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Senate Bill 52- Proponent Testimony
Ohio Senate Public Utilities Committee

Chairman McColley, Vice Chair Schuring, Ranking Member Williams, and Members of the Ohio Senate Public Utilities Committee, thank you for the opportunity to offer proponent testimony on Senate Bill 52. My name is Mark Wellman, I'm here on behalf of my family business that that opened in Lima in 1966. Winona Lake is an outdoor recreation area that includes a water playground, miniature golf, tennis courts, and a campground.

The proposed Birch project plans to build less than 100 feet from the water playground area. Building so close to my facility presents a number of possible risks including exacerbating drainage issues, noise disturbances from the inverters, construction disturbances, viewshed, etc. Below is an image of the facility:

WINONA LAKE



The premier organization for township planning, American Planning Association, says that every community needs to address the question: How should a locality properly evaluate the overall impacts of a large-scale clean energy land use on the community?

The current approval process in Ohio does not allow townships to address this question. Currently residents, businesses, and landowners are subject to the long term impacts of these projects without a meaningful say as these developments are not subject to local zoning and the

local oversight has been striped away. The solar and wind industries must bring an overall value to the locality beyond the clean energy label. Localities must consider the other elements of sustainability and make deliberate decisions regarding impacts and benefits to the social fabric, natural environment, and local economy.

Ohio at the moment has 25 pending solar applications. One reason for such an emphasis on Ohio is that developers can minimize locals as they have little to no input in the formal approval process.

Every other state that is experiencing major growth in new renewable projects has laws and regulations in place that allow for local input. Ohio has not formal mechanism for local input. No set back requirements for utility scale solar. No sound regulations.

The current process is not only excluding local input but is contributing to poorly built and maintained facilities. Below are images from Hardin Solar 1. This is one of the first utility scale solar facilities to come online in Ohio. My visits to the Hardin Solar 1 facility tell me that the risks that I perceive for my business are real. The developer of the Hardin facility plans to build at least 4 more facilities in Ohio.

Hardin Solar 1



Hardin 1



Hardin 1



Clearly the stormwater and erosion/sediment control plan submitted to OPSB as part of the approval process for the Hardin I process is not working for this facility. In most states, facilities as large as the Hardin facility are required to build sediment ponds. Additionally, in most states the approval process includes independent third-party reviews. In Ohio sediment ponds and third part reviews are not required as part of the approval process for large scale solar facilities.

Townships know their land the best and can identify where to effectively locate their wind and solar facilities. The location of renewable facilities is the single most important factor in evaluating an application because of the large amount of land required and the extended period that land is dedicated to this singular use, according to the American Planning Association. Renewable energy facilities must be appropriately located in areas where they are difficult to detect, not on prime farmland, away from existing homes, according to the APA.

The proposed Birch Solar facility in Lima violates the most important factor in solar farm planning. More than 210 homes are within 1,500 feet of the proposed facility.

The provisions in Substitute Senate Bill are critical in addressing public interest, convenience and necessity evaluation for these developments. Acknowledging the position of the township trustees as the unit of government closest to the local interests to inform the public interest consideration is fair and reasonable. Substitute Senate Bill 52 allows for a degree of local control for these decisions and empowers public input from locals and those accountable to these communities.

I have been a vocal advocate that large scale solar developments fail to take into account community input early on in the planning process. Substitute Senate Bill 52 promotes this type of community engagement on the front end and not merely on a project by project basis.

From the experience of my community, it seems that under the current regime too often the surrounding residents, businesses, landowners are left deliberately unaware of the planned development until the project is sufficiently far along to provide assurances to the developers. My neighbors and I found out about a plan for a large solar farm long after the planning for such a facility had begun.

The solar facility use is often pitched as “temporary” by developers, but it has a significant duration—typically projected by applicants as up to 30-35 years. Research shows that the land after use will not easily be returned to agriculture. Essentially in 30-35 years Ohio is going to have thousands of acres of marginalized land. The policy implications of using thousands of acres of prime farmland are being carefully considered in many states, but in Ohio solar developers are finding no serious discussion or regulations to protect prime farmland thus making Ohio a prime target. As a result, Ohio has a record number of solar farm applications.

With this influx of applications, we’ve seen a number of them are attempting to locate in townships with a high population density and/or around a large number of homes. No case studies showing a positive community impact with successful mitigation of risks (ecological, environment, health & safety, property value, etc.) from equivalent operational solar projects (MW, acres, population density, number of impacted homeowners) have been provided.

This legislation provides transparency and a voice to the local residents that the solar developers have been able to successfully ignore.

Thank you for the opportunity to testify in support of Senate Bill 52. I greatly appreciate the work of the sponsors for this importance piece of legislation. I am happy to answer any questions you may have.