HOUSE DOCKET, NO. 2210 FILED ON: 1/17/2013

# HOUSE . . . . . No. 2988

The Commonwealth of Massachusetts

PRESENTED BY:

***Chris Walsh***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to vegetation management plans.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Chris Walsh* | *6th Middlesex* |
| *Cory Atkins* | *14th Middlesex* |
| *Carolyn C. Dykema* | *8th Middlesex* |
| *Jonathan Hecht* | *29th Middlesex* |
| *David Paul Linsky* | *5th Middlesex* |
| *Tom Sannicandro* | *7th Middlesex* |
| *Karen E. Spilka* | *Second Middlesex and Norfolk* |
| *Cleon H. Turner* | *1st Barnstable* |

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By Mr. Walsh of Framingham, a petition (accompanied by bill, House, No. 2988) of Chris Walsh and others for legislation to authorize the Department of Public Utilities to promulgate rules and regulations relative to landscape management by transmission companies. Telecommunications, Utilities and Energy.

## The Commonwealth of Massachusetts

An Act relative to vegetation management plans.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 25 of the General Laws is hereby amended by inserting at the end thereof the following new section:-

The department of public utilities shall promulgate rules and regulations requiring transmission companies to file and the department to approve vegetation management plans. Said plans shall also be filed with any affected municipality. Said plans shall include landscape management provisions which require the use of native species plants and shall consider local terrain including soil conditions and visual impacts. Prior to department approval, affected municipalities shall have 30 days to comment on said plans.

Municipalities may file a complaint with the department if the transmission company does not comply with the terms of vegetation management plan.

Vegetation management plans shall be reviewed every four years and prior to approval the department shall hold a public hearing in the affected local municipality.

Transmission companies shall provide sixty days notice to affected abutters of the transmission lines, and said department, of actions to be performed pursuant to the vegetation management plan approved pursuant to this section. This notice shall also be sent to municipal officials of affected communities including but not limited to elected officials, selectmen, planning board members, and conservation commission members. Transmission companies shall be exempt from the requirements of this paragraph in preparation for an imminent emergency event, but must inform municipal administrations of any eminent work.

In the course of maintaining reliability of power along transmission line right of ways, including easements covering private and public property, each transmission company shall

22 restore deleteriously affected vegetation in the form of replanting of trees and other vegetation
23 and shall complete stump grindings wherever trees have been cut to the stump such that the
24 company partially restores the pre-vegetation management activity property value of affected
25 property owners. This paragraph shall apply only to activity that has occurred after January 1,
26 2012 and prior to January 1, 2014 or the approval of a company's first vegetation management
27 plan filed in accordance with this section.