

House Public Utilities Committee
June 22, 2021
Barbara Behling
Proponent Testimony SB 52

Chairman Hoops, Vice Chairman Ray, Ranking Member Smith and Committee Members,

My name is Barbara Behling and I live in Champaign county. I am writing to explain why I support SB 52 which returns some control to local residents via the establishment of exclusion zones. This is a good way for companies to know upfront which areas of a community are not open for wind/solar development.

Every community has special areas that they have invested in that need protected. These include water trails, bike trails, nature preserves, national nature landmarks, country clubs, state parks and various historic sites.

Opponents of this bill claim that local control is not needed because, just like fields of corn or soybeans, hundreds or even thousands of acres of wind turbines or solar panels are just another form of agriculture. Really? If the definitions of agriculture in the Ohio Revised Code or in a standard dictionary do not convince you that industrial electric facilities are not agriculture, then surely your own common sense should. Even the United States Department of Agriculture removes farmland from their inventory after conversion to a power plant. Industrial electric facilities are not agriculture.

So why is it important to state that these facilities are not just another form of agriculture. An example will explain that importance.

If I have 50 acres zoned agriculture and want to stop farming it to construct a factory or a retail business, I must adhere to local township zoning rules and my county's comprehensive plan. This is because, although I have the right to decide what to do with my property, a change in use from agriculture to non-agriculture may have a huge impact on my neighbors, on my community.

But under current Ohio law, if I want to convert that same 50 acres to an industrial wind or solar facility, my neighbors can write letters or testify against my plan, but all that is just noise. My neighbors have no real say in how I may be impacting them, even though, just like building a factory on my land, I have just converted my property from agricultural to industrial use. Why the difference? Why does one conversion from agricultural use allow some local control and the other does not? In both cases I am no longer farming that land. In both cases my property will be taken out of a Current Agricultural Use Value (CAUV) tax rate and changed to a non-agricultural tax rate. Why the change in tax rates?

Because factories, retail businesses, wind and solar facilities are not agriculture. Bottom line in both examples cited here, changes from agriculture to non-agriculture should require meaningful local community input.

Local communities and county comprehensive plans must be able to decide if and where industrial wind and solar facilities are welcome. If one of these projects was being constructed across the road from my house, I would want my community to have a say. And so would you.

Therefore, I urge your support for SB 52 which can direct renewable energy development to more appropriate areas, provide some balance of power between the community and the developers, and give local officials a seat at the table when projects are considered for approval.

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