

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Robert Tyson at 8:34 a.m. on March 25, 2002 in Room 423-S of the Capitol.

All members were present except: Senator Christine Downey - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Lisa Montgomery, Office of Revisor of Statutes
Deborah McIntire, Committee Secretary

Conferees appearing before the committee:

Richard Jones, Executive Director, Kansas Association of Conservation Districts
Laura Kelly, Kansas Recreation & Parks Association
Michael Hayden, Secretary, Kansas Department of Wildlife and Parks
Al LeDoux, Director, Kansas Water Office
Ray Aslin, State Forester, Kansas Forest Service
Alan Pollum, Vice President, Nature Conservancy
Mike Beam, Kansas Livestock Association
Leslie Kaufman, Associate Director, Public Policy Division, Kansas Farm Bureau
Ron Klataske, Executive Director, Audubon of Kansas, Inc.
Dale E. Anderson, Executive Director, National Association of Reversionary and Founder & CEO, American Private Property Advocates
Orville J. Cole

Others attending: See attached list

Chairman Tyson opened the hearing on **HB 2471**.

Senator Oleen moved to amend **HB 2471** by striking the existing language in **HB 2471** and inserting the language of proposed senate substitute for **HB 2471**, Senator Huelskamp seconded. Motion carried.

Testimony on HB 2471

Proponents

The first conferee and proponent was Richard Jones (Executive Director, Kansas Association of Conservation Districts). He pointed out to the committee that the proposed senate substitute for **HB 2471** increases the alliance membership from 13 to 15. He has no objections to the Water Office providing all the budgeting, purchasing and related management functions of the alliance so long as it does not interfere with their current operations and responsibilities. He would ask that the bill be amended to include setting goals and priorities for Kansas prairie and grassland resources and all of Kansas forest lands, that the preliminary hearing report date be changed to on or before May 1, 2003, that the final report date be changed to on or before December 1, 2003, and that the act's expiration date in section 4 be changed to January 1, 2004. (Attachment 1).

The second conferee and proponent was Laura Kelly (Kansas Recreation & Parks Association) who provided brief comments in favor of the bill.

The third conferee and proponent was Michael Hayden (Secretary, Kansas Department of Wildlife and Parks). Due to time constraints, the power point presentation was not presented, just testimony (Attachment 2).

The fourth conferee and proponent was Al LeDoux (Director, Kansas Water Office) (Attachment 3).

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:34 a.m. on March 25, 2002 in Room 423-S of the Capitol.

Bob Atchison (Forester for the State of Kansas) testified in lieu of the fifth conferee and proponent Ray Aslin (State Forester, Kansas Forest Service) (Attachment 4). He requested that this bill be amended from "public forest resources" to "forest resources".

The sixth conferee and proponent was Alan Pollum (Vice President, Nature Conservancy) (Attachment 5).

The seventh conferee and proponent was Mike Beam (Kansas Livestock Association). He requested that the bill be amended so that a significant number of the appointed alliance members include active participants in production agriculture and that prairie and grassland resources be included as one of the natural resources studied by the alliance. (Attachment 6).

The eighth conferee and proponent was Leslie Kaufman (Associate Director, Public Policy Division, Kansas Farm Bureau). She requested that this bill be amended so that the word "voluntary" be included in Section 2, (a)(6) with the result that the sentence would read "expand voluntary public/private partnerships that support and implement the vision; and". She would encourage the committee to ensure that the landowner representation on the proposed alliance is not just landowners, but individuals actively engaged in production agriculture. Due to the state's current financial situation, she would question whether there is a real need to authorize the alliance to hire a staff member, as indicated in Section 3 (b). (Attachment 7).

Written testimony was provided by Ron Klataske (Executive Director, Audubon of Kansas, Inc.) (Attachment 8).

Opponents

Written testimony was presented by Dale E. Anderson (Executive Director, National Association of Reversionary) (Attachment 9) and (Founder & CEO, American Private Property Advocates) (Attachment 10).

Orville J. Cole testified that the real purpose of **HB 2471** is to gain control over the privately owned natural resources of Kansas, by government agencies, in violation of private property rights. (Attachment 11).

Questions and discussion followed.

Chairman Tyson closed the hearing on **HB 2471**.

Discussion and action on HB 2680—Relating to violations of wildlife and parks laws

Senator Schmidt moved to amend **HB 2680** by adding a new section and language (Attachment 12) and to change the effective date upon publication in the Kansas Register. Seconded by Senator Corbin. Motion carried. (2)

Senator Schmidt moved to pass **HB 2680** favorably as amended, seconded by Senator Lee. Motion carried.

Discussion and action on HB 2686—Concerning solid waste

Senator Schmidt explained the proposed amendment to this bill, which would create a 2-tiered system.

Senator Schmidt moved to amend **HB 2686** on page 3, in line 5, by striking "not less than \$1,000 nor more than \$4,000" and inserting ":(A) Not less than \$1,000 nor more than \$1,500 for any such disposal area which is a monofill for disposal of cement kiln dust from the manufacture of portland and masonry cement; and (B) not less than \$1,000 nor more than \$4,000 for any other such disposal areas", seconded by Senator Umbarger. The motion failed.

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:34 a.m. on March 25, 2002 in Room 423-S of the Capitol.

Senator Schmidt moved to amend **HB 2686** on page 3, in line 5, by striking “not less than \$1,000 nor more than \$4,000” and inserting “: (A) Not less than \$1,000 nor more than \$2,500 for any such disposal area which is a monofill for disposal of cement kiln dust from the manufacture of portland and masonry cement; and (B) not less than \$1,000 nor more than \$4,000 for any other such disposal areas”. Seconded by Senator Umbarger. Motion carried.

Senator Lee moved to pass **HB 2686** favorably as amended. Senator Schmidt seconded. Motion carried.

The meeting adjourned at 9:30 a.m.

The next meeting is scheduled for March 28 at 8:30 a.m.

**SENATE NATURAL RESOURCES COMMITTEE
GUEST LIST**

DATE: March 25, 2002

NAME	REPRESENTING
Orville Cole	Self
Joe Luford	KWO
John Strickler	Myself
Alan Pollom	THE NATURE CONSERVANCY
Rebecca Reed	KS Dept of Agriculture
Mike Beam	KS. LVSTK. ASSN
Mike Hayden	KOWP
Tacy Struck	3CC
DENISE KOCH	POLSIWELL SHELTON WELTE
Robert Johnson	KS Forest Service
A. McDoux	KWO/KWA
Bill Sneed	C/D Landfill Assn
JOHN C. BOTTFENBERG	DEFFENBAUGH JND.
Richard Jones	KS Perm. Cons. Dist.
Pat Lehman	KRPA
LAURA KELLY	KRPA



THE KANSAS ASSOCIATION OF CONSERVATION DISTRICTS

522 Winn Road
Salina, Kansas 67401
Telephone (785) 827-2547
Fax (785) 827-7784

Board of Directors

SANDRA JONES

President
5160 E. Road 17
Johnson, Kansas 67855
Telephone (620) 492-6495
Fax (620) 492-2772

DON M. REZAC

Vice President
12350 Ranch Road
Emmett, Kansas 66422
Telephone (785) 535-2961
Fax (785) 889-4514

JON STARNES

Secretary-Treasurer
443 County Road 1
Brewster, Kansas 67732
Telephone (785) 694-2734
Fax (785) 694-2451

CARL JORDAN

Past President & Director
Route 1, Box 110
Glen Elder, Kansas 67446
Telephone (785) 545-3361
Fax (785) 545-3659

DENNIS YOUK

Director
519 Locust
Marion, Kansas 66861
Telephone (620) 382-3873

RICHARD G. JONES

Executive Director
522 Winn Road
Salina, Kansas 67401
Telephone (785) 827-2547
Fax (785) 827-7784

SENATE NATURAL RESOURCES COMMITTEE

SENATE Substitute for HB 2471 - AN ACT creating the Kansas natural resource legacy alliance; providing for development of a vision for the state's natural resources.

**March 25, 2002
Topeka, Kansas**

Presented by:

**Richard G. Jones, Executive Director
Kansas Association of Conservation Districts**

Chairman Tyson, and members of the Committee, my name is Richard Jones and I am here representing the 105 Conservation Districts of Kansas. We appreciate the opportunity to express our strong support for SENATE Substitute for HB 2471. The bill proposes to create the "Kansas Natural Resource Legacy Alliance" charged with developing a vision and proposing recommendations for protecting and enhancing the state's natural resources.

A coalition of private organizations was formed to develop a quality of life initiative related to natural resources, the environment and economic development and worked for several months examining resource needs and programs. The coalition includes representatives from the Kansas Association of Conservation Districts, Kansas Farm Bureau, Kansas Chapter of the Nature Conservancy and Kansas Recreation and Parks Association. The coalition asked for assistance from several state agencies in identifying natural resource

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issues and program needs. Those agencies were the Kansas Department of Agriculture, State Conservation Commission, Kansas Water Office, Kansas Department of Wildlife and Parks, Kansas Forest Service, and the Kansas Department of Health and Environment. An unintentional oversight is corrected by the substitute bill in recognizing the importance of including the Kansas Department of Commerce to work with the Alliance. The Coalition greatly appreciates the positive support and coordinated effort these agencies made in identifying our state's natural resource issues and program needs.

In addition to the original coalition members, other organizations were brought into the discussions; the Kansas Wildlife Federation, Kansas Livestock Association, Kansas Audubon Society, Pheasants Forever, and the Kansas Land Improvement Contractors Association.

The original HB 2471 proposed establishing a 13 member alliance appointed by the Legislative Leadership and the Governor. It did not specifically address landowner or farmer and rancher membership on the alliance. The substitute bill specifically directs the President of the Senate and the Speaker of the House to each appoint at least one landowner who owns at least 80 acres of Kansas farm or ranch land and that one of the appointments made by the Governor be a Kansas landowner having at least 80 acres and is principally engaged in production agriculture. We believe that assuring that alliance membership includes individual Kansas landowners will strengthen the alliance and assure that individual property rights will be properly addressed.

The substitute bill does increase the alliance membership to 15. The minority leaders of both the Senate and the House are to appoint 3 members to the alliance, the same as the President of the Senate and the Speaker of the House. In the original bill, the minority leadership in both the Senate and the House would appoint two members each to the alliance. We wonder if this was intended or was a typing error.

Section 7, directs the alliance to develop goals and establish priorities for attaining the vision,

including, but not limited to, goals and priorities for outdoor recreation, tourism, economic development, natural resource and environmental education, quality of life, water quality, water supplies, fish and wildlife resources, public forest resources, parks and lakes, wetlands and riparian areas, soil and water conservation and air quality. It does not direct the alliance to develop goals and priorities for our Kansas prairie and grassland resources. Kansas native grasslands are unique and very important to the economy of Kansas. The section also only addresses goals and priorities for public forest. Kansas has nearly 1.5 million acres of private forests which also impact our state's economy. We believe that both grasslands and all forestry should be a part of the alliance's task of setting resource goals and priorities.

The substitute bill moves the administrative duties for the alliance from the Kansas Department of Wildlife and Parks to the Kansas Water Office. We have no objections to the Water Office providing all the budgeting, purchasing and related management functions of the alliance so long as it does not interfere with their current operations and responsibilities.

The bill directs the Alliance to submit a preliminary report of its activities and recommendations to the Governor and the Legislature on or before February 1, 2003, and a final report and recommendations on or before April 1, 2003. Based on the duties assigned to the Alliance in Section 2 and the original reporting dates being decided on in 2001, we do not feel it provides adequate time for the Alliance to complete its duties. We recommend that the preliminary report date be changed to on or before May 1, 2003 and the final report date be changed to on or before December 1, 2003. We would also recommend that the act's expiration date shown in Section 4 be changed to January 1, 2004.

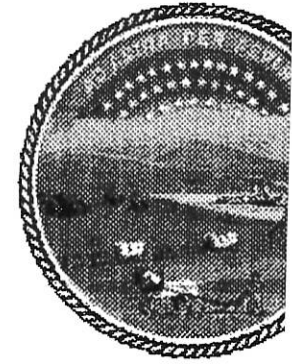
The 105 Conservation Districts in Kansas are at work locally everyday protecting and improving our state's natural resources. They set goals and establish local priorities directed at improving resources at the local level. A "Kansas Natural Resource Legacy Alliance" with membership from

interested individual landowners, natural resource, environmental, and industrial organizations and groups working together to develop a long range plan and policy for out state's natural resources will provide Conservation Districts a better opportunity to:

- ** Set priorities at the local level that fit into a state long range plan**
- ** Direct local natural resource programs to meet the objectives identified in a long range plan**
- ** Inform and educate local citizens on the importance of protecting local resources.**

We recommend that Substitute HB 2471 be amended to include setting goals and priorities for Kansas prairie and grassland resources and all of Kansas forest lands, the Alliance's preliminary report date changed to May 1, 2003, the final report date changed to December 1, 2003, and the act to expire on January 1, 2004 and be passed as amended.

NATURAL RESOURCE LEGACY TEAM



Senate Natural Resources Committee

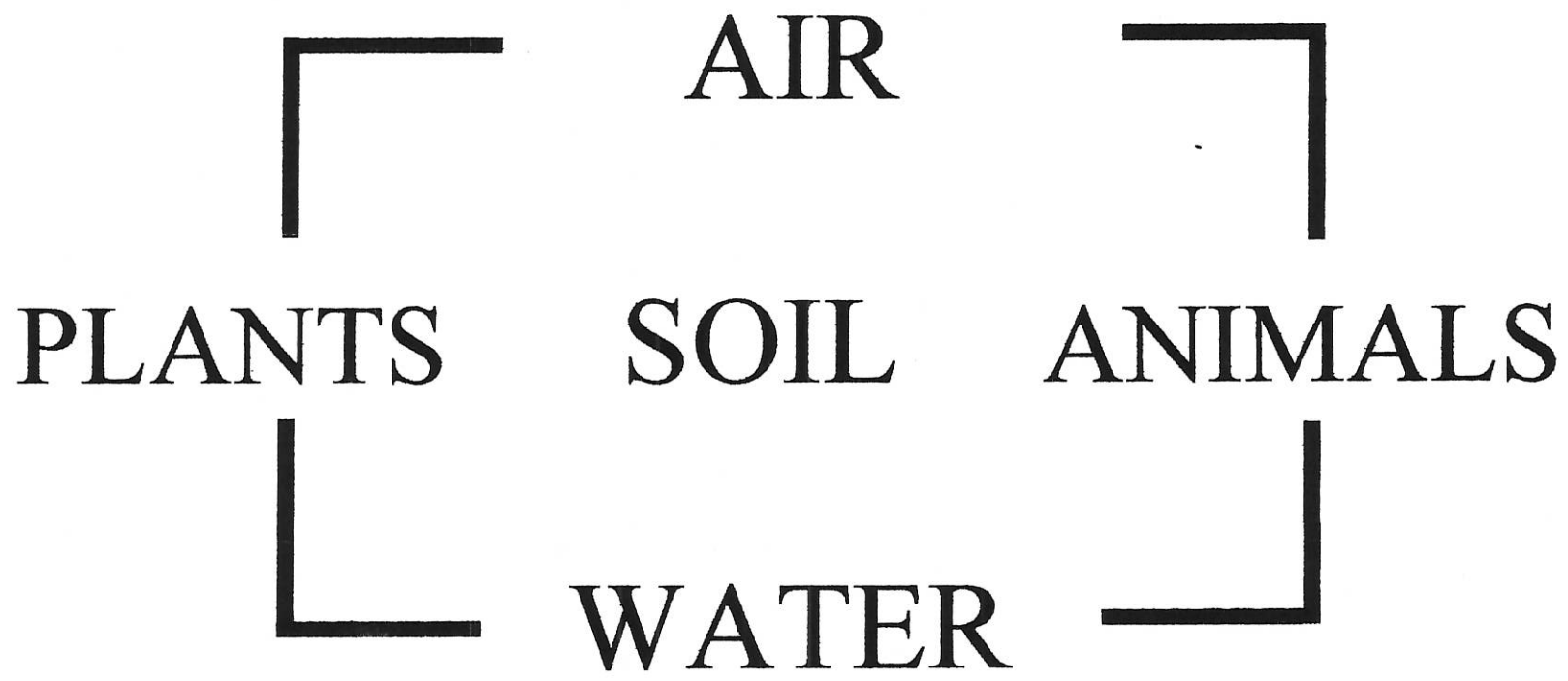
Date 3-25-02

Attachment # 2

- Department of Agriculture
- Kansas Forest Service
- Department of Health and Environment
- State Conservation Commission
- Kansas Water Office
- Department of Wildlife and Parks

OBJECTIVES

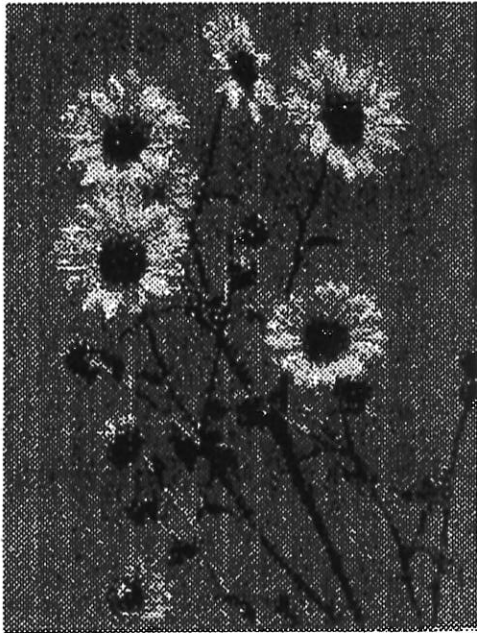
- identify current and future natural resource issues confronting Kansas
- identify potential impacts associated with these resource issues
- identify interest groups affected by issues



NATURAL RESOURCES

- exist in, and as, an interrelated system
- primary components - air, soil, and water
- secondary components - plants and animals

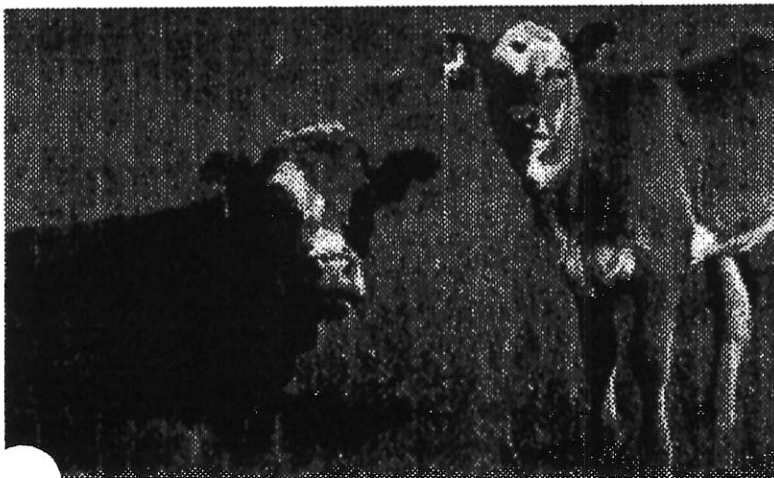
PLANTS



- forests
- habitats
- agricultural crops

ANIMALS

- fish and wildlife
- livestock





*NATURAL
RESOURCE
ISSUES*

WATER QUALITY

- point and nonpoint pollution (TMDLs)
 - municipal
 - urban
 - agriculture

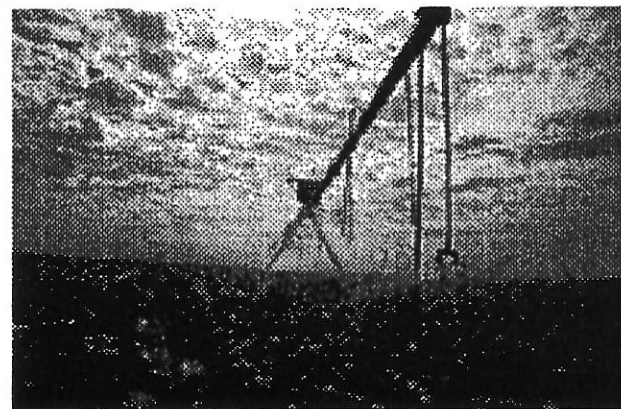


AIR QUALITY

- ozone
- particulates
- nitrous oxides
- volatile organic compounds
- sulfur compounds

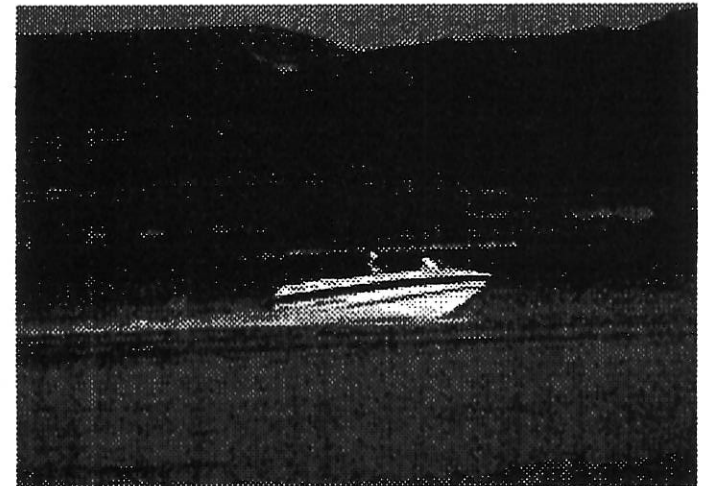
WATER QUANTITY

- irrigation practices
- water metering
- water right purchases
- water appropriation issues
- ground water depletion
- domestic use



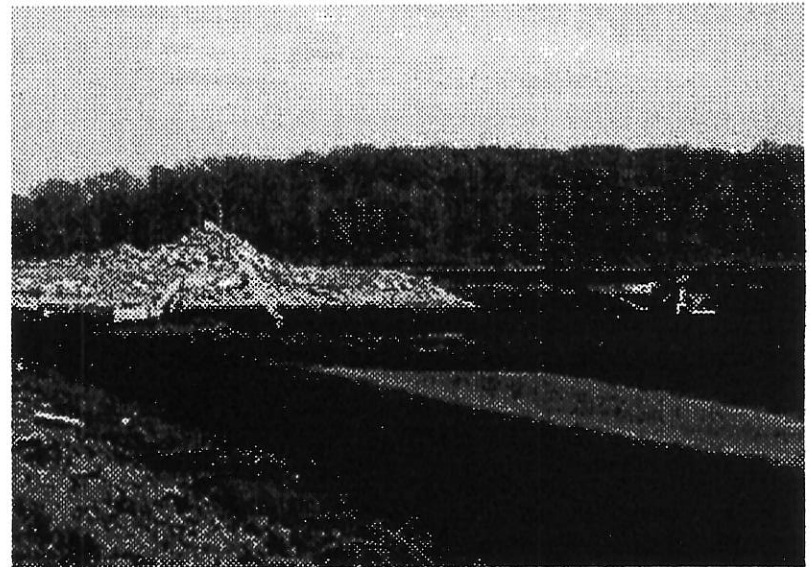
WATER SUPPLY

- reservoirs for public water supply
- lake renovation
- water supply infrastructure



FLOOD PREVENTION

- easements
- land use planning
- control structures
- dam safety issues



LAND USE

- soil productivity and erosion
- urban sprawl - urban/rural interface
- human/wildlife interactions
- open space
- fire protection issues
- solid waste management issues

FOREST RESOURCES

- technical assistance for private forest landowners
- delivery systems for forestry practices
- development and operation of tree and shrub production and distribution program



FISH AND WILDLIFE

- wetland enhancement
- upland bird habitat enhancement
- private land technical assistance
- T&E recovery plans & implementation

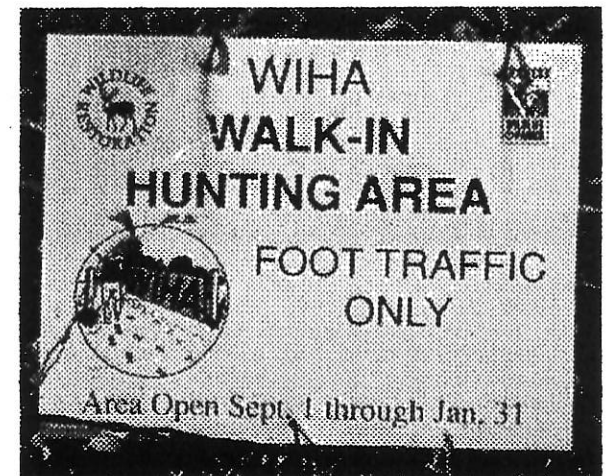


INVASIVE SPECIES

- impact on food/forage production
- impact on wildlife and biodiversity
- impact on human health
- impact on use of water bodies

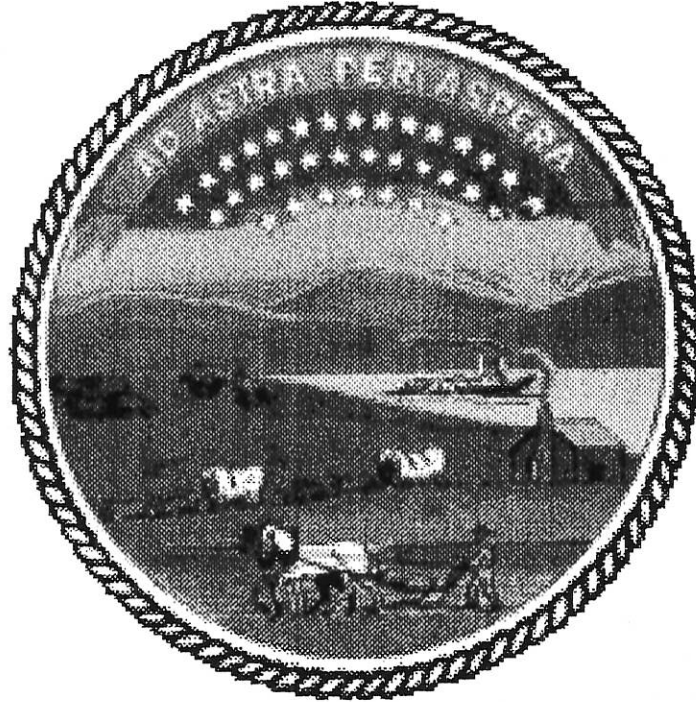
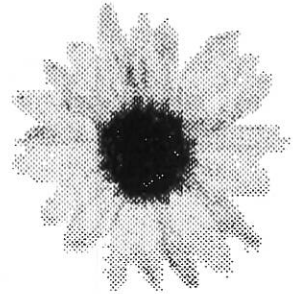
RECREATION & TOURISM

- parks, greenbelts, & open space
- water-based recreation
- recreational opportunities & private property rights
- state and local parks
- CARA



Kansas Resource Issues

- water quality
- air quality
- water quantity
- water supply
- flood prevention
- land use planning
- forest resources
- fish and wildlife
- invasive species
- recreation/tourism



AGENCY ROLES

- education
- planning
- technical assistance
- incentives
- foster public/private partnerships

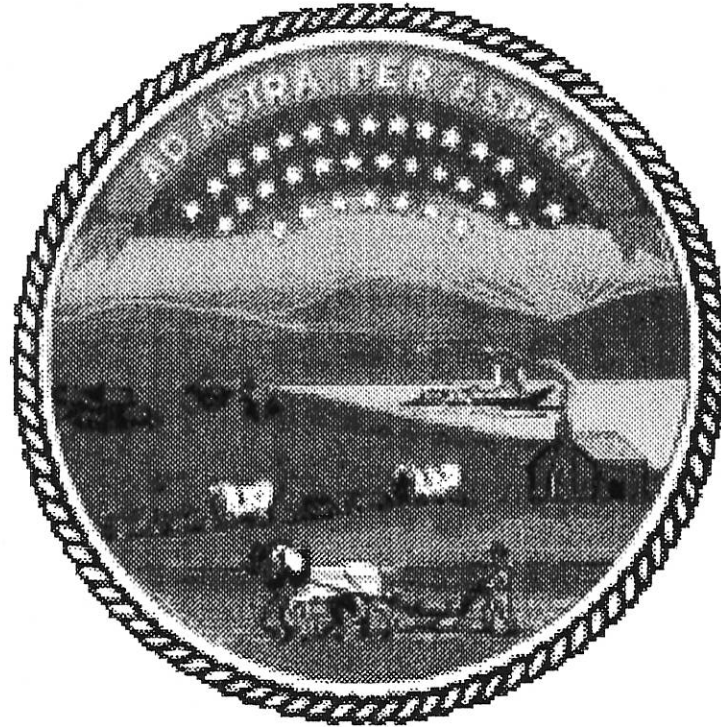
AGENCY NEEDS

- public input and direction
- broad-based public support
- staff to provide technical assistance
and program delivery
- private/public partnerships

WHY SHOULD YOU HELP?

- improve our quality of life
- improve the Kansas' economy
- preserve and promote the Kansas conservation heritage
- establish a natural resource legacy for future generations

KANSAS NATURAL RESOURCES LEGACY



“To the stars, through difficulties”

STATE OF KANSAS

KANSAS WATER OFFICE

Al LeDoux
Director



Bill Graves, Governor

901 S. Kansas Avenue
Topeka, Kansas 66612-1249

785-296-3185
FAX 785-296-0878

**Senate Natural Resources Committee
Chairman Robert Tyson
March 25, 2002, 8:30 a.m., Room 423-S
Testimony on Senate Substitute for House Bill No. 2471
"Natural Resources Legacy Alliance-A Vision for the Future"
By Al LeDoux, Director of the Kansas Water Office**

Mr. Chairman, committee members and guests, I'm Al LeDoux, director of the Kansas Water Office, the state's water planning agency.

I understand it is hard to focus on long-term issues when you are concerned with current budgetary shortfalls. But we must. Kansas has been ranked 48th out of the 50 states on its commitment to natural resources.

I applaud the grassroots' effort that has advanced the idea of a natural resource legacy alliance and am honored that the Kansas Water Office is being considered for its administration.

Natural resources are the foundation of the Kansas economy and the heart and soul of its people. Our citizens want, and should expect, its government to take stock of our assets and identify outcomes that may require future actions for natural resource conservation

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and wise use. The challenge is to make sure our commitment is met in a coordinated, cost-effective manner.

Just as water can be taken for granted as long as it's available at the turn of a tap, so can our state's other abundant natural resources. Those resources include our grasslands, our woodlands, our waters, our farmland and the fish, fowl and wildlife they support. Not to be overlooked are the less tangible vistas and smog free sunrises and sunsets.

Inventorying the natural resources that have been handed down to us and identifying a vision for them is not only prudent, but essential.

My wife and I are within about 90 days of becoming grandparents for the first time. As a grandfather, I intend to teach my grandchildren, as I have my children, that the state's natural resources are entrusted to us by God. We must be stewards of those resources, constraining our desire to use them solely for the greatest immediate benefit.

I believe that most farmers and ranchers share this concern and are doing what they can to conserve and preserve these resources, despite the trying times we are currently seeing.

Modern society is hungry for the world's resources. It's evident in the cars we drive and the disposable products we buy. Gone are the days of "Make do or do without."

People have left the farm for the cities and are losing their sense of dependence on nature and connection to it. Without that awareness and connection, we, as a people, are losing our foresight and unwittingly depleting the natural resource inheritance of our children.

It's time for us to take stock of Kansas' natural resources and develop a vision for the future. This legislation would provide the first step in understanding our state's natural resources' strengths and weaknesses. It is impossible to properly address their conservation and wise use without the needed facts. I believe this approach will allow us to maintain a strong, optimistic course for our future needs.

Let 2002 be remembered as the year that Kansas leaders with vision established a pathway for future generations of Kansans to care for and enjoy the state's bounty. I encourage you to give Senate Substitute for House Bill 2471 a thorough airing and advance it for passage by your colleagues in the full Senate.

Thank you for your consideration.

March 25, 2002

To: Senate Natural Resource Committee
Senator Robert Tyson, Chair

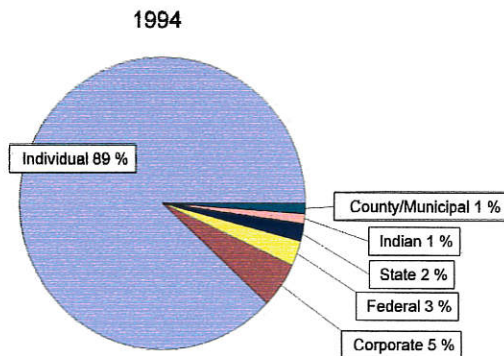
From: Ray Aslin
State Forester
Kansas Forest Service

Subject: Kansas Forest Service Testimony
Senate Substitute for HOUSE BILL NO. 2471
An ACT creating the Kansas Natural Resource Legacy Alliance;
Providing for development of a vision for the state's natural resources.

The Kansas Forest Service is charged through State Statute K.S.A. 76- 425 with the responsibility of overseeing the state's forest resources. As a state agency within the Department of Horticulture, Forestry and Recreation Resources at Kansas State University, the Kansas Forest Service's job is to improve, enhance and conserve the 1.5 million acres of natural forest land. The Kansas Forest Service is a non-regulatory agency that provides free professional forestry services to the people of Kansas.

According to the 1994 Analysis of the Forest Resources of Kansas, 94% of Kansas timber land is privately owned. For this reason the Kansas Forest Service focuses the provision of its services to private timber land owners. Section 2 (7) of the Senate substitute for House Bill 2471 only addresses public forest land.

Timberland Ownership - KS



To be consistent with the Kansas Forest Service's current mission and to proportionately address forest resources while developing a vision for our state's natural resources, the Kansas Forest Service recommends amending "public forest resources" to "forest resources".

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Attachment # 4

**Testimony before the Senate Natural Resources Committee
on Senate Substitute for HB 2471**

The Nature Conservancy, by Alan Pollom, Vice President
(In favor)

Mr. Chairman and members of the committee, my name is Alan Pollom and I am here today to speak on behalf of the more than 7,000 Kansas members of The Nature Conservancy. The Nature Conservancy, as the nation's largest private not-for-profit conservation organization, with more than 1.2 million members, has devoted more than 50 years of effort to responsible stewardship of our country's natural resources.

Our society has evolved many complex interactions between the needs of nature, recreation, industry, and agriculture. A piecemeal approach to planning for the future of our natural resources can't possibly be expected to produce the thoughtful and comprehensive vision that is contemplated in the language of the bill you are considering here today. In the interest of taking the pro-active steps necessary to fully understand and properly address the ever increasing demands on our natural resources, I urge the committee to give their favorable consideration to Senate Substitute for HB 2471.

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Attachment # 15





Since 1894

To: Senate Natural Resources Committee
Senator Robert Tyson, Chairman

From: Mike Beam, Governmental Affairs Staff

Subject: HB 2471 - Creating the Kansas Natural Resources Legacy Alliance

Date: March 25, 2002

I'm submitting this statement on behalf of the Kansas Livestock Association (KLA). We believe there is considerable merit for a legislative sanctioned task force to develop a "vision for the state's natural resources". Our members have periodically discussed the need to identify programs, establish priorities, and discuss potential resources to help private landowners adopt best management practices for enhancing and preserving various natural resources. Perhaps the most important provision of this legislation is the provision in Section 2, which states the alliance, should "examine the state's current and future resource needs".

Our support of for this proposal would be more solidified if two changes were made to the bill.

First, private individuals own over 95% of the state's land. Many of these landowners are farmers and ranchers. While most of these individuals are conscientious stewards of land and water, it should be understood that much of our state's natural resources are utilized for economic purposes. We suggest that a significant number of the appointed alliance members include active participants in production agriculture.

The draft substitute bill makes reference to this concept. We applaud the subcommittee for making these changes in the proposal. Perhaps this committee should require all of the landowner appointments to meet the requirement used for one of the governor's appointments. This provision states the landowner "is principally engaged in production agriculture".

Our second suggestion for the bill is to include the House passed language that listed **prairie and grassland resources** as one of natural resources studied by the alliance.

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Attachment # 6

Several of our members are charter members of a network for private and public interests that have formed the Tallgrass Legacy Alliance. This group shares a common desire to preserve, enhance and restore the tallgrass prairie. They have identified several threats to the tallgrass prairie ecosystem. The number one concern is invasive species, which includes sericea lespedeza and woody plants. A second issue is the fragmentation by small homesteads and suburban development.

I believe all of you are aware of the serious threats and concerns by the growing amount of sericea lespedeza infested native grass pastures. It's our hope this alliance will consider this important natural resource challenge.

Other states devote considerable state resources to protect and preserve grazing lands. These programs are available on a voluntary basis and seem to have strong support by the ranching community and the public at large.

These are just two examples of grassland issues that we believe deserve attention by anyone interested in enhancing our state's natural resources. If this committee chooses to advance the bill, we ask you to consider adding this provision.

Thanks for considering our suggestions. I'm happy to respond to any questions or comments.



Kansas Farm Bureau

2627 KFB Plaza, Manhattan, Kansas 66503-8508 • 785.587.6000 • Fax 785.587.6914 • www.kfb.org
800 S.W. Jackson, Suite 817, Topeka, Kansas 66612 • 785.234.4535 • Fax 785.234.0278

SENATE NATURAL RESOURCES COMMITTEE

**RE: Proposed Senate Sub. for HB 2471 – Creating the
“Kansas Natural Resource Legacy Alliance.”**

**March 25, 2002
Topeka, Kansas**

**Prepared by:
Leslie Kaufman, Associate Director
Public Policy Division
Kansas Farm Bureau**

Chairman Tyson and members of the Senate Natural Resources Committee, Farm Bureau certainly appreciates this opportunity to comment in conceptual support of the Proposed Senate Sub. for HB 2471. The bill proposes to create the “Kansas Natural Resource Legacy Alliance” and charges the alliance with developing a vision and proposing recommendations for utilizing the state’s natural resources.

My name is Leslie Kaufman. I serve Kansas Farm Bureau as the Associate Director of the Public Policy Division.

Kansas Farm Bureau was one of the core members of a working group organized to develop an initiative outlining a long-term vision for utilizing the natural resources in Kansas. HB 2471 (2001) was the product of that working group. The core of the working group has included representatives of private organizations (Kansas Association of Conservation Districts, Kansas Farm Bureau, Kansas Chapter of the Nature Conservancy, Kansas Recreation and Parks Association) and state agency advisors (Kansas Department of Agriculture, State Conservation Commission, Kansas Water Office, Kansas Department of Wildlife and Parks, Kansas Forest Service and Kansas Department of Health and Environment). In

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Attachment # 7

addition to the core group, other organizations were brought into the discussions (Kansas Wildlife Federation, Kansas Livestock Association, Kansas Audubon Society, Pheasants Forever and Kansas Land Improvement Contractors Association).

As we see it, the private associations were a driving force in the working groups formal development. We hope that the alliance would continue to be a private-public partnership where the private sector representatives chart the course for the alliance based on information and in-put from the state agency representatives. We believe the addition, in the proposed substitute, of the Kansas Department of Commerce and Housing in the list of agency advisors is prudent, particularly considering economic development issues.

The Proposed Senate Sub. for HB 2471 offers to create a 15-member alliance appointed by the legislative leadership and the governor. We believe the provision in Section 1 (d) requiring the officials making the appointments to consult and coordinate in order to achieve a membership that represents a balance of knowledge and experience among various interests is vital to the success of the alliance. We believe the addition of "agriculture" to the list of interests that are to be represented is a significant improvement over the original version.

The farm and ranch members of Kansas Farm Bureau recognized the importance of involving all interests and addressing issues important to all Kansans when they adopted the following policy, **"A program that would provide additional support to protect and enhance natural resources should be a balance of rural and urban needs."**

With that in mind, we would respectfully remind the committee that more than 95 percent of the land in Kansas is privately owned. Approximately 47,400,000 acres of the states 52,370,000 acres of total landmass is under some type of agricultural use. That is roughly 91 percent of the state's total area. It is the farmers and ranchers in Kansas that are the main stewards of the state's natural resources. As such, we feel it reasonable to encourage this committee to ensure that the landowner representation on the proposed alliance is not just landowners, but individuals actively engaged in production agriculture. One such position is insured in the governor's appointments and we appreciate this change from the original proposal.

Still, considering the land ownership interests in Kansas, farmers and ranchers need to be assured a strong voice on the alliance.

Kansas Farm Bureau has been, and will remain, a strong defender of private property rights. **We vigorously support landowner' rights.** We commend the subcommittee for adding language to the proposal that the alliance's work keep that right in proper perspective. In that light, we would respectfully request that the word "voluntary" be included in Section 2, (a) (6) so the sentence would read "expand voluntary public/private partnerships that support and implement the vision; and".

Farm Bureau has been involved in developing the vision for the legacy alliance from its beginnings. We certainly appreciated some of the original motivations that spurred the working group to organize, including means for developing additional resources for assisting landowners in meeting Total Maximum Daily Load (TMDL) requirements and fulfilling the ever increasing environmental requirements on production agricultural operations.

We do realize the status of the state's current financial situation and the need to reduce expenditures for non-immediate needs. As such, we do question whether there is a real need to authorize the alliance to hire a staff member, as indicated in Section 3 (b), when the alliance is attached to and made part of the Kansas Water Office and the KWO is ordered "to provide clerical and staff assistance as may be necessary to assist the alliance..."

We thank you for the opportunity to share these comments. We trust that your committee, and the members of the working group, will find our suggested changes constructive. Thank you!

Statement of Ron Klataske
Executive Director, Audubon of Kansas, Inc.
to the
Kansas Senate,
Committee on Natural Resources
In Support of HOUSE BILL 2471

My name is Ron Klataske. I live in Manhattan and serve as Executive Director of Audubon of Kansas, Inc. I am a native of Kansas and have been involved in wildlife conservation and farming/ranching most of my life. I am here today on behalf of Audubon of Kansas. Audubon of Kansas represents 5,000 members of eleven chapters and our statewide organization in Kansas. We thank you for this opportunity. Audubon members, like most residents, enjoy the pastoral and natural landscapes of Kansas. Wildlife watching, hunting, fishing, and other forms of outdoor recreation and nature appreciation are of great importance to the quality of life of Kansans and to the economy of the State of Kansas.

The bill is very well written, and we offer only one important addition to the language of the bill. Please add the phrase "prairie and grassland resources" to the list of resources that are recognized and important. Kansas is increasingly noted for its prairies and grassland resources--both native rangelands and re-established grasslands included in programs like the Conservation Reserve Program. I think this addition to the bill will also help to acknowledge the ranching and farming legacy in our state that is dependent on prairie and grassland resources. Ranchers throughout the state take pride in native rangelands, and many landowners cherish prairie hay meadows that flower each year with a diversity of native wildflowers. All who enjoy improved water quality, pheasant hunting and seeing our state bird, the meadowlark, benefit from the hundreds of thousands of acres enrolled in the CRP program. Prairie lands can be seen and enjoyed along Kansas roadways throughout many regions of the state. We have the Tallgrass Prairie National Preserve and the Cimarron National Grassland.

Maintaining native grasslands is often a challenge for private landowners and public land managers. As just one example, it is very difficult for many landowners to utilize controlled burning to control cedar trees and other invaders of grasslands. It is vital for prairie conservation on private lands that programs need to be developed and available to assist with prescribed burning. Many landowners do not have the special equipment or skills to do it alone, and that is especially demanding in areas where residential developments are present in rural landscapes.

Unfortunately, we often overlook the unique prairie and grassland resources that we enjoy in Kansas. In observance of this often missed opportunity, Audubon of Kansas has highlighted our state's prairies under the heading of "TAKING PRIDE IN PRAIRIES" in our organizational brochure (attached), and we are working with others--including the Kansas Department of Transportation--to draw attention to the most characteristic natural landscape in the state. Many of us hope that Kansas will become known as "The Prairie State", and we can help by adding this language to this bill and looking for other opportunities to highlight our state's prairie and grassland resources.

Senate Natural Resources Committee

Date 3-25-02

Attachment # 8

The economies of communities throughout the state benefit from the natural resources that are described in and the subject of House Bill 2471. The state will benefit more in the future as we draw attention to these resources and the opportunities to enjoy them. We hope that outdoor recreation will increasingly help to diversify opportunities for landowners, and communities.

We have observed the successes of other states, including the Design for Conservation program, and the combined initiative to provide soil conservation assistance to landowners and financial stewardship of state parks in Missouri. Many of these programs started with collaborative planning efforts similar to that envisioned with creation of the Kansas Natural Resource Legacy Alliance.

The Alliance will also help to build partnerships between rural and urban constituencies. We are committed to that approach. It is notable that support for this legislation includes the Kansas Farm Bureau, Kansas Association of Conservation Districts, Pheasants Forever, Audubon of Kansas and many other diverse organizations. Similar benefits will result from the joint participation of the six state agencies who are a part of this planning initiative.

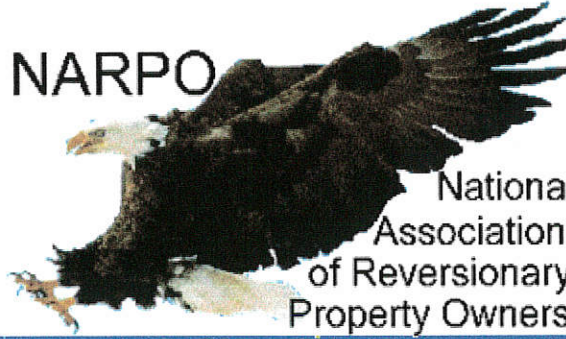
We can achieve much more by working together. We have done that by jointly supporting such things as cost-share programs for buffer initiatives, and successfully urging USDA to allow grassed terraces as a continuous CRP practice. Programs of that nature benefit wildlife, enhance recreational opportunities, and assist landowners in conservation of soil and improvement of water quality.

We urge the Natural Resources committee and the Kansas Senate to approve House Bill 2471.

We thank you for this consideration.

Dale E. Anderson
Executive Director
814 West Third Avenue
Garnett, KS 66032-2002
U.S. A.

NARPO



National
Association
of Reversionary
Property Owners

Fax: 785-448-5832
Email: narpo@ecksor.net
Website: www.railtrail.org

March 23, 2002

Senator Robert Tyson, Chairman
Senate Natural Resources Committee
RE: Opposition to HB 2471

Dear Chairman Tyson:

I am writing this letter to you and your committee concerning HB 2471. This is a bad bill for individual property rights. In my capacity of Executive Director of NARPO, I deal with landowners not only in Kansas, but across the nation. My main objective in my professional capacity is to help landowners in cases concerning takings of private property for public use for rails to trails programs without compensation.

HB 2471 flies in the face of the owners of privately owned land. HB 2471 is simply another attempt for bureaucratic state agencies to garner the ability to dictate how, when and what property owners can or can't do with their property.

The alleged "Kansas Natural Resource Legacy Alliance" is far too top heavy with political influence and bureaucratic lackeys. 3 from the Senate President; 3 from the Senate minority leader; 3 from the speaker of the house; 3 from the House minority leader; and 3 from the Governor's office. Then add 7 State agency bureaucrats. That is simply too much government.

Only 2 persons have to own 80 acres of land. That is not enough input from real landowners. 80 acres is nothing more than a large garden.

I see too much about "environmental interests" and related deals; "parks and recreation"; "travel and tourism" and "outdoor recreation." Only one time are landowners and homeowners mentioned. 2471 smells of the usual; "ignore the real owners of 97% of Kansas." 2471 is a power play for the government to burden landowners with red tape.

I have seen no estimate of the cost of this alleged "Legacy Alliance", but one can assume the agencies and individuals involved will strive to pull as much money as they can from the budgets. The State doesn't need and can't afford the added expenses of this program.

Anyone who seriously cares enough about Kansas to want to sit in on this Kangaroo Court should serve as an uncompensated volunteer. After all, the deal is for the "greater good", and the "Quality of Life" in Kansas. The legislators already are compensated.

Again, I adamantly oppose the Senate Substitute for House Bill 2471.

Respectfully,
Dale E. Anderson

**NATIONAL ASSOCIATION OF
REVERSIONARY PROPERTY OWNERS**

Senate Natural Resources Committee

Date 3-25-02

Attachment # 9

AMERICAN PRIVATE PROPERTY ADVOCATES

PROTECT PRIVATE PROPERTY RIGHTS

March 23, 2002
Senator Robert Tyson, Chairman
Senate Natural Resources Committee
HB 2471 Should be Killed

Dear Chairman Tyson:

It seems like everytime bureaucratic agencies get together, they attempt to find a new method of enlarging and enriching their departments. Undoubtedly, the so-called "Kansas Natural Resource Legacy Alliance" most certainly was perpetrated by the Kansas Department of Wildlife and Parks, easily the state's most wasteful and land greedy bureaucracy. Taxpayers have been forced to bail out the KDWP's reckless spending sprees several times. We are not talking small change, but millions of dollars. The KDWP has proven time and time again that they can *not be* trusted. The other departments involved may be similar, but not as calculatedly condescending.

We do not need a combination of 15 government bureaucrats and legislative wise guys to oversee private property owners. Like any program of this type, landowners are treated as unimportant and of no concern to the department's overall scheme. Agencies like the KDWP only "tolerate" landowners with arrogance. Their attitude is widely known and resented statewide. This negative citizen reaction is very understandable when you consider that 97% of Kansas land is privately owned.

This State *does not* need an "Alliance" to spew out directives to landowners. We already have too much government "big brothering". So much in fact, Kansas can't afford it any longer. Why would anyone add *another* black hole spending situation?

The alleged "Kansas Natural Resource Legacy Alliance," Senate Substitute for House Bill No. 2471 should be allowed to die a merciful but total and absolute death in the Senate Committee on Natural Resources. That's a nice way to say, **KILL the BILL!**

Respectfully,



Dale E. Anderson
Founder & CEO

American Private Property Advocates
814 West Third Avenue Garnett, KS 66032-2002
U.S.A.

Phone: (785) 448-5832

Fax: (785) 448-5832

Email: daleanderson@americanprivatepropertyadv

Website: <http://www.americanprivatepropertyadv>

Senate Natural Resources Committee

Date 3-25-02

Attachment # 10

Orville J. Cole

Attorney at Law

1006 East 4th Blvd.
Garnett, Ks. 66032

Voice (785) 448-3477

FAX (785) 448-5714

E-mail: king@kanza.net

BEFORE THE SENATE NATURAL RESOURCES COMMITTEE COMMENTS IN OPPOSITION TO HB 2471

Chairman Tyson and members of the committee:

I am Orville Cole, an attorney in Garnett, Ks. I am semi-retired and have worked as an intern for the last 5 years, during the legislative session, in the office of Senator Tyson. I am appearing today representing only myself and to deliver the written testimony of the National Association of Reversionary Property Owners, an organization for the protection of private property rights.

WHY IS AMERICA PROSPEROUS AND POWERFUL?

Private property rights
Free enterprise system
Less government regulation

WHAT DOES HB 2471 DO?

Creates an Alliance consisting of 15 political appointees and 7 bureaucrats to roam the state, holding hearings and seeking input from from state and local governments to develop a plan for establishing goals and priorities over all facets of our lives and control of our privately owned natural resources.

WHAT WILL HB 2471 COST THE TAXPAYERS OF KANSAS?

___ No estimate, but with 22 Alliance members and their staffs traveling the state, plus an additional staff member, compensation, motels, meals and mileage the cost cannot be insignificant.

WHO OWNS THE NATURAL RESOURCES IN KANSAS?

97% of the land in Kansas, containing the natural resources, is privately owned.

Senate Natural Resources Committee

Date 3-25-02

Attachment # 11

REAL PURPOSE OF HB 2471.

To gain control over the privately owned natural resources of Kansas, by government agencies, in violation of private property rights. After the priorities for control are contained in the report to be rendered by the Alliance, you can rest assured that this same group will be back before the Legislature asking for legislation implementing their findings and increasing their control over private property.

The membership in the Alliance is so skewed in favor of more government control that private property rights will be sacrificed. The small number of landowners provided for on the board will be overwhelmed by the political appointees and bureaucrats. Private property rights will be further eroded in Kansas.

THIS IS A BAD BILL AND IT SHOULD BE KILLED IN THIS COMMITTEE.

Respectfully,


Orville J. Cole

Proposed Amendment to House Bill No. 2680

On page 3, following line 17, by inserting the following:

"New Sec. 2. The name of Toronto state park in Woodson county is hereby changed to Cross Timbers state park at Toronto Lake.

Sec. 3. K.S.A. 32-837 is hereby amended to read as follows:
32-837. (a) The following parks have been designated as a part of the state park system: (1) Kanopolis-Mushroom Rock state park in Ellsworth county; (2) Cross Timbers state park at Toronto state park Lake in Woodson county; (3) Fall River state park in Greenwood county; (4) Cedar Bluff state park in Trego county; (5) Tuttle Creek state park in Pottawatomie and Riley counties; (6) Pomona state park in Osage county; (7) Cheney state park in Kingman and Reno counties; (8) Lake Crawford state park in Crawford county; (9) Lovewell state park in Jewell county; (10) Lake Meade state park in Meade county; (11) Prairie Dog state park in Norton county; (12) Webster state park in Rooks county; (13) Wilson state park in Russell county; (14) Milford state park in Geary county; (15) Lake Scott state park in Scott county; (16) Elk City state park in Montgomery county; (17) Perry state park in Jefferson county; (18) Glen Elder state park in Mitchell county; (19) El Dorado state park in Butler county; (20) Eisenhower state park in Osage county; (21) Clinton state park in Douglas and Shawnee counties; (22) Sand Hills state park in Reno county; and (23) Hillsdale state park in Miami county.";

By renumbering sections accordingly;

Also on page 3, in line 18, by striking "is" and inserting "and 32-837 are";

In the title, in line 9, after "ACT", by inserting "concerning wildlife and parks;"; in line 10, after the semicolon, by inserting "changing the name of Toronto state park to Cross Timbers state park at Toronto Lake;"; also in line 10, after "K.S.A.", by inserting "32-837 and"; also in line 10, by

striking "section" and inserting "sections";