

Dear Legislators:

I moved here 31 years ago, having always said I would never live in a small town or in the country. It took me too many years to appreciate our million dollar view, quiet surroundings, and the kindness of neighbors. NextEra's Irish Creek wind project is threatening to take away everything we value in rural America, and we have no one to represent and protect us.

One year ago, we knew nothing about industrial wind. Unfortunately, as NextEra targeted Marshall County for the Irish Creek project (108 turbines), we have learned some very painful lessons. We are not against renewable energy or industrial wind. But, they should be placed in areas with fewer homes. There are over 115 homes in the Irish Creek project in Marshall County. Unfortunately, if a county is unzoned and has weak commissioners, NextEra holds ALL the cards and non-participating landowners hold none.

You can be assured that this project has caused broken relationships between families, neighbors, and community members. I have talked to people all over the country, and this is quite common. Participating landowners are enticed to allow a company like NextEra to put up 500 foot structures near someone else's home or property. Some non-participators will have 5-8 turbines within a mile from their home. That would be like 46 story billboards with red flashing lights all night. I can attest that many individuals who try to fight a project like this end up with health problems from the stress and disappointment. How can a group of citizens who love their county stand up to a multi-billion dollar company and weak commissioners? We desperately need state protections!

My husband and I believe we have taxation without representation. Our commissioners have done nothing to protect non-participating landowners. Most of this secretive project has taken place in executive session. Rural Strong, our concerned citizen's group, has filed KOMA and KORA complaints with the Kansas Attorney General. Who will represent and stand up for us?

Our commissioners hired the lawyer, James Neeld, who NextEra "recommended". The county was reimbursed for his legal fees. There is no written agreement on the reimbursement. He was not paid for over a year, and his itemized bills are unavailable to the public. He was hired by the commissioners before NextEra or Irish Creek were ever mentioned.

One doesn't need a law degree to know this arrangement did not benefit Marshall County. Mr. Neeld assisted the commissioners in Nemaha County with the Soldier Creek project. We were told by them that Mr. Neeld would make NextEra's job easier, and we found that to be true. Mr. Neeld controlled our access to the commissioners by limiting wind discussion to once a month and holding only one public meeting, where residents had 3 ½ days to submit questions to Mr. Neeld for NextEra's experts to answer. We have submitted an ethics complaint to the Office of Disciplinary Administrator of the State of Kansas. **How can a lawyer fairly represent a county while in actuality being paid by the company he is negotiating with?** This arrangement takes advantage of rural counties with uneducated leaders.

Mr. Neeld negotiated a 3,000 foot setback for Nemaha County. But we were told by our commissioners that they could do a better job placing the turbines one by one without a setback. In reality, they knew

that there were too many homes in the Irish Creek footprint to sustain setbacks. In fact, 44% of non-participating homes have at least one turbine within 3,000 feet from their home.

The site map was hidden from the public until right before Christmas during the worst time for covid in our county. We had a short time to respond over the holiday period, and the commissioners signed the site map January 4 before a new commissioner came on. We begged to have the 30 days of evaluation that we were promised. Instead, they released and signed the site map during a less than two week period when the courthouse was closed several days for the holidays and many in our group were in quarantine. You really can't believe it unless you have lived through it!

When the commissioners signed the first five agreements, Suzie Locke AdamsJones PA told the commissioners that the agreements had liabilities for the county and favored NextEra. The Commissioners signed anyway despite our pleas to have an independent lawyer look at the documents. The best line of the day was from former commissioner, Tom Holle. He said we had made NextEra wait long enough.

When multi-billion dollar companies offer money to rural counties and small towns, it is very enticing. The problem is that the non-participating homeowners are paying the external cost so participating landowners, many who don't live in the footprint, can benefit. **People who are proponents of industrial wind don't live near a turbine!** For example, an extended family in Marshall County will have 17 turbines on their land. Not one family member will live within 1 ½ miles of a turbine. Other participating landowners live in another part of the county, state, or out of state. They receive the check and non-participating landowners are surrounded. NextEra representatives tell us there will be no effect on property values or health. Tell that to the families in the Irish Creek area who are selling their home, cancelling plans to move here, or deciding not to build a home here. The NextEra experts don't live anywhere near a wind turbine. That's the problem with industrial wind!

Wind lobbyists and lawyers will tell you that state protections prevent local control. If 50% of Kansas counties are unzoned and the leadership is unprepared and uneducated, local control means NextEra control. Our commissioners did not request any independent modeling of shadow flicker or sound. They accepted NextEra's 50 decibel limit which is higher than the World Health Organization recommends.

Our commissioners also believed NextEra regarding industrial wind's effects on health, hunting, bird and bat populations, property values, and decommissioning costs. We asked them to research the number of lawsuits NextEra was currently in to no avail. We sent them articles on industrial wind problems from all over the world, increasing setbacks in Europe, opposition groups, the effect on electrical rates, and the inefficiency of industrial wind. They stopped answering our emails. A young Marshall County woman sent them seven emails with questions about the turbine that will be 600 feet from their family pond. No response.

When the wind lobby tells you that counties like Marshall need local control, ask them what happened in our county. We have no control or protections. In fact, our commissioners show no interest in zoning or wind regulations to protect us from the next project. Please help us and counties like us!

Finally, as turbine manufacturers recommend residents stay 1,300 feet from a turbine for their safety, what about the minimum 83 Irish Creek turbines which will be 500-1000 feet from a property line. That means part of those residents' property is unsafe to work and play in. How can this happen to rural residents who have paid their taxes, been good neighbors, cared for their properties, and treasured where they live. This bill is our only hope of protection. Our group has spent thousands of hours researching, educating, persuading, networking, and pleading for help. I don't know if this bill is too late for us, but if the next county doesn't have to go through this misery, it will be worth it.

Thank you

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