

June 16, 2021

Chairman Hoops, Vice Chair Ray, Ranking Chair Smith, and Members of the House Public Utilities Committee,

My name is Carolyn Gibeaut and I appreciate the opportunity to voice my opposition to SB 52 which is before you for review and reconciliation with House Bill 118. The bill before you will hamper the future growth and investment into alternative energy and again strip away landowner rights.

The new version includes the development of Energy Development Districts (EDDs) determined by a board of county commissioners. Do all county commissioners have the knowledge and expertise to determine the best and most effective regions for development? Is there no guarantee that self-interest might come into play where the land of official's political supporters or family would end up in the designated area when other land might be excluded due to less favorable relationships? With the Ohio Power Siting Board being the determinant, there is a source of independence that allows for fair determination. Currently the developers with their expertise determine the land that works most efficiently with the existing utility substations and grid and then they approach the landowners who decide if this is best for their own farm operation and property use. The EDDs will still be subject to community vote so a community can block a potential valuable use for my land. This voting process will be subject to a social media campaign of half facts and potential outright untruths along with pitting neighbor against neighbor. Non land-owning residents would be able to vote while nonresident landowners would be denied their vote. Waiting for the next primary or general election to hold the vote will hamper the determination of potential projects and again invite developers to go to neighboring states with their resources and their substantial investment dollars.

The bill also allows the county commissioners to outright banned any development of solar or wind farms. This is again a grab at landowner's rights. A handful of commissioners who may or may not be open to actual facts, but who might believe half-truths can void an opportunity that a landowner might seize to keep ownership and operation of their farming enterprise within their family now and into future generations. This bill also allows the commissioners to ban any future amendments to existing OPSB certificates. If an existing project needed to apply for a future amendment, they would be opening themselves up to such a band or at least the threat of a rejection via referendum. Depending on the reason for the amendment, a referendum could threaten a projection's viability.

The bill wants to add community members to the OPSB when a project in their community is up for review. This sounds like a good idea, but have you considered the

additional complexity and inefficiency this may add to the process? Such ad hoc members would be called into service infrequently and again may not have the expertise to review and evaluate the application and the certification process. The OPSB process already offers opportunity for written and oral testimony and holds meetings to share local concerns. Official testimony is offered for governing officials and local boards such as the Farm Bureau and Water and Soil Conservation to actively participate in the review process. Why are you adamant in adding complexity and confusion to one of the most detailed application processes in the entire country?

The bill also allows that if the project crosses multiple counties where one allows development and one has banned it, the OPSB must carve out those areas from the application. Again, this is more needless complexity, confusion and continued grab of landowner rights.

I strongly implore you to have the courage to stop the continuation of this bill. The energy sources of the future, wind and solar, should be welcomed in our state, not stifled at every turn. We should be proud of these developments as sources of needed revenue for local governments, schools, and farm families in our rural communities.

The Ohio government has already created the Ohio Power Siting Board that has oversight and addresses the issues that communities have over these projects. The OPSB has requirements for extensive testing and documentation regarding building, maintenance, operation, and reclamation. The Ohio Power Siting Board already has the responsibility to make sure these projects do not negatively affect the land, water, wildlife, and people in the community. If there are real issues with these solar or wind projects that the OPSB is not addressing, then fix the board process.

Ohio also wants to be leader in bringing in new, better jobs to our state. Hamstringing these energy projects will only lead Ohio to fall further behind in sourcing the alternative energy that the future job producing industries are demanding. This bill is not beneficial for the environment, for employment, or for the economics of our rural communities.

I implore you to not rip the right to decide from the landowners. They have taken the time to review and welcome this opportunity to better their legacies, to better their community through alternative revenues and to be a contributor in renewable energy. Please do not support the continuation of this bill.

Thank you for your time and consideration and I welcome any questions you may have.

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