

## ***Senate Bill 425: Assault on Conservation Easements***

Dear Mr. Powell and Senate Natural Resources Committee:

This letter is in response to proposed legislation, Senate Bill 425, in the Kansas Senate Natural Resources Committee. I consider this legislation an “assault” on conservation and family farm easements—an important tool for protecting and conserving land that provides natural habitat to native Kansas terrestrial and aquatic species and habitat as well as protects a rich tradition of conservation-minded farmers, ranchers and rural citizens wishing to protect and conserve their conservation and family farm interests from development initiatives. This proposed legislation would undermine the future of Kansas natural heritage for generations to come. It is an undemocratic, heavy handed legislative approach to directly limit the choices of Kansas citizens to protect and conserve sensitive habitat and conservation of native species, as well as the use of conservation and family farm easements to protect and conserve Kansas farm and ranch land with such easements, for their heirs or those who may wish to purchase this land in the market place in which a retiring land owner may also wish to preserve a conservation or farm-ranch legacy. Simply, it is their land and if any land owner wishes to be part of a conservation future in Kansas, state and local government should have no place in limiting that interest—as long as the land owner is acting in the interest of the public good. Where the problems with land ownership undermine the public good, that is when regulation is often necessary because one citizen should not be allowed to harm another or the public good at any cost, that is when government has a substantive role and this is a basic function of government. By allowing state and local government to control and determine what private land interests can do on their land beyond actions that impact the public good or harm another, such as the Senate Natural Resource Committee making executive, legislative decisions to limit private land owner rights to protect and conserve land in permanent conservation and family farm easements, Senate Bill 384 ironically regulates the interests of land owners who wish to act in the interest of the public good and protect the good actions of its citizens, while providing no public good at all, except to consolidate power in a small class of people and interests (again un-democratic).

There can be no argument that natural systems provide a fundamental basis for life in our state—by providing ecosystem goods and services such as clean air, clean water, fuel and fiber for citizens, improve soil quality, buffer development, provide connectivity corridors for wildlife, and also decrease needs for regulation of at-risk species by providing abundant and healthy habitat for native species to thrive and support our shared Kansas natural heritage. It is basic ecology and it is the role of government to understand and protect those strands in the web of life. Conservation and family farm easements are a tool that can and should be used to provide balance for human ecosystems, especially where those developed systems have over-reached and expanded far beyond a balanced approach, and your approach seems to be aimed on actually directly and indirectly damaging protection and conservation of natural systems, by limiting the range of tools available and through the support of interests contrary to a balanced approach and the public good. Natural systems provide for us, as Kansans and our public good, without anything in return except adequate land to survive, reproduce and maintain themselves as part of our natural heritage.

When corporate and heavy-handed, uneducated legislative interests limit individual choice simply to reward a “select” class, without consideration of the public good, beyond some “trickle-down” theory that never actually occurs, they have acted in treasonous manner—and are simply serving to assault the average citizen and the best of the public good. Local and state governments will never have enough money or resources to provide what a balanced human ecosystem can and can never replace the natural beauty and functions of native lands. For example, how will the legislature pay for cleaning air, water and pollution (what is done for free by plants and the microbiology of the soils) when it is gone? Maybe they will do that by cutting taxes and destroying government, but wait, that is a fools’ errand beyond any semblance of logic, and that seems to be the dis-ease and ill-logic in your approach. I protest and wish to be heard on this matter—simply speaking for the public good and those that are not in a position to understand these issues or speak for themselves.

My sincere apologies to those working on the committee for the best of Kansas and the public good! I know you are out there, and I thank you respectfully for your efforts! I am happy to join you to advance a positive, conservation-minded agenda and serve to develop wise, workable solutions that benefit the public good and the future of our natural heritage.

Cordially,  
Jeffery Neel (Native Kansas Citizen)  
10917 High Point Drive  
Manhattan, KS 66503

***Senate Bill 384: Assault on the Nongame and Endangered Species Conservation Act***

Dear Mr. Powell and Senate Natural Resources Committee:

This letter is in response to proposed legislation, Senate Bill 384, in the Kansas Senate Natural Resources Committee. We consider this legislation an “assault” on at-risk species and our Kansas natural heritage. At-risk species are threatened, endangered, in need of conservation and at-risk because their interests are little considered. Their interests align with the public good and the health of our human ecosystems. They are at-risk due to very unbalanced approaches that favor extractive, non-renewable enterprises over ecologically and conservation-minded approaches. The proper response to the loss of our state’s natural heritage, and thus one can strongly and vehemently argue public good and the average private interest, is to balance interests and find wise, workable solutions that provide enough healthy habitat and connectivity within our private and public lands, so that viable populations can survive and reproduce. The “canary in the coal mine” is our native species. When you see something that has survived, reproduced and evolved over thousands (and sometimes millions) of years cease to exist, there is a fundamental problem with the systems responsible for that destruction, to say the least. The answers lay before you in a more balanced approach that allows for adequate conservation measures that can also create entrepreneurial enterprises (hunting, fishing, rural development to support the activities, agri-tourism, eco-tourism, market development for local food and high value niche products, development of infrastructure and web connectivity to allow distribution of the products and local knowledge, provides opportunities for local high quality jobs), and supports the average interests of the people, while protecting and conserving the public good.

Any legislative or corporate activities that destroy or take away from the public good—and the provision of the natural ecosystem goods and services provided for free by those human and natural ecosystems—is treasonous. Government was meant to fundamentally organize resources of private citizenry to protect from invaders, protect us from others who may choose to harm us, and to provide for and protect the public good. That is basic civics. And I learned it in a public school. And I went to most all of my public school in Kansas—kindergarten through graduate school.

I am appalled at the lack of basic civics being orchestrated by this administration and legislature. All I can see that has been accomplished by this administration and legislature is creation of outright division among us and rewards paid to a “select” group—rather than working with the people of the state to address important concerns, ranging from public education to agricultural and recreational entrepreneurship to healthy food, water and family farm systems to adequate conservation measures for our state’s natural heritage, and devising workable, intelligent solutions based on science and facts. Instead, I see support of a “select” class (who would do little if anything for conservation and ecologically-minded interests) clamoring to gain access to the land and water that I live, work and depend on to provide for me in a balanced way so they can extract a little more profit, while I do my best to give back to those systems with an understanding of the ecological processes at work and the importance of exercising balance and investing in the long-time health of the system.

I protest your evisceration of the “Non-game and Endangered Species Act” and encourage you to act in the interest of the public good of Kansans (all of them including our native species) and find a way to work with all interests to balance your approach so that the at-risk species “listed” in the state are delisted because we have taken a responsible and intelligent approach and devised wise, workable solutions based on science and facts, rather than divisive rhetoric. What do you want your legacy to be: the watch where hundreds of species went extinct because you acted for “select,” private interests, or one where you acted in the interest of the many generations of citizens to come including native species and our natural heritage?

My sincere apologies to those working on the committee for the best of Kansas and the public good! I know you are out there and I thank you respectfully for your efforts! I am happy to join you to advance a positive, conservation-minded agenda and serve to develop wise, workable solutions that benefit the public good and the future of our natural heritage.

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