

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

April 29, 2010

Mr. Scott J. Soares, Commissioner  
Massachusetts Department of Agricultural Resources  
251 Causeway Street, Suite 500  
Boston, MA 02114-2151

***RE: Memorandum of Understanding (MOU) Between NSTAR Gas and Electric Company and the Cape Cod Commission extending the comment period for 2010 Yearly Operating Plans in Barnstable County.***

Dear Commissioner Soares:

As discussed during our joint meeting with the Department of Agricultural Resources on Tuesday, April 20, 2010, NSTAR and the Cape Cod Commission agree to the following:

- NSTAR will postpone the use of herbicides on Cape Cod Rights of Way until 2011.
- The Cape Cod Commission will map NSTAR Rights of Way upon request from towns in Barnstable County to confirm the location of sensitive areas and drinking water supplies.
- This mapping will be completed no later than December 31, 2010.
- The Cape Cod Commission acknowledges the time sensitive nature of the Integrated Vegetation Management Plan (IVMP) and will not request additional time to complete the work.
- In January/February 2011, NSTAR will begin public notification of towns and abutters of the planned use of herbicide in accordance with the IVMP approved by the Department of Agricultural Resources.
- The Cape Cod Commission understands that NSTAR's IVMP is recognized as "best management practices" by the EPA, the Utilities Arborists Association, Massachusetts Wildlife and Endangered Species Program and other state agencies.

- The Cape Cod Commission supports the Massachusetts Department of Agricultural Resources, which is responsible for the review and approval of the Yearly Operating Plans and Vegetation Management Plans submitted by utilities throughout the commonwealth.

This postponement provides Cape Communities an opportunity to perfect the maps used by NSTAR, insuring the IVMP is conducted in the safest manner possible.

Sincerely,



Paul Niedzwiecki  
Executive Director  
Cape Cod Commission

Sincerely,



Paul Zohorsky  
Director of Planning,  
Scheduling and Contract Management  
NSTAR