



Testimony in Opposition to HB 2587
Kansas House Agriculture and Natural Resources Committee
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Chairman Powell and Members of the House Agriculture and Natural Resources Committee:

On behalf of the Kansas Land Trust, I offer testimony today in opposition to House Bill 2587. Kansas Land Trust is a private, non-profit organization, which has been in existence in Kansas for over 20 years. Our mission is to partner with Kansas landowners who come to us on a purely voluntary basis, to help them preserve their lifestyle and their heritage, by protecting the ecological, agricultural, recreational, scenic or historic qualities of their land – forever. Most of the landowners who come to the Land Trust are farmers or ranchers, small business owners trying to preserve their Kansas livelihoods for the benefit of their children.

The tool we use to fulfill a Kansas landowner’s wish is a perpetual conservation easement – a voluntary agreement between Kansas Land Trust and a landowner, whereby the landowner gives (or in some cases sells) to the Land Trust one or more of the “bundle of rights” that come with the right to own land in America. Use of a perpetual conservation easement allows a landowner to continue to use the land as he or she has been using it, and also allows the landowner to sell the land whenever and to whomever the landowner pleases. Kansas Land Trust received its first easement back in 1994. We still hold that easement, and we intend to keep it – forever. To date, the Kansas Land Trust has placed perpetual conservation easements on 45 properties in Kansas, preserving 16,000 acres of land.

The Kansas Land Trust’s members, staff and Board of Directors are strong believers in private property rights. We believe that the work we do helps property owners to be able to exercise those rights, one of which is to preserve the unique qualities of their land. In cases where the Kansas Land Trust has resources to purchase conservation easements, we are often able to benefit landowners further by providing them with financial support that may be vital to allowing them to keep their land. We are fortunate to have a partnership with Fort Riley through which we are protecting family-owned ranches in the Flint Hills while supporting America’s national security. Kansas Land Trust does this by using perpetual conservation easements to build a land buffer around the Fort Riley installation that allows the military to conduct training activities at the base without encroaching on adjoining landowners’ rights.

In addition to assisting landowners, perpetual conservation easements provide a number of important benefits to the state of Kansas and to the public at large. Conservation easements

protect important natural resources, such as high quality soils, native grazing lands and important water resources for the use and enjoyment of our children and grandchildren. Placing a perpetual conservation easement on farmland or ranchland ensures that the land can remain in production, which helps to stabilize rural communities and promote reinvestment. Protecting agricultural land provides food security for our state and our nation. Preserving land in a relatively undeveloped state also saves local government resources, since undeveloped land demands fewer government services such as roads, sewers and utilities. Perpetual conservation easements benefit future generations by giving young people who would like to farm or ranch the land in the future the chance to purchase the land at a lower cost.

Critical in this time of economic uncertainty, perpetual conservation easements will help to grow the economy in Kansas in a number of ways. Perpetual conservation easements insure that high quality farm and ranchland in Kansas will continue in agricultural production, which is vital to our economy and provides stable, dependable jobs. Beyond that, preserving unique, ecological areas like the Flint Hills has the potential to significantly increase tourism revenue in Kansas. I'm sure you are all aware of Governor Brownback's vision for the Flint Hills as an authentic ecotourism experience that has the potential to increase tourism dollars in our state from \$3 million annually to hundreds of millions of dollars annually. The Governor is on record as advocating that Flint Hills' tourism be done in what he has called "the Kansas way" by which he means preserving this treasured land through private conservation easements and not through government purchase of land. That is precisely what the Kansas Land Trust is doing. We've placed perpetual conservation easements on 10,000 acres of Flint Hills' prairie to date.

In contrast, HB 2587 imposes governmental restrictions on the right of private property owners to do with their land as they please. HB 2587 limits a Kansas landowner's choice to sell or donate land through a perpetual conservation easement. Placing a term limit on conservation easements will effectively eliminate the use of conservation easements between Kansas landowners and private entities, like the Kansas Land Trust. Kansas landowners aren't going to place an easement on their property if they know it will terminate when they die.

Kansas landowners voluntarily place their land in perpetual conservation easements because they love their land. Many of them have spent most of their lives working and caring for the land that they love. To restrict a landowner's right to preserve their labor of love for future generations to enjoy is unfair and unjust. And that's just what HB 2587 would do. For the reasons I've mentioned, the Kansas Land Trust strongly opposes HB 2587.

Thank you for the opportunity to comment on this important issue.