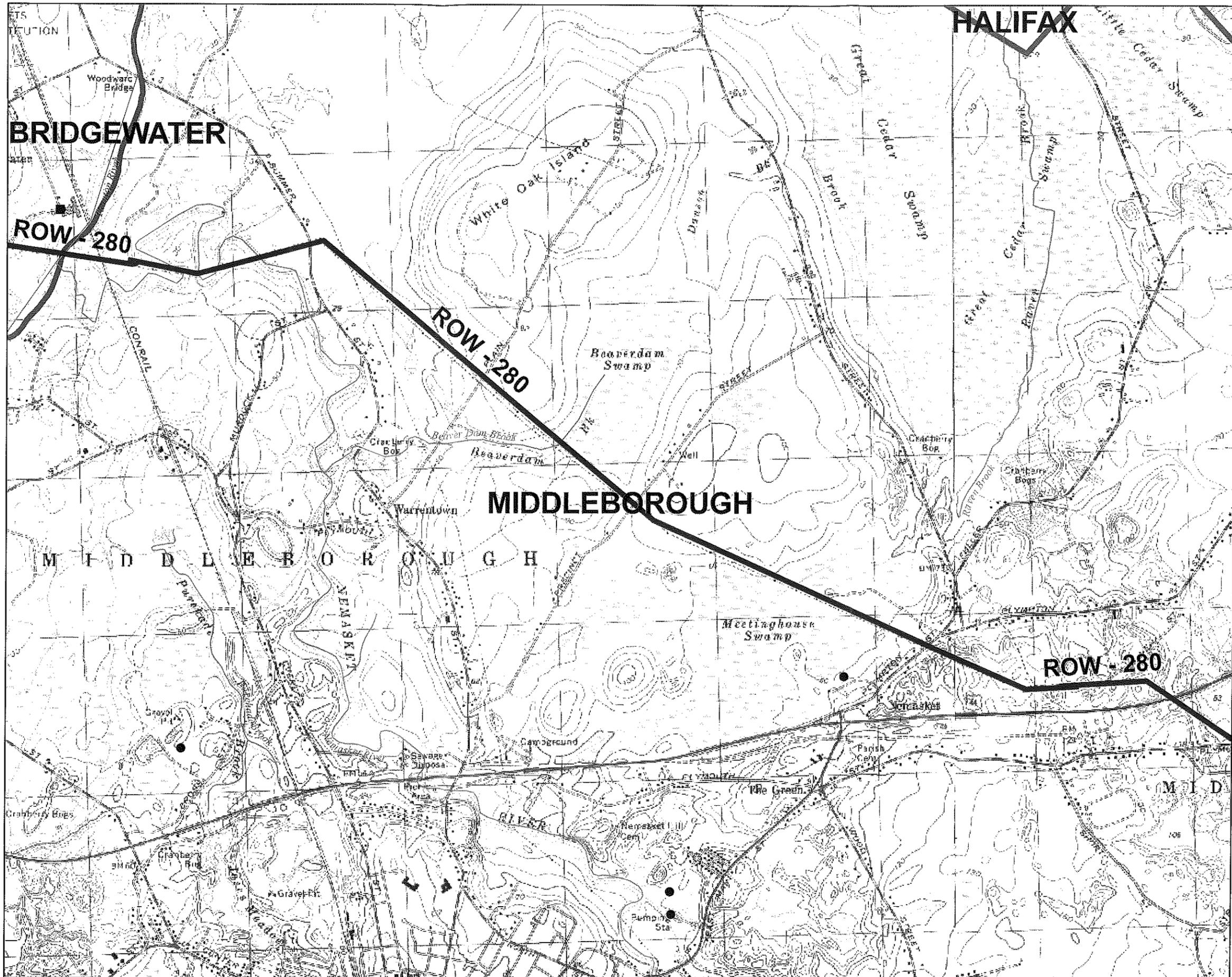
Certified mail-return receipt requested

NSTAR 2015 Yearly Operational Plan MIDDLEBOROUGH

Right of Way 280
Map 1 of 2



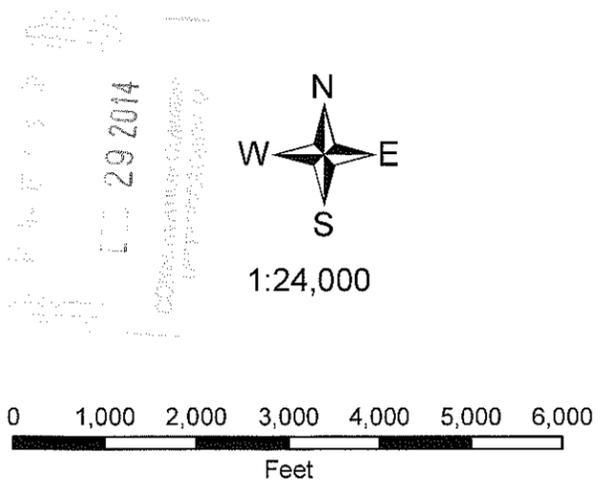
- 2015 NSTAR Electric Rights-of-Way
- 2014 NSTAR Touchup Rights-of-Way
- Emergency Surface Water Well
- Ground Water Well
- Non-Transient, Non-Community Well
- Proposed Well
- Surface Water Well
- Transient, Non-Community Well
- Private Well
- NHESP Certified Vernal Pools
- Perennial Rivers and Streams
- Intermittent Rivers and Streams
- Mass Town Lines
- Mass Zone A (identifies surface waterbodies, tributaries and associated waterbodies, follow Sensitive Area treatment methods per 333 CMR 11.04)



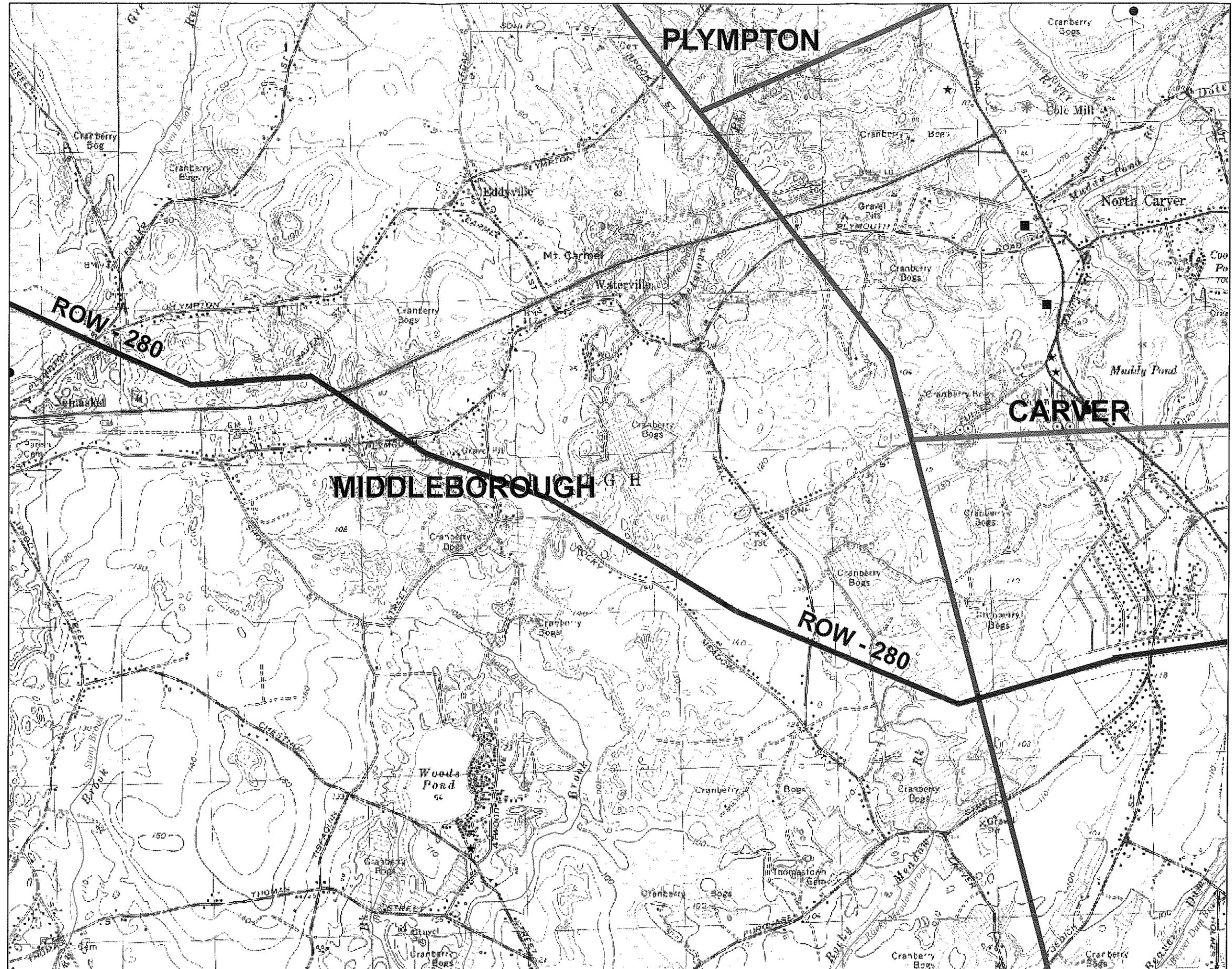
Source: "Office of Geographic and Environmental Information (Mass GIS), Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs".
Public Water Supply data provided by MA DEP Drinking Water Program, July 2014, DEP Public Water Supplies

NSTAR 2015 Yearly Operational Plan MIDDLEBOROUGH

Right of Way 280
Map 2 of 2



- 2015 NSTAR Electric Rights-of-Way
- 2014 NSTAR Touchup Rights-of-Way
- Emergency Surface Water Well
- Ground Water Well
- Non-Transient, Non-Community Well
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Source: "Office of Geographic and Environmental Information (Mass GIS), Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs".
Public Water Supply data provided by MA DEP Drinking Water Program, July 2014, DEP Public Water Supplies