

## **Section 6.08 Best Management Practices for Repair and Maintenance of Overhead Utilities**

Pursuant to Section 6.08 of the Vermont Wetland Rules, the following best management practices have been developed for this allowed use in order to prevent discharges to Waters of the State, and to maintain the integrity of wetlands and associated waters:

### **6.08 The routine repair and maintenance of utility poles, lines and corridors in a manner which minimizes adverse impacts and is accordance with Best Management Practices developed by the Secretary**

Please read this document carefully in order to determine whether your activity qualifies as an allowed use, to perform the activity in compliance with the best management practices, and to determine if other permits may be necessary.

1. Does the proposed activity qualify for an Allowed Use under Section 6 of the Vermont Wetland Rules?
  - a. This use shall not alter the configuration of the wetland's outlet or the flow of water into or out of the wetland; and no draining, dredging, or grading shall occur.
  - b. The placement, maintenance or removal of the structure shall not result in discharge to Waters of the State;
  - c. All work takes place in an existing utility corridor; and,
  - d. No permanent or temporary fill will be placed in the wetland or buffer zone with the exception of poles. Removal of woody vegetation outside the right-of-way, construction of new roads or improvement of existing roads in wetlands or buffer zones may require a permit from the Vermont Wetlands Program.
2. Best Management Practices
  - a. All impacts to wetlands and buffer zones shall be avoided and minimized to the greatest extent practicable;
  - b. Where existing maintenance plan is in place that is more protective of wetland resources, or has been approved by the Secretary, it may supersede these BMPs.
  - c. Herbicide and pesticide use shall be conducted under a Pesticide Advisory Council-approved ROW Management Plan.
  - d. Maintenance of woody vegetation in the wetland and buffer zone shall occur only within an existing ROW for the utility, with the exception of danger trees located outside of the maintained ROW:
    - i. Vegetation is managed in a manner that only trees and saplings that have the potential to reach a height that interferes with the utility line are removed;
    - ii. Vegetation should be cut at ground level, leaving root systems intact;
    - iii. If cutting of wetland vegetation cannot be avoided, complete the work by hand (chain or hand saw) instead of using large equipment.
  - e. Impacts from access shall be limited by utilizing existing or low impact routes using the following sequence of options in order of preference:
    - i. Access should be limited to upland areas or existing maintained roads to the extent practicable;
    - ii. Access on other existing primitive roads in wetlands or buffer zone;

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- iii. Where existing roads are not an option for access, minimize rutting or earth disturbing activities by:
    - (1) Accessing wetland areas under frozen or dry conditions. Use mats if necessary to prevent rutting.
    - (2) Memorializing the limits of disturbance using a combination silt fence, flagging, and/or snow fence;
    - (3) Use of low-ground pressure or track vehicles in wetlands to minimize compaction and rutting;
    - (4) Minimizing equipment use in the wetland and limiting vehicle trips; and,
    - (5) Restoring the project site in order to reverse soil compaction, stabilize the soil on the site and replant the site if vegetation has been destroyed.
  - f. Appropriate steps shall be taken to prevent the transport of sediment into any wetland or waterway and to promote revegetate following the completion of work. Utilize other recommended sediment and erosion controls as needed and described in the ANR Low Risk Handbook ([link](#)) or other appropriate controls.
  - g. Invasive species should be prevented using the following methods:
    - i. The equipment should be cleaned so as to contain no observable soil or vegetation prior to work in wetlands and buffer zones to prevent the spread of invasive species;
    - ii. If removed material contains invasive species, care should be taken to dispose of the material in a manner that does not spread the invasive species to new areas.
  - h. Waste disposal and equipment refueling shall be limited to areas outside the wetland and at least 50 feet from wetlands or surface waters.
  - i. Temporary stockpiling of material may occur on filter fabric in the buffer zone or matting in the wetlands. Appropriate erosion control measures should be utilized.
3. Other Permit Considerations:
- a. Work on structures in wetlands, streams and lakes may be subject to additional state, local and federal regulations.