

Proponent Testimony on Senate Bill 279

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Chairman Thompson, Vice Chairman Petersen, Ranking Minority Member Francisco, and members of the Committee, thank you for the opportunity to provide testimony to your committee today.

I am here speaking as a proponent of SB279 because, in my opinion, what I am personally witnessing, in the imposition of industrial wind turbines on the residents and property owners of Neosho County, amounts to a perverse redistribution of wealth from the have nots to the haves.

So-called “green energy” developers have been financially incentivized -- chiefly by the federal government using our tax dollars -- to erect more and more industrial wind farms across rural America, regardless whether such projects make sense, are grounded in solid science, or are efficient and sustainable. As Congress and the Executive Branch have thrown, by some accounts, hundreds of billions of our tax dollars into these subsidies, and as the swath of America’s rural landscape best suited for such projects shrinks, developers have begun turning their sights on sub-optimal locations like Neosho County, Kansas.

My family has lived on the same road north of Thayer in Neosho County since 1869. The apple farm I now own was purchased by my grandfather in 1931, then passed to my father in 1992 before I purchased it from him 2005. We know Southeast Kansas and its idiosyncrasies, including its weather. Specifically, unlike other areas of the state, the wind in Southeast Kansas can be fickle – blowing a gale when you don’t particularly want it to and not at all when even a gentle breeze would be so appreciated.

Given the unreliable nature of the wind in our area, then, why would developers have chosen it as the site of a new industrial wind farm, Neosho Ridge Wind Project, which is in the final stages of erecting more than 130 giant industrial wind turbines?

The answer, I believe, is that, with billions of new subsidies at stake, developers appear to have shifted their focus away from choosing locations with preferable climatic, environmental and population density attributes toward targeting areas with weak regulatory regimes and few building or zoning restrictions where political resistance may be less potent.

Once such areas, like Neosho County, are identified, the pied pipers of the green energy industry come into the area promising to share just enough of their stash of federal subsidy money with local landowners (many absentee) and county officials so that whatever opposition there may be to their project is simply drowned out by the cacophonous promises of “free money.”

Such was the case in our county.

Many rural Kansans have long taken a *laissez faire* attitude toward regulation, specifically building and zoning restrictions. The pioneering independence in our DNA predisposes us to be resistant to over-regulation, allowing our neighbors the latitude to build whatever and wherever something is needed. That approach has worked for more than a century and a half because, in farm and ranch country, it has been voluntarily tempered by our simplified version of the Golden Rule: “treat your neighbor like you want to be treated.”

But to big, out-of-state “green energy” conglomerates, incentivized to erect as many industrial wind turbines as possible, the second half of that understood social contract means little. Just as they are now doing in similar neighboring counties, developers pounced on Neosho County’s lack of building and zoning restrictions with little regard for what their project would mean to local residents.

Sadly, two of our three county commissioners, who ascended to their positions by gubernatorial appointment rather than popular election, and who live miles from the project’s footprint, proved easy marks for developers promising Neosho County hundreds of thousands of “new” PILOT (Payments in Lieu of Taxes) dollars. Few commissioners in small, cash-strapped counties can turn down the prospect of “free money.”

In the end, the plan our county commission okayed left many picking their jaws up off the floor.

Not only did commissioners consign 15% of the county’s entire land masse to Neosho Ridge, they allowed developers to commandeer and close vital county and state roads whenever needed, to reshape or relocate established infrastructure, and to erect turbines shockingly close to farms, residences, roadways, and towns.

But perhaps most stunning was the sheer size of the turbines they approved.

A 2017 U.S. Energy Information Administration report lists the average height of industrial wind turbines -- the turbines with which most Americans are familiar -- as 280’. Our commission approved the developer’s request to construct turbines up to 700’ high.

Ultimately, Neosho Ridge’s developers settled on a turbine height of 607’ – twice as tall as the Statehouse we’re meeting in today -- claiming such astronomical heights are necessary to capture wind currents aloft that simply don’t exist near the ground in our area. Yes, there are more favorable wind conditions elsewhere that wouldn’t necessitate the construction of such enormous turbines. But with politicians in Washington mindlessly shelling out billions in subsidies to underwrite these projects, *where* they are erected lacks less and less relevance in the drive to slap together and stand up as many turbines as possible.

So what if they tower more than two football fields high above your home or 50% higher than Kansas’ tallest building?

So what if their health effects are yet unknown?

So what if they go from ugly and annoying to obnoxious and dangerous?

So what if nearby properties depreciate or become unsellable, other development dries up, and locals lose their life savings?

“So what,” say the developers, “we’ve got subsidies to collect!”

Neighbors and I pleaded with commissioners to block allowing the construction of 130+ blinking, moving, roaring, bird-killing, 60-story skyscrapers, many within just a few hundred feet of our farms and homes. When we did, we were told there simply were no laws or ordinances on the books that they could fall back on as a basis to deny this project, even if they wanted to. SB279 will go a long way toward fixing that problem.

I personally paid to have signs printed up opposing the project and mailed postcards to area voters, comparing the scale of these planned turbines to other familiar structures and landmarks.¹ We warned about how enormous, imposing, and obtrusive they would be but were drowned out by developers’ promises of a little extra jingle in the pockets of participating landowners and local politicians.

But even our own warnings didn’t prepare us for the jarring reality of standing near the bottom of these behemoths and witnessing what a devastating shadow -- literally and figuratively -- they cast across the landscape. One simply cannot fathom their outrageous size until one stands in their shadow.² Even the pictures I provide at the end of this written testimony don’t accurately reflect just how huge these Neosho Ridge turbines are when seen in person.

When massive cranes finally erected the two turbines closest to our farmhouse, my heart sank and a lump welled up in my throat.

Where my grandpa once stood gazing with satisfaction across his soon-to-be-harvested crop of winter wheat now towers a massive, moving, blinking, roaring industrial machine, visible even above the tallest treetops.³ And now, right out our front window, looms an identical steel and composite giant: waving its arms day and night, whumping, creating shadow flicker, reminding constantly of its presence.⁴ To say that those who developed Neosho Ridge, our county commissioners, and the landowners who agreed to allow these things to be built on their property have ruined, in the span of a few months, what we’ve spent 90 years building is to grossly understate the injustice of this situation.

Scientists, health agencies, and residents alike decry the long-term health effects of living in the shadow of wind farms. Some note their harmful impact on wildlife and domestic animals. Still others warn about the safety of those living close to turbines which can catch fire, throw ice, topple over, or fly apart, hurling debris over a large area. God forbid a tornado, a microburst, or even a strong straight-line wind ever hits one near our farmhouse and orchard.

But my two greatest concerns regarding Neosho Ridge remain: 1) how it is damaging the social fabric of our community; and 2) how it is decimating the value of the farm passed from my grandpa to my dad and now to me.

No question, Neosho Ridge has clawed a gaping wound in our local community. Formerly friendly neighbors are now at odds. Family relationships are strained. Our Golden Rule has collapsed into, "I want my share of the gold and you have no rules to prevent me from getting it." The taxpayer-funded subsidies corrupting the green energy industry -- which could not exist without them -- now pit local residents against each other as some grab for the "free money" at the expense of others living nearby.

Regarding Neosho Ridge's impact on property values, not only does our farm represent the largest part of my life savings, it represents the work, care, and attention of generations of my family. We've lived on 120th Road for 152 years and have poured our lives, hearts, and souls into turning it into what it is -- or was.

When I contacted a forensic appraiser familiar with improved properties located near industrial wind turbines, he informed me that it's not a matter of *if* they will decline in value, it's *how much*. He indicated that he has seen properties like ours decline anywhere from 10% all the way down to becoming essentially unsellable. After all, who wants to live beneath 60-story, blinking, flickering, roaring, bird-killing machines that may throw ice, catch fire, disintegrate and send debris flying, or topple over in severe weather? And even barring that kind of catastrophic failure, who wants to live their lives in the shadow of such ugly, noisy monstrosities?

Expanding our orchard, improving customer access, and offering field trips to local elementary students have been stopped.

A dream of adding a wedding venue is now in doubt -- it's hard to envision saying one's vows in a beautiful pear or peach orchard with massive industrial machines roaring overhead.

Plans to open an orchard-themed café, into which we had already poured hundreds of thousands of dollars and years of work, were halted just short of completion. We simply cannot justify plowing even more money, work, emotion, and life energy into a property that now -- due to nothing we've done -- may be worth a fraction of what we poured into it.

Wealthy, politically-connected "green energy" developers are receiving billions of our tax dollars to build these things literally in our back yards. If government had spent that money to construct a road, a bridge, or a similar public project at our expense, we would be compensated for our very real financial loss under rules of condemnation. But where do we "little people" go to be compensated for the years of hard work and hundreds of thousands of dollars we've invested in improving our property -- an investment which now is evaporating before our very eyes, not as a result of any action we've taken or decision we've made, but as a direct result of the same government incentivizing these so-called "green energy" projects?

At the end of the day, one's net worth isn't simply a dollar figure on a piece of paper. It represents the sum and substance of one's life. To leech away what one has worked hard for and struggled to save is to steal their very lives.

Industrializing vast swaths of farm country is having devastating consequences. While rural Kansas struggles to preserve its culture, population, and way of life, politicians who incentivize projects like Neosho Ridge only accelerate and exacerbate the emptying out of rural America. One cannot logically decry the plight of a shrinking rural America or the strain on our environment and infrastructure brought about by the overpopulation of our urban areas while simultaneously turning vast swaths of our rural heartland into ugly industrial parks.

Neosho Ridge's website boasts, "Today, wind energy is the cheapest form of new energy generation available in many parts of the country."

But is it -- *really*?

- Billions in taxpayer subsidies
- Long-term environmental costs
- Heightened safety concerns
- Damage to communities and relationships.

Add in the heavy price levied on nearby property owners and wind energy starts to look like a perverse transfer of wealth from taxpayers and "little people" to billionaire developers.

To conclude this testimony, I would rhetorically ask those who oppose this bill three questions:

1. Is your home located just a few hundred feet from one of the machines you so enthusiastically support and, if not, why not?
2. If you live in a county where building and zoning regulations similar to those contained in this bill currently exist, do you favor the elimination of those local regulations so these industrial wind turbines can be erected in your back yard?
3. If you don't see the imposition of these industrial wind farms on those who live and own property in their footprint as a problem, when should we expect the arrival of your offers to buy our properties at pre-Neosho Ridge values?

SB279 is a much-needed reform that will provide Kansas property owners at least a modicum of legal protection from having everything we've worked for sapped away from us.

I wholeheartedly support its passage.

WIND INDUSTRY GIANTS VS. YOU

305'
TALLEST
BUILDING IN
KANSAS



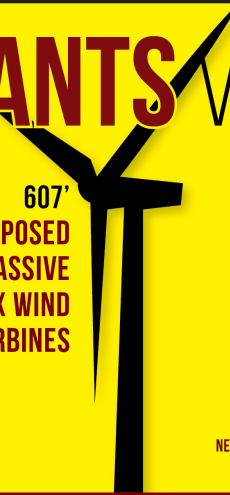
280'
AVERAGE
INDUSTRIAL
WIND TURBINE



414'
ASH GROVE
SMOKESTACK
(CHANUTE)



607'
PROPOSED
MASSIVE
APEX WIND
TURBINES



6'
NEOSHO COUNTY
VOTER

20'
TYPICAL KANSAS
FARMHOUSE



GET EDUCATED
THEN LET YOUR COMMISSIONER
HEAR FROM YOU!

**NO INDUSTRIAL
WIND TURBINES**

**NOT
A FAN!
A FAN!**



IN NEOSHO COUNTY!

¹ Mailer and signs I personally paid for to try to stop Neosho Ridge Wind Project.



² Turbine located approximately 1,600' northwest of our farmhouse. Picture taken from 1/2 mile away while driving on U.S. 169 north of Thayer.



³ Same field northwest of our farmhouse. Picture on left taken in 1960. Picture on right taken in January 2021. For a sense of scale, note the size of vehicles at the base of the turbine.



⁴Wind turbine across 120th Road from our farm. Photo taken 1/2 mile away from base of turbine.