

Statement by Ron Klataske,
Executive Director, Audubon of Kansas
to the
Senate Natural Resources Committee
Regarding Senate Bill 425
February 18, 2016

Chairman Powell and Honorable Members of the Committee, I thank you for the opportunity to share the perspective of Audubon of Kansas and approximately 5,000 Audubon members statewide involved in eight local Audubon chapters and in other capacities. Audubon of Kansas is an independent membership organization devoted to promoting the enjoyment, understanding, protection and restoration of natural ecosystems. We seek to establish a culture of conservation and an environmental ethic. In this capacity we work in partnership with other organizations and individuals representing many additional thousands of conservation partners throughout the state and country.

Audubon of Kansas strongly supports perpetual conservation easements as they have been employed in the state of Kansas to protect natural resources and the combination of natural and pastoral features of the landscape. I first became aware of the unique benefits of conservation easements while working with ranch landowners along the spectacular Niobrara River in northern Nebraska 35 years ago. Although the U.S. Bureau of Reclamation wanted to condemn more than 30,000 acres to build a dam and diversion system, as a positive alternative we (and they) wanted to preserve the unique valley and their homes and ranches in private ownership. At that time the best example to use as a reference was the Upper Missouri National Wild and Scenic River. The emphasis there was on protection with the use of conservation easements in partnership with landowners rather than governmental acquisition.

Kansas is a "*prairie state*," and just as other states take pride in and protect important elements of their mountains, deserts and seashores, many residents here want to retain elements of our state's signature landscapes. Kansas is also a *private land state*, without vast acreages in federal or state ownership. Thus, if we hope to maintain substantial areas of native grasslands in Kansas, it is imperative that landowners be able to accomplish this conservation mission in partnership with other entities--and with at least the philosophical and policy support of the State of Kansas.

Senate Bill 425 threatens to totally undermine the working relationship and the successes that have evolved between Kansas landowners, conservation organizations and agencies involved in establishment of conservation easements.

It would be a mistake to give county commissioners control over conservation easements made by private citizens. That is way out of their mandate or job

description and an infringement of private rights. It seems odd that advocates of this bill want to restrict conservation of private lands. Is stewardship a threat? It doesn't seem like a balanced approach if terms and duration of conservation easements are to be imposed, whereas no restrictions are automatically imposed if a landowner and/or associated entities want to destroy and even pave over a prairie (or any other natural feature). Once it occurs, destruction of native grasslands is guaranteed to be even more permanent than a conservation easement.

Most counties do not have comprehensive land use plans, or planners on staff qualified to evaluate conservation easements. Why should county commissioners regulate and severely limit conservation easements when alteration and even destruction of our state's natural environment should be the focus of our concerns—and our first priority. Keeping grasslands intact, and implementing many other conservation practices, are needed to reduce siltation of reservoirs, improve water quality, provide habitat for wildlife, and maintain soil health and productivity. We urge you to vote for conservation.