

Testimony in opposition of H.B. 2669
On behalf of The Nature Conservancy in Kansas
To the House Committee on Agriculture
18 February 2020

Dear Chairman Highland and Members of the Agriculture Committee:

The Nature Conservancy in Kansas (TNC) was established in 1989 to conserve and protect Kansas' most unique and important natural resources. TNC has achieved great success working collaboratively with Kansas landowners in helping them achieve long-term protection of their land and associated wildlife. Our organization has always promoted a non-confrontational approach to conservation, promoting collaboration with private and public interests. In this spirit, TNC values the state's successful management of threatened and endangered species. **The Nature Conservancy opposes the provisions contained in H.B. 2669.**

With the passage of the federal Endangered Species Act of 1973, states were expected to adopt their own lists of sensitive species. Subsequently, the state of Kansas passed the Nongame and Endangered Species Conservation Act in 1975 resulting in listings for threatened and endangered species of Kansas. These included federally listed species as well as additional species of conservation concern brought forth by wildlife scientists. The administration of the Nongame and Endangered Species Conservation Act has been a reasonable balance between protection of species and considerations for human and economic impacts. A key element of the Act is that **normal farming and ranching activities are exempt**. The only exception are projects requiring permits from other agencies. It has been shown that managing and protecting sensitive species at the state level is much more cost-effective than depending on federal listings alone. Further, administration of state-listed species is a logical front line in helping prevent species at risk from becoming federally listed.

The 45-year history of the Kansas Nongame and Endangered Species Conservation Act has involved a number of regulatory and statutory amendments to provide greater efficiency of the Act and to address a number concerns, such as an amendment to mandate five-year species list reviews. The Kansas Department of Wildlife, Parks and Tourism has been sensitive to these requests and has a proven track record in addressing regulatory and economic concerns while continuing to address species that are most threatened within our state.

The Nature Conservancy in Kansas believes that the state's petitioning process for threatened and endangered species is a rational approach that appropriately addresses conservation concerns for the people of Kansas. The state's process for listing sensitive species has demonstrated very few permitting needs yet has provided important mitigation for some of the most impactful projects. The extremely low incidence of reviewed projects requiring mitigation is evidence of the cooperative nature of the program. Therefore, **TNC urges the rejection of H.B. 2669 as well as the recognition of the cooperative nature and success of the Nongame and Endangered Species Conservation Act.** TNC appreciates the opportunity to comment and appreciates the support of the Committee in opposing the bill.