TESTIMONY OF JULIA F. JOHNSON

SB 234 Proponent Testimony
Senate Energy and Public Utilities
January 28, 2020

Chairman Wilson, Vice Chairman McColley, Ranking Member Williams and members of the Committee, my name is Julia Johnson and I am here to provide testimony in support of SB 234 to give impacted township voters the right of referendum over the imposition of industrial uses in rural residential communities.

The purpose of zoning is to separate incompatible uses. An industrial wind turbine is a power plant with blades rotating at about 200 mph six hundred feet in the air. They can be seen from thirty miles away and at night their blinking red lights obliterate the night sky. They belong in areas zoned for industry and not for rural residential use.

It is against the law in Ohio to build a home in an area zoned for industrial use. If so, why should it be lawful to place an industrial facility in a rural residential area? Taxpaying Ohioans in NW Ohio have lost the right to the protections of zoning. SB 234 will give them the power to choose whether or not to relinquish that right.

Contracts to lease land for wind turbines include provisions for the landowner to waive specified adverse impacts including noise, moving shadows, ice throw, vibrations and so forth. Abutting property owners may grant easements, euphemistically called Good Neighbor Agreements ("GNA"), which allow these adverse impacts to also be imposed on the neighboring land. More often than not, the GNA's primary purpose is to enable the developer to meet regulatory requirements for setbacks. The adverse impacts are a secondary consideration and, importantly, once the setback threshold is met, adverse impacts imposed on residents residing beyond that threshold are not addressed. These leases and easements generally bar the landowner from complaining about these unforeseen impacts.

An example of this would be in the area of noise. It is generally accepted that an increase in noise of 5 decibels above background levels is noticeable and can be annoying. Above that, the annoyance increases. In the application phase, the developer measures background noise levels on properties of about 10 or so selected leaseholders across the footprint of the project. This can be an area that is more than 50 square miles. The results are then averaged and the OPSB approves this averaged baseline noise level and authorizes noise to rise a maximum of five decibels above that average.

This protocol completely disregards the rural resident who may reside in a very quiet area and who will almost certainly experience more than a five decibel increase in noise causing a high degree of annoyance. If that resident is in the impacted township but neither inside the footprint nor directly abutting it, that resident has no standing to intervene or have his concerns addressed during the application approval process at the OPSB.

Under my example, the resident residing in the township where the industrial wind development will be sited is denied both the protection of zoning and the possible protection of conditions mandated by the OPSB.

One other point I would like to make today concerns the cost and the benefit of hosting an industrial wind development in the community. The wind industry claims local economic benefit from lease payments to landowners. Yet, we find that in most Ohio projects, an average of thirty percent of the turbines are on land owned by absentee landowners. How is it that people who do not live in the community can impact the character of the community for generations and drain value from its residents? By giving the power of the referendum to local voters, the unfair influence of absentee landowners is negated.

Some costs can be quantified while others cannot. Boston University conducted a study to quantify the economic contribution of bats to agricultural communities. Bats eat meaningful quantities of insects and help the farmer reduce the need for pesticides. This is a good environmental outcome, but it is also an important financial contribution. The Boston University study assigns a value of $74 per crop acre in avoided pesticide costs from bats. In Champaign County, BU estimates the cost could equal more than $12 million in additional annual pesticide costs for farmers. In Seneca County the cost could exceed $16 million per year. **Attachment A**

Likewise, the possible risk to aerial spraying is not accounted for when considering the cost versus benefit of an industrial wind project. The National Agricultural Aviation Association in an advertisement states that:

"Aerial spraying or "crop dusting" gets more challenging with every wind turbine erected on America's farmland. Without careful planning in their placement, farmers could lose the option – and the advantage – of aerial spraying. Agricultural aircraft can treat large areas of land quickly and safely and may be the only option for treating crops when wet fields, rolling terrain or dense crop foliage exist. Landowners are being asked to make crucial decisions that will impact farmers and their neighbors for years to come. Improper wind turbine siting may negatively affect aerial applicators, emergency medical flights, pipeline patrols and other low-flying aircraft. Be sure to consider all the facts before "green lighting" a wind energy installation on your land." **Attachment B**

These examples are just two illustrations of costs that are borne by the larger community beyond the boundary line of a leased property or the footprint of a wind development. Industrial wind imposes costs on the broader community while the benefits accrue more specifically to a landowner who often lives outside of the county or outside of the state.

It should be up to those who bear the cost to determine whether the benefits are sufficient to off-set those costs.

I hope that my examples demonstrate why wind development is very different from any other power generation. Wind is broadly intrusive. Its spinning blades and blinking lights are a 24-7 aggravation and distraction that diminish the local amenity. And to add insult to injury, the intermittency and inefficiency of wind pales in comparison to any other source of energy. Wind should not enjoy the benefits accorded to baseload providers.

EXHIBIT A

County	Harvested Land	Estimated Value of Bats Assuming Standard Crop Pest Survival (US $)	Estimated Value of Bats Assuming Low Crop Pest Survival (US $)	Estimated Value of Bats Assuming High Crop Pest Survival (US $)
ADAMS	72,327	5359431	875156.7	12476408
ALLEN	161,100	11937510	1949310	27789750
ASHLAND	99,326	7360057	1201845	17133735
ASHTABULA	93,639	6938650	1133032	16152728
ATHENS	19,064	1412642	230674.4	3288540
AUGLAIZE	180,880	13403208	2188648	31201800
BELMONT	33,321	2469086	403184.1	5747873
BROWN	153,529	11376499	1857701	26483753
BUTLER	89,047	6598383	1077469	15360608
CARROLL	52,918	3921224	640307.8	9128355
CHAMPAIGN	170,256	12615970	2060098	29369160
CLARK	148,497	11003628	1796814	25615733
CLERMONT	68,602	5083408	830084.2	11833845
CLINTON	187,868	13921019	2273203	32407230
COLUMBIANA	79,340	5879094	960014	13686150
COSHOCTON	75,307	5580249	911214.7	12990458
CRAWFORD	195,976	14521822	2371310	33805860
CUYAHOGA	736	54538	8905.6	126960
DARKE	307,552	22789603	3721379	53052720
DEFIANCE	184,971	13706351	2238149	31907498
DELAWARE	116,206	8610865	1406093	20045535
ERIE	72,734	5389589	880081.4	12546615
FAIRFIELD	127,033	9413145	1537099	21913193

FAYETTE	191,318	14176664	2314948	33002355
FRANKLIN	48,311	3579845	584563.1	8333648
FULTON	165,376	12254362	2001050	28527360
GALLIA	25,832	1914151	312567.2	4456020
GEAUGA	23,413	1734903	283297.3	4038743
GREENE	136,106	10085455	1646883	23478285
GUERNSEY	37,362	2768524	452080.2	6444945
HAMILTON	9,498	703802	114925.8	1638405
HANCOCK	221,154	16387511	2675963	38149065
HARDIN	216,766	16062361	2622869	37392135
HARRISON	33,643	2492946	407080.3	5803418
HENRY	215,244	15949580	2604452	37129590
HIGHLAND	167,127	12384111	2022237	28829408
HOCKING	12,326	913357	149144.6	2126235
HOLMES	90,414	6699677	1094009	15596415
HURON	178,272	13209955	2157091	30751920
JACKSON	24,166	1790701	292408.6	4168635
JEFFERSON	24,523	1817154	296728.3	4230218
KNOX	129,393	9588021	1565655	22320293
LAKE	7,316	542116	88523.6	1262010
LAWRENCE	10,816	801466	130873.6	1865760
LICKING	157,367	11660895	1904141	27145808
LOGAN	153,016	11338486	1851494	26395260
LORAIN	95,619	7085368	1156990	16494278
LUCAS	56,865	4213697	688066.5	9809213
MADISON	215,459	15965512	2607054	37166678
MAHONING	41,656	3086710	504037.6	7185660
MARION	179,015	13265012	2166082	30880088
MEDINA	69,048	5116457	835480.8	11910780
MEIGS	19,570	1450137	236797	3375825
MERCER	258,038	19120616	3122260	44511555

MIAMI	173,166	12831601	2095309	29871135
MONROE	22,908	1697483	277186.8	3951630
MONTGOMERY	94,120	6974292	1138852	16235700
MORGAN	24,320	1802112	294272	4195200
MORROW	127,185	9424409	1538939	21939413
MUSKINGUM	64,864	4806422	784854.4	11189040
NOBLE	23,458	1738238	283841.8	4046505
OTTAWA	102,389	7587025	1238907	17662103
PAULDING	221,993	16449681	2686115	38293793
PERRY	48,540	3596814	587334	8373150
PICKAWAY	241,562	17899744	2922900	41669445
PIKE	27,054	2004701	327353.4	4666815
PORTAGE	53,627	3973761	648886.7	9250658
PREBLE	196,777	14581176	2381002	33944033
PUTNAM	272,446	20188249	3296597	46996935
RICHLAND	98,680	7312188	1194028	17022300
ROSS	122,360	9066876	1480556	21107100
SANDUSKY	162,358	12030728	1964532	28006755
SCIOTO	39,967	2961555	483600.7	6894308
SENECA	227,104	16828406	2747958	39175440
SHELBY	181,568	13454189	2196973	31320480
STARK	95,234	7056839	1152331	16427865
SUMMIT	7,688	569681	93024.8	1326180
TRUMBULL	80,484	5963864	973856.4	13883490
TUSCARAWAS	69,225	5129573	837622.5	11941313
UNION	186,207	13797939	2253105	32120708
VAN WERT	231,598	17161412	2802336	39950655
VINTON	10,780	798798	130438	1859550
WARREN	66,193	4904901	800935.3	11418293
WASHINGTON	40,678	3014240	492203.8	7016955
WAYNE	182,459	13520212	2207754	31474178

WILLIAMS	152,288	11284541	1842685	26269680
WOOD	246,475	18263798	2982348	42516938
WYANDOT	190,994	14152655	2311027	32946465

SOURCE: J. G. Boyles, P. M. Cryan, G. F. McCracken, T. H. Kunz. **Economic Importance of Bats in Agriculture**. *Science*, 2011; 332 (6025): 41 DOI: 10.1126/science.1201366

ATTACHMENT B

Wind Turbines Could Cause Farmers to Lose the Advantages of Aerial Spraying…

An Ag Pilot Could Lose a Lot More.

Aerial spraying, or “crop dusting,” gets more challenging with every wind turbine project erected on America’s farmland.

Ag pilots have been injured and, sadly, even killed in incidents involving wind turbines and related meteorological towers. The result has been expensive litigation and landowner liability.

Landowners are being asked to make crucial decisions that will impact farmers and their neighbors for years to come. Ag aircraft can treat large areas of land quickly and safely, and may be the only option for treating crops when wet fields, intense insect infestations or dense crop foliage exist. The presence of wind turbines can restrict and, in many cases, eliminate the option of aerial application.

Be sure to consider all the facts before “green lighting” a wind energy installation on your land.

Learn Before You Lease

A MESSAGE BROUGHT TO YOU BY

NAAA
NATIONAL AGRICULTURAL AVIATION ASSOCIATION

Learn more at AgAviation.org/towers