

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 17, 2007 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

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

Conferees appearing before the committee:

Karl Muldener, Bureau of Water, Kansas Department of Health and Environment
David Pope, Department of Agriculture, Division of Water Resources
Tracy Streeter, Director, Kansas Water Office
Bill Harrison, State Geologist, Kansas Geological Survey

Others attending:

See attached list.

Hearing on Water Issues and Related Material.

The Chairman recognized Representative Clay Aurand, who introduced a former agriculture committee chairman, Cliff Campbell, from Mitchell County. Mr. Campbell chaired the committee twenty years ago and is a constituent of Representative Aurand.

Karl Muldener, Bureau Chief, Kansas Department of Health and Environment (KDHE), indicated the primary role of the department is to assure quality water ([Attachment 1](#)). He stated the federal laws set standards and establish monitoring systems for over 100 substances found in drinking water. A court ordered plan is in place called Total Maximum Daily Load (TMDL) and is designed primarily to improve water quality. The discharge of wastewater is also under the control of KDHE. A program called Watershed Restoration and Protection Strategy (WRAPS) is being used to encourage local entities' interest in watershed initiatives.

David Pope, Chief Engineer, Division of Water Resources, KDHE, gave an overview of the Water Appropriation Act, explaining property rights, vested rights, appropriation rights, and domestic water rights ([Attachment 2](#)). The bureau functions as the regulatory agency responsible for administration of various laws related to conservation and management of water resources. Permits are required for other than domestic water usage and full annual reports must be filed by March 1st. He explained there are the five groundwater management districts, which were begun in the 1970's. Intensive Groundwater Use Control Areas (IGUCA) established by statute in 1977, are used by the Chief Engineer to deal with water issues in specific areas and is an additional tool to be used in the event there is a long-term problem.

Mr. Pope commented on the water usage maps included in his testimony by saying the closed areas reveal water availability within a two-mile radius, and, giving consideration to other factors, allows determination of new water permits. The policy is quite restrictive and is intended to monitor depletion levels.

Tracy Streeter, Director, Kansas Water Office (KWO), brought information regarding the operational programs and responsibilities within the KWO ([Attachment 3](#)). KWO and the Kansas Water Authority (KWA) share in the planning and coordination for managing water resources. The State Water Plan Fund (SWPF), instituted in 1989, is also managed by the KWO with a fiscal amount this year of \$3.2 million. Eighty-five percent of those funds will go to provide lake restoration and protection. A new Clean Drinking Water Fee Fund is in place. These fees, paid by municipalities and public water facilities, go into the State General Fund (SGF). Water is provided to municipal and industrial entities through the Water Marketing and Water Assurance Programs across the state.

Mr. Streeter referred the members to the KWA annual report on page 22 showing the breakdown of various revenue reports ([Attachment 4](#)). A popular, yet controversial program, is the Weather Modification program. Four airplanes are in service to help alleviate hail storms and weather fronts. His testimony included a brief

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written history of Kansas water planning.

Mr. Streeter will provide a draft report on the Tri-State Coalition, a study performed by the Corps of Engineers.

Bill Harrison, State Geologist, Kansas Geological Survey (KGS), gave a power-point presentation of water levels in Kansas ([Attachment 4](#)). KGS is a non-academic, research-only group from the University of Kansas. Their focus is to conduct studies, research projects, investigate geological natural resources of the state, and provide reports on those investigations. He stated that every five years the United States Geological Survey Water Division compiles a document of every state describing how the state's water is used; Kansas has a higher dependency on groundwater for overall needs than any other state.

Mr. Harrison introduced Brownie Wilson, who provided information on precipitation, water right allocations by county, locations of aquifers, water level measurements, and ground water usage ([Attachment 5](#)).

Chairman Faber announced a briefing tomorrow from Wildlife and Parks. Deer Management in Kansas and a report on the Deer Task Force will be the topics heard.

A sub-committee on pesticide licensure laws is being formed and will be announced by the Chairman.

The meeting adjourned at 5:20 p.m.