PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF

BIRCH SOLAR 1, LLC,

FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

CASE #20-1605-EL-BGN

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

Date and Time: Thursday, November 4, 2021 6:00 p.m.

Place: Allen County Fairground 2750 Harding Highway Lima, Ohio

Reporter: Susan E. Ingraham, RPR,

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<table>
<thead>
<tr>
<th>Name</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas W. Hull</td>
<td>13</td>
</tr>
<tr>
<td>Kathy Hull</td>
<td>20</td>
</tr>
<tr>
<td>John Spring/Paula</td>
<td>28</td>
</tr>
<tr>
<td>Frank Caprilla</td>
<td>35</td>
</tr>
<tr>
<td>Greg Mescher</td>
<td>40</td>
</tr>
<tr>
<td>Julie Mescher</td>
<td>45</td>
</tr>
<tr>
<td>Deb Gronas</td>
<td>52</td>
</tr>
<tr>
<td>Chuck Gronas</td>
<td>56</td>
</tr>
<tr>
<td>Jed Metzger</td>
<td>61</td>
</tr>
<tr>
<td>R.J. Horwitz</td>
<td>67</td>
</tr>
<tr>
<td>Marin Harbur</td>
<td>73</td>
</tr>
<tr>
<td>Sara Chappell-Dick</td>
<td>77</td>
</tr>
<tr>
<td>Sarah Woods</td>
<td>80</td>
</tr>
<tr>
<td>Rae Neal</td>
<td>81</td>
</tr>
<tr>
<td>Joyce Hutchison</td>
<td>84</td>
</tr>
<tr>
<td>Jude Meyers</td>
<td>90</td>
</tr>
<tr>
<td>Roger Buzard</td>
<td>94</td>
</tr>
<tr>
<td>Dawn Christen</td>
<td>100</td>
</tr>
<tr>
<td>Wendy Chappell-Dick</td>
<td>107</td>
</tr>
<tr>
<td>Sharon Wildermuth</td>
<td>111</td>
</tr>
<tr>
<td>Tim Luce Wireman</td>
<td>113</td>
</tr>
<tr>
<td>Cory Noonon</td>
<td>119</td>
</tr>
<tr>
<td></td>
<td>Name</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------</td>
</tr>
<tr>
<td>1</td>
<td>Steve Kayatin</td>
</tr>
<tr>
<td>2</td>
<td>Ashley Meyer</td>
</tr>
<tr>
<td>3</td>
<td>Brian Dicken</td>
</tr>
<tr>
<td>4</td>
<td>Kip Siesel</td>
</tr>
<tr>
<td>5</td>
<td>Linda Krendl</td>
</tr>
<tr>
<td>6</td>
<td>Drew Mantenieks</td>
</tr>
<tr>
<td>7</td>
<td>Carole Daley</td>
</tr>
<tr>
<td>8</td>
<td>Sandra Little</td>
</tr>
<tr>
<td>9</td>
<td>Richard Sutton</td>
</tr>
<tr>
<td>10</td>
<td>Lauren Logan</td>
</tr>
<tr>
<td>11</td>
<td>Daniel Newkirk</td>
</tr>
<tr>
<td>12</td>
<td>Andy Chappell-Dick</td>
</tr>
<tr>
<td>13</td>
<td>Jason Carpenter</td>
</tr>
<tr>
<td>14</td>
<td>Ted Allen, Jr.</td>
</tr>
<tr>
<td>15</td>
<td>Hudson Bugg</td>
</tr>
<tr>
<td>16</td>
<td>C. Ray Tolliver</td>
</tr>
<tr>
<td>17</td>
<td>Sheila Keller</td>
</tr>
<tr>
<td>18</td>
<td>Adrian Whetstone</td>
</tr>
<tr>
<td>19</td>
<td>Lori Hodosko</td>
</tr>
<tr>
<td>20</td>
<td>Bill Hodosko</td>
</tr>
<tr>
<td>21</td>
<td>John Newland</td>
</tr>
<tr>
<td>22</td>
<td>Ginny Thompson</td>
</tr>
<tr>
<td>23</td>
<td>Robert Violet</td>
</tr>
<tr>
<td>24</td>
<td>Phil Hicks</td>
</tr>
<tr>
<td>25</td>
<td>Angela Holmes</td>
</tr>
</tbody>
</table>
1  Tony Swygart ................................. 220
2  Devon Swygart .............................. 223
3  Derrick Whetstone ........................... 227
4  Sarah Norris ................................. 230
5  INTERVENORS
6  Michael Wildermuth .......................... 238
7  Chris Fisher ................................. 246
8  Linda Beckstedt .............................. 249
9  Mike Ruppert ................................. 253
10  Ellen Wieging ............................... 255
11  Ann Fisher ................................. 257
12  Stacy Brenneman ............................. 265
13  David Belton ............................... 269
14
15
16
17
18
19
20
21
22
23
24
25
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.
On behalf of the Applicant, Birch Solar 1, the law firm of Dickinson Wright by Christine Pirik and Matt McDonnell, 150 East Gay Street, Columbus, Ohio, 43215.

JUDGE WILLIAMS: Thank you, Ms. Pirik.

Anybody here on behalf of Board staff as counsel?

I don't see anyone.

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

Against Birch Solar?

MR. THOMPSON: Here.

JUDGE WILLIAMS: Your name, sir?

MR. THOMPSON: Jim Thompson.

JUDGE WILLIAMS: Auglaize County?

Logan Township?

The Ohio Farm Bureau?

Ryan and Matthew Kalnins?

Allen/Auglaize County Reasonable Energy?

MR. WILDERMUTH: Here. Michael Wildermuth.
JUDGE WILLIAMS: Thank you, sir.

International Brotherhood of Electrical Workers?

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

JUDGE WILLIAMS: Thank you, Mr. Dove.

Shawnee Township?

MR. BELTON: Nate Belton.

JUDGE WILLIAMS: Thank you, Mr. Belton.

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

The subject of tonight's hearing is an application filed by Birch Solar for the purpose of constructing and operating a 300 megawatt solar-powered electric generation facility in Shawnee Township, which is in Allen County and Logan Township, which is in Auglaize County, Ohio. The proposed project would occupy approximately 1,410 acres for construction and operation.
Birch Solar application was filed on February 12, 2021, and was supplemented March 25, March 31, and April 5, 2021. I would also note that the Board staff filed a Report of Investigation on October 20, 2021. This report is a recommendation from the Board staff and does not necessarily reflect what the Board's final determination in the case will be.

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

The public hearing is not a question-and-answer session, but it is an opportunity to let the Board know what you think about the proposed project. Today's public hearing is only one aspect of the process in this case. An evidentiary hearing is scheduled to begin on November 30, 2021, as described in the Entry of ALJ Davis on August 13, 2021. The purpose of the evidentiary hearing is for the parties in this case, including the Applicant, the intervenors, and the Board staff to provide testimony and other evidence regarding the
Tonight's hearing is being transcribed by a court reporter, Susan Ingraham. If you plan to testify, please speak clearly so that she can accurately reflect your comments on the record. Please make sure you verbally respond to all questions asked of you so your responses can be properly transcribed.

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

Traditionally, the Board has encouraged testimony at local public hearings of persons who are not parties to the case -- that is, those who have not formally intervened as parties. The reason for that approach is as a courtesy to those who have not joined in the case
as formal parties, because the local public hearing is the only opportunity for non-intervenors to provide the Board with their sworn testimony so that their positions are known without having to go through the formal litigation process. With that background understanding, I note that the ALJs do not intend to prohibit intervenors from testifying tonight.

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

Lastly, I want to note and reinforce that intervenors are not penalized whether they decide to testify tonight or not as tonight is the only opportunity for nonparties to testify as to the project, and intervenors have the right to testify at the evidentiary hearing, we're prioritizing non-intervenor testimony, but intervenors are equally entitled to be heard in
this case, either tonight or during the upcoming
evidentiary hearing.

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

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

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

    At this time we are going to begin by
calling our first witness. As we call each
witness, we'll swear you in, confirm your name and
address, ask if you will live or work in the
project area and confirm if you are an intervenor in the case.

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

JUDGE WILLIAM: Yes, Ms. Pirik.

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

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

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

JUDGE WILLIAMS: Within reason, correct. We're not going to have 100 different people from an organization providing lay-person testimony at the evidentiary hearing, but, generally speaking, we're not going to prohibit that testimony.
MS. PIRIK: Thank you.

JUDGE WILLIAMS: Any other clarification points?

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

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

MR. MCDONNELL: I don't think so.

JUDGE WILLIAMS: Great.

Good evening, Mr. Hull.

MR. HULL: Good evening.

- - -

THOMAS HULL,

Being first duly sworn was examined/testified as follows:

- - -

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

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

JUDGE WILLIAMS: And your address, including the township.

MR. HULL: 4405 West Breese Road. It would be Shawnee Township.
JUDGE WILLIAMS: Thank you.
Do you reside or work within the project area?
MR. HULL: Yes.
JUDGE WILLIAMS: Are you an intervenor in the case?
MR. HULL: No.
JUDGE WILLIAMS: Please proceed.
MR. HULL: Yes. I agree with the majority of residents and leaders of Allen and Auglaize Counties that do not want Birch Solar in our area. I've lived in this rural area since birth and have practiced in the field of mental health for the past 36 years.

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

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

The flooding that will be caused by
the redirection of storm water into areas that have a long history of flooding.

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

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

We're talking about 900 acres of fencing. Solar and industrial fields are not considered green -- I don't even know why we call them a farm. They create a wall of metal fencing.
Let's not make the same mistake that urban communities have made by eliminating green space and putting a barrier of shrubs and other plants next to the fences. This does not compensate for the loss.

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

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

Once I started reading and doing more research, I was really surprised that we're not considering these things when we talk about solar fields. The research on electromagnetic fields exposure has been found to increase malignant
brain tumors in children, leukemia in children between the ages of three and four, increase in hyperactivity in children and teens -- and that's the main area that I treat in this area. Increase in depression for all ages, increase in depression, psychosis, hostility, anxiety in adults who are exposed to EMF. And this is based on research dealing with electricians who have been subject to high exposure of EMF.

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

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

In summary, our community does not want to make the same mistakes that have been made when fossil fuels were introduced and marketed as a way of making money and advanced the economy. The fossil fuel in our country ignored the warnings from environmentalists, medical community and research on the dangers of fossil fuels to our community and physical health.
Solar fields are a danger to the environment and also to the physical and mental health of people. Apparently, the farmers whose land is involved in this project are aware of these potential harmful effects of solar projects because the solar fields are not surrounding their homes, not even their relatives that live in the same area.

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

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

JUDGE WILLIAMS: Thank you for your testimony.

MR. HULL: One more thing.

JUDGE WILLIAMS: I'm sorry, I thought you were finished.
MR. HULL: I was turning the page. There's an EMF pioneer and Nobel Prize nominee, Dr. Robert Becker who states that the greatest polluting element in the earth's environment is the proliferation of electromagnetic fields. Auglaize and Allen County residents do not want to contribute to this proliferation of electromagnetic fields and create another pandemic of physical and mental health concerns.

This project needs to be denied.

JUDGE WILLIAMS: Thank you, Mr. Hull. I invite any questions from intervenors.

I don't see any questions.

Any questions from the Bench? No.

Thank you, Mr. Hull, for your testimony.

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

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

- - -
KATHY HULL,

Being first duly sworn/affirmed, testified as follows:

- - -

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

MS. HULL: It's Kathy Hull.

JUDGE WILLIAMS: Your address including the township.

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

JUDGE WILLIAMS: Do you live within the project area?

MS. HULL: Yes, 50 feet.

JUDGE WILLIAMS: You're not an intervenor?

MS. HULL: No.

JUDGE WILLIAMS: Please proceed.

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

So I'm asking you to deny this
project so don't poison my land -- that's the
movie is don't poison my land, I think.

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

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

My first concern is this is not a
necessary project for this area. There's no
benefit for this area. This is a want, not a
need. It's a want from one company -- it is not
even an American company, it's not even a local
company. They don't have any ownership in this community. They have nothing invested in the community. They're just here for one reason only and that's to make a profit.

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

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

I'm also really concerned about the health effects from living so close to a solar field. The electromagnetic force on our bodies, our drinking water supply from our well being contaminated and our septic system being flooded.
I'm concerned with the potential harm from the corrosion of the solar panels as they age. The chemicals have to go somewhere, which could potentially be my well. I'm told that chemicals used in the construction of the panels and the coating on the outside of the panels are potentially dangerous to humans if consumed. Our well is not even very deep. It's less than a 100 feet -- I'm guessing 65 to 100 feet. So because our well is so shallow and our property is so close, we would be one of the first residents that's affected.

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

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

As I said before, our property's not technically bordering the field. It's much closer
than BP acknowledges. BP wishes to use the center of my property as a point used for a buffer. My bedroom is much closer than the center of our property to the field. That means if this is allowed, I could be sleeping about 100 feet away from the electromagnetic fields. I would not be able to escape it. My sleep would definitely be affected. The stress on our bodies from the electromagnetic forces alone would take a toll on our health, both physically and mentally. This is my home where I sleep and where I live. My mental health will be affected.

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

With all the holes being drilled into the ground, a lot of damage will be done to the field tiles. The creek next to our property already floods. Our home will be subject to flooding. Our septic system will be in jeopardy of flooding, our water supply will be contaminated.
I'm also concerned about the property values declining. When we go to sell our home, buyers will simply overlook our home and decide on another home that is not next to a solar field. We have a beautiful home and it should sell fast. If we do find a buyer, it will take an extended amount of time to sell it. Our lives will be put on hold and that's precious time wasted. You can't put a value on time in life.

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

And I had a headache. My head was throbbing. I remember it. I clearly remember it. How are we supposed to carry on with our lives when the constant pounding is right next to us? I cannot endure this pounding and earth moving being so close, even for a day. This is my home. I'm supposed to -- how am I supposed to cope with
mental anguish day after day and night after night, and then for months on end also.

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

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

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

So why is this project so important to Shawnee. It's not important to Shawnee. It's
only important to the people who want to make the money on this. So is it worth it? I don't think it is. So, please, deny this project.

Thank you.

JUDGE WILLIAMS: Thank you, Ms. Hull. Any questions from the intervenors?

MS. PIRIK: None here.

JUDGE WILLIAMS: Okay. Thank you for your testimony.

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

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

MR. SPRING: Yes.

JUDGE WILLIAMS: I see a hand raised.

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

JUDGE WILLIAMS: We will do our best. We're going to let people finish. As long as they're not grossly repeating prior testimony and they're advancing their arguments, I don't intend to cut people off. We expect that the testimony is going to be generally within five minutes.
So we have John and Paula Spring.

MR. SPRING: Correct.

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

---

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

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

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

JUDGE WILLIAMS: And your address, including township.

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

JUDGE WILLIAMS: Do you live within the project area?

MR. SPRING: That's correct.

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

MR. SPRING: No.
JUDGE WILLIAMS: Please proceed.

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

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

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

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

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

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

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

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

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

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

MR. SPRING: That's correct.

JUDGE WILLIAMS: Please proceed.

MR. SPRING: So we and others have many wildlife pictures, including eagles, deer, coyote, fox, geese, ducks, and turkey. And if you take a look at Picture 3, that's just a herd of deer right in our backyard and we see these every
Number 4's a red fox. I just took this two weeks ago. It's literally running to the field where the solar complex is going in, so to give you a perspective on that.

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

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

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

Then the next one I want to talk about is flooding. My understanding is these field tiles were installed around 40 to 50 years
ago. Currently in the spring, the field south of us floods over the road and into the fields besides us. If you see Picture 6, that's the field directly across the south part I've been talking about this whole time.

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

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

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

Then, of course, we get to the property value. On my road, property values presently vary to from $200,000 to $500,000. Birch Solar is offering 10,000 per side for
For us, it's one side. The unknown, what effect will this have? Could it be a 15, 20 percent effect on our property value? We don't know.

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

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

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

So thank you for listening to our testimony.

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

MR. SPRING: That's true.

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

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

JUDGE WILLIAMS: So the pictures of deer --

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

JUDGE WILLIAMS: The fox?

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

JUDGE WILLIAMS: And the bald eagle?

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

JUDGE WILLIAMS: Just a general idea.

Thank you, sir. And then the flooding pictures, 6
and 7, when were those taken?

MR. SPRING: That was in April and May.

JUDGE WILLIAMS: Of this year?

MR. SPRING: Of this year, correct.

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

JUDGE DAVIS: No.

JUDGE WILLIAMS: Anything from anybody else?

Thank you for your testimony.

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

FRANK CAPRILLA,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE WILLIAMS: And your address,
including township.

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

JUDGE WILLIAMS: You're in the project area.

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

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

MR. CAPRILLA: I am not.

JUDGE WILLIAMS: Please proceed.

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

My wife and I own and operate R.J. Pets, a board facility right there at our property, a business that's been there since the early '90s and my wife and I took it over in 2002. Our families are life-long residents of Shawnee and we all support the farmers' rights to use their land as they see fit in accordance with Ohio law.
Ohio Revised Code 519.21 states in Section C, Paragraph 3, bio-diesel production, bio-mass energy production, or electric, or heat energy production, if the land qualifies as land devoted exclusively agricultural use.

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

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

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

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

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

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

It has been my experience that Lightsource BP has been more than willing to conform to requests and expectations from all agencies involved, as well as taken many opportunities to hear concerns from area residents, making changes to their plans to help address many of those concerns. As recently as
last week when the advisory panel made recommendations, Lightsource BP immediately began to address those concerns as well.

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

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

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

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

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

Anything from the intervenors? Thank you for your testimony tonight.

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

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GREG MESCHER,

Being first duly sworn/affirmed, testified as follows:

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

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

JUDGE WILLIAMS: Your address, including township.

MR. MESCHER: 20997 Wapakoneta-Cridersville Road, Duchouquet Township.
JUDGE WILLIAMS: You are in the project area?

MR. MESCHER: Yes. Adjacent landowner.

JUDGE WILLIAMS: You're not an intervenor?

MR. MESCHER: No.

JUDGE WILLIAMS: Please proceed.

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

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

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

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

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

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

I had liability concerns about water
damage. Is the landowner responsible for anything that could be occurred after the development of the project or is the developer responsible for anything that could occur after this project?

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

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

To date, I've not received any more information from him, despite being told I would. All our attempts to contact have been answered with an automated message that, quote, the user is not receiving calls at this time -- including the phone call I placed this morning, just to do due diligence before this hearing in an attempt to reach out one more time. I had no option to leave a voicemail at those times either.
If this is how Birch Solar presents its Good Neighbor program, I'd rather they move out of the neighborhood.

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

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

Thank you.

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

Any questions from intervenors?

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

MR. MESCHER: There is. I didn't use it because I had spoken to him on the phone previously and figured I could just continue that conversation.
JUDGE WILLIAMS: Okay. Well, certainly, tonight's testimony is part of the record and the Applicant may or may not reach out to tonight's testimony.

MR. MESCHER: Hopefully so. Thank you.

JUDGE WILLIAMS: Thank you, sir. Our next witness is Julie Mescher and then our on-deck witness is Deb Gronas.

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

JUDGE WILLIAMS: Thank you, Ms. Mescher.

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

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

MS. MESCHER: Julie Mescher, J-U-L-I-E, M-E-S-C-H-E-R.
JUDGE WILLIAMS: Your address, including township?

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

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

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

JUDGE WILLIAMS: Please proceed with your testimony.

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

As a rural landowner, I have a well on my property that supplies all the water to my household and my family. My understanding is that these solar panels will be safe under the best of circumstances, but what about less than ideal circumstances?
I've lived in this area my entire life. We have a large amount of bad storms with high winds, as well as tornados. Can Lightsource BP make guarantees regarding the leaching of chemicals and heavy metals into the groundwater when these are the conditions here? Thirty to forty years is a long time and during that time there will be broken solar panels and what will be the outcome of that.

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

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

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

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

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

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

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

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

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

Thank you.

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

MS. MESCHER: Correct.

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

MS. MESCHER: They're taken from the same spot. One is looking towards the road, which would be more towards the east. And the one in your hand, I believe, is looking kind of northwest
across the field that would be included in the project.

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

MS. MESCHER: A portion of it, correct.

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

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

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

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

JUDGE WILLIAMS: Anything from the intervenors?

MS. PIRIK: Your Honor, we don't have any questions, but we did want to apologize for the misunderstanding about Mr. Powell's phone number as well as any confusion on that. Mr. Powell is no longer with the project. However, since the time the application was filed in February, the notices that have been sent out have
provided the correct address and phone number as well as the website has the correct.

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

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

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

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

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

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

Good evening, Ms. Cronas.

MS. GRONAS: It's Gronas.

JUDGE WILLIAMS: That's a G?

MS. GRONAS: That's a G.

-- --

DEB GRONAS,

Being first duly sworn/affirmed, testified as follows:

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

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

JUDGE WILLIAMS: You are in the project area?

MS. GRONAS: Yes.

JUDGE WILLIAMS: Are you an intervenor in the case?

MS. GRONAS: No.

JUDGE WILLIAMS: Please proceed.

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

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

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

I'm worried about the construction.

Ms. Montana stated at a public meeting that they
anticipate about two trucks an hour. I don't think that's reasonable or true. My mother lives east of Lima, was disturbed by the constant dump truck traffic so much that she followed the trucks to the one 100-acre solar project in Hardin County. So there were way more than two trucks. During the construction also the soil is compacted. According to studies from Temple University and the University of California, the compacted soil increases the runoff, the flooding. It also -- there's a possibility of damage to the panels in storms that creates contamination for the soil, the water, and wells that a lot of people depend on.

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

A large solar farm increases -- and this is according to studies from the University of Michigan, the University of Maryland, the University of Arizona -- say that large solar fields increase the temperature 5.4 to 7.2
degrees. It only happens in the summer because the production of the solar panels is much reduced in the winter.

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

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

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

JUDGE WILLIAMS: Thank you, Ms. Gronas.

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

Okay. Thank you.

Our next witness is Chuck Gronas and then after that, our on-deck witness will be Jed Metzger.
Good evening, Mr. Gronas.

MR. GRONAS: Good evening.

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CHUCK GRONAS,

Being first duly sworn/affirmed, testified as follows:

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

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

JUDGE WILLIAMS: And your address, including township?

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

JUDGE WILLIAMS: You are within the project area?

MR. GRONAS: Yes, sir.

JUDGE WILLIAMS: And you're not an intervenor?

MR. GRONAS: No.

JUDGE WILLIAMS: Please proceed.

MR. GRONAS: When my wife and I purchased our property 30-some years ago, it was quite beautiful, but we did recognize that there
was about six tenths of a mile from us a substation and power lines that ran across the field across the road from our house. We figured at that time that this might be a good thing because there'd probably be no housing developments because who would want to build a house under high tension lines.

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

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

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

What will driving 142,000 pylons into
compacted dirt, compacted fields cause as runoff water? What will be the effect on the wells and the aquifer in the area of runoff water? Where will all this water go?

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

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

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

Secondly, calling into question the reputation of the companies who are represented by Birch Solar. British Petroleum for one. British Petroleum was here once before. They threatened to leave us high and dry as they couldn't find a seller. Luckily, a buyer came forward at that
time and purchased the refinery which covers 650 acres in Shawnee Township.

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

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

I'd say about Lightsource BP, the CEO of Lightsource -- I'm not calling into question his integrity -- was also the CEO of an abandoned project in Crescent Dune in Nevada. This project was the largest failure of solar panel projects in the history of the United States. Bloomberg magazine says it cost the United States taxpayers $580 million. The CEO of that project in Nevada is also the CEO of this project here in Ohio. Of
course, he left 30 days before the company filed
for bankruptcy in Nevada.

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

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

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

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

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

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

Thank you.

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

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

JED METZGER,

Being first duly sworn/affirmed, testified as follows:
JUDGE WILLIAMS: Please state your name and spell it for the record.


JUDGE WILLIAMS: Are you in the project area?

MR. METZGER: I am not.

JUDGE WILLIAMS: Are you an intervenor in the case?

MR. METZGER: No.

JUDGE WILLIAMS: Please proceed.

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

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

We welcome the investments that create good-paying jobs here, new tax revenues and
opportunities to diversify the local economy. The proposed Birch Solar project in Allen County is one of those opportunities invested by renewal energy companies in our neighboring communities and now in our own community -- we can see a once-in-a-generation opportunity right here in our community.

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

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

In getting to know more about Birch Solar project and its developer, Lightsource BP, they have always been responsive to and have answered questions. They have addressed issues that I've presented to them on both sides of the argument. They have addressed those concerns and
have demonstrated a commitment to be responsible.

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

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

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

The impact of the proposed Pilot project on the school funding is significant. Approximately a total of $1.5 million will be provided to local school districts annually. Additionally, economic investments would occur; 400 construction jobs with 80 percent or more, my
understanding, or more local, 337 million private
capital investment to fund the project, and
4.6 million annual operational budget primarily
spent in the region.

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

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

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

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

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

UNIDENTIFIED VOICE: I have a question.

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

Thank you, sir.

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

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


JUDGE WILLIAMS: Thank you. Your address?

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

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

MR. HORWITZ: I don't believe
immediately, but, however, I believe that Auglaize County will be benefitting at some point if this is to go through.

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

  MR. HORWITZ: No.

  -- --

  R.J. HORWITZ,

Being first duly sworn/affirmed, testified as follows:

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  JUDGE WILLIAMS: Please proceed.

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

  To speak about that, I won't go too much into it after reading annual reports going back decades ago, but they are the type of corporate sponsor that you would want in this type of project because they are accountable when there
is a disaster going on. Most recent one was the Exxon Valdez, BP, and, of course, they became completely accountable, responsible for that and they spent billions of dollars. That was a real disaster.

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

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

Our energy consumption (snapped fingers) went immediately down as soon as we plugged them in. Energy is the key to everything
that we do going forward. Now, we talk about the
Chinese. They're forward thinking, they're very
long forward planners in what they do.

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

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

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

Electrical charging stations. We are
the first -- going back to Bloom, we're the first
apartment complex, in my understanding, six-county
area to install electric vehicle charging station
for the benefit of anybody that comes downtown and
they need one.

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

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

My father begged me not to handcuff
myself to the chain link fence in protest -- it
could ruin my chance of getting into law school.
But the point being is that nuclear has real
infrastructure, environmental issues. If you
don't believe me, look up Fukushima, the nuclear
disaster that happened in Fukushima, and it's
still going on today. And by the way, don't eat
Pacific tuna because they migrate through that water.

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

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

UNIDENTIFIED VOICE: Time.

MR. HORWITZ: I understand that I've been going on and on, but this is a situation that we can embrace the new technologies of the day.
UNIDENTIFIED VOICE: Not in somebody's back yard.

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

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

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

JUDGE WILLIAMS: Thank you, sir. Any questions from intervenors? All right. Thank you for your
testimony.

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MARIN HARBUR,

Being first duly sworn/affirmed, testified as follows:

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


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

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

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

DR. HARBUR: No.

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

DR. HARBUR: No.

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

DR. HARBUR: Okay. I am here, not as a student of YouTube or Google, but as a person who holds multiple graduate degrees in
agriculture, including a master's in soil science, a PhD in agronomy, and a co-PhD in ecology and evolutionary biology. So I'm here tonight to address some of the inaccuracies that I hear repeated in others' testimony.

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

How many of you are farmers?

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

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

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

This idea that we're going to have an increase in flooding because of this development project is nonsense. The flooding we have right
now is because of the tile systems that are in place. I hear opponents to this project arguing both that flooding is going to increase because the tiles are disrupted. Well, at the same time not acknowledging that those tiles systems are in place to move massive amounts of water in the short amount of time into those drainage ditches into the roadways.

And I also see the complaints against this project, not addressing the effects of climate change that are going to lead to more flooding, that are going to lead to shifts in wildlife that are going to change the very agriculture that they pretend to want to protect. Okay. This is my bread and butter and climate is changing. And I conduct and supervise research increase across the midwest. I know what is going on with the droughts that we see.

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

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

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

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

We need money in our schools so that we can have STEM programs, so that we can
distinguish between science and fantasy.

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

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

JUDGE DAVIS: Are there any questions from the intervenors?

Our next witness is Sara Chappell.

SARA CHAPPELL-DICK,

Being first duly sworn/affirmed, testified as follows:

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

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

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

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

MS. CHAPPELL-DICK: No.

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

MS. CHAPPELL-DICK: No.

JUDGE DAVIS: You may proceed.

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

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

To deny this reality is short-sighted. It may not happen in my parents'
lifetime, if they are lucky, but it may happen in mine and will likely be a major issue in my children's lifetime -- my parents' grandchildren and your grandchildren.

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

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

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

Thank you.

JUDGE DAVIS: Any questions from the
Our next witness is Sarah Woods.

SARAH WOODS

Being first duly sworn/affirmed, testified as follows:

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


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

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

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

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

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

MS. WOODS: No.

JUDGE DAVIS: You may proceed.

MS. WOODS: So my name is Sarah and I was born and raised in Shawnee area and in Allen
County. I am in strong support of this Birch Solar project. I believe investing in this clean, renewable energy is vital to the economic and environmental development of Allen and Auglaize Counties.

Thank you.

JUDGE DAVIS: Any questions from intervenors?

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

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RAE NEAL

Being first duly sworn/affirmed, testified as follows:

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

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

JUDGE WILLIAMS: Are you part of an intervenor group?

MS. NEAL: No.

JUDGE DAVIS: You may proceed.

MS. NEAL: I'm here today to share
with you a letter -- actually, I'm part of an organization called the Ohio Clinicians for Climate Action. We are a group of healthcare providers that recognize that the importance of transitioning to clean energy, so I want to share this letter.

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

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

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

This is harmful to the citizens of Ohio. The Allergy and Asthma Foundation, in 2019, reported that 100 asthma, like Ohio, was one of
the top 100 asthma capitals. All of our big
cities, Akron, Cleveland, Dayton, Toledo,
Cincinnati, Columbus, it's the most challenging
for people who have asthma and lung disease.
Over 250,000 children in Ohio have
asthma. And it is a disproportionate situation,
unfortunately.
It also causes poor birth outcomes
and affects the brain size of children, and can
cause development delays. The health harms from
fossil fuels burning have been documented
extensively. We must transition to renewable
energy. Ohio cities like Cleveland, Cincinnati,
Columbus, have stepped up to fill the void that's
actually being put on us nationally right now --
to commit to 100 percent renewable energy.
We believe this transition is
essential to the population of Ohio and our
nation. As a group, we're asking to set goals to
change fossil fuels and transition to renewable
ergy by 2050. This project and projects like it
have to be awarded approval in order for us to
accomplish this transition, which is essential to
the health of Ohioans.

This letter is signed by several Ohio
chapters, the American Academy of Pediatrics, Thoracic Society, Sustainability in Medicine. The Ohio University Heritage College of Osteopathic Medicine, the Ohio Public Health Association, the Ohio Chapter of the American College of Cardiology, and the Ohio Clinicians for Climate Action, as well as a page and a half of healthcare providers who recognize the importance of this and understand that your decision on projects like this will affect all of us, our patients, and not just emotionally, but by physically and actually could cause harm and death.

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

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

Thank you for your testimony.

Our next witness is Joyce Hutchison.

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JOYCE HUTCHISON,

Being first duly sworn/affirmed, testified as follows:

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

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

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

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

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

MS. HUTCHISON: I am not.

JUDGE DAVIS: You may proceed.

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

I've lived in the Shawnee area pretty much all of my adult life. Being a teacher, I'm concerned about the funding for the Shawnee
schools. It is a very good system and we owe it to our children to ensure the continuance of this reputation.

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

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

That is not going to be the case for each of us, but I would encourage you to take a look at how these things are affecting us.
individually. Again, the schools, township, et cetera, need funds and these funds are available to us at no cost by supporting the solar project. If we consider supporting the solar project based on information from Birch Solar, over the course of the 25-year contract approximately $30 million will go to Shawnee schools, about $20 million to the Township and a lesser amount to Allen County. That is approximately 2.5 million new additional dollars into the school, township, and county each year. 2.5 million.

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

I would invite you to read more about these figures on the Birch Solar website. In regards to the Pilot agreement, if it is accepted by the county, approximately a quarter of the Pilot would be allocated to the township, meaning each year, the township can allocate funds where needed, whether it's fire, police, roads, or whatever.
With the Pilot agreement, the amount of tax remains the same over time without depreciation, making it easier to plan expenditures. In my experience as a farmer wife, landowner, each year we deal with the fertilization costs -- fertilizer costs, sorry -- the rise and fall of commodity prices, the weather -- like we're dealing with now trying to get the crops out of the field -- along with many other variables.

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

You can be certain we are looking out for not only ourselves, but our current and future young farmers. One way we are doing this is to ensure that our farm ground is restored to its current state at the conclusion of the contract and that it has the opportunity to once, again, be used to harvest crops instead of power.
Our research shows that the developer of the solar project has an obligation to purchase a bond which ensures money for proper disposal of panels at the end of the contract and the restoration of the farmland to its current state.

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

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

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

Thank you.

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

Thank you for your testimony.
With that said, it's about 7:38 right now, so I think we can go ahead and take about a
15-minute break.

(Thereupon, a break was taken.)

JUDGE DAVIS: Our next witness is Jude Meyers.

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JUDE MEYERS,

Being first duly sworn/affirmed, testified as
follows:

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

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

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

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

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

MR. MEYERS: No, I'm not.
JUDGE DAVIS: Thank you. You may proceed.

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

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

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

In the end of this whole thing, two
things can happen. The project can either be approved or it can be denied. If the project is denied, we'll operate as we do today, we'll operate tomorrow, and we are going to have to go to our community to continue to find ways to support the programs that we've talked about.

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

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

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

Then there's something called a Pilot program, which is unique to renewable energy. If
the Pilot would be approved and recommended, it
would have a significant financial impact on our
district because the money we would receive from
that, as many people have addressed today in
numbers, would be outside of the traditional
funding formula.

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

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

So thank you.

JUDGE DAVIS: Any question from the
intervenors?

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

MS. BUZARD: I'm an intervenor.

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

MS. BUZARD: Yes, I guess.
JUDGE DAVIS: Does that apply to our next as well?

MR. BUZARD: Yes.

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

MR. BUZARD: No, sir.

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ROGER BUZARD,

Being first duly sworn/affirmed, testified as follows:

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

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

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

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

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

MR. BUZARD: Yes.

JUDGE DAVIS: Thank you. You may
MR. BUZARD: I wanted to give two separate perspectives, one of being a homeowner living in the Shawnee community and a citizen of the State of Ohio, and them the other one is a homeowner living adjacent to the project.

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

If you study the manufacturing components of these Chinese solar panels and their true environmental impact, no serious environmentalist would be in favor of this. None. America's farmland is one of its greatest assets. This one project would take 2,345 acres out of grain production. I worked in the grain business most of my life. The first grain elevator that I managed had a capacity of 500,000 bushels. If these 2,345 acres were planted to corn with a 200-bushel per acre output, that'd fill that elevator.
This is just one project, one example of what's going on. So, basically -- I had to cut this because of five minutes -- but, you know, we are intentionally destroying our countryside.

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

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

There's no need for this project since the power isn't even being used locally. The solar facility should have a minimal environmental impact compared to other alternative forms of energy. Nuclear power and natural gas are actually greener, much more reliable and have
a much smaller footprint than solar panels. The future agricultural viability of this land would be doubtful.

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

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

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

We later discovered as more details came out, it would be placed adjacent to our property. We were going to be living in the middle of a utility plant.
We have lived at our current residence for over 23 years. We live in a wooded area next to farm fields. We're zoned agricultural. How can this happen? Immediately we started thinking of how this would affect our family and our property in general. We clearly wanted to stop this project from happening here.

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

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

It should be noted here that this project is adjacent to many houses, not like other solar projects in Ohio and other states. There
are 215 homes within a quarter mile of this project.

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

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

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

If you examine most of these solar projects closely, the people who would be living
nearby them are overwhelmingly against these projects. Our lives have been turned upside-down since we learned of this proposal. Certain people who live in this area have literally put in so much time and effort, it's like them having a second job.

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

Thank you.

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

DAWN CHRISTEN,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE DAVIS: And could you please
provide your address for the record.

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

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

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

JUDGE DAVIS: Are you part of an intervenor group?

MS. CHRISTEN: I am not.

JUDGE DAVIS: You may proceed.

MS. CHRISTEN: Thank you.

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

These workers include operators, truck drivers, electricians, iron workers, all those people that will be constructing this particular project. I'm here tonight with my
client, Shaun Enright from the Northwest Ohio Building Trades Council as well as other representatives of the local unions that I represent.

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

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

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

The Applicant's application sets forth that it's anticipated that there's 57.4 to 69.2 million in annual earnings that will be created through this project. That's construction
work for jobs in Ohio. The application states that there's 400 to 500 jobs that they anticipate to be used in construction. And those job numbers have also been touted by the CEO of Lightsource BP.

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

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

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

In their application, they specifically state that the exact distribution of local and nonregional jobs cannot be estimated. They state this even though Lightsource US has nearly 1,500 megawatts of solar assets in the
United States alone that are either already contracted, under construction, or operating within the past five years.

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

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

The purpose of our opposing this particular project is that while we, again, support responsible construction and development, there is no commitment to Ohioans from Lightsource BP. They have refused to enter into labor agreements which would confirm their commitment to the local community. They refuse to enter into labor agreements which would establish that they are adhering to the community standards, area standards for wages, benefits, and terms and conditions of employment.
They have no commitment that they will employ individuals who are trained in doing the construction jobs that they are offering. Why is this important? Birch Solar is a wholly-owned subsidiary of Lightsource US. Lightsource US's parent company is Lightsource BP. Lightsource BP is 50/50 joint venture with BP.

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

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

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

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

Thank you.

JUDGE DAVIS: Any questions from the intervenors?

MS. PIRIK: I do have one question.

JUDGE DAVIS: Yes. Go ahead.

Ms. Christen, would you please --

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

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

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

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

MS. CHRISTEN: I think my client
would be committed to supporting the project if you committed or if BP committed to 100 percent of local labor, as well as committing to that labor being done in conjunction with people who are highly skilled and trained in doing the jobs that they were trained to do and with the wages and benefits commensurate with area standards.

JUDGE WILLIAMS: Any other questions?

MS. PIRIK: No, thank you.

MS. CHRISTEN: Thank you.

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

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WENDY CHAPPELL-DICK,

Being first duly sworn/affirmed, testified as follows:

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MS. CHAPPELL-DICK: I affirm.

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


JUDGE DAVIS: And please state your
address, including the township.

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

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

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

    JUDGE DAVIS: You may proceed.

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

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

    I also talked to the naturalist who
is working for Lightsource BP, and I share a lot of concerns about the environment, about wildlife, about flooding, and water cleanliness, and so she impressed me, again, very much because the Lightsource BP plans involve natural grasses and plantings under the solar panels.

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

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

I mean, these panels are about this high up (indicating). This is not going to impinge wildlife corridors. There could be pretty
easy fixes to the fencing problem. It certainly would be much more conducive to wildlife and birds than would a conventionally farmed field.

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

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

Let's say there was a highway going through, imagine the noise or if there was a factory being built, imagine the light and the constant blaring in your bedroom windows or imagine if it was a pig farm going through and the smell of the pigs. Imagine if it was a refinery, imagine the toxic pollution that would be coming in.
All of these things are part of economic activity and considering that this is economic activity that would bring millions, the impact is really small, compared to what we have come to expect from development.

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

JUDGE DAVIS: Thank you.

Any questions from the intervenors?

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

Our next witness is Sharon Wildermuth.

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SHARON WILDERMUTH,

Being first duly sworn/affirmed, testified as follows:
JUDGE WILLIAMS: would you please state and spell your name for the record.


JUDGE WILLIAMS: Your address?


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

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

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

MS. WILDERMUTH: No.

JUDGE WILLIAMS: Please proceed.

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

With the installation of solar panels in our area, we can be a part of the solution. We
have a chance to support our local farmers and the
opportunity to support the renewable energy which
will go into our electrical grid without burning
fossil fuels which are destroying our planet, so I
approve of this project.

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

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

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

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

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

JUDGE WILLIAMS: Thank you, sir.

TIM LUCE WIREMAN,

Being first duly sworn/affirmed, testified as follows:
JUDGE WILLIAMS: Would you please state and spell your name for the record.

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

JUDGE WILLIAMS: Your address, sir?

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

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

MR. WIREMAN: I do.

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

MR. WIREMAN: No.

JUDGE WILLIAMS: Please proceed.

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

It's just that simple. Area standards for both wages, I think, are extremely important, for benefits are extremely important.
And if we don't have that kind of agreement with the company, then we don't have an agreement. It's just that simple. So even though I'm wearing one of the yellow shirts, professionally, I want to make sure we all understand each other and that is, we need to make sure that this particular project is run in such a way that the workers are paid properly and compensated properly.

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

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

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

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

So I want to make sure everybody
understands where your poisons are, because it's
definitely from coal. And since Ohio wants to
continue to do this, I want to make sure, too,
that people know that on the personal side of
this, I tell everybody we are poisoning our
environment, and we're poisoning our children, and
God bless all the youngsters that came up here to
-- because they're the future of what happens here in this country and in the world.

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

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

Are there any questions?

JUDGE WILLIAMS: Thank you, sir.

Are there any questions from the intervenors?

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

MR. WIREMAN: I am aware of that, I am aware of that. I'm not aware of any contracts that you've signed. Have you signed any contracts
to date with the building trades? That's what we're after. That's why I presented to some of your colleagues, the National Maintenance Agreement so that we can make that happen.

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

JUDGE WILLIAMS: Any other questions?

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

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

We had a Zoom meeting just last week and I didn't hear what I wanted to hear, you know, from a labor point of view. I'm glad that you came to us and said, hey, here's what we're thinking about doing. At the same time, I'm,
like, okay, so where's the offer? But I want to
make sure, too, that everybody understands the
downside to not going solar, downside to not
transitioning to renewables, that's what we need.
That's why I'm half in and half out.

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

Thank you for your testimony.

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

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CORY NOONAN,

Being first duly sworn/affirmed, testified as
follows:

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

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

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

MR. NOONAN: No.

JUDGE WILLIAMS: Are you part of an
intervening group?
MR. NOONAN: We are not.

JUDGE WILLIAMS: Please proceed.

MR. NOONAN: Appreciate the time.

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

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

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

To our constituents who shared questions and concerns, we committed to review the application once it was submitted to the Power Siting Board. Through that review and our study of many sources of information, the following
represents concerns explicitly outlined by our
local constituents.

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

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

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

Landowners asked to sign the
contracts prior to receiving their new values from
the county auditor would not have been fully informed in their agreement and the consequences of that agreement.

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

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

The cost of this plan must be recalculated every five years and the applicant must post a performance bond for the cost of decommissioning. The amount of the bond must increase if the five-year estimate shows an increase in cost, but the amount can never be lowered below the original cost.
Annual drinking water assessments of private wells needs to be provided for the 338 homes surrounding the project due to serious concerns about ground water impacts. Ground water is a nonrenewable natural resource that must be protected as it supplied the drinking water in the entire project area through private wells.

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

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

Existing drainage issues are expected to be exacerbated with the addition of solar panels. The Allen County Engineer is concerned with the impacts of the project will have on the local drainage system in our projects under maintenance. Privately-owned tile is expected to
be cut off during the installation of solar project modules.

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

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

Thank you.

JUDGE WILLIAMS: Thank you, sir.

Any questions by the intervenors?

Thank you for your testimony.

Our next witness is Steve Kayatin. Chris Fisher is an intervenor, so we'll place Chris Fisher at the end of the list. After that, our bullpen witness will be David O. Smith.

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

MR. KAYATIN: Not bad.
STEVE KAYATIN,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE WILLIAMS: Your address, sir?

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

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

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

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

MR. KAYATIN: No, sir.

JUDGE WILLIAMS: Please proceed.

MR. KAYATIN: First, I'd like to give you guys some handouts. One is the letter I had sent to the Board. I'm going to try to kind of read from that a little bit, but paraphrase along
the way. And, second, is a map that I will probably refer to -- usually I'm on the other side of the table.

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

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

One of my primary duties is to facilitate the development and expansion of our public sanitary sewer infrastructure and water, provide for the ability to expand residential, industrial, retail, commercial development within
that district.

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

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

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

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

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

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

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

The other part of my concern is the wall that's put up that -- and I know farmers have the right to do what they want to do with their property, right. But, I believe they need to do it in a manner that secures the public health and
welfare and safety of the community. I mean, everybody has to take that into consideration.

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

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

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

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

Thank you.

JUDGE DAVIS: Thank you, sir. Any questions from intervenors?
No questions. Thank you for your testimony.

Our next witness is David O. Smith. I don't see Mr. Smith present, so we will proceed with our next witness.

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

MS. MEYER: I pass.

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

ASHLEY MEYER,

Being first duly sworn/affirmed, testified as follows:

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

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

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

MS. MEYER: 4011 Shawnee Road, Shawnee Township.

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

MS. MEYER: One-mile buffer.
JUDGE DAVIS: And are you part of an intervenor group?

MS. MEYER: Nope.

JUDGE DAVIS: You may proceed.

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

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

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

As another person stated, there are eagles in this area. Destroying their habitat
would be considered a federal crime as they are majorly protected. This includes the birds themselves, their nests, the root sites, and their feathers.

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

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

I am very much so opposed.

JUDGE WILLIAMS: Any questions?

Thank you.

JUDGE DAVE: Our next witness will be Brian Dicken.

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BRIAN DICKEN, Being first duly sworn/affirmed, testified as
follows:

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

MR. DICKEN: Brian Dicken, B-R-I-A-N,

D-I-C-K-E-N.

JUDGE DAVIS: And can you please state your address?

MR. DICKEN: 300 Madison Avenue,

Toledo, Ohio 43604.

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

MR. DICKEN: No.

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

MR. DICKEN: No.

JUDGE DAVIS: You may proceed.

MR. DICKEN: Members and staff of the Ohio Power Siting Board, good evening. My name is Brian Dicken. I'm the Vice President For Advocacy and Strategic Initiatives for the Toledo Regional Chamber of Commerce. The Chamber has long been an advocate for the development for an all-of-the-above energy strategy that takes in account, obviously, all sources of energy. We
believe that doing that helps to create an economic balance throughout the state.

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

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

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

The project will also contribute more than $2.7 million to the local tax base, supporting schools and other services without
additional burdens being placed on those.

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

Thank you for your consideration.

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

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

MR. SIESEL: Pretty close.

JUDGE DAVIS: I try.

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

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

KIP SIESEL,

Being first duly sworn/affirmed, testified as follows:

JUDGE DAVIS: Would you please state and spell your name for the record.
MR. SIESEL: Kip Siesel, K-I-P, S-I-E-S-E-L.

JUDGE DAVIS: Please state your address.

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

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

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

JUDGE DAVIS: Are you part of an intervenor group?

MR. SIESEL: I am not.

JUDGE DAVIS: You may proceed.

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

The roads and bridges you drive on were most likely built by members of Local 18, along with our fellow union tradesmen and women. Although we do not have an agreement signed with Lightsource BP to perform the work associated with
this project, we believe our local signatory contractor will secure the work, thus providing our membership with numerous employment opportunities.

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

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

Thank you.

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

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

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LINDA KRENDL,

Being first duly sworn/affirmed, testified as follows:
JUDGE DAVIS: Could you please state and spell your name for the record.

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

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

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

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

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

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

MS. KRENDL: No, sir.

JUDGE DAVIS: You may proceed.

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

The story I remember hearing is that the owner of the oil well had to pump it at least one time a year to continue owning the mineral
rights. To get more information and history on this, I spoke with my mother last weekend. She said that there were several more wells located on that and other parcels of grandpa's land. She said she had no idea who the owner was and if they properly plugged them or not.

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

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

Given the fact that in 1885, the first oil discovery was right here in Lima, Ohio, quickly making it the largest oil producing state, one would deduce that our area contains far more wells than those recorded. Another variable that also needs to be taken into account is that during
World War II due to a steel shortage, metal casings were removed, now making it more difficult to locate wells.

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

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

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

Senate Bill 52 came a little late for
our community to be able to vote if the majority
of our populace wanted this in their front, side,
and backyards, but that doesn't mean that through
this public hearing, you and the Ohio Siting Board
can't be our voice.

JUDGE DAVIS: Any questions from the
intervenors?

Our next witness, it looks like it's
Drew Mantenieks.

DREW MANTENIEKS,

Being first duly sworn/affirmed, testified as
follows:

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

MR. MANTENIEKS: Andrew, A-N-D-R-E-W,

JUDGE DAVIS: Thanks. Would you
provide your address.

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

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

MR. MANTENIEKS: I do not.
JUDGE DAVIS: And are you part of an intervenor group?

MR. MANTENIEKS: I am not.

JUDGE DAVIS: Please proceed.

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

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

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

And then someone just came up here and called green efforts taken by California exuberant. I call them trying to keep me and my
peers alive. As you all know, America and the world faces a huge climate crisis that will likely make the world uninhabitable for generations that come after us. I understand a lot of people in this room won't be around to see that, but I would ask the Board to please keep me, my peers, your children, and grandchildren in mind when making this decision.

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

JUDGE DAVIS: Any questions from intervenors?

Thanks very much.

So our next witness will be Carole Daley.

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CAROLE DALEY,

Being first duly sworn/affirmed, testified as follows:

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

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

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

    MS. DALEY: What does that mean exactly?

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

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

JUDGE DAVIS: Are you part of an intervenors group?

    MS. DALEY: No.

JUDGE DAVIS: You may proceed.

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

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

    When I got involved with the solar
group, I knew exactly nothing. I was told it burned birds and since I'm an animal lover, I researched the bird issue, which was nonsense. In addition, I researched a lot of stuff and also Lightsource BP and Birch Solar.

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

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

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

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

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

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

You know, a person or a community can get old and never change. I'm 81 years old. I
sold my television, use my computer for news, research, entertainment, play games. I do not want my brain to die, so I keep it active. I think the same should hold true for the communities.

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

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

Thank you.

JUDGE DAVIS: Are there any questions from the intervenors?
JUDGE WILLIAMS: Thank you for your testimony.

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

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

Our next witness is Sandra Little.

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SANDRA LITTLE,

Being first duly sworn/affirmed, testified as follows:

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

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

JUDGE WILLIAMS: Your address please?

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

JUDGE WILLIAMS: Do you live or work within the project area?
MS. LITTLE: No.

JUDGE WILLIAMS: Are you part of an intervenor group?

MS. LITTLE: No.

JUDGE WILLIAMS: Please proceed.

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

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

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

I have spent hours looking out my front window to the beauty of farmland, seeing wildlife, and knowing that my home was a safe,
nontoxic place to live. I would like to pass my
home onto my family to have for generations to
come and I don't want them subject to the problems
this proposed solar field of doom will cause.
These panels have a mere life
expectancy of 20, 30 years. Then what? Corrosion
will happen, toxic chemicals will leach into the
soil, contaminating it along with nearby water
supply. It will become an eyesore and cost us
taxpayers millions to clean up.
This is only after thousands in the
community are subject to known cancer-causing
chemicals and deadly poisons. We all know the
promises made when someone wants something, only
to be let done when that something is no longer of
use. Sure, the developers will promise to plant
trees to help hide the toxic dangers that lie
within. But it has been proven these trees often
don't survive around the solar disasters due to
amplified light or heat and are never replaced.
The land will be unkept, weeds will
over take and we will have nothing but the eyesore
of the toxic panels to view. Meanwhile, the
developers move on to their victims with their
checks in hand.
Solar developers are responsible to their investors, not the neighbors, not the town, and not the environment. These solar disasters are destroying America one field at a time.

Thank you.

JUDGE WILLIAMS: Thank you, Ms. Little.

Any questions from intervenors.

Our next witness is Richard Sutton.

RICHARD SUTTON,

Being first duly sworn/affirmed, testified as follows:

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

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

JUDGE WILLIAMS: Your address please?

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

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

MR. SUTTON: I live within it, yes.

JUDGE WILLIAMS: Thank you, sir. Are
you a member of an intervening group?

MR. SUTTON: No, I'm not.

JUDGE WILLIAMS: Please proceed.

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

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

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

I've had the lower level my house flooded seven times between 2014 and 2017 due to the storm sewer being overburdened with water. In parts of my neighborhood to this day, during heavy rains, the storm system floods into the sanitary
sewer and we have sewage backup, toilet paper, and human waste that backs up into our streets and into some of the homeowners' property.

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

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

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

I, like, many others in the area enjoy planting a garden in my yard. I also have grandchildren and other family members that eat
the fruit and vegetables that I grow. I use my well to water my garden and my plants. The sheer thought of having cadmium and lead potentially entering the ground water near my house is a terrible thought.

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

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

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

What is the guarantee that when this
comes to the end of life that the company will do
the right thing and depose of the panels properly?
I'm not in favor of having this large
solar farm in the area this close to my home as
well as the other 199-plus homes near mine.
Please do the right thing for the homeowners, the
environment, and the planet earth. Do not let
this solar farm be built.
Thank you.

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

Our next witness is Dr. Lauren Logan.

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LAUREN LOGAN, PhD,

Being first duly sworn/affirmed, testified as
follows:

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

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

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

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

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

MS. LOGAN: No.

JUDGE WILLIAMS: Please proceed.

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

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

Also think about the fact that if it's not a solar panel, it could be a shopping mall, it could be a nuclear plant. Would you rather a nuclear plant? Well, that's another decision then.
JUDGE WILLIAMS: Make sure there are comments to the Board and if the audience would please stay silent. Thank you.

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

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

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

And as a professor, I approve of this. I had students design their own energy grid mix in class and all of the students designed it with higher levels of renewable resources than we have now and they see that the future is green, so
our future engineers, who are the future, the youth of America, they're invested in renewable energy. Are you?

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

Thank you, Doctor.

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

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DANIEL NEWKIRK,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE WILLIAMS: Your address?


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

MR. NEWKIRK: I do not.

JUDGE WILLIAMS: Are you a member of an intervenor group?
MR. NEWKIRK: I am not.

JUDGE WILLIAMS: Please proceed.

MR. NEWKIRK: All right. I am a professional engineer and a certified energy manager. I work on energy projects all the time and I do support this solar initiative. We have gone over many of the economic benefits already, but I will reiterate the tax revenue that comes from this, the jobs, the community fund that's been set aside, I wanted to relate that through my only personal story of a recent geothermal project I've been involved in.

In that project, the funds from that project were used to repave a track for a middle school. With that repaved track, the middle school was then able to host track events for the first time in 17 years. They were able to provide athletic training to a local police department and they were able to host a Special Olympics event.

So this revenue can go to real parts of Lima and help invest into the community.

Just to speak to a couple of the issues that have been raised. The EMF from these solar panels is extremely low. The cell phone point is valid. I'd also say that it can't even
be measured outside of a 150 feet from the solar field and everyone is at least 300 feet from the solar field.

When we're talking about poisoning the land, I'm going to quote some things directly from the Department of Energy. Leaching trace metals from modules is unlikely to present any sort of significant risks due to the sealed nature of the installed cells. Also, studies show that compounds cannot be emitted from cadmium-based modules during normal separation.

Giving soil rest can also maintain soil quality and contribute to biodiversity of agricultural land. So what is that saying? That's saying that by putting in those new natural plants with the solar panels, it can actually benefit the soil and give it a rest from the constant drain that comes from agricultural production.

I would also make the point that if we're talking about things that are going into the land, we might also talk about fertilizers, pesticides and herbicides, which also have a negative impact on that land quality, what's going into the soil, and what's going into our
waterways.

I will also reference what's listed on the website. We are talking about creating biodiversity through pollinator habitats with these panels. And then, finally, I'd like to kind of reiterate the pledge to recycle these things as we've talked about already. They can be recycled. There's been a commitment made to recycle them, so that should also be taken into consideration.

And then, lastly, as it stands right now, the region was originally built on a wetland and so the reason we have flooding is because we took a natural wetland habitat and covered it with corn, which as we've talked about, does not have the ability to mitigate that flooding in the same way as the natural wetland.

So if we're talking about an increase from solar, look first to what we did with our corn. And, in fact, the solar will do better. We have better plants that are going in with longer roots, as said before, which can do a better job of soaking up that water. So, again, the native grasses will do a better job at that.

So that's all I wanted to say. Thank you.
JUDGE WILLIAMS: Thank you for your testimony. Any questions?

Thank you, sir.

Our next witness is Beverly Foster.

We then have Cheryl Counts and Mike Ruppert who have been moved to the end as intervenors. Our next witness after Beverly Foster is Andy Chappell-Dick.

Beverly Foster is gone. Andy Chappell-Dick and Jason Carpenter.

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ANDY CHAPPELL-DICK,

Being first duly sworn/affirmed, testified as follows:

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

MR. CHAPPELL-DICK: Andy, Chappell-Dick, C-H-A-P-P-E-L-L-D-I-C-K.

JUDGE WILLIAMS: And your address?

MR. CHAPPELL-DICK: 207 North Lawn Avenue in Bluffton.

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

MR. CHAPPELL-DICK: I don't.
JUDGE WILLIAMS: Are you a member of an intervenor group?

MR. CHAPPELL-DICK: I am not.

JUDGE WILLIAMS: Please proceed.

MR. CHAPPELL-DICK: I'm a resident of Allen County. I've heard a lot of emotional testimony so far tonight, testimony that hits really close to home for a lot of people. I want to throw some personal testimony in at the start. And that is adult vitelliform macular dystrophy are the words that I heard from the mouth of an ophthalmologist at Cleveland Clinic and what that means is I'm going blind. I don't expect to have my drivers license renewed next February.

I'm losing my central vision. And I said, Doc, why? He said, well, it's genetic, could be genetic, we don't really know, but it's likely a genetic problem brought on by environmental factors. This is the preeminent ophthalmologist in macular degenerative diseases in the world.

Environmental factors mean something really profound to me as a result of that. Those environmental factors don't include a substantial amount of solar panels. They include our air, our
environment of Ohio. I don't know what it is.

   It's my job, it's our solemn job, your Board, state legislature and all of us to figure out where's the pollution and then to do something about it.

   Let me read what I have prepared briefly here.

   I am residential remodeling contractor with a specialist in building science and energy efficiency. I talk to very few homeowners who are not keenly aware of and worried about energy prices.

   It's true that our buildings have been almost exclusively designed to rely on fossil fuels for heat and electricity, but going forward, an energy grid that can pivot to disbursed, diversified and well-regulated renewables is critical to the economic future of our county and our state. This is why I support the Birch Solar project.

   As I've watched this process over the last six months, I've been impressed with how OPSB implements it's statutory obligation to make sure that new generation facilities are carefully planned and permitted. Further, your panel, OPSB,
seems to take seriously the Ohio legislature's and our governor's stated goal of bringing to our state new low carbon renewable sources of energy. I was also heartened -- it's funny how people take the same information and reach different conclusions -- by the OPSB staff report of a couple weeks ago regarding the present state of Birch Solar's plan, overall, this report outlined how the project conforms to state requirements and long-term land use plans in Shawnee Township.

Numerous deficiencies were also listed. But this is the point of a regulatory process. The developer now has a chance to address these and make sure the trial -- the final plan conforms in all respects and is the best possible for stakeholders and neighbors, which brings us to this public hearing.

I see in the latest news that OPSB will consider the level of local support or opposition in issuing a final ruling. I want to enter into the record my dissatisfaction with the loudest voice in opposition hasn't been in this room. It's our own -- my state Senator, Matt Huffman, who has been ridiculing this project
since it was announced.

His vitriolic dishonest dismissal of the project and renewable energy in general, in contradiction of the legislature's own stated priorities, has contributed to a toxic local atmosphere in which many are reluctant to discuss the project on record.

So on the ground, to both sides, this feels like a pitched ideological battle that is not proceeding fairly. There are clearly strong concerns from adjacent residents. These must be addressed.

There are not just two options here. There's not just permit approval or permit denial.

There is permit approval with conditions. Again, that's part of the regulatory process. These would compel the investor to take reasonable steps to address the concerns. These steps, I emphasize, must be reasonable. Steps that would be asked of any developer bringing anything into the area.

I have helped gather signatures for a petition in favor of this project. As I talked to my clients, my neighbors, the general public, I find most people admit to knowing little of what's
going on, but after talking about the process and
the issues, most are genuinely in favor.

There is broad-based public support,
even in Allen County, Ohio, for meaningful steps
towards a renewable energy future right here.

Thanks for you your attention.

JUDGE WILLIAMS: Thank you for your
testimony. Any questions?

All right, sir.

The next witness is Jason Carpenter.

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JASON CARPENTER,

Being first duly sworn/affirmed, testified as
follows:

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

MR. CARPENTER: Jason Carpenter,

JUDGE WILLIAMS: Your address, sir?

MR. CARPENTER: 22700 Dug Hill Road,
Lima, Ohio, Auglaize County, Logan Township.

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

MR. CARPENTER: I live about a mile
west -- if I can show -- about where that asterisk
is.

JUDGE WILLIAMS: So one mile west of
the project area?

MR. CARPENTER: Yeah.

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

MR. CARPENTER: No.

JUDGE WILLIAMS: Please proceed.

MR. CARPENTER: So, I guess, in
debating about the different information sites, I
guess, I support solar, but not solar on
agricultural property. We have plenty of brown
field sites, Super Fund sites that I feel the
property of those natures are already contaminated
and the solar fields, even though they can't be
the size that people want them to be, could be on
these sites and the lands already contaminated.

If I look at what a lot of what
people brought up there, I have all the same
concerns, erosion, chemicals, life chemicals, like
the coatings on the panels. They said they're
life chemicals. So once it gets into -- whether
it's 1,400 acres, 2,000 acres -- what do you do
with this acreage.
I know up in Lucky, Ohio, they have a site that was used for World War II that has beryllium in it. It's a Super Fund site, 40 acres. It's costing them like $250 million to clean up that site.

What are we looking at down the road 20, 30 years if this is contaminated ground? Will it ever be able to be returned to farm fields? Why aren't we putting the stuff on parking lots, you know, like Walmart, Target, all the commercial box sites, on their roofs, where we have retention ponds where the contaminated waters, if there is any, can be collected, analyzed, and then released as needed versus on farm fields that aren't -- has no way to collect the water, analyze it.

In this area, it's borderline the Black Swamp, possibly the Black Swamp and aquifers are all through -- very high in this area. My property, because it's so close to the Auglaize, River, I think my water table's at, like, 25 feet. My well's 45 feet.

So I'm very worried about the contamination part from what I'm hearing and I'd just feel a lot better if solar fields were in already contaminated areas or over places where
they have retention ponds that the things can be analyzed.

Oil is a finite source. We have to do something different, but I just can't be that agricultural, especially in this area where it's highly produceable agricultural ground is -- that we're going to put it in that kind of soil. It would be better where the soil doesn't yield well.

For myself, my area is on, what I think is deeded highly erodible ground, so -- I think it was the number three presenter, they said a picture 6. In my mind, I could envision it, but I couldn't see it, but they're right on Bowsher Road. I'm down flow from the other side of Bowsher Road. Once it gets on the other side of Bowsher Road, the water and the grade goes fast.

My property is surrounded by ravines feeding the Auglaize River. My driveway is basically in a ravine so if all this water is not contained and you think about all the trucks driving in between and the solar field and stuff, the ground's going to get compacted. I think the water's going to flow faster. It's not going to absorb into the ground the way it should.

It could affect me as a property
owner even though I'm not adjoining or adjacent to the property. All the water is running to the ravines that surround my property. You know, it's all the farm fields, all going to ravines and those ravines are around my property.

So that's basically what I have. I can't support or hope that the Ohio Siting Board votes no towards this proposal.

JUDGE WILLIAMS: Thank you for your testimony. Any questions?

Thank you. It is 9:26. We're going to take five minutes. I'll reiterate, we have sign-up sheets there. If you heard what you intended to say, feel free to use the sign-up sheet in lieu of testifying. Otherwise, we'll resume in five minutes.

Thank you.

(Thereupon, a break was taken.)

JUDGE WILLIAMS: Ted Allen, Jr.

TED ALLEN, JR.,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE DAVIS: Would you please provide your address.

MR. ALLEN: My address is 7731 Turtle Hollow. That's in Mainesville, Ohio.

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

MR. ALLEN: I do not. Family farm.

JUDGE DAVIS: Are you part of an intervenor group?

MR. ALLEN: No, I am not.

JUDGE DAVIS: You may proceed.

MR. ALLEN: Obviously, I have to agree with some of the comments that have been made this evening already so I'll try to not repeat those. But I am writing concerning the proposed Allen County industrial solar project via Birch Solar. Not only am I opposed to such a project and the key is densely-populated area.

I am concerned about the area where my hometown is going into the future and those potential impacts.

I was born, grew up here, lived, and
worked here in Shawnee with my wife and children for quite a few years. The project is a major issue based on data that's been reviewed already this evening. I won't go through any of that. And most importantly, I think the bigger concern is the history of the solar industry. Some of those project have been touched upon already. But the key, obviously, being these are -- farming community. Family farm is multiple farms and very significant investment in this region. They do butt up to directly, property lines, if you will, relative to the installation proposed. So there's a lot of concern there with not only the history and so on, but, certainly, the health and general safety, not just of the farm and my family, but, obviously, to the community and the runoff, and all the things that have been touched upon.

These impacts would not be short-lived. They could extend for many years and the ability to control those due to infrastructure, waters, sanitations, et cetera, are all very, very relevant comments made previously.

I question the commercial benefit to
the local residents because of far being outweighed, if you will, by the burden put on the township relative to the present and future. They have expressed some of those concerns. I won't repeat that.

But we have to look at the property values. I know there's been both positive and negative elements of the taxation rates. I think some of that is still to be proven. And the potential losses, I think, is certainly a larger risk when people relocate away from the area. I know folks that already have done so.

And also the flip side of that is they do not target Shawnee due to the project and the infrastructure scope concerns. People can shy away from that, be it commercial, industrial, or personal living reasons.

My family is directly impacted, again, I've stated just previously with two homes and large farmland acreage in very close proximity to this project. In fact, it will be somewhat surrounded by it. The property is on Hume Road in the Sellers Road area, right in the middle of it.

With these concerns, again, I won't repeat the panel leakages and some of these
things. I think it's been covered quite well, but I think I would like to re-stress the fact of trespassing. Projects like this draw elements, some of which are not favorable, especially when you have this large of a scope. You're going to have a lot of worker traffic, access roads right directly to the property, our family farms and so on.

When you look at all of this, you can't ignore the personal safety. My parents are senior in age and from that standpoint, it does get a little personal. When you live out on a farm, you are on a farm. You are not in a community where you are in close proximity to others that could immediately help.

It's not acceptable to me to invade a lifetime family legacy with highly vested interests in a prime community where landownership and interests spans -- we're going on six generations in my family. My parents have lived on these properties many years, with my father, Theodore Allen, Sr., living here almost 82 years, and connected to both the farm and the people who live right here, so it's much deeper than just farm or some of the concerns I've touched upon.
I loved the one example, agriculturally -- what is the objective of destroying some of the best farmland in the great State of Ohio? There are other areas that this can be absolutely accommodated. I am not antisolar, but I'm responsibly approaching these types of project and the scale, again, here is very, very large.

Are we trying to outsource more of our food sources to other states and countries and reduce the direct and indirect agriculture value add? That's a key question I think all of us have to answer this evening.

I have personal interests in everlasting memories right here. Plus spending more of my time here to help with the family business farms and those kind of things, and, certainly, to give back to this community. This community has been good to me, been good to my family, so we take it very serious for future generations.

I have to admit I find it very difficult to understand the fact that my family and others living here have limited rights and I'm referring to voting rights, okay, when I make that
kind of a statement that can actually, in their case, could decimate a lifetime of investment and work. Let alone the facts of the mental and the physical and, certainly, the financial elements have been covered very, very well.

I respect this Board. I do respect the state and local laws. I don't want to make light of those when I made my prior statement, but I was educated professionally and raised with more principles to respect the rights of others.

God gave us very specific responsibilities to this land and to the decisions that the Board is going to be going through and those are heavy, those are very, very heavy, so I don't make light of those.

So I want to thank you and, again, I would iterate my proposal is not accepting the project moving forward at this point in time.

Thank you very much.

JUDGE DAVIS: Thank you very much.

It appears our next witness is Hudson Bugg.

HUDDSON BUGG,

Being first duly sworn/affirmed, testified as follows:
JUDGE DAVIS: Please state and spell your name for the record.

MR. BUGG: Hudson Bugg, H-U-D-S-O-N B-U-G-G.

JUDGE DAVIS: Your address?

MR. BUGG: 24464 Hawthorn Thicket Terrace, Sterling, Virginia.

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

MR. BUGG: No.

JUDGE DAVIS: Are you part of an intervenor group?

MR. BUGG: No, sir.

JUDGE DAVIS: You may proceed.

MR. BUGG: So envision a society where there's more contamination than people. Within the Birch Project, the pollution is nothing but harmful. The Birch Project is to harm the people and society. Furthermore, it's harming our legacy.

The Birch Project has hurt people of the community and the Allen farm owned by my great-grandfather, Theodore Allen, Sr. Being involved in the property for over 82 years, this
is -- when panels leaked, the contract states that the company is not liable for said leak. Therefore, the leak will cause an impact on one's livestock and make the food we eat have chemicals within.

Lastly, the well water will be unsafe to the community and, therefore, will be forced to buy bottled water. As for the chemicals and never-ending panels, this makes the air polluted and puts older folks that require clean oxygen in severe harm.

Based on all of these examples, it is clear that this gains negative impacts in multiple ways. The Birch Project shows that this is going to destroy family's legacy. This also asserts that the six generations of my family who have spent time and countless hours on the property are now watching it turn into a wasteland.

I love spending summers helping, doing work and having fun. Furthermore, I get to bond with my great-grandparents. Because of this, I get to pass down the family's legacy to my kids one day. I would like to tell my kids one day how fun and eventful the family farm is.

Knowing this, I understand the fact
that the farm is going to be something I'm not willing to look forward to. To do this, it's not good, because the younger kids, the younger great-grandkids have not spent time bonding with the great-grandparents doing as I have.

Based on this, the information given is clear that adding the solar panels to the surrounding farms, my family legacy will be torn apart.

In conclusion, the Birch Project of Allen County has many downfalls. Making the environment unsafe, the project is environmentally unfriendly and it's harming the family heritage.

Thank you.

JUDGE DAVIS: Thank you for your testimony. Any questions?

Our next witness is C. Ray Tolliver.

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C. RAY TOLLIVER,

Being first duly sworn/affirmed, testified as follows:

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

MR. TOLLIVER: My name is Clarence
Ray Tolliver. I live at 4770 West Breese Road, Lima, Ohio, and that is in Shawnee Township.

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

MR. TOLLIVER: I live in it, yes.

JUDGE DAVIS: And are you part of an intervening group?

MR. TOLLIVER: No.

JUDGE DAVIS: You may proceed.

MR. TOLLIVER: There's been a lot of testimony and I've got about four scrambled pages here that I really won't need to read. Kind of first off, you know, we, the people, that live and raise our families here are most affected. You gotta kind of realize, a lot of people are being blinded by this free money. You know, they think they're receiving a free lunch.

Well, there really is no such thing as a free lunch. First of all, the homeowners are probably going to be the first ones to reap the bad portions of this. The industrial, for-profit industries have wreaked so much havoc throughout Ohio and probably the nation as well, that in spite of this country being in the worst divide that we have ever seen, with so much major
political devise and infighting in the political parties.

But even through this, the lawmakers have seen, there's a real problem here and they've had to pass laws to help regulate it. People should see something through this. It's a possibility that needs to be dealt with. You know, we're not so much against the solar energy portion of this thing, but it's the placement of it. It's just not a good fit for the community, for the people. It's a bad situation.

Experts have testified and shown how this just doesn't work here. It needs to go somewhere else, there's better locations.

As far as these -- they're uncertain moneys. There's reasons why companies come in and they lease or rent land. It's made the farmers major targets because these companies can just come in here, they don't have to clear the land. It's already cleared for them. And, like I say, it's uncertain moneys.

If these projects don't pan out, hey, they can take their ball and go home a lot quicker than they snuck in here. And, you know, I don't want this to sound or be like a political
filibuster, so I won't go into all the other notes I have here, but we just kind of hope and pray that people will see the needs of the people above the profits that these industrial people are hiding under the green theory. Because it's really not about green, it's about greed, it's about the money. Thank you.

JUDGE DAVIS: Thank you. Any questions from intervenors?

Our next witness is Sheila Keller.

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SHEILA KELLER,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE DAVIS: Your address?

MS. KELLER: 4665 Zurmehly Road, Lima, Shawnee Township.

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

MS. KELLER: Our property is probably
about 100 yards from the solar panel project.

JUDGE DAVIS: Okay. And are you a part of an intervenor group?

MS. KELLER: No.

JUDGE DAVIS: You may proceed.

MS. KELLER: Thank you.

Thank you for being here to listen to everyone's comments that are going on and on tonight about the Birch Solar 1 project. There are many such proposed projects in Ohio and across the United State on current farmland.

I'm concerned with where and how food production will be sustained for future generations. We're told that this project when decommissioned, the land will be restored to its current condition. Yet, I've also heard that the concrete posts will not be removed. I'm not a farmer, but I'm not sure how that leaves the land tillable farming.

If the project is sold to another entity, will that new entity be held to the promises being made currently by Lightsource BP. I do not dispute the landowners' rights to lease their land. That's lot of money being offered to not work, not pay property taxes, and yet retain
ownership of the land at the end of the life of this project.

I would, however, be interested to know why one farmer who signed the lease for many of his acres chose not to sign a lease on the acres, the farmland that's surrounding his own home.

And tonight, I've counted about 19 people speaking in favor of this project, only four of which live in the area. One person from Bluffton stated that the impact is small. If I lived a good half hour away, I'd probably be in agreement with her. I would not be feeling or sensing the impact.

Shawnee Township, a long time ago, developed a vision for the area which is in total conflict with this proposed project. I personally take responsibility for not paying attention when OPSB and its duties were defined and approved, as I'm sure it was made known to the public at the time.

If I and others had paid attention, maybe the possibility of what we are facing today could have been addressed and avoided by speaking out about a process that circumvents all local
control while delivering a drastic blow to neighboring residents, people who chose a rural and scenic setting in which to place their biggest investment, raise their family, live out their retirement, all while enjoying the view of the countryside and wildlife, people who are now facing the loss of those simple pleasures, as well as the value of that investment.

One lady previously stated that wildlife migration will not be affected. I'm telling you, if the deer that can scale a ten-foot fence shows up in my backyard, I want to be ready with my camera.

While Shawnee Township would bear the brunt of the ugly monstrosity of acres upon acres of solar panels in their backyard, I see no upside for the area. Job creation is only significant during the short-term construction phase with only a few long-term positions created.

The energy generated will not be used locally. We've been told that by Lightsource BP, and will not lower local energy bills as some have indicated earlier. Even the touted tax revenue figures are questionable and certainly not guaranteed.
When people were talking earlier about the tax money solving problems with school levies, I'm old enough to have been around when the lottery was implemented in the State of Ohio and we were told that that was going to solve all of the schools' money problems and we know where that went.

So, please hear me, I am not against solar, renewable or clean energy at all. I understand that it does need to be done when it's done in a responsible manner, but this proposal in a densely-populated area in my opinion is not responsible.

Thank you very much for listening.

JUDGE DAVIS: Our next witness is Adrian Whetstone.

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ADRIAN WHETSTONE,

Being first duly sworn/affirmed, testified as follows:

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

address is 20619 Blank Pike, Wapakoneta, Ohio, 45895.

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

MS. WHETSTONE: No, I do not.

JUDGE DAVIS: Are you part of an intervenor group?

MS. WHETSTONE: No, I'm not.

JUDGE DAVIS: You may proceed.

MS. WHETSTONE: Good evening and thank you for allowing me the opportunity to address my concerns this evening. My name is Adrian Whetstone and I reside in Union Township in Auglaize County.

Lightsource BP's Birch Solar project will affect family members and friends of mine and my husband's in Logan Township in Auglaize. The effects of declining property values, unsightliness and toxic runoff contaminating local ground water is just the tip of the iceberg.

I am not against solar, by any means, but I do strongly feel it has a correct location and not in such close proximity to residential homes.

Auglaize County is known for being an
agri/residential zoned area instead of an industrial area in nature. The amount of prime farmland that will be engulfed by the Birch Solar project will be detrimental to our farming community.

Another major concern is drainage issues that will arise by installing this large-scale solar facility.

I do not feel as though this project is a necessity to our community and will do nothing but harm our community as a whole. I strongly oppose the Birch Solar project and ask you to deny the project.

Thank you.

JUDGE DAVIS: Thank you very much. Any questions?

I want to apologize in advance for this one, I may get your last name wrong. Our next witness is Lori Hodosko.

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LORI HODOSKO,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE DAVIS: Your address?

MS. HODOSKO: 400 Yellowood Street.

That would be Shawnee Township. I'm probably about a half of mile from the project.

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

MS. HODOSKO: Yes.

JUDGE DAVIS: Are you a part of an intervenor group?

MS. HODOSKO: No, I'm not.

JUDGE DAVIS: You may proceed.

MS. HODOSKO: Okay. I'm not going to say lot of what I said because it's already been repeated by many people. We've been here quite a long time.

I do oppose the project. Some of the reasons that I oppose is that we are eliminating valuable farmland that it is currently producing food. These farmlands are not infertile or not barren land.

A major concern of mine and it's been addressed is that if these panels break down and
the toxic chemicals on these panels leak into the
ground, I know that it is a concern for all the
property owners and their wells around there, but
another concern is that these panels are sitting
on two major watersheds that feed into the
Auglaize River.

   The Auglaize River at this point
flows north, which feeds two of Allen County's
reservoirs. What would happen if some of these
chemicals got into that source and it affects the
whole Allen County water? May happen, may not,
but at this point if there's even the slight risk
that this can happen, then how can this project go
forward?

   Another concern is, you know, we've
heard a couple people say the 400 jobs that this
will create during construction. Yes, that's
true. But in reality, how many jobs are left
after the construction is complete? We have heard
between four and five jobs. Is this really worth
four or five jobs to have this?

   Birch Solar has tried to provide
answers to our concerns, but in reality they have
never had a project this large within an area that
is as heavily populated. How can they justify our
concerns when they have no other project like this one to compare to?

In closing, this is a large solar project that only a handful of people will benefit from financially. The unknowns are just too great a risk to allow this project to continue.

Thank you.

JUDGE DAVIS: Thank you. Any questions from the intervenors?

JUDGE DAVIS: Our next witness will be Bill Hodosko.

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BILL HODOSKO,

Being first duly sworn/affirmed, testified as follows:

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

MR. HODOSKO: William Hodosko.


JUDGE DAVID: Your address?

MR. HODOSKO: 4000 Yellowood Street, Shawnee Township.

JUDGE DAVIS: And do you live or work in the project area?
MR. HODOSKO: Yes.

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

MR. HODOSKO: No.

JUDGE DAVIS: You may proceed.

MR. HODOSKO: I'm not a very good speaker, so excuse me. I'm here to oppose the project. We, as a group, the small group that get together, we don't have the funds that Lightsource BP has. So this is a grassroots organization that is looking out for the betterment of Shawnee Township.

After doing my research, I really do not think this project is a right fit for everyone involved. I'm sure you're aware of the dangers of a large solar farm, but I would like to state a few facts.

The manufacturing, installation, transportation, and maintenance of solar panels produce 0.18 pounds of CO2 for every kilowatt hour -- so much for the claim that solar farms don't create CO2. Solar panels also have toxic metal components in them.

We've heard this -- I'm not going to go through -- we've all heard it.
Another concern of mine I have is what happens to the environment. I'm sure everybody -- not everybody -- but I'm sure some people have heard of the Ivanpah solar project in California. In California, they're having problems with the desert tortoise that's in the solar farm. Currently these animals are endangered, but they were not endangered before the farm was built. Plus, they were surprised by the number of birds, dead birds, around the farm has raised eyebrows. Research has attributed the endangerment to the intensive rays that the panels reflect.

Let's glance at one environmental impact of the Birch Solar project. If the project goes ahead, the panels will sit on two -- and I'm repeating my wife's -- the panels will sit on two watersheds that feed the Auglaize River, which flows into the reservoirs that provide water for all, all of Allen County, not to mention the wells of the homeowners surrounding the project.

With all these chemicals in the solar panels, what happens if a major issue with the panels? What is going to stop water contamination to 102,602 residents of Allen County? I sure
don't want to drink contaminated water.

    If you, as a committee, want another Flint, Michigan, on your hands, good luck with dealing with those problems. This is just one scenario out of thousands of things that can go wrong.

    The size of the project is gigantic. It is five times the size of the old BP refinery that is east of us. I would like to give you a quick history on BP environment.

    After BP used and abused everything they could out of the plant, they wanted to sell the plant. However, they had no intentions of selling the plant. However, the community leaders got together and they fought it.

    I feel with a refinery to the east of us and a solar farm to the south of where I live, this is way too much to worry about of what can go wrong. At least at the Husky Refinery, which was the old BP Refinery, you have 77 good-paying jobs and stable jobs. Whereas, Lightsource BP's project has promised four, four full-time employees. To me, the math does not add up.

    With all the concerns we have about the project, is four full-time jobs really worth
What has been the most concerning to me about this project is that Lightsource BP has a list of our concerns, but they do little to address them. God forbid if this project goes ahead with all the community's concerns being addressed.

Thank you for your time.

JUDGE DAVIS: Thank you. Are there any question from intervenors?

Our next witness is John Newland.

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JOHN NEWLAND,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE DAVIS: And your address?

MR. NEWLAND: 3554 Georgian Avenue, Lima, Ohio.

JUDGE DAVIS: Do you live or work in the project area?
MR. NEWLAND: I live less than a mile north of project area.

JUDGE DAVIS: Are you part of an intervenor group?

MR. NEWLAND: I am not, but I do want to state that Shawnee Township Board of Trustee are an intervening party. I am the fiscal officer Shawnee Township.

JUDGE DAVIS: You may proceed.

MR. NEWLAND: Okay. I've been a life-long resident of Shawnee Township. My wife and I, we chose to stay in Shawnee Township after college and we raised our three boys in the Shawnee community. One of the reasons is Shawnee has a mix of residential, industrial, and agricultural, and this is maintained through the Shawnee Township Comprehensive Plan that was developed many years ago and what has been maintained and followed.

The solar farm comes in and that plan's now, the township has no local input on that. So when I first heard of Lightsource BP's plan to locate a solar industry facility in Shawnee, I thought, okay, this might be a good idea. There's some good solar, it's kind of neat,
and we do need a mix. It could mean additional 
revenue for the schools and the township. As the 
fiscal officer of Shawnee Township, we could use 
additional revenue coming in.

So my question was at what cost would 
these additional funds impact our community and 
lives. The first thing I did was -- I'm a CPA by 
trade, so I do know my numbers. I looked down and 
I hear people throw numbers out on what the 
township's going to receive and I cannot verify -- 
that is so confusing to try to determine what our 
actual revenue is going to be.

I hear numbers way high -- they're 
fairy tails, I think. I hear numbers that, you 
know, very well could be low, I don't know, but I 
don't know how anybody can come up with those 
numbers.

So after doing some research and 
there was information provided by others I 
determined the negative impact to the community 
outweighs the benefits. When I look at this, you 
know, people call it farm and there's no major 
infrastructure, but technically, it's going to 
comprise of 2,345 acres of land.

We have over 650,000 solar panels
that we've heard that contain toxic materials and we hear some people say that that's not true, but why does Shawnee Township have to be the test area when my neighborhood is right across the street from this. That doesn't give me a comfortable feeling.

We have a new electric substation that's going in. We got 20 miles of access roads. We have 40 miles of fencing, hundreds of miles of wire, 100 DC/AC humming invertors and we have no plans for detention and retention control plans. So it's pretty major infrastructure that's coming.

So I live in the neighborhood and there's a gentleman that was here earlier, he lives a couple streets from me, actually. So I live in the neighborhood that's right across the street from this. And for 50 years, I've watched these streets in this neighborhood flood during heavy rains.

I've had water damage in my lower level of my house as well. And it's -- how -- what impact of this damage is going to come to homes if we have this flooding. I need people to tell me how common sense tells us -- just common sense just look at it, how this massive industrial
facility will not negatively impact the Shawnee community.

I mean, without a doubt, it's going to harm, it's going to affect, it's going to change the whole structure where we live, you know, of the community.

So through the process over the past years, I've watched -- I've watched in shock and it's given me the feeling that I've seen Lightsource BP come in and mislead our community during these meetings that we've, these forums with facts that aren't true, that they're very misleading. Well, some of them that were lies.

And that just lets me know they do not care about Shawnee Township other than the financial gain that they can realize. The staff of the Ohio Power Siting Board recommending this project be denied because of lack of detail in the application process shows how Lightsource BP is just attempting to push this project through without any concern for the community, true care for the community. Other than the fact that the revenue that they can pull out.

So I've researched this and Lightsource BP, with BP's unacceptable record in
business adventures with the communities in which they operate in. We, in Shawnee, do not want -- we do not -- solar -- like I said, we need a mix, renewable energies. We still need the energies we're running now, but this is not the proper area to put this. We, in Shawnee, do not want this in our community.

I've listened to the people talk tonight. There's a small amount -- I think somebody said 19 people in favor of this project. I have listened to the people come up and talk. The farmers that are in the area that say they're in favor of it, they're are leasing their land. Of course, they're in favor of it, you know. They have a financial gain.

I've seen people from other cities and states come in. I've seen union, trade unions come in and the majority of the people that came in here and talked in favor of this have a financial gain. So I don't know how much value you can put in their opinion.

I've watched people from Bluffton come in that live on the other side of the county. I go back to remembering on the hearing on Senate Bill 15, I was watching the discussion on that and
there was a gentleman from Bluffton who came in and he said, you know, Shawnee residents have a concern that they are going to get magnetized by this. That just really made me feel that there's a lot of people that don't really understand our true concerns about how this is going to affect our community, the potential health issues and, you know, you hear people say, well, that's not going to happen, no, it's highly unlikely this is going to happen, that's going to happen. And it's, like, we don't know.

There's -- the density of the population in Shawnee, there's no other projects around where this has been studied on the long-term effects, so it's kind of shocking that we would commit when there's other areas where this could go in. And, you know, we can reap the benefits of that.

So I beg of you that please deny this project we do not want it in the Shawnee community and thank you for your time.

JUDGE DAVIS: Thank you. Any questions from the intervenors?

Our next witness is Ginny Thompson.

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GINNY THOMPSON,
Being first duly sworn/affirmed, testified as follows:

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

MS. THOMPSON: Ginny Thompson.

G-I-N-N-Y, T-H-O-M-P-S-O-N.

JUDGE DAVIS: And your address?

MS. THOMPSON: 5650 West Breese Road in Shawnee Township.

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

MS. THOMPSON: Yes, I do.

JUDGE DAVIS: Are you part of an intervenor group?

MS. THOMPSON: No.

JUDGE DAVIS: Please proceed.

MS. THOMPSON: Thank you for the opportunity to come up here and share my concerns with the Birch Solar project. My first concern is how the solar panels will affect the water as you've heard.

We have experienced flooding as well like many people in our area. Not only is it financially disturbing, but emotionally as well.
Sorry.

We had three feet of water in our basement. We have done several things to help solve the water issues. If these panels go in, I don't know anything about the agriculture, I don't know anything about engineering. I'm not that kind of a person, but it makes sense to me as a lay person, that it's going to change the way the water flows. And if we already flood, what's going to happen to my home again and who's responsible for what happens to my home, and who is going to enforce that responsibility?

My second concern is the value of our home. We have lived there eight, nine years. And when we bought the house, we thought, yeah, we'll live here for a while, not thinking that we would resell. As we've seen several people in the neighborhood put their houses up for sale because of this solar project, I'm scared and afraid that if and when I do want to resell my home, either, A, I won't be able to or, B, I will lose significant value due to the solar panels being right near my home.

I am not against solar as several people have said, I'm not. I think it has a time
and a place. I don't think it has a place in our community around lots of homes and families. I know big business, you know, they gotta make money somehow. Great, do that. But when it affects the people around, I feel that is not the proper way to go about the money making -- if I can say that.

Thank you very much. I appreciate you guys staying so late. I know you've heard a lot of things over and over again. Please do not allow this project to go through.

Thank you.

JUDGE DAVIS: Thank you very much.

Any questions from intervenors?

The next witness is Rob Violet.

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ROB VIOLET,

Being first duly sworn/affirmed, testified as follows:

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

MR. VIOLET: Robert Violet, V-I-O-L-E-T.

3601 Chisolm Place, Bismark, North Dakota.
JUDGE DAVIS: Do you live or work in the project area?

MR. VIOLET: No.

JUDGE DAVIS: Are you part of an intervenor group?

MR. VIOLET: No.

JUDGE DAVIS: Please proceed.

MR. VIOLET: I moved to Bismark, North Dakota last year for my grandkids, but I've lived here for 65 years and in the Shawnee area for 33 years. I've been fortunate to have grown up on small farms and lived here almost all of my life. I've had a great deal of exposure to agriculture of this area and was concerned in the past, particularly in the 1970s, which it seemed that too much of the remaining native woodland was being cleared to become prime farm ground. It's really good ground.

At that time farming practices also used hard chemicals and fall plowing which definitely hurt the remaining wildlife populations, but I was glad to see the transition to smarter tillage practices, much less land clearing and safer chemical application so pheasants, wild turkey reappeared over the last
20 years, along with greater numbers of deer and many other birds, including raptors like the bald eagles.

I don't understand how my Ohio with its agriculturally-rooted common sense became such a target for the supposed renewable energy projects. Although I suspect that it has something to do with some people making a lot of money who also have connections to state government.

As I drove into Ohio last Monday night eastbound on US Route 30, the sheer number of windmills starting at our state line is overwhelming. I tried calling Blue Creek Wind Farm and Timber Road Wind Farm as I had about ten years ago to ask for data about the actual cost of these units and how much power they really produce with no success in finding out anything.

If these massive operations are viable, they should be happy to provide the data and with taxpayer money likely involved in subsidies and tax rebates, they should be required to do it.

This total lack of transparency leads to failures like the Crescent Dune solar array in
Nevada, which my numbers, operated for only a year and soaked the taxpayers for $737 million on loan default or the $528 million Solyndra farce.

I'm sure there have been many other failures like these that some people got rich over while most of us paid up.

So now in our community we are to accept that Birch Solar and its corporate brethren can replace the solar energy reserves condensed over hundred of millions of years in the fossil fuels with realtime power from the sun. We have been fortunate to have had access to fossil fuels for over 100 years now. Mankind did get along without them for thousands of years, but that means no cars, no airplanes, colder houses, no air conditioning, and lots of other things that we enjoy if we are to believe that realtime power from the sun can do the same job.

Nuclear power is the only thing that could have a chance of doing that, especially if we could figure out fusion. The CO2 climate change narrative is mostly pushed by people who couldn't explain the carbon cycle if their life depended on it.

I believe climate change is natural
and any geologist could show the absurdity of the notion of climate stasis in our geological record in the ground.

Taking prime production farm ground out of food production for unproven technology with a history of hiding efficacy data should concern all of us as it will accelerate inflation, especially for energy and food. The proposed large acreage of farmland would now be covered with solar panels containing the toxic materials that we have talked about, including the heavy metals which may be dissolved by our naturally acidic rainfall and leached into the once fertile soil.

Our area received about 45 inches of rain per year and there's also the fact mentioned before that flooding will become an issue on the compacted ground versus the regularly tilled crops that used to be there. There's also the aesthetic degradation with these eyesores and their impact on the numerous property neighbors, let alone the new landfills needed for the disposal of these things when they fail.

I know it's an uphill battle against big money interest using feel-good energy
propaganda, but this project and those like it, must be proven on smaller scales with proven history on brown ground before creating massive solar panel graveyards in the future on the permanently-compromised farm ground.

JUDGE WILLIAMS: No questions. Thank you.

Just to know what to expect, we have heard from 45 witnesses. We have currently still 24 signed up to present, so you have some idea where we are in this process.

Our next is Phil Hicks.

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PHIL HICKS, Being first duly sworn/affirmed, testified as follows:

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

MR. HICKS: My name is Phil Hicks, P-H-I-L, H-I-C-K-S.

JUDGE WILLIAMS: Your address?

MR. HICKS: 2710 West Hume, and that's Lima, 45806.

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

MR. HICKS: I don't live within the footprint. I'm within about a half a mile, three-quarters of a mile and I work within the township.

JUDGE WILLIAMS: Thank you. Are you a member of an intervening group?

MR. HICKS: No, sir.

JUDGE WILLIAMS: Please proceed.

MR. HICKS: My name is Phil Hicks. I'm speaking on behalf of myself, my wife, and our children. We all feel the same about this solar invasion. I think the biggest concerns we have are about long-term issues. A lot of this stuff's been covered. The contaminated water, possible hazardous material, storm water runoff, our view. We like to take drives, and we enjoy the animals, the changing of the season and I've never heard anybody say, let's take a drive to look at the beautiful solar panels. I mean, that's just us -- we're outdoor people.

I do have some background that I think is going to benefit. We worked -- my company -- I've been self-employed for 25 years -- we do property maintenance and we did the
maintenance from 2013 to 2017 on a solar facility, 30 acres.

I'm going off script so I apologize. I'm going to call it a solar field, because there was no lawn, it was just field grass. They planted orchard grass, which is supposed to stay lower. I know I've heard people mention these forums or whatever it is -- they have certain plantings that they have designed for this project.

One of the things I have not heard them take into account is the fact that I don't care what you plant, there are seeds in that soil that lie dormant for decades. Crab grasses can lie dormant for decades so whatever they plant, unless they're going to take all that soil and sterilize it, you know, get every weed seed out of it, and then lay it back down, there's still weed seeds and other seeds in that soil.

That was one of my fears because when we took care of this, nobody wanted to take this project on, the solar facility that we had done. And the grasses were growing well into the panels. There's Canadian bull thistle that was as large around as my wrist and taller than me. I'm six
feet tall.

So I don't want to get into something where, like, who's going to maintain this. We're being told that they're going to have sheep in there, but if you can't keep up with 30 acres on the mowing frequencies that they wanted, I don't know how they're going to care of -- honestly, I don't know how many acres because this number has changed so many times throughout this process, but I guess 2,300-plus now.

So that's one of my biggest fears is if this goes through and it's just a big overgrown jungle. It's going to look like a CPR field with chunks of glass in it.

One of the other fears that I have is, I mean, the maintenance -- they asked us to do, they asked us to keep an eye on broken panels because they were all remote staff. They could see reduced output, they couldn't really see why it's reduced. So if we saw a broken panel, they would ask us to report which row it was in. That way it would narrow it down when they were on location, which it sounds like there's just going to be just a handful, maybe a skeleton crew once this is established doing any work locally.
I would -- I'm sceptical as to how many of those actually live within the community. I'll try to sum this up. I know we found a couple broken solar panels every time we visited, but I know we missed some because our job was to get it manageable, all the turf, weeds, field, whatever you want to call it.

Eventually, we parted ways. They found new management because they weren't making any money, so they went with a different management company that saved them money and they hired an out-of-state crew to do maintenance. It was honestly good riddance, it was a pain.

So, I guess, some of my fears are what if they go bankrupt, what if they sell who's going to maintain it, who's going to be left holding the bag? Is it just us local citizens. A lot of this stuff we've already talked about.

What about when government subsidies dry up. The bond for dismantling, does that restore the farm ground? It's taken our farmers decades to get the yields that they're getting right now and if it sits dormant for 25, 35 years, I don't foresee people putting the time and money investment into getting that, even if the panels,
the racking, and everything's removed, I don't see that farm ground ever going back into tillable farm ground.

Glare. That was an issue when we worked there and the heat coming off the glare. It's real. They can tell you it's not, but if you work inside there, the increase in temperature immediately as soon as you're inside there. Even on the cloudy days, it's hot.

So in regards to our local one, I'm not seeing any local benefit. I'm seeing, you know, I hear about the Pilot program. There's arguments both ways there as to whether it's going to benefit our local community or not or provide more or less tax dollars. You know, whose numbers do you want to believe, I guess. We'll know down the road.

Jobs. I already said that's not going to create local jobs. These studies that haven't been done, that's disturbing. We haven't talked about even Native American artifacts because they're in that area, but I'll skip that because that doesn't matter. Well, it does to some of us, I guess, but not to the company that wants to make money.
Yeah. I can give you this when I'm done, but a lot of this was covered. So I guess my biggest issue is the complete lack of transparency from the beginning of this project leaves me with zero confidence. The word of Birch Solar means nothing. They've paved the path of deception and they keep changing the numbers. The only consistent has been their lack of honesty and consistency. If the words mean nothing, who will be left cleaning up this solar invasion they brought to your community.

So I have concerns with just about every falsification they've brought along with this project. I cannot find any positives for our local community. That's what it comes down to -- is there any benefit for the local community I don't see it. I think that's all.

JUDGE WILLIAMS: Thank you, sir. Any questions from intervenors?

MS. PIRIK: I just want to be sure that the record's clear. As far as the solar farm that you were referencing, you aren't referencing the Birch Solar farm; is that correct? It's a different solar farm, that was your experience?

MR. HICKS: Birch doesn't exist
locally, yes.

MS. PIRIK: I just want the record to be clear your reference is to another --

MR. HICKS: Correct. I guess the point that I was trying to make was no matter whose solar farm and no matter what they plant, there's going to be seeds in that ground that come up that you didn't plant, that are there. They lie dormant in the soil and how is that going to be maintained.

I've heard your plans for both herbicide or manually, you know. I've heard sheep. That's good with the foliage with the plants that you plant.

JUDGE WILLIAMS: I think that's in response to the question. Anything else?

MS. PIRIK: I do have one more. Do you know whether or not the technology that is at the solar farm you're referencing and what's being proposed by Birch, are they the same technology -- same manufacturer, I guess?

MR. HICKS: Based on what the technology of the panels being the same and your technology being 2013 to 2017, is when we did it. So what we were told in the meeting was it
appeared that the technology was about consistent
with the place where I worked.

    MS. PIRIK: The same manufacturer as
the one you're referencing?

    MR. HICKS: I was mowing the lawn. I
never asked who made the panels, to be honest.

    MS. PIRIK: That fine. That's all.

    JUDGE WILLIAMS: Thank you for your
testimony and your clarification.

    Our next witness is Angela Holmes.

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    ANGELA HOLMES,

Being first duly sworn/affirmed, testified as
follows:

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

    MS. HOLMES: My name's Angela Holmes.

    A-N-G-E-L-A, H-O-L-M-E-S.

    JUDGE WILLIAMS: And your address?

    MS. HOLMES: 2545 Hall Drive and it's
in Lima, Ohio.

    JUDGE WILLIAMS: Do you live or work
within the project area.

    MS. HOLMES: I live within it.
live about less than a mile from where the present power station is. Hall Drive is, like, near the intersection of Breese and Beeler.

I oppose it.

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

MS. HOLMES: No, I'm not.

JUDGE WILLIAMS: Then just clarify, you did sign opposition list at the front desk?

MS. HOLMES: Yes.

JUDGE WILLIAMS: So I want it to be clear, you're not trying to be counted twice.

MS. HOLMES: Right. Yes, that's why I was asking --

JUDGE WILLIAMS: Please proceeds.

MS. HOLMES: I oppose it and I agree with the majority of all the people that have opposed it. My thing is at my home, I actually do live in a flood plain and a lot of people around my area do also, so I'm very concerned with the flooding. I've done numerous things to make my home try not to flood ever again.

And, like, literally last year, I put in a generator, a whole-house generator, my son begged me to because my anxiety when it rains,
because I'm afraid of my home flooding. And I think there's a lot of people in my area that feel the same way. So, I mean, the flooding is real and that's just my main concern.

I also recently refinanced my house where I had to have someone come out and reappraise my home and I told him about the solar field coming down the road and he didn't want to get involved with it because he can't make any money talking to you guys about it. But he said definitely my home, the value would be at least anywhere from seven to ten percent less.

I mean, but I can't, that's just word of mouth to me. So that's just how I feel on that.

But I'm just totally against it and I pray every day that you guys please vote this down. Thank you.

JUDGE WILLIAMS: Thank you for your testimony.

Our next witness is Rachelle Harman. She left.

Our next witness is Tony Swygart.

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TONY SWYGART,
Being first duly sworn/affirmed, testified as follows:

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


JUDGE WILLIAMS: Your address?

MR. SWYGART: 3838 West Breese Road.

It's in Shawnee Township.

JUDGE WILLIAMS: Do you live and/or work within the project area?

MR. SWYGART: I do.

JUDGE WILLIAMS: Are you a member of a intervening group?

MR. SWYGART: No, I'm not.

JUDGE WILLIAMS: Please proceed.

MR. SWYGART: I'm here to represent my family. Unlike the majority of the proponents that spoke tonight, we do live in the area of the project. My name is Tony Swygart and I'm here tonight to express my opposition to the ill-advised Birch Solar 1 project.

My wife and I have resided in our home in Shawnee Township for 26 years where we
have raised our four children. We now have three
grandchildren also being raised in the
neighborhood. Like many American families, our
home has been our largest investment in terms of
money as well as the sweat and tears.

It is here that we have established
our dreams, our memories, and our hopes for the
future. A large part of the appeal of our
neighborhood is that it is residential enough to
have neighbors, but still be able to sit on our
porch and watch deer, turkey, red tail hawk, and
the occasional bald eagle.

The magnitude of the proposed Birch
Solar project in terms of acreage would be an
aesthetic blight on the surrounding area. The
very real possibility is that it would erode
property values, thereby, in the long term, having
a negative impact on the tax base outside of the
Pilot project being dangled to the school system
by Lightsource BP.

This would impact our school system
and our public safety services. There's also
concern over the long-term sustainability of the
project as technology changes and BP's record in
doing the right thing for the local community and
clean-up and land reclamation, it comes to question.

Drainage in the area already is an issue as heavy rains overburden the drainage ditches leading to the Little Ottawa Creek and not enough has been done to evaluate the impact of 2,000 acres of solar panels on runoff to that drainage.

Lastly, the potential exists for leaching of chemicals from damaged and aging foreign-manufactured solar panels into the surrounding land and waterways.

We would ask that the Ohio Siting Board reject this proposal due to it magnitude and its proposed location in a densely-populated area.

JUDGE WILLIAMS: Thank you for your testimony. Any questions?

Our next witness is Lori Corbett.

Out next witness is Devon Swygart.

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DEVON SWYGART,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE WILLIAMS: And your address?

     MR. SWYGART: 3923 Odema Drive.

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

     MR. SWYGART: Yes, sir. I live in the neighborhood here to the northeast of this project.

JUDGE WILLIAMS: And are you a member of an intervening group?

     MR. SWYGART: No, sir.

JUDGE WILLIAMS: Please proceed.

     MR. SWYGART: I'm just here on behalf of the neighbors that I've spoke with, my family. I just want to urge you to deny this.

     I've heard a lot of people come up here today that don't live on this map. Everyone that I spoke with, the vast majority of people that I speak with that live in this area don't want this because of the uncertainty of the project.

     Quite honestly, it's terrifying. My
neighbors, myself, my family members live in the area are worried about what's going to happen to our properties. What -- nobody can answer my questions how, how will this affect the property value. I've done a lot of equity, a lot of hard work, a lot of money to purchase my money. I've lived in Shawnee Township since I was seven. I purchased my home in 2012. I've put a lot of money, a lot of hard work into fixing up my home, building equity.

How much of that's going to be lost because of this. They tell me that it will be minimal. I find that hard to believe. I think that if I were looking to purchase my home in this area, I would look elsewhere. How much money will I lose, potential money will I lose personally being affected by this.

Again, a lot of my concerns are the same as the neighbors of what -- I've got pictures here of the flooding from your area. What's going to -- what will this project do? How it will add, I don't know. These -- I don't know if I can submit pictures?

JUDGE WILLIAMS: So I can't receive digital pictures here tonight. You can meet with
staff and they can educate you on how to forward those into the document.

MR. SWYGART: May I show you?

JUDGE WILLIAMS: You can reference them, sure.

MR. SWYGART: I said we're the northeast area and that's Odema Drive, that's our road, that's a river. When that river backs up, the water that will come -- what's going to happen on our neighborhood. Nobody can tell me the answers to these questions.

Is it going to make it worse? Is the water from this project going to back up the river faster? Will that put more water in my front yard or my road? I've got pictures of my brother kayaking to my house.

My wife and I have just invested nearly $40,000 in drainage tile around our home to try to help protect our home from the water in our area.

I just urge you to please take us into consideration, the people that this will affect. I feel bad for Mr. Tolliver over there, who put 30 years, retired from the fire department and his property will be surrounded by this
monstrosity. Mr. and Mrs. Hall. These people will be affected. They should be reaching the age where they can retire in a peaceful home and they're worried about their property values being cut, probably in half. Please take us into consideration.

JUDGE WILLIAMS: Thank you, sir. Any questions?

Mr. Swygart, I would encourage you if you have photographs that are relevant to this, that are specific to your area, please communicate with the Board staff. They'll inform you on how to send those electronically. Put some caption, descriptive information so the Board is aware of what you're trying to depict. Okay?

MR. SWYGART: Thank you.

JUDGE WILLIAMS: Our next witness is Derrick Whetstone.

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DERRICK WHETSTONE,

Being first duly sworn/affirmed, testified as follows:

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

JUDGE WILLIAMS: Your address?

MR. WHETSTONE: 14450 Kohler Lane, Wapakoneta, Ohio.

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

MR. WHETSTONE: No, I don't.

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

MR. WHETSTONE: No.

JUDGE WILLIAMS: Please proceed.

MR. WHETSTONE: My main concerns with the project are the population density for the impacted area is way too large for such a large facility. Population density for Shawnee Township, 420 people per square mile. Population densities for Ohio counties with approved utility solar facilities range from 32 to 91 people per square mile.

The project stands out as being an outlier when you consider the large size of the project relative to the population density.

Converting over ten percent of Shawnee Township to a massive industrial scale
solar power plant will negatively impact the social fabric of the township and change the characteristics of the area impacted.

No other township in Ohio with the similar population density has a solar project this large, taking over such a large percentage of land within the township.

The project lacks long-term local benefits. The electric will not be sold locally to bring down our local utility rates. After construction, less than five full-time jobs will be created.

Lightsource BP has no experience running a facility this size in a populated area. Lightsource BP has offered no research-based examples of successful equivalent projects in communities that are similar to the compacted area for Birch.

Lightsource BP has offered no detailed plan to protect existing storm water drainage patterns that protect the nearby landowners from being flooded by runoff from the project area. We are looking for expertise in this area.

That's all I have to say.
JUDGE WILLIAMS: Thank you for your testimony. Any questions?

Our next witness is Sarah Norris.

SARAH NORRIS,

Being first duly sworn/affirmed, testified as follows:

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

MS. NORRIS: My name is Sarah Norris.

S-A-R-A-H, N, as in Nancy, O-R-R-I-S.

JUDGE WILLIAMS: And your address?

MS. NORRIS: 3920 Bowsher Road, Lima Ohio.

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

MS. NORRIS: I do. Live.

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

MS. NORRIS: I am not.

JUDGE WILLIAMS: Please proceed.

MS. NORRIS: Thank you, again. I want to state for the record that I would be willing to stay here until morning to be able to
express my opinions as to why I am opposed to the Ohio Power Siting Board accepting this application.

The manner of which this project is presented has been very misleading, I feel, from the beginning. There's several things, obviously, we've listened to so much tonight and I am not an expert. I was raised in the middle of all the farm ground. I am closely, either related to or dear friends with several of the farmers who have decided to lease their land.

I have a great personal -- I just have a passion for where I live and for the amazing fertile farm ground that we have been blessed with in this part of Ohio. I understand that it is incredibly -- has been and is some of the best farm ground in the state, and has been.

That being said, I also have to respect that the farmers are able to make decisions for what they feel is a good lease on their land. Although I highly disagree with the manner in which this is going about or how it's come to be, that contracts were signed a year before anybody everybody knew about it.

There's all types of little things
like this that have been upsetting, not to mention the, I guess, the emotional toll on several of us who are heart and soul into this industry and into our community and our families and we are trying very hard. I walk a fine line because I love my neighbors and I love my family and I love farming and all of the things that have to go into that.

I raised our five children and countless foster children in an agricultural setting because I deeply value what it has to offer in the livelihood of growing children and families.

I believe that this is not a farm by any definition whatsoever, so it shouldn't be called that, obviously. It is an industrial solar facility, demonstrated by its size and scope, although there are large farms in size and scope.

I feel like there's been this outreach to the community to be a partner to the community and it's been really confusing to me because I hear about money being pledged to the community. I see some money, and watch the money being pledged to different things in the community whether or not it's -- who knows whether it's going to be money that is given if the facility is
granted and started and being built or whether that money's going to stay even if it isn't approved. Who knows.

I feel that there's been buying of support, et cetera, and I just don't feel that's very ethical. I also understand that the -- it is not going to benefit us as local electric customers, the power to the Birch group will not benefit us local.

Maybe -- maybe further away in the grand scheme of things is considered local. A city far from me that I have to get in the car to travel to is not local. Local is where we live. Okay.

I guess, also I've been confused about -- there's been an awful lot said about creating jobs, this is creating jobs and it is creating jobs for about 18 months, from what I understand, but is this not the life of the project 25 to 35 years? So, yes, it is putting bread and butter on those construction workers who need that for that time period before they go onto a another one. I get that.

But it can't hardly be tooted as a huge benefit for the rest of the time, only
creating a very few jobs. And, yeah, it's misleading.

Also green energy. It's not so green. There's more information, more and more about the costs versus benefits. It just doesn't add up for the long haul, the inconsistency, et cetera. Again, I'm somebody who would love to be able to say, hey, let's put solar all on every roof, on every, you know, let's make this. I do understand that it has a lot to do with the current substation.

I live very close to the current substation. I was raised very close to it. I have watched it expand throughout the time and the years. I have to kind of wonder, you know, if the past several years, the expansion of the substation was courting this plan. I don't know.

Some other concerns I have about if it won't affect our property values, why offer a neighboring landowner benefit program. You know, I'm trying to think. Because we have to look at it. So, yes, it's unsightly, but we don't just look at it. We live in it. I'm living in it. I'm driving in it, driving by it.

Yes, there's -- we're here, we're in
it. I don't know that anybody in the powers that be are living in a large solar facility.

Obviously, I'm concerned over the wildlife disruption, worsening flooding issues that already exist. We have literally a river that goes right through our ground into another. It definitely floods. To me -- I'm not an expert -- I have no education on watershed, but common sense says when everything's hitting panels, it's going to go more -- you know, you all can figure that out. It's been explained.

I'm concerned, obviously about who knows the truth about toxicity of panels. I'm concerned that I do not understand why on earth it would be acceptable for us to use panels manufactured in China. I've heard lots of -- there, again, where are the facts in these? We have somebody saying, somebody saying this. It's a little confusing and these are things that I just live here, I don't need to be concerned with the details.

No one seems to be getting any information on the success of such a long-term project and how many Ohio solar projects, even on a smaller scale have shown to perform for the
duration of the project. I mean, I don't know, I don't know the answer to that. How many have not worked, not to mention other failed programs in other states. I kind of feel like we're turning the corn belt into the solar belt.

It saddens me that a few landowners were willing to sign over their life's work for who could resist such a yield. Who? Which one of us here could resist such a yield? I don't know that any of us here would necessarily.

I wonder if they considered the families that sacrificed greatly years ago, years ago to procure and keep hold of the land that they farmed for their families, did without, sacrificed for as part of my family has.

Why the huge number all at once, Ohio? It leads one to believe that it's, obviously, federal dollars pushing the green energy and Ohio wants to get its gold star.

It is the responsibility of the Ohio Power Siting Board to diligently assess each application according to the eight, albeit, vague criteria for each individual project. I can't believe, nor understand, how so many applications, Ohio wind and solar are being so easily passed by
the OPSB, member by member around a table seemingly without deeper insight or concern for what is happening to the landscape of our state. Perhaps it's not too late to be more discriminate on your approvals, starting with the decline of Birch Solar 1. I asked specifically a member of the Ohio Power Siting Board -- I'm sorry, of Birch Solar 1, one of the developers, is there going to be a Birch Solar 2. Why, you know. No, there is not. Why is it called Birch Solar 1, LLC. Why?

I live in more farm ground that can most definitely be connected on a smaller scale, 100, 200 acres that could plug right in if this passes. What would stop it? Why isn't that being addressed? What's Birch Solar 1 mean?

Perhaps you've heard all these statements from the young, from the old, alike, from many other projects across the State of Ohio, maybe you have not heard anything new today, but these people also value where they live.

Perhaps now you will begin to listen. Thank you.

JUDGE WILLIAMS: Thank you for your testimony. No questions from the intervenors.
Our next witness is Don Kennedy.
Okay.

JUDGE DAVIS: Our next witness is Samuel Joseph Swygart.
We're going to move on. Our next witness is Jill Barnes.
So with that said, we are now into the list of individuals who were part of an intervenor group, so we will start with Pat Buzard.

MS. BECKSTEDT: She left. She left her stuff, I mean, she left her -- sign, whatever she had to do.

JUDGE DAVIS: Michael Wildermuth next.

MICHAEL WILDERMUTH,
Being first duly sworn/affirmed, testified as follows:

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


JUDGE DAVIS: And your address?
MR. WILDERMUTH: 3801 Linfield Lane, Lima.

JUDGE WILLIAMS: And township?

MR. WILDERMUTH: Shawnee Township.

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

MR. WILDERMUTH: I live about two miles east of the site of the proposed project.

JUDGE DAVIS: And you part of an intervenor group?

MR. WILDERMUTH: I am.

JUDGE DAVIS: Go ahead.

MR. WILDERMUTH: I speak as a member of an intervening party in the proposed Birch Solar 1 project, the Allen/Auglaize Coalition for Reasonable Energy. Knowing that OPSB considers public need, necessity, and convenience as important criteria when judging a project, my organization refers you to the words of our State Senator Matt Huffman who said "One of the things that we've decided as a state creating and transmitting energy is important and it's too important to keep individual interests from stopping that. We have to be able to turn on the light, we have to be able to heat our homes."
We agree. And the Birch Solar 1 project will provide for this public need, generating hundreds of megawatts of electricity right here in our community. We support it. It is our understanding from the developer that all the electricity the project will generate is already contracted for. What greater demonstration of necessity could there be?

As for convenience, as Shawnee Township Trustee, David Belton remarked "As I've said before, over and over again, the reason it's here is because of the substation located on Sellers Road. That is the crux of what that does is it provides immediate access to the grid."

So public need, necessity, convenience, Birch Solar 1 checks all those boxes. Finally, I would briefly refer to our experiences. Initially, our group coalesced in response to statements from local political leaders that seemed to us preposterous. We heard it said that "Solar doesn't really produce that much electricity."

Yet we learned that this project will produce the equivalent amount of electricity used by more than 50,000 average homes. That is more
homes than exist in Allen County. That seems to us a lot of electricity.

   Another thing we heard stated was that this project will have zero local economic impact. Yet numbers we've seen estimate the amount of new revenue to local schools, townships and counties in the millions of dollars, a number very much larger than zero.

   Consequently, we felt compelled to speak up to counter such glaringly obvious misapprehensions. We spoke to various media and political leaders and felt as though we made progress in showing the community that there were two sides to this issue, but, ultimately, it registered on us that the decision to approve the project lay with the Ohio Power Siting Board and we should be speaking to you.

   We filed comments on your website to let you know our position and our thoughts. Ultimately, we created a petition to allow people to express their support to you. While we applaud your presence here tonight to learn community sentiment, it must be acknowledged that not everyone has the time, nor the inclination to attend a hearing such as this one.
So we went door to door and attended outdoor summer events and publish our petition on line. In about two months with seemingly minimal effort, we garnered over 250 names on our petition from people within the footprint of the project. That is, within the school districts and counties involved.

I was surprised to find that people commonly knew little about the project. Something that Speaker of the House, Bob Cupp, said it didn't surprise him. But most people we spoke to door-to-door decided to sign our petition, especially when the financial benefits to the community were explained to them and their questions concerning the project were answered effectively.

We found that there are a lot of people who are tired of the parade of tax levies we've had lately and many expressed thanks that someone would take the time to come and explain the project to them.

I believe I have just a bit more time and I feel impelled to deal with a couple of things that have been mentioned tonight. One of the things we've heard mentioned over and over is
the aspect of a scenic view and the most eloquent response to that I heard from a farmer when he said when providing scenic views provides an income stream, we'll consider it.

Also, I've been a part of the environmental citizens advisory committee of Allen County Public Health for over 30 years. We work as a community liaison group between the public and the petrochemical complex in the northeast corner of Shawnee Township.

One of the things that strikes me about that is I have seen over those 30 years that regulatory capitalism works, that we have good professional competent people in our industries in this country, but because of the necessity that they feel to pursue a profit more than any other consideration, we need regulatory agencies to oversee them and work them.

And I've seen that over 30 years, I've seen the competent professional of the EPA, I've seen the professionals of the petrochemical plants that are out there work together to try to come to solutions to problems that advantage both the community and the industries. And we count on you to make this process a success.
The concerns that the people have spoken here tonight are real concerns. We're glad that you're here listening to them and we're counting on you to hold the company accountable to do the things that they said that they'll do if their application is approved. That's important. I've seen it work and I encourage you in pursuing your role in this process.

Another thing I would say is that when I hear these comments about toxic releases, I have to go back to, again, my experience on the environmental citizens advisory committee because at times, Allen County has been rated the number one county in the State of Ohio for toxic releases. Number one on the TRI index. They ratcheted that down over the years. The best available technology has been put into place. We've seen improvements.

Some of us remember when they were pulling fish out of Ottawa River that were deformed in many different ways. We've seen that improve over time. We need that regulation to look over these kind of things to see that they're done properly. We count on you. We count on our agencies, ODNR, EPA, we need them.
But it also means that our people here have lived with that for years. We're talking about solar panels going into all of these fields, solar panels that have passed the test of the US EPA that says they don't leak toxic chemicals even if they've been cut up into pieces and tested to see they won't leach out. They don't and they're certified by the EPA that they don't. And, yet, we seem to be worried about them and I've never heard anybody say that they were worried about being number one on the Toxic Air Release Inventory when they live in Allen County. Some of us only one, two, three, four miles away from the chemical plants. I mean, it's like the risk that we're talking about with these panels is so small compared to the risks that we're talking about from the industries that we've lived with for over 100 years. Have we thought these things through? We talk about farmland. Calculations have shown that we could generate 100 percent of the electricity that's currently used in the United States on 14 million acres of farmland. Solar panels on 14 million acres of farmland to generate 100 percent of the electricity we use
Now, every year 90 million acres are planted in corn, 30 million of those acres approximately are used to create ethanol. So 14 million acres is less than half of that. Less than half of the land that we're already using for ethanol, not food, for ethanol, less than half of the land we're using for ethanol could produce all of the electricity we use in the United States if they had solar panels on them.

What are we thinking? What are we thinking?

I hope I haven't gone too far over time. I appreciate your indulgence in listening to me. Thank you very much.

JUDGE DAVIS: Thank you for your testimony. Any questions?

Our next witness is Chris Fisher.

CHRIS FISHER,

Being first duly sworn/affirmed, testified as follows:

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

JUDGE DAVID: Do you live or reside in the project area?

MR. FISHER: Yes, reside. I would like to submit this, a little yellow box.

JUDGE DAVIS: For the record, you are part of an intervenor group?

MR. FISHER: Yes.

JUDGE WILLIAMS: Just so I can understand. There's a couple of yellow boxes here, are you talking about the one on the lower left?

MR. FISHER: One with my address on it. These boxes are not houses. Those are only houses. I live in the house, not the box.

JUDGE DAVIS: You may proceed.

MR. FISHER: Like I said, I'm not going to read my statement.

I bought this house in 1978. It was 1,100 square feet with pink plastic tiles in the bathroom so it was a project, it's been a project ever since.

Many, many remodel jobs, worked on
it. In 2000, we remodeled the house. We doubled the size of the house, we doubled the payment of what it cost for the house. We put a new septic system in. You know, finished basement in. Thank God.

So then in 2012, we put a new building out. You can't see the building on that picture because that picture's like 11 years old. That's a picture that they put on there. So when we put the building on the house, in the driveway, we put more into the house than what we paid for the house to begin with again, we got a lot of investment in this house.

We've been living there since '87. I'm going to retire next year. I'm a union pipefitter. My company is actually a big part of building the first solar panel plant in Perrysburg. I liked to see if we was going to build something in America and in Ohio, we'd use our stuff.

People talk about coal plants, you know. We have some cleaner burning coal plants, but we're to buy solar panels from China. How many coal burners are the building this year -- 100. I mean, don't know the exact number, but
it's a lot, a lot of stuff. So I just, you know -- I don't know. It's a heck of a thing to put all your blood, sweat and tears in something to live across from that and, you know, the property around me, the flooding that goes on with that and I don't know. For the record, I'm against it.

JUDGE DAVIS: Thank you very much. Are there any questions? No.

Our next witness is Mark Wellman.

UNIDENTIFIED VOICE: He had to leave.

JUDGE DAVIS: Our next witness is Linda Beckstedt.

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LINDA BECKSTEDT,

Being first duly sworn/affirmed, testified as follows:

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

MS. BECKSTEDT: Linda Beckstedt.

L-I-N-D-A, B-E-C-K-S-T-E-D-T.

JUDGE DAVIS: And your address?

MS. BECKSTEDT: 4495 West Breese Road, Lima, Ohio, Shawnee Township.
JUDGE DAVIS: Do you live or work within the project area?

MS. BECKSTEDT: Yes, I am. I live.

JUDGE DAVIS: And you're part of an intervenor group?

MS. BECKSTEDT: Yes.

JUDGE DAVIS: You may proceed.

MS. BECKSTEDT: Thank you.

Thank you for your time. I know this is going long -- this is personal.

My husband and I came to Lima, the Lima area almost 50 years ago. We have been in Shawnee for 47 of those years and this is our community. We built our home 32 years ago on six acres of woods, raised our three daughters here and now have four grandchildren that come to visit often.

It is a peaceful home with a pond, trails in the woods, and plenty of room for basketball, volleyball, ice skating, bonfires, and just anything else the grandkids want to do.

My husband and I are retired and enjoy sitting on our patio. We enjoy our woods. And have deer that roam in the woods, along with the wild turkey, owls, along with all of the other
wildlife. Right now the leaves in the woods are beautiful, but will be coming down soon.

If Lightsource has its way, we will be surrounded by solar panels right up to the edge of our woods. Even with the leaves on the trees, we will see nothing but solar panels.

I am not against responsible solar energy. I am fine with the solar farm in an appropriate place, like on roofs of manufacturing building, shopping malls, and there are even places like deserts that have uninterrupted land that is not -- let's see, excuse me -- a desert where it's sunny 365 days a year.

What Lightsource is doing here to our community, in my opinion, is not responsible. The environmental footprint surrounds homes and has invaded our community. There's no definitive research on the longevity or damaging effects of these massive solar projects being placed in and around highly-populated areas such as this.

I am concerned about our well water, possible toxicity, glare, electromagnetic radiation, noise pollution, et cetera. And, yes, I imagine that Lightsource can explain this all away and say that this will be safe and a benefit
for our community.

I just don't have faith or the confidence in this company that this will be a good fit. Those here that are for the project, you have that right, but imagine this project is not sitting next to your home. This is a long-term project. Thirty years down the road what will happen for our next generation that live here. What will this do to our once-fertile farm lands.

Will we be left with broken solar panels, posts, wires running underground? Once this goes in, there is no going back. There's no guarantee that our well water and our health won't be affected in the years to come.

The energy that is generated from this proposed project will go to Amazon, not to our community.

To the Ohio Siting Board, I hope that you hear those of us who will be directly affected by this and oppose this project.

Thank you for your time.

JUDGE DAVIS: Thank you for testimony.

Our next witness, Cheryl Counts is
our next witness.

MS. BECKSTEDT: She has left.

JUDGE DAVIS: Next, we have Mike Ruppert.

MIKE RUPPERT,
Being first duly sworn/affirmed, testified as follows:

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

MR. RUPPERT: Mike Ruppert, R-U-P-P-E-R-T.

JUDGE DAVIS: And your address?

MR. RUPPERT: 605 south Blackhoof Street, Wapakoneta.

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

MR. RUPPERT: I work.

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

MR. RUPPERT: Yes.

JUDGE DAVIS: Please proceed.

MR. RUPPERT: Good evening. My name is Michael Ruppert and I'm the business manager
for the International Brotherhood of Electrical Workers, Local 32. The IBEW is the largest energy union in the world, representing over 750,000 members, retirees in the US and Canada, with over 20,000 in Ohio, and nearly 300 here in my local union.

Birch Solar will create roughly 41 construction jobs and many indirect jobs during the construction phase. The Pilot programs requires that at least 80 percent of the jobs have to come from local labor. The Pilot program also guarantees that $2.7 million annually will be paid to our schools and other community services.

Lightsource BP has made a commitment to our community and has stepped up by working with the community, the local work force, and we believe they are a true community partner. We have to keep supplying energy needs to our region and Ohio.

We can create good-paying jobs and benefits at the same time. IBEW, Local 32, stands in support of Lightsource BP and Birch Solar. We are ready to build Birch Solar, create and maintain jobs here in Lima, and support our energy infrastructure.
Thank you for the time and consideration of IBEW Local 32's support of Birch Solar.

Thank you.

JUDGE DAVIS: Any questions? No.

We have an Ellen Wieging.

MS. WIEGING: It's German, it's pronounced we king. I tell people if they think of the Christmas song, *We Three Kings*, drop the three -- we king.

JUDGE DAVIS: I will remember that if only because it's pretty unique.

MS. WIEGING: That's what my father said. He's never heard that before how to pronounce our last name and he thought that was rather original.

ELLEN WIEGING,

Being first duly sworn/affirmed, testified as follows:

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

MS. WIEGING: My name is Ellen Wieging. W-I-E-G-I-N-G.
JUDGE DAVIS: And your address?

MS. WIEGING: 5880 West Hume Road, Cridersville, Ohio, 45806.

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

MS. WIEGING: I will be surrounded by this by this project. I am living in this project area.

JUDGE DAVIS: You are part of an intervening group?

MS. WIEGING: I'm part of the intervenor group. I am against it.

JUDGE DAVIS: You may proceed.

MS. WIEGING: Hello. I know this has been a long night and I'm probably going to repeat some things, but I will be short and brief.

Hello. I am Ellen Wieging. I will be speaking for the Nancy Wieging family, which consists of my mom, my brother, and I. My mom married my dad back in 1964. My mother is 82 years old and a widow. She resides on the family farm. We will be surrounded by all four sides of my mom's property. I have the following concerns.

The health impact of all my family --
the flooding which has been discussed today -- if
the solar panel poles go down in the ground ten
feet and hit the field tile, which will affect the
drainage in the field we are surrounded by.

If these panels break and leak
carcinogens into the soil, it can ruin the well
water that we use, go into creeks and rivers. The
stress from this coming in, I worry about my mom's
health and well-being, besides my brother and I.

The increased temperatures from the
panels, estimation of five degrees, it's a guess.

The wildlife is a concern. The
coyotes getting into livestock, the raccoons
getting into the chickens, too. Wildlife will be
limited to the areas they can roam.

I am a farmer's daughter. I know
what this means. This is good fertile farm ground
that will impact this and agricultural community
or agricultural in general. We need to take care
of this ground. God is not making anymore.

Thank you.

JUDGE DAVIS: We have Ann Fisher.

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ANN FISHER,

Being first duly sworn/affirmed, testified as
follows:

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


JUDGE DAVIS: Your address?

MS. FISHER: I live on 11678 Zerkle Road, Cridersville Ohio, Logan Township, Auglaize County.

JUDGE DAVID: And do you live or work in the project area?

MS. FISHER: I live smack dab in the middle, four sides, just like Ms. Wieging says.

JUDGE DAVIS: And you are a part of an intervening group?

MS. FISHER: I am.

JUDGE DAVIS: Please proceed.

MS. FISHER: Thank you. I'm not wanting to write this testimonial on my own behalf. Although, we are residents who will be adversely impacted surrounded on four sides by 10-to-12-foot high massive acreage of industrial use equipment in an agriculturally zoned area for as far as the eye can see of glass, lead,
aluminum.

I crossed out a lot of this stuff, so if I have to hand it to you, it might be an issue.

We understood that there were possibilities over the years that things could be built on land surrounding us and that was the right of the landowners. They do own that land and they should do with what they want to do with it.

However -- and I won't be repetitive of everyone because I know -- I mean, this is my life, so bear with me.

This isn't just an annoyance, a housing development, a pole barn, a chicken coop, a pig farm. That's what you would expect in the agricultural areas. There are many concerns and I'm not going to list all of them because everyone else did.

I don't want it to be this not-in-my-backyard testimony. My testimony is not about us. This is about the effects of thousands and ten thousands of acres across the State of Ohio or not only solar and wind, the footprint for an intermittent at best energy source that is impacting thousands of township residents. We
are, indeed, just one of the tens of thousands of affected residents in and near proposed footprints that solely encompasses. This one being the 2,300, whatever the number is, 2,500 acres of land, 40 miles of fencing, three-quarter of a million glass aluminum encased cadmium lead solar panels that still haven't been quite proven to be safe in the long-term surrounding so much population. That's the anomaly here.

Surrounding so many resident -- well, not so many -- nine that are definitely on all four sides within only 300 feet from the center of the home. Now, my prolific husband that speaks so well up here, already gave you a map. However, my map circles our house with the dot in the middle, with the 300 feet from the center.

But what it doesn't tell you is that there is 120 feet from our property line outside of our driveway where the solar is. And more importantly, I'm not going into the discussion point of the waterways, but there's a waterway that goes from the Three Mile Creek that the panels are 50 feet away from. So those are major concerns.

As I said before, I started this
saying I don't want this to be about me, I don't want this to be not-in-my-backyard testimony, but it is about us. Think about us. There are many people that came here -- this was amazing -- but there are many people that couldn't. They have young kids at home, there's several examples of neighbors of ours, a young couple with a two-year-old. They purchased their multi-acre dream home, raising their son, but now have to have the safety of their family in question, completely engulfed on all four sides.

Or the young couple surrounded on, three sides -- ooh, just three sides, just three -- with a gravel-access roadway 100 feet away from their driveway where their little girl plays on a swing set right in the back of their yard where, during this 18 months of construction, there will be trucks speeding up and down. And they speed because I went over to Hardin County and sat outside there and watched them.

I want to cry harder for them. Fish and I have been there 34 years, like he said, '87, sweat and tears, you know, we raised our kids there and now it's neat to see these young families come out there and raising their kids.
So I definitely wanted to cry harder for them because I'm old -- who the hell cares about me. Because, you know, they've got their lives ahead of them.

I don't think any of us are against the research for a cleaner, better earth and for benefits of the economics for Ohio, but why so fast? Why so much? Why at the risk of its Ohioans to reach a goal, 2035? Again, too much, too fast.

Days into our notification, well into years of the solar industrial plant already being planned with testing and boring holes set in the fields, almost a year ago now, we were all unaware, including officials. We started inquiring within a month and built a large portion of our current 900 signatures of residents within and near the footprint on a petition against this encroachment and these are people within the two-mile perimeter, or buffer, or whatever.

They have a map where there's a mile buffer and these people are within that. If it were so good for our part of our township, that already has a petrochemical plant on the east side, and thriving businesses in zoned areas that
are not in the agricultural planning area of the township, it's just beyond me.

Self-staining, renewable solar has its place. Such as the solar fields in Wapak or Minster only taking up a couple hundred acre swaths, satisfying those communities, those businesses. Satisfying businesses, every new home, every new industrial rooftop, those are where solar should be going.

I mean, hell, in Columbus the Chase Building, they're putting solar on its rooftop to satisfy its own energy. That's progress, that's technology at is finest and that's research for the betterment of society without ripping the rug from underneath those that have no say.

I'll skip all that because we've already talked about it.

I just want to say then, you know, again, back to the renewable energy, definitely has the ability to be put in places, but this placement is wrong, not because it's where I live. You know, hell, I said when this first happened, I've 34 years in that place, out in the country, but I'm a city girl and so I told my husband, Fish, the -- and I won't say the farmers -- just
leased the 2,600 acres across from us for solar. You know, I felt like, okay, you know, that sucks, but, you know, it's inevitable. But when I found out the magnitude of what 2,600 acres is, that was only 250 -- 2,600 acres, five times the size of the refinery -- this is why I've been fighting this since day one, October 27, 2020.

And I'm not fighting just for me. I'm fighting for all of these -- well, they're all gone -- but all of these people and the 900 people and there's gotta be more. We just, just, just want this to be a smart placement.

Again, I think this evening is evident. I have been proud of the turnout of this entire community and I tried to not make this about me, this is about us, what about us. This is also about you.

Please do the right thing. And I humbly request you deny this certificate based on satisfying many criteria, including our public interests, necessity, and need.

JUDGE DAVIS: Thank you very much. Our next witness -- and I apologize if I get your name wrong, Stacy Brenneman.

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STACY BRENNEMAN,

Being first duly sworn/affirmed, testified as follows:

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


JUDGE DAVID: Do you live and work within the project area?

MS. BRENNEMAN: Yes.

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

MS. BRENNEMAN: Yes.

JUDGE DAVIS: Please proceed.

MS. BRENNEMAN: My name is Stacy Brenneman. I reside at 3695 South Kemp Road, Lima Ohio. I am on the northwest edge of the proposed project and I am opposed to the Birch Solar 1 solar development project.

We have seen in the Hardin Solar cases, this project will not be the only solar power plant once approved, but the start of a much
larger development. I fear that my home will soon be surrounded on all sides by this type of power generation.

There are many reasons I oppose this project. One of the main reasons is because the type of power generation is unreliable, intermittent, and requires gas-powered electrical generation as back-up. It seems that if we in Ohio need to build gas power plants to cover when renewable energy generation is unavailable to produce electricity, it would be better to cut out the middle man and only go with reliable, on-demand power sources. That would be better for the consumer, that way we only pay for the power plant once, not twice.

Solar project generation is also very energy light. When I say this, I mean it takes a lot of land to create very little electricity when compared with reliable on-demand sources. Solar is also very trash-heavy, especially since these panels do not have 50-plus year life span like most on-demand power plants.

According to the developer, the solar panels should last 20 years. That is based on optimal conditions. There are better uses for
this land that would serve the public better than solar power plant.

I do not think that this project meets the requirement for a public need. We produce more electricity in Ohio than we use. How does any power plant being constructed constitute a need, let alone one that is not able to produce power on demand.

I'm also concerned about the possibility of the coating that is placed on these solar panels that is to increase their efficiency that only lasts for a short time, as compared to the life of the panel, entering our water supply system.

Solar panels do contain toxic chemicals and as far as I can tell, water quality will not be monitored throughout the life of the project. We have asked for the toxicity reports for the panels that will be used and as to date, those have not been provided by Lightsource BP.

I can also personally attest that Lightsource BP has not done its due diligence when it comes to the location of water wells on the edge of the project because there are two capped wells and one well we use on our property and that
is not shown on their water well map. Also, my neighbor has one capped well and one well in use that I know of that is also not shown. There are no wells shown on either property in the report that Lightsource BP provided to the Ohio Power Siting Board. Those wells are on record at the Allen County Health Department.

I do not think it is a good use of land. This is some of the most productive farmland in Ohio and it seems we should be putting this type of power generation on brown land or low-producing farm ground as well as on rooftops and over parking lots. By doing this, it would protect the water sources for the farmers and the people that live in this area.

The decommissioning of this project is also a concern of mine. With this company being a limited liability company, as soon as it is not profitable, they will be able to easily declare bankruptcy and leave the project to the local community to deal with. It is my opinion that the bonds will be very similar to the bonds that are issued for the oil companies and will not cover the actual cost of clean-up, which has actually happened in Ohio.
It is the lack of transparency, the unwillingness to provide specific information regarding our concerns and the less-than-honest statements made by this company that provides me with no confidence that they are looking out for anyone but themselves.

I also find it very interesting that the majority of the landowners that are leasing the land are not here tonight, defending this project. Speak volumes, doesn't it?

Thank you.

JUDGE DAVIS: Thank you for your testimony. Our next witness is Ryan Brenneman.

MS. BRENNEMAN: He went home.

JUDGE DAVIS: Do we have a Bruce Dukeman?

MS. BECKSTEDT: He has left.

JUDGE DAVIS: Dave Belton?

DAVID BELTON, Being first duly sworn/affirmed, testified as follows:

JUDGE DAVIS: Please state and spell your name for the record.
MR. BELTON: David Belton, B-E-L-T-O-N.

JUDGE DAVIS: Your address?

MR. BELTON: My home address is 4025 Yellowood Street, Lima, Ohio, 45806. Our business address is 2530 Fort Amanda Road, Lima, 45804.

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

MR. BELTON: Yes.

JUDGE DAVIS: And you are part of an intervening group?

MR. BELTON: Yes, I am.

JUDGE DAVIS: Go ahead, sir.

MR. BELTON: Okay. You guys have had many facts placed before you of all the things as far as environmental projects, environmental information, all those facts have been presented. They've been presented multiple times over multiple meetings. I'm here to tell you about life.

I grew up in Shawnee Township. I moved here when I was 12 years old. I've lived here for a total of 58 years. The community has provided me a job. I worked at the fire department for 28 1/2 years, and retired there. I
also serve as a trustee and finishing up my term, which will be the end of my political career, this year, December 31st. I have seen our community grow.

We moved there in the '60's when the growth was taking place very quickly. It was by design the way the growth took place, where subdivisions went, where housing went, where businesses went, and industrial complexes and so on. And now we have a plan, a comprehensive land plan that was designed the rest of 2009 and will expire in 2026.

This project does not conform to that plan whatsoever. We have industrial areas set aside for expansions. We have manufacturing business areas set aside for incoming businesses. Those are all existing. It's how our community has been cohesive as we've moved along.

I'm very proud of our community. We have good schools, we have good people. We have a lot of businesspeople living in our area. They contribute to our community in many different ways. We have an excellent school system and very few of our levies have ever failed with our school system. And the same with our township levies,
very, very few have ever failed. I can only bring up one, to my knowledge, that actually failed. So this community has been stable.

On October 8, 2020, we met with a Lightsource BP representative and a local investor. We were told what a glorious plan to bring a large industrial project with a large footprint to our area. It sounded great.

We would have to have hotels and restaurants built to accommodate all the workers that would be at this facility. Then they said they'd be there 14 months. That is no plan. No investor is going to build a hotel or a restaurant for 14 months of work. It'd be crazy.

We were told it'd be hundreds of jobs coming in. They're not going to last long, 18 months at the most. Then we get five people. That is not a great impact on the revenue to the economic part of our township.

On November 9, we had a board meeting. There was a resolution passed with this project to oppose this and it was sent to our Allen County Commissioners. It was an open meeting, there was every opportunity for everyone to attend. We had to make arrangements for a
larger facility.

One of the things that really bothers me with this project is the property owners with this, whether they be landowners that are leasing their land or living there is that they have property rights. Everyone does if you own property, you have those rights.

When you purchase your property, you are told what your right-of-way is and where your property line is. Those are used for setbacks and zoning with that. Yet, in this project, we have an industry coming in and saying we're going to measure from the center of your house.

I know of no zoning that takes place in Allen County that measures from the center of the house. I have a very good friend of mine -- she's already spoken this evening -- who actually the 300 feet will be at their property line. It will not extend any farther. I don't see how that's right.

You can't build another house that close to theirs or any other adjacent building from the adjacent property because it has to have the proper setbacks and it's been set through our zoning.
Any of the new businesses that come in to ours, the amount of hoops that they have to jump through to build a building or to build a plant in that is almost overwhelming. It's difficult for them, the amount of permits they have to go through, the amount of planning that has to be reviewed through regional planning and our local planning.

It is just unbelievable that that is not required for an industrial project such as this solar farm. They call it an industrial project. That was what was told to us, yet, they come in and use it under agricultural.

No one else has that advantage and it doesn't seem proper and it affects our community. If the government subsidies did not exist, this plant probably would not ever been in existence or thought of because there would be no way they could afford to build it.

I did say, as was mentioned before, one of the largest things driving this project is immediate access to the electrical grid. There's a substation located on Sellers Road. It's been there for many, many years -- as long as I've lived here. They expanded that facility
approximately about ten years ago because they're anticipating bringing transmission lines down out of Paulding and Van Wert County to feed into the grid. That project was defeated by public -- what do I want to say -- public interest or whatever that that project no longer exists.

So this was primed and ready to go. And that's how the project comes to our community. It affects our community very much deeply so.

The long-term issues, many of these are unknown. It's been explained before. I don't know that I need to go into any detail on that.

Probably the best thing that goes to this is an analogy that states, if it sounds too good to be true, it probable is.

Thank you.

JUDGE DAVIS: Thank you very much.

Any questions?

JUDGE WILLIAMS: I can attest we've had a number of sheets going back and forth and we are moving names to and fro. I believe that's our last witness. I'm not seeing any hands go up.

With that then, I want to thank everyone who appeared today. I want to thank everybody who stayed to the end.
This concludes the testimony. We appreciate your participation and we are concluded.

Thank you.

(Thereupon, the hearing adjourned at 11:44 p.m.)

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STATE OF OHIO   )  SS:  C E R T I F I C A T E
COUNTY OF MERCER )

I, Susan E. Ingraham, Registered Professional Reporter, and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within hearing was by me reduced to stenographic notes in the presence of said witnesses; that I did later transcribe the said stenographic notes; that the foregoing is a true and correct transcription of their testimony as given on November 4, 2021;

I further certify that this deposition was taken at the time and place in the foregoing caption specified and that I am not a relative, counsel or attorney of either party or otherwise interested in the outcome of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my seal of office this 9th day of November, 2021.

__________________________________________
Susan E. Ingraham, RPR
Notary Public in and for the State of Ohio.

My Commission Expires September 1, 2025.
This foregoing document was electronically filed with the Public Utilities Commission of Ohio Docketing Information System on

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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