

Testimony in support for Senate Bill 52

Ohio House Public Utilities Committee

June 23, 2021

Chairman Hoops and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 52.

I am Dr. David Rich and I worked in local government for over twenty years, the majority of that time as a city manager. I am a certified economic developer and for the last twenty plus years have taught Public Administration, Public Policy, State and Local Government, and Public Finance.

As society advances it seems that we never take the time to learn from history. Instead, we charge headlong into constructing windmills, industrial scaled solar and anything with a green label with cursory examination of the consequences, intended and unintended, of our actions. While I believe that the provisions of Senate Bill 52 allow for a more deliberative process, I do not believe that it goes far enough to protect communities and individual property rights.

I ask this Committee and the Ohio Legislature to consider how to best protect and balance “new energy” development with the rights of the constituents that you represent. Questions need to be answered before we continue to charge forward with the placement of new public utilities. Shouldn’t the citizens directly affected have a more direct say in the placement in their communities? What are the best practices and guidelines for the placement of large-scale new energy such as solar and wind projects? Where is the line between a siting a public utility and the taking of a property?

As a city manager, I had to deal with these types of questions on a regular basis. Planning and zoning were a central part of what I did. I have developed industrial parks, built bridges and expanded airports. The latter all within the constraints of making them beneficial and compatible with my community. You are charged with the same difficult task of providing for public improvements without hurting Ohio communities.

We once built industrial sites wherever a landowner wanted to place it and found quickly that that was harmful to our communities. In fact, I had the difficult task of brownfield redevelopment in the wake of such bad decision making. With that lesson learned we developed community standards for development. Master planning and zoning emerged as the solution to incompatible uses that led to harming our communities, land values and, most importantly, the lives of people.

The Legislature, through its authority, has set aside the protections of local zoning and planning. I petition this committee and the Ohio Legislature to add local zoning protections back into this legislation and examine and create best practices in the placement of industrial scaled utility facilities.

Long term you will benefit our State and communities. I understand the pressures of moving forward with development, but it should never come at the cost of those you serve. And yes “the people” have a voice before this board but, how strong of a voice is it really. How can it compare to the voice of promised millions of dollars by energy companies? By statute, you are the representatives of the people and we ask you to take our concerns seriously. Not as just another step in the process but to seriously consider how your decision and this legislation will affect our communities.