

Chair McColley, Vice Chair Schuring, Ranking Member Williams and members of the Senate Public Utilities committee, thank you for the opportunity to submit testimony in opposition to Substitute Senate Bill 52.

I write as a resident of Shawnee Township in Allen County, Ohio, having lived in the township over forty years and in the county for more than seventy years other than the four years I spent at the Massachusetts Institute of Technology, from which I graduated in 1972 with a degree in Management, concentrating in data organization and decision-making.

On November 9, 2020, Shawnee Township trustees passed a resolution opposing the Birch Solar Project. It seems proper to point out that, at that point in time, there was nothing more than a 3-page pre-application letter filed by the company with the Ohio Power Siting Board (OPSB). Among the few limited topics covered in that pre-application letter was the company's commitment to hold two public meetings in the following weeks to introduce the project concept to the community and to begin fielding questions as they worked to prepare an application for the OPSB that included community input and feedback.

But the township trustees – who would receive ultimate control over these developments if Senate Bill 52 were to pass – in Shawnee Township did not wait for those public meetings to take place, did not wait for a project application to be filed, did not wait for answers to questions posed by persons present and even by trustees themselves, but, instead, passed a resolution that November night in opposition to the project. I have heard someone who has held local elected office remark, “I felt it was one of the most irresponsible actions I have ever witnessed.” Yet, that irresponsible action, almost certainly precipitated by an angry crowd, would, according to this legislation, be enough to stop this multi-million dollar project completely.

Of course, it was to avoid such scenes of chaos and mob-dictated decision making that the OPSB was created. The Birch Solar application, consisting of thousands of pages of material, was submitted on February 12, 2021, nearly 3 months after the township trustees had already declared their opposition to the project. As pointed out, this is not an example of responsible decision-making and it is not a reasonable approach to economic development in our state. This is like your daughter saying she's afraid of a boogeyman in the closet, so you burn the house down instead of opening the door to show her that everything is okay.

After the filing of the application in February and after attempting to comprehend the opposition rhetoric I have been exposed to here in Shawnee Township, I decided to organize a local group here in support of the Birch Solar project. We see the community benefits offered by the project as more than compensating us for any potential liabilities, of which there seem to be few. In other words, after actually taking time to examine and weigh the evidence and opinions, the pros and cons, we have come to a different conclusion than that rushed into by our trustees. And, consequently, we greatly appreciate the fact that the OPSB exists. They represent an impartial, adjudicatory, expert, diverse body with actual qualifications to judge such projects.

It is only reasonable to reach the understanding that such important decisions need to be studied and evaluated, not simply summarily rejected by elected representatives with little to no qualifications nor time to properly comment on such issues. And we have no desire to engage in shouting matches to influence others and to bully our elected officials nor to solicit contributions from deep-pocketed sympathizers to gin up public opinion. Is that what you want?

We believe this need not and should not be reduced to a political process or popularity contest. Yet, in this instance, our time taken in learning about the company, the project, and the local impact, and our comments to the OSPB would be nullified completely by the precipitate decision taken by our trustees. Ohio's economic development of large scale utility projects needs to be reviewed by the expert staff at the OPSB and other state agencies with the credentials needed to properly evaluate these projects based on the facts.

And, as mentioned, the OPSB process allows for community input. Each OPSB approved project has a lengthy set of conditions attached that are the result of local input, and must be complied with in order for the project to proceed. And while dissatisfied local residents may claim that the OPSB process doesn't work for them, the facts tell a different story. In the Birch Solar project, for example, 134 comments, some in opposition and some in support, have already been filed with OPSB. It should be noted, however, that the bulk of the comments were made before the actual application was filed and, even now, the OSPB has not deemed the application complete.

Let me add here that I have been in direct contact with the developer of the project as a member of the Tri-Moraine Audubon Society, our local chapter of the national organization. We have been in discussions with them concerning the proper mix of plants to encourage a successful ecology of pollinators, bird populations, native plants, and agrivoltaic initiatives such as sheep-grazing. I have been quite impressed by their flexibility and willingness to alter their plans when presented with community concerns and good information. Their good faith has also been demonstrated by their decision to scale back the size of their project to make it less intrusive. In summary, they have demonstrated goodwill, a desire to be good neighbors, and a willingness to both solicit and digest information from our local scientists, people well-versed in the flora and fauna of northwest Ohio.

In addition, to satisfy my curiosity and attempt to better understand what is going on here, I made the effort to speak to landowners who have agreements with the developers. I came away impressed as I was informed that several companies over the years had proposed similar schemes to them but that none were judged acceptable. In other words, the landowners themselves, the ones most directly affected, are performing their own due diligence. Their concern for their land, their environment and their neighbors stood in stark contrast, to me, to the inflammatory rhetoric from those in opposition as demonstrated in public meetings. And, to me, the negative comments seem to originate almost exclusively from a "Not In My BackYard" perspective; exactly the perspective that the OSPB was created to shield us from.

OPSB staff have responded and the company have responded to the public comments. Local opponents to the Birch solar project and other renewable energy projects around the state have regularly engaged with state and local agencies and other stakeholders and filed their correspondence with the OPSB for consideration. The process allows for local input and locals are using that process to ensure the greatest possible responsibility when building these projects. This should be our approach; not suffocating a fledgling industry as some opponents in the local community happily tout as their ultimate goal.

It is my understanding that a wide-ranging number of stakeholders oppose this legislation including the Ohio Chamber of Commerce, the members of the Columbus Partnership which represents over \$18B of investment in Central Ohio, the IBEW and other groups excited for these jobs, farmers who are concerned about the slippery slope of their property rights and many, many more. I'm sure improvements may be made, but I fear this process is a repeat of that early November township meeting: a rush to judgement without looking at the facts. I urge a "No" vote on this legislation.

Respectfully,

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