

1 PUBLIC UTILITIES COMMISSION OF OHIO

2
3 IN THE MATTER OF THE APPLICATION OF

4 BIRCH SOLAR 1, LLC,

5 FOR A CERTIFICATE OF ENVIRONMENTAL

6 COMPATIBILITY AND PUBLIC NEED

7
8 CASE #20-1605-EL-BGN

9 - - -

10 The following PUBLIC HEARING was held before the
11 Administrative Law Judges, Michael Williams and
12 Jesse Davis.

13 - - -

14 Date and Time: Thursday, November 4, 2021

15 6:00 p.m.

16 Place: Allen County Fairground
17 2750 Harding Highway
18 Lima, Ohio

19 Reporter: Susan E. Ingraham, RPR,
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22
23

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November 4, 2021

6:00 p.m.

MR. WILLIAMS: We're on the record.

The Ohio Power Siting Board, which I will refer to as Board, has scheduled for hearing at this time and place Case Number 20-1605-EL-BGN, which is captioned In the Matter of the Application of Birch Solar 1, LLC, for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powers Electric General Facility in Allen and Auglaize Counties, Ohio.

My name is Michael Williams, and with me is Jesse Davis. We are Administrative Law Judges in the Board's Legal Department and we will be presiding over today's hearing.

I'm also pleased to introduce to my right, the Board's Chairperson, Jenifer French, who is here tonight. I also know that there are several, several of the Board's staff members assisting with various aspects of the hearing.

At this time we will take appearances of the parties in the case who are here and intend to participate tonight. For the Applicant?

MS. PIRIK: Thank you, Your Honor.

1 On behalf of the Applicant, Birch
2 Solar 1, the law firm of Dickinson Wright by
3 Christine Pirik and Matt McDonnell, 150 East Gay
4 Street, Columbus, Ohio, 43215.

5 JUDGE WILLIAMS: Thank you, Ms.
6 Pirik.

7 Anybody here on behalf of Board staff
8 as counsel?

9 I don't see anyone.

10 And then we have eight intervenors in
11 the case. I'll just go through them in order and
12 if anybody is here with an appearance, you can let
13 us know for the record.

14 Against Birch Solar?

15 MR. THOMPSON: Here.

16 JUDGE WILLIAMS: Your name, sir?

17 MR. THOMPSON: Jim Thompson.

18 JUDGE WILLIAMS: Auglaize County?

19 Logan Township?

20 The Ohio Farm Bureau?

21 Ryan and Matthew Kalnins?

22 Allen/Auglaize County Reasonable
23 Energy?

24 MR. WILDERMUTH: Here. Michael
25 Wildermuth.

1 JUDGE WILLIAMS: Thank you, sir.
2 International Brotherhood of
3 Electrical Workers?

4 MR. DOVE: Good evening. On behalf
5 of the IBEW Local 32, law firm of Kegler, Brown,
6 Hill and Ritter, Robert Dove, 65 East State
7 Street, Suite 1800, Columbus, Ohio, 43215.

8 JUDGE WILLIAMS: Thank you, Mr. Dove.
9 Shawnee Township?

10 MR. BELTON: Nate Belton.

11 JUDGE WILLIAMS: Thank you, Mr.
12 Belton.

13 I'll note that intervenors are not
14 required to and may choose not to participate in
15 tonight's proceeding, though, they may still be in
16 attendance.

17 The subject of tonight's hearing is
18 an application filed by Birch Solar for the
19 purpose of constructing and operating a 300
20 megawatt solar-powered electric generation
21 facility in Shawnee Township, which is in Allen
22 County and Logan Township, which is in Auglaize
23 County, Ohio. The proposed project would occupy
24 approximately 1,410 acres for construction and
25 operation.

1 Birch Solar application was filed on
2 February 12, 2021, and was supplemented March 25,
3 March 31, and April 5, 2021. I would also note
4 that the Board staff filed a Report of
5 Investigation on October 20, 2021. This report is
6 a recommendation from the Board staff and does not
7 necessarily reflect what the Board's final
8 determination in the case will be.

9 The purpose of today's public hearing
10 is to receive testimony regarding Birch Solar's
11 application from entities and persons in the local
12 community who are affected by the proposed
13 project.

14 The public hearing is not a
15 question-and-answer session, but it is an
16 opportunity to let the Board know what you think
17 about the proposed project. Today's public
18 hearing is only one aspect of the process in this
19 case. An evidentiary hearing is scheduled to
20 begin on November 30, 2021, as described in the
21 Entry of ALJ Davis on August 13, 2021. The
22 purpose of the evidentiary hearing is for the
23 parties in this case, including the Applicant, the
24 intervenors, and the Board staff to provide
25 testimony and other evidence regarding the

1 project.

2 Tonight's hearing is being
3 transcribed by a court reporter, Susan Ingraham.
4 If you plan to testify, please speak clearly so
5 that she can accurately reflect your comments on
6 the record. Please make sure you verbally respond
7 to all questions asked of you so your responses
8 can be properly transcribed.

9 After I finish with this
10 introduction, I will begin by calling individuals
11 on the sign-in list to testify about the proposed
12 project. Each person who signed up to testify
13 will be permitted to speak once about the project.
14 We will ask you to an oath or affirmation that
15 what you say is the truth. Your testimony will
16 then be considered as part of the official record
17 in this case and it will be reviewed by the Board
18 before a final decision is made on the
19 application.

20 Traditionally, the Board has
21 encouraged testimony at local public hearings of
22 persons who are not parties to the case -- that
23 is, those who have not formally intervened as
24 parties. The reason for that approach is as a
25 courtesy to those who have not joined in the case

1 as formal parties, because the local public
2 hearing is the only opportunity for
3 non-intervenors to provide the Board with their
4 sworn testimony so that their positions are known
5 without having to go through the formal litigation
6 process. With that background understanding, I
7 note that the ALJs do not intend to prohibit
8 intervenors from testifying tonight.

9 There are a couple of points I want
10 to emphasize though. One, I'll ask that
11 intervenors testify after those who have not
12 intervened, as tonight is the only opportunity for
13 non-intervenors to provide their testimony. And,
14 two, I'll remind intervenors that do testify that
15 they will be subject to cross-examination by each
16 of the parties in the case and also the Bench
17 should they decide to testify tonight.

18 Lastly, I want to note and reinforce
19 that intervenors are not penalized whether they
20 decide to testify tonight or not as tonight is the
21 only opportunity for nonparties to testify as to
22 the project, and intervenors have the right to
23 testify at the evidentiary hearing, we're
24 prioritizing non-intervenor testimony, but
25 intervenors are equally entitled to be heard in

1 this case, either tonight or during the upcoming
2 evidentiary hearing.

3 Should you decide that you do not
4 want to testify when I call your name from the
5 registration list, you can pass to the next
6 witness. If you decide that you prefer to file
7 written comments in the case, representatives from
8 the Board are here -- a lot of drama -- and
9 they'll provide instructions on how to file
10 comments in the case docket.

11 Also, once you have finished
12 testifying or if you are here merely to observe,
13 you may leave the hearing whenever you choose.

14 The Board appreciates your
15 participation in tonight's hearing and we want
16 everyone who intends to testify to have the
17 opportunity to do so. For that reason -- I would
18 note we have in excess of 72 people signed up to
19 testify -- we do ask that you keep your testimony
20 to a reasonable length of time of no more than
21 five minutes.

22 At this time we are going to begin by
23 calling our first witness. As we call each
24 witness, we'll swear you in, confirm your name and
25 address, ask if you will live or work in the

1 project area and confirm if you are an intervenor
2 in the case.

3 MS. PIRIK: Your Honor, I do just
4 have one clarification question.

5 JUDGE WILLIAM: Yes, Ms. Pirik.

6 MS. PIRIK: I just want to make sure,
7 so if an intervenor testifies tonight, is this the
8 only time they can testify and the only time we
9 have an opportunity to cross-examine them or are
10 they also given the opportunity to testify at the
11 evidentiary hearing?

12 JUDGE WILLIAMS: So we're not going
13 to compel their attendance at the evidentiary
14 hearing, so if you have questions of an intervenor
15 who presents tonight, I would encourage you to
16 cross-examine them tonight.

17 MS. PIRIK: Okay. But, I mean,
18 they're not going to be prohibited from testifying
19 at evidentiary hearing, right?

20 JUDGE WILLIAMS: Within reason,
21 correct. We're not going to have 100 different
22 people from an organization providing lay-person
23 testimony at the evidentiary hearing, but,
24 generally speaking, we're not going to prohibit
25 that testimony.

1 MS. PIRIK: Thank you.

2 JUDGE WILLIAMS: Any other
3 clarification points?

4 With that, we'll call Mr. Thomas W.
5 Hull.

6 Our second witness will be Kathy
7 Hull, we'll try to call the bull pen. Is that
8 going to interfere with each other, Matt?

9 MR. MCDONNELL: I don't think so.

10 JUDGE WILLIAMS: Great.

11 Good evening, Mr. Hull.

12 MR. HULL: Good evening.

13 - - -

14 THOMAS HULL,
15 Being first duly sworn was examined/testified as
16 follows:

17 - - -

18 JUDGE WILLIAMS: Thank you. Would
19 you please state and spell your name for the
20 record?

21 MR. HULL: Thomas W. Hull, H-U-L-L.

22 JUDGE WILLIAMS: And your address,
23 including the township.

24 MR. HULL: 4405 West Breese Road. It
25 would be Shawnee Township.

1 JUDGE WILLIAMS: Thank you.

2 Do you reside or work within the
3 project area?

4 MR. HULL: Yes.

5 JUDGE WILLIAMS: Are you an
6 intervenor in the case?

7 MR. HULL: No.

8 JUDGE WILLIAMS: Please proceed.

9 MR. HULL: Yes. I agree with the
10 majority of residents and leaders of Allen and
11 Auglaize Counties that do not want Birch Solar in
12 our area. I've lived in this rural area since
13 birth and have practiced in the field of mental
14 health for the past 36 years.

15 This project has too many
16 consequences that will affect the residents and
17 environment. It will cause devaluation of home
18 and properties that will stifle the growth of the
19 community.

20 The potential harm that the runoff of
21 the chemicals from the erosion of the metal
22 structures into the local private wells of the
23 residents is a major concern of mine. I live
24 right next to the project.

25 The flooding that will be caused by

1 the redirection of storm water into areas that
2 have a long history of flooding.

3 This massive solar field will cause
4 an increase of mental health issues of children
5 and adults. We're talking about 900 acres of
6 metal, totally changing the visual appearance and
7 causing a major barrier. In urban communities,
8 the research has identified that a decrease and
9 elimination of green space, natural occurring
10 landscapes correlate with an increase in
11 depression, anxiety, and suicide with all ages,
12 especially our children.

13 Now, cities are bringing back green
14 space, they're putting back trees in areas like
15 that. By my concerns about Birch Solar projects
16 and all the solar projects is that the solar
17 projects actually eliminate green space by putting
18 up metal structures and tall fencing since
19 industrial fields are not green space and
20 potentially will contribute to mental health
21 issues in the long run.

22 We're talking about 900 acres of
23 fencing. Solar and industrial fields are not
24 considered green -- I don't even know why we call
25 them a farm. They create a wall of metal fencing.

1 Let's not make the same mistake that urban
2 communities have made by eliminating green space
3 and putting a barrier of shrubs and other plants
4 next to the fences. This does not compensate for
5 the loss.

6 By eliminating the green space, we
7 also affect the ecological balance, the wildlife,
8 the flow. That causes major problems, too. The
9 most terrifying and negative effect for industrial
10 solar fields is based on the research that I've
11 done on electromagnetic fields -- that's EMF -- on
12 physical and mental health of people.

13 Solar panels and fields produce
14 electromagnetic field. There's a substantial
15 amount of research on the exposure to EMF, which
16 is electromagnetic fields and its harmful effects
17 on the physical and mental health of people. The
18 900-plus acres of solar panel construction needed
19 to collect the electricity will create an enormous
20 magnetic field.

21 Once I started reading and doing more
22 research, I was really surprised that we're not
23 considering these things when we talk about solar
24 fields. The research on electromagnetic fields
25 exposure has been found to increase malignant

1 brain tumors in children, leukemia in children
2 between the ages of three and four, increase in
3 hyperactivity in children and teens -- and that's
4 the main area that I treat in this area. Increase
5 in depression for all ages, increase in
6 depression, psychosis, hostility, anxiety in
7 adults who are exposed to EMF. And this is based
8 on research dealing with electricians who have
9 been subject to high exposure of EMF.

10 Increased nausea, headaches,
11 migraines, ringing in the ears, inability to
12 concentrate, depression, hyperactivity in people
13 who have electro hypersensitivity to EMF exposure.

14 Research also identifies a risk of
15 mental health issues for people living next to
16 high-voltage transmission lines. It's a study
17 back in 1997.

18 In summary, our community does not
19 want to make the same mistakes that have been made
20 when fossil fuels were introduced and marketed as
21 a way of making money and advanced the economy.
22 The fossil fuel in our country ignored the
23 warnings from environmentalists, medical community
24 and research on the dangers of fossil fuels to our
25 community and physical health.

1 Solar fields are a danger to the
2 environment and also to the physical and mental
3 health of people. Apparently, the farmers whose
4 land is involved in this project are aware of
5 these potential harmful effects of solar projects
6 because the solar fields are not surrounding their
7 homes, not even their relatives that live in the
8 same area.

9 All of the people who want industrial
10 fields focus on financial benefits to schools,
11 counties, and agencies, which are the same methods
12 marketers make when selling products, ignoring
13 the negative effects. We have to stop being
14 swayed by money at the expenses of physical and
15 mental health of people. The opioid crisis is a
16 fine example of greed ignoring harm.

17 The Ohio Power Siting Board needs to
18 listen to the research on biological damage and
19 pay attention to the clear environmental negative
20 effects of solar fields and deny the application.

21 JUDGE WILLIAMS: Thank you for your
22 testimony.

23 MR. HULL: One more thing.

24 JUDGE WILLIAMS: I'm sorry, I thought
25 you were finished.

1 MR. HULL: I was turning the page.
2 There's an EMF pioneer and Nobel Prize nominee,
3 Dr. Robert Becker who states that the greatest
4 polluting element in the earth's environment is
5 the proliferation of electromagnetic fields.
6 Auglaize and Allen County residents do not want to
7 contribute to this proliferation of
8 electromagnetic fields and create another pandemic
9 of physical and mental health concerns.

10 This project needs to be denied.

11 JUDGE WILLIAMS: Thank you, Mr. Hull.

12 I invite any questions from
13 intervenors.

14 I don't see any questions.

15 Any questions from the Bench? No.

16 Thank you, Mr. Hull, for your
17 testimony.

18 I will reiterate there are plenty of
19 seats, the seats in the front row are now
20 available so I encourage you to sit as you're
21 comfortable.

22 Our next witness is Kathy Hull, and
23 our witness after that is John Spring, Paula. I
24 assume it's John and Paula Spring.

25 - - -

1 KATHY HULL,
2 Being first duly sworn/affirmed, testified as
3 follows:

4 - - -

5 JUDGE WILLIAMS: Would you please
6 state and spell your name for the record.

7 MS. HULL: It's Kathy Hull.

8 JUDGE WILLIAMS: Your address
9 including the township.

10 MS. HULL: 4405 West Breese Road,
11 Shawnee Township.

12 JUDGE WILLIAMS: Do you live within
13 the project area?

14 MS. HULL: Yes, 50 feet.

15 JUDGE WILLIAMS: You're not an
16 intervenor?

17 MS. HULL: No.

18 JUDGE WILLIAMS: Please proceed.

19 MS. HULL: The Birch Solar project
20 resembles a popular movie, *The Devil Has a Name*.
21 I don't know if you've watched it or not, but it's
22 a movie, 2019, where big corporations poison the
23 land and surrounding lands, killing human life and
24 wildlife. I suggest that you watch this movie.

25 So I'm asking you to deny this

1 project so don't poison my land -- that's the
2 movie is don't poison my land, I think.

3 As a resident, a long-time resident
4 of Allen and Auglaize County, I'm opposing the
5 Birch Solar project because it poses a threat to
6 the residents and then the environment. Even
7 though -- my property does not border the project,
8 we're only separated by 50 feet. There's our
9 house, 50 feet of trees, which there's foliage in
10 the summer, but when winter time, there's no
11 foliage, so it's just us and 50 feet. We could
12 see everything in the fields, which will be right
13 next to us, and we're not considered bordering.

14 So I think we're a lot closer than
15 most people and we have a lot riding on this. So
16 as a homeowner and a strong advocate for the
17 preservation of natural landscapes, I oppose the
18 placement of the Birch Solar project in a
19 heavily-populated rural community so close to
20 people's private spaces and homes.

21 My first concern is this is not a
22 necessary project for this area. There's no
23 benefit for this area. This is a want, not a
24 need. It's a want from one company -- it is not
25 even an American company, it's not even a local

1 company. They don't have any ownership in this
2 community. They have nothing invested in the
3 community. They're just here for one reason only
4 and that's to make a profit.

5 This is not a benefit for everyone in
6 the community and certainly not for the
7 surrounding property owners. A project this size
8 is an industrial project by an industrial company.
9 This project does not belong near an established
10 community that is heavily populated. It's not
11 even very far from the school, which is probably a
12 mile away -- my guess.

13 It's a basically a take-over of land
14 in the populated community. The land will be
15 useless after its ruined. The community will be
16 forced to clean up the area and also pay for the
17 clean-up after the project has gone bankrupt.
18 We'll be the ones to clean it up. This puts the
19 health and all the residents' lives at risk with
20 this project. The community doesn't want it.

21 I'm also really concerned about the
22 health effects from living so close to a solar
23 field. The electromagnetic force on our bodies,
24 our drinking water supply from our well being
25 contaminated and our septic system being flooded.

1 I'm concerned with the potential harm
2 from the corrosion of the solar panels as they
3 age. The chemicals have to go somewhere, which
4 could potentially be my well. I'm told that
5 chemicals used in the construction of the panels
6 and the coating on the outside of the panels are
7 potentially dangerous to humans if consumed. Our
8 well is not even very deep. It's less than a 100
9 feet -- I'm guessing 65 to 100 feet. So because
10 our well is so shallow and our property is so
11 close, we would be one of the first residents
12 that's affected.

13 Once the runoff of the lead and
14 toxins occur, we'll most likely be drinking the
15 poisoned water before anyone is even aware. It
16 will be too late and who knows the damage that
17 will have already occurred to our health.

18 This can be avoided by disallowing
19 this project. The buffer zones are simply not
20 enough protection. Not having the buffer zone
21 comprises the health of anyone living in the area,
22 both physically and mentally, as you just heard
23 from Dr. Hull. He gave his testimony.

24 As I said before, our property's not
25 technically bordering the field. It's much closer

1 than BP acknowledges. BP wishes to use the center
2 of my property as a point used for a buffer. My
3 bedroom is much closer than the center of our
4 property to the field. That means if this is
5 allowed, I could be sleeping about 100 feet away
6 from the electromagnetic fields. I would not be
7 able to escape it. My sleep would definitely be
8 affected. The stress on our bodies from the
9 electromagnetic forces alone would take a toll on
10 our health, both physically and mentally. This is
11 my home where I sleep and where I live. My mental
12 health will be affected.

13 I have plenty of concerns. The
14 project covers way too much territory. The area
15 already has a high water table and has a history
16 of flooding. The rivers have a history of
17 flooding, the surrounding area has a history of
18 flooding.

19 With all the holes being drilled into
20 the ground, a lot of damage will be done to the
21 field tiles. The creek next to our property
22 already floods. Our home will be subject to
23 flooding. Our septic system will be in jeopardy
24 of flooding, our water supply will be
25 contaminated.

1 I'm also concerned about the property
2 values declining. When we go to sell our home,
3 buyers will simply overlook our home and decide on
4 another home that is not next to a solar field.
5 We have a beautiful home and it should sell fast.
6 If we do find a buyer, it will take an extended
7 amount of time to sell it. Our lives will be put
8 on hold and that's precious time wasted. You
9 can't put a value on time in life.

10 The construction, when the test piles
11 were installed, my husband and I were both home.
12 We experienced the pounding and it was only three
13 piles they were pounding. This took about 45
14 minutes of constant pounding. Our house shook, we
15 felt it. I could feel it inside my home. My
16 floors shook. My concern is this constant
17 pounding would damage our home. The noise was
18 horrible and that was for three piles.

19 And I had a headache. My head was
20 throbbing. I remember it. I clearly remember it.
21 How are we supposed to carry on with our lives
22 when the constant pounding is right next to us? I
23 cannot endure this pounding and earth moving being
24 so close, even for a day. This is my home. I'm
25 supposed to -- how am I supposed to cope with

1 mental anguish day after day and night after
2 night, and then for months on end also.

3 I come home, as you do, I come home
4 and expect to be able to rest or relax and
5 recharge. How is that possible with constant
6 pounding. I'm at home most of the time. I'm not
7 at work all the time, I'm at home, so I am there,
8 so I would have to sit there and listen to that.
9 I don't think anyone wants this to happen to them.

10 This project is wrong in so many
11 ways. The staff doesn't recommend it, the
12 community doesn't want it. The community will
13 suffer a great deal from this project. Financial
14 losses will be greater than any gains from this
15 project. The community itself will deteriorate
16 because of the project. A lot of lives will be
17 affected negatively from this project.

18 If this project is approved a lot of
19 people will assume why was this approved when
20 there's no much evidence out there and so much --
21 so many reasons to deny it, why would it get
22 approved. There would be lot of lawsuits coming
23 after that, I imagine.

24 So why is this project so important
25 to Shawnee. It's not important to Shawnee. It's

1 only important to the people who want to make the
2 money on this. So is it worth it? I don't think
3 it is. So, please, deny this project.

4 Thank you.

5 JUDGE WILLIAMS: Thank you, Ms. Hull.

6 Any questions from the intervenors?

7 MS. PIRIK: None here.

8 JUDGE WILLIAMS: Okay. Thank you for
9 your testimony.

10 MR. SPRING: As I go through that, I'
11 just wanted to give you a visual of what we're
12 talking about.

13 JUDGE WILLIAMS: Are they going to be
14 part of the record?

15 MR. SPRING: Yes.

16 JUDGE WILLIAMS: I see a hand raised.

17 UNIDENTIFIED VOICE: Your Honor, can
18 I ask that we keep the testimony to five minutes
19 so we can finish this evening?

20 JUDGE WILLIAMS: We will do our best.
21 We're going to let people finish. As long as
22 they're not grossly repeating prior testimony and
23 they're advancing their arguments, I don't intend
24 to cut people off. We expect that the testimony
25 is going to be generally within five minutes.

1 So we have John and Paula Spring.

2 MR. SPRING: Correct.

3 JUDGE WILLIAMS: He's going to
4 testify. Before I swear you in, Frank Caprilla is
5 our next witness.

6 - - -

7 JOHN SPRING,
8 being first duly sworn/affirmed, testified as
9 follows:

10 - - -

11 JUDGE WILLIAMS: Thank you. Would
12 you please state and spell your name for the
13 record.

14 MR. SPRING: John Spring S-P-R-I-N-G,
15 J-O-H-N.

16 JUDGE WILLIAMS: And your address,
17 including township.

18 MR. SPRING: It's 4160 Bowsher Road,
19 that's Lima, Ohio, and it's Shawnee Township.

20 JUDGE WILLIAMS: Do you live within
21 the project area?

22 MR. SPRING: That's correct.

23 JUDGE WILLIAMS: And are you an
24 intervenor in the case?

25 MR. SPRING: No.

1 JUDGE WILLIAMS: Please proceed.

2 MR. SPRING: So the proposed solar
3 complex will be across the road and south of us,
4 so, therefore, we are considered to be adjacent
5 property owners. We have lived at this residence
6 for approximately 25 years and raised our family
7 here. We are adamantly against this project for
8 several reasons.

9 The first one is the effect on
10 wildlife. Birch Solar proposes a 7-to-10-foot
11 high wildlife fence that will surround this
12 complex. This fence will run for miles. The only
13 way the wildlife can get from section to section
14 will be the roadways.

15 So Birch Solar proposed a 300-foot
16 setback from adjacent owner's dwelling, not
17 property, nor public roadways. The fence will run
18 parallel next to the roads and the only path for
19 the wildlife will be the roads.

20 If you take a look at pictures number
21 1 and 2, if you look at number 1, that's looking
22 at the road east of us. And then if you look to
23 number 2, you're going west. And across that road
24 is where this fence is going to be going into and
25 it literally is going to run parallel to that road

1 for miles.

2 So the area that we're in, it's going
3 to run a mile east and a mile west down to 501.
4 You guys might not be familiar with these roads.
5 In addition to that it's going to run another
6 three or four miles west of us.

7 JUDGE WILLIAMS: I don't mean to cut
8 you off, but to get some perspective here. So in
9 Picture 1, which side of the road are you
10 describing?

11 MR. SPRING: We're talking the south
12 side would be across the road.

13 JUDGE WILLIAMS: So it would be on
14 the right-hand side --

15 MR. SPRING: It'll be on the right
16 side, yes.

17 JUDGE WILLIAMS: Okay. Thank you.
18 And then on Picture 2, would be the left side?

19 MR. SPRING: That's correct.

20 JUDGE WILLIAMS: Please proceed.

21 MR. SPRING: So we and others have
22 many wildlife pictures, including eagles, deer,
23 coyote, fox, geese, ducks, and turkey. And if you
24 take a look at Picture 3, that's just a herd of
25 deer right in our backyard and we see these every

1 day.

2 Number 4's a red fox. I just took
3 this two weeks ago. It's literally running to the
4 field where the solar complex is going in, so to
5 give you a perspective on that.

6 Bald eagles just returned to this
7 area the last couple of years. If you see Figure
8 5, that's a bald eagle. The solar complex is
9 going into the field right behind the eagles.
10 What effect will this have on them, that's our
11 concern.

12 The next concern we have is safety of
13 the panels. My understanding is these panels will
14 be produced in China with little or no regulation
15 or specification. There will be thousands of
16 these panels placed above our wells, next to our
17 creeks and rivers.

18 Residents in Shawnee Township are an
19 experiment. No one seems to have any idea if
20 these panels will leak toxic material. There's no
21 data on a large mega solar complex next to a
22 residential area that I could find.

23 Then the next one I want to talk
24 about is flooding. My understanding is these
25 field tiles were installed around 40 to 50 years

1 ago. Currently in the spring, the field south of
2 us floods over the road and into the fields
3 besides us. If you see Picture 6, that's the
4 field directly across the south part I've been
5 talking about this whole time.

6 This isn't a heavy rain, this is a
7 typical spring. And Number 7 is the field right
8 next to our house, which this family wants to
9 continue to farm and this water dumps right into
10 their farmland. When the crops are planted, we
11 don't see that type of flooding.

12 So the concern is you take out the
13 crops and replace it with panels, what will this
14 runoff be. In addition, each panel will have six
15 I-beams pile-driven to a six-foot depth. Not only
16 are field tiles a concern, the farmers have been
17 laying plastic drain tiles for years.

18 With all these tiles -- when all this
19 tile is destroyed, where will this water flow.
20 This unknown could be devastating to our
21 homeowners and our neighboring farmers.

22 Then, of course, we get to the
23 property value. On my road, property values
24 presently vary to from \$200,000 to \$500,000.
25 Birch Solar is offering 10,000 per side for

1 compensation. For us, it's one side. The
2 unknown, what effect will this have? Could it be
3 a 15, 20 percent effect on our property value? We
4 don't know.

5 Birch Solar started in their proposal
6 the viewpoints will be covered with trees and
7 shrubbery. I requested their latest layout this
8 image. Our property, looking south, had no trees
9 or shrubs, just a fence. I asked why and they
10 sent back a revised layout. It was marked up with
11 a Sharpie and showing a few trees in front of our
12 house and along the road. Not along the fence,
13 like proposed. So what will this do to our
14 property value looking at fencing and panels?

15 And although we are not against solar
16 complex in general, we are against the complex
17 being so close to residential areas. There are
18 just too many unknowns.

19 Also, in closing, none of this energy
20 being produced will even be available locally.

21 So thank you for listening to our
22 testimony.

23 JUDGE WILLIAMS: Mr. Spring, thank
24 you for your testimony. I do have a couple quick
25 questions regarding the photographs, just you took

1 the pictures?

2 MR. SPRING: That's true.

3 JUDGE WILLIAMS: So Pictures 1 and 2
4 are pictures depicting where the project would be.
5 The timing of those, taken within the last month
6 or so?

7 MR. SPRING: Yes. Well, I mean. I'd
8 probably say the last three or four months. I'm
9 kind of collecting as we go.

10 JUDGE WILLIAMS: So the pictures of
11 deer --

12 MR. SPRING: And the deer might have
13 been about, maybe three years ago, but we get
14 those daily. I mean, there's people that can show
15 -- we get deer everywhere.

16 JUDGE WILLIAMS: The fox?

17 MR. SPRING: The fox was about three
18 or four weeks ago.

19 JUDGE WILLIAMS: And the bald eagle?

20 MR. SPRING: The bald eagle was two
21 years ago, I believe. Oh, she said it was earlier
22 this summer. I thought it was last year, within a
23 year.

24 JUDGE WILLIAMS: Just a general idea.
25 Thank you, sir. And then the flooding pictures, 6

1 and 7, when were those taken?

2 MR. SPRING: That was in April and
3 May.

4 JUDGE WILLIAMS: Of this year?

5 MR. SPRING: Of this year, correct.

6 JUDGE WILLIAMS: That's all the
7 questions I have from the Bench. Anything Judge
8 Davis?

9 JUDGE DAVIS: No.

10 JUDGE WILLIAMS: Anything from
11 anybody else?

12 Thank you for your testimony.

13 Our next witness is Frank Caprilla
14 and our witness on deck would be Greg Mescher.

15 - - -

16 FRANK CAPRILLA,
17 Being first duly sworn/affirmed, testified as
18 follows:

19 - - -

20 JUDGE WILLIAMS: Thank you. Would
21 you please state and spell your name for the
22 record.

23 MR. CAPRILLA: Frank Caprilla,
24 F-R-A-N-K, C-A-P-R-I-L-L-A.

25 JUDGE WILLIAMS: And your address,

1 including township.

2 MR. CAPRILLA: 5350 West Breese Road,
3 Lima, Ohio, Shawnee Township.

4 JUDGE WILLIAMS: You're in the
5 project area.

6 MR. CAPRILLA: We are. We're
7 directly across the street.

8 JUDGE WILLIAMS: Thank you. You're
9 not an intervenor?

10 MR. CAPRILLA: I am not.

11 JUDGE WILLIAMS: Please proceed.

12 MR. CAPRILLA: Good evening. My name
13 is Frank Caprilla. My wife and I are the third
14 generation owners of our property at 5350 West
15 Breese. Our family owns four houses, two barns,
16 and more than ten acres adjacent or within a half
17 mile of the proposed solar project.

18 My wife and I own and operate R.J.
19 Pets, a board facility right there at our
20 property, a business that's been there since the
21 early '90s and my wife and I took it over in 2002.
22 Our families are life-long residents of Shawnee
23 and we all support the farmers' rights to use
24 their land as they see fit in accordance with Ohio
25 law.

1 Ohio Revised Code 519.21 states in
2 Section C, Paragraph 3, bio-diesel production,
3 bio-mass energy production, or electric, or heat
4 energy production, if the land qualifies as land
5 devoted exclusively agricultural use.

6 So as I read this code, I see that
7 there is clearly a right for these farmers to use
8 their land for electric production. Many area
9 farms lease their land to companies to plant and
10 harvest their fields, so why should these farmers
11 not be allowed to lease their land to a company
12 that would like to use it for electrical
13 production.

14 In the same code, 519.21, it
15 explicitly states that it is not the community
16 members' right or the township's right to tell
17 agricultural businesses how to operate their
18 farms.

19 At this time of the application,
20 there was not a Senate Bill 52. I have grown up
21 learning my right to swing my fist stops at your
22 nose. So under these same American principles,
23 the farmer's right to collect solar rays stops at
24 your property line. This project is not touching
25 a single blade of grass on anyone's property who

1 does not want it.

2 This is not a eminent domain project
3 where area resident would be affected without
4 control. This is a private business partnership.
5 The very same free market capitalism America is
6 built on.

7 I believe the concern today is not
8 over the rights of this project to exist, but the
9 concern is over the responsibilities of such a
10 project that are causing issues for some of my
11 neighbors and many vocal others who don't even
12 live near the project.

13 That is why the state has a board
14 that knows what those responsibilities of such a
15 project should be and can make that decision on
16 your own. You can help Lightsource and the
17 farmers be responsible when creating such a
18 powerful electricity-producing farm.

19 It has been my experience that
20 Lightsource BP has been more than willing to
21 conform to requests and expectations from all
22 agencies involved, as well as taken many
23 opportunities to hear concerns from area
24 residents, making changes to their plans to help
25 address many of those concerns. As recently as

1 last week when the advisory panel made
2 recommendations, Lightsource BP immediately began
3 to address those concerns as well.

4 I ask you members of the Ohio Power
5 Siting Board to following the guidelines and
6 precedence of similar projects and give this
7 partnership clear guidance to move forward and
8 exercise their legal rights under Ohio Ag law.

9 Our township needs new businesses.
10 I've been there for over two decades watching
11 businesses consistently move out and seen
12 opportunities rejected that could have created
13 substantial economic activity in our area.
14 Because of those decisions, our residents have
15 seen many tax levy renewals and new tax levies as
16 recently as two days ago. I'm concerned over our
17 exorbitant tax rates, driving out more businesses
18 and residents alike.

19 Please save the township from itself
20 and help us spur new business development and tax
21 revenue for our township and schools. This will
22 ultimately save residents tax dollars and with
23 approval of a Pilot program, a substantial
24 increase to the school's operating funds.

25 Thank you for taking the time to

1 listen. Thank you for the capacity to block out
2 noise and make decisions based on law and
3 precedence set by similar Ohio farm projects.

4 JUDGE WILLIAMS: Thank you, Mr.
5 Caprilla. I'm going to make sure there's no
6 questions -- I don't see any questions from the
7 Bench.

8 Anything from the intervenors?

9 Thank you for your testimony tonight.

10 Our next witness is Greg Mescher and
11 then Julie Mescher would be the on-deck witness.

12 - - -

13 GREG MESCHER,
14 Being first duly sworn/affirmed, testified as
15 follows:

16 - - -

17 JUDGE WILLIAMS: Thank you. Would
18 you please state and spell your name for the
19 record.

20 MR. MESCHER: Greg Mescher, G-R-E-G,
21 M-E-S-C-H-E-R.

22 JUDGE WILLIAMS: Your address,
23 including township.

24 MR. MESCHER: 20997
25 Wapakoneta-Cridersville Road, Duchouquet Township.

1 JUDGE WILLIAMS: You are in the
2 project area?

3 MR. MESCHER: Yes. Adjacent
4 landowner.

5 JUDGE WILLIAMS: You're not an
6 intervenor?

7 MR. MESCHER: No.

8 JUDGE WILLIAMS: Please proceed.

9 MR. MESCHER: I am an adjacent
10 landowner. I have all the same concerns that you
11 have started to hear and are going to hear tonight
12 from a lot of different people, I think. Decrease
13 in property value, disruptions during
14 construction, groundwater contamination from
15 changes in runoff, potential wellhead damage,
16 environmental impact to the surrounding areas.

17 I think these concerns are echoed in
18 the recommendations from PUCO to deny this
19 project. Based on their findings, the Applicant
20 has failed to meet three of the criteria needed
21 for approval. I find it hard to believe that the
22 OPSB is going to be able to approve this
23 application as such, and at the same time give a
24 satisfactory opinions to the communities and why
25 they have gone against the recommendations of the

1 Public Utilities Commission.

2 As my own personal experience with
3 Birch Solar, they fail to inspire confidence in
4 the company. In October of 2020, I received
5 notice of the project as an adjacent landowner. I
6 attended the public information meetings. Fast
7 forward to February of 2021, when I received
8 information regarding the Good Neighbor project.

9 This was accompanied by pictures to,
10 quote, depict the solar panel layout with respect
11 to your plot, end quote.

12 These pictures are not of my home's
13 location. In fact, they're from several miles
14 away, giving me no clear idea what it would look
15 like from our perspective. Following this letter,
16 I placed two calls to a David Powell as was listed
17 in the letter. After I left the second voicemail
18 in about a week's time, I was able to speak with
19 him about my concerns.

20 I had three requests. I requested
21 the fencing abutting my property that's planned to
22 be chain link. I requested a cedar post with an
23 invisible wire line, something more aesthetically
24 pleasing.

25 I had liability concerns about water

1 damage. Is the landowner responsible for anything
2 that could be occurred after the development of
3 the project or is the developer responsible for
4 anything that could occur after this project?

5 And I also asked about the
6 possibility about moving three small rows of
7 fencing to another area that really impact or make
8 a major difference on the impact to my personal
9 location in this.

10 In response, I was told he would
11 speak to the engineers and see if those are
12 possible. In response to the question about
13 liability, I was told it would depend on the
14 specific lease agreement with the landowner. So
15 in summary, I received no real answers at all.
16 That was February of this year.

17 To date, I've not received any more
18 information from him, despite being told I would.
19 All our attempts to contact have been answered
20 with an automated message that, quote, the user is
21 not receiving calls at this time -- including the
22 phone call I placed this morning, just to do due
23 diligence before this hearing in an attempt to
24 reach out one more time. I had no option to leave
25 a voicemail at those times either.

1 If this is how Birch Solar presents
2 its Good Neighbor program, I'd rather they move
3 out of the neighborhood.

4 In closing to this, I say, I think
5 that the passage of Senate Bill 52 has gone a long
6 way to redress the need for local involvement in
7 the approval process. Unfortunately, it does not
8 apply to this specific project, which is why we're
9 here tonight to voice our disapproval.

10 I ask that the Siting Board please be
11 the community's voice in this matter.

12 Thank you.

13 JUDGE WILLIAMS: Thank you, Mr.
14 Mescher. I don't see any questions from the
15 Bench.

16 Any questions from intervenors?

17 I would ask -- you indicated you had
18 reached out telephonically and were receiving a
19 message that wasn't terribly helpful. Is there an
20 e-mail point of contact as well you've been able
21 to reach out to?

22 MR. MESCHER: There is. I didn't use
23 it because I had spoken to him on the phone
24 previously and figured I could just continue that
25 conversation.

1 JUDGE WILLIAMS: Okay. Well,
2 certainly, tonight's testimony is part of the
3 record and the Applicant may or may not reach out
4 to tonight's testimony.

5 MR. MESCHER: Hopefully so. Thank
6 you.

7 JUDGE WILLIAMS: Thank you, sir.

8 Our next witness is Julie Mescher and
9 then our on-deck witness is Deb Gronas.

10 MS. MESCHER: I have some photos here
11 that I'd like to submit also. I submitted them
12 online. These were taken from our driveway of our
13 property. The case number and the address are on
14 the back.

15 JUDGE WILLIAMS: Thank you, Ms.
16 Mescher.

17 - - -

18 JULIE MESCHER,
19 Being first duly sworn/affirmed, testified as
20 follows:

21 - - -

22 JUDGE WILLIAMS: Please state your
23 name and spell your name for the record.

24 MS. MESCHER: Julie Mescher,
25 J-U-L-I-E, M-E-S-C-H-E-R.

1 JUDGE WILLIAMS: Your address,
2 including township?

3 MS. MESCHER: 20997, that's
4 Wapakoneta-Cridersville Road and that's a Wapak
5 address in Duchouquet Township.

6 JUDGE WILLIAMS: I assume you're not
7 an intervenor?

8 MS. MESCHER: No. I am an adjacent
9 landowner, though.

10 JUDGE WILLIAMS: Please proceed with
11 your testimony.

12 MS. MESCHER: Thank you guys for
13 being here today and welcome to our community.
14 I'm here today to discuss my concerns regarding
15 the Birch Solar project. As an adjacent
16 landowner, I received notification in October of
17 2020, for the proposed project. I attended the
18 public information meetings in Shawnee to learn
19 more from Lightsource BP regarding the project.

20 As a rural landowner, I have a well
21 on my property that supplies all the water to my
22 household and my family. My understanding is that
23 these solar panels will be safe under the best of
24 circumstances, but what about less than ideal
25 circumstances?

1 I've lived in this area my entire
2 life. We have a large amount of bad storms with
3 high winds, as well as tornados. Can Lightsource
4 BP make guarantees regarding the leaching of
5 chemicals and heavy metals into the groundwater
6 when these are the conditions here? Thirty to
7 forty years is a long time and during that time
8 there will be broken solar panels and what will be
9 the outcome of that.

10 The property line between my land and
11 the proposed project is a large drainage waterway
12 approximately 15 feet deep by 15 feet wide. And
13 during periods of heavy rain as pictured in the
14 pictures that I gave you there, this waterway does
15 fill to the top. It routinely rises to within
16 inches of the road that bridges it on
17 Wapakoneta-Cridersville Road, which is also
18 Sellers Road in Allen County.

19 With large percentages of the field
20 to the north of this drainage under solar panels,
21 I fear that the drainage of water will be changed
22 enough to tip this already precarious balance.

23 Included today, I brought pictures
24 from May 9, 2021, to show the current burden of
25 drainage. These have also been submitted online

1 to the OPSB for review.

2 There's also the potential for damage
3 to tiles during construction of this project that
4 will further change the drainage to this area.

5 Renewable energies need to be
6 evaluated from the standpoint of their entire life
7 cycle and my concern regarding this project is
8 it's location on prime farmland. Lightsource BP
9 has stated that this land will be reusable
10 farmland at the close of this project, but this is
11 not a statement that can be verified. And we have
12 no way of knowing that land with potential
13 chemicals, heavy metals, damaged tiles, and
14 numerous pylons will be reusable at the close of
15 the program.

16 It's also been unclear who will be
17 responsible for the actual clean-up and not just
18 the cost of that clean-up. Lightsource BP likes
19 to refer to bonds that are set aside for this, but
20 I do not get the impression that they will be
21 actually handling this portion of the project.

22 There are reports of their Mulberry
23 facility in northern Ireland being closed after
24 only three years so we could be looking at a
25 shorter time frame for issues regarding clean-up

1 locally.

2 In closing, I'd like to go on the
3 record as opposing this large-scale solar project.
4 It is neither in the best interests of the
5 community or the environment. Birch Solar has not
6 been able to show that adjacent landowners will
7 have any kind of recourse for issues with
8 groundwater or runoff. We could potentially be
9 left with 2,000 acres that will be unusable at the
10 end of this project.

11 None of these issues are risks that
12 this community is willing to taking and the OPSB
13 shouldn't be willing to either.

14 Thank you.

15 JUDGE WILLIAMS: Thank you, Ms.
16 Mescher. You did a good job. I think you said
17 both these were taken May 9 of this year?

18 MS. MESCHER: Correct.

19 JUDGE WILLIAMS: I've just
20 arbitrarily labeled Number 1 what appears to be
21 the drainage and Number 2 with the bridge.

22 MS. MESCHER: They're taken from the
23 same spot. One is looking towards the road, which
24 would be more towards the east. And the one in
25 your hand, I believe, is looking kind of northwest

1 across the field that would be included in the
2 project.

3 JUDGE WILLIAMS: So the project is
4 depicted in the far aspect of the photos?

5 MS. MESCHER: A portion of it,
6 correct.

7 JUDGE WILLIAMS: Thank you. That's
8 all the questions I have.

9 JUDGE DAVIS: I have one question
10 about the photos. Did you specifically say these
11 depict after what you'd call an average rain or
12 what exactly would you say?

13 MS. MESCHER: Just a typical period
14 of heavy rain.

15 JUDGE DAVIS: Okay. Heavy rain,
16 okay. Thank you.

17 JUDGE WILLIAMS: Anything from the
18 intervenors?

19 MS. PIRIK: Your Honor, we don't have
20 any questions, but we did want to apologize for
21 the misunderstanding about Mr. Powell's phone
22 number as well as any confusion on that. Mr.
23 Powell is no longer with the project. However,
24 since the time the application was filed in
25 February, the notices that have been sent out have

1 provided the correct address and phone number as
2 well as the website has the correct.

3 We do have representatives here from
4 the company tonight who would be more than happy
5 to speak with anyone who would like to speak with
6 them and to provide the correct contact
7 information so we do have that.

8 We want to apologize for any
9 confusion. Those documents were sent out before
10 the application was filed and since then, you
11 know, people have changed hand.

12 JUDGE WILLIAMS: Thank you for that
13 explanation, Ms. Pirik. That will segue a little
14 bit so we're about 45 minutes into this. We're
15 going to proceed for probably till 7:15 or 7:30,
16 we'll take a formal break for ten minutes or so.
17 At that time the Applicant will be available with
18 some subject matter experts.

19 If you have questions regarding the
20 project, we'll certainly encourage you to get
21 those questions answered. I would also reiterate
22 there are seats available if anybody standing
23 wants to be sitting, please take advantage of
24 those.

25 Also when we go to break, we'll make

1 an announcement, but if you've heard your comments
2 but still want to weigh in in favor or against the
3 project, we'll have sign-in sheets available so
4 you can sign that you agree with testimony from
5 one side or the other if you choose that you don't
6 want to stay till the end of this. It's another
7 way for you to make your voice heard in this case.
8 Again, we'll be here as long as we need to be
9 here.

10 So with that, our next witness is Deb
11 Cronas -- I think I said it wrong both times, and
12 our on-deck witness will be Chuck Croans.

13 Good evening, Ms. Cronas.

14 MS. GRONAS: It's Gronas.

15 JUDGE WILLIAMS: That's a G?

16 MS. GRONAS: That's a G.

17 - - -

18 DEB GRONAS,

19 Being first duly sworn/affirmed, testified as
20 follows:

21 - - -

22 JUDGE WILLIAMS: Would you please
23 state and spell your name for the record?

24 MS. GRONAS: My name is Deb Gronas,
25 G-R-O-N-A-S. 3760 West Breese Road, Lima, Shawnee

1 Township.

2 JUDGE WILLIAMS: You are in the
3 project area?

4 MS. GRONAS: Yes.

5 JUDGE WILLIAMS: Are you an
6 intervenor in the case?

7 MS. GRONAS: No.

8 JUDGE WILLIAMS: Please proceed.

9 MS. GRONAS: Okay. I heard Mr.
10 Kalnin say that no one will be affected other than
11 the landowners and that is absolutely not true. I
12 see signs all over that say "Good For All," and
13 that burns me up.

14 First of all, there is no other solar
15 project in close proximity to this
16 densely-populated area. There are over 500 people
17 per square mile in Shawnee Township. Okay.

18 The lack of sunny days in western
19 Ohio -- we have -- the weather service says we
20 have 75 sunny days. We have a solar light on our
21 flag pole. In the summer time, it's bright, but
22 many times in the winter it doesn't even come on
23 because there is no solar energy for it.

24 I'm worried about the construction.
25 Ms. Montana stated at a public meeting that they

1 anticipate about two trucks an hour. I don't
2 think that's reasonable or true. My mother lives
3 east of Lima, was disturbed by the constant dump
4 truck traffic so much that she followed the trucks
5 to the one 100-acre solar project in Hardin
6 County. So there were way more than two trucks.

7 During the construction also the soil
8 is compacted. According to studies from Temple
9 University and the University of California, the
10 compacted soil increases the runoff, the flooding.
11 It also -- there's a possibility of damage to the
12 panels in storms that creates contamination for
13 the soil, the water, and wells that a lot of
14 people depend on.

15 Also the compacted soil changes
16 vegetation under the solar panels because the
17 compacted soils makes it harder for plants to
18 root. The temperature under the panels is about
19 five degrees lower than the area temperature,
20 which comes to the heat island effect.

21 A large solar farm increases -- and
22 this is according to studies from the University
23 of Michigan, the University of Maryland, the
24 University of Arizona -- say that large solar
25 fields increase the temperature 5.4 to 7.2

1 degrees. It only happens in the summer because
2 the production of the solar panels is much reduced
3 in the winter.

4 I looked, and looked, and looked for
5 good in this project. There is no evidence. I've
6 searched the Internet. I can find no evidence of
7 solar farmland being reclaimed. None.

8 Articles state that there's a great
9 danger of the companies abandoning nonproductive
10 or lower-producing sites such as Crescent Dune and
11 Mulberry in northern Ireland, which are both BP
12 projects. And lastly, according to
13 Greenmatch.co.uk, there is currently no ability to
14 recycle solar panels.

15 This is not good for our area, it
16 affects many, many people, not just the
17 landowners. I urge you to vote no.

18 JUDGE WILLIAMS: Thank you, Ms.
19 Gronas.

20 I see no questions from the Bench.
21 Any from the intervenors?

22 Okay. Thank you.

23 Our next witness is Chuck Gronas and
24 then after that, our on-deck witness will be Jed
25 Metzger.

1 Good evening, Mr. Gronas.

2 MR. GRONAS: Good evening.

3 - - -

4 CHUCK GRONAS,

5 Being first duly sworn/affirmed, testified as
6 follows:

7 - - -

8 JUDGE WILLIAMS: Would you please
9 state your name and spell it for the record?

10 MR. GRONAS: My name is Charles
11 Gronas. My last name is spelled G-R-O-N-A-S.

12 JUDGE WILLIAMS: And your address,
13 including township?

14 MR. GRONAS: 3760 West Breese Road,
15 Lima, Ohio. I live in Shawnee Township.

16 JUDGE WILLIAMS: You are within the
17 project area?

18 MR. GRONAS: Yes, sir.

19 JUDGE WILLIAMS: And you're not an
20 intervenor?

21 MR. GRONAS: No.

22 JUDGE WILLIAMS: Please proceed.

23 MR. GRONAS: When my wife and I
24 purchased our property 30-some years ago, it was
25 quite beautiful, but we did recognize that there

1 was about six tenths of a mile from us a
2 substation and power lines that ran across the
3 field across the road from our house. We figured
4 at that time that this might be a good thing
5 because there'd probably be no housing
6 developments because who would want to build a
7 house under high tension lines.

8 I think that would be better than
9 what we're faced with now -- a new substation and
10 a solar field. I have many concerns and I've
11 listed some of them here. I'll speak on some of
12 those concerns.

13 One of my concerns is flooding. I
14 know you've heard about this from every speaker
15 that's come up here tonight. Anyone who lives in
16 the area of Breese Road or the proposed area of
17 the solar field knows that we're prone to
18 flooding.

19 Personally, we've spent \$22,000 of
20 our own money trying to keep the water out of our
21 basement and that's without a solar field. My
22 son, who lives on Breese Road, also spent
23 approximately the same amount of money trying to
24 keep the water out of his basement.

25 What will driving 142,000 pylons into

1 compacted dirt, compacted fields cause as runoff
2 water? What will be the effect on the wells and
3 the aquifer in the area of runoff water? Where
4 will all this water go?

5 Many of the people in the area of the
6 solar panels have questions about the safety of
7 their drinking water and their well water. I know
8 people who have wells at 40 feet -- that's pretty
9 shallow -- and I know people who have wells at
10 60 feet. One lady said her well may be 100 feet.

11 Another of my concerns is population
12 density in our area. I know my wife just said
13 500. In my research, I found that 420 people per
14 square mile in Shawnee Township.

15 If you consider the risks of solar
16 panels, the risk of compacted land, the risk of
17 flooding, if you consider all these risks, are
18 they experimenting with the people of Shawnee
19 Township?

20 Secondly, calling into question the
21 reputation of the companies who are represented by
22 Birch Solar. British Petroleum for one. British
23 Petroleum was here once before. They threatened
24 to leave us high and dry as they couldn't find a
25 seller. Luckily, a buyer came forward at that

1 time and purchased the refinery which covers 650
2 acres in Shawnee Township.

3 We were afraid we were going to have
4 650 acres of wasteland. Now I consider we're
5 going to have 2,345 acres of wasteland covered
6 with glass.

7 So I'm calling into consideration for
8 you the reputation of British Petroleum in our
9 area. I also want to call in British Petroleum
10 was the head of the Texas refinery, Texas City
11 refinery in Texas. There was a massive explosion
12 in 2005 and 15 workers died in that explosion, 180
13 were injured. OSHA fined British Petroleum \$214
14 million. British Petroleum was here once before.
15 We don't want them back. They have a bad
16 reputation.

17 I'd say about Lightsource BP, the CEO
18 of Lightsource -- I'm not calling into question
19 his integrity -- was also the CEO of an abandoned
20 project in Crescent Dune in Nevada. This project
21 was the largest failure of solar panel projects in
22 the history of the United States. Bloomberg
23 magazine says it cost the United States taxpayers
24 \$580 million. The CEO of that project in Nevada
25 is also the CEO of this project here in Ohio. Of

1 course, he left 30 days before the company filed
2 for bankruptcy in Nevada.

3 I've heard from BP and Lightsource BP
4 at one of their public meetings that there will be
5 no infrastructure involved or barely any
6 infrastructure involved. I would say that 145,000
7 pylons, 685,000 solar panels made in China, and a
8 new substation -- I would consider that to be
9 infrastructure.

10 Lastly, with respect to Ohio Revised
11 Code 4906.10(A)(6), I'm reading from the findings
12 of the Board in the Seneca County Public Wind
13 Project that was denied, the Board found that the
14 project did not serve the interest, or
15 convenience, or necessity of Seneca County.

16 I'd say, after I read this and read
17 the findings of the Board, you could just about
18 scratch out Seneca County and scratch out wind
19 farm and replace it with solar farm in Shawnee
20 Township and you would come up with the same
21 findings, I believe.

22 What will be the impact on our roads?
23 Increased traffic, 26 miles of access road. That
24 means they're going to be hauling in stone,
25 they're going to be hauling in sand. What will

1 this do to our township?

2 So I think that under 4906, Revised
3 Code in Ohio, that you must find, you must find
4 that this project will not serve the public
5 necessity. I've heard rumors -- I don't know this
6 for a fact -- but the power generated from this
7 project will be sold to Amazon in Columbus or
8 maybe New Jersey -- it may be going to New Jersey.

9 How does that affect our public
10 interests here in Shawnee? The power's not going
11 here, we're not using it, it's money. They're
12 selling it, they're selling it somewhere else for
13 their benefit, not for ours.

14 Thank you.

15 JUDGE WILLIAMS: Thank you, Mr.
16 Gronas. No questions from the Bench. No
17 questions from intervenors. Thank you, sir.

18 Our next witness is Jed Metzger and
19 then our on-deck witness is R.J. -- the mysterious
20 R.J.

21 - - -

22 JED METZGER,

23 Being first duly sworn/affirmed, testified as
24 follows:

25 - - -

1 JUDGE WILLIAMS: Please state your
2 name and spell it for the record.

3 MR. METZGER: Jed, J-E-D, Metzger,
4 M-E-T-Z-G-E-R. 2338 Lutz, L-U-T-Z Road, Lima
5 Ohio, 45801.

6 JUDGE WILLIAMS: Are you in the
7 project area?

8 MR. METZGER: I am not.

9 JUDGE WILLIAMS: Are you an
10 intervenor in the case?

11 MR. METZGER: No.

12 JUDGE WILLIAMS: Please proceed.

13 MR. METZGER: Dear Ohio Siting Board,
14 good evening to you and the members and the staff
15 of the Siting Board, and, of course, welcome to
16 Allen County. We're glad that you're here.

17 My name, as I said before, is Jed
18 Metzger. I'm the President/CEO of the Lima/Allen
19 County/ Chamber of Commerce. I've been there for
20 approximately 25 years, work every day to create a
21 climate of growth and success in our community to
22 improve the economic vitality and livability for
23 the Allen County area.

24 We welcome the investments that
25 create good-paying jobs here, new tax revenues and

1 opportunities to diversify the local economy. The
2 proposed Birch Solar project in Allen County is
3 one of those opportunities invested by renewal
4 energy companies in our neighboring communities
5 and now in our own community -- we can see a
6 once-in-a-generation opportunity right here in our
7 community.

8 The new recession-proof income from
9 our county, life-changing funding for our schools
10 for decades to come, good-paying jobs during
11 construction that pay mortgages and put food on
12 the table and opportunities for landowners to
13 generate new sources of income at a time when
14 they're facing uncertain weather and market
15 conditions.

16 Additionally, it is not often that we
17 have a chance to welcome million of investments
18 without having to provide more infrastructure
19 enhancements such as water, roads improvement.

20 In getting to know more about Birch
21 Solar project and its developer, Lightsource BP,
22 they have always been responsive to and have
23 answered questions. They have addressed issues
24 that I've presented to them on both sides of the
25 argument. They have addressed those concerns and

1 have demonstrated a commitment to be responsible.

2 We also know that some Allen County
3 businesses have aggressively, in their particular
4 goals, have renewable energy goals, not only to
5 reduce their carbon emissions, but also to reduce
6 their energy expenses. Now that we have a chance
7 to host a solar project that will reflect and
8 support those goals, so we're excited about that.

9 I work with companies every day,
10 small and large alike, and we talk about these
11 things at the Manufacturers Council and et cetera.

12 Briefly, when you take a look at the
13 local economic impact by the numbers that I've
14 seen, the Pilot project, if approved, will
15 distribute as follows. Joint vocational schools,
16 4.05 million, school districts 43.7 million, the
17 county about 13.77 million, townships about 19.44
18 million, for a total life of the project, 81
19 million.

20 The impact of the proposed Pilot
21 project on the school funding is significant.
22 Approximately a total of \$1.5 million will be
23 provided to local school districts annually.
24 Additionally, economic investments would occur;
25 400 construction jobs with 80 percent or more, my

1 understanding, or more local, 337 million private
2 capital investment to fund the project, and
3 4.6 million annual operational budget primarily
4 spent in the region.

5 It is of the utmost importance to
6 Lightsource BP that consideration is always given
7 to the health and safety of the community members
8 and near the project that they develop. I've had
9 several conversations in regards to that. I have
10 members on both side of this issue. Okay.

11 Lightsource BP, I feel, has been a
12 very good corporate company so far, willing to
13 never in our community and to the work force here
14 of our region.

15 Lightsource BP representatives have
16 held several public forums, as you're aware, in
17 person, virtually to offer general public and
18 public officials and the business community the
19 opportunity to learn more about Birch Solar and
20 give them their opinion and possible options.

21 So, you know, that concludes my
22 remarks. I've worked with them on pro and
23 negative things with this project. They have
24 always taken time to listen and most of the time
25 come up with some solutions to those concerns. So

1 I'm done now.

2 JUDGE WILLIAMS: Thank you, Mr.
3 Metzger. Seeing no questions from the Bench and
4 no questions from the intervenors.

5 UNIDENTIFIED VOICE: I have a
6 question.

7 JUDGE WILLIAMS: If you're not
8 counsel in the case, we're not going to allow you
9 to ask questions.

10 Thank you, sir.

11 Our next witness is R.J. and then our
12 on-deck witness is Marin Harbur.

13 R.J., I'm going to need more
14 information for the record, sir. Would you please
15 state and spell your name for the record?

16 MR. HORWITZ: Yes. It's R.J.
17 Horwitz, H-O-R-W-I-T-Z.

18 JUDGE WILLIAMS: Thank you. Your
19 address?

20 MR. HORWITZ: Is 407 South Blackhoof
21 Street in Wapakoneta, Ohio, 45895, and I am in the
22 city limits of Wapakoneta.

23 JUDGE WILLIAMS: Are you in the
24 project area, sir?

25 MR. HORWITZ: I don't believe

1 immediately, but, however, I believe that Auglaize
2 County will be benefitting at some point if this
3 is to go through.

4 JUDGE WILLIAMS: Thank you, sir. Are
5 you an intervenor in the case?

6 MR. HORWITZ: No.

7 - - -

8 R.J. HORWITZ,
9 Being first duly sworn/affirmed, testified as
10 follows:

11 - - -

12 JUDGE WILLIAMS: Please proceed.

13 MR. HORWITZ: I've been listening to
14 the testimony going back and forth here tonight,
15 and I am aware of solar. I'm also aware of BP
16 being a corporate -- international corporate
17 steward of, used to be oil. It is now becoming an
18 energy company through its diversification away
19 from their investments with nuclear and now, of
20 course, it will be solar.

21 To speak about that, I won't go too
22 much into it after reading annual reports going
23 back decades ago, but they are the type of
24 corporate sponsor that you would want in this type
25 of project because they are accountable when there

1 is a disaster going on. Most recent one was the
2 Exxon Valdez, BP, and, of course, they became
3 completely accountable, responsible for that and
4 they spent billions of dollars. That was a real
5 disaster.

6 My concern here is that we are
7 myopic, very shortsighted in fulfilling our
8 immediate needs. I heard people concerning about
9 radio magnetic issues. I'm going to bet that more
10 than 88 percent of the people here have a cell
11 phone. Those cell phones emit also those types of
12 harmful, I would say harmful, because it's to be
13 determined and I'm not qualified to speak on that,
14 radio magnetic waves or other waves.

15 There's a lot of things in this
16 environment. I do know this -- that I operate the
17 little high school in Wapakoneta, 57 units, and
18 our energy needs back nine years ago were through
19 the roof. I immediately went ahead and said,
20 okay, I'm going to put in 18-watt light bulbs,
21 replacing 168 watts out of each one of these
22 four-foot troughs.

23 Our energy consumption (snapped
24 fingers) went immediately down as soon as we
25 plugged them in. Energy is the key to everything

1 that we do going forward. Now, we talk about the
2 Chinese. They're forward thinking, they're very
3 long forward planners in what they do.

4 I just returned, starting October 9
5 through the 21 from Central America. I was in El
6 Salvador, Costa Rica and Panama. I arrived in El
7 Salvador, San Salvador, I go to the airport and
8 outside on top of all of the parking spaces, which
9 are free, are solar panels.

10 Wait, wait, wait. The excess use
11 goes to running the facilities, the commercial
12 properties. Yes, they are closer to the Equator,
13 there's more sun, blah, blah, blah, angles are
14 different. The point is those are also Chinese.
15 The country has committed to this because they
16 were installing them three years ago when I was
17 there and they weren't there 11 years when I was
18 there -- ago.

19 Costa Rica, at the base of the
20 volcanos and at the foothills of the rain forest,
21 you talk about ecology. Again, solar panels. I
22 have photos -- if you like, I can send them on.

23 Electrical charging stations. We are
24 the first -- going back to Bloom, we're the first
25 apartment complex, in my understanding, six-county

1 area to install electric vehicle charging station
2 for the benefit of anybody that comes downtown and
3 they need one.

4 That's not about me. It's about the
5 fact that I'm adopting what is coming at us. We
6 are in the middle of a transition that's going to
7 take 20 to 30 years. And we need to look at, not
8 just our immediate needs as perhaps our
9 politicians need to do is to look a little bit
10 beyond their term as politicians and what is going
11 to be in the greater good of everyone here.

12 And what is the greater good of the
13 United States? We are the heartbeat of the United
14 States. As Ohio goes, so goes the rest of the
15 country. They're mandating it out west. Here
16 we're discussion it. I remember the same type of
17 discussions at Seabrook Nuclear in 1978.

18 My father begged me not to handcuff
19 myself to the chain link fence in protest -- it
20 could ruin my chance of getting into law school.
21 But the point being is that nuclear has real
22 infrastructure, environmental issues. If you
23 don't believe me, look up Fukushima, the nuclear
24 disaster that happened in Fukushima, and it's
25 still going on today. And by the way, don't eat

1 Pacific tuna because they migrate through that
2 water.

3 My point is, I don't see a solar
4 panel blowing up. I don't see the problems with
5 the water that people are saying. There's
6 technology out there the Israelis just came out
7 with that will take water out of the air and as
8 long as you have greater than 40 percent humidity.
9 It's cost effective to individual homes, to
10 municipalities, to schools. It's available. They
11 use it in the Sinai Desert to create water and
12 it's clearer than the water that any municipality
13 can treat.

14 Now, my point is there are
15 technologies that can address everyone's concerns
16 here -- everyone's concerns. So, you know,
17 electromagnetic fields, Faraday cages or Faraday
18 blockage. They have the same issues with the
19 technology on cube sets, the satellite sets are
20 going off and probing the universe and we're going
21 to Mars and so on.

22 UNIDENTIFIED VOICE: Time.

23 MR. HORWITZ: I understand that I've
24 been going on and on, but this is a situation that
25 we can embrace the new technologies of the day.

1 UNIDENTIFIED VOICE: Not in
2 somebody's back yard.

3 JUDGE WILLIAMS: I need the audience
4 to please keep it to yourself. That's not going
5 to speed this along. We're going to hear from
6 everybody. I'm going to ask you to please keep
7 your comments directed toward the solar field at
8 issue.

9 MR. HORWITZ: The solar field at
10 issue is this will become an example of the way
11 that the rest of the country is going. Now, will
12 there be other technologies? Absolutely.
13 Hydrogens and all those other things, but right
14 now, you have an accountable, responsible
15 international company that has proven itself when
16 disasters happen, they fix it. They're
17 accountable for it.

18 Now, I'm not a stockholder in BP
19 anymore, I don't have any. I just know, I just
20 know, I just know, that this is the trend, and
21 right now, third world countries are leapfrogging
22 over us.

23 JUDGE WILLIAMS: Thank you, sir.

24 Any questions from intervenors?

25 All right. Thank you for your

1 testimony.

2 - - -

3 MARIN HARBUR,

4 Being first duly sworn/affirmed, testified as
5 follows:

6 - - -

7 JUDGE DAVIS: Please state and spell
8 your name for the record.

9 DR. HARBUR: Sure. My name is Dr.
10 Marin, M-A-R-I-N, Harbur, H-A-R-B-U-R.

11 JUDGE DAVIS: Could you state provide
12 your address, including the township.

13 DR. HARBUR: 3477 London Drive, Lima,
14 Ohio.

15 JUDGE DAVIS: And do you reside or
16 work in the project area?

17 DR. HARBUR: No.

18 JUDGE DAVIS: And are you member of
19 any of the intervenor groups?

20 DR. HARBUR: No.

21 JUDGE DAVIS: Thank you. You may
22 proceed with your testimony.

23 DR. HARBUR: Okay. I am here, not as
24 a student of YouTube or Google, but as a person
25 who holds multiple graduate degrees in

1 agriculture, including a master's in soil science,
2 a PhD in agronomy, and a co-PhD in ecology and
3 evolutionary biology. So I'm here tonight to
4 address some of the inaccuracies that I hear
5 repeated in others' testimony.

6 Foremost, and I say this working for
7 a large agri business and with corn and soybean as
8 the bread and butter for my family. This
9 conception that a corn field represents some kind
10 of a pristine biodiversity has got to stop.

11 How many of you are farmers?

12 JUDGE WILLIAMS: We're going to ask
13 you address your comments to the Board, please.

14 DR. HARBUR: If I asked these farmers
15 to describe plant biodiversity to me, they would
16 have a very simple word for it -- they're called
17 weeds.

18 A corn field is an extremely
19 intensively managed ecosystem for the production
20 of food and fiber. It is not a natural park. The
21 installation of solar panels is not going to take
22 away from the Yellowstone of Shawnee Township.

23 This idea that we're going to have an
24 increase in flooding because of this development
25 project is nonsense. The flooding we have right

1 now is because of the tile systems that are in
2 place. I hear opponents to this project arguing
3 both that flooding is going to increase because
4 the tiles are disrupted. Well, at the same time
5 not acknowledging that those tiles systems are in
6 place to move massive amounts of water in the
7 short amount of time into those drainage ditches
8 into the roadways.

9 And I also see the complaints against
10 this project, not addressing the effects of
11 climate change that are going to lead to more
12 flooding, that are going to lead to shifts in
13 wildlife that are going to change the very
14 agriculture that they pretend to want to protect.

15 Okay. This is my bread and butter
16 and climate is changing. And I conduct and
17 supervise research increase across the midwest. I
18 know what is going on with the droughts that we
19 see.

20 Let's call this what this is. A
21 solar field might be ugly, and I know ugly because
22 although I live two miles from the refinery, I can
23 see the flame at night, I can hear it, I can smell
24 it. Okay. That's how we generate energy right
25 now. I put up with it. Why? Because of all the

1 jobs it creates in this community.

2 Because I know if that refinery were
3 to go broke, I'm not as worried about the acreage
4 so much as the value of my house. This is an
5 economic question. So we may not like the way
6 industry looks, but we are dependent on it every
7 time we flip a switch.

8 Now, let's talk fact -- the effects
9 on our schools. Okay. As we became painfully
10 aware during COVID, Shawnee school buildings suck.
11 Okay. You look at every other school building in
12 our county and they are all in great shape. They
13 have ventilation, they have high ceilings, they
14 have windows. We have classrooms in our high
15 school that don't have windows in them.

16 Okay. They're learning in a cement
17 bunker. We need monetary influx into our
18 community and we know that this project will
19 provide millions upon millions so our kids can get
20 the education that they need, so that our talented
21 and gifted programs aren't cut so that my family
22 does not have to write \$100 check so that our kids
23 can go with football team to the playoffs.

24 We need money in our schools so that
25 we can have STEM programs, so that we can

1 distinguish between science and fantasy.

2 Finally, I'll close with this. If we
3 give up this project, if we give up these 80
4 millions, God help me -- I'm saying this here as a
5 liberal -- this is a hand-out. Okay. This is a
6 hand-out to a small few people who have a strong
7 aesthetic opinion of what this program will look
8 like.

9 But this is a \$80 million entitlement
10 program for those people who are complaining
11 against this project. It is a hand-out and, God
12 help me, it is welfare. It should not be allowed
13 to happen. This project needs to be approved.

14 JUDGE DAVIS: Are there any questions
15 from the intervenors?

16 Our next witness is Sara Chappell.

17 - - -

18 SARA CHAPPELL-DICK,
19 Being first duly sworn/affirmed, testified as
20 follows:

21 - - -

22 JUDGE DAVIS: Could you please state
23 and spell your name for the record.

24 MS. CHAPPELL-DICK: My name is Sara
25 Chappell-Dick. S-A-R-A, C-H-A-P-P-E-L-L-D-I-C-K.

1 JUDGE DAVIS: Would you state your
2 address, including township.

3 MS. CHAPPELL-DICK: 207 North Lawn
4 Avenue, Bluffton, Ohio. Bluffton Township.

5 JUDGE DAVIS: Do you work or reside
6 within the project area?

7 MS. CHAPPELL-DICK: No.

8 JUDGE DAVIS: Are you a member of the
9 intervenors group?

10 MS. CHAPPELL-DICK: No.

11 JUDGE DAVIS: You may proceed.

12 MS. CHAPPELL-DICK: Hi. Thank you
13 for giving me the opportunity to talk today. I am
14 a life-long resident of Allen County. I'm
15 speaking today in support of Birch Solar, the
16 Birch Solar project.

17 As a young person, I am extremely
18 concerned about the future of energy in this
19 country, both for me and for my future children.
20 Fossil fuels are finite and nonrenewable and the
21 unfortunate reality is that eventually fossil
22 fuels will no longer be a viable way to produce
23 energy.

24 To deny this reality is
25 short-sighted. It may not happen in my parents'

1 lifetime, if they are lucky, but it may happen in
2 mine and will likely be a major issue in my
3 children's lifetime -- my parents' grandchildren
4 and your grandchildren.

5 This is about adapting to the
6 changing reality of living on a planet with finite
7 physical resources. Adaptability and innovation
8 to face new problems has always been a part of
9 being human. Now's the time to adapt and
10 innovate. The demand for energy won't change.
11 The fact fossil fuel are finite will not change.
12 Therefore, the way we produce energy has to
13 change.

14 I understand being skeptical of big
15 changes like this, but we have to transition to
16 alternative energy sources not as a question of
17 if, but when. Alternative energy source projects
18 like the Birch Solar projects are the way forward.

19 I implore you and beg you to consider
20 how the world will be different in 100 years and
21 what decisions our grandchildren will wish that we
22 had made now. This is critically important
23 everywhere.

24 Thank you.

25 JUDGE DAVIS: Any questions from the

1 intervenors?

2 Our next witness is Sarah Woods.

3 - - -

4 SARAH WOODS

5 Being first duly sworn/affirmed, testified as
6 follows:

7 - - -

8 JUDGE DAVIS: Would you please state
9 and spell your name for the record.

10 MS. WOODS: Sarah Woods, S-A-R-A-H,
11 W-O-O-D-S.

12 JUDGE DAVIS: Could you provide your
13 address and include the township.

14 MS. WOODS: 3411 South Grubb Road,
15 Lima, Ohio, Fort Amanda Township.

16 JUDGE DAVID: And do you live or work
17 within the project area?

18 MS. WOODS: I'm about two miles from
19 it.

20 JUDGE DAVIS: Are you a part of the
21 at intervenors group?

22 MS. WOODS: No.

23 JUDGE DAVIS: You may proceed.

24 MS. WOODS: So my name is Sarah and I
25 was born and raised in Shawnee area and in Allen

1 County. I am in strong support of this Birch
2 Solar project. I believe investing in this clean,
3 renewable energy is vital to the economic and
4 environmental development of Allen and Auglaize
5 Counties.

6 Thank you.

7 JUDGE DAVIS: Any questions from
8 intervenors?

9 Our next witness is -- and I
10 apologize if I get your name wrong -- Rae Neal.

11 - - -

12 RAE NEAL

13 Being first duly sworn/affirmed, testified as
14 follows:

15 - - -

16 JUDGE DAVIS: Could you please state
17 and spell your name for the record.

18 MS. NEAL: It's Rae, R-A-E, Neal,
19 N-E-A-L. My address is 18240 Sellers Road,
20 Cridersville, and Union Township.

21 JUDGE WILLIAMS: Are you part of an
22 intervenor group?

23 MS. NEAL: No.

24 JUDGE DAVIS: You may proceed.

25 MS. NEAL: I'm here today to share

1 with you a letter -- actually, I'm part of an
2 organization called the Ohio Clinicians for
3 Climate Action. We are a group of healthcare
4 providers that recognize that the importance of
5 transitioning to clean energy, so I want to share
6 this letter.

7 I'm just going to kind of summarize
8 it -- you have a copy of it -- that we as a group
9 wrote to Governor DeWine in April of this year.

10 So we are medical professionals and
11 we recognize that we are here for our patients.
12 We have serious concerns that fossil fuels are an
13 immediate health risk. The welfare of our
14 patients are dependent on a quick transfer to a
15 clean, renewable energy economy.

16 Ohio is one of the top ten consumers
17 of energy in the United States and we currently
18 are totally supplied by 20 coal and natural gas
19 power plants. These provide and force us to, you
20 know, have to manage these pollutants, carbon
21 dioxide and particulate matter which makes
22 respiratory illness much worse.

23 This is harmful to the citizens of
24 Ohio. The Allergy and Asthma Foundation, in 2019,
25 reported that 100 asthma, like Ohio, was one of

1 the top 100 asthma capitals. All of our big
2 cities, Akron, Cleveland, Dayton, Toledo,
3 Cincinnati, Columbus, it's the most challenging
4 for people who have asthma and lung disease.

5 Over 250,000 children in Ohio have
6 asthma. And it is a disproportionate situation,
7 unfortunately.

8 It also causes poor birth outcomes
9 and affects the brain size of children, and can
10 cause development delays. The health harms from
11 fossil fuels burning have been documented
12 extensively. We must transition to renewable
13 energy. Ohio cities like Cleveland, Cincinnati,
14 Columbus, have stepped up to fill the void that's
15 actually being put on us nationally right now --
16 to commit to 100 percent renewable energy.

17 We believe this transition is
18 essential to the population of Ohio and our
19 nation. As a group, we're asking to set goals to
20 change fossil fuels and transition to renewable
21 energy by 2050. This project and projects like it
22 have to be awarded approval in order for us to
23 accomplish this transition, which is essential to
24 the health of Ohioans.

25 This letter is signed by several Ohio

1 chapters, the American Academy of Pediatrics,
2 Thoracic Society, Sustainability in Medicine. The
3 Ohio University Heritage College of Osteopathic
4 Medicine, the Ohio Public Health Association, the
5 Ohio Chapter of the American College of
6 Cardiology, and the Ohio Clinicians for Climate
7 Action, as well as a page and a half of healthcare
8 providers who recognize the importance of this and
9 understand that your decision on projects like
10 this will affect all of us, our patients, and not
11 just emotionally, but by physically and actually
12 could cause harm and death.

13 I really encourage you to think
14 long-term about your decisions on these projects
15 and recognize that this transition is essential to
16 health and life.

17 JUDGE DAVIS: Thank you. Are there
18 any questions from intervenors?

19 Thank you for your testimony.

20 Our next witness is Joyce Hutchison.

21 - - -

22 JOYCE HUTCHISON,

23 Being first duly sworn/affirmed, testified as
24 follows:

25 - - -

1 JUDGE DAVIS: Could you please state
2 and spell your name for the record.

3 MS. HUTCHISON: Joyce Hutchison.
4 H-U-T-C-H-I-S-O-N.

5 JUDGE DAVIS: Thank you. Could you
6 please provide your address with the township.

7 MS. HUTCHISON: 4860 South Wapak
8 Road, Lima, Ohio, 45805, and Shawnee Township.

9 JUDGE DAVIS: Thank you. And are you
10 part of an intervenor group?

11 MS. HUTCHISON: I am not.

12 JUDGE DAVIS: You may proceed.

13 MS. HUTCHISON: Sure. I am a
14 homeowner, land, and family farm owner in the
15 Shawnee area. I have been a kindergarten teacher
16 for many years at Shawnee schools and recently
17 resigned in 2018. My late husband not only
18 farmed, but served many years as a volunteer
19 firefighter for the Shawnee Fire Department. And
20 I might add that most of the Shawnee farmers have
21 or are currently serving as volunteer firefighters
22 for Shawnee.

23 I've lived in the Shawnee area pretty
24 much all of my adult life. Being a teacher, I'm
25 concerned about the funding for the Shawnee

1 schools. It is a very good system and we owe it
2 to our children to ensure the continuance of this
3 reputation.

4 That being said, I am in full favor
5 of the solar project. To me, it is a no-brainer
6 and a win-win for us all. The Shawnee community
7 has made it very clear by the passing of the new
8 school, police, and fire levies, along with the
9 passing of all of the renewal levies that funds
10 are needed in each of these areas. That is not
11 being disputed here.

12 The approval of all these levies will
13 cost each of us more in taxes each year. A family
14 member, after having received the new valuation of
15 his property this summer, went to one of the
16 public meetings offered to meet with the
17 appraisers and to dispute the new value placed on
18 his residence. There, he was able to use the tax
19 calculator and found that between the new
20 valuation of his home and the new school levy
21 alone, which had just passed, his real estate
22 taxes would more than double.

23 That is not going to be the case for
24 each of us, but I would encourage you to take a
25 look at how these things are affecting us

1 individually. Again, the schools, township, et
2 cetera, need funds and these funds are available
3 to us at no cost by supporting the solar project.

4 If we consider supporting the solar
5 project based on information from Birch Solar,
6 over the course of the 25-year contract
7 approximately \$30 million will go to Shawnee
8 schools, about \$20 million to the Township and a
9 lesser amount to Allen County. That is
10 approximately 2.5 million new additional dollars
11 into the school, township, and county each year.
12 2.5 million.

13 It costs homeowners and landowners
14 nothing more in taxes. If the solar project is
15 approved, funding can come from solar company and
16 the taxpayer will no longer need to bear that
17 burden.

18 I would invite you to read more about
19 these figures on the Birch Solar website. In
20 regards to the Pilot agreement, if it is accepted
21 by the county, approximately a quarter of the
22 Pilot would be allocated to the township, meaning
23 each year, the township can allocate funds where
24 needed, whether it's fire, police, roads, or
25 whatever.

1 With the Pilot agreement, the amount
2 of tax remains the same over time without
3 depreciation, making it easier to plan
4 expenditures. In my experience as a farmer wife,
5 landowner, each year we deal with the
6 fertilization costs -- fertilizer costs, sorry --
7 the rise and fall of commodity prices, the weather
8 -- like we're dealing with now trying to get the
9 crops out of the field -- along with many other
10 variables.

11 If the crops don't make it into the
12 ground, or get out of the field, or the quality of
13 the commodity lessens because of the weather, we
14 take, as farmers, a huge financial hit, all
15 affecting our income. The solar project provides
16 a steady income for us. This farm ground is our
17 investment and for many of us has been farmed and
18 passed down for many generations.

19 You can be certain we are looking out
20 for not only ourselves, but our current and future
21 young farmers. One way we are doing this is to
22 ensure that our farm ground is restored to its
23 current state at the conclusion of the contract
24 and that it has the opportunity to once, again, be
25 used to harvest crops instead of power.

1 Our research shows that the developer
2 of the solar project has an obligation to purchase
3 a bond which ensures money for proper disposal of
4 panels at the end of the contract and the
5 restoration of the farmland to its current state.

6 Each of the solar panels undergoes
7 EPA's TLCP test, which is a toxic leaching
8 characteristic test. This test actually cuts or
9 breaks the panels into tiny pieces to see if there
10 is any toxic chemicals, lead, or anything that
11 seeps out. The panels are certified before use.

12 If we felt that this project was in
13 any way a danger or risk to us, our family, or our
14 land, we would not be in favor of it. We live in
15 the community and it's important to us that not
16 only we, but the community, is safe as well.

17 We're excited to see the
18 possibilities and financial assistance that the
19 solar project will bring to the community to keep
20 our Shawnee schools, fire department, and police
21 department strong.

22 Thank you.

23 JUDGE DAVIS: Thank you. Are there
24 any questions from intervenors?

25 Thank you for your testimony.

1 With that said, it's about 7:38 right
2 now, so I think we can go ahead and take about a
3 15-minute break.

4 (Thereupon, a break was taken.)

5 JUDGE DAVIS: Our next witness is
6 Jude Meyers.

7 - - -

8 JUDE MEYERS,
9 Being first duly sworn/affirmed, testified as
10 follows:

11 - - -

12 JUDGE DAVIS: Thank you. Could you
13 please state and spell your name for the record.

14 MR. MEYERS: My name is Jude Meyers.
15 I am the superintendant of Shawnee Local Schools.
16 Currently I reside in Tiffin, but I do want to say
17 that within the next few months, that I will be
18 residing in the project area.

19 JUDGE WILLIAMS: Could you please
20 provide your current address for the record.

21 MR. MEYERS: It is 48 West Market
22 Street, Tiffin, Ohio.

23 JUDGE DAVIS: And are you part of an
24 intervenor group?

25 MR. MEYERS: No, I'm not.

1 JUDGE DAVIS: Thank you. You may
2 proceed.

3 MR. MEYERS: My name is Jude Myers,
4 I'm the superintendent of Shawnee Local Schools.
5 And the reason for me speaking tonight is to
6 discuss what the effect of the solar project would
7 have on the school. I've been here tonight and
8 our schools have been brought up several times
9 already, so I've heard mental health, I've heard
10 suicide, I've heard about our facilities. I've
11 heard about cutting gifted programs and STEM
12 programs and things of that nature.

13 So I'm in a pretty-qualified position
14 to kind of shed some light on what this could mean
15 to the school district. And really I'm speaking
16 to the residents of the Shawnee Local Schools
17 because this is the impact, you know, as
18 obviously, a representative of the school.

19 So all those programs we mentioned,
20 mental health, you know, addressing suicide,
21 gifted programs, those cost money. We've gotta
22 find ways to address those programs on a daily
23 basis. So let's talk a little bit about school
24 funding and I'll be brief.

25 In the end of this whole thing, two

1 things can happen. The project can either be
2 approved or it can be denied. If the project is
3 denied, we'll operate as we do today, we'll
4 operate tomorrow, and we are going to have to go
5 to our community to continue to find ways to
6 support the programs that we've talked about.

7 We're going to have to go to our
8 community to find ways to upgrade our facilities.
9 One facility, our middle school, goes back to
10 1927.

11 If the project is approved, two
12 things can happen. One, it could be funded
13 through traditional means. Most people don't
14 realize in school funding, there's a state share
15 and a local share. And Shawnee is considered to
16 be more of a wealthy district, so right now
17 60 percent of the school's revenue comes from
18 local, 40 percent comes from the state.

19 If it goes through the traditional
20 tax structure for the school, nothing changes.
21 The value of our community goes up, our local
22 share would go up, our state share would go down,
23 but the school receives nothing.

24 Then there's something called a Pilot
25 program, which is unique to renewable energy. If

1 the Pilot would be approved and recommended, it
2 would have a significant financial impact on our
3 district because the money we would receive from
4 that, as many people have addressed today in
5 numbers, would be outside of the traditional
6 funding formula.

7 That means that money would go
8 directly to the school, we wouldn't lose any of
9 our local state funding, and that money would be
10 able to be allocated for gifted, for programs that
11 meet student needs, for additional resources that
12 our kids desperately need.

13 So, basically, we would be in support
14 of the Pilot, given that opportunity because of
15 the impact and positive impact it could have on
16 our schools.

17 So thank you.

18 JUDGE DAVIS: Any question from the
19 intervenors?

20 Next we have -- and I apologize if I
21 get your name wrong -- is a Pat Buzard.

22 MS. BUZARD: I'm an intervenor.

23 JUDGE WILLIAM: You want to be placed
24 at the end?

25 MS. BUZARD: Yes, I guess.

1 JUDGE DAVIS: Does that apply to our
2 next as well?

3 MR. BUZARD: Yes.

4 JUDGE WILLIAMS: Mr. Buzard, you're
5 an intervenor?

6 MR. BUZARD: No, sir.

7 - - -

8 ROGER BUZARD,
9 Being first duly sworn/affirmed, testified as
10 follows:

11 - - -

12 JUDGE DAVIS: Please state and spell
13 your name for the record.

14 MR. BUZARD: Roger Buzard,
15 B-U-Z-A-R-D. 4415 West Breese Road, and that is
16 Shawnee Township.

17 JUDGE DAVIS: You are not part of an
18 intervenor group?

19 MR. BUZARD: No, I'm not an
20 intervenor. I do live adjacent to the project,
21 but I'm not an intervenor.

22 JUDGE DAVIS: So you do live within
23 the project area?

24 MR. BUZARD: Yes.

25 JUDGE DAVIS: Thank you. You may

1 proceed.

2 MR. BUZARD: I wanted to give two
3 separate perspectives, one of being a homeowner
4 living in the Shawnee community and a citizen of
5 the State of Ohio, and then the other one is a
6 homeowner living adjacent to the project.

7 The first perspective is that of a
8 homeowner living in the Shawnee community and a
9 citizen of the State of Ohio. Where is common
10 sense? If someone tells me that putting solar
11 panels in a perfectly good farm field is green,
12 I'd be inclined to laugh except for the fact that
13 they're serious.

14 If you study the manufacturing
15 components of these Chinese solar panels and their
16 true environmental impact, no serious
17 environmentalist would be in favor of this. None.

18 America's farmland is one of its
19 greatest assets. This one project would take
20 2,345 acres out of grain production. I worked in
21 the grain business most of my life. The first
22 grain elevator that I managed had a capacity of
23 500,000 bushels. If these 2,345 acres were
24 planted to corn with a 200-bushel per acre output,
25 that'd fill that elevator.

1 This is just one project, one example
2 of what's going on. So, basically -- I had to cut
3 this because of five minutes -- but, you know, we
4 are intentionally destroying our countryside.

5 I read a study completed by some
6 grain scientists discussing the benefits of solar
7 panels. They, themselves, admitted that land
8 impacts can be minimized by siting them at lower
9 quality locations as brown fields, abandoned
10 mining land, or transportation, or transmission
11 quarters. You don't put them in a perfectly good
12 farm field and definitely not next to suburban
13 populated areas.

14 The Ohio Power Siting Board's own
15 criteria should negate this project. Projects are
16 to be evaluated on the basis of need, minimum
17 adverse environmental impact, serve the public
18 interest, convenience and necessity, and, lastly,
19 the continued agricultural viability of any land.

20 There's no need for this project
21 since the power isn't even being used locally.
22 The solar facility should have a minimal
23 environmental impact compared to other alternative
24 forms of energy. Nuclear power and natural gas
25 are actually greener, much more reliable and have

1 a much smaller footprint than solar panels. The
2 future agricultural viability of this land would
3 be doubtful.

4 The Shawnee Township trustees are all
5 against this project. The Allen County Sanitary
6 Engineering Department is against this project.
7 If House Bill 52 was passed previous to this
8 project proposal, it would be thrown out.
9 Virtually every state or country that has
10 committed to more renewable energy is suffering
11 from the decision.

12 The electricity is more expensive,
13 less reliable and brownouts and blackouts are a
14 natural part of the greener surface. Okay.

15 Next perspective is a homeowner
16 living next to the project. First, as a
17 homeowner, we were completely blind-sided by the
18 proposed solar project next to our property. We
19 received a letter in October of 2020, stating that
20 a solar energy project was being proposed in Allen
21 and Auglaize Counties.

22 We later discovered as more details
23 came out, it would be placed adjacent to our
24 property. We were going to be living in the
25 middle of a utility plant.

1 We have lived at our current
2 residence for over 23 years. We live in a wooded
3 area next to farm fields. We're zoned
4 agricultural. How can this happen? Immediately
5 we started thinking of how this would affect our
6 family and our property in general. We clearly
7 wanted to stop this project from happening here.

8 So what are the most important
9 concerns as a homeowner adjacent to this project?
10 Our number one concern would be any health impacts
11 from having the solar project next to us. We know
12 that there are toxic chemicals used in the
13 construction of these panels and within these
14 panels and their coatings. Cadmium, lead,
15 polyvinyl fluoride are just a few examples.

16 There could possibly be leaching of
17 these said chemicals into the ground. This is a
18 major concern since we have well water and our
19 septic system. A major concern is as well, that
20 very few studies have been done to measure the
21 impact of these panels over long periods of time.
22 We are guinea pigs.

23 It should be noted here that this
24 project is adjacent to many houses, not like other
25 solar projects in Ohio and other states. There

1 are 215 homes within a quarter mile of this
2 project.

3 The next major concern is drainage
4 and possible flooding. Our area is already
5 susceptible to flooding. We have a ditch that
6 runs around the four properties in our woods and
7 once it's full, the flooding will begin. Couple
8 that with the soil compaction in the solar field,
9 it does not bode well for properties close by.

10 We are also, obviously, concerned
11 about the value of our property going down once
12 these solar panels are in place. Some studies
13 have already been completed analyzing the loss of
14 property values next to solar farms. The early
15 conclusion is that there will definitely be a loss
16 in value and it could be anywhere from 3 percent
17 to 30 percent depending on the situation.

18 Lastly, these concerns listed do not
19 include the nightmare of construction of this
20 project. We live on Breese Road, close to
21 Sellers, near the substation. The noise, the
22 dirt, the congestion, and traffic damage to roads
23 -- it'll be a nightmare.

24 If you examine most of these solar
25 projects closely, the people who would be living

1 nearby them are overwhelmingly against these
2 projects. Our lives have been turned upsidedown
3 since we learned of this proposal. Certain people
4 who live in this area have literally put in so
5 much time and effort, it's like them having a
6 second job.

7 I firmly request that the Siting
8 Board judges and other decision makers involved in
9 reviewing this project, do the right thing and
10 reject the solar project. Just because you can do
11 a thing doesn't mean you should.

12 Thank you.

13 JUDGE DAVIS: Thank you. Next is --
14 I apologize if I get your last name wrong -- Dawn
15 Christen.

16 - - -

17 DAWN CHRISTEN,
18 Being first duly sworn/affirmed, testified as
19 follows:

20 - - -

21 JUDGE DAVIS: Please state and spell
22 your name for the record.

23 MS. CHRISTEN: Dawn Christen,
24 D-A-W-N, C-H-R-I-S-T-E-N.

25 JUDGE DAVIS: And could you please

1 provide your address for the record.

2 MS. CHRISTEN: 2224 Centennial Road,
3 Toledo, Ohio, 34617.

4 JUDGE DAVIS: Do you live or work
5 within the project area?

6 MS. CHRISTEN: I do not live or work
7 in that area. I represent people who do.

8 JUDGE DAVIS: Are you part of an
9 intervenor group?

10 MS. CHRISTEN: I am not.

11 JUDGE DAVIS: You may proceed.

12 MS. CHRISTEN: Thank you.

13 Good evening and thank you for
14 allowing me to give some public comment this
15 evening. I represent the Northwest Ohio Building
16 Trades Council. The Northwest Ohio Building
17 Trades Council is a council that represents 21
18 affiliated local unions. Of those unions, they
19 represent 17,000 men and women who are highly
20 skilled and trained within the construction fields
21 that they work.

22 These workers include operators,
23 truck drivers, electricians, iron workers, all
24 those people that will be constructing this
25 particular project. I'm here tonight with my

1 client, Shaun Enright from the Northwest Ohio
2 Building Trades Council as well as other
3 representatives of the local unions that I
4 represent.

5 On behalf of my client, I'm here to
6 oppose the Birch Solar project. We're opposing it
7 on the basis of it being presented.

8 While we support responsible
9 development and renewable energy and job growth
10 and creation, the key word is responsible. And we
11 think that's where this project fails.

12 Specifically, if you look at the
13 staff's recommendations, they specifically are
14 recommending denial on the basis of two criteria.
15 Their criteria are set forth in Revised Code
16 4906.10(A)(2) and (A)(6). And, specifically, I'm
17 referring to the environmental impact on the
18 economic impact criteria that's set forth in there
19 as well as the public interest convenience and
20 necessity and the impacts that it will have on the
21 community.

22 The Applicant's application sets
23 forth that it's anticipated that there's 57.4 to
24 69.2 million in annual earnings that will be
25 created through this project. That's construction

1 work for jobs in Ohio. The application states
2 that there's 400 to 500 jobs that they anticipate
3 to be used in construction. And those job numbers
4 have also been touted by the CEO of Lightsource
5 BP.

6 But if you look closely at the
7 application, they use a lot of hedge words within
8 their application when they talk about those jobs.
9 The Pilot program, while it has certain criteria
10 and the Applicant has used the criteria setting
11 forth their application.

12 If you look at it, it says local
13 labor will be used whenever possible. A hedge
14 word whenever. They say that the goal is 80
15 percent construction jobs will be done by Ohio
16 domiciled workers. Again, their goal, not that
17 they are committing to that.

18 They also use the term "some" require
19 outside solar energy facility construction
20 experience jobs. Again, some.

21 In their application, they
22 specifically state that the exact distribution of
23 local and nonregional jobs cannot be estimated.
24 They state this even though Lightsource US has
25 nearly 1,500 megawatts of solar assets in the

1 United States alone that are either already
2 contracted, under construction, or operating
3 within the past five years.

4 The fact that they can't identify the
5 number of jobs that will be created and that could
6 be used within Ohio jobs, Ohioans is doing those
7 jobs is not plausible. In addition, they already
8 state that they anticipate construction, if
9 approved, to begin in the first quarter of 2022
10 and that it will be 12 to 18 months.

11 Again, the fact that they already are
12 at that point should establish that they should
13 know the number of jobs that will be created for
14 Ohioans.

15 The purpose of our opposing this
16 particular project is that while we, again,
17 support responsible construction and development,
18 there is no commitment to Ohioans from Lightsource
19 BP. They have refused to enter into labor
20 agreements which would confirm their commitment to
21 the local community. They refuse to enter into
22 labor agreements which would establish that they
23 are adhering to the community standards, area
24 standards for wages, benefits, and terms and
25 conditions of employment.

1 They have no commitment that they
2 will employ individuals who are trained in doing
3 the construction jobs that they are offering. Why
4 is this important? Birch Solar is a wholly-owned
5 subsidiary of Lightsource US. Lightsource US's
6 parent company is Lightsource BP. Lightsource BP
7 is 50/50 joint venture with BP.

8 The crux of the issue is BP has
9 consistently demonstrated that it is a bad
10 corporate citizen to the local communities in
11 which it operates. In northwest Ohio, you just
12 need to take 75, about 75 miles north, and you
13 will see that they've already displaced and are
14 committed to displacing about 50 percent of the
15 community construction jobs with out-of-state
16 workers.

17 All you have to do is drive through
18 the parking lot today and you will see that the
19 vast majority of license plates that are there are
20 out-of-state license plates. They are not Ohio
21 license plates.

22 BP has a history of maximizing the
23 bottom line by taking away benefits from the local
24 workforce. From the individuals in this room,
25 it's your fathers, your mothers, your brothers,

1 your sisters, your neighbors.

2 On that basis, we are requesting that
3 without a commitment to the local community for
4 the jobs and ensuring that the jobs will be done
5 safely, that this Board reject their application.

6 Thank you.

7 JUDGE DAVIS: Any questions from the
8 intervenors?

9 MS. PIRIK: I do have one question.

10 JUDGE DAVIS: Yes. Go ahead.

11 Ms. Christen, would you please --

12 MS. CHRISTEN: I forgot about the
13 questions. Sorry.

14 MS. PIRIK: That's okay. I did have
15 a question. You know, you are concerned about
16 local labor and in this case, if BP made it clear
17 that they were committing to local labor, that
18 80 percent, would you still be opposed to the
19 project?

20 MS. CHRISTEN: I would be opposed
21 unless they commit to 100 percent local labor.

22 JUDGE WILLIAMS: I ask that the
23 audience be quiet so we can hear the witness
24 testify.

25 MS. CHRISTEN: I think my client

1 would be committed to supporting the project if
2 you committed or if BP committed to 100 percent of
3 local labor, as well as committing to that labor
4 being done in conjunction with people who are
5 highly skilled and trained in doing the jobs that
6 they were trained to do and with the wages and
7 benefits commensurate with area standards.

8 JUDGE WILLIAMS: Any other questions?

9 MS. PIRIK: No, thank you.

10 MS. CHRISTEN: Thank you.

11 JUDGE DAVIS: Our next witness is
12 Wendy Chappell-Dick.

13 - - -

14 WENDY CHAPPELL-DICK,
15 Being first duly sworn/affirmed, testified as
16 follows:

17 - - -

18 MS. CHAPPELL-DICK: I affirm.

19 JUDGE DAVIS: Thank you. Please
20 state your name and spell your name for the
21 record.

22 MS. CHAPPELL-DICK: Wendy
23 Chappell-Dick. That's W-E-N-D-Y,
24 C-H-A-P-P-E-L-L-D-I-C-K.

25 JUDGE DAVIS: And please state your

1 address, including the township.

2 MS. CHAPPELL-DICK: I live at 2070
3 North Lawn, Bluffton, Ohio. I do not live within
4 the project area. I'm a citizen of Allen County.

5 JUDGE DAVIS: And are you part of an
6 intervenor group?

7 MS. CHAPPELL-DICK: No, I'm not.

8 JUDGE DAVIS: You may proceed.

9 MS. CHAPPELL-DICK: I was very
10 fortunate to attend the educational session that
11 Lightsource BP hosted a few months back and they
12 brought experts in from a wide variety of parts of
13 the project. I do believe that wind and solar are
14 the future. If the planet will survive, we will
15 need wind and solar and that these technologies
16 are evolving.

17 But I came with a lot of the same
18 concerns as some of the people have expressed
19 tonight. I'm very concerned about toxins and
20 heavy metals, for example. At that informational
21 session, I was able to talk to an engineer who
22 explained how the solar panels are constructed, he
23 explained the technology, and I was very satisfied
24 and impressed with the containment of the mentals.

25 I also talked to the naturalist who

1 is working for Lightsource BP, and I share a lot
2 of concerns about the environment, about wildlife,
3 about flooding, and water cleanliness, and so she
4 impressed me, again, very much because the
5 Lightsource BP plans involve natural grasses and
6 plantings under the solar panels.

7 Now, where I live I have a rain
8 garden, what that means is you plant native plants
9 and they have very long roots and they soak up the
10 water, kind of like a sponge. Right now with the
11 convention agriculture, there's a lot of erosion,
12 there's a lot of runoff because the roots are
13 pretty small of those temporary crops.

14 What Lightsource is suggesting is
15 that they actually will plant these acres with
16 deeply-rooted native plant that'll stop flooding.
17 It will actually prevent flooding and it will
18 restore the land. The land is exhausted by
19 constant conventional farming which uses lots of
20 toxins and by letting that land rest and renew, it
21 will improve it and also improve the possibilities
22 for wildlife.

23 I mean, these panels are about this
24 high up (indicating). This is not going to
25 impinge wildlife corridors. There could be pretty

1 easy fixes to the fencing problem. It certainly
2 would be much more conducive to wildlife and birds
3 than would a conventionally farmed field.

4 So that's one of the reasons I
5 support it, actually, is for the prevention of
6 harm to the earth, to wildlife, to water, and to
7 the air. I was thinking about this incredible
8 activity, this economic activity, and how there's
9 always transition with that. There's always sort
10 of a downside.

11 But the complaints against the solar
12 farm need to be kept in perspective with other
13 economic activity. For example, if this was
14 fracking, that would be a serious concern for the
15 water. I mean, the comparison is, you could
16 hardly compare the impact, the less impactful
17 solar farm to something like fracking.

18 Let's say there was a highway going
19 through, imagine the noise or if there was a
20 factory being built, imagine the light and the
21 constant blaring in your bedroom windows or
22 imagine if it was a pig farm going through and the
23 smell of the pigs. Imagine if it was a refinery,
24 imagine the toxic pollution that would be coming
25 in.

1 All of these things are part of
2 economic activity and considering that this is
3 economic activity that would bring millions, the
4 impact is really small, compared to what we have
5 come to expect from development.

6 So please consider allowing the
7 project to go forward as a progressive and hopeful
8 act for the future.

9 JUDGE DAVIS: Thank you.

10 Any questions from the intervenors?

11 JUDGE WILLIAMS: Our next witness is
12 Denise Newman. I assume Ms. Newsom took advantage
13 of the opportunity to sign a sheet in lieu of
14 testifying. And I would just reiterate if anybody
15 here has heard what they wanted to say and feels
16 they can sign a sheet in support of that and will
17 provided comments to the record via the website
18 and the case docket, you're certainly welcome to
19 do that.

20 Our next witness is Sharon
21 Wildermuth.

22 - - -

23 SHARON WILDERMUTH,
24 Being first duly sworn/affirmed, testified as
25 follows:

1 - - -

2 JUDGE WILLIAMS: would you please
3 state and spell your name for the record.

4 MS. WILDERMUTH: Sharon, S-H-A-R-O-N,
5 Wildermuth, W-I-L-D-E-R-M-U-T-H.

6 JUDGE WILLIAMS: Your address?

7 MS. WILDERMUTH: 3801 Linfield Lane,
8 L-I-N-F-I-E-L-D, in Lima, Ohio.

9 JUDGE WILLIAMS: Do you live or work
10 in the project area?

11 MS. WILDERMUTH: No. I live in
12 Shawnee Township, two miles east of the project.

13 JUDGE WILLIAMS: Thank you. Are you
14 part of the intervenor group?

15 MS. WILDERMUTH: No.

16 JUDGE WILLIAMS: Please proceed.

17 MS. WILDERMUTH: Okay. As I am a
18 long-time resident of Shawnee Township and I'm
19 also a member of United Methodist Women, who are
20 advocates for the wellbeing of women, children,
21 and youth around the world who have certainly been
22 affected by the negative effects of global climate
23 change by the burning of fossil fuels.

24 With the installation of solar panels
25 in our area, we can be a part of the solution. We

1 have a chance to support our local farmers and the
2 opportunity to support the renewable energy which
3 will go into our electrical grid without burning
4 fossil fuels which are destroying our planet, so I
5 approve of this project.

6 JUDGE WILLIAMS: Thank you, Ms.
7 Wildermuth. Any questions? Thank you for your
8 testimony.

9 The next witness is John Foster. Mr.
10 Michael Wildermuth was signed up as an intervenor,
11 so we'll place him at the end of the list.

12 After Mr. John Foster will be Mr. Tim
13 Luce Wireman. John Foster, please?

14 John Foster is no longer here. Tim
15 Luce Wireman. I said it multiple ways so I have a
16 pretty good chance to blanket...

17 MR. WIREMAN: If you know the history
18 of the *New York Times*, you'll know that Henry Luce
19 was connected to that magazine and was pronounced
20 Luce, so Luce Wireman -- close enough.

21 JUDGE WILLIAMS: Thank you, sir.

22 - - -

23 TIM LUCE WIREMAN,
24 Being first duly sworn/affirmed, testified as
25 follows:

1 - - -

2 JUDGE WILLIAMS: Would you please
3 state and spell your name for the record.

4 MR. WIREMAN: My name is Tim Luce
5 Wireman, T-I-M, L-U-C-E, W-I-R-E-M-A-N.

6 JUDGE WILLIAMS: Your address, sir?

7 MR. WIREMAN: 1462 State Route 385
8 Greensfield, Ohio, 45896.

9 JUDGE WILLIAMS: Do you live or work
10 within the project area?

11 MR. WIREMAN: I do.

12 JUDGE WILLIAMS: Are you a member of
13 an intervenor group?

14 MR. WIREMAN: No.

15 JUDGE WILLIAMS: Please proceed.

16 MR. WIREMAN: So, I'm in agreement
17 with the CLC that gave testimony earlier about the
18 jobs need to be union jobs. I don't make any
19 bones about it. You know, we want union workers
20 to get the opportunity to show how they can shine
21 and how they can get the job done and get it done
22 professionally and safely.

23 It's just that simple. Area
24 standards for both wages, I think, are extremely
25 important, for benefits are extremely important.

1 And if we don't have that kind of agreement with
2 the company, then we don't have an agreement.
3 It's just that simple. So even though I'm wearing
4 one of the yellow shirts, professionally, I want
5 to make sure we all understand each other and that
6 is, we need to make sure that this particular
7 project is run in such a way that the workers are
8 paid properly and compensated properly.

9 And you may also know that we have
10 kind of a radical bunch over at the laborers on
11 the Shawnee Road in the middle of this project.
12 We say what we mean and we mean what we say. This
13 is really simple for us. They should be -- if
14 you're going to do this project, if you're going
15 to approve it, it should be Ohio workers that are
16 filling Ohio jobs. And that's also just very
17 simple for us.

18 So I stand before you to say we need
19 that first. And, secondly, I'd like to point out
20 on the flip side of this, from a personal point of
21 view, I want to make sure that everybody that has
22 been here today understands what we're really
23 dealing with in Ohio. About three-quarters of all
24 the electricity generated in Ohio is done so using
25 the most filthy, disgusting fuel that you can

1 dream up and it's called coal.

2 I know that's kind of a bad word to
3 say, we're going to get rid of the coal mine and
4 the coal miner jobs, but I also want to make sure,
5 too, that everybody understands exactly what
6 you're breathing every day that you don't see.
7 You cannot see it -- lead, mercury, nickle, tin,
8 cadmium, ammonium, and arsinic.

9 That's what generating electricity in
10 Ohio puts into your air today. And all of our
11 children that are suffering from asthma at a much
12 higher rate -- we had a medical professional talk
13 about this -- they are suffering at a much higher
14 rate today because of what we've been doing for
15 the last 100 years, which is ejecting this crap,
16 this poison into the atmosphere for all our kids
17 to breathe.

18 So I want to make sure everybody
19 understands where your poisons are, because it's
20 definitely from coal. And since Ohio wants to
21 continue to do this, I want to make sure, too,
22 that people know that on the personal side of
23 this, I tell everybody we are poisoning our
24 environment, and we're poisoning our children, and
25 God bless all the youngsters that came up here to

1 -- because they're the future of what happens here
2 in this country and in the world.

3 And we all need to take a look at
4 what's going into our food supply, what's going
5 into our lungs and also for the future of our
6 kids. So I want to make sure that we understand
7 that there's a give-and-take on all of this.

8 There's a need to balance what we're
9 looking at. And when it comes to the jobs,
10 absolutely the laborers are all in. But it has to
11 be work that's properly compensated, but at the
12 same time, do your research on what we're already
13 generating electricity with and you'll be sadly
14 mistaken if you think this is the poison and that
15 is not.

16 Are there any questions?

17 JUDGE WILLIAMS: Thank you, sir.

18 Are there any questions from the
19 intervenors?

20 MS. PIRIK: I do have one question.
21 Are you aware of the fact that Birch Solar has
22 committed to utilize IBEW labor?

23 MR. WIREMAN: I am aware of that, I
24 am aware of that. I'm not aware of any contracts
25 that you've signed. Have you signed any contracts

1 to date with the building trades? That's what
2 we're after. That's why I presented to some of
3 your colleagues, the National Maintenance
4 Agreement so that we can make that happen.

5 I say let's make that happen. If
6 Keywick can do it in southern Ohio, you guys can
7 do it right here, but, you know, I think that has
8 to come first before we can say, oh, yeah, we're
9 definitely with you on this, so that's our
10 position in it.

11 JUDGE WILLIAMS: Any other questions?

12 MS. PIRIK: Just one follow-up. Are
13 you aware of the fact that the RFP for that would
14 not be able to go out until after a permit is
15 issued?

16 MR. WIREMAN: I am aware of that, but
17 I also haven't heard anything that I want to hear
18 either. I need to hear it. And I think the CLC
19 and probably the rest of the building trades also
20 wants to hear that.

21 We had a Zoom meeting just last week
22 and I didn't hear what I wanted to hear, you know,
23 from a labor point of view. I'm glad that you
24 came to us and said, hey, here's what we're
25 thinking about doing. At the same time, I'm,

1 like, okay, so where's the offer? But I want to
2 make sure, too, that everybody understands the
3 downside to not going solar, downside to not
4 transitioning to renewables, that's what we need.
5 That's why I'm half in and half out.

6 JUDGE WILLIAMS: Thank you, sir. Any
7 other questions?

8 Thank you for your testimony.

9 Our next witness is Cory Noonan. Our
10 on-deck witness will be Steve Kayatin.

11 - - -

12 CORY NOONAN,
13 Being first duly sworn/affirmed, testified as
14 follows:

15 - - -

16 JUDGE WILLIAMS: Would you please
17 state and spell your name for the record.

18 MR. NOONAN: Cory Noonan. My address
19 is my work address. My home address is 4455
20 Meadowlands Drive, Lima, Ohio.

21 JUDGE WILLIAMS: Do you live or work
22 within the project area?

23 MR. NOONAN: No.

24 JUDGE WILLIAMS: Are you part of an
25 intervening group?

1 MR. NOONAN: We are not.

2 JUDGE WILLIAMS: Please proceed.

3 MR. NOONAN: Appreciate the time.

4 I'm here with my colleagues on behalf of the Allen
5 County Board of Commissioners, Allen County
6 Auditor, Allen County Treasurer and Allen County
7 Engineer. We appreciate the time to be here
8 today.

9 Of the many issues residence have
10 expressed to all of our offices, we have provided
11 a letter to the Power Siting Board and would like
12 to restate specific concerns regarding the pending
13 Birch Solar project.

14 There are 1,278 residents, four
15 schools, six churches within one mile of the
16 project care. Over the last ten-plus months, we
17 have viewed or listened to presentations, received
18 e-mails, phone calls, and met personally with many
19 residents who have shared numerous questions and
20 concerns regarding the project.

21 To our constituents who shared
22 questions and concerns, we committed to review the
23 application once it was submitted to the Power
24 Siting Board. Through that review and our study
25 of many sources of information, the following

1 represents concerns explicitly outlined by our
2 local constituents.

3 First, the energy from this project
4 is not available for local development. The
5 electricity provided by this project will be sold
6 to the grid and outsourced from our area and,
7 therefore, not supporting current, nor future
8 economic development.

9 It is unacceptable that the local
10 zoning regulations in the Township's comprehensive
11 plan were deemed irrelevant to the process,
12 considering the massive footprint of the project.
13 If the project moves forward, over 1,400 acres in
14 Allen County will no longer be classified as
15 agricultural, but commercial and utility.

16 There is no confidence that the land
17 will be restored to its current agricultural
18 condition and productivity. The timing of the
19 2021 property sexennial full-valuation updates
20 could unfairly be used to take advantage in this
21 project as increases in property values would
22 incorrectly have the appearance to have occurred
23 or be occurring because of the project.

24 Landowners asked to sign the
25 contracts prior to receiving their new values from

1 the county auditor would not have been fully
2 informed in their agreement and the consequences
3 of that agreement.

4 The decommissioning plan is
5 inadequate and needs to be bonded based on the
6 number of modules and disposal. For the health
7 and safety of Allen County's residents, it is
8 imperative that we have a trusted decommissioning
9 plan for our community as it will be inundated
10 with 635,584 solar panel modules.

11 The unknown decommissioning cost of
12 these projects was serious enough that it was one
13 of the revisions enacted in Senate Bill 52. For
14 those projects not grandfathered in, at least 60
15 days prior to the beginning of the construction of
16 the utility facility, a project application must
17 submit a comprehensive decommissioning plan for
18 review and approval by the Power Siting Board.

19 The cost of this plan must be
20 recalculated every five years and the applicant
21 must post a performance bond for the cost of
22 decommissioning. The amount of the bond must
23 increase if the five-year estimate shows an
24 increase in cost, but the amount can never be
25 lowered below the original cost.

1 Annual drinking water assessments of
2 private wells needs to be provided for the 338
3 homes surrounding the project due to serious
4 concerns about ground water impacts. Ground water
5 is a nonrenewable natural resource that must be
6 protected as it supplied the drinking water in the
7 entire project area through private wells.

8 This commercial utility operation
9 does post contamination risks. Therefore, the
10 residents should have options.

11 A road and use maintenance agreement
12 is not defined in the project application. It
13 does not exist between the Applicant and Allen
14 County as of today. Based on his research and his
15 responsibility of the integrity of this important
16 infrastructure, our Allen County Engineer desires
17 to require a RUMA, a road use maintenance
18 agreement, and bonding during the construction and
19 through disassembly.

20 Existing drainage issues are expected
21 to be exacerbated with the addition of solar
22 panels. The Allen County Engineer is concerned
23 with the impacts of the project will have on the
24 local drainage system in our projects under
25 maintenance. Privately-owned tile is expected to

1 be cut off during the installation of solar
2 project modules.

3 We want to thank you for the time and
4 the opportunity. We understand that the authority
5 regarding the issuance of the permit resides with
6 the Power Siting Board. We request that the Board
7 consider these concerns and others shared in your
8 review of the application of the project.

9 We believe that if these concerns and
10 the concerns outlined by the staff recommendation
11 if not properly addressed prior to the permitting
12 of the project, they will never be addressed to
13 the satisfaction of Allen County.

14 Thank you.

15 JUDGE WILLIAMS: Thank you, sir.

16 Any questions by the intervenors?

17 Thank you for your testimony.

18 Our next witness is Steve Kayatin.

19 Chris Fisher is an intervenor, so we'll place
20 Chris Fisher at the end of the list. After that,
21 our bullpen witness will be David O. Smith.

22 Mr. Kayatin, I've messed it up twice,
23 so would you --

24 MR. KAYATIN: Not bad.

25 - - -

1 STEVE KAYATIN,

2 Being first duly sworn/affirmed, testified as
3 follows:

4 - - -

5 JUDGE WILLIAMS: Would you please
6 state and spell your name for the record.

7 MR. KAYATIN: My name is Steve
8 Kayatin, S-T-E-V-E-K-A-Y-A-T-I-N.

9 JUDGE WILLIAMS: Your address, sir?

10 MR. KAYATIN: My home address is 129
11 Walmar Avenue, Lima, Ohio, Shawnee Township. My
12 work address is 3230 North Cole Street, Lima,
13 Ohio.

14 JUDGE WILLIAMS: Do you live or work
15 within the project area?

16 MR. KAYATIN: I live in Shawnee
17 Township. I work in the project area.

18 JUDGE WILLIAMS: Are you a member of
19 an intervening group?

20 MR. KAYATIN: No, sir.

21 JUDGE WILLIAMS: Please proceed.

22 MR. KAYATIN: First, I'd like to give
23 you guys some handouts. One is the letter I had
24 sent to the Board. I'm going to try to kind of
25 read from that a little bit, but paraphrase along

1 the way. And, second, is a map that I will
2 probably refer to -- usually I'm on the other side
3 of the table.

4 Okay. Again, my name is Steve
5 Kayatin. I am a 37-year licensed civil engineer
6 in the State of Ohio, eight of which I worked in
7 North Carolina designing nuclear power plants.
8 But 33 of the years that I've lived here in Allen
9 County, I've served at the pleasure of the Board
10 of County Commissioners as their sanitary
11 engineer, so that's just a little introduction of
12 myself.

13 I'm here today to testify in
14 opposition to the Birch Solar 1 project. I work
15 at the pleasure of the Board of County
16 Commissioners. Our department is assigned the
17 responsibility to oversee and manage the Allen
18 County, Ohio, sanitary sewer district in
19 accordance with the statues of Sections 6217 and
20 6103 of the Ohio Revised Code.

21 One of my primary duties is to
22 facilitate the development and expansion of our
23 public sanitary sewer infrastructure and water,
24 provide for the ability to expand residential,
25 industrial, retail, commercial development within

1 that district.

2 And that district, as you can see on
3 that map, I've outlined within the Birch project
4 area, it's our southwestern portion of our Shawnee
5 sewer subdistrict.

6 Our mission and goal as the county
7 utility is to ensure that potable water supplies
8 and sanitary sewer disposal services are available
9 to support development through the planning
10 established within the long-range planning of
11 water and sewer utilities.

12 It is paramount support land use that
13 will provide for residential, industrial, retail,
14 and commercial retail development in order for the
15 county to cost-effectively facilitate
16 infrastructure development providing service to
17 current residents that may have failing private
18 on-lot treatment systems for future land
19 development initiatives.

20 This type of operation, it ensures
21 centralized potable systems can be planned and
22 developed and constructed in a manner, taking into
23 account an economy of scale with growth and
24 consolidation of the utility systems.

25 The construction of the Birch Solar 1

1 project as presented would eliminate the ability
2 for the county to expand its sanitary sewer
3 collection systems within the Shawnee sewer
4 subdistrict due to the loss of developable land
5 and making it extremely difficult to serve current
6 residents in an economically feasible way.

7 It's literally, using this term,
8 putting up a wall, in effect and it butts right up
9 to where we have collection systems presently.
10 And, you know, trying to develop and address
11 homeowners in the future that are not served in
12 these areas, we couldn't do it. It just wouldn't
13 work.

14 We'd be running the line and serving
15 a couple people, the economy of scale is gone.
16 That's one of your biggest concerns is losing that
17 economy of scale when we get our door knocked on
18 by EPA or somebody that says, hey, you got
19 problems out here, you gotta sewer the area. We
20 just couldn't do it economically.

21 The other part of my concern is the
22 wall that's put up that -- and I know farmers have
23 the right to do what they want to do with their
24 property, right. But, I believe they need to do
25 it in a manner that secures the public health and

1 welfare and safety of the community. I mean,
2 everybody has to take that into consideration.

3 So, you know, putting these walls up
4 like this, it's going to hurt our sewer
5 subdistrict financially if we ever need to do any
6 other projects.

7 Tying back a little bit to some of
8 the concerns tonight that I've heard from some of
9 the residents as far as their issues with their
10 wells and septic tanks, those are concerns. You
11 know, the runoff. It's like a 1,000-acre roof
12 over this land that's going to really speed up the
13 coefficient of friction. It's just going to let
14 that water run quick. It's going to inundate the
15 collection systems from the storm sewer and
16 potentially flood out areas.

17 Well, if all this is going on and
18 they have problems and EPA wants public sewer
19 water out in that area, I can't get it to them.
20 So that is a huge concern of ours.

21 So, you know, with that, in summary,
22 our department, we're in opposition of this.

23 Thank you.

24 JUDGE DAVIS: Thank you, sir. Any
25 questions from intervenors?

1 No questions. Thank you for your
2 testimony.

3 Our next witness is David O. Smith.

4 I don't see Mr. Smith present, so we
5 will proceed with our next witness.

6 JUDGE DAVIS: Our next witness will
7 be Lori Meyer. Do we have a Ms. Meyer?

8 MS. MEYER: I pass.

9 JUDGE DAVIS: Thank you. The next
10 would be Ashley Meyer.

11 - - -

12 ASHLEY MEYER,
13 Being first duly sworn/affirmed, testified as
14 follows:

15 - - -

16 JUDGE DAVIS: Would you state and
17 spell your name for the record.

18 MS. MEYER: Ashley Meyer, M-E-Y-E-R.

19 JUDGE DAVIS: Would you please state
20 your address for the record with the township.

21 MS. MEYER: 4011 Shawnee Road,
22 Shawnee Township.

23 JUDGE DAVIS: And do you live or
24 reside in the project area?

25 MS. MEYER: One-mile buffer.

1 JUDGE DAVIS: And are you part of an
2 intervenor group?

3 MS. MEYER: Nope.

4 JUDGE DAVIS: You may proceed.

5 MS. MEYER: Before the final
6 decisions are made over Birch Solar, I would just
7 like to say this part. There were claims that
8 Birch did a survey over people that would be
9 affected by the solar field that they plan to
10 make. But my family did not get such a survey and
11 which I'm sure many others didn't as well.

12 This bothers me. After all, if you
13 don't ask every person that will be affected, how
14 did you know if you got good or bad feedback. The
15 ones left out may very well see the statistics the
16 one way or another.

17 Now, to the solar panels and fields,
18 themselves. The solar fields once installed will
19 prohibit the land from being used for anything
20 besides solar fields. This harms local wildlife
21 such as the Karner blue butterfly whose larvae fed
22 on certain flora that need certain types of soil
23 in order to grow.

24 As another person stated, there are
25 eagles in this area. Destroying their habitat

1 would be considered a federal crime as they are
2 majorly protected. This includes the birds
3 themselves, their nests, the roost sites, and their
4 feathers.

5 Are the pros to the solar fields good
6 enough to put them in place regardless of the
7 health of the environment and local ecosystems.
8 After all, the factories that make the panels, as
9 well as the transportation, will contribute
10 significantly to the pollution that this green
11 energy is supposed to cut back on.

12 After all, most of the materials used
13 in the solar panels don't break down over time.
14 So instead of being recycled, they get into
15 landfills as they stop working. I ask that you
16 consider the true pros and cons to such an energy
17 source and ask yourself if this seems worth it.

18 I am very much so opposed.

19 JUDGE WILLIAMS: Any questions?
20 Thank you.

21 JUDGE DAVE: Our next witness will be
22 Brian Dicken.

23 - - -

24 BRIAN DICKEN,
25 Being first duly sworn/affirmed, testified as

1 follows:

2 - - -

3 JUDGE DAVIS: Could you please state
4 and spell your name for the record.

5 MR. DICKEN: Brian Dicken, B-R-I-A-N,
6 D-I-C-K-E-N.

7 JUDGE DAVIS: And can you please
8 state your address?

9 MR. DICKEN: 300 Madison Avenue,
10 Toledo, Ohio 43604.

11 JUDGE DAVIS: And do you live or work
12 within the project area?

13 MR. DICKEN: No.

14 JUDGE DAVIS: And are you part of an
15 intervenor group?

16 MR. DICKEN: No.

17 JUDGE DAVIS: You may proceed.

18 MR. DICKEN: Members and staff of the
19 Ohio Power Siting Board, good evening. My name is
20 Brian Dicken. I'm the Vice President For Advocacy
21 and Strategic Initiatives for the Toledo Regional
22 Chamber of Commerce. The Chamber has long been an
23 advocate for the development for an
24 all-of-the-above energy strategy that takes in
25 account, obviously, all sources of energy. We

1 believe that doing that helps to create an
2 economic balance throughout the state.

3 The proposed Birch Solar project fits
4 well as part of that need. Companies large and
5 small are making investments in sustainable energy
6 for both environmental and financial
7 predictability. When companies are able to access
8 these sources of energy, they are more likely to
9 make investments creating additional opportunities
10 for our communities in our regions.

11 When complete, the Birch Solar
12 project will have the capability to produce
13 approximately 300 megawatts of electricity on
14 approximately 1,400 acres. While this project
15 will significantly contribute to our energy
16 resiliency, it does far more.

17 It is expected that more than 400
18 construction jobs will be needed to build this
19 facility and it's expected that at least 80
20 percent of these will be done by local labor.
21 This contributes more to our local economy and
22 their wellbeing in their homes.

23 The project will also contribute more
24 than \$2.7 million to the local tax base,
25 supporting schools and other services without

1 additional burdens being placed on those.

2 The Birch Solar project can and
3 should be a win-win for the community. And I
4 would encourage your support of the project to
5 bring sustainable energy jobs, resources to the
6 community.

7 Thank you for your consideration.

8 JUDGE DAVIS: Thank you very much.
9 Are there any questions from intervenors?

10 Our next witness is -- and I
11 apologize if I get your last name wrong -- Kip
12 Siesel.

13 MR. SIESEL: Pretty close.

14 JUDGE DAVIS: I try.

15 MR. SIESEL: I've heard you butcher
16 other people's names a lot worse than mine.

17 JUDGE DAVIS: I'll take that as a
18 point in my favor.

19 - - -

20 KIP SIESEL,
21 Being first duly sworn/affirmed, testified as
22 follows:

23 - - -

24 JUDGE DAVIS: Would you please state
25 and spell your name for the record.

1 MR. SIESEL: Kip Siesel, K-I-P,
2 S-I-E-S-E-L.

3 JUDGE DAVIS: Please state your
4 address.

5 MR. SIESEL: 2412 South Reynolds
6 Road, Toledo, Ohio.

7 JUDGE DAVIS: Do you live or work in
8 the project area?

9 MR. SIESEL: I do not live in, I do
10 work in the project area.

11 JUDGE DAVIS: Are you part of an
12 intervenor group?

13 MR. SIESEL: I am not.

14 JUDGE DAVIS: You may proceed.

15 MR. SIESEL: So on behalf of the
16 Operating Engineers Local Union 18, I am here to
17 support the approval of the Birch Solar project.
18 The operating engineers are the individuals who
19 operate heavy equipment such a bulldozers,
20 excavators, backhoes, forklifts and so on.

21 The roads and bridges you drive on
22 were most likely built by members of Local 18,
23 along with our fellow union tradesmen and women.
24 Although we do not have an agreement signed with
25 Lightsource BP to perform the work associated with

1 this project, we believe our local signatory
2 contractor will secure the work, thus providing
3 our membership with numerous employment
4 opportunities.

5 In turn, high-paying wages,
6 healthcare benefits, and apprenticeship programs
7 can continue to grow because of the solar
8 industry.

9 If approved, the Birch Solar project
10 will not only create jobs, but you can expect an
11 economic impact, additional tax money, and clean
12 energy for Ohio as a result of the project. We
13 encourage the Ohio Power Siting Board to support
14 the jobs of the men and women of Local 18 by
15 approving the Birch Solar project.

16 Thank you.

17 JUDGE DAVIS: Thank you. Any
18 questions from intervenors? Thank you.

19 Continuing on my spree of, hopefully,
20 not getting anyone's name wrong, our next witness
21 is Linda Krendl.

22 - - -

23 LINDA KRENDL,
24 Being first duly sworn/affirmed, testified as
25 follows:

1 - - -

2 JUDGE DAVIS: Could you please state
3 and spell your name for the record.

4 MS. KRENDL: Linda Krendl,
5 K-R-E-N-D-L.

6 JUDGE DAVIS: Would you provide your
7 address for the record.

8 MS. KRENDL: 1117 National Road,
9 Lima, Auglaize County, Logan Township.

10 JUDGE DAVIS: And do you live or work
11 in the project area?

12 MS. KRENDL: We are about less than a
13 mile from the southwest corner of the project.

14 JUDGE DAVIS: Thank you. Are you
15 part of an intervenor group?

16 MS. KRENDL: No, sir.

17 JUDGE DAVIS: You may proceed.

18 MS. KRENDL: Growing up in the '60s,
19 I remember seeing one rusty old oil derrick out in
20 the middle of my grandpa's farm located in Allen
21 County. My grandpa did not own the mineral rights
22 under his fields.

23 The story I remember hearing is that
24 the owner of the oil well had to pump it at least
25 one time a year to continue owning the mineral

1 rights. To get more information and history on
2 this, I spoke with my mother last weekend. She
3 said that there were several more wells located on
4 that and other parcels of grandpa's land. She
5 said she had no idea who the owner was and if they
6 properly plugged them or not.

7 Over time, one by one, the
8 above-ground evidence just disappeared. So it was
9 a real eye opener when I started digging further
10 to find out more about Ohio's abandoned, orphaned
11 oil and gas wells.

12 It was shocking to read that in a
13 report written by a Kathiann M. Kowalski, dated
14 May 10, 2021, ODNR flew a drone equipped with a
15 magnetometer over a one square mile in Hancock
16 County's Eagle Township and discovered there could
17 be almost 90 wells. That is far more than the
18 historical records which only had 39 recorded
19 wells.

20 Given the fact that in 1885, the
21 first oil discovery was right here in Lima, Ohio,
22 quickly making it the largest oil producing state,
23 one would deduce that our area contains far more
24 wells than those recorded. Another variable that
25 also needs to be taken into account is that during

1 World War II due to a steel shortage, metal
2 casings were removed, now making it more difficult
3 to locate wells.

4 In 2017, a landowner in Allen County,
5 American Township, noticed a smell of crude oil in
6 the creek. That leak was traced back to a farm
7 field where there was an abandoned, orphaned well
8 that was leaking into the environment.

9 This is just a small snapshot of the
10 information I was able to find, so now we
11 questioned why Birch Solar is so interested in
12 driving thousands of vertical steel piles into
13 over 2,000 acres, taking a gamble with
14 contaminating our water and soil.

15 Not only is solar and wind a proven
16 unreliable source of power, proven by the numerous
17 rolling brownouts that California has to endure
18 for their exuberant green efforts, the electricity
19 generated here will not benefit the local populace
20 that is forcibly giving up their country views,
21 peace, and nature for glass, steel, fencing,
22 noise, decreased property values, and a high
23 probability of environment contamination from old
24 wells and leaking solar panels.

25 Senate Bill 52 came a little late for

1 our community to be able to vote if the majority
2 of our populace wanted this in their front, side,
3 and backyards, but that doesn't mean that through
4 this public hearing, you and the Ohio Siting Board
5 can't be our voice.

6 JUDGE DAVIS: Any questions from the
7 intervenors?

8 Our next witness, it looks like it's
9 Drew Manteniek.

10 - - -

11 DREW MANTENIEKS,
12 Being first duly sworn/affirmed, testified as
13 follows:

14 - - -

15 JUDGE DAVIS: Please state your name
16 and spell it for the record.

17 MR. MANTENIEKS: Andrew, A-N-D-R-E-W,
18 Manteniek, M-A-N-T-E-N-I-E-K-S.

19 JUDGE DAVIS: Thanks. Would you
20 provide your address.

21 MR. MANTENIEKS: 517 South Simon,
22 Ada, Ohio.

23 JUDGE DAVIS: And do you live or work
24 in the project area?

25 MR. MANTENIEKS: I do not.

1 JUDGE DAVIS: And are you part of an
2 intervenor group?

3 MR. MANTENIEKS: I am not.

4 JUDGE DAVIS: Please proceed.

5 MR. MANTENIEKS: First of all, I'd
6 just like to thank the Board for allowing us to
7 speak tonight and thank everyone that's already
8 made comments. I originally had a lot to say
9 about the economic benefits of this project. I
10 think most of them have already been stated, so I
11 won't waste your time.

12 Some things I would like to clarify
13 on things that have already been said. Someone
14 came up here and said that solar panels cannot be
15 recycled. That's false. They can be recycled. I
16 believe Birch Solar has committed to recycling
17 their solar panels after they're done.

18 Also, people have brought up the
19 dangers of oil refineries like Exxon Valdez. They
20 are dangerous. I think this is exactly why we
21 need Birch Solar to come in and build solar
22 panels.

23 And then someone just came up here
24 and called green efforts taken by California
25 exuberant. I call them trying to keep me and my

1 peers alive. As you all know, America and the
2 world faces a huge climate crisis that will likely
3 make the world uninhabitable for generations that
4 come after us. I understand a lot of people in
5 this room won't be around to see that, but I would
6 ask the Board to please keep me, my peers, your
7 children, and grandchildren in mind when making
8 this decision.

9 That's all I have to say. Thank you.

10 JUDGE DAVIS: Any questions from
11 intervenors?

12 Thanks very much.

13 So our next witness will be Carole
14 Daley.

15 - - -

16 CAROLE DALEY,
17 Being first duly sworn/affirmed, testified as
18 follows:

19 - - -

20 JUDGE DAVIS: Please state and spell
21 your name for the record.

22 MS. DALEY: Carole, C-A-R-O-L-E,
23 Daley, D-A-L-E-Y. I live at Yoakum Road in
24 Shawnee Township. Is that all you need to know?

25 JUDGE DAVIS: Do you live or work in

1 the project area?

2 MS. DALEY: What does that mean
3 exactly?

4 JUDGE DAVIS: So do you either work
5 or is your residence within the footprint of the
6 project?

7 MS. DALEY: No, I'm not. Maybe a
8 mile or so from it.

9 JUDGE DAVIS: Are you part of an
10 intervenors group?

11 MS. DALEY: No.

12 JUDGE DAVIS: You may proceed.

13 MS. DALEY: I have lived in Shawnee
14 Township since 1997. I bought in Shawnee because
15 I purchased a route business, servicing 11
16 counties. The zoning was perfect in Shawnee,
17 already in place, because semis would be dropping
18 off product to my house.

19 I had been living in Florida, came
20 back to Ohio for grandchildren. I have seen
21 exponential changes through the years with traffic
22 on the Yoakam Road, families with children
23 replacing elderly residents. Also, the population
24 is more diverse, which is a good change.

25 When I got involved with the solar

1 group, I knew exactly nothing. I was told it
2 burned birds and since I'm an animal lover, I
3 researched the bird issue, which was nonsense. In
4 addition, I researched a lot of stuff and also
5 Lightsource BP and Birch Solar.

6 I was supportive of the solar farm
7 for numerous reasons, given that our property
8 taxes continue to go up continuously. Part of the
9 reason has to do with Birch Solar's
10 responsibilities and benefits that will be
11 provided to the Shawnee Township community.

12 The Pilot, which has already been
13 discussed, the revenue represents an average of 15
14 to 20 times the interest increase in local tax
15 revenue when compared to current agricultural use.
16 The community benefits have been mentioned, 2.7
17 million annually to the community, 81 million
18 throughout life of the project, compared to less
19 than \$100,000 currently paid in traditional
20 agricultural tax on this project property.

21 The joint vocational will get about
22 24 percent of this 81 million, the county will get
23 about 17 percent, the township will get -- I don't
24 know where my percent is -- but 19.44 million.
25 The school district will receive 54 percent of

1 that money.

2 Lastly, I'm a strong supporter of
3 renewable energy. Due to climate change, major
4 industries are switching to renewable energy.
5 Tesla announced it will be making only electric
6 cars. September 30, 2021, General Motors
7 announced that it plans to source 100 percent
8 renewable energy to power its US sites by 2025,
9 five years earlier than previously announced and
10 25 years ahead of its initial target that was set
11 in 2016.

12 Ten massive corporations are going
13 big on solar power, Amazon, Macy's, Ikea, General
14 Growth Properties, Costco, Kohl's, Apple,
15 Prologis, Walmart and Target. I got this from
16 CNBC sustainable energy.

17 Renewable energy program makes the
18 township and Allen County more attractive to
19 businesses. Shawnee has always been the hotspot
20 to live. However, years ago, it was picky and
21 racist. However, now it is becoming more
22 progressive always and proud of its schools, which
23 apparently needs lots of help.

24 You know, a person or a community can
25 get old and never change. I'm 81 years old. I

1 sold my television, use my computer for news,
2 research, entertainment, play games. I do not
3 want my brain to die, so I keep it active. I
4 think the same should hold true for the
5 communities.

6 Fossil fuels are on nonrenewable form
7 of energy, meaning they utilize limited resources
8 that will ultimately deplete, hence, driving up
9 overall energy costs. But I think there's so much
10 better been said by a couple of different people
11 about coal and what it puts into our air. I had
12 no idea. I knew it was bad, but I didn't know it
13 was that bad. And I knew that -- I think Ohio --
14 somebody said -- well, what I read was Ohio is
15 14th in the use of coal.

16 I thank you for allowing me to give
17 my opinion and, in addition, when I had sent my
18 letter to you all -- I wish now I had made a copy
19 -- I don't know if I'd want to be in your position
20 because it's probably a good thing you're not
21 politicians because it's -- you're in a difficult
22 position and I respect that.

23 Thank you.

24 JUDGE DAVIS: Are there any questions
25 from the intervenors?

1 JUDGE WILLIAMS: Thank you for your
2 testimony.

3 So it's about 9:00, we're going to go
4 ahead and go 15 or 20 more minutes and then we'll
5 take a very short break.

6 I would reiterate there are sign-in
7 sheets on the way out if you've heard what you
8 wanted to say and you want to sign your agreement
9 to what has already been testified, please take
10 advantage of the process.

11 Our next witness is Sandra Little.

12 - - -

13 SANDRA LITTLE,
14 Being first duly sworn/affirmed, testified as
15 follows:

16 - - -

17 JUDGE WILLIAMS: Please state and
18 spell your name for the record.

19 MS. LITTLE: My name is Sandra
20 Little, S-A-N-D-R-A L-I-T-T-L-E.

21 JUDGE WILLIAMS: Your address please?

22 MS. LITTLE: 4200 West Breese, Lima,
23 Ohio.

24 JUDGE WILLIAMS: Do you live or work
25 within the project area?

1 MS. LITTLE: No.

2 JUDGE WILLIAMS: Are you part of an
3 intervenor group?

4 MS. LITTLE: No.

5 JUDGE WILLIAMS: Please proceed.

6 MS. LITTLE: Okay. Basically,
7 everything I was going to say has already been
8 said, but I will go ahead and read this anyway, if
9 it's okay.

10 Okay. My name is Sandra Little. I'm
11 a homeowner on Breese Road across from the
12 proposed solar disaster site. I have lived here
13 for over 25 years. We purchased our home for its
14 rural landscape and charming beauty. There are so
15 many reasons why I'm opposed to this solar project
16 and all of it has already been said, so.

17 The industrial proposed solar power
18 disaster will be a negative impact on home values.
19 If given a choice, a buyer will not purchase their
20 dream home across from the street of a solar
21 disaster. Never have I been asked to buy a home
22 with a solar disaster view.

23 I have spent hours looking out my
24 front window to the beauty of farmland, seeing
25 wildlife, and knowing that my home was a safe,

1 nontoxic place to live. I would like to pass my
2 home onto my family to have for generations to
3 come and I don't want them subject to the problems
4 this proposed solar field of doom will cause.

5 These panels have a mere life
6 expectancy of 20, 30 years. Then what? Corrosion
7 will happen, toxic chemicals will leach into the
8 soil, contaminating it along with nearby water
9 supply. It will become an eyesore and cost us
10 taxpayers millions to clean up.

11 This is only after thousands in the
12 community are subject to known cancer-causing
13 chemicals and deadly poisons. We all know the
14 promises made when someone wants something, only
15 to be let done when that something is no longer of
16 use. Sure, the developers will promise to plant
17 trees to help hide the toxic dangers that lie
18 within. But it has been proven these trees often
19 don't survive around the solar disasters due to
20 amplified light or heat and are never replaced.

21 The land will be unkept, weeds will
22 over take and we will have nothing but the eyesore
23 of the toxic panels to view. Meanwhile, the
24 developers move on to their victims with their
25 checks in hand.

1 Solar developers are responsible to
2 their investors, not the neighbors, not the town,
3 and not the environment. These solar disasters
4 are destroying America one field at a time.

5 Thank you.

6 JUDGE WILLIAMS: Thank you, Ms.
7 Little.

8 Any questions from intervenors.

9 Our next witness is Richard Sutton.

10 - - -

11 RICHARD SUTTON,

12 Being first duly sworn/affirmed, testified as
13 follows:

14 - - -

15 JUDGE WILLIAMS: Please state and
16 spell your name for the record.

17 MR. SUTTON: My name is Richard
18 Sutton, S-U-T-T-O-N.

19 JUDGE WILLIAMS: Your address please?

20 MR. SUTTON: 2205 Odema Drive, Lima,
21 Ohio, Shawnee Township.

22 JUDGE WILLIAMS: Do you live or work
23 within the project?

24 MR. SUTTON: I live within it, yes.

25 JUDGE WILLIAMS: Thank you, sir. Are

1 you a member of an intervening group?

2 MR. SUTTON: No, I'm not.

3 JUDGE WILLIAMS: Please proceed.

4 MR. SUTTON: My name is Richard
5 Sutton. I've been a resident of Shawnee Township
6 for 33 years. I've lived at 1205 Odema Drive the
7 entire time.

8 Over the last seven years, we've had
9 significant flooding issues in my neighborhood
10 that happens to be within a 100 yards of the
11 beginning of the proposed Birch Solar farm. The
12 small waterway along the east side of the proposed
13 site cannot carry the water away now during heavy
14 rains.

15 With a very large area of the open
16 farm ground near my home potentially covered in
17 solar panels and gravel roadways, the ground will
18 not be able to absorb much water, thus creating
19 more runoff for the storm sewer and small streams
20 to carry away.

21 I've had the lower level my house
22 flooded seven times between 2014 and 2017 due to
23 the storm sewer being overburdened with water. In
24 parts of my neighborhood to this day, during heavy
25 rains, the storm system floods into the sanitary

1 sewer and we have sewage backup, toilet paper, and
2 human waste that backs up into our streets and
3 into some of the homeowners' property.

4 I lost my homeowners insurance, plus
5 spent \$10,000 in 2017 to have a drainage system to
6 keep the water away and out of my house. I am not
7 the only person who had to suffer through this
8 stuff. The thought of this happening again is
9 frightful and very unhealthy.

10 The proposed number of solar panels,
11 approximately 600,000-plus is a scary thought,
12 knowing the amount of hazardous material in each
13 one as well as the PFOS coating on the outside
14 that has the potential to leach into the ground
15 and get into the water table eventually.

16 Most solar panels do contain lead,
17 cadmium, and other hazardous material. Cadmium,
18 about .05 of a pound per panel, so that is a
19 potential of over 30,000 pounds of cadmium. Lead,
20 will have a 18,000 pounds and, again, those
21 materials will have potential to leach into the
22 ground area.

23 I, like, many others in the area
24 enjoy planting a garden in my yard. I also have
25 grandchildren and other family members that eat

1 the fruit and vegetables that I grow. I use my
2 well to water my garden and my plants. The sheer
3 thought of having cadmium and lead potentially
4 entering the ground water near my house is a
5 terrible thought.

6 With over 200 homes in the near area
7 of this proposed site, we are all looking at
8 possible property value loss as well as just the
9 aesthetics of a very large solar farm.

10 Other issues to think about, the
11 wildlife in the area as others have brought up.
12 We do have, you know, there's plenty of deer,
13 there's fox, there's rabbits, various types of
14 birds and they could be displaced or trapped
15 inside this fenced area and left to die with no
16 food source for them.

17 The other thing is the opportunities
18 for property destruction and vandalism. For some
19 reason or another, we all know of examples of
20 people, younger people, older people, whatever,
21 doing things to destroy things, breaking things
22 that are glass. This is a prime candidate for
23 that type of behavior, which, again, has potential
24 to leach out hazardous material.

25 What is the guarantee that when this

1 comes to the end of life that the company will do
2 the right thing and depose of the panels properly?

3 I'm not in favor of having this large
4 solar farm in the area this close to my home as
5 well as the other 199-plus homes near mine.
6 Please do the right thing for the homeowners, the
7 environment, and the planet earth. Do not let
8 this solar farm be built.

9 Thank you.

10 JUDGE WILLIAMS: Thank you, Mr.
11 Sutton. No questions from intervenors nor the
12 bench.

13 Our next witness is Dr. Lauren Logan.

14 - - -

15 LAUREN LOGAN, PhD,
16 Being first duly sworn/affirmed, testified as
17 follows:

18 - - -

19 JUDGE WILLIAMS: Would you please
20 state and spell your name for the record.

21 MS. LOGAN: Yes. Lauren Logan,
22 L-A-U-R-E-N, L-O-G-A-N. And my address is 199
23 West Kibler -- Kibler is K-I-B-L-E-R -- and that's
24 in Bluffton, Ohio.

25 JUDGE WILLIAMS: Do you live or work

1 within the project area?

2 MS. LOGAN: No, but I am an Allen
3 County resident.

4 JUDGE WILLIAMS: Are you a member of
5 an intervening group?

6 MS. LOGAN: No.

7 JUDGE WILLIAMS: Please proceed.

8 MS. LOGAN: First of all, thanks to
9 everyone who is still here for the long haul, just
10 wanted to say that, shout out to you all.

11 So as an Allen County resident, I
12 approve of the Birch Solar project. I'm excited
13 about the economic growth and the income to the
14 community. As a property owner in Allen County, I
15 approve because I support individual landowner's
16 right to do what they want to do with their land,
17 the right to use or lease land as they see fit.
18 So if a farmer wants to lease their land to make
19 money so that they can pay for things for their
20 family, let them do it.

21 Also think about the fact that if its
22 not a solar panel, it could be a shopping mall, it
23 could be a nuclear plant. Would you rather a
24 nuclear plant? Well, that's another decision
25 then.

1 JUDGE WILLIAMS: Make sure there are
2 comments to the Board and if the audience would
3 please stay silent. Thank you.

4 MS. LOGAN: So there's lots of things
5 that this could be, but I'm in support for the
6 solar panels.

7 As an energy infrastructure
8 researcher with a PhD, I approve of this. Solar
9 and wind have the lowest water footprint of any
10 type of energy. They are the most affordable in
11 terms of power, so when you're paying for your
12 electricity bill, solar and wind actually lower
13 your electricity bill and they actually lower it
14 within the market.

15 Solar is outpacing coal in growth and
16 for pricing as well. Reduces air pollution to
17 have solar panels, and we do need a mix of energy
18 resources, so I do want to state that. We can't
19 just have solar, but we need to increase our
20 amount of solar.

21 And as a professor, I approve of
22 this. I had students design their own energy grid
23 mix in class and all of the students designed it
24 with higher levels of renewable resources than we
25 have now and they see that the future is green, so

1 our future engineers, who are the future, the
2 youth of America, they're invested in renewable
3 energy. Are you?

4 JUDGE WILLIAMS: Thank you for your
5 testimony. Any questions? All right.

6 Thank you, Doctor.

7 Our next witness is Daniel Newkirk
8 and our on-deck witness is Beverly Foster.

9 - - -

10 DANIEL NEWKIRK,
11 Being first duly sworn/affirmed, testified as
12 follows:

13 - - -

14 JUDGE WILLIAMS: Please state and
15 spell your name for the record.

16 MR. NEWKIRK: Dan Newkirk, D-A-N,
17 N-E-W-K-I-R-K.

18 JUDGE WILLIAMS: Your address?

19 MR. NEWKIRK: 199 West Kibler,
20 K-I-B-L-E-R, Street in Bluffton, Ohio.

21 JUDGE WILLIAMS: Do you live or work
22 within the project area?

23 MR. NEWKIRK: I do not.

24 JUDGE WILLIAMS: Are you a member of
25 an intervenor group?

1 MR. NEWKIRK: I am not.

2 JUDGE WILLIAMS: Please proceed.

3 MR. NEWKIRK: All right. I am a
4 professional engineer and a certified energy
5 manager. I work on energy projects all the time
6 and I do support this solar initiative. We have
7 gone over many of the economic benefits already,
8 but I will reiterate the tax revenue that comes
9 from this, the jobs, the community fund that's
10 been set aside, I wanted to relate that through my
11 only personal story of a recent geothermal project
12 I've been involved in.

13 In that project, the funds from that
14 project were used to repave a track for a middle
15 school. With that repaved track, the middle
16 school was then able to host track events for the
17 first time in 17 years. They were able to provide
18 athletic training to a local police department and
19 they were able to host a Special Olympics event.

20 So this revenue can go to real parts
21 of Lima and help invest into the community.

22 Just to speak to a couple of the
23 issues that have been raised. The EMF from these
24 solar panels is extremely low. The cell phone
25 point is valid. I'd also say that it can't even

1 be measured outside of a 150 feet from the solar
2 field and everyone is at least 300 feet from the
3 solar field.

4 When we're talking about poisoning
5 the land, I'm going to quote some things directly
6 from the Department of Energy. Leaching trace
7 metals from modules is unlikely to present any
8 sort of significant risks due to the sealed nature
9 of the installed cells. Also, studies show that
10 compounds cannot be emitted from cadmium-based
11 modules during normal separation.

12 Giving soil rest can also maintain
13 soil quality and contribute to biodiversity of
14 agricultural land. So what is that saying?
15 That's saying that by putting in those new natural
16 plants with the solar panels, it can actually
17 benefit the soil and give it a rest from the
18 constant drain that comes from agricultural
19 production.

20 I would also make the point that if
21 we're talking about things that are going into the
22 land, we might also talk about fertilizers,
23 pesticides and herbicides, which also have a
24 negative impact on that land quality, what's going
25 into the soil, and what's going into our

1 waterways.

2 I will also reference what's listed
3 on the website. We are talking about creating
4 biodiversity through pollinator habitats with
5 these panels. And then, finally, I'd like to kind
6 of reiterate the pledge to recycle these things as
7 we've talked about already. They can be recycled.
8 There's been a commitment made to recycle them, so
9 that should also be taken into consideration.

10 And then, lastly, as it stands right
11 now, the region was originally built on a wetland
12 and so the reason we have flooding is because we
13 took a natural wetland habitat and covered it with
14 corn, which as we've talked about, does not have
15 the ability to mitigate that flooding in the same
16 way as the natural wetland.

17 So if we're talking about an increase
18 from solar, look first to what we did with our
19 corn. And, in fact, the solar will do better. We
20 have better plants that are going in with longer
21 roots, as said before, which can do a better job
22 of soaking up that water. So, again, the native
23 grasses will do a better job at that.

24 So that's all I wanted to say. Thank
25 you.

1 JUDGE WILLIAMS: Thank you for your
2 testimony. Any questions?

3 Thank you, sir.

4 Our next witness is Beverly Foster.
5 We then have Cheryl Counts and Mike Ruppert who
6 have been moved to the end as intervenors. Our
7 next witness after Beverly Foster is Andy
8 Chappell-Dick.

9 Beverly Foster is gone. Andy
10 Chappell-Dick and Jason Carpenter.

11 - - -

12 ANDY CHAPPELL-DICK,
13 Being first duly sworn/affirmed, testified as
14 follows:

15 - - -

16 JUDGE WILLIAMS: Please state and
17 spell your name for the record.

18 MR. CHAPPELL-DICK: Andy,
19 Chappell-Dick, C-H-A-P-P-E-L-L-D-I-C-K.

20 JUDGE WILLIAMS: And your address?

21 MR. CHAPPELL-DICK: 207 North Lawn
22 Avenue in Bluffton.

23 JUDGE WILLIAMS: Do you live or work
24 within the project area?

25 MR. CHAPPELL-DICK: I don't.

1 JUDGE WILLIAMS: Are you a member of
2 an intervenor group?

3 MR. CHAPPELL-DICK: I am not.

4 JUDGE WILLIAMS: Please proceed.

5 MR. CHAPPELL-DICK: I'm a resident of
6 Allen County. I've heard a lot of emotional
7 testimony so far tonight, testimony that hits
8 really close to home for a lot of people. I want
9 to throw some personal testimony in at the start.
10 And that is adult vitelliform macular dystrophy
11 are the words that I heard from the mouth of an
12 ophthalmologist at Cleveland Clinic and what that
13 means is I'm going blind. I don't expect to have
14 my drivers license renewed next February.

15 I'm losing my central vision. And I
16 said, Doc, why? He said, well, it's genetic,
17 could be genetic, we don't really know, but it's
18 likely a genetic problem brought on my
19 environmental factors. This is the preeminent
20 ophthalmologist in macular degenerative diseases
21 in the world.

22 Environmental factors mean something
23 really profound to me as a result of that. Those
24 environmental factors don't include a substantial
25 amount of solar panels. They include our air, our

1 environment of Ohio. I don't know what it is.

2 It's my job, it's our solemn job,
3 your Board, state legislature and all of us to
4 figure out where's the pollution and then to do
5 something about it.

6 Let me read what I have prepared
7 briefly here.

8 I am residential remodeling
9 contractor with a specialist in building science
10 and energy efficiency. I talk to very few
11 homeowners who are not keenly aware of and worried
12 about energy prices.

13 It's true that our buildings have
14 been almost exclusively designed to rely on fossil
15 fuels for heat and electricity, but going forward,
16 an energy grid that can pivot to disbursed,
17 diversified and well-regulated renewables is
18 critical to the economic future of our county and
19 our state. This is why I support the Birch Solar
20 project.

21 As I've watched this process over the
22 last six months, I've been impressed with how OPSB
23 implements it's statutory obligation to make sure
24 that new generation facilities are carefully
25 planned and permitted. Further, your panel, OPSB,

1 seems to take seriously the Ohio legislature's and
2 our governor's stated goal of bringing to our
3 state new low carbon renewable sources of energy.

4 I was also heartened -- it's funny
5 how people take the same information and reach
6 different conclusions -- by the OPSB staff report
7 of a couple weeks ago regarding the present state
8 of Birch Solar's plan, overall, this report
9 outlined how the project conforms to state
10 requirements and long-term land use plans in
11 Shawnee Township.

12 Numerous deficiencies were also
13 listed. But this is the point of a regulatory
14 process. The developer now has a chance to
15 address these and make sure the trial -- the final
16 plan conforms in all respects and is the best
17 possible for stakeholders and neighbors, which
18 brings us to this public hearing.

19 I see in the latest news that OPSB
20 will consider the level of local support or
21 opposition in issuing a final ruling. I want to
22 enter into the record my dissatisfaction with the
23 loudest voice in opposition hasn't been in this
24 room. It's our own -- my state Senator, Matt
25 Huffman, who has been ridiculing this project

1 since it was announced.

2 His vitriolic dishonest dismissal of
3 the project and renewable energy in general, in
4 contradiction of the legislature's own stated
5 priorities, has contributed to a toxic local
6 atmosphere in which many are reluctant to discuss
7 the project on record.

8 So on the ground, to both sides, this
9 feels like a pitched ideological battle that is
10 not proceeding fairly. There are clearly strong
11 concerns from adjacent residents. These must be
12 addressed.

13 There are not just two options here.
14 There's not just permit approval or permit denial.
15 There is permit approval with conditions. Again,
16 that's part of the regulatory process. These
17 would compel the investor to take reasonable steps
18 to address the concerns. These steps, I
19 emphasize, must be reasonable. Steps that would
20 be asked of any developer bringing anything into
21 the area.

22 I have helped gather signatures for a
23 petition in favor of this project. As I talked to
24 my clients, my neighbors, the general public, I
25 find most people admit to knowing little of what's

1 going on, but after talking about the process and
2 the issues, most are genuinely in favor.

3 There is broad-based public support,
4 even in Allen County, Ohio, for meaningful steps
5 towards a renewable energy future right here.

6 Thanks for you your attention.

7 JUDGE WILLIAMS: Thank you for your
8 testimony. Any questions?

9 All right, sir.

10 The next witness is Jason Carpenter.

11 - - -

12 JASON CARPENTER,

13 Being first duly sworn/affirmed, testified as
14 follows:

15 - - -

16 JUDGE WILLIAMS: Please state and
17 spell your name for the record.

18 MR. CARPENTER: Jason Carpenter,
19 J-A-S-O-N, C-A-R-P-E-N-T-E-R.

20 JUDGE WILLIAMS: Your address, sir?

21 MR. CARPENTER: 22700 Dug Hill Road,
22 Lima, Ohio, Auglaize County, Logan Township.

23 JUDGE WILLIAMS: Do you live or work
24 within the project area?

25 MR. CARPENTER: I live about a mile

1 west -- if I can show -- about where that asterisk
2 is.

3 JUDGE WILLIAMS: So one mile west of
4 the project area?

5 MR. CARPENTER: Yeah.

6 JUDGE WILLIAMS: Are you a member of
7 an intervenor group?

8 MR. CARPENTER: No.

9 JUDGE WILLIAMS: Please proceed.

10 MR. CARPENTER: So, I guess, in
11 debating about the different information sites, I
12 guess, I support solar, but not solar on
13 agricultural property. We have plenty of brown
14 field sites, Super Fund sites that I feel the
15 property of those natures are already contaminated
16 and the solar fields, even though they can't be
17 the size that people want them to be, could be on
18 these sites and the lands already contaminated.

19 If I look at what a lot of what
20 people brought up there, I have all the same
21 concerns, erosion, chemicals, life chemicals, like
22 the coatings on the panels. They said they're
23 life chemicals. So once it gets into -- whether
24 it's 1,400 acres, 2,000 acres -- what do you do
25 with this acreage.

1 I know up in Lucky, Ohio, they have a
2 site that was used for World War II that has
3 beryllium in it. It's a Super Fund site, 40
4 acres. It's costing them like \$250 million to
5 clean up that site.

6 What are we looking at down the road
7 20, 30 years if this is contaminated ground? Will
8 it ever be able to be returned to farm fields?
9 Why aren't we putting the stuff on parking lots,
10 you know, like Walmart, Target, all the commercial
11 box sites, on their roofs, where we have retention
12 ponds where the contaminated waters, if there is
13 any, can be collected, analyzed, and then released
14 as needed versus on farm fields that aren't -- has
15 no way to collect the water, analyze it.

16 In this area, it's borderline the
17 Black Swamp, possibly the Black Swamp and aquifers
18 are all through -- very high in this area. My
19 property, because it's so close to the Auglaize,
20 River, I think my water table's at, like, 25 feet.
21 My well's 45 feet.

22 So I'm very worried about the
23 contamination part from what I'm hearing and I'd
24 just feel a lot better if solar fields were in
25 already contaminated areas or over places where

1 they have retention ponds that the things can be
2 analyzed.

3 Oil is a finite source. We have to
4 do something different, but I just can't be that
5 agricultural, especially in this area where it's
6 highly produceable agricultural ground is -- that
7 we're going to put it in that kind of soil. It
8 would be better where the soil doesn't yield well.

9 For myself, my area is on, what I
10 think is deeded highly erodible ground, so -- I
11 think it was the number three presenter, they said
12 a picture 6. In my mind, I could envision it, but
13 I couldn't see it, but they're right on Bowsher
14 Road. I'm down flow from the other side of
15 Bowsher Road. Once it gets on the other side of
16 Bowsher Road, the water and the grade goes fast.

17 My property is surrounded by ravines
18 feeding the Auglaize River. My driveway is
19 basically in a ravine so if all this water is not
20 contained and you think about all the trucks
21 driving in between and the solar field and stuff,
22 the ground's going to get compacted. I think the
23 water's going to flow faster. It's not going to
24 absorb into the ground the way it should.

25 It could affect me as a property

1 owner even though I'm not adjoining or adjacent to
2 the property. All the water is running to the
3 ravines that surround my property. You know, it's
4 all the farm fields, all going to ravines and
5 those ravines are around my property.

6 So that's basically what I have. I
7 can't support or hope that the Ohio Siting Board
8 votes no towards this proposal.

9 JUDGE WILLIAMS: Thank you for your
10 testimony. Any questions?

11 Thank you. It is 9:26. We're going
12 to take five minutes. I'll reiterate, we have
13 sign-up sheets there. If you heard what you
14 intended to say, feel free to use the sign-up
15 sheet in lieu of testifying. Otherwise, we'll
16 resume in five minutes.

17 Thank you.

18 (Thereupon, a break was taken.)

19 JUDGE WILLIAMS: Ted Allen, Jr.

20 - - -

21 TED ALLEN, JR.,

22 Being first duly sworn/affirmed, testified as
23 follows:

24 - - -

25 JUDGE DAVIS: Please state and spell

1 your name for the record.

2 MR. ALLEN: Theodore Allen,
3 T-H-E-O-D-O-R-E, A-L-L-E-N, Jr.

4 JUDGE DAVIS: Would you please
5 provide your address.

6 MR. ALLEN: My address is 7731 Turtle
7 Hollow. That's in Mainesville, Ohio.

8 JUDGE DAVIS: Do you live or work in
9 the project area?

10 MR. ALLEN: I do not. Family farm.

11 JUDGE DAVIS: Are you part of an
12 intervenor group?

13 MR. ALLEN: No, I am not.

14 JUDGE DAVIS: You may proceed.

15 MR. ALLEN: Obviously, I have to
16 agree with some of the comments that have been
17 made this evening already so I'll try to not
18 repeat those. But I am writing concerning the
19 proposed Allen County industrial solar project via
20 Birch Solar. Not only am I opposed to such a
21 project and the key is densely-populated area.

22 I am concerned about the area where
23 my hometown is going into the future and those
24 potential impacts.

25 I was born, grew up here, lived, and

1 worked here in Shawnee with my wife and children
2 for quite a few years. The project is a major
3 issue based on data that's been reviewed already
4 this evening. I won't go through any of that.

5 And most importantly, I think the
6 bigger concern is the history of the solar
7 industry. Some of those project have been touched
8 upon already. But the key, obviously, being these
9 are -- farming community. Family farm is multiple
10 farms and very significant investment in this
11 region. They do butt up to directly, property
12 lines, if you will, relative to the installation
13 proposed. So there's a lot of concern there with
14 not only the history and so on, but, certainly,
15 the health and general safety, not just of the
16 farm and my family, but, obviously, to the
17 community and the runoff, and all the things that
18 have been touched upon.

19 These impacts would not be
20 short-lived. They could extend for many years and
21 the ability to control those due to
22 infrastructure, waters, sanitations, et cetera,
23 are all very, very relevant comments made
24 previously.

25 I question the commercial benefit to

1 the local residents because of far being
2 outweighed, if you will, by the burden put on the
3 township relative to the present and future. They
4 have expressed some of those concerns. I won't
5 repeat that.

6 But we have to look at the property
7 values. I know there's been both positive and
8 negative elements of the taxation rates. I think
9 some of that is still to be proven. And the
10 potential losses, I think, is certainly a larger
11 risk when people relocate away from the area. I
12 know folks that already have done so.

13 And also the flip side of that is
14 they do not target Shawnee due to the project and
15 the infrastructure scope concerns. People can shy
16 away from that, be it commercial, industrial, or
17 personal living reasons.

18 My family is directly impacted,
19 again, I've stated just previously with two homes
20 and large farmland acreage in very close proximity
21 to this project. In fact, it will be somewhat
22 surrounded by it. The property is on Hume Road in
23 the Sellers Road area, right in the middle of it.

24 With these concerns, again, I won't
25 repeat the panel leakages and some of these

1 things. I think it's been covered quite well, but
2 I think I would like to re-stress the fact of
3 trespassing. Projects like this draw elements,
4 some of which are not favorable, especially when
5 you have this large of a scope. You're going to
6 have a lot of worker traffic, access roads right
7 directly to the property, our family farms and so
8 on.

9 When you look at all of this, you
10 can't ignore the personal safety. My parents are
11 senior in age and from that standpoint, it does
12 get a little personal. When you live out on a
13 farm, you are on a farm. You are not in a
14 community where you are in close proximity to
15 others that could immediately help.

16 It's not acceptable to me to invade a
17 lifetime family legacy with highly vested
18 interests in a prime community where landownership
19 and interests spans -- we're going on six
20 generations in my family. My parents have lived
21 on these properties many years, with my father,
22 Theodore Allen, Sr., living here almost 82 years,
23 and connected to both the farm and the people who
24 live right here, so it's much deeper than just
25 farm or some of the concerns I've touched upon.

1 I loved the one example,
2 agriculturally -- what is the objective of
3 destroying some of the best farmland in the great
4 State of Ohio? There are other areas that this
5 can be absolutely accommodated. I am not
6 antisolar, but I'm responsibly approaching these
7 types of project and the scale, again, here is
8 very, very large.

9 Are we trying to outsource more of
10 our food sources to other states and countries and
11 reduce the direct and indirect agriculture value
12 add? That's a key question I think all of us have
13 to answer this evening.

14 I have personal interests in
15 everlasting memories right here. Plus spending
16 more of my time here to help with the family
17 business farms and those kind of things, and,
18 certainly, to give back to this community. This
19 community has been good to me, been good to my
20 family, so we take it very serious for future
21 generations.

22 I have to admit I find it very
23 difficult to understand the fact that my family
24 and others living here have limited rights and I'm
25 referring to voting rights, okay, when I make that

1 kind of a statement that can actually, in their
2 case, could decimate a lifetime of investment and
3 work. Let alone the facts of the mental and the
4 physical and, certainly, the financial elements
5 have been covered very, very well.

6 I respect this Board. I do respect
7 the state and local laws. I don't want to make
8 light of those when I made my prior statement, but
9 I was educated professionally and raised with more
10 principles to respect the rights of others.

11 God gave us very specific
12 responsibilities to this land and to the decisions
13 that the Board is going to be going through and
14 those are heavy, those are very, very heavy, so I
15 don't make light of those.

16 So I want to thank you and, again, I
17 would iterate my proposal is not accepting the
18 project moving forward at this point in time.

19 Thank you very much.

20 JUDGE DAVIS: Thank you very much.

21 It appears our next witness is Hudson Bugg.

22 - - -

23 HUDSON BUGG,

24 Being first duly sworn/affirmed, testified as
25 follows:

1 - - -

2 JUDGE DAVIS: Please state and spell
3 your name for the record.

4 MR. BUGG: Hudson Bugg, H-U-D-S-O-N
5 B-U-G-G.

6 JUDGE DAVIS: Your address?

7 MR. BUGG: 24464 Hawthorn Thicket
8 Terrace, Sterling, Virginia.

9 JUDGE DAVIS: Do you live or work in
10 the project area?

11 MR. BUGG: No.

12 JUDGE DAVIS: Are you part of an
13 intervenor group?

14 MR. BUGG: No, sir.

15 JUDGE DAVIS: You may proceed.

16 MR. BUGG: So envision a society
17 where there's more contamination than people.
18 Within the Birch Project, the pollution is nothing
19 but harmful. The Birch Project is to harm the
20 people and society. Furthermore, it's harming our
21 legacy.

22 The Birch Project has hurt people of
23 the community and the Allen farm owned by my
24 great-grandfather, Theodore Allen, Sr. Being
25 involved in the property for over 82 years, this

1 is -- when panels leaked, the contract states that
2 the company is not liable for said leak.
3 Therefore, the leak will cause an impact on one's
4 livestock and make the food we eat have chemicals
5 within.

6 Lastly, the well water will be unsafe
7 to the community and, therefore, will be forced to
8 buy bottled water. As for the chemicals and
9 never-ending panels, this makes the air polluted
10 and puts older folks that require clean oxygen in
11 severe harm.

12 Based on all of these examples, it is
13 clear that this gains negative impacts in multiple
14 ways. The Birch Project shows that this is going
15 to destroy family's legacy. This also asserts
16 that the six generations of my family who have
17 spent time and countless hours on the property are
18 now watching it turn into a wasteland.

19 I love spending summers helping,
20 doing work and having fun. Furthermore, I get to
21 bond with my great-grandparents. Because of this,
22 I get to pass down the family's legacy to my kids
23 one day. I would like to tell my kids one day how
24 fun and eventful the family farm is.

25 Knowing this, I understand the fact

1 that the farm is going to be something I'm not
2 willing to look forward to. To do this, it's not
3 good, because the younger kids, the younger
4 great-grandkids have not spent time bonding with
5 the great-grandparents doing as I have.

6 Based on this, the information given
7 is clear that adding the solar panels to the
8 surrounding farms, my family legacy will be torn
9 apart.

10 In conclusion, the Birch Project of
11 Allen County has many downfalls. Making the
12 environment unsafe, the project is environmentally
13 unfriendly and it's harming the family heritage.

14 Thank you.

15 JUDGE DAVIS: Thank you for your
16 testimony. Any questions?

17 Our next witness is C. Ray Tolliver.

18 - - -

19 C. RAY TOLLIVER,

20 Being first duly sworn/affirmed, testified as
21 follows:

22 - - -

23 JUDGE DAVIS: Please state and spell
24 your name for the record.

25 MR. TOLLIVER: My name is Clarence

1 Ray Tolliver. I live at 4770 West Breese Road,
2 Lima, Ohio, and that is in Shawnee Township.

3 JUDGE DAVIS: Do you live or work in
4 the project area?

5 MR. TOLLIVER: I live in it, yes.

6 JUDGE DAVIS: And are you part of an
7 intervening group?

8 MR. TOLLIVER: No.

9 JUDGE DAVIS: You may proceed.

10 MR. TOLLIVER: There's been a lot of
11 testimony and I've got about four scrambled pages
12 here that I really won't need to read. Kind of
13 first off, you know, we, the people, that live and
14 raise our families here are most affected. You
15 gotta kind of realize, a lot of people are being
16 blinded by this free money. You know, they think
17 they're receiving a free lunch.

18 Well, there really is no such thing
19 as a free lunch. First of all, the homeowners are
20 probably going to be the first ones to reap the
21 bad portions of this. The industrial, for-profit
22 industries have wreaked so much havoc throughout
23 Ohio and probably the nation as well, that in
24 spite of this country being in the worst divide
25 that we have ever seen, with so much major

1 political devise and infighting in the political
2 parties.

3 But even through this, the lawmakers
4 have seen, there's a real problem here and they've
5 had to pass laws to help regulate it. People
6 should see something through this. It's a
7 possibility that needs to be dealt with. You
8 know, we're not so much against the solar energy
9 portion of this thing, but it's the placement of
10 it. It's just not a good fit for the community,
11 for the people. It's a bad situation.

12 Experts have testified and shown how
13 this just doesn't work here. It needs to go
14 somewhere else, there's better locations.

15 As far as these -- they're uncertain
16 moneys. There's reasons why companies come in and
17 they lease or rent land. It's made the farmers
18 major targets because these companies can just
19 come in here, they don't have to clear the land.
20 It's already cleared for them. And, like I say,
21 it's uncertain moneys.

22 If these projects don't pan out, hey,
23 they can take their ball and go home a lot quicker
24 than they snuck in here. And, you know, I don't
25 want this to sound or be like a political

1 filibuster, so I won't go into all the other notes
2 I have here, but we just kind of hope and pray
3 that people will see the needs of the people above
4 the profits that these industrial people are
5 hiding under the green theory. Because it's
6 really not about green, it's about greed, it's
7 about the money. Thank you.

8 JUDGE DAVIS: Thank you. Any
9 questions from intervenors?

10 Our next witness is Sheila Keller.

11 - - -

12 SHEILA KELLER,
13 Being first duly sworn/affirmed, testified as
14 follows:

15 - - -

16 JUDGE DAVIS: Please state and spell
17 your name for the record.

18 MS. KELLER: Sheila Keller,
19 S-H-E-I-L-A, K-E-L-L-E-R.

20 JUDGE DAVIS: Your address?

21 MS. KELLER: 4665 Zurmehly Road,
22 Lima, Shawnee Township.

23 JUDGE DAVIS: Do you live or work
24 within the project area?

25 MS. KELLER: Our property is probably

1 about 100 yards from the solar panel project.

2 JUDGE DAVIS: Okay. And are you a
3 part of an intervenor group?

4 MS. KELLER: No.

5 JUDGE DAVIS: You may proceed.

6 MS. KELLER: Thank you.

7 Thank you for being here to listen to
8 everyone's comments that are going on and on
9 tonight about the Birch Solar 1 project. There
10 are many such proposed projects in Ohio and across
11 the United State on current farmland.

12 I'm concerned with where and how food
13 production will be sustained for future
14 generations. We're told that this project when
15 decommissioned, the land will be restored to its
16 current condition. Yet, I've also heard that the
17 concrete posts will not be removed. I'm not a
18 farmer, but I'm not sure how that leaves the land
19 tillable farming.

20 If the project is sold to another
21 entity, will that new entity be held to the
22 promises being made currently by Lightsource BP.
23 I do not dispute the landowners' rights to lease
24 their land. That's lot of money being offered to
25 not work, not pay property taxes, and yet retain

1 ownership of the land at the end of the life of
2 this project.

3 I would, however, be interested to
4 know why one farmer who signed the lease for many
5 of his acres chose not to sign a lease on the
6 acres, the farmland that's surrounding his own
7 home.

8 And tonight, I've counted about 19
9 people speaking in favor of this project, only
10 four of which live in the area. One person from
11 Bluffton stated that the impact is small. If I
12 lived a good half hour away, I'd probably be in
13 agreement with her. I would not be feeling or
14 sensing the impact.

15 Shawnee Township, a long time ago,
16 developed a vision for the area which is in total
17 conflict with this proposed project. I personally
18 take responsibility for not paying attention when
19 OPSB and its duties were defined and approved, as
20 I'm sure it was made known to the public at the
21 time.

22 If I and others had paid attention,
23 maybe the possibility of what we are facing today
24 could have been addressed and avoided by speaking
25 out about a process that circumvents all local

1 control while delivering a drastic blow to
2 neighboring residents, people who chose a rural
3 and scenic setting in which to place their biggest
4 investment, raise their family, live out their
5 retirement, all while enjoying the view of the
6 countryside and wildlife, people who are now
7 facing the loss of those simple pleasures, as well
8 as the value of that investment.

9 One lady previously stated that
10 wildlife migration will not be affected. I'm
11 telling you, if the deer that can scale a ten-foot
12 fence shows up in my backyard, I want to be ready
13 with my camera.

14 While Shawnee Township would bear the
15 brunt of the ugly monstrosity of acres upon acres
16 of solar panels in their backyard, I see no upside
17 for the area. Job creation is only significant
18 during the short-term construction phase with only
19 a few long-term positions created.

20 The energy generated will not be used
21 locally. We've been told that by Lightsource BP,
22 and will not lower local energy bills as some have
23 indicated earlier. Even the touted tax revenue
24 figures are questionable and certainly not
25 guaranteed.

1 When people were talking earlier
2 about the tax money solving problems with school
3 levies, I'm old enough to have been around when
4 the lottery was implemented in the State of Ohio
5 and we were told that that was going to solve all
6 of the schools' money problems and we know where
7 that went.

8 So, please hear me, I am not against
9 solar, renewable or clean energy at all. I
10 understand that it does need to be done when it's
11 done in a responsible manner, but this proposal in
12 a densely-populated area in my opinion is not
13 responsible.

14 Thank you very much for listening.

15 JUDGE DAVIS: Our next witness is
16 Adrian Whetstone.

17 - - -

18 ADRIAN WHETSTONE,
19 Being first duly sworn/affirmed, testified as
20 follows:

21 - - -

22 JUDGE DAVIS: Please state and spell
23 your name for the record.

24 MS. WHETSTONE: My name is Adrian
25 Whetstone, A-D-R-I-A-N, W-H-E-T-S-T-O-N-E. My

1 address is 20619 Blank Pike, Wapakoneta, Ohio,
2 45895.

3 JUDGE DAVIS: Do you live or work in
4 the project area?

5 MS. WHETSTONE: No, I do not.

6 JUDGE DAVIS: Are you part of an
7 intervenor group?

8 MS. WHETSTONE: No, I'm not.

9 JUDGE DAVIS: You may proceed.

10 MS. WHETSTONE: Good evening and
11 thank you for allowing me the opportunity to
12 address my concerns this evening. My name is
13 Adrian Whetstone and I reside in Union Township in
14 Auglaize County.

15 Lightsource BP's Birch Solar project
16 will affect family members and friends of mine and
17 my husband's in Logan Township in Auglaize. The
18 effects of declining property values,
19 unsightliness and toxic runoff contaminating local
20 ground water is just the tip of the iceberg.

21 I am not against solar, by any means,
22 but I do strongly feel it has a correct location
23 and not in such close proximity to residential
24 homes.

25 Auglaize County is known for being an

1 agri/residential zoned area instead of an
2 industrial area in nature. The amount of prime
3 farmland that will be engulfed by the Birch Solar
4 project will be detrimental to our farming
5 community.

6 Another major concern is drainage
7 issues that will arise by installing this
8 large-scale solar facility.

9 I do not feel as though this project
10 is a necessity to our community and will do
11 nothing but harm our community as a whole. I
12 strongly oppose the Birch Solar project and ask
13 you to deny the project.

14 Thank you.

15 JUDGE DAVIS: Thank you very much.

16 Any questions?

17 I want to apologize in advance for
18 this one, I may get your last name wrong. Our
19 next witness is Lori Hodosko.

20 - - -

21 LORI HODOSKO,

22 Being first duly sworn/affirmed, testified as
23 follows:

24 - - -

25 JUDGE DAVIS: Please state and spell

1 your name for the record.

2 MS. HODOSKO: Lori, L-O-R-I, Hodosko,
3 H-O-D-O-S-K-O.

4 JUDGE DAVIS: Your address?

5 MS. HODOSKO: 400 Yellowwood Street.
6 That would be Shawnee Township. I'm probably
7 about a half of mile from the project.

8 JUDGE DAVIS: Do you live or work in
9 the project area?

10 MS. HODOSKO: Yes.

11 JUDGE DAVIS: Are you a part of an
12 intervenor group?

13 MS. HODOSKO: No, I'm not.

14 JUDGE DAVIS: You may proceed.

15 MS. HODOSKO: Okay. I'm not going to
16 say lot of what I said because it's already been
17 repeated by many people. We've been here quite a
18 long time.

19 I do oppose the project. Some of the
20 reasons that I oppose is that we are eliminating
21 valuable farmland that it is currently producing
22 food. These farmlands are not infertile or not
23 barren land.

24 A major concern of mine and it's been
25 addressed is that if these panels break down and

1 the toxic chemicals on these panels leak into the
2 ground, I know that it is a concern for all the
3 property owners and their wells around there, but
4 another concern is that these panels are sitting
5 on two major watersheds that feed into the
6 Auglaize River.

7 The Auglaize River at this point
8 flows north, which feeds two of Allen County's
9 reservoirs. What would happen if some of these
10 chemicals got into that source and it affects the
11 whole Allen County water? May happen, may not,
12 but at this point if there's even the slight risk
13 that this can happen, then how can this project go
14 forward?

15 Another concern is, you know, we've
16 heard a couple people say the 400 jobs that this
17 will create during construction. Yes, that's
18 true. But in reality, how many jobs are left
19 after the construction is complete? We have heard
20 between four and five jobs. Is this really worth
21 four or five jobs to have this?

22 Birch Solar has tried to provide
23 answers to our concerns, but in reality they have
24 never had a project this large within an area that
25 is as heavily populated. How can they justify our

1 concerns when they have no other project like this
2 one to compare to?

3 In closing, this is a large solar
4 project that only a handful of people will benefit
5 from financially. The unknowns are just too great
6 a risk to allow this project to continue.

7 Thank you.

8 JUDGE DAVIS: Thank you. Any
9 questions from the intervenors?

10 JUDGE DAVIS: Our next witness will
11 be Bill Hodosko.

12 - - -

13 BILL HODOSKO,
14 Being first duly sworn/affirmed, testified as
15 follows:

16 - - -

17 JUDGE DAVIS: Please state and spell
18 your name for the record.

19 MR. HODOSKO: William Hodosko.
20 W-I-L-L-I-A-M, H-O-D-O-S-K-O.

21 JUDGE DAVID: Your address?

22 MR. HODOSKO: 4000 Yellowwood Street,
23 Shawnee Township.

24 JUDGE DAVIS: And do you live or work
25 in the project area?

1 MR. HODOSKO: Yes.

2 JUDGE DAVIS: And are you part of an
3 intervenor group?

4 MR. HODOSKO: No.

5 JUDGE DAVIS: You may proceed.

6 MR. HODOSKO: I'm not a very good
7 speaker, so excuse me. I'm here to oppose the
8 project. We, as a group, the small group that get
9 together, we don't have the funds that Lightsource
10 BP has. So this is a grassroots organization that
11 is looking out for the betterment of Shawnee
12 Township.

13 After doing my research, I really do
14 not think this project is a right fit for everyone
15 involved. I'm sure you're aware of the dangers of
16 a large solar farm, but I would like to state a
17 few facts.

18 The manufacturing, installation,
19 transportation, and maintenance of solar panels
20 produce 0.18 pounds of CO2 for every kilowatt hour
21 -- so much for the claim that solar farms don't
22 create CO2. Solar panels also have toxic metal
23 components in them.

24 We've heard this -- I'm not going to
25 go through -- we've all heard it.

1 Another concern of mine I have is
2 what happens to the environment. I'm sure
3 everybody -- not everybody -- but I'm sure some
4 people have heard of the Ivanpah solar project in
5 California. In California, they're having
6 problems with the desert tortoise that's in the
7 solar farm. Currently these animals are
8 endangered, but they were not endangered before
9 the farm was built. Plus, they were surprised by
10 the number of birds, dead birds, around the farm
11 has raised eyebrows. Research has attributed the
12 endangerment to the intensive rays that the panels
13 reflect.

14 Let's glance at one environmental
15 impact of the Birch Solar project. If the project
16 goes ahead, the panels will sit on two -- and I'm
17 repeating my wife's -- the panels will sit on two
18 watersheds that feed the Auglaize River, which
19 flows into the reservoirs that provide water for
20 all, all of Allen County, not to mention the wells
21 of the homeowners surrounding the project.

22 With all these chemicals in the solar
23 panels, what happens if a major issue with the
24 panels? What is going to stop water contamination
25 to 102,602 residents of Allen County? I sure

1 don't want to drink contaminated water.

2 If you, as a committee, want another
3 Flint, Michigan, on your hands, good luck with
4 dealing with those problems. This is just one
5 scenario out of thousands of things that can go
6 wrong.

7 The size of the project is gigantic.
8 It is five times the size of the old BP refinery
9 that is east of us. I would like to give you a
10 quick history on BP environment.

11 After BP used and abused everything
12 they could out of the plant, they wanted to sell
13 the plant. However, they had no intentions of
14 selling the plant. However, the community leaders
15 got together and they fought it.

16 I feel with a refinery to the east of
17 us and a solar farm to the south of where I live,
18 this is way too much to worry about of what can go
19 wrong. At least at the Husky Refinery, which was
20 the old BP Refinery, you have 77 good-paying jobs
21 and stable jobs. Whereas, Lightsource BP's
22 project has promised four, four full-time
23 employees. To me, the math does not add up.

24 With all the concerns we have about
25 the project, is four full-time jobs really worth

1 it?

2 What has been the most concerning to
3 me about this project is that Lightsource BP has a
4 list of our concerns, but they do little to
5 address them. God forbid if this project goes
6 ahead with all the community's concerns being
7 addressed.

8 Thank you for your time.

9 JUDGE DAVIS: Thank you. Are there
10 any question from intervenors?

11 Our next witness is John Newland.

12 - - -

13 JOHN NEWLAND,
14 Being first duly sworn/affirmed, testified as
15 follows:

16 - - -

17 JUDGE DAVIS: Please state and spell
18 your name for the record.

19 MR. NEWLAND: John Newland, J-O-H-N,
20 N-E-W-L-A-N-D.

21 JUDGE DAVIS: And your address?

22 MR. NEWLAND: 3554 Georgian Avenue,
23 Lima, Ohio.

24 JUDGE DAVIS: Do you live or work in
25 the project area?

1 MR. NEWLAND: I live less than a mile
2 north of project area.

3 JUDGE DAVIS: Are you part of an
4 intervenor group?

5 MR. NEWLAND: I am not, but I do want
6 to state that Shawnee Township Board of Trustee
7 are an intervening party. I am the fiscal officer
8 Shawnee Township.

9 JUDGE DAVIS: You may proceed.

10 MR. NEWLAND: Okay. I've been a
11 life-long resident of Shawnee Township. My wife
12 and I, we chose to stay in Shawnee Township after
13 college and we raised our three boys in the
14 Shawnee community. One of the reasons is Shawnee
15 has a mix of residential, industrial, and
16 agricultural, and this is maintained through the
17 Shawnee Township Comprehensive Plan that was
18 developed many years ago and what has been
19 maintained and followed.

20 The solar farm comes in and that
21 plan's now, the township has no local input on
22 that. So when I first heard of Lightsource BP's
23 plan to locate a solar industry facility in
24 Shawnee, I thought, okay, this might be a good
25 idea. There's some good solar, it's kind of neat,

1 and we do need a mix. It could mean additional
2 revenue for the schools and the township. As the
3 fiscal officer of Shawnee Township, we could use
4 additional revenue coming in.

5 So my question was at what cost would
6 these additional funds impact our community and
7 lives. The first thing I did was -- I'm a CPA by
8 trade, so I do know my numbers. I looked down and
9 I hear people throw numbers out on what the
10 township's going to receive and I cannot verify --
11 that is so confusing to try to determine what our
12 actual revenue is going to be.

13 I hear numbers way high -- they're
14 fairy tails, I think. I hear numbers that, you
15 know, very well could be low, I don't know, but I
16 don't know how anybody can come up with those
17 numbers.

18 So after doing some research and
19 there was information provided by others I
20 determined the negative impact to the community
21 outweighs the benefits. When I look at this, you
22 know, people call it farm and there's no major
23 infrastructure, but technically, it's going to
24 comprise of 2,345 acres of land.

25 We have over 650,000 solar panels

1 that we've heard that contain toxic materials and
2 we hear some people say that that's not true, but
3 why does Shawnee Township have to be the test area
4 when my neighborhood is right across the street
5 from this. That doesn't give me a comfortable
6 feeling.

7 We have a new electric substation
8 that's going in. We got 20 miles of access roads.
9 We have 40 miles of fencing, hundreds of miles of
10 wire, 100 DC/AC humming invertors and we have no
11 plans for detention and retention control plans.
12 So it's pretty major infrastructure that's coming.

13 So I live in the neighborhood and
14 there's a gentleman that was here earlier, he
15 lives a couple streets from me, actually. So I
16 live in the neighborhood that's right across the
17 street from this. And for 50 years, I've watched
18 these streets in this neighborhood flood during
19 heavy rains.

20 I've had water damage in my lower
21 level of my house as well. And it's -- how --
22 what impact of this damage is going to come to
23 homes if we have this flooding. I need people to
24 tell me how common sense tells us -- just common
25 sense just look at it, how this massive industrial

1 facility will not negatively impact the Shawnee
2 community.

3 I mean, without a doubt, it's going
4 to harm, it's going to affect, it's going to
5 change the whole structure where we live, you
6 know, of the community.

7 So through the process over the past
8 years, I've watched -- I've watched in shock and
9 it's given me the feeling that I've seen
10 Lightsource BP come in and mislead our community
11 during these meetings that we've, these forums
12 with facts that aren't true, that they're very
13 misleading. Well, some of them that were lies.

14 And that just lets me know they do
15 not care about Shawnee Township other than the
16 financial gain that they can realize. The staff
17 of the Ohio Power Siting Board recommending this
18 project be denied because of lack of detail in the
19 application process shows how Lightsource BP is
20 just attempting to push this project through
21 without any concern for the community, true care
22 for the community. Other than the fact that the
23 revenue that they can pull out.

24 So I've researched this and
25 Lightsource BP, with BP's unacceptable record in

1 business adventures with the communities in which
2 they operate in. We, in Shawnee, do not want --
3 we do not -- solar -- like I said, we need a mix,
4 renewable energies. We still need the energies
5 we're running now, but this is not the proper area
6 to put this. We, in Shawnee, do not want this in
7 our community.

8 I've listened to the people talk
9 tonight. There's a small amount -- I think
10 somebody said 19 people in favor of this project.
11 I have listened to the people come up and talk.
12 The farmers that are in the area that say they're
13 in favor of it, they're are leasing their land.
14 Of course, they're in favor of it, you know. They
15 have a financial gain.

16 I've seen people from other cities
17 and states come in. I've seen union, trade unions
18 come in and the majority of the people that came
19 in here and talked in favor of this have a
20 financial gain. So I don't know how much value
21 you can put in their opinion.

22 I've watched people from Bluffton
23 come in that live on the other side of the county.
24 I go back to remembering on the hearing on Senate
25 Bill 15, I was watching the discussion on that and

1 there was a gentleman from Bluffton who came in
2 and he said, you know, Shawnee residents have a
3 concern that they are going to get magnetized by
4 this. That just really made me feel that there's
5 a lot of people that don't really understand our
6 true concerns about how this is going to affect
7 our community, the potential health issues and,
8 you know, you hear people say, well, that's not
9 going to happen, no, it's highly unlikely this is
10 going to happen, that's going to happen.

11 And it's, like, we don't know.
12 There's -- the density of the population in
13 Shawnee, there's no other projects around where
14 this has been studied on the long-term effects, so
15 it's kind of shocking that we would commit when
16 there's other areas where this could go in. And,
17 you know, we can reap the benefits of that.

18 So I beg of you that please deny this
19 project we do not want it in the Shawnee community
20 and thank you for your time.

21 JUDGE DAVIS: Thank you. Any
22 questions from the intervenors?

23 Our next witness is Ginny Thompson.

24 - - -

25 GINNY THOMPSON,

1 Being first duly sworn/affirmed, testified as
2 follows:

3 - - -

4 JUDGE DAVIS: Please state and spell
5 your name for the record.

6 MS. THOMPSON: Ginny Thompson.
7 G-I-N-N-Y, T-H-O-M-P-S-O-N.

8 JUDGE DAVIS: And your address?

9 MS. THOMPSON: 5650 West Breese Road
10 in Shawnee Township.

11 JUDGE DAVIS: Do you live or work
12 within the project area?

13 MS. THOMPSON: Yes, I do.

14 JUDGE DAVIS: Are you part of an
15 intervenor group?

16 MS. THOMPSON: No.

17 JUDGE DAVIS: Please proceed.

18 MS. THOMPSON: Thank you for the
19 opportunity to come up here and share my concerns
20 with the Birch Solar project. My first concern is
21 how the solar panels will affect the water as
22 you've heard.

23 We have experienced flooding as well
24 like many people in our area. Not only is it
25 financially disturbing, but emotionally as well.

1 Sorry.

2 We had three feet of water in our
3 basement. We have done several things to help
4 solve the water issues. If these panels go in, I
5 don't know anything about the agriculture, I don't
6 know anything about engineering. I'm not that
7 kind of a person, but it makes sense to me as a
8 lay person, that it's going to change the way the
9 water flows. And if we already flood, what's
10 going to happen to my home again and who's
11 responsible for what happens to my home, and who
12 is going to enforce that responsibility?

13 My second concern is the value of our
14 home. We have lived there eight, nine years. And
15 when we bought the house, we thought, yeah, we'll
16 live here for a while, not thinking that we would
17 resell. As we've seen several people in the
18 neighborhood put their houses up for sale because
19 of this solar project, I'm scared and afraid that
20 if and when I do want to resell my home, either,
21 A, I won't be able to or, B, I will lose
22 significant value due to the solar panels being
23 right near my home.

24 I am not against solar as several
25 people have said, I'm not. I think it has a time

1 and a place. I don't think it has a place in our
2 community around lots of homes and families. I
3 know big business, you know, they gotta make money
4 somehow. Great, do that. But when it affects the
5 people around, I feel that is not the proper way
6 to go about the money making -- if I can say that.

7 Thank you very much. I appreciate
8 you guys staying so late. I know you've heard a
9 lot of things over and over again. Please do not
10 allow this project to go through.

11 Thank you.

12 JUDGE DAVIS: Thank you very much.
13 Any questions from intervenors?

14 The next witness is Rob Violet.

15 - - -

16 ROB VIOLET,
17 Being first duly sworn/affirmed, testified as
18 follows:

19 - - -

20 JUDGE DAVIS: Please state and spell
21 your name for the record.

22 MR. VIOLET: Robert Violet,
23 V-I-O-L-E-T.

24 3601 Chisolm Place, Bismark, North
25 Dakota.

1 JUDGE DAVIS: Do you live or work in
2 the project area?

3 MR. VIOLET: No.

4 JUDGE DAVIS: Are you part of an
5 intervenor group?

6 MR. VIOLET: No.

7 JUDGE DAVIS: Please proceed.

8 MR. VIOLET: I moved to Bismark,
9 North Dakota last year for my grandkids, but I've
10 lived here for 65 years and in the Shawnee area
11 for 33 years. I've been fortunate to have grown
12 up on small farms and lived here almost all of my
13 life. I've had a great deal of exposure to
14 agriculture of this area and was concerned in the
15 past, particularly in the 1970s, which it seemed
16 that too much of the remaining native woodland was
17 being cleared to become prime farm ground. It's
18 really good ground.

19 At that time farming practices also
20 used hard chemicals and fall plowing which
21 definitely hurt the remaining wildlife
22 populations, but I was glad to see the transition
23 to smarter tillage practices, much less land
24 clearing and safer chemical application so
25 pheasants, wild turkey reappeared over the last

1 20 years, along with greater numbers of deer and
2 many other birds, including raptors like the bald
3 eagles.

4 I don't understand how my Ohio with
5 its agriculturally-rooted common sense became such
6 a target for the supposed renewable energy
7 projects. Although I suspect that it has
8 something to do with some people making a lot of
9 money who also have connections to state
10 government.

11 As I drove into Ohio last Monday
12 night eastbound on US Route 30, the sheer number
13 of windmills starting at our state line is
14 overwhelming. I tried calling Blue Creek Wind
15 Farm and Timber Road Wind Farm as I had about ten
16 years ago to ask for data about the actual cost of
17 these units and how much power they really produce
18 with no success in finding out anything.

19 If these massive operations are
20 viable, they should be happy to provide the data
21 and with taxpayer money likely involved in
22 subsidies and tax rebates, they should be required
23 to do it.

24 This total lack of transparency leads
25 to failures like the Crescent Dune solar array in

1 Nevada, which my numbers, operated for only a year
2 and soaked the taxpayers for \$737 million on loan
3 default or the \$528 million Solyndra farce.

4 I'm sure there have been many other
5 failures like these that some people got rich over
6 while most of us paid up.

7 So now in our community we are to
8 accept that Birch Solar and its corporate brethren
9 can replace the solar energy reserves condensed
10 over hundred of millions of years in the fossil
11 fuels with realtime power from the sun. We have
12 been fortunate to have had access to fossil fuels
13 for over 100 years now. Mankind did get along
14 without them for thousands of years, but that
15 means no cars, no airplanes, colder houses, no air
16 conditioning, and lots of other things that we
17 enjoy if we are to believe that realtime power
18 from the sun can do the same job.

19 Nuclear power is the only thing that
20 could have a chance of doing that, especially if
21 we could figure out fusion. The CO2 climate
22 change narrative is mostly pushed by people who
23 couldn't explain the carbon cycle if their life
24 depended on it.

25 I believe climate change is natural

1 and any geologist could show the absurdity of the
2 notion of climate stasis in our geological record
3 in the ground.

4 Taking prime production farm ground
5 out of food production for unproven technology
6 with a history of hiding efficacy data should
7 concern all of us as it will accelerate inflation,
8 especially for energy and food. The proposed
9 large acreage of farmland would now be covered
10 with solar panels containing the toxic materials
11 that we have talked about, including the heavy
12 metals which may be dissolved by our naturally
13 acidic rainfall and leached into the once fertile
14 soil.

15 Our area received about 45 inches of
16 rain per year and there's also the fact mentioned
17 before that flooding will become an issue on the
18 compacted ground versus the regularly tilled crops
19 that used to be there. There's also the aesthetic
20 degradation with these eyesores and their impact
21 on the numerous property neighbors, let alone the
22 new landfills needed for the disposal of these
23 things when they fail.

24 I know it's an uphill battle against
25 big money interest using feel-good energy

1 propaganda, but this project and those like it,
2 must be proven on smaller scales with proven
3 history on brown ground before creating massive
4 solar panel graveyards in the future on the
5 permanently-compromised farm ground.

6 JUDGE WILLIAMS: No questions. Thank
7 you.

8 Just to know what to expect, we have
9 heard from 45 witnesses. We have currently still
10 24 signed up to present, so you have some idea
11 where we are in this process.

12 Our next is Phil Hicks.

13 - - -

14 PHIL HICKS,
15 Being first duly sworn/affirmed, testified as
16 follows:

17 - - -

18 JUDGE WILLIAMS: Please state and
19 spell your name for the record.

20 MR. HICKS: My name is Phil Hicks,
21 P-H-I-L, H-I-C-K-S.

22 JUDGE WILLIAMS: Your address?

23 MR. HICKS: 2710 West Hume, and
24 that's Lima, 45806.

25 JUDGE WILLIAMS: Do you live or work

1 within the project area?

2 MR. HICKS: I don't live within the
3 footprint. I'm within about a half a mile,
4 three-quarters of a mile and I work within the
5 township.

6 JUDGE WILLIAMS: Thank you. Are you
7 a member of an intervening group?

8 MR. HICKS: No, sir.

9 JUDGE WILLIAMS: Please proceed.

10 MR. HICKS: My name is Phil Hicks.
11 I'm speaking on behalf of myself, my wife, and our
12 children. We all feel the same about this solar
13 invasion. I think the biggest concerns we have
14 are about long-term issues. A lot of this stuff's
15 been covered. The contaminated water, possible
16 hazardous material, storm water runoff, our view.
17 We like to take drives, and we enjoy the animals,
18 the changing of the season and I've never heard
19 anybody say, let's take a drive to look at the
20 beautiful solar panels. I mean, that's just us --
21 we're outdoor people.

22 I do have some background that I
23 think is going to benefit. We worked -- my
24 company -- I've been self-employed for 25 years --
25 we do property maintenance and we did the

1 maintenance from 2013 to 2017 on a solar facility,
2 30 acres.

3 I'm going off script so I apologize.
4 I'm going to call it a solar field, because there
5 was no lawn, it was just field grass. They
6 planted orchard grass, which is supposed to stay
7 lower. I know I've heard people mention these
8 forums or whatever it is -- they have certain
9 plantings that they have designed for this
10 project.

11 One of the things I have not heard
12 them take into account is the fact that I don't
13 care what you plant, there are seeds in that soil
14 that lie dormant for decades. Crab grasses can
15 lie dormant for decades so whatever they plant,
16 unless they're going to take all that soil and
17 sterilize it, you know, get every weed seed out of
18 it, and then lay it back down, there's still weed
19 seeds and other seeds in that soil.

20 That was one of my fears because when
21 we took care of this, nobody wanted to take this
22 project on, the solar facility that we had done.
23 And the grasses were growing well into the panels.
24 There's Canadian bull thistle that was as large
25 around as my wrist and taller than me. I'm six

1 feet tall.

2 So I don't want to get into something
3 where, like, who's going to maintain this. We're
4 being told that they're going to have sheep in
5 there, but if you can't keep up with 30 acres on
6 the mowing frequencies that they wanted, I don't
7 know how they're going to care of -- honestly, I
8 don't know how many acres because this number has
9 changed so many times throughout this process, but
10 I guess 2,300-plus now.

11 So that's one of my biggest fears is
12 if this goes through and it's just a big overgrown
13 jungle. It's going to look like a CPR field with
14 chunks of glass in it.

15 One of the other fears that I have
16 is, I mean, the maintenance -- they asked us to
17 do, they asked us to keep an eye on broken panels
18 because they were all remote staff. They could
19 see reduced output, they couldn't really see why
20 it's reduced. So if we saw a broken panel, they
21 would ask us to report which row it was in. That
22 way it would narrow it down when they were on
23 location, which it sounds like there's just going
24 to be just a handful, maybe a skeleton crew once
25 this is established doing any work locally.

1 I would -- I'm sceptical as to how
2 many of those actually live within the community.

3 I'll try to sum this up. I know we
4 found a couple broken solar panels every time we
5 visited, but I know we missed some because our job
6 was to get it manageable, all the turf, weeds,
7 field, whatever you want to call it.

8 Eventually, we parted ways. They
9 found new management because they weren't making
10 any money, so they went with a different
11 management company that saved them money and they
12 hired an out-of-state crew to do maintenance. It
13 was honestly good riddance, it was a pain.

14 So, I guess, some of my fears are
15 what if they go bankrupt, what if they sell who's
16 going to maintain it, who's going to be left
17 holding the bag? Is it just us local citizens. A
18 lot of this stuff we've already talked about.

19 What about when government subsidies
20 dry up. The bond for dismantling, does that
21 restore the farm ground? It's taken our farmers
22 decades to get the yields that they're getting
23 right now and if it sits dormant for 25, 35 years,
24 I don't foresee people putting the time and money
25 investment into getting that, even if the panels,

1 the racking, and everything's removed, I don't see
2 that farm ground ever going back into tillable
3 farm ground.

4 Glare. That was an issue when we
5 worked there and the heat coming off the glare.
6 It's real. They can tell you it's not, but if you
7 work inside there, the increase in temperature
8 immediately as soon as you're inside there. Even
9 on the cloudy days, it's hot.

10 So in regards to our local one, I'm
11 not seeing any local benefit. I'm seeing, you
12 know, I hear about the Pilot program. There's
13 arguments both ways there as to whether it's going
14 to benefit our local community or not or provide
15 more or less tax dollars. You know, whose numbers
16 do you want to believe, I guess. We'll know down
17 the road.

18 Jobs. I already said that's not
19 going to create local jobs. These studies that
20 haven't been done, that's disturbing. We haven't
21 talked about even Native American artifacts
22 because they're in that area, but I'll skip that
23 because that doesn't matter. Well, it does to
24 some of us, I guess, but not to the company that
25 wants to make money.

1 Yeah. I can give you this when I'm
2 done, but a lot of this was covered. So I guess
3 my biggest issue is the complete lack of
4 transparency from the beginning of this project
5 leaves me with zero confidence. The word of Birch
6 Solar means nothing. They've paved the path of
7 deception and they keep changing the numbers. The
8 only consistent has been their lack of honesty and
9 consistency. If the words mean nothing, who will
10 be left cleaning up this solar invasion they
11 brought to your community.

12 So I have concerns with just about
13 every falsification they've brought along with
14 this project. I cannot find any positives for our
15 local community. That's what it comes down to --
16 is there any benefit for the local community I
17 don't see it. I think that's all.

18 JUDGE WILLIAMS: Thank you, sir. Any
19 questions from intervenors?

20 MS. PIRIK: I just want to be sure
21 that the record's clear. As far as the solar farm
22 that you were referencing, you aren't referencing
23 the Birch Solar farm; is that correct? It's a
24 different solar farm, that was your experience?

25 MR. HICKS: Birch doesn't exist

1 locally, yes.

2 MS. PIRIK: I just want the record to
3 be clear your reference is to another --

4 MR. HICKS: Correct. I guess the
5 point that I was trying to make was no matter
6 whose solar farm and no matter what they plant,
7 there's going to be seeds in that ground that come
8 up that you didn't plant, that are there. They
9 lie dormant in the soil and how is that going to
10 be maintained.

11 I've heard your plans for both
12 herbicide or manually, you know. I've heard
13 sheep. That's good with the foliage with the
14 plants that you plant.

15 JUDGE WILLIAMS: I think that's in
16 response to the question. Anything else?

17 MS. PIRIK: I do have one more. Do
18 you know whether or not the technology that is at
19 the solar farm you're referencing and what's being
20 proposed by Birch, are they the same technology --
21 same manufacturer, I guess?

22 MR. HICKS: Based on what the
23 technology of the panels being the same and your
24 technology being 2013 to 2017, is when we did it.
25 So what we were told in the meeting was it

1 appeared that the technology was about consistent
2 with the place where I worked.

3 MS. PIRIK: The same manufacturer as
4 the one you're referencing?

5 MR. HICKS: I was mowing the lawn. I
6 never asked who made the panels, to be honest.

7 MS. PIRIK: That fine. That's all.

8 JUDGE WILLIAMS: Thank you for your
9 testimony and your clarification.

10 Our next witness is Angela Holmes.

11 - - -

12 ANGELA HOLMES,
13 Being first duly sworn/affirmed, testified as
14 follows:

15 - - -

16 JUDGE WILLIAMS: Would you please
17 state and spell your name for the record.

18 MS. HOLMES: My name's Angela Holmes.
19 A-N-G-E-L-A, H-O-L-M-E-S.

20 JUDGE WILLIAMS: And your address?

21 MS. HOLMES: 2545 Hall Drive and it's
22 in Lima, Ohio.

23 JUDGE WILLIAMS: Do you live or work
24 within the project area.

25 MS. HOLMES: I live within it. I

1 live about less than a mile from where the present
2 power station is. Hall Drive is, like, near the
3 intersection of Breese and Beeler.

4 I oppose it.

5 JUDGE WILLIAMS: Are you a member of
6 an intervening group?

7 MS. HOLMES: No, I'm not.

8 JUDGE WILLIAMS: Then just clarify,
9 you did sign opposition list at the front desk?

10 MS. HOLMES: Yes.

11 JUDGE WILLIAMS: So I want it to be
12 clear, you're not trying to be counted twice.

13 MS. HOLMES: Right. Yes, that's why
14 I was asking --

15 JUDGE WILLIAMS: Please proceeds.

16 MS. HOLMES: I oppose it and I agree
17 with the majority of all the people that have
18 opposed it. My thing is at my home, I actually do
19 live in a flood plain and a lot of people around
20 my area do also, so I'm very concerned with the
21 flooding. I've done numerous things to make my
22 home try not to flood ever again.

23 And, like, literally last year, I put
24 in a generator, a whole-house generator, my son
25 begged me to because my anxiety when it rains,

1 because I'm afraid of my home flooding. And I
2 think there's a lot of people in my area that feel
3 the same way. So, I mean, the flooding is real
4 and that's just my main concern.

5 I also recently refinanced my house
6 where I had to have someone come out and
7 reappraise my home and I told him about the solar
8 field coming down the road and he didn't want to
9 get involved with it because he can't make any
10 money talking to you guys about it. But he said
11 definitely my home, the value would be at least
12 anywhere from seven to ten percent less.

13 I mean, but I can't, that's just word
14 of mouth to me. So that's just how I feel on
15 that.

16 But I'm just totally against it and I
17 pray every day that you guys please vote this
18 down. Thank you.

19 JUDGE WILLIAMS: Thank you for your
20 testimony.

21 Our next witness is Rachelle Harman.
22 She left.

23 Our next witness is Tony Swygart.

24 - - -

25 TONY SWYGART,

1 Being first duly sworn/affirmed, testified as
2 follows:

3 - - -

4 JUDGE WILLIAMS: Please state and
5 spell your name for the record.

6 MR. SWYGART: Tony Swygart,
7 S-W-Y-G-A-R-T.

8 JUDGE WILLIAMS: Your address?

9 MR. SWYGART: 3838 West Breese Road.
10 It's in Shawnee Township.

11 JUDGE WILLIAMS: Do you live and/or
12 work within the project area?

13 MR. SWYGART: I do.

14 JUDGE WILLIAMS: Are you a member of
15 a intervening group?

16 MR. SWYGART: No, I'm not.

17 JUDGE WILLIAMS: Please proceed.

18 MR. SWYGART: I'm here to represent
19 my family. Unlike the majority of the proponents
20 that spoke tonight, we do live in the area of the
21 project. My name is Tony Swygart and I'm here
22 tonight to express my opposition to the
23 ill-advised Birch Solar 1 project.

24 My wife and I have resided in our
25 home in Shawnee Township for 26 years where we

1 have raised our four children. We now have three
2 grandchildren also being raised in the
3 neighborhood. Like many American families, our
4 home has been our largest investment in terms of
5 money as well as the sweat and tears.

6 It is here that we have established
7 our dreams, our memories, and our hopes for the
8 future. A large part of the appeal of our
9 neighborhood is that it is residential enough to
10 have neighbors, but still be able to sit on our
11 porch and watch deer, turkey, red tail hawk, and
12 the occasional bald eagle.

13 The magnitude of the proposed Birch
14 Solar project in terms of acreage would be an
15 aesthetic blight on the surrounding area. The
16 very real possibility is that it would erode
17 property values, thereby, in the long term, having
18 a negative impact on the tax base outside of the
19 Pilot project being dangled to the school system
20 by Lightsource BP.

21 This would impact our school system
22 and our public safety services. There's also
23 concern over the long-term sustainability of the
24 project as technology changes and BP's record in
25 doing the right thing for the local community and

1 clean-up and land reclamation, it comes to
2 question.

3 Drainage in the area already is an
4 issue as heavy rains overburden the drainage
5 ditches leading to the Little Ottawa Creek and not
6 enough has been done to evaluate the impact of
7 2,000 acres of solar panels on runoff to that
8 drainage.

9 Lastly, the potential exists for
10 leaching of chemicals from damaged and aging
11 foreign-manufactured solar panels into the
12 surrounding land and waterways.

13 We would ask that the Ohio Siting
14 Board reject this proposal due to its magnitude and
15 its proposed location in a densely-populated area.

16 JUDGE WILLIAMS: Thank you for your
17 testimony. Any questions?

18 Our next witness is Lori Corbett.

19 Our next witness is Devon Swygart.

20 - - -

21 DEVON SWYGART,

22 Being first duly sworn/affirmed, testified as
23 follows:

24 - - -

25 JUDGE WILLIAMS: Please state and

1 spell your name for the record.

2 MR. SWYGART: Devon Anthony Swygart,
3 S-W-Y-G-A-R-T.

4

5 JUDGE WILLIAMS: And your address?

6 MR. SWYGART: 3923 Odema Drive.

7 JUDGE WILLIAMS: Do you live or work
8 in the project area?

9 MR. SWYGART: Yes, sir. I live in
10 the neighborhood here to the northeast of this
11 project.

12 JUDGE WILLIAMS: And are you a member
13 of an intervening group?

14 MR. SWYGART: No, sir.

15 JUDGE WILLIAMS: Please proceed.

16 MR. SWYGART: I'm just here on behalf
17 of the neighbors that I've spoke with, my family.
18 I just want to urge you to deny this.

19 I've heard a lot of people come up
20 here today that don't live on this map. Everyone
21 that I spoke with, the vast majority of people
22 that I speak with that live in this area don't
23 want this because of the uncertainty of the
24 project.

25 Quite honestly, it's terrifying. My

1 neighbors, myself, my family members live in the
2 area are worried about what's going to happen to
3 our properties. What -- nobody can answer my
4 questions how, how will this affect the property
5 value. I've done a lot of equity, a lot of hard
6 work, a lot of money to purchase my money. I've
7 lived in Shawnee Township since I was seven. I
8 purchased my home in 2012. I've put a lot of
9 money, a lot of hard work into fixing up my home,
10 building equity.

11 How much of that's going to be lost
12 because of this. They tell me that it will be
13 minimal. I find that hard to believe. I think
14 that if I were looking to purchase my home in this
15 area, I would look elsewhere. How much money will
16 I lose, potential money will I lose personally
17 being affected by this.

18 Again, a lot of my concerns are the
19 same as the neighbors of what -- I've got pictures
20 here of the flooding from your area. What's going
21 to -- what will this project do? How it will add,
22 I don't know. These -- I don't know if I can
23 submit pictures?

24 JUDGE WILLIAMS: So I can't receive
25 digital pictures here tonight. You can meet with

1 staff and they can educate you on how to forward
2 those into the document.

3 MR. SWYGART: May I show you?

4 JUDGE WILLIAMS: You can reference
5 them, sure.

6 MR. SWYGART: I said we're the
7 northeast area and that's Odema Drive, that's our
8 road, that's a river. When that river backs up,
9 the water that will come -- what's going to happen
10 on our neighborhood. Nobody can tell me the
11 answers to these questions.

12 Is it going to make it worse? Is the
13 water from this project going to back up the river
14 faster? Will that put more water in my front yard
15 or my road? I've got pictures of my brother
16 kayaking to my house.

17 My wife and I have just invested
18 nearly \$40,000 in drainage tile around our home to
19 try to help protect our home from the water in our
20 area.

21 I just urge you to please take us
22 into consideration, the people that this will
23 affect. I feel bad for Mr. Tolliver over there,
24 who put 30 years, retired from the fire department
25 and his property will be surrounded by this

1 monstrosity. Mr. and Mrs. Hall. These people
2 will be affected. They should be reaching the age
3 where they can retire in a peaceful home and
4 they're worried about their property values being
5 cut, probably in half. Please take us into
6 consideration.

7 JUDGE WILLIAMS: Thank you, sir. Any
8 questions?

9 Mr. Swygart, I would encourage you if
10 you have photographs that are relevant to this,
11 that are specific to your area, please communicate
12 with the Board staff. They'll inform you on how
13 to send those electronically. Put some caption,
14 descriptive information so the Board is aware of
15 what you're trying to depict. Okay?

16 MR. SWYGART: Thank you.

17 JUDGE WILLIAMS: Our next witness is
18 Derrick Whetstone.

19 - - -

20 DERRICK WHETSTONE,
21 Being first duly sworn/affirmed, testified as
22 follows:

23 - - -

24 JUDGE WILLIAMS: Please state and
25 spell your name for the record.

1 MR. WHETSTONE: Derrick Whetstone,
2 D-E-R-R-I-C-K, W-H-E-T-S-T-O-N-E.

3 JUDGE WILLIAMS: Your address?

4 MR. WHETSTONE: 14450 Kohler Lane,
5 Wapakoneta, Ohio.

6 JUDGE WILLIAMS: Do live or work
7 within the project area?

8 MR. WHETSTONE: No, I don't.

9 JUDGE WILLIAMS: Are you a member of
10 an intervening group?

11 MR WHETSTONE: No.

12 JUDGE WILLIAMS: Please proceed.

13 MR. WHETSTONE: My main concerns with
14 the project are the population density for the
15 impacted area is way too large for such a large
16 facility. Population density for Shawnee
17 Township, 420 people per square mile. Population
18 densities for Ohio counties with approved utility
19 solar facilities range from 32 to 91 people per
20 square mile.

21 The project stands out as being an
22 outlier when you consider the large size of the
23 project relative to the population density.

24 Converting over ten percent of
25 Shawnee Township to a massive industrial scale

1 solar power plant will negatively impact the
2 social fabric of the township and change the
3 characteristics of the area impacted.

4 No other township in Ohio with the
5 similar population density has a solar project
6 this large, taking over such a large percentage of
7 land within the township.

8 The project lacks long-term local
9 benefits. The electric will not be sold locally
10 to bring down our local utility rates. After
11 construction, less than five full-time jobs will
12 be created.

13 Lightsource BP has no experience
14 running a facility this size in a populated area.
15 Lightsource BP has offered no research-based
16 examples of successful equivalent projects in
17 communities that are similar to the compacted area
18 for Birch.

19 Lightsource BP has offered no
20 detailed plan to protect existing storm water
21 drainage patterns that protect the nearby
22 landowners from being flooded by runoff from the
23 project area. We are looking for expertise in
24 this area.

25 That's all I have to say.

1 JUDGE WILLIAMS: Thank you for your
2 testimony. Any questions?

3 Our next witness is Sarah Norris.

4 - - -

5 SARAH NORRIS,
6 Being first duly sworn/affirmed, testified as
7 follows:

8 - - -

9 JUDGE WILLIAMS: Please state and
10 spell your name for the record.

11 MS. NORRIS: My name is Sarah Norris.
12 S-A-R-A-H, N, as in Nancy, O-R-R-I-S.

13 JUDGE WILLIAMS: And your address?

14 MS. NORRIS: 3920 Bowsher Road, Lima
15 Ohio.

16 JUDGE WILLIAMS: Do you live or work
17 within the project area?

18 MS. NORRIS: I do. Live.

19 JUDGE WILLIAMS: Are you a member of
20 an intervening group?

21 MS. NORRIS: I am not.

22 JUDGE WILLIAMS: Please proceed.

23 MS. NORRIS: Thank you, again. I
24 want to state for the record that I would be
25 willing to stay here until morning to be able to

1 express my opinions as to why I am opposed to the
2 Ohio Power Siting Board accepting this
3 application.

4 The manner of which this project is
5 presented has been very misleading, I feel, from
6 the beginning. There's several things, obviously,
7 we've listened to so much tonight and I am not an
8 expert. I was raised in the middle of all the
9 farm ground. I am closely, either related to or
10 dear friends with several of the farmers who have
11 decided to lease their land.

12 I have a great personal -- I just
13 have a passion for where I live and for the
14 amazing fertile farm ground that we have been
15 blessed with in this part of Ohio. I understand
16 that it is incredibly -- has been and is some of
17 the best farm ground in the state, and has been.

18 That being said, I also have to
19 respect that the farmers are able to make
20 decisions for what they feel is a good lease on
21 their land. Although I highly disagree with the
22 manner in which this is going about or how it's
23 come to be, that contracts were signed a year
24 before anybody everybody knew about it.

25 There's all types of little things

1 like this that have been upsetting, not to mention
2 the, I guess, the emotional toll on several of us
3 who are heart and soul into this industry and into
4 our community and our families and we are trying
5 very hard. I walk a fine line because I love my
6 neighbors and I love my family and I love farming
7 and all of the things that have to go into that.

8 I raised our five children and
9 countless foster children in an agricultural
10 setting because I deeply value what it has to
11 offer in the livelihood of growing children and
12 families.

13 I believe that this is not a farm by
14 any definition whatsoever, so it shouldn't be
15 called that, obviously. It is an industrial solar
16 facility, demonstrated by its size and scope,
17 although there are large farms in size and scope.

18 I feel like there's been this
19 outreach to the community to be a partner to the
20 community and it's a been really confusing to me
21 because I hear about money being pledged to the
22 community. I see some money, and watch the money
23 being pledged to different things in the community
24 whether or not it's -- who knows whether it's
25 going to be money that is given if the facility is

1 granted and started and being built or whether
2 that money's going to stay even if it isn't
3 approved. Who knows.

4 I feel that there's been buying of
5 support, et cetera, and I just don't feel that's
6 very ethical. I also understand that the -- it is
7 not going to benefit us as local electric
8 customers, the power to the Birch group will not
9 benefit us local.

10 Maybe -- maybe further away in the
11 grand scheme of things is considered local. A
12 city far from me that I have to get in the car to
13 travel to is not local. Local is where we live.
14 Okay.

15 I guess, also I've been confused
16 about -- there's been an awful lot said about
17 creating jobs, this is creating jobs and it is
18 creating jobs for about 18 months, from what I
19 understand, but is this not the life of the
20 project 25 to 35 years? So, yes, it is putting
21 bread and butter on those construction workers who
22 need that for that time period before they go onto
23 a another one. I get that.

24 But it can't hardly be toted as a
25 huge benefit for the rest of the time, only

1 creating a very few jobs. And, yeah, it's
2 misleading.

3 Also green energy. It's not so
4 green. There's more information, more and more
5 about the costs versus benefits. It just doesn't
6 add up for the long haul, the inconsistency, et
7 cetera. Again, I'm somebody who would love to be
8 able to say, hey, let's put solar all on every
9 roof, on every, you know, let's make this. I do
10 understand that it has a lot to do with the
11 current substation.

12 I live very close to the current
13 substation. I was raised very close to it. I
14 have watched it expand throughout the time and the
15 years. I have to kind of wonder, you know, if the
16 past several years, the expansion of the
17 substation was courting this plan. I don't know.

18 Some other concerns I have about if
19 it won't affect our property values, why offer a
20 neighboring landowner benefit program. You know,
21 I'm trying to think. Because we have to look at
22 it. So, yes, it's unsightly, but we don't just
23 look at it. We live in it. I'm living in it.
24 I'm driving in it, driving by it.

25 Yes, there's -- we're here, we're in

1 it. I don't know that anybody in the powers that
2 be are living in a large solar facility.

3 Obviously, I'm concerned over the
4 wildlife disruption, worsening flooding issues
5 that already exist. We have literally a river
6 that goes right through our ground into another.
7 It definitely floods. To me -- I'm not an expert
8 -- I have no education on watershed, but common
9 sense says when everything's hitting panels, it's
10 going to go more -- you know, you all can figure
11 that out. It's been explained.

12 I'm concerned, obviously about who
13 knows the truth about toxicity of panels. I'm
14 concerned that I do not understand why on earth it
15 would be acceptable for us to use panels
16 manufactured in China. I've heard lots of --
17 there, again, where are the facts in these? We
18 have somebody saying, somebody saying this. It's
19 a little confusing and these are things that I
20 just live here, I don't need to be concerned with
21 the details.

22 No one seems to be getting any
23 information on the success of such a long-term
24 project and how many Ohio solar projects, even on
25 a smaller scale have shown to perform for the

1 duration of the project. I mean, I don't know, I
2 don't know the answer to that. How many have not
3 worked, not to mention other failed programs in
4 other states. I kind of feel like we're turning
5 the corn belt into the solar belt.

6 It saddens me that a few landowners
7 were willing to sign over their life's work for
8 who could resist such a yield. Who? Which one of
9 us here could resist such a yield? I don't know
10 that any of us here would necessarily.

11 I wonder if they considered the
12 families that sacrificed greatly years ago, years
13 ago to procure and keep hold of the land that they
14 farmed for their families, did without, sacrificed
15 for as part of my family has.

16 Why the huge number all at once,
17 Ohio? It leads one to believe that it's,
18 obviously, federal dollars pushing the green
19 energy and Ohio wants to get its gold star.

20 It is the responsibility of the Ohio
21 Power Siting Board to diligently assess each
22 application according to the eight, albeit, vague
23 criteria for each individual project. I can't
24 believe, nor understand, how so many applications,
25 Ohio wind and solar are being so easily passed by

1 the OPSB, member by member around a table
2 seemingly without deeper insight or concern for
3 what is happening to the landscape of our state.

4 Perhaps it's not too late to be more
5 discriminate on your approvals, starting with the
6 decline of Birch Solar 1. I asked specifically a
7 member of the Ohio Power Siting Board -- I'm
8 sorry, of Birch Solar 1, one of the developers, is
9 there going to be a Birch Solar 2. Why, you know.
10 No, there is not. Why is it called Birch Solar 1,
11 LLC. Why?

12 I live in more farm ground that can
13 most definitely be connected on a smaller scale,
14 100, 200 acres that could plug right in if this
15 passes. What would stop it? Why isn't that being
16 addressed? What's Birch Solar 1 mean?

17 Perhaps you've heard all these
18 statements from the young, from the old, alike,
19 from many other projects across the State of Ohio,
20 maybe you have not heard anything new today, but
21 these people also value where they live.

22 Perhaps now you will begin to listen.
23 Thank you.

24 JUDGE WILLIAMS: Thank you for your
25 testimony. No questions from the intervenors.

1 Our next witness is Don Kennedy.

2 Okay.

3 JUDGE DAVIS: Our next witness is
4 Samuel Joseph Swygart.

5 We're going to move on. Our next
6 witness is Jill Barnes.

7 So with that said, we are now into
8 the list of individuals who were part of an
9 intervenor group, so we will start with Pat
10 Buzard.

11 MS. BECKSTEDT: She left. She left
12 her stuff, I mean, she left her -- sign, whatever
13 she had to do.

14 JUDGE DAVIS: Michael Wildermuth
15 next.

16 - - -

17 MICHAEL WILDERMUTH,
18 Being first duly sworn/affirmed, testified as
19 follows:

20 - - -

21 JUDGE DAVIS: Please state and spell
22 your name for the record.

23 MR. WILDERMUTH: My name is Michael
24 Wildermuth. M-I-C-H-A-E-L, W-I-L-D-E-R-M-U-T-H.

25 JUDGE DAVIS: And your address?

1 MR. WILDERMUTH: 3801 Linfield Lane,
2 Lima.

3 JUDGE WILLIAMS: And township?

4 MR. WILDERMUTH: Shawnee Township.

5 JUDGE DAVIS: And do you live or work
6 in the project area?

7 MR. WILDERMUTH: I live about two
8 miles east of the site of the proposed project.

9 JUDGE DAVIS: And you part of an
10 intervenor group?

11 MR. WILDERMUTH: I am.

12 JUDGE DAVIS: Go ahead.

13 MR. WILDERMUTH: I speak as a member
14 of an intervening party in the proposed Birch
15 Solar 1 project, the Allen/Auglaize Coalition for
16 Reasonable Energy. Knowing that OPSB considers
17 public need, necessity, and convenience as
18 important criteria when judging a project, my
19 organization refers you to the words of our State
20 Senator Matt Huffman who said "One of the things
21 that we've decided as a state creating and
22 transmitting energy is important and it's too
23 important to keep individual interests from
24 stopping that. We have to be able to turn on the
25 light, we have to be able to heat our homes."

1 We agree. And the Birch Solar 1
2 project will provide for this public need,
3 generating hundreds of megawatts of electricity
4 right here in our community. We support it.

5 It is our understanding from the
6 developer that all the electricity the project
7 will generate is already contracted for. What
8 greater demonstration of necessity could there be?

9 As for convenience, as Shawnee
10 Township Trustee, David Belton remarked "As I've
11 said before, over and over again, the reason it's
12 here is because of the substation located on
13 Sellers Road. That is the crux of what that does
14 is it provides immediate access to the grid."

15 So public need, necessity,
16 convenience, Birch Solar 1 checks all those boxes.

17 Finally, I would briefly refer to our
18 experiences. Initially, our group coalesced in
19 response to statements from local political
20 leaders that seemed to us preposterous. We heard
21 it said that "Solar doesn't really produce that
22 much electricity."

23 Yet we learned that this project will
24 produce the equivalent amount of electricity used
25 by more than 50,000 average homes. That is more

1 homes than exist in Allen County. That seems to
2 us a lot of electricity.

3 Another thing we heard stated was
4 that this project will have zero local economic
5 impact. Yet numbers we've seen estimate the
6 amount of new revenue to local schools, townships
7 and counties in the millions of dollars, a number
8 very much larger than zero.

9 Consequently, we felt compelled to
10 speak up to counter such glaringly obvious
11 misapprehensions. We spoke to various media and
12 political leaders and felt as though we made
13 progress in showing the community that there were
14 two sides to this issue, but, ultimately, it
15 registered on us that the decision to approve the
16 project lay with the Ohio Power Siting Board and
17 we should be speaking to you.

18 We filed comments on your website to
19 let you know our position and our thoughts.
20 Ultimately, we created a petition to allow people
21 to express their support to you. While we applaud
22 your presence here tonight to learn community
23 sentiment, it must be acknowledged that not
24 everyone has the time, nor the inclination to
25 attend a hearing such as this one.

1 So we went door to door and attended
2 outdoor summer events and publish our petition on
3 line. In about two months with seemingly minimal
4 effort, we garnered over 250 names on our petition
5 from people within the footprint of the project.
6 That is, within the school districts and counties
7 involved.

8 I was surprised to find that people
9 commonly knew little about the project. Something
10 that Speaker of the House, Bob Cupp, said it
11 didn't surprise him. But most people we spoke to
12 door-to-door decided to sign our petition,
13 especially when the financial benefits to the
14 community were explained to them and their
15 questions concerning the project were answered
16 effectively.

17 We found that there are a lot of
18 people who are tired of the parade of tax levies
19 we've had lately and many expressed thanks that
20 someone would take the time to come and explain
21 the project to them.

22 I believe I have just a bit more time
23 and I feel impelled to deal with a couple of
24 things that have been mentioned tonight. One of
25 the things we've heard mentioned over and over is

1 the aspect of a scenic view and the most eloquent
2 response to that I heard from a farmer when he
3 said when providing scenic views provides an
4 income stream, we'll consider it.

5 Also, I've been a part of the
6 environmental citizens advisory committee of Allen
7 County Public Health for over 30 years. We work
8 as a community liaison group between the public
9 and the petrochemical complex in the northeast
10 corner of Shawnee Township.

11 One of the things that strikes me
12 about that is I have seen over those 30 years that
13 regulatory capitalism works, that we have good
14 professional competent people in our industries in
15 this country, but because of the necessity that
16 they feel to pursue a profit more than any other
17 consideration, we need regulatory agencies to
18 oversee them and work them.

19 And I've seen that over 30 years,
20 I've seen the competent professional of the EPA,
21 I've seen the professionals of the petrochemical
22 plants that are out there work together to try to
23 come to solutions to problems that advantage both
24 the community and the industries. And we count on
25 you to make this process a success.

1 The concerns that the people have
2 spoken here tonight are real concerns. We're glad
3 that you're here listening to them and we're
4 counting on you to hold the company accountable to
5 do the things that they said that they'll do if
6 their application is approved. That's important.
7 I've seen it work and I encourage you in pursuing
8 your role in this process.

9 Another thing I would say is that
10 when I hear these comments about toxic releases, I
11 have to go back to, again, my experience on the
12 environmental citizens advisory committee because
13 at times, Allen County has been rated the number
14 one county in the State of Ohio for toxic
15 releases. Number one on the TRI index. They
16 ratcheted that down over the years. The best
17 available technology has been put into place.
18 We've seen improvements.

19 Some of us remember when they were
20 pulling fish out of Ottawa River that were
21 deformed in many different ways. We've seen that
22 improve over time. We need that regulation to
23 look over these kind of things to see that they're
24 done properly. We count on you. We count on our
25 agencies, ODNR, EPA, we need them.

1 But it also means that our people
2 here have lived with that for years. We're
3 talking about solar panels going into all of these
4 fields, solar panels that have passed the test of
5 the US EPA that says they don't leak toxic
6 chemicals even if they've been cut up into pieces
7 and tested to see they won't leach out. They
8 don't and they're certified by the EPA that they
9 don't. And, yet, we seem to be worried about them
10 and I've never heard anybody say that they were
11 worried about being number one on the Toxic Air
12 Release Inventory when they live in Allen County.

13 Some of us only one, two, three, four
14 miles away from the chemical plants. I mean, it's
15 like the risk that we're talking about with these
16 panels is so small compared to the risks that
17 we're talking about from the industries that we've
18 lived with for over 100 years.

19 Have we thought these things through?

20 We talk about farmland. Calculations
21 have shown that we could generate 100 percent of
22 the electricity that's currently used in the
23 United States on 14 million acres of farmland.
24 Solar panels on 14 million acres of farmland to
25 generate 100 percent of the electricity we use

1 today.

2 Now, every year 90 million acres are
3 planted in corn, 30 million of those acres
4 approximately are used to create ethanol. So 14
5 million acres is less than half of that. Less
6 than half of the land that we're already using for
7 ethanol, not food, for ethanol, less than half of
8 the land we're using for ethanol could produce all
9 of the electricity we use in the United States if
10 they had solar panels on them.

11 What are we thinking? What are we
12 thinking?

13 I hope I haven't gone too far over
14 time. I appreciate your indulgence in listening
15 to me. Thank you very much.

16 JUDGE DAVIS: Thank you for your
17 testimony. Any questions?

18 Our next witness is Chris Fisher.

19 - - -

20 CHRIS FISHER,
21 Being first duly sworn/affirmed, testified as
22 follows:

23 - - -

24 JUDGE DAVIS: Please state and spell
25 your name for the record.

1 MR. FISHER: My name is Chris Fisher.
2 C-H-R-I-S, F-I-S-H-E-R. I live on 11678 Zerkle
3 Road, Auglaize County, Logan Township.

4 JUDGE DAVID: Do you live or reside
5 in the project area?

6 MR. FISHER: Yes, reside. I would
7 like to submit this, a little yellow box.

8 JUDGE DAVIS: For the record, you are
9 part of an intervenor group?

10 MR. FISHER: Yes.

11 JUDGE WILLIAMS: Just so I can
12 understand. There's a couple of yellow boxes
13 here, are you talking about the one on the lower
14 left?

15 MR. FISHER: One with my address on
16 it. These boxes are not houses. Those are only
17 houses. I live in the house, not the box.

18 JUDGE DAVIS: You may proceed.

19 MR. FISHER: Like I said, I'm not
20 going to read my statement.

21 I bought this house in 1978. It was
22 1,100 square feet with pink plastic tiles in the
23 bathroom so it was a project, it's been a project
24 ever since.

25 Many, many remodel jobs, worked on

1 it. In 2000, we remodeled the house. We doubled
2 the size of the house, we doubled the payment of
3 what it cost for the house. We put a new septic
4 system in. You know, finished basement in. Thank
5 God.

6 So then in 2012, we put a new
7 building out. You can't see the building on that
8 picture because that picture's like 11 years old.
9 That's a picture that they put on there. So when
10 we put the building on the house, in the driveway,
11 we put more into the house than what we paid for
12 the house to begin with again, we got a lot of
13 investment in this house.

14 We've been living there since '87.
15 I'm going to retire next year. I'm a union
16 pipefitter. My company is actually a big part of
17 building the first solar panel plant in
18 Perrysburg. I liked to see if we was going to
19 build something in America and in Ohio, we'd use
20 our stuff.

21 People talk about coal plants, you
22 know. We have some cleaner burning coal plants,
23 but we're to buy solar panels from China. How
24 many coal burners are the building this year --
25 100. I mean, don't know the exact number, but

1 it's a lot, a lot of stuff.

2 So I just, you know -- I don't know.

3 It's a heck of a thing to put all your blood,
4 sweat and tears in something to live across from
5 that and, you know, the property around me, the
6 flooding that goes on with that and I don't know.

7 For the record, I'm against it.

8 JUDGE DAVIS: Thank you very much.

9 Are there any questions? No.

10 Our next witness is Mark Wellman.

11 UNIDENTIFIED VOICE: He had to leave.

12 JUDGE DAVIS: Our next witness is
13 Linda Beckstedt.

14 - - -

15 LINDA BECKSTEDT,

16 Being first duly sworn/affirmed, testified as
17 follows:

18 - - -

19 JUDGE DAVIS: Please state and spell
20 your name for the record.

21 MS. BECKSTEDT: Linda Beckstedt.

22 L-I-N-D-A, B-E-C-K-S-T-E-D-T.

23 JUDGE DAVIS: And your address?

24 MS. BECKSTEDT: 4495 West Breese
25 Road, Lima, Ohio, Shawnee Township.

1 JUDGE DAVIS: Do you live or work
2 within the project area?

3 MS. BECKSTEDT: Yes, I am. I live.

4 JUDGE DAVIS: And you're part of an
5 intervenor group?

6 MS. BECKSTEDT: Yes.

7 JUDGE DAVIS: You may proceed.

8 MS. BECKSTEDT: Thank you.

9 Thank you for your time. I know this
10 is going long -- this is personal.

11 My husband and I came to Lima, the
12 Lima area almost 50 years ago. We have been in
13 Shawnee for 47 of those years and this is our
14 community. We built our home 32 years ago on six
15 acres of woods, raised our three daughters here
16 and now have four grandchildren that come to visit
17 often.

18 It is a peaceful home with a pond,
19 trails in the woods, and plenty of room for
20 basketball, volleyball, ice skating, bonfires, and
21 just anything else the grandkids want to do.

22 My husband and I are retired and
23 enjoy sitting on our patio. We enjoy our woods.
24 And have deer that roam in the woods, along with
25 the wild turkey, owls, along with all of the other

1 wildlife. Right now the leaves in the woods are
2 beautiful, but will be coming down soon.

3 If Lightsource has its way, we will
4 be surrounded by solar panels right up to the edge
5 of our woods. Even with the leaves on the trees,
6 we will see nothing but solar panels.

7 I am not against responsible solar
8 energy. I am fine with the solar farm in an
9 appropriate place, like on roofs of manufacturing
10 building, shopping malls, and there are even
11 places like deserts that have uninterrupted land
12 that is not -- let's see, excuse me -- a desert
13 where it's sunny 365 days a year.

14 What Lightsource is doing here to our
15 community, in my opinion, is not responsible. The
16 environmental footprint surrounds homes and has
17 invaded our community. There's no definitive
18 research on the longevity or damaging effects of
19 these massive solar projects being placed in and
20 around highly-populated areas such as this.

21 I am concerned about our well water,
22 possible toxicity, glare, electromagnetic
23 radiation, noise pollution, et cetera. And, yes,
24 I imagine that Lightsource can explain this all
25 away and say that this will be safe and a benefit

1 for our community.

2 I just don't have faith or the
3 confidence in this company that this will be a
4 good fit. Those here that are for the project,
5 you have that right, but imagine this project is
6 not sitting next to your home. This is a
7 long-term project. Thirty years down the road
8 what will happen for our next generation that live
9 here. What will this do to our once-fertile farm
10 lands.

11 Will we be left with broken solar
12 panels, posts, wires running underground? Once
13 this goes in, there is no going back. There's no
14 guarantee that our well water and our health won't
15 be affected in the years to come.

16 The energy that is generated from
17 this proposed project will go to Amazon, not to
18 our community.

19 To the Ohio Siting Board, I hope that
20 you hear those of us who will be directly affected
21 by this and oppose this project.

22 Thank you for your time.

23 JUDGE DAVIS: Thank you for
24 testimony.

25 Our next witness, Cheryl Counts is

1 our next witness.

2 MS. BECKSTEDT: She has left.

3 JUDGE DAVIS: Next, we have Mike
4 Ruppert.

5 - - -

6 MIKE RUPPERT,
7 Being first duly sworn/affirmed, testified as
8 follows:

9 - - -

10 JUDGE DAVIS: Please state and spell
11 your name for the record.

12 MR. RUPPERT: Mike Ruppert,
13 R-U-P-P-E-R-T.

14 JUDGE DAVIS: And your address?

15 MR. RUPPERT: 605 south Blackhoof
16 Street, Wapakoneta.

17 JUDGE DAVIS: And do you live or work
18 in the project area?

19 MR. RUPPERT: I work.

20 JUDGE DAVIS: And are you part of an
21 intervenor group?

22 MR. RUPPERT: Yes.

23 JUDGE DAVIS: Please proceed.

24 MR. RUPPERT: Good evening. My name
25 is Michael Ruppert and I'm the business manager

1 for the International Brotherhood of Electrical
2 Workers, Local 32. The IBEW is the largest energy
3 union in the world, representing over 750,000
4 members, retirees in the US and Canada, with over
5 20,000 in Ohio, and nearly 300 here in my local
6 union.

7 Birch Solar will create roughly 41
8 construction jobs and many indirect jobs during
9 the construction phase. The Pilot programs
10 requires that at least 80 percent of the jobs have
11 to come from local labor. The Pilot program also
12 guarantees that \$2.7 million annually will be paid
13 to our schools and other community services.

14 Lightsource BP has made a commitment
15 to our community and has stepped up by working
16 with the community, the local work force, and we
17 believe they are a true community partner. We
18 have to keep supplying energy needs to our region
19 and Ohio.

20 We can create good-paying jobs and
21 benefits at the same time. IBEW, Local 32, stands
22 in support of Lightsource BP and Birch Solar. We
23 are ready to build Birch Solar, create and
24 maintain jobs here in Lima, and support our energy
25 infrastructure.

1 Thank you for the time and
2 consideration of IBEW Local 32's support of Birch
3 Solar.

4 Thank you.

5 JUDGE DAVIS: Any questions? No.
6 We have an Ellen Wiegung.

7 MS. WIEGING: It's German, it's
8 pronounced we king. I tell people if they think
9 of the Christmas song, *We Three Kings*, drop the
10 three -- we king.

11 JUDGE DAVIS: I will remember that if
12 only because it's pretty unique.

13 MS. WIEGING: That's what my father
14 said. He's never heard that before how to
15 pronounce our last name and he thought that was
16 rather original.

17 - - -

18 ELLEN WIEGING,
19 Being first duly sworn/affirmed, testified as
20 follows:

21 - - -

22 JUDGE DAVIS: Please state and spell
23 your name for the record.

24 MS. WIEGING: My name is Ellen
25 Wiegung. W-I-E-G-I-N-G.

1 JUDGE DAVIS: And your address?

2 MS. WIEGING: 5880 West Hume Road,
3 Cridersville, Ohio, 45806.

4 JUDGE DAVIS: Do you live or work
5 within the project area?

6 MS. WIEGING: I will be surrounded by
7 this by this project. I am living in this project
8 area.

9 JUDGE DAVIS: You are part of an
10 intervening group?

11 MS. WIEGING: I'm part of the
12 intervenor group. I am against it.

13 JUDGE DAVIS: You may proceed.

14 MS. WIEGING: Hello. I know this has
15 been a long night and I'm probably going to repeat
16 some things, but I will be short and brief.

17 Hello. I am Ellen Wiegling. I will
18 be speaking for the Nancy Wiegling family, which
19 consists of my mom, my brother, and I. My mom
20 married my dad back in 1964. My mother is
21 82 years old and a widow. She resides on the
22 family farm. We will be surrounded by all four
23 sides of my mom's property. I have the following
24 concerns.

25 The health impact of all my family --

1 the flooding which has been discussed today -- if
2 the solar panel poles go down in the ground ten
3 feet and hit the field tile, which will affect the
4 drainage in the field we are surrounded by.

5 If these panels break and leak
6 carcinogens into the soil, it can ruin the well
7 water that we use, go into creeks and rivers. The
8 stress from this coming in, I worry about my mom's
9 health and well-being, besides my brother and I.

10 The increased temperatures from the
11 panels, estimation of five degrees, it's a guess.

12 The wildlife is a concern. The
13 coyotes getting into livestock, the raccoons
14 getting into the chickens, too. Wildlife will be
15 limited to the areas they can roam.

16 I am a farmer's daughter. I know
17 what this means. This is good fertile farm ground
18 that will impact this and agricultural community
19 or agricultural in general. We need to take care
20 of this ground. God is not making anymore.

21 Thank you.

22 JUDGE DAVIS: We have Ann Fisher.

23 - - -

24 ANN FISHER,

25 Being first duly sworn/affirmed, testified as

1 follows:

2 - - -

3 JUDGE DAVIS: Please state and spell
4 your name for the record.

5 MS. FISHER: Ann Fisher, A-N-N,
6 F-I-S-H-E-R.

7 JUDGE DAVIS: Your address?

8 MS. FISHER: I live on 11678 Zerkle
9 Road, Cridersville Ohio, Logan Township, Auglaize
10 County.

11 JUDGE DAVID: And do you live or work
12 in the project area?

13 MS. FISHER: I live smack dab in the
14 middle, four sides, just like Ms. Wieging says.

15 JUDGE DAVIS: And you are a part of
16 an intervening group?

17 MS. FISHER: I am.

18 JUDGE DAVIS: Please proceed.

19 MS. FISHER: Thank you. I'm not
20 wanting to write this testimonial on my own
21 behalf. Although, we are residents who will be
22 adversely impacted surrounded on four sides by
23 10-to-12-foot high massive acreage of industrial
24 use equipment in an agriculturally zoned area for
25 as far as the eye can see of glass, lead,

1 aluminum.

2 I crossed out a lot of this stuff, so
3 if I have to hand it to you, it might be an issue.

4 We understood that there were
5 possibilities over the years that things could be
6 built on land surrounding us and that was the
7 right of the landowners. They do own that land
8 and they should do with what they want to do with
9 it.

10 However -- and I won't be repetitive
11 of everyone because I know -- I mean, this is my
12 life, so bear with me.

13 This isn't just an annoyance, a
14 housing development, a pole barn, a chicken coop,
15 a pig farm. That's what you would expect in the
16 agricultural areas. There are many concerns and
17 I'm not going to list all of them because everyone
18 else did.

19 I don't want it to be this
20 not-in-my-backyard testimony. My testimony is not
21 about us. This is about the effects of thousands
22 and ten thousands of acres across the State of
23 Ohio or not only solar and wind, the footprint for
24 an intermittent at best energy source that is
25 impacting thousands of township residents. We

1 are, indeed, just one of the tens of thousands of
2 affected residents in and near proposed footprints
3 that solely encompasses. This one being the
4 2,300, whatever the number is, 2,500 acres of
5 land, 40 miles of fencing, three-quarter of a
6 million glass aluminum encased cadmium lead solar
7 panels that still haven't been quite proven to be
8 safe in the long-term surrounding so much
9 population. That's the anomaly here.

10 Surrounding so many resident -- well,
11 not so many -- nine that are definitely on all
12 four sides within only 300 feet from the center of
13 the home. Now, my prolific husband that speaks so
14 well up here, already gave you a map. However, my
15 map circles our house with the dot in the middle,
16 with the 300 feet from the center.

17 But what it doesn't tell you is that
18 there is 120 feet from our property line outside
19 of our driveway where the solar is. And more
20 importantly, I'm not going into the discussion
21 point of the waterways, but there's a waterway
22 that goes from the Three Mile Creek that the
23 panels are 50 feet away from. So those are major
24 concerns.

25 As I said before, I started this

1 saying I don't want this to be about me, I don't
2 want this to be not-in-my-backyard testimony, but
3 it is about us. Think about us. There are many
4 people that came here -- this was amazing -- but
5 there are many people that couldn't. They have
6 young kids at home, there's several examples of
7 neighbors of ours, a young couple with a
8 two-year-old. They purchased their multi-acre
9 dream home, raising their son, but now have to
10 have the safety of their family in question,
11 completely engulfed on all four sides.

12 Or the young couple surrounded on,
13 three sides -- ooh, just three sides, just
14 three -- with a gravel-access roadway 100 feet
15 away from their driveway where their little girl
16 plays on a swing set right in the back of their
17 yard where, during this 18 months of construction,
18 there will be trucks speeding up and down. And
19 they speed because I went over to Hardin County
20 and sat outside there and watched them.

21 I want to cry harder for them. Fish
22 and I have been there 34 years, like he said, '87,
23 sweat and tears, you know, we raised our kids
24 there and now it's neat to see these young
25 families come out there and raising their kids.

1 So I definitely wanted to cry harder for them
2 because I'm old -- who the hell cares about me.
3 Because, you know, they've got their lives ahead
4 of them.

5 I don't think any of us are against
6 the research for a cleaner, better earth and for
7 benefits of the economics for Ohio, but why so
8 fast? Why so much? Why at the risk of its
9 Ohioans to reach a goal, 2035? Again, too much,
10 too fast.

11 Days into our notification, well into
12 years of the solar industrial plant already being
13 planned with testing and boring holes set in the
14 fields, almost a year ago now, we were all
15 unaware, including officials. We started
16 inquiring within a month and built a large portion
17 of our current 900 signatures of residents within
18 and near the footprint on a petition against this
19 encroachment and these are people within the
20 two-mile perimeter, or buffer, or whatever.

21 They have a map where there's a mile
22 buffer and these people are within that. If it
23 were so good for our part of our township, that
24 already has a petrochemical plant on the east
25 side, and thriving businesses in zoned areas that

1 are not in the agricultural planning area of the
2 township, it's just beyond me.

3 Self-staining, renewable solar has
4 its place. Such as the solar fields in Wapak or
5 Minster only taking up a couple hundred acre
6 swaths, satisfying those communities, those
7 businesses. Satisfying businesses, every new
8 home, every new industrial rooftop, those are
9 where solar should be going.

10 I mean, hell, in Columbus the Chase
11 Building, they're putting solar on its rooftop to
12 satisfy its own energy. That's progress, that's
13 technology at its finest and that's research for
14 the betterment of society without ripping the rug
15 from underneath those that have no say.

16 I'll skip all that because we've
17 already talked about it.

18 I just want to say then, you know,
19 again, back to the renewable energy, definitely
20 has the ability to be put in places, but this
21 placement is wrong, not because it's where I live.
22 You know, hell, I said when this first happened,
23 I've 34 years in that place, out in the country,
24 but I'm a city girl and so I told my husband,
25 Fish, the -- and I won't say the farmers -- just

1 leased the 2,600 acres across from us for solar.
2 You know, I felt like, okay, you know, that sucks,
3 but, you know, it's inevitable. But when I found
4 out the magnitude of what 2,600 acres is, that was
5 only 250 -- 2,600 acres, five times the size of
6 the refinery -- this is why I've been fighting
7 this since day one, October 27, 2020.

8 And I'm not fighting just for me.
9 I'm fighting for all of these -- well, they're all
10 gone -- but all of these people and the 900 people
11 and there's gotta be more. We just, just, just
12 want this to be a smart placement.

13 Again, I think this evening is
14 evident. I have been proud of the turnout of this
15 entire community and I tried to not make this
16 about me, this is about us, what about us. This
17 is also about you.

18 Please do the right thing. And I
19 humbly request you deny this certificate based on
20 satisfying many criteria, including our public
21 interests, necessity, and need.

22 JUDGE DAVIS: Thank you very much.
23 Our next witness -- and I apologize if I get your
24 name wrong, Stacy Brenneman.

25 - - -

1 STACY BRENNEMAN,

2 Being first duly sworn/affirmed, testified as
3 follows:

4 - - -

5 JUDGE DAVIS: Please state and spell
6 your name for the record.

7 MS. BRENNEMAN: Stacy Brenneman,
8 S-T-A-C-Y, B-R-E-N-N-E-M-A-N. And I reside at
9 3695 South Kemp Road, Lima, Ohio. That would be
10 Shawnee Township in Allen County.

11 JUDGE DAVID: Do you live and work
12 within the project area?

13 MS. BRENNEMAN: Yes.

14 JUDGE DAVIS: And you are part of an
15 intervenor group?

16 MS. BRENNEMAN: Yes.

17 JUDGE DAVIS: Please proceed.

18 MS. BRENNEMAN: My name is Stacy
19 Brenneman. I reside at 3695 South Kemp Road, Lima
20 Ohio. I am on the northwest edge of the proposed
21 project and I am opposed to the Birch Solar 1
22 solar development project.

23 We have seen in the Hardin Solar
24 cases, this project will not be the only solar
25 power plant once approved, but the start of a much

1 larger development. I fear that my home will soon
2 be surrounded on all sides by this type of power
3 generation.

4 There are many reasons I oppose this
5 project. One of the main reasons is because the
6 type of power generation is unreliable,
7 intermittent, and requires gas-powered electrical
8 generation as back-up. It seems that if we in
9 Ohio need to build gas power plants to cover when
10 renewable energy generation is unavailable to
11 produce electricity, it would be better to cut out
12 the middle man and only go with reliable,
13 on-demand power sources. That would be better for
14 the consumer, that way we only pay for the power
15 plant once, not twice.

16 Solar project generation is also very
17 energy light. When I say this, I mean it takes a
18 lot of land to create very little electricity when
19 compared with reliable on-demand sources. Solar
20 is also very trash-heavy, especially since these
21 panels do not have 50-plus year life span like
22 most on-demand power plants.

23 According to the developer, the solar
24 panels should last 20 years. That is based on
25 optimal conditions. There are better uses for

1 this land that would serve the public better than
2 solar power plant.

3 I do not think that this project
4 meets the requirement for a public need. We
5 produce more electricity in Ohio than we use. How
6 does any power plant being constructed constitute
7 a need, let alone one that is not able to produce
8 power on demand.

9 I'm also concerned about the
10 possibility of the coating that is placed on these
11 solar panels that is to increase their efficiency
12 that only lasts for a short time, as compared to
13 the life of the panel, entering our water supply
14 system.

15 Solar panels do contain toxic
16 chemicals and as far as I can tell, water quality
17 will not be monitored throughout the life of the
18 project. We have asked for the toxicity reports
19 for the panels that will be used and as to date,
20 those have not been provided by Lightsource BP.

21 I can also personally attest that
22 Lightsource BP has not done its due diligence when
23 it comes to the location of water wells on the
24 edge of the project because there are two capped
25 wells and one well we use on our property and that

1 is not shown on their water well map. Also, my
2 neighbor has one capped well and one well in use
3 that I know of that is also not shown. There are
4 no wells shown on either property in the report
5 that Lightsource BP provided to the Ohio Power
6 Siting Board. Those wells are on record at the
7 Allen County Health Department.

8 I do not think it is a good use of
9 land. This is some of the most productive
10 farmland in Ohio and it seems we should be putting
11 this type of power generation on brown land or
12 low-producing farm ground as well as on rooftops
13 and over parking lots. By doing this, it would
14 protect the water sources for the farmers and the
15 people that live in this area.

16 The decommissioning of this project
17 is also a concern of mine. With this company
18 being a limited liability company, as soon as it
19 is not profitable, they will be able to easily
20 declare bankruptcy and leave the project to the
21 local community to deal with. It is my opinion
22 that the bonds will be very similar to the bonds
23 that are issued for the oil companies and will not
24 cover the actual cost of clean-up, which has
25 actually happened in Ohio.

1 It is the lack of transparency, the
2 unwillingness to provide specific information
3 regarding our concerns and the less-than-honest
4 statements made by this company that provides me
5 with no confidence that they are looking out for
6 anyone but themselves.

7 I also find it very interesting that
8 the majority of the landowners that are leasing
9 the land are not here tonight, defending this
10 project. Speak volumes, doesn't it?

11 Thank you.

12 JUDGE DAVIS: Thank you for your
13 testimony. Our next witness is Ryan Brenneman.

14 MS. BRENNEMAN: He went home.

15 JUDGE DAVIS: Do we have a Bruce
16 Dukeman?

17 MS. BECKSTEDT: He has left.

18 JUDGE DAVIS: Dave Belton?

19 - - -

20 DAVID BELTON,
21 Being first duly sworn/affirmed, testified as
22 follows:

23 - - -

24 JUDGE DAVIS: Please state and spell
25 your name for the record.

1 MR. BELTON: David Belton,
2 B-E-L-T-O-N.

3 JUDGE DAVIS: Your address?

4 MR. BELTON: My home address is 4025
5 Yellowwood Street, Lima, Ohio, 45806. Our business
6 address is 2530 Fort Amanda Road, Lima, 45804.

7 JUDGE DAVIS: And do you live or work
8 within the project area?

9 MR. BELTON: Yes.

10 JUDGE DAVIS: And you are part of an
11 intervening group?

12 MR. BELTON: Yes, I am.

13 JUDGE DAVIS: Go ahead, sir.

14 MR. BELTON: Okay. You guys have had
15 many facts placed before you of all the things as
16 far as environmental projects, environmental
17 information, all those facts have been presented.
18 They've been presented multiple times over
19 multiple meetings. I'm here to tell you about
20 life.

21 I grew up in Shawnee Township. I
22 moved here when I was 12 years old. I've lived
23 here for a total of 58 years. The community has
24 provided me a job. I worked at the fire
25 department for 28 1/2 years, and retired there. I

1 also serve as a trustee and finishing up my term,
2 which will be the end of my political career, this
3 year, December 31st. I have seen our community
4 grow.

5 We moved there in the '60's when the
6 growth was taking place very quickly. It was by
7 design the way the growth took place, where
8 subdivisions went, where housing went, where
9 businesses went, and industrial complexes and so
10 on. And now we have a plan, a comprehensive land
11 plan that was designed the rest of 2009 and will
12 expire in 2026.

13 This project does not conform to that
14 plan whatsoever. We have industrial areas set
15 aside for expansions. We have manufacturing
16 business areas set aside for incoming businesses.
17 Those are all existing. It's how our community
18 has been cohesive as we've moved along.

19 I'm very proud of our community. We
20 have good schools, we have good people. We have a
21 lot of businesspeople living in our area. They
22 contribute to our community in many different
23 ways. We have an excellent school system and very
24 few of our levies have ever failed with our school
25 system. And the same with our township levies,

1 very, very few have ever failed. I can only bring
2 up one, to my knowledge, that actually failed.

3 So this community has been stable.

4 On October 8, 2020, we met with a Lightsource BP
5 representative and a local investor. We were told
6 what a glorious plan to bring a large industrial
7 project with a large footprint to our area. It
8 sounded great.

9 We would have to have hotels and
10 restaurants built to accommodate all the workers
11 that would be at this facility. Then they said
12 they'd be there 14 months. That is no plan. No
13 investor is going to build a hotel or a restaurant
14 for 14 months of work. It'd be crazy.

15 We were told it'd be hundreds of jobs
16 coming in. They're not going to last long, 18
17 months at the most. Then we get five people.
18 That is not a great impact on the revenue to the
19 economic part of our township.

20 On November 9, we had a board
21 meeting. There was a resolution passed with this
22 project to oppose this and it was sent to our
23 Allen County Commissioners. It was an open
24 meeting, there was every opportunity for everyone
25 to attend. We had to make arrangements for a

1 larger facility.

2 One of the things that really bothers
3 me with this project is the property owners with
4 this, whether they be landowners that are leasing
5 their land or living there is that they have
6 property rights. Everyone does if you own
7 property, you have those rights.

8 When you purchase your property, you
9 are told what your right-of-way is and where your
10 property line is. Those are used for setbacks and
11 zoning with that. Yet, in this project, we have
12 an industry coming in and saying we're going to
13 measure from the center of your house.

14 I know of no zoning that takes place
15 in Allen County that measures from the center of
16 the house. I have a very good friend of mine --
17 she's already spoken this evening -- who actually
18 the 300 feet will be at their property line. It
19 will not extend any farther. I don't see how
20 that's right.

21 You can't build another house that
22 close to theirs or any other adjacent building
23 from the adjacent property because it has to have
24 the proper setbacks and it's been set through our
25 zoning.

1 Any of the new businesses that come
2 in to ours, the amount of hoops that they have to
3 jump through to build a building or to build a
4 plant in that is almost overwhelming. It's
5 difficult for them, the amount of permits they
6 have to go through, the amount of planning that
7 has to be reviewed through regional planning and
8 our local planning.

9 It is just unbelievable that that is
10 not required for an industrial project such as
11 this solar farm. They call it an industrial
12 project. That was what was told to us, yet, they
13 come in and use it under agricultural.

14 No one else has that advantage and it
15 doesn't seem proper and it affects our community.
16 If the government subsidies did not exist, this
17 plant probably would not ever been in existence or
18 thought of because there would be no way they
19 could afford to build it.

20 I did say, as was mentioned before,
21 one of the largest things driving this project is
22 immediate access to the electrical grid. There's
23 a substation located on Sellers Road. It's been
24 there for many, many years -- as long as I've
25 lived here. They expanded that facility

1 approximately about ten years ago because they're
2 anticipating bringing transmission lines down out
3 of Paulding and Van Wert County to feed into the
4 grid. That project was defeated by public -- what
5 do I want to say -- public interest or whatever
6 that that project no longer exists.

7 So this was primed and ready to go.
8 And that's how the project comes to our community.
9 It affects our community very much deeply so.

10 The long-term issues, many of these
11 are unknown. It's been explained before. I don't
12 know that I need to go into any detail on that.

13 Probably the best thing that goes to
14 this is an analogy that states, if it sounds too
15 good to be true, it probable is.

16 Thank you.

17 JUDGE DAVIS: Thank you very much.

18 Any questions?

19 JUDGE WILLIAMS: I can attest we've
20 had a number of sheets going back and forth and we
21 are moving names to and fro. I believe that's our
22 last witness. I'm not seeing any hands go up.

23 With that then, I want to thank
24 everyone who appeared today. I want to thank
25 everybody who stayed to the end.

1 This concludes the testimony. We
2 appreciate your participation and we are
3 concluded.

4 Thank you.

5 (Thereupon, the hearing adjourned at
6 11:44 p.m.)

7 - - -

12 I further certify that this
13 deposition was taken at the time and place in the
14 foregoing caption specified and that I am not a
15 relative, counsel or attorney of either party or
16 otherwise interested in the outcome of this
17 action.

18 IN WITNESS WHEREOF, I have hereunto
19 set my hand and affix my seal of office this 9th
20 day of November, 2021.

22 Susan E. Ingraham, RPR
Notary Public in and for the
State of Ohio.

24 My Commission Expires September 1, 2025.

25

**This foregoing document was electronically filed with the Public Utilities
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11/10/2021 9:39:31 AM

in

Case No(s). 20-1605-EL-BGN

Summary: Transcript Transcript of 11-4-21 Public Meeting in case of Birch Solar 1,
LLC. electronically filed by Ms. Marie B. Fresch on behalf of Marie B. Fresch &
Associates