

MINUTES

JOINT COMMITTEE ON ENERGY AND ENVIRONMENTAL POLICY

January 21, 2011
Room 546-S—Statehouse

Members Present

Representative Carl Holmes, Chairperson
Senator Carolyn McGinn, Vice-chairperson
Senator Janis Lee
Senator Ralph Ostmeyer
Senator Mike Petersen
Representative Mitch Holmes
Representative Forrest Knox
Representative Annie Kuether
Representative Tom Sloan
Representative Vince Wetta

Legislators also in attendance

Senator Marci Francisco
Senator Ruth Teichman

Staff Present

Heather O'Hara, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Raney Gilliland, Kansas Legislative Research Department
Matt Sterling, Office of the Revisor of Statutes
Mary Torrence, Office of the Revisor of Statutes
Renaë Hansen, Committee Assistant

Others attending

See attached list.

The meeting was called to order by Chairperson Carl Holmes. Chairperson Holmes began the meeting with a welcome and explanation of the agenda.

Tracy Streeter, Director, Kansas Water Office, and other members of the Kansas Water Office ([Attachment 1](#)) spoke to the Committee on a number of water issues for the State of Kansas.

Discussion on the Ozark/Robidoux Aquifer

Mr. Streeter spoke to the Committee on the Ozark Plateau Aquifer that underlies parts of Missouri, Kansas, Oklahoma, and Arkansas, and is the primary source of water supply for many municipalities in southeastern Kansas, southwestern Missouri, and southeastern and northeastern Oklahoma. He presented history about the proposed moratorium on new water rights in the Ozark Aquifer. Mr. Streeter offered information about the interstate cooperation with Texas and Oklahoma that Kansas is working on forming in conjunction with the U.S. Corps of Engineers.

Economic Development Potential of Existing and New Reservoir Sites in Kansas; Economic Impacts of Lost Water Supply Due to Sedimentation; and Activities to Promote Economic Development Associated with Lakes

Earl Lewis, Kansas Water Office, presented information to the Committee on the findings of the Economic Development Technical Advisory Committee (EcoDevoTAC). EcoDevoTAC determined three areas to develop concerning water use in Kansas: residential, recreation, and resort. Several lakes were identified as having acceptable development potential in each of these areas.

Mr. Lewis stated the topography of the lake areas is the main reason that there is not a lot of residential economic development around the reservoirs. He noted that building a lake not specifically designed for regional flood control would help to provide a lake that could more easily meet recreational and economic development access.

Chris Knau, Kansas Water Office, assisted in answering questions.

Neosho River Basin Alternatives and Long-range Planning (50 years) for Kansas Public Water Supply

Susan Metzger, Kansas Water Office, offered insight into some of the choices for meeting the demands for water in the Neosho River Basin. She noted that the Neosho River Basin is one of the most crucial areas with which water officials are concerned for lack of water supply. The Kansas Water Office provided a cost value of the water supply for the three reservoirs in the Neosho River Basin. Additionally, if the water supply was lost, the economics of the operations at Wolf Creek Nuclear Power Station would be reduced considerably. She discussed some of the options to increase the water volume output of John Redmond Reservoir, which include raising the water pool, stream bank stabilization, dredging, constructing a new reservoir, and an inter-basin pipeline.

Ms. Metzger noted that some amount of funding is needed no matter which solution is chosen, and that the agency believes it is necessary to get the most return for the money invested.

Mr. Knau and Mr. Lewis assisted in answering questions.

Mr. Streeter noted that a chart included in the Kansas Water Office's testimony ([Attachment 2](#)) explained 2008 water use by type and groundwater versus surface water use. Additionally, he talked about some of the options for funding the proposed solutions for the water reservoir issues. Mr. Streeter stated the difficult part of the process is that when the agency begins looking at areas that may run out of water, there are no options to alleviate the water shortage issues. It is important to note that the agency will work to make sure that no one runs out of water in the State of Kansas regardless of the size of the community affected by loss of water.

Representative Knox suggested the state look at promoting more actively the idea of water conservation. Representative Sloan noted that if the state does nothing to alleviate the loss of water, it will become a crisis issue in for the next generation. Vice-chairperson McGinn noted that Kansas needs to find a way to put the water conservation issue in the forefront of the public and state's concerns. Chairperson Holmes noted part of the problem Kansas is facing lies with the fact that it has had some funding issues regarding reservoir maintenance. Representative Sloan suggested looking at the original intent of the life of the reservoirs in Kansas and what is necessary to meet the demand projections of the state's needs in the future. He also recommended that water quality issues continue to be addressed.

Draft Letter to the EPA Regarding Section 316(b) Rule

A representative of Kansas City Power and Light presented a draft letter ([Attachment 3](#)) to alert federal and state agencies of some of the important issues regarding the proposed revisions to federal Rule 316(b). Included in the proposed letter is contact information for the Administrator of the U.S. Environmental Protection Agency, the Secretary of Energy, the Administrator for the Office of Information and Regulatory Affairs, and the White House Chief of Staff. It was suggested that the Committee draft a unique version of the letter and not send a standard form letter.

Approval of Committee Report and Minutes

Cindy Lash, Kansas Legislative Research Department, presented a draft of the Committee Interim Report and previously approved Committee minutes and offered explanation of the report. The Committee discussed minor changes to the conclusions and recommendations section of the report.

Senator Lee moved to approve the report and minutes as amended; seconded by Representative Sloan; motion carried.

No further Committee meetings were scheduled until after the conclusion of the 2011 Session.

The meeting was adjourned at 2:00 p.m.

Prepared by Renae Hansen
Edited by Heather O'Hara and Cindy Lash

Approved by Committee on:

April 1, 2011
(Date)