

Re: Testimony for SB279

Dear Senator Mike Thompson, Chair Utilities Committee,

I am Jackie Augustine, Executive Director of Audubon of Kansas, representing 4500 members and donors throughout Kansas. Although Audubon of Kansas does not support or oppose SB279, we recognize that it provides a much-needed legal means for landowners outside of the Tallgrass Heartland Wind Moratorium to argue for the protection of their local heritage, wildlife, and geological features.

Legislation of this kind is necessary because landowner concerns and regulatory guidelines are not being considered by wind developers. I will use the proposed wind development in Marshall County as an example, but first some context. Before starting my current position as Executive Director for Audubon of Kansas in January, I was a member of local and state Audubon organizations in Ohio. In Ohio, an industrial solar energy project was proposed. The developers held several public forums for local landowners to voice concerns. They also met with the local Audubon organization to hear their concerns. Given the feedback they received, they modified their proposed development to accommodate local requests. In Marshall County, Kansas, on the other hand, there was only one public forum that only superficially answered locals' questions. The proposed development footprint has not been transparent, and there is no indication that it was modified due to landowner feedback. SB279 requires only one public forum, whereas multiple forums are necessary to show that the concerns of local residents are being addressed.

Wind siting legislation is necessary because industrial wind companies are not heeding current siting guidelines. The southern half of Marshall County has historical sites (remnants of Oregon Trail), unique geological features (Twin Mounds formed by glaciers), natural springs, and intact high-quality prairie as is indicated by the presence of greater prairie-chickens. Any one of these should be enough to direct industrial wind developers to other locations according to the "Wind Energy Siting Handbook: Guideline Options for Kansas Cities and Counties", published by the Kansas Energy Council; KDWPT guidelines; and the "Site Wind Right" guidelines developed by The Nature Conservancy. Although SB279 does not explicitly mention natural resource issues, it does provide landowners that are concerned about such issues a means to voice their concerns about the siting of industrial wind energy development.

Passage of SB279 would signal recognition that the Tallgrass Heartland Wind Moratorium is not enough to preserve local culture and natural resources. That moratorium could be rescinded by the next governor, while those who reside outside the boundaries of that moratorium, like those in Marshall County, have no means to oppose industrial wind companies' intrusions.

Support for this bill would be a useful starting point from which to build momentum for further action to increase transparency by requiring multiple public forums, to convert wind siting guidelines into statute law, and to protect the rights of wildlife and wild lands.

Thank you for providing this forum to voice my concerns.

Sincerely,
Jackie Augustine
Executive Director for Audubon of Kansas
<https://www.audubonofkansas.org/>