

FILE

21-0036-EL-BGN

Lill Farms Inc.
754 Owens Road West
Marion, Ohio 43302
740-389-1203
Preserve Farmland Forever

Marion County Ohio Commissioners

Andy Appelfeller
Kerr Murray
Ken Stiverson
222 W. Center St.
Marion, OH 43302

CC:

Tracy Richardson, Ohio State Representative, District 86
77 South High Street, 13th Floor
Columbus, Ohio 43215

Sarah Huffman

Ohio Department of Agriculture
Office of Farmland Preservation
8995 E. Main Street
Reynoldsburg, Ohio 43068-3399

Abra Dunn, Director

Marion County Farm Bureau
1495 W. Longview Ave. Suite 203
Mansfield, OH 44906

Matt Butler

Public Information Officer
Ohio Power Siting Board
180 E. Broad St.
Columbus, OH 43215

September 16, 2021

Re: Marion County Solar Project Public Meeting

On September 28, 2021 The Ohio Power Siting Board (OPSB) will hold a local public hearing to provide the public a chance to express their views on the Marion County Solar Project, LLC. This board will eventually approve or deny the Marion County Solar project application. The hearing is for the public including Marion County Commissioners to express views about the Solar Project and its impact on the community and should also be a time to gain factual understanding of the their application. I trust that our county commissioners will attend this important meeting. I have expressed my views many times both in written letter, phone conversations with OPSB, phone conversation with OFB Director of Energy, and Sarah Moser, Senior Development Manager for Savion as well as

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Comments on the Marion County Solar Project facebook page. I hope you have read the 91-page application by Marion County Solar Project to the Ohio Power Siting Board to fully understand the vastness of this project.

<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21C05A92717H04386.pdf>

Nearly all OPSB applications are approved. I was told by a member of the OPSB that one recent large-scale wind project application was denied because the citizens and county commissioners expressed many concerns. It matters what commissioners and the public think and it matters that the public have the facts.

I am not against green energy but I am against solar and wind companies taking thousands of acres of prime farmland in Ohio to construct their large scale utility projects, the Marion County Solar project being one of many in Ohio. Marion County Solar stated to me that their project "represents just 0.3% of the acres used for farming in Marion County (Loomis, 2021)." Most likely Savion will not be the only solar company to lease land in Marion County, in fact, we have received letters from solar companies interested in leasing our farmland, and so you can be sure that Savion will not be the only solar company seeking farmland in Marion County. It is the accumulative effect of solar companies in Ohio and the nation taking prime farmland out of production for 30-50 years that should be a concern. OPSB made this statement to me about their current awareness of the use of farmland: "We are monitoring the acreage. There is not an agricultural land threshold for solar development in Ohio law or OPSB rules." As I write this letter over 47,000 acres of prime farmland are being leased or in the application process throughout Ohio. The .3% in Marion County will soon grow larger unless the commissioners and the public understand the impact solar projects have on the land and their effect on the long history of agriculture in this community and beyond. Marion County Solar posted the article "Solar energy is positioned to grow by leaps and bounds! Dr. Gilbert Michaud from Ohio University studies renewable energy policy and economic development, and is predicting exponential growth of solar installations," an indication that it is unlikely the 900 acres in Marion County will be the only project site. According to Matt Butler, OPSB Public Information Officer, regarding all applications for solar leasing in Ohio, "Most acreage is agricultural land."

The Marion County Solar project has used social media to portray their large-scale industrial project and in my opinion have been less than honest and/or misleading to uninformed generations of people that are removed from agriculture. In my opinion they are not presenting a realistic picture of the project or its impact. For example, I was told by a Savion representative that the 43,000 steel posts that will go into the ground at the Marion location would be similar to "crop rotation." Being in farming I know that is not the case and a far stretch from the practice of crop rotation. I have also been told that the project would be giving the soil much needed rest from row crops. Farmers go to great lengths to practice soil conservation including crop rotation, cover crops, no-till, soil erosion protection and more to enrich and not disturb the soil. Constructing service roads, drilling 43,000 posts into the ground along with hundreds of feet of buried cable and electric lines would not be a part of farming. They also stated on their facebook page that the project would be harvesting another "crop" and that too is a stretch of the term "crop." Crops grow in our precious soil and with help of rain and sun are harvested at the end of each growing season and sold for food, fuel and fiber. One only has to look at their facebook profile photo showing an unobstructed field of corn, which will not be the case when 43,000 steel posts are driven into the ground to hold row after row of the solar panels. Another photo they

display shows 5 ears of healthy looking corn with the statement "Marion County's corn looks delicious, and perfect for a Labor Day barbecue!" The accompanying video is about how cornfields are doing in Marion County and the photo of the corn ears is field corn, not usually the corn we eat at barbecues. And the nice looking and healthy corn crop will not be seen again for 30-50 years if ever on the 900+ acres on which the solar project may be constructed. The realistic explanation of the project is in their 91-page application of highly technical information and includes an economic study that puts agriculture at the bottom of the economic ladder ignoring how important the agriculture industry has been to Marion County. I certainly hope each of you has read the complete application and understand all that the project entails from construction to decommissioning. Another aspect of the project will be a substation site and as Sarah explained to me would include the following: "The substation site will be approximately 7 to 8 acres in size. The transformers, buss equipment, and control houses will range from 20' to 40' in height. There will be 2 to 3 utility poles to tie into the transmission line that will be 50'-60' in height. The site will also include 1 or 2 lightening poles that will be approximately 60'-70' in heights. When asked if Savion avoided using productive farmland for their projects, she told me "Not necessarily. We work with the individual landowner to determine the most well suited and desirable areas for each solar project. It is really the landowners call as well as environmental and state permitting regulations toward the areas we must avoid." It does not matter if a project is in a designated agricultural district or zoned agriculture –solar companies such as Savion know that their projects do not have to follow local zoning for development and they ignore when areas are designated agriculture districts.

Agriculture has been a driving force since Ohio became a state and the beginning of Marion County. For many more years than Savion may be in Marion County, farmers and associated agriculture industries have contributed to the economy, jobs, community service and much more. According to Marion County Community Profile on the Chamber of Commerce website, "Agriculture and diversified industries form the economic base of the Marion area. Approximately 80% of Marion County's land area is devoted to farming with corn, soybeans, hogs and dairy cattle as the principal products. A number of Marion's industries reflect the importance of agriculture to this community." Yet Savion in reference to the 2011 Marion County land use plan understands that the land on which they want to construct the project is farmland, zoned agriculture and much of it located in an agriculture district, and still they justify their proposal stating that "Development of the Project is consistent with Marion County's Land Use Plan as the current agricultural land use can continue on portions of the of the Project area outside the security fence." And Savion, a company located in Kansas having 75% of their projects on farmland, also states "a better land use on a purely economic basis than livestock or crops for the particular land in this Project." I believe the last statement is the motivator for Savion – purely economic.

There is no way to predict their projection to decommission the land and return it to agriculture use. Not many farmers would disturb the soil to the extent Savion has stated in their application and expect to produce a good crop:

- Approximately 28,512 feet (8,690.5 meters) of new access roads
- Approximately 1,980,000 feet (603,504 meters) of DC collection system cables and 105,600 feet (32,186.9 meters) of AC collection cables would be installed throughout the Project.
- approximately 43,000 steel posts, driven 7 to 11 feet (2.1 to 3.4 meters) below grade

- Project will either connect to the public sanitary sewer or a septic system could be installed.
- substation/switchyard complex is depicted in all Facility mapping and will encompass approximately 11 acres, fenced in, 4 permanent MET towers 14' tall installed on concrete base
- gen-tie line would be no more than 1,000 feet (304.8 meters) in length and will not exceed 110 feet (33.5 meters) above grade.
- The Project will be enclosed with perimeter fencing that complies with the NESC. The fence will either be a 6-foot (1.8-meter) chain link fence topped with 1-foot (0.3-meter) of three strand barbed wire or a 7-foot (2.1-meter) chain link fence.

While farmers may have a right to utilize and develop their land how they want to the extent the law and zoning regulations stipulate, it does not make it right. We do not live in isolation, we live in a community and our efforts should be for the greater good. I understand that the economic benefits to Marion County are enticing, including the school district in which the project may be located, but I wonder what will happen to the economic support when the life of Savion's solar project is over? Most of the time they site project life to be 30 years however their application suggests that it could be longer- 30, 40, 50 years – if solar is an important form of energy why is it limited?

As you consider Marion County Solar Project and its long-term implications for our county and beyond, please know the facts about solar projects, especially the use of farmland for these projects; know the facts about farmland disappearance in our county, state, nation; *know the facts about farming practices that will be disrupted by the* construction/decommissioning of a 3-5 decade long solar project not just on the land but the family farm as well; know the facts about the disappearance of the family farm, many of which are from Marion County; since everyone that eats has a stake in farmland preservation, know the facts about the production of food, fuel, and fiber in this country; know the facts about the solar industry and their far reaching plans to take farmland because it is the easiest land on which to develop their large scale utility projects and understand that there are other ways in which to capture the sun's energy; and keep in mind the importance agriculture has had and still has in Marion County. We personally know that farmland preservation is important to the County Commissioners because you have been sponsors of our farmland preservation applications with the Ohio Department of Agriculture as well as other farmers. I hope that you understand the full implication of the development of large-scale utility project(s) on Marion County farmland.

Sincerely,



Betty Jo Lill

bjlill@me.com

740-225-4531

Agriculture Easement Information Program Requirements

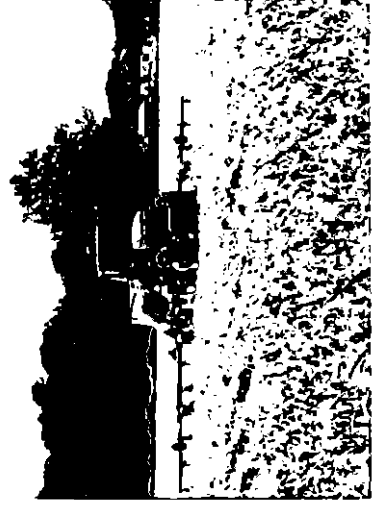
- ♦ voluntary and legally-binding easement restriction placed on a farm
- ♦ program provides funding to farmland owners for up to 75% of appraised value of a farm's development rights; payment cap is set at \$2000 per acre and \$500,000 per farm
- ♦ limits the use of the land to agriculture activity
- ♦ land remains under private ownership and stays under CAUV
- ♦ easement transaction recorded on property deed; farmland can be sold or passed along as a gift to others at any time and the agricultural restriction stays with the land
- ♦ farm remains enrolled in CAUV and the Agriculture District Program through the county auditor
- ♦ minimum of 40 acres unless the farm is adjacent to a preserved farm, and then a minimum of 25 acres
- ♦ owner certification of no hazardous substances on the property
- ♦ farmland owner must have been in compliance with state/federal agricultural laws the past 5 years
- ♦ possession of a clear title to the property
- ♦ application opportunities are open for a maximum of 90 days and submitted to ODA by the local sponsor, Marion County Soil and Water Conservation District
- ♦ local sponsor must agree to monitoring and enforcement responsibilities
- ♦ minimum of 25% of the points-based appraised value of the agricultural easement must be a cash match by the local sponsor or donation by landowner, or a combination of donation and cash match

OUR STORY OF FARMLAND PRESERVATION

As we started seeing residential development increase in Pleasant Township and indeed the disappearance of farmland in Ohio and nationally, we began looking for ways to protect our farmland from development. American Farmland Trust provided us with guidance to get started and led us to Ohio's Farmland Preservation Program. The process to preserve all of our owned farmland began with an application in 2011 to the Clean Ohio Local Agricultural Easement Purchase Program to preserve 272 acres of our home farm and hub of our farm operation. We realized that preserving all of our land would take several years with only one application per farm permitted each year. So, we also developed a family trust stipulating that all remaining eligible land not yet preserved at our deaths go into the Ohio Agricultural Easement Donation Program. Since 2011 we have continued to submit applications each year that the program has been offered in Marion County and to date we have preserved over 400 acres of farmland, including the original Lill family farm of four generations ago.

Why do we want to preserve our farmland and what are the benefits to us?

- to preserve farmland for future generations and leave the land better than when we acquired it
 - 2,000 acres of agricultural land are converted every day in the US (AFT)
 - Between 1950 and 2000, Ohio lost more than 6.9 million acres of farmland, nearly 1/3 of Ohio's agricultural land (ODA), and the loss continues
 - 47,000+ acres of Ohio farmland have been leased or in process by large scale utility (OPSB), taking acres out of agriculture for up to 50 years
- to preserve the Lill family farm heritage that began in 1862
- to ensure the land remains in agriculture for perpetuity
- funds received from the easement purchase have allowed us to purchase additional farmland, upgrade equipment, and reduce debt
- tax benefit for donating a portion of the appraised value of the easement
- develop conservation practices such as wetland and prairie that provide wildlife habitat
- prevent large scale utility development on our farmland



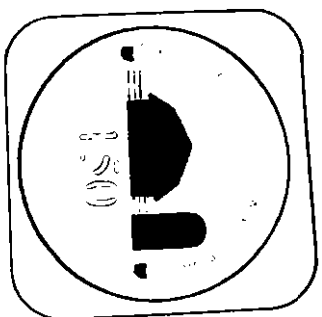


When you have eaten and are satisfied,
praise the Lord your God for the
good land He has given you.
-Deuteronomy 8:10

Local Farmland Preservation Sponsor
Michelle Martix, Administrator
Marion Soil and Water Conservation District
740-387-1314

For further details, refer to the
application "LEAPP
Policies and Guidelines" at
www.agri.ohio.gov/farmland and click on
"Clean Ohio LEAPP"

Ohio Department of Agriculture
Office of Farmland Preservation
8995 E. Main St.
614-728-6210 (phone)
farmlandpres@agri.ohio.gov
www.agri.ohio.gov/farmland

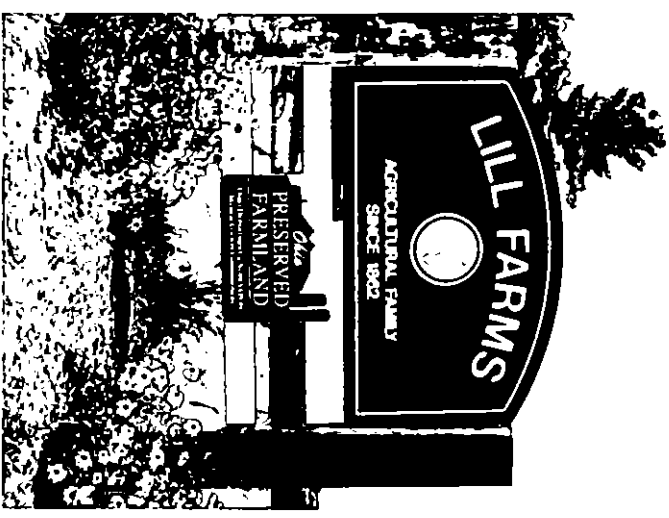


Everyone who eats has a stake
in farmland preservation.

-Karen Ross,
CA Secretary of Food & Agriculture

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<https://bjlill.com/index.html>

FARMLAND PRESERVATION



Our deep respect for the land and
its harvest is the legacy of
generations of farmers who put
food on our tables, preserved our
landscape, and inspired us with a
powerful work ethic.

-James H. Douglas, Jr.