



Since 1894

To: Senate Committee on Utilities
Sen. Mike Thompson, Chair

From: Aaron M. Popelka, V.P. of Legal and Governmental Affairs, Kansas Livestock Association

Re: **SB 478 AN ACT concerning wind energy conversion systems; relating to obstruction lighting; requiring installation of light-mitigating technology systems; authorizing boards of county commissioners to determine the type of lighting system required.**

Date: March 9, 2022

The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing more than 5,700 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf, and stocker cattle production; cattle feeding; dairy production; swine production; grazing land management; and diversified farming operations.

Thank you, Chairman Thompson, and members of the Committee, for giving the Kansas Livestock Association (KLA) the opportunity to share our views on SB 478. KLA supports SB 478 as means to protect landowner property rights in regard to wind energy developments.

Recently, KLA members revisited policy concerning wind energy developments. With the proliferation of these developments various concerns have arisen in regard to how these developments are sited and operated. While KLA believes participating landowners should have the right to enter into wind energy leases, these types of developments are also accompanied with externalities that effect neighboring property rights. As a result, KLA members adopted policy that states: "THEREFORE BE IT RESOLVED, the Kansas Livestock Association supports legislation to protect the private property rights of landowners adjoining, but not participating in wind farm developments."

One of the more common complaints from landowners near wind developments are the bright, blinking, synchronized, red lights. This externality is extremely disruptive to rural residents, who prior to the development, were able to enjoy a clear night sky. SB 478 would ensure that wind developers install available light-mitigating technologies to be better neighbors and mitigate adverse environmental impacts. The only suggestion KLA would make, is to clarify that a minimum state standard that requires radar activated lights be implemented. Wind developers should not have the ability to influence counties to adopt lesser light-mitigating standards that permit the status quo.

KLA appreciates the opportunity to appear as a proponent of SB 478. We ask that the Committee recommend the bill favorable for passage when it works the bill.