

Michael and Debbie Koenig  
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March 8, 2021

Subject: Support for Senate Bill 52 and House Bill 118

Dear Public Utilities Committee Members:

Developers are forcing massive industrial solar farms on several Ohio urban communities with little notice and little regard to the local residents. Solar farms are being proposed in Ohio that cover thousands of acres, and they will negatively impact established urban communities. Properly located solar and wind farms are a good thing, however irresponsible location of them near existing urban homes:

- Infringes upon individual property rights when the facilities are located too near adjacent properties.
- Gives minimal consideration to public health and well-being as a result of power generating equipment located too close to residential homes.
- Severely impacts the environment and wildlife habitats due to glare and heat from the power generating equipment.
- Decreases property value and residential tax revenue.

The siting of solar and wind farms is, in large part, a case where laws and regulations are not keeping up with technology. Under current laws and regulations, the Ohio Power Siting Board (OPSB) trumps all local control for locating solar and wind farms. To protect established communities in Ohio, legislation is needed to give communities the opportunity to file a referendum petition before solar or wind farms are permitted by the OPSB.

We are writing in support of Senate Bill 52 recently introduced by Senator Bill Reineke and Senator Rob McColley. The same legislation was introduced by Reps. Craig Riedel and Dick Stein in the House of Representatives as House Bill 118. Under this bill, township residents would be allowed to submit public input on solar and wind development projects in their townships by filing a referendum through the local board of elections, following a resolution by the local township trustees. This would pause any certificates issued by the OPSB if filed within 90 days after being issued.

The legislation should also include the following addendums:

- Require solar farms to provide a 500 foot minimum setback from adjoining properties to the facility perimeter fence, unless adjoining property owners waive this right. The bills' currently provide minimum setback requirements for wind farms but not solar farms. The setbacks are needed for protection of:
  - Residents' health and safety from the power generating equipment.
  - Existing home owners' property values.
  - Property values of adjacent areas suitable for home development.
- Prevent utility scale solar facilities greater than 100 MW from being developed in a township with a population density greater than 105 people per square mile, unless the township overrides this regulation by referendum in favor of a proposed solar project.
- Require all utility-scale solar developments to comply with the Ohio Environmental Protection Agency (EPA) Industrial Storm Water testing, monitoring, and reporting requirements, regardless if such a development would not normally meet existing/current Ohio EPA permitting criteria. This will ensure compliance with both the Federal Water Pollution Control Act and the Ohio Water Pollution Control Act. Testing and monitoring would ensure toxic materials (such as lead, cadmium, and others) are not introduced into waters of the United States and/or potentially introduced into groundwater. Many rural properties depend on groundwater for drinking water and other residential water needs.
- Require all utility-scale solar and wind farm developments to be fully bonded from the start of the project through demolition of the solar farm. This would ensure that the facility owner is responsible for clean-up and remediation of the site should the project fail or in case of facility owner bankruptcy.

Solar and wind development regulation is needed to protect the health, safety, and well-being of neighboring property owners, the ecosystems, the general public, and the local economy. Residents in established communities should not be forced to accept an industrial sized electric power generating facility without a voice by referendum vote in the permitting process.

Sincerely,

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cc: Rep. C. Allison Russo, District 24  
Rep. Dick Stein, District 57  
Rep. Craig S. Riedel, District 82

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