



150 E. GAY STREET, 24TH FLOOR
COLUMBUS, OH 43215-3192
TELEPHONE: (614) 744-2570
FACSIMILE: (844) 670-6009
<http://www.dickinsonwright.com>

CHRISTINE M.T. PIRIK
Cpirik@dickinsonwright.com
(614) 591-5461

May 14, 2019

Ms. Tanowa Troupe, Acting Secretary
Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215

Re: Case No. 16-1871-EL-BGN, In the Matter of the Application of Icebreaker Windpower Inc. for a Certificate to Construct a Wind-Powered Electric Generation Facility in Cuyahoga County, Ohio.

Fifth Supplement to the Application

Dear Ms. Troupe:

On February 1, 2017, as supplemented on March 13, July 20, July 24, and August 18, 2017, and March 22, 2018, Icebreaker Windpower, Inc. (“Applicant”) filed an application with the Ohio Power Siting Board (“OPSB”) for a certificate of public convenience and necessity (“Application”) to construct a 6-turbine demonstration wind-powered electric generation facility in Lake Erie, off the shore of Cleveland, in Cuyahoga County, Ohio (“Project”). The Application was prepared in accordance with the requirements set forth in Ohio Administrative Code (“O.A.C.”) Chapter 4906-4.

On July 20, 2017, as corrected on July 24, 2017, the Applicant filed the avian and bat memorandum of understanding (“MOU”) signed by both the Applicant and the Ohio Department of Natural Resources (“ODNR”). Attached to the MOU, as Exhibit A, was the Icebreaker Wind Avian and Bat Monitoring Plan dated July 17, 2017 (“Monitoring Plan”). As provided for in the MOU, the Monitoring Plan is a living document that may be amended with the consent of both the Applicant and ODNR (MOU at 5).

At this time, the Applicant is filing this Fifth Supplement to the Application, which reflects the Applicant’s commitment regarding language that will be included in the Impact Mitigation Plan and the Collision Monitoring Plan pursuant to the MOU and the Monitoring Plan. In accordance with the MOU and Monitoring Plan, the Applicant submitted the proposed language to ODNR on May 7, 2019. By letter dated May 13, 2019, ODNR approved the language provided in the May 7, 2019 letter, for inclusion in the applicable plan (see Attachment).

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The original of this Fifth Supplement to the Application has been filed electronically. In addition, 20 complete paper copies containing the supplemental information to the Application have been provided.

We are available, at your convenience, to answer any questions you may have.

Respectfully submitted,

/s/ Christine M.T. Pirik

Christine M.T. Pirik

Terrence O'Donnell

William V. Vorys

Jonathan R. Secrest

William V. Vorys

Sara H. Jodka

Dickinson Wright PLLC

150 East Gay Street, Suite 2400

Columbus, Ohio 43215

Phone: (614) 591-5461

Email: cpirik@dickinsonwright.com

todonnell@dickinsonwright.com

vvorys@dickinsonwright.com

jsecrest@dickinsonwright.com

sjodka@dickinsonwright.com

Attorneys for Icebreaker Windpower Inc.

Cc: Stuart Siegfried
Grant Zeto

Enclosure

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CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons listed below via electronic mail this 14th day of May, 2019.

/s/ Christine M.T. Pirik
Christine M.T. Pirik (0029759)

Counsel:

john.jones@ohioattorneygeneral.gov
thomas.lindgren@ohioattorneygeneral.gov
cameron.simmons@ohioattorneygeneral.gov
ina.avalon@ohioattorneygeneral.gov
mleppla@theoec.org
tdougherty@theoec.org
ctavenor@theoec.org
jstock@beneschlaw.com
rhaffke@beneschlaw.com
ocollier@beneschlaw.com
mjsettineri@vorys.com
glpetrucci@vorys.com
paul@ptblaw.com

Administrative Law Judges:

megan.addison@puco.ohio.gov
nicholas.walstra@puco.ohio.gov
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Ohio Department of Natural Resources

MIKE DEWINE, GOVERNOR

MARY MERTZ, DIRECTOR

May 13, 2019

Lorry Wagner, PhD, President
Icebreaker Windpower, Inc.
50 Public Square, Suite 200
Cleveland, Ohio 44113

RE: Icebreaker Windpower, Inc. (Ohio Power Siting Board Case No. 16-1871-EL-BGN)

Dear Dr. Wagner:

The Ohio Department of Natural Resources (ODNR) hereby gives approval for inclusion of the language provided in your attached letter of May 7, 2019 into the Impact Mitigation Plan and Collision Monitoring Plan for the above-referenced project pending before the Ohio Power Siting Board. That language will be incorporated into the respective plans.

APPROVED:

A handwritten signature in blue ink, reading "Kendra S. Wecker", is written over a horizontal line.

Kendra S. Wecker, Chief
ODNR Division of Wildlife

APPROVED:

A handwritten signature in blue ink, reading "Scudder D. Mackey", is written over a horizontal line.

Scudder D. Mackey, PhD, Chief
ODNR Office of Coastal Management

Icebreaker Windpower Inc.

May 7, 2019

Kendra Wecker, Chief
ODNR Division of Wildlife
2045 Morse Road, Building G
Columbus, Ohio 43229-6693

Re: Icebreaker Windpower, Inc. (Ohio Power Siting Board Case No. 16-1871-EL-BGN)

Dear Ms. Wecker:

Icebreaker agrees and commits that the following language will be included in the applicable documents:

Impact Mitigation Plan

The following process for significant mortality events will be incorporated into the adaptive management strategy within the impact mitigation plan:

1. Within 5 business days of a significant mortality event, the Applicant shall submit an analysis of the event (which will describe the event, explain its cause, and identify the operational modifications implemented by the Applicant in response to the event) with supporting data (at least 7 days pre-event and 48 hours post-event) to ODNR.
2. Within 5 business days of receiving the analysis and supporting data from the Applicant, ODNR will determine and notify the Applicant whether or not the significant mortality event has been resolved.
 - a. If ODNR notifies the Applicant that the significant mortality event has been resolved, the operational modifications implemented by the Applicant may cease and normal operations may resume.
 - b. If ODNR notifies the Applicant that the significant mortality event has not been resolved, the operational modifications implemented by the Applicant will continue, and within 5 business days the Applicant shall submit a short-term strategy with additional corrective measures to ODNR. Upon written acceptance by ODNR, the Applicant shall execute the short-term strategy as soon as possible.

3. If a significant mortality event persists, ODNR will require the Applicant to submit a revised adaptive management strategy for the impact mitigation plan that must be finalized and accepted through written communications from ODNR.
4. At any time during this process for significant mortality events, ODNR may request additional information.
5. An annual meeting will occur between the Applicant and ODNR where the prior year's collision monitoring data will be analyzed to determine if revisions to the impact mitigation plan are appropriate.

Collision Monitoring Plan

The following language will be incorporated into the collision monitoring plan:

Because this project is the first of its kind in Lake Erie, if ODNR and Staff determine, once operation commences, that the technology is not working as set forth in the collision monitoring plan such that there is a defect preventing accurate detection of collisions, ODNR and Staff may require turbines be feathered, either partially or completely, until the technology has been demonstrated to work as set forth in the collision monitoring plan. If feathering is required, it would be limited to nighttime hours (from dusk to dawn) and would only be applicable during the spring, summer, and fall migration periods (March 1 through January 1). However, based on the totality of the circumstances, ODNR and Staff may require less-restrictive feathering times or periods, in their discretion.

Icebreaker looks forward to hearing from you confirming the above language.

Respectfully,

A handwritten signature in blue ink, appearing to read "Lorry Wagner".

Lorry Wagner, PhD

cc: Counsel for Parties of Record

This foregoing document was electronically filed with the Public Utilities

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Summary: Application - Fifth Supplement to Application electronically filed by Christine M.T. Pirik on behalf of Icebreaker Windpower Inc.