

Appendix A

Agencies Contacted Regarding Project

Ellerth Windpark
Marshall County, Minnesota

**Ellerth Windpark
Agency Contact List
November 4, 2011**

Agency	Contacts	Details
Federal Agencies		
U.S. Fish and Wildlife Service – Region 3 (USFWS)	<ul style="list-style-type: none"> • Rich Davis U.S. Fish and Wildlife Service Twin Cities Ecological Services Office 4101 American Boulevard East Bloomington, MN 55425-1665 Phone: (612)725-3548 ext. 2214 Fax: (612) 725-3609 Email: Richard.Davis@fws.gov • Nick Rowse Phone: (612)-725-3548 ext.2210 • Laurie Fairchild 	<ul style="list-style-type: none"> • Initiated consultation with Laurie Fairchild in February 2008 with a request for ecological information in the area of the Project. • Continued communication with Nick Rowse 2009-2010. Submitted a formal request for Project review from Rich Davis in 2011. • Received an email response on May 18, 2011. • Submitted results of the Tier II Analysis in June 2011.
U.S. Department of Agriculture (USDA/NRCS)	<p>Jeanie Oen, PT Marshall County FSA 105 S Division St., PO Box 29 Warren, MN 567862-0029 Phone: (218) 745-4251 Fax: (218) 745-5007 Email: jeanie.oen@mn.usda.gov</p>	<p>Request for information concerning wetlands and land in CRP in the Project area in April 2008.</p>
Federal Aviation Administration	<p>Mike Blaich Environmental Protection Specialist Minnesota Airports District Office MSP-ADO-600 6020 28th Ave. S., Room 102 Minneapolis, MN 55450 Phone: (612) 713-4350 Fax: (612) 713-4364</p>	<p>Received FAA determinations on Form 7460-1, Notice of Proposed Construction or Alteration in August 2010.</p>

**Ellerth Windpark
Agency Contact List
November 4, 2011**

Agency	Contacts	Details
United States Department of Commerce National Telecommunications and Information Administration's (NTIA) Interdepartmental Radio Advisory Committee (IRAC)	Edward M. Davison Deputy Associate Administrator Office of Spectrum Management Washington, D.C. 20230	Request for information on EMI and telecommunications in the area of the Project, including a review of DOC, DOE, DOI, DON, and US Coast Guard databases in July 2008.
State Agencies		
Minnesota Public Utilities Commission	Deborah Pile 121 7 th Place E., Suite 350 St. Paul, MN 55101-2147 Phone: (651-297-2375) Fax: (651) 297-7073 Email: Deborah.pile@state.mn.us	Initiated communications regarding CON and site permit process in 2008.
Minnesota Department of Commerce – Office of Energy Security (OES)	Ingrid Bjorklund Energy Facility Permitting (OES) 85 7 th Place E., Suite 500 St. Paul, MN 55101-2198 Phone: (651)-297-7039 Fax: (651)-297-7891 Email: Ingrid.Bjorklund@state.mn.us	Initiated communications regarding CON and site permit process in 2008.
Minnesota State Historic Preservation Office (SHPO)	Kelly Gragg-Johnson State Historic Preservation Office Minnesota Historical Society 345 Kellogg Boulevard West St. Paul, MN 55201 Phone: (651) 259-3455 Fax: (651) 282-2374 Email: Kelly.Graggjohnson@mnhs.org	Obtained initial cultural resource database query of proposed Project area in August 2009. Solicited comments on revised Project boundary in January 2011 through a formal letter and a meeting with SHPO, Ellerth Wind, and Tetra Tech. Received a formal letter reply dated February 11, 2011.

**Ellerth Windpark
Agency Contact List
November 4, 2011**

Agency	Contacts	Details
Minnesota Department of Natural Resources (DNR)	<ul style="list-style-type: none"> • Lisa Joyal Endangered Species Environmental Review Coordinator Natural Heritage Information System 500 Lafayette Rd., Box 25 St. Paul, MN 55155 Phone: (651) 259-5109 Fax: (651) 296-1811 Email: Lisa.Joyal@state.mn.us • Nathan Kestner Regional Environmental Assessment Ecologist Minnesota Department of Natural Resources Division of Ecological Resources – Region 1 2115 Birchmont Beach Rd., N.E. Bemidji, MN 56601 Phone: (218) 755-4066 Fax: (218) 755-4024 Email: Nathan.Kestner@state.mn.us 	<ul style="list-style-type: none"> • Obtained preliminary review of the proposed Project Area from Nathan Kestner in July 2009. • Requested a NHIS query from Lisa Joyal in September 2009. • Submitted results of the Tier II Analysis to Nathan Kestner in June 2011. • Received an email response from Nathan Kestner on August 1, 2011.
Minnesota Department of Transportation (MnDOT)	<ul style="list-style-type: none"> • Shane Chatleain Leasing Manager MN Department of Transportation Office of Electronic Communications 1500 W. County Rd. B2 MS730 Roseville, MN 55113 Phone: (651) 234-7947 Fax: (651) 234-7960 Email: Shane.chatleain@state.mn.us 	<ul style="list-style-type: none"> • Requested information regarding the planned 800MHz communication tower network in the vicinity of the Project Area on September 23, 2011. • Received feedback on September 27, 2011

**Ellerth Windpark
Agency Contact List
November 4, 2011**

Agency	Contacts	Details
Local Government		
Local Government Unit (LGU)	<p>Jan Kaspari- Administrator 208 E Colvin Ave, Suite 3 Warren MN 56762 Phone: 218-745-4217 jan.kaspari@co.marshall.mn.us</p>	
Marshall County Officials	<ul style="list-style-type: none"> • Scott Peters Auditor/Treasurer 208 E. Colvin Ave., Suite 11 Warren, MN 56762 Phone: (218) 745-4851 • Lon Aune Marshall County Highway Engineer 447 S Main St. Warren, MN 56762 Telephone: 218-745-4382 Fax: 218-745-4570 	<p>Updated the County Commissioners, Engineer, Planners, and Auditor on the status of the Project and obtained feedback in May 2010. Marshall County issued a letter of support in relation to the Project dated October 6, 2010.</p>
Public Involvement		
Marshall County Residents		<p>Ellerth Wind has held several open meetings, advertised publicly, with local residents and landowners to explain the Project intentions. One meeting held at the Newfolden Community Center in July 2009, attended by approximately fifty local residents and landowners.</p>



June 17, 2011

Mr. Richard Davis, Fish and Wildlife Biologist
United States Fish and Wildlife Service
Twin Cities Ecological Services Field Office
4101 American Blvd. E.
Bloomington, MN 55425-1665

Subject: Proposed Ellerth Windpark, Marshall County, MN

Dear Mr. Davis:

Tetra Tech was tasked by Ellerth Wind LLC (Ellerth Wind), a wholly owned subsidiary of TCI Renewables Limited (TCI) with conducting the Tier 2 Evaluation of the Project Area in December 2010 following the Tier 2 of the Wind Turbine Guidelines Advisory Committee (Guidelines). The Tier 2 report was compiled as a requirement of the Minnesota Public Utilities Commission Large Wind Energy Conversion System site permit application, which will be submitted later this month. A copy of the final draft of the Tier 2 Evaluation conducted for the Ellerth Windpark is provided for your reference and review.

Tetra Tech carried out the Tier 2 Evaluation of the Project Area by thoroughly addressing questions recommended for consideration in the Guidelines. Tetra Tech has already conducted multiple surveys of the Project Area in 2009-2010 at the Tier 3 level (pre-construction field studies) to verify desktop analysis and assess avian use of the Project Area. These studies include fall and spring avian migration surveys, raptor nest surveys, and prairie grouse lek surveys. Reports detailing the results of these studies are included as appendices to the Tier 2 Report.

If you have questions concerning the Tier 2 Evaluation or any of the Tier 3 studies, please feel free to contact me at 612-643-2240.

Sincerely,

A handwritten signature in cursive script that reads 'Kate Schindler'.

Kate Schindler
Wildlife Biologist

cc: Rory Cantwell, TCI
Nathan Kestner, MN DNR

Enclosure

Schindler, Kate

From: Richard_Davis@fws.gov
Sent: Wednesday, May 18, 2011 2:24 PM
To: Gorman, Kim
Cc: Schindler, Kate; Gorman, Kim; Rory Cantwell
Subject: Re: Ellerth Wind - Project Review Request
Attachments: pic00041.gif; pic18467.gif

Hello Kim,

As we discussed yesterday, due to some time constraints on my end I am providing you with an email, as opposed to a letter, outlining the Service's concerns and recommendations regarding the Ellerth Wind Project in Marshall County, Minnesota. It is my understanding that Nick Rowse, another Biologist in our office was contacted and provided you with some recommendations regarding the proposed project. The recommendations provided below are in addition to any comments you have previously received from our office. We will also issue a letter to Office of Energy Security once the project's Site Permit Application has been sent out for review and comment.

1. In completing a review of aerial photographs of the area the proposed project site appears to consist of a number of grassland/wetland habitat complexes. The Service recommends direct and indirect impacts to these habitat areas be avoided to the greatest extent possible.

2. There are records of marbled godwit and upland sandpiper within and adjacent to the proposed project site. Both of these species rely on grassland/wetland habitats for nesting and foraging. Marbled godwit and upland sandpiper both perform aerial displays during courtship, which could potentially place individual birds within the rotor swept area of wind turbines sited to closely to habitat utilized by these species.

- Should any turbines be proposed in close proximity of known records of marbled godwit or upland sandpiper, or within or directly adjacent to the preferred grassland/wetland habitat complexes of these species the Service's recommends preconstruction surveys be completed to identify the potential risk to individual birds in the area.

3. The Service recommends that wind turbines not be placed adjacent to stream channels/water courses and the associated forested riparian areas in the proposed project boundary.

4. A raptor nest survey is recommended within and up to two miles outside of the proposed project boundary.

5. A preconstruction avian flight path survey is recommended to document avian species that utilize the proposed project area, and to determine if there are any significant flight pathways, within the proposed project area, in which turbines should not be placed.

5. The Service recommends the utilization of anabat detectors at the proposed project site to begin to gather project specific data with regard to the bat species within the area.

6. The Service recommends the project be monitored post-construction to determine impacts to migratory birds and bats.

- Generally three years of post-construction monitoring is recommended, but the length of post-construction monitoring is somewhat dependent on the data gathered during preconstruction surveys.

If you have any questions regarding the above recommendations feel free to contact me via email or phone.

Thank you,
Rich Davis

Richard Davis
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Twin Cities Field Office
4101 American Blvd. E.
Bloomington, MN 55425
(612)725-3548 ext. 2214

"Gorman, Kim"
<Kim.Gorman@tetra
tech.com>

04/18/2011 01:26
PM

"Richard_Davis@fws.gov"
<Richard_Davis@fws.gov>

To

cc

Rory Cantwell
<rory.cantwell@tcir.net>, "Gorman,
Kim" <Kim.Gorman@tetrattech.com>,
"Schindler, Kate"
<Kathleen.Schindler@tetrattech.com>
Subject

Ellerth Wind - Project Review
Request

Rich,

Attached please find a letter briefly summarizing the Ellerth Wind project and a portion of the environmental due diligence activities conducted to date. I have also included the most current project area boundary in GIS shapefile (UTM, NAD 83, Zone 15N). Please let me know if you have questions or require additional information to assist in your review.

Kind regards,

Kimberely

Kimberely Gorman, GISP | Senior Project Manager - GIS Specialist
Direct: 612.643.2224 | Main: 612.643.2200 | Fax: 612.643.2201 kim.gorman@tetrattech.com

Tetra Tech
2001 Killebrew Drive, Suite 141 | Bloomington, Minnesota 55425 | www.tetrattech.com

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the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

From: Rory Cantwell [mailto:rory.cantwell@tcir.net]
Sent: Friday, April 15, 2011 2:12 PM
To: Richard_Davis@fws.gov
Cc: Gorman, Kim
Subject: RE: Ellerth Wind Follow Up

Rich,

Glad to have made the connection.

There have been advancements with our Ellerth Project since the previous correspondence with your office. Our environmental consultants, Tetra Tech EMI, will be sending you information to update you on the Project, and send you GIS data for a more detailed indication of the Project location in Marshall County, MN.

We look forward to working with you.

Regards,

Rory Cantwell
T (1) 514.842.1923
C (1) 514.808.4779
From: Richard_Davis@fws.gov [mailto:Richard_Davis@fws.gov]
Sent: 15 April 2011 13:39
To: Rory Cantwell
Subject: Ellerth Wind Follow Up

Hello Rory,

I wanted to let you know I have received your voicemail, and Nick Rowse in my office has forwarded on your most recent email regarding the Ellerth Wind Project. I am the USFWS lead biologist on Minnesota wind projects, so I will be working with you on the project review and our comments/recommendations. At this point I have not had a chance to look at our species records and data, and Service owned lands boundaries in reference to the project boundary. I'm away from my desk today and Monday, on telework status, so I will take a look at things when I get in to the office Tuesday morning and then I will get in touch with you. If there have been any changes to the project boundary since your last contact with our office please send me an Arc compatible shapefile of the revised boundary if it is available.

Thanks much and have a good weekend.

Rich
Richard Davis
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Twin Cities Field Office
4101 American Blvd. E.
Bloomington, MN 55425
(612)725-3548 ext. 2214
(Embedded image moved to file: pic00041.gif) www.tcirenewables.com TCI Renewables Ltd
No:5360262 Registered in England & Wales; 7 West Way, Oxford, OX2 0JB VAT No:GB867303806
(Embedded image moved to file: pic18467.gif) [attachment "ProjectBoundary.zip" deleted by



April 18, 2011

Mr. Richard Davis, Fish and Wildlife Biologist
United States Fish and Wildlife Service
Twin Cities Ecological Services Field Office
4101 American Blvd. E.
Bloomington, MN 55425-1665

Subject: Proposed Ellerth Windpark, Marshall County, MN

Dear Mr. Davis:

Ellerth Wind LLC (Ellerth Wind), a wholly owned subsidiary of TCI Renewables Ltd. (TCI) is proposing to construct and operate the Ellerth Windpark (the Project) in Marshall County, Minnesota (Figure 1). The proposed Project is a Large Wind Energy Conversion System (LWECS), as defined in the Wind Siting Act, Minnesota Statutes Chapter 216F. The Project will be up to 98.9 megawatts (MW) in nameplate capacity, consisting of up to 65 turbines with anticipated construction to begin in May 2012 and an expected date of commercial operation of November 2012.

Tetra Tech EM Inc. (Tetra Tech) has been contracted by Ellerth Wind to conduct environmental due diligence for the proposed Project. In order to assess the Project Area for potential impacts to wildlife, Tetra Tech conducted a Tier 2 Evaluation of the Project Area in December 2010 following the Tier 2 of the USFWS Draft Wind Turbine Guidelines (the Guidelines). Tetra Tech carried out Tier 2 analysis of the Project Area by thoroughly addressing questions recommended for consideration in the Guidelines. These questions were addressed using credible, publicly available information including published studies, technical reports, databases, and information from agencies, local conservation organizations, and/or local experts. In addition, the Minnesota DNR's Natural Heritage Information System (NHIS) was queried to obtain data on Minnesota's rare, endangered, or otherwise significant plant and animal species, plant communities, and other rare natural features within the Project area and vicinity. A qualified Tetra Tech biologist also conducted a reconnaissance-level site visit to evaluate current vegetation/habitat coverage and land management/use.

Tetra Tech has already conducted multiple surveys of the Project Area in 2009-2010 at the Tier 3 level (pre-construction field studies) to verify desktop analysis and assess avian use of the Project area. These studies include fall and spring avian migration surveys, raptor nest surveys, and prairie grouse lek surveys. Tetra Tech believes that data collected at Tier 2 and 3 for the Ellerth Windpark are sufficient to guide siting in a manner that will adequately mitigate significant adverse impacts to wildlife species and is not recommending additional desktop analysis and/or field studies at this time.

As part of continued due diligence, we are requesting information concerning listed threatened/endangered species, candidate species, species of concern, critical habitats, and Service-owned land in the Project area. References or enclosures of guidance materials or recommendations for proposed projects such as this would be appreciated as well. Please reference the attached Figure 1 and GIS shapefile for Project Area location information.

Mr. Richard Davis
Proposed Ellerth Windpark, Marshall County, MN
April 18, 2011

Your time and effort regarding this request are greatly appreciated. If you have questions or need additional information, please feel free to contact me at 612-643-2240. We would appreciate a response within 30 days of receipt of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schindler".

Kate Schindler
Wildlife Biologist

cc: Rory Cantwell, TCI

Enclosure: Figure 1, GIS Shapefile

Schindler, Kate

From: Kestner, Nathan (DNR) [nathan.kestner@state.mn.us]
Sent: Wednesday, June 22, 2011 3:41 PM
To: Schindler, Kate; Rory Cantwell (rory.cantwell@tcir.net)
Cc: Gorman, Kim
Subject: RE: Tier 2 Evaluation, Ellerth Windpark

Thanks for the info. Can you send me shapefiles of the proposed project components depicted in the T2 Eval?

Nathan Kestner
Regional Environmental Assessment Ecologist - Reg 1
MN DNR Division of Ecological & Water Resources, NW Region
2115 Birchmont Beach Rd NE, Bemidji, MN 56601
218-308-2672, 218-755-4066 (fax)
nathan.kestner@state.mn.us

From: Schindler, Kate [<mailto:Kathleen.Schindler@tetratech.com>]
Sent: Friday, June 17, 2011 1:16 PM
To: Kestner, Nathan (DNR)
Cc: Rory Cantwell (rory.cantwell@tcir.net); Gorman, Kim
Subject: Tier 2 Evaluation, Ellerth Windpark

Nathan,

Tetra Tech was tasked by Ellerth Wind LLC (Ellerth Wind), a wholly owned subsidiary of TCI Renewables Limited (TCI) with conducting the Tier 2 Evaluation of the Project Area in December 2010 following the Tier 2 of the Wind Turbine Guidelines Advisory Committee (Guidelines). The Tier 2 report was compiled as a requirement of the Minnesota Public Utilities Commission Large Wind Energy Conversion System site permit application, which will be submitted later this month. A copy of the final draft of the Tier 2 Evaluation conducted for the Ellerth Windpark is attached for your reference and review. I have also sent the files hardcopy via Fedex and you can expect to receive them early next week.

Tetra Tech carried out the Tier 2 Evaluation of the Project Area by thoroughly addressing questions recommended for consideration in the Guidelines. Tetra Tech has already conducted multiple surveys of the Project Area in 2009-2010 at the Tier 3 level (pre-construction field studies) to verify desktop analysis and assess avian use of the Project Area. These studies include fall and spring avian migration surveys, raptor nest surveys, and prairie grouse lek surveys. Reports detailing the results of these studies are included as appendices to the Tier 2 Report.

If you have questions concerning the Tier 2 Evaluation or any of the Tier 3 studies, please feel free to contact me at 612-643-2240.

Thank you,

Kate Schindler | Environmental Scientist / Wildlife Biologist
Direct: 612.643.2240 | Main: 612.643.2200 | Fax: 612.643.2201

Tetra Tech | **Complex World, Clear Solutions™**
2001 Killebrew Drive, Suite 141. | Bloomington, MN 55425 |



June 17, 2011

Mr. Nathan Kestner
NW Regional Environmental Assessment Ecologist
Division of Ecological Resources – Region 4
Minnesota Department of Natural Resources
261 Hwy 15 South
New Ulm, MN 56073-8915

Subject: Proposed Ellerth Windpark, Marshall County, MN

Dear Mr. Kestner:

Tetra Tech was tasked by Ellerth Wind LLC (Ellerth Wind), a wholly owned subsidiary of TCI Renewables Limited (TCI) with conducting the Tier 2 Evaluation of the Project Area in December 2010 following the Tier 2 of the Wind Turbine Guidelines Advisory Committee (Guidelines). The Tier 2 report was compiled as a requirement of the Minnesota Public Utilities Commission Large Wind Energy Conversion System site permit application, which will be submitted later this month. A copy of the final draft of the Tier 2 Evaluation conducted for the Ellerth Windpark is provided for your reference and review.

Tetra Tech carried out the Tier 2 Evaluation of the Project Area by thoroughly addressing questions recommended for consideration in the Guidelines. Tetra Tech has already conducted multiple surveys of the Project Area in 2009-2010 at the Tier 3 level (pre-construction field studies) to verify desktop analysis and assess avian use of the Project Area. These studies include fall and spring avian migration surveys, raptor nest surveys, and prairie grouse lek surveys. Reports detailing the results of these studies are included as appendices to the Tier 2 Report.

If you have questions concerning the Tier 2 Evaluation or any of the Tier 3 studies, please feel free to contact me at 612-643-2240.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kate Schindler'.

Kate Schindler
Wildlife Biologist

cc: Rory Cantwell, TCI
Richard Davis, USFWS

Enclosure

Schindler, Kate

From: Gorman, Kim
Sent: Monday, June 27, 2011 11:11 AM
To: Schindler, Kate
Subject: FW: Ellerth Project Area
Attachments: Nathan Kestner.vcf

-----Original Message-----

From: Rory Cantwell [<mailto:rory.cantwell@tcirenewables.com>]
Sent: Friday, June 11, 2010 12:14 PM
To: Gorman, Kim
Subject: FW: Ellerth Project Area

FYI

Rory Cantwell | Project Developer
T (1) 514.842.1923
C (1) 514.808.4779

TCI Renewables

www.tcirenewables.com

TCI Renewables Ltd No:5360262 Registered in England & Wales;
7 West Way, Oxford, OX2 0JB VAT No:GB867303806

-----Original Message-----

From: Nathan Kestner [<mailto:Nathan.Kestner@dnr.state.mn.us>]
Sent: 09 September 2009 12:08
To: Lisa Joyal; Rory Cantwell
Cc: Donovan Pietruszewski; Douglas Franke; Peter Buesseler
Subject: Re: Ellerth Project Area

Rory-

The only difference in the google earth file and the shapefile that you previously send me is that the google earth map includes T157N-R45-SEC36 & T157N-R44-SEC31. The shapefile that you previously provided me does not include these two sections, however; I have reviewed these two sections and all previous recommendations for setbacks remain the same.

Also, to get back to you on a couple of items:

Trails - The DNR has recommended setbacks for state administered recreational trails and they are reviewed on a case by case basis. The Pembina Trail is not a recreational trail and we have no recommendations for setbacks for the Pembina Trail. You may want to contact the Minnesota State Historic Preservation Office for their comments regarding the Pembina Trail and other potentially affected historic areas within the project boundary. There is a snowmobile trail running north and south along the western edge of the project boundary. The DNR's concerns with this trail are related to the possibility of ice throw and potential injury to recreational users of the trail. At a very minimum the applicant will need to follow PUC setbacks for this recreational trail. There are also State Park hiking trails and State Park Hiking Club trails within Old Mill State Park. Our concerns with these trails are related to the potential for aesthetic impacts to users of the trails. As previously

mentioned in other communications these trails should be included in the scope of the viewshed analysis.

Prairie- Per our previous discussion, I indicated that I would confer with other DNR staff about the need to complete a prairie inventory of the project site. The Minnesota County Biological Survey (MCBS) has completed its survey of the area. This survey identified areas of native prairie remnants. These areas are within areas identified as Site of Biodiversity Significance. Previous setback recommendations to these areas remain. Keep in mind that if a Site of Biodiversity Significance contains native prairie remnants we would recommend a 1/4 setbacks from that area of native prairie. If area staff are aware of existing or potential areas of remnant native prairie, we will want an assessment of those areas. I am still waiting on a review from area staff and will let you know as soon as possible on this. If they are not aware of any remnants or potential remnants, the existing MCBS will suffice.

Thank you

Nathan Kestner
Environmental Assessment Biologist
MN DNR Division of Ecological Resources
2115 Birchmont Beach Rd NE, Bemidji, MN 56601
218-308-2672, 218-755-4066 (fax)

>>> "Rory Cantwell" <rory.cantwell@tcir.net> 9/8/2009 10:38 AM >>>

<<Ellerth Outline.kmz>>

Hi Nathan,

I have attached a kmz file, which will open directly in Google Earth.

This outline provides the area that we are evaluating for wind farm development in Marshall County, MN.

It reflects the Sections ID'd in the Data Request.

Regards,

Rory Cantwell | Project Developer

TCI Renewables

T (1) 514.842.1923

C (1) 514.808.4779

TCI Renewables www.tcirenewables.com TCI Renewables Ltd No:5360262 Registered in England & Wales; 7 West Way, Oxford, OX2 0JB VAT No:GB867303806



Minnesota Department of Natural Resources

Division of Ecological Resources – Reg. 4

261 Hwy 15 South

New Ulm, MN 56073-8915

Phone: (507) 359-6073 Fax: (507) 359-6018 E-mail: kevin.mixon@dnr.state.mn.us

July 14, 2009

Maria Jarkov, Rory Cantwell
Project Developer
TCI Renewables
381 Notre Dame West, # 102
Montreal, QC
H2Y 1V2
Tel: 514-842-1923
Fax: 514-842-7904

RE: Ellerth Wind - LWECS
Preliminary Review
Marshall County, MN

Dear Madam and Sirs;

The Minnesota Department of Natural Resources (DNR) has received information concerning the above referenced wind project located in Marshall County, MN. The DNR is providing the following comments as a mechanism to collaboratively work together to identify potential natural resource issues that should be considered during project development.

Public Lands

The Adolf Elseth, Wright and Florian Wildlife Management Area's (WMA) are within or adjacent to the project area. The DNR recommends that no direct impacts occur to these public recreational lands from tower construction, transmission lines, or road networks associated with the project. Additionally, the DNR recommends that a buffer, which is a minimum of five times the rotor blade diameter, be established around all WMA's. This buffer width is subject to re-evaluation as the project progresses and as more information on sensitive resources associated with the WMA is developed. State Wildlife Management Area boundaries are available for download from the DNR Data Deli (<http://deli.dnr.state.mn.us/>).

Based on project area GIS shapefiles provided by TCI Renewables, Old Mill State Park is located adjacent and to the west of the project area. The DNR recommends a viewshed analysis be conducted if any of the infrastructures for the wind farm is within 5 miles of the State Park or SNA boundary. The analysis involves the development of a map that shows how far the viewshed extends from the State Park or SNA and if any wind farm infrastructure is located

within the viewshed. The DNR recommended setback from the State Park or SNA will be determined based on the results of the viewshed analysis. State Park and SNA boundaries are also available for download from the DNR Data Deli (<http://deli.dnr.state.mn.us/>).

The area does not appear to contain any tracts of Waterfowl Production Areas managed by the U.S. Fish and Wildlife Service (USFWS), however; Nick Rowse (612-725-3548 x2214) of the USFWS needs to be contacted to verify this information and to coordinate potential impacts and setbacks from these areas. In addition, you should also inquire about any USFWS conservation easements that may occur in the project area.

The project area contains numerous areas enrolled in both the Conservation Reserve Program (CRP) and Reinvest in Minnesota (RIM) programs that could potentially be affected by this project. The Farm Service Agency located in the county(s) where the project is occurring should be contacted (<http://www.fsa.usda.gov/FSA/stateoffapp?mystate=mn&area=home&subject=landing&topic=landing>) in order to coordinate potential issues involving these properties.

Natural Heritage & Wildlife Concerns

The project area contains several past occurrences of rare features as tracked by the Minnesota Natural Heritage Information System (NHIS). The NHIS tracks important information on the distribution of rare natural plants, animals and biological communities throughout Minnesota. The Natural Heritage Program staff will provide information about specific rare features, locations to be avoided, and surveys that may be required. Please continue to coordinate Natural Heritage issues with Lisa Joyal (651-259-5109).

The US Fish and Wildlife Service guidelines to avoid and minimize impacts to wildlife from wind development should be adhered to as part of the project. The guidelines and additional information can be found at the following site: <http://www.fws.gov/habitatconservation/ServiceInterimGuidelines.PDF>

Potential conflicts with wildlife corridors and scenic views may arise. These resources are less quantifiable but still exist. Common wildlife corridors to consider include but are not limited to avian flyways between wetlands or raptor migration routes. The DNR recommends that you consider these resources when planning the general project area, proposed tower locations, transmission lines, and access roads. As the project progresses and the DNR is able to complete more detailed review, we may have additional and more specific avoidance recommendations in consideration of these resources.

The Minnesota County Biological Survey has identified several "Sites of Biodiversity Significance" within and adjacent to the proposed project area. "Sites of Biodiversity Significance" are areas with varying levels of native biodiversity that may contain high quality native plant communities, rare plants, rare animals, and/or animal aggregations. The proposed project area contains area ranked as both Outstanding and Moderate. The enclosed document entitled "Appendix 4. Guidelines for Minnesota County Biological Survey (MCBS) Statewide Biodiversity Significance Rank" explains in detail these ranking categories. We recommend that

you consider project alternatives that would avoid direct or indirect impacts to these ecologically significant areas.

Bird and Bat Mortality Monitoring

The DNR recommends 2 years of post construction mortality studies using the Minnesota Protocols to Monitor Bat & Bird Mortality at Large Wind Energy Conversion Systems (attached). Yearly mortality reports can be sent to the DNR on January 1 of each year. The Post-Construction Report Guidelines (attached) include the information that should be contained in the reports and where they should be sent. An additional year of surveys are recommended if any bald eagles, tundra swans, white pelicans, or state or federal listed species are killed due to operation of the wind farm.

Native Prairie and Pasture Land

A review of the project area for any pastureland that may contain native prairie should be conducted prior to submitting the project for a permit. Locating these native prairies is not always easy and does not automatically signal project modifications. We recommend hiring an accredited prairie specialist to complete a site review. Review methods should be submitted to the DNR prior to initiating any of the work. The DNR recommended setback from native prairie boundaries is ¼ mile. The USFWS should also be contacted in regards to their recommended setbacks.

Public Waters and Wetlands

Numerous Public Waters are within the project area and further coordination is required with the both the DNR Division of Lands and Minerals and or the Division of Waters if any of these areas are to be crossed or impacted.

For information on where the Public Waters are located in your project area go to the following site and click on the Public Waters Inventory (PWI) Maps Download button: http://www.dnr.state.mn.us/waters/watermgmt_section/pwi/download.html.

Minnesota Statute 84.415 requires a DNR license be obtained for the passage of any utility over, under or across any state land or public waters. Information concerning the need and process of obtaining a License for Utility can be found at http://www.dnr.state.mn.us/permits/utility_crossing/index.html.

Under [Minnesota Statute 103G.245](#), Subdivision 1 (except as provided in Subdivisions 2, 11, and 12), the state, a political subdivision of the state, a public or private corporation, or a person, **must** have a DNR Public Waters Work Permit ([application forms](#)) to:

1. construct, reconstruct, remove, abandon, transfer ownership of, or make any change in a reservoir, dam, or waterway obstruction on public waters; or
2. change or diminish the course, current, or cross section of public waters, entirely or partially within the state, by any means, including filling, excavating, or placing of materials in or on the beds of public waters.

Based on the Public Waters Inventory and National Wetland Inventory (NWI) maps the area contains a high number of wetlands. NWI maps are not site specific and cannot be relied on for determining and quantifying specific impacts. Many times more wetlands are present than what are depicted on the NWI.

A detailed review of potential wetland impacts is recommended in order to evaluate potential impacts associated with turbine placement, transmission lines, substations, access roads, and any other infrastructure. Potential wetland impact(s) will require a boundary delineation and potentially mitigation. Wetland boundary delineations must be completed in accordance with the current version of the U.S. Army Corp of Engineers Wetland Delineation Manual (see webpage) using the proper data sheets for that specific region (i.e. regional supplements). Using a certified wetland delineator can many times ensure quality delineation work and is many times required by local government units.

Potential wetland impacts could involve the Wetland Conservation Act (WCA). If wetland impacts are likely to occur, you should contact the Board of Water and Soil Resources (www.bwsr.state.mn.us) for information about the WCA. This webpage will also provide useful information about the permitting process along and a list of certified wetland delineators.

Discharge of fill or dredge material in waters of the U.S. are also many times regulated under Section 404 of the Clean Water Act and may require a permit from the U.S. Army Corp of Engineers. Information on this permit process and permit staff can be found at <http://www.mvp.usace.army.mil/regulatory/default.asp?pageid=687>.

Storm Water Run-off & Invasive Species

Wind projects disturb soils, associated ground cover, and in some cases surface waters. These disturbances can create openings for invasive species that quickly colonize these sites putting adjoining lands and habitat at risk. If temporary and permanent erosion and sediment control Best Management Practices (BMP's) are not used, disturbances can also cause erosion and sedimentation into adjacent waters.

The DNR, Soil and Water Conservation District, Minnesota Pollution Control Agency, Department of Agriculture, County and Local Watershed may recommend specific BMP's for different areas of the. These BMP's help address construction and maintenances activities to minimize impacts to soil, water and existing ground cover. The BMP's may also provide site restoration recommendations.

The Minnesota Pollution Control Agency issues the National Pollution Discharge and Elimination System/State Disposal System permit in order to control stormwater runoff from construction sites that disturb 1 or more cumulative acres. Information on the permit process can be obtained at <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>.

Summary

Minnesota Administrative Rules 7836.0500, Subpart 7, requires the applicant to analyze potential environmental impacts of the project, proposed mitigative measures, and any adverse environmental effects that cannot be avoided. Groundwater resources, surface waters, wetlands, vegetation, wildlife, rare and unique natural resources, etc. are included. **In order to address the potential environmental impacts the applicant should resolve all outstanding issues with the DNR prior to applying for the Large Wind Energy Conversion System permit from the Public Utilities Commission.**

The project area (and adjoining properties) contains Wildlife Management Areas, a State Park, numerous NHIS tracked species and habitats, public waters, wetlands, and CRP and RIM areas. The concentration of high value habitats and state and federal properties managed for wildlife and recreation make early coordination with the DNR essential to ensure that impacts to resources are avoided. In order to address the above referenced issues, prior to submitting the LWECS site application, a meeting needs to occur. The meeting needs to address all of the identified issues and how the company plans to avoid and minimize impacts. The company should provide mapping at the meeting that has all of the setbacks shown along with general proposed disturbance areas. The discussion should also involve alternatives that reduce the number of turbines, access roads, transmission lines, etc. that would be in the project area.

This review constitutes an office review only and is not a substitute for reviewing potential turbine placement in the field. A field review of the project should be conducted when the preliminary tower locations are determined. The DNR will provide a second review of the project that is site specific to the proposed tower locations, transmission lines, and access roads. The field review should be conducted prior to applying for a permit from the Public Utilities Commission.

The DNR looks forward to working in a positive and collaborative manner on this project to ensure that sustainable energy sources are developed while protecting Minnesota's natural resources. Please contact me directly at 218-308-2672 if you have any questions.

Sincerely,



Nathan Kestner
NW Regional Environmental Assessment Ecologist
Division of Ecological Services

TCI Renewables (Ellerth Wind LWECS)
7/21/2009

Enclosures (3)

Cc:

Lisa Joyal, DNR
Randall Doneen, DNR
Peter Buessler, DNR
Katie Haws, DNR
Donovan Pietruszewski, DNR
Gary Bennett, DNR
Cindy Buttleman, DNR
Peter Harrison, DNR
Kevin Mixon, DNR
Nick Rowse, U.S.F.W.S



Minnesota Department of Natural Resources

Division of Ecological Resources, Box 25

500 Lafayette Road

St. Paul, Minnesota 55155-4025

Phone: (651) 259-5109 Fax: (651) 296-1811 E-mail: lisa.joyal@dnr.state.mn.us

September 25, 2009

Correspondence # ERDB 20100018

Rory Cantwell
Air Energy TCI
381 Notre Dame West, Suite 102
Montreal, QC, Canada H2Y1V2

RE: Natural Heritage information in the vicinity of the proposed Ellerth Wind Farm, Marshall County

Township (N)	Range (W)	Section(s)
156	45	3-10 & 15-22
156	46	1-4, 9-16, & 21-24
157	45	19-23 & 26-35
157	46	21-28 & 33-36

Dear Mr. Cantwell,

As requested, the Minnesota Natural Heritage Information System has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, several rare features have been documented within the search area (for details, see the enclosed database reports; please visit the Rare Species Guide at <http://www.dnr.state.mn.us/rsg/index.html> for more information on the biology, habitat use, and conservation measures of these rare species). We recommend that the following issues be resolved before submitting a Site Permit Application to the Public Utilities Commission:

- Old Mill State Park and several Wildlife Management Areas (WMA) are within the project boundary (GIS shapefiles of the State Wildlife Management Area Boundaries and State Park Statutory Boundaries can be downloaded from the DNR Data Deli at <http://www.deli.dnr.state.mn.us>). Please refer to Nathan Kestner’s letter dated 14 July 2009 for recommended setbacks from public lands.
- The Minnesota County Biological Survey (MCBS) has identified several Sites of Biodiversity Significance within the proposed project boundary (see enclosed map). Sites of Biodiversity Significance have varying levels of native biodiversity and are ranked based on the relative significance of this biodiversity at a statewide level. Factors taken into account during the ranking process include the number of rare species documented within the site, the quality of the native plant communities in the site, the size of the site, and the context of the site within the landscape (please see the enclosed MCBS Guidelines for further information). We recommend that the project, including access roads and utilities, be designed to avoid impacts to these ecologically significant sites. Indirect impacts from surface runoff or the spread of invasive species should also be considered during project design and implementation.
 - Several Sites of Biodiversity Significance are located along the Middle River. These Sites contains Green Ash – Bur Oak-Elm Forest and Parkland Riparian Forest Complex native plant communities (EO ID #15257, 15030, and 15255 on the enclosed reports).
 - A Site of High Biodiversity Significance is located in the Foldahl Cemetary in T156N R46W Section 2. This Site contains a very small Dry Sand-Gravel Prairie remnant (EO ID #6714)that is a TNC Registry Site.

- A Site of Outstanding Biodiversity Significance is located in T157N R46W Sections 23 & 24. This Site contains several wetlands and Aspen Woodland/Forest Complex native plant communities (not listed on the enclosed reports).
- A Site of Outstanding Biodiversity Significance is located in T156N R46W Sections 14, 15, & 22. This Site contains Aspen Woodland/Forest Complex, Prairie Rich Fen, and Brush-Prairie native plant communities (EO ID #13557, 13559, 13555, 13558, and 15028). Because more than 99% of the prairie that was present in the state before settlement has been destroyed, and more than one-third of Minnesota's endangered, threatened, and special concern species are now dependent on the remaining small fragments of Minnesota's prairie ecosystem, we feel that all prairie remnants merit protection. **Please contact me if avoidance of these prairie remnants is not feasible**, as a botanical survey may be required. We will need to discuss potential surveys, survey protocol, and other requirements before any survey work is initiated.
- Louisiana Broomrape (*Orobanche ludoviciana*), a state-listed plant of special concern, has been documented in the roadside ditch at the intersection of County Highway 4 and County Road 114 in T156N R46W Sections 1 & 12. **Please contact me if any transmission lines or other disturbance will occur in this area**, so we can discuss how to avoid or minimize disturbance to this rare plant.
- The MCBS surveyed for birds in the area in the 1990's and documented the following rare birds in the vicinity of the project: Wilson's phalarope (*Phalaropus tricolor*), a state-listed threatened species; the short-eared owl (*Asio flammeus*) and marbled godwit (*Limosa fedoa*), both state-listed as species of special concern; the upland sandpiper (*Bartramia longicauda*), a Species in Greatest Conservation Need as identified in Minnesota's Comprehensive Wildlife Conservation Strategy (<http://www.dnr.state.mn.us/cwcs/index.html>); and the sandhill crane (*Grus canadensis*). In addition, a great blue heron nesting area has been documented within T156N R46W Section 15. Given the potential for rare birds to breed in the area, the proximity of the proposed project to conservation lands (DNR Wildlife Management Areas) and Sites of Biodiversity Significance, and the potential for wind turbines to cause avian mortality, we strongly encourage pre- and post-construction avian monitoring to determine the likelihood of bird collisions with the proposed wind turbines. Any cumulative impact assessment should also address the issue of avian mortality.
- If applicable, please send me a copy of the native prairie protection and management plan (Section III.C.6. of the Site Permit). The plan should include measures to avoid impacts to native prairie and measures to mitigate for impacts if unavoidable.
- Please send me a copy of the Preconstruction Biological Preservation Survey (Section III.D.1. of the Site Permit) required by the PUC.
- Further guidance on wind farm siting can be found at http://www.fws.gov/midwest/Eco_Serv/wind/index.htm.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area.

The enclosed results include an Index Report and a Detailed Report of records in the Rare Features Database, the main database of the NHIS. To control the release of specific location information, which might result in the destruction of a rare feature, both reports are copyrighted.

The Index Report provides rare feature locations only to the nearest section, and may be reprinted, unaltered, in an environmental review document (e.g., EAW or EIS), municipal natural resource plan, or report compiled by your company for the project listed above. If you wish to reproduce the index report for any other purpose, please contact me to request written permission. **The Detailed Report is for your personal use only as it may include specific location information that is considered nonpublic data under *Minnesota Statutes*, section 84.0872, subd. 2. If you wish to reprint or publish the Detailed Report for any purpose, please contact me to request written permission.**

This letter does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. Additional rare features for which we have no data may be present in the project area, or there may be other natural resource concerns associated with the proposed project. For these concerns, please contact your DNR Regional Environmental Assessment Ecologist, Nathan Kestner at 218-308-2672. Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,



Lisa Joyal
Endangered Species Environmental Review Coordinator

enc. Rare Features Database: Index Report
Rare Features Database: Detail Report
Rare Features Database Reports: An Explanation of Fields
MCBS Guidelines
Map

cc: Randall Doneen, DNR
Nathan Kestner, DNR
Nick Rowse, USFWS
Richard Davis, USFWS



STATE HISTORIC PRESERVATION OFFICE

February 11, 2011

Adam Holven, Senior Archaeologist
Tetra Tech
2001 Killebrew Drive, Suite 141
Bloomington, MN 55425

RE: Ellerth Wind Project
Multiple Townships, Marshall County
SHPO Number: 2011-1033

Dear Mr. Holven:

Thank you for the opportunity to comment on the above project. It has been reviewed pursuant to the responsibilities given the Minnesota Historical Society by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act.

We have reviewed your archaeological survey plans for the project area, and we believe them to be appropriate. When the survey report is complete, please send it in for our review.

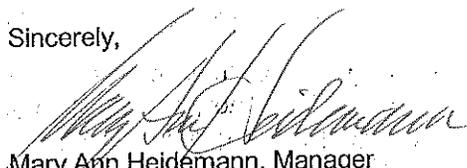
Please note that the gas station you have identified as an above-ground historic resource need not be considered under the State Historic Sites Act, because it is not presently listed in the National Register of Historic Places. However, you have correctly identified the Old Mill State Park WPA/Rustic Historic District as a site of concern, because the District is listed in the National Register.

In order to evaluate the visual impact your project may have on that Register District, we ask you to provide photos, photo simulations or diagrams that show us how much of the project may be visible from any part of the National Register District. We are aware that topography, vegetation and building/structure locations will have an effect on the view, so you are welcome to include a consideration of these potentially mitigating factors. The question at issue is whether the construction of multiple wind towers at the projected locations is likely to cause a visual intrusion that would adversely affect the setting or feeling of the historical district. This office is concerned with impacts on the Register District only, not the entire park.

Please further note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this project is considered for federal assistance, it should be submitted to our office with reference to the assisting federal agency.

Please contact me at 651-259-3456 if you have any questions on our review of this project.

Sincerely,



Mary Ann Heidemann, Manager
Government Programs and Compliance



January 11, 2011

Ms. Kelly Gragg-Johnson
Review and Compliance Associate
State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Boulevard West
St. Paul, Minnesota 55102-1903

Subject: Proposed Ellerth Wind Project - Marshall County, Minnesota
Air Energy TCI, Inc.

Dear Ms. Gragg-Johnson:

On behalf of Air Energy TCI, Inc. (TCI), Tetra Tech is requesting comment from the Minnesota Historical Society State Historic Preservation Office regarding TCI's plans to obtain a Large Wind Energy Conversion System (LWECS) Site Permit from the Minnesota Public Utilities Commission (PUC) for the proposed Ellerth Wind Project (the Project) in Marshall County. At this point, no Federal involvement is anticipated for this Project. If federal involvement does occur, triggering compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, then the lead Federal agency will initiate formal consultation for the Project with the State Historic Preservation Office. We are soliciting input from your organization early in the process so that we can incorporate your comments and concerns into the planning of the Project.

Specific details regarding the proposed construction timeline, access roads, underground cabling alignments, substations footprints, and operation/maintenance buildings have not been determined, but the Project may include up to 66 turbines totaling approximately 100 megawatts once it is constructed. The Project is located in the vicinity of the Town of Ellerth, in south-central Marshall County. A table of legal descriptions for the Project is provided below, and a preliminary Project map showing proposed turbine locations is enclosed.

County	Township Name	Township	Range	Sections
Marshall	Viking	155N	45W	2
	Comstock	155N	46W	1
	Marsh Grove	156N	45W	1-23, 26-30, 32-35
	Foldahl	156N	46W	1-2, 10-13, 24-25, 36
	West Valley	157N	45W	30-35
	Wright	157N	46W	36

A records search was conducted by Tetra Tech for the proposed Project area in December 2010. No National Register of Historic Places (NHRP) Eligible or Listed archaeological sites or architectural properties were identified within the Project area. Only one archaeological site (21MA0006 – Haarstad Mound) is located with the Project area. Although this mound has been previously excavated, Tetra Tech has recommended that Project plans avoid this site. Several archaeological sites are located around the Project area, including Woodland Period burial mounds and NRHP eligible Precontact sites. Based on the occurrence of burial mounds in and around the Project area and the presence of NRHP eligible Precontact sites around the Project area, Tetra Tech has recommended a Phase I Cultural Resource Survey of the proposed Project area including

TETRA TECH EM Inc.

2001 Killebrew Drive, Suite 141, Bloomington, MN 55425
Tel 612-643-2200 Fax 612-643-2201 www.tetrattech.com

the location of the turbines, access roads, above/below ground electrical collection system cabling, and electrical substation/O&M/laydown areas. This survey will follow the protocols established in the *SHPO Manual for Archaeological Projects in Minnesota* (Anfinson 2005) and would likely occur in the spring/summer of 2011.

One architectural history property, MA-FOL-002 (Gas Station), and one NRHP district (Old Mill State Park) are located within 0.5 miles of the Project area. Property MA-FOL-002 has not been evaluated for the NRHP; however, the Old Mill State Park was listed as a district in 1989. In 1989, the Old Mill State Park Works Progress Administration (WPA) Historic District included three buildings (Shelter Building, Latrine, and Beach House), four structures (Diversion Dam, Swimming Beach, Suspension Beach, and Water Tower), and one object (Drinking Fountain). In November 2010, 11 additional buildings and structures were added to the district as contributing elements. The district defines the original development in the park and contains no intrusive elements.

All of the proposed turbines are located to the east, southeast, and south of Old Mill State Park. The nearest proposed turbine is located approximately 1.6 miles to the east of the district, while the furthest proposed turbine is located approximately 8.0 miles to the southeast. The estimated height of the towers are 262 feet, and the estimated maximum height of the tower and blade tips is 410 feet.

To mitigate any potential visual impacts to NRHP Eligible or Listed architectural properties, Tetra Tech would like to solicit the opinion of the SHPO to determine if the proposed Project will have adverse impacts the Old Mill State Park Historic District. Tetra Tech would also appreciate comment on possible mitigation strategies if the SHPO feels that there may be adverse impacts to the district, and on additional studies that might be recommended if the SHPO does not have enough information to comment at this time. TCI is also currently in consultation with the Minnesota Department of Natural Resource (DNR) regarding potential visual impacts to the park for recreational purposes. At this time, TCI has not received any response from the DNR.

Your response with any comments, questions, or concerns regarding impacts to known cultural resources from the proposed Project is appreciated. Please respond as soon as possible or within 30 days of receipt of this letter.

Sincerely,



Adam Holven
Senior Archaeologist/Project Manager

Enclosure

DISTRICT 1
COMMISSIONER
LETTY VOWASEK
WARREN, MINN.

DISTRICT 2
COMMISSIONER
CURTIS H. CARLSON
ARROYO, MINN.

DISTRICT 3
COMMISSIONER
KENNETH BURDOWCZ
STEPHEN, MINN.

DISTRICT 4
COMMISSIONER
SHARON BRINK
STRANDQUIST, MINN.

DISTRICT 5
COMMISSIONER
BARRY BIESOW
GOODHUE, MINN.



MARSHALL COUNTY

OFFICE OF
SCOTT PETERS
AUDITOR/TREASURER
208 E. Colvin Avenue, Suite 11
Warren, Minnesota 56782
Phone 218-746-4881



October 6, 2010

RE: Northern States Power RFP 2010-Ellerth Wind Farm Development-Air Energy TCI Inc.

To whom it may concern,

Air Energy TCI Inc (TCI) has been active in engaging Marshall County Officials regarding their Ellerth wind farm development. Originally, TCI met with Marshall County in 2008 to introduce the company, present their project and commence the dialogue between the two parties. TCI again presented to Marshall County in May 2010 to update the County Officials of the project's progress and the project's forecasted development programme. All the while TCI has been consulting with various Marshall County Departments gaining their feedback concerning the Ellerth wind farm project.

Marshall County understands the importance of renewable energy, specifically in consideration of Minnesota's renewable portfolio standard requiring Minnesota utilities to have 25% of their electricity to come from renewable sources by the year 2025. Projects such as Ellerth wind farm are vital to accomplishing the renewable energy legislation passed by the State.

The Ellerth wind farm development has the full support of the Marshall County Officials and we are eager to host the project in our County, thus working toward State renewable energy policies and greater energy independence.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Scott Peters
Marshall County Auditor-Treasurer

Figure 2.6 Letter of Project support for the Project from Marshall County (see EXHIBIT 1.3 for copy)

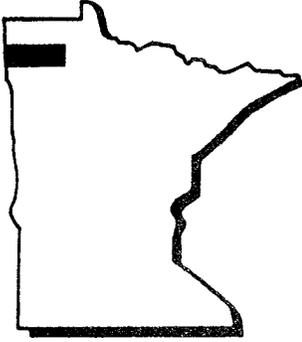
DISTRICT 1
COMMISSIONER
LEROY VONASEK
WARREN, MINN.

DISTRICT 2
COMMISSIONER
CURTIS H. CARLSON
ARGYLE, MINN.

DISTRICT 3
COMMISSIONER
KENNETH BOROWICZ
STEPHEN, MINN.

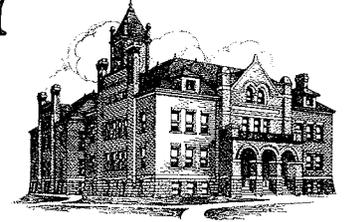
DISTRICT 4
COMMISSIONER
SHARON BRING
STRANDQUIST, MINN.

DISTRICT 5
COMMISSIONER
GARY KIESOW
GOODRIDGE, MINN.



MARSHALL COUNTY

OFFICE OF
SCOTT PETERS
AUDITOR/TREASURER
208 E. Colvin Avenue, Suite 11
Warren, Minnesota 56762
Phone 218-745-4851



DATE December 27, 2010

RE: Ellerth Wind Farm Development – Air Energy TCI Inc.

To whom it may concern,

Air Energy TCI Inc (TCI) has been active in engaging Marshall County Officials regarding their Ellerth wind farm development. Originally, TCI met with Marshall County in 2008 to introduce the company, present their project and commence the dialogue between the two parties. TCI again presented to Marshall County in May 2010 to update the County Officials of the project's progress and the project's forecasted development programme. All the while TCI had been consulting with various Marshall County Departments gaining their feedback concerning the Ellerth wind farm project.

Marshall County understands the importance of renewable energy, specifically in consideration of Minnesota's renewable portfolio standard requiring Minnesota utilities to have 25% of their electricity to come from renewable sources by the year 2025. Projects such as the Ellerth wind farm are vital to accomplishing the renewable energy legislation passed by the State.

The Ellerth wind farm development has the full support of the Marshall County Officials and we are eager to host the project in our County, thus working toward State renewable energy policies and greater energy independence.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Scott Peters".

Scott Peters

Marshall County Auditor