

HOUSE PUBLIC UTILITIES COMMITTEE
JULIA F. JOHNSON
SB 52 PROPONENT TESTIMONY
June 22, 2021

Chairman Hoops, Vice Chairman Ray, Ranking Member Smith and Members of the Committee, my name is Julie Johnson, and I am from Champaign County. I have been advocating for a local voice in communities impacted by utility-scale development for the past thirteen years.

Years ago, our warnings that the inadequacy of the Ohio Power Siting Board process would not protect Ohioans from poorly sited projects were ignored. Our concerns that the cumulative effects of too many projects could overburden communities were hard for some to envision. And so the dire predictions for the future have come to pass today, especially in Seneca and Huron Counties.

Your support for SB 52 can begin to repair the damage and bring a useful tool to many local governments who have heretofore been unable to help their own constituents. But you must act now.

Many critics have called proponents of local control a bunch of NIMBYs who don't like the view from the kitchen window, or the moving shadows of the turbine blades across their front yards or the OPSB-permitted 30 hours of psychedelic flickering inside their homes. But the inability for communities to implement their land use plans presents a risk that goes far beyond these personal adverse impacts.

Many of you may have seen an article in the Columbus Dispatch last week that reported 6,500 acres of prime farmland in Madison County is being optioned by Savion for utility-scale solar development. Do you think the loss of grain from those acres might affect the viability of the local grain elevator and the other farmers who rely on it? I do.

What you likely have not read is the request for intervention filed by the Columbus and Franklin County Metropolitan Park District in the Pleasant Prairie utility solar project. I have listed from the Motion for Intervention the "potential impairments" which could harm the Metro Parks.¹ They include:

1. Proposed setbacks between the Project and the Park that are too short to protect the Park;
2. Vegetation plans for the Project Area and the setback areas that do not sufficiently obstruct the views of the Project from the Park and public roads providing access to the Park;
3. Obtrusive views of nearby solar panels that spoil the visual and aesthetic enjoyment of the Park's patrons as they travel to and recreate in the Park;
4. Unsightly fences that spoil views from the Park and public access roads into the Park;
5. The growth of plant species in and around the Project Area, including non-native species, that are out of harmony with the native vegetation in the Park's natural setting;
6. Unsightly views developing from the failure to keep alive and maintain the vegetation in and around the Project Area;
7. The propagation of invasive plant and animal species in and around the Project Area that may spread to the Park;
8. Damage to the Park from herbicide application in and around the Project Area;

¹ <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=3fc6337b-590d-43bb-ad03-3ac1c3f2e086>

9. Damage to the Park resulting from the Applicant's failure to conduct the required studies necessary to sufficiently identify the species of mammals, birds, bats, and plants in and near the Project Area and to evaluate the Project's potential adverse effects on the wildlife;
10. Adverse effects on the Park and the Park's wildlife caused by Project fences that block or restrict travel by wildlife between the Park and other wildlife-friendly habitat;
11. Imbalances between species of prey and predators caused by fences that exclude predators from large areas inhabited by prey species;
12. Increases or decreases in the amount of water draining from the Project Area into the Park's wetlands, which can be harmed by changes in water levels;
13. Hydrological damage to the Park from changing the amount of water flowing from the Project to the Park during construction and operation of the Project;
14. Sediment from construction and operation of the Project discharged into surface waters;
15. Light pollution impacts on the Park from the Project's lighting, including the diminishment of bird and bat uses of the area's habitats;
16. Loud noises from constructing the Project that will disturb the Park's patrons and disturb or drive wildlife away from the Park, including rare bird species such as the Sandhill Crane and the American Bittern that inhabit the Park's wetlands;
17. Noise from operating inverters too close to the Park, which will bother the Park's patrons and wildlife; and
18. Construction activity during nesting bird season or during peak bird migration that will disturb or expel birds from the Park.

Would it not be a more productive way to pursue these issues through an upfront process rather than a late stage adjudicatory one? SB 52 recognizes that local communities have legitimate interests in utility-scale developments. It gives them an upfront way to exclude development that may present a threat to sensitive environments or cultural amenities. Where problems remain unresolved, the opportunity to have a seat at the OPSB table is crucial to a productive outcome.

I do not like everything in SB 52 but it is a much needed step toward enfranchising communities who have been pleading with you unsuccessfully for the last thirteen years. Your action is urgently needed as each day another project moves forward in the PJM planning queue.