

SB 279

I write to oppose SB 279. It appears to be designed to end the expansion of wind energy harvesting in Kansas due to its proposed restrictions on the placement of wind turbine towers. The most egregious requirement imposed by the proposed legislation is the part related to wind turbine towers being located no closer than one mile from the property line of a non-participating landowner's property. This means that someone who owns a piece of land as a non-participating property owner could effectively stop the placement of wind turbines on most of the adjacent land out to a distance of one mile from the property line. In the case of the non-participating property of one section of land, that would effectively bar the placement of a wind turbine on nearly eight sections of land surrounding the non-participating parcel. In the case of a smaller parcel, say 40 acres, the proposed bill would prohibit the placement of a wind turbine on the equivalent of more than four sections of ground. This seems overly restrictive.

There are other issues with this bill that are troublesome. I note in particular the proposed bill grants the authority to back date the application of certain of its proposed limitations on wind harvesting development. This seems to breach the covenant between landowners and the government that the government will not unreasonably interfere with landowners' decisions about the legal disposition/use of their property, and certainly not in a retroactive fashion.

Beyond these issues, it does not make sense to me that the State of Kansas opposes the development of further wind harvesting. My supposition is that there must be some middle ground between the laissez faire approach to wind harvesting and the constructions found in the proposed legislation of SB 279.

Thank you for your time and consideration in these vitally important matters.

Best regards,

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