

Testimony submitted for Senate Bill 323
The Kansas Energy Lease Disclosure Act
Senate Utilities Committee hearing to be held on January 26, 2022 at 1:30 p.m. in Room 548-S

by Kathy Nicholson of McPherson County
Member of Citizens for Responsible Agricultural Land Use in McPherson County (CRALU)

I am currently serving on the McPherson County Zoning Board in McPherson County, KS.

In previous years the zoning board and subsequently the McPherson County Commissioners have approved Special Use Regulations for Commercial Wind Energy Projects.

Most of the requirements approved were especially detrimental to neighboring landowners and in my opinion to the lease holders themselves. Unfortunately the county zoning board and the county commissioners were not exactly sure what would be best and were afraid of what the wind companies would do if they voted against them. Most of the members on the zoning board and also the county commissioners were unqualified and ill prepared to deal with the representatives from the wind energy companies.

Currently there is a moratorium on Wind and Solar energy in our county until we can figure out what would be best.

It was felt in the community that the wind energy companies were taking advantage of and bullying the lease holders, both prospective and current lease holders, zoning board members and the county commissioners. I am aware of several farmers that did not want to sign a lease agreement, but felt pressured into doing so because the wind company told them their neighbor had signed. In a lot of cases, the neighbor had not signed a lease. I am also aware that the lease signers were told not to discuss any of the lease agreements with any other farmers or parties.

I do not believe that each individual county is equipped to deal with the wind/solar energy companies and the bevy of attorneys they have at their disposal. They have a history of bullying and badgering prospective land owners into signing leases. The State of Kansas should prepare requirements that will protect and benefit all counties in Kansas and not have each county left hanging in the wind to figure it out.

I believe that the State of Kansas should have regulations in place that will benefit everyone in this state and not just the Commercial Wind/Solar Energy Companies.

I thank you and I give my support to SB323.

Kathy Nicholson
McPherson County