

**Land Use Regulation Commission
Final Development Plan Application**

**Stetson Wind Project
T8R3 and T8R4 NBPP
Washington County, Maine**

December 2007 Revision



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1.0 INTRODUCTION

In April 2007, Evergreen Wind Power V, LLC (Evergreen V) filed an application for Rezoning and Preliminary Approval with the Land Use Regulation Commission (LURC) for the 38-turbine Stetson Wind Project in T8R3 NBPP and T8R4 NBPP, Washington County, Maine. A public hearing on the application was held in Lee, Maine in August 2007. The Rezoning and Preliminary Development Plan was approved by LURC at their meeting in Rockwood, Maine on November 7, 2007.

This Final Development Application is filed pursuant to LURC regulations 10.21.G(11) governing Planned Development (D-PD) Subdistricts in anticipation of LURC's action on the application for rezoning and preliminary approval. Information in the preliminary application that has not changed (e.g., Wetland Delineation Report; Decommissioning Plan; Avian and Bat Casualty Monitoring Protocol; System Interconnect Study) is not repeated in this application submittal.

2.0 PROJECT DESCRIPTION

The Stetson Wind Project consists of 38 individual 1.5-megawatt (MW) General Electric (GE) turbines capable of generating a net 57 MW, located on Stetson Ridge in Washington County (Figures 1 and 2). This application includes a brief narrative description of the final project designs, as well as the details of the designs as exhibits.

Changes to the project between what was described in the preliminary development application and the final design are described in Table 1, Key Facts, and are illustrated in Figure 3. Four changes of note are a 27 percent reduction in the amount of temporary clearing; a 39 percent reduction in the amount of permanent clearing; the addition of a small amount of wetland and stream impact associated with crossings and culvert replacement; and a 38 percent reduction in road mileage. Each change is discussed below.

Pursuant to Condition 5 of the November 7, 2007, Rezoning and Preliminary Development Plan approval, for the first two years of the project's operation, the Applicant will report to LURC annually on the project's contribution to Maine's energy and environmental policies. The report will include the total megawatt hours of generation during the preceding calendar year and an estimate of the avoided emissions resulting from operation of the project during that same time period. Avoided emissions calculations will be based on historical emissions data from the U.S. Environmental Protection Agency and the Department of Energy's Energy Information Administration data for New England power generation.

Table 1. Stetson Wind Project Key Facts

Key Facts	Preliminary Plan Units	Final Plan Units	Comments
Number of Turbines			
General Electric 1.5sle	<i>38 Turbines</i>	No Change	1.5 MW, 389 feet to vertical blade tip
Wind Output			
General Electric 1.5sle	<i>57 MW</i>	No Change	
Wind Energy Output / Year			
General Electric 1.5sle	<i>Approximately 164,776 MW hrs/yr</i>	No Change	Assumes 33% annual average output
Maine Homes Equivalent	<i>Approximately 27,500 homes</i>	Approximately 24,000 homes	@ 6,817 kW hr/year/home (estimate changed based on Maine-specific usage information)
Wind Resource			
Prevailing wind direction	<i>Northwest</i>	No Change	
Average wind speed	<i>7.5 meters/second</i>	No Change	Between a Class IV and Class V wind resource
Pollution Avoided			
Total Wind Farm Average per Day	<i>Approximate pounds/day 649,258</i>	No Change	Calculated using http://multimedia.wri.org/green_power/calculator_input.cfm
Total Wind Farm Average per Year	<i>Approximate metric tons/year 107,492</i>	No Change	
Cleared Acreage---within D-PD zone			
General Electric ---38 Turbine Pads Temporary clearing Permanent clearing	<i>76.6 Acres 10.4 Acres</i>	53.6 Acres 6.5 Acres	Temporary clearing = 250 foot diameter circular clearings (1.13 acres) + 0.28 acre to account for cut/fill = 1.41 acres each. Permanent clearing = 100 foot x70 foot crane pad + 24 foot diameter foundation = 0.17 acre
New Ridgeline Road Segments Temporary clearing Permanent clearing	<i>52.8 Acres 11.3 Acres</i>	52.8 Acres 9.4 Acres	25,575 feet, average 90 feet wide 25,575 feet, average 16 feet wide
New Spur Roads Temporary clearing Permanent clearing	<i>23.9 Acres 7.6 Acres</i>	8.2 Acres 1.5 Acres	3,950 feet, average 90 feet wide 3,950 feet, average 16 feet wide
New Access Roads Temporary clearing Permanent clearing	<i>None None</i>	1.7 Acres 0.6 Acres	1,650 feet, average 45 feet wide 1,650 feet, average 16 feet wide
Existing Roads, General Widening Temporary clearing	<i>29.3 Acres</i>	14.7 Acres	11,575 feet, average 50 feet additional cleared + 6,250 feet, average 10 feet additional cleared
Stump Dump	<i><1 Acre</i>	<1 Acre	
Operations and maintenance building and substation	<i>3 Acres</i>	1.8 Acres	

(continued)

Key Facts	Preliminary Plan Units	Final Plan Units	Comments
Batch Plant and lay down areas Temporary clearing	15.5 Acres	15.2 Acres	15.2 acres for material/equipment laydown areas only; batch plants eliminated
Transmission and collector line corridors Temporary clearing	10.3 Acres	14.4 Acres	
Total Project Clearing	241.9 Acres	177.6 Acres	27% reduction
Temporary clearing	209.4 Acres	157.8 Acres	
Permanent clearing	32.5 Acres	19.8 Acres	39% reduction
Wetlands & Streams Impacted			
Roads			
Temporary clearing	0 sq. ft.	1,288 sq. ft.	For turbine component clearance
Permanent wetland fill	0 sq. ft.	977 sq. ft.	Fill for rock sandwich sections
Permanent stream fill	0 sq. ft.	789 sq. ft.	Replacement of existing culverts
WETLAND RESTORATION		1892 sq. ft.	Removal of fill from an existing road wetland crossings
Turbines	0 Acres	No Change	
Buildings	0 Acres	No Change	
Transmission line	14,000 sq. ft.	18,074 sq. ft.	Vegetation clearing, no fill
Collector line	0 Acres	238 sq. ft.	Vegetation clearing, no fill
Total wetland impact			
Clearing	14,000 sq. ft.	18,312 sq. ft.	P-WL3
Fill	0 sq. ft.	977 sq. ft.	P-WL3
Total stream impact	0 sq. ft.	789 sq. ft.	
Road Mileage			
Existing Ridgeline Road	3.99 Miles	2.19 Miles	
New Ridgeline Road Segments	5.80 Miles	4.84 Miles	
New Spur Roads	3.94 Miles	0.75 Miles	
Existing Access Road	1.19 Miles	1.18 Miles	
New Access Road Segments	0 Miles	0.31 Miles	
Total Existing Roads	5.18 Miles	3.37 Miles	
Total New Roads	9.74 Miles	5.90 Miles	38% reduction, all roads
Approximate Location Distances			
From State Route 169	0.5 Miles	No Change	From closest turbine – as the crow flies
From Danforth	7 Miles	No Change	
From Springfield	8.5 miles	No Change	
From Baskahegan Lake boat launch	9 Miles	No Change	

3.0 ROAD AND TURBINE LOCATION AND DESIGN

The road and turbine locations were modified in the final design (Exhibit 1) in order to significantly reduce the area disturbed by the project. The greatest gains were achieved by moving turbines closer to the roads, as well as moving the turbines in from the north end of the project, eliminating the need for several new spur roads (see Figure 3). In addition, taking advantage of natural topography and lessons learned during construction of the Mars Hill project, the average temporary cleared area for the turbine pads was reduced by 30 percent. Permanent clearing at the turbines was reduced by 40 percent.

Project roads within the lease area will be maintained by Evergreen V. Forestry activities and logging road maintenance within the leased area will be the responsibility of the landowner, Lakeville Shores. Roads outside of the leased area (i.e., Tar Ridge Road) will be maintained under any existing maintenance agreements for those roads among Lakeville Shores and others. Evergreen V is not a party to the agreements, but has the right to access and maintain the roads under the terms of its lease from Lakeville Shores.

Lakeville Shores will control access to the leased area, including snowmobile access. The existing ITS trail is not planned to be rerouted. If it is rerouted, it will be by agreement between Lakeville Shores and the snowmobile club. In accordance with the lease terms, Lakeville Shores may not conduct its activities in a manner that interferes with operation of the wind power facility, and Evergreen V may place a security fence at the entrance to the installed facilities (e.g., turbine bases) for safety purposes. Evergreen V does not anticipate that normal forestry activities will interfere with the operation of the wind power facility.

The geotechnical investigation (Exhibit 2) revealed that most of the project was underlain by shallow bedrock. As a result, the final foundation design chosen was the rock anchor foundation system (Exhibit 3).

The Federal Aviation Administration (FAA) approved a lighting plan based on the location of the turbines in the preliminary application; that plan contemplated lighting on 16 turbines. Since the turbine locations are adjusted in the final development plan to pull the array closer together, a revised application for a lighting plan based on the final design has been submitted and is under review by the FAA. That lighting plan will include lights on 11 turbines (1, 4, 7, 10, 13, 17, 41, 24, 28, 32, and 36), as numbered in Exhibit 1 and illustrated on Figure 5.

4.0 TRAFFIC AND SIGNAGE

Turbine components will be delivered via the north end of the project, requiring only minor modifications to the existing northern portion of Atlas Road. Since concrete batching will not be done on-site as was proposed in the preliminary application, concrete for foundations will be delivered to the project site via Route 169 and Atlas Road. Turbine foundations will generally be installed at a rate no greater than one turbine location per day to spread out construction crew utilization, resulting in 12-13 truckloads of concrete for each day a turbine pad is poured. Tar Ridge Road may be used for small truck traffic and backhauling, and will only be improved where necessary by adding additional fill in the existing road bed.

Signage on the leased area will be limited to informational signs associated with site activities. An informational kiosk may be constructed at the Route 169/Atlas Road intersection after the project is operational; a sign permit pursuant to LURC Standards 10.27.J will be required because the sign would be more than 1,000 feet from the project.

The route selection and transportation of turbine components is being managed by GE under the terms of the turbine purchase agreement. GE currently indicates that the route to the Stetson Project for blades and tower sections will be from the Houlton border to US95, US2, US2a, Route 171 to Route 169, then north into the temporary storage site in Danforth. Hubs and nacelles will be shipped by rail to Waterville and then trucked. GE has been coordinating with the Maine Department of Transportation and other applicable agencies and town officials and is responsible for obtaining all necessary permits to effect delivery to both the temporary storage site and to the location of installation.

5.0 CUT AND FILL CALCULATIONS

The clearing and grading areas shown on the Preliminary Development Plans for the roads and turbine pad locations conservatively indicated the maximum areas requiring alteration.

The limits of clearing and grading for the turbine locations have been refined in the Final Development Plans to reflect smaller cleared areas that take advantage of the existing topography at each location. The result is a significant reduction in the cuts and fills required for the project.

Table 2. Estimated cut and fill calculations from the Preliminary Development Application, Response to LURC Comments

PROJECT SECTION		CUT		FILL		NET	
Access and Ridgeline Roads		28,314	CY	80,143	CY	51,829	FILL
Spur Roads		219,473	CY	225,592	CY	6,119	FILL
Turbine Clearings		308,819	CY	242,174	CY	66,645	CUT
TOTAL		556,606	CY	547,909	CY	8,697	CUT

Based on preliminary grading plans submitted with the LURC zoning permit application, approximately 8,700 cubic yards of excess material are currently anticipated by this project.

The Stetson Wind Project will require use of aggregate (gravel) material for improvement of the existing logging roads in the project area and construction of the new ridgeline road. When designing the access and ridgeline roads for this project, the Applicant evaluated the cut/fill balance and attempted to minimize the net import or export of fill to or from the site. As designed, most excavated soil and rock material will be reused on-site. Excavated soil will be reused as backfill.

Subsequent to removal by blasting and excavation, rock may be used as fill under roads or turbine laydown areas, or as stabilization material for steep fill slopes and riprap for select stormwater ditch sections and culvert end treatment. Rock will be crushed near the site of removal by a mobile crusher that will move to areas where processing of removed rock is necessary. The resulting crushed stone will be used as topping material for roads and turbine pads. Some aggregate for roadbed construction will also need to be imported from gravel pits in the vicinity of the project as a supplement.

The majority of aggregate required for this project will be used for finish gravel on the new or expanded access, spur, and ridgeline roads. It is estimated that the project will require a total of approximately 53,400 cubic yards of gravel for access, spur, and ridgeline road construction. In addition, construction of the crane pads at the 38 turbine locations will require a total of approximately 9,900 cubic yards of gravel. Potential sources of this aggregate material include regional gravel pits, as well as bedrock that has been removed and boulders that have been crushed and screened for reuse in accordance with the project geotechnical specifications.

Aggregate for this project will be supplied in part by existing gravel pits operated by Lakeville Shores that are located within the project area. Two gravel pits, labeled in T8R3 and T8R4 in Figure 4, are located adjacent to the project site outside the north end of the rezone area. The third gravel, labeled Borrow & Ledge Pit in Figure 4, is located off an existing logging road within the southern portion of the rezone area. This pit would be approximately 35 feet from the logging road; 1400 feet from the nearest proposed road; 1550 feet from the nearest stream; and 330 feet from the nearest wetland. Mineral extraction operations will be conducted in compliance with LURC Land Use Standard 10.27.C.2;

10.22.A.3.b.10; and 10.22.A.3.c.14. It is estimated by the project construction contractors that approximately two-thirds of the required aggregate will be supplied by the Lakeville Shores gravel pits.

Since submittal of the rezoning petition, geotechnical investigations have been completed at the proposed turbine sites and along the proposed ridgeline road. Based on the results of these investigations, bedrock will need to be removed in some locations to break up bedrock ledge along the ridgeline in order to enable road grades suitable for access of oversized trucks to the site, and establish grades for construction of the turbine foundations. Areas of bedrock removal will provide rock fill that can be crushed or graded and screened for use elsewhere on the site for road construction and turbine crane pad sub-base material. It is estimated that approximately one-third of the required aggregate will be supplied by the excavated bedrock material.

Table 3. Final Cut and Fill Calculations¹

SECTION	STATIONS	CUT		FILL		NET		
1	0+00 to 53+50	11,400	CY	4,760	CY	6,650	CY	CUT
2	53+50 to 107+00	65,840	CY	32,330	CY	33,500	CY	CUT
3	107+00 to 164+50	26,190	CY	31,710	CY	5,520	CY	FILL
4	164+50 to 219+50	65,640	CY	112,560	CY	46,920	CY	FILL
5	219+50 to 273+50	79,520	CY	49,490	CY	30,030	CY	CUT
6	273+50 to 328+00	68,600	CY	40,410	CY	28,190	CY	CUT
7	328+00 to 388+63 (A) 0+00 to 25+50 (B)	29,200	CY	39,800	CY	10,600	CY	FILL
8	25+50 to 78+00 (B) 0+00 to 19+00 (C)	14,690	CY	17,520	CY	2,830	CY	FILL
	TOTAL	361,080	CY	328,580	CY	32,500	CY	CUT

¹Road and turbine clearing specifications - Access (16' wide), ridgeline (32' wide) and spur (32' wide) roads. Grading plan generally conforms to existing grades along the ridgeline to minimize required cuts and fills. Circular clearings (250' diameter) for 38 GE 1.5sle wind turbines. Design grades based on maximum cross-slope of 5%.

* Fill total includes approximately 53,400 cubic yards of 12" thick gravel base for roadway construction.

The estimated 32,500 yards of excess material will primarily consist of topsoil that will be used for reclamation of disturbed areas, and some aggregate material that will be used in the road base.

6.0 34.5 KILOVOLT COLLECTOR SYSTEM

The power generated by the turbines travels from the turbine base through an underground electrical system until it is picked up by a single, wooden pole, 34.5-kilovolot (kV) collector system that runs the length of the project to the substation (Exhibit 5). The poles will also carry a communications line to connect the turbine computers to the substation and Operations and Maintenance (O&M) building. The collector system takes advantage of the road layout and was designed to minimize vegetation clearing in wetlands. Only one pole (#17) was required to be located within 75 feet of a LURC-defined stream. No poles are located within wetlands.

7.0 OPERATIONS AND MAINTENANCE BUILDING AND SUBSTATION

The O&M building and substation are co-located just north of Turbine 1 at the southern end of Stetson Ridge. The design of the O&M building, together with an HHE-200 form for the subsurface wastewater disposal system, is presented in Exhibit 6. The building is 7,000 square feet, heated by a propane boiler.

There will be no floor drains in the garage. Electricity will be supplied by overhead line from the substation, with a propane-fired generator as backup. Exterior lighting will be motion sensitive or manually controlled, and parking will be in an unpaved gravel area in front of the building.

The substation will receive power from the turbines via the 34.5-kV collector system and will step it up to 115 kV (Exhibit 7). The substation will be fenced and have pole-mounted floodlights that will only be on during nighttime work at the substation. Clearing for the 115-kV transmission line from the substation to the edge of the D-PD zone will be approximately 150 feet wide by 3,380 long, except clearing will be only 135 feet wide in the wetland crossed by the transmission line. From the substation, the power will be transmitted to the Bangor Hydro-Electric Company Keene Road substation in Chester. The Maine Department of Environmental Protection (MDEP) is currently reviewing an application for the 115-kV transmission line (Application #L-23774-24-A-N/L-23774-TH-B-N).

8.0 SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN

Attached as Exhibit 8 is a Spill Prevention, Control, and Countermeasure (SPCC) Plan describing actions to be taken to prevent and control spills that may occur in association with construction of the project. An SPCC Plan associated with turbine operation, the O&M facility, and the substation will be completed in accordance with 40 CFR 112 and filed with LURC upon completion.

9.0 STORMWATER PLAN, PHOSPHORUS, COMPLIANCE INSPECTION, AND NOTICE OF INTENT TO COMPLY

The construction of gravel roads, tower foundations, and pads will create stormwater runoff in excess of what the project area presently generates. To mitigate this increase in stormwater runoff and prevent erosion or damage to downgradient ecosystems, the stormwater control plan is designed to minimize the concentration of stormwater flows off the project site. The primary components of the plan include (1) minimizing the permanently impacted areas of the project site and (2) incorporating appropriate Best Management Practices (BMPs) in the project design.

The primary component of the stormwater management will be minimizing the permanent impacts associated with the project through a systematic revegetation program for disturbed areas. There will be some temporary impacts during construction of the project. These impacts will be associated with the wider (32-foot) roads needed for the assembly crane to travel between turbine clearings and the 250-foot diameter clearings required for assembly of the turbine rotors. Once project construction has been completed and each turbine has been assembled, the shoulders of the ridge road will be dressed with loam and mulched and allowed to revegetate naturally. Only a permanent 16-foot wide gravel roadway will be maintained for project operations. In addition, the turbine clearing areas outside of a 70-foot diameter circle centered at the base of the turbine and the 70-foot by 100-foot crane pads will be seeded and mulched and allowed to revegetate. The total temporary and permanent clearing impacts associated with the Stetson Wind Project are summarized in Table 1, Key Facts, in the Project Description section.

The impacts to site hydrology from the proposed project will also be minimized by the use of appropriate stormwater management BMPs such as culverts with riprap outlet protection and level spreaders. The Maine State Soil Scientist also promotes, and our design incorporates, the use of a "rock sandwich" road design that allows surface water and ground water presently flowing or seeping from uphill areas to continue flowing under the road through a layer of coarse gravel. This specialized technique is superior to culverts in some instances because the flows are distributed instead of concentrated, thus minimizing the potential for erosion. Rock sandwich construction has been used as appropriate in fill areas where there are groundwater seeps or other hydrologic conditions that warrant its application. Culverts were determined to be more appropriate in some areas, and their outlets have been protected by plunge pools

and level spreaders to dissipate concentrated flows. Stormwater ditches have been outletted to ditch turnouts with level spreaders as suggested by MDEP and LURC design criteria. See Exhibit 1 for locations of appropriate stormwater management BMPs.

Runoff from the project has the potential to increase phosphorus to three different watersheds. The majority drains to the Baskahegan and Hot Brook Lake watersheds and the remainder to Mattawamkeag Stream. MDEP was consulted regarding allowable phosphorus loading to the lake watersheds. MDEP noted that given the distance from the lakes and minimal amount of disturbance, the phosphorus loading regulations could be met through use of vegetated buffers along 75 percent of the project roads. The project design as presented in this final development application includes a vegetated buffer along the project roads. Evergreen V has performed phosphorus export calculations (Exhibit 9) and determined the annual phosphorus loading to Hot Brook Lake and Baskahegan Lake to be 7.9 and 8.6 pounds per year, respectively. In summary, the estimated phosphorus loading associated with this project is inconsequential when compared to overall phosphorus loading allocation for each lake.

Assumptions used to make this calculation:

- Width of existing logging roads is approximately 16 feet;
- Permanent width of new roads will be 16 feet wide (some sections will initially be constructed as 32 feet wide, but the outer 8 feet on each side will be revegetated following tower erection);
- Credit has been claimed wherever the project has upgraded existing logging roads for use as access or ridgeline roads;
- Permanent impervious area at each turbine will be 70 feet by 100 feet;
- The O&M building will be 7,000 square feet, and will have a 1.8-acre yard; and
- Buffer soils were conservatively assumed to be Hydrologic Group C, wooded, and 250 feet or more wide.

A copy of the *Notice of Intent to Comply With Maine General Construction Permit* required by the Maine Pollution Discharge Elimination System is included as Exhibit 9. Winter construction BMP's are described in Exhibit 1, Sheet C-19. The *Environmental Compliance Inspection Program* for during and subsequent to construction is included as Exhibit 10.

10.0 WETLAND AND STREAM IMPACTS

There are two types of wetland and stream impacts in the final design. First, temporary impacts of 18,312 square feet are associated with vegetation removal under the 34.5-kV and 115-kV transmission lines. This clearing will result in the conversion P-WL3 (forested wetland) to P-WL2 (scrub-shrub wetland); there is no fill associated with the transmission lines.

Second, there will be permanent impacts of 1,766 square feet associated with filling to widen roads and replace culverts, and wetland road crossings that will utilize the rock sandwich method of construction to preserve existing hydrologic conditions. These road crossing impacts are to P-WL3 wetlands and streams. These impacts are detailed in Exhibit 11.

The nearest turbine area to a protection district appearing on LURC's zoning maps is turbine 36, approximately 1,000 feet from a mapped P-WL3 at the northern end of the project. The nearest disturbance to a Significant Vernal Pool is widening of the existing summit road, approximately 150 feet down gradient from the pool. The pool is directly adjacent to an existing portion of Atlas Road, which will not be used by the project. To move the summit road further from the pool would require additional clearing and significant new wetland impacts. See Exhibit 1, sheet C12 for detail.

As part of the new road network, Evergreen V will restore approximately 1,892 square feet of wetland by removing wetland fill associated with the existing road network (see Exhibit 11, Sheets 2).

11.0 HISTORICAL AND ARCHEOLOGICAL

Subsequent to the preliminary application, Evergreen V received Maine Historic Preservation Commission (MHPC) comments on the historical investigation and conducted further evaluation of archeological resources.

MHPC comments dated October 9, 2007, (Exhibit 12) concurred with most of the findings of the Architectural Survey included in the preliminary application, but requested further information on the effect of the project on four properties it deemed potentially eligible for listing on the National Register. Those properties were examined and included in the October 31, 2007, *Historic Architectural Effect Assessment* in Exhibit 14. That report, finding no effect on the properties, has been submitted to MHPC for review.

Included in Appendix I of the TRC report entitled *Results of Phase IA/IB Precontact Archeological Resource Survey* (August 23, 2007) (Exhibit 13) is a follow up to the archeological report of the summit area that was included with the preliminary application. It concludes that the Stetson Wind Project will not impact Precontact archeological resources. MHPC's letter of October 19, 2007, (Exhibit 12) concurs that there will be no archeological impacts associated with the access road and summit activities of the Stetson Wind Project.

12.0 REVEGETATION

Following construction, the outer 8 feet of both sides of the 32-foot wide ridgeline (i.e., crane access) roads, lay down areas, and most of the turbine pads will be revegetated. Topsoil material previously stripped from the development areas and stockpiles will be spread on these areas and seeded with a suitable mix of non-invasive species. Alternatively, some areas may be covered with bark mulch to prevent erosion and will be allowed to revegetate naturally. After November 15, seeding will be delayed until the following spring (after April 15) to provide adequate growth time before the onset of cold weather. In this instance, each area will be heavily mulched to stabilize them for winter.

Following completion of revegetation activities, Evergreen V will inspect the revegetation areas at one-month, three-month and six-month intervals after seeding to provide adequate herbaceous coverage. If eroded or poorly vegetated areas are noted during these inspections, the areas will be stabilized and reseeded. Revegetated areas will continue to be inspected and reseeded until a vegetative cover is established.

13.0 SOUND

Construction-related noise is exempt between the hours of 7 a.m. and 7 p.m.. Most construction will occur within that window. In the event there are construction activities outside that window, they will be limited to minor earth moving or installation of rotor assemblies under lower wind conditions. An analysis of expected nighttime noise conditions is included as Exhibit 14.

Evergreen V will conduct pre- and post-construction monitoring of sound levels at the most sensitive receptors at the southern end of the project, and will submit the results to LURC within 30 days of completion. Included in Exhibit 15 are the protocols for pre- and post-construction monitoring.

14.0 DECOMMISSIONING

Attached as Exhibit 16 is a template for the financing mechanism that will be used to implement the Decommissioning Plan submitted with the preliminary application in the June 22, 2007, *Response to LURC Comments*. The final financing mechanism will be in a form substantially similar to Exhibit 16. Evergreen V will submit a detailed decommissioning plan and schedule no later than: (1) 60 days after the date the project ceases to generate electricity as set forth in a written notice from Evergreen V to LURC stating its intention to cease electrical generation at the project; or (2) if no such notice has been provided and the project has not generated electricity for 6 consecutive months for reasons that are outside of the direct control of Evergreen V, 60 days after the date Evergreen V receives a written request from LURC to decommission the project, unless Evergreen V can demonstrate, to LURC's reasonable satisfaction, a plan to recommence generation of electricity.