

February 16th, 2023

HB 2091 - Sustainable Agriculture Division for Biogas

Written Opponent

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TO: House Agriculture and Natural Resources Committee



Chairman Rahjes and Honorable Members of the Committee,

Thank you for the opportunity to submit testimony in opposition to HB 2091, which would create the division of sustainable agriculture within the Kansas Department of Agriculture (KDA) for the sole purpose of accessing federal funds for the construction and commissioning of renewable natural gas plants or sustainable ammonia or urea plants.

While the Sierra Club can support the concept of a sustainable agriculture division within KDA, we cannot support HB 2091 with its narrow scope of sustainable agriculture and its dedicated purpose of supporting renewable natural gas facilities.

The Kansas Chapter of Sierra Club, which is a statewide, nonpartisan, grassroots environmental organization with nearly 5000 members, is deeply concerned with sustainability in agriculture and beyond. We definitely support the State of Kansas utilizing of the Greenhouse Gas Reduction Fund, as well as other new federal initiatives and grant opportunities within the *Infrastructure Investment and Jobs Act* and the *Inflation Reduction Act*. These Congressional acts present a major opportunity for the United States and Kansas to address climate impacts and help our communities be more resilient. We hope each state agency is exploring these federal opportunities within these acts to garner funds and programs suitable for real progress in Kansas. Yet, HB 2091 is so narrow in its scope; we do not support the creation of a new division for this sole purpose of competing for one federal funding source for a limited purpose like biogas and sustainable fertilizers. There are other initiatives within sustainable agriculture that might offer better benefits (like cover crops, organic markets, etc.), and different funding sources for such projects. We also wonder if KDA is best equipped to be applying for EPA's Greenhouse Gas Reduction Fund as air pollution typically falls under the purview of KDHE.

The Sierra Club opposes public subsidies for renewable natural gas, otherwise known as biomethane capture or 'biogas', at large concentrated animal feeding operations (CAFOs) because of the environmental and social damages associated with this form of industrial agriculture.

These biomethane capture projects lock in both the existing natural gas infrastructure and many CAFO environmental hazards, such as air pollution from the barns, wastewater runoff and groundwater contamination. Because of the full system costs inherent in these industries, we urge wider adoption of alternative forms of animal agriculture and energy generation rather than offer a band-aid here by reducing some greenhouse gas emissions. Of course, some of the captured methane will be lost through the existing leak-prone natural gas distribution system. Furthermore, some research suggests that the manure digestion process changes the chemistry of the residuals so that more nitrous oxide may be emitted when the residuals are applied to fields.

Thank you for your consideration. We urge you to oppose HB 2091.

Zack Pistora | Legislative Director and State Lobbyist, Kansas Chapter of Sierra Club

The Sierra Club is the largest grassroots environmental organization dedicated to enjoying, exploring, and protecting our great outdoors. The Kansas Chapter represents our state's strongest grassroots voice on environmental matters for nearly fifty years.