

2/2/2023

SB86 – Wind and Solar Ethics Bill

Disposition: Proponent

WRITTEN-ONLY Testimony

Mike Kolman, mkolman56@gmail.com

REPRESENTING: SELF

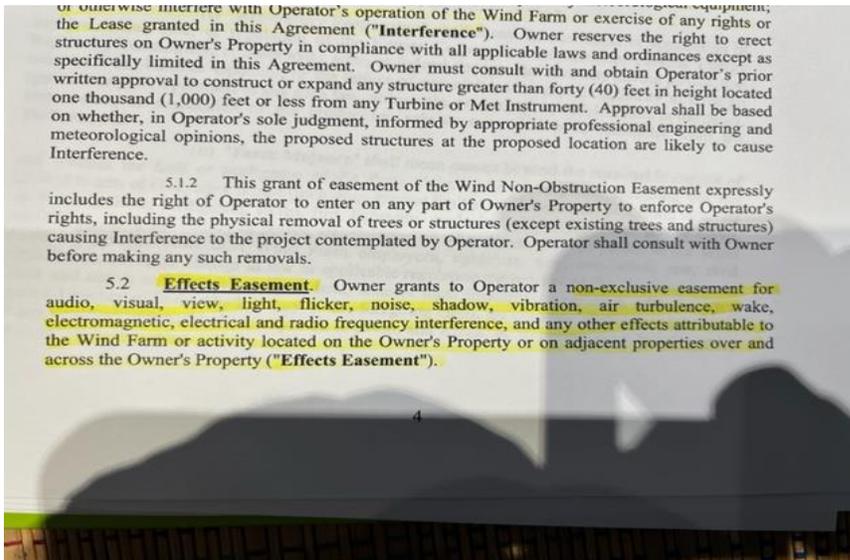
I am a Proponent of SB86 – Wind and Solar Ethics Bill as I want to help and provide information in support of this bill.

My wife and I are non-signers in the High Banks Wind Project, owning multiple tracts of farm ground that I farmed until a few years ago now retired and renting out, living on one of our quarters ½ mile South from Cuba in a house that we built in 2010, an attractive property, until now. Of course we will now be living in the middle of the High Banks Wind Project in Eastern Republic County, primarily the hot spot of the project (Cuba) that we will be surrounded by the many towers and the overhead high power transmission lines. Because of the size of the towers alone we will see many towers from all sides of our home, no side will be immune; our west and south views especially will be totally compromised with the view as well as the flicker and red lights and of course the sound across the footprint. Our wild life areas will be lost, especially the area just over the hill from our house. Our livelihood that we have spent years to build has been compromised and really question if we want to stay long-term.

I am part of the anti-group efforts (Republic County Responsible Wind Energy Group) to stop the High Banks/Nextera project as proposed, but after spending most of the year (2022) trying to stop or at least get some level of modifications (setbacks at least), we as non-signers and the anti-folks that surround the footprint in the county **were left out, ignored, lied about, very much sacrificed without the ability to offer change, for the good/greed of this project.** If this project was brought to the table above board, with honest facts and science, with lessons learned from previous installations, with a true ethical stance from all sides – what could have been?

I cannot comment with surety that any of our commissioners are financially involved enough to be compromised with this project, only what is heard from others. I can say that the District #1 Commissioner, representing most of Eastern Republic County, where most of the 208 Wind Towers will be installed, has been involved with this project from the very beginning, 2016 – the first attempt to get Wind Towers into the county and laying out much of the ground work for Nextera for the 2nd attempt thru some level of agreements. His family, however was able to get 5 Wind Towers awarded in this current project on the family properties in which he gets farm income from. If a 2.6MW tower is installed on his properties, that will equal \$5000/MW = \$13,000/tower = \$65,000 collected across these 5 properties. That does not include the extra income for Power Lines up and below ground. Wind Income = Farm Income, as the wind is just another rotational crop.

To add to this potential conflict with this Commissioner, we (my wife and I) were approached by Nextera to sign a lease of our properties for at least one tower, maybe more, in early 2021. I attended multiple meetings hosted by Nextera, so this Commissioner's first claim about me that I was not aware of what was happening was false. After reviewing the lease agreements it is was obvious it was a one-way agreement, signing your properties and rights away, forever, and the signer signing for the adjoining properties. See the highlighted Section 5.2, Effects Easement, in the Lease Agreement.



I could not ethically do this to properties that bordered a neighbor, and I worried about the landowners who would sign (and obviously did) a lease that bordered mine, especially around my house. I complained to my Commissioner (District #1) about this and his response **“if you do not like it, then you can move”**. He also talked about how he was conflicted with his own properties, in his name at the time. Obviously, I never received attention or support from him again after confronting him on this issue in 2022. **The sad part, many of the signing landowners do not even live close to the footprint, in the county or the state, but are very much part of making decisions about our non-signer lives in the county and the footprint.** I believe this attitude of not ethically respecting the adjoining neighbor comes from this Commissioner. It has created a major divide, friends and neighbors are lost, people have gone into their corners keeping silent – the net effect is very anti-growth. Funny, the county is trying to attract people and business to our county while some of us are contemplating leaving!! What wrong with this picture?

I don't really care if a Commissioner has signed a contract for Wind Towers; it is his choice to make money. I do care, however, if that decision has compromised his decision making process just to keep the towers awarded. **My personal belief is all 3 Commissioners are not qualified to handle such a large, impactful project like the High Banks Wind Farm. A Weak Commissioner easily = a Compromised Commissioner;** Commissioners that do not have the required experience, especially with a project of this magnitude, **easily fold to the pressures**, and thus compromised, and in this case to the Pro Side. Pressures comes from and most likely started from, the local businesses that have strong political ties with the State and universities/colleges, pro wind citizens that sit on the Conservation Board for example, businesses that threaten employees if they do not comply, mayors jumping on board thinking more money to their town, down to the farmers/property owners that pressure not only their own family members to comply, but their partners and employees. Making statements that “we were late trying to defend” in early 2022 at our first Commissioner meeting we presented at, “just ask Nextera, they have all the answers” as their response when we presented hard-ball questions, details and analysis, “we (the Commissioners) need to talk to our lawyer” when presenting requests – a lawyer that is a clear lobbyist for the wind and solar movement. How did she get contracted? How did it get this far, so early, so secret, that any attempt by our anti group was ignored. **When were these Commissioners compromised?**

Did we fight as a group to stop or modify this project, yes we did thru most of 2022, maybe prior for all of us to really understand how closed (compromised) the Commissioners were on anything we brought to the table right from the beginning.

1. A lot of information was researched (and vetted), testimonies were given from neighboring counties and beyond, standard societies were referenced across the world, (WHO as one), and Mike Thompson gave input and presented at our first information meeting representing all the major areas from the health, safety, environmental, wildlife, drain on resources (water, electric, roads), and financial.

But none of this work was taken in by any of the three Commissioners, they did not even attend or be a part of any of the functions to prove or disprove the many facts and science we presented.

We asked for a county vote on the project; that was denied.

2. At that time, none of us from our anti-group were playing politics, we were about getting the real information out, but we gathered around 250 petition signatures from citizens looking for more information that could be used to constructively debate the project, the petitions were passed to the Commissioners, and never discussed again.
3. A formal action was taken by our group on May 3, 2022. The Republic County Responsible Wind Energy Group sent a letter to the three commissioners only (under separate cover to each) addressing the issues above and to:
 - a. *Declare a Moratorium on the project. "A Moratorium will ensure ample time for you (Commissioners) and all the citizens of the county to be adequately presented and informed of this Wind Industrial Development in its entirety for our county, with full transparency; nothing should be hidden".*
 - b. *Host Public Forums during the Moratorium, and described to be multiple meetings, in a controlled, constructive setting.*
 - c. *And Based on the above two, put a "Wind Turbine Industrial Resolution" in place that would address Property Line Setbacks, Property Line Noise Limits, ADLS Lighting System, Property Value Guarantee, Decommissioning, and Environmental Protections. (In other words, real unbiased impact analysis of each item)*

Needless to say, this request was referred to the lawyer out of Wichita representing the county, the request was asked about by our group in 3 consecutive Commissioners meetings following; it was ignored and dropped.

It is disappointing to see and witness the lack of attention, concern, leadership, which leads to obvious "corruption/compromise" in Republic County. The County Commissioners had the ability to stop or modify the project, reach out for help, but refused to budge from the original Nextera proposal, WHY?

The signing landowners and our county leaders, with the endorsement from our County Commissioners, have developed a culture that respect and support for ALL does not matter, rather their personal agenda and greed take over. We are not allowed to fight for our rights. Winners and Losers are picked. Our Commissioners failed to do their job, represent all tax paying citizens, again, are they compromised?

Who would allow 208 Wind Towers to be installed among 176 rural homes, in a small footprint in Eastern Republic County, the largest Wind Project with the Tallest Towers in the State after all the facts and science were presented showing the major problems, especially as tightly packed as the towers are sited. This is nothing to be proud of, this is a total embarrassment to our county and our State.

Though not part of this bill being presented, I would like to recommend some level of standards, regulations set by the State to help control these type of major impact projects at the county level from getting out of hand early like the High Banks Wind Project in Republic County and other installations around the State. It is as simple as setting safe setback standards to address the Health and Safety Issues identified from around the world, it would

keep companies like Nextera a little more at bay, a little more honest, a little more efficient. A guide for Wind and Solar Projects and how to deal with the presenting vendor the counties could follow, not from the lobbyists. It would trump the no zoning regulations in counties with this type of impactful project so people could not do whatever they want on their properties, putting some level of bounds to protect everyone, again stopping some of the corruption before even gets started. The problem, how do you back fit projects already constructed with these regulations? Hopefully this bill, SB86, gives ammunition to other counties to reset, though after the fact.

Thank-you for your attention, Mike Kolman