

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Ostmeyer at 8:30 a.m. on Thursday, January 26, 2012, in Room 156-S of the Capitol.

All members were present except:

Senator Steve Morris-excused

Senator Steve Abrams-excused

Senator Terry Bruce-excused

Committee staff present:

Tamera Lawrence, Office of the Revisor of Statutes

Abigail Boudewyns, Kansas Legislative Research Department

Jarod Waltner, Kansas Legislative Research Department

Stephanie Gray, Committee Assisstant

Conferees appearing before the Committee:

John Mitchell, KDHE, Director of the Division of the Environment

Steve Frost, Department of Agriculture, Division of Conservation

Other attending:

See attached list.

Chairman Ostmeyer asked for bill introductions.

John Mitchell, KDHE, requested the introduction of the bill that would amend the exemptions from a solid waste permit. Senator Taddiken made a motion to introduce the bill, Senator McGinn seconded. Motion carried.

Greg Foley, Executive Director, Division of Conservation Commission made the introduction of Steve Frost, Water Conservation Programs Manager of the KDA, Division of Conservation. Steve Frost provided testimony (Attachment 1) on the *Upper Arkansas River Conservation Reserve Enhancement Program (CREP) by the State of Kansas-Executive Summary October 1, 2010 – September 30, 2011* (on file at Ks. Department of Agriculture). He briefly reviewed the report. It highlighted the implementation results and performance progress of the program to date. The program has been operational for four years.

CREP is a federal-state partnership created to enhance water conservation efforts along the Upper Arkansas River corridor from Hamilton County to Rice County. It is a specialized version of the Conservation Reserve Program (CRP) in which the FSA and the State of Kansas have mutually agreed to address specialized natural resource concerns. The Natural Resource Conservation Service is USDA's provider of technical services to producers who implement FSA's CREP contracts in the field. The Kansas Department of Agriculture's Division of Conservation (DOC) is the primary coordinator that administers the program with other state, local, and private partners. These partners include the Kansas

CONTINUATION SHEET

Minutes for the Senate Natural Resources Committee at 8:30 a.m. on Thursday, January 26, 2012, in Room 156-S of the Capitol.

Water Office, Kansas Department of Agriculture Division of Water Resources, Kansas Department of Wildlife, Park and Tourism, Kansas Department of Health and Environment, Kansas Geological Survey, Kansas State University, Groundwater Management Districts #3 and #5, and Pheasants Forever.

The Upper Arkansas River CREP is a voluntary, incentive-based program allowing producers to enroll irrigated acres in targeted, eligible areas for 14-15 year contracts with FSA, permanently retire the associated state water rights on the enrolled acres, and establish an approved land cover on the same acreage. The producer receives an up-front incentive payment from the DOC and an annual rental payment, plus additional cost share opportunities for specific conservation practices from FSA.

Groundwater is the dominant source of water for all uses in the basin, and aquifer declines are a serious concern. Water conservation is the main management objective, but the program also provides the benefit of soil conservation, water quality protection, wildlife habitat enhancement, and energy savings. The majority of the irrigated acres being enrolled have been on highly erodible sand hills soils that are unsuitable for dry-land farming. So, one of the significant merits of the program has been establishing cover on these highly erodible lands.

As of September 30, 2011, a total of 67 CREP contracts on 11,013 acres have been approved by the State of Kansas, which resulted in the permanent retirement of 22,245 ac-ft of annual water appropriation from 95 wells. As of December 15, 2011, the total of approved and offered land now stands at 15,353 acres.

Steve Frost answered questions from the Committee.

Chairman Ostmeier announced that the Natural Resource Committee will meet Friday, January 27.

The meeting was adjourned at 9:10 a.m.