

Exhibit V
Environmental Agency Correspondence



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

DAVID MUSTINE, DIRECTOR

Ohio Division of Wildlife

David B. Lane, Chief
2045 Morse Rd., Bldg. G
Columbus, OH 43229-6693
Phone: (614) 265-6300

May 21, 2011

To all interested parties,

Based upon the project boundary map received on May 20, 2011 the Ohio Department of Natural Resources Division of Wildlife (DOW) has prepared these survey recommendations for Windlab's proposed Greenwich project located in Huron County.

Currently the project falls within regions of the state that DOW has identified as needing moderate monitoring efforts. The below survey recommendations are based on a GIS analysis of the site and may be reevaluated after a site visit. Additionally, if the developer decides to amend the current boundaries, the DOW will revise our survey recommendations.

The table below was created based upon a review of the project maps provided and summarizes the types and level of effort recommended by the DOW. Results from these studies will help the Department of Natural Resources assess the potential impact these turbines may pose, and influence our recommendations to the Ohio Power Siting Board. Monitoring should follow those criteria listed within the "On-shore Bird and Bat Pre-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio."

For additional ODNR comments, including information on the potential presence of threatened and endangered species within or adjacent to your project area, please contact Brian Mitch at (614) 265-6378 or brian.mitch@dnr.state.oh.us.

Project	
Survey type	
Breeding bird	Breeding bird surveys should be conducted at all sites. The number of survey points may be based on the amount of available habitat, or twice the maximum number of turbines proposed for the site. If turbines are placed in agricultural land it, this requirement may be waived by DOW after a review of the proposed turbine locations is provided.
Raptor nest searches	Nest searches should occur on, and within a 1-mile buffer of the proposed facility.



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Raptor nest monitoring	The DOW has no records of state or federally listed species of raptor nesting on or within 2-miles of the project area. Any discovered during the raptor nest searches should be monitored.
Bat acoustic monitoring	To be conducted at all meteorological towers.
Passerine migration (# of survey points)	8
Diurnal bird/raptor migration (# of survey point)	1
Sandhill crane migration (same points as raptor migration)	NS
Owl playback survey points	2
Barn owl surveys	NS
Bat mist-netting (# of survey points)	15
Nocturnal marsh bird survey points	2
Waterfowl survey points	NS
Shorebird migration points	NS
Radar monitoring locations	NS

NS = Not required based on the lack of suitable habitat.

If you have any questions, please feel free to contact me.

Jennifer Norris, Wind Energy Wildlife Biologist
Olentangy Wildlife Research Station
Ohio Division of Wildlife
8589 Horseshoe Road
Ashley, OH 43003
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Ohio Department of Natural Resources

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DAVID MUSTINE, DIRECTOR

cc: Mr. Stuart Siegfried, Ohio Power Siting Board
Ms. Megan Seymour, United States Fish and Wildlife Service
Mr. Brian Mitch, Ohio Department of Natural Resources

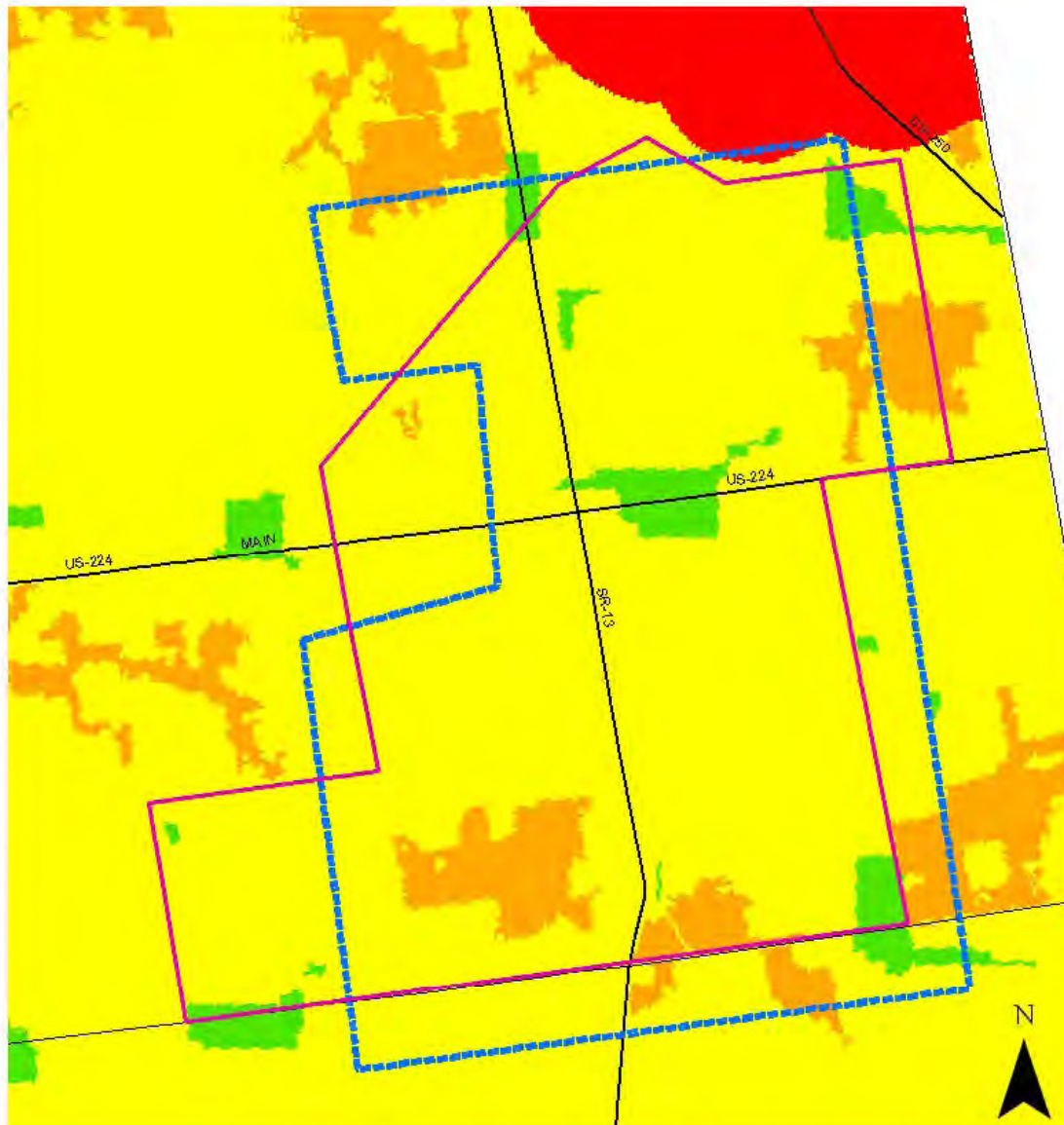








Ohio Department of Natural Resources

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Figure 1. Survey effort map with the revised (May 2011) boundary for Windlab's proposed Greenwich project.



-  Windlab Greenwich Revised May 2011 Project
-  Windlab Greenwich January 2011 Project
-  Minimum
-  Moderate
-  Moderate (where applicable)
-  Extensive

0 0.3 0.6 1.2 Miles



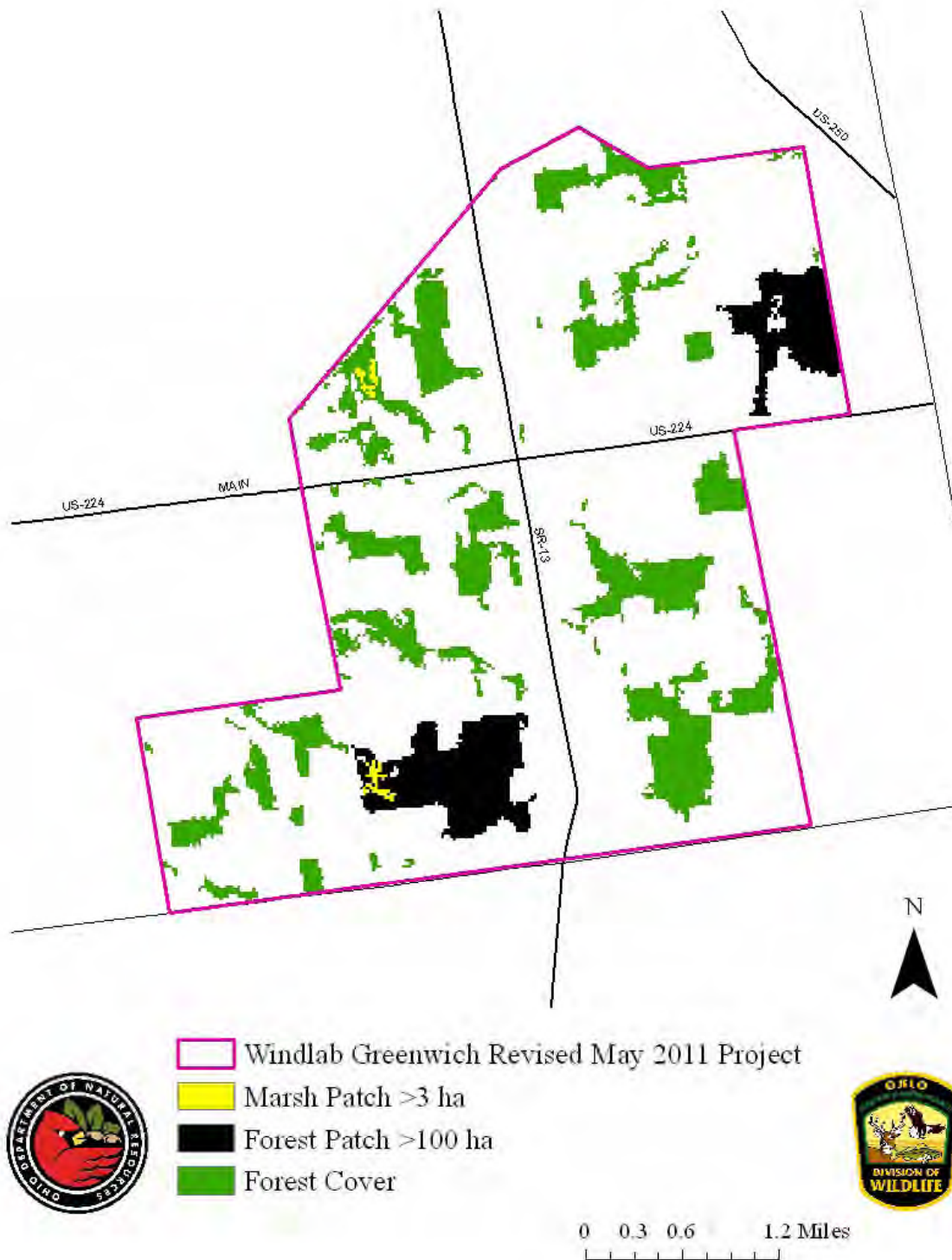


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Figure 2. Forest and marsh cover within the revised (May 2011) boundary of Windlab's proposed Greenwich project.





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4625 Morse Road, Suite 104
Columbus, Ohio 43230
(614) 416-8993 / FAX (614) 416-8994

February 2, 2012

Mr. Jeff Brown
Stantec Consulting Services Inc.
11687 Lebanon Rd.
Cincinnati, OH 45241-2012

TAILS : 03E15000-2012-TA-0412

Dear Mr. Brown:

This letter is in reference to your December 12, 2011 letter and e-mail regarding the proposed Greenwich Wind Project, proposed by WindLab Developments USA, Ltd., in Greenwich Township, Huron County, Ohio. The project involves the construction and operation of a wind farm along with associated access roads, collection lines, and associated facilities. The proposed project area appears to be primarily agricultural intermixed with forested parcels.

The following comments are being provided pursuant to the Endangered Species Act (ESA), Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Fish and Wildlife Act of 1956. This information is being provided to assist you in making an informed decision regarding wildlife issues, site selection, project design, and compliance with applicable laws. The U.S. Fish and Wildlife Service (Service) has been working closely with the Ohio Division of Natural Resources (ODNR) Division of Wildlife to develop recommended survey protocols and site evaluations that will satisfy both state and federal wildlife statutes, and this letter describes these measures, in part. The protocols, "On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio" (ODNR Protocols) are available on ODNR's website at:

http://www.dnr.state.oh.us/Home/wild_resourcessubhomepage/ResearchandSurveys/WildlifeWind/tabid/21467/Default.aspx. According to a letter from ODNR dated May 21, 2011, the Division of Wildlife has determined that the proposed facility would be classified as a "moderate" site under the current monitoring protocols. We encourage and appreciate your early coordination with both ourselves and ODNR, and recommend continued collaboration on this project to ensure wildlife issues are fully and appropriately addressed.

The Service supports the development of wind power as an alternative energy source, however, wind power can have negative impacts on wildlife and their habitats if not sited and designed with potential wildlife and habitat impacts in mind. Selection of the best sites for turbine placement is enhanced by ruling out sites with known, high concentrations of birds and/or bats passing within the rotor-swept area of the turbines or where the effects of habitat fragmentation will be detrimental. In support of wind power generation as a wildlife-friendly, renewable source of power, development sites with comparatively low bird, bat and other wildlife values, would be preferable and would have relatively lower impacts on wildlife.

WATER RESOURCE COMMENTS:

The Service recommends that impacts to streams and wetlands be avoided, and buffers surrounding these systems be preserved. Streams and wetlands provide valuable habitat for fish and wildlife resources, and the filtering capacity of wetlands helps to improve water quality. Naturally vegetated buffers surrounding

these systems are also important in preserving their wildlife-habitat and water quality-enhancement properties. Furthermore, forested riparian systems (wooded areas adjacent to streams) provide important stopover habitat for birds migrating through the region. The proposed activities do not constitute a water-dependent activity, as described in the Section 404(b)(1) guidelines, 40 CFR 230.10. Therefore, practicable alternatives that do not impact aquatic sites are presumed to be available, unless clearly demonstrated otherwise. Therefore, before applying for a Section 404 permit, the client should closely evaluate all project alternatives that do not affect streams or wetlands, and if possible, select an alternative that avoids impacts to the aquatic resource. If water resources will be impacted, the Buffalo Corps of Engineers should be contacted for possible need of a Section 404 permit.

ENDANGERED SPECIES COMMENTS:

Because of the potential for wind power projects to impact endangered bird, bat, or other listed species, they are subject to the Endangered Species Act (16 U.S.C. 1531-1544) section 9 provisions governing "take", similar to any other development project. Take incidental to a lawful activity may be authorized through the initiation of formal consultation if a Federal agency is involved; or if a Federal agency, Federal funding, or a Federal permit are not involved in the project, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA may be obtained upon completion of a satisfactory habitat conservation plan for the listed species. However, there is no mechanism for authorizing incidental take "after-the-fact."

The proposed project lies within the range of the **Indiana bat** (*Myotis sodalis*), a federally listed endangered species. Since first listed as endangered in 1967, their population has declined by nearly 60%. Several factors have contributed to the decline of the Indiana bat, including the loss and degradation of suitable hibernacula, human disturbance during hibernation, pesticides, and the loss and degradation of forested habitat, particularly stands of large, mature trees. Fragmentation of forest habitat may also contribute to declines. During the winter Indiana bats hibernate in caves and abandoned mines. Summer habitat requirements for the species are not well defined but the following are considered important:

1. Dead or live trees and snags with peeling or exfoliating bark, split tree trunk and/or branches, or cavities, which may be used as maternity roost areas.
2. Live trees (such as shagbark hickory and oaks) which have exfoliating bark.
3. Stream corridors, riparian areas, and upland woodlots which provide forage sites.

Indiana Bat Maternity Habitat

The project area appears to be a mix of agricultural land with scattered forested areas throughout. It appears that suitable summer foraging and roosting habitat for the Indiana bat likely exists within the project area.

Mist Net Surveys: Based on ODNR's Protocols, a total of 15 mist net surveys were requested for the proposed project boundary. In an e-mail dated June 13, 2011 the Service agreed that the mist net survey effort and methods proposed by WindLab and Stantec were at an appropriate level of effort for the proposed project boundary. The surveys were conducted by a permitted surveyor and were designed and conducted in coordination with the Endangered Species Coordinator for this office. Survey effort followed ODNR's Protocols, which exceeded the Service's standard protocol. We recommended that any Indiana bats captured, especially reproductively active females, be monitored through radio-tracking to

determine roost locations and foraging patterns. We understand that no Indiana bats were captured during the mist net surveys, however we have yet to receive the final mist net survey report for this site.

Acoustic Surveys: Per ODNR's Protocols, bat acoustic monitoring is to be conducted at all meteorological towers within the project area. We recommend regular inspection of the AnaBat detectors throughout the survey period to ensure proper functioning.

Indiana Bat Migratory Habitat

Wind energy facilities in various habitat types across the U.S. and Canada have been documented to cause "widespread and often extensive fatalities of bats" (Arnett *et al.* 2008), primarily during the fall *migratory* season. Further, Indiana bat mortalities have been detected at a wind power facility in Indiana, confirming suspicions that migrating Indiana bats are also susceptible to mortality from wind turbines. At this time, research into the mechanisms that cause mortality of bats at wind power sites is still ongoing, and few operational tools exist to avoid and minimize take — feathering of turbines during times when bats are most at risk has been shown to reduce mortality in some situations. Based on this, we are advising all operating wind farms and wind farms in planning stages within the range of the listed bats that lethal take is a possibility without curtailment of operations at night during the migratory period regardless of whether summer habitat is present or if Indiana bats are detected during summer mist netting. Due to the potential of take during spring and fall migration, we recommend developers evaluate their exposure to the prohibitions of ESA. This is a risk management decision the developer must make. The Service advises you to consider the following two options to ensure violations of the Endangered Species Act (ESA) Section 9 take prohibition do not occur:

1. Feather turbines during low wind speed conditions at night during the fall and spring migratory seasons as a way to proactively and definitively avoid take of Indiana bats (and other species of bats as well). Based on the Indiana bat Draft Recovery Plan First Revision (Service, 2007), fall migration generally occurs between August 1 and October 15, and spring migration generally occurs between April 1 and May 15.
2. Wind facility developers can work with the Service to apply for an Incidental Take Permit by submitting a Habitat Conservation Plan (HCP), as required under Section 10 of the Endangered Species Act. A HCP can be used to address Indiana bat presence during both summer foraging and migration periods. A HCP does typically require some time and survey effort to complete. Alternatively, you may consider joining in the regional effort to develop a wind power HCP to address Indiana bats and other listed species.

If you plan to implement either of these two options, please contact us for further information.

The project lies within the range of the **eastern massasauga** (*Sistrurus catenatus*), a small, docile rattlesnake that is currently a Federal candidate species. Since designated as a candidate species in 1999, it has declined significantly throughout its range and populations in Ohio that were once throughout glaciated portions of the state, are now small and isolated. The species has been listed by the State of Ohio as endangered since 1996. Several factors have contributed to the decline of the species including habitat loss and fragmentation, indiscriminate killing, collection, gene pool contamination and incompatible land use practices.

Eastern massasaugas use both upland and wetland habitat and these habitats differ by season. During the winter, massasaugas hibernate in low wet areas, primarily in crayfish burrows, but may use other structures. Presence of a water table near the surface is important for a suitable hibernaculum. In the summer, massasaugas use drier, open areas that contain a mix of grasses and forbs such as goldenrods and other prairie plants that may be intermixed with trees or shrubs. Adjoining lowland and upland habitat

with variable elevations between are critical for the species to travel back and forth seasonally. Should the proposed project area contain any of the habitat types or features described above, we recommend that a habitat assessment be conducted to determine if suitable habitat for the species exists within the vicinity of the proposed site. Please note that habitat assessments should only be conducted by approved eastern massasauga surveyors due to variable habitat types and cryptic nature of the species. Any habitat assessments or surveys should be coordinated with this office.

MIGRATORY BIRD COMMENTS:

The Migratory Bird Treaty Act (16 U.S.C. 703-712; MBTA) implements four treaties that provide for international protection of migratory birds. The MBTA prohibits taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. While the MBTA has no provision for allowing unauthorized take, the Service recognizes that some birds may be taken during activities such as wind turbine operation even if all reasonable measures to avoid take are implemented. The Service's Office of Law Enforcement carries out its mission to protect migratory birds not only through investigation and enforcement, but also through fostering relationships with individuals and industries that proactively seeks to eliminate their impacts on migratory birds. Although it is not possible under the MBTA to absolve individuals, companies, or agencies from liability (even if they implement avian mortality avoidance or similar conservation measures), the Office of Law Enforcement focuses on those individuals, companies, or agencies that take migratory birds with disregard for their actions and the law, especially when conservation measures have been developed but are not properly implemented.

At this time, we continue to encourage existing and proposed wind developments to follow current Service recommendations on wind power siting and construction (*Interim Guidelines to Avoid and Minimize Impacts from Wind Turbines – 2003*). The Service also encourages developers to coordinate with Service biologists regarding their projects. Proper coordination will help developers make informed decisions in siting, constructing, and operating their facilities. Additionally, the Service hopes to work cooperatively with wind developers to advance the state of the art of wind power siting, construction, and operation. Advancements in these areas will represent great strides towards the environmentally safe development of this otherwise renewable and clean source of energy.

The Service and ODNR have worked together to develop a recommended bird survey protocol for wind turbine projects, details of which are provided in ODNR's Protocols. ODNR has documented that the project area qualifies for "moderate" survey effort due to the proximity to possible migratory bird high use areas. We recommend implementation of the ODNR bird survey protocol to document baseline bird use of the project area. Bird survey results will be interpreted to determine if potential risk to birds is relatively high or low in various portions of the project area. Based on survey results we may make recommendations as to turbine placement and operation, or pre- or post-construction monitoring.

Research into the actual causes of bat and bird collisions with wind turbines is limited. To assist Service field staffs in review of wind farm proposals, as well as aid wind energy companies in developing best practices for siting and monitoring of wind farms, the Service published *Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines* (2003). On February 8, 2011, the U.S. Fish and Wildlife Service released the Draft Voluntary, Land-Based Wind Energy Guidelines for public and peer review, and these Guidelines are currently being finalized. The Guidelines can be found at: <http://www.fws.gov/windenergy>. Until those guidelines are final, the Service recommends following the 2003 Interim Guidelines. We encourage any company/licensee proposing a new wind farm to consider the following excerpted suggestions from the guidelines in an effort to minimize impacts to migratory birds and bats.

1. Pre-development evaluations of potential wind farm sites to be conducted by a team of Federal and/or State agency wildlife professionals with no vested interest in potential sites;
2. Rank potential sites by risk to wildlife;
3. Avoid placing turbines in documented locations of federally-listed species;
4. Avoid locating turbines in known bird flyways or migration pathways, or near areas of high bird concentrations. (i.e., rookeries, leks, State or Federal refuges, staging areas, wetlands, riparian corridors, etc.) Avoid known daily movement flyways and areas with a high incidence of fog, mist or low visibility;
5. Avoid placing turbines near known bat hibernation, breeding, or maternity colonies, in migration corridors, or in flight paths between colonies and feeding areas;
6. Configure turbine arrays to avoid potential avian mortality where feasible. (i.e., group turbines and orient rows of turbines parallel to known bird movements) Implement storm water management practices that do not create attractions for birds, and maintain contiguous habitat for area-sensitive species;
7. Avoid fragmenting large, contiguous tracts of wildlife habitat. Wherever practical, place turbines on lands already disturbed and away from intact healthy native habitats. If not practical, select fragmented or degraded habitats over relatively intact areas;
8. Minimize roads, fences, and other infrastructure. Wherever possible, align collection lines and access roads to minimize disturbance;
9. Develop a habitat restoration plan for the proposed site that avoids or minimizes negative impacts on vulnerable wildlife while maintaining or enhancing habitat values for other species. (i.e., avoid attracting prey animals used by raptors;
10. Use tubular supports with pointed tops rather than lattice supports to minimize bird perching and nesting opportunities. Avoid placing external ladders and platforms on tubular towers to minimize perching/nesting. Avoid use of guy wires for turbine or meteorological tower supports. All existing guy wires should be marked with bird deterrents. (Avian Power Line Interaction Committee 1996);
11. If taller turbines (top of rotor-swept area is greater than 199 feet above ground level) require lights for aviation safety, the minimum amount of lighting specified by the Federal Aviation Administration (FAA) should be used. Unless otherwise requested by the FAA, only white strobe lights should be used at night, and should be of the minimum intensity and frequency of flashes allowable;
12. Adjust tower height to reduce risk of strikes in areas of high risk for wildlife;
13. Wherever feasible, place electric power lines underground or on the surface as insulated, shielded wire to avoid electrocution of birds. Use recommendations of the Avian Power Line Interaction Committee (1996) for any required above-ground lines, transformers, or conductors.

The full text of the Interim guidelines is available at <http://www.fws.gov/habitatconservation/wind.pdf>. The Service believes that implementing these guidelines may help reduce mortality caused by wind turbines. We encourage you to consider these guidelines in the planning and design of the project. We

particularly encourage placement of turbines away from any large wetland, stream corridor, or wooded areas, including the areas mentioned previously, and avoiding placement of turbines between nearby habitat blocks.

BALD AND GOLDEN EAGLE COMMENTS:

Bald eagles (*Haliaeetus leucocephalus*) and **golden eagles** (*Aquila chrysaetos*) are included under the MBTA, but are afforded additional legal protection under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d). The Service recently issued a final rule that authorizes issuance of eagle take permits, where the take to be authorized is associated with otherwise lawful activities. If take of bald eagles is likely, based on the best information available, a bald eagle take permit for this project will be necessary. There are 5 bald eagle nests within 10 miles of the proposed project boundary and the internest distance is 3.4 miles. The closest nest is approximately 6.1 miles southwest of the project area.

On February 8, 2011, the U.S. Fish and Wildlife Service released the Draft Eagle Conservation Plan Guidance (ECP Guidance) which has undergone public review and comment and is now being finalized. The Draft ECP Guidance can be found at: <http://www.fws.gov/windenergy>. The Draft ECP Guidance was developed to provide interpretive guidance to wind developers, Service biologists who evaluate potential impacts on eagles from proposed wind energy projects, and others in applying the regulatory permit standards as specified by the Bald and Golden Eagle Protection Act and other federal laws. Appendix C of the Draft ECP Guidance suggests a monitoring protocol for wind projects that is more extensive than ODNR's current protocol. While this guidance is still draft, we believe that it deserves careful attention, as it lays out a proposed process for evaluating risk to eagles from wind power projects and developing an eagle conservation plan, in support of applying for a permit to authorize take. Monitoring data should be interpreted to document potential risk to eagles. If take of eagles is likely, a bald eagle take permit will be recommended.

Draft ECP Guidance (January 2011) APPENDIX C Recommendations:

Stage 2-Site Specific Assessment Recommended Methods and Metrics

Recommended site-specific sampling consists of three components: (1) fixed-radius point counts within the project footprint, (2) characterization of the local-area nesting population, and (3) determination of presence of seasonal eagle concentration areas. Please see the Draft Eagle Conservation Plan Guidance for full details of the monitoring.

Point Counts

The metric that feeds into models used to predict the number of expected eagle fatalities per year is the *eagle exposure rate*, expressed as eagle exposure minutes (flight minutes) per daylight hour within the footprint of the project, averaged over daylight hours and over the annual cycle. The recommended approach for estimating eagle exposure rate for a project is based on 30-minute point count surveys of eagles at 800-m radius plots within and adjacent to the project footprint. A range of 20-30 point count plots probably represents the maximum number of plots that can be surveyed twice monthly at wind energy projects of moderate (50-100 MW) to large (> 100 MW) capacity. Every point should be surveyed twice monthly in each of four seasons annually (every month during the year). An eagle's above-ground height should be estimated for each 1-min interval record, using broad categories relevant to the height of the rotor-swept zone and other risk-specific considerations (e.g., 1-20 m, 21-50 m, etc.). Observers should use the most efficient, logical route to move among sampling points, changing the starting point with the beginning of each survey cycle such that each point is surveyed during a range of daylight hours.

Characterization of the Project-area Nesting Population

The objective of the project-area nesting population survey is to determine: (1) the number; (2) occupancy status; and (3) productivity of bald and golden eagle nesting pairs within the search area during breeding season prior to construction. The project-area nesting population survey should include all potentially suitable eagle-nesting habitat within the project footprint and within the project's ½ inter-nest distance, which in this case is 1.7 miles. The following information should be collected to determine the project-area nesting population area: 1. Number and location of nests within territories with an occupied nest (i.e., an occupied territory). 2. Number and location of likely eagle nests within apparently unoccupied territories (i.e., suspected or previously occupied eagle territories without an occupied nest in the current year). 3. Productivity (number of young surviving to > 51 days of age) in each occupied nest. The Service strongly encourages that nesting surveys be conducted by experienced biologists with several year's prior experience conducting eagle nest surveys. A nesting territory or inventoried habitat should be designated as unoccupied by eagles only after a minimum of two complete surveys, lasting 4 hours each at least 30 days apart during the breeding season.

Eagle Migration and Concentration Area Surveys

Non-breeding bald and golden eagles occasionally use communal roosts and forage communally, and both species can become concentrated on spring and fall migration under particular combinations of weather and topographic conditions. These temporal pulses may be detected by the fixed-radius point counts, however the baseline point-count sampling intensity and sampling intervals may not be sufficient to detect or adequately characterize short-term migration or concentrated non-breeding eagle use. If either migration or non-breeding eagle concentrations are present in the project area, targeted spatio-temporal increases in the frequency of fixed-radius point counts may be advisable to provide more precise measures of the eagle exposure rate. Migration counts should be conducted following standards established by Hawk Migration Association of North America (HMANA), and may be combined with diurnal raptor migration surveys as described in ODNr Protocols.

COORDINATION OF SURVEY RESULTS:

Please submit survey results to this office for review. Survey results will be interpreted to determine areas with relatively low bat and bird activity/diversity as opposed to areas with relatively high bat and bird activity/diversity. Based on the survey results, we may make recommendations as to turbine placement and operation, additional consultation under Section 7 or 10 of the Endangered Species Act of 1973, as amended, additional permits under the Bald and Golden Eagle Protection Act, or pre- or post-construction monitoring.

POST CONSTRUCTION MONITORING:

The Service recommends the project be monitored post-construction to determine impacts to migratory birds and bats. A specific post-construction monitoring plan should be prepared and reviewed by the Service and should include a scientifically robust, peer reviewed methodology of mortality surveys. We recommend that the post-construction monitoring protocol be developed based on the results of pre-construction monitoring, and look forward to working with the project proponent to develop this document.

Thank you for the opportunity to provide comments on this proposed project. If you have questions, or if we may be of further assistance in this matter, please contact Megan Seymour at extension 16 in this office or by email at Megan_Seymour@fws.gov or visit our website at <http://www.fws.gov/midwest/Ohio>.

Sincerely,

A handwritten signature in cursive script that reads "Mary Knapp".

Mary Knapp, Ph.D.
Supervisor

Cc: Ms. Monica Jensen, WindLab Development USA, 3692 W. Liberty St., Ann Arbor, MI 48103
Ms. Jennifer Norris, ODNR, Olentangy Wildlife Research Station, Ashley, OH
Mr. Brian Mitch, ODNR, REALM, Columbus, OH



Ohio Department of Natural Resources

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JAMES ZEHRINGER, DIRECTOR

Ohio Division of Wildlife

Scott Zody, Chief
2045 Morse Rd., Bldg. G
Columbus, OH 43229-6693
Phone: (614) 265-6300

March 26, 2012

To all interested parties,

Based upon the revised project boundary map received on March 16, 2012, the Ohio Department of Natural Resources Division of Wildlife (DOW) has prepared these revised survey recommendations for Windlab's proposed Greenwich project located in Huron County.

Currently the project falls within regions of the state that DOW has identified as needing moderate monitoring efforts. The below survey recommendations are based on a GIS analysis of the site and may be reevaluated after a site visit. Additionally, if the developer decides to amend the current boundaries, the DOW will revise our survey recommendations.

The table below summarizes the types and level of effort recommended by the DOW. Results from these studies will help the Department of Natural Resources assess the potential impact these turbines may pose, and influence our recommendations to the Ohio Power Siting Board. Monitoring should follow those criteria listed within the "On-shore Bird and Bat Pre-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio."

For additional ODNR comments, including information on the potential presence of threatened and endangered species within or adjacent to your project area, please contact Brian Mitch at (614) 265-6378 or brian.mitch@dnr.state.oh.us

Project	
Survey type	
Breeding bird	Breeding bird surveys should be conducted at all sites. The number of survey points may be based on the amount of available habitat, or twice the maximum number of turbines proposed for the site. If turbines are placed in agricultural land it, this requirement may be waived by DOW after a review of the proposed turbine locations is provided.
Raptor nest searches	Nest searches should occur on, and within a 1-mile buffer of the proposed facility.



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Raptor nest monitoring	There is 1 bald eagle nest located on or within the 2 miles of the proposed project. This pair should be monitored to assess their daily movement patterns. Should any additional nests of a protected species of raptor be located during nest searches, monitoring should commence as outlined within the on-shore protocols.
Bat acoustic monitoring	To be conducted at all meteorological towers.
Passerine migration (# of survey points)	4
Diurnal bird/raptor migration (# of survey point)	1
Sandhill crane migration (same points as raptor migration)	NS
Owl playback survey points	2
Barn owl surveys	NS
Bat mist-netting (# of survey points)	9
Nocturnal marsh bird survey points	Waived
Waterfowl survey points	NS
Shorebird migration points	NS
Radar monitoring locations	NS

NS = Not required based on the lack of suitable habitat.

If you have any questions, please feel free to contact me.

Jennifer Norris, Wind Energy Wildlife Biologist
Olentangy Wildlife Research Station
Ohio Division of Wildlife
8589 Horseshoe Road
Ashley, OH 43003
Office phone: 740-747-2525 x 26
Cell: 419-602-3141



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JAMES ZEHRINGER, DIRECTOR

cc: Mr. Stuart Siegfried, Ohio Power Siting Board
Ms. Megan Seymour, United States Fish and Wildlife Service
Mr. Brian Mitch, Ohio Department of Natural Resources

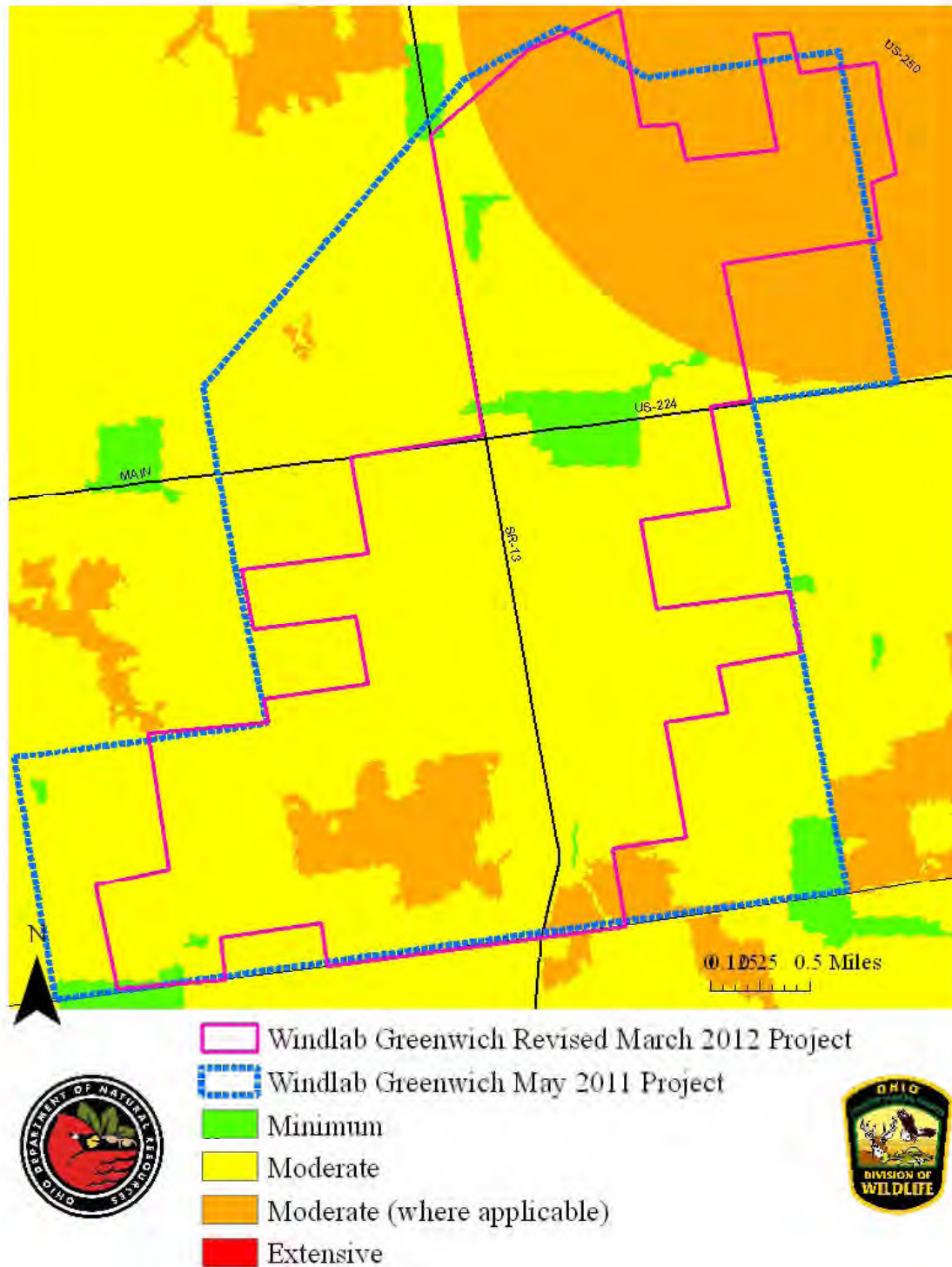


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Figure 1. Survey effort map with the revised boundary for Windlab's proposed Greenwich project.

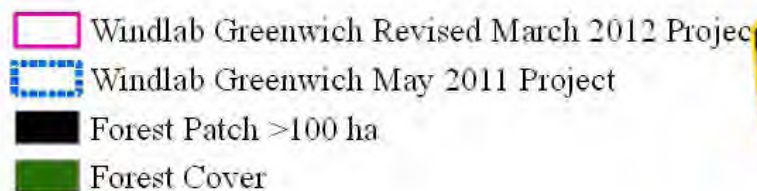




JAMES ZEHRINGER, DIRECTOR

The map displays the proposed boundary for the Ninevah National Monument, outlined in pink. The area is situated in the Ninevah region of Arkansas. Key features include:

- Roads:** US-250 (top right), US-224 (middle), SR-13 (center), and SR-1 (top right).
- Towns and Landmarks:** Alpha, Ninevah, Plymouth East, Rome-Greenwich, and Ninevah.
- Geographical Features:** The map shows various green areas representing vegetation or land use, and a large black area in the center representing a body of water or a specific land feature.
- Scale and Orientation:** A scale bar at the bottom right indicates 0.6 miles. A north arrow is located at the bottom left.



Monica Jensen

From: Tebbe, Sarah
Sent: Monday, June 17, 2013 3:47 PM
To: Monica.jensen@windlab.com
Cc: Kessler, John
Subject: 13-228 Comments 13-228 Greenwich Windpark - Windlab Developments

ODNR COMMENTS TO: Windlab Developments, Monica Jensen Monica.jensen@windlab.com

Project: Greenwich WindPark – Windlab Developments

Location: Near Greenwich, Huron County, Ohio

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The project is within the range of the Indiana bat (*Myotis sodalis*), a state and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees: Shagbark hickory (*Carya ovata*), Shellbark hickory (*Carya laciniosa*), Bitternut hickory (*Carya cordiformis*), Black ash (*Fraxinus nigra*), Green ash (*Fraxinus pennsylvanica*), White ash (*Fraxinus americana*), Shingle oak (*Quercus imbricaria*), Northern red oak (*Quercus rubra*), Slippery elm (*Ulmus rubra*), American elm (*Ulmus americana*), Eastern cottonwood (*Populus deltoides*), Silver maple (*Acer saccharinum*), Sassafras (*Sassafras albidum*), Post oak (*Quercus stellata*), and White oak (*Quercus alba*). Indiana bat habitat consists of suitable trees that include dead and dying trees with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. If suitable trees occur within the project area, these trees should be conserved. If suitable habitat occurs on the project area and trees must be cut, cutting must occur between October 1 and March 31. If suitable trees must be cut during the summer months, a net survey must be conducted between June 15 and July 31, prior to cutting. Net surveys shall incorporate either two net sites per square kilometer of project area with each net site containing a minimum of two nets used for two consecutive nights, or one net site per kilometer of stream within the project limits with each net site containing a minimum of two nets used for two consecutive nights. If no tree removal is proposed, the project is not likely to impact this species.

The project is within a county where current records exist for the Eastern massasauga (*Sistrurus catenatus*), a state endangered and a Federal candidate snake species. Due to the location of the project, the project is not likely to impact this species.

For additional comments and questions, including details of the required wildlife monitoring for pre- and post-construction for proposed commercial-sized wind facilities, please contact ODNR Wind Energy Biologist, Jennifer Norris, at (614) 265-6349 or at jennifer.norris@dnr.state.oh.us.

We are unaware of any unique ecological sites, geologic features, animal assemblages, scenic rivers, state wildlife areas, nature preserves, parks or forests, national wildlife refuges, parks or forests or other protected natural areas within the project area.

There are no capture site or hibernacula records for the Indiana Bat (*Myotis sodalis*), state endangered and federal endangered, within a ten mile radius of the project site. There is one nesting Bald Eagle (*Haliaeetus leucocephalus*), federal species of concern, within a five mile radius of the project site. The nearest record is approximately 1500 ft. from the project boundary.

We are unaware of any unique ecological sites, geologic features, animal assemblages, scenic rivers, state wildlife areas, nature preserves, parks or forests, national wildlife refuges, parks or forests or other protected natural areas within the project area.

Our inventory program has not completely surveyed Ohio and relies on information supplied by many individuals and organizations. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area.

ODNR appreciates the opportunity to provide these comments. Please contact John Kessler at (614) 265-6621 if you have questions about these comments or need additional information.



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

Division of Natural Areas and Preserves

Anthony J. Celebreeze, III, Acting Chief

2045 Morse Rd., Bldg. F-1

Columbus, OH 43229-6693

Phone: (614) 265-6453; Fax: (614) 267-3096

April 13, 2010

David Shirkey
Windlab Developments USA
3692 W. Liberty Rd.
Ann Arbor, MI 48103

Mr. Shirkey:

After reviewing our Natural Heritage maps and files, I find the Division of Natural Areas and Preserves has no records of rare or endangered species in the Greenwich Wind Park project area, including a one mile radius, at 3000 U.S. Rt. 224 in Greenwich Township, Huron County, Ohio, and on the Greenwich, New London, Shiloh and Olivesburg Quads.

There are no dedicated state nature preserves or scenic rivers at the project site. We are also unaware of any unique ecological sites, geologic features, animal assemblages, state parks, state forests or state wildlife areas within a one mile radius of the project area.

Our inventory program has not completely surveyed Ohio and relies on information supplied by many individuals and organizations. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although we inventory all types of plant communities, we only maintain records on the highest quality areas.

Please contact me at 614-265-6818 if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Debbie Woischke", is written over a horizontal line.

Debbie Woischke, Ecological Analyst
Natural Heritage Program



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Summary: Application of 6022 Greenwich Windpark, LLC - Exhibit V electronically filed by
Teresa Orahod on behalf of Sally Bloomfield