

LET'S SET THE RECORD STRAIGHT!

RESPONSE TO BIRCH SOLAR, LLC'S PUBLIC STATEMENTS
REGARDING THE PLANNED 2,600 ACRE UTILITY-SCALE



PREFACE:

This document was developed to assist those within our communities better understand the impacts of the proposed 2,600 acre utility-scale industrial solar complex would bring with it. It is not intended to be a comprehensive analysis nor shall it be considered complete. However, it is our best understanding of the facts, of which the developer (Birch Solar, LLC) is apparently trying to avoid based on their misleading, less than truthful and head-scratching public comments.

Birch Solar, LLC Statements

1. Payment In Lieu of Taxes - PILOT

What is a PILOT?

The PILOT (Payment in Lieu of Tax) program, as set out by the State of Ohio, provides sustainable and steady tax dollars into the community for the local governments and schools, as well as significant job creation. This mechanism is available whether or not a county is in an "Alternative Energy Zone."

For Birch Solar, it is estimated that the PILOT program will bring approximately \$2.7M annually to the community and \$81M throughout the life of the project. That is in comparison to the less than \$100,000 currently paid in traditional agricultural tax on the project property. The PILOT amount is distributed:

Approximate Property Tax Payment in Lieu of Taxes

Joint Vocational School (JVS)	\$4.05M	5%
School District	\$43.74M	54%
County	\$13.77M	17%
Township	\$19.44M	24%
Total for life of project (approximate)	\$81M	100%

The impact of the PILOT program on school funding is significant; approximately \$1.5M is provided to the local school districts annually. These funds can be used as the school districts see fit and often are able to reduce the need for additional levies. In November 2018, the Shawnee School Board's request for an additional \$4.4M mills levy was rejected, for the second time. Lightsource bp believes this additional \$1.5M annually will help to alleviate the need for these additional taxpayer funds.

Against Birch Solar Response

1. Payment In Lieu of Taxes - PILOT

What is a PILOT?

The PILOT **subsidies** only work in favor of the developer, period. To clarify, a PILOT agreement equates to our County paying for a portion of the development. Without a PILOT agreement, the developer would have to pay normal and customary taxes like we all do. This would amount to around \$114 million dollars (likely higher) or about \$33 million more than if a PILOT agreement was entered into.

First, let's clear up how Birch Solar, LLC is trying to fool our community. A PILOT agreement IS NOT a tax (read the acronym - Payment **In Lieu Of Tax**). Secondly, look at Birch Solar's table to the left, they try to perpetuate this misleading/less than honest notion that the PILOT is a tax by claiming it is a "property tax" payment "in Lieu of Taxes". Don't be fooled!

Approximate TAX Revenue Without Pilot

Joint Vocational School (JVS)	\$ 5.70M	5%
School District	\$61.56M	54%
County	\$19.38M	17%
Township	\$27.36M	24%
Total for life of project (approximate)	\$114.0M	100%

The impact **WITHOUT PILOT**, on school funding is **MORE** significant; approximately **\$2.24 million** would be provided to local schools annually. Or approximately **\$0.74 million MORE annually than Birch Solar, LLC feels our community, our children, deserve!**

PILOT revenue not indexed to cost of living, inflation, typical cost of money over time the \$7,000 per MW will actually lose value over the life of the agreement. For example, if you purchased a candy bar for \$1.00 in 1990 the same candy bar would cost you approximately \$2.04 in 2020. (Based on Consumer Price Index). Therefore, one can expect the value of a \$7,000 per MW tax revenue in 2020 being able to purchase only \$3,500 - \$4,500 worth of good and/or services by the end of the agreement. This IS NOT the case without a PILOT agreement.

Don't be fooled! A PILOT agreement IS NOT in our community's or our County's best interest, period. This agreement would only benefit Birch Solar, LLC and would rob much needed school funding for our children and grandchildren.

Birch Solar, LLC Statements

Are there any benefits to the community with a PILOT?

Requires a minimum ratio of 80% of Ohio-domiciled full-time equivalent employees employed in the construction and installation of the project.

Requires a certificate from each county engineer with which the taxpayer has an agreement regarding the repair, rebuilding, and reinforcement of roads, bridges, and culverts that continues beyond the completion of construction, to the effect that the taxpayer is not in default on any of its obligations.

Required training and emergency responders in handling emergencies at the project.

Project must establish a relationship with a member of the university of Ohio offering an apprenticeship program registered

Work with the U.S. Ohio DOL to educate and train individuals for careers in the wind or solar energy industry.

Why would the local community want to enter into the PILOT?

A PILOT ensures that the tax revenue from Birch Solar is held constant over the life of the project (vs a declining tax revenue with the traditional personal property tax regime where taxes decline as the equipment depreciates). Further, the PILOT mandates 80% of the project's workforce be Ohioans and requires commitments between the project and local higher educational institutions to encourage local workforce development, as well as training and equipment for local responders.

Against Birch Solar Response

Are there any benefits to the community with a PILOT?

"Ohio-domiciled" is the key word here. A person only needs to live, and remain gainfully employed, in Ohio for 12 months to be considered "Ohio-domiciled". This means a construction company from Alaska could be employed on this project and if those working for this contractor stayed on the job for 12 months, they are considered "Ohio-domiciled". Not a far reaching assumption as you would be hard pressed to find an Ohio vehicle license plate for those working on the Hardin Solar projects near Alger.

If President Bush's TARP legislation taught us anything, it is that "jobs created" and "jobs saved" are nothing more than guesses used to bolster public opinion. The same can be said about the employment created through construction, operation and maintenance. Ohio domiciled just means that there is a high potential that workers will come from out of state and live in rented houses in Ohio. The jobs that are being added are temporary construction jobs. Only 4-6 jobs will be full-time after the construction of this development is over.

Why would the local community want to enter into the PILOT?

It is our opinion that Birch Solar, LLC should publish both tax revenue avenues (with PILOT and without PILOT). As we know the PILOT only benefits Birch Solar, LLC we are confident they will attempt to "spin" their way out of doing so as it will prove that more money would be made available to government agencies and schools than they let on.

This is essentially admitted with Birch Solar, LLC's statement however they used misleading verbiage by using words like "declining tax revenue with the traditional personal property tax regime". We would agree the traditional personal property tax "regime" would be based on depreciating equipment values however once equipment is replaced/upgraded monies increase. Also, with a PILOT agreement no money is provided until electricity is sent to the electrical grid. Meaning during construction, if shut down for repairs due to natural disaster, or during decommissioning NO PILOT revenue will be paid.

If the traditional tax revenue model, or no PILOT, is entered into revenue would be generated from day one. Also, if the development is ever sold, the depreciation values all reset thus providing even more money to our community.

Birch Solar, LLC Statements

Does the county lose out on tax revenue as a result of a solar project obtaining a PILOT?

No, the PILOT revenue represents an average of 15-20 times *increase* in local tax revenue when compared to the current agricultural use

What is the process for Lightsource bp to apply for a PILOT?

1. Applicant submits the application to the Ohio Development Service Agency
- 2. The ODSA sends the application to the county commissioners**
- 3. The county commissioners then have 30 days to issue a resolution approving the application**
4. If the resolution is issued, ODSA will issue a certificate that says the applicant is a Qualified Energy Project (QEP) eligible for the PILOT exemption – provided they meet all of the requirements for the PILOT after construction is complete.
5. Once construction is complete – within 90 days after COD – the application submits a construction completion report to ODSA that must include:
 1. Certificate from county engineer that the road use agreement was complied with
 2. Certificate from first responders that the training and equipment was provided
 3. Verification that the university or apprenticeship program is in place

Against Birch Solar Response

Does the county lose out on tax revenue as a result of a solar project obtaining a PILOT?

First, let's look at the acronym PILOT – Payment **In Lieu of Taxes**. So YES there would be a loss in tax revenue as PILOT money IS NOT tax revenue. By our estimation, the county would LOSE (conservatively) at least \$30 million (potentially twice that much) over the 30 year life of the project.

Again, a misleading and less than honest response by Birch Solar, LLC. Although agreed a PILOT, when compared to current tax revenue received, might be increased they “spin” their response by avoiding answering the question honestly. Revenue received by the County would be **LESS with a PILOT agreement and MORE without a PILOT agreement.** Birch Solar, LLC even admitted to this at a November meeting with the Auglaize County Commissioners. Why Birch Solar, LLC takes a 180-degree different position on their website is troubling.

Also, if a PILOT agreement is reached the revenue the County might receive would only begin when the solar arrays are generating electricity. So the two years of construction, NO PILOT money. If, heaven forbid, a natural disaster renders the facility shut down, NO PILOT money.

What is the process for Lightsource bp to apply for a PILOT?

Against Birch Solar has reached out to County Commissioners trying to obtain their position both on solar developments, as a whole, as well as if they would consider a PILOT agreement. At the time we generated this document we understand neither Allen or Auglaize County Commissioners have done so.

Although we respect that each Commissioner's office is taking time to evaluate this project on it's merits, and despite the developer stating the process of permitting is a “long” one, you can see by the developer's own statement the Commissioner's only have 30 days to issue an opinion in favor. 30 days is not a long period of time thus our group is actively seeking opinion from each of these offices.

Against Birch Solar, LLC has made contact with and is utilizing a prominent Ohio environmental attorney to assist our group at the Ohio Power Siting Board permitting process and would utilize to make any/all appeals to the Ohio Supreme Court.

Birch Solar, LLC Statements

- 4. Verification and documentation that 80% of the construction and installation employees were Ohio-domicile
- 6. If all this information is provided, the ODSA will authorize the applicant to receive the PILOT exemption and send notice to the county of same.

Against Birch Solar Response

Birch Solar, LLC Statements

2. Flooding

Should I be concerned about stormwater runoff ?

A Stormwater Pollution Prevention Plan is required by Ohio EPA for the project. Through this process we will create best management practices to reduce erosion and sedimentation. By implementing this plan it guarantees that project related construction activities will not negatively impact water resources, including surface and ground water. If there is any runoff to neighboring properties created by the project that causes any negative impacts, Lightsource bp would need to correct any issues and can be fined for violations.

Against Birch Solar Response

2. Flooding

Should I be concerned about stormwater runoff ?

Anyone in the construction industry will tell you that if someone "guarantees" construction related activities will not negatively impact water resources because the project is governed by a Stormwater Pollution Prevention Plan to run away laughing. Although these plans are well intentioned, more times than not an OEPA inspector can easily find fault with "best management practices" within minutes of walking onto a construction site.

YES, you should be concerned. Imagine, just a minor storm raining on 900 acres of glass and how quickly that rain water will travel into our creeks, streams and rivers. It will be a lot faster than that same storm raining on 900 acres of tilled farm land.

Birch Solar, LLC has publically stated they have no intention on adding detention ponds to collect the stormwater and then release it into creeks, streams, and rivers at a rate equal to how fast that storm rain traveled across 900 acres of tilled farm land before construction.

This shouldn't be only a concern of those of us who live near the development. The Ottawa River, which runs through the City of Lima, who has spent millions of dollars in the past couple years on addressing stormwater runoff, is likely to be greatly impacted. So, if you live close to the development area and/or close to the Ottawa or Auglaize Rivers (or any tributary creeks or streams) you should be very concerned about flooding!

Birch Solar, LLC Statements

3. Economic/Community Solar & Property Values

Examining property value in states across the United States demonstrates that large-scale solar arrays often have no measurable impact on the value of adjacent properties, and in some cases may even have positive effects.

Proximity to solar farms does not deter the sales of agricultural or residential land.

Large solar projects have similar characteristics to a greenhouse or single-story residence. Usually no more than 10 feet high, solar farms are often enclosed by fencing and/or landscaping to minimize visual impacts.

Birch Solar, LLC cites three property valuation studies on their FAQ website:

- 1) Kirkland, Richard C. Grandy Solar Impact Study. Kirkland Appraisals, 25 Feb. 2016, kirdlandappraisals.com.
- 2) Lines, Andrew. "Property Impact Study: Solar Farms in Illinois." Mcleancounty.gov, Nexia International, 7 Aug. 2018.
- 3) McGarr, Patricia. Property Value Impact Study. Cohn Reznick LLP Valuation Advisory Services, 2 May 2018.

MEASURING ECONOMIC IMPACTS OF UTILITY-SCALE SOLAR IN OHIO – OHIO UNIVERISTY SCHOOL OF LEADERSHIP AND PUBLIC AFFAIRS

Against Birch Solar Response

3. Economic/Community Solar & Property Values

The three studies, cited on the left, fall severely short when comparing both the size of the properties evaluated, in regards to proximity to densely populated areas, as well as size of the scale of solar facility. The "average" size of the solar arrays next to evaluated properties was 20MW with the largest being 100MW. Not hardly an honest comparison.

Perhaps a better property value study to consider would be a University of Rhode Island study which observed over 400,000 property transactions within a 3 mile radius of solar sites. This study states properties within 0.1 miles of a solar facility can expect an approximate 7% drop in property values and a 1.7% drop within a mile of the same facility on average.

In a community meeting Birch Solar, LLC cited a 2018 study from the University of Texas at Austin that explored property value impacts to argue that the proposed Birch program would not have an impact on property values. Birch Solar, LLC said: "This study found that more homes are located near smaller solar facilities, while fewer homes are located near solar facilities greater than 100 MW. This is explained by the concept that more densely populated areas do not have the land area to support large solar facilities, while more rural, less densely populated areas have available land to support larger solar facilities. It is expected that the closer you are to the solar facility, the greater the impact on home value, and as the facility sizes increase the impact on adjacent properties would become larger."

Don't be fooled! If Birch Solar, LLC truly believed their own propaganda, why have they publically stated they would not enter into a Property Valuation Guarantee with local property owners? Apparently, they know the truth however are unwilling to admit it!

MEASURING ECONOMIC IMPACTS OF UTILITY-SCALE SOLAR IN OHIO – OHIO UNIVERISTY SCHOOL OF LEADERSHIP AND PUBLIC AFFAIRS

This study is riddled with "could be's" and based on modified models from/for Minnesota and proprietary modeling information which makes validating anything as accurate within this study difficult if not impossible.

Additionally, this study bases Ohio's "need" on input from Big Tech companies who use Renewable Tax Credits to lower or eliminate the amount of state and federal taxes liability. Kind of a kin to asking a bank robber to work as a security guard at a local bank.

Birch Solar, LLC Statements

4. Health and Safety

How safe is a solar farm?

A solar project is about as safe as a facility can be. There are no air emissions from the solar farm. There are no chemicals. No trucks will be coming and going on a daily basis once construction is complete. The power will leave the solar project on lines just like the power lines in your neighborhood.

Are solar panels hazardous to the environment and our health?

Lightsource bp utilizes tier-one equipment suppliers, and requires solar panels to pass testing regulated by the Environmental Protection Agency (EPA) to ensure *they are not hazardous to people or the environment*. It's a part of our equipment supplier contract obligations, and we will not buy solar panels from any manufacturers who have not passed this testing.

Is EMF a concern?

EMF from solar is no more concerning than EMF from home appliances. We are all exposed to EMF throughout our daily lives. All electric lines and equipment, including the lines to homes and businesses and home appliances, create EMF. Several studies have measured *EMF at the perimeter of a solar facility to be negligible*. We have published one of the studies on our website.

Against Birch Solar Response

4. Health and Safety

How safe is a solar farm?

"... about as safe as a facility can be.", Although 90% of PV solar panels are made of glass they do contain lead, cadmium and other toxic chemicals. Birch Solar has admitted that these PV panels will likely be built and assembled in Asia/China. It was only about 10 years ago this same region was importing toxic drywall to the United States. Should we really trust manufacturers from this region building millions of PV panels a year? Birch Solar seems it is about as safe it can be.

Are solar panels hazardous to the environment and our health?

"Contrary to previous assumptions, pollutants such as lead or carcinogenic cadmium can be almost completely washed out of the fragments of solar modules over a period of several months, for example by rainwater." – Senior Chinese solar official & 40 year veteran of the US solar industry – Forbes Magazine.

The Electric Power Research Institute (EPRI) concluded that solar panel "disposal in "regular landfills [is] not recommend in case modules break and toxic materials leach into the soil and so disposal is potentially a major issue.

It is estimated that the nearly 700,000 PV panels, being proposed by Birch Solar, LLC, will contain nearly 20 tons of lead (a human carcinogen). Safe as can be right?

Is EMF a concern?

Dr. Thomas Hull comments here.

Birch Solar, LLC Statements

5. Environmental

What will the impact be on wildlife?

Studies have confirmed that with proper planning and land management, solar farms can bring about significant increases in wildlife populations and biodiversity. Solar projects planted with pollinator habitat can actually help increase local agricultural yields through increased pollination and other beneficial insect services. Once installation is complete, they are secure sites with little disturbance from humans or machinery for decades.

How will threatened and endangered species be protected?

State and federally protected wildlife will not be impacted by Birch Solar. Through regulatory agency consultation with the US Fish and Wildlife Service and Ohio Department of Natural Resources, the project will avoid impacts to threatened and endangered species that are potentially present at the project site.

How will the eagle habitats and the habitats of other birds in the area be protected?

Birch Solar will be developed in a manner that conserves important habitats and species. We commit to no tree removal, so that bald eagles and other raptor habitat are not disturbed. Prey availability will be the same or will increase due to fostering biodiversity at the site. Additionally, the project will be setback from all wetlands at the project site.

Do solar projects increase local temperatures?

A study from the University of Maryland shows that any heat created by a solar project is much smaller than that created by urban areas, dissipates quickly and can't be measured 100 feet away. We also plant ground cover which provides a cooling effect, and as referenced in the study, mitigates temperature increases.

Against Birch Solar Response

5. Environmental

Environmental Wildlife & habitats

So instead of addressing wildlife directly, Birch Solar, LLC refers immediately to "studies" without citing them. Then goes on to talk about plants and agriculture (not wildlife). The only wildlife mentioned here are "insect services". Starting to see a theme in any/all of Birch Solar, LLC's comments?

How will threatened and endangered species be protected?

Birch Solar, fails to admit they know of nearly a dozen endangered and/or protected species of wildlife, per 9/30/20 environmental request (by Birch Solar, LLC consultant) and performed by the Ohio Department of Natural Resources, but yet state these species are "potentially present".

How will the eagle habitats and the habitats of other birds in the area be protected?

Birch Solar states it, "...conserves important habitats and species.". Hard to take seriously if Birch Solar, LLC cannot even admit to known endangered/protected species in the project footprint.

Effects of fencing on habitats.

The US Fish and Wildlife Service has referred to large-scale solar project as a megatraps for wildlife. Furthermore, faculty at the University of California Berkeley Department of Environmental Science, Policy, and Management published a comprehensive study in BioScience that found that "fences have measurable effects at every ecological scale." The introduction of more than 28 miles of chain link fence at the Birch project will certainly have measurable effects at every ecological scale as stressed in the BioScience article. The area defined as the footprint of the development is home to eleven (11) endangered and/or protected species of wildlife.

Do solar projects increase local temperatures?

Yes! If you read carefully Birch Solar does admit it will increase temperatures. Otherwise why would they mention mitigation measures? We have yet to review the University of Maryland study however if like all other studies cited by Birch Solar, I trust the areas studied does not compare with this development.

Birch Solar, LLC Statements

Can the land used by a solar farm be redeveloped in the future?

The posts on which the panels are mounted take up a small percentage of the land area, with the majority of the site being undisturbed or revegetated land. At the end of the project the installation will be dismantled, removed and recycled without harming the land – we make sure that the land is restored to its original state.

Will solar panels end up in a landfill in my area?

Solar panels used at our solar facilities pass rigorous testing to prove they are non-hazardous under federal law and could be disposed of in regular landfills just like household garbage. However, *Lightsource bp is committed to recycling all solar panels*, including those that will be used at our Birch Solar and all our solar projects in the U.S. – That includes any panels damaged during construction, operations, and all panels at the end of life/decommissioning.

Can solar panels be recycled?

Lightsource bp is a board member of the Solar Energy Industries Association (SEIA), an organization whose members are dedicated to responsible end-of-life management and are proactively developing recycling processes for the solar industry as a whole. SEIA has created a national solar panel recycling member-based program that aggregates the services offered by *recycling vendors here in the U.S.* Already SEIA's recycling partners have processed more than 4 million pounds of PV modules and related equipment since the program launched.

Against Birch Solar Response

Can the land used by a solar farm be redeveloped in the future?

Actually, according to Birch Solar, LLC the area of which the solar panel take up land area (900 acres in a 2,600 acre footprint) equates to just over 1/3 or 35%, this isn't a "small percentage". Additionally, this development would consume nearly 30% of the available agricultural land within Shawnee Township alone. Again, not a "small percentage"!

"... we make sure it is restored to its original state."... Birch Solar, LLC fails to recognize and/or admit the probability of the "undisturbed" lands (for 30-40 years), after being "improved" with pollination zones combined with "seasonal saturation and poor drainage in some soils. Slope remains relatively flat...", as addressed in the 9/20 ODNR study are all key ingredients for the development of defined wetlands. Will Birch Solar, LLC ignore these wetlands exist at decommissioning and destroy them or will only a portion of the farm fields be able to be returned to agricultural use?

Will solar panels end up in a landfill in my area?

"Contrary to previous assumptions, pollutants such as lead or carcinogenic cadmium can be almost completely washed out of the fragments of solar modules over a period of several months, for example by rainwater." – Senior Chinese solar official & 40 year veteran of the US solar industry – Forbes Magazine.

The Electric Power Research Institute (EPRI) concluded that solar panel "disposal in "regular landfills [is] not recommend in case modules break and toxic materials leach into the soil and so disposal is potentially a major issue.

It is estimated that the nearly 700,000 PV panels, being proposed by Birch Solar, LLC, will contain nearly 20 tons of lead (a human carcinogen). Safe as can be right?

Can solar panels be recycled?

See above.

Birch Solar, LLC Statements

Will I hear noise from the solar project?

Any sound from Birch Solar will be limited to inverters and transformer which cannot be heard past the project boundaries. Local regulations require that our noise levels at our site boundary are *no greater than 5 decibels above ambient levels*. We will have sound modeling to confirm as part of our OPSB application, and will post this information on our website as soon as it's available. Although certainly not anticipated, if noise levels are greater than required regulations, Lightsource bp is required to resolve any noise issue.

Is glare an issue?

Solar panels are designed to *absorb, not reflect*, sunlight and reflect less light than glass or water. Regardless, a glare study will be completed as part of our OPSB application to confirm that there will be no issues.

How will traffic flow be managed?

Once the solar farm is in place it requires very little maintenance and approximately monthly visits in regular cars or 4x4s would cause no traffic disruption. While the solar farm is being constructed, a traffic management plan will be put in place.

Against Birch Solar Response

Will I hear noise from the solar project?

Noise pollution (during construction):

Pound, pound, pound... get used to this sound as they drive the steel posts the solar panel attach to by driving them into the ground. Then of course the sound of diesel engines and horn honking of bull dozers, excavator, graders and trucks.

Hours of construction activity may also extend beyond "normal working hours" impacting the lives of residents hoping to experience what was once quiet upon returning home upon the conclusion of their daily work responsibilities.

Noise pollution (after construction):

The aggravating "hum" you hear when beneath high power electric lines should be expected coming from the power inverters, used to convert electricity from DC to AC. This will negatively impact the existing quiet (nearly silent) serene area.

It will be interesting to see where Birch Solar, LLC placed their testing stations at to measure the existing ambient sound levels. Taking a wild guess, and based on visual observations, these were not remotely near existing homes.

Is glare an issue?

Yes. Again, misleading statements by Birch Solar, LLC. "...designed to absorb, not reflect" yet they state, "reflect less light than glass or water.". Which is it? Do they or don't they? Don't be fooled, they do reflect light and if this wasn't a concern why would a glare study be required?

How will traffic flow be managed?

Once the solar farm is in place, it is agreed impacts to traffic should be minimal. However, for the 14-16 month construction is taking place traffic **WILL** be impacted greatly.

If Birch Solar, LLC projections are correct, there could be as many as 400 additional vehicles traveling to and from the construction sites daily. Morning, noon and evening. On top of this would be the delivery of the 700,000 solar panels, power inverters, steel bracing structures, etc.

Now, add in the traffic we experience with those traveling to and from the Lima Refinery daily. It is going to get messy. Messy enough that it should be a concern for Shawnee Schools and managing the pick up and drop off of students via school bus.

Birch Solar, LLC Statements

6. Decommissioning

Long-term land management

Will the land be properly maintained?

During the operational life of the project, Lightsource bp will have an operations budget of \$4.6 million per year to maintain the facility and the land. As a long-term owner and operator of the project, we have a significant financial interest to maintain maximum energy production, which involves keeping the vegetation tidy to keep it from interfering with the trackers or shading the panels.

Birch Solar will be monitored and maintained by a team that ensures all equipment is functioning properly and safely, as well as vegetation management and upkeep. There will be operations and maintenance workers on site every workday, Monday – Friday along with 24 hour availability in case of emergency.

Can the land be returned to agriculture?

At the end of the project, the installation will be dismantled, completely removed and recycled. *Your farmer neighbors will be able to return to row crop agriculture or pursue the type of agricultural practice that best suits their farm needs at the time.* The decommissioning process (the take down and recycling of the project) is overseen by multiple Ohio agencies. The site will be fully revegetated as part of this process, as overseen by these same agencies.

Who would hold a decommissioning bond?

The Treasurer of State holds the decommissioning bond.

Against Birch Solar Response

6. Decommissioning

Long-term land management

Will the land be properly maintained?

“...\$4.6 million to maintain the facility and land.” Again, Birch Solar, LLC is throwing out a number, a large number, to “sell” their project. Read between the lines, they will keep things “tidy” in order to maximize their profits. If sheep and/or goats are seriously being considered to “maintain” the vegetation within their 30 miles of 10’ tall fence, where is the remaining \$4.4-\$4.5 million going annually?

Can the land be returned to agriculture?

Maybe it can but there is a distinct possibility it cannot. “... we make sure it is restored to its original state.”... Birch Solar, LLC fails to recognize and/or admit the probability of the “undisturbed” lands (for 30-40 years), after being “improved” with pollination zones combined with “seasonal saturation and poor drainage in some soils. Slope remains relatively flat...”, as addressed in the 9/20 ODNR study are all key ingredients for the development of defined wetlands. Will Birch Solar, LLC ignore these wetlands exist at decommissioning and destroy them or will only a portion of the farm fields be able to be returned to agricultural use?

Who would hold a decommissioning bond?

We understand that the decommissioning bond will be little more than a surety bond. Or a type of bond used in construction project that protects against disruptions or financial loss due to a contractor’s (in this case developer’s) failure to complete a project or failure to meet a contract specification.

Additionally, we have learned from the OPSB that this bond is reassessed every 3-5 years, which is good. Unlike the tax revenue that could be generated with a PILOT agreement, at least this bond will increase with the cost of money over time.

Statements by Birch Solar, LLC mention that the value of the materials used themselves would have a greater cost than actual decommissioning costs. Really?! One has to infer then that Birch Solar, LLC is positioning themselves to just “walk away” from the project, at the end of project’s life, and just let our community left do deal with their mess!

Birch Solar, LLC Statements

Loss of farmland

Is it a concern that we're losing farmland to solar?

Urban sprawl and rural subdividing are the primary contributors to loss of farm ground. Solar energy *temporarily sets aside farm ground* and protects it from permanent loss due to industrialization. The Birch Solar project will utilize just 0.02% of the more than 13.9 million acres of farmland in Ohio.

Does solar harm the soil for future farming?

The solar project will actually improve the soil for future agriculture. Over the life of the project:

Soil will be protected from erosion

Fewer chemicals will be utilized than farming

Practices such as grazing and pollinator plantings will increase biomass production, nitrogen content, soil carbon storage and soil moisture

"Resting" the ground can return it to a better condition at the end of the project's useful life, similar to fallowed parcels under USDA's Conservation Reserve Program

Against Birch Solar Response

Loss of farmland

Is it a concern that we're losing farmland to solar?

Complete avoidance and misrepresentation of facts, again. Let's look at THE FACTS. Per the Shawnee Township 2009 comprehensive plan:

Total area for Agricultural Use:	6,710.05 acres
<u>Proposed footprint of Birch Solar:</u>	<u>2,600.00 acres</u>
Percentage of land use lost:	38.8%

Perhaps Birch Solar, LLC is only attempting to limit urban sprawl and rural subdividing by ensuring our community has nowhere to perform this? With the Lima Refinery to the north, I-75/Industrial Park to the east and the construction of the Birch Solar facility to the south there will be little room for any type of development.

Does solar harm the soil for future farming?

Much said here is correct. However, this response does provide insight towards other issues raised.

"Fewer chemicals will be utilized than farming" meaning Birch Solar, LLC is planning on utilizing chemicals? If so, why haven't they disclosed this to the public?

"...grazing and pollinator plantings will increase... soil moisture." These grounds already have soil moisture problems, as identified by ODNR, therefore this solar development could make these existing problems worse?

Birch Solar, LLC Statements

8. Birch Solar specifics

What's the benefit to the community if we're not the direct recipients of the electricity?

All solar projects collectively help decarbonize our country's electric grid and lower our country's overall electricity costs. Electricity flows like water in a pipe – the electricity from Birch Solar will flow into AEP's 345 kV grid and the PJM system. So, Birch Solar would help reduce pollution from electricity generation for the overall grid for homes and businesses in Ohio, with the economic benefits including tax money for schools, along with jobs, staying local.

What is the compensation planned for homeowners adjacent to the project?

Lightsource bp is planning several voluntary initiatives that are not required by the OPSB permitting process. This includes:

Payments to adjacent landowners ranging from \$5000-\$50,000 depending on the proximity of the landowner to the project. These payments are one time and require no endorsement, confidentiality, or support of the project by the landowner.

Creation of a pollinator habitat to boost local biodiversity and foster wildlife habitat.

Maximization of agricultural integration through efforts that will employ Ohio farmers, such as sheep grazing.

Planting of trees to screen the solar project from neighbors' views, working with those neighbors on the landscape plans.

Selection of fencing that will better integrate with the rural landscape and wildlife.

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Against Birch Solar Response

8. Birch Solar specifics

What's the benefit to the community if we're not the direct recipients of the electricity?

Let's address "decarbonization"... Although once manufactured, PV solar panels don't emit greenhouse gases/CO2. However, tons of CO2 are emitted annually throughout the world for manufacturing components of solar arrays. Tremendous amounts of CO2 are emitted annually throughout the manufacturing processes needed to create the PV solar panels, steel bracing, interconnection wires, plastics, and transformers/inverters etc. Convenient Birch Solar, LLC fails to recognize this fact.

If one truly considers all the environmental and health effects associated with the mining, manufacturing, and transport of the solar panel components, I find it hard to see the logic as to why this technology is labeled renewable and/or sustainable.

What is the compensation planned for homeowners adjacent to the project?

Birch Solar, LLC has publically stated they will not enter into a Property Value Guarantee with effected property owners. A property Value Guarantee would provide a property owner recourse to be compensated if their property for less due to its proximity to the Birch Solar development. If Birch Solar, LLC has full faith in the property valuation studies to cite then this should not be a difficult agreement to enter into with property owners. However, Birch Solar, LLC must know that their development will adversely affect property values thus no value guarantee agreement.

Some property owners are being offered the compensation however to date we know of nobody who has been offered and/or received an amount close to \$50,000.

Again, look at how Birch Solar, LLC responds to this inquiry. More verbiage is given to creation of pollinator habitats, sheep grazing (which I doubt will happen), tree planting and fencing. None of which address the question asked.

Birch Solar, LLC Statements

Who is paying for the installation of the solar system?

Lightsource bp and our project investors will fully fund the project with private capital, an estimated \$316 million of private investment into energy infrastructure for Ohio.

Will new transmission lines be run for this project?

No – the parcels selected for the project have access to existing transmission infrastructure, so we do not need to build new transmission lines

Against Birch Solar Response

Who is paying for the installation of the solar system?

Again, we find Birch Solar, LLC being less than transparent or misleading with this answer. Birch Solar, LLC has stated the project costs for this development to be \$337 million however their response to the question asked has now reduced the costs to \$316 million.

Does that mean \$21 million is being publically financed? Has the size of the development been reduced thus reducing the tax revenue projections they have publically stated? Give our community a straight answer!

Will new transmission lines be run for this project?

Transmission lines, perhaps not. Distribution lines between each of the solar arrays, there will have to be unless Birch Solar, LLC will use Tesla's wireless transmission/distribution to the AEP substation. Again, Birch Solar, LLC does not fully answer assuming the person asking is familiar with industry terminology.

Temporal Heritage

Preserving and maintaining the heritage and character has been a high priority. The efforts have paid off in maintaining desirable characteristics that have creating a sincere, proud and close-knit community. Maintaining the mix of commercial, residential, and agricultural land uses have been a key part of that success. The history of this portion of Ohio can also not be ignored. Being the home of Native American Shawnee tribes as well as in close proximity to the Defiance Trail (major trail utilized connecting Fort Wayne to Findlay, home of Fort Amanda which protected many in the region from the British in the early 1800's, and stomping grounds of John Chapman (better known as Johnny Appleseed) to mention a few notable historic references. The Birch project seriously threatens that balance and makes it much more challenging to preserve and maintain the heritage.

Legacy

To preserve rural areas for farming crops as well as preserving residential character, the impacted townships have zoning regulations. Allowing large-scale solar facilities to be classified as agriculture with no farming of cropland involved in a gross misuse of local lands and violates the intent of local zoning regulations and is contrary to the Township's long range land-use plan. It is not possible to protect the legacy of the townships when local zoning regulations can be ignored. Additionally, it is difficult to maintain the diversity of land uses through careful land use planning when the

Birch Solar, LLC Statements

Against Birch Solar Response

zoning regulations are overruled.

Agriculture

Shawnee township only has 6,710 acres of agricultural and removing over 2,000 acres specifically for farming will fundamentally change the character of the area. The Shawnee Township Comprehensive Plan specifically call out for preserving the very portion of the township which this solar complex is being proposed at. (Shawnee Twp. Comprehensive Plan, Chapter 3, Page 3-14, Natural Resources, *“Goal A: Maintain a desirable balance between agricultural land use and Township growth. Ensure that the rural character of the Township, particularly in the southwest portion of the Township, is preserved.”*)

Land Use

Shawnee Township has achieved a desirable balance of land uses, allowing for continued growth of quality housing; the emergence of a commercial and service district that provides convenient goods and services; targeted land for accessible industrial developments and the preservation of prime agricultural land for farming.

Industrial land use is concentrated in the far northern and eastern portions of Shawnee Township. This has historically been a very successful industrial park with an oil refinery, chemical plant, military-related tank plant, and other industrial concerns.

Commercial and industrial land accounts for approximately 1,450 acres in Shawnee Township. Industrial scale complexes with miles of fence and internal access roads are primarily at the Shawnee Road corridor, from Fort Amanda Road south to Breese Road.

Adding a 2,600 acre large scale industrial solar complex to the Southwestern part of Shawnee significantly changes the character of the township and is direct contrast to Shawnee Township’s 2009 Comprehensive Plan.

Population Density

In Ohio there are currently 16 utility scale solar facilities that are pending, approved or under construction. Not one is in a township with a population as large as Shawnee Township. Additionally, Allen County with a population of 102,000 is the 26th largest county in Ohio. In regards to county size you need to go down to the 45th largest county (Pickaway) before you see a solar facility within the county.

Birch Solar, LLC Statements

Against Birch Solar Response

Large utility-scale solar facilities in Ohio as well as the entire nation are located in low-density population areas. Shawnee Township does not fit the description as a low-density population area. Population density for Allen is 259.5 square mile. Population densities for Ohio counties with approved utility scale solar facilities range 32.1-91.0 square mile. The population density for Shawnee is 420 people per square mile.

Population density for townships with approved projects range from 20-74. Population Housing density results are similar. The Birch Solar project really stands out as being outlier when you consider the large size of the project relative to the population density of the county and townships impacted.

Success (Or Lack Thereof) Record

A review of past projects would show that Lightsource BP is a smaller solar developer with no experience running a 300 plus megawatt facility in an area with many homes close by.

Trust & transparency

Lack of transparency by Lightsource BP. BP has made many misleading comments. As one example, the Director of Development for Lightsource BP, Shanelle Montana, has been misleading the residents of Allen and Auglaize counties.

At the November 18, 2020 unofficial Public Information Meeting, held at the Apollo JVS, Shanelle Montana made statements regarding a Payment In Lieu Of Taxes agreement, in which she said that Lightsource BP were, "100% already talking to the County about what their expectations are, what their desires are, all of that. So, we are hoping a lot that conversation can happen up front so that what we propose to the State is something that both the County and we are already in agreement on." Shanelle Montana also stated, "So the PILOT [Payment in Lieu Of Taxes] program is still being discussed and negotiated so we have a range with that...".

The group opposing the industrial solar development, Against Birch Solar, reached out to the Commissioner's office on November 19th for clarification and was told definitively that the Allen County Commissioner's office is not currently and has not begun any negotiations with Lightsource BP (Birch Solar, LLC) regarding the proposed Birch Solar project. A representative from Against Birch Solar also had conversations with the Allen County Republican Party Chairman,

Birch Solar, LLC Statements

Against Birch Solar Response

Keith Cheney, as well as Allen County Auditor Rachel Gilroy, on November 23rd, who both stated that the Auditor's office is not currently nor have been negotiating any aspect of a PILOT agreement with Lightsource BP as such negotiations are not and will not be made through the Auditor's office but that of the County Commissioners.

During the Friday, November 20th official/mandated Public Information Meeting presented by Lightsource BP (Birch Solar, LLC), a representative from Against Birch Solar, Jim Thompson, asked Shanelle Montana to clarify which county office and who specifically Lightsource BP was "negotiating" with. Shanelle Montana danced around answering the question before finally stating it was the Allen County Auditor's office, and staff.

The misleading/untruths propagated by Lightsource BP's Director of Development, Shanelle Montana, also created an unwarranted suspicious attitude by Allen County residents who felt their elected officials (Commissioner's and Auditor's office) were lying to them in regards to negotiations with Lightsource BP.

The lack of transparency and now apparent untruths continue to feed the growing frustration of the residents within and surrounding the proposed industrial solar development. Also, many within the Allen and Auglaize county areas still have a sour taste in their mouth from when BP owned and operated the refinery in Lima as they threatened to close the facility if they could not find a suitable purchaser.

Misleading/untruths propagated regarding "negotiations" of PILOT agreement with Allen County Auditor are in direct conflict with Lightsource BP's own "Code of Business Conduct and Ethics" (issued November 2018).

DON'T BE FOOLED!

ALTHOUGH WE FEEL WHAT IS PRESENTED HEREIN IS FACTUAL AND BETTER REPRESENTS THE TRUTH ABOUT THIS DEVELOPMENT, PLEASE EDUCATE YOURSELF AND DETERMINE IF SUCH A DEVELOPMENT IS IN OUR COMMUNITY'S AND COUNTY'S BEST INTEREST!

