



BREWSTER CONSERVATION TRUST

Box 268 Brewster, Massachusetts 02631

October 3, 2013

Mr. William Hayes
Senior Arborist
NSTAR Electric and Gas Corp.
One NSTAR Way SE 370
Westwood, MA 02090-9230

Dear Mr. Hayes,

I am writing on behalf of the Brewster Conservation Trust's Board of Trustees regarding the proposed Yearly Operational Plan (YOP) that NSTAR has recently submitted for public review. This review is pursuant to the provisions of the Rights-of-Way Management Regulations, 333 CMR 11.00, to apply herbicides to control vegetation along rights-of-way (ROW). A five-year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the Department of Agricultural Resources (DAR). NSTAR has submitted and holds a current VMP.

Our understanding is that the Brewster Selectmen and Conservation Commission have transmitted their comments to NSTAR and DAR. Please accept and transmit these comments, below, to complement those made by the Town.

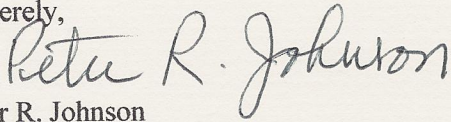
The Brewster Conservation Trust (BCT) is a non-profit local land trust that has protected more than 1000 acres in Brewster since our founding in 1983. BCT owns several parcels along the segment of NSTAR's transmission line running north-south through SE Brewster that is proposed for reinstatement of herbicide treatment as part of the YOP. With the help of local volunteers associated with the Cape Cod Museum of Natural History and BCT, we have certified vernal pool activity at two small ponds on BCT properties in 2010 and 2011. (See attached map for locus.) Mass. Natural Heritage Program has accepted our documentation of spotted salamander egg masses and fairy shrimp in these pools. Certification letters are on file with the Brewster Conservation Commission. Another certified vernal pool is located on the adjoining Read Kingsbury Town Conservation Area (ex-Matthews) parcel.

Our two certified vernal pools are located very close to the ROW; in fact, the southern one is located partially beneath the overhead wires. We found an adult spotted salamander living beneath a discarded tire under the powerlines in 2011 and have a video documenting this item:
link to <http://www.youtube.com/watch?v=mygTj8Mo2PQ> .

In addition to the specific vernal pools, the Trust has developed criteria that target lands of special significance and sensitivity to guide our land conservation efforts. We have applied these criteria to several parcels of land we have purchased over the past seven years. Land lying in Brewster's designated Zone II which protects the Town well heads is one of our key criteria. Because the entire portion of Right of Way # 319 in Brewster is located within the Brewster Water Protection DCPC (District of Critical Planning Concern) which includes Zone 2's for public well heads in both Brewster and Orleans we feel the entire Right of Way should be considered a Sensitive Area.

Please ensure that the vernal pools and the larger Zone 2 are added to any Sensitive Area mapping and that no herbicides are applied within these areas and appropriate setbacks from same. Thank you for your time and attention.

Sincerely,



Peter R. Johnson
President

Enc. 1. NSTAR YOP Map 1 of 1 Brewster with vernal pools added by BCT
2. Assessors locus map with same)

cc: Brewster Conservation Commission