

Ohio Power Siting Board

September 15, 2008

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180 E. Broad Street
Columbus, Ohio 43215-3793

www.OPSB.ohio.gov

The Ohio Power Siting Board
is an Equal Opportunity Employer
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Page and Grace Mays
7305 CR 2
Zanesfield, Ohio 43360

Re: The Ohio Power Siting Board's Certification Requirements for Electric
Generating Wind Facilities
Case No. 08-1024- EL-ORD

Dear Mr. and Mrs. Mays:

Thank you for contacting the Ohio Power Siting Board regarding the potential installation of wind generation in your area. The OPSB's mission is to support sound energy policies that provide for the installation of energy and transmission infrastructure for the benefit of the Ohio citizens, while promoting the state's economic interests and protecting the environment and land use.

The generating capacity of a wind generation project determines whether the state has jurisdiction over the location of the project. The Ohio Power Siting Board (OPSB) has jurisdiction when an "economically significant" wind turbines and associated facilities with a single interconnection to the electrical grid, operate at an aggregate capacity of five or more megawatts (MW). Unless this threshold is met, jurisdiction will lie within the authority of the local government, typically a zoning board or county commissioners.

In the issue of "setbacks," the law prescribes a minimum setback for a wind turbine of an economically significant wind farm. That minimum shall be equal to a horizontal distance, from the turbine's base to the property line of the wind farm property, equal to one and one-tenth times the total height of the turbine structure as measured from its base to the tip of its highest blade and further, be at least seven hundred fifty feet in horizontal distance from the tip of the turbine's nearest blade at ninety degrees to the exterior of the nearest, habitable, residential structure, if any, located on adjacent property at the time of the certification application.

The minimum setback shall apply in all cases except those in which all owners of property adjacent to the wind farm property waives the application of the setback to that property. The board will evaluate each application and may determine that a setback greater than the minimum is necessary.

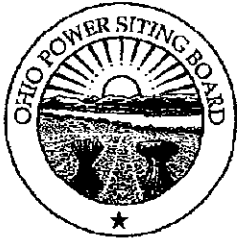
Before construction can begin on any major utility facility within the state of Ohio, a certificate of environmental compatibility and public need must be obtained from the OPSB. Any question about whether a project meets or does not meet the definition should be referred to the OPSB for clarification.

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PUCCO

80/9116 received state 2008
assessing to ensure compliance with the remaining requirements
all cases a no interconnection study is required for state review
this case is an economically significant wind project and will be reviewed by the state



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The Board issued proposed draft rules for wind facilities in Case No. 08-1024-EL-ORD. Comments are due in the docket on September 29, 2008 and reply comments are due October 7, 2008. Please reference the docket number above when filing comments regarding the rules. Should you have additional wind generation facility comments and/or concerns, please contact the Call Centers at (800) 686-PUCO (7826) or (800)270-OPSB (6772) or visit the Web site at www.PUCO.ohio.gov. or the OPSB website at www.OPSB.ohio.gov. We will place your comments in the official docket and share them with members of the Board.

Very truly yours,

Kim Wissman, Executive Director
Ohio Power Siting Board

KW:dgd

September 4, 2008

To: The Ohio Power Siting Board, The Public Utilities Commission, State of Ohio
Officials

Officials:

Grace and I bought our 108 acres of paradise in Logan Co. in 1993. For several years we searched for hill property in Southern Ohio. However, Southern Ohio didn't offer much in the way of jobs, shopping, airports, etc., so we lost interest there.

Then we saw an ad in the Columbus Dispatch offering 108 acres for sale in Jefferson Township, Logan Co. OH. It seemed like a great spot with the scenic hill country we like: airports at Columbus and Dayton within an hour's drive; shopping, hospitals, jobs, entertainment, etc. even closer.

Quickly, we checked local zoning and found no plans for major highway construction except for Rts. 33 and 68. Property for commercial projects was clearly identified mostly near Honda with remaining land in Jefferson Township zoned for agricultural use or residential. It seemed as perfect as we could expect so we made the deal to buy our property.

Our property was very rough – long abandoned, actually – but we went to work making improvements and finally built our home in 1998. Other families moved here over the years but our township has remained quiet, peaceful, and is still beautiful. Many of our neighbors are dear friends and we like it here.

Now we are on the verge of losing this special environment to the development of commercial Wind Turbine "Farms" on all of our hills. Our zoning commission, made up of individuals friendly or even related to the few 'hill farmers' who have signed wind company lease agreements, passed the most minimal of set-backs for the siting of massive turbines.

It seems that the only consideration for setbacks was to establish zoning lax enough to allow enough turbines to make the project worthwhile for wind companies – so those companies could collect maximum subsidies at the expense of taxpayers.

Setbacks not even measured from property lines!

Because hill farms are relatively small, setbacks had to be at a minimum to accommodate as many industrial turbines as possible.

No consideration was given for the desires, health, safety, welfare, property rights, etc. for the majority of the 79/square mile family homeowners here.

But the ball is now in your court, OPSB. It's up to you to develop setbacks and standards that will protect citizens in this intensively populated rural residential township in NW Ohio.

There is currently no 'big wind development' in the US in an area this populated by families, schools, businesses, and recreational attractions.

We are confused about whether or not wind turbines operating in Logan County will do anything to solve our energy problems. Our local electric company, Logan Rural Electric Cooperative, says the intermittent wind across our hills will not support efficient generation of electricity from wind turbines. About all they say for sure is much higher electric bills for we consumers – statewide.

There is a flow daily of studies, papers, documents from US experts in energy technology, engineering, science and health pointing out the inefficiencies and high cost in many ways of Wind Energy.

We hope you clearly understand the pros and cons of building commercial wind installations here in Logan County.

We hope you know that massive wind installations will not negatively impact the health of children, pregnant women, those with infirmities like epilepsy or vertigo.

We hope you know that wind turbines will not damage our pets and native wildlife like deer, hawks, turkey, waterfowl, bats, etc.

We hope you know that wind turbine installations won't reduce property values or slow the growth of property values because many families can only accumulate wealth from rising home/property values.

We hope you know the setbacks you design won't have negative impacts on owners' rights – future structures, selling of lots, rural business facilities.

We hope you know we'll have no noise intrusion inside or outside our homes; no blade shadow or flicker in our homes or elsewhere on our properties.

We hope your turbine sightings will continue to allow 78 out of us 79 home owners/sq. mile to make maximum use of our properties in the future.

We hope you know that once our ridges, hills and valleys are arrayed with 500' turbines, you have significantly changed our environment.

We hope you know what is right for the majority of families here.

We appreciate your responses to our concerns.

Respectfully,

Page & Grace Mays
7305 CR 2
Zanesfield OH 43360
937-592-0496

September 15, 2008

TO:

Ohio Power Siting Board; Public Utilities Commission of Ohio; Ohio House of Representatives Public Utilities Committee; Ohio House of Representatives Alternative Energy Committee; Ohio Senate Energy and Public Utilities Committee

Re: Wind Turbine Siting Regulations for the State of Ohio

To Whom It May Concern:

I am very concerned that the state-approved 750' setback of an industrial wind turbine from a home is much too close. For safety, the very large turbines must have larger setbacks. We would like to see set backs not from dwellings, but from property lines so that we can build on, split, sell or remain safe on all parts of our land.

To mitigate wind turbine noise, please read, Messrs. Kamperman & James' noise research (*The "How To" Guide to Siting Wind Turbines to Prevent Health Risks from Sound*), as well as the National Academy of Science's (*Environmental Effects of Wind Turbines*) that both recommend ½ mile set-backs. Both are based on facts and figures to ensure safe operation of turbines.

Please reconsider the minimum setbacks and base your rulings on scientific facts.

Thank you.

Page and Grace Mays

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September 15, 2008

To:

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Re: Wind Turbine Siting Regulations for the State of Ohio

To Whom It May Concern:

I understand that siting for industrial wind machines planned in Logan County now rests in State hands, having been removed from local control by recent legislation. Our concerns – regarding safety, health issues, noise, shadow flicker, and property rights – have been all but utterly ignored to date by local and state officials.

We support the development of alternative energy sources. We could support the construction of industrial wind machines – regardless of the inefficient nature and high cost of wind power, and even though wind energy could never satisfy Ohio's energy needs – if wind machines were properly sited in, for example, all farm areas where they would do no harm. The area where I live in Logan County is not such an area – our area is highly populated. Our home sits nearby/adjacent to and surrounded by land now leased for turbine construction. Several of these properties are owned by individuals, or a corporation, who do not reside here, but who have been given a large say in zoning on wind turbines. My family soon may be sitting in the middle of a wind factory, i.e., "farm." Do we, non-participating property owners, retain any property rights equal to those of wind lease holders? We would like to see set backs not from dwellings, but from property lines so that we can build on, split, sell or remain safe on all parts of our land.

We hold legitimate concerns about adverse impact of noise and shadow flicker effect. Why can't studies be done prior to construction to absolutely ensure no such problems will occur? Surely you are aware of well-documented problems in other areas, for example in Maine, where the wind industry wrongly assured residents there would be no noise. Why can't studies be completed by independent experts – not employees of the wind industry – prior to any approved construction? Why can't set backs be great enough to ensure not that numerous machines can be built, but that residents will not suffer noise or shadow flicker impact? Shouldn't the quality-of-life of residents here hold the same importance as building wind machines? What about adverse health impact? Have you seen the studies of Dr. Nina Pierpont? What if we become ill? Who will reimburse us? Where will we live if we cannot then sell our house? What about ice throw? The set backs of 750' now in place are ridiculously short. What about the roadways? Have you seen the winding narrow roads in this area? Do we have to endure road widening and construction for this project as well? At whose cost? And who will pay for those road repairs? Will the OPSB

regulations include an arbitration process (other than typical legal recourse) for local governments and citizens alike who find problems afterward, that they were promised in advance, would not occur?

What about the power grid? Is the grid capable of handling the interconnection to wind? Will there be a huge substation built here as well? At whose cost? Will the OPSB regulations require public disclosure of the contracts wind companies have with lease holders?

Industrial wind construction does not belong in populated areas – such as where we now live. If the State decides it does, perhaps then adjacent non-participating property owners should be reimbursed the value of our homes. If wind turbines truly do not affect property values as our county auditor assures us (but why would anyone want to purchase our home when its very value, its setting, will be gone?), would it be so unreasonable as to require the wind industry to buy out non-participating adjacent property owners such as myself?

When addressing wind siting for this area, please try to put yourself in our place. We deserve legislation that adequately serves us, taxpayers and voters, and protects us as well as it will for wind companies and those farmers and large landowners making profit from the deal. We are tired of being told we have to "take it in the cheek" (statement from Ohio Farm Bureau) for Ohio. We ask for setbacks that protect homeowners first – not wind companies.

Sincerely,

Page and Grace Mays
7305 County Rd. 2
Zanesfield OH 43360