



Since 1894

Date: January 22, 2024

To: House Committee on Agriculture  
Rep. Ken Rahjes, Chair

From: Aaron M. Popelka, V.P. of Legal and Governmental Affairs, Kansas Livestock Association

Re: **HB 2541 AN ACT concerning natural resources; relating to state moneys for conservation; establishing the state conservation fund.**

Position: Opponent, In-Person

*The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing more than 5,700 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf, and stocker cattle production; cattle feeding; dairy production; swine production; grazing land management; and diversified farming operations.*

Thank you, Chairman Rahjes, and members of the Committee, for allowing the Kansas Livestock Association (KLA) the opportunity to share our views on HB 2541. In its current form, KLA opposes HB 2541 because it allows the Kansas Department of Wildlife and Parks (KDWP) to use the conservation fund to acquire additional land and includes language that could unnecessarily restrict grazing activities in Kansas. With the amendments discussed below, however, KLA could support many of the other provisions of the bill.

Before discussing KLA's concerns, the Committee should understand that KLA policy supports a working lands state conservation program that is appropriately funded. More specifically, KLA policy "supports state legislation creating a Kansas conservation easement funding source." KLA believes HB 2541 advances that goal and could be an important step to bring additional federal conservation dollars to Kansas. These federal dollars often cannot be accessed because the State does not have the funding to meet the federal matching requirements.

Despite advancing KLA's working lands conservation goals, HB 2541 contains two provisions KLA cannot support and must be changed before KLA could support the bill. The first issue is the manner in which grant applications could be used for grazing projects. On page 3, line 6, the bill allows "grazing land rest, rotation and management." KLA does not take issue with using conservation funding for grazing management, but the Committee should remove the words "rest" and "rotation." KLA members have experienced federal agencies using language like this to unnecessarily restrict grazing on working lands. We encourage the Committee to

avoid language like this that could prohibit grazing or restrict grazing at suboptimal stocking rates on projects funded through the state conservation fund created by the bill.

The second provision that KLA cannot support is allowing use of the conservation fund for KDWP fee simple acquisition of land. At the 2023 KLA convention, KLA members adopted the following policy: “the Kansas Livestock Association opposes the purchase or acquisition of additional land by the Kansas Department of Wildlife and Parks.” This policy was driven by members who have observed KDWP land being mismanaged over the years. State lands that should be native grasslands have often been allowed to devolve into properties infested with invasive and noxious plant species. Instead of land acquisitions, KLA believes KDWP’s “current budget authority for land acquisition should be repurposed to control invasive species and restore native grasslands.”

KLA recommends the Committee amend the HB 2541 by deleting subsection (h) in sections 2, 3, and 4, and replace each subsection with the following: “(h) Fee simple land acquisitions by a state agency shall be prohibited.” Not only would this prevent the state from acquiring land it cannot maintain, but it would also make more funds available for private sector conservation investments on working lands.

KLA appreciates the opportunity to submit testimony as an opponent of HB 2541. We agree with many of the goals of the bill, and believe with some adjustments, HB 2541 could be legislation that KLA supports. However, if the Committee does not remove the ability of KDWP to use the funds to buy more land and retains the restrictive language on grazing, KLA will continue to oppose the bill.