

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman John Faber at 3:30 P.M. on January 30, 2007 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Jason Thompson, Revisor of Statutes
Florence Deeter, Committee Assistant

Conferees appearing before the committee:

Constantine Cotsoradis, Deputy Secretary, Kansas Department of Agriculture
Rod Winkler, United States Department of Agriculture, Farm Services Agency
Tracy Streeter, Director, Kansas Water Office
Don Whittemore, Kansas Geological Survey, University of Kansas

Others attending:

See attached list.

The Chairman recognized Representative Otto, who requested the introduction of a bill to repeal the Kansas endangered species act. Duane Simpson was also recognized, who requested the introduction of a bill to restrict the use of ammonium nitrate fertilizer, treating it similar to restricted pesticide. There being no objections, the bills will be introduced.

Briefing on the Conservation Reserve Enhancement Program

The Chairman introduced Raney Gilliland, Kansas Legislative Research Department, who gave background information on the Conservation Reserve Enhancement Program, saying that this program targets irrigated lands primarily in the Arkansas River area (Attachment 1). Appropriations proviso for **House Bill 2968** (from the 2006 legislative session) has to do with the budget for the State Conservation Commission. Two conditions in the proviso pertain to the retirement of water rights: that no monies appropriated for fiscal year 2007 be used unless a bill is passed by the Legislature during the 2007 session, and that a program for the retirement of water rights designed by the State Conservation Commission and the Kansas Water Office has been presented to both the House and Senate. Mr. Raney said the dismissal of water rights is a Kansas policy only.

Rod Winkler, from the Farm Services Agency, U. S. Department of Agriculture, gave a power-point presentation outlining the purpose of the Conservation Reserve Enhancement Program (CREP) (Attachment 2). He explained the involvement of the Conservation Reserve Program (CRP) within the bounds of CREP, the goals and partnerships of Kansas CREP, and the shared federal commitment of eighty percent of funds allocated. Kansas is the fourth largest state in terms of numbers of acres enrolled in CRP. Kansas landowners receive approximately \$104 million annually. Mr. Winkler gave an example of the annual rental payment on dryland acres paid over a period of ten years, and included the cost-share assistance portion to portray the total amount of money involved.

Tracy Streeter, Director, Kansas Water Office (KWO), demonstrated with a slide presentation how water is used in Kansas and why the CREP program will benefit the Arkansas River Valley (Attachment 3). If initiated, the proposal could reduce consumption of about 140,000 acre feet of water usage in the upper Arkansas River. Monies deposited in the Water Plan Fund from the Colorado settlement account can be leveraged. Nebraska instituted an irrigation rental plan which are being considered for use in Kansas. One major issue is the permanent retirement of water rights. In addition, the economic impact needs to have priority consideration in this program.

Representative Larry Powell distributed information for the committee members in respect to data of non-federal in-kind and direct contributions for the CREP (Attachment 4), and the economic activity in various Kansas counties (Attachment 5).

Don Whittemore, Kansas Geological Survey, University of Kansas, provided information regarding hydrologic responses to pumping water in the Upper Arkansas Basin and the effects of the CREP (Attachment

CONTINUATION SHEET

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6). He stated that the ground-water levels will decline significantly unless reduction of pumping is put in place. Of concern to Kansans is that the flow of water coming from Colorado is becoming one of the most saline rivers in the United States. This salinity affects the fresh water in the aquifers, and saline ground water moves outward from the river. Mr. Whittemore advocated that the goals set forth in the CREP could extend the usable lifetime of the aquifer, which would benefit ground-water management in downstream creeks.

The Chairman said that the sub-committee report will be announced tomorrow.

The meeting was adjourned at 5:30 p.m.