

Approved: 3-26-98
Date

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Vice-Chairperson Joann Freeborn at 3:30 p.m. on March 17, 1998 in Room 526-S of the Capitol.

All members were present except: Rep. Steve Lloyd - excused
Rep. Richard Alldritt - excused
Rep. Don Myers - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Hank Avila, Legislative Research Department
Mary Torrence, Revisor of Statutes
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Jamie Clover-Adams, Legislative Liaison, Governor's Office, State of Kansas
Tracy Streeter, State Conservation Commission, 109 SW 9th Street, Suite 500, Mills Building, Topeka, KS 66612-1299
Bill Fuller, Associate Director, Public Affairs Division, Kansas Farm Bureau, 2627 KFB Plaza, P.O. Box 3500, Manhattan, Kansas, 66502
Charles Benjamin, Legislative Coordinator, Kansas Natural Resource Council, Kansas Chapter Sierra Club, 935 S. Kansas Ave., Suite 200, Topeka, Kansas 66612
Douglas Wareham, 816 Tyler, P.O. Box 2429, Topeka, Kansas 66612
Clint Riley, Kansas Department of Wildlife and Parks, 900 SW Jackson, Suite 502, Topeka, Kansas 66612-1220
Ray Aslin, State Forester, Kansas State University, Kansas Forest Service, 2610 Claflin Road, Manhattan, Kansas 66502-2798

Others attending: See attached list

Chairperson Joann Freeborn called the meeting to order at 3:30 p.m. She announced that **SB523** will be heard today but not worked, as originally planned. It will be worked at a later date. The committee will not meet Wednesday, March 18 or Thursday, March 19. She opened public hearing on **SB523**.

SB523: **An act concerning conservation; relating to the Kansas water quality buffer initiative; amending K.S.A. 2-1915 and repealing the existing section.**

The Chairperson welcomed Jamie Clover-Adams, Legislative Liaison, to the committee. She provided testimony in support of the bill and also an amendment to the bill. (See attachment 1) The goal of this bill is to provide adequate incentives for landowners to take idle productive cropland and plant grass or trees to improve water quality. **SB523** provides two types of incentives. First, in a targeted area, the state will provide a bonus to landowners who enroll in the USDA Conservation Reserve Program Buffer Initiative. Second, the bill provides tax relief to landowners who choose to plant stream banks with grass or trees.

The Chairperson welcomed Tracy Streeter, Executive Director, State Conservation Commission. He appeared on behalf the Commission in support of the bill. (See attachment 2) As the state agency responsible for the administration of the Kansas Water Quality Buffer Initiative, the Commission and other state and federal agencies have begun developing the procedures which will govern this voluntary, incentive-based initiative. Those participating in the development of the Initiative include the Governor's Office, Departments of Agriculture, Health and Environment and Wildlife and Parks, Water Office, Kansas State University, Kansas Forest Service, USDA Natural Resources Conservation Service and Farm Service Agency. Initial input has also been obtained from county conservation districts in the targeted areas of the Governor's Water Quality Initiative.

Chairperson Freeborn welcomed Bill Fuller, Associate Director, Public Affairs Division, Kansas Farm

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 526-S Statehouse, at 3:30 p.m. on March 17, 1998.

Bureau, to the committee. He provided testimony in support of the bill. (See attachment 3) The plan proposes to encourage landowners, rural and urban, to convert land adjacent to streams and rivers to riparian areas by planting grasses, shrubs and/or trees. Governor Graves earmarked \$800,000 in his State of the State Message to initially enroll 1,200 acres along 50 miles of stream in the buffer program to prevent pollution. As an added incentive in rural areas, the proposal recommends changing the classification of these buffer strips from cropland to grassland. This will result in lower property taxes on the enrolled land. Included in the testimony are Kansas Farm Bureau Resolutions for 1998.

The Chairperson welcomed Charles Benjamin, Legislative Coordinator, Kansas Natural Resource Council, Kansas Chapter of Sierra Club. He appeared in support of the bill and believes it makes sense for agricultural producers to save their soil and the money they have invested in herbicides and pesticides by planting buffer strips to keep their soil and the inputs to the soil on the land. He also favors positive incentives toward agricultural producers instead of negative penalties whenever possible to improve the quality of surface waters. He believes this initiative is in the spirit of positive incentives that encouraged landowners to provide habitat for threatened and endangered species put into law last year and believes that landowners should not have to pay property taxes at a rate that assumes agricultural production on land they have taken out of production for environmental reasons. (See attachment 4)

The Chairperson welcomed Douglas Wareham, Kansas Fertilizer and Chemical Association. He provided testimony in support of the bill. (See attachment 5) KFCA has strongly supported the practical approach of the Governor's Water Quality Initiative which relies on voluntary, common-sense programs to solve water quality problems rather than mandatory programs which often prove to be less than successful. This water quality buffer initiative is the next logical step to increase producer awareness, foster cooperation between agricultural organizations and state agencies and most importantly reach positive results.

The Chairperson welcomed Clint Riley, Kansas Department of Wildlife and Parks. The Department supports the Kansas Water Quality Buffer Initiative, the bill would help lead to restoration of riparian areas and, consequently, would help protect the water quality in Kansas. In addition, the Buffer Initiative can serve as a further example of the ability of public agencies to work together with agricultural producers and organizations to promote clean water. (See attachment 6)

Chairperson Freeborn welcomed Ray Aslin, State Forester, to the committee. He appeared in support of the bill and believes it takes a major step in encouraging landowners to implement buffer practices. The use of State funds to enhance Federal funds provided under the Conservation Reserve Program along with the property tax incentives proposed in the amendment are strongly supported by the Kansas Forest Service. (See attachment 7) Discussion and questions followed.

Written testimony in support of the bill was distributed from Gina Bowman-Morrill, Director, Government Relations, Farmland Industries, Inc., Kansas City, Missouri. (See attachment 8)

Written testimony in support of the bill was distributed from Joe Lieber, Executive Vice President of the Kansas Cooperative Council. (See attachment 9)

The Chairperson closed the hearing on **SB523** and stated it would be announced when the bill will have possible final action. She opened **HCR5048** for discussion.

HCR5048: **A concurrent resolution urging the United States Environmental Protection Agency to perform uniform assessments of water quality and urging the Congress to modify the Clean Water Act.**

Rep. Kent Glasscock made a motion to pass **HCR5048** and Place on Consent Calendar. Seconded by Rep. Tom Sloan. Motion carried.

The Chairperson asked if there was a motion to approve committee minutes for February 9, 11, 16, 17, 18, and 19.

Rep. David Huff made a motion the minutes for February 9, 11, 16, 17, 18, and 19 be approved. Seconded by Rep. Kent Glasscock. Motion carried.

Chairperson Freeborn announced that committee minutes for February 23, 26, 27, March 4, 5, 10, and 11 have been distributed and if no corrections have been submitted to her office by March 18 will be considered approved.

The meeting adjourned at 4:30 p.m.
The next meeting will be on call of the Chair.

STATE OF KANSAS

BILL GRAVES, Governor
State Capitol, 2nd Floor
Topeka, Kansas 66612-1590



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OFFICE OF THE GOVERNOR

MEMORANDUM

TO: House Environment Committee

FROM: Jamie Clover Adams, Legislative Liaison *Jamie*

DATE: 17 March 1998

SUBJECT: Kansas Water Quality Buffer Initiative

Madam Chair and members of the Committee, I appear today to voice support for Senate Bill 523 -- the Kansas Water Quality Buffer Initiative. The bill was introduced at the request of the Administration, and the Governor mentioned the Initiative during the State of the State message.

The goal of S.B. 523 is to provide adequate incentives for landowners to take idol productive cropland and plant grass or trees to improve water quality. S.B. 523 provides two types of incentives. First, in a targeted area, the state will provide a bonus to landowners who enroll in the USDA Conservation Reserve Program Buffer Initiative. Second, the bill provides tax relief to landowners who choose to plant stream banks with grass or trees.

Background

Kansas has made great strides in improving water quality over the past 25 years. The main focus of these pollution control efforts has been point sources of pollution, i.e., industrial facilities and municipalities that discharge from pipes. Governor Graves understands that the remaining pollution problems cannot be addressed in this command and control manner. To address non-point sources of pollution -- runoff from agricultural land, and urban streets and lawns -- will require working side-by-side with landowners and citizens through voluntary, incentive based programs.

The Kansas Water Quality Buffer Initiative is one such voluntary, incentive based program. It provides an incentive to landowners to create a buffer to protect rivers and streams from pollution. A buffer is an area of stream side vegetation along any perennial or intermittent stream. Its purpose is to filter out sediment, pesticides, and other pollutants that might wash into rivers and streams during rainfall events.

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Attachment 1*

Components of S.B. 523

The Kansas Water Quality Buffer Initiative has two components. One portion of the Initiative will target the Upper Black Vermillion watershed located in portions of Marshall and Nemaha Counties, and the Grasshopper Creek watershed, which is located in portions of Atchison and Brown Counties. The Conservation Commission will enter into long-term contracts with landowners to plant grass and/or trees to enhance water quality. Landowners will receive an annual per acre payment in exchange for planting these riparian areas with grass and/or trees. Our goal is to enroll at least 50 stream miles -- about 1,200 acres. We believe this incentive, along with the USDA's CRP Buffer Initiative will provide the necessary incentive to persuade landowners to install buffer strips.

The Administration also intends to use this program to test the effectiveness of buffer strips in preventing pollution. Water monitoring locations currently used in the Governor's Water Quality Initiative will be used to collect data near these buffers.

The second component of this Initiative involves a property tax incentive for landowners across the state to install buffer strips. Currently, state law requires land enrolled in CRP to be assessed as cropland. S.B. 523 proposes to change the classification of these strips that are enrolled in the CRP Buffer Initiative from cropland to grassland. Since grassland is assessed at a lower rate, it will provide landowners with additional incentive to protect streams and rivers across the state. Attached to my testimony is a chart comparing the values in four northeast counties.

Proposed Amendment

The Administration asks the Committee to consider the attached amendment. As the bill currently is written, the definition of riparian area applies to both the pilot program in the Black Vermillion and Grasshopper Creek watersheds and the tax incentives. It was brought to my attention after the bill passed the Senate that there may be situations in the pilot area where the State Conservation Commission will need to enroll land that does not meet the riparian definition to improve water quality. Simply put, the amendment attaches the definition of riparian area to the tax incentive only, thereby giving the Conservation Commission the flexibility to enroll those areas that directly impact water quality.

On behalf of the Governor, I respectfully request your support for S.B. 523. Thank you for the opportunity to appear before you today. I would be happy to answer any questions you may have on the program.

Buffer Strip Value Comparison						
County	Soil Names	Dry Crop Value/Acre (dollars)	Grass Value/Acre (dollars)	Percent Change	Tax Reduction/Acre	Average Rural Levy
Atchison						104.748
	Judson silt loam, 2-7 % slopes	\$290	\$147	-49%	\$4.49	
	Kennebec silt loam	\$370	\$147	-60%	\$7.01	
	Wabash silty clay loam	\$140	\$147	5%	(\$0.22)	
Brown						114.244
	Judson silt loam, flood plains	\$420	\$143	-66%	\$9.49	
	Judson silt loam, 3-10 % slope	\$340	\$143	-58%	\$6.75	
	Shelby clay loam, 4-10 % slope	\$245	\$81	-67%	\$5.62	
Marshall						107.456
	Eudora silt loam	\$280	\$81	-71%	\$6.42	
	Morrill loam, 1-4 % slope	\$230	\$144	-37%	\$2.77	
	Muir silt loam	\$230	\$81	-65%	\$4.80	
Nemaha						104.893
	Chase silty clay loam	\$290	\$148	-49%	\$4.47	
	Reading silt loam	\$345	\$148	-57%	\$6.20	
	Olmitz loam, 1-5 % slope	\$290	\$84	-71%	\$6.48	

1 commission shall develop the Kansas water quality buffer initiative. The
 2 purpose of the initiative shall be to improve water quality by restoring
 3 riparian areas using best management practices. The executive director
 4 of the state conservation commission shall ensure that the initiative is
 5 complimentary to the federal conservation reserve program. There is
 6 hereby created in the state treasury the Kansas water quality buffer ini-
 7 tiative fund. All expenditures from such fund shall be made in accordance
 8 with appropriations acts upon warrants of the director of accounts and
 9 reports issued pursuant to vouchers approved by the executive director
 10 of the state conservation commission or the executive director's designee.
 11 Money credited to the fund shall be used for the purpose of making grants
 12 to install water quality best management practices pursuant to the initia-
 13 tive. ~~A buffer, as used in this section, shall be defined as an area of stream-~~
 14 ~~side vegetation consisting of tame or native grass which may include forbs~~
 15 ~~and woody plants along any perennial or intermittent stream including~~
 16 ~~the stream bank and adjoining floodplain that is a minimum of 66 feet~~
 17 ~~wide and a maximum of 150 feet wide.~~

18 (e) The county or district appraiser shall identify and map ~~the buffers~~
 19 ~~created by this section, provided such buffers total at least one contiguous~~
 20 ~~acre per real estate parcel. Notwithstanding any other provisions of law,~~
 21 ~~the buffers created by this section shall be valued by the county or district~~
 22 ~~appraiser as tame or native grass.~~

23 (d) (f) The state conservation commission shall adopt rules and reg-
 24 ulations to administer such grant and protection programs.

25 (e) (g) Any district is authorized to make use of any assistance what-
 26 soever given by the United States, or any agency thereof, or derived from
 27 any other source, for the planning and installation of such practices. The
 28 state conservation commission may enter into agreements with other state
 29 and federal agencies to implement the Kansas water quality buffer initia-
 30 tive.

31 Sec. 2. K.S.A. 2-1915 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its
 33 publication in the statute book.
 34

riparian buffers consisting of at least one contiguous acre per real estate parcel. A riparian
 buffer, as used in this paragraph, shall be defined as an area of stream-side vegetation
 consisting of tame or native grass which may include forbs and woody plants along any
 perennial or intermittent stream including the stream bank and adjoining floodplain this is
 a minimum of 66 feet wide and a maximum of 150 feet wide.

grass,

, or wasteland, as appropriate.



State Conservation Commission

109 SW 9th Street
Suite 500, Mills Building
Topeka, KS 66612-1299

Telephone: (785) 296-3600 • Fax (785) 296-6172



TO: House Environment Committee

FROM: Tracy Streeter, Executive Director

DATE: March 17, 1998

SUBJECT: Senate Bill 523

A handwritten signature in black ink, appearing to read "Tracy Streeter", written over the printed name in the "FROM:" field.

On behalf of the State Conservation Commission, I appear before you in support of Senate Bill 523, with proposed technical amendments presented by Jamie Clover Adams. As the state agency responsible for the administration of the Kansas Water Quality Buffer Initiative, the Commission and other state and federal agencies have begun developing the procedures which will govern this voluntary, incentive-based initiative. Those participating in the development of the Initiative include the Governor's Office, Departments of Agriculture, Health and Environment and Wildlife and Parks, Water Office, Kansas State University, Kansas Forest Service, USDA Natural Resources Conservation Service and Farm Service Agency. Initial input has also been obtained from county conservation districts in the targeted areas of the Governor's Water Quality Initiative.

The Buffer Initiative is being designed to complement the existing Conservation Reserve Program emphasis on Riparian Buffers and Filter Strips. These two conservation practices have documented benefits for reducing runoff and filtering sediment and other pollutants from runoff flow. Research conducted by KSU at the Foster Farm north of Rossville has indicated that a grass buffer, in conjunction with other conservation practices such as terraces and crop residues can reduce pesticide loading by as much as 50 percent. Research on vegetative filter strips in Indiana, Virginia, Maryland and Iowa has shown filter strips can remove 56 to 97 percent of sediment transported through runoff, depending on the filter strip width and the area draining to the filter strip. Other benefits of these practices include streambank stabilization, increased wildlife habitat and reduced flooding.

Current efforts under the Governor's Water Quality Initiative have focused on upland treatments and best management practices to address cropland erosion, confined livestock facilities, failing onsite wastewater systems and pesticide application. Assistance is also available to establish riparian buffers and filter strips. However, current incentives to establish these practices do not supplant the income lost by converting areas suitable for the practices from crop production to permanent vegetation. Federal rules under CRP prohibit the harvest of a hay crop or grazing on enrolled acres.

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Attachment 2*

As mentioned, the Initiative is being designed to complement the federal Conservation Reserve Program. CRP, under the Continuous Sign-Up Provision, offers cost-share assistance to establish buffers and filter strips and provides rental payments to participants for up to 15 years, depending upon the type of vegetation established. The Buffer Initiative will further enhance rental payments received from the federal government by providing a state supplemental rental payment for acres enrolled in targeted watersheds.

The incentives offered through the CRP are based upon established soil rental rates for each county. For example, soil rental rates in Marshall County range from \$38 to \$73 per acre. Rates in Brown County range from \$49 to \$95 per acre. Participants may also receive up to a 20 percent bonus incentive from the CRP depending upon the type of conservation practices enrolled.

It is proposed that the Buffer Initiative further enhance these rental payments as follows:

- If trees are established as a riparian buffer, the state will enhance the federal rental rate by 50 percent.
- If grasses are established as a riparian buffer or filter strip, the state will enhance the federal rental rate by 30 percent.
- The total rental payment resulting from the state enhancement would not exceed \$150 per acre.

Illustrated below are two examples of how payments would be calculated in each of the targeted watersheds:

	<u>Upper Black Vermillion</u>	<u>Grasshopper Creek</u>
Soil type:	Kennebec	Judson
Practice selected:	Riparian buffers w/ trees	Grass filter strip
Years enrolled:	15	15
Acres enrolled:	25	25
Base federal rental rate/acre/year:	\$69	\$95
Bonus federal rental rate/acre/year:	\$13.80	\$19
Total federal rental rate/acre/year:	\$82.80	\$114
State rental rate/acre/year:	\$41.40	\$34.20
Total federal/state rate/acre/year:	\$124.20	\$148.20

Under these examples, the Conservation Commission would enter into a 15 year agreement with the participants for \$15,525 in the Upper Black Vermillion and \$12,825 in Grasshopper Creek. Subject to annual appropriations, the participants, by enrolling 25 acres, would receive an annual payment of \$1,035 (25 * \$41.40) and \$855 (25 * \$34.20), respectively.

I hope my testimony clearly describes the benefits of the Kansas Water Quality Buffer Initiative and outlines the proposed process for its operation. I thank you for the opportunity to appear in support of SB 523 and will stand for questions.



PUBLIC POLICY STATEMENT

HOUSE COMMITTEE ON ENVIRONMENT

RE: SB 523 – Developing the Kansas Water Quality Buffer Initiative

March 17, 1998
Topeka, Kansas

Presented by:
Bill Fuller, Associate Director
Public Affairs Division
Kansas Farm Bureau

Representative Freeborn and members of the House Committee on Environment, my name is Bill Fuller. I am the Associate Director of the Public Affairs Division for Kansas Farm Bureau.

SB 523 expands the Water Quality Initiative launched by Governor Bill Graves in 1995. The proposal creates the Kansas Water Quality Buffer Initiative. The purpose is to filter out sediment, pesticides and other contaminants before they wash into the rivers and streams of the State during rainfall events. The program is voluntary and incentive based.

The plan proposes to encourage landowners, rural and urban, to convert land adjacent to streams and rivers to riparian areas by planting grasses, shrubs and/or trees. Governor Graves earmarked \$800,000 in his State of the State Message to initially enroll 1,200 acres along 50 miles of stream in the buffer program to prevent pollution. As an added incentive in

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Attachment 3*

rural areas, the proposal recommends changing the classification of these buffer strips from cropland to grassland. This will result in lower property taxes on the enrolled land.

Kansas Farm Bureau strongly supports SB 523 and commends Governor Graves for developing and proposing the initiative. Since the initiative is voluntary, provides landowner incentives and will reduce the pollution of streams, we believe many landowners will participate in this program.

Governor Graves' Buffer Initiative is timely and very compatible with a new program Kansas Farm Bureau began developing last fall. KFB is developing a statewide information and promotion campaign on conservation buffers. A video is being produced. Information sheets and brochures will be direct mailed to Farm Bureau leaders and members. Informational packets will be provided for distribution at all 105 county Farm Bureau Offices. KFB is purchasing three more EnviroScape watershed demonstration units and three more table-top displays for use in schools and at county fairs, farm expos, meeting and conferences. We believe the development of buffer strips is common sense conservation and a proactive activity for agricultural producers.

The 435 Voting Delegates representing the 105 county Farm Bureaus at the 79th Annual Meeting of Kansas Farm Bureau developed and adopted policy that includes these statements:

- *"We encourage additional efforts to prevent contamination of ground water and surface water in Kansas. Success is dependent upon partnering by government agencies at all levels, and organizations representing agriculture, business, homeowners, natural resource and environmental interests. All these entities*

must participate in order to increase public awareness and encourage appropriate action."

- *"Since the protection of natural resources is vital to all Kansans, and important for future generations of Kansans, we support expanding cost-share programs, creating tax incentives, and establishing a state revolving-loan fund for resource protection."*
- *"Federal and state cost sharing is appropriate for conservation compliance, and as an incentive for developing and maintaining soil and water conservation structures."*
- *"We support the Governor's Water Quality Initiative and the ongoing research and data collection necessary to protect and enhance water quality in Kansas."*

The farm and ranch members of Kansas Farm Bureau are committed to protecting water quality, other natural resources and the environment. The farm is not only the work place, but it is also the location of the family home and the place where the children are raised.

We appreciate this opportunity to explain why Kansas Farm Bureau supports SB 523 and encourage your approval of the Buffer Initiative. We will respond to any question you may have. Thank You!

Kansas Farm Bureau Resolutions 1998

Natural Resource Protection

CNR- 10

We encourage additional efforts to prevent contamination of ground water and surface water in Kansas. Success is dependent upon partnering by government agencies at all levels, and organizations representing agriculture, business, homeowners, natural resource and environmental interests. All these entities must participate in order to increase public awareness and encourage appropriate action.

An increased focus and allocation of resources should be directed at developing crop and livestock management practices, which protect natural resources, the agricultural economy and the opportunity for continued use of crop and livestock protection products. Researchers, agencies and agricultural producers must all be involved in developing management practices, which are effective and widely utilized. Since the protection of natural resources is vital to all Kansans, and important for future generations of Kansans, we support expanding cost-share programs, creating tax incentives, and establishing a state revolving-loan fund for resource protection.

Soil and Water Conservation

CNR-12

Federal and state cost sharing is appropriate for conservation compliance, and as an incentive for developing and maintaining soil and water conservation structures.

We support legislation that encourages groundwater conservation through conservation reserve incentives offered to landowners who convert to dry land farming and defer irrigation pumping during periods of commodity surplus.

Water Quality Standards

CNR-20

We support the Governor's Water Quality Initiative and the ongoing research and data collection necessary to protect and enhance water quality in Kansas. The Legislature should increase funding for Kansas State University for its science-based research projects in Best Management Practices, which will assist in water quality protection.

We urge the Kansas Legislature to provide adequate funding to assure that existing statutes and regulations relating to salt water disposal and proper plugging of dry holes are being enforced.

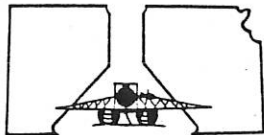
The Kansas Corporation Commission and the Department of Health and Environment should determine that the method of disposal of salt brines will not contaminate fresh water. No well drilled on leased property should be used for disposal of salt water from wells on other property without consent from and compensation to the landowner. The power of eminent domain should NOT be granted for the purpose of salt brine disposal.

Testimony in Support of S.B. 523
The Kansas Water Quality Buffer Initiative
March 17, 1998
House Committee on Environment
by
Charles Benjamin, Ph.D., J.D.
Attorney at Law
Legislative Coordinator
Kansas Natural Resource Council
Kansas Chapter of Sierra Club
935 S. Kansas Ave., Suite 200
Topeka, KS 66612

On behalf of the Board of Directors of the Kansas Natural Resource Council and the Executive Committee of the Kansas Chapter of Sierra Club I come to you today in support of S.B. 523. Last fall the Kansas Natural Resource Council honored former Governor Mike Hayden at its annual dinner at Matfield Green. Hayden urged the Board of KNRC to support the concepts of buffer strips as a potentially effective way of dealing with agricultural runoff that pollutes surface waters in Kansas. That recommendation was enthusiastically endorsed by the KNRC Board of Directors and I later urged the Kansas Sierra Club Executive Committee to support such efforts. Both bodies have directed me to work with state and federal government officials and private organizations such as the Kansas Farm Bureau to do what we can to encourage the use of buffer strips. We think that it makes sense for agricultural producers to save their soil and the money they have invested in herbicides and pesticides by planting buffer strips to keep their soil and the inputs to the soil on the land. We also favor positive incentives toward agricultural producers instead of negative penalties whenever possible to improve the quality of our surface waters. We believe this initiative is in the spirit of positive incentives that encouraged landowners to provide habitat for threatened and endangered species put into law last year. We also think that landowners should not have to pay property taxes at a rate that assumes agricultural production on land they have taken out of production for environmental reasons. We commend the Governor for this initiative, we urge this committee to enthusiastically support S.B. 523 and we pledge to work with anyone concerned to make this program a success.

*House Environment
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Attachment 4*

KANSAS FERTILIZER & CHEMICAL ASSOCIATION



KFCA is COMMITTED
TO PROFESSIONAL
DEVELOPMENT AND
BUSINESS VIABILITY FOR
THE PLANT NUTRIENT
AND CROP PROTECTION
INDUSTRY IN KANSAS.

STATEMENT OF THE

KANSAS FERTILIZER AND CHEMICAL
ASSOCIATION

BEFORE THE

HOUSE ENVIRONMENT COMMITTEE

REGARDING S.B. 523

MARCH 17, 1998

REPRESENTATIVE JOANN FREEBORN,
CHAIR

*House Environment
3-17-98
Attachment 5*

The following statement is submitted on behalf of the Kansas Fertilizer and Chemical Association (KFCA). KFCA is the professional trade association for the state's plant nutrient and crop protection industry. KFCA's nearly 500 members are primarily retail dealers scattered across Kansas which sell and custom apply crop protection chemicals and fertilizers for Kansas producers. However, KFCA's membership also includes distribution firms, manufacturer representatives, equipment manufacturers and others who serve the industry.

The Kansas Fertilizer and Chemical Association has strongly supported the practical approach of the Governor's Water Quality Initiative which relies on voluntary, common-sense programs to solve water quality problems rather than mandatory programs which often prove to be less than successful. This water quality buffer initiative is the next logical step to increase producer awareness, foster cooperation between agricultural organizations and state agencies and most importantly reach positive results. We applaud Governor Graves for his dedication to protecting Kansas' natural resources and his leadership through the introduction of this water quality buffer initiative.

Kansas State University research has proven that well-designed and maintained vegetative filter strips can be very effective in trapping and removing soil sediments and limiting agricultural-related run-off from reaching streams and rivers. By slowing the velocity of surface water run-off, vegetative buffer strips provide filtering action which keeps soil particles and custom applied nutrients and crop protection chemicals from reaching waterways. This initiative will improve the quality of Kansas's surface waters.

KFCA supports and encourages producers to adopt the use of this best management practice (BMP). The additional incentive provided by this initiative will further enhance producers' willingness to implement this proven strategy. The Kansas Fertilizer and Chemical Association supports the cooperative approach this legislation provides and respectfully requests support and passage of Senate Bill 523.

KFCA appreciates the opportunity to submit comments in support of Senate Bill 523. Any questions should be submitted to Doug Wareham, Vice President of Government Affairs, 785-234-0463.



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



Senate Bill 523
Testimony

Presented to: House Committee on Environment
Provided by: Kansas Department of Wildlife and Parks
Date: March 17, 1998

The Kansas Department of Wildlife and Parks supports the Kansas Water Quality Buffer Initiative, proposed as SB 523. As part of the Governor's Water Quality Initiative, the bill would help lead to restoration of riparian areas and, consequently, would help protect the water quality in Kansas. In addition, the Buffer Initiative can serve as a further example of the ability of public agencies to work together with agricultural producers and organizations to promote clean water. We believe SB 523 can be an important part of the state's efforts to protect and improve its valuable natural resources.

*House Environment
3-17-98
Attachment 6*

**TO: House Committee on Environment
Joann Freeborn, Chairperson**

**FROM: Ray Aslin
State Forester**

DATE: March 17, 1998

**SUBJECT: SB 523 - An Act Concerning Conservation; Relating to the Kansas Water
Quality Buffer Initiative**

Madam Chair, members of the Committee; I am Ray Aslin, State Forester, with the Kansas Forest Service. I appreciate the opportunity to testify before your Committee in support of SB 523.

As the State Forestry Agency in Kansas, the Kansas Forest Service is responsible for statewide programs in rural forestry, community forestry, rural fire and conservation tree planting. My remarks today will center on our interest and work in riparian forest buffers, the importance of maintaining healthy riparian forest buffers and the need to reestablish trees along streams and rivers across the state to improve water quality.

The Kansas Water Quality Buffer Initiative could not be coming at a better time. At no time in my 22 year career as a forester in Kansas have I ever seen a better opportunity for conservation work especially dealing with environmentally sensitive lands such as riparian areas. Federal and state agencies and private organizations and associations are working more closely than ever before to protect and improve these areas. Agri-businesses have also made a commitment to riparian buffer establishment and have formed a National Conservation Buffer Council. Companies such as Cargill, Farmland Industries, Pioneer, Con-Agri and Monsanto, who all work in Kansas, have committed to promote conservation buffers with producers they work with. They want to see buffers established on private lands through voluntary efforts because of the important benefits they provide and also to make sure agriculture is not hindered by future environmental regulation.

(over)



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Attachment 7*

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The Kansas Forest Service has focused its rural forestry program on riparian areas for the past ten years. Riparian areas support our prime commercial forests and it is in these areas where good forest management has its greatest benefit to landowners and the state as a whole. We have been working to protect existing forest land associated with streams and rivers and where feasible, planting trees and shrubs in combination with grass strips to build riparian buffers to help filter runoff from nearby cropland, thus improving water quality. Based on current research, properly designed forest buffers improve water quality by reducing nitrogen entry into surface waters by 80 to 99%, phosphate by 50% and sediment by 85%. Pesticide entry is also reduced by 90%. In addition, tree roots stabilize stream banks and reduce soil erosion.

In spite of these benefits, riparian buffers can be a hard sell to private landowners. In a recent study, 80% of the landowners surveyed did not consider buffers to be an option as a conservation practice. I believe the reason they are not considered is because riparian areas usually contain the best soils on the farm and are used for agricultural crop production. Agricultural producers operate on a small profit margin and to become active in buffer establishment economic incentives are needed to encourage their participation.

I believe SB 523 takes a major step in encouraging landowners to implement buffer practices. The use of State funds to enhance Federal funds provided under the Conservation Reserve Program along with the property tax incentives proposed in the amendment are strongly supported by the Kansas Forest Service.

The State's investment in forest buffers will be a good water quality investment. It has been proven from past agricultural incentive programs that tree plantings, once established, stay on the land and provide long term public benefits.

Written Comments
on
Senate Bill 523

“The Kansas Water Quality Buffer Initiative”

by

Farmland Industries, Inc.
Kansas City, Missouri

March 17, 1998

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*House Environment
3-17-98
Attachment 8*

On behalf of the farmer-owned Farmland System and specifically the over 50,000 farm families who own the 140 local cooperatives in this state, we strongly support S.B.

523. Farmland, as one of the major sponsors of the National Conservation Buffer Initiative, has committed over \$500,000 and other resources, to ensure its implementation.

The Initiative's goal is to have landowners install 2 million miles of conservation buffer strips by the year 2002. This initiative is a public-private partnership. We applaud the Governor for taking a leadership role in this endeavor.

An American Academy of Science study has determined that conservation buffers, used in concert with cropland management practices, can reduce agricultural runoff by as much as 70 percent.

Buffers provide a means of improving soil and water quality, while improving wildlife habitat. We strongly believe that

S.B. 523, the Kansas Water Quality Buffer Initiative, is an essential vehicle for the agricultural community to use as a major water quality improvement.

The vital part of this proposed initiative is that it is based on voluntary, incentive-based approaches to accomplish reduced agricultural runoff and improved water quality.

S. B. 523, in addition to the federal programs, will enhance greater participation in this important program by Kansas agricultural producers.

We urge support for this measure.

Thank you.

Testimony of Senate Bill 523
House Environment Committee
March 17, 1998
Prepared by Joe Lieber
Kansas Cooperative Council

Mr. Chairman and members of the Committee, I'm Joe Lieber, Executive Vice President of the Kansas Cooperative Council. The Council has a membership of nearly 200 cooperative businesses, which have a combined membership of 200,000 Kansans.

The Council and its members have always encouraged safe environmental practices. Many of our members are promoting the use of buffer strips and many of their farmer/owners are engaged in the practice.

We feel that SB 523 will enhance the program and encourage favorable support for it.

Thank you for your consideration.

*House Environment
3-17-98
Attachment 9*