

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

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Please provide a brief statement on your position:

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House Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Chair Ray, and Ranking Member Smith, thank you for the opportunity to submit opposition testimony on Senate Bill 52 and House Bill 118. My name is Alan Heyob. I grew up on the farm where I currently live in Highland County that is involved in a solar project known as Willowbrook.

We have been farming in Highland County since 1968 and began milking cows at my grandparents farm in Harrison Ohio. My uncle also milked cows. We had the dairy until 2013. Many farmers haven't had an easy time of it. We have managed to live ahead of our bills, but barely some years.

To be honest, I wasn't sure if I was interested in solar, but I did a lot of research and better understood the project. I would have never sold the land. Leasing the land makes sense for us. We talked to another solar development company out of Canada, but their proposed project size was too small and could not secure funding. Then we began our conversations with Open Road Renewables and we felt confident in their capabilities. Since then, we toured the Hillcrest Project in Brown County and saw an amazing operation and a small army of men and women building a world-class project that reinforced our confidence in our solar farming decision

I have been hauling grain for neighboring farmers and will continue to do that. I love to be around other farmers and farming is truly my passion. Solar farming allows for farmers to continue to farm, but with stability.

The solar project generates an enormous amount of money that goes into the local economy, and mainly to the schools. Most of our rural communities do not have industry to support the schools. Our project is a community partner and we are proud of the fact that our land is having a bigger hand in helping our community.

I can't understand why anyone would be against solar. If you don't want to look at it—we will have natural vegetation to screen the view and solar is low to the ground, unlike other energy technologies. Every other issue people have, we address through the permitting process. The amount of public hearing, public input, and public discussion is like no other industry.

I request this committee not act on SB 52 or HB 118. Thank you for the opportunity to share my position and hope it was helpful.

Chairman Hoops, Vice chair Ray, Ranking Member Smith and members of the Committee, my name is Angie Wright, I am currently the President of Bright Local School District Board of Education, as well as a life long resident in this area. Thank you for the opportunity to testify.

I am against House Bill 118. I believe these decisions need to stay at the State level. Local decisions would be made at a personal or emotional decision not what is the best benefit for everyone in the area. Believe me I understand people not wanting solar farms next to their property, mostly because of the unknown. We have seen in the past at other hearings of people who oppose the Solar Projects, they do not have all the factual information to make their case. There is so much misinformation spread by people that do not wish to have the Solar Farms around. With the correct information and momentary benefit, it is just too high to pass up. I am currently serving on the Board of Education in the Bright Local School District. Since my tenure on the board, we have tried to pass several school levees, which have failed. As of this year we are no longer collecting any money from any Levy. We are only collecting property tax and State School funding. We have a poverty District and our levies we have tried to pass has failed by big margins. The money our District will collect from the Solar projects is essential to our District. If this decision were left to our local trustees, I do not think it would have been approved due to the uncertainty of what these farms will look like and the unbelieving of the State Mandated per megawatt tax will generate, not only for the Schools, but for the county and townships.

These kinds of decisions can not be made from an emotional standpoint. It must be made from someone from the outside that is looking at the benefit for the better good.

Thank You

Angie Wright

Bright Local School Board

March 22, 2021

Chairman Peterson, Vice chair Schuring, Ranking Member Williams and members of the Committee, my name is Angie Wright, I am currently the President of the Bright Local School District Board of Education, as well as a life long resident in this area. Thank you for the opportunity to testify.

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Bright Local School Board



March 22, 2021

Senator Bob Peterson  
Senate Building  
1 Capitol Square  
1<sup>st</sup> Floor  
Columbus, OH 43215

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Senate Energy and Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Chair Ray, and Ranking Member Smith, I appreciate the opportunity to provide testimony on House Bill 118. My name is Betty Halberstadt. I have the fortunate distinction of being a landowner in a utility-scale solar project in Ohio, and someone who has worked in the clean energy industry for the past 14 years in 16 different states.

In my job, I am able to talk to farmers directly and better understand their needs for their land and estate planning. Many farmers continue to farm. The lease payments offer opportunities to invest in their farm and offer stability in challenging times. It allows farmers to keep their land in the family versus selling off to large Agricultural conglomerates, while providing a more comfortable retirement. Lease payments can also provide solutions to unexpected, and out of the ordinary family needs. A couple of examples would be the farmer who just recovered from cancer and was planning on retiring and renting his land to a neighboring farmer. His energy lease payments were to be ten times what farm rents would be! That ensured the future for he and his wife, regardless of whether or not his cancer might return. And his younger farming neighbor whose youngest child has severe autism, who would require lifetime care. He was farming significant acreage and working two part time jobs to try and build a nest egg for their sons' long-term care once he and his wife were no longer on this earth. He thought his opportunity to participate in the energy farm was a godsend. He no longer had to work himself to the bone and was able to scale back and spend more time with his family.

From the time landowners are approached to be a part of a project, to the time that a project goes into construction, takes years. Farmers and companies work together in a partnership to make sure everyone's interests are fairly represented.

I believe that Senate Bill 52 and House Bill 118 would unfairly tip the balance of decisions that should be between a landowner and a company, to outside parties that do not have interest in these decisions. After talking with several hundred farmers and landowners, I have found there are two main reasons for opposition to an energy generating farm: one, people who live near projects don't want to look at the infrastructure; and secondly, they are not personally included in receiving what is sometimes large sums of money. After years of planning, signing contracts, and moving forward with a project—that a township could referendum and upend these decisions is unfair and not in the best interests of Ohio farmers. Counties also benefit tremendously from taxes paid on the energy project, thereby minimizing real estate tax increases for all county residents. For the sake of landowner rights (right to farm) and moving good projects into rural communities (no industrial smokestacks or polluting facilities), I request this committee does not move this bill.

Thank you for the opportunity to submit written testimony for your consideration.

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Ohio House Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Chair Ray, and Ranking Member Smith, I appreciate the opportunity to be here today to provide testimony on House Bill 118. My name is Connie Schoultheis and I am a lifelong citizen of Highland county, where I have resided on my farm in Highland for 35 years.

We milk 75 cows with our son and we have three daughters who work off of the farm. All of our kids are supportive in moving forward with solar energy on our land.

Farming is unpredictable, hard work. For us, solar is our way of retirement. At some point in our lives, we would like to retire from operating a dairy farm and all of the grueling work that goes into it. We made a dairy farm 35 years ago and no one voted on that. Are you going to vote on what I plant? I think it is dangerous to demand a farmer do or don't do certain things on our land.

In 2016, we were approached by Open Road Renewables about the Willowbrook solar project, and we decided to look into it. This was not an easy decision for us, as we have dedicated our lives to our farm, but after the research necessary to educate ourselves on the benefits of solar for not only our family, but the surrounding community, we decided it was the correct decision. We worked with Open Road Renewables every step of this process in ensuring this is beneficial to every citizen of Highland county.

We have put half of our acres into this project, and if we did not wholeheartedly believe that this project would benefit us and the surrounding community, we would not have taken such a big step.

I like to say, we have always worked the ground, and now the ground is going to work for us.

Senate Bill 52 is unfair because it penalizes the farmer. We pay the mortgage, insurance, and taxes on our farm land. This is our land to do with what we please. I support private property rights, and if you do as well then you should be against Senate Bill 52.

Many in support of Senate Bill 52 say that solar and wind power are disruptive. Solar panels are quiet, peaceful neighbors. They are low laying, and actually give back to the soil as they will be in a conservation under solar. In fact, when the solar panels are removed in 30 years, the ground will be in better shape to farm than it was previously.

If Ohio does not embrace clean energy, it will miss a pivotal opportunity. The sun provides us with free energy, and all we need to do is build the tools to harness it for our communities. There is only so much coal in the ground, and we need to look to the future. We have an

opportunity to displace carbon emissions and build a better community using local land, why would we not take it?

In addition to the benefits we see as landowners, this project will significantly benefit the surrounding communities and schools, which desperately need additional revenue. The only way to get money for the schools is to tax property owners—that's us!

There is no industry that has a local referendum process like the one created in SB 52 and HB 118.

Thank you for taking the time to listen to my testimony. I hope you will understand that Senate Bill 52 is detrimental to private property rights, and that solar energy is beneficial to our farm and our community.

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House Public Utilities Committee  
HB 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Chair Ray, Ranking Member Smith, and members of the committee thank you for the opportunity to submit opposition testimony on House Bill 118. My name is David Giffen.

I am a full time farmer and grow corn, soy and hay. I am a lifelong resident of Preble county—I am married with 3 kids and a grandchild--and hopefully more on the way. I love my farming roots, and I am a proud Farm Bureau and Ohio Cattlemen's Association member. In fact, I will be coming up to Columbus for the beef expo. Youngest daughter is a senior in high school and shows in the Preble County Fair, first week in August.

Middle daughter goes to Miami and my oldest is in the Ironworkers Union (local 290 out of Dayton). My children do not farm, but I want to leave a legacy for them.

When we sat down with the solar company, I sat my kids down and asked if they wanted to farm. I don't have enough ground to keep two families going. But if my son wanted to farm I would have told the solar company no way.

I know you are hearing from people saying that they don't want agricultural land to be taken out of production, but the truth is, when land is sold, there is no guarantee that their land will remain agricultural. Every day, we see more and more housing and commercial development. With solar, BY LAW, if the landowners want the property to go back to agricultural use after the useful life of the project, the bonding to decommission the project and recycle the parts is already paid for. When land is put into housing or another developed use, it will never go back to agricultural land.

This is an investment for the kids and my family. It is also an investment in my community. To get this far and have the rug pulled out from under us would set our community back and be a huge loss for landowner rights.

I ask that you please consider the rights of landowners and not have my land use be determined by a referendum. Oppose Senate Bill 52.

David Giffen  
Camden, Ohio  
[Drgiffen13@gmail.com](mailto:Drgiffen13@gmail.com)

Dear Members of the Ohio General Assembly,

I am writing to you today in opposition to Senate Bill 52 and House Bill 118, bills that would have a detrimental impact on my farm, family, business as well as our community.

My wife and I have been farming for 24 years and have invested a great deal of financial worth, labor and other sacrifices to set this up for future generations in our family. Solar energy on some of our acres would give my wife and I a steady income stream which would give us a more secure life in our older years, making it better for us and future generations while having minimal impact on the ground.

We would be diversifying our income, while also helping the community with increased taxes for roads and schools.

As for the bill's changes to let the township make decisions regarding solar farming, we have both worked two jobs most of our life to be able to purchase our farm, and we feel that as long as we are responsible individuals who make responsible choices, we should have the opportunity to continue to make those choices about our crops, be it corn, soybeans or solar farming.

I have done my due diligence and been working with Open Roads Renewables and our legal counsel for over a year and have worked out a favorable contract for all involved. There will be trees to shelter the view of solar panels, and at the end of the project, the land will be returned to the previous state. This will also help Ohio in being part of the recent increase in green energy, which will also help create local jobs.

Thank you for taking the time to read this letter, and we would welcome you out to our farm for a visit to share more ideas on how this solar project would be beneficial for Licking County and for the entire state of Ohio.

Sincerely,

Joseph Dible  
Janice Dible

Chairman Hoops, Vice chair Ray, Ranking Member Smith and members of the Committee, my name is Doug Carraher, landowner/farmer in Southern Highland County, in a Solar Project. Thank You for the opportunity to testify.

I look at this HB 118 in many different ways, but not in favor of any. As a state resident, Solar Energy Companies have had a long battle in Ohio to get any stability out of Columbus. We have been going through the process for 5 years in June. AEP could not charge the rate payer. House Bill 6 nearly stripped all the renewables from any support. Now we have HB 118 Bill, we are in 2021?? Most of these Projects that are before The Ohio Power Siting Board started 3-4 years ago; it takes a monumental amount of time to put these projects together. In my neighborhood the schools in adjacent counties are missing the tax money from 2 closed coal fired power plants, our local school and county wants and needs the tax money that is state mandated!! \$7,000/megawatt, \$2,000 additional/mw, \$9,000/megawatt, that is huge. I did some research on Wikipedia since the late 1970's, we have had approximately 6,966 megawatts of coal fired power plants retire, the amount of coal plants scheduled to retire in the next 5 years nearly doubles that of the past 20 years. We need to remember that these coal plants are 50 – 70 years old for the most part and are closing due to Environmental Protection Agency agreements, due to pollution. Let these overaged dinosaurs go to extinction and let the new age of Solar pay the tax. If any of these coal fired power plants had to go through HB 118 we would have none of them. They pay a large amount of tax money, but so does the proposed solar. I have talked to landowners in Michigan, Indiana, Kentucky, and Ohio given the opportunity 80% of them would sign into a purchase or a lease for a Solar Farm to be developed on their land. We need to remember that these are large companies that have long term agreements in place and are working diligently with the Ohio Power Siting Board and its staff.

Lastly, we have a responsibility to all in the state to have adequate supply of unrestricted electricity. If General Motors is the first to say it would not sell any combustion engines by 2035 there will be more to follow. We need to worry about how to tax that since we are not buying fuel at the pump not HB 118. HB 118 IS trying to take away the environmental safety of Solar Farms. HB 118 is taking away the responsibility of the Ohio Power Siting Board and staff who do a remarkable job of permitting and investigation to the area where these farms are

proposed. The Largest Restriction by HB 118 is the fact this is clearly a decision of **PRIVATE LANDOWNERS** and a **PRIVATE COMPANY** that are investing millions and millions of dollars. If you pass HB 118 we will not build any of these projects or any other large tax valuable gift to the county that it is constructed in. Thank you for your time and consideration. Please leave things as they are and let the professionals at the Ohio Power Siting Board and their staff do what they are good at.

Thank You

Doug Carraher



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Chairman Hoops, Vice Chair Ray, and Ranking Member Smith, thank you for the opportunity to submit opposition testimony on House Bill 118. My name is Richard Giffen.

I am a retired farmer who has farmed the land I farmed for 25 years before renting the farm to my brother. I come from a family of dairy farmers, along with my wife. I have been a member of the Farm Bureau for almost 50 years. I have three children and seven grandkids, none of whom are involved in agribusiness.

The past few years of farming have been difficult, as everybody in the industry knows. It is an unpredictable job. Grain prices can go south without warning, the weather cannot be predicted, and the hours are long and tough. I am devoted to the farming business, but as I get older I cannot keep relying on it for my income. Solar gives me a way to level my income and ensure that it is steady.

When the company who offered to educate us on the benefits of solar farming reached out, I decided that my entire family would be present for the meeting. I made sure every member of my family, including my wife and kids, were fully in agreement that this was the correct move. Everybody agreed that not only was it beneficial to us, but it was beneficial to the surrounding community.

People may not like the idea of a solar farm, and I respect that, but ultimately this is my land that I have chosen to invest in a project that I believe in. In addition, this investment will pay it forward to the surrounding community. The tax base this project will create will be significant for our schools, township, and county. This project will also create jobs for the community, benefiting the economy.

Solar farming is no different than growing corn for ethanol. Corn produces energy, and a solar farm on my land will do the same. Solar companies are required to follow some of the most rigorous and stringent laws in Ohio. These regulations will keep my farm operating in a way that is efficient for the community but allows me to retire and keep the land that I have owned and operated for over 43 years.

Thank you for listening to my testimony, and I hope you will consider opposing House Bill 118 due to its detrimental impacts.

House Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Chair Ray, and Ranking Member Smith, thank you for the opportunity to submit opposition testimony on Senate Bill 52 and House Bill 118. My name is Jeff Heyob. I grew up on the farm that my brother currently lives on in Highland County that is involved in a solar project known as Willowbrook.

I was born on my grand-parents farm in Harrison Ohio and grew up helping raise chickens and milking cows. In 1968 we moved to Highland County and continued milking cows 45 more years until 2013. I assisted my family with the daily farm operations alongside my brother. We were involved in 4-H, with my mother being a 4-H advisor. Now, my brother and I share ownership of our farm where we grow corn and beans.

I graduated in 1991 with a Master's degree in electrical engineering from U. of Cincinnati and started my own software engineering company. That business helped support military turbine engine life extension. I am now a contractor with the Wright Patterson Airforce base. Because of this, I live in Beavercreek. My brother Alan has remained the care-taker of our farm and we have been fortunate.

Although it is his passion, my brother cannot farm this land by himself forever. My three sons, all adults in other career directions, are in support of the addition of a solar farm in order to create a stable income for my brother and a chance to keep this land in our family.

The Ohio Power Siting Board are professionals who can objectively research and look at a project as it would benefit the community. House Bill 118 takes away this power of objectivity in solar projects and politicizes it by giving it to a subjective voice. This is my land to decide what to do with, and the Ohio Power Siting Board is a group of well-informed individuals who we should trust with the judgement of projects such as these.

This solar project combines my passion of engineering and building with my lifelong admiration of this farm. Just like any construction project, it will look bad before it looks good. However, what is more important than this project looking bad or good is the benefits it will reap for the community for years to come.

The PILOT program will ensure that this project supports the surrounding community as well. Training and equipment to local fire and emergency departments will be given, in addition to road use agreements. The solar program will be advantageous to the surrounding wildlife. Solar is similar to the Conservation Reserve Program, but the federal government does not have to pay for this land to be conserved. Solar projects are a way to ensure the land is staying conserved without having to pay federal money.

Another benefit to solar energy projects such as this one is the decommissioning process that will happen at the end of the project's useful life, all of the materials used will be disposed of in a sustainable way such as recycling. The land will actually be in better shape than it was before the project.

I will admit, I was new to solar when approached about the project. I was hesitant, but after doing research about all of the benefits that solar is able to provide for myself, my brother, and Highland County, I chose to move forward with the project. Watching the Hillcrest project under construction and all of the good that came out of it for the community solidified my decision and motivated me to put more land into the Willowbrook project.

This project will be transformational for Highland and Brown Counties. The company building this solar farm will make payments to local communities, and my land will be directly supporting local schools. These solar projects are a key piece to economic development of a community moving forward. The business of farming is dynamic, and solar is a good way to ensure the land can be used for the benefit of the community for years to come.

This solar project will be a great education opportunity for the community as well. I have already been active in STEM education and in retirement, I would like to bring students to tour the solar farm to educate them on the process of solar farming and all of its benefits. This would be greatly beneficial to local community STEM education with first-hand presentation to students.

I want to thank you for taking the time to listen to my testimony today. I hope that I have shown you only some of the multitude of ways solar energy benefits a community, and that you will consider opposing Senate Bill 52 and House Bill 118 for these very reasons.



# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

Will your testimony be written, spoken, or both? \_\_\_\_\_

Please provide a brief statement on your position:

*Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.*

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## SB 52 / HB 118

I am a farmer in Hartford Township, Licking County, Ohio. I grew up on our family farm and spent most of my time helping my Dad, and then taking on the responsibilities of our enterprise as Dad slowed down. I am a third generation farm owner. My wife and I did not inherit our farm ground. We have carried mortgages, paid taxes, lived through some lean years, and helped build a business. We have supported employees and their families. I am now 72 years old. I want to see my farm stay in farm ground.

We have signed contracts with a solar company, Open Road, that will assure the ground will stay farm ground for 30 or 40 years. We have raised corn, seed corn, soybeans, wheat and barley. None of these crops can harvest the sun's energy as efficiently as solar panels. We have always tried to be good neighbors. I feel that as a property owner we should have the right to farm or rent our ground the way we want to. We have always had a choice on what crops we planted and been good stewards of the land.

Solar farming is probably the best way to harvest the sun's energy. Neighbors in our area have been very positive. Solar farming ensures that my farm ground can stay in the family for at least 30 years. We are proud to commit a portion of our farm land to solar farming. Our children, our children's children and even our great grandchildren will all benefit, with money for college education and welfare. Dad gave his great grandchildren farm ground. The income from solar farming will provide college education funding for 18 and possibly more of his great grandchildren. By committing a portion of a family farm to solar farming, it could enable a farm family to continue to farm crops in a traditional way. I hope that our community will realize that this solar project will provide new and clean energy for our current and future generations.

**Senate Bill 52 / House Bill 118 takes away my right and my family's rights as property owners for over 70 years in Hartford Township. I feel I have the right to make a living from the ground I own and pay property tax on.**

*The solar project in Hartford Township will give the local school district funding it desperately needs, the township will have funding for better roads that will be well maintained in the future, and a better funded fire department. All of these things are beneficial to the local community!*

Some people may not understand how good the project will be for areas surrounding the city of Columbus. If the coal burning plant in Conesville, Ohio is closed down, Columbus will need electricity from somewhere else. *Why not provide some "Ohio grown" energy, stored and transmitted from Ohio solar fields to help provide that energy need?* Many acres of prime farmland are being developed for homes and businesses that will all need electricity.

**Solar panels supply clean energy.** *There will be less housing development, and less traffic if solar farming is allowed. Planting of shrubs and trees are planned to help beautify the area surrounding the solar panels. This company is taking care to avoid placing panels next to or directly across the road from homes.*


**Senate Bill 52 / House Bill 118 is a bad idea!!! To make it retroactive is even worse.** *Companies have spent millions in developing plans for solar projects in Ohio. Now all these plans would be jeopardized. If Senate Bill 52 / House Bill 118 becomes law, what precedent is set for neighbors to take action against farmers because they aren't happy with farming practices? Should the state be able to come in and take farmers' rights away to grow and harvest crops that provide them with a living? Or for farmers to rent their ground for a purpose that is beneficial to their own community or an even larger area?*

**If you were in my position, you would not like it either!**

I have voted Republican all my life, but once in a while Democrats have a good idea. Our country needs to produce solar energy. It is certainly a better option than nuclear plants! I am not sure what the solution is. But **Senate Bill 52 / House Bill 118 as it stands is not it!!**

*Please go back and design a bill that is fair to land owners and their neighbors, as well as the solar projects already started.*

Sincerely,

A handwritten signature in black ink that reads "James E. Clever". The signature is written in a cursive, flowing style.

James E Clever

# WITNESS INFORMATION FORM

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Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

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Will your testimony be written, spoken, or both? \_\_\_\_\_

Please provide a brief statement on your position:

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House Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Chair Ray, Ranking Member Smith, and members of the committee, thank you for the opportunity to submit opposition testimony on Senate Bill 52. My name is John Kyle. I am opposed to Senate Bill 52, a bill that takes away my right to use my land in a way that is best for my family and my community, and you should be as well.

Both sides of my family have farmed since statehood. I grew up on the land I still live on as a lifelong resident of Greene County. I currently plant corn and beans on a rotational basis. Solar is similar to growing corn and beans—we are using our land to harvest the sun for energy—just as we harvest the land for food and feed.

I am involved in community outreach in many ways through the Farm Bureau, the NRA, and Pheasants Forever. My interest in the community has given me the chance to share my passions, such as antique guns, with other like minded people. I am now proud to have the opportunity to give back to my community by providing the use of solar energy.

Solar is low-laying and low impact. There are no emissions and natural buffers will be placed, working with the community on what is best. The community input is an incredibly important part of the process, which was important to me when agreeing to the project.

The main reason I am in support of the use of my land for solar farming is not only the environmental and economic benefits, but the assurance that this land will stay in my family. As the father of four children who are not planning to farm, this is incredibly important to me. Solar farming is an excellent estate planning tool, and in 30 years the soil that the solar farm is constructed on will be in better shape for farming than it is currently.

Not only will building a solar farm on my land benefit me and the county directly through an increased tax base and jobs, it will also ensure that the land that has been in my family since 1803 is able to be passed down to my children in a responsible, effective manner.

Thank you for taking the time to listen to my testimony, and I hope you will consider opposing Senate Bill 52 for all of its harmful impacts on communities throughout Ohio.

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

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**House Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021**

Chairman Hoops, Vice Chair Ray, Ranking Member Smith, and members of the committee, thank you for the opportunity to submit opposition testimony on Senate Bill 52. My name is Laura Apgar, and I am speaking today in opposition to House Bill 118, a bill that would undermine what is best for my family and my community.

My grandpa bought the 108 acre farm I own in 1942 in Greene County, and I inherited it from my father. Currently, my cousins farm the land with corn and beans on a rotational basis. I was not originally on board with solar in Ohio communities, but after learning about the benefits I decided it was best for not only me but also the community.

As an avid traveler, solar began to make sense when I recognized it is being developed in every state and country. Intuitively, solar makes sense as a source of energy and it is time for it to be utilized in Ohio on a major scale.

Solar farming allows Ohio farmers and landowners to produce clean, renewable energy using their land, diversifying their income, and providing for their community. In addition to this, the current process for siting utility-scale solar is rigorous and lengthy. It involves economic, environmental, and cultural studies before any steps towards solar farming can be made.

I want to be able to preserve my land and legacy for my kids, presumably a shared goal for many. Solar farming is the most effective way I can contribute to the community and ensure this will be able to happen. I am proud to be a part of providing energy for my community. Regardless of who purchases the energy capacity—the energy produced on my farm will be supplied into the transmission system and will be used locally.

This is my land to decide what I want to do with, and Senate Bill 52 would give others veto power over what I do on my private property. I pay the property taxes and insurances on this land. Ohio law has afforded me this opportunity and Senate Bill 52 will pull the rug out from under us.

Thank you for taking my words into consideration and hope this committee opposes Senate Bill 52 and House Bill 118.

## **Testimony in Opposition to Senate Bill 52 and House Bill 118**

Members of the Public Utilities Committee, my name is Lois Dodderer and I have land in Cardington, Ohio that will be a part of a solar farm.

I am a retired farmer and worked for Rockwell International and Boeing for 37 years. I grew up on the farm and had so many memorable experiences as a child in 4-H and taking our cattle to the county fair.

I am currently leasing the land to a neighbor and renting the property. As a retired farmer, this is the right decision for me and my daughter, who also supports the solar project. I worked with an attorney to make sure that my family's interests were represented. This is not something that people walk into blind. It takes a lot of research and contemplation.

I know you are hearing this bill because you have heard from people who don't want to see solar or wind in their community. All of the issues that people raise are addressed by the solar company. There are many people who at first are skeptical, but once they learn more, realize that solar is good for our communities and our state.

I hope you will see the enormous amount of work and studies that go into bringing a project forward. I also hope you explore the significant amount of revenue these projects generate for rural schools and community.

Solar might not be for everyone. But please don't stop or slow the opportunity for others who do want to lease their land for solar farming.

Thanks for your consideration of my opinion and I encourage you to oppose Senate Bill 52 and House Bill 118.

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

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**Opposition Testimony**  
**Senate Bill 52 and House Bill 118**  
**March 23, 2021**  
**Matt Pitstick**

Members of the committee, thank you for the opportunity to submit written testimony for your consideration. My name is Matt Pitstick and I am a lifelong resident of Greene County. I would like to share my concerns and opposition to House Bill 118 and Senate Bill 52.

I am a 3<sup>rd</sup> generation farmer and proud of the work we do. I am one of six kids and now have a wonderful family of my own. I am a lifelong Republican, NRA, Farm Bureau, and Cattlemen's Association member.

I farm 600 acres of corn and beans and 200 for hay and straw. I do specialty hay and straw for horses. Some land I own, and some I lease. I have an older brother who helps me.

I also have 60 head of beef cattle. This is a 24-7 operation. Growing up, our parents never took a vacation until I was in high school. Our family has worked really hard for generations. We took risks and made sacrifices to have the land and operation we have today.

When I was first approached by the solar company, I was on the fence for a while because I just didn't know much about solar. I had concerns about drain tiles and weeds. But after some time and research, I knew this was the right decision for my farm and the land. If we decide we want to farm after the system has met its useful life, it will produce better after the system is removed. The soil will be better.

I've lived 60 years on the farm, and I am not about to do anything that will ruin what we have created. I am interested in adding value to our operation.

Additionally, the project will be beneficial to the schools and local services. I just got my tax bill and half goes to schools. Let's give taxpayers a break. These solar companies are proving to be some of the largest tax payers in the community. The benefits outweigh any foreseen concerns.

Thank you for your time and I am always happy to discuss further if needed.

Thank you,

Matt Pitstick



MKSK COLUMBUS  
462 South Ludlow Alley  
Columbus, Ohio 43215  
614.621.2796

March 23, 2021

RE: BPK testimony

Chairman Hoops, Vice Chair Ray, Ranking Member Smith, and members of the committee thank you for the opportunity to submit opposition testimony on House Bill 118. My name is Brian P. Kinzelman and I am the CEO of MKSK.

MKSK is an Ohio Corporation with headquarters in Columbus providing Landscape Architecture and Planning services for a wide range of projects. Those projects include community planning for municipalities/institutions, higher education and healthcare campuses, parks and public spaces, waterfronts, transportation facilities and private developments. We currently employ 95 people in 8 locations from Detroit to Atlanta and with Ohio offices in Columbus and Cincinnati. Our projects include the new Crew Stadium, the Scioto Mile and the Arena District planning here in Columbus. Around the state, we've had the good fortune of designing the Canton Centennial Plaza, Toledo's Promenade Park, and Blue Ash's Summit Park. As a bit of personal background, I've been working in this profession for nearly 44 years. I am a licensed Landscape Architect in Ohio and 6 other states, a member of the Council of Fellows in the American Society of Landscape Architects, accredited as a professional planner by the American Institute of Certified Planners and hold certification in LEED, an acronym for Leadership in Energy & Environmental Design.

While the portfolio of projects that we work on covers a wide range of land uses, project types and aesthetic goals, I'm here today to talk to you about the emerging solar industry and work we've been engaged in for many months. Environmental stewardship, which includes clean air & water, are at the core of my profession and our practice. Through my 44 years in this profession, sound environmental practices, including the use of native species of trees, shrubs, and other landscape solutions hasn't changed much but the use software tools to accurately simulate views and arrive at ideal design solutions has improved dramatically, making for more concise visualization in the design process and communication to the community. As we understand it, viewshed impact is one of the key concerns of local community members when they first learn about a solar project coming to their community. This is an understandable concern given the natural beauty of Ohio's rural landscape. However, we firmly believe that an effective and rigorously-produced landscape plan can mitigate the viewshed impact, and when done properly, can result in a solar project blending seamlessly into the rural aesthetic while satisfying many other environmental concerns.

What we've learned working on these solar projects thus far is this:

- Site-specific designs generally result in heterogeneous plant clusters versus homogenous evergreen hedgerows and are more fitting to the natural Ohio landscape and are more environmentally correct solutions.
- Plantings should be in smaller sizes and a mix of those sizes at installation to improve their rigor as they grow in over time and further the naturalizing of the landscape.

- Selecting the right mix of species that require no artificial irrigation after planting is key. Picking the right plants for the right place is critical.
- Properly designed landscape solutions as required by the Siting Board enhance the enduring ecological condition of the area and further the sustainability of the rural landscape.

Additionally, through the use of software modeling tools, we've found that we can vet and optimize the landscape plan for treatment where a neighbor has direct line-of-site to a solar array, for example, whereas a less dense solution may be appropriate in a region of the project where there's further setbacks and no direct line-of-site exists. Our aim is to complement and enhance the existing rural vernacular landscape while reducing the visual impact of a given project with carefully designed edges and perimeters utilizing indigenous pollinator plantings, always with an eye toward environmental sustainability. Taken with the added benefits of enhanced flora and fauna communities and stormwater absorption, effective landscape design furthers the sustainability goals of the overall project. One other thought is this. Each of these projects calls for a significant amount of "nursery stock", plants preferably grown locally and regionally for sake of plant culture compatibility. With the growth of solar in Ohio, an opportunity is created for an expanded market for agricultural products for Ohio growers. The demand is measurable and real.

As I understand it, the proponents of this bill believe that the Siting Board process needs to be supplemented by a local vote from community members. That appears unnecessary in my view given the rigor of our design process and our experience at the Siting Board and the Applicant's meetings with stakeholders, which have resulted in multiple iterations of landscape plan refinement of the project sites which we've worked on.

In closing, given my experience in the field of Landscape Architecture, I firmly believe that the rural aesthetic can be maintained and even enhanced through thoughtful and professional landscape design and I stand ready to continue supporting the interests of the local communities where these projects are being proposed. I appreciate your time and attention and will be happy to answer any questions that the members of the Committee may have.

Respectfully submitted  
MKSK, Inc

A handwritten signature in black ink, appearing to read "B. Kinzelman", followed by a period.

Brian P. Kinzelman, FASLA, AICP, LEED AP  
*Senior Principal/CEO*

# WITNESS INFORMATION FORM

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Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

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Will your testimony be written, spoken, or both? \_\_\_\_\_

Please provide a brief statement on your position:

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House Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Chair Ray, Ranking Member Smith, and members of the committee, thank you for the opportunity to provide testimony on House Bill 118. I am Nicholas Dailey and I am a farmer, township trustee, and a landowner in a solar project.

I farm corn and beans in Highland, Brown, Clermont, and Adams Counties on over 3,000 acres with my dad. I am a 3<sup>rd</sup> generation farmer and love to farm. I am proud that my children share the passion, and they show hogs at the Brown County Fair.

I am very involved with Farm Bureau, serving on the state young ag professional committee and was the recipient of the 2015 young farmer of the year award.

I come at solar from a few different perspectives. I know that we need more electricity on the grid and more and more, the demand is for renewable energy. The best place to do this is where there is transmission and on flat, open land. We welcome the opportunity to be a part of the changing energy landscape.

Another important aspect of solar is the significant revenue to our local schools. My mom and wife are employed in the schools and my children are still in the system. We don't have a whole lot of taxing entities in rural Ohio, and it feels good to know that my land will help support the schools and local government.

Solar farming is good income for farmers and helps to diversity our business. It feels like this bill is just really trying to stop good things from happening in rural Ohio. I hope that members of the legislature will oppose Senate Bill 52 and House Bill 118 and allow farmers to harness the energy from the sun to help our communities and our families.

Written Testimony for Senate Bill 52 and House Bill 118  
Ohio House Public Utilities Committee  
Ohio Senate Energy and Public Utilities Committee  
March 23, 2021

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To Members of the Committee:

My name is Richard Spracklen and my wife Patty and I have four kids, seven grandkids, and 16 great grand kids. And, thankfully, most of them live pretty close to me.

Our family is now on the 6<sup>th</sup> generation farming in Ohio and we farm grain and hogs and we use to have sheep, cattle and hogs. I was a 4-H advisor for many years and am former president of the Ohio Sheep Improvement Association. At one point I received the outstanding Young Farmer in Greene County award and have received awards from the Greene County Farm Bureau for our work in agriculture.

I still work full time on the farm, but now that I am 86 years old, thankfully I am not digging ditches anymore. While I am still out there, my grandkids now farm.

We are working with Vesper Energy, in the Kingwood Solar project. They have a good team and they are experienced. We feel confident they will build a nice solar farm—which we will continue to farm even after the panels are installed.

Not all the land will be in solar. We have some in land preservation, some in grain—and now we will have some in solar.

Everybody should be able to do what they want on their own land. I have heard that some who object to me putting my land into solar, have themselves turned their land into houses. Just not sure how people draw the line on what they think is right or wrong. And how is it that someone should have a vote on what I do with my land? Solar farming is quiet, and after construction, no trucks, no odor, etc.

We should have control of our own land. We have worked hard for our land, and now have an opportunity to have a commodity that works for us. It is going to be a huge win for schools and the county. I can't see why anyone would want to stop this. Please oppose Senate Bill 52 and House Bill 118.

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

Will your testimony be written, spoken, or both? \_\_\_\_\_

Please provide a brief statement on your position:

*Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.*

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Date: \_\_\_\_\_

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Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

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Will your testimony be written, spoken, or both? \_\_\_\_\_

Please provide a brief statement on your position:

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## Opposition Testimony to Senate Bill 52 and House Bill 118

Chairman Peterson and members of the Senate Public Utilities Committee, I am submitting written testimony opposing Senate Bill 52.

I am Rick Buehner and I live in Gasper Township in Preble County Ohio. I work in the Manufacturing Engineering Department at Henny Penny Corporation. We make food service equipment for companies all over the world like KFC, Wendy's, and McDonalds. We make Pressure Fryers, Open Fryers, Heated Holding Cabinets, and Heated Display Cabinets.

We are a part of a solar project and we care about our farm and our neighbors. My dad suffered a severe injury on the farm and was a contributing factor forcing him into bankruptcy. After my dad's financial issues our neighbor approached me and said, "if you help us farm, we will help you". He has all the equipment needed and I have the skill to operate everything. Been doing this for 40 years. I have two boys and my oldest son works for a farmer—he is a truck driver and farm hand. We have an ethanol plant to the north and the Ohio River, just 50 miles south. I truly see what I am doing as very similar to ethanol—I am going to grow electricity!

After the solar is operational, I will continue to farm. I will then have a stable revenue stream that will help sustain my farm and our near retirement.

What you will find is that many farmers have off-farm income.

I never knew that solar farming could be an option. But the more I worked with the company, they earned my trust. My attorney even said, "this is the best contract I have ever read that takes care of landowners." We didn't just look at dollar signs. Our goal is to pass this along for generations. We wanted our children to have buy-in as well. We made changes in the contract to protect us and our neighbors on tiling and noxious weeds.

Mother nature does not guarantee farmers a quality crop and the grain markets are not guaranteed either. At the public meeting I heard someone say, "why don't you rent it out?" Well, it's easier to tell someone what to do with their land than it is to step into someone else's shoes and be respectful of their decisions.

I ask that the members of this committee please respect the farmer, the landowner, and know that we are going to do what is best for our family and our community. Please oppose SB 52 and HB 118.

Thank you for your time and consideration.

I have also attached my public comments from a hearing on the project:

My name is Richard C Buehner and my wife Jan are 100% in favor of turning part of our farm in Gasper Township into a solar farm. I have been involved in agriculture my entire life. My family moved to a farm in Gasper Township in 1964. Growing up on a farm I learned hard work, long hours, and hardship. My Dad was threatened by bankruptcies for years. So, my siblings and I grew up extremely poor, but I learned a very valuable life lesson. I was not going to live my adult life the same way I grew up. Shortly after high school I met the girl of my life and we married 2 years later. Prior to marriage I realized I could not support a family farming, so I took an off-farm job and continued to help on the family farm. The neighbor elderly widow lady Lessie Brown, whom I checked in on daily, wanted me to have her 50-acre farm in 1980. I struggled to get the down payment but managed with the help of a local banker. Those of you old enough know what happened in the early 80's. Land values declined significantly, interest rates hit 13+%, and the banks wanted their money back. Many farmers over the next few years lost their farms including my Dad. My wife and I have made a lot of good decisions and have busted our asses to keep our farm. I have now lived on Antioch Road for 55 years and have farmed some of the same land since I was 4 years old. I have always taken care of and respected the land the good lord left us and would never do anything to permanently damage this land. My wife and I and our 2 sons have spent 100's of hours coming to this decision. We have done a lot of research and hired an attorney whom is a farmer and has done extensive work in agriculture and energy. We are both approaching retirement age and our goal is to pass our farm on to our sons and our grandsons. Our Sons understand that I want to look back from where ever and see a century farm sign hanging on this property.

We have worked extremely hard for our land so now is the opportunity for our land to work for us.

My wife and I attended the Angelina Solar Project's Public Hearing a month ago. We listened to all the testimony very closely. There were several excellent speakers with a lot very interesting information. All that information didn't change my mind. Yes, my property is a part of this project but, I still would be in favor of a solar farm even if my farm was not eligible. The reasons that I am is because whether we agree on the science behind climate change, we need sources of energy from renewable sources such as wind and solar. We have God giving sunshine and wind which we can transform into energy. We all have heard the pros and cons on this topic so I'm going to save a whole bunch of time and not repeat everything all over. Farming is a business and I run it as a business. The goal of a business is to make money and grow if you're not making money and growing your business is dying. As a farmer I'm always looking for ways to diversify. After this past harvest extending into spring and planting season going so poorly. Our potential yields have already been cut drastically and the corn crop being planted so late that every single bushel will need to be mechanically dried costing even more dollars on a very possible less than average yield. This to me is making the solar panels even more attractive.

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I have been involved in agriculture my entire life. My family moved to a farm in Gasper Township in 1964. Growing up on a farm I learned hard work, long hours, and hardship. My Dad was threatened by bankruptcies for years. So, my siblings and I grew up extremely poor, but I learned a very valuable life lesson. I was not going to live my adult life the same way I grew up. Shortly after high school I meet the girl of my life and we married 2 years later. Prior to marriage I realized I could not support a family farming, so I took an off-farm job and continued to help on the family farm. Our neighbor, an elderly widow lady named Lessie Brown, whom



I checked in on daily, wanted me to have her 50-acre farm in 1980. I struggled to get the loan approved but managed with the help of a local banker.

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mechanically dried costing even more dollars on a very possible less than average yield. This to me is making the solar panels even more attractive. My wife and I and our 2 sons have spent 100's of hours coming to this decision. We have done a lot of research and hired an attorney whom is a farmer, specializes in agriculture and has done extensive work in energy. We are both approaching retirement age and our goal is to pass our farm on to our sons and our grandsons. Our Sons understand that I want to look back from where ever I am in the year 2080 and see a century farm sign hanging up on our farm. We have worked extremely hard for our land so now is the opportunity for our land to work for us.

**OPPONENT TESTIMONY**  
**HB 118 House Public Utilities Committee**  
**Russell J. Adams — Licking County**  
**March 23, 2021**

Chairman Hoops, Vice Chair Ray, Ranking Member Smith, and members of the Committee. I am Russ Adams from Granville and rural Licking County.

I'm here, today, to oppose HB 118 and SB 52 as a soldier, as an author, as a lawyer, as a landowner, and perhaps most importantly, as a family man.

I have sympathy for those who have testified in favor of these bills. But for reasons I share today I believe their best solution is not HB 118 / SB 52. Perhaps Representative Dick Stein's question during Proponent Testimony about adjusting Power Siting Commission resources and procedures may be nearer the mark. Representative Hoops thoughts about increasing expert input seem helpful. Probably differences between wind and solar energy require different treatment. For now, I wish to register opposition to HB 118 and SB 52.

I have been a soldier with 20-years of service. My active duty was in the 18<sup>th</sup> Airborne Corps. As a Lieutenant Colonel (now retired) I see HB118 / SB 52 as dangerous and unfair particularly to our young people who must deal with our countries' future wars.

I have also been an author. From this 2012 book I'll share just a few lines that show how important cheap abundant local energy is to free society.

From page P183:<sup>1</sup> "During the twentieth century, oil became a crucial pillar of military power. Consider petroleum's role during World War II as Sir John Keegan wrote in his *History of Warfare*.

"It was only the American and British armed forces that could tactically re-supply their troops in the line through motor transport alone, and then thanks to the unique productive capacity of the American oil industry and automobile plants. So ample, indeed, were American resources that they sufficed not only to supply the U.S. Army and Navy with all the trucks and fuel they required but to equip the Red Army also with 395,883 trucks and **2,700,000 tons of gasoline, thus**

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<sup>1</sup> Russell J. Adams JD, *A Letter to Dear Children, subtitled On our Overpopulation-violence Connection* (Dawn of Hope 2012), p. 183.

**providing the means, as the Soviets themselves freely admitted later, by which it advanced from Stalingrad to Berlin.”<sup>2</sup>**

Our dads and moms were able to achieve victory in the last World War of the last century partly because they were backed by cheap abundant local energy. The Axis Powers tried hard with Rommel in Arabia and by invading Russia to steal Siberian crude. Thankfully, they never could get enough cheap abundant local energy.

As a retired soldier, I think our grandchildren should have the clean abundant local energy that helped my father come home to our family from Iheya Jima in the Pacific many years ago!

Some of our brothers and sisters in the oil, gas, and coal, industries see that the days of old fuels are coming to a close. Wikipedia reports that in 2018, the largest solar developer in Europe, the third largest in the world outside our competitor, China, was a company now known as Lightsource BP. Yes, BP as in British Petroleum, the spin-off from Ohio’s oil industry. You all know that during the decades after the Civil War, Ohio and Pennsylvania were the center of a U.S. oil industry. They provided abundant local energy to an energy-hungry world.

Later, of course, consumption increased. Sources of old fuels began coming to Ohio from further away. Texas and our American West after 1916. Alaska. Today from distances like 7,000 miles in places as far away as Arabia!

Now an old spin off from Ohio’s original oil and gas industry has now come back to good old Ohio with new ways to generate cheap abundant local energy!

When our brothers and sisters in the oil, gas, and coal, industries warn us by their conduct that old energy is coming to an end, my knuckles go roller-coaster white. Because that means our grandchildren, my own and yours, face a ferociously uncertain and competitive world without the cheap abundant local energy that once had our backs.

I think that veterans should fear HB 118, SB 52. Veterans should fear such bills when we consider what future veterans are likely to face in the future.

As a country lawyer serving Central Ohio from Granville for almost half a century, I also oppose HB 118 and SB 52 for different reasons: for distorting free enterprise, for distorting free and competitive markets, for refusing fairness to new fuels our grandchildren must have while instead, coddling old fuels.

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<sup>2</sup> Sir John Keegan, *A History of Warfare* (New York, NY: Alfred A. Knopf, 1993), p. 308.

Your Ohio predecessors set up the very-careful checks and balances of the Ohio Power Siting Board to favor continued supplies of cheap abundant local energy. That Power Siting Board was created so that projects for providing cheap, abundant local energy would not be killed by parochial expressions of NIMBY, that acronym for “Not In My Back Yard.” For years your Power Siting procedures have helped Ohio power producers, generators, transporters, and utilities, **keep Ohio energy strong.**

Of course, you have the power the power to abandon institutions that have, overall, served cheap abundant local energy well. But to do that and retain fairness and freely competitive markets, you should apply HB 118 / SB 52’s provisions equally not just to the new fuels our grandchildren deserve, but to all the old fuels too. You should apply HB 118 / SB 52’s new regulations to all of Ohio’s remaining wildcatters, our oil, gas, chemical transmission pipelines, our nuclear and other utilities. Otherwise, HB 118 and SB 52 may be seen as protecting old fuels against competition from less expensive renewable energies that our grandchildren deserve.

Otherwise, by imposing onerous new regulations on cheap abundant local energy for tomorrow’s children while protecting old fuels, HB 118 / SB 52 may be seen as enacting a **renewables ban** that kills the goose that lays Ohio’s golden eggs.

Back in the 1970’s I was a young lawyer fresh out of Ohio State Law School. (I know, some of you are looking at me with my age apparent and you’re thinking, “Boy, has that ship sailed!”)

In 1979 the *Land And Water Law Review* published my law journal article called “An Analysis of Solar Legislation-Taxes and Easements.”<sup>3</sup> I was becoming aware that our quality of life, that many of the blessings you and I enjoy as part of this great country and our great state, have flowed from access to cheap abundant local energy. By the 1980’s Harvard Business School’s *Energy Future* studies began exploring risks of future energy shortages.

I didn’t focus only on renewables. In the fall of 1982 the *Oil and Gas Tax Quarterly* law review published my article “Oil-Only Taxation: New Dangers in an Energy-Troubled Society.”

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<sup>3</sup> “An Analysis of Solar Legislation-Taxes and Easements 14 Land and Water Law Review 393 (1979).

My point, today, is that our children and grandchildren deserve blessings that only cheap abundant local energy can provide. You and I continue to enjoy such blessings. Tomorrow's children should enjoy the same.

Companies like Walmart are making massive renewable energy investments. They clearly understand what is at stake here. Energy companies like BP and Shell and so many others are responding powerfully to the writing on the wall. Ford and GM have electrifying goals as do their global competitors like VW and Audi and Tesla among so many others. I can't list all the corporate visionaries who are exploring new paths for tomorrow's people but I can say I salute them. And I'm convinced we should support their insightful efforts to keep cheap abundant local energy available for all generations yet to come.

Let's take just a moment to look at how other countries that sell us old fuels see us in the world today. About 15 years ago German businessmen began talking to Dubai about trying out a solar project that at first, Dubai considered a bit ridiculous. Dubai's thinking was basically this. Why develop solar when you are rich with some of the largest pools of cheap oil and gas left in the world? But they have a lot of our oil and gas money to play with so they could try a little experiment. That experiment would become known as Phase 1 of the Mohammed bin Rashid al Maktoum solar farm. It is located south of the city of Dubai in UAE, the United Arab Emirates, on the Persian Gulf.<sup>4</sup>

Imagine their surprise when they learned that their sun-farmed electricity was less expensive than if they were burning the cheapest gas they had! Dubai knows that old fuels will eventually run out. Page 15 of this book<sup>5</sup> shows they fear that future.

But after Phase 1 they realized that sun-farmed electricity would let them sell more old fuels to older civilizations who still don't get it. One day, when older cultures are sadly remembering good old days, UAE expects renewables to keep UAE economies afloat in cheap abundant local energy even after they've sold, and we've burned, the last of their old fuels.

Since then, UAE has expanded the Mohammed bin Rashid al Maktoum solar farm through five more phases, not to mention starting other projects, with no end in sight.

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<sup>4</sup> YouTube (hereinafter YT) First Solar Project Overview: Phase 1 Mohammed bin Rashid al Maktoum 13MW PV Power Plant.

<sup>5</sup> Note 1 at p. 15.

Japan's climate is more like our own. Friends, by 2002 Japan had become the world's largest producer of Solar Energy.<sup>6</sup> Japan's population is about a third of our U.S. numbers.

Germany also has a climate not unlike our own. With a population of about a quarter of our U.S. numbers, Germany pushed ahead of U.S. sun-farmed solar energy in 2005. In 2008, Spain exceeded our US production of solar energy. 2015 was an important year. 2015 was when China blew past US solar production.

As you may know, China intends to become the colossus of our current century. Toward that goal, China is intent on becoming the world's dominant provider of everything necessary to produce cheap abundant local energy. By gaining an early lead, China will harvest diminishing costs as they scale up production of solar cells and related hardware. China also expects rich technological harvests as they encounter, solve, and innovate in renewable energy ahead of slower, older economies. Friends, between 2015 and 2018 China almost doubled their lead over the US in harvesting cheap abundant local energy from solar.

Ohio, once wealthy with oil, gas, coal, and nuclear energy, stands at a crossroads. Once rich with old energy, I hope Ohio will recognize what will become obvious with time. Our children and grandchildren need and deserve cheap abundant local energy. I oppose HB 118 / SB 52 because these bills throw hurdles across roads that I'm convinced our grandchildren must travel.

I am also a landowner. My farm has grown food for many decades. By farming electricity for a few decades, I'm hoping that in a small way my little farm can help future Americans bridge to more sustainable ways of life.

When I learned of the Open Road Renewables LLC project near Croton, Ohio, I studied what they are trying to do. Of course, money is involved. But such projects build slowly. I will be surprised if completion occurs while I am still alive.

But I support the good folk at Open Road Renewables for two reasons. First, I've come to like and respect them. And second, I believe with every fiber of my being that tomorrow's children deserve the blessings of cheap and abundant local energy just as you and I and earlier Ohioans have enjoyed.

Some of my landowning friends don't like HB 118 / SB 52 because these bills can limit their freedom to manage their own lands, to decide whether electricity can be among the crops they harvest. I find their concerns convincing but I won't further repeat them here.

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<sup>6</sup> YT Top Solar Energy Producing Countries.

Most important, I am here as a family man. I enjoy playing with grandkids. I've enjoyed getting down on all fours and pushing around our little cars complete with tiny exhaust pipes!

Wisdom suggests that down the road, our grandkids' real cars won't have exhaust pipes. A question then is this. **Will Ohio cars run on Ohio electricity?** Will Ohio retailers and factories and offices run on home-grown, Ohio-produced electricity? Or will rust-belt thinking still be sending our money to far-away foreign places as the prices of dwindling old fuels rise?

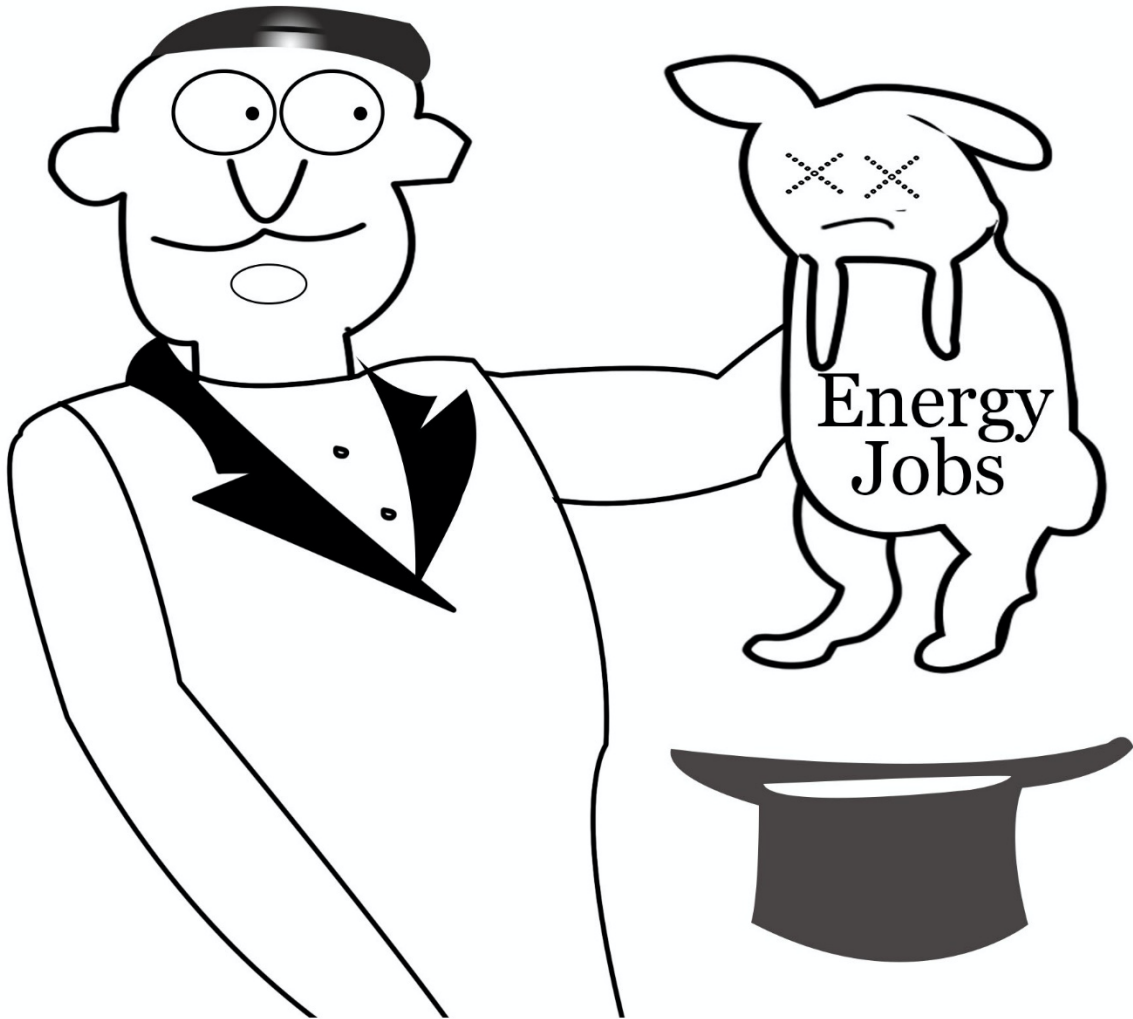
Members of this important Senate Energy and Public Utilities Committee: Please tear down HB 118 & SB 52 as barriers to our children's best possible future.

Chairman Peterson, if members have questions, I will try to do my best.





H.B. 118 / S.B. 52 in action!



H.B. 118 / S.B. 52 in action!

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: 3/20/2021

Name: Russell J. Adams

Are you representing: Yourself ☒ Organization ☒

Organization (If Applicable): My own farm limited liability company FarmCroton.llc

Position/Title: Owner

Address: 14200 Rhodeback Road

City: Hartford (Croton) State: O h i o Zip: 43013

Best Contact Telephone: 7 4 0 - 5 8 7 - 2 8 8 9 Email: [AdamsR223@gmail.com](mailto:AdamsR223@gmail.com)

Do you wish to be added to the committee notice email distribution list? Yes ☒ No ☐

Business before the committee

Legislation (Bill/Resolution Number): HB 118 / SB52

Specific Issue: Oppose local referendum of renewable energies grandkids will need.

Are you testifying as a: Proponent ☐ Opponent ☒ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☒ No ☐

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

Will your testimony be written, spoken, or both? Can be both, thanks

Please provide a brief statement on your position: **Ohioans have been blessed by cheap, abundant local energy. Power Siting Commission (PSC) laws have helped maintain cheap, abundant local energy by circumventing NIMBY. If Power Siting decisions are to be second-guessed by local referendum, then free enterprise and fairness require that all energy sources be similarly affected. These bills discriminate *only against the renewable energies our children and grandchildren will need. Veterans, especially, should fear such bills.* Laws of this kind will undermine the cheap, abundant local energy necessary for free societies. Our children and grandchildren will require cheap, abundant local energy as they defend our ways of life in an uncertain and often ferocious world.**

*Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.*

House Energy Public Utilities Committee  
House Bill 118  
Opposition Testimony  
March 23, 2021

Chairman Hoops, Vice Ranking Ray, Ranking Member Smith and members of the committee, thank you for the opportunity to submit opposition testimony on Senate Bill 52.

My name is Sam Borst and I have lived in southern Preble County since 1981. I grew up in a farming community and then I bought 30 acres. I went to law school at University of Cincinnati and I am the former city prosecutor in Hamilton, Ohio, and continue to practice family and criminal law. I have been practicing for 30 years.

I am submitting testimony today because I have land in a solar project and I was shocked to learn that members of the General Assembly were trying to take away my rights to use my land under the current rules and laws afforded to me by the State of Ohio.

I *live* on the farm property, unlike many of the people who want to complain, that either aren't directly affected, don't own a farm, or have developed their former farm property in the way they saw fit, including developing it into residential real estate. I didn't complain when they developed their property in the way they saw fit, because it wasn't my place to do so. You don't seem to see any of the farmers in the project complaining about the use of *their* property at all. Unlike many of the people that complain, my property, which was always a combined conservation project with CRP Prairie Grass for Wildlife Cover, and crops, will *STAY* a farm, with twice as much CRP Prairie Grass on it as before, preserving the soil and providing benefits to wildlife. Unlike *all* of the people who complain, I have an *actual* property and monetary investment in the Project. Almost *all* of the people who complain *don't* live adjacent the project, and wouldn't even see it in their travels, in other words, they have *no* standing.

One of the reasons I didn't complain, is because I knew that I was moving to one of the most developed areas of Preble County, when I moved here in 2005. Lakengren gated community is and was then one of, if not the, largest developed subdivisions of residential real estate in Preble County. You will notice that some of the addresses on the Petition to Intervene are located in Lakengren. When I was Chief Ranger at Hueston Woods State Park in 1981-1986, I saw that Lakengren at that time was comprised of camping trailers mostly, not homes. It has been developed in that 30 plus year period into a subdivision with \$400,000 homes in it.

I also knew when I moved back to Preble County in 2005, that I was only 2.5 miles from the Corporation limit of the City of Eaton, which I also expected would grow and expand.

The Alamo Solar Project is merely part of expected progress, that almost all of the farmers in the Project area saw coming, as well as those who bought residential real estate in a combined residential/farm area should have expected. They have been part of that development, so to attempt to stand in the way of farmers attempting to farm their ground in a progressive, "green energy" way, just makes them stand out like sore thumbs as big hypocrites, when we didn't stand in the way of them developing their land to their benefit.

For me, I intend to retire in Preble County. I like the quiet outdoors, and low traffic on the roads near me. Those things won't change once construction is finished. For those that don't want to see the project, conifer buffers will make it impossible to see it to complain. The solar panels stand approximately 10 feet tall at their peak, much like corn does presently when it is mature.

You will see that many of the farmers in the project are up in years, retirement age, or close, whose kids don't intend to farm themselves. This project gives them a chance to supplement income, possibly afford to retire, keep their farmland intact, replenish topsoil, and pass it on to the next generation. These actions may very well deter those who might try to develop it into residential real estate instead.

I fully support solar farms, and am looking forward to the money it will generate for the individual Preble County residents who signed on, the millions in tax dollars generated which will go to a poor county, and for the visible benefits to the schools, roads, first responder programs, that a small portion of the complainers will also enjoy.

Our country has been talking for 40-50 years about doing more for renewable energy. We only want what is best for our kids. I am a single dad with one son who was a college football player and now in the military. My son scored the highest in the nation on the combat fitness test. He received the Iron Warrior Award. I am really proud of my son and want to leave him this legacy.

Thanks for the opportunity to offer my first-hand experience of working with a solar company. Please take solar out of this bill. Please oppose Senate Bill 52 and House Bill 118.

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

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Please provide a brief statement on your position:

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Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

Will your testimony be written, spoken, or both? \_\_\_\_\_

Please provide a brief statement on your position:

*Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.*

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself ☐ Organization ☐

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes ☐ No ☐

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent ☐ Opponent ☐ Interested Party ☐

Will you have a written statement, visual aids, or other material to distribute? Yes ☐ No ☐

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

Will your testimony be written, spoken, or both? \_\_\_\_\_

Please provide a brief statement on your position:

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