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AMERICAN BIRD CONSERVANCY
4301 Connecticut Ave. NW, Suite 451
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February 1, 2018

ATTN: IAD

Asim Z. Haque, Chairman
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, Ohio 43215-3793

To the Ohio Power Siting Board (OPSB):
Re: 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. Case No. 16-1871-EL-BGN

Dear Mr. Haque:

These comments relate to the request by Icebreaker Windpower Inc.'s to reestablish the Procedural Schedule and expedited ruling, electronically filed with the Public Utilities Commission on 1/24/2018 5:12:54 PM. The Procedural Schedule was suspended per request from the staff of The Ohio Power Siting Board on 10-23-2017 because of the need for additional supplemental information on the viability and design of the pre- and post-construction radar monitoring that Icebreaker intends to utilize to determine project impacts. The memorandum of support supplied by the Staff of the OPSB expanded on this need by stating:

"The Great Lakes has unique ecological properties compared to land installations. Due to the fact that this project is precedent-setting, since it is the first proposed off-shore wind facility in Lake Erie, Staff requires more information on the radar technology monitoring protocol it selected for this small demonstration project and whether it can reliably measure the effect of off-shore turbines on birds and bats and inform of the risk levels for future development projects in Lake Erie. The pre-construction radar monitoring protocol is important to Staff's investigation because it establishes baseline conditions using methodologies that will be duplicated during the project's operational phase to provide robust pre- vs. post-construction comparisons for impact assessment."

In response to meet this need, Icebreaker filed on 1/24/2018 5:10:14 PM to the OPSB "Evaluation of Icebreaker Wind Project Vendor Proposals for Radar-based Monitoring of Flying Animals" by Dr. Robert H. Diehl, hereafter referred to here as the "Diehl Report".

We have reviewed the Diehl Report, and find it expertly developed and extremely comprehensive in its review of the four proposals from three vendors provided to Icebreaker. In fact we believe this report sets the baseline for identifying data integrity problems in using radar over open water, recognizing serious deficiencies in present designs, and recommending research to begin the quest to overcome these issues.

The Diehl Report's conclusions found all vendor options to be wanting ("None of the vendor options satisfactorily addresses all the challenges such operations face in an offshore context…" p. 27, last paragraph.) in accommodating various issues of viability, reliability, and accuracy of data collected by the sample designs. All proposals failed to address the potential effects of barge movement on time of viable use and accuracy of data recordings. Dr. Diehl further provided multiple recommendations on possible improvements in any accepted design by Icebreaker to raise the trustworthiness of any data set produced. It is our contention, that this report does not meet the need request of the staff of the OPSB for multiple reasons. Merely providing this report by the applicant does not meet the request of the Staff of OPSB or the MOU for birds and bats with the Ohio Department of Natural Resources for determining viability and reliability of measures from any chosen radar monitoring design. In fact, Icebreaker does not even supply a study design for the OPSB or ODNR to evaluate against the Diehl Report. Which proposal have they chosen, are they incorporating any of the Diehl Report recommendations, what design changes are they incorporating to address the deficiencies expounded on by Dr. Diehl?

Without an actual design to review, without a study design to address barge movement on radar viability and reliability, and without a complete post-construction study design, it is not possible for OPSB or the ODNR to accurately measure the effects of off-shore turbines on birds and bats or to establish any informed conclusions on future projects from this "Experimental Project".

We request from OPSB and ODNR that before any reestablishment of a Procedural Schedule that Icebreaker provide:

- A complete detailed study design methodology to meet the requirements of the Bird and Bat MOU and the request of the Staff of the OPSB.

- To address all concerns raised by the Diehl Report on viability, reliability, and accuracy of data collection.

- This should include an experimental design to address barge movement effects on radar operation. This can be accomplished in part by this experimental project by designing a land-based experiment utilizing a paired radar analysis with one acting as a control (normal, stable activity) and a second mounted on a programmed platform simulating the expected lake effects on a barge. Results can then be used to identify any data collection errors associated with radar movement, thus eliminating false readings form a stand-alone radar over open water on a barge and developing correction factors for any open water-based radar studies of the future.

- To provide a complete and comprehensive study design for post-construction mortality studies as required by the ODNR MOU.

Respectfully submitted,

Kimberly Kaufman
Executive Director, BSBO

Steve Holmer
Vice President of Policy, ABC

Cc: James Zehringer, Director, Ohio Department of Natural Resources
Cc: Mike Miller, Chief, Ohio Division of Wildlife
Cc: Megan Seymour, U.S. Fish and Wildlife Service

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Summary: Public Comment electronically filed by Docketing Staff on behalf of Docketing