

House Public Utilities Committee
Nicole M. Marvin – Greene County
SB 52 Proponent Testimony
June 22, 2021

Chairman Hoops, Vice Chair Ray, Ranking Member Smith, and Members of the Committee, my name is Nicole Marvin, and I am from Greene County. I have spent the last two years educating myself on the OPSB siting process, researching utility-scale solar projects, and considering the impacts of these projects on Ohio's rural communities.

Vesper Energy has leased 1,800 acres in Greene County for the Kingwood Solar project. This swath of land is surrounded by Glen Helen Nature Reserve, Clifton Gorge, the Little Miami River, Native American sites and an Underground Railroad site. What an inappropriate location. Absurd in fact, to anyone who knows the area. Greene County has spent decades planning and protecting our farmland, agricultural community and its natural resources. This project is in complete contrast to our land use plans and community values. The OPSB, who is now essentially our zoning board, is not connected to our community, but they get to decide if this land can be converted into an industrial power plant.

How have we concluded that an industrial power plant is agriculture? How is this possible? Zoning is zoning. Agricultural zoning is for agriculture. At what point did we decide that glass and steel are crops? Where is the Department of Agriculture to stand up for and protect our farmland? We have some of the best soil in the country and the world. Arable land cannot be replaced. We are gambling with it. Our soil should be protected for the treasure that it is. No one has proof that the land can be converted back after 30 years of being covered in glass and steel. To whom much is given, much is required. What poor stewardship to gamble with our soil when solar can be sited on rooftops, parking canopies, or the 43 million acres that the EPA has already sited for solar with their "Re-Powering America's Land Initiative".

To participate in the OPSB process, which is "robust" and "rigorous", the words that developers love to use to explain the process, is an extravagant burden on a community. The process is so "robust" and "rigorous" that local prosecuting attorneys have to hire outside counsel to participate in a case because they do not feel confident in participating in the process. And that outside counsel can only be picked from a handful of attorneys who have any OPSB experience. It is so "robust" and "rigorous" that those with law degrees do not feel comfortable moving through the process without past experience going before the Board. This can be echoed for Townships as well. We have three townships impacted for our project. So, our County and all three Townships have had the burden of participating in the OPSB process. How is it that tax dollars by the tens of thousands have to be spent to participate in a governmental process for a project that is in complete contrast to a County's land-use plans?

It is stated over and over again that local folks have a voice and they can participate in the OPSB process. The truth is, that after talking with folks from counties all over Ohio, most rural residents have no idea about these projects until it is too late. They do not have months or years to get up to speed on how to participate in the process. They do not have the funds to hire an attorney. Their Townships and County may not have funds to hire an experienced attorney. When they do try to participate, the developer's attorney assaults them with lacking expertise in the matter. Maybe public defenders should be supplied for those who do not have the funds to participate in this "robust" and "rigorous" process?

Solar projects can be sited responsibly. It should be up to the local community to site these projects.

Today I want to ask for your urgent action on SB 52. 66,000 acres of Ohio farmland are at risk, as the OPSB solar pipeline fills. There seems to be no end in sight. Please act now.