



**LACK OF TRANSPARENCY**  
drives everyday citizens to seek out truths...

# Special Committee

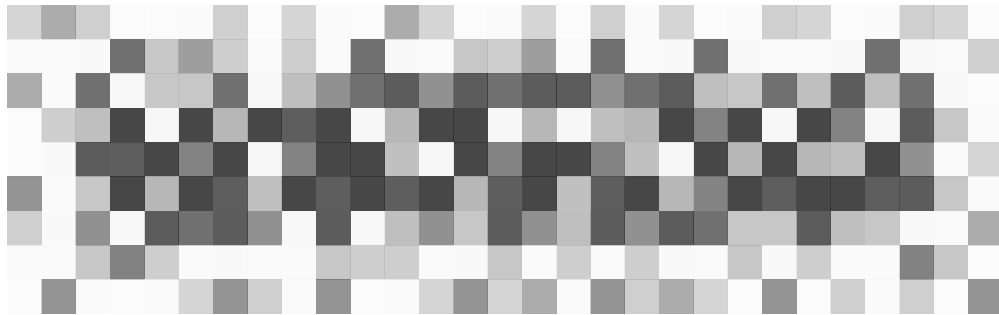
## on Foreign Adversary Investments and Land Purchases

### Carrie Brandon Citizen Testimony 09.27.2023

Thank you, Senators, House Representatives and Kansas Legislative Research Department, for creating this Special Committee and for inviting me to provide testimony on the topic of Foreign Adversary Investments and Land Purchases.

I only have 30 minutes to share with you my personal testimony, so I am going to stick to the higher talking points. Throughout my presentation you will see QR codes and links to video clips and other resources that will provide you with more in depth, detailed information. Please take the time to review this additional information and share it with your fellow legislators.

Because “Transparency” is the cornerstone for building “Trust” I want to begin by being transparent about who I am. My name is Carrie Brandon. I am an everyday citizen, 57 years old, a wife, mother, grandmother, sister, aunt, friend, small business owner of 23 years, and a citizen of Douglas and Johnson Counties in our great state of Kansas. I am an open minded individual, observant, and intuitive. I consider myself to be an intelligent, free-thinking person. I form my own opinions based on researching and educating myself on both sides of issues.



My testimony today focuses on the lack of transparency with regards to the massive amounts of land and real estate acquisitions that are taking place in counties across Kansas. I am just one voice, representative of a much larger population of concerned citizens in Kansas who share the same unsettled feeling that our federal, state and local elected officials need to pay much closer attention to detail and thoroughly vet foreign covered entities who are stealthily acquiring control over land and real estate in our communities.

**I have two stories that I want to share...**

# Who is the Foreign Covered Entity Purchasing Building A at Johnson County's New Century Air & Commerce Center?

On June 1st of this year, 2023 the [Johnson County Board of County Commissioners](#) was presented with an agenda item to vote to adopt [Resolution No. 027-23](#) which would authorize the Commission to issue Taxable Industrial Revenue Bonds (IRBs) in the principal amount not to exceed \$34,150,000 to "a company" for the purpose of financing the construction of a manufacturing facility located at 16105 John Glenn Way, Building A, in the New Century Air/Commerce Center and to grant an ad valorem tax abatement on the constructed improvements and land for 10 years. If you are not aware, [New Century Air Center](#) is a medium sized joint Civil-Military airport located in the Gardner, South Olathe area, to the west of I-35.

In paragraph four of the Resolution Brief, there was an *easy to miss mention* of the company's name that was to receive the IRBs, **CNANO Technology USA, Inc.** I had never heard of CNANO Technology, so I dug in to find out who they were, and I became immediately concerned.

**LEARN MORE: Scan QR Code to Watch 20 Minute Video**



**Watch a video walkthrough of the details:**

<http://bit.ly/Transparency-Needed-CNANO-Technology-USA>

I was unable to find an official CNANO Technology USA, Inc. company web site with a list of executives or board members. They have no Google business listing, corporate phone number or mailing address. All I could find was the [Kansas Secretary of State Application for Registration of Foreign Covered Entity](#) which provided no help as CNANO Technology USA, Inc. is cloaked in anonymity with the state of origin being Delaware and the Registered Agent listed as Incorporating Services, Ltd. The only helpful piece of information on the Kansas Registration was the description of the full nature and character of business to be conducted in Kansas, which stated: Research, development, manufacture and sale of conductive and structural support additives that contain, but not limited to, carbon nanotubes. And the Signature of the Authorized Person was listed as Shawn Montgomery, President.



CNANO Technology USA, Inc.



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江苏天奈科技股份有限公司

<http://www.cnanotechnology.com> > h-default

## JiangSu Cnano Technology Ltd. leader of CNT and graphene

**Cnano Technology** is committed to the research and development, production, and sales of carbon nanotubes and grapheme, as well as application development.



LinkedIn

<https://www.linkedin.com> > company > cnano-technology

## Cnano Technology

May 20, 2015 — Website: <http://www.cnanotechnology.com>. External link for **Cnano Technology** ;

Industry: Nanotechnology Research ; **Company** size: 11-50 employees.

cnano technology usa, inc.



**Google Maps can't find *cnano technology usa, inc.***

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# Cnano

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Innovation

カーボンナノチューブで性能限界の突破へ



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Nanotechnology Research · San Francisco, CA · 10 employees



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### Overview

Website  
<http://www.cnanotechnology.com>

Industry  
Nanotechnology Research

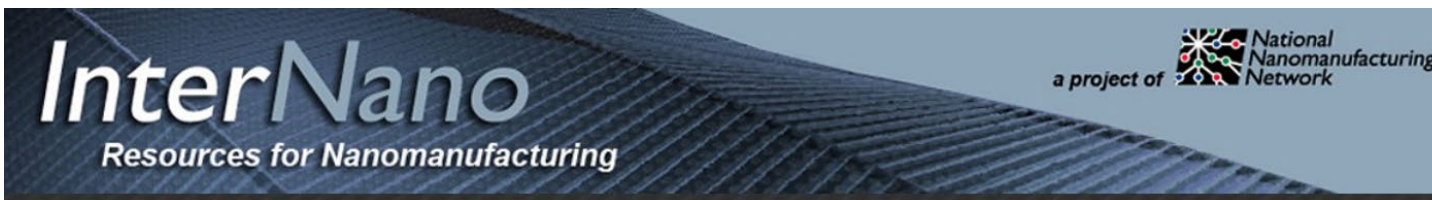
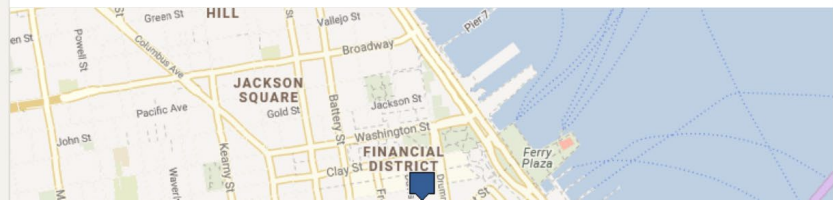
Company size  
11-50 employees  
10 on LinkedIn

Headquarters  
San Francisco, CA

### Locations (1)

50 California Street Suite 2920, San Francisco, CA 94599, US

Get directions



a project of National Nanomanufacturing Network

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## CNano Technology

Directory



CNano is a nano-material company that manufactures and develops carbon nanotubes for advanced energy, especially Li-ion battery, conductive plastic and structural applications. With exclusively license of patented technology developed by Tsinghua University, we have extended the technology through our own proprietary innovations for mass production of carbon nanotubes.

Furthermore, CNano also focuses on the carbon nanotube application developments with dedicated teams.

### CNano Technology

3333 Bowers Ave  
Suite 130  
Santa Clara, CA  
95054  
USA

[view on map](#)

Xindi Wu  
President and CEO  
408-826-0918  
<http://www.CNanoTechnology.com>  
[support@CNanotechnology.com](mailto:support@CNanotechnology.com)

Type: Industry

InterNano Taxonomy:  
Carbon nanotube (CNT)

Tags:  
[Polymer Master Batches](#) [Conductive Pastes](#) [Polycarbonate](#) [Nylon](#) [Batteries](#)

212-974-1



**KANSAS SECRETARY OF STATE  
Application for Registration of  
Foreign Covered Entity**

Memorial Hall, 1st Floor (785) 296-4564  
120 S.W. 10th Avenue kssos@ks.gov  
Topeka, KS 66612-1594 sos.ks.gov

0238 01	FILED BY KS SOS
051 003	05-19-2023
\$115.00	02:20:11 PM
	FILE#: 2129741

06555549

All information on the application for registration must be complete and accompanied by the correct filing fee or the document will not be accepted for filing. A certificate of existence or good standing from the home state must accompany the application.

Choose type of covered entity:

<input checked="" type="checkbox"/> Corporation for profit (fee \$115) 51-03	<input type="checkbox"/> Series limited liability company (fee \$165) 51-39 (Complete statement 11a, if applicable)
<input type="checkbox"/> Corporation not for profit (fee \$115) 51-17	<input type="checkbox"/> Limited partnership (fee \$165) 51-06
<input type="checkbox"/> Limited liability company (fee \$165) 51-10	<input type="checkbox"/> Limited liability partnership (fee \$165) 51-18 (Statement 11b applies)

1. Name of covered entity:  
Must exactly match name on certificate.  
**Cnano Technology USA Inc.**

2. State or foreign country of origin:  
**Delaware**

3. Date of formation in home state:

Month	Day	Year
5	20	2022

4. Include a statement (certificate of good standing/existence) issued within 90 days of the application by the proper officer of the jurisdiction where such foreign entity is organized (usually the Secretary of State or comparable agency) that the entity exists in good standing under the laws of the jurisdiction of its organization.  
\* Click here to see each state/jurisdiction's certificate and issuing agency.

5. Date the covered entity began doing business in Kansas if prior to the filing date:

Month	Day	Year

See FA-1 #5 for additional filings and fees that may be due.

6. Name of resident agent and address of registered office in Kansas:

Name	<b>Incorporating Services, Ltd.</b>		
Street Address	<b>700 SW Jackson, Suite 100</b>		
City	State	Zip	
<b>Topeka</b>	<b>KS</b>	<b>66603</b>	

Must be a Kansas street address. A P.O. Box or Rural Route/Box is unacceptable.

7. Mailing address:

Address will be used to send official mail from the Secretary of State's office

Attention Name	<b>Shawn Montgomery</b>		
Address	<b>16105 John Glenn Parkway</b>		
City	State	Zip	Country
<b>New Century</b>	<b>KS</b>	<b>66031</b>	<b>USA</b>

8. Fiscal year end:  
**December 31**

9. Full nature and character of business to be conducted in Kansas:  
**Research, development, manufacture and sale of conductive and structural support additives that contain, but not limited to, carbon nanotubes.**

10. The foreign covered entity hereby consents, without power of revocation, that actions may be commenced against it in the proper court of any county in the state of Kansas; and the foreign covered entity stipulates and agrees that such service shall be taken and held in all courts to be valid and binding as if due service had been made upon the authorized persons of the foreign covered entity.

11a. This statement applies to foreign series limited liability companies only, and applies only if the series limited liability company is chosen as type of covered entity.

The limited liability company is governed by an operating agreement that establishes or provides for the establishment of a series of members, managers, limited liability company interests or assets having separate rights, powers or duties with respect to specified property or obligations of the foreign limited liability company or profits and losses associated with specified property or obligations.

Check all that apply:

The debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series, if any, are enforceable against the assets of such series only, and not against the assets of the foreign limited liability company generally or any other series thereof.

Any of the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to the foreign limited liability company generally or any other series thereof shall be enforceable against the assets of such series.

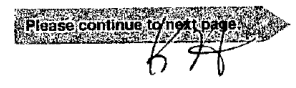
11b. This statement applies to foreign limited liability partnerships only, and applies only if the foreign limited liability partnership is chosen as type of covered entity.

The above-named partnership elects to be a foreign limited liability partnership.

12. I declare under penalty of perjury pursuant to the laws of the state of Kansas that the foregoing is true and correct.

Signature of Authorized Person	Name of Signer (Printed or Typed)
X <i>Shawn Montgomery</i>	<b>Shawn Montgomery, President</b>

Please note that information provided on documents filed with the Secretary of State is public record that is subject to public access and disclosure (per K.S.A. 45-215 through K.S.A. 45-223).







**Shawn Montgomery** · 3rd

President, Stealth Startup US. Open to Advisory Board, Board of Directors and Engineering/Operations Consulting

Upton, Massachusetts, United States · [Contact info](#)

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Cleveland State University

## About

Accomplished, innovative and unflappable leader that excels in dynamic demanding environments while remaining pragmatic with a results-oriented focus on company goals. Able to ensure aggressive progress to meet ambitious goals from diverse stakeholders while minimizing risk. More than 25 years of experience in domestic and international product/process development, scale up, manufacturing and general operations in the Chemical, Energy Storage, Filtration, HVAC and Recycling industries. High-tech startup, turn-around and mature company experience.

Specialties:

- Communication
- Business Planning
- Multinational Operations
- R&D and Engineering
  
- Global Sourcing
- Conflict Resolution
- Product Development/Rollout
- Cost Reduction and Control

From what I could discern CNANO Technology USA, Inc. looked to be an affiliate/subsidiary of [China Company JiangSu CNANO Technologies Co., Ltd.](#) a manufacturer of Carbon Nanotube and Graphene Nanomaterial powders and pastes.

The Signature of the Authorized Person who was listed as Shawn Montgomery, President I searched extensively for and narrowed down to who I thought the individual probably was. [On LinkedIn](#) it shows a Shawn Montgomery as President of Stealth Startup US. His experience is in domestic and international manufacturing, multinational operations, and global sourcing. You can view his full resume [here](#).

## Carbon Nanotubes, and Graphene Nanomaterials

From there I also took a deep dive into learning more about Carbon Nanotubes, and Graphene Nanomaterials. I instantly had public and environmental safety concerns. Carbon Nanotubes (referred to as CNTs, single wall and multi-wall) and Graphene Nanomaterials (referred to as GFNs) are toxic, hazardous materials. Carbon Nanotubes and Graphene Nanomaterials are a rapidly emerging field, and there are studies and concerns that the unique properties associated with these engineered nanomaterials pose unique health risks to humans. See the resource links to the right, and you can search on for example *“what happens when carbon nanotubes are inhaled”*.

I began to wonder why the [Executive Director for the Johnson County Airport Commission, who is also the Assistant County Manager Mr. Aaron Otto](#) did not include any detailed information about **who** CNANO was or that their purchase of [Building A at the New Century Air/Commerce Center](#) would introduce toxic, hazardous materials manufacturing in extremely close proximity to Gardner and Olathe residents, schools, businesses, the Johnson County Sheriff's Office and the U.S. Army Reserve's Bravo Company, 7th Battalion, 158th Aviation Regiment whose military training operations are stationed out of the New Century Air Center.

### Resources that Help Explain Carbon Nanotube & Graphene Materials

- [EPA Control of Nanoscale Materials under the Toxic Substances Control Act](#)
- [ACS: Understanding the Toxicity of Carbon Nanotubes](#)
- [University of Edinburgh: Carbon Nanotubes May Pose Asbestos-style Cancer Risk](#)
- [Taylor & Francis: A Review of Carbon Nanotube Toxicity and Assessment of Potential Occupational and Environmental Health Risks](#)
- [NIH: Exposure to Carbon Nanotubes and Carbon Nanofibres - More Than a Cobweb](#)
- [Royal Society: Nanoscience and Nanotechnologies - Opportunities and Uncertainties](#)
- [PNAS: Graphene Microsheets Enter Cells Through Spontaneous Membrane Penetration at Edge Asperities and Corner Sites](#)
- [CDC: Occupational Exposure to Carbon Nanotubes and Nanofiber, Managing the Health and Safety Concerns Associated with Engineered Nanomaterials](#)
- [Bio Med Central: Toxicity of Graphene- Family Nonparticles](#)
- [InterNano Resources for Nano Manufacturing: Environmental Health & Safety](#)

# Carbon nanotubes may pose asbestos-style cancer risk

November 2017: A study led by the Medical Research Council Toxicology Unit, and supported by researches from the Medical Research Council Centre for Inflammation Research, has provided strong evidence that certain carbon nanotubes used in manufacturing could pose the same cancer risk as asbestos.

## **Q4. Why is EPA interested in nanoscale materials?**

There is a growing body of scientific evidence showing the differences that exist between some chemical substances manufactured at the nanoscale and their non-nanoscale counterparts.

Nanoscale materials may have different or enhanced properties that could raise new questions, such as whether the material in the smaller form may present hazards to humans and the environment.

Research Article

# A Review of Carbon Nanotube Toxicity and Assessment of Potential Occupational and Environmental Health Risks

Chiu-wing Lam, John T. James, Richard McCluskey, Sivaram Arepalli & Robert L. Hunter

Pages 189-217 | Published online: 10 Oct 2008

“ Cite this article <https://doi.org/10.1080/10408440600570233>

and other impurities on the toxicological manifestations. The toxicological hazard assessment of potential human exposures to airborne CNTs and occupational exposure limits for these novel compounds are discussed in detail. Environmental fine PM is known to form mainly from combustion of fuels, and has been reported to be a major contributor to the induction of cardiopulmonary diseases by pollutants. Given that manufactured SWCNTs and MWCNTs were found to elicit pathological changes in the lungs, and SWCNTs (administered to the lungs of mice) were further shown to produce respiratory function impairments, retard bacterial clearance after bacterial inoculation, damage the mitochondrial DNA in aorta, increase the percent of aortic plaque, and induce atherosclerotic lesions in the brachiocephalic artery of the heart, it is speculated that exposure to combustion-generated MWCNTs in fine PM may play a significant role in air pollution-related cardiopulmonary diseases. Therefore, CNTs from manufactured and combustion sources in the environment could have adverse effects on human health.

## Occupational Exposure to Carbon Nanotubes and Carbon Nanofibres: More Than a Cobweb

[Enrico Bergamaschi](#),<sup>1,\*</sup> [Giacomo Garzaro](#),<sup>1</sup> [Georgia Wilson Jones](#),<sup>1</sup> [Martina Buglisi](#),<sup>1</sup> [Michele Caniglia](#),<sup>1</sup>  
[Alessandro Godono](#),<sup>1</sup> [Davide Bosio](#),<sup>1</sup> [Ivana Fenoglio](#),<sup>2,\*</sup> and [Irina Guseva Canu](#)<sup>3</sup>

Antti Joonas Koivisto, Academic Editor

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### Abstract

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Carbon nanotubes (CNTs) and carbon nanofibers (CNFs) are erroneously considered as singular material entities. Instead, they should be regarded as a heterogeneous class of materials bearing different properties eliciting particular biological outcomes both in vitro and in vivo. **Given the pace at which the industrial production of CNTs/CNFs is increasing, it is becoming of utmost importance to acquire comprehensive knowledge regarding their biological activity and their hazardous effects in humans.** Animal studies carried out by inhalation showed that some CNTs/CNFs species can cause deleterious effects such as inflammation and lung tissue remodeling. Their physico-chemical properties, biological behavior and biopersistence make them similar to asbestos fibers. Human

## Issues

“At the moment, nobody has died from engineered nanomaterials. To our knowledge nobody has even gotten sick...” (Dr. Andrew Maynard, Woodrow Wilson [Project on Emerging Nanotechnologies](#) ). Exposure to nanoscale materials is not new – automotive exhaust, volcanic ash, cooking gas – all contain materials considered to be “ultrafine” or in the nano-range. However, due to the unique physicochemical properties of engineered nanomaterials and findings from toxicological evaluations to date (both in vitro and in vivo), there are scientifically sound reasons to believe that exposure to some nanomaterials may have potentially serious implications for environment, health, and safety.

The key issues surrounding EHS for nanomanufacturing are whether or not additional protections and cautions are needed, given the unique properties of nano-scale materials, and mixed findings from the toxicological literature regarding hazards from:

- **inhalation** (Nemmar, Hoet et al. 2002; Oberdorster, Sharp et al. 2002; Lam, James et al. 2004; Oberdorster, Sharp et al. 2004; Warheit, Laurence et al. 2004; Shvedova et al. 2005)
- **dermal penetration** (Monteiro-Riviere et al. 2005; Rouse et al. 2007; Ryan-Rasmussen et al. 2006, 2007; Zhang et al. 2007)
- **and translocation (movement) of materials from entry into the body to other organs** (Oberdorster, Sharp et al. 2002; Kreyling et al. 2002; Takenaka, Karg et al. 2004; Geys 2006; Long, Saleh et al. 2006).

## Understanding the Toxicity of Carbon Nanotubes

Ying Liu<sup>†</sup>, Yuliang Zhao<sup>†‡</sup>, Baoyun Sun<sup>\*‡</sup>, and Chunying Chen<sup>\*†</sup>

**View Author Information** ▾

✓ **Cite this:** *Acc. Chem. Res.* 2013, 46, 3, 702–713

Publication Date: September 21, 2012 ▾

<https://doi.org/10.1021/ar300028m>

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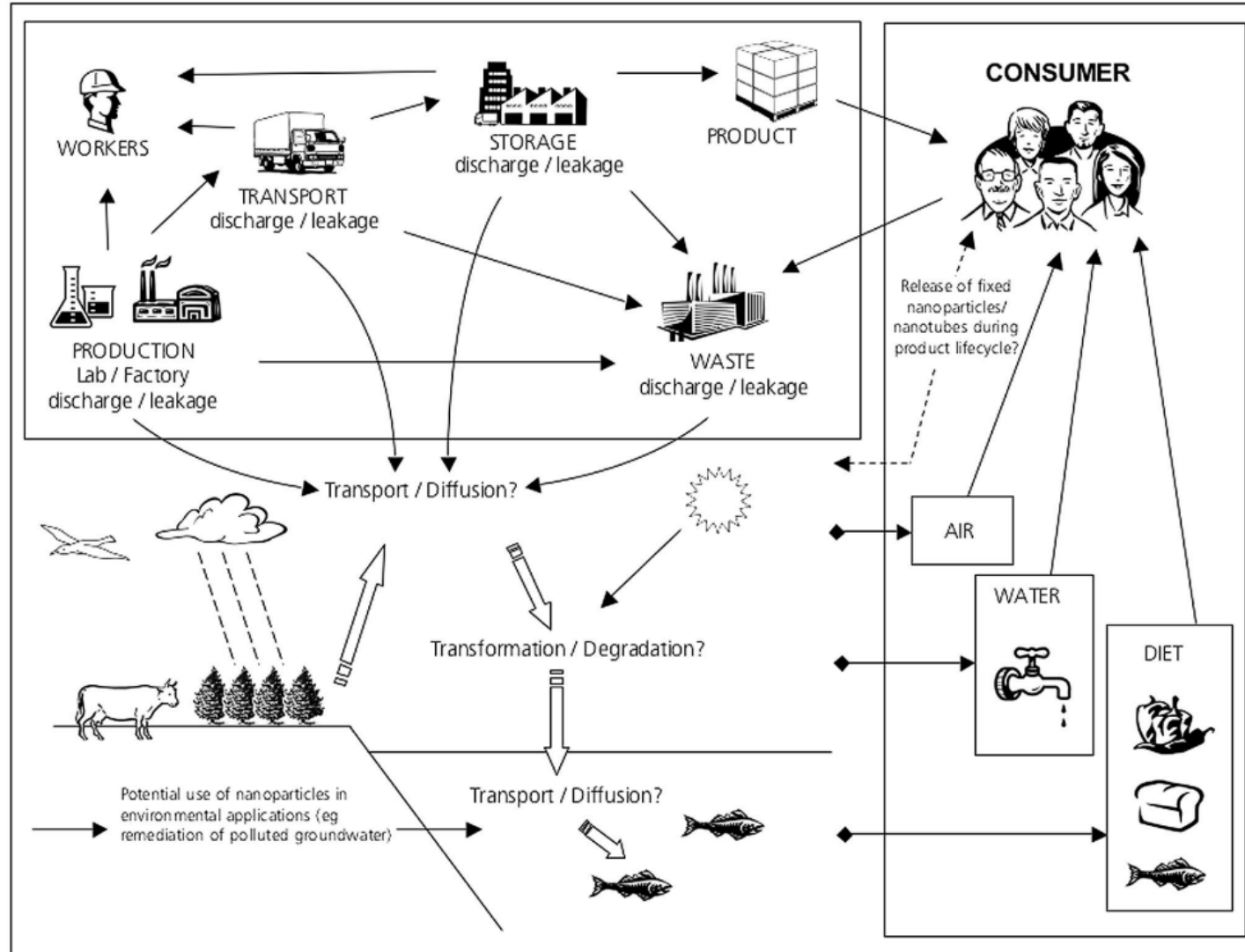
4

Citations

557

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Figure 5.1 Some possible exposure routes for nanoparticles and nanotubes based on current and potential future applications. Very little is known about exposure routes for nanoparticles and nanotubes and this figure should be considered with this in mind (Adapted from National Institute for Resources and Environment, Japan [http://www.nire.go.jp/eco\\_tec\\_el/hyouka\\_e.htm](http://www.nire.go.jp/eco_tec_el/hyouka_e.htm)).



## TSCA SECTION 5 ORDER

**Chemical Name:** Carbon nanotubes powder (generic) [View TSCA § 5 Order](#)  
**Chemical Identifier:** 266229  
**Use:** Intermediate  
**Effective Date:** August 31, 2015  
**Chemical Category:** Respirable, Poorly Soluble Particulates

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**What type of TSCA Section 5 Order was developed for this chemical substance?**

- May present an unreasonable risk

**TSCA Section 5 Order for:** Carbon nanotubes powder (generic) , 266229

**PMN Number:** P-15-0054

**Has the chemical been commenced?:** Yes

**Functional Use:** Chemical intermediate (generic)

**What are the health or environmental toxicity concerns?**

- Aquatic and/or terrestrial toxicity
- Cancer effects
- Lung toxicity (including lung overload)

**What is the basis for the health or environmental toxicity concerns?**

- Analog data
- Respirable, Poorly Soluble Particulates
- Physical/chemical properties

**What is the exposure concern to the chemical?**

- Occupational settings: Worker exposures without workplace protection
- Releases to the environment associated with commercial processing/use of the chemical release to water of the PMN substance

## SIGNIFICANT NEW USE RULE (FINAL)

**Chemical Name:** Carbon nanotubes (generic)  
**Chemical Identifier:** 266229  
**Federal Register Citation:** 85 FR 57968 September 17, 2020 [↗](#)  
**Publication Date:** September 17, 2020  
**Code of Federal Regulations:** 40 CFR 721.11467 [↗](#)  
**Chemical Category:** Respirable, Poorly Soluble Particulates

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**Significant New Use Rule for Carbon nanotubes (generic) , 266229:**

**What is the Significant New Use Rule (SNUR)?** SNUR following Consent Order. EPA placed limitations on the manufacturing, processing, or use of this chemical through a consent order under TSCA §5(e). Use of the chemical in a manner inconsistent with the Consent Order is a Significant New Use. Manufacturers and processors must notify EPA before the new use begins through submission of a Significant New Use Notice (SNUN) so that EPA has the opportunity to review and, if necessary, place restrictions on the new use.

**Has the chemical been commenced?**

- Yes

**PMN Number:** P-15-0054

**What are the health or environmental toxicity concerns?**

- Cancer effects

**What is the basis for the health or environmental toxicity concerns?**

- Analog data



# China Owned CNANO Technologi...

Study on distance of Gardner and Olathe homes in proximity to hazardous China owned CNANO Technologies Carbon Nanotube and Graphene more

8 views  
Last edit was on August 11

Add layer  Share  Preview

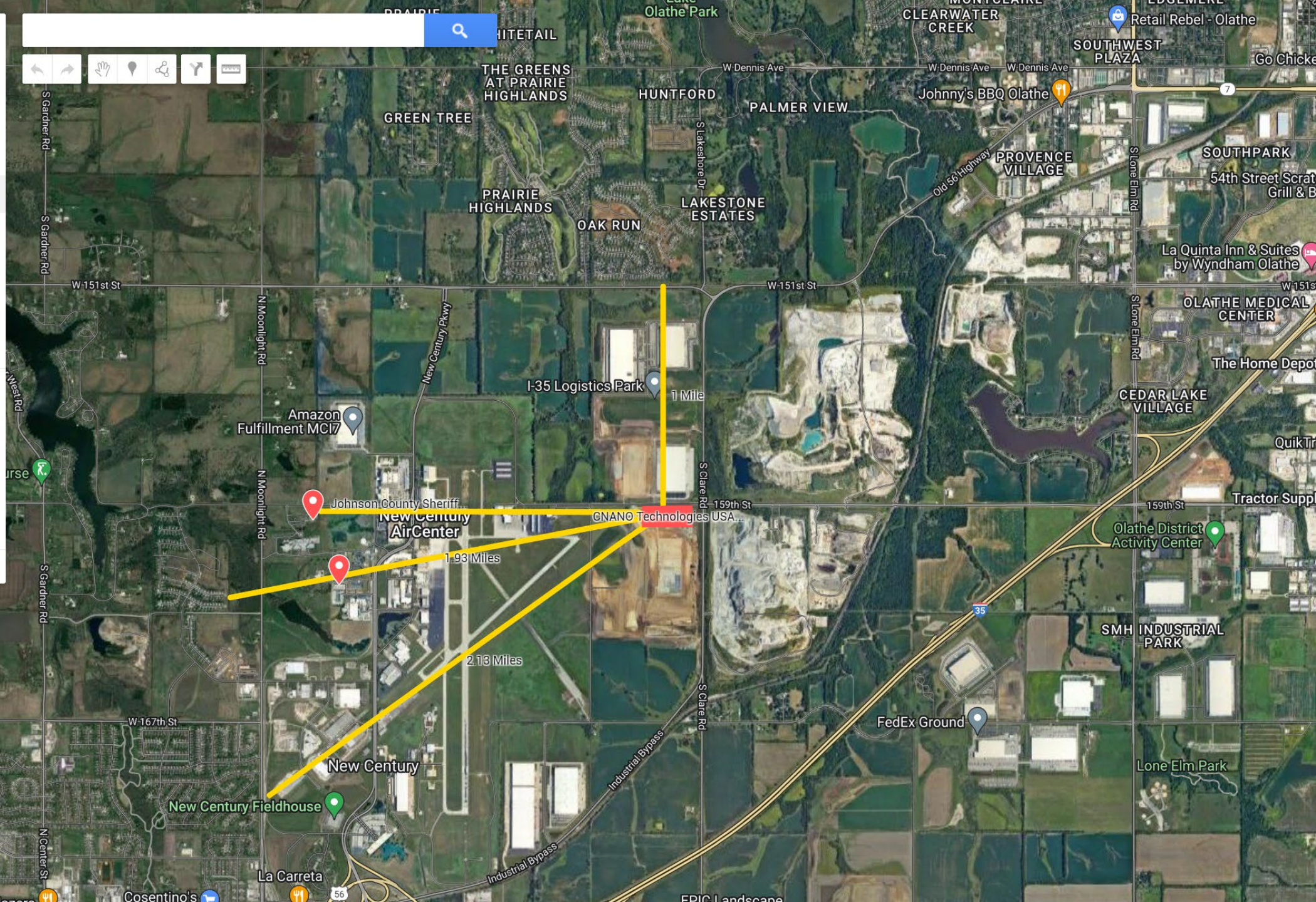
## Distances to Homes

- Individual styles
- 1 Mile
- 1.93 Miles
- 2.13 Miles

## Pins

- Individual styles
- CNANO Technologies USA, In...
- Johnson County Sheriff - Jo...
- 1.46 Miles
- U.S. Army Reserve's Bravo C...

Base map

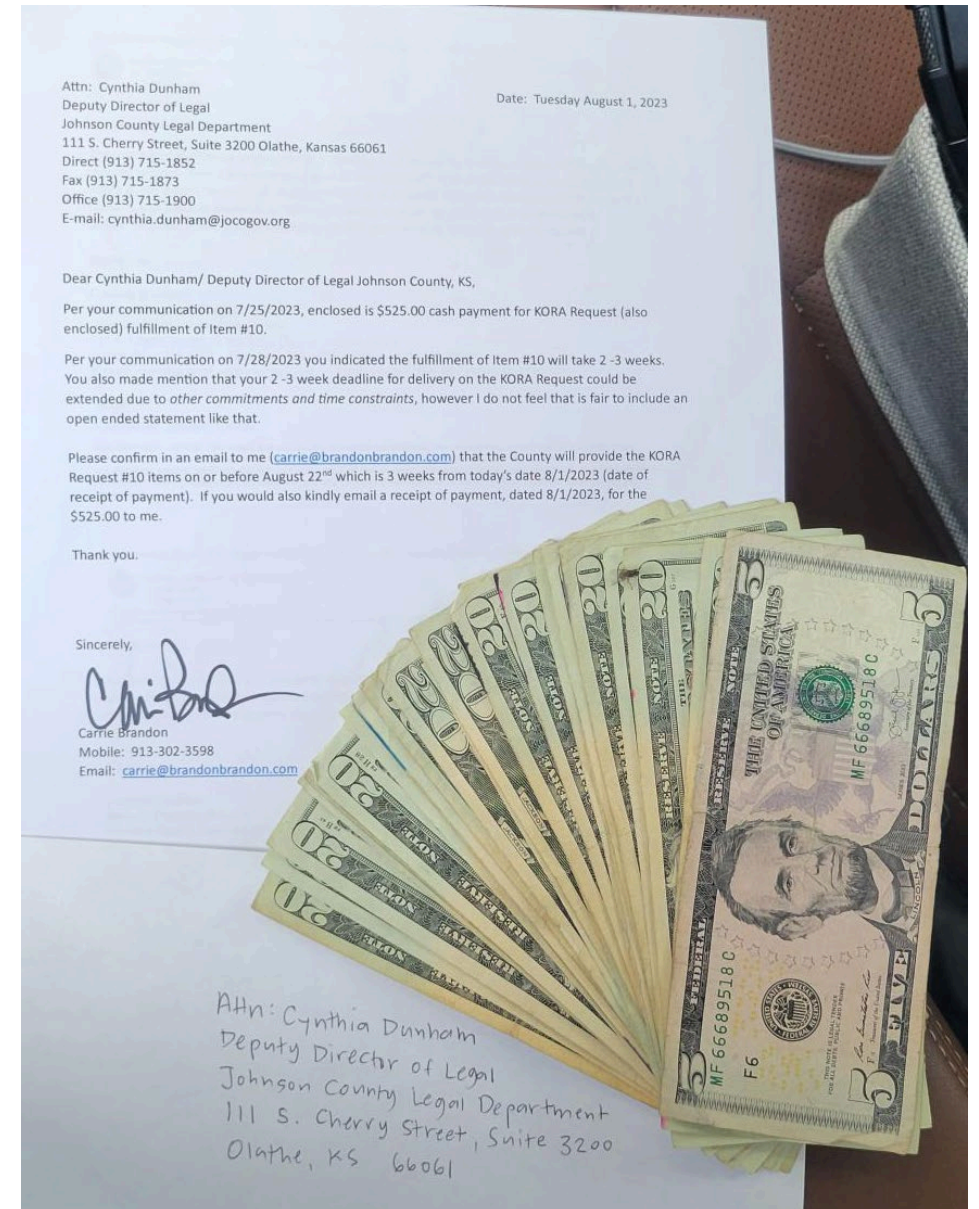


I emailed the entire Johnson County Commission on the morning of June 1st asking for them to table the vote to authorize IRBs for CNANO, until more information could be provided to the public about who the company was and the full details about the hazardous Carbon Nanotube materials that would be used in their manufacturing processes. The Resolution was not tabled, Commission Chairman Mike Kelly urged the Commissioners to vote yes on the Resolution, it passed 5-1 with Commissioner Charlotte O'Hara being the only Commissioner to vote NO.

I also want to point out Mr. Otto and Commissioner's Allenbrand, Hanzlick, Meyers and Chairman Kelly never named or explained who "the company" was during the discussion of the Resolution during the June 1st Commission meeting (view meeting here, scrub to 38:30). This left me with the perception that our elected officials were thwarting transparency, they didn't want to advertise the fact that they were approving IRBs to finance a China owned (?) company's construction of a hazard materials manufacturing facility for fear of public opposition.

Disappointed by the lack of transparency I followed up with an email to Commission Chair Mike Kelly with several questions on June 8<sup>th</sup> and again on June 22<sup>nd</sup>. **I did not receive a reply from Chairman Kelly**, instead I received a response from Johnson County Senior Management Analyst Susan Maier. The response was not overly helpful and did not answer the majority of my questions. Ms. Maier instructed me to contact CNANO Technology USA, Inc., however she was unable to provide CNANO Technology USA, Inc.'s company contact information...just like me, the County also had no information on this Foreign Covered Entity! I believe Senator Mike Thompson also spoke with researchers at the statehouse on the CNANO ownership issue. He also requested research into finding out whether or not the identity of the actual company ownership could be uncovered, and if there were any verifiable connections to China...direct or indirect. They spent a lot of time digging and also could not get past the Delaware registration and the foreign covered entity registration in Kansas.

**This lack of transparency was completely unacceptable to me so the next step I took was to submit an official KORA Request on June 29th, 2023.** As part of my KORA Request I asked for the County to provide ALL communications, from 2018 to current, with regards to New Century Air Center Building A. I paid, with the help of other concerned citizens, \$525 in cash to the County for the KORA Request.



## RE: KORA Request - Johnson County (Building A CNANO Technologies)



Carrie Brandon

To ○ 'Dunham, Cynthia, LGL'

Follow up. Start by Monday, September 11, 2023. Due by Monday, September 11, 2023.  
You forwarded this message on 9/5/2023 6:29 PM.



Tue 9/5/2023 6:06 PM

### Since the original KORA Request Submission date of June 29, 2023:

- 1) **The County took** 18 business days to get to the point of just providing “cost” for the KORA Request. To be fair, if you take out the 5 business days it took me to respond on July 14<sup>th</sup> to your July 7<sup>th</sup> email, where you asked if I would provide more information on search dates and/or terms/key words, it cuts the County’s lengthy delay to **13 business days**.
- 2) From my July 14<sup>th</sup>, 9:53am response to you, providing you with more information on search dates and/or terms/key words **it then took another 8 days** for the County to let me know on July 25<sup>th</sup> at 2:22pm that they would require a payment of \$525 to begin the process. I do not understand why the *cost*, at a minimum, was not provided as soon as possible, not later than the end of the third business day following the date that the additional information you requested from me was received...**it took 8 business day to provide cost**.
- 3) After communicating with other Concerned Citizens, who together graciously offered to help fund the KORA Request, I visited the Johnson County Legal Department (111 Cherry, Olathe, KS) on August 1<sup>st</sup> to pay, in cash, \$525 for the KORA Request. I also delivered a letter along with payment recapping the KORA Request, a handful of follow-up questions, and additionally requested that the County send me an emailed confirmation of payment (I received a prompt email at 4:54pm on August 1<sup>st</sup> from Grace Arehart acknowledging payment was received).
- 4) Since August 1<sup>st</sup>, and as of today’s date September 5<sup>th</sup>, **it has been an additional 25 days with no delivery on the KORA Request**, only repeated emails letting me know it continues to be delayed.

**We are now at over 10 weeks, patiently waiting for the County to deliver the KORA Request information.**

**From:** Laura Phillips <[phillips@thinkkc.com](mailto:phillips@thinkkc.com)>

**Date:** Wednesday, July 19, 2023 at 9:42 AM

**To:** "Patrick Lowry [KDC]" <[Patrick.Lowry@ks.gov](mailto:Patrick.Lowry@ks.gov)>, "[jody.hanson@jocogov.org](mailto:jody.hanson@jocogov.org)" <[jody.hanson@jocogov.org](mailto:jody.hanson@jocogov.org)>

**Cc:** Chris Gutierrez <[Gutierrez@kcsmartport.com](mailto:Gutierrez@kcsmartport.com)>, Jessica Palm <[Palm@thinkkc.com](mailto:Palm@thinkkc.com)>

**Subject:** Project Carbon announcement

Good morning Pat, Jody,

Hope you're both having a great week. We were excited to hear earlier this week that the client for Project Carbon (CNano Technology USA) is interested in doing a project announcement, including a press release to local and national media.

As we're aware that there are some sensitives surrounding this project, would love to grab a quick phone call with both of you as soon as possible to discuss from a state and county perspective before looping in the rest of the group. I have flexibility for the rest of the day – let me know what works for you!

Thank you,

**Laura (Patriquin) Phillips**

Manager, Marketing & PR

**Kansas City Area Development Council**

m 207.712.4517

[phillips@thinkkc.com](mailto:phillips@thinkkc.com)

[thinkKC.com](http://thinkKC.com)

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**From:** "Hanson, Jody, CMO" <[Jody.Hanson@jocogov.org](mailto:Jody.Hanson@jocogov.org)>  
**Date:** Wednesday, July 19, 2023 at 12:01 PM  
**To:** Laura Phillips <[phillips@thinkkc.com](mailto:phillips@thinkkc.com)>, "Patrick Lowry [KDC]" <[Patrick.Lowry@ks.gov](mailto:Patrick.Lowry@ks.gov)>  
**Cc:** Chris Gutierrez <[Gutierrez@kcsmartport.com](mailto:Gutierrez@kcsmartport.com)>, Jessica Palm <[Palm@thinkkc.com](mailto:Palm@thinkkc.com)>  
**Subject:** RE: Project Carbon announcement

Hello! I would like to get on a phone call about this topic. What does first thing tomorrow morning look like?

---

**From:** Laura Phillips <[phillips@thinkkc.com](mailto:phillips@thinkkc.com)>  
**Sent:** Wednesday, July 19, 2023 11:46 AM  
**To:** Patrick Lowry [KDC] <[Patrick.Lowry@ks.gov](mailto:Patrick.Lowry@ks.gov)>; Hanson, Jody, CMO <[Jody.Hanson@jocogov.org](mailto:Jody.Hanson@jocogov.org)>  
**Cc:** Chris Gutierrez <[Gutierrez@kcsmartport.com](mailto:Gutierrez@kcsmartport.com)>; Jessica Palm <[Palm@thinkkc.com](mailto:Palm@thinkkc.com)>  
**Subject:** Re: Project Carbon announcement

You don't often get email from [phillips@thinkkc.com](mailto:phillips@thinkkc.com). [Learn why this is important](#)

**\*\*\* This email originated from outside the organization. Use caution when opening attachments, clicking links, or performing any actions requested in this message. \*\*\***

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Hi again, folks – Chang Lu let us know that the state will not be participating in this announcement. [@jody](#), would still love to have a quick chat with you when you have a chance. Let me know if you have a few minutes for a quick call in the next day or two.

Thanks!

**Laura (Patriquin) Phillips**  
Manager, Marketing & PR  
**Kansas City Area Development Council**  
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## International Manufacturer of Electric Vehicle Components Selects KC Region for North American Headquarters

by [Laura Patriquin](#) | Aug 02, 2023 [Leave a comment](#)

**New Century, Kan. – August 2, 2023** – The Kansas City Area Development Council announced today that international company Cnano Technology USA, Inc. plans to invest \$94.7 million in a 333,000-square-foot manufacturing facility at the New Century Commerce Center. The new facility is expected to create 112 jobs with a payroll of \$7.1 million.

Cnano will use the new facility to create liquid conductive paste, a component used for a variety of electronic applications, including batteries for electric vehicles, cell phones and power tools.

“Cnano Technology is incredibly excited to partner with Johnson County to build out a new U.S. facility to manufacture conductive and structural additive products for the lithium-ion battery, rubber and polymer, and composite markets,” said **Shawn Montgomery, president of Cnano Technology USA, Inc.** “We’re proud to bring cutting-edge technology, investment dollars and, most importantly, jobs to the region.”

Located in Johnson County in the southwest area of the Kansas City region, the New Century Commerce Center is a multimodal industrial center offering direct access to air, rail and interstate transportation over 2,700 acres.

“We are pleased to welcome Cnano to the New Century Commerce Center, joining over 60 multinational businesses who are leaders in the fields of warehousing, distribution, printing, food processing, manufacturing and avionics,” said **Johnson County Board of County Commissioners Chairman Mike Kelly**. “In addition to the more than 110 jobs this company will create, I appreciate the science and innovation coming into our community and look forward to the impact EV batteries will ultimately make towards decreasing vehicle emissions and helping to protect our planet.”

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As of today, it has been over 10 weeks and I still have not received the completed KORA Request documents from the County. I have only received multiple emails from Johnson County's Deputy Director of Legal, Cynthia Dunham, notifying me that the County needs more time. Granted the KORA Request was large, but I struggle to understand why:

- a) with all of the year after year taxpayer dollar funding increases for Johnson County's "Personnel" budgets, and
- b) the additional funds collected by the County for processing KORA Requests (in the case of this request \$525) it takes over 10 weeks and counting to deliver the documents.

This goes against Kansas' Open Records Act K.S.A. 45-215. I am currently in the process of filing a complaint with Johnson County District Attorney Steve Howe and Kansas Attorney General Kris Kobach.

I want to be clear, this is **NOT** about prejudices against Chinese Americans or Chinese Nationals, it **IS** however, about **vetting foreign covered entities to protect citizens, Kansas and our national security**. Citizen opposition is due to the utter lack of transparency and public knowledge around the fact that the county is inviting what we can only assume is a Multi-International China Company to purchase real estate at New Century Air Center with the intent of manufacturing battery additives that involve toxic nanomaterials.



## Censorship of General Public Comments Destroys Transparency and Trust

I feel it is also important to point out to this committee, that Johnson County Commission Chairman Mike Kelly is another example of lack of transparency. Since he took office as Chairman, he has censored General Public Comment at the beginning of every Thursday morning Commission meeting. This means that citizens of Johnson County have no opportunity to see and hear, via the County's live YouTube stream, the General Public Comments of fellow citizens on issues important to all. Chairman Mike Kelly also removes General Public Comment from being archived to the County's YouTube Channel.

As a result, citizens have taken it upon themselves to tag team and record, over their own phones, General Public Comment at Thursday morning Commission meetings.

I want to share one Johnson County Chinese American Citizen's response to Commissioner Chairman Mike Kelly's insinuation that those who made public comment in opposition to CNANO at the New Century Air/Commerce Center were "...invoking dangerous and unscrupulous stereotypes of Asian Americans":

Chairman Mike Kelly: [View Meeting, scrub to 48:10 to hear Chairman Kelly's remark](#)

*"I want to make sure that we don't delve into murky waters, there's examples from the past and present that invoking China as a threat has dangerous consequences for Americans of Asian descent and perpetuating long standing stereotypes of Chinese and other Asian communities as foreign or dangerous or unscrupulous. I want us to be very wary of that and realize that we are a welcoming community, and we want to encourage the economic opportunities..."*

Johnson County Chinese American Citizen's CENSORED General Public Comment response to Commissioner Chairman Mike Kelly's remark: [View Response](#)

*"As a Chinese American and US Citizen my concern is for the welfare and security of our nation. Knowing CCP techniques of Chinese business operating in a foreign country it is often directed by the communist party with the ultimate aim of benefiting the CCP. The (inaudible) of infiltration is often modus operandi. Why are they buying up so much land near military bases (inaudible)? If we are only concerned about economic gains, then we will fall into their trap. To say that being opposed to this Chinese company, for buying this strategic property, will marginalize the Asian Americans is untrue.*

*I escaped China 6 months before the communists took over in 1949, sailing in the belly of a fishing boat with my parents and 8 children to escape the CCP persecution. If we would have stayed, we would have been sent to a concentration camp with my father and my mother too. But by God's faith America granted us immigration status. We came to America supported by hundreds of American Christians, through university students that my Dad met in China.*

*Today I am 80 years old, I've been in this country 67 years. We have 4 generations in America as Asian Americans. There are more than over 100 of us, many are first generation of lawyers, dentists, engineers, businessmen and women, teachers and ministers. They are successful professionals that have raised to the top of their professions, and some of them are very wealthy...we have NOT been marginalized.*

*This is not an issue of Chinese Americans being marginalized. It is an issue of those, the people and the citizens being safeguarded from the danger and harm and not exposing our military and civilians to spying by another country. As a citizen I must caution this decision made by this (inaudible) authority it will bring harm to citizens of Kansas and should stay on your conscience."*

***"Is it not reasonable for Citizens to wonder and question whether anonymous CNANO Technology USA, Inc. is a well vetted and legitimate company, that will not cause harm to the health and safety of citizens and our national security? "***



# Foreign Covered Entities and Massive, Undisclosed Ground Leasing Destroying County Agricultural Resources & Transparency



**QUESTION:** Whose responsibility is it to make a developer's massive land leasing for potential Industrial Utility-Scale Solar and Wind Power Facility projects immediately transparent to the public so that citizens have this critical information? How are citizens able to make wise investment and planning decisions and to mitigate financial risk when there is zero visibility to the total, growing number of acres in their county being secured for industrial development?

It seems County and City Long-term Comprehensive Plans aren't worth the taxpayer dollars used to create them, they aren't even worth the paper they are printed on because unbeknownst to citizens 1,000s, upon 1,000s, upon 1,000s of acres of land designated as rural/agricultural have been stealthily leased by developers, like NextEra Energy, for Industrial Utility-Scale Solar and Wind Power Facility projects. These project developers will disregard Long-term Comprehensive Plans by requesting Conditional Use Permits (CUPs) to convert rural character/agriculturally zoned land to industrial use.

**ANSWER:** It seems no responsibility is being taken for ensuring full transparency to the ever-increasing amount of Kansas land that is being secured by foreign covered entities for these projects. This needs immediate attention!

If regulations are going to allow Energy Companies to request and potentially be granted CUPs, that modify land use; and that use deviates from a County or City's Long-term Comprehensive Plan then the public needs to be made aware of the large land leasing activities that are taking place in their communities **AS SOON AS THEY BEGIN. Transparency should be required immediately upon the signing of an Energy Company's first land lease agreement in a County/City and for every lease thereafter.**

**SOLUTION:** A Kansas State Law that requires, upon the signing of the first land lease agreement for any potential project by a developer/LLC, who is securing 300 acres or more for a project, with the intent of changing land use through CUPs, to:

1. Provide written notification of the land lease within 10 days to State, County and City Officials. The State of Kansas to document online, and make available to the public, a database tool to lookup large land leasing activity by a single company and their subsidiaries (LLCs, most often foreign covered entities).

2. Publish public notice/press releases to local media within 10 days

3. Mail letters within 10 days to all landowners, homeowners and businesses within a 3-mile radius of every land lease intended for a total project area of 300+ acres that has the intent of changing land use through CUPs.

This provides critical transparency. Transparency in turn gives individuals who are looking to invest more in their communities, their businesses and/or to further improve their properties, a chance to **take pause**.

Citizens have rights and deserve timely information about land leasing for potential large scale industrial development, it should be law. Especially when projects desire to change land use that is contrary to an existing Long-term Comprehensive Plan.

Not providing timely transparency to large amounts of land leasing by a company in one area is detrimental to the citizens of that area. No transparency negatively impacts the financial security and well being of citizens. **LLCs (Foreign Covered Entities) need to be thoroughly vetted by state and local officials to ensure NO Foreign Adversaries are members, managers or owners of the layered LLCs that developers hide behind.**

**QUESTION: How can the public easily determine who is behind LLCs (Foreign Covered Entities)?** LLCs protect companies from liability. Multiple LLCs limit potential liability risk between each of the limited liability companies. It makes it easier to attract investors for one particular business (LLC) and even sell a business to someone else. Delaware LLCs, Cayman Island offshore accounts...these signal "lack of transparency" making it difficult for the public, state, county and city officials to investigate and fully understand who the investors, members, managers, owners are behind projects, due to the multitude of LLCs they are operating through.

For example, NextEra Energy, who has numerous Industrial Utility-Scale Solar and Wind Projects in operation and/or development in Kansas, has 864 subsidiaries in the United States and 187 that operate in foreign countries. Most of their LLCs are organized out of Delaware, not their home state of Florida. Additionally, their Palms Insurance Company, Limited (a subsidiary of NextEra Energy Capital Holdings, Inc.) is organized offshore in the Cayman Islands (this is reported by the U.S. Securities and Exchange.<sup>2</sup>

**ANSWER: Again, a Kansas State Law** that requires, any developer, who is securing 300 acres or more for a project, with the intent of changing land use through CUPs, to provide written notification of the land lease within 10 days to State, County and City Administrators.

**The State of Kansas to develop and make available to the public, an online database tool that can be used to search for large land leasing activity, by a single company and its subsidiaries. And to also reveal and display the list of all subsidiaries the company is using for their land leasing activity.**

# NextEra Energy's Land Leases in JUST Douglas & Johnson Counties in Kansas

LEARN MORE HERE:

<https://bit.ly/large-land-leasing-transparency-laws-needed>

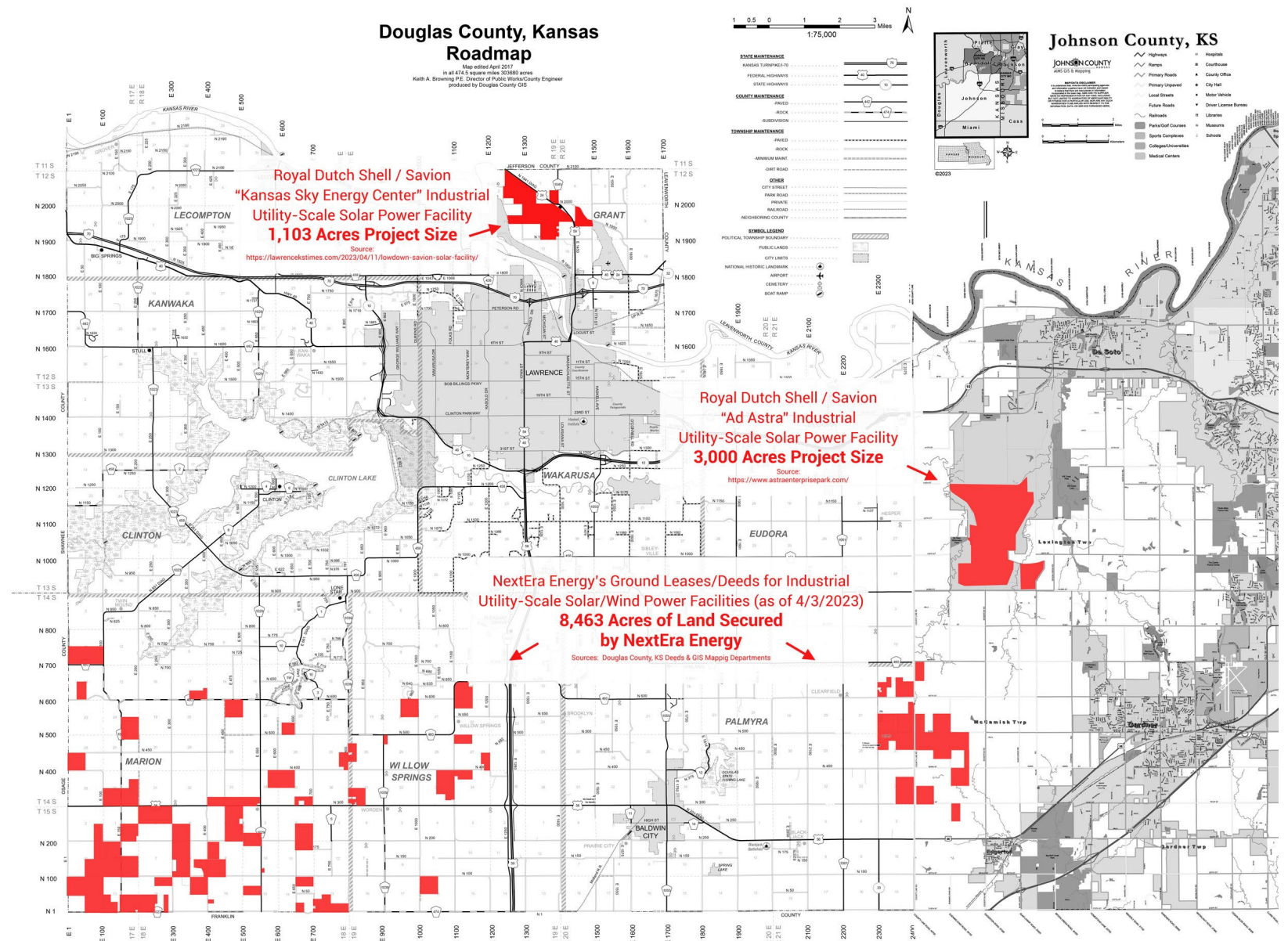
The map to the right shows the total number of parcels leased, as of 4/3/2023, for planned and potential Industrial Utility-Scale Solar or Wind Power Facilities in JUST Douglas and Johnson Counties.

This information is the current information available through public records.

The massive amount of land acquisitions seem to be happening along the entire South half of Douglas County, North of Lawrence, and Southwest and Northwest Johnson County.

Currently there are approximately **13,874.26 Acres or 21.68 Square Miles of land** showing as leased by NextEra Energy's subsidiaries Boulevard Associates, LLC and West Gardner Solar, LLC and Savion.

There are a total of approximately **63 participating landowners/lessors** and a total of **128 leased properties** as of 4/3/2023.<sup>1</sup>



**KANSAS IS UNDER ATTACK!**  
The TOTAL Number of Acres of Combined  
Industrial Utility-Scale Solar/Wind Power Facilities, in JUST  
Douglas and Johnson Counties is  
**13,874.26 Acres**  
About the size of the entire City of Lawrence!

# Lease Releases Not Being Recorded

**As of 4/3/23 NO notifications of lease “releases” have been submitted by NextEra Energy to the Douglas County, KS Register of Deeds.** This has a handful of participating landowners, who said they did not renew their lease agreements with NextEra and their Subsidiaries, very upset as they were not aware that their properties were still tied to NextEra Leases in the Register of Deeds public record.

I spoke with Douglas County’s Register of Deeds Kent Brown in April. Kent was great and very helpful in researching and confirming that NO lease “releases” had been submitted by NextEra or it’s Subsidiaries for any of the 128 recorded lease/deeds. Below is his email to me. He points out Oil and Gas leases have specific legislation regarding forfeiture of lease (K.S.A. 55-201.) but that he isn’t aware of any state statutes that pertain particularly to solar and wind leases. Kent also mentions if citizens believe, which we do, that additional legislation is required to create an avenue for public notification of solar and wind lease forfeiture, that legislators may be able to work with citizens to introduce a bill, and that is possible that someone from the Register of Deeds Association’s State Legislative Committee Association would be willing to “have a seat at the table” during the drafting process. Thank you to Kent Brown/Douglas County Register of Deeds for his helpful insights.

**From:** Kent Brown <[kbrown@douglascountyks.org](mailto:kbrown@douglascountyks.org)>  
**Sent:** Thursday, April 27, 2023 11:23 AM  
**To:** Carrie Brandon <[carrie@brandonbrandon.com](mailto:carrie@brandonbrandon.com)>  
**Subject:** Wind Leases

Carrie,

I apologize for the delay in getting this email sent out. I was out of the office for several days taking care of some family matters. To recap, when we spoke on the phone last week we found 66 documents with the name “Boulevard Associates” indexed in our database. We did not find any releases with that name associated therewith.

As far as options are concerned, truthfully an attorney could provide the best legal advice. I can’t offer any legal advice. I can only speak to my office and the statutes and policies that we follow.

As far as recording a release is concerned, we can do that if homeowners can procure a release from Boulevard Associates. Property owners are free to reach out to Boulevard and request that a release be prepared. Property owners can record the release themselves if Boulevard will send it directly to the property owner, or Boulevard may send it directly to us. It doesn’t matter who records the document as long as it is recordable and it is signed/notarized by Boulevard Associates and all recording fees are paid.

We also discussed affidavits. An affidavit is a statement of fact. Anyone is welcome to record an affidavit with a legal description, a valid notary, and a book/page reference if referring to another recorded document. I make no guarantees of legal enforceability for this or any other recording. But they can be useful if someone wants to bring notice to particular circumstances regarding a parcel of land.

Oil and Gas leases have specific legislation regarding forfeiture of lease (K.S.A. 55-201.) However I am not aware of statutes that pertain particularly to wind leases. An attorney may be able to better advise you on any existing legislation. If you find any, let me know please.

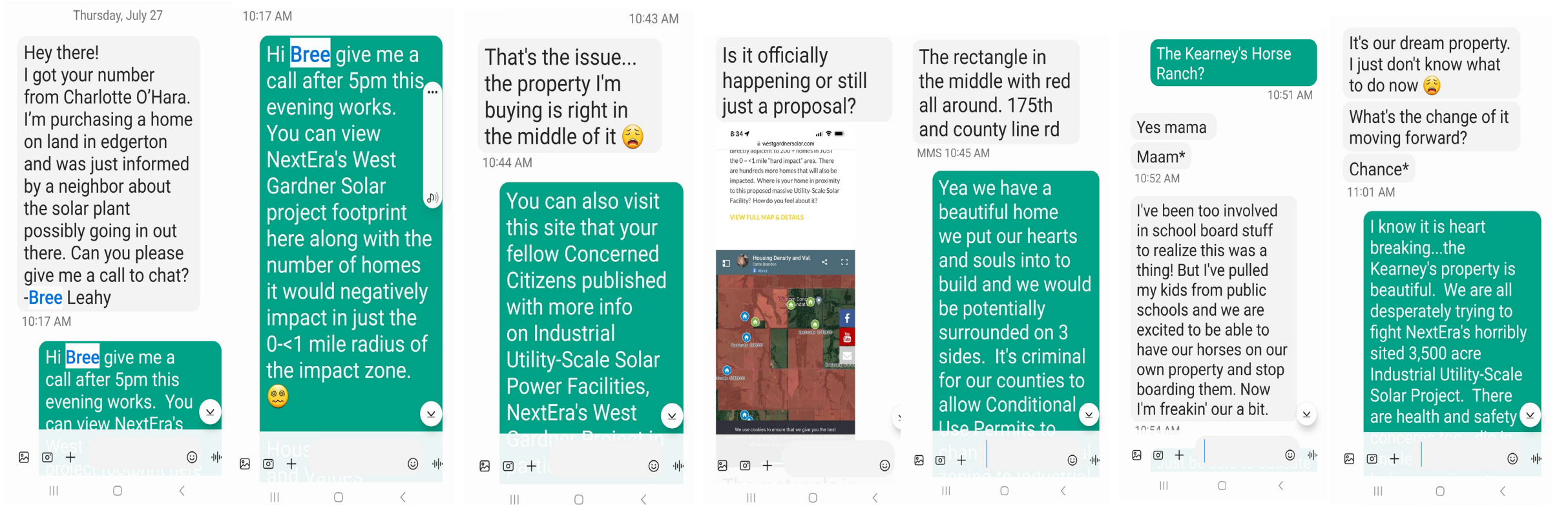
Lastly, if you believe that additional legislation is required to create an avenue for public notification/forfeiture, that would likely fall under the domain of state legislators. Local legislators may be able to work with you to introduce a bill. Any bills that affect the Register of Deeds Association will be closely monitored by the Register of Deeds Association’s legislative committee. It’s possible that someone from the association would be willing to “have a seat at the table” during the drafting process.

I hope this information is helpful.  
Regards,

Kent Brown  
Register of Deeds  
Douglas County, KS  
785-832-5261

# Even Real Estate Agents Have No Idea About the Secretive Industrial Utility-Scale Solar and Wind Ground Leasing

## One Real Estate Agents Accounting of Her Own Personal Heartache



I wish I could predict, we all have been blindsided and our lives put on hold by this project... NextEra is the world's largest renewable energy company, they are incredibly aggressive, manipulative and spew all kinds of misleading propaganda to gain support for their land acquisitions for Industri

View all

11:12 AM

Thanks lady. I joined it a little bit ago! I'm so blindsided by this

11:13 AM

Horrible construction noise for 8-12 months (imagine the sound of steel pile driving from 8am - 5pm everyday for months on end), soil erosion, wildlife and ecosystems negatively impacted, herbicide drift, fire risk from inverters, noise from inverters, well water contamination from the millions of

Curious, was the 3,500 acre proposed NextEra West Gardner Solar Project disclosed to you when you inquired about the property?

11:23 AM

Nope. The land disclosure says "solar panel installation to the south of our property"

11:24 AM

The transparency around this project by the developer has been zero and many realtor aren't even aware of

The transparency around this project by the developer has been zero and many realtors aren't even aware of what's going on and the magnitude of it.

11:24 AM

I've been crying all morning since I found out. I legit don't know if I move forward or not. If we don't and we miss out then it doesn't happen I'll be heartbroken. But if I do and it does happen we are screwed

11:25 AM

Oh shit, that is not good. Again, this makes me crazy it is so unfair to citizens and realtors to not "know" what NextEra is up to.

11:25 AM

I'm a realtor and I've never heard about it!

11:27 AM

Yeah I know that is what I mean about how UNFAIR it is that our county government has allowed this proposed nightmare to enter into our counties at all (we are

Yeah I know that is what I mean about how UNFAIR it is that our county government has allowed this proposed nightmare to enter into our counties at all (we are on the Douglas County side). Longterm comprehensive plans have always had our unincorporated areas zoned as agricultural. For the countie

View all

11:31 AM

Would you be willing to

# Did You Know Non-US Foreign Individuals, Investors and LLCs are Allowed to be “Members” of US Limited Liability Corporations?<sup>3</sup>

This means without the state creating new laws that require transparency for developers leasing massive amounts of land, these developers can hide behind a myriad of US owned LLCs and make Non-US Foreign entities “members” of their LLCs. There are additionally many strategic ways to hide LLCs and their members, making it next to impossible for the average citizen to gain visibility to anything a behemoth developer is doing to hide their aggressive land acquisition efforts.



Did you also know NextEra Energy Resources, LLC raised \$10 million in Series B funding for a company called LandGate which is the United States’ leading marketplace and data provider for commercial land and its resources including solar, wind, minerals, water, and carbon offsets.

NextEra’s funding enabled LandGate to expand its marketing and sales efforts to increase market penetration across the country.

In 2022 LandGate facilitated over \$300 million of land resource deals nationwide across transactions for the development of solar, wind, carbon, minerals, mining, electric vehicle (EV) charging and water resources. It is estimated that over 60% of all the land real estate agents in the U.S. are using LandGate’s land analytics, to help them transact on energy and environmental deals and access corporate buyers.<sup>4</sup>

**I wonder how many Foreign Adversaries are using this tool to strategize US land acquisitions.**

<sup>1</sup> Source: Douglas County,KS Deed Search: <https://landmark.douglascountyks.org/landmarkweb> and Douglas County, KS Register of Deeds: <https://www.douglascountyks.org/depts/register-of-deeds>

<sup>2</sup> Source: U.S. Securities and Exchange: <https://www.sec.gov/Archives/edgar/data/37634/000075330817000060/nee-12312016ex21.htm>

<sup>3</sup> Source: IncFile: <https://www.incfile.com/blog/can-non-u.s.-residents-be-llc-members>

<sup>4</sup> Source: LandGate Resources: <https://landgate.com/news/2022/05/12/landgate-raises-10m-in-series-b-funding-round-led-by-nextera-energy-resources/>



**Thank You for Listening!**  
**Committee Q & A Session**

**Contact Information**

**Kansans for Responsible Solar**  
**Concerned Citizen: Carrie Brandon**  
**Phone: 913-302-3598**  
**Email: [carrie@brandonbrandon.com](mailto:carrie@brandonbrandon.com)**

**Mailing Address:**  
P.O. Box 462  
Gardner, KS 66030