

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Larry Powell at 8:30am on Wednesday, January 28, 2015, 159-S of the Capitol.

All members were present except:

Senator Ralph Ostmeyer – Excused

Committee staff present:

Mark Savoy, Legislative Research Department

Heather O'Hara, Legislative Research Department

Toni Beck, Kansas Legislative Committee Assistant

Tamera Lawrence, Office of Revisor of Statutes

Conferees appearing before the Committee:

Gary Harshberger, KS Water Authority

Lane Letourneau, KS Department of Agriculture

Kent Askren, Kansas Farm Bureau

Mike Beam, Kansas Livestock Association

Others in attendance:

[See Attached List](#)

Bill introductions

* by Senator Kerschen allowing animals with certain contact.

* by Senator Kerschen dealing with conservation easements.

* by Senator Pyle in chemigation permits.

* by John Mitchell, KDHE, eliminating the sunset provision relating to oil and gas.

* by John Mitchell, KDHE, for disposal of NORM radioactive materials.

* by Chris Tymeson, Wildlife, Parks & Tourism Department, in assessment of lands in Cherokee County.

Informational briefing:

Gary Harshberger made a presentation on, [Kansas Water Authority Annual Report](#) to the committee members, detailing the importance of water availability in our state. The vision and mission will remain statewide in nature, but the goals will be regional. The program will remain on a voluntary, locally driven and market-based solution. There is a continued request from citizens to conserve and extend the life of the aquifer. Local landowners and water right holders are able to determine their destiny with respect to long-term water use while balancing conservation and economic growth. Kansas Water Authority recommends restoration of the full State General Fund and Economic Development Initiatives Fund as provided in K.S.A. 82a-953a and 79-4804 respectively. ([Attachment 1](#))

Hearing and possible action on: SB36 — Allowing carryover and a change application for place of use for multi-year flex accounts.

Chairman Powell opened the hearing on **SB36**.

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Tamera Lawrence presented an overview on the bill.

Lane Letourneau provided testimony in support of the bill stating this tool has helped producers manage water during drought conditions and allows for mobility for water management decisions in future years. This proposal provides the opportunity to roll any unused water that is less or equal to a one year calculation of a MYFA quantity into a next MYFA if the owner chooses to re-enroll for the program. The total quantity of water usage is capped, not to exceed five times the authorized quantity of the base water right. This is a considerably better management strategy of water resources.

[\(Attachment 2\)](#)

Kent Askren provided testimony in support of the bill stating multi-flex accounts (MYFA) offer unique opportunities to maximize efficiency, innovation and profitability of a water right, while holding water consumption to average or less amounts of historical usage. [\(Attachment 3\)](#)

Mike Beam provided testimony in support of the bill stating the carry over of a limited amount of groundwater usage into subsequent multi-flex account term permits would be beneficial for the state resources. These changes will allow additional flexibility and added incentive for conservation. If the consumer has the ability to carry over a limited volume of unused water during their five year term permit, they would be more inclined to cut back their water usage; saving for a subsequent five year account. [\(Attachment 4\)](#)

Greg Krissek, Kansas Corn Growers, submitted written testimony in support of the bill stating it allows irrigators to conserve water while increasing the flexibility for decisions that allow crop rotations to optimize use of the water resources. [\(Attachment 5\)](#)

Leslie Kaufman, Kansas Cooperative Council, submitted written testimony in support of the bill stating the ability to roll a quantity of water from one multi-flex year to another will further encourage water conservation. [\(Attachment 6\)](#)

Discussion:

Federal money is available for upgrading irrigation systems to farmers and irrigators. The first year intensive usage of water supply gives added flexibility in crop rotation. This allows the excess unused water in multi year flex accounts to be carried forward in usage beyond the five year mark for rollover. There are approximately 1,000 enrollments at this time. Appropriations are 1/1/2 feet per acre in the central portion of the state. Divisions of districts will be helpful for the plan to advance.

There was no opponent testimony presented.

Chairman Powell closed the hearing on **SB36**.

The next scheduled meeting is Thursday, January 29, 2015.

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There being no further business, Chairman Powell adjourned the meeting at 9:25 am.