



For Immediate Release

Contact: Nancy Lesic, 216.392.9634, nlesic@lesiccamper.com

Bipartisan group of 32 legislators asks State of Ohio to reconsider “puzzling”, “unusual” ruling that kills Lake Erie wind turbine project

Developer says last week’s corruption developments give additional cause for reconsideration as fossil fuel interests opposed the innovative Icebreaker Wind project.

Columbus – July 29, 2020 – A bipartisan group of 32 legislators from across Northeast Ohio have sent a letter to State of Ohio authorities to reconsider operating restrictions placed on an offshore wind demonstration project in Lake Erie. The legislators allege those restrictions kill the project, and they implore Chairman Sam Randazzo of the Ohio Power Siting Board (OPSB) to approve the project without the onerous conditions.

The OPSB imposed a “shutdown condition” mandating the wind farm cease operations every night from March until November, which renders the Icebreaker Wind project financially unfeasible. The condition stunned developers and advocates of the project and represented a reversal of an agreement developers reached with the State last year after the State’s own expert testified under oath the shutdown mandate was not needed. The project is being developed by the Lake Erie Energy Development Corp. (“LEEDCo”).

Senators Matt Dolan (R-Chagrin Falls) and Sandra Williams (D-Cleveland), together with Representatives Jeff Crossman (D-Parma) and Dave Greenspan (R-Westlake), championed this bipartisan letter. The legislators represent a broad and diverse cross-section of Northeast Ohio from 11 counties stretching from Huron to Ashtabula, Cuyahoga to Summit, and also Geauga, Mahoning, Medina, Portage and Trumbull counties. Together, the 32 legislators comprise almost a quarter of the entire General Assembly.

“As members of the Ohio General Assembly from Northeast Ohio, we write to object to the Ohio Power Siting Board’s recent Order in the Icebreaker case. Unfortunately, the order includes a last minute poison pill provision that upended the agreement reached among LEEDCo and the technical staffs of the Board and the Ohio Department of Natural Resources...” said the letter to Randazzo sent today. *(A copy of the letter is attached).*

The letter said the legislators reviewed the facts in the case and that they are “puzzled” about the Board’s ruling, also calling it “unusual”. It said the decision contradicted evidence presented in the case.

Dave Karpinski, president of LEEDCo, thanked the 32 legislators for their strong support. He has previously appealed to Ohio Gov. Mike DeWine to weigh in as well.

“If there ever was a time that Ohio needed a renewable energy project of this magnitude and with this economic impact, it’s now,” said Karpinski. “And if there was a time to make sure this project passed the smell test given the unusual circumstances of the decision and the fact that fossil fuel interests were opposing our project, it is most certainly now in light of last week’s developments,” in reference to the HB 6 energy scandal that erupted last week.

LEEDCo in June also asked the OPSB to reconsider its decision, saying the OPSB stepped outside its statutory authority and violated Ohio law.

The letter written by the legislators went on to say: “Our region of the state has patiently awaited approval of Icebreaker for over a decade. We believe the time is now for the Board to approve this innovative

demonstration project without the onerous, over-reaching regulatory conditions and allow (Ohio) to reap the economic and environmental benefits.”

The letter also notes that Icebreaker is projected to deliver \$250 million to the Northeast Ohio local economy and create over 500 well-paying jobs in the burgeoning offshore wind industry. It would also serve the region’s environmental interests, delivering 20 megawatts of clean power.

The legislators gave the following reasons why the Siting Board should reconsider the order.

- The nighttime shutdown condition contradicts evidence on the record that led technical staffs at both the Siting Board and the Department of Natural Resources to approve the project without the evening shutdown mandate.
- The Order offers no compelling evidence to override the technical staffs at OPSB and ODNR’s favorable recommendation. The nighttime shutdown condition also contradicts the formal finding by the U.S. Fish and Wildlife Service that the project is low risk.
- The Order essentially requires zero impact every night for 8 months, but the statutory standard is merely “minimum” impact, considering economics and technology.
- The Order unlawfully requires two separate approvals – one for construction and a separate subsequent approval to run at nighttime. By law, the OPSB certificate, when granted, is for both constructions and operations.

LEEDCo is a non-profit public-private partnership whose members include the City of Cleveland, the Port of Cleveland, the Cleveland Foundation and Cuyahoga, Lake, Ashtabula and Lorain counties in Ohio and Erie County, PA.

The six-turbine demonstration project was planned to be eight miles off Cleveland’s shoreline. The project was reviewed by more than a dozen state and federal agencies including U.S. Fish and Wildlife, Ohio EPA and others. It has the support of many environmental groups, including the Sierra Club, the Environmental Defense Fund and the Ohio Environmental Council.

###