

TESTIMONY OF KATIE ELSASSER

Logan County

IN OPPOSITION TO Sub. H. B. 114

To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program.

Chairman Balderson, Vice Chairman Jordan, Ranking Member O'Brien and members of the Committee, I am here to speak against any revision of the setbacks for industrial wind turbines that would measure the distance from my home rather than my property line. I also object to any proposed reduction of the current 1,125-foot setback from property lines.

I am a homeowner in Logan County. I have resided in Logan County for 35 years, my entire life. Current Ohio Revised Code Sections 4906.20 and 4906.201 establish wind turbine setbacks at a distance that protects the health and safety of adjacent, non-participating landowners: wind turbines must be at least 1,125 feet from the property line of a non-participating landowner. However, Senate Bill 238 and Sub. HB 114 reduce the current, appropriate setback distance to a shorter distance that will not protect adjacent landowners.

Senator Dolan suggested in his SB 238 sponsor testimony that local boards of county commissioners can control wind turbine development in their counties by granting or withholding PILOT (payment in lieu of tax) agreements for wind turbine developers. That is not correct.

I am providing testimony to relate my firsthand experience in Logan County with EverPower. EverPower proposes to develop the 100+ turbine Scioto Ridge wind project in Hardin and Logan Counties. Our interactions with EverPower have confirmed to us that wind turbine developers will pursue development activities in a county whether or not the developer is offered a PILOT agreement by county commissioners. Local county commissioners have little, if any, control over whether a developer will build wind turbines in their county.

On November 3, 2016, I met with Jason Dagger, a representative of EverPower, in my home in Logan County. The purpose of the meeting was to discuss EverPower's proposal to construct wind turbines close to a Hardin County property (the "Herring Property") that is owned by my mother, Deb Herring Reames, and her two siblings. The turbines are part of EverPower's Scioto Ridge Project.

Jason Dagger started the meeting off stating that he was meeting with us to do "cleanup" work. Amazon has purchased power for the project so it is a "full go" and construction will start this year with "small things." It won't be every turbine constructed at once, but building up of roads along with survey work and testing. Full construction will start in March or April 2018.

Mr. Dagger said he was there to talk about the turbine closest to the Herring Property. He wanted to offer my mother and her siblings to be a partner of the project because the turbine is sited too close to their property. It was EverPower's assumption that the turbine model being bigger, it would also be louder and create more shadow flicker, for which EverPower was willing to compensate my mother and her siblings. The offer was \$2000 a year for the life of the project, possibly \$50K total. A discussion took place that the \$2000 a year was going to be split among

the three siblings. This was pennies for EverPower; the siblings would get practically nothing because of income taxes. Jason did not offer any more money.

I asked why EverPower needed a good neighbor agreement -- is there excessive noise, shadow flicker, health hazards, etc.? Per Jason: "Yes, those factors can be elevated, which is why EverPower is offering to 'help' us."

Me: "What are the repercussions of signing the agreement? Can we complain about problems?"
Jason: "Oh yes, you can complain to EverPower, but not to anyone else."

I questioned the PILOT theory, about whether EverPower would not build the project in Logan County if Logan County did not grant it a PILOT agreement. Jason and EP representatives had earlier stated that they would not build in Logan County without a PILOT agreement because it doesn't make financial sense. Me: "Are you now telling us that was a lie?" Jason: "No, the state has now given us better clarification on the taxing structure and it looks like we will be OK to build in Logan County."

Me: "You realize you aren't wanted in Logan County? You want to be a good neighbor, how can you still build?" Jason's response was: "It's about the money, all power in Hardin County has already been sold, those in Logan County will be for profit."

Me: "Have you informed the surrounding neighbors that turbines may still be built in Logan County?" Jason: "Why would we do that?"

Me: "Do you need a Road Use Maintenance Agreement in Logan County?" Jason: "No, we don't need one because they are only coming off state routes." Me: "Wouldn't this require an amendment to the project?"

Me: "If the siblings don't sign the Good Neighbor Agreement, what will happen?" Jason: "We would move the turbine 20 feet."

Me: "Why didn't you try and help us 8 years ago and be a good neighbor then and tell us about the project?" Jason's response was: "I don't know why we would do that."

I asked Jason if he had talked to the County Commissioners about building in Logan County. He said that he had not had any contact with commissioners or trustees. Me: "Don't the townships have resolutions against the turbines?" Jason played dumb.