

July 14, 2021

Via Electronic Mail

Mr. Patrick Fahn
Director, Public Utilities Division
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
pfahn@nd.gov
ndpsc@nd.gov

In re: Brady Wind, LLC
230kV Transmission Line
Response to Notice of Noncompliance
Case No. PU-15-797
Our File No. 035218-000026

Dear Mr. Fahn:

I am writing on behalf of Brady Wind, LLC (“Brady Wind”) regarding the Notice of Noncompliance filed in Case No. PU-15-797 as Docket No. 149 (the “Notice”) pertaining to tree and shrub mitigation for Brady Wind’s 230kV transmission line. In response to the Notice, please find enclosed an electronic copy of Brady Wind’s Final Tree and Shrub Mitigation Report for filing in the above-referenced matter. The enclosed report summarizes Brady Wind’s tree and shrub mitigation efforts. For the reasons outlined in the report, Brady Wind has successfully met the objectives and goals of the Commission’s Tree and Shrub Mitigation Specifications.

As proposed in the Notice, Brady Wind respectfully requests the Commission amend and replace its existing Tree and Shrub Mitigation Specifications (Docket No. 94) with the Commission’s revised March 2019 Tree and Shrub Mitigation Specifications (“March 2019 Specifications”) which revises the process for mitigation reporting. In lieu of annual reporting, the Commission now requires one final report detailing an entity’s tree and shrub mitigation efforts and results. Brady Wind’s amendment request will align its reporting requirement consistent with the revised process outlined in the March 2019 Specifications.

Please do not hesitate to contact me with any additional questions.

Sincerely,

CROWLEY FLECK PLLP



Casey A. Furey

Encl.

cc: Tracy Davis (*via email*)

**Brady Wind, LLC
700 Universe Blvd.
Juno Beach, FL 33408**

July 14, 2021

Mr. Steve Kahl
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 585050-0480
ndpsc@nd.gov

RE: Final Tree and Shrub Mitigation Report
Brady Wind, LLC - 230kV Transmission Line
Case No. PU-15-797

Dear Mr. Kahl,

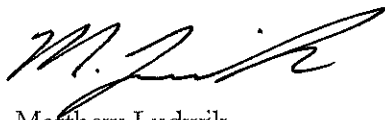
Enclosed is the final Tree and Shrub Inventory and Mitigation/Replacement Plan for Brady Wind, LLC's ("Brady Wind") 230kV Transmission Line, sited in Case No. PU-15-797. On May 31, 2017, the Commission approved Brady Wind's Tree and Shrub Mitigation Plan filed as Docket No. 141 (the "Mitigation Plan"). A total of 34 trees were removed from the project corridor during construction. In accordance with the project's Tree and Shrub Mitigation Specifications, replanting occurred in 2017 at a 2:1 ratio for a total 68 replacement plantings.

To date, the replanting effort has met a 69% survival rate (see below inventory). Brady Wind submits that the replanting effort has successfully achieved the purpose of Brady Wind's Mitigation Plan, in particular given drought conditions experienced statewide throughout various periods since the 2017 replanting. Although the project's Tree and Shrub Mitigation Specifications do not expressly require a 75% survivability rate, in recognition of this target, Brady Wind has coordinated with the below-listed landowner to plant additional replacement trees. Brady Wind expects to plant these additional replacement trees in 2021 or, at the latest, in the spring of 2022, in order to accommodate the planting season. To reach a 75% survivability rate, six additional trees are needed; however, Brady Wind proposes to plant twelve trees to increase the probability of survival.

Landowner	Number of Trees/Shrubs Removed (Actual Count)	Number of Replacement Trees/Shrubs Planted	Species	Number of Replacement Trees/Shrubs Surviving
Anderson	12	24	Green Ash	18
Ronald Ehlis	2	4	Cottonwood	0
Dakota West Farms	20	40	Siouxland Cottonwood	29
Total	34	68		47

Survivability Success Rate **69%**

Sincerely,



Matthew Ludwik
Site Manager