

From: [Urso, Marnie](#)
To: [Puco Docketing](#)
Subject: Comment on Application by Icebreaker Windpower, Inc. and others for Rehearing of OPSB Opinion
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Attachments: [2020.09.17Icebreaker-CommentsonAppeal.-Final.pdf](#)

Comments from National Audubon Society Attached Re: Icebreaker Windpower, Inc. Application for a Certificate, Case #16-1871-EL-BGN (the Application) – Comment on Application by Icebreaker Windpower, Inc. and others for Rehearing of OPSB Opinion, Order and Certificate of May 21, 2020

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September 16, 2020

Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215-3793
Email: contactOPSB@puc.ohio.gov

Re: Icebreaker Windpower, Inc. Application for a Certificate, Case #16-1871-EL-BGN (the Application) – Comment on Application by Icebreaker Windpower, Inc. and others for Rehearing of OPSB Opinion, Order and Certificate of May 21, 2020

Dear Ohio Power Siting Board:

The National Audubon Society protects birds and the places they need, today and tomorrow. Audubon works throughout the Americas using science, advocacy, education, and on-the-ground conservation. State programs, nature centers, chapters, and partners give Audubon an unparalleled wingspan that reaches millions of people each year to inform, inspire, and unite diverse communities in conservation action. A nonprofit conservation organization since 1905, Audubon believes in a world in which people and wildlife thrive.

Audubon supports clean energy that is sited and operated properly to avoid, minimize and mitigate effectively for the impacts on birds, other wildlife and the places they need now and in the future. Working closely with industry, government agencies, partners and our Network, Audubon will work to support, expedite and expand the development of clean energy policies, planning and projects to achieve 100% clean energy.

Audubon's 2019 Climate science hosted online at www.climate.audubon.org reveals that 389 species of our North American birds are seriously threatened by changes in climate suitability in their wintering and breeding habitats depending on how fast we can reduce our emissions to keep warming below 1.5° Celsius. Transforming our energy sector to emission-free generation by wind, solar and geothermal energy is a key strategy to combat the effects of climate change on our birds while providing jobs and equitable economic benefits for people and is a priority for Audubon.

We support and appreciate the efforts of our colleagues and partners in Ohio in our joint efforts for a clean energy future that meets our criteria for support.

Background of Audubon's engagement on Icebreaker:

Audubon filed [comments on March 24, 2017](#) on the Application along with Blackbrook Audubon Society, Columbus Audubon Society, Mahoning Valley Audubon Society, Canton Audubon Society and Ohio Ornithological Society.

We incorporate and refer to [those comments](#) here, and reiterate from those comments that

- *The standards in addressing environmental impacts in the permitting process at the Ohio Power Siting Board are standards that will likely be adopted throughout the Great Lakes Region in the U.S. and Canada for siting of offshore freshwater wind energy.*
- *The project is sited in an area designated by the National Audubon Society, as the U.S. partner for BirdLife International, as a globally significant Important Bird Area (IBA) identified as the Lake Erie Central Basin IBA.*

We **supported** the Staff Report of Investigation of July 3, 2018 (Staff Report) Recommended Conditions of Certificate numbers 15 through 26 (the Conditions) contained in section IV, Ecological Conditions that address impacts to avian species. We supported these recommended conditions in public testimony on July 19, 2018.

We **support** the Memorandum of Understanding agreed to between Ohio Department of Natural Resources and Icebreaker Wind Power, Inc. dated June 8, 2017 (the MOU). We supported this MOU in public testimony on July 19, 2018 and fully support the MOU now.

We reviewed and **did not support** the Joint Stipulation and Recommendations numbers (18), (19) (21), (22), (23) and (24) or any others concerning avian issues filed by Icebreaker Windpower, Inc. et al on September 4, 2018.

We **did not comment** on the Revised Joint Stipulations filed May 15, 2019.

Although we did not comment, we support conditions related to avian issues 15, 21 – 25 in the Revised Joint Stipulations as well as the Fifth Supplement to the Application filed on May 14, 2019 that includes Applicant's commitment to language to be included in the Impact Mitigation Plan and the Collision Monitoring Plan, pursuant to the MOU between ODNR and Icebreaker Windpower, Inc.

We support the inclusion of these conditions for on-site radar studies prior to construction, ODNR's approval of the Impact Mitigation Plan and the Collision Monitoring Plan prior to operation, and the inclusion of language in the Fifth Amendment agreement between Icebreaker Windpower, Inc. and ODNR agreeing that ODNR can order a shutdown of the turbines if the monitoring technology does not operate as expected as cited below:

From the Fifth Supplement to the Application filed on May 14, 2019:

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 collision, ODNR and Staff may require turbines to 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 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.

Ohio Department of Natural Resources has listened carefully and responded to all of our comments over the three years of our engagement on this project, and we want to take this opportunity to express our gratitude and full confidence in their ability to "protect our birds" as they approve or not approve each phase of the development of the first offshore wind project in the Great Lakes.



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Case No(s). 16-1871-EL-BGN

Summary: Public Comment of Marnie Urso with the National Audubon Society, via website, electronically filed by Docketing Staff on behalf of Docketing