

**SUB. HOUSE BILL 6**  
**PROPONENT TESTIMONY**  
**JULIA F. JOHNSON**  
**CHAMPAIGN COUNTY OHIO**  
**June 19, 2019**

Chairman Wilson, Vice Chairman McColley, Ranking Member Williams and members of the Committee. My name is Julie Johnson and I have been an advocate for meaningful community representation in industrial wind development since 2006. Myself, and others like me, have been at this for 13 years.

I served as the only voting representative of the public on the Ohio Wind Working Group (“OWWG”), established by the Strickland Administration to articulate a process for industrial wind development. Various documents were drafted by OWWG to facilitate siting. The final draft of the Guiding Principles read “Project review and approval should reflect locally adopted land use plans and zoning scenarios.”

Correspondence in early 2008 from the Ohio Farm Bureau, another OWWG stakeholder, noted: “Many, if not all action team members feel that coordinated input, approval and/or support from government, business and community leaders on both state and local levels can best create an effective wind energy development process for Ohio.”

Unfortunately, aggressive lobbying by the wind industry led to a collapse of the Ohio Wind Working Group and abandonment of all documents pertaining to siting. The state’s professional consultant was terminated; the Development Department staff advisor resigned under a cloud and he later went on to work for AWEA.<sup>1</sup> Pre-emption of all local zoning for industrial wind projects over 5MW was adopted thereafter.

Today, HB 6 will expand local zoning for industrial wind projects from the current 5MW limit up to 20 MW. This will facilitate on-site wind development such as exists at the Whirlpool and Ball plants in the Findlay area. The community supports this provision because manufacturers are located in areas zoned for industrial use and, if nothing else, a wind turbine is an industrial use.

The continuing problem which HB 6 will fix is how we deal with industrial development targeted in rural residential areas where local zoning remains pre-empted. It is worth noting that 25 states require siting approval at state and local government levels and 20 states provide complete local autonomy.<sup>2</sup>

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<sup>1</sup> <https://www.dispatch.com/article/20110924/NEWS/309249782>

<sup>2</sup> <http://www.ncsl.org/research/energy/state-wind-energy-siting.aspx>

The Ohio zoning pre-emption left property owners vulnerable to a host of negative impacts. At the time, industrial wind turbines were about 1MW. Blue Creek in Van Wert County was built in 2010 with 2MW turbines measuring about 472 feet at tip height. Nine years later turbines planned for various Seneca County projects will reach up to 656 feet. The rules adopted by the Ohio Power Siting Board are essentially the same today as they were in 2010 despite a nearly 50% increase in turbine size. We also now have the benefit of experience.

When the Ohio Wind Working Group conducted its study of wind siting, we relied to a large extent on the National Academy of Science's National Research Council publication entitled Environmental Impacts of Wind-Energy Projects. I would like to share a quote from this publication:

*"Another matter that may be affected by level of review is equity with respect to socioeconomic class, race, or ethnicity of citizens living near wind-energy facilities who are most susceptible to local adverse effects. Environmental justice issues most often are raised where locally controversial facilities are sited disproportionately in low-income or otherwise politically weak neighborhoods, where citizens may lack educational and political resources to represent their own interests effectively." (page 205-206)*

I would add, too, rural communities often lack financial resources to defend against the army of landmen, lawyers and so-called experts who run roughshod over them. Developers can do this because there is no consequence for alienating or ignoring the community. There is nothing to bring them to the table to negotiate with the local citizenry. AWEA claims the carrot of local tax abatement provides adequate local control but this is false. The issue is a township matter not a county level concern and several Ohio projects have announced they are going forward without tax abatement. The most recent example, Scioto Ridge, broke ground on June 5<sup>th</sup>. Describing Payments in Lieu of Tax as "local control" is a red herring.

Giving the local community the right of referendum empowers them to be the decision-makers when dealing with the future character of their community. It encourages the developer to be more transparent with the community and to seek out areas of compromise. It addresses the very real concern about who determines opportunity cost and whether there is a net benefit to the community. It levels the playing field between absentee leaseholders and the people who actually live in the footprint of a project.

There are multiple wind projects in the pipeline in Seneca County and nowhere is there an opportunity to assess the cumulative impacts. Four wind developments planned close to one another in the Erie-Huron-Seneca area will cover an area estimated to be 250 square miles. A right of referendum would allow affected townships to say yes to one project but no to another if the cumulative impacts were felt to overburden the landscape.

We are not here today to quibble over setback distances. That is an entirely separate topic for another day. We are here to restore equity and to enfranchise the people of Northwest Ohio who will almost exclusively bear the burden of wind development in the State of Ohio. It is important that you do not strip out the referendum language and send a message to our people that, once again, our voices do not matter.