

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Stan Clark at 9:30 a.m. on February 17, 2004 in Room 526-S of the Capitol.

All members were present except:

Senator Janis Lee- excused
Senator Jim Barone- excused

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Raney Gilliland, Legislative Research
Emalene Correll, Legislative Research
Ann McMorris, Secretary

Conferees appearing before the committee:

Pat Hughes, attorney, Tall Grass Ranchers

Others attending:

See Attached List.

Chairman Clark opened the informational meeting on
SB 455 - Industrial wind turbine development

Alan Cobb, representing the Tallgrass Ranchers, introduced Pat Hughes, attorney, chair of the Tall Grass Legal Committee.

Mr. Hughes presented a power point program displaying pictures of the Flint Hills. He noted the Flint Hills are an important resource in many ways (1) Central to the character of Kansas; (2) Tourism possibilities; (3) Last of the tall grass prairie; and (4) Nationally recognized treasure. The Flint Hills have been featured in National Geographic and have been the subject of a PBS documentary. He stressed the importance of regulation of turbines in the Flint Hills and cited the impact to the native prairie by construction. He urged state regulation to preserve the Flint Hills and Smoky Hills regions. Tallgrass Ranchers' Mission Statement - "Tallgrass Ranchers are dedicated to preserving the ranching heritage, the scenic beauty, the natural integrity, and the unique landscape of the tallgrass prairie in Kansas while respecting the property rights of others."

The concerns of landowners, ranchers, tourism interests and conservationists were enumerated. The Flint Hills are not in the jurisdiction of any single government entity and counties have no zoning controls. Issues of safety may be beyond the expertise of the counties as well as other issues including noise, ice-throw risk, radio-frequency transmission interference, and necessary spacing and setbacks. State level action is needed for the protection of the Flint Hills.

Mr. Hughes felt the value of wind energy does not outweigh value of the unique Flint Hills. Wind energy is experimental and driven by tax benefits, wind energy is land intensive; produces little electricity; Most of the economic benefits flow out of state. He summarized his concerns on utility scale wind turbine complexes (1) they are incompatible with the pastoral and cultural character of the Flint Hills regions; (2) they will damage the tourism potential, scenic beauty and wildlife habitat; (3) they will reduce the enjoyment of life and property values; and (4) they will forever change the character of the Flint Hills from agricultural to industrial.

Rose Bacon of Morris County and Mike Stubbs of Wabaunsee County voiced their concerns on wind turbine construction in the Flint Hills and urged the passage of **HB 455**.

The next meeting of the Senate Utilities Commission is February 18, 2004.

Adjournment.

Respectfully submitted,
Ann McMorris, Secretary