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MEMORANDUM

To: The Public Utilities Committee
From: Senator Bill Reineke & Senator McColley
Date: June 16, 2021
RE: Sponsor Testimony for Sub S.B. 52

Chairman Hoops, Vice-Chair Ray, Ranking Member Smith, and members of the House Public Utilities Committee: thank you for allowing us the opportunity to present sponsor testimony on Substitute Senate Bill 52. This legislation would grant local townships and counties the ability to decide whether a solar or wind development project is a good fit for their area. Currently, once the Ohio Power Siting Board process for these projects begins, it is a long, uncertain, and costly fight for the constituents in those areas that don't believe they should have these project constructed near their property. Many times, constituents remain

unaware of these projects' very existence making it even more difficult to make their opinions known. This legislation would give more local control to our local elected officials to decide what is and is not a good fit for their areas.

Senate bill 52 is a fair bill and is truly about local control. I have broken this down into several segments of why I feel this legislation is really important:

1. My constituents and public awareness: As I became more and more familiar with this issue, one reoccurring theme was the lack of public awareness about these wind and solar projects when the developer is laying the groundwork for them. I'd ask myself, "how can residents not be aware of more than 60 structures as tall as the Rhodes Tower (621 ft.) being planned for their local area?" It turns out, many of these lease agreements contain gag orders. Local residents should know what is happening in their local community.

The other problem I discovered through conversations with my constituency is that there is no mechanism for meaningful public input in the development process for these types of projects. Opponents of this bill tell me that the public has plenty of opportunity for input during the OPSB process. These “opportunities for input” have no real meaning, and are essentially only a checkbox for the certification process. As it turns out, these “public forums” are somewhat meaningless. One of my local judges – who, by the way, has been a judge for 20 years – attended a meeting and was essentially ignored during his *opportunity for input*. He is not alone in this regard. Countless constituents have shared similar stories and experiences with my office over the last four years.

2. The outsider agenda: We have so many people from out-of-state and out-of-district that are coming to support these projects and force them on us here in

north-west Ohio. I understand that we should all be interested in moving clean energy development forward in Ohio, but when it comes to building structures as tall as the Huntington building (591ft tall) next to my constituents' properties, shouldn't they get some kind of say? Why can't we build these projects where they are wanted by local residents? If we could be assured that these turbines generated a sensational amount of energy for the grid, or that they directly reduced **OUR** energy costs, that would be great. Maybe some of these outsiders pushing these projects on us can build them in their back yard, or at least acknowledge what these turbines do to our properties and our landscapes. If it's that good for our communities – a decision, by the way, that we are more than capable of making for ourselves – then surely it's just as good for your communities. Isn't what's good for one good for all?

3. The financials: All we hear about is how wonderful these projects are, how they will bring back so much money to our communities and schools. Well, let's really examine the financial benefits of these projects, just as the Seneca County Commissioners did before they rescinded their AEZ agreement. Our quality of life is in jeopardy, and for what? But they only generate a very small amount of energy for the grid relative to other sources and they are not going to affect my residents' energy costs in the slightest.

My constituents' property values are also in danger. Studies show that home values within 1 mile of the turbine footprint are likely to fall. Now consider that there are over 60 of them proposed in **ONE** project (there are at least 2 being proposed right now). Many residents will have 4-5 turbines within one mile of their property.

With regards to job creation, these projects only create 10-15 permanent jobs, the rest

are temporary. We hear all about how wonderful these projects are with regards to jobs creation, but the data just doesn't support that.

4. Generational shelf life: Another issue with these turbines is the *Generational Shelf Life*. We are seeing in other areas that these turbines only last 10-15 years. Then they are in great disrepair. Why are we even going through all this hassle when these turbines won't even last a generation? One of the projects in my area sold itself on a 30-year operational life. What happens in year 20, when the turbines are on their last leg?
5. Agricultural issues: Ohio's agriculture is one of our state's top products. These turbines take out a significant amount of space from our farms topsoil. Their concrete base can be as large as 10 feet deep and 80 feet wide. I have maps detailing the karst, which is porous rock that promotes water flow, layout in the district. Many of the proposed turbines for my area would be placed

directly on top of the karst, which cannot handle heavy loads. The topsoil displacement, along with the huge concrete base, will adversely affect our farming output and quality farmland.

6. Other issues: The cost to the locals is not purely financial with a reduction of their property rights (or reduction in the quality of life that they paid for); they pay with loud noises, dead birds, 600ft tall structures right out door, flickering lights, ice throw, and other health effects.

Having listened to both sides of this issue over the last four years, this issue, and SB 52 is wholly about home rule. There are applications of wind and solar energy that make perfect since, win-win scenarios. [explain the commercial applications and Findlay, etc.] There are however, projects that don't work for the local area, and it is imperative that locals have meaningful input into where these projects are sited. When you see the 600 ft. tall turbines next

to a small farm, you really see my constituents point of view on this whole issue.

And now I will let Senator McColley speak to the mechanics of the bill.

The Ohio Power siting board process was put in place to allow people with technical expertise to make the decisions that are very important as to how we are going to site our transmission projects and our power generation projects. On its face, it's not an unlaudable goal or an unlaudable mission. However, in 2008 there was a change in law that basically exempted the entire power siting board process from being subject to any local rules or regulations as it concerns the types of permissive projects as its been able to go forward. Unfortunately what has happened since then has been projects across the state where there has been unanimous opposition to the construction of the project by local county commissioners, township trustees, local villages, and city councils and almost unanimous opposition from many of the citizenries in the area. Yet, these projects have still been allowed

to proceed. That's not how this process is supposed to work.

The way that this bill addresses some of those issues is that it would allow for not early than 9 months before a project is filed with the OPSB and not later than 90 days before that same project is filed with OPSB. The developer of that project would be required to have a public meeting whereby they would have to provide notice to the county commissioners and each board of township trustees in which that project would be constructed. That would start a 90 day period in which the county commissioners would be able to do one of three things. 1) To do nothing and at the end of the 90 days the project would be deemed approved 2) they could outright deny the project 3) the commissioners would be able to limit the geographic scope of the project. At this meeting, the developer would need to provide the nameplate capacity of the project, the type of generation of the project, and the geographic footprint of the project. Another provision in the bill is as of the effective date of the bill county commissioners

will have the ability to proactively ban the development of wind or solar in their counties or create energy overlay districts in their counties to limit the geographic scope of future potential projects. The energy overlay districts allow counties to signal to developers that they are open to development but in specific portions of their county which will save time for all parties involved.

The final provision in the bill to ensure meaningful local input at the Ohio Power Siting Board even after the county commissioner process is the addition of two seats to the Power Siting Board, one of which shall be filled by a county commissioner that's in the affected area and the other by a township trustee that's in that same area. This will allow for the developer to work with the local elected officials to continue to address their issues throughout the power siting board process as details of the project become available. This is to ensure a cooperative and amicable solution at the end of the process.

The intent of this legislation is not to thwart wind development or the development of renewable energy in Ohio at all. Rather, Senate Bill 52 aims to meaningful local input instead of leaving that decision to unelected bureaucrats in Columbus. After talking to my constituents, it is undeniably clear that once the OPSB process for these projects begins, it is a long, uncertain, and costly fight for those areas that don't want them. We are happy to answer any questions you may have at this time.