

HOUSE No. 1779

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 adoption of the accompanying bill:

An Act relative to vegetation management plans for transmission companies and railroads.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>

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By Mr. Walsh of Framingham, a petition (accompanied by bill, House, No. 1779) 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.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2988 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninetieth General Court
(2017-2018)**
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An Act relative to vegetation management plans for transmission companies and railroads.

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

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

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

9 Municipalities may file a complaint with the department if the Transmission Company or
10 railroad does not comply with the terms of vegetation management plan.

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

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

21 In the course of maintaining reliability of power along transmission line and railroad right
22 of ways, including easements covering private and public property, each transmission company
23 and railroad shall restore deleteriously affected vegetation in the form of replanting of trees and
24 other vegetation and shall complete stump grindings wherever trees have been cut to the stump
25 such that the company partially restores the pre-vegetation management activity property value
26 of affected property owners. This paragraph shall apply only to activity that has occurred after
27 January 1, 2012 and prior to January 1, 2019 or the approval of a company's first vegetation
28 management plan filed in accordance with this section.