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December 11, 2013

Via Electronic Filing

Ms. Betty McCauly
Public Utilities Commission of Ohio
Administration/Docketing
180 East Broad Street, 11th Floor
Columbus, OH 43215-3793

Re: Letter of Notification of Compliance for Northwest Ohio Wind Energy, LLC, Case No. 13-0197-EL-BGN

Dear Ms. McCauly:

Joint Exhibit 2 to the October 28, 2013 Joint Stipulation and Recommendation by Northwest Ohio Wind Energy, LLC ("Northwest"), the Ohio Power Siting Board Staff ("OPSB Staff") and the Ohio Farm Bureau Federation identified an agreed upon set of conditions and commitments pertaining to select access roads to be constructed after a first pre-construction conference.

Within this set of conditions and commitments, "Staff Report Condition #17" requires that:

Prior to the commissioning of the first turbine, the Applicant shall obtain a technical assistance letter from the USFWS. The Applicant may obtain an Incidental Take Permit, and shall initiate the formal consultation process under Section 10 of the ESA prior to the start of construction. The Applicant shall comply with the technical assistance letter until any Incidental Take Permit is obtained. This documentation shall be reviewed by Staff to confirm compliance with this condition.

This letter is to inform the OPSB Staff that Northwest is in compliance with the above mentioned condition. Attachment A to this letter is correspondence between Megan Seymour of the U.S. Fish and Wildlife Service and Ron Peterson of Northwest. The correspondence demonstrates that the consultation process had already begun and is moving forward. Note that in Ms. Seymour's email dated October 24, 2013, a "summary document" is requested from Northwest. This document is currently being prepared and will be filed to the docket when it is complete and sent to Ms. Seymour.

If you have any questions please call at the number listed above.

Sincerely,

A handwritten signature in cursive script that reads "Sally W. Bloomfield". The signature is written in dark ink and is positioned above the printed name.

Sally W. Bloomfield

cc: Grant Zeto
Christina Burri

Ron Peterson

From: Seymour, Megan <megan_seymour@fws.gov>
Sent: Thursday, October 24, 2013 8:55 AM
To: Ron Peterson
Subject: Re: Indiana Bat Consultation - Northwest Ohio Wind Energy

Hi Ron,

Thank you for following up with us.

In order to obtain a technical assistance letter from us, you must first submit to us a summary document of the status of Indiana bats within the project area, and any avoidance and minimization measures that you plan to implement to avoid take of Indiana bats. The purpose of the document is to demonstrate that you have done due diligence and used the best information available to avoid taking Indiana bats. You may want to refer to the Fish and Wildlife Services' Land-based Wind Energy Guidelines, for a framework of what information to include to document. The guidelines are available at: <http://www.fws.gov/windenergy/>

This document should describe the use of cut-in speeds to protect Indiana bats: all turbines should be feathered at night until a wind speed of 6.9 m/s is reached, during the period(s) of time that Indiana bats may be at risk. This should also include the dates and timeframe (long-term vs. short term) during which you will be implementing the measures. Please also describe the turbine model/SCADA system onsite and confirm that they will be capable of implementing this measure using real-time site specific weather data. There have also been issues at other sites with the manufacturer's warranty, so please confirm that that is not an issue in this instance. You should also address any other measures being implemented to protect Indiana bats, such as siting the project in an area that does not provide large areas of habitat, avoiding/minimizing impacts to forests, streams, and wetlands during construction, and use of seasonal clearing windows where tree clearing can't be avoided.

Also note that the Fish and Wildlife Service proposed to list the northern long-eared bat as an endangered species a few weeks ago. While this is currently a *proposed* listing, a final decision will be made within a year. You may want to address both the northern long-eared bat and the Indiana bat in this document.

Regarding Blue Creek, they did not apply for an ITP. They applied for a research permit, to evaluate different cut-in speeds. Their permit was not granted, however, for a number of reasons. To date, Buckeye Wind is the only wind facility to have obtained an ITP for Indiana bats. I understand that Beech Ridge, WV is very close though--their final HCP and final EIS are publicly available. Fowler Ridge, IN also has a draft HCP that is publicly available.

I hope this answers your questions. If you would like to discuss any of this in more detail, I would be happy to talk through it with you.

Megan

On Wed, Oct 23, 2013 at 9:16 AM, Ron Peterson <rpeterson@nationalwind.com> wrote:

Hi Megan,

Hope all is well with you. I'd like to continue moving forward with our consultation with the Service regarding Indiana bats on the Northwest Ohio Wind Energy project. First, I'd like to request a Technical Assistance Letter from the Service in case our project becomes operational before we have an Incidental Take Permit in hand. Second, I understand Iberdrola has filed an application for an ITP for the Blue Creek Wind Farm project. How can I obtain a copy of their ITP application and the supporting HCP? Given the similarities between our site and theirs, I anticipate that their application would provide us a pretty good idea of what ours should look like.

Thanks in advance for any assistance you can provide.

Best regards,

Ron

Ronald P. Peterson

Director – Project Permitting

National Wind, LLC

706 Second Avenue South, Suite 1200

Minneapolis, MN 55402

Phone Direct: 612-746-6633

Mobile: 612-803-7667

rpeterson@nationalwind.com

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Megan Seymour

Wildlife Biologist

U.S. Fish and Wildlife Service, 4625 Morse Rd., Suite 104, Columbus, OH 43230

(614) 416-8993 ext 16, (614) 416-8994 fax

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Case No(s). 13-0197-EL-BGN

Summary: Correspondence Letter of compliance for Phase 1, Staff Report Condition #17
electronically filed by Teresa Orahod on behalf of Sally Bloomfield