

FILE
FAX

Case No.: 14-1557-EL-BGA Hardin Wind, LLC

September 29, 2015, at 10:00 a.m.

180 East Broad Street, Hearing Room 11-D,

Columbus, Ohio 43215

Scott E. Farkas, Administrative Law Judge

Testimony of Anthony B. Elsasser

6051 TWP RD 200

Belle Center, Ohio 43310

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Thank you for giving me the opportunity to speak today. I am speaking for myself and on behalf of my brother, Devin Elsasser, also an intervenor, who is not able to attend this hearing today. We are non-participating farmers who farm 160 acres on Township Road 200 within the project area. We have three main concerns about the property that we farm that I would like to address.

First, the amendment has an access road running immediately next to our transitional field of non-GMO crops [Description: Fig. 05-4, part 3 of 8, sheet number 6 of 15, access road to turbine number 129; the field we are referring to previously held turbine number 125. (This field will become certified organic in May 2016.)]. Our concern is how the access road will be maintained - i.e. will it be chemically sprayed to control weeds? Will the fence row adjoining the two properties remain wholly intact? We have yet to have these questions answered. Perhaps, more importantly, our concern is what will happen if our organic certificate is revoked due to activity related to this relocated access road and turbine?

Our second concern is how this access road will affect drainage in this field. This field had brand new drainage tile installed 4 years ago and we are concerned that this road will change the flow of water - surface and subsurface. A portion of the water in the gully that runs perpendicular to this road drains from the field containing the access road. We have concerns that with the placement of the road and the amount of compaction due to numerous heavy vehicles using the road, field drainage tiles will be damaged and may

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create serious problems for our field. We are nonparticipating land owners in this project and want to know who will fix and/or compensate us for any damages that may occur. Hardin Wind states, in their memo contra to our petition to intervene, they follow best management practices to minimize the impacts to surface water; however, they have failed to mention subsurface water management. What are these practices and who monitors them?

Our final concern is for the waterway that runs through property we farm just down and across the road from this property. [Description: The large field with the McDonald Township label on it on the map Fig. 05-4, part 3 of 8, sheet number 6 of 15; the waterway beings on our property where the field with turbine number 122 has the two different fields meeting (the waterway runs there too).] The proposed new collector station will also undoubtedly affect drainage as earth is moved to construct it; it lies just to the northeast of the waterways visible on the map that all drain through our properties. As farmers we understand what a few inches here and there can do to the flow of water and to drainage. Again, as nonparticipating land owners in this project, we want to know who will fix and/or compensate us for any damages that may occur due to changes in water flow caused by the relocation of the collector station.

As you can tell, we care a great deal for what happens to this farmland and are very concerned about our future in farming. Since we are non-participating farmers, we do not have any agreement with Hardin Wind that would resolve or correct any issues caused by this amendment/project. Our goal in intervening is to make sure that we, and our farmland, are protected under law and that there is a plan in place to resolve any issues that may arise. Thank you.

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