Statement By Jeff Aiken Vice President of the Tennessee Farm Bureau Federation to the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs Concerning the Draft Land Protection Plan and Draft Environmental Assessment for the Proposed Expansion of Chickasaw and Lower Hatchie National Wildlife Refuges

Mr. Chairman, members of the subcommittee my name is Jeff Aiken. I'm a Tennessee farmer and the Vice President of the Tennessee Farm Bureau Federation (TFBF). Tennessee Farm Bureau Federation represents more than 95 percent of the state's farmers. The most recent agricultural statistics survey reports Tennessee farmers collectively own 79,000 farms utilizing nearly 11.5 million acres of farm and forestland in this state. My office of Vice President is elected by the farmer members of our organization.

On behalf of the farmers of our state, we appreciate this opportunity to comment on the Draft Land Protection Plan and Draft Environmental Assessment for the Proposed Expansion of Chickasaw and Lower Hatchie National Wildlife Refuges.

My comments are divided into two parts. First, I will address the general policies within the plan that are in conflict with our Farm Bureau Policy. Secondly, I will point out specific items in the proposal that are problematic to the agricultural community.

PART 1

The grassroots Farm Bureau members develop the Farm Bureau policy each year to guide the organization on issues of importance. The TFBF policy represents the best thought and judgment of the Farm Bureau membership in the 95 counties in Tennessee.

Three specific topics within the *Draft Land Protection* proposal conflict with our Farm Bureau policy.

- 1. TFBF supports a "No Net loss of Private Lands".
- 2. TFBF protects the rights of property owners adjoining public lands.
- 3. TFBF opposes the release of species of animals not currently established.

"No Net loss of Private Lands"

Farm Bureau members believe government owns sufficient property and therefore opposes F&WS acquiring additional land. We support a national policy of "no net loss of private lands". Recognizing the priorities of land protection and ownership may change over time, our members believe the government should be required to release an equal dollar value of productive farm property for public sale whenever new lands are purchased by government.

In addition, the financial impact on the county and county taxpayers should be considered when the government buys land depriving the county of taxes, jobs and other revenue. All these factors should be measured before other land is taken out of production. We support an option for current surface landowners to buy back F&WS and Natural Resource Conservation Service perpetual conservation easements at market value.

Adjoining Private Land Owners

We commend the F&WS decision to purchase property from willing sellers only and not to use any eminent domain.

However, caution should be exercised to insure property adjoining or neighboring F&WS property is not negatively impacted. Farm Bureau believes any action by government that diminishes an owner's right to use his property is a taking of that owner's property. Drainage issues are a common problem of landowners who join governmental property. The proposal advocates "restoring flood plain hydrology on newly acquired lands where agricultural drainage is no longer needed." Landowners often experience difficulty maintaining adequate drainage due to land management decisions on the governmental property.

In addition, increased occurrences of trespass and increased crop depredation due to wildlife are often experienced by landowners who adjoin wildlife refuges.

PART 2

Specific Comments to the Plan

The following comments are specific to areas Farm Bureau opposes within the proposed plan.

- 1. Lack of Diversity in Stakeholder Involvement
- 2. Limited Alternatives
- 3. Incomplete Data related to Local Economic Impact

Diversity in Stakeholder Involvement

The 120,078 acre expansion plan lacks diversity in input from those most directly impacted. The largest extent of the proposed acquisition area is in agricultural land, with corn, cotton, and soybeans comprising the majority of the crops produced. Agricultural property represents over 70,000 acres or nearly 60 percent of the proposed total expansion area and yet only one of the twenty-one groups (USDA) have any agriculture involvement.

A plan involving 70,000 agricultural acres deserves more input from the agricultural community than just USDA. Of the seven agencies and fourteen private organizations from which input was sought in developing the plan, USDA is the only agriculture group represented. Apparently, no state agriculture input was sought.

AGENCIES: Tennessee Wildlife Resources Agency, Tennessee Department of Environment and Conservation, U.S. Department of Agriculture, U.S. Geological Survey, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency - Region 4, Tennessee Commission of Indian Affairs

PRIVATE ORGANIZATIONS: The Trust for Public Land, The Nature Conservancy, Ducks Unlimited, The Conservation Fund, Tennessee Wildlife Federation, Mississippi River Corridor, Tennessee Sierra Club - Tennessee Chapter, Friends of West Tennessee Refuges, Tennessee Parks and Greenways Foundation, Chambers of Commerce for Dyersburg, Ripley, Covington, and Brownsville

Limited Alternatives

Although the Service considered and evaluated three alternatives, Alternative 1 (no action) and

Alternative 3 (acquiring 294,544 additional acres) are polar extremes. This seems to be designed to make Alternative 2 (120,078 acre acquisition) not only the preferred alternative but appear most reasonable. We do not accept this strategy.

We support what the plan disparagingly refers to as the "status quo" alternative allowing the lands to remain in private ownership and in current land uses. Furthermore, we believe the desire of private landowners and existing federal, state, and local environmental regulations (Clean Water Act, state water quality and pollution laws, etc.), have more than adequately protected the fish and wildlife habitats and natural resources in the area.

This is supported by the fact that "the Hatchie River is the last major un-channelized tributary of the Lower Mississippi River Basin that lies south of Cairo, Illinois, and contains the largest forested floodplain in Tennessee. Because this portion of the Mississippi River and the entire Hatchie River has remained undammed, un-channelized, and un-leveed, the natural processes that drive the ecosystem are functional in these areas." This occurred with private land ownership and not with public dollars.

Local Economic Impact

Transparency of the cost of removing the acreage from tax roll is incomplete. The proposal maintains the land purchases are to be funded through the Migratory Bird Conservation Fund and the Land and Water Conservation Fund. Both are funded by user fees, federal duck stamps, revenue from leasing offshore oil drilling rights, and other, non-tax sources. With our current federal debt situation there are higher public need priorities for these earmarked dollars than for land purchases. The actual land acquisition represents only a fraction of the long term cost of land management and ownership. And, presumably public tax dollars do pay the salaries and infrastructure costs of the government entities managing the property.

The local governments will become vulnerable to Washington gridlock as property is removed from local tax rolls and "compensated" by other dollars. Granted, the federal law provides for payments to be made from the Refuge Revenue Sharing Act (16 U.S.C. 715s) to local governments for lands acquired by the F&WS. The Act requires revenue sharing payments to counties for purchased lands be based on the greatest of: (a) 3/4 of 1 percent of the market value; (b) 25 percent of the net receipts; or (c) 75 cents per acre. These revenue sharing dollars actually come from the National Wildlife Refuge Fund which is funded from the dollars the USF&WS receives from products or privileges like timber sales, grazing fees, and right-of-way permit fees. These revenue sources are constantly at risk by groups opposing such uses of federal lands. History shows on occasion refuge receipts have not been sufficient to make the county payments. Congress MAY appropriate funds to make up any shortfall in the revenue sharing fund. If the amount Congress appropriates is not enough, the units of local government receive a pro-rata share.

We oppose subjecting local governments to such instability resulting from the loss of 120,078 acres from the local property tax base not to mention the lost economic benefit of production agriculture.

We encourage the agency to adopt Alternative 1.

Thank you for the opportunity to comment.