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Senate Bill 52- Proponent Testimony Ohio Senate Public Utilities Committee

The Energy and Public Utilities Committee needs to remain strong in making sure that the public interest, convenience, and necessity clause remains that allows trustees to eliminate their township from consideration through the passage of a resolution opposing the certificate.

It is particularly important that this clause remains as currently drafted for the small number of developers that are attempting to build in townships with high population densities and with a large number of homes within 1,500 feet of the project. These practices by a small number of developers are in violation of best practices in utility scale solar facility planning.

Ms. Shanelle Montana, Director of Development at Lightsource bp, testified at Ohio Senate Energy and Public Utilities Committee expressing concern about the clause saying, "Three months after Lightsource bp announced the Birch Solar Project, Shawnee Township approved a resolution against the Project." "The resolution was not based on science or fact," Montana added. The information provided to the committee by Ms. Montana was inaccurate.

The decision by the Township Trustees in both Shawnee and Logan was made within the first week weeks of the pre-application phase and it was based on the facts (total project area 2,300+ acres which was too large for the community surrounding Birch, too many homes impacted, homes surrounded on 2, 3, & 4 sides, proposing to build in area with existing drainage problems, etc.) presented by the developer. No science or empirical data has been provided to refute the argument that the Birch project is high risk as there are no comparable projects in regards to project size (megawatts), acreage, population density, and total number of adjoining homeowners.

It is really important to stress that Lightsource BP chose to continue with plans and studies despite community concerns. Despite the concerns about the high population, total project size, total number of homes within 1,500 feet of the project area, and homes being surrounded by solar panels, Lightsource BP moved forward with using their funds to further conduct studies on a project that was highly flawed from the start. The 300 foot setback that they frequently mention applies to one road within the total project area and the setbacks are from the middle of your home, not the property lines. Efforts to address the major community concerns of the most impacted residents.

The balance of power between the solar developers and local residents of modest means is unfair. The public interest, convenience, and necessity clause that allows trustees to eliminate their township from consideration through the passage of a resolution opposing the certificate provides an important voice. The resolution is essential particularly when developers continue pursuing a project that is ill advised from the start.

A possible compromise is to limit the public interest, convenience, and necessity clause resolution to townships with population densities above 105 people per square mile or when projects are being proposed with more than 85 homes within 1,500 feet. Locating in a highly populated area with a large number of homes close by is certainly creating long term community impacts and increasing risk factors (environmental, possible property value declines, storm water damage, ecological damage, etc.)

Please remain strong in passing a bill that will ensure that the community input is made a priority in determining whether a project is allowed to move forward— particularly when it comes to the Birch Solar development. Thank you for your efforts with SB 52.