

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Richwood)
Solar, LLC for a Certificate of Environmental)
Compatibility and Public Need to Construct a) Case No. 23-0930-EL-BGN
Solar-Powered Electric Generation Facility)

Direct Testimony of Ms. Ashley Beery

**On behalf of
Ms. Ashley Beery and Mr. Bruce Beery**

July 19, 2024

/s/ Jacob Elkin

Jacob Elkin (PHV-27441-2024)
SABIN CENTER FOR CLIMATE CHANGE LAW,
COLUMBIA LAW SCHOOL
435 W. 116th Street, Room 528
New York, New York 11217
Telephone: (212) 853-3718
jacob.elkin@law.columbia.edu

Trent Dougherty (Bar No. 0079817)
HUBAY DOUGHERTY
1391 Grandview Ave. #12460
Columbus, Ohio 43212
Telephone: (614) 330-6752
trent@hubaydougherty.com

*Counsel for Ms. Ashley Beery and
Mr. Bruce Beery*

1 **Q-1. Please state your name and home address.**

2 **A-1.** My name is Ashley Beery. My home address is 26471 Kinney Pike, Richwood, Ohio,
3 43344.

4
5 **Q-2. What is your occupational history?**

6 **A-2.** I have worked since I was eight years old, when I started taking care of livestock. Most
7 recently, I worked as a records clerk in the Delaware City Police Department for eleven
8 years, until I was diagnosed with cancer in 2021, at which time my medical conditions
9 prevented me from retaining full-time employment. Before that job, I worked in a
10 greenhouse, as a veterinary assistant in a veterinary clinic, as a medic for the BKP
11 Ambulance District in Kenton, Ohio, and as the Director of Marketing for Peacock
12 Water. Throughout my life, I have also worked on our family farm as needed.

13
14 **Q-3. Can you describe your connection to Union County?**

15 **A-3.** I live in Union County and am the third generation in my family to own and manage
16 farmland in Union County. I purchased my plot of farmland in 2010, intending that the
17 land would serve as a personal investment like my parents' and grandparents' land had
18 been for them.

19
20 **Q-4. What is the nature of your involvement in the project?**

21 **A-4.** I have signed a lease agreement with Samsung to allow my twenty-six acres of farmland
22 to be used for the Richwood Solar Project. Those twenty-six acres are currently being
23 used to grow corn. If Richwood Solar is approved, the owner and operator of Richwood

1 Solar will manage the land for the forty-year lifespan of the project, during which time
2 the land will be used for solar energy generation.

3
4 **Q-5. Can you describe your decision to participate in the project?**

5 **A-5.** When Samsung first approached me about leasing my land for solar development, I did
6 not immediately agree. Instead, I spent months reviewing the terms of the lease
7 agreement, considering other possible options for the land, and what impacts various
8 development options would have on the land. I eventually agreed to the project because I
9 concluded that it would do more to preserve the health of the soil and the potential for the
10 land to be returned to agricultural use in the future than any of the likely alternatives. If I
11 had sold the land for housing development, it is very unlikely that the land could ever be
12 used as farmland again.

13
14 My decision to participate was also motivated by the fact that the project would provide a
15 steady income stream through regular lease payments. Farming always brings with it
16 some financial risk, and since being diagnosed with cancer in 2021, farming has not
17 proven sufficient to cover my medical expenses. I also have autoimmune diseases that
18 prevent me from ever having children, which means that there is no younger generation
19 in my family to farm the land. Richwood Solar will help me provide for and take care of
20 my needs in the future, along with my parents' needs.

21
22 This was not a decision that I made lightly, but it was a decision that I felt was necessary
23 for me, my parents, and my land. And as the owner of the land, I believe that it is my

1 decision to make, not a decision for other people to make for me. When I bought my
2 land, I did not agree to only use it for crops. I believe that it is my right as a landowner to
3 use the land for solar development.
4

5 **Q-6. What is the purpose of your testimony?**

6 **A-6.** I am testifying in support of the Richwood Solar Project. I am doing so because the
7 project will provide financial benefits to me and my parents as participating landowners,
8 and the project will ensure that, after the project is decommissioned, we can retain
9 ownership of our farmland and return it to agricultural use, rather than having to sell the
10 land for other forms of development. The project will also bring significant tax revenue
11 to Union County and add much-needed energy to our grid.
12

13 **Q-7. Can you describe in more detail how the project will benefit you as a participating**
14 **landowner?**

15 **A-7.** Participating in Richwood Solar will help me pay for significant medical expenses while
16 retaining ownership of my land. In 2021, I was diagnosed with cancer. I also have been
17 diagnosed with autoimmune diseases. Medical expenses have exceeded what income
18 from farming the land can cover, and continued care for my medical conditions has
19 recently made obtaining employment difficult. I had to sell off some of my land in 2023
20 to pay my medical bills. Lease income from Richwood Solar would mean that I would
21 not have to sell any more of my land to cover these expenses.
22

1 **Q-8. Can you describe in more detail how the project will allow you to return the leased**
2 **land to agricultural use after the project is decommissioned?**

3 **A-8.** My parents and I entered into lease agreements for Richwood Solar because we are
4 confident that the project developers will take care of the land and make sure that it can
5 be returned to agricultural use in the future. We previously had the opportunity to lease
6 our land for other projects, but we chose to lease our land to Samsung because of
7 Samsung's commitment to preserving our land's future viability as farmland. For
8 example, Samsung has committed to make best efforts to locate all drain tiles prior to
9 construction, repair any drain tiles damaged by the project, and ensure that the land can
10 be returned to agricultural use after the project is decommissioned.

11
12 I believe that solar development like Richwood Solar is better for the future of Union
13 County farmland than other potential forms of development. I have seen significant
14 amounts of agricultural land in Union County lost, likely permanently, to residential
15 development. At the end of Richwood Solar's forty-year lifespan, our land will be
16 suitable again for growing crops. The same cannot be said for land that has been
17 converted to housing.

18

19 **Q-9. Does this conclude your testimony?**

20 **A-9.** Yes. However, I reserve the right to update this testimony to respond to any further
21 testimony in this case.

CERTIFICATE OF SERVICE

I certify that The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, I certify that, on July 19, 2024, a copy of the foregoing document is being served by electronic mail on the following:

Daniel Brown at dbrown@brownlawdayton.com;

Leah Curtis at lcurtis@ofbf.org;

Trent Dougherty at trent@hubaydougherty.com;

Chad Endsley at cendsley@ofbf.org;

Thayne Gray at tgray@unioncountyohio.gov;

Leah Hetrick at lhetrick@ofbf.org;

Samantha Hobbs at shobbs@unioncountyohio.gov;

Thomas Lindgren at Thomas.lindgren@OhioAGO.gov;

M. Anthony Long at tlong@ohiochamber.com;

Matthew C. McDonnell at mmcdonnell@dickinsonwright.com;

Terrence O'Donnell at todonnell@dickinsonwright.com;

Christine M.T. Pirik at cpirik@dickinsonwright.com;

Jack A. Van Kley at jvankley@vankley.law;

Ambrosia Wilson at ambrosia.wilson@OhioAGO.gov.

/s/ Jacob Elkin

Jacob Elkin

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

7/19/2024 5:32:00 PM

in

Case No(s). 23-0930-EL-BGN

Summary: Testimony of Ashley Beery electronically filed by Mr. Jacob Elkin on behalf of Beery, Ashley and Beery, Bruce.