



Vegetation Control Service, Inc.

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Henry Jennings
Board of Pesticide Control
28 State House Station
Augusta, ME 04333-0028

Dear Mr. Jennings:

Included is an *Application for Variance Permit (pursuant to Chapter 29, Section 6 of the Board's Regulations)* for the southern half of TransCanada's 115 kV Transmission line at the Kibby Wind Power Project. We are applying for this in order to use Mistblowers (motorized back pack sprayers) in wetlands where there is no surface water present and 25 feet from any surface water. Our program is described in detail in the included approved Operational Vegetation Management Plan (approval letter and permit included from LURC/Maine DEP).

If you have any questions, please do not hesitate to contact myself, or Wendy Priestley at (978) 249-5348 or wendy@vegetationcontrol.com.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey M. Taylor".

Jeffrey M. Taylor,
General Manager

Enc.

**BOARD OF PESTICIDES CONTROL
APPLICATION FOR VARIANCE PERMIT
(Pursuant to Chapter 29, Section 6 of the Board's Regulations)**

I. Jeffrey Taylor of Vegetation Control Service, Inc. on behalf of David Murray, Environmental Specialist (603) 445-6803 (VCS: 978-249-5348)

TransCanada Energy Ltd, Kibby Wind Power Project
Company Name

Walpole Office, 2 Killeen Street North Walpole NH 03609
Address City State Zip

II. Area(s) where pesticide will be applied:

The southern half of the 115 kV Transmission line at the Kibby Wind Power Project (see Approved Vegetation Management Plan). No herbicides will be sprayed within 25 feet of any surface water (in wetlands, streams, rivers, ponds, etc...). However, according to specification in the attached VMP, Section 5.8, starting on page 43, treatments will take place in wetlands when there is no surface water present.

III. Pesticide(s) to be applied:

Rodeo (EPA reg. #62719-324, Arsenal Powerline (EPA Reg. #241-431) and Escort XP (EPA Reg. #352-439)

IV. Purpose of pesticide application:

Selective Treatment of woody plant species capable of interfering with the conductor zones on the 115 kV Transmission line at the Kibby Wind Power Project, with treatment to invasive plant species as/if identified in the field.

V. Approximate dates of spray application:

July 27th to August 17th, 2012

VI. Application Equipment:

Motorized Back Pack Sprayers (Mistblowers)

VII. Standard(s) to be varied from:

Use of Motorized Back Pack Sprayer in Wetlands along a 14 mile stretch of 115 kV right-of-way

VIII. Reason for variance:

This highly selective method allows for the treatment of the extensive amount of resprouts currently present on the right-of-way in this first treatment to the southern half of the right-of-way since construction. Selective mistblower applications will typically use less herbicide and water mixture per acre as compared to other non-motorized foliar techniques, particularly in dense target situations. There also is little to no excess "herbicide drip" from treated vegetation, resulting in less impact to understory, non-target organisms. Anti-drift additives are always included with all of our tank mixtures which help reduce potential drift and enhance target vegetation selectivity.

IX. Method to assure equivalent protection:

1). The treatment crews will strictly follow the specifications detailed in the attached VMP and all applicable state and federal laws and regulations. 2). The herbicide applications will strictly be selective to capable species (as described above in VIII) under an IVM program using herbicides labeled for use in wetlands. 3). The week of July 9th in advance of the treatment crew, a three man survey crew will walk the entire right-of-way and mark in the field and in TransCanada's GIS database system, the location of all sensitive areas including waterbodies and wetlands. 4). No herbicides will be used within 25 feet of any surface water; mechanical treatment methods will be used instead, primarily hand cutting with chainsaws. 5). All Herbicides applications will be directed away from the surface water buffer. 6). The company performing the 2012 herbicide application is Vegetation Control Service, Inc. a pioneer in IVM and selective motorized herbicide applications with 49 years' experience in the field, in vegetation management consulting and 15 years' experience in GIS database development.

Signed: _____

Jeffrey M. Taylor

Date: _____

6/21/12

Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**

OR E-mail to: pesticides@maine.gov

**Statement submitted to the Maine Pesticide Board regarding the Application
for Variance Permit pursuant to Chapter 29, Section 6
by Vegetation Control Service, Inc. (VCS)
on behalf of TransCanada Energy Ltd, Kibby Wind Power Project**

TransCanada has submitted this application to treat within wetlands on the southern half of the Kibby 115 kV transmission line right-of-way with hand held motorized back pack sprayers.

All vegetation maintenance activities at Kibby are guided by a New England utility industry standard *selective* Integrated Vegetation Management (IVM) program. Under this program, the primary ecological communities or “natural areas” that TransCanada intends to establish, encourage and support are natural areas of early successional primarily lower growing herbaceous and scrub-shrub vegetation, in order to comply with Federal clearance standards:

1. Primary targets: woody plants capable of maturing over twelve feet in height.
2. “Noxious Weeds” including poisonous and invasive species.
3. Grasses, herbaceous growth and shrubs or woody vegetation that matures less than twelve feet in height (except where they are capable of interfering with the electric structures) will be reasonably avoided and encouraged to flourish.

GENERAL WETLANDS SPECIFICATIONS

1. TransCanada will maintain mechanical only areas twenty-five feet by horizontal measurement from the banks on either side of surface waterbodies/open surface waters in wetlands.
2. Herbicide applications in wetlands are limited spray areas in which only appropriately labeled herbicides with low toxicity ratings are applied using low-volume, selective hand-held application methods when there is no surface water present.

From initial field survey’s including the mapping of all “sensitive areas” by TRC Engineering Services during the permit process, and two field survey’s by VCS senior consulting staff, there are only a few wetlands that meet the criteria of Chapter 26 (no great ponds, only a few characterized by visible surface water or dominated by emergent or aquatic plants). Additionally, the week of July 9th, a three man crew of VCS senior field staff and GIS experts will survey the line, marking “sensitive areas,” including wetland, in the field and in a GIS database using GPS technology. All herbicide application is also trained to the specifics of the Kibby project before being allowed on the right-of-way.

The plan for 2012 is to use hand cutting and back pack hand pumps in the designated wetlands under Chapter 26. These are areas in which there are few target species, which tend to grow at a slower rate due to the wetland conditions.

We request that the board review this Variance Application as an initial review of the *Vegetation Management Plan* approved by LURC and Maine DEP in 2011. Future application in wetlands would benefit from a selective, directed spray by motorized pack back applications that allow the applicator to minimize the impact to non-target organisms in the understory.

Thank You for the opportunity to submit this request,

Jeffrey M. Taylor, ISA Arborist
Wendy L. Priestley, Ph.D.

June 26, 2012