

**Angling Road Tree Removal by Midwest Energy Cooperative
Resident Questions and City of Portage Answers**

1. When did the city first speak with Midwest Energy Cooperative (MEC) regarding the removal of the trees?

A phone message was received from MEC on May 8 or 9, 2012 notifying the City of Portage of pending tree work during the summer months along Angling Road south of Centre. Follow-up contact with MEC was accomplished during the period of May 11 through May 19 and an on-site meeting was arranged by city staff on May 23 to clarify the scope of planned work. During this time MEC officials were unable to provide a start date for the pending tree work along Angling Road.

2. Who authorized the planting of trees beneath the power lines?

For 15 to 20 years, and until several years ago, the City of Portage planted trees in many public road right-of-way areas in an effort to improve community aesthetics or, as in the case of the trees planted along Angling Road, to provide screening for residential areas. City standards in existence prior to the Angling Road tree planting necessitated consideration of the location of power lines. While there is no detailed record of the decision to locate the trees in proximity to the power lines along Angling Road, considering that the situation today (lack of screening from U.S. 131) is similar to what existed along Angling Road in this area up to the mid 1990's, the decision was likely influenced by a desire to provide the most immediate and effective screening from U.S. 131 to the residents of the area. The best information available to the city currently is that a "ground to sky" clearance policy did not exist at the time the Angling Road trees were planted. (Information from MEC is that the company adopted the current line clearance policy "nearly a decade ago," which would be subsequent to the planting of trees along Angling.)

3. Was the city given an option to have the lines underground when discussing with MEC?

Discussions by city staff with MEC centered on attempting to alter the company practice of clear-cutting through this area. However, interviews with staff indicate that an option for burial of the lines was discussed in a phone conversation with MEC on May 21, 2012. Varying cost estimates for burial of the lines were verbally communicated. A written estimate has since been requested and received from MEC that indicates a cost of \$25 per foot to bury the utility lines. At \$25 per foot, a total cost of \$60,000 would be incurred for the burial of the lines along the developed portion of Angling Road. In the opinion of city staff, additional work not contemplated with this estimate would be required. A total cost to perform all necessary work is estimated to be in the range of \$93,000. Regardless, burial of the lines would only reduce the area restricted from planting from 15 ft. off either side of the underground line to 10 ft., for a total of a 20 ft. easement vs. 30 ft. Even if the cost of line burial would have been found to be acceptable, some trees and vegetation that existed in this location would have been removed to bury the lines and in consideration of this planting area restriction.

4. Did the city ask how much it would cost for line burial? If so what was the estimate.

See question #3 response.

5. Who decided that the value of our homes was not as significant as the cost to bury the line?

There has been no discussion concerning the value of homes vs. the cost of burying utility lines.

6. Who is going to remove the stumps?

The extent of cleanup due to the removal of trees by MEC is the responsibility of MEC.

7. Did anyone consider the loss of tax revenue due to the decreased value of the homes after the tree removal? Who will speak to us about the new assessments?

The annual Notice of Assessment, Taxable Valuation and Property Classification (Assessment Change Notices) are based on a property's value as of December 31 of the prior year. As such, the 2012 assessments are based on a property's value on December 31, 2011. Likewise, the 2013 assessments will be based on property values as of December 31, 2012. Property owners wishing to appeal 2013 property valuations after reviewing the 2013 Assessment Change Notice (to be mailed to property owners in February 2013) are encouraged to file an appeal with the City of Portage Board of Review. Appeals to 2013 property valuations will be considered by the Board of Review on specific dates to be established in March 2013. As always, the City of Portage Office of the City Assessor is available to assist residents with the appeal process or answer any questions related to property assessments and can be reached at 329-4433.

8. The trees had not provided anybody with any problems. The trees were removed as preventative maintenance. Why has this been done?

Electric utility operators clear line areas to reduce instances of power outages and related wire-down occurrences. MEC is a "cooperative" under the jurisdiction of USDA as well as the State of Michigan Public Service Commission. The USDA promulgates rules for utility line maintenance, which includes specifications for right-of-way clearing. The rule contained in USDA Bulletin 1728F-804 provides that, in part, the right-of-way shall be prepared by removing trees so that the right-of-way is cleared close to the ground and that there is a 15 ft. clearance on either side of the utility line. (As an aside, Consumers Power Company is not under the jurisdiction of the USDA since the company is not a "cooperative." Therefore, Consumers Power is not subject to the USDA rules.)

9. Did the city ask if MEC used a line clearance tree contractor with an ongoing line clearance safety program as defined by OSHA?

The city does not regulate, investigate or monitor employees or contractors of energy companies. Property owners should direct this question to MEC. Representatives from MEC will be present at the June 27, 2012 Special City Council meeting.

10. Was a qualified utility forester consulted with regarding tree growth and structure, wind sway, line sag, species of tree, and environmental factors before the trees were cut down indiscriminately?

The city has no knowledge of individuals consulted by MEC in preparation of line clearance activity. Property owners should direct this question to MEC. Representatives from MEC will be present at the June 27, 2012 Special City Council meeting.

11. What is the voltage of the lines over the trees on the Vandenberg property?

Unknown. The property owner should direct this question to MEC. Representatives from MEC will be present at the June 27, 2012 Special City Council meeting.

12. Why can't the city get a permit to plant trees on state land?

The ability to plant trees in the U.S. 131 right-of-way can be addressed through a "Limited Grading and Landscaping Permit." MDOT staff must approve all planting in order to follow traffic safety guidelines. The City of Portage has contacted MDOT about obtaining a permit to re-establish a visual barrier to U.S.131 along Angling Road.

June 20, 2012