

## **Written Testimony on SB 146**

### **Opposition as Written — Support with Amendments**

Chair and Members of the Committee,

Thank you for the opportunity to submit written testimony regarding SB 146. I respectfully oppose SB 146 as written, and support the bill only if amended to preserve local authority, transparency, and meaningful public participation in decisions involving high-impact industrial land use.

As currently drafted, SB 146 raises serious concerns regarding state preemption of local decision-making. Projects of this scale place long-term demands on water supply, wastewater treatment, transportation infrastructure, emergency services, and environmental resources. These impacts are borne primarily by local residents and local governments long after development agreements are executed.

Public concern regarding these impacts has been clearly expressed by residents in Osawatimie and surrounding areas. These concerns include infrastructure capacity, water usage, environmental risk, and the lack of meaningful public input into decisions that will affect their communities for decades. Documentation of these public concerns is included in Exhibit A.

Additionally, the timing of existing agreements related to the subject property makes transparency and public engagement especially critical. As shown in Exhibit B, a relevant contract associated with the property is scheduled to expire in June, creating a clear and appropriate opportunity for public review, discussion, and community engagement before any renewal or amendment occurs. Legislation that limits or bypasses this process undermines public trust and local accountability.

Residents have also emphasized the importance of utilizing existing public processes—such as open meetings, petitions, and public hearings—to ensure accountability and community input. These requests for lawful public participation are reflected in Exhibit C.

Finally, questions remain regarding whether existing infrastructure is appropriate or sufficient to support large-scale industrial uses. Exhibit D highlights concerns related to infrastructure capacity and the need for site-specific review rather than broad statutory exemptions that remove local oversight.

### **Proposed Amendment Language**

#### **Amendment 1 — Preservation of Local Authority**

Add language clarifying that nothing in SB 146 shall preempt or limit a city's or county's authority to regulate land use, zoning, infrastructure capacity, or environmental impacts

through ordinances, resolutions, or development agreements.

**Amendment 2 — Public Notice and Hearing Requirement**

Require that any high-impact industrial development subject to SB 146 must include public notice to affected residents and at least one public hearing held by the governing body prior to approval.

**Amendment 3 — Infrastructure Capacity Review**

Require a documented review of water supply, wastewater capacity, transportation infrastructure, and emergency services prior to approval, with findings made available to the public.

**Amendment 4 — Non-Interference with Existing Contracts**

Clarify that SB 146 shall not impair, extend, or force renewal of existing local contracts or agreements without the consent of the affected governing body.

**Conclusion**

SB 146, as written, removes important safeguards that allow communities to responsibly evaluate projects with long-term consequences. With appropriate amendments, the bill could better balance economic development with transparency, accountability, and respect for local governance.

I respectfully urge the committee to oppose SB 146 as written and support it only with the amendments outlined above.

Respectfully submitted,  
Crystal Hall

## **Exhibit Index**

Exhibit A: Public concerns raised by residents regarding infrastructure and environmental impact

Exhibit B: Documentation showing expiration timeline of relevant agreement

Exhibit C: Community requests for public process and accountability

Exhibit D: Statements and materials referencing infrastructure capacity concerns

## **Written Testimony in Opposition to SB 146 (As Written)**

I submit this testimony in opposition to SB 146 as written and in support of amendments that preserve local authority and ensure meaningful public input on large-scale industrial developments. The exhibits attached reflect widespread community concern regarding infrastructure capacity, water demand, fiscal risk, and environmental impacts.

The attached exhibits (A–F) provide examples of public discourse and resident concerns that underscore the need for transparency and local decision-making authority.

## **Exhibit Index**

**Exhibit A:** Public comments and community concerns regarding SB 146 and data center siting impacts

**Exhibit B:** Community discussion facilitated by a local administrator reflecting resident concerns

**Exhibit C:** Resident testimony reflecting local opposition and unanswered questions

**Exhibit D:** Screenshots of public engagement demonstrating widespread concern

**Exhibit E:** Public commentary regarding long-term fiscal and infrastructure risks

**Exhibit F:** Additional community responses relevant to local government authority and planning

# **SB 146 – Exhibits**

Submitted by: Crystal Hall  
Kansas House Local Government Committee

## **Exhibit Index**

- Exhibit A – Community concerns screenshots
- Exhibit B – Contract expiration reference
- Exhibit C – Public process and petition discussion
- Exhibit D – Infrastructure capacity concerns

Exhibit A

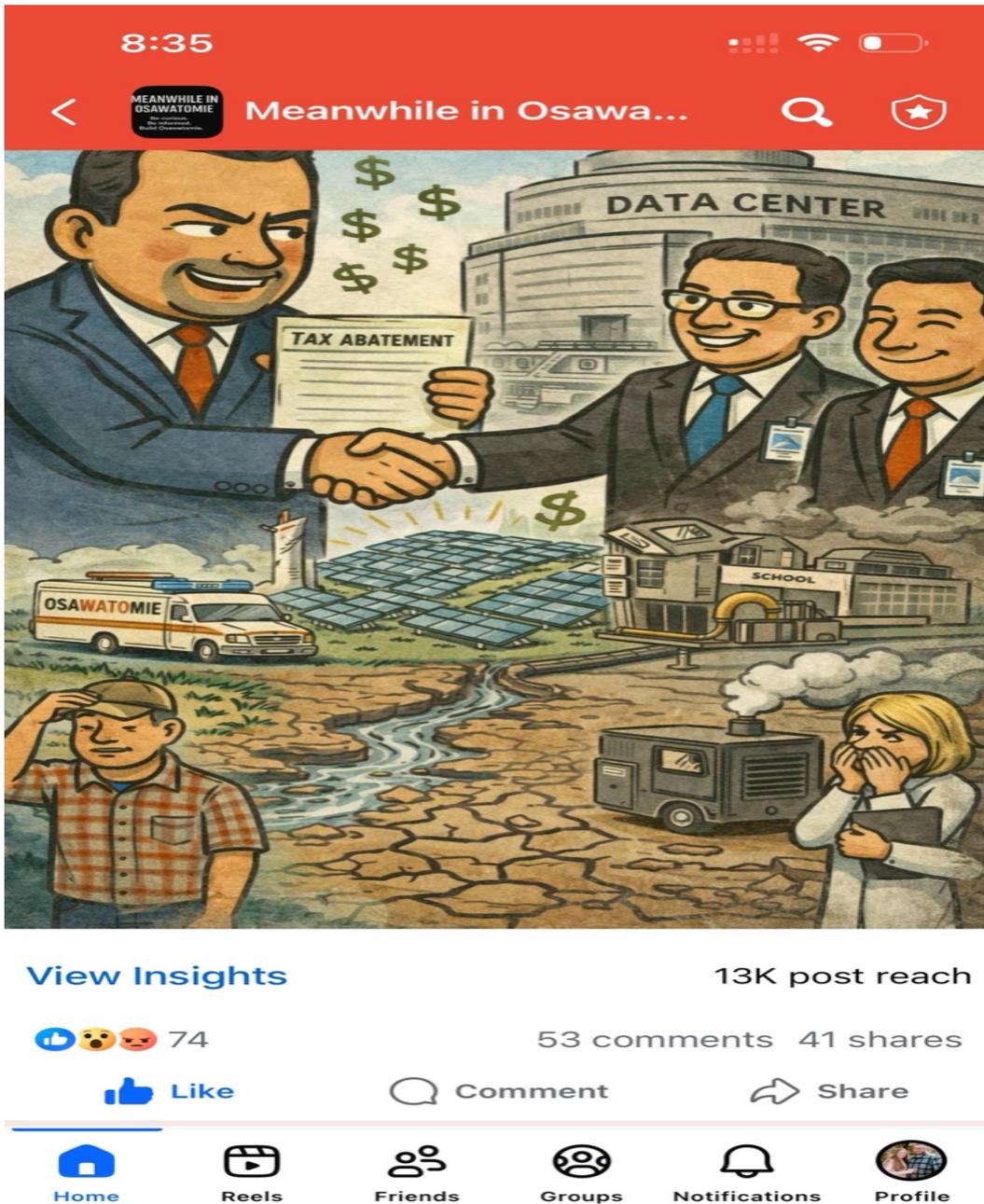


Exhibit B

8:34 📶 🔋

 **Meanwhile in Osawatomie**  
Admin Polly Marie · 22h · 🌐

 Write a reply...

 **Scot Coon**  
What's in the water after it's been through the system?  
Seems like they could use drinking water quality piping and not have to treat it.  
10h Like Reply 1 🍊

 **Polly Marie** Author Admin  
From a trusted source

**Most systems use, antifreeze...  
Antifreeze is toxic to animals...**

**That's not even mentioning the heavy metal contaminants like hexavalent chromium, and the Erin Brockovich cooling tower situation**  
7h Like Reply

 Write a reply...

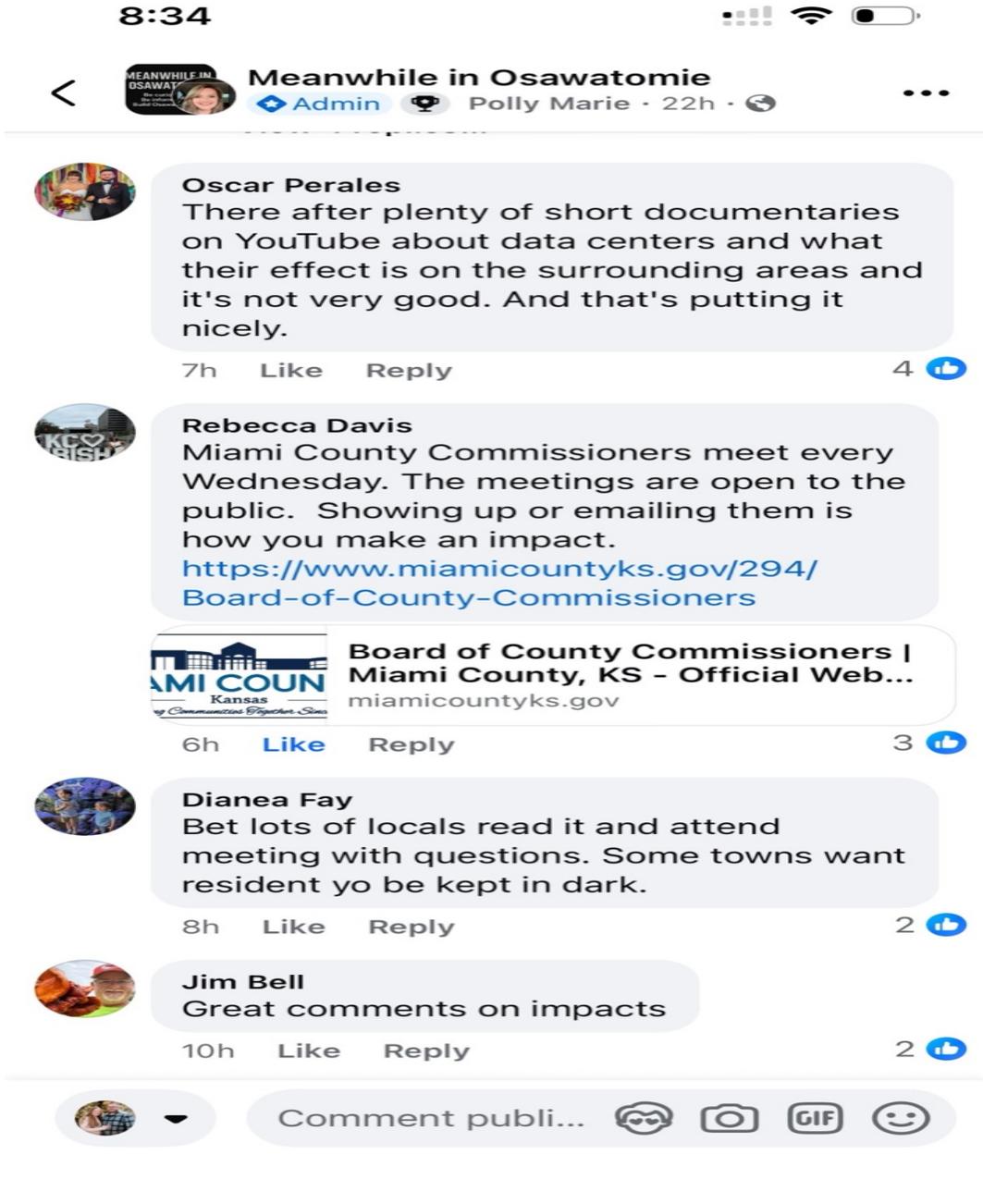
 **HappyLizard7626** Nickname  
Everybody needs to get ahold of the Federal Energy program. Have them start investigation. City is going to ruin our country life! Get the Data centers out of here!

 Comment publi...    

Exhibit C



Exhibit D



# Exhibit E



Exhibit F

8:36   

< **People who shared this** 

41 shares

 **Polly Marie** 5h ·  ...

 Like  Comment  Share

 **Osawatomie KS News and Events** 5h ·  ...

   18 15 comments 4 shares

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 **Rae Ann Valadez** 9h ·  ...

Sad... this is happening in other rural towns not just Kokomo and surrounding communities...smh

 2 1 comment 1 share

 Like  Comment  Share

 **Neva Thurston** 10h ·  ...

 Like  Comment  Share

 **Kathleen Huntress Heninger-McElhiney** 12h ·  ...

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