

**DRAFT 12/12/2024**

[Heading]

The Douglas County Food Policy Council (DCFPC) joins other organizations in requesting that the Douglas County Commission allow a 30 day review period for the revised Kansas Sky Energy Center (KSEC) Stormwater Management Plan (SMP), Vegetation Management Plan (VMP), and Grazing Management Plan (GMP). KSEC must not move forward without all stakeholders' full confidence that there will be no unintended adverse consequences to the community. Douglas County staff has worked very closely with the applicant on these plans, making it more important that other stakeholders have the opportunity to thoroughly review them.

DCFPC continues to remind the Douglas County Commission of its responsibility to prioritize protection of high quality agricultural lands (Douglas County Food System Plan (FSP) Goal 2, Objective 1) consistent with the Northeast Sector Plan (NESP) and Plan 2040. This includes not just protection from development, but also protection from stormwater, groundwater contamination, etc. It includes protecting agricultural land both within and outside the KSEC site. This includes land currently being used for high-value horticultural crops, crop land, and livestock production.

The SMP calculations are based on the final condition of the site after vegetation is established. However, there will be several years at the beginning when soils are compacted by construction, but perennial vegetation is not yet established. Other agricultural producers in the watershed need to be protected from stormwater runoff during the construction phase, as well as after construction.

The VMP is the foundation of the SMP, because the nature of the vegetative covering of the soil determines whether water percolates into the soil or runs off. If stormwater runs off, herbicides used to manage vegetation during construction could contaminate downstream agricultural production areas. Even without herbicide contamination, short periods of flooding can damage crops, especially high-value perennial crops such as orchards.

Historical 100-year climate data may not be a sufficient basis for ensuring adequate management of stormwater in the near future. Warmer air holds more moisture, and increased intense rainfall events are likely. Recent years have already seen increased flooding of nearby flood-sensitive tree crops. Stormwater management needs to be sufficient for the entire life of the facility, even if higher rainfall occurs.

DCFSP Goal 2, Objective 1, Policy 6 recommends using input from local farmers in planning and zoning matters. Local knowledge of the unique soil and groundwater dynamics where KSEC will be sited and in the surrounding area has not been sufficiently incorporated into the SMP, the VMP, and the GMP.

Likewise, the GMP does not reflect sufficient input from area sheep and other livestock producers, who already struggle to find sufficient resources and local markets for their production.

The GMP suggests beginning with 1,430 ewes and then increasing the flock size. However, it addresses only the grazing of these animals...not where they would winter, where their winter hay would be grown, or where they would be processed and marketed. Bringing this many new sheep to Douglas County would cause serious disruption of established local production of both sheep and other livestock due to competition for processing, hay, veterinary services, etc., with the result that Goal 1 of the Douglas

County Food System Plan, “Agricultural producers...thrive in our regional economy”, could not be met for existing sheep producers.

The unspoken purpose of Goal 2, Objective 1, “protecting high value agricultural land”, is to increase Douglas County’s food security and ensure essential land resources can be available to local farmers. However, as presented in the VMP, there is no actual requirement that any of the land would be used for commercial food production. After the establishment phase, Requests for Proposals (RFPs) would be issued for vegetation management (possibly, but not necessarily, including grazing of sheep) and for small experimental agrivoltaics research projects, but there is no requirement that these RFPs result in actual contracts, or that those contracts result in actual food production for the local community.

Moreover, the contracts would be managed and overseen by a number of authorities, including Evergy, The Nature Conservancy, and other organizations, whose expertise is neither the unique agricultural environment of this site nor these types of hands-on agricultural activities. This again bypasses the wisdom of experienced local producers while likely imposing a significant paperwork burden on any producer wishing to access this land. At the proposed scale, it’s likely that both sheep and shepherds would be from out-of-area, thus not providing economic opportunities for local residents. Researcher might also be from out-of-area.

While the soil will likely be improved at the end of the project as a result of the proposed VMP, the fact remains that over 1,100 A of prime farm land will be removed from contributing to local food security during KSEC’s 25-year life span. Without this site’s unique combination of shallow groundwater and extremely good soil, more than 1,700 NEW acres of average Douglas County land would need to be brought into production to maintain the current agricultural production...yet there is no additional average land.

The DCFPC encourages the Douglas County Commission to require that the KSEC site be managed for actual agricultural production in a manner that:

- Supports the existing local food system;
- Protects existing local producers from unfair competition;
- Prioritizes land access opportunities and funding to local producers, including underserved populations;
- Minimizes bureaucracy and paperwork for producers to access KSEC land;
- Contributes significantly to the food security of Douglas County residents;
- Ensures that local meat processing and other sheep production infrastructure and resources are developed concurrent with the growth of any grazing operations at KSEC;
- Provides significant financial support for developing processing facilities, expanding markets, establishing a small ruminant vet in the area, etc. for all livestock producers.

[Closing]