

MEMORANDUM

To: Commissioners Clark, Kalk and Cramer

Fr: Jerry Lein

Da: April 4, 2011

Re: 4-6-11 Agenda Item C-TC2: Ashtabula Wind Farm and Transmission line Tree Mitigation Plan, Case Nos. PU-08-32 and PU-08-73.

Ashtabula Wind, LLC filed a Tree Mitigation plan for Commission approval for its 148.5 MW Ashtabula Wind I Project and 230 kV transmission line in Barnes County. The site permits in these cases were issued before the Commission's current tree mitigation specifications, which require approval of a tree mitigation plan prior to plantings. Ashtabula Wind developed a plan anyway and is requesting it be approved. Paragraph 16 from the Commission's Order in Case No. PU-08-32 (Paragraph 15 in PU-08-73) provides the following requirements:

16. Trees and other woody vegetation must be replaced with saplings that are two or more years old at a rate of two for every one removed. Landowners shall be given the option of having replacement trees/shrubs planted on the landowners' property or waiving the requirement in writing, and allowing Ashtabula Wind to plant replacement trees/shrubs elsewhere. Ashtabula Wind shall inspect tree replacements once a year for three years and send a report on or before October 1 of each year to the Commission documenting work completion and condition of woodlands planting. The Commission may order additional plantings if survival rates are less than 75%.

Ashtabula Wind reports removing 74 trees from the project site plus 218 trees and shrubs from the transmission line ROW for a total of 292 trees and shrubs. Ashtabula Wind proposes in its plan to replace them with a total of 991 trees and shrubs with species in accordance with Landowner requests that were reviewed for appropriateness by Ashtabula Wind's consultants and contractors as well as the Barnes County Soil Conservation District.

Ashtabula Wind reports some planting was done in spring 2010, but with high mortality rate so it is proposing replacement plantings in spring 2011. Ashtabula Wind states that replacement plantings will be inspected each year for three years in 2012, 2013, and 2014 near the anniversary planting date. The number and type of each surviving tree or shrub will be recorded. Notes on the condition of the saplings will be taken. Survival rates will be calculated and a report will be submitted to the PSC before October 1 of each fall documenting this information.

I recommend the Commission approve Ashtabula Wind's Tree Mitigation plan.

JRL