



**Testimony Opposing HB 2541
Establishing the “Working Lands Conservation Fund”
American Stewards of Liberty
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My name is Dan Byfield, CEO of American Stewards of Liberty. ASL is a nonprofit, private property rights organization located in Texas with members in all 50 states, including Kansas.

House Bill 2541, creating the “Working Lands Conservation Fund,” is a laudable goal promoting conservation on working lands through, among others, irrigation efficiency, grazing rotation and management, soil health practices, and other practical and normal activities that benefit the land.

However, there are very specific concerns that arise when the goals within this bill include “long-term land protection from conversion or loss of habitat, biodiversity, sustainable and regenerative timber management, and ecological restoration,” along with other issues discussed.

Within the past several years, these terms can be interpreted differently as a result of the Biden Administration’s attempt to lock up 30 percent of our nation’s lands and waters by 2030.

What must be discussed is language that was passed in the Inflation Reduction Act of 2022, that made specific language changes to our federal conservation programs that have direct consequences to the language in HB 2541 should this legislation be adopted.

Specifically, HB 2541 states under “New Sec. 2. (g) Applications providing an opportunity to capture federal, private or other nonstate matching moneys through a state or local match shall be prioritized. Matching moneys shall include cash contributions, noncash contributions including land value donations and in-kind contributions.”

Without specifying it, this bill prioritizes the purchase of, donation of and matching federal grant funds for conservation easements. That is why under Sec. 2, subparagraph (e) “nonprofit entities shall be eligible to receive funding from the grant program.” Nonprofit governmental organizations (NGOs), or land trusts, are supporting this legislation because they will be one of the main entities benefiting from passage of this legislation. They will receive large grants to purchase private property or place as many conservation easements as possible on private lands, playing right into the hands of the Biden Administration’s 30x30 goal.

How HB 2541 Dovetails into Biden’s 30x30 Plan

President Biden initiated the 30x30 plan on January 27, 2021, by Executive Order #14008. Private land is being included within this plan by the government encouraging

landowners to: (1) enroll in conservation programs they already trust and utilize, (2) through conservation easements in perpetuity, and (3) through direct federal acquisition.

The Inflation Reduction Act of 2022 (IRA) dramatically increased the money offered for the conservation programs as an enticement to enroll as much private property as possible into Biden's 30x30 plan. According to a USDA press release issued February 13, 2023, the first distribution of \$850 million began in the spring of 2023.

Proponents of 30x30 believe private lands must be a significant part of the protected areas in America. They seek to preserve lands of high biodiversity and productivity, which are largely those which have been privately owned, and therefore properly managed. Creating a federal nexus to private land is critical for them to be positioned to eventually exercise the centralized control they seek over all of America's land, and therefore our food supply.

Proponents of HB 2541 see these federal dollars as their opportunity to advance "conservation" in the State of Kansas, but what they will be accomplishing is the goal of the Biden Administration to lock up as much private property as possible through federal matching funds.

Once the State of Kansas accepts the federal matching funds for conservation purposes, this federal agenda will have its claws in your state.

How Conservation Programs Changed to Mitigate Climate Change, Limit Livestock Emissions, and Control Agriculture Production

What you must understand is the U.S. House Select Committee on the Climate Crisis released a report in 2020, that set forth the policy changes that must be advanced to achieve the 30x30 goal. A series of steps were outlined to move privately owned lands into protected status. These are:

1. Increase funding for, and enrollment of private acreages in, existing conservation programs such as the Conservation Reserve Program (CRP), Environmental Quality Incentives Program (EQIP) Agriculture Conservation Easement Program (ACEP), and Wetland Reserve Program (WEP);
2. Change the propose for the conservation programs to prioritize mitigating the climate crisis; and,
3. Move lands enrolled in the conservation programs into conservation easements held in perpetuity.

In 2021, the U.S. Department of Agriculture (USDA) implemented the first step to expand the Conservation Programs by increasing the funds available to landowners, paying more per acre to entice more enrollments, and expanding the type of acreages that qualified under the programs.

In August of 2022, Congress implemented the second step by changing the priority of the funds for conservation programs. The Inflation Reduction Act (HR 5376) authorized an additional \$20 Billion for the conservation programs. Prior to this Act, the purpose for the conservation funds was to encourage good stewardship practices that improved agriculture production as directed by the Farm Bill and Food Safety Act of 1985. However, the purpose for the additional funds under the *Inflation Reduction Act* changed the prioritization **to mitigating climate change, limiting livestock emissions, and controlling agriculture production.**

As an example of the language change, the EQIP program states:

SEC. 15002 (a)(1)(B) Environmental Quality Incentives Program: (II) with the Secretary prioritizing proposals that utilize diet and feed management to reduce enteric methane emissions from ruminants; (iii) the funds shall be available for 1 or more agricultural conservation practices or enhancements that the Secretary determines directly improve soil carbon or reduce nitrogen losses or greenhouse gas emissions, or capture or sequester greenhouse gas emissions, associated with agricultural production; and (iv) the Secretary shall prioritize projects and activities that mitigate or address climate change through the management of agricultural production, including by reducing or avoiding greenhouse gas emissions; (Inflation Reduction Act, HR 5376 117th Congress)

Similar language changes were made to each of the conservation programs. Unfortunately, very few landowners and policymakers are aware of the switch and that is why American Stewards is testifying against HB 2541. It will make it easier for federal agencies to restrict use of their private land.

Do Not Adopt HB 2541

As well intentioned as HB 2541 might appear, the reality that will be accomplished by the creation of the “Working Lands Conservation Fund,” is the exact federal connection the Biden Administration wants once federal matching funds and grants are accepted and private lands are encumbered by these nefarious federal programs created by the Inflation Reduction Act.

Don’t allow your state to fall into this enticement of “free” federal dollars. The strings attached will destroy your private landowner’s ability to manage their land in a way that supports crop production, animal husbandry, and sound management techniques that provide tax revenues for local and state services.

Thank you.

American Stewards of Liberty is a 501(c)(3) non-profit organization whose mission is to protect property rights and the liberties they secure by defending the use of our land and restoring local control. This testimony is provided to educate state and local officials, and property owners, on actions that erode property rights and identify responses that would bring these actions in alignment with full Constitutional protection of these rights.

Our most recent victory was the defeat of the Biden Administration's Security and Exchange Commission's proposed rule to create Natural Asset Companies that would have taken public and private lands and enrolled them into private companies, that would then control and manage those lands for sustainability not allowing any use of the land for productive means. The application was withdrawn by the NYSE on January 17, 2024.