

Weaver Wind Project

MDEP Site Location of Development/NRPA Combined Application

SECTION 10: BUFFERS

10.0 BUFFERS

10.1 INTRODUCTION

Vegetated buffer strips help maintain the water quality of surface waterbodies and provide habitat and travel corridors for wildlife between habitats. Vegetated buffers are also an effective, attractive way to visually screen certain forms of development. This section discusses the vegetative buffers that will be maintained around the turbines and access roads and along the overhead collector line rights-of-way (ROW) for the project.

Buffers around access roads and turbine pads will be preserved to provide stormwater management and phosphorus treatment. Most of the collector line is underground, but the lengths of overhead collector line ROW will be continuously vegetated with shrubs and herbaceous vegetation. Buffers for the project will include (i) limited-cut buffers around roads and turbines, and (ii) the typical ROW buffer created during ROW clearing and follow-up vegetation maintenance.

This section describes the desired objectives, characteristics, and methods to develop and maintain these buffers. The vegetation cutting practices used to preserve and maintain buffers include no cutting, limited and selective clearing, and normal mechanized clearing combined with the selective use of herbicides. The specific methods to be utilized along the ROW have been tailored to meet the desired buffer objectives in a manner that will provide a clear, achievable set of standards for construction and maintenance personnel. The Applicant will maintain these buffers in accordance with the Post-Construction Vegetation Maintenance Plan (VMP), which is provided in Exhibit 10-1 of this section.

Table 10-1 below summarizes the two basic types of buffers proposed for the project and the clearing and maintenance practices that will be implemented to maintain each type of buffer. Additional details and variations are provided in the remainder of this section and in the VMP.

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Table 10-1. Summary of buffers for the Weaver Wind Project

Buffer Type	Location	Buffer Width	Clearing During Construction	Cutting During Maintenance and Operation ¹	Pole Placement	Herbicide Use
Access Roads	Project access points	Variable buffer outside of disturbed area and as depicted on the site plans	None in the stormwater buffer area	As provided in stormwater plan	Standard	Not allowed
Typical overhead collector line ROW	All areas not otherwise restricted	Not applicable	Cut at ground level all vegetation that is greater than 2 inches dbh ^{1,2} ; remove or top all other vegetation that is 8 to 10 feet or taller	Cut at ground level all capable species that are 8 to 10 feet or taller; top all other vegetation that is 8 to 10 feet or taller	Standard	Allowed
Salmon Stream	East Branch Union River	100 feet	Top or remove all capable species that could grow to within 15 feet of a conductor in the next 3 to 4 years; no other vegetation is cut	Top or remove all capable species that could grow to within 15 feet of a conductor in the next 3 to 4 years; no other vegetation is cut	Between 50 and 100 feet from bank to maximize height of vegetation near stream	Not allowed

¹ dead or danger trees are removed at any time

² dbh = diameter at breast height

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10.2 BASIS FOR PROJECT DESIGN

Many factors were considered to determine the number, size, location, and construction and maintenance restrictions associated with the various types of buffers proposed for the project. The Applicant has utilized recent buffer proposals, MDEP regulatory authority, ROW maintenance guidelines, and its consultations with resource and regulatory agencies and boards to draft buffer and vegetation maintenance standards specific for this project that adhere to regulatory guidelines and protect environmentally sensitive resources. During development of the proposed buffers and associated vegetation maintenance for the project, eight items were identified as critical factors that must be incorporated. They are:

1. The desire to use vegetated buffers as part of stormwater and phosphorus control;
2. The requirement to successfully conduct the initial clearing of the overhead collector line ROWs within the parameters set forth in the application and to institute the vegetation maintenance requirements;
3. The need to ensure reliable operation of the overhead collector line segments;
4. The scientific objectives and public policy goals of protecting and preserving natural resources and the natural environment;
5. The state of ROW construction and maintenance practices conducted by the Applicant and throughout the industry;
6. The need to enable the landowner access for logging through the buffers and logging within the buffers provided the logging practices meet the standards that will be approved via a Declaration of Restrictions with MDEP prior to construction;
7. Recent proposals for other wind power projects; and
8. The Applicant's commitment to environmentally sensitive development.

These eight factors were taken into consideration to design buffers that balance the operational needs of the project with environmental benefits of natural resource buffers. The Applicant believes the buffers combine the best features of successful, existing practices with new ideas and more focused resource concerns, while providing procedures and restrictions that are realistic to implement in the field. The Applicant believes that the buffers and the VMP proposed for the project also respond to concerns expressed by the MDEP to create uniform and practical vegetative buffer standards.

10.3 ACCESS ROAD AND TURBINE BUFFERS

Stormwater buffers for the access roads and turbine buffers provide limited cut areas that will provide a visual break and stormwater and phosphorus treatment from the developed areas. In addition to these buffers, the majority of the turbine pad area, excluding the access road, gravel ring around the turbine, and crane pad at each turbine, will be allowed to revegetate, providing additional buffering capacity (see Section 12, Stormwater). These buffers are located in the areas depicted on the project drawings.

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10.4 TYPICAL OVERHEAD COLLECTOR LINE BUFFERS

While much of the collector line is underground, some portions are above ground to assure constructability and minimize disturbance. The overhead collector line requires cutting vegetation to meet safety standards designed to protect against contact of the wires with vegetation. Buffers for the overhead collector line are designed to provide for that cutting while also maximizing protection of the resources encountered within the ROW.

The Applicant's typical ROW construction and maintenance procedures require the retention of low ground cover to the maximum extent practicable during construction, restoration, and stabilization of areas affected by construction, and ongoing maintenance activities that promote the long-term growth of diverse, healthy, low vegetation. This results in a utility corridor that provides excellent cover for small animals and birds and significant browse habitat for larger mammals. In addition, it prevents soil erosion and sedimentation of water and wetland resources.

10.4.1 Typical ROW Buffer Clearing Procedures

Prior to any clearing in a given area, all resources and their buffers in the area being cleared will be flagged in the field in order to identify these resources for the clearing crews. During clearing activities, applicable methods to reduce ground disturbance, erosion, and sedimentation will be employed. Specific measures within each resource buffer are detailed below.

Generally, crews will commence clearing with whole-tree harvesting machines that will first ground-cut smaller vegetation, and then the remaining smaller vegetation will be removed or topped by hand-clearing crews and/or mowing and flailing machines. Significant branches that overhang the ROWs and any dead or damaged trees outside the ROWs that could contact the proposed power lines or cause an arc if they fall (i.e., danger trees) also will be removed. Large vegetation cut during initial clearing will be chipped on-site or removed, in accordance with the Maine Slash Law.

10.5 SALMON HABITAT STREAM BUFFERS

Critical habitat is designated for the freshwater geographic range occupied by the Gulf of Maine Distinct Population Segment of Atlantic Salmon (GOM DPS), including all perennial rivers, streams, estuaries, and lakes connected to the marine environment (50 CFR 226.217). The GOM DPS is divided into three salmon habitat recovery units (SHRU). The project is located in the Downeast Coastal SHRU. Critical habitat is only designated in specific areas currently occupied by the species. Critical habitat specific areas are identified by hydrological unit codes (HUC) and counties within the State of Maine. The project area is located within two watersheds designated as critical habitat: Graham Lake (HUC 10 0105000212) and Narraguagus River (HUC 10 0105000209). Therefore, perennial streams located within these watersheds are considered to be critical habitat for Atlantic salmon.

In addition to reviewing the Federal Register, MDMR was also consulted, as described in Section 9.0 (Unusual Natural Areas), to determine the presence of potential habitat for Atlantic salmon in the project vicinity. MDMR indicated that the project is located in the East Branch and Middle Branch of the Union River Watershed, which is a watershed containing Atlantic salmon and salmon habitat. Additionally, the USFWS Official Species List identified the potential for Atlantic salmon habitat within the project area.

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Nine perennial streams, potential salmon stream habitat, occur along existing access roads where collector lines will be installed underground. No work will occur in these perennial streams.

At the East Branch of the Union River an overhead line will be installed adjacent to the Spectacle Pond Road crossing, requiring vegetation clearing. At the East Branch of the Union River crossing the Applicant balanced locating structures close to the outer edge of the salmon habitat stream buffer with also keeping them near to increase wire height, resulting in an approximately 60-foot setback from the banks. This will result in taller vegetation near the stream that provides maximum shading of the potential salmon habitat stream.

In addition to the East Branch of the Union River, five other perennial streams will have vegetation clearing within the buffer areas. This will be a single occurrence for initial project construction and turbine transport, and vegetation maintenance activities for these streams will not be required. Therefore, the buffers associated with these five streams are not included in this section. Further details regarding the vegetation clearing impacts associated with these streams are provided in Section 7.5 of this application.

10.5.1 Salmon Habitat Stream Buffer Clearing Procedures

During initial clearing activity prior to overhead collector line construction, only those trees capable of growing to a height within the minimum Vegetation Maintenance Standard of 15 feet from a conductor within the next 3 to 4 years will be topped or removed within the 100-foot buffer. Topping of trees is the preferred method of vegetation maintenance unless the tree is dead or dying, in which case topping will leave insufficient vegetation to sustain the tree. No other vegetation, other than dead or danger trees, will be removed unless necessary for access and temporary bridge crossing. Removal of capable species will be by hand-cutting or with low ground pressure tree harvesting equipment working from inside the buffer. Mats will be used as necessary to prevent excessive rutting. In addition, no refueling or maintenance of equipment, including chain saws, will be performed within the salmon stream buffer zones. No slash will be accumulated within 50 feet of the edge of the stream.

Temporary erosion and sedimentation control measures will be implemented along the collector line. Ground disturbance caused by the use of harvesting equipment will be repaired by returning the ground to its original contour, as needed, and seeding and mulching any bare ground.

10.5.2 Salmon Habitat Stream Buffer Maintenance Procedures

Vegetation maintenance within the 100-foot salmon habitat stream buffers is typically conducted on a three or four-year cycle, depending on growth and vegetation. The vegetation maintenance procedures and restrictions within salmon stream buffers are the same as those that apply during initial clearing, with limited use of motorized equipment in areas that are directly accessible from public or private access roads. No herbicides will be used, stored, mixed, or transferred between containers within the stream buffer areas, and no refueling of chain saws or other equipment will be allowed.

It is important to note that once capable species (e.g., quaking aspen [*Populus tremuloides*], gray birch [*Betula populifolia*], balsam fir [*Abies balsamea*], white pine [*Pinus strobus*], and red maple [*Acer rubrum*]) are removed, the "desirable species" that will persist and be maintained in the buffers will consist primarily of shrubs (e.g., arrowwood [*Viburnum dentatum*], highbush blueberry [*Vaccinium corymbosum*], speckled alder [*Alnus incana*], and winterberry [*Ilex verticillata*]), grasses, sedges (e.g., *Carex* sp.), and rushes (e.g., *Juncus* sp.). The desirable species will be allowed to grow at their naturally occurring rate and

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height. Enhancement of the density and vigor of this vegetation will be achieved through the removal of taller, competing species.

10.6 POST-CONSTRUCTION OVERHEAD COLLECTOR LINE ROW VEGETATION MAINTENANCE

Inadequate tree trimming near electrical collector lines can cause power outages and thus diminish the reliability of power delivery to the customer. Therefore, it is incumbent upon the Applicant to adequately clear vegetation during construction and adopt vegetation maintenance practices to ensure that reliable power is delivered to the grid and ultimately supplied to consumers. There is also a need to maintain appropriate buffers that serve a range of purposes, including environmental preservation, protection of fisheries, and visual mitigation.

Routine vegetation maintenance of the overhead collector line ROWs will be consistent with industry standards to maintain the integrity and functionality of the line, to maintain access in case of emergency repairs, and to facilitate safety inspections. Clearing and trimming vegetation before it gets too close to electrical conductors is essential to ensure the safe, reliable, and uninterrupted availability of electrical power. For example, power outages may occur if trees or other vegetation either come into contact with or get too close to the conductors. Insufficient separation between an object and the conductor can create an electric arc that can cause short circuits and fires. Consistent with operating procedures and to allow safe, reliable operation of a transmission line, the VMP provides that there is a minimum distance of 15 feet between any object and the conductor during all phases of the maintenance cycles. Failure to do so may result in the line short circuiting and/or line outages.

The Applicant's proposed buffer maintenance plan balances the need to maximize buffer width and vegetation height in those areas where doing so brings about significant environmental benefits, while considering the practical and operational limitations under which the Applicant operates and its mandate to provide reliable power.

10.6.1 Vegetation Maintenance Plan

The Applicant has prepared a VMP to be a stand-alone document containing post-construction vegetation maintenance requirements related to the project. The VMP, provided in Exhibit 10-1, contains detailed descriptions of the procedures and maintenance restrictions that apply to these buffers, as well as other protected areas, and the system that will be used to ensure that the specified buffers and other resources are properly identified in the field and protected accordingly. The Applicant will implement the VMP prior to initial vegetation maintenance activity on the overhead collector line ROWs and will continue to follow it during all subsequent vegetation maintenance action.

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Exhibit 10-1

Vegetation Management Plan

Post-Construction Vegetation Maintenance Plan

Weaver Wind Project
34.5-Kilovolt Overhead Collector Lines
Hancock County, Maine

Prepared for:

Weaver Wind LLC

Prepared by:

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August 14, 2018



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Figure 1 Typical ROW Vegetation Clearance/Maintenance

1.0 INTRODUCTION

Weaver Wind LLC (the Applicant) has prepared this Post-Construction Vegetation Maintenance Plan (VMP) as a stand-alone document containing restrictive maintenance requirements for natural resources along the approximately 2.86 miles of overhead 34.5-kilovolt (kV) collector line for the Weaver Wind Project (project). The majority of the electrical collector line for the project runs underground along project roads. There are multiple overhead segments of the collector line. The northern overhead segment will connect two separate turbine areas in the northern portion of the project to Spectacle Pond Road; the southern overhead segment will run south from Stone Dam Road to the southern turbine string, at which point the collector line will run underground along existing roads to the substation. In addition, there are several short segments of above ground collector throughout the project. The requirements set forth in this VMP, as proposed by the applicant and incorporated into state permits for the project, apply to routine maintenance along the rights-of-way (ROWs) and are not intended to apply to emergency maintenance and repair actions. Throughout this document, references to the collector line ROWs refer only to the above-ground segments of the collector line.

Throughout construction, numerous construction techniques and mitigation measures and restrictions will be implemented to minimize potential adverse effects on natural resources. To continue that effort, the goal of the VMP is to supply the Applicant's maintenance personnel and contractors with a single, cohesive set of vegetation maintenance specifications for the collector line ROWs.

The natural resources subject to restrictive maintenance requirements include:

- Wetlands;
- Atlantic salmon (*Salmo salar*) habitat streams; and
- Osprey (*Pandion haliaetus*) nests that are or may be built on collector line structures.

There are no Inland Waterfowl and Wading Bird Habitats, Significant Sand and Gravel Aquifers, or Significant Vernal Pools located within the collector line ROWs.

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

2.0 TYPICAL ROW VEGETATION MAINTENANCE PROCEDURES

Routine vegetation maintenance of the collector line is required to: 1) maintain the integrity and functionality of the line, 2) maintain access in case of emergency repairs, and 3) facilitate safety inspections. The objective of the Applicant's ROW management will be to control large woody vegetative growth to ensure the integrity and safe operation of the collector line. This will be accomplished by practicing Integrated Vegetation Management, which uses 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 be sufficient.

To minimize any negative environmental impacts, vegetation will remain in place to the extent practicable. The removal of large trees will be done during initial ROW preparation prior to construction of the new collector line. Follow-up maintenance activities during operation of the line require only the selective removal of "capable species," and dead or "danger trees." Capable species are defined as those plant species that are capable of growing tall enough to enter the required clearance space between the conductors and vegetation. Sound industry practice requires that a minimum separation be maintained between vegetation and the conductors. Due to the sag of electric transmission lines between the poles, which varies with the distance between poles, tension on the wire, electrical load, air temperature and other variable conditions, the appropriate clearance is typically achieved by removing all capable species and topping other vegetation exceeding 8 to 10 feet tall.

Once the vegetation in an area is brought under control (usually three to four years following construction), these practices will generally be carried out on four-year or five-year maintenance cycles depending on growth, weather, geographic location, and corridor width. Significant branches that overhang the ROWs and any dead or damaged trees outside of the ROWs that could contact the power lines or come within 15 feet of a conductor (“danger trees”) may be removed as soon as they are identified. Figure 1 illustrates the results of typical vegetation clearing and maintenance to provide safe operation of the collector line.

The following procedures will be implemented during all vegetation maintenance activities to ensure protection of sensitive natural resources.

- All resources and their buffers will be flagged or located with a Global Positioning System prior to any maintenance operations.
- All areas of significant soil disturbance will be stabilized and reseeded immediately following completion of maintenance activity in the area.
- Equipment access through wetlands or over waterbodies will be avoided by utilizing existing public or private access roads, with landowner approval where required.
- Construction mats or equivalent for equipment support will be used if saturated soils are present.
- Rutting or significant damage to wetland or waterbody bank vegetation, if any, will be repaired immediately following completion of maintenance activities in the area.

2.1 MECHANICAL TECHNIQUES

During routine vegetation maintenance after construction, the mechanical means of maintaining the height of vegetation on the ROW consists primarily of hand-cutting, with limited use of motorized equipment in areas that are directly accessible from public or private access roads.

The procedure will be to cut all capable species and any dead or danger trees at ground level except in waterbody buffer zones. All large vegetation cut during routine maintenance is removed, chipped or flailed on-site or otherwise handled in accordance with the Maine Slash Law.

2.2 USE OF HERBICIDES

The Applicant’s herbicide application program is consistent with most New England utilities and will be used in conjunction with the mechanical methods of vegetation maintenance. It consists of directional spraying on targeted species along the ROW with a low-volume foliar application. In addition, herbicides may be applied to cut stumps and surfaces of larger trees. The direct application to individual plant species, as opposed to a broadcast application, will control only the targeted woody vegetation while leaving low-growing plant communities consisting of grasses, forbs, and shrubs to thrive. Selective herbicides will also be used, where practical, to minimize the impacts to non-target species. Aerial applications will not be performed. Only herbicides that are registered with and approved by the U.S. Environmental Protection Agency (EPA-approved) and the Maine Board of Pesticides Control (BPC) will be used.

Typically, the ROW will receive herbicide treatment the year following construction and then again two to three years after to gain control of vegetation growth. When control is achieved, treatment occurs on the standard four-year to five-year cycle or as needed. By utilizing selective herbicides and application methods, the ROW will eventually become a dense, low-growing plant community and will aid to impede woody vegetation from being established. Therefore, fewer woody species will require treatment in future applications.

The following procedures will be implemented during vegetation maintenance activities utilizing herbicides.

- Herbicides will be used in strict accordance with the manufacturer's EPA-approved labeling and will not be applied directly to water or areas where surface water is present.
- Herbicides will not be applied, mixed, transferred or stored within the designated buffers, or applied by broadcast application within 25 feet of wetlands with visible surface water or wetlands dominated by emergent or aquatic plants.
- Herbicides will only be applied, mixed, transferred, or stored near vernal pool basins or streams in accordance with Maine BPC regulations. Note that no vernal pools or potential vernal pools have been identified within the collector line ROWs.
- Herbicides will not be applied, mixed, transferred, or stored within 100 feet of any known well or spring or within 100 feet of a home or other human dwelling. Prior to performing herbicide applications, the project area ROWs will be reviewed to make sure no new well, springs, homes, or other dwellings are present along the ROWs.
- Herbicides will not be applied, mixed, transferred, or stored within 250 feet of any residence listed on the BPC's Pesticide Notification Registry. Consistent with BPC guidelines, prior to any herbicide applications along the ROWs, the herbicide application contractor will check the latest Pesticide Notification Registry for any residences or landowners that may be listed. Note that no landowners within or adjacent to the project area are listed on the 2013 Pesticide Notification Registry.
- Herbicides with a low potential for mobility and low persistence in the environment will be utilized in sensitive areas such as wetlands.
- 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.
- The foreman of every crew using herbicides 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 for the Applicant must also hold a Commercial Master License issued by the BPC and must be in Maine during any application. Application of pesticides 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.
- The chemicals are typically mixed in a truck-mounted tank that stays on the access roads. The application is done by personnel with backpacks who travel along the ROW by foot or by all-terrain vehicle and spot-treat target species.
- Each target tree is sprayed just enough to wet the foliage while avoiding any dripping or run-off.

As mentioned previously, application of herbicides is prohibited within designated buffers and within 25 feet of wetlands that have water present at the surface. The location of all streams and wetlands crossed by the collector lines will be shown on final construction drawings. The presence of water on the surface will be determined prior to herbicide use in any wetland. Tables identifying the locations of other resources where herbicide application is prohibited are provided in the following sections. Crew leaders will assure that all resources and buffers are located and properly delineated on the ground for clear identification by the applicators.

3.0 VEGETATION MAINTENANCE WITHIN ATLANTIC SALMON STREAM BUFFERS

This section describes the restrictions related to vegetation cutting and maintenance that will apply within Atlantic salmon stream buffers at the East Branch of the Union River.

3.1 SALMON HABITAT STREAM BUFFERS

The Applicant will establish a 100-foot buffer along the stream designated as having potential to provide critical habitat for salmon and this stream will be subject to additional maintenance restrictions to

enhance the shading of the stream consistent with safe and reliable operation of the collector line. It is important to note that the vegetation maintenance procedures and restrictions that apply to typical ROW maintenance (Section 2.0) also apply within the salmon stream buffers, namely BPC requirements, restoring and stabilizing disturbed soils, disposition of slash, ROW access constraints, the restrictions on stream crossings by equipment within the ROW, the use of construction mats and other procedures related to work in wetlands, the limited use of mechanized tree harvesting equipment, and the prohibition on the use, mixing, or transfer of herbicides and petroleum products within the buffer zone.

3.2 ADDITIONAL VEGETATION MAINTENANCE RESTRICTIONS WITHIN SALMON HABITAT STREAM BUFFERS

The collector lines will cross only one salmon habitat stream, the East Branch of the Union River. See Exhibit 2, Sheet W-E-111 for the location of this stream within the collector line ROW. The following additional restrictions apply to vegetation maintenance within the 100-foot salmon stream buffer of this stream.

- Only those trees capable of growing to a height within 15 feet of a conductor within the next 3 to 4 years will be topped or removed. No other vegetation other than dead or danger trees will be removed.
- Tree topping is the preferred method of vegetation maintenance, unless the tree is dead or dying, or unless topping will leave insufficient vegetation to sustain the tree.
- Under most terrain conditions, removal of capable species, dead, or danger trees will be accomplished by hand-cutting or by traveling into the buffer zone with low pressure tree harvesting equipment and mats as necessary.
- No herbicides will be used, stored, mixed, or transferred between containers within the buffer areas.
- No refueling or maintenance of equipment, including chain saws, will occur within the buffer areas.
- No accumulation of slash will be left within 50 feet of the edge of any salmon stream.

The additional restrictions on vegetation maintenance within salmon habitat stream buffers will allow taller vegetation to provide additional shading of streams and reduce the warming effect of direct sunlight (insolation). Low ground cover will also remain to filter sediment in surface runoff. As a result, the buffers will continue to function in a similar manner as they did before construction. The restrictions are also intended to minimize ground disturbance and ensure that herbicides and petroleum products are not able to reach the stream via surface runoff or groundwater transport.

4.0 MAINTENANCE PROCEDURES FOR OSPREY NESTS

It is common for osprey to nest on the top of power line structures. Typically, nests are allowed to remain in place unless there is a chance they are going to come into contact with the conductor. Ospreys use nests from year to year and build up the nests annually. Sometimes the nests get so large they can touch a conductor or be close enough to create an arc. If there is a risk of arcing or conductor contact, the Applicant will follow its existing guidelines for removing nests (set forth in Section 8.1), which usually takes place in the fall of the year.

4.1 GUIDELINES FOR REMOVAL OF OSPREY NESTS

The following process will be completed for any removal of an osprey nest that is built on the 34.5-kilovolt collector line structures.

- Only inactive nests will be removed. Nests that contain eggs or chicks will not be disturbed.
- Nests will only be removed between September 1 and April 15, and only if birds are not actively using the nest.

- Nests will be relocated to nesting platforms, when possible. Otherwise, they will be destroyed when they are removed.
- The Applicant, or its contractors, will note the date, number of nests moved or destroyed, and the town where the nest(s) are/were located. The Applicant will keep an updated, running total of nests moved or destroyed. The list of nests removed will be distributed to the line supervisors periodically. The Applicant will evaluate what steps may need to be taken if more than 20 nests require action in one year.
- The Applicant will submit an annual report of all osprey nests moved or removed to the Maine Department of Inland Fisheries and Wildlife.

5.0 SYSTEM FOR LOCATING/MARKING RESTRICTED AREAS

Prior to conducting maintenance activities along the ROWs, the Applicant or its contractors will identify restricted areas with colored flagging or signage. The Applicant will maintain a database of the sensitive areas and buffers listed above located along the proposed ROWs. The database will include the locations and types of sensitive areas along the lines and their locations relative to the nearest numbered structure or road. Sensitive areas and buffers to be marked in the field and included in the database include the salmon stream buffer, along with herbicide application buffers from known wells or springs, homes or other human dwellings, and any residence listed on the BPC's Pesticide Notification Registry. These resources will be marked with colored flagging or signage prior to any ROW maintenance operations. In some instances, signage may be attached to structures to facilitate identification of the sensitive resources. Structures along the collector lines will be numbered at the time of construction. This data will be provided to any maintenance contractor prior to the commencement of maintenance activities. Use of this data will enable maintenance contractors to locate and mark restricted areas in the field and allow them to easily abide by the conditions of this VMP.

6.0 TRAINING OF MAINTENANCE PERSONNEL

This section summarizes the environmental training that will be required for personnel with maintenance responsibilities on the collector line ROWs.

6.1 PERSONNEL AND SCHEDULE

The Applicant's personnel and contractors who will be participating in vegetation maintenance activities on the ROWs will receive appropriate environmental training before being allowed access to the ROWs. The level of training will be commensurate with the type of duties of the personnel. The training will be given prior to the start of maintenance activities. Replacement or new employees that did not receive the initial training will receive similar training prior to performing any maintenance activities on the ROWs.

6.2 CONTENT OF TRAINING SESSIONS

Prior to receiving maintenance training, each participant will be required to review this Post-Construction VMP. The training session will consist of a review of all protected resources and restricted areas, the respective maintenance requirements and restrictions for each, and a review of how these areas and resources can be located in the field (relative to the nearest numbered structure). Training will include familiarization with the contents of this VMP, as well as basic causes and preventive and remedial measures for contamination, erosion and sedimentation of water resources. Training will also include a review of safety, clean-up, monitoring, and reporting requirements.

