



Pheasants Forever Inc. and Quail Forever
15718 Dearborn Street
Overland Park, KS 66223
Memorandum

February 15, 2016

To: Senate Natural Resources Committee
From: Marc Glades, South Region Manager
Jordan Martincich, Development Officer
Re: Senate Bill 425

Chairman, members of the committee, I appreciate the opportunity to submit testimony to you on an issue that is important to Pheasants Forever, Quail Forever, our members across the state of Kansas, and our members who travel to Kansas to recreate in the outdoors. Today, I'm testifying in opposition to SB 425 on behalf of our organization, our 50 Kansas chapters made up of local volunteers, and over 7,000 Kansas members.

Conservation easements protect wild and open lands, important wildlife habitats, scenic vistas, pristine streams and underground water supplies, the ranching industry and culture, and the interests of all Kansas. Pheasants Forever, Inc. / Quail Forever is currently working with numerous landowners, across Kansas, to establish conservation easements for the benefit of future generations and to meet the goals of the landowner. This is a result of the fact that our Kansas constituents are becoming increasingly interested in using this permanent habitat conservation tool to reach their long-term habitat, tax planning, estate planning goals, and leaving their legacy to the next generation of farmers, ranchers, and conservationists.

Voluntary conservation easements are a valuable conservation tool for Kansas landowners and the existing legislation is serving Kansas well. SB 425 proposes a number of changes to existing legislation that will negatively impact private landowner rights and a landowner's right to enter into voluntary conservation easements. More specifically, the bill transfers decision making power from private landowners to county commissions thereby exercising a sort of zoning aimed at private agricultural landowners. There is no precedence for this and it opens the door for future attacks on private landowner rights. This bill represents an expansion of government control over private land use and the free-market exercise of private property rights.

Conservation easements are always entered into voluntarily by landowners; there is never any legal compulsion to establish a conservation easement. Landowners are compensated for easement values via purchase or donation according to a standard appraisal process; any new restrictions on easements generated by SB 425—including limiting duration—constitutes the taking of private property values and private landowner rights. Since the valuation of conservation easements is directly correlated to their perpetual nature; any limit to their duration render them useless as a conservation tool and eliminate the valuable compensation realized by landowners as part of consideration provided by a purchaser when establishing a conservation easement.

Landowners voluntarily grant conservation easements for many reasons that include: direct income opportunity through purchased easements, opportunity to expand operations or reduce debt, tax relief through donated easements, estate succession planning, allegiance to family and community agricultural traditions, and long-term habitat planning and natural resource conservation.

In closing, Pheasants Forever, Inc. & Quail Forever has collectively impacted over 14 million acres of wildlife habitat and partnered with private landowners to permanently protect over 180,000 of wildlife habitat nationwide. Our primary footprint is the Great Plains region, most of which is privately owned, meaning the majority of our 502,000 habitat projects have been completed working directly with private landowners that enroll in local, state, and federal voluntary conservation programs. Conservation easement opponents state erroneously that easements have been forced upon landowners or used to undermine private land management. Nothing could be further from the truth. Pheasants Forever and our Kansas land trust partners have a long history of working hand-in-hand with Kansas landowners to establish conservation easements that meet the goals of each landowner.

For these reasons and many others, we respectfully ask you to **vote no** on Senate Bill 425 and leave in place an important tool for protecting wild Kansas and our ranching heritage.

On behalf of our organization and our members, thank you for the opportunity to testify on this matter.

Thank you.

Sincerely,



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