

January 20, 2022

Kansas Senate Local Government Committee

**Testimony in Support of SB 325**

Submitted by Melissa Warner

Chairwoman Carolyn McGinn and members of the Committee:

My name is Melissa Warner, a private citizen of Neosho County.

I appreciate the opportunity to submit this testimony in support of SB 325, which I believe is necessary.

The Neosho Ridge Wind industrial wind energy generation project was in full proponent vs. opponent mode when I first learned about the project, but only when the boundaries of the project had increased from the original presentation northward to include closer to where I reside. Why was this industrial project kept such a secret?

Unfortunately, the agreements were approved and signed just a few months after I learned what was going on in my district by District 2 Commissioner David Orr who had been in office for 57 days and by District 3 Commissioner Gail Klaassen who had been in office for 14 days, with District 1 Commissioner Paul Westhoff, whose district contained the wind project, opposed. None of the 3 commissioners live near or within the project boundary lines.

Why didn't our commissioners negotiate for greater setbacks and lower sound regulation? Why didn't they obtain a sound study? Why didn't they ask about the radar activated lighting system? Why didn't they slow the process down until they could understand the Agreements that were presented before them? We have asked, but have not been provided with answers.

Residents had flooded the commission meetings for months wanting to express their concerns with the project. Several times the residents were shut out from open comments, until research produced a resolution providing for such a platform. Rules on how to be placed on the agenda were changed requiring the filing of paperwork and documents in order to keep the commissioners from the "element of surprise". Ironic, isn't it?

I sent many emails to all 3 Commissioners with my concerns. I was concerned about the noise, shadow flicker and what would happen to the value of my home if these Industrial Turbines were built so close to my home. I was concerned with what effect the noise and shadow flicker would have on my children.

District 2 Commissioner David Orr clearly lacked empathy based on his Facebook posts and replies, and his demeanor towards residents who were labeled "the opposition"; it was clear he would sign the Road Use Agreements. I talked to District 3 Commissioner Gail Klaassen by phone with my concerns, as sometimes text form of writing does not express true emotions. Naturally as a mother, I wept when talking to her. I feared for my children's safety. At the time Commissioner Klaassen seemed to understand my concerns. Turns out I was a poor judge of character, as a few days later she signed the

Road Use Agreement. From others that I have spoken with, Commissioner Klaassen also seemed to be looking into the project, and also misled by her seemingly concern.

Many of the leaseholders are absentee landowners; they don't reside or vote inside this county.

I AM a CONCERNED citizen, as I always have been! Not “the opposition” as I have been clearly labeled, as I supported:

- Safe setbacks from the non-participating home
- Safe regulations on sound
- Ensuring our homes that we worked so hard for did not de-value
- A safety plan in place for an Industrial Emergency
- Radar activated lighting

I have now been forced to endure a life that I didn't ask for, as this industrial project was forced upon me. My home suffers from industrial noise on a regular basis, inside and outside my home; regardless of the weather conditions, with times much worse than others. I am surrounded by red blinking lights in addition to the noise at night. My rural view has been stripped away. My property suffers from shadow flicker, inside and outside.

You can't even imagine what it's like to live in the Industrial Turbine zone, until you live in one. You can't know what it's like to have your kids come crying to you in the middle of the night because it's loud and they're tired but can't sleep because the sound and pulsating is trespassing inside your home. You have no idea what it's like to stand in your garden and have to suffer shadow flicker or mow your yard with the shadow flicker chasing you. You have no idea how bad it hurts when your own family declines having the once regular gatherings at your house because of the sound inside and outside your home. You can't know what it's like to have the red flashing lights over your head from every direction night after night.

It now appears the leaseholders have more protection than the non-participating landowners, as they have a direct line to the operator of the project to call with questions or complaints. The non-participating landowners have no one but the commissioners. I have been made to feel devalued because my “complaints” don't meet the “niceness” test. I am weary of trying to be convinced “it's not that bad.” It is more than bad; it is horrendous.

Legislation could have afforded better protection for not only me, but for all residents, rather than a select few.

**Please protect our counties with your approval of SB 325.**