

Testimony submitted for Senate Bill No. SB325
Kansas Senate Local Government Committee

By Dianne Novak- 3036 Limestone, Tampa, Ks. 67483

Chairwoman Carolyn McGinn and members of the Committee, my name is Dianne Novak, a private citizen and former County commissioner of Marion County Kansas.

Testimony in Support of SB 325

I want to thank the chair and all the members on this committee for allowing me the opportunity to submit this testimony on this especially important matter of property protection in wind generation permitting.

From January 2017 to January 2021, I served on the Board of County Commissioners in Marion Co. It was during my four-year service on that Board that two separate wind projects came to our County. The first project is in the Northern part of Marion County, Diamond Vista/ Tradewinds Energy, which ultimately sold to Enel Green Power, an Italian company. This *commercial* (industrial) wind project has been in full operation since Oct 2019.

The second project is designated for the Southern part of Marion County. This proposed project, more known as the "Doyle's," Windborne LLC, Sun wind LLC, Top Notch LLC etc. has been in the works for approximately 10-12 years with leases but no construction. In 2018 the assets (property leases) from Sun wind and windborne were sold to Expedition Wind, a company based in Minnesota. In July 2018 the Marion County Commissioners approved a Conditional Use Permit to Expedition Wind to construct a so-called *commercial* wind farm in the proposed project area, by a 2-1 vote. The projected wind turbines were to be up to 500' tall. As of today, no construction permits were issued for this project. Expedition Wind project has been a pure three-and-a-half-year nightmare to almost everyone and a black eye to Marion County. The non-participating Marion County citizens experienced multiple law suites, zoning issues, threats, intimidation, harassment, character assassinations and everything in between. One ongoing law suite case no: MN-202-CV-000054 (Roger Buller and StoneBridge Investments, LLC vs. Board of Zoning appeals of Marion County Kansas and Board of Commissioners of Marion County, Kansas) is to this day pending in the court to determine who legally has project rights and other discrepancies within our zoning regulation in certain parts of this project area. Monetary damages are part of this suite.

A few months ago, Expedition sold the assets i.e., property leases of this project to Orsted, a Denmark company.

Many, many issues, and infringements Marion County taxpayers endured could have been prevented if SB 325 were in place a year ago.

My experience as a county commissioner trying to work with these behemoth organizations is futile, it's their way or no way. They flash big money, promising utopia that will save us all. Then, when they have secured a place for their project, they renege on many of their promises and agreements. Big wind companies know they will not face any consequences from their unethical, shotty business practices. They know individual counties can't stand up to their billions. Marion County taxpayers have lost so much more than we will ever benefit from either of these wind projects.

Counties across Kansas need help with these massive industrial companies. I say Industrial because I believe these enormous turbines are in fact industrial yet, the companies proclaim them to be commercial. Kansas people desperately need help, help that only you can give! Please, stand up for the protection of property and families across Kansas.

Thank you

Dianne Novak