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Over the past several weeks I have sent a lot of emails to every member of the 2021 Special Committee on the 30 x 30 Federal Initiative. Those emails have provided countless hours of links to internet sites and to documents on my Google drive. They also contained several files, and the contact information for several experts in the field of land use policy. All of that material is to aid you in the best course of action to protect property owners.

In the case of **Perpetual Conservation Easements**, I gave you two legislation ideas in those emails. One was from legislation introduced back in 2014 by the Kansas Natural Resource Council. The other is of Nebraska's law regarding Conservation Easements that allows the county commissioner to have a say in whether or not the county can afford more restraint on development and property taxes in their county. With those ideas, were the laws and the complete history of that legislation as well as the maps of federally recognized CE's on this website: [NCED Mapping Application \(conservationeasement.us\)](http://nced.mappingapplication.com/conservationeasement.us). More recent conversations about Perpetual Conservation Easements involve the ability of governing bodies to condemn property. Should a property with a Perpetual Conservation Easement become a harbor of diseased mosquitoes, for example, or perhaps in times of famine or other disaster, there should be a process that would allow a governing body to pull that property out of Perpetual Conservation Easements.

In the case of **Eminent Domain**, I take inspiration from KS 26-601. Limiting the use of Eminent Domain for recreational purposes is necessary. Simply amending this law to require that any land taken for recreational purposes, sit idle for a specific number of years before development by private and public entities can occur is an excellent idea. This would force the necessary questions of long term funding and maintenance that is often not considered when planning a new recreational area. It also encourages those ideas to seek ground available for purchase for park growth while protecting Eminent Domain use for infrastructure and public health needs.

I sent you emails regarding **Joint Planning and Form Based Zoning** here in Lyon County. In those emails were the original plans that referred to private property as public parks, that designed public use trails through private property, and intended to move everyone out of the country into designated areas along major roadways. The accompanying zoning regulations replaced Euclidean based zoning with Form based zoning that would have banned barb-wire and electric fencing here in the cattle country of the Flint Hills. The combination of the Joint Comprehensive Plan and Form Zoning Regulations together, intended to create one jurisdiction under the city of Emporia allowing elected representatives in the city, whom I will never be able to vote for, to make decisions on my farm in the county. It shifts decisions currently made by elected representatives, to unelected zoning administrators and only



allows the wealthy, who can afford court action, to remedy any disagreement with the zoning administrator. This is illegal annexation by cities and theft of representation of rural residents. In Lyon County, it was a Home Owner's Association on the entire county. Form Based Zoning should be limited to new developments and expired upon the completion of the new subdivision. The populations affected by Joint Comprehensive Planning and Zoning should be allowed to vote on whether they want to combine with another municipality. And of course, theft of representation should never occur. How 8 commissioners in Emporia and Lyon County were nearly able to alter the lives of every citizen so easily, is both frightening and shocking.

In those emails were planning documents for **Planning Commissions and Regional Councils**. This is where Federal Planners partner with Special Interests and Environmental groups to purchase the influence of County and City Commissioners through the use of Federal Grant Dollars. As I travel around to the various counties, I am noticing common denominators. Windmills, in most counties, are not popular among the citizens due to taxpayer funding of the windmill farms. And, in most of the counties, it is a County Commissioner who is the first benefactor of the windmill farm. The farms then expand to his/her neighbors. Another common denominator is the use of Comprehensive Planning and Zoning as means of public notification of federal projects that affect the daily lives of every citizen. The state of Kansas has been left out of this direct lobbying by the federal government of local entities. That intentional usurping of the state of Kansas by the Federal Government must come to an end.

You received emails from me about the EPA's new **Waters Of The United States (WOTUS)** and how that program compliments the other federal program of **Public Use Trails**, funded through the Department of Transportation since the Congressional law known as MAP 21 was passed. We didn't go into much detail about the upcoming changes to the **Conservation Reserve Program** employed by the new **Executive Order known as 30 x 30**. Farmers along the Kansas and Nebraska border are telling me about the new 30 year CRP contracts and CRP contracts with no end dates at all. I was however, able to share with you the USDA map of acres in CRP produced by the USDA, as well as the map of lands owned by Federal and State Governments: [U.S. Geological Survey Map Viewer \(usgs.gov\)](https://www.usgs.gov/learn/land-use) That is a total of about 28 percent of these United States. More than 167,000 wilderness acres in Kansas are owned by the National Park Service, the U.S. Fish and Wildlife Services and the U.S. Forest Service. That does not include the military and other installations in Kansas. Nor does that count state owned parks. I do regret that I did not provide a great deal of material on the additional tools used against landowners. The **Endangered Species Act**, nor the **Historical Preservation Act of 1966** or the **Antiquities Act of 1906**. All of which, are tools to enforce the Executive Order known as 30 x 30.

It is that Jurisdiction created by Congress that concerns me the most about **National Heritage Areas**. Between Freedom's Frontier National Heritage Area and the proposed National Heritage Area of Kansas Nebraska Heritage Area Partnership, 51 Kansas counties will fall under Federal Jurisdiction. Federal Boundaries are voted on by Congress. From Freedom's Frontier National Heritage Area enabling law: "*Sec. 264 (b) Boundaries. – The Heritage Area may include the following: (1) An area*



*located in eastern Kansas and western Missouri, consisting of- (A) Allen, Anderson, Atchison, Bourbon, Chautauqua, Cherokee, Clay, Coffey, Crawford, Douglas, Franklin, Miami, Neosho, Pottawatomie, Riley, Shawnee, Wabaunsee, Wilson, Woodson, Jefferson, Montgomery, Osage, and Wyandotte Counties in Kansas;"*

1. Create Federal Jurisdiction using a National Heritage Area, National Park, National Preserve, National Monument, etc.
2. Develop a Land Management Plan.
3. Use any and all departments and regulating agencies, as tolerated by the courts and governing bodies, or proven to be successful in other areas, to implement the land management plan and encourage people to move away while using private partnerships to buy up the land or property rights to it.
4. When the population is small enough that letters to Congress are ignored and the press will not show up, start closing access to the land. Close the roads, camping areas, and general public access.
5. Declare "Climate Crisis" as the cause of unmanaged, fuel-heavy forests, burning up.

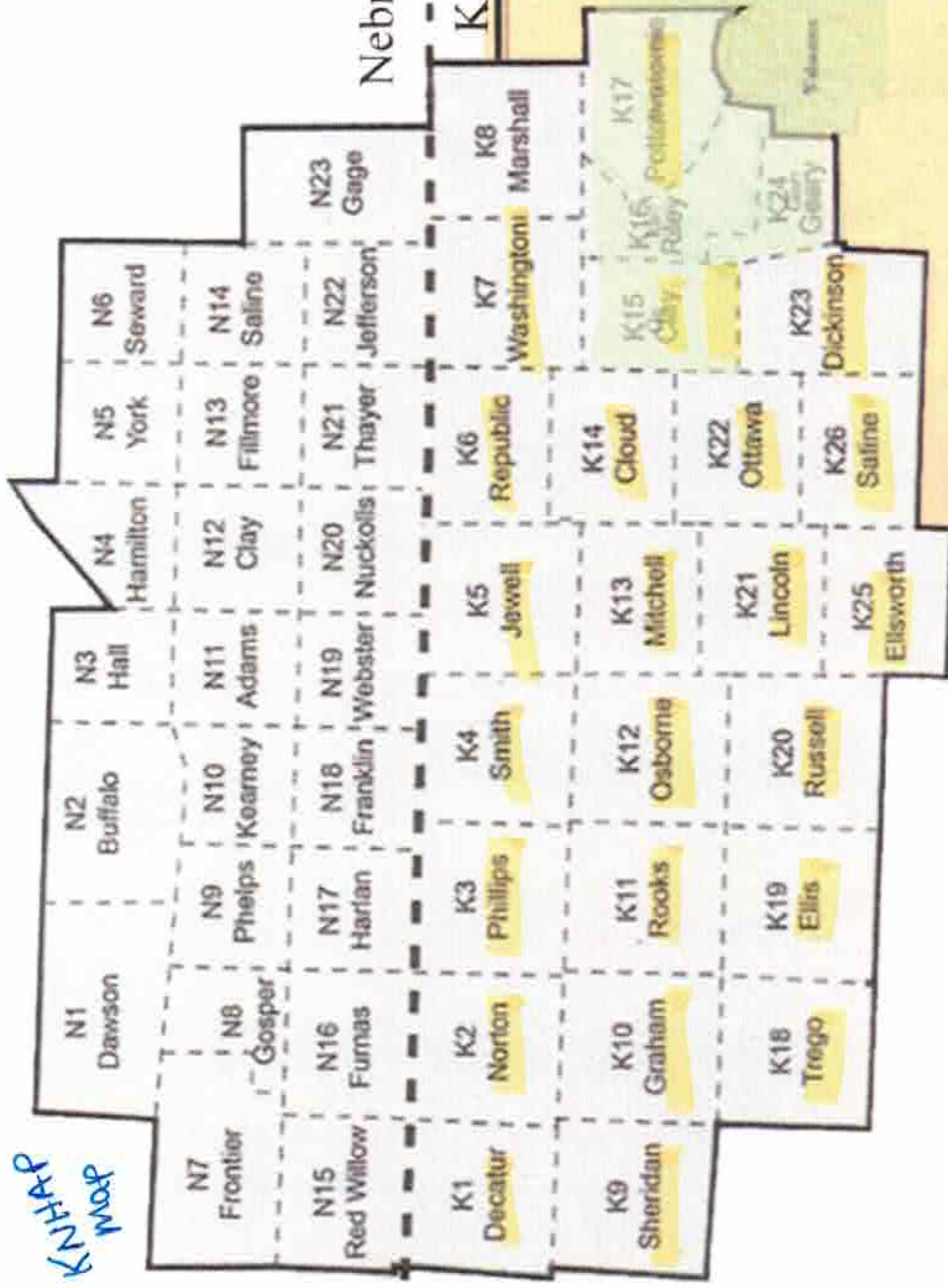
Many examples of how the process of **Regulatory Takings** is implemented can be found in the states to the west of Kansas. In my emails to you, I recommended adopting laws similar to Montana's and North Dakota's law on National Heritage Areas and federal land programs. That an approving vote of the majority of the legislature of Kansas is needed before any NHA, Park or other federal boundary or acquisition is created or expanded in Kansas. To deny funding to any NHA or federal land program that fails to gain the majority vote of the Kansas legislature. This would force the NHA to at least follow one of the laws governing all NHAs, that is to gain the support and consent of the people before applying to become a National Heritage Area as dictated in the National Park Service guide for National Heritage Areas. As of today, 28 of the 51 afflicted counties in Kansas has passed resolutions opting out of being included in the National Heritage Areas with more counties pending resolutions.

Everything that I testified to today, is the reason why I volunteer for Convention of States, Protect the Harvest and Rising Kansas. None of these organizations has financially contributed to my effort to regain my elected representation and restore my property rights here in Lyon County.

  
Angel Cushing



KNHAF  
New  
Map



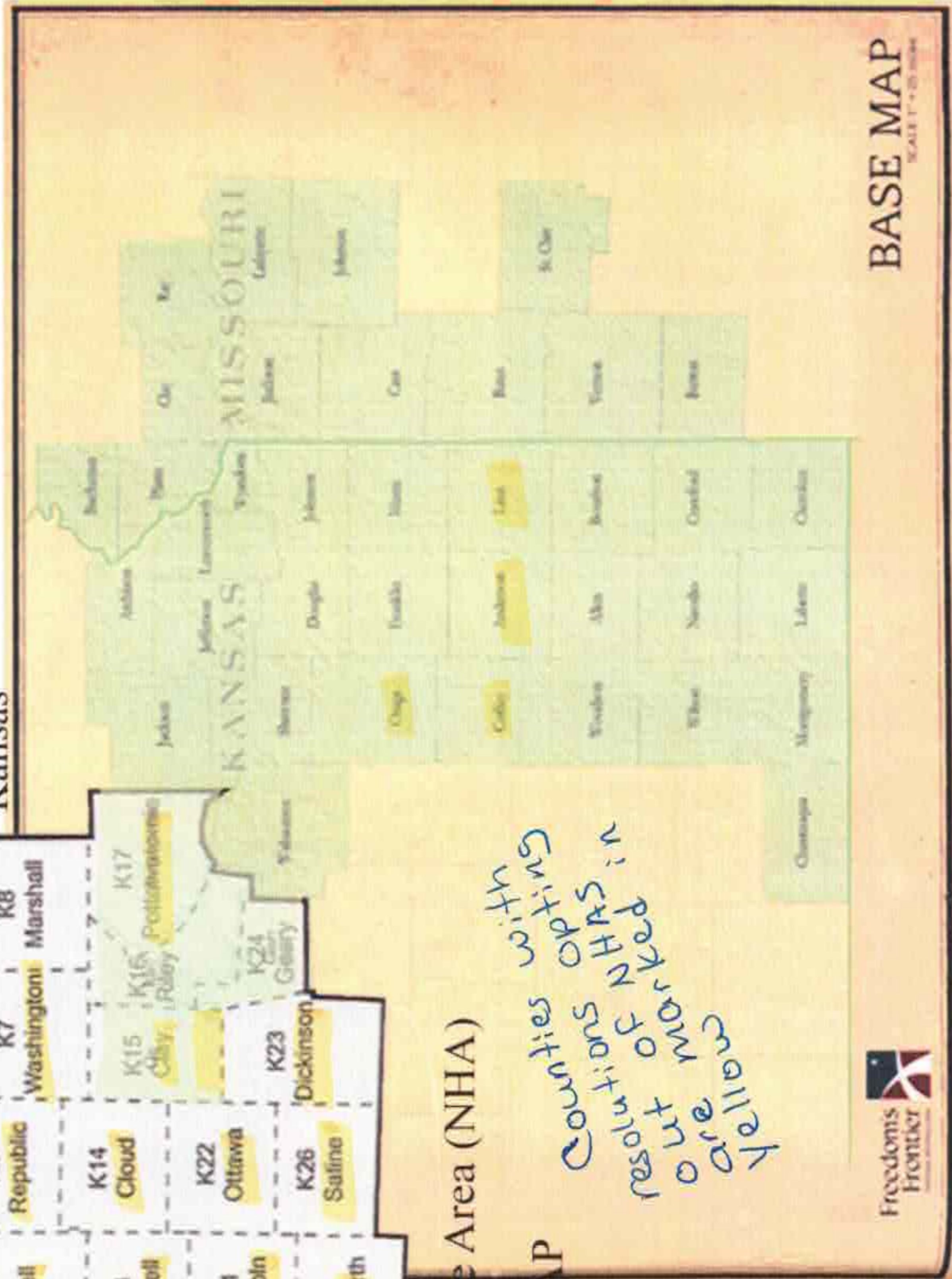
Kansas Nebraska National Heritage Area (NHA)

Proposed by the KNHAF

49 counties  
22 million acres

Freedom Frontier Heritage Area  
29 Kansas counties &  
12 Missouri counties  
19 million acres

Nebraska  
Kansas



with  
counties overlapping  
resolutions of NHA in  
out map had in  
are yellow



BASE MAP  
SCALE 1" = 25 miles

4 counties overlap into both areas. Why?  
Clay, Riley, Pottawatomie, Geary counties are in Freedom Frontier.  
Why would you put them in another Heritage area?



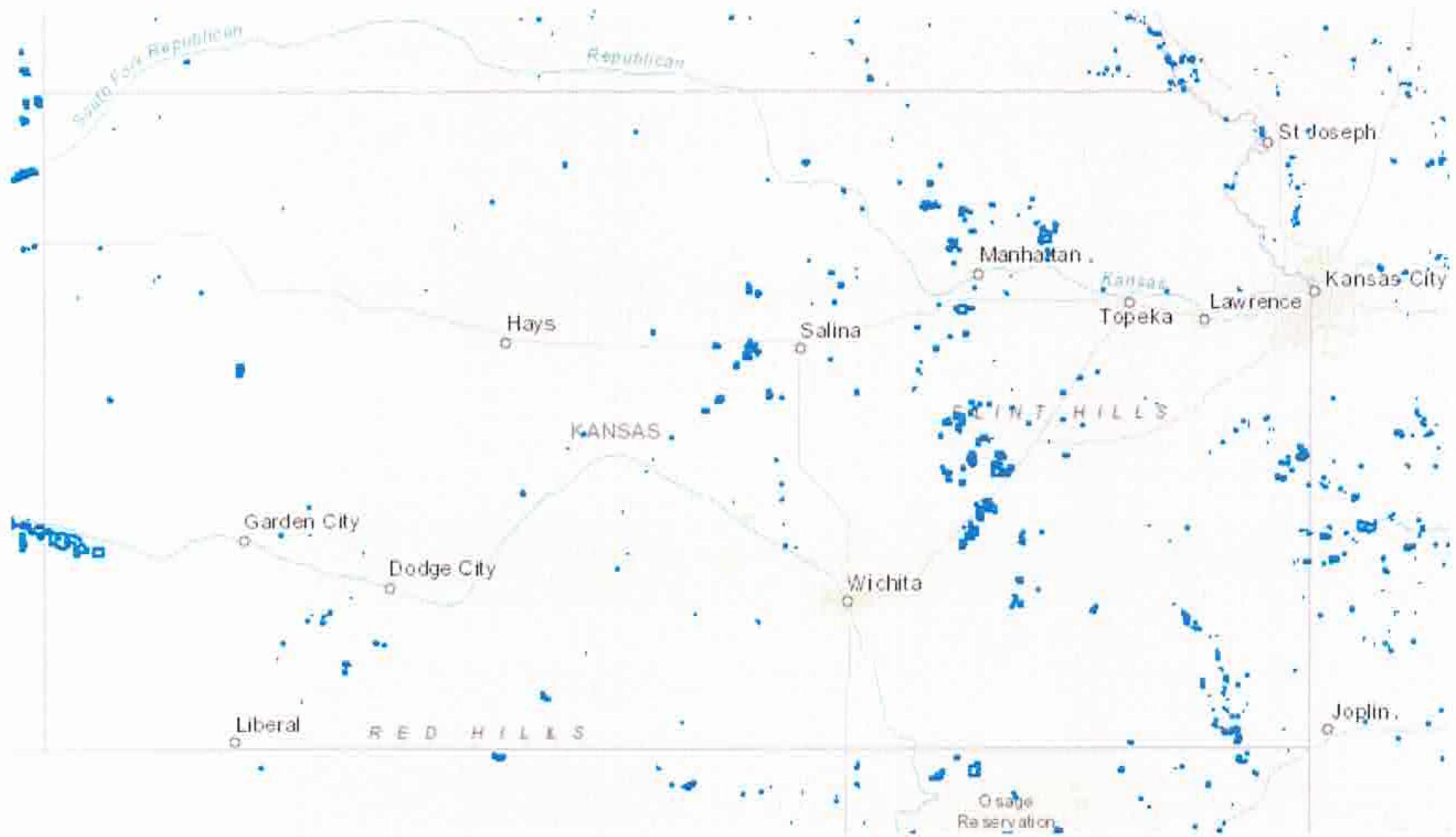


Shaded areas within the states are federal lands in various forms of preservation.

<https://maps.usgs.gov/padus/>

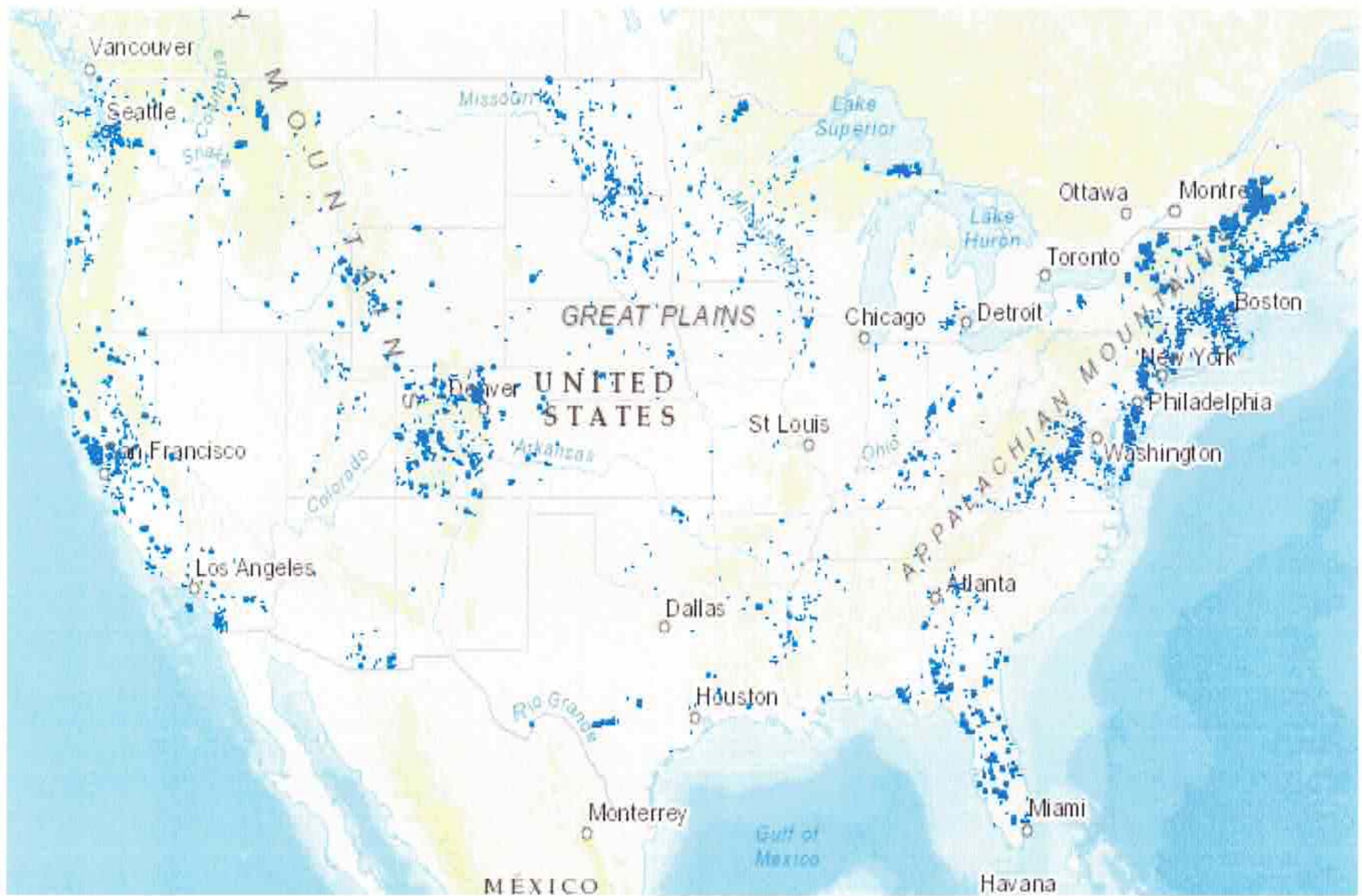






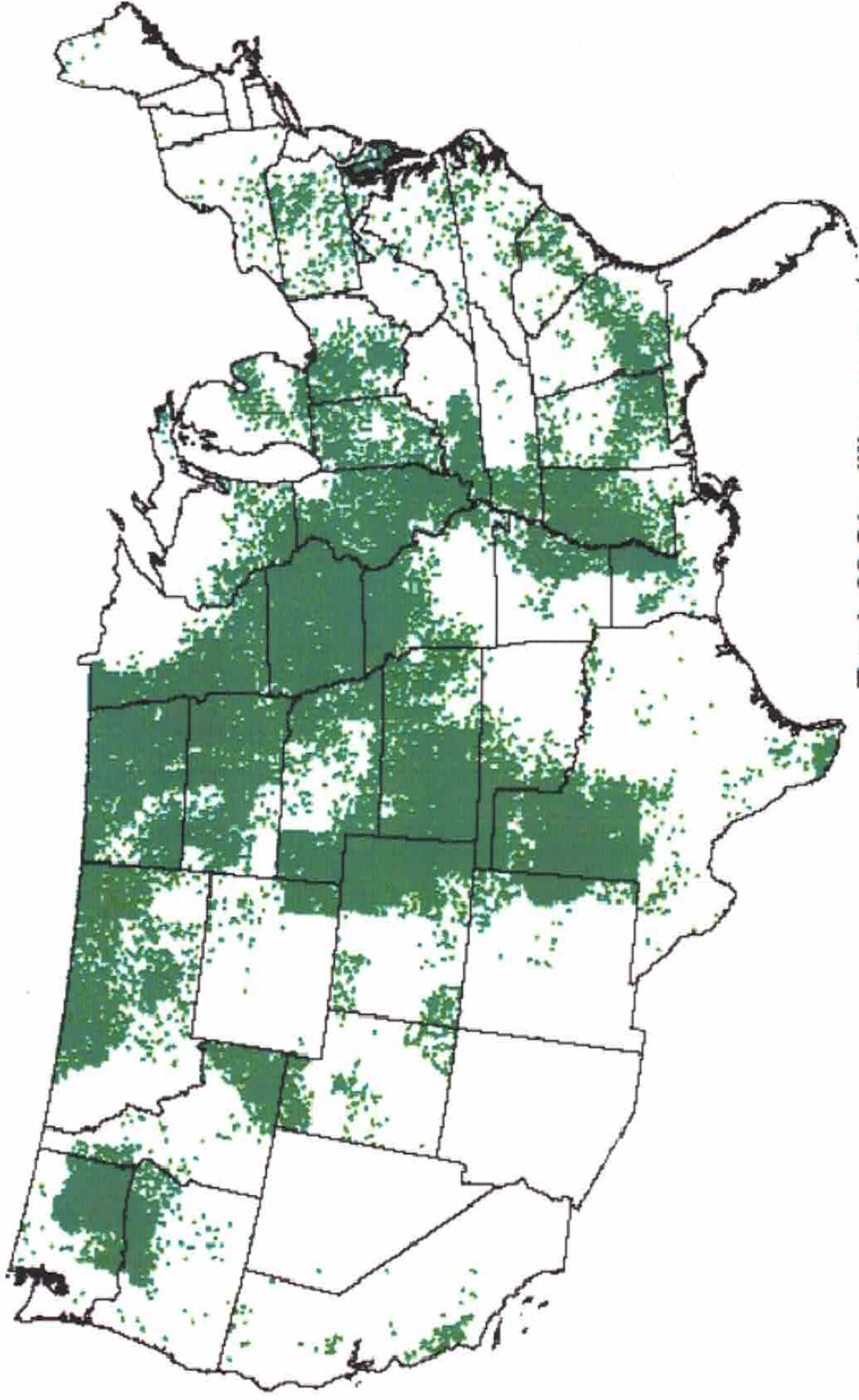
Land in forever conservation easements are outlined in blue.

<https://www.conservationeasement.us/interactivemap/>





# Current CRP Enrollment - September 2021



Total: 20.51 million acres

1 Dot = 1,000 acres