



Kansas Natural Resource Council

To: The Senate Natural Resources Committee
Senator Larry Powell, Chair
From: Kansas Natural Resource Council
Re: Opposition to Senate Bill No. 384

Chairman Powell and Honorable Members of the Committee,

KNRC's opposition to SB 384, a bill amending provisions of the nongame and endangered species conservation act, stems from the following points.

1) SB 384 changes current law to limit habitat protection for state threatened and endangered species to the area currently occupied by a listed species, its "critical habitat" (lines 23-34, page 1).

- Such a limit restricts the KDWPT's ability to undertake appropriate conservation measures for listed species. It is KDWPT's statutory responsibility to protect natural resources held in trust for the citizens of Kansas.
- Constraining habitat protections to the area occupied by a listed species impedes the species' potential for population recovery, and thus the potential for de-listing the species. A species' historic range of habitat may be essential for population recovery and KDWPT must have the flexibility to help offset negative effects to listed species and critical habitats. The proposed restrictions limit KDWPT's ability to creatively propose mitigation strategies.
- Confining species' protections to occupied habitats invites federal oversight. Impediments to population recovery may exacerbate population loss, triggering federal listing of the jeopardized species. In fact, three state listed species are currently candidates for federal listing according to KDWPT.

2) SB 384 states that no occupied (critical) habitat be designated protected until a species recovery plan is completed (lines 24-31, page 3).

- Only 19 of the state's 51 designated threatened and endangered species have published recovery plans. Current budget and staff resources at KDWPT are not sufficient for completing additional recovery plans in a timely fashion.
- Limiting protections to the fraction of listed species with recovery plans invites federal oversight and may result in a loss of substantial financial assistance. A determination by

the Secretary of Interior that Kansas is not maintaining an adequate or active program could risk substantial federal assistance to the state.

The Kansas Natural Resource Council is a 501 c (3) membership organization that promotes environmentally responsible practices and sustainable natural resource policies to ensure the quality and abundance of these resources for future generations of Kansans.

Respectfully submitted,

Sharon Ashworth
Kansas Natural Resource Council