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20-1605-EL-BLN

Shawnee Township

Board of Trustees

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Birch Solar 1, LLC submitted a biased public opinion poll performed by Purple Strategies. Purple Strategies is a sub-consultant of BP known for managing BP's Deep Water Horizon PR campaign. This poll was conducted over the holidays from Dec 24 2020-Jan 1 2021. It was a strategically delivered public opinion poll attempting to reflect the populations of Allen and adjacent counties. Unfortunately, only 150 people were polled with answers tabulated in a population of 250,000 (+/-) people. This poll took place shortly after the Birch Solar 1 project was publicly announced, prior to offering any specific details of the project being released, and used vague and generalized questions which omitted local project details which would have changed many thoughts on the project.

The local opposition to Birch Solar 1 is a truly grassroots operation. They grew immensely in size as the public became aware of what was being proposed. In contrast, the group of proponents for Birch Solar 1, known as the Allen Auglaize Coalition for Reasonable Energy, is not as much a grass roots operation. Amongst other things, they have received free legal services from Beveridge & Diamond PC (located in DC.) The petition submitted by the Allen Auglaize Coalition for Reasonable Energy contains less than two dozen signatures of citizens within a 5-mile radius of the project. This is truly a David versus Goliath battle with David garnishing the vast majority of public support. There have been additional efforts to garner public support as well. The promises of a new football field swayed a few people to submit letters of approval.

Shawnee Township trustees represent approximately 12,000 people. They presented two written statements in opposition after listening to their constituents. The Allen County Board of Commissioners, (comprised of the county engineer, auditor, recorder, and sanitary engineer), represent an additional 90,000 people. They have also stated serious concerns with the project.

If we are to extrapolate the public opinion regarding the Birch Solar 1 economic impact from the poll, it is clear the public sentiment does not wish for this project to take place. Over 6,000 Shawnee township residents and 45,000 people within Allen County do not buy into the economic impact claims.

If we look into the couple hundred signatures submitted on the petition in favor of Birch Solar 1, there is very minimal local support. Shawnee Township and Allen County represent over 100,000 citizens. Both governing bodies have publicly stated their opposition and concerns voiced by the citizens they represent.

In spite of strong fears of COVID 19, which was significantly impacting our community at the time, the OPSB Public Hearing provided hours of testimony in opposition to Birch Solar 1. The meeting had an approximate 300+ citizens in attendance, lasted nearly 4 hours, and the only support the project could

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come up with was a handful of land owners awaiting payment for their ground, and some students and faculty from a local university over one half an hour away from the project site.

Birch Solar 1 has not helped to gain trust in the community. In Exhibit E of the Birch Solar 1 application to the OPSB, only 5 pages of the 23 pages reflect a tiny portion of the community concerns. Birch Solar 1 has hung their hat on the benefits of Payment in Lieu of Taxes agreement rather than mitigating local concerns about the project. They have presented a flawed public opinion poll with misleading info. They claimed local support and negotiating with County officials in regards to the PILOT program weeks after the announcement of the project when they had not yet done so. This had not yet happened and was false information. They provided less than accurate testimony to the Ohio Senate Public Utilities Subcommittee in staking claim they would be the largest generator of tax revenue in Allen County. The Allen County Auditor proved this to be false. There have been false claims by the Allen Auglaize Coalition for Reasonable Energy such as: This will lower taxes and will not need any additional infrastructure. If we were to re-read the Staff Report of Investigation, we would find: 142,000 posts driven 7-11' into the ground, 95 inverters, 34.7 miles of buried cable, 22.5 miles of access roads up to 20' wide, and fencing around the project areas to contain the 3-5 sheep per acre (2,115 sheep) necessary to graze and maintain the vegetation. Sounds like quite a large amount of infrastructure can be found in their proposals reviewed by the OPSB staff. Also, in the Staff Report of Investigation, the staff finds the projected costs of the project (presented by Birch Solar 1) were not accurately reflected. One example mentioned was the lack of consideration for inverter replacement. The staff recommended denial for this along with a multitude of other findings which did not align with Birch Solar 1 projections.

While the appeal offered by Birch Solar 1 states: public opposition for the project should not be reason enough for denial, public opinion is 1 of the 8 criteria. What is failed to be mentioned in the appeal are the actual reasons why the public opposed and continues to oppose the project. These concerns were spelled out repeatedly in public comments and testimonies at the public hearing. Water runoff issues and forever chemicals leaching into the ground were concerns along with discarding broken panels properly. Solar panels built in areas of the world still using forced labor were issues mentioned in which Birch Solar 1 called the people xenophobic rather than addressing the assembly of panels by forced laborers. In the public information meeting at Apollo schools, the CEO discounted this concern by asking where their tennis shoes are made. This is a dismissal of the question rather than an answer to a concern.

Community concerns were also spelled out quite well in the OPSB Staff Report of Investigations. Long term jobs in any sort of volume will not exist. It will employ a fraction of the needed laborers once constructed. Archeological surveys show substantial amounts had not yet been surveyed. The staff found economic impact, versus applicant projected costs, do not match. Not only did the staff find the applicant data was in error, the applicant used proprietary data sets to calculate the dollars generated by the project. This means the public, nor the staff, is able to view their purported claims. The staff found oil and gas well findings were not deemed as compatible on the project site. Staff findings on environment impact on the 14 streams, 3 wetlands, and endangered animals in the area did not satisfy requirements to be approved. The electromagnetic analysis of the oil and gas wells failed to demonstrate minimization of adverse environmental impacts. There are no reasonable attempts by Birch Solar to mitigate community concerns with drinking water contamination whether it the contamination is from chemicals inside the panels or the coating on the outside of the 635,580 panels.

It could be argued Birch Solar 1 has some local support. If we remove those receiving some form of compensation, or those that are being sold promises by Birch Solar 1, the support of this project is nearly nonexistent. They have a multi-billion-dollar developer, PR consultants, local groups backed with paid

attorneys, and we are still seeing growth in the opposition to this project. Can we continue to believe the public interest supports this project with so many examples of opposition?

We, the duly elected Board of trustees for Shawnee Township, Allen County, Ohio again wish to reinforce our strong opposition to the Birch Solar 1 LLC development. We ask the OPSB to uphold their original position and deny Birch Solar 1, LLC's request.

The Shawnee Township Board of Trustees