



**North Dakota  
Farm Bureau**

*Bringing ag home*

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## **Interim Natural Resources Committee**

*September 6, 2011*

### **Testimony by North Dakota Farm Bureau**

*presented by Sandy Clark, public policy director*

Good morning, Mr. Chairman and members of the committee. For the record, my name is Sandy Clark and I represent North Dakota Farm Bureau.

We appreciate the opportunity to present to you today on your study of federal designations of private and public lands. Our North Dakota Farm Bureau members continue to be frustrated by the federal government's desire to control land and encroach on private property rights.

Some of these designations are federal law, while others are simply implemented by agencies without the force of law. States cannot supersede federal law. But we encourage this interim committee to utilize your resources to study what other options may be available to North Dakota to stop what amounts to a federal land grab.

We believe it is time for this state to examine all possibilities to take back control of our state lands and protect our private property owners.

NDFB encourages the Legislature to make sure no state-owned land is enrolled in any of these federal designations.

NDFB has worked with our Congressional delegation to repeal some of these programs and/or at least defund them. At this point, we have not been successful. We believe it is going to take the combined strength of all of us in North Dakota, combined with other states, to stop the federal government.

These federal designations cost money and lots of it. When our country is challenged with a huge federal deficit and the need to cut spending, these kinds of federal designations should not even be on the table.

I'll focus on just a few of the designations that concern Farm Bureau.

- 1) The most recent designation to come down is the U.S. Fish & Wildlife Service's "Dakota Grasslands Conservation Area." The U.S. Fish and Wildlife Service is proposing to accelerate the acquisition of wetland and grassland habitat in the Prairie Pothole Region, including North Dakota, South Dakota and Montana. The USFWS has identified purchasing perpetual easements on 240,000 acres of wetlands and 1.7 million acres of grassland for migratory bird habitat at a cost of \$588 million over 25 years. When complete, the strategy would include 1.8 million acres of wetland and 10 million acres of grassland throughout the three-state region.

By its own admission, USFWS does not have the financial resources to purchase these easements, so will be using alternative funding sources, like the Land and Water Conservation Fund. LWCF grants are awarded to states and other entities to support the acquisition and development of state and local parks, recreational facilities, wildlife habitat, etc. We encourage you to make sure that any of these North Dakota state grants are not used to purchase these federal perpetual easements. We hope the state could study the possibility of denying the federal government participation in North Dakota.

Our country is already in dire financial condition from wasteful spending. This project is just another example of government spending run amuck.

- 2) Discussion continues to surface on designating the Little Missouri in the Badlands as a “Wild and Scenic River.” This would stop any development along the river and impede livestock grazing. Then they could enact buffer zones. Some of this area may be federal land, but a lot of it is private property.

When they get the designation on the Little Missouri, you can be sure they’ll be after the same designation for the Missouri River. Environmentalists say they want to return the area to its “original pristine” state. If you really study the history of these rivers, there were no trees. There was only buffalo. The original state along most rivers was nothing more than over grazed native prairie covered with buffalo dung. I question if that’s what North Dakotans really want?

- 3) Then there is an effort to designate “Roadless Areas” in the National Grasslands, particularly in western North Dakota. The National Grasslands is comprised of federal land, but private property is co-mingled within the boundaries of the National Grasslands. The federal government should not be able to drive North Dakota’s private property owners and ranchers out of business because they happen to be within a certain boundary.
- 4) You will recall the Senate bill from the last Session about the Northern Plains National Heritage Area. As legislators, you had the wisdom to require approval of the State Legislature before any state money was spent for federal matching dollars to enroll in a Heritage project. Farm Bureau appreciates your efforts.

I could go on about other federal designations, like wilderness areas, and President Obama’s Great American Outdoors Initiative, the Treasured Landscapes program and many others.

These federal designations are eroding state’s rights and having a negative impact on private property rights.

Thank you for your attention and I would try to answer any questions you might have.