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January 21, 2020

Jessica Damon  
Maine Department of Environmental Protection  
106 Hogan road  
Bangor, ME  
04401

Re: Silver Maple Wind Energy Project and Frenchman Bay Conservation Strategy

Dear Jessica Damon,

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I would like to follow up on several discussions we have been having regarding our migratory bird mitigation strategy for the Silver Maple Wind Energy Project (Project). We at SWEB Development USA, LLC (SWEB) are excited to have the opportunity to work with the Frenchman Bay Conservancy, and are keen to address any concerns that your team may have about the appropriateness of this conservation effort as a way of mitigating any perceived risk to migratory birds presented by the Project.

Firstly, it is important to remember the alternative uses for this parcel. It is important to highlight that SWEB's financial contribution is the critical final milestone that will allow the Frenchman Bay Conservancy to realize this conservation effort. If this land is *not* put under conservation by the Frenchman Bay Conservancy this year (2021) the most likely alternative is for the parcel to be developed for real estate purposes. This is attested to by the Frenchman Bay Conservancy, along with satellite imagery that shows subdivisions and residential developments on both sides of the roadway access to the site. Such a residential developed, or otherwise non-conservation usage of the land, is of far less value to migratory bird populations than any of scenarios for forest growth presented in the December 2020 BRI report. It is reasonable to assume that migratory bird populations will be better off with this parcel under conservation status. Further, it we want to highlight that the Silver Maple Wind Project will provide the financial impetus to allow that to occur.

Secondly, it is relevant to stress the fact that this parcel will be held under a conservation easement in perpetuity, and continue to deliver a high value to migratory songbirds far beyond the lifetime of the Silver Maple Wind Project. While it is understandable that the department is faced with the challenge of "discounting" the value of future populations of migratory birds, while also not having a standard quantitative model with which to do so, however we must still consider that the variable of "perpetuity" is a significant benefit. Even in a scenario in which the value of successional stage of forest growth is slightly diminished over the next ~20 years, this is offset by the potential for well over 100 years of future conservation value as well as by the increased value of said habitat in later years of its protection.

SWEB strongly believes that science in general and mathematics in particular would support the view, that a slightly declining value of said parcel to a species over the early years of its protection would in any case be more than outweighed by the benefit of a conservancy in perpetuity with a “forever wild” approach and the subsequent increase in the value of said habitat in later years.

Further, it would not be unreasonable to argue that the use of an undefined “discount rate” in the analysis of the property’s value for the bird population in later years simply due to the passing of time could be easily criticized as a rough assumption that is not more or less likely than an assumed additional value over the same period. However, even if the value of the parcel for the bird population in later years is measured at a “discounted rate”, any quantitative model could for mathematical reasons hardly ever lead to a conclusion that views a limited conservation with an active forest management preferential over a conservancy in perpetuity.

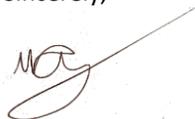
Thirdly, we would like to reiterate that this entire effort is intended to offset any potential impact caused by our five (5) wind turbines at the Silver Maple Wind Project. Certainly, a reasonable interpretation of this mitigation strategy would favor the conservation of over 1,400 acres of “forever wild” wilderness area, directly on the Maine coast, as being sufficient to offset any impacts of five (5) turbines located over twenty (20) miles inland. If anything, this mitigation strategy is an overcompensation. This is a unique opportunity to deliver value to multiple stakeholders in Maine, in both the renewable energy, and land conservation sectors.

Lastly, SWEB would like to highlight another mitigating action taken by the project. Specifically, the great reduction in lighting at the project site, which is a known draw for migrating birds. SWEB Development has recently confirmed usage of radar based FAA lighting on the project, which will allow for the nacelle mounted flashing lights that rest on top of the turbines to be turned “off” for the majority of the year. Further, all lights used on the project site will be LED lights, which are of greatest benefit for bird mitigation, because when the lights are turned off, the light emitted by the LED will be instantly off rather than ramping down (common in incandescent lights). To further reduce potential attraction of migrating birds, to the extent practical, SWEB will limit lighting on all support structures and when possible use down-shielded lights. In addition, SWEB has confirmed its commitment to finance the implementation of a similar technology to the existing neighboring wind farm “Pisgah Mountain”, thus reducing the draw for migrating birds to compensate for any potential impact of the Silver Maple Project. The immediate proximity of this additional mitigation instrument to the new wind farm development amplifies its value for the bird population. This will result in a further reduction in risk to migrating birds at the project site itself, and bolstering the net benefit gained from the Frenchman Bay Conservancy strategy.

We highly believe that opposing the suggested mitigation strategy would put an end to the conservancy effort of Frenchman Bay Conservancy for this piece of land, lead to further development of the area and thus undoubtedly creating a net negative effect on the migrating songbird population in comparison to the suggested conservation strategy presented by Frenchman Bay Conservancy and SWEB. We would like to stress the fact that any such opposition can be hardly aligned with the effort to protect said migration songbird population and to ensure the compensation of any impact the Silver Maple Wind Project potentially could have on them.

We would like to thank the Maine Department of Environmental Protection for its patience and diligence with the process. This thorough analysis and investigation has allowed SWEB to not only offset any potential risk to migratory birds caused by the Silver Maple Wind Project, but to make a critical contribution to a highly valuable conservation project. This is a unique opportunity to contribute to Maine's renewable energy economy, Maine's carbon reduction commitments, and also to Maine's inventory of perpetual conservation land.

Sincerely,

A handwritten signature in black ink, appearing to read 'MC', with a long, sweeping horizontal line extending to the right.

Michael Carey  
Development Manager  
SWEB Development USA, LLC