

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Sharon Schwartz at 3:30pm on Thursday, February 12, 2015, 346-S of the Capitol.

All members were present

Committee staff present:

Raney Gilliland, Legislative Research Department
Joanna Wochner, Legislative Research Department
Shirley Jepson, Kansas Legislative Committee Assistant
Natalie Scott, Office of Revisor of Statutes

Conferees appearing before the Committee:

Greg Foley, Department of Agriculture
Kent Askren, Kansas Farm Bureau
Mike Beam, Kansas Livestock Association
David Brenn, Kansas Water Congress
Sean Miller, on behalf of GMD#1, GMD#3, and GMD#4

Others in attendance:

[See Attached List](#)

Hearing on: HB2227 — Creating water conservation areas.

Natalie Scott, Revisor, explained that **HB2227** provides that a water right owner or group of water right owners may enter into a consent agreement to establish a water conservation area; submitting the management plan to the chief engineer ([Attachment 1](#)).

Greg Foley, Department of Agriculture, presented testimony in support of **HB2227** ([Attachment 2](#)). Mr. Foley explained that **HB2227** would allow a group of water right holders to consent to a conservation goal. Mr. Foley noted that this legislation will give more flexibility to water right holders by allowing for the establishment of Water Conservation Areas (WCA). Mr. Foley stated that WCA's provide another tool for the conservation of water.

Mr. Foley responded to questions from the Committee.

Kent Askren, Kansas Farm Bureau (KFB), presented testimony in support of **HB2227** ([Attachment 3](#)). Mr. Askren noted that KFB provides qualified support for the bill; however, note that it circumvents the Groundwater Management Districts management process and creates confusion to management strategies.

Mr. Askren responded to questions from the Committee.

Mike Beam, Kansas Livestock Association (KLA), presented testimony in support of **HB2227** ([Attachment 4](#)). Mr. Beam indicated that KLA gives conditional support to the bill, noting that the

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legislation is similar to the Local Enhanced Management Areas (LEMA's) approved in statute in 2012. While LEMA's must be organized by a Groundwater Management District (GMD), the new program prescribed in **HB2227** may be outside the boundaries of a GMD.

Mr. Beam responded to questions from the Committee.

Neutral:

David Brenn, Kansas Water Congress (KWC), appeared before the Committee to express concerns with **HB 2227 (Attachment 5)**. Mr. Brenn noted that KWC is concerned with the potential intended and unintended consequences of the language. Although KWC supports conservation of water, they feel the bill as written, creates many fundamental policy issues and questions as they relate to funding, capabilities of local governances and individuals in dealing with water issues.

Mr. Brenn responded to questions from the Committee.

Opponents:

Sean Miller, on behalf of Western Kansas Groundwater Management District (GMD) No. 1, Southwest Kansas GMD No. 3 and Northwest Kansas GMD No. 4, appeared before the Committee to express concerns with **HB2227** related to Water Conservation Areas (WCAs) ([Attachment 6](#)). Mr. Miller noted that their primary concern resides in subsection (d) which appears to make the groundwater management district and its significant management process and plan, a plan approved by the chief engineer; inconsistent with existing state law.

Mr. Miller responded to questions from the Committee.

The hearing on **HB2227** was closed.

Adjournment

The meeting was adjourned at 4:50 pm. The next meeting of the Committee is scheduled for Monday, February 16, 2015.