

Chris Aichholz
Seneca County
Proponent Testimony - Senate Bill 52
Senate Energy & Public Utilities
March 9, 2021

Chairman Peterson, Vice Chair Schuring, Ranking Member Williams and members of the Committee, My name is Chris Aichholz and I would like to address the deficiencies in the current laws for siting industrial wind and solar facilities.

This bill is critical to me and thousands of people all across Ohio. In neighboring states such as Indiana, Michigan, and Illinois, local control is predominant in the siting of industrial scale wind projects.¹ Here in Ohio that is not the case. Large projects are reviewed and approved only at the state level by the Ohio Power Siting Board (OPSB). The members who make up this board are not elected officials but rather are appointed. Yet these board members, along with wind industry corporations from outside of Ohio, make all the decisions, without having full knowledge of local priorities held by area citizens.

In Seneca County, we are facing as many as six very large industrial wind turbine (IWT) projects. These six projects will cover over 250 square miles of agricultural/residential zoned land. While I acknowledge there are leases signed with landowners who enable these projects to happen, I believe it is inexcusable that there is very little opportunity for collective community input in the design and execution of these transformative projects.

In my area, several project proposals have had poor designs which have led to extensive unrest and opposition to them. Some of these design flaws include, the reduction of the usefulness of our local area airports, the limiting of air ambulance accessibility, locating 21 IWT's within a 2.5 mile radius of a county nature preserve, placing dozens of IWT's within two miles of active Bald Eagles nests, placing as many as 16 600' IWT's within a two mile radius of our newest local K-12 school (which had to intervene against the Seneca Wind Project and spend its resources to defend itself.)², and, placing dozens of these massive IWT's on Ohio's largest single Karst formations which are highly unstable.

While you may think there is meaningful public participation in the OPSB process, I can demonstrate there is not. During the consideration of Republic Wind, a group of citizens attempted to intervene. The developer Apex filed a motion to disqualify every local resident whose property was not **inside** the

¹ <https://www.ncsl.org/research/energy/state-wind-energy-siting.aspx> National Conference of State Legislatures State Wind Siting

² <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=4492b873-d0d5-4c4e-aaff-fd1069e4a054>
Seneca East Local Schools intervention in the Seneca Wind Project:

footprint or **abutting it**.³ The OPSB agreed such persons lacked standing even though the impacts of such projects go far beyond the footprint. You should know that anyone who has not been deemed a “stakeholder” by intervening in the adjudication of a project also will lack standing to complain down the road if a problem arises. How is that just?

Many of you may be familiar with the Back Swamp Bird Observatory where Mark Shieldcastle is the Research Director. Mr. Shieldcastle has 45 years of experience in wildlife management and studies. He has a Bachelor of Science degree in Wildlife Management from Ohio State University. For 33 years, he was a wildlife biologist for the Ohio Division of Wildlife, dealing not only with bird species, but mammal species as well. For the last 27 years, he has been the research director for the Black Swamp Bird Observatory on wildlife issues. Apex filed a motion to disqualify Mr. Shieldcastle as a witness in our case claiming he was not qualified to discuss bats.⁴

Currently, the only way local citizens can even try to address these issues is by spending hundreds of thousands of dollars on experts and legal counsel to represent us in the OPSB’s process. Our county, schools, park district, airports, and local residents, all must come up with significant amounts of money to fund their interventions. Such a process is extremely burdensome on locals just to ensure they have spot in the OPSB’s process.

Over the course of the proceedings at the OPSB, Republic Wind developer, APEX Clean Energy, has tried to discredit, degrade, and even have our elected officials, experts, local residents, and other citizens blocked from providing testimony. And even after expending all of this money, time, and effort in the process which the State now calls “local input” there is no guarantee that any of the specific issues which are of concern in our community will be addressed.

The current wind project siting process is fundamentally FLAWED, UNJUST, and ABUSIVE to the citizens of Ohio. Trying to justify the current process, by saying it will help the environment and is good for business, is but the rubbing of salt into the wounds of Ohio citizens who have been disenfranchised. There is no other form of economic development that transforms ENTIRE communities into heavy industrial zones, and to do so without the consensus agreement of local residents is INDEFENSIBLE.

Under this system people like me and my family are left without a voice in the complete transformation of the neighborhood in which we live. Seneca Wind LLC is planning to place 27 IWT’s, as tall as 652ft, within a two-mile radius of our home (see attached Google Map image **Exhibit 1**). My wife and I have worked very hard to be able to afford our family’s home. As a young family starting out, we searched for a long time and purchased a home in a wonderful location to give us ample opportunities for growth, enjoyment, and the potential to raise our two young children in a safe and peaceful location. Now we are faced with having our neighborhood transformed into a heavy industrial zone without being able to afford attorneys to try to have some say in the matter. Although the referendum opportunity offered by

³ <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=932a7e4f-7a46-41ba-9922-f1d957258f9b> Republic Wind LLC (APEX Clean Energy) submits memorandum contra to additional Seneca County Local Residents’ Petition to Intervene

⁴ <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=e6c30598-ce16-4b4a-aab7-1435fbd54bb5> Republic Wind LLC (APEX Clean Energy) motions to strike testimony from local bird/bat expert Mark Shieldcastle.

SB 52 is no guarantee that my concern would be remedied, at least I would know that our voices were heard.

This is what makes SB 52 such great legislation. It ensures that hard working folks, whether opposed or in favor of these projects, will have a voice. I humbly acknowledge that my voice is no more important than that of other citizens. But I adamantly contend that it is of no LESS importance either. Should a local vote prove that the majority of citizens in my township are in favor of the wind project, it would make the transformation easier for me to accept, because I would know it was the consensus opinion of my neighbors and not the result of outside forces and agendas.

Moving forward WITHOUT this legislation will leave communities without a voice, and wind development will continue to drive wedges between friends, neighbors, and even families. I urge you to support SB 52, which will ensure Ohioans a voice in the future of their own community and prove that the great state of Ohio treats its citizens with the dignity and respect that truly great people deserve.

Thank You

Exhibit 1 – Chris Aichholz’s property (outlined in red), showing 27 IWT’s (yellow dots with white plus signs) within a two mile radius of it.

