

SB 52 PROPONENT TESTIMONY
HOUSE PUBLIC UTILITIES COMMITTEE
Greg Smith
Seneca County
June 22, 2021

Chairman Hoops, Vice Chair Ray, Ranking Member Smith and members of the Committee. My name is Greg Smith and I am from Seneca County.

SB 52 is all about providing some means of local control to the utility scale wind and solar application process. Many opponents to this bill suggest that the current Ohio Power Siting Board process does provide local control. As someone who has lived through the process through 3 separate wind projects, I can tell you that there currently is NO local control.

In my opinion, when the Alternative Energy Zone and PILOT programs were implemented in 2011, I truly believe at that point in time, having local county commissioners approve or deny the PILOT did provide local control. If a developer did not get the tax abatement, the project might not continue. Local officials had the ability to approve or deny a project from being built and they had some negotiating leverage.

However fast forward to today's economics, denial of the PILOT does not provide negotiating leverage or impact its implementation in any way. In 2019, both Huron and Erie County Commissioners denied the PILOT for the Emerson Creek wind project. During the presentation at both of those public meetings, APEX, the wind developer, boldly stated that the project would proceed with or without the PILOT which is in fact what happened. The PILOT program that was designed to provide local control, did not work.

The other theoretical opportunity for local control is the Ohio Power Siting Board's process itself. The developers are required to hold public informational meetings. This meeting is typically the first time that local non-participating residents find out what the developer's plans are. In April of 2018, I found out at the Seneca Wind public informational meeting that my home was going to be surrounded by 18 600' tall wind turbines located within 1-1/2 miles of my home. This was the first opportunity that I had in the process to find out what was going to happen to me personally. It was much too late in the application process for those of us directly affected and we had a major uphill battle to fight.

The Ohio Power Siting Board also holds a Public Hearing in the local area prior to the Adjudicatory Hearing where anyone can provide opponent or proponent testimony. I have testified 3 times at these Public Hearings for three different projects in my local area. I contend this hearing just "checks the box" as I have yet to see that public testimony carries any meaningful weight with the Board's decision.

I find it interesting that on Senator Matt Dolan's current website regarding a proposed bill to reduce wind turbine setbacks, the website states that "Ohio Counties currently can accept or reject the existence of wind farms. The locals will have the ability to decide what is in the best interest of their communities". I can tell you despite unanimous opposition from the Seneca County Commissioners, opposition from a majority of the effected Township Trustees, opposition from the County airport,

opposition from the Seneca County Park District, opposition from the K-12 School Board that would benefit the most financially from the project, and opposition from a far majority of the local residents, despite all of this opposition, we have no means within the process to stop the unwelcomed wind projects.

Lastly there is the Adjudicatory Hearing. I attended the Adjudicatory Hearing for the Republic Wind project in November of 2019. The OPSB process does allow local residents who reside in the project footprint to formally intervene in the process. However one of my simple observations of the Adjudicatory Hearing is that everyone except the local interveners are being paid to be there. The Adjudicatory Judge and the OPSB staff members are being paid since that is their job. When I looked at the project developer, there sat a whole row of attorneys that are certainly being paid. There were some lease holders in attendance and we know they have skin in the game otherwise they wouldn't be there. Even the attorney representing the interveners is being compensated. Then I looked at all of the people wearing their yellow shirts. Not one of them was being paid to be there that day and most had to use a day of vacation from work to attend. In fact, the interveners are required to have legal representation in order to formally intervene in the process. I can tell you that those interveners absorbed \$100,000 of legal fees just to have a voice in the process. Is this local control? How can the little guy be heard in this process?

SB52 provides a means of local control for the citizens who have the least to gain and the most to lose. I urge this committee to pass this bill.

Thank you.