

MINUTES OF THE HOUSE ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Joann Freeborn at 3:30 P.M. on February 9, 2006 in Room 231-N of the Capitol.

All members were present except:

Representative Pat George- excused

Committee staff present:

Raney Gilliland, Legislative Research Department

Lisa Montgomery, Revisor of Statutes Office

Pam Shaffer, Committee Secretary

Conferees appearing before the committee:

Dr. Lloyd Fox, Department of Wildlife and Parks

George Teagarden, Department of Animal Health

Craig Phillips, Chief of Conservation and Restoration Branch with Fort Riley

Others attending:

See attached list.

Chairperson Freeborn asked for everyone to sign the guest list. She announced the agenda for next Tuesday, February 14, possible action on **HB2710 - Creates the water right transition assistance program and HB2716 - Granting of easement for diversion works on Kansas river for water district number 1 of Johnson county.**

Everyone was given a copy of the Committee minutes for January 10, 11, 17, 19, 24, 26 for everyone to look at and before the end of today's meeting, want to get approved. Copies of each of the following documents were given to each committee member: Fiscal note for **HB2757 - Requiring notification of oil and gas spills to landowners** (See attachment 1), Kansas Geological Survey - Ground Water Assessment in Association with Salt Cedar control, Report on Year One Activities. (See attachment 2).

Chairperson Freeborn introduced Dr. Lloyd Fox, Department of Wildlife, along with Goerge Teagarden, Department of Animal Health who gave a briefing on Chronic Wasting Disease in Deer. (See attachment 3) Chronic wasting disease (CWD) is a fatal disease of white-tailed deer, mule deer, elk and moose. CWD is classified as a transmissible spongiform encephalopathy (TSE). TSEs are diseases caused by abnormal forms of a protein called a prion. Symptoms of CWD in deer and elk include loss of body weight, shabby or poor coat condition with piloerection of hair along the backbone, drooping ears, excessive salivation and urination, unusual behavior including lack of response to people, head tremors, periods of apparent stupor and lack of coordination.

CWD was first identified as a syndrome in captive mule deer in Colorado in the late 1960's. The first cases of CWD identified in wild cervid populations occurred in 1981, 1985 and 1990 in elk, mule deer and white tailed deer, respectively.

CWD is not a disease that spreads rapidly through a population.

There is no confirmed evidence of a link between CWD and any disease or illness in humans.

Deer management plans and regulations will be evaluated relative to their effect on CWD during the annual regulation review process for 2006. Activities under consideration shall include:

1. Level of hunting pressure on deer and elk population,
2. Harvest that shift the age structure and/or sex ratios of herds,
3. Hunter restrictions on the transport of carcasses,
4. Hunter requirements for disposal of carcasses,
5. Prohibitions or restrictions on feed and baiting.

Questions and discussion followed the briefing.

Chairperson Freeborn introduced Craig Phillips, Chief of Conservation and Restoration Branch with Fort Riley, who gave a presentation on the Buffer Initiative. (See attachment 4). Encroachment management

CONTINUATION SHEET

MINUTES OF THE House Environment Committee at 3:30 P.M. on February 9, 2006 in Room 231-N of the Capitol.

through use of Army Compatible Use of Buffers (ACUB). Key issues are encroachment concerns, ACUB solution and Fort Riley ACUB status. Encroachment is a word used in the army when things happen off of the installation that may affect the military mission. Urban development is encroaching upon Fort Riley. This included Manhattan's westward expansion, Riley's westward expansion, country homes on the western and southern boundaries.

Fort Riley's military population is projected to increase over 25,000 and additional civilian increases are estimated at up to 8,000. The regional housing shortage will be over 5,900 units by 2008. The army is not going to provide this housing, they are leaving this to the private sector developers.

Encroachment noise issues may impact firing capabilities, at the tank gunnery ranges. It also may impact road demolition training at range 52. Ranchettes west and south of Fort Riley will likely impact helicopter operations beyond the installation's boundary. Because helicopter traffic will increase this can become a serious issue.

Encroachment conservation issues include endangered species such as the Topeka Shiner. There can possibly be training restrictions if development reduces Topeka shiner numbers in Wildcat Creek. The Regal fritillary butterfly, henslow's sparrow and greater prairie chicken are other species of concern. Fort Riley has major breeding populations of these species. Development is removing prairie parcels north and west of Fort Riley, which could potentially cause training restrictions. These restrictions could hamper weapons firing practice because vehicle movement could possibly damage nests.

ACUB solution is to buffer areas around Fort Riley. This would be a partnership between Fort Riley and the Kansas Land Trust along with participation of willing landowners. This program does not put new land into Army inventory, but it supports objectives for open space and species habitat conservation.

Questions and discussion followed the presentation.

Chairperson Freeborn asked for a motion to approve the committee minutes, Representative Lukert stated his name was not spelled correctly. Representative Sloan moved to approve the minutes, with the spelling correction, Representative Olson seconded. Motion carried.

Chairperson Freeborn opened the hearing for **HCR5030 - Concurrent Resolution by Environment, Congress and President urged to allow offshore drilling for natural gas.**

Kent Peterson, American Petroleum Institute, proponent, testified. (See attachment 5).

Questions and discussion followed the testimony.

Chairperson Freeborn closed the hearing on **HCR5030.**

Chairperson Freeborn opened the hearing on **HB2757.**

Ed Cross, Executive Vice President-Kansas Independent Oil & Gas Association, proponent, testified (See attachment 6).

Written testimony from Erick Nordling, Southwest Kansas Royalty Owners Association, proponent, was given to each committee member (See attachment 7).

Maurice Korphage, Director of Kansas Corporation Commission, Conservation Division, neutral, testified. (See attachment 8).

Questions and discussion followed the testimony.

Chairperson Freeborn closed the hearing on **HB2757.**

CONTINUATION SHEET

MINUTES OF THE House Environment Committee at 3:30 P.M. on February 9, 2006 in Room 231-N of the Capitol.

Chairperson Freeborn adjourned the meeting at 5:45pm. The next meeting is Tuesday, February 14th.