

50-277/278

From: "Johnstone, Richard" <Richard.Johnstone@conectiv.com>
To: "dxw@nrc.gov" <dxw@nrc.gov>
Date: 3/14/02 2:20PM
Subject: Peachbottom-Keeney 500kV

Duke,
Conectiv's Vegetation Management Program is described in the attached brochure and this is the objective of our management of the 500kV ROW through Delaware. Our goal is to manage for safety and reliability of service while improving wildlife habitat and environmental stewardship. To this end, please note the MOU signed between Conectiv Power Delivery and the U.S. Fish & Wildlife Service. If you have any questions, please feel free to call me at 302-454-4841.
Sincerely,

Rick Johnstone
System Forester <<Conectiv USF&W mou.doc>> <<VegManBro_Final.pdf>>

add: Duke Wheeler
to eids
CDD

**Memorandum of Understanding
between
Conectiv Power Delivery
and the
U.S. Fish and Wildlife Service**

I. Parties

The parties to this Memorandum of Understanding (MOU) are Atlantic City Electric Company and Delmarva Power & Light Company "d/b/a Conectiv Power Delivery" (Conectiv) and the U.S. Fish and Wildlife Service (Service).

II. Purpose

This MOU establishes a partnership between Conectiv and the Service to promote mutually beneficial Integrated Vegetation Management (IVM) on Conectiv Right-of-Ways (ROW) on Service lands and to provide an opportunity for the Service to use, at benchmarked costs, Conectiv's contractors to carry out vegetation management practices on other Service-owned lands. These actions can improve the management of Service-owned lands and overlaying ROW's by maintaining forest health, improving wildlife habitat, and reducing the occurrence of non-native invasive plant species.

III. Background Information

Conectiv and the Service both recognize the opportunities to improve natural resource management along electric ROW's, specifically through proper tree selection, proper pruning techniques and IVM. Proper tree selection (right tree in the right place) improves aesthetics and eliminates or minimizes the need for utility tree maintenance. Proper pruning techniques, such as directional pruning, minimize impacts on tree health and help reduce the need for future tree maintenance and tree removal. IVM, using biological, cultural, chemical, and mechanical methods, controls unwanted vegetation and encourages plant species compatible with maintenance and operation of the ROW corridor and Refuge goals and objectives.

Studies have shown that a three-tiered plant community - grass in the center of the corridor, flanked by progressively taller plants to each side (shrubs then trees) - provides excellent wildlife habitat, particularly when adjacent to a mature forest. It may also serve to minimize forest fragmentation, to the extent possible, while providing the necessary ROW vegetation management. Both Conectiv and the Service recognize the benefits of using this management regime when proper conditions exist (adjacent land use, width of ROW, accessibility, terrain, etc.). Conectiv continues to strive to develop these three-tiered plant communities on its existing ROW's when possible, using IVM techniques, such as mechanical cutting followed by increasingly selective chemical treatments.

In 2000, Conectiv received the *Tree Line USA* award from the National Arbor Day Foundation for the company's tree planting, public education, employee training, and professional arboricultural programs. Furthermore, the Edison Electric Institute, in its Environmental Stewardship Strategy, cited Conectiv's IVM program as an environmental and economic success.

This strategy was formulated in a partnership with the U.S. Environmental Protection Agency and the U.S. Department of Agriculture. The Strategy's goal is to achieve well managed ROW vegetation while lowering the level of risk to both humans and the environment. Conectiv has helped the Service to teach other utilities and refuge managers IVM techniques. Conectiv's System Forester is an instructor at the Service's ROW Habitat Management Course.

IV. Conectiv's Responsibilities

Conectiv agrees to:

- A) Coordinate with each respective Refuge Manager prior to implementing ROW habitat management. ROW habitat management will consider impacts to threatened and endangered species, rare or sensitive plant communities, breeding/nesting of birds and other wildlife, cultural and historic resources, and other areas of refuge management concern.
- B) Submit a Pesticide Use Proposal to each respective Refuge Manager covering each proposed herbicide use and include the relevant Environmental Protection Agency pesticide use label.
- C) Apply herbicides in accordance with label instructions and Service/U. S. Department of the Interior-approved Pesticide Use Proposals;
- D) Provide an annual report to each refuge of all pesticides applied on the refuge by January 31 of the following year.
- E) Make available to the Service wood chips from tree pruning operations for use in constructing trails or other purposes.
- F) Use IVM techniques in its ROW's within Service-owned lands. Conectiv shall:
 - Place the debris from tree pruning and tree removal into windrows along the ROW edge, or as directed, to provide additional wildlife habitat. If this is not possible, the debris shall be chipped and chips made available to the Service;
 - Preserve beneficial plant species that meet the objectives of the ROW as much as possible;
 - Minimize the amount of herbicides used over time by employing appropriate IVM techniques of the least hazardous product, and rotate the approved herbicides applied in order to minimize the chance of herbicide-resistant strains;
 - Utilize approved biological controls appropriate to the IVM goals when practical;
 - Attempt to eradicate non-native, invasive plant species that interfere with the ROW vegetation management objectives; and
 - Maintain written documentation of all ROW maintenance activities on ROW's within Service-owned lands, and provide this documentation to the Service upon request.

- G) Help the Service promote IVM techniques to other companies and entities that manage ROW's on Service-owned lands. This assistance could include instructors and demonstrations of these techniques.
- H) Help the Service manage vegetation/habitat on Service-owned lands by helping to train Service employees to use IVM techniques, or by providing trained personnel and equipment at benchmarked costs.
- I) Share its transmission system maps with the Service to assist with fire management operations.

V. Service Responsibilities

The Service agrees to:

- A) Recognize Conectiv's need to manage vegetation in ROW corridors for the safe and reliable transmission of energy.
- B) Coordinate with Conectiv regarding ROW habitat management on Service-owned lands and consider impacts to threatened and endangered species, rare or sensitive plant communities, breeding/nesting of birds and other wildlife, cultural and historic resources, or other areas of refuge management concern.
- C) Provide Conectiv with wood chip disposal sites as needed for vegetation removed from ROW's on Service-owned lands.
- D) Provide Conectiv with a list of Service-owned lands containing Conectiv ROW's, with updates corresponding to property acquisitions.
- E) Invite Conectiv forestry personnel to participate in training of other companies, industries, and entities in IVM techniques along ROW's.

VI. Other Provisions

Nothing in this MOU is intended to conflict with current law or regulation or the directives of the Service. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this MOU shall remain in full force and effect.

VII. Required Clauses

- A) During the performance of this MOU, the participants agree to abide by the terms of Executive Order 11246 on non-discrimination and will not discriminate against any person because of race, color, religion, sex or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to race, color, religion, sex or national origin.
- B) No member or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of this MOU, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this MOU if made with a corporation for its general benefit.

- C) Notwithstanding any provisions herein, nothing shall commit the Service to incurring monetary obligations for the purposes of this MOU, except to the extent that funds are provided in Congressional Appropriations Acts.

VIII. Terms

This agreement shall be effective for 5 (five) years from the date of the last signature hereto and may be terminated by mutual agreement at anytime or by either party providing thirty (30) days written notice.

If a modification is desired, the party desiring the change shall give thirty (30) days written notice to the other party. The action may be expedited by written mutual consent of both parties.

Any provision of this MOU that is inconsistent with any federal or state laws, regulation, policy, or procedure will be void. Any provision inconsistent with other agreements or directives shall be resolved by consultation and mutual consent.

IX. Signatures

Richard Johnstone
System Forester
Conectiv Power Delivery

____5/21/01_____
Date

Anthony Leger
Chief, National Wildlife Refuge System
Northeast Region
U. S. Fish and Wildlife Service

____6/29/01_____
Date



Vegetation Management Notice

Overgrown vegetation is the leading cause of temporary power outages!

Because tall brush, "weed trees" and vines have grown too close to the power lines or equipment that deliver electricity to homes and businesses in your community, Conectiv Power Delivery will soon be performing integrated vegetation management in your area.

Conectiv is committed to manage this process in a way that is compatible with the intended use of the right-of-way, and discourages only growth that poses safety or reliability problems for energy delivery. Conectiv has been recognized by the National Arbor Day Foundation for its professional pruning methods, training and tree planting efforts. In fact, a well-managed right-of-way corridor can act as a wildlife greenway and can actually recreate ecosystems necessary for the survival of many rare or endangered plants.

Please read this brochure for more information about Conectiv's eco-friendly vegetation management process. If you have a question about this service, feel free to call Conectiv Power Delivery at one of the numbers listed on the back of this brochure, and our representative will respond to your questions.

Thank you in advance for your cooperation. By working together, we here at Conectiv Power Delivery can continue to provide you with safe, affordable and reliable electricity!

Questions?

For questions or additional information on Conectiv's Integrated Vegetation Management Program, please call one of the following numbers:

New Castle County, DE
302-454-0300

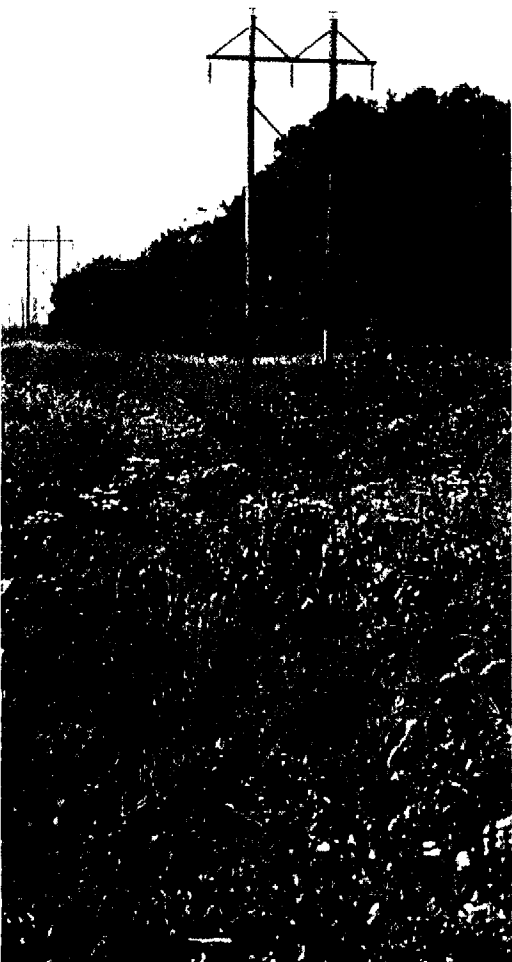
Delmarva Peninsula and
Harford County, MD
800-375-7117

New Jersey
800-642-3780



Integrated Vegetation Management Program





Why Vegetation Management?

Conectiv Power Delivery must maintain thousands of miles of electric corridors or rights-of-way in order to bring electric power to you our customer. A right-of-way can range from several hundred feet wide for transmission of high voltage from power plants to substations, to as little as a few feet wide for distribution of the power to your homes. Vegetation growing in these rights-of-way must be controlled in order to allow access for workers to maintain or repair the poles and wires, and to prevent them from growing into or falling through the power lines.

You can prevent tree and electric wire conflicts in your yard by planting only low growing shrubs and trees under our facilities. Where conflicts do occur we must prune tree branches away from our conductors to maintain safe and reliable service. Conectiv's professional pruning methods, training and tree planting efforts have been recognized by the National Arbor Day Foundation through their "Tree - Line USA Award".

Outside of a maintained yard, trees and vines naturally grow and can soon conflict with safe transport of electricity. These "weed trees" can also be maintained through periodic cutting of their stems with chainsaws or mowers, but cutting can only temporarily control their growth, it does not remove them from the rights-of-way. Like most weeds, a tree's root system simply resprouts to replace those that were cut.

Mechanized saws and mowers may also present hazards to workers from their sharp blades, they may injure or kill animals living in the right-of-way, and they may pose environmental hazards from oil and gasoline spillage and soil erosion. Mowing is also non-selective, so in addition to the weed trees, cutting also removes beneficial low growing plants that do not pose a problem for the utility.



Pioneering Responsible Solutions

Integrated Vegetation Management (IVM) is a new approach to controlling weed trees and vines that Conectiv has helped to pioneer. IVM is a system of controlling vegetation by first identifying plants that pose a problem, and then using a combination of control options based on effectiveness, safety, environmental impact and cost. While manual or mechanical cutting may be appropriate tools under some circumstances, other control options include biological, chemical and cultural methods. The goal of an IVM program is to manage for vegetation that is compatible with the intended use of the



right-of-way, and discourage only those weed plants that pose safety and reliability problems.

To begin an IVM program the vegetation may first need to be cut because of its overall

height and density, but then after it has resprouted the incompatible trees are treated with herbicides that stop the roots and stems from further growth. Today's herbicides do this by blocking chemicals plants need to convert water, sunlight and nutrients into food for their growth. Since animals and humans do not have these same chemicals, these herbicides are very low in toxicity to people or animals. Without any food, the weed trees are starved out of the rights-of-way.

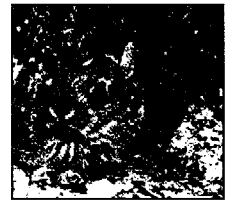
Promoting Biodiversity

With the removal of the weed trees the rights-of-way are now open for the growth of desirable plants; grasses, herbs, wildflowers, shrubs and small trees. These low growing plants do not need to be constantly maintained, in fact they help to maintain the corridor themselves! In addition to competing with weed trees for sunlight, water and nutrients, many plants also produce chemicals in their leaves or root that act as herbicides. These natural herbicides reduce the number of weed trees that can become established and need to be maintained.

With the return of grasses, herbs, wildflowers, shrubs and small trees comes increased food and cover for a wide variety of wildlife. Bobwhite quail and wild turkey benefit from the high protein of grass insects; bees and butterflies obtain food and pollinate the wildflowers; while shrubs and small trees provide berries and nesting sites for birds and other mammals. The increased wildlife also provides increased control of the weed trees. Birds, voles and field mice consume a vast quantity of seeds and help to control any new growth of weed trees. This management assistance again limits the amount of work the utility needs to perform, and when treatment is necessary, it can then be done selectively to only remove the incompatible weed trees without disturbing the rest of the plants or animals.

Protecting the Natural Ecosystem

A well-managed right-of-way corridor can actually recreate ecosystems necessary for the survival of many rare or endangered plants. Wetland meadows, shrub-scrub forest and old field habitat once occupied large areas of the Mid-Atlantic States due to naturally occurring and native American induced fire. Judicious herbicide use can duplicate this effect and restore these valuable refuges. Conectiv manages close to 100 different rare plants, some of which only occur within its rights-of-way corridors.



Conectiv has shared its vegetation management expertise by forming agreements with state and private conservation agencies and by conducting training for other companies, associations, and wildlife refuge managers. Conectiv is a charter member of the United States Environmental Protection Agency's Pesticide Environmental Stewardship Program, a voluntary agreement to lower the level of risk to humans and the environment. We are also partners with Project Habitat, a wildlife enhancement program cosponsored by Quail Unlimited, National Wild Turkey Federation, Butterfly Lovers International, Buckmasters and American Cyanamid Company.