

INTERIM JOINT COMMITTEE ON NATURAL RESOURCES AND ENERGY

Minutes of the 3rd Meeting of the 2026 Interim

August 6, 2026

Call to Order and Roll Call

The third meeting of the Interim Joint Committee on Natural Resources and Energy was held on August 6, 2026, at 1:00 PM ET/12:00 PM CT in Room 154 of the Capitol Annex. Senator Brandon Smith, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Brandon Smith, Co-Chair; Senators Greg Elkins, Rick Girdler, Scott Madon, Stephen West, and Gex Williams; and Representatives Shane Baker, Jared Bauman, John Blanton, Adam Bowling, Randy Bridges, Beverly Chester-Burton, Myron Dossett, Patrick Flannery, Chris Fugate, Erika Hancock, DJ Johnson, Bobby McCool, Suzanne Miles, Adam Moore, Tom Smith, Joshua Watkins, Bill Wesley, Mitch Whitaker, and Richard White.

Guests: Jenny Gilbert, Legislative Liaison, Kentucky Department of Fish and Wildlife Resources (KDFWR); Heather Jeffs, Director of External Affairs, The Nature Conservancy (TNC); Chris Garland, Appalachians Project Director, TNC; Justin McNeil, Executive Director, Public Service Commission (PSC); and Ellen Fouser-Gormley, Staff Attorney, Office of General Counsel, PSC.

LRC Staff: Stefan Kasacavage, Kayla Carroway, Tanya Monsanto, and Rachel Hartley.

Approval of minutes for the meeting of July 2, 2026

A motion was made by Representative Bauman, and seconded by Senator Elkins, to approve the minutes of the July 2, 2026, meeting. Minutes were approved by voice vote without objection.

Consideration of Referred Administrative Regulations

Upon agreement with the Kentucky Department of Fish and Wildlife Resources, a motion was made to defer the administration regulations by Senator Elkins and seconded by Senator Williams. The motion passed without objection.

Discussion of the acquisition of the Thacker property in Whitley County by The Nature Conservancy

Heather Jeffs, Director of External Affairs, TNC, highlighted TNC's global leadership in conservation and emphasized its science-based, collaborative, and non-confrontational approach.

Ms. Jeffs provided an overview of ongoing investments, including the Cumberland Forest project, which involved a substantial state appropriation used in conjunction with federal funds to secure a large conservation easement and public access across multiple counties in southeastern Kentucky.

Ms. Jeffs discussed the acquisition of the Thacker property, a 1,732-acre tract in Kentucky's Appalachian Mountains, strategically positioned to connect existing conserved lands such as Mountain River Farms and the Cumberland Forest properties, and the ecological and management rationale for connecting the land to support long-term, cost-effective stewardship. She further provided a brief explanation of funding mechanisms that enable TNC to pursue conservation while safeguarding other resources.

In response to Representative Smith, Ms. Jeffs clarified that while the TNC manages the property, the mineral rights have been severed and are owned by separate interests. Chris Garland, Appalachians Project Director, TNC, stated timber harvesting is conducted under specific ecological and financial parameters designed to balance conservation goals with resource access, revenue generation, and local economic considerations.

In response to Senator Madon, Ms. Jeffs stated hunting is a valid conservation use of the Thacker property.

In response to Representative Fugate, Ms. Jeffs stated TNC is open to engage and collaborate with the Forest Frontier Trail System regarding off-road trail activities.

Representative Blanton requested additional information from KDFWR regarding the expansion of public acreage access for outdoor recreation opportunities in Magoffin County.

In response to Senator West, Ms. Jeffs stated long-term management of the Thacker property could potentially be transferred to KDFWR. There is currently not a conservation easement for the Thacker property.

Representative Watkins requested additional information from TNC regarding the historical record of who owned the property over time.

In response to Senator Elkins, Ms. Jeffs stated the funds for the Thacker property purchase were from donors and internal and external loans. Jenny Gilbert, Legislative Liaison, KDFWR, stated Kentucky regulates acquired land even when purchased with federal funds.

In response to Senator Madon, Ms. Gilbert clarified that public land acreage access in Kentucky that has been lost since 2015 was never owned by KDFWR. KDFWR had an agreement with landowners for public access for hunting and outdoor recreation, and the agreements were ended by landowners.

Public Service Commission discussion regarding broadband requests for utility pole attachments

Justin McNeil, Executive Director, PSC, outlined the PSC's role in regulating utility pole attachment procedures and infrastructure access. The quarterly reports to the Legislative Research Commission have reflected that most pole attachment applications are moving through the established process within prescribed timeframes.

Mr. McNeil described how the federal Broadband Equity, Access, and Deployment Program and related broadband funding led to an increase in broadband pole attachment requests starting in 2019 making it necessary for formal administrative regulations and the filing of tariffs by utilities.

In response to Representative Miles, Mr. McNeil stated he has not seen the exact language in Executive Order 2026-494 regarding data centers, but framed the order as centered on reliability and cost allocation.

Adjournment

There being no further business, the meeting was adjourned.