

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairperson Robert Tyson at 8:30 a.m. on January 12, 2001 in Room 423-S of the Capitol.

All members were present except: Senator David Corbin - excused
Senator Christine Downey - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Judy Krase, Committee Secretary

Conferees appearing before the committee:

Dr. Ron Hammerschmidt, Director, Division of Environment, KDHE
Tom Stiles, Director, Policy and Planning, KDHE
Jan Sides, Director, Bureau of Air and Radiation, KDHE

Others attending: See attached list

The meeting was called to order by Chairperson Robert Tyson. He stated that the meeting would continue on the subject of water and clean air.

The first conferee to appear before the committee was Dr. Ron Hammerschmidt. He stated that Tom Stiles, Director of Policy and Planning, would start the morning by giving a presentation on total maximum daily loads.

Tom Stiles, proceeded to brief the committee (Attachment 1). Discussion and questions followed his presentation

Dr. Hammerschmidt stated for the record that he didn't want anyone to misconstrue comments made in regard to KDHE's authority to regulate non point source pollution. Dr. Hammerschmidt said he has worked with 3 Secretaries as director and none of them would attempt to do a regulation of non point without coming to get explicit authority from the legislature and the statutes. Also, he stated that Tom Stiles' efforts of physically developing the TMDLs have received some national recognition and this is one place where they are pleased to be in the forefront.

Jan Sides, Bureau of Air and Radiation, briefed the committee on air quality and fuel issues in Kansas City. A booklet was handed out titled *1999 Air Quality Report* (on file in the office of Legislative Research). Mr. Sides explained the background, where we are now, and the future of the ozone situation in Kansas City. Discussion and questions followed his presentation.

Ron Hammerschmidt noted that another area of concern is Wichita for air quality and they are working to try to get in front of that issue. EPA is not involved there.

Chairman Tyson reminded members and others that the Ag Tour is next Thursday.

The meeting adjourned at 9:30 a.m.

The next meeting is a joint meeting with the Senate Agriculture Committee scheduled for January 17 at 8:30 a.m.

**SENATE NATURAL RESOURCES COMMITTEE
GUEST LIST**

DATE: JANUARY 12, 2001

NAME	REPRESENTING
Chris Dove	Sycora Club / Charles Benjamin
Jim Allen	Seaboard
David Miller	DOB
Bill Bider	KDHE - Bureau of Wst Mgt
Margaret Fast	Ks Water Office
Joe Fund	KDHE
Dr. Ron Hammerschmidt	"
MIVE TATE	KDHE
JAN SIDES	KDHE
Tom Stiles	KDHE
Karl Mueldeuer	"
STEVE KEARNEY	PMCA
Andy Shaw	Kearney Law Office
Gary Blackburn	KDHE
Rebecca Reed	KDA
Doug Wareham	KGFA/KFCA
Doug Smith	Ks. Legislative Policy Group
Tom Bruno	Attend ASSOC.
Judene Cole	Sen. Support Office
Mike Beam	Ks. Livestock Assn.
Chris Wilson	Ks Ag Aviation, Ks Dairy Ass'n

STATUS OF TOTAL MAXIMUM DAILY LOADS

1. Overview

- a. TMDLs - Maximum amount of pollutant which can be in water without causing violation of water quality standards.
- b. Requirement of Section 303d of Clean Water Act since 1972
- c. Kansas under Court Decree to develop TMDLs in all 12 river basins by 2006
- d. KDHE pursuing accelerated schedule to get first round complete by 2003

2. Numbers

Basin	Year Completed	Streams	Lakes	Total
KLR	1999	63	37	100
Cimarron	2000	7	3	10
Upper Ark	2000	16	5	21
Lower Ark	2000*	45*	30	75
Missouri	2001	13	11	24
MdC	2001	22	17	39
Ver, Wal, Neo	2002	TBD	TBD	TBD
SH-Sal, Sol, UR	2003	TBD	TBD	TBD

* 28 Stream TMDLs for Lower Ark under revision, completed by March 2001

3. Implementation

- a. High - Implement now for next five years - NPS/BMP; Point Source/NPDES permits
- b. Medium - Defer for five years while High priority receives resources
- c. Low - Defer for further evaluation on impairment and causes
- d. High priority watersheds - evaluated for delisting on 2010 303d list

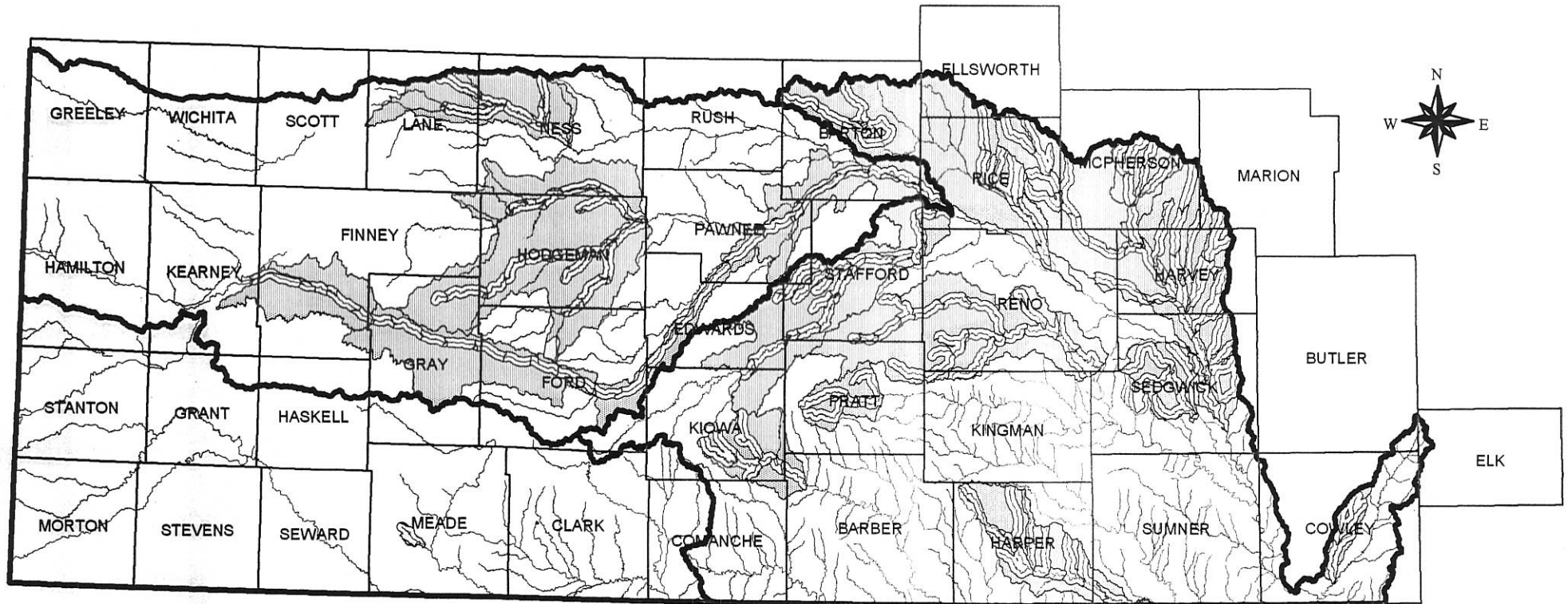
4. Public Process






- a. Water Planning Process - Basin Advisory Committees & Ks Water Plan Meetings in Feb-Mar
- b. Individual Meetings - Basin Interests (Sedg. Co. TAG); Advocates (KFB, Friends of Kaw)
- c. Formal Hearings - May 29 in Atchison; May 30 in Ottawa
- d. WEB Access - <http://www.kdhe.state.ks.us/tmdl/>

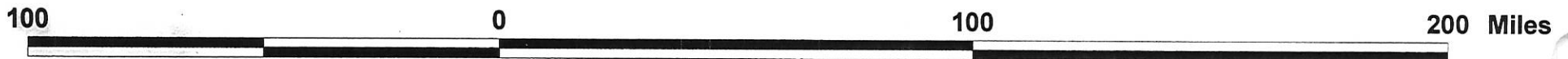
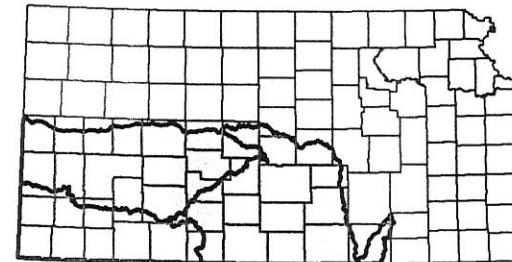
5. New Developments

- a. New regulations by EPA on TMDLs become effective on October 1, 2001
- b. New 303d List of Water Quality Impaired Waters on April 1, 2002

Upper & Lower Arkansas and Cimarron Basins High Priority TMDL Watersheds and Target Areas



-  Target Areas
-  High Priority Watersheds
-  Hydrology
-  County
-  Upper & Lower Ark/Cimarron Basins



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