

THE KNRC WATCHMAN

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AN EYE ON THE BALL AND HAND ON THE TILLER

Friends come and go,
but opponents, - well,
they accumulate.

- J. R. Carlson KNRC
Executive Director

For us at KNRC, we had - in my opinion - a *great* 2014, and the upcoming year is bound to contain grit-building opportunities to forward the 2015 Agenda set by the KNRC Policy committee last November.

Think about it - KNRC has been in existence for a mere 1.5 years, and the Coalition is well structured, has bylaws, and we now are working on incorporation; we are party to [at present] one lawsuit; regulators and legislators from both sides of the aisle know who we are and attend our meetings; and, we have our feet firmly planted in mid-air on some crucial policy issues.

Beyond the issues, KNRC is getting some predictably bad local press - not to mention down talk from a few Topeka blue-suits. Like mom used to say, *"If everybody likes you, then something is desperately wrong; but if the right folks support you, then you are on to something."*

It is important to remember that taking positions on the issues, particularly private property rights, balanced environmental rules, reasonable taxes and the right to have voice in issues that affect our communities can rub the command-and-control, top-down folks who themselves have no problem imposing rules with impunity.

The key question - which is of vital importance - is that we handle disagreement with respect for the system, understanding of the rules and care for our fellow man with whom we may not agree.



PRESIDENTS ADDRESS

Friends,

As I write this on the eve of the new year, I wish to express my hope that you all enjoyed a Merry Christmas with family and friends, and that you continue even now to enjoy our blessed Saviors' birth.

While the Steering Committee has enjoyed some much deserved down time for the Christmas season, it is time to get back to work. We have been working on budget and honing the KNRC agenda for the coming year.

I am discovering that in Policy work developments occur on a *weekly* basis, and I need to modify a Mark Twain quote to include Administrative Government, when he said:

"No man's life, liberty, or property are safe while the legislature is in session"

as they never take a break. In light of recent events and a firmer understanding of developments, new opportunities have come about for KNRC, and I am excited to share those with the Policy Committee **at our upcoming meeting in Garden City on January 22nd.**

By way of opportunities - or perhaps advance warning - some will soon hear from me as KNRC needs to add 2 subcommittees, and your skills, and contributions would be appreciated.

For their part, Committee assignments are not long term in duration, but they are more than I can ask of the Steering Committee, who is now at capacity. Consistent with our KNRC structure and to maintain continuity, a member of Steering Committee will chair each subcommittee, and I am grateful for your consideration of contribution of time to further the KNRC mission.

In closing, it is my hope each of you envision the positive influence that KNRC may provide not only for our member counties and commissioners but also for our citizens and our state. I believe we have done great things so far and am

very much looking forward to continuing our hard-won progress in coming years.

I ask God the Father to bless us all with a servant's heart and the peace and wisdom of His Holy Spirit.

Happy New Year,

- Commissioner Shawn Tasset of Ford County - President KNRC Steering and Policy Committees

KNRC REGIONAL CONSERVATION EASEMENT SUMMIT

Within the last two years, the federal government and environmental groups have earmarked astonishing levels of funding for the purchase of in-perpetuity Conservation Easements - both in Kansas and throughout the nation.

At KNRC, we believe it crucial and timely to understand the trade-offs, tax implications, conservation benefits, property devaluations, or potential long-term implications that will arise from transition of agricultural, wetland and other useful working lands to non-productive native land.

With transparency, understanding and a full vetting in view, the KNRC Steering Committee is going to make Conservation Easements the central theme of our first annual conference - scheduled for Wednesday afternoon, April 8 and all day Thursday, April 9. This will be an outstanding event you won't want to miss.

KNRC believes public presentation of the issues and the social events planned for the conference will add much to the understanding of county commissioners, legislators, agricultural interests, and real-estate professionals - particularly as state and federal legislators convene legislation over this essential topic.

KNRC Conservation Easement Summit - Preliminary Details:

- **When:** Wednesday, April 8 and Thursday, April 9;
- **Where:** Buffalo Bill Cultural Center - Oakley, Kansas;
- **Hotel:** Room Block TBA in January;
- **Speakers and Format:** TBA in Early February.
- **Keynote Speaker [invited]:** Congressman Tim Huelskamp



LITIGATION LANE

LESSER PRAIRIE-CHICKEN -

It now appears all 5 Lesser Prairie Chicken Lawsuits will be consolidated and decided in the Northern District Court of Oklahoma. Recently, The Department of Justice (DOJ) lost two bids to have the cases transferred to the DC Court. We interpret this as very positive for the counties, the private sector, and upcoming litigation planned by KNRC. We are also encouraged by recent rulings in regional courts on the Dunes Sagebrush Lizard and Utah Prairie Dog. We believe those cases provide a judicial bellwether for the upcoming Lesser-prairie Chicken cases to be tried in Oklahoma. In the Dunes Sagebrush Lizard ruling, the court held USFWS cannot arbitrarily list a species until local conservation plans and binding commitments have been given a chance to work. Because USFWS has not acknowledged the viable KNRC Conservation Plans whatsoever, we are confident precedent rulings will set a negative litigatory tone, as local government - by its very proximity to conservation activities - has a central role to play in conservation activities.

PEOPLE vs. UTAH PRAIRIE DOG (UPD) -

A Federal Judge struck down the USFWS Endangered Listing as unconstitutional because the Utah Prairie Dog (UPD) does not substantially affect Interstate Commerce. This is an important win for property rights as the People for the Ethical Treatment of Property Owners - a Utah property rights organization - contended listing of the UPD restricted construction of homes/businesses and maintenance of parks & a local cemetery. Read more: <http://www.pacificlegal.org/releases/11-6-14-PETPO-1-1414>

FEDERAL JUDGE RULES in FAVOR of TEXAS COMPTROLLER -

The US District Court for DC recently struck down a lawsuit brought by environmental groups asking the court to require USFWS to reconsider its June, 2012 decision not to list the Dunes Sagebrush Lizard (DSL) as endangered. This ruling is a huge victory for the Texas Conservation Plan (TCP), the DSL, industry and local government, and we believe will set the platform for the upcoming litigation on the Lesser Prairie-Chicken. In his ruling, Judge Contreras noted "the Court finds that the USFWS's withdrawal decision rested on 'the best scientific and commercial data available,' as required by the ESA." The plaintiffs also argued the DSL was not being protected because the TCP was voluntary and partners to the plan were providing too little information to USFWS. According to the Texas Comptroller, and Judge Contreras, this is not the case. At the time of the USFWS decision not to list the DSL, Interior Secretary Salazar lauded the TCP as "a great example of how states and landowners can take early, landscape-level action to protect wildlife habitat before a species is listed..." Read more: <http://www.window.state.tx.us/news2014/141001-sagebrushlizardruling.html>

REMINDER

Kansas Natural Resource Coalition
2015 Annual Policy Meeting

January 22, 2015

Kansas State University - Extension Office
4500 East Mary Street
Garden City, KS 67846

Please, RSVP by 2 p.m. January 20, 2015

The Kansas Natural Resource Coalition
C/O Logan County, Ks Clerk
710 West 2nd Street
Oakley, Kansas 67748-1233
Email: KNRC.Counties@gmail.com

KNRC Newsflash

BLM Resource Management Plan -

On Tuesday, February 3, BLM is hosting a Wichita meeting on the economic implications of its Environmental Impact Statement (EIS) and Resource Management Plan (RMP) revision process. The RMP addresses Federally-owned surface & mineral estates - encompassing over 850,000 acres in 90 Kansas counties, and many KNRC counties have a substantial interest in this process. KNRC is hosting a training session January 29 for those planning attendance, and all counties are encouraged to attend the BLM Meeting. Contact Sheila Ellis for details and location.

Forest Service Controlling and Restricting Water Rights -

Pacific Legal Foundation reports FS "is proposing broad new restrictions and controls on groundwater rights near national forests. These mandates would apply wherever the exercise of water rights 'would affect forest resources.'" Under the proposals, property owners needing a Forest Service Permit, would be forced to surrender groundwater rights during the permitting process.

Sheila's Statistics:

⇒ **FALL 2014:** USFWS Reports a Black Footed-Ferret (BFF) Logan County Census count of 11 total animals with 8 located on the Haverfield Complex and 3 on The Nature Conservancy's Smoky Valley Ranch.

⇒ Through Oct. 2014 of the "experimental" project, 251 Ferrets have been released or born, which translates into a **95.6% mortality rate**.

⇒ With numbers **falling 50%** [Fall 2013-22 Ferrets; Fall 2014-11 Ferrets] USFWS released an additional **24** Ferrets last November.

⇒ **Spring 2014**-Over 6 years of USFWS program, the per-ferret established cost - not including expenditures by other Federal agencies, Kansas Dept. Wildlife, Parks & Tourism and Logan County - is **\$113.113**.

⇒ USFWS has not indicated when we will be done spending time, effort, and taxpayer money on the BFF program, but these glaring statistics certainly lay testimony to decisions that needs to be made.....

The KNRC Vision

The Kansas Natural Resource Coalition (KNRC) is an association of counties who maintain collective and participatory involvement in administrative government on behalf of our citizenry. The coalition serves as a conduit between local, state and federal governments to promote balanced, necessary and effective administrative policy making. Our mission is to monitor, analyze, understand, communicate, and participate in those initiatives that materially affect the natural or human systems governed by individual member counties.