

Attachment B

Revised Site Law Exhibit 10-1 NECEC Plan for Protection of Sensitive Natural Resources
During Initial Vegetation Clearing (VCP)
Revised Site Law Exhibit 10-2 NECEC Post-Construction Vegetation Maintenance Plan (VMP)

Exhibit 10-1

**New England Clean Energy Connect
Plan for Protection of Sensitive Natural Resources
During Initial Vegetation Clearing**

Prepared by:

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Introduction

This Construction Vegetation Clearing Plan (VCP) applies to construction of the new transmission lines associated with Central Maine Power Company's (CMP) New England Clean Energy Connect (NECEC) project. The VCP describes restrictive and protective management practices required for work within and adjacent to protected natural resources during vegetation clearing associated with NECEC project construction. The requirements described in this VCP apply to initial project construction and are not intended to apply to planned or emergency maintenance or repair actions.

The goal of the VCP is to provide construction personnel with a cohesive set of vegetation management specifications and performance standards for work within and adjacent to protected natural resources during transmission line construction.

The protected natural resources subject to restrictive vegetation management requirements include:

- Wetlands and streams (intermittent and perennial);
- Perennial streams within Segment 1 (greenfield) portion of the NECEC project;
- Perennial streams within designated Atlantic salmon (*Salmo salar*) habitat;
- Outstanding river segments, rivers, streams or brooks containing threatened or endangered species;
- Significant Vernal Pools (SVP);
- Inland Waterfowl and Wading Bird Habitat (IWWH);
- Deer Wintering Areas (DWA);
- Rare plant locations; and
- Locations over mapped significant sand and gravel aquifers.

In locations where individual restrictions or procedures overlap, or multiple restrictions apply, the more stringent restrictions and all applicable procedures will be followed by construction personnel.

1.0 Right-of-Way Vegetation Management Procedures

1.1 Arboricultural Management Practices

Capable vegetation will be removed and controlled within the footprint of the NECEC development, including within the new (greenfield) and co-located transmission line corridors. Capable vegetation is defined as woody plant species and individual specimens that are capable

of growing to a height that would reach the conductor safety zone, as illustrated in Figure 1 attached to this exhibit. Removal of capable species beneath the conductors within transmission line corridors is intended to meet the following goals:

- Facilitate construction;
- Maintain the integrity and functionality of the line;
- Facilitate the safe operation of the line;
- Maintain access in case of emergency repairs; and
- Facilitate safety inspections.

Therefore, the objective of this VCP will be to remove woody vegetation capable of encroaching into the Minimum Vegetation Clearance Distance (MVCD) of the new transmission lines to facilitate construction and maintain the integrity and safe operation of the transmission line consistent with the standards of North American Electric Reliability Corporation's (NERC) Transmission Vegetation Management¹. This will be accomplished by practicing an integrated vegetation management strategy using a combination of mechanical cutting, hand-cutting, and selective herbicide applications. Mechanical mowing may also be used along access roads or in unusual circumstances, should the typical procedures not suffice.

Throughout clearing and construction, shrub and herbaceous vegetation will remain in place to the extent practicable. Capable vegetation, dead trees, "hazard trees" and all vegetation over 10 feet in height will be removed during initial transmission line corridor clearing prior to construction of the new transmission lines. Due to the sag of the electric transmission lines between the structures, which varies with topography, the distance between structures, tension on the wire, electrical load, air temperature and other variables, the required clearance is typically achieved by removing all capable species from the transmission line corridor. Hazard trees are those trees typically on the edge of the transmission line corridor that pose an imminent threat of violating the minimum separation standard or are at risk of contacting the transmission lines themselves due to disease, configuration or potential instability. Hazard trees are typically removed immediately upon identification.

The following procedures will be implemented during vegetation management activities to protect sensitive natural resources:

- a. Protected natural resources and their associated buffers will be flagged or located with a Global Positioning System (GPS) prior to all construction and clearing activities;
- b. When and if terrain conditions permit (e.g., certain ravines and narrow valleys) capable vegetation will be permitted to grow within and adjacent to protected natural resources or critical habitats where maximum growing height

¹ North American Electric Reliability Corporation Transmission Vegetation Management, Standard FAC 003 – 3 Technical Reference, July 1, 2014.

can be expected to remain well below the conductor safety zone. Narrow valleys are those that are spanned by a single section of transmission line, structure-to-structure.

- c. Hand cutting with chainsaws will be the preferred method of vegetation clearing within protected natural resource buffers and sensitive areas, where reasonable and practicable and with the appropriate protective measures. However, mechanized equipment may be used during frozen conditions, or when matted travel lanes and the reach-in technique are implemented.;
- d. Equipment access through wetlands or over streams will be avoided as much as practicable by utilizing existing public or private access roads, with landowner approval where required;
- e. Equipment access in upland areas with saturated soils will be minimized to the extent practicable, or these areas will be matted to avoid excessive rutting or other unnecessary ground disturbance;
- f. Significant damage to wetland or stream bank vegetation, if any, will be repaired following completion of clearing activities in the area;
- g. Areas of significant soil disturbance will be stabilized and reseeded following completion of clearing activities in the area.
- h. When capable vegetation within and adjacent to a protected natural resource or identified critical habitat will be removed for the purpose of constructing the development, the natural regeneration of non-capable woody vegetation will be allowed within all protected resources. At a minimum, the natural regeneration of non-capable woody vegetation will be allowed. To facilitate the regeneration of natural vegetation within and adjacent to (generally, within 75 feet of) protected natural resources and special habitats, the contractor will separate the topsoil from the mineral soil when excavating during project construction. The excavated topsoil will be returned to its original place and position in the landscape and appropriate erosion control methods will be utilized.
- i. Locations within the NECEC that contain any of the invasive plant species listed in Table 1 below, will be identified prior to the start of construction of the project or the start of construction on any individual segment of the project at the discretion of CMP or its contractor. CMP will develop an invasive species vegetation monitoring plan and submit it to the Department for review and approval prior to the start of construction on the project. This plan will have a stated objective of preventing the introduction and spread of invasive species as a result of construction. Herbicide application is an acceptable method of controlling invasive growth when hand removal or other non-chemical methods will not be effective, including in protected natural resources and other sensitive areas.

Table 1 – Invasive Plant Species¹

Species	Common Name
1. Alliaria petiolata	Garlic mustard
2. Berberis thunbergii	Japanese barberry
3. Celastrus orbiculatus	Oriental bittersweet
4. Cynanchum louiseae	Black swallowwort
5. Elaeagnus umbellata	Autumn olive
6. Fallopia japonica	Japanese knotweed
7. Frangula alnus	Glossy buckthorn
8. Impatiens glandulifera	Ornamental jewelweed
9. Lonicera morrowii	Morrow’s honeysuckle
10. Lonicera tatarica	Tatarian honeysuckle
11. Lythrum salicaria	Purple loosestrife
12. Phragmites australis	Common reed
13. Poa nemoralis	Wood blue grass
14. Rhamnus cathartica	Common buckthorn
15. Rosa multiflora	Multiflora rose

1-MNAP’s list of “Currently considered invasive in Maine” excluding aquatic plant species.

2.0 Vegetation Management Methods – All Transmission Line Corridor Areas

2.1 Mechanical Methods

During construction, vegetative clearing of capable species will be completed primarily with mechanical equipment, including motorized equipment. All capable species and any dead or hazard trees will be cut at ground level except in designated buffer zones, as described below. Large vegetation cut during construction will be handled in accordance with the Maine Slash Law².

Access roads and travel lanes will be located to protect sensitive and protected natural resources to the maximum extent practicable and construction matting will be used in accordance with CMP’s environmental guidelines and per the timber mat performance standards provided below.

Timber mats or matting used for construction:

- shall not be made from wood from ash trees (*Fraxinus* sp);
- unfinished timbers used in the construction of the mats must be free of bark, unless produced by a firm certified by the Maine Forest Service (MFS) for production of mats with incidental bark for this project. Such mats must be marked as outlined in the supplier’s agreement. Applicant shall maintain a copy

2 12 MRSA §9331 et. Seq.

of the MFS compliance agreement including a representation of the accepted mark in the records;

- before entering the State of Maine, mats used for the project shall be cleaned of soil and vegetative material by pressure washing;
- shall not have been used in, or made from lumber from, Federally Quarantined areas as set out in 7 CFR 301 unless accompanied by the appropriate USDA certificate of treatment required for interstate transport. Said certificates will be maintained in a central filing location available for review by appropriate Agency personnel for a period of three (3) years after project completion, as determined by CMP; and,
- must have shipping information sufficient to identify the shipper and number and shipping origin of the mats.

The Maine Forest Service and U. S. Department of Agriculture reserve the right to inspect all timber mats and matting material used for the project for compliance with these standards.

2.2 Herbicide Application

Herbicide applications will likely begin after clearing is completed to gain control of vegetation growth. When control is achieved, treatment will typically occur as part of scheduled maintenance on a 4-year cycle or as needed. By using selective herbicides and a variety of application methods, desired vegetation along the transmission line corridor will eventually consist of a dense, low-growing plant community that will discourage the establishment of capable tree species. Therefore, fewer capable woody species and specimens will require treatment in future applications.

The following procedures will be implemented during herbicide applications:

- a. Herbicides will be used in strict accordance with the manufacturer's EPA-approved labeling and will not be applied directly to waterbodies or areas where surface water is present;
- b. In the new corridor (greenfield) no foliar herbicides will be applied within a 100-foot buffer on perennial streams and within a 25-foot buffer on intermittent streams.
- c. In the co-located sections, no foliar herbicides will be applied within 25 feet of rivers, streams, brooks, lakes, ponds, or within 25 feet of wetlands that have water present at the surface at the time of the application.
- d. For stream and rivers classified as outstanding river segments, as well as those containing threatened or endangered species, no foliar herbicides will be applied within a 100-foot buffer.

- e. Herbicides will not be applied to stumps (cut stump treatment) within areas of standing water.
- f. Herbicides will not be mixed, transferred or stored within 100 feet of any wetland or surface water. On public access roads, herbicide mixing, transfer or storage may be done within 100 feet of wetlands or surface waters;
- g. Herbicides will not be mixed, transferred or stored within 100 feet of Significant Vernal Pool depressions. On public access roads, herbicide mixing, transfer or storage may be done within 100 feet of Significant Vernal Pool depressions;
- h. Unless performed on public access roads, herbicides will not be mixed, transferred or stored over mapped significant sand and gravel aquifers;
- i. Herbicides will not be applied, mixed, transferred or stored within 100 feet of any known private well or spring or within 200 feet of any known public water supply well. On public access roads, herbicide mixing, transfer or storage may be done within 200 feet of known public water supply wells;
- j. When herbicide applications are performed in wetlands without standing water, only herbicides approved for use in wetland environments will be used;
- k. Herbicides will not be applied to any area when it is raining or when wind speed exceeds 15 miles per hour as measured on-site at the time of application. When wind speeds are below 3 miles per hour, applicators should be aware whether a temperature inversion is present, and should consult the herbicide label to determine whether application should proceed under these conditions;
- l. The foreman or licensed applicator on each herbicide application crew will be licensed by the Maine BPC and will remain in eye contact and within earshot of all persons on his/her crew applying herbicides. At least one individual from any company applying herbicides will also hold a Commercial Master Applicator License issued by the BPC. This Master Applicator must have the ability to be on-site to assist persons applying herbicides within six hours driving time. If an out-of-state company is conducting the herbicide application, the company will have a Master Applicator in Maine during any application. Application of herbicides will be in accordance with applicable regulations promulgated under the Maine Pesticides Control Act, including those regulations to minimize drift, to maintain setbacks from sensitive areas during application, and to maintain setbacks from surface waters during the storing/mixing/loading of herbicides; and
- m. Herbicides will typically be mixed in a truck-mounted tank that remains on public access roads. Herbicide application is done by personnel with low-volume, hand-pressurized (manual) backpacks with appropriate nozzles, to minimize drift, who travel along the transmission line corridor by foot or by all-terrain vehicle and spot-treat target species and specimens.

The location of all streams, wetlands, significant vernal pools, rare plant locations, known wells, and mapped significant sand and gravel aquifers crossed by the transmission line corridor will be provided to construction personnel.

2.3 Petroleum Product & Hazardous Materials Management

Any petroleum products or other hazardous material within the transmission line corridor during construction will be managed in accordance with CMP's Environmental Control Requirements (see **Exhibit 15-1**) and will include the following setbacks unless CMP can demonstrate that, due to special circumstances at specified locations, these setbacks are impractical at those locations.

- (a) No fuel storage, vehicle/equipment parking and maintenance, and refueling activity may occur within 100 feet of a protected wetland or other waterbody, unless no practicable alternative exists and secondary containment with 110% capacity is provided for any fuel storage containers or tanks, or if it occurs on a paved road.
- (b) No fuel storage, vehicle/equipment parking and maintenance, and refueling activity may occur within 200 feet of a known private water supply.
- (c) No fuel storage, vehicle/equipment parking and maintenance, and refueling activity may occur within 400 feet of a known public water supply.
- (d) No fuel storage, vehicle/equipment parking and maintenance and refueling activity may occur within 25 feet minimum of the following:
 - (i) An area listed in Maine's biological conservation data system, Biotics, of the Maine Natural Areas Program, including rare natural communities and ecosystems (state rarity rank of S1 through S3 and habitats supporting Endangered or Threatened plant species). Boundaries and locations are as determined by the Maine Natural Areas Program of the Department of Agriculture, Conservation and Forestry.
 - (ii) Habitat of any species declared rare, threatened or endangered by the Maine Department of Inland Fisheries and Wildlife, Maine Department of Marine Resources, or the Director of the U.S. Fish and Wildlife Service.

3.0 Vegetation Management within Freshwater Wetlands

Transmission line corridor wetlands range in type from small, emergent wetlands formed in ruts from logging equipment to large forested wetland systems.

3.1 Vegetation Clearing Restrictions within and Adjacent to Freshwater Wetlands

The following restrictions apply to vegetation clearing within freshwater wetlands and their buffers:

- a. Unless frozen, heavy equipment travel in wetlands will be performed on construction matting, or other approved alternative protective measures will be implemented.
- b. If initial clearing or other construction activities result in areas of bare soil or minimally vegetated cover, the areas of bare soil will be allowed to revegetate naturally, where practicable. If areas are sufficiently large to warrant planting, a native seed designed to provide short term cover will be applied, and the area will be allowed to return to non-capable native woody and perennial herbaceous vegetation naturally.
- c. No accumulation of slash will be left within wetlands.

4.0 Vegetation Clearing within Stream Buffers

Stream buffers, as measured horizontally from the top of each stream bank, will be established for vegetation removal along streams within the transmission line corridor. A “stream buffer” is a buffer on a stream, river, or brook. In no case may the stream buffer be reduced to less than 25 feet. Additional restrictions will be applied within 100 feet of streams meeting certain criteria, as described in 4.1a, below.

This section describes the restrictions related to vegetation removal within these stream buffers. All vegetation clearing procedures and restrictions that apply to vegetation management for transmission line corridor construction also apply within the stream buffers.

4.1 Additional Vegetation Clearing Restrictions within Stream Buffers

The following additional restrictions apply to vegetation clearing within stream buffers:

- a. Riparian natural buffers (or “stream” buffers) will be retained within 100 feet of all perennial streams within the greenfield (Segment 1) portion of the Project, outstanding river segments, or rivers, streams, or brooks containing Threatened or Endangered species unless the Department determines that the functions and values of the stream buffer will not be impacted by the removal of vegetation and approves an alternative minimum buffer.
- b. For streams in areas where the new transmission line will be co-located within existing rights-of-way, CMP proposes to maintain a 25 foot buffer, unless meeting any of the above criteria, since the corridor is currently being maintained in an early successional state according to the guidelines set forth in CMP’s Vegetation Management Plan (Exhibit 10-2), and the effect of the additional clearing (typically less than 75 feet) to accommodate the new line has been minimized.
- c. The boundary of each stream buffer will have unique flagging installed to distinguish between the applicable 25 foot or 100 foot stream buffer prior to clearing. Flagging will be maintained throughout construction.

- d. Foliar herbicides will be prohibited within the stream buffer, and all refueling/maintenance of equipment will be excluded from the buffer unless it occurs on an existing paved road or if secondary containment is used with oversight from an environmental inspector.
- e. All stream crossings by heavy equipment will be performed through the installation of equipment spans with no in-stream disturbances. Streams will not be forded by heavy equipment.
- f. Initial tree clearing will be performed during frozen ground conditions whenever practicable, and if not practicable, the recommendations of the environmental inspector will be followed regarding the appropriate techniques to minimize disturbance such as the use of selectively placed travel lanes within the stream buffer. CMP will not place any transmission line structures within the stream buffer, unless specifically authorized by the MDEP and accompanied by a site specific erosion control plan. No structures will be placed within 25 feet of any stream regardless of its classification.
- g. Within that portion of the appropriate stream buffer that is within the wire zone (i.e., within 15 feet, horizontally, of any conductor; see Figure 1), all woody vegetation over 10 feet in height, whether capable or non-capable, will be cut back to ground level and resulting slash will be managed in accordance with Maine's Slash Law. No other vegetation, other than dead or hazard trees, will be removed. Within the stream buffer and outside of the wire zone, non-capable species may be allowed to exceed 10 feet in height unless it is determined that they may encroach into the conductor safety zone prior to the next four year maintenance cycle;
- h. Removal of capable species, dead or hazard trees within the appropriate stream buffer will typically be accomplished by hand-cutting. Use of mechanized harvesting equipment is allowed if supported by construction matting or during frozen conditions in a manner (i.e., use of travel lanes and reach-in techniques) that preserves non-capable vegetation less than 10 feet in height to the greatest extent practicable;
- i. No slash will be left within 50 feet of any stream.

Allowing non-capable vegetation to remain as described above within the appropriate stream buffer will provide shading and reduce the warming effect of direct sunlight (insolation). Low ground cover vegetation will also remain to filter any sediment in surface runoff. These restrictions will allow the stream buffers to provide functions and values similar to those provided prior to transmission line construction.

5.0 Vegetation Clearing within Significant Vernal Pool Habitat (SVPH)

Vegetated buffers of 250 feet, as measured from the edge of the pool depression, will be established for SVPHs crossed by the transmission line corridor. The SVPH depression and buffer area together

comprise the SVPH. Vegetation clearing within the SVPH will be subject to the same procedures and prohibitions, as applicable, which are required in the typical transmission line corridor, as well as to the additional measures below.

5.1 Additional Vegetation Management Restrictions within SPVH

The following additional restrictions apply to vegetation clearing within SVPH:

- a. Mechanized equipment will not be allowed within the vernal pool depression, unless the depression encompasses the entire width of the transmission line corridor. Mechanized equipment will only be allowed to cross the vernal pool depressions during frozen or dry conditions or with the use of mats;
- b. Initial clearing within a SVPH will occur during frozen ground conditions. If not practicable, hand cutting or reach in techniques will be used. If that is not adequate, travel lanes to accommodate mechanical equipment in the 250-foot buffer may be used with approval of the MDEP.
- c. Between April 1 and June 30, no vegetation removal using tracked or wheeled equipment will be performed within the 250-foot SVPH buffer;
- d. No refueling or maintenance of equipment, including chainsaws, will occur within 250 feet of SVP depressions, unless done so on a public access road;
- e. No herbicide use is permitted within 25 feet of the SVP pool depression; and
- f. No accumulation of slash will be left within 50 feet of the edge of the SVP depression and slash piles will not exceed 18 inches tall.

6.0 Vegetation Clearing within Moderate or High Value Inland Waterfowl and Wading Bird Habitat

Inland Waterfowl and Wading Bird Habitats (IWWH) are habitats mapped by the Maine Department of Inland Fisheries and Wildlife (MDIFW) that contain an inland wetland complex used by waterfowl and wading birds, plus a 250-foot nesting habitat area surrounding the wetland. The nesting habitat is considered to be part of the mapped IWWH. No additional buffers are proposed for IWWHs beyond this mapped habitat, and as such the vegetation maintenance restrictions apply to the mapped habitat only.

Vegetation clearing within the IWWH will be subject to the same procedures and prohibitions, as applicable, which are required in the typical transmission line corridor and for stream buffers.

6.1 Additional Vegetation Clearing Restrictions within Inland Waterfowl and Wading Bird Habitat

The following additional restrictions apply to vegetation clearing within mapped IWWH:

- a. If practicable, vegetation clearing will take place during frozen ground conditions. If not practicable, vegetation within IWWH will be removed using hand cutting or reach-in techniques and appropriate techniques to minimize disturbance to the maximum extent practicable, such as the use of travel lanes to accommodate mechanical equipment use in the IWWH.
- b. Between April 15 and July 15, use of motorized vehicles (e.g., all-terrain vehicles) and mechanized equipment (e.g., chainsaws or brush cutters) within IWWH is prohibited. Use of non-mechanized hand tools is allowed during this time period;
- c. No refueling or maintenance of equipment, including chainsaws, will occur within the IWWH, unless done so on a public access road; and
- d. No herbicide use is permitted within 25 feet of any wetland within the mapped IWWH.
- e. Where overhead transmission lines cross an IWWH area, CMP will install bird diverters or aviation marker balls according to the manufacturer's guidelines and applicable transmission line codes unless otherwise determined to be impracticable by the Maine Department of Environmental Protection (MDEP) in consultation with MDIFW.
- f. Provided they do not present a safety hazard and are naturally present, CMP will leave undisturbed a minimum of 2-3 snags per acre to provide nesting habitat for waterfowl. Where appropriate, to mitigate habitat impacts due to the development, and as approved by the MDEP, capable species will be topped, girdled, and/or treated with herbicides to prevent re-growth to create snags. Snags will be 12-16 inch in diameter or the largest size available from the existing stand of vegetation.
- g. No accumulation of slash will be left within the IWWH.
- h. Impacts to scrub-shrub and herbaceous vegetation within the IWWH will be minimized to the maximum extent practicable.

7.0 Vegetation Clearing within Mapped Deer Wintering Areas

Deer Wintering Areas (DWA) provide important refuge for white-tailed deer (*Odocoileus virginianus*) during the winter months in northern climates and are typically characterized by an extensive stand of mature softwood species with a dense forest canopy.

During construction, impacts to scrub-shrub and herbaceous vegetation and other non-capable species will be minimized to the maximum extent practicable. No additional vegetation clearing restrictions are proposed within mapped DWAs, as all capable species will be removed from these and other areas within the transmission line corridor in order to comply with NERC Transmission Vegetation Management standards.

8.0 Vegetation Clearing within Rare Plant Locations

Vegetation clearing of the transmission line corridor has the potential to impact rare plants and/or alter their habitat. The following additional vegetative clearing restrictions will minimize impacts to rare plants. The additional restrictions will apply only to the demarcated locations of the identified rare plants. No additional buffers will be established surrounding rare plant locations. These restrictions are intended to maintain existing hydrology and limit soil disturbance within rare plant locations.

8.1 Additional Vegetation Clearing Restrictions within Rare Plant Locations

The following additional restrictions will apply to vegetation clearing for rare plant species in the identified location:

- a. Unless rare plant locations encompass the entire width of the transmission line corridor, mechanized equipment will only be allowed to cross rare plant locations during frozen conditions, on established travel paths/crossings, or with the use of mats.
- b. Initial clearing within rare plant communities will be undertaken during frozen ground conditions whenever practicable, and if not practicable selective mat placement and reach-in techniques will be used to minimize disturbance to the rare plant communities to the maximum extent practicable.
- c. If initial clearing or other construction activities result in areas of bare soil or minimally vegetated cover, where practicable, these areas will be allowed to revegetate naturally. If areas are sufficiently large to warrant planting, a native seed mix designed to provide short term cover will be applied and the area will be allowed to return to native woody and perennial herbaceous vegetation naturally.
- d. Heavy equipment travel within rare plant communities will be minimized to the maximum extent practicable. Hand cutting or “reach-in” techniques to cut and remove capable tree species and vegetation over 10 feet tall within the wire zone, or other techniques as agreed upon in consultation with the MDEP and Maine Natural Areas Program (MNAP), will be used. When equipment access is necessary, activity will be restricted to a few narrow travel lanes that have been clearly marked prior to clearing activity.
- e. No refueling or maintenance of equipment, including chain saws, will occur within demarcated rare plant locations, unless done on a public access road.
- f. No foliar herbicide use is permitted within the demarcated rare plant locations, however cut surface herbicides may be used on capable species and specimens.

9.0 Vegetation Clearing Procedures over Mapped Significant Sand and Gravel Aquifers

Transmission lines located over mapped significant sand and gravel aquifers are subject to the typical transmission line corridor clearing procedures, except that no refueling or maintenance of equipment, and no herbicides may be mixed, transferred or stored, over the mapped significant sand and gravel aquifers, unless done so on a public access road.

10.0 Locating and Marking Buffers and Habitats

A database will be maintained, including maps and GIS shapefiles, of the buffers, restricted habitats, and sensitive areas and their locations relative to the nearest structure (pole) or road location. The distance and direction from the nearest structure to the sensitive area will be included with the name of the area and the structure number. All structures along the transmission line corridor will be numbered at the time of construction.

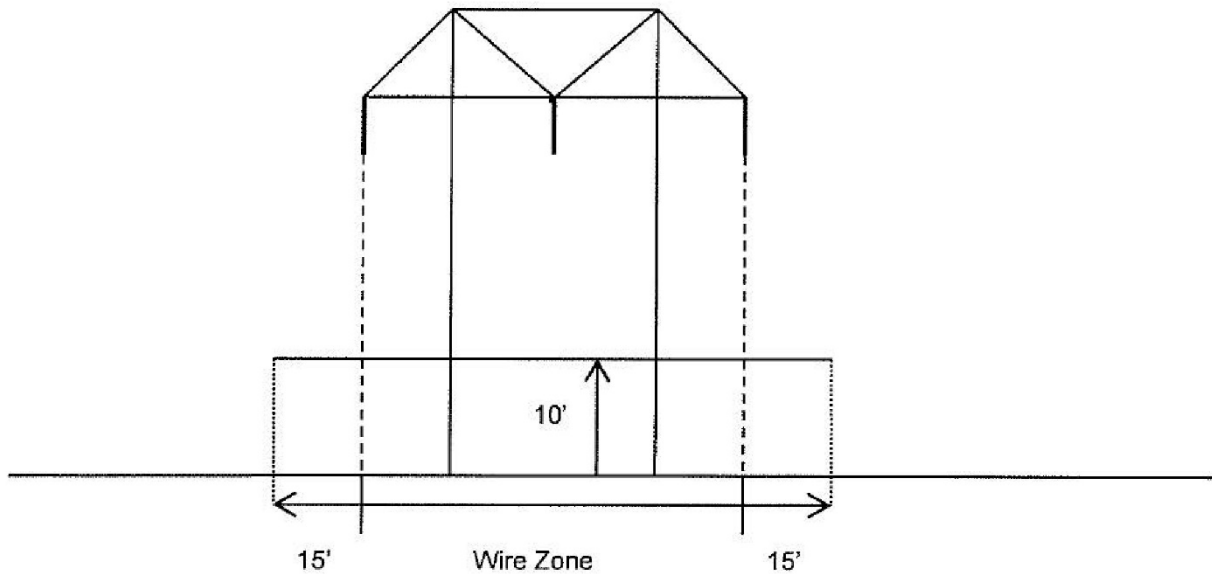
To aid in identifying restricted areas, buffers and restricted habitats will be located and demarcated in the field using brightly colored flagging or signage prior to the initiation of clearing and construction activities along the transmission line corridor. Alternatively, use of GIS data and GPS equipment may be used to provide accurate location of resources and associated buffers. If desired, personnel may permanently demarcate restricted habitats to aid in construction activities. Personnel working on the transmission line corridor will be provided a copy of this VCP. Use of the VCP in conjunction with the natural resource maps and Plan & Profile drawings will enable construction contractors to locate and mark restricted areas in the field.

11.0 Personnel Training

Personnel who will conduct vegetation clearing on the transmission line corridor will receive appropriate environmental training before being allowed access to the transmission line corridor. Construction and clearing personnel will be required to review this VCP prior to the training and before conducting any clearing or construction activities. The level of training will be dependent on the duties of the personnel. The training will be given prior to the start of clearing or construction activities. Replacement or new clearing or construction personnel that did not receive the initial training will receive similar training prior to performing any activities on the transmission line corridor.

The training session will consist of a review of the buffers and restricted habitats, the respective vegetation clearing requirements and restrictions for each, and a review of how these areas and resources can be located in the field. Training will include familiarization with and use of GIS information and sensitive natural resource identification in conjunction with the contents of this VCP, as well as basic causes, preventive and remedial measures for contamination, and erosion and sedimentation of water resources.

Figure 1



1. Capable species, regardless of height, are cut back to ground level or treated with herbicides within the entire length and width of the transmission line corridor during scheduled vegetation maintenance (every 4 years). However, within stream buffers, only capable specimens over 10 feet tall may be cut or treated (specimens at or above this height are likely to grow into the conductor safety zone prior to the next scheduled vegetation maintenance cycle).
2. All woody vegetation over 10 feet in height and inside the wire zone, whether capable or non-capable, is cut back to ground level.

Exhibit 10-2

New England Clean Energy Connect Post-Construction Vegetation Maintenance Plan

Prepared by:

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August 2018



Introduction

This Post-Construction Vegetation Maintenance Plan (VMP) describes the restrictive maintenance requirements for protected natural resources within Central Maine Power Company's (CMP) New England Clean Energy Connect (NECEC) project transmission line corridors. The requirements described in this VMP apply to routine maintenance and are not intended to apply to emergency maintenance and/or repair actions.

The goal of this VMP is to provide maintenance personnel and contractors with a cohesive set of vegetation maintenance specifications for transmission line corridors. This VMP is intended to be used in conjunction with project As-Built Plan & Profile drawings to locate the areas where maintenance restrictions apply.

The protected natural resources subject to restrictive and protective maintenance requirements include:

- Wetlands and streams (intermittent and perennial);
- Perennial streams within Segment 1 (greenfield) portion of the NECEC project;
- Perennial streams within designated Atlantic salmon (*Salmo salar*) habitat;
- Outstanding river segments, rivers, streams or brooks containing threatened or endangered species;
- Significant Vernal Pools (SVP);
- Inland Waterfowl and Wading Bird Habitat (IWWH);
- Deer Wintering Areas (DWA);
- Rare plant locations; and
- Locations over mapped significant sand and gravel aquifers.

In locations where individual restrictions or procedures overlap or multiple restrictions apply, the more stringent restrictions and all applicable procedures will be followed by maintenance personnel and contractors.

Right-of-Way Vegetation Maintenance Procedures

Typical Maintenance Procedures

Routine vegetation maintenance for transmission line corridors is intended to meet the following goals:

1. Maintain the integrity and functionality of the line
2. Maintain access in case of emergency repairs

3. Facilitate safety inspections.

Therefore, the objectives of this VMP will be to control the growth of woody vegetation capable of encroaching into the Minimum Vegetation Clearance Distance (MVCD) of the transmission line to ensure the integrity and safe operation of the transmission line consistent with the standards of North American Electric Reliability Corporation's (NERC) Transmission Vegetation Management¹. This will be accomplished by practicing an integrated vegetation management strategy using a combination of hand-cutting and selective herbicide applications. Mechanical mowing may be used in unusual circumstances to regain control of vegetation, should the typical procedures not suffice.

Throughout clearing and construction, shrub and herbaceous vegetation will remain in place to the extent possible. Removing capable vegetation will be done during initial transmission line corridor clearing prior to construction of the new transmission line. Follow-up maintenance activities during operation of the line require the removal of "capable species," dead trees, and "hazard trees." Capable trees are those plant species and individual specimens that are capable of growing tall enough to violate the required clearance between the conductors and vegetation established by NERC. Due to the sag of the electric transmission lines between the poles, which varies with the distance between poles, tension on the wire, electrical load, air temperature and other variables, the required clearance is typically achieved by removing all capable species during each maintenance cycle. Removing capable species vegetation allows for the maintenance of 25 feet of separation between vegetation and the lines, thereby adhering to NERC standards. Hazard trees are those trees typically on the edge of the transmission line corridor that pose an imminent threat to violating the minimum separation standard or are at risk of contacting the lines themselves. Hazard trees are typically removed immediately upon identification.

More frequent vegetation management may be required within the first 3 to 4 years following construction in order to bring the vegetation under control. After this initial management period, maintenance practices are typically carried out on a 4-year cycle depending on growth, weather, geographic location, and corridor width. Maintenance may be required less frequently in the long-term as vegetation within the corridor becomes dominated by shrub and herbaceous species. Large branches that overhang the transmission line corridor and any hazard trees on the edge of, or outside of, the transmission line corridor that could contact the electrical lines or come within 15 feet of a conductor may be removed as soon as they are identified.

The following procedures will be implemented during vegetation maintenance activities to protect sensitive natural resources:

- Protected resources and their associated buffers will be flagged or located with a Global Positioning System (GPS) prior to all maintenance operations;
- Hand-cutting will be the preferred method of vegetation maintenance within buffers and sensitive areas, where reasonable and practicable;

¹ North American Electric Reliability Corporation Transmission Vegetation Management, Standard FAC 003 – 3 Technical Reference, July 1, 2014.

- Equipment access through wetlands or over streams will be avoided as much as practicable by utilizing existing public or private access roads, with landowner approval where required;
- Equipment access in upland areas with saturated soils will be minimized to the extent practicable to avoid rutting or other ground disturbance;
- Significant damage to wetland or stream bank vegetation, if any, will be repaired following completion of maintenance activities in the area; and
- Areas of significant soil disturbance will be stabilized and reseeded following completion of maintenance activity in the area.

Vegetation Maintenance Methods – All Transmission Line Corridor Areas

Mechanical Methods

During routine vegetation maintenance after construction, mechanical methods of maintaining the height of vegetation on the transmission line corridor will consist primarily of cutting with hand tools, with occasional use of chainsaws and limited use of motorized equipment in areas directly accessible from public or private access roads.

Maintenance procedures will be to cut all capable species and any dead or hazard trees at ground level except in designated buffer zones, as described below. Large vegetation cut during routine maintenance will be handled in accordance with the Maine Slash Law².

Herbicide Application

Herbicide application will be used in conjunction with the mechanical methods of vegetation maintenance. The herbicide application program is consistent with most New England utilities and consists of direct application to targeted species and specimens along the transmission line corridor with a low-volume foliar herbicide or application of herbicides to cut stumps and surfaces of larger trees. Direct application to individual plant species, as opposed to a broadcast spray, will control only the targeted woody vegetation allowing low-growing plant communities (the desired shrub and herbaceous species) to thrive. Selective herbicides will also be used to minimize the impacts to non-target species. Aerial application will not be used. Only herbicides which are registered with and approved by the U.S. Environmental Protection Agency (EPA-approved) and registered with the Maine Board of Pesticides Control (BPC) will be used.

Herbicide applications will likely begin the first year after construction is completed to gain control of vegetation growth. When control is achieved, treatment will typically occur on a 4-year cycle or as needed. By using selective herbicides and a variety of application methods, vegetation along the transmission line corridor will eventually consist of a dense, low-growing plant community that will discourage the establishment of tree species. Therefore, fewer woody species will require treatment in future applications.

² 12 MRSA §9331 et. Seq.

The following procedures will be implemented during herbicide applications:

- Herbicides will be used in strict accordance with the manufacturer's EPA-approved labeling and will not be applied directly to waterbodies or areas where surface water is present;
- In the new (greenfield) corridor no foliar herbicide will be applied within a 100-foot buffer on perennial streams, or within a 25-foot buffer on intermittent streams.
- In co-located sections, foliar herbicides will not be applied within 25 feet of rivers, streams, brooks, lakes, ponds, or wetlands that have water present at the surface at the time of the application.
- In co-located sections, if a stream is classified as an outstanding river segment or contains threatened or endangered species, foliar herbicides will not be applied within 100 feet of such streams;
- Herbicides will not be mixed, transferred or stored within 100 feet of any wetland or surface water, unless done so on a public access road;
- Herbicides will not be mixed, transferred or stored within 100 feet of Significant Vernal Pool depressions, unless done so on a public access road;
- Herbicides will not be mixed, transferred or stored over mapped significant sand and gravel aquifers unless done so on a public access road;
- Herbicides will not be applied, mixed, transferred or stored within 100 feet of any known private well or spring or within 200 feet of any known public water supply well, unless done so on a public access road
- When herbicide applications are performed in wetlands without standing water, only herbicides approved for use in wetland environments will be used;
- Herbicides will not be applied to any area when it is raining or when wind speed exceeds 15 miles per hour as measured on-site at the time of application. When wind speeds are below 3 miles per hour, applicators should be aware whether a temperature inversion is present, and should consult the herbicide label to determine whether application should proceed under these conditions;
- The foreman or licensed applicator on each herbicide application crew will be licensed by the Maine BPC and will remain in eye contact and within earshot of all persons on his/her crew applying herbicides. At least one individual from any company applying herbicides must also hold a Commercial Master Applicator License issued by the BPC. This Master Applicator must have the ability to be on-site to assist persons applying herbicides within six hours driving time. If an out-of-state company is conducting the herbicide application, the company must have a Master Applicator in Maine during any application. Application of herbicides will be in accordance with applicable regulations promulgated under the Maine Pesticides Control Act, including those regulations to minimize drift, to maintain

setbacks from sensitive areas during application, and to maintain setbacks from surface waters during the storing/mixing/loading of herbicides; and

- Herbicides will typically be mixed in a truck-mounted tank that remains on public access roads. Herbicide application is done by personnel with low-volume, hand-pressurized (manual) backpacks with appropriate nozzles, to minimize drift, who travel along the transmission line corridor by foot or by all-terrain vehicle and spot-treat target species and specimens.

The location of all streams, wetlands, significant vernal pools, rare plant locations, known wells, and mapped significant sand and gravel aquifers crossed by the transmission line corridor will be shown on the As-Built Plan & Profile drawings. GIS shapefiles will also be maintained with the location of these resources and will be provided to maintenance personnel. The presence of surface water will be determined prior to herbicide use in any wetland or waterbody. Crew leaders will assure that resources and buffers are clearly marked in the field, or that locations of resources and buffers are provided as GIS/GPS data prior to initiation of an herbicide application for clear identification by the applicators.

Petroleum Products & Hazardous Materials Management

Any petroleum products or other hazardous material within the transmission line corridor during construction will be managed in accordance with CMP's Environmental Control Requirements (see **Exhibit 15-1**) and will include the following setbacks unless CMP can demonstrate that, due to special circumstances at specified locations, these setbacks are impractical at those locations:

- (a) No fuel storage, vehicle/equipment parking and maintenance, and refueling activity may occur within 100 feet of a protected wetland or other waterbody, unless no practicable alternative exists and secondary containment with 110% capacity is provided for any fuel storage containers or tanks, or if it occurs on a paved road.
- (b) No fuel storage, vehicle/equipment parking and maintenance, and refueling activity may occur within 200 feet of a known private water supply.
- (c) No fuel storage, vehicle/equipment parking and maintenance, and refueling activity may occur within 400 feet of a known public water supply.
- (d) No fuel storage, vehicle/equipment parking and maintenance and refueling activity may occur within 25 feet minimum of the following:
 - (i) An area listed in Maine's biological conservation data system, Biotics, of the Maine Natural Areas Program, including rare natural communities and ecosystems (state rarity rank of S1 through S3 and habitats supporting Endangered or Threatened plant species). Boundaries and locations are as determined by the Maine Natural Areas Program of the Department of Agriculture, Conservation and Forestry.

(ii) Habitat of any species declared rare, threatened or endangered by the Maine Department of Inland Fisheries and Wildlife, Maine Department of Marine Resources, or the Director of the U.S. Fish and Wildlife Service.

Vegetation Maintenance within Freshwater Wetlands

Transmission line corridor wetlands range in type from small, emergent wetlands formed in ruts from logging equipment to large forested wetland systems. No specific buffers are proposed for the wetlands identified within the transmission line corridor.

Additional Vegetation Maintenance Restrictions within and Adjacent to Freshwater Wetlands

Vegetation maintenance within, and within 25 feet of, freshwater wetlands with standing water will be conducted only by hand cutting with hand tools or chainsaws. Herbicide use is permitted in wetlands only when no standing water is present in the wetland at the time of the application. Herbicides will not be stored, mixed, transferred between containers, and no refueling of chain saws or other equipment will be allowed, within 100 feet of freshwater wetlands, unless done so on a public access road.

Vegetation Maintenance within Stream Buffers

A 25-foot buffer, as measured from the top of each stream bank, will be established for vegetation maintenance along streams within the transmission line corridor. Additional restrictions will be applied within 100 feet of streams meeting certain criteria, as described below. Special restrictions will apply within these stream buffers during vegetation maintenance.

This section describes the restrictions related to vegetation cutting and maintenance within these stream buffers. All vegetation maintenance procedures and restrictions that apply to typical transmission line corridor maintenance also apply within stream buffers.

Additional Vegetation Maintenance Restrictions within Stream Buffers

The following additional restrictions apply to vegetation maintenance within stream buffers:

- Buffers must be retained within 100 feet of all perennial streams within Segment 1 (greenfield portion) of the Project, outstanding river segments, and rivers, streams, or brooks containing threatened or endangered species, unless the Department determines that the functions and values of the buffer will not be impacted by the removal of vegetation, and approves an alternative minimum buffer. In no case may this buffer be reduced to less than 25 feet.
- The boundary of each stream buffer will have unique flagging installed to distinguish between the applicable 25 foot or 100 foot stream buffer prior to vegetation management activities.

- Within that portion of the appropriate stream buffer that is within the wire zone (i.e., within 15 feet, horizontally, of any conductor; see Figure 1), all woody vegetation over 10 feet in height, whether capable or non-capable, will be cut back to ground level and resulting slash will be managed in accordance with Maine's Slash Law. No other vegetation, other than dead or hazard trees, will be removed;
- Removal of capable species, dead or hazard trees within the appropriate stream buffer will be accomplished by hand-cutting only. Mechanized harvesting equipment will not be used;
- Herbicides will not be applied within the 25-foot stream buffer;
- Herbicides will not be stored, mixed or transferred between containers within 100 feet of streams, unless done so on a paved public access road;
- No refueling or maintenance of equipment, including chainsaws, will occur within 100 feet of streams, unless done so on a paved public access road; and
- No slash will be left within 50 feet of the edge of any stream.

These additional restrictions will allow for taller vegetation within the appropriate stream buffer to provide shading and to reduce the warming effect of direct sunlight (insolation). Low ground cover vegetation will also remain to filter any sediment in surface runoff. The restrictions are also intended to minimize ground disturbance and prevent or minimize the surface transport of herbicides and petroleum products to streams. These restrictions will allow the stream buffers to provide functions and values similar to those provided prior to transmission line construction.

Vegetation Maintenance within Significant Vernal Pool Buffers

Vegetated buffers of 100 feet, as measured from the edge of the pool depression, will be established for SVPs crossed by the transmission line corridor. Vegetation maintenance within the SVP buffers will be subject to the same procedures and prohibitions, as applicable, which are required in the typical transmission line corridor, as well as to the additional measures below.

Additional Vegetation Maintenance Restrictions within Significant Vernal Pool Buffer

The following additional restrictions apply to vegetation maintenance within SVP buffers:

- Mechanized equipment will not be allowed within the vernal pool depression, unless the depression encompasses the entire width of the transmission line corridor. Mechanized equipment will only be allowed to cross the vernal pool depressions during frozen or dry conditions or with the use of mats;
- Between April 1 and June 30, no vegetation maintenance using tracked or wheeled equipment will be performed within the 100-foot buffer. Maintenance will be performed using only hand tools during this period;
- Between April 1 and June 30, no vegetation maintenance will occur within 25 feet of the SVP pool depression;

- No refueling or maintenance of equipment, including chainsaws, will occur within 100 feet of SVP pool depression, unless done so on a public access road; and
- No herbicide use is permitted within 25 feet of the SVP pool depression.

Vegetation Maintenance within Inland Waterfowl and Wading Bird Habitat

Inland Waterfowl and Wading Bird Habitats (IWWH) are habitats mapped by the Maine Department of Inland Fisheries and Wildlife (MDIFW) that contain an inland wetland complex used by waterfowl and wading birds, plus a 250-foot nesting habitat area surrounding the wetland. The nesting habitat is considered to be part of the mapped IWWH. No additional buffers are proposed for IWWHs beyond this mapped habitat, and as such the vegetation maintenance restrictions apply to the mapped habitat only.

Vegetation maintenance within the IWWH will be subject to the same procedures and prohibitions, as applicable, which are required in the typical transmission line corridor and for stream buffers.

Additional Vegetation Maintenance Restrictions within Inland Waterfowl and Wading Bird Habitat

The following additional restrictions would apply to vegetation maintenance within mapped IWWH:

- Between April 15 and July 15, use of motorized vehicles (e.g., all-terrain vehicles) and mechanized equipment (e.g., chainsaws or brush cutters) within IWWH is prohibited. Use of non-mechanized hand tools is allowed during this time period;
- No refueling or maintenance of equipment, including chainsaws, will occur within the IWWH, unless done so on a public access road; and
- No herbicide use is permitted within 25 feet of any wetland within the mapped IWWH.

Vegetation Maintenance within Mapped Deer Wintering Areas

Deer Wintering Areas (DWA) provide important refuge for white-tailed deer (*Odocoileus virginianus*) during the winter months in northern climates and are typically characterized by an extensive stand of mature softwood species with a dense forest canopy.

No additional vegetation maintenance restrictions are proposed within mapped DWAs, as all capable species must be removed from these and other areas within the transmission line corridor in order to comply with NERC Transmission Vegetation Management standards.

Vegetation Maintenance within Rare Plant Locations

Vegetation maintenance of the transmission line corridor has the potential to impact rare plants and/or alter their habitat. The following additional vegetative maintenance restrictions will minimize impacts to rare plants. The additional restrictions will apply only to the demarcated locations of the identified rare plants. No additional buffers will be established surrounding rare plant locations. These restrictions are intended to maintain existing hydrology and limit soil disturbance within rare plant locations.

Additional Vegetation Maintenance Restrictions within Rare Plant Locations

The following additional restrictions will apply to vegetation maintenance for the species listed above in the identified location:

- All capable tree species will be cut by hand (chainsaws, hand saws or axes). No other mechanized cutting equipment shall be used within these habitats;
- Unless rare plant locations encompass the entire width of the transmission line corridor, mechanized equipment will only be allowed to cross rare plant locations during frozen conditions or with the use of mats;
- No refueling or maintenance of equipment, including chainsaws, will occur within demarcated rare plant locations, unless done on a public access road; and
- No foliar herbicide use is permitted within the demarcated rare plant locations, however cut surface herbicides may be used on capable species and specimens.
- Crossing of rare plant locations with mechanized equipment:

All-Terrain Vehicles (ATVs)

- Due to small footprint, relatively light weight, and infrequency of use, ATV impact is minimal, therefore crane mats will not be used.
- If rare plants do not encompass entire ROW width, ATVs will avoid/travel around rare plants.
- If rare plants encompass entire ROW width:
 - ATVs will utilize existing rare plant travel path/crossing if one exists.
 - If no rare plant crossing exists, ATVs will cross at narrowest point of the rare plants and will restrict this crossing to a single travel lane.

Heavy Equipment/Vehicles

- During emergency repair & maintenance work, crane mats will not be used. Heavy equipment/vehicles will utilize existing rare plant crossings if available.
- During planned repair & maintenance work:
 - If rare plants do not encompass entire ROW width, heavy equipment/vehicles will avoid/travel around rare plants. Crane mats will not be used.

- If rare plants encompass entire ROW width, and there is an established travel path/crossing through the rare plants, heavy equipment/vehicles will utilize this crossing, and crane mats will not be used.
- If rare plants encompass entire ROW width, but there is no established travel path through the rare plants, heavy equipment/vehicles will cross rare plants using crane mats.

Maintenance Procedures for Mapped Significant Sand and Gravel Aquifers

Transmission lines located over mapped significant sand and gravel aquifers are subject to the typical transmission line corridor maintenance procedures, except that no refueling or maintenance of equipment, and no herbicides may be mixed, transferred or stored, over the mapped significant sand and gravel aquifers, unless done so on a public access road.

Locating and Marking Buffers and Habitats

A database will be maintained, including maps and GIS shapefiles, of the buffers, restricted habitats, and sensitive areas and their locations relative to the nearest structure (pole) or road location. The distance and direction from the nearest structure to the sensitive area will be included with the name of the area and the structure number. All structures along the transmission line corridor will be numbered at the time of construction.

To aid in identifying restricted areas, buffers and restricted habitats may be located and demarcated in the field using brightly colored flagging or signage prior to the initiation of maintenance activities along the transmission line corridor. Alternatively, use of GIS data and GPS equipment may be used to provide accurate location of resources and associated buffers during maintenance activities. If desired, maintenance personnel may permanently demarcate restricted habitats to aid in long-term maintenance activities. Maintenance contractors working on the transmission line corridor will be provided a copy of this VMP. Use of this VMP in conjunction with the As-Built Plan & Profile drawings will enable maintenance contractors to locate and mark restricted areas in the field.

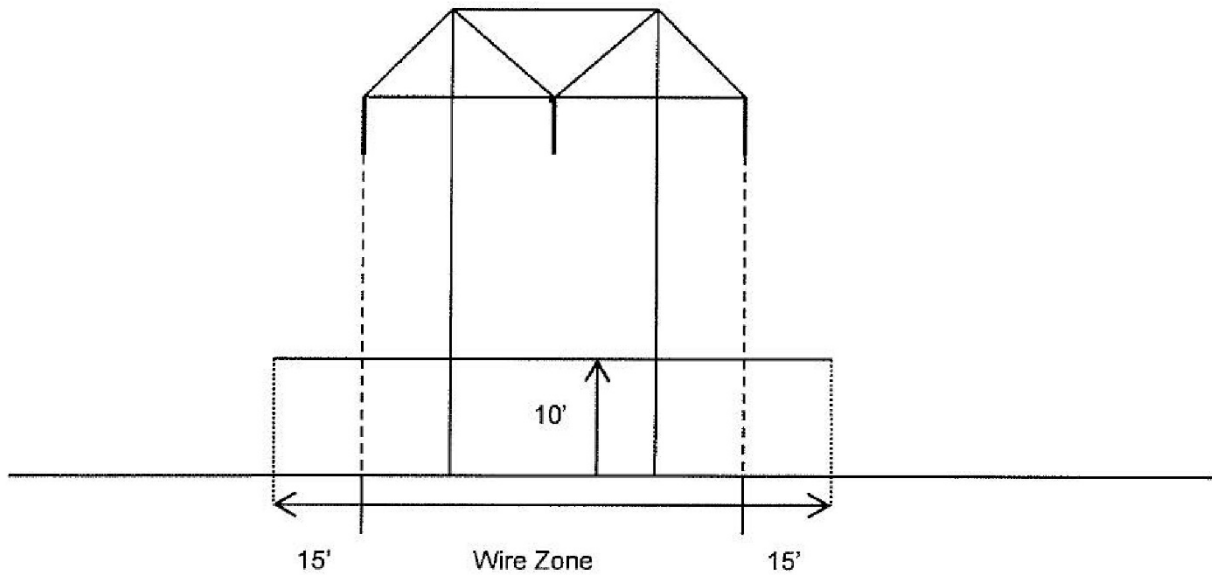
Maintenance Personnel Training

Personnel who will conduct vegetation maintenance activities on the transmission line corridor will receive appropriate environmental training before being allowed access to the transmission line corridor. Maintenance personnel will be required to review this VMP prior to the training and before conducting any maintenance activities. The level of training will be dependent on the duties of the personnel. The training will be given prior to the start of maintenance activities. Replacement or new maintenance personnel that did not receive the initial training will receive similar training prior to performing any maintenance activities on the transmission line corridor.

The training session will consist of a review of the buffers and restricted habitats, the respective maintenance requirements and restrictions for each, and a review of how these areas and resources can be located in the field. Training will include familiarization with and use of GIS

information and sensitive natural resource identification in conjunction with the contents of this VMP, as well as basic causes, preventive and remedial measures for contamination, and erosion and sedimentation of water resources. Training will also include a review of safety and the proper use of appropriate maintenance tools.

Figure 1



1. Capable species, regardless of height, are cut back to ground level or treated with herbicides within the entire length and width of the transmission line corridor during scheduled vegetation maintenance (every 4 years). However, within stream buffers, only capable specimens over 10 feet tall may be cut or treated (specimens at or above this height are likely to grow into the conductor safety zone prior to the next scheduled vegetation maintenance cycle).
2. All woody vegetation over 10 feet in height and inside the wire zone, whether capable or non-capable, is cut back to ground level during scheduled vegetation maintenance.