

BLACK SWAMP BIRD OBSERVATORY

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TEAMING RESEARCH WITH EDUCATION TO PROMOTE BIRD CONSERVATION

November 20, 2017

Sandra L. Rice, Notary Public
Mehler & Hagestrom Court Reporters
1660 West 2nd Street, Suite 780
Skylight Office Tower
Cleveland, Ohio 44113-1455

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 Ms. Rice:

Below, please find a copy of the statements from Black Swamp Bird Observatory.

Best,

Kimberly Kaufman
Executive Director
Black Swamp Bird Observatory

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Black Swamp Bird Observatory (BSBO) and American Bird Conservancy appreciate the opportunity to provide public comment to the OPSB process on this project known as Icebreaker.

ABC is the only organization in the Western Hemisphere with a single and steadfast commitment to achieving conservation results for birds and their habitats throughout the Americas.

BSBO is a nonprofit dedicated to research and education for bird conservation. We have over 35 years of field experience and research on bird migration in and around Lake Erie. Many people have testified in support of this project, and many of them have mentioned the low risk to the environment. However, as the OPSB is aware, the studies to determine the potential impacts are still being conducted. So, these comments are based, not in science and fact, rather, on effective PR by LEEDCo.

I testify this evening on behalf of BSBO and ABC, organizations uniquely qualified to advise the OPSB on that risk assessment.

Based on our extensive knowledge of bird migration, we present these points for consideration.

First, BSBO and ABC acknowledge the need to diversify our energy portfolio to address the threat of anthropogenic climate change. However, proper siting is crucial. We applaud the OPSB and ODNR on the concept of the Memorandum of Understanding (MOU) for this project. It provides a reasonably clear guidance of what is expected of all parties. We would

recommend that this process—with more scientific rigor added—should be used for all wind industry applications in Ohio.

- We support a complete enforcement of the MOU. Although this MOU isn't perfect, we definitely support the requirement that all field methods of pre-construction studies must complete a minimum of one full year of data collection.
- Radar study requirements have already been lost for fall 2017, so pre-construction study must continue at least until November 2018 in order to comply with the MOU.
- We recommend that the Certificate of Operation should not even be issued until the applicant has completed the studies required by the MOU, and has presented a scientifically sound mechanism for conducting post-construction bird and bat mortality studies.
- With the immense bird activity on and above Lake Erie, the precedent-setting nature of this project, and the inadequate field work conducted for the project, it is obvious the Environmental Assessment completed by the Department of Energy fails to assess the true risk to birds and bats.
- Massive numbers of waterbirds use the central basin of Lake Erie. For some species, such as Red-breasted Merganser and Bonaparte's Gull, more than 40 percent of the world's population may be present on the lake at the same time.
- Migratory songbirds and shorebirds by the millions fly directly across Lake Erie, most of them flying at night. These included endangered species such as Kirtland's Warbler and Piping Plover, and other birds listed as threatened or species of concern.

The EA for the project does not reflect any of these points. We strongly recommend the DOE step back, follow the original recommendation of the Fish and Wildlife Service, and complete a full Environmental Impact Statement.

- The applicant has consistently stated that this is just a demonstration project. But clearly, the true objective is to support the construction of thousands of turbines in Lake Erie. The EA on the Icebreaker project has ignored NEPA guidelines to address cumulative effects of any known or projected expansions.

For all these reasons, we implore you to judge this project on the cumulative risk to birds and bats posed by the potential for thousands of turbines in Ohio waters of Lake Erie, and require appropriate risk assessment by EIS before discussion of issuance of any Certificate of Operation.

There are numerous studies documenting the impact to birds and bats from poorly-sited wind energy. But, until we can legally prevent the industry from developing wind energy in these Globally Important Bird Areas, we believe Ohio should establish a standard by which we proceed only with a surplus of knowledge and an abundance of caution.

Thank you.



BSBO is the proud founder of the Ohio Young Birders Club and The Biggest Week In American Birding



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