

TESTIMONY BEFORE THE KANSAS STATE LEGISLATURE
SENATE COMMITTEE ON TRANSPORTATION
House Bill 2432: Providing For a Ducks Unlimited License Plate
Thursday, March 8, 2012, 8:30 AM Room 152S

Senator Umbarger, Senator Marshall, Senator Kultala and members of the Senate Standing Committee on Transportation:

My name is Mark Schlegel of Kingman KS. I am the State Chairman-Elect of Kansas Ducks Unlimited. Unfortunately, due to job commitments neither I nor the other members of the Kansas Ducks Unlimited state leadership team were able to attend this hearing. Therefore, I respectfully request your consideration of this written testimony in favor of HB 2432, Providing For a Ducks Unlimited License Plate.

DU got its start in 1937 during the Dust Bowl when North America's drought-plagued waterfowl populations had plunged to unprecedented lows. Determined not to sit idly by as the continent's waterfowl dwindled beyond recovery, a small group of sportsmen joined together to form an organization that became known as Ducks Unlimited.

DU's mission is to conserve, restore, and manage wetlands and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people.

Thanks to decades of abiding by that single mission, Ducks Unlimited is now the world's largest and most effective private waterfowl and wetlands conservation organization. DU is able to multilaterally deliver its work through a series of partnerships with private individuals, landowners, agencies, scientific communities and other entities.

Waterfowl conservation is facing important challenges as wetlands and other habitats are being degraded and destroyed across the continent. Ducks Unlimited has a vision to reverse this trend.

The most visible of Ducks Unlimited efforts are on publically owned properties such as Federal Wildlife Refuges and State Wildlife Areas. However, there are three other situations where Ducks Unlimited has developed creative options that benefit both the landowner and wildlife.

Conservation Easements –

Conservation easements can meet the needs of interested owners of working farms, ranches, timberlands, sporting properties and recreational lands, who wish to protect valuable natural resources while retaining ownership of the property. A perpetual conservation easement allows a landowner to protect key natural habitats of a property while continuing to use the area for economic gain or recreation.

A conservation easement is a legal agreement that a land owner makes to restrict the type and amount of development that may take place on his or her property. The easement document is tailored to meet the needs and interests of the landowner. DU believes that most lands can benefit wildlife and still produce an economic return to its owner.

DU's program accepts easements in perpetuity through its affiliate Wetlands America Trust, as well as accompanying donations to cover associated costs such as the annual monitoring effort. DU agrees to monitor the property on a yearly basis to ensure the protection of its natural resources for years to come. Such protection will ensure that large acreages of wetlands, riparian habitats and important uplands will be preserved for the benefit of waterfowl, other wildlife and

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the enjoyment of future generations. This partnership between the landowner and DU also may result in the reduction of current income and estate taxes.

Revolving Land Program –

Some places are too good to let go—special lands that contain the magical mix of wetlands and grasslands needed by breeding waterfowl. When such places come up for sale and there is a significant chance that critical resources will be lost, then it's time for Ducks Unlimited to get creative. How can the habitat be protected in a cost-effective way when the landowner doesn't want a conservation easement, is intent on selling out, and DU does not want to assume long-term ownership of the land? The answer is Ducks Unlimited's Revolving Land Acquisition Program (RLAP).

In addition to its cost effectiveness, the RLAP might be called conservation with a compassionate touch. That's because DU has found a way to transact land deals in a manner that addresses the individual circumstances and desires of landowners. A retired farmer who needed to relocate closer to town for health care, a partnership that was dissolving and needed to liquidate land to recover capital, and a husband and wife who were simply tired of the small town social scene and anxious to move closer to grandkids—all real-life examples of landowners who have opted to sell their land to Ducks Unlimited. In meeting their individual needs we have discovered a new approach to securing the future of waterfowl, and we compound the benefits by focusing this program on the best-of-the-best waterfowl breeding habitat in the world: the Missouri Coteau region of North and South Dakota.

DU has set an ambitious goal of protecting 2 million acres of Missouri Coteau grasslands and wetlands from further loss or degradation over the next 15 years. The reasons are obvious. Keeping this treasured landscape intact is a key element in ensuring that prairie-nesting duck populations are sustained into the future. The quality habitat provided by the Coteau was a primary reason that waterfowl populations were able to reach historic high levels when water returned to the prairies in the late 1990s. But such an audacious conservation goal requires some creative approaches. The RLAP is one such approach.

The gist of the program is fairly straightforward. Ducks Unlimited identifies a property for sale with much of the habitat value intact, but where there is a high risk of losing this habitat because it is not protected by easements and is adjacent to intensively cropped lands. We then purchase it from the willing seller at market value, restore those habitat features that are degraded, and place a conservation easement on the property. Once restored and protected from future demise, DU sells the property to a conservation buyer. Potential buyers include ranchers and other conservation-minded private individuals, and state or federal natural resource management agencies.

There are two main ingredients in making this approach successful. The first ingredient is the capital to start the cycle. Through generous support of DU members and a few major contributors, we have been able to get the ball rolling in South Dakota. However, the need for conservation in the Coteau continues to exceed our capital. With a large portion of this land set to change hands when the current landowners retire from ranching and farming in the next few years, the fate of the Coteau hangs in the balance. DU needs to grow its capital in the Revolving Land Fund tenfold if we are to ensure that the grasslands and wetlands of this region remain intact and continue to be the heart of production in the Prairie Pothole Region.

The second and equally important ingredient is the fact that conservation buyers find real value in natural working landscapes that can provide economical and ecological returns. If this were not so, resale of these protected, and often restored, landscapes would not provide cost recovery for the original purchase and restoration. Under such a scenario, it would be a “devolving” land program instead of a “revolving” land program. With the original costs recovered, we then move on to the next property and turn the cycle again. In the wake of this cycle we leave ranchers able to retire debt, able to retire with extra security from the revenue of the sale, or educate their children; preserve and restore landscapes capable of sustaining and growing duck populations; and create opportunities for quality hunting and other outdoor recreation.

Land Acquisition -

In special cases, where intact waterfowl habitat is at imminent risk but the landowner is not willing to consider an easement and wants to sell, Ducks Unlimited may seek to acquire the property. Once purchased, grasslands and wetlands are restored and conservation easements are placed on the land so as to perpetually protect important resource values. During the period of DU’s ownership, the public is welcome to hunt and enjoy the properties.

When restoration is complete and easements are in place, the land is typically re-sold to a wildlife agency or a private individual who shares DU’s interest in protecting the prairie’s natural values. Previous buyers have included agencies who wanted the land for a state or federal wildlife area, ranchers who needed pasture and were willing to abide by the terms of the easement, and individuals who were interested in the land primarily for its conservation or recreational values. Funds recovered through the subsequent sale of land are deposited in a revolving fund, which can be tapped for new acquisitions.

As you can see, Ducks Unlimited believes in working with landowners, farmers and ranchers to the mutual benefit of all, not in a confrontational, dictatorial manner. As stated in our mission statement, to “benefit wildlife and people”.

Ducks Unlimited is a grassroots, volunteer-based organization. Its members are conservationists and outdoor enthusiasts who live primarily throughout the United States, Canada and Mexico. DU volunteers host more than 4,000 grassroots fundraising events annually across the United States, such as member and sponsor banquets, shooting and fishing tournaments, and golf outings. Event dollars represent some of DU’s most important sources of revenue. Since event dollars are typically unrestricted, DU is able to spend these funds in our highest priority areas and use them to leverage additional funds from other sources.

Last year, the 15,000 Kansas Ducks Unlimited members raised over \$1.1 million. Of the dollars raised by Ducks Unlimited, over 80 percent goes directly on the ground for waterfowl and wetlands conservation and education. Ducks Unlimited, Inc. is tax exempt under section 501 (c)(3) of the Internal Revenue Code. Our tax identification number is: 13-5643799.

The first map attached to this testimony displays the Ducks Unlimited projects across North America. Since 1937, DU has completed more than 20,000 projects and conserved over 12 million acres in North America.

The second map shows DU projects across Kansas. Through DU, a total of almost 18,000 acres have been conserved in Kansas.

Many states have such a DU license plate and we look forward to joining that list. This is our tentative Kansas Ducks Unlimited license plate proposal:



The DU “Duckhead” logo is immediately recognized across North America. This license plate will allow our members to display their DU loyalty and will provide immediate recognition of the State of Kansas to other DU members across the Nation. While some states have used more elaborate, multi-color designs, Kansas Ducks Unlimited believes that a simple, yet eye-catching design provides the most recognition while maximizing the financial benefit to our ultimate cause – the conservation of wetlands.

Kansas Ducks Unlimited respectfully notes that one item of the “Fiscal Note for HB 24332 by Representative Hoffman”, from Mr. Steven J. Anderson, Director of the Budget, dated January 24, 2012 does not exactly comply with KSA 80-1,141, as follows:

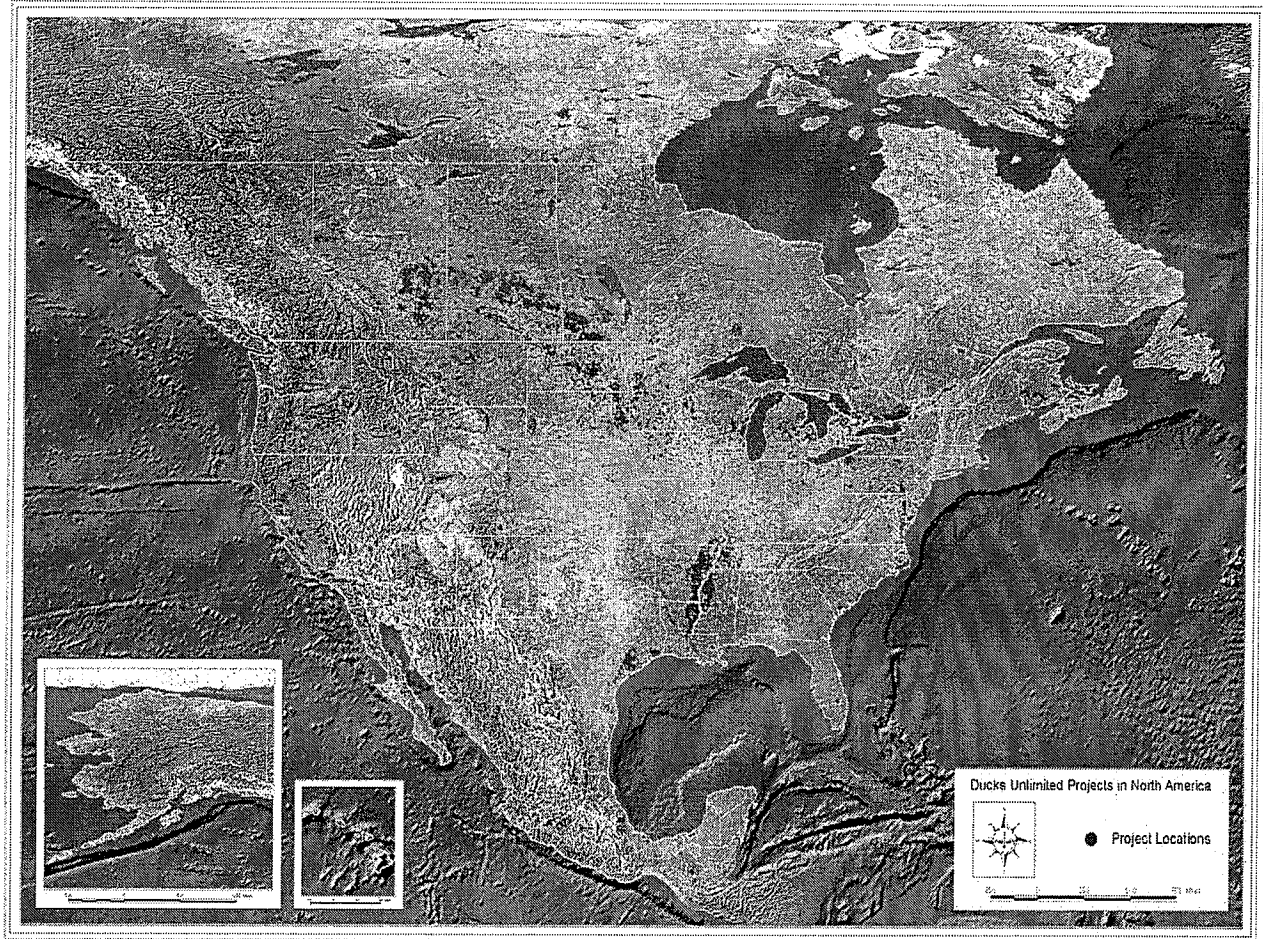
The sentence; “The Department indicates that the sponsor of a new specialty plate is required to provide the \$20,000 nonrefundable fee under the provisions of KSA 80-1,141 for the purpose of defraying the cost to develop the new plate.”,

should be: “The Department indicates that the sponsor of a new specialty plate is required to provide a *nonrefundable fee not to exceed \$20,000* under the provisions of KSA 80-1,141 for the purpose of defraying the cost to develop the new plate.” to comply with the provisions of KSA 80-1,141. I have provided a copy KSA 80-1.141 - “Distinctive license plates; procedures for issuance; requirements; fees; exceptions; discontinuance of certain plates” with the pertinent text highlighted, and a copy of the Fiscal Note, with the text in question highlighted.

Thank you for allowing me to testify before your committee. Above all, thank you for your support of “The Ducks”. Please contact me at pmschlegel@terraworld.net or phone 316-641-5093 if I may answer any questions and/or provide more information.

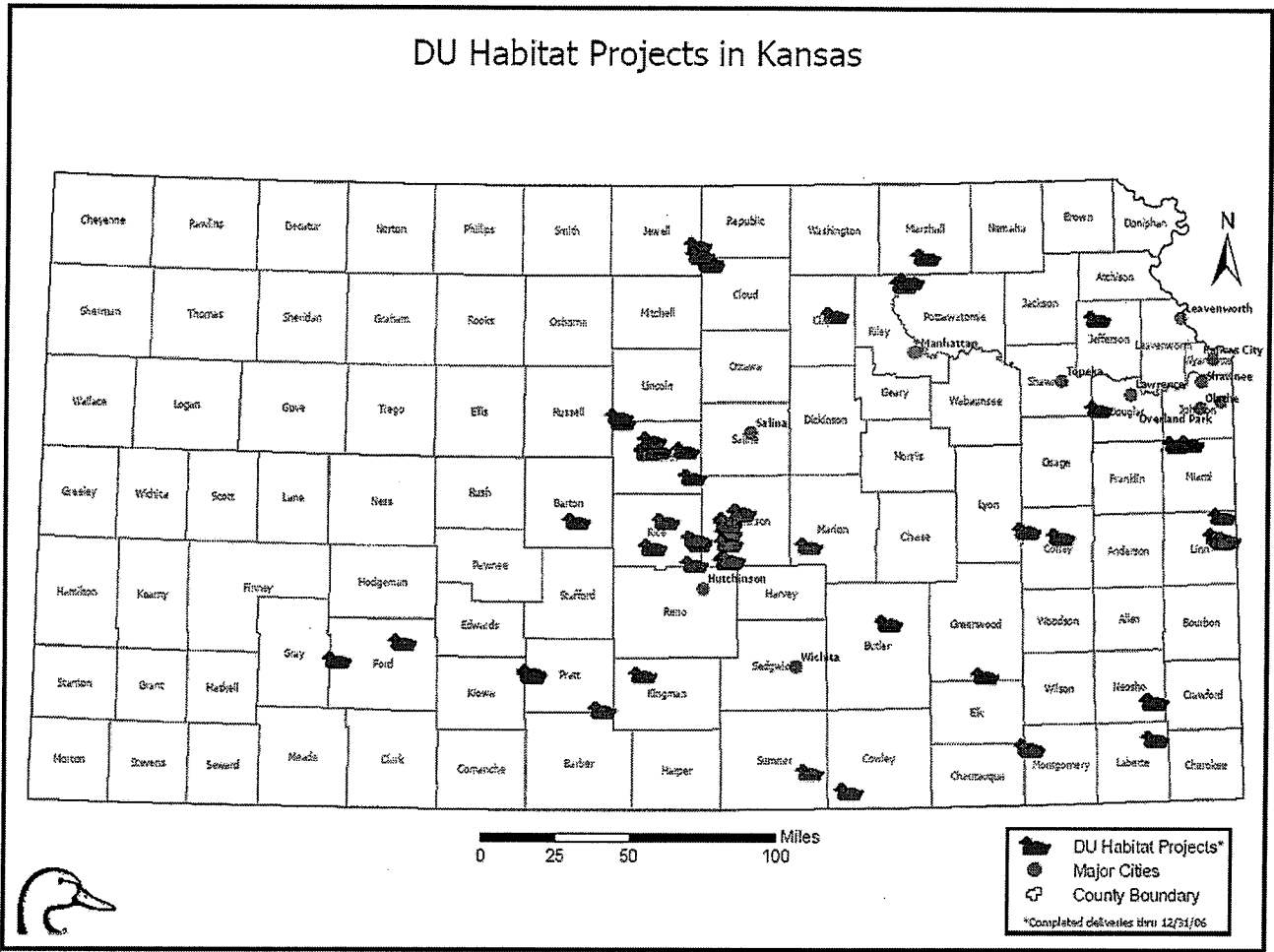
Respectfully,

Mark O. Schlegel
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Kingman KS 67068



Ducks Unlimited Projects – North America

DU Habitat Projects in Kansas



Ducks Unlimited Projects - Kansas