

Approved: February 26, 2002
(Date)

MINUTES OF THE SENATE AGRICULTURE COMMITTEE.

The meeting was called to order by Chairperson Derek Schmidt at 8:30 a.m. on February 19, 2002 in Room 423-S of the Capitol.

All members were present except: Senator Taddiken (excused)

Committee staff present: Raney Gilliland, Legislative Research Department
Gordon Self, Revisor of Statutes
Betty Bomar, Secretary

Conferees appearing before the committee:

Mike Beam, Kansas Livestock Association
Richard Jones, Executive Director, Kansas Association of Conservation Districts
Leslie Kaufman, Associate Director, Kansas Farm Bureau
Tracy Streeter, Executive Director, State Conservation Commission
Jamie Clover Adams, Secretary, Kansas Department of Agriculture
Sue Peterson, Assistant to the President for Governmental Relations, Kansas State University
Clint Riley, Department of Wildlife & Parks

Others attending: See attached list

SB 548 - Control and eradication of Sericea Lespedeza

Mike Beam, Kansas Livestock Association (KLA), testified in support of **SB 548**, stated KLA hears continually from ranchers and landowners about the aggressive spread of sericea lespedeza, saying it is the most serious challenge they face as cattle producers and resource managers. Sericea lespedeza has been a problem for grazing lands in the eastern one third of the state; however, county weed departments have identified this plant in over 50 counties. Currently sericea is found in 75 counties within the state. Sericea is difficult and expensive to control, and in some cases the cost of treating and controlling the weed is almost equal to the annual gross income a landowner can expect when leasing the pasture for livestock grazing.

SB 548 allows the Secretary of Agriculture to identify areas of the state that have the highest sericea lespedeza infestations, gives local conservation districts authority to roll out assistance to private and public landowners for controlling this noxious weed. It is important to put a program in place in preparation of any state or federal dollars that may be appropriated for the purpose of controlling this invasive noxious weed. (Attachment 1)

Richard G. Jones, Executive Director, Kansas Association of Conservation Districts, testified in support of **SB 548**, stating the Conservation Districts have passed resolutions concerning the grazing land problems with sericea lespedeza. One resolution was directed at the eradication of sericea in USDA Conservation Reserve seeded acres and the other was in support of Kansas State University and its research efforts directed at controlling sericea lespedeza. The spread of sericea has a major economic impact on the livestock industry in the state.

Additional funds for controlling sericea lespedeza should not come at the expense of current programs. A new sources of funding should be made available for this problem. (Attachment 2)

Leslie Kaufman, Association Director Public Policy Division, Kansas Farm Bureau (KFB) testified in support of **SB 548**, stating KFB is in favor of allowing for the designation of sericea lespedeza disaster areas and providing for grants for sericea controls. KFB membership strongly encourages all landowners, public and private, to control noxious weeds on their land. The KFB noxious weed Resolutions support: the current shared responsibility for compliance and implementation of the noxious weed law between landowners, counties and the state; technical assistance provided by the state;

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encourages all private landowners, including absentee landowners, governmental entities, railroads, rail trail sponsors and utilities holding or managing land to control and work toward eradicating noxious weeds; control and cost-share procedures that include the use of herbicides, cultural practices and biological methods; increased technical assistance to improve rangeland management; the assisting of landowners in controlling all noxious weeds; and the partnering of governments to implement effective control programs. (Attachment 3)

Tracy Streeter, Executive Director, State Conservation Commission, testified in support of **SB 548**, stating the proposed legislation enables conservation districts located in disaster-declared counties to control and eradicate sericea lespedeza, and allows state grants, up to 80 percent of the total costs, to be provided for the control and eradication of the species, and places a sunset provision on each amendment of June 30, 2005. Mr. Streeter stated he is concerned as to the impact the proposed new programs would have on existing programs and the ability of the agency to carry out its responsibilities. If additional financial assistance is appropriated to the State Conservation Commission for a sericea lespedeza control program, the agency will work with the Secretary of Agriculture to devise and implement the provisions contained in **SB 548**. (Attachment 4)

Jamie Clover Adams, Secretary, Kansas Department of Agriculture (KDA), testified in support of **SB 548**. Ms. Adams stated **SB 548** requires KDA to develop criteria that will be used to declare counties sericea lespedeza disaster areas, and provides a mechanism should any federal funds be made available to address invasive plants and pests. Ms. Adams outlined KDA activities in its efforts to address sericea lespedeza infestation for nearly a decade. Ms. Adams stated KDA will propose amendments to clean up the language in **SB 548**, as there is not a noxious weed division within the Department of Agriculture. (Attachment 5)

SB 556 - Establishment of sericea lespedeza research and experiment station at Toronto state park

The Chairman submitted a Revisor's Bill which is to be a **Substitute for SB 556**, establishing a research and demonstration project in the Toronto state park area, rather than establishing a research station. (Attachment 6)

Mike Beam, KLA, testified in support of **SB 556**, stating KLA supports research and educational efforts. An education effort is needed to provide the latest knowledge about sericea and there is a need to inform more landowners about sericea lespedeza's negative impact on grazing lands. **SB 556** sets up a cooperative process between the Department of Wildlife and Parks and KDA which will benefit all citizens of the state. (Refer to Attachment 1)

Leslie Kaufman, KFB, testified in support of **SB 556**. (Refer to Attachment 3)

Jamie Clover Adams, Secretary, KDA, testified in support of **SB 556**, requiring KDA to cooperate with the Kansas Department of Wildlife and Parks (KDWP) to explore solutions to sericea lespedeza infestation needs. Ms. Adams stated KDA will work on this project as it has all its efforts to manage and contain sericea lespedeza due to the critical nature of the issue to Kansas agriculture. (Refer to Attachment 5)

Sue Peterson, Assistant to the President for Governmental Relations, Kansas State University, distributed a Memorandum from Steven Graham, Assistant to the Dean and Director, in support of **SB 556**, stating K-State Research and Extension, is always willing to collaborate with KDA and KDWP to conduct research, demonstrate new methods of control, and conduct field days and workshops to share new information with agencies, landowners and the citizens of Kansas. The University favors ways to enhance funding for conducting this research. (Attachment 7)

Clint Riley, Department of Wildlife & Parks (KDWP) testified in support of **SB 556**, stating KDWP continues to work to control sericea and other noxious weeds on department property. In FY 2001 \$138,000 was expended on noxious weed control alone, which does not include other control methods including mowing or burning. Sericea lespedeza has become a growing problem in parts of southeast Kansas, including properties such as Toronto State Park and Toronto Wildlife area. As a consequence, KDWP has developed a number of strategies in an attempt to control the growth, including chemical

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applications, a variety of burning techniques, and the experimental use of goats as grazers around Melvern Lake in cooperation with Emporia State University. Mr. Riley stated that by establishing official experiment plots at Toronto, KDWP could compare many of the control techniques and ultimately provide new information to private landowners about cost-efficient and effective means of controlling the weed. (Attachment 8)

The hearings on **SB 548 and SB 556** were concluded

Upon motion by Senator Huelskamp, seconded Senator Downey, the Minutes of February 12, 2002 were approved as amended, and the Minutes of February 13, 2002 were approved. The voice vote was in favor of the motion.

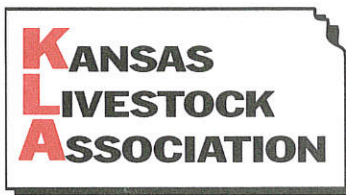
The meeting concluded at 9:30 a.m.

The next meeting is scheduled for February 20, 2002

SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: February 19, 2002

NAME	REPRESENTING
JOHN KABUS	COUNTY WEED DIRECTOR OF KS
DAN STREET	COUNTY OF MITCHELL Co WEED
RON THOMAS	CLOUD COUNTY WEED DEPT.
Rodney Biesenthal	Pottawatomie Co KXWD
Richard James	KS. Assn of Coun. Districts
Mike Collinge	Kansas Livestock Assn.
Roger Hamm	KDOR - PUD
Mike Beam	Ks. Luth. Assn.
Clint Riley	KDWP
Edwin McGrew	Farmers / Landowners
Ruth McGrew	" "
Tom Sim	KS Dept. of Agriculture
Leslie Kaufman	Ks Farm Bureau
TRACY STREETER	CONSERVATION COMMISSIONER
SUE PETERSON	K-STATE
Chris Wilson	KS Seed Industry Ass'n



Since 1894

To: Senate Agriculture Committee
Senator Derek Schmidt, Chairman

From: Mike Beam, KLA Staff

Subject: Support for SB 548 & SB 556

Date: February 19, 2002

The Kansas Livestock Association supports the thrust and intentions of SB 548 & SB 556 and we appreciate Chairman Schmidt's genuine and sincere effort to address one of the most serious economic and environmental issues facing Kansans. We continually hear from ranchers and landowners about the aggressive spread of sericea lespedeza. In many situations, ranchers will tell you sericea lespedeza is the most serious challenge they face as a cattle producer and resource manager.

For the most part, this noxious weed has been a problem for grazing lands in the eastern one third of the state. In recent years, however, county weed departments have identified this dreaded plant in over 50 counties. The attached graph prepared by the Kansas Department of Agriculture shows the aggressive nature of sericea lespedeza. It has become a statewide problem, and an important issue that deserves the full attention of the Kansas Legislature.

This invasive species is difficult and expensive to control. Oftentimes, the cost of treating this noxious weed is almost equal to the annual gross income a landowner can expect when leasing their native pasture for livestock grazing. We continue to encourage researchers to search for more economical and effective control methods. In the meantime, landowners from all across Kansas need to be keenly aware of the sericea lespedeza threat and work to contain the spread of this noxious weed.

SB 548 - State Efforts to Control and Eradicate Sericea lespedeza.

This bill (SB 548) appears useful as it allows the Kansas Secretary of Agriculture to identify areas of the state that have the highest sericea lespedeza infestations. In addition, SB 548 gives local conservation districts authority to roll out

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assistance to private and public landowners/managers for controlling this noxious weed. We realize this bill does not appropriate money for this purpose and most conservation districts are unable find significant resources to add to their list of conservation requests. It is important, however, to put a program in place in preparation of any future state or federal dollars appropriated for this purpose.

Currently, there are several bills pending in Congress to provide block grants to states to use for invasive species control programs. One proposal is HR 3260, introduced by Representative Jerry Moran (R-KS), which could provide the needed shot in the arm to help Kansas' landowners with this challenge. In fact, one of the provisions of Representative Moran's bill is a requirement that states must demonstrate the ability to carry out the plan. (See attached bill.)

SB 548 does provide a state-local program that could quickly and efficiently administer federal monies if available in the near future.

SB 556 - Establishing a Research Station at Toronto State Park

KLA has long supported proposals to enhance research and educational efforts for economical, practical, and effective methods to control sericea lespedeza. An educational effort is needed to provide the latest knowledge about this plant and inform more landowners about sericea lespedeza's negative impact on grazing lands. Research is equally important, as we must find additional tools to control sericea lespedeza infestations.

This bill proposes to develop a research and experiment station at Toronto State Park with the focus on sericea lespedeza control. Furthermore the bill requests that the Secretary of Wildlife and Parks cooperate with the Secretary of Agriculture on this project. This "let's cooperate" language is healthy and important. I believe there is little the State of Kansas cannot accomplish if the various state and federal agencies, research institutions, and private sector organizations will pull together on this challenge.

This cooperation is happening, but perhaps a targeted facility in the heart of sericea country can enhance this effort. We support SB 556 and SB 548 and we appreciate the Senate Agriculture Committee's attention to this issue.

Thank you.

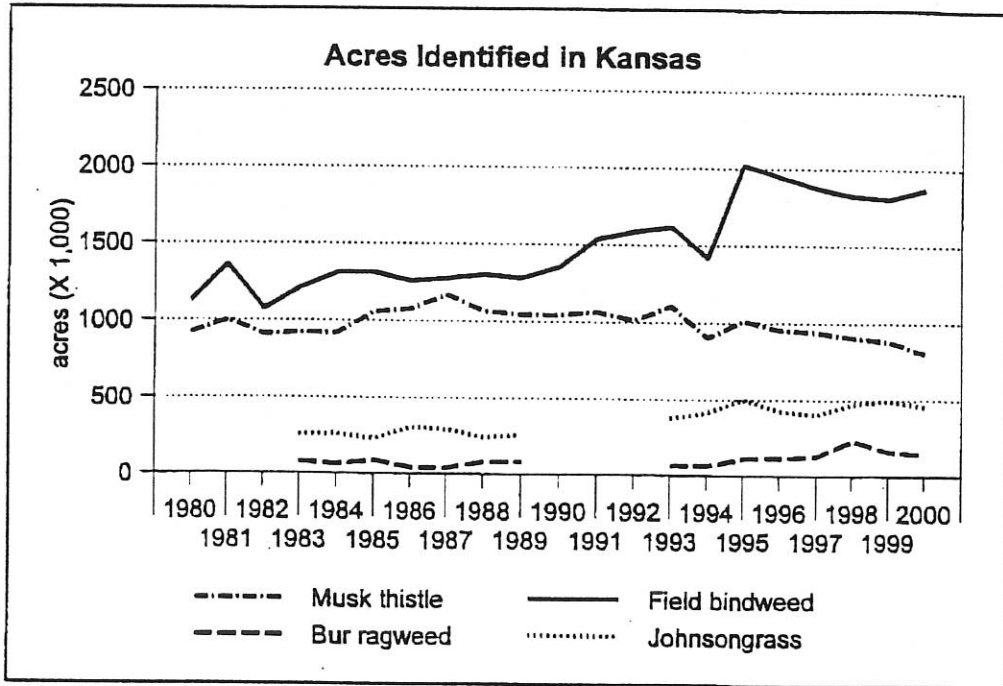


Figure 1. The acres reported for the selected noxious weeds in Kansas. (Data from Kansas Department of Agriculture)

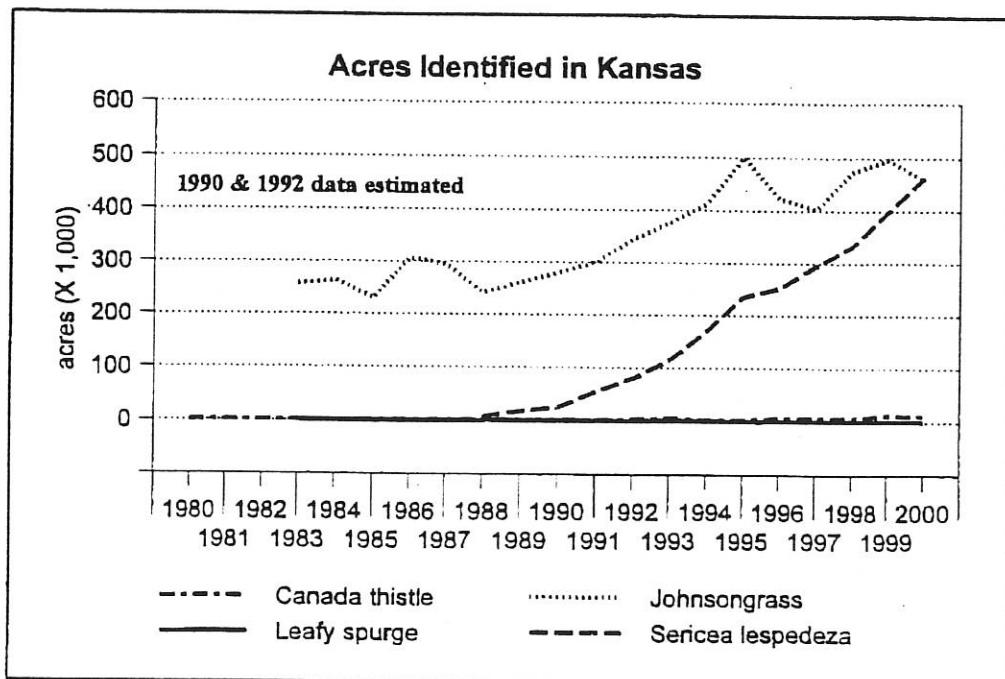


Figure 2. The acres reported for noxious weeds rapidly increasing as compared to Johnsongrass in Kansas. (Data from Kansas Department of Agriculture)

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Noxious Weed Control Act of 2001 (Introduced in the House)

HR 3260 IH

107th CONGRESS

1st Session

H. R. 3260

To amend the Plant Protection Act to authorize the Secretary of Agriculture to carry out a cost-share program with the States for the control of noxious weeds.

IN THE HOUSE OF REPRESENTATIVES

November 8, 2001

Mr. MORAN of Kansas introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Plant Protection Act to authorize the Secretary of Agriculture to carry out a cost-share program with the States for the control of noxious weeds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Noxious Weed Control Act of 2001'.

SEC. 2. DEPARTMENT OF AGRICULTURE COST-SHARE PROGRAM FOR NOXIOUS WEED CONTROL.

The Plant Protection Act is amended by inserting after section 418 (7 U.S.C. 7718) the following

new section:

SEC. 719. COST-SHARE PROGRAM FOR NOXIOUS WEED CONTROL.

(a) PROGRAM AUTHORIZED- The Secretary may carry out a grant program to provide financial assistance to States to support State efforts to control noxious weeds.

(b) NOXIOUS WEED CONTROL PLAN-

(1) PLAN REQUIRED- To be eligible for a grant under the program, a State shall submit to the Secretary a plan describing the purposes for which the grant funds would be used, the types and extent of the noxious weeds to be subject to control, and the control methods proposed to be used. The noxious weed control plan shall be submitted at such time, and contain such other information, as the Secretary may require.

(2) PREPARATION; CONSULTATION- To be accepted by the Secretary, a State shall prepare its noxious weed control plan using the department of agriculture of the State. The plan shall be prepared in consultation with the Secretary and agricultural producers in the State whose lands are threatened by noxious weeds.

(c) SELECTION OF RECIPIENTS- The Secretary shall select grant recipients on the basis of the following:

(1) The noxious weed control plan submitted under subsection (b).

(2) The threat posed by noxious weeds in the State.

(3) The demonstrated ability of the State to carry out the plan.

(4) The extent to which the economy of the State is dependent on agriculture and natural resources.

(d) MATCHING FUNDS REQUIREMENT- As a condition on the receipt of a grant under the program, the State shall agree to provide non-Federal funds or in-kind support to match the amount of the grant funds. In-kind support may be provided by a State only with the consent of the Secretary.

(e) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this section \$25,000,000 for each of the fiscal years 2002 through 2011.

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THE KANSAS ASSOCIATION OF CONSERVATION DISTRICTS

522 Winn Road
Salina, Kansas 67401
Telephone (785) 827-2547
Fax (785) 827-7784

Board of Directors

SANDRA JONES

President
5160 E. Road 17
Johnson, Kansas 67855
Telephone (620) 492-6495
Fax (620) 492-2772

DON M. REZAC

Vice President
12350 Ranch Road
Emmett, Kansas 66422
Telephone (785) 535-2961
Fax (785) 889-4514

JON STARNES

Secretary-Treasurer
443 County Road 1
Brewster, Kansas 67732
Telephone (785) 694-2734
Fax (785) 694-2451

CARL JORDAN

Past President & Director
Route 1, Box 110
Glen Elder, Kansas 67446
Telephone (785) 545-3361
Fax (785) 545-3659

DENNIS YOUK

Director
519 Locust
Marion, Kansas 66861
Telephone (620) 382-3873

RICHARD G. JONES

Executive Director
522 Winn Road
Salina, Kansas 67401
Telephone (785) 827-2547
Fax (785) 827-7784

SENATE COMMITTEE ON AGRICULTURE

Senate Bill 548 - AN ACT concerning agriculture; relating to control and eradication of sericea lespedeza; powers of secretary of agriculture; expenditures by conservation districts.

February 19, 2002

Topeka, Kansas

Presented by:

**Richard G. Jones, Executive Director
Kansas Association of Conservation Districts**

Chairman Schmidt, and members of the Committee, my name is Richard Jones and I am here representing the 105 Conservation Districts of Kansas. We appreciate the opportunity to discuss Senate Bill 548.

The Conservation Districts, at their last two annual meetings, have passed resolutions concerning grazing lands problems with sericea lespedeza. One of the resolutions was directed at the eradication of sericea in USDA Conservation Reserve seeded acres and the other was in support of Kansas State University and their research efforts directed at controlling sericea lespedeza.

Conservation Districts are the natural resource experts at the local level. They set the natural resource priority needs within their local district. They adopt and direct the conservation programs that will meet their priorities. To be successful, conservation programs must be implemented by people at the local level. This is true for a program to control sericea lespedeza.



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Attachment # *2-1 thru 2-2*

The Conservation Districts in southeast Kansas are especially interested in controlling and or eradicating sericea lespedeza in the native rangeland within their district. The spread of this noxious weed has a major economic impact on the livestock industry in this area. The districts have indicated an interest in implementing a program at the local level to address the problem.

We understand the problem, but we must also be realistic. Funding for current conservation programs is not adequate to meet existing needs. Conservation Districts have a waiting list of Kansas farmers and ranchers wanting financial and technical assistance for conservation treatment needed on their land. Funds for controlling sericea lespedeza should not come at the expense of current programs. We believe that a new source of funding should be made available for this problem.

We support Senate Bill 548 and recommend it's passage.



Kansas Farm Bureau

2627 KFB Plaza, Manhattan, Kansas 66503-8508 • 785.587.6000 • Fax 785.587.6914 • www.kfb.org
800 S.W. Jackson, Suite 817, Topeka, Kansas 66612 • 785.234.4535 • Fax 785.234.0278

Public Policy Statement

SENATE COMMITTEE ON AGRICULTURE

RE: SB 548 – allowing for the designation of sericea lespedeza disaster areas and providing for grants from conservation funds for sericea controls.

SB 556 – establishing a sericea lespedeza experiment research station.

**February 19, 2002
Topeka, Kansas**

**Presented by:
Leslie Kaufman, Associate Director
Public Policy Division**

Chairman Schmidt and members of the Senate Agriculture Committee, thank you for the opportunity to present testimony in support of SB 548 allowing for the designation of sericea lespedeza disaster areas and providing for grants for sericea controls and SB 556 establishing a sericea lespedeza experiment research station at Toronto state park.

Control and eradication of noxious weeds is a concern of farmers and ranchers across the state. The past few years have seen a significant increase in the number of acres of land, particularly pasture and rangeland, infested with sericea lespedeza.

Our members strongly encourage all landowners, public and private, to control noxious weeds on their land. Year after year, Farm Bureau members raise concerns with absentee landowners and public landholders failing to adequately control noxious weed growth.

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Attachment #

3-1 thru 3-2

The following statements are included in our 2002 KFB Resolutions and are part of our noxious weed policy:

- We support the current shared responsibility for compliance and implementation of the noxious weed law between landowners, counties and the state.
- The state should provide technical assistance and provide increased oversight authority.
- All private landowners, including absentee landowners, governmental entities, railroads, rail trail sponsors and utilities holding or managing land should control and work toward eradicating noxious weeds.
- Control procedures and cost-share should include the use of herbicides, cultural practices and biological methods.
- We seek increased technical assistance to improve rangeland management.
- To assist landowners in controlling all noxious weeds, including sericea lespedeza, we support additional state, federal, and industry funding that is required to increase research needed to develop more effective products, procedures and practices.
- We encourage the partnering of governments, on all levels, private landowners, agricultural chemical companies and others to implement effective control programs.

SB 548 and SB 556 are compatible with these policy positions and represent a commitment by the state to access funding, provide for the granting of funds and further research into much need control procedures for addressing sericea lespedeza infestations. As such, we respectfully request the Committee act favorably on these measures. Thank you.

Kansas Farm Bureau represents grassroots agriculture. Established in 1919, this non-profit advocacy organization supports farm families who earn their living in a changing industry.



State Conservation Commission

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

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



Senate Agriculture Committee February 19, 2002

Testimony on Senate Bill 548 Tracy Streeter, Executive Director

Mr. Chairman and Members of the Committee, thank you for the opportunity to provide testimony in support of Senate Bill 548. This bill amends K.S.A. 2-1908 to enable conservation districts located in disaster-declared counties to control and eradicate *Sericea Lespedeza*. SB 548 also amends K.S.A. 2-1915 to allow state grants, up to 80 percent of the total costs, to be provided for the control and eradication of the species. SB 548 places a sunset provision on each amendment of June 30, 2005.

The State Conservation Commission has conducted an informal survey of 20 county conservation districts in southeast Kansas regarding their role in addressing *Sericea Lespedeza*. Twelve counties responded and below is a summary of the responses:

1. Twelve conservation districts expressed a need for assistance to address *Sericea*.
2. Eleven conservation districts expressed an interest in implementing a program to address *Sericea*.
3. Seven conservation districts indicated their interest in implementing a program is based upon receiving additional cost-share funding from the state.
4. One district recommended additional funding be provided to the county noxious weed departments to control *Sericea*.

Although the State Conservation Commission is not specifically mentioned in SB 548, K.S.A. 2-1915 provides much of the statutory basis for SCC cost-share programs. Any time new programs are proposed, I as an administrator am concerned about the impact on existing programs and the ability of the agency to carry out its responsibilities. However, should financial assistance be appropriated to SCC for a *Sericea Lespedeza* control program, the agency would work cooperatively with the Secretary of Agriculture, affected county govern conservation districts to devise a program to implement the provisions (

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The agency has attempted to identify the fiscal impact on the agency to implement such a program. Initial program and policy development can be absorbed by the agency. Implementation costs at the state level and local administrative and technical assistance costs would be based upon the number of counties declared as a disaster and the amount of funding appropriated.

I appreciate the opportunity to present testimony this morning and will respond to questions at the appropriate time.

STATE OF KANSAS

BILL GRAVES, GOVERNOR
Jamie Clover Adams, Secretary of Agriculture
109 SW 9th Street
Topeka, Kansas 66612-1280
(785) 296-3556
FAX: (785) 296-8389



KANSAS DEPARTMENT OF AGRICULTURE
Senate Agriculture Committee

February 19, 2002

Testimony Regarding SB 548 & SB 556

Jamie Clover Adams, Secretary of Agriculture

Mr. Chairman and members of the committee, I am Jamie Clover Adams, Secretary of the Kansas Department of Agriculture. Thank you for the opportunity to appear today to support Senate Bill 548 and Senate Bill 556.

Senate Bill 548

SB 548 requires the Department to develop criteria that will then be used to declare counties sericea lespedeza disaster areas. Given the critical nature of this issue, KDA would redirect staff resources to accomplish this task. The proposal would provide landowners in highly infested parts of the state with an opportunity to obtain cost share assistance to contain this invasive weed. The proposal could also provide a mechanism should any federal funds be made available to address invasive plants and pests.

Senate Bill 556

SB 556 requires the Department to cooperate with the Kansas Department of Wildlife and Parks in efforts to utilize Toronto State Park to explore solutions to sericea lespedeza infestation needs. KDA will work on this project as we have all other efforts to manage and contain sericea lespedeza because of the critical nature of this issue to Kansas agriculture.

KDA Efforts to Address Sericea Lespedeza Infestations

The Department has been actively involved in many efforts to address sericea lespedeza infestations for nearly a decade. These include:

- The KDA obtained a Section 18 special registration exemption from EPA for the use of Vista + Remedy for sericea lespedeza control in 2001 and is requesting the same Section 18 for 2002. KDA published an emergency regulation to allow counties to cost-share this tank mix for sericea lespedeza control.

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- The KDA played an active role in the formation of the Sericea Lespedeza Multi-State Work group in 1998 and continues to work within this group to promote awareness and control of sericea lespedeza within the region. For the past three years, Kansas has hosted the annual meeting of the four states (KS, NE, MO, OK) currently active in the group. The group is composed of ranchers, producer groups, county, state and federal agencies. Brochures, posters and a briefing for elected officials and agency secretaries held in February, 2000 at the KDA office are some of the accomplishments of this group. Meetings are planned this summer for landowners and public land managers along the borders of Kansas to enhance cooperation across the state line.
- In 1993, the KDA signed an MOU with Ft. Riley to enhance the control of noxious weeds at the installation. This cooperative effort has resulted in an accurate inventory of weed problems at Ft. Riley and greater efforts to control noxious weeds. Ft. Riley is currently completing an Environmental Assessment (EA) which will allow the aerial application of herbicides to control sericea lespedeza. The KDA was a respondent in support of the EA.
- The KDA is currently working with the Corps of Engineers in both the Kansas City and Tulsa districts to develop a cooperative agreement similar to the MOU with Ft. Riley. This agreement will improve the lines of communication at both the state and local level resulting in improved noxious weed control, particularly sericea lespedeza at Federal reservoirs. The authority to enter into the MOU with Ft. Riley and the cooperative agreement with the Corps of Engineers is provided for in the Federal Plant Protection Act and Kansas plant pest and noxious weed laws.
- Training has been provided on the identification and control of sericea lespedeza to county weed directors at their monthly district meetings. This is very important in the western half of Kansas where sericea is not as abundant and early detection and control is vital.
- The KDA petitioned the North American Weed Management Association (NAWMA) to add sericea lespedeza to the list of species whose propagative parts would be prohibited in hay certified to the North American Weed Free Forage program standards. The KDA signed an agreement with NAWMA to certify forage and mulch to the standards adopted by NAWMA. This has allowed Kansas producers access to markets for certified forage and mulch in other states. Certification is necessary only if required by the end user.
- The KDA has provided suggested management plans for each noxious weed to KDWP and KDOT taking in consideration their various land use schemes.
- The KDA provided pass-through funding for two years for sericea lespedeza research conducted by Kansas State University and Emporia State University. Some of this research included a grazing study in cooperation with KDWP at Melvern Reservoir, herbicide trials, sericea lespedeza webworm biocontrol studies and research into the basic biology of sericea lespedeza.

Thank you for the opportunity to appear today to supports these bills. I would stand for questions at the appropriate time.

SENATE BILL NO. _____

By

AN ACT concerning sericea lespedeza; relating to control and eradication; research and demonstration efforts.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The purpose of this act is to provide for the coordination, enhancement and continuation of federal, state and local efforts as well as public and private efforts to develop an effective and affordable method of controlling or eradicating sericea lespedeza and to encourage communication of information about sericea control methods to landowners and land managers.

(b) The secretary of agriculture in cooperation with the secretary of wildlife and parks shall designate an appropriate parcel of land as a research area to study and demonstrate methods of controlling or eradicating sericea lespedeza. Such site shall be designated on land managed by the department of wildlife and parks at toronto lake and shall be utilized to provide a focal point for activities that further the purposes of this act.

(c) The research and demonstration efforts conducted on the site designated as provided in subsection (b) shall include a variety of methods used to control or eradicate sericea lespedeza and shall include utilization of experiment and demonstration plots and development of field days and workshops to demonstrate methods of control or eradication of sericea lespedeza.

(d) The secretary of agriculture and the secretary of wildlife and parks shall have authority to request assistance from any federal, state or local authority, from any public or private university or other research institution, from any business organization, or from any individual in furthering the purposes of this act. All such entities are hereby requested to cooperate with the secretary of agriculture and the secretary of wildlife and parks in furthering the purposes of this act.

(e) The provisions of this act shall sunset on June 30, 2007.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

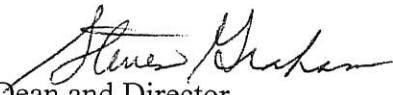
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February 19, 2002



TO: Sue Peterson
Assistant to the President for Governmental Relations

FR: Steven Graham 
Assistant to the Dean and Director

Dean of Agriculture
Director of Agricultural
Experiment Station and
Cooperative Extension Service
113 Waters Hall
Manhattan, KS 66506-4008
785-532-6147
Fax: 785-532-6563
<http://www.oznet.ksu.edu>

RE: Testimony on SB 556 before the Senate Agriculture Committee on 2/19/2002

Chairman Schmidt, members of the Senate Agriculture Committee, ladies and gentlemen, I am Steven Graham, Assistant to the Dean of the College of Agriculture and Director of K-State Research and Extension Marc Johnson. I would like to submit testimony in favor of Senate Bill 556, assuming the changes we understand will be introduced today are actually made to the bill.

I apologize for not coming in person, but I had another long-standing commitment I could not change. Our sericea lespedeza researchers just came back last night from a national meeting, so I am writing our testimony and asking Sue Peterson to deliver it to the committee. Thank you for your understanding.

SB556

New Section 1 calls for the coordination, enhancement, and continuation of federal, state, and local efforts as well as public and private efforts to develop an effective and affordable method of controlling or eradicating sericea lespedeza and to encourage communication of information about sericea control methods to landowners and land managers.

New Section 3 calls for research and demonstration efforts, and development of field days and workshops to demonstrate methods of control or eradication of sericea lespedeza.

New Section 4 asks the secretary of agriculture and the secretary of wildlife and parks to request assistance from any public or private university or other research institution, among other entities.

At K-State Research and Extension, we are always willing to collaborate with the secretary of agriculture and with the secretary of wildlife and parks to conduct research, demonstrate new methods of control, and conduct field days and workshops to share new information with fellow agencies, as well as with landowners, and the citizens of Kansas.

We have been conducting research with other agencies, universities, and with private landowners in Kansas for quite a few years on this issue of sericea lespedeza and look forward to continuing our collaboration in the future, as this bill directs. If there is a way to enhance our funding for conducting this research, we would most certainly welcome that assistance. I have provided a history of our work on sericea lespedeza and attached a page detailing many past activities. Next week, we will share a research report with the House Ag Committee and will provide you copies.

Senate Agriculture Committee
Date 2-19-02

Attachment # 7-1 thru 7-3

HISTORY

As most of you know, K-State Research and Extension has been researching the control of sericea lespedeza in various ways ever since the Kansas Legislature declared sericea lespedeza as a county-option noxious weed in 1998. Work throughout the 1990s, while very rudimentary in nature and with very little official funding, investigated the use of burning, mowing, and herbicides used alone or in combination for the control of sericea lespedeza. Landowners indicated sheep and goats would apparently consume sericea lespedeza more readily than cattle.

Observations and reports from landowners in the 1990s indicated that a herbicide treatment might need to be repeated after 2-3 years to maintain acceptable control of sericea lespedeza. Most of the reinfestation appeared to come from seed but some of the initially treated plants survived.

By 1997, K-State Research and Extension personnel realized that a more coordinated and enhanced research effort was needed to understand the biology of sericea lespedeza in order to develop sound management strategies to enhance the control of this species. We were concerned with the spread of sericea lespedeza to more locations throughout the state.

Also, in 1997, members of the Kansas Livestock Association were calling for more effort to control sericea lespedeza. Members of the Kansas Legislature and the Kansas Department of Agriculture realized they were hearing more and more about sericea lespedeza taking over pastures in more regions of the state. Thus, K-State Research and Extension was asked to submit a two-year proposal for enhanced funding to the Senate Agriculture Committee in early 1998. The Legislature added funding from the State General Fund to K-State Research and Extension's FY99 budget to allow the establishment of an enhanced research project to study the biology and control of sericea lespedeza.

By 1999, members of the Kansas Livestock Association and certain Kansas legislators felt the need to ask for more funding, since the spread of sericea lespedeza was even more apparent. Thus, the Kansas Legislature approved a three-year funding plan for enhanced sericea lespedeza research. The work was to be funded through the budget of the Kansas Department of Agriculture. The research and educational activities funded would be conducted by K-State Research and Extension and Emporia State University.

KSU and Emporia State University have received funding under this plan in FY2000 and FY2001. The third year of funding for FY2002 did not materialize. We have continued our research and extension work in FY2002, using some carryover dollars from the first two years' funding. However, with no new funding for FY2002 or beyond, future work plans are in jeopardy.

Thank you for the opportunity to testify in favor of SB556, with the new sections added. If you have further questions, please contact me at 785-532-5729.

cc: Marc Johnson, David Mengel, Walt Fick, Paul Ohlenbusch
Attachment

Examples of
K-state Research and Extension
Research, Demonstration Plots, and Educational Outreach Efforts

Research Plots:

- Blaine, KS — Grazing site. Roll of fire and how it affects seedling development
- Maple Hill, KS — Integrated control - mowing and herbicides
- North of Manhattan — Herbicide screening site
- Greenwood County — Pasture research - comparing grazing by goats and cattle

Other Plots and Work:

- Plots at Fall River Lake — KSU & Army Corps of Engineers
- Lespedeza Webworm plots — private landowner, Emporia State University, KSU
- SL & Goats & Cattle — landowner, U.S. Fish & Wildlife Service, KSU
- Aerial plot of Vista — FR Lake land, Wildlife & Parks, KSU
- Herbicide effects on native forbs — private consultant, The Nature Conservancy, Wildlife & Parks, and KSU
- Small demonstration plots — NRCS, Greenwood County Weed Supervisor, KSU
- Time of Burn plots — NRCS, Greenwood County Weed Supervisor, KSU
- Disease Plot — Landowner, KSU

Meetings, Tours, Etc.

- Sericea Symposium at Eureka — KSU, ESU, Wildlife & Parks, private consultant, herbicide representatives
- Greenwood County Tour — ESU, landowner, County Weed Supervisor, KS Department of Wildlife & Parks, NRCS, KSU
- Spot Spray Field Days — The Nature Conservancy (TNC), NRCS, Greenwood County Weed Supervisor, ESU, Wildlife & Parks, US Fish & Wildlife Service, SE KS Weed Management Area, KSU
- Spot Spray Cost Share Program — Organized through the Tallgrass Legacy Alliance, and funded by Fish & Wildlife Foundation. (This is just getting started.) The Tallgrass Legacy has a membership of ranchers, Quail Unlimited, Wildlife and Parks, NRCS, ESU, KU, TNC, RC&D's, US Fish & Wildlife Service and KSU. Also, staff of KLA and KS Farm Bureau usually attend.
- Meeting and Tour for the "Multi-State Sericea Lespedeza Work Group" (KS, OK, MO, NE) - involved were Greenwood County Noxious Weed Director, NRCS, ESU, Wildlife & Parks, ranchers, Greenwood County Commission, KSU.

Publications:

- Sericea Lespedeza History: History, Characteristics, and Identification
- Spot Spraying Sericea Lespedeza: A Cost Effective Control

Other:

- 1 goat management school 2 yrs ago with 250 in attendance
- Another planned for March 7, 2002 in Yates Center, KS.



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 NO. 556

**Testimony Provided to
Senate Committee on Agriculture
February 19, 2002**

Senate Bill No. 556 would establish a research and experiment station at Toronto State Park to study the control and eradication of sericea lespedeza. The purpose behind this legislation, as we understand it, would be to further ongoing cooperative efforts by various state and federal agencies to control sericea lespedeza by identifying a single location to serve as a source for information. To this end, the department supports SB 556 as a positive step to help address this growing problem.

The department continues to work to control sericea lespedeza and other noxious weeds that can occur on department property. For example, in FY2001 our agency expended over \$138,000 on chemical noxious weed control efforts alone, not including other control methods including mowing or burning. These invaders have a detrimental impact on our management of wildlife habitat for the benefit of the public, in addition to being a potential economic threat to neighboring agricultural producers. In particular, sericea lespedeza has become a growing concern in parts of southeast Kansas, including properties such as Toronto State Park and Toronto Wildlife Area. Consequently, we have developed a number of strategies in our attempts to control this threat, including chemical applications, a variety of burning techniques, and experimental use of goats as grazers around Melvern Lake (a cooperative project with Emporia State University).

By establishing official experiment plots at Toronto, our department could directly compare many of these control techniques, for example by burning or mowing at specific times of year, or by using different chemicals in adjacent plots. Ultimately, we would hope not only to better control sericea lespedeza where it occurs on department property, but also to provide new information to private landowners about cost-efficient and effective means of controlling the weed. Obviously, to accomplish this we would need to continue to work cooperatively with the Department of Agriculture and other agencies that are also studying sericea lespedeza.

Finally, we have been informed that several changes to the bill as originally introduced may be presented. Based on those conversations, we believe those amendments would help clarify the intent of the bill as we understand it, and would support them.

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Senate Agriculture Committee

Date 2-19-02

Attachment # 8