

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman John Faber at 3:30 P.M. on March 5, 2007, in Room 241-N of the Capitol.

All members were present except:  
Representative Holmes - excused

Committee staff present:  
Raney Gilliland, Kansas Legislative Research Department  
Emalene Correll, Kansas Legislative Research Department  
Jason Thompson, Revisor of Statutes  
Florence Deeter, Committee Assistant

Conferees appearing before the committee:  
Woody Moses, Managing Director, Kansas Aggregate Producers Association

Others attending:  
See attached list.

**Hearing on SB 249 - Cities and counties; creation of natural resources districts**

Raney Gilliland, Kansas Legislative Research Department, outlined **SB 249** for committee members, stating the purpose of the bill is to enact a new provision of the law to allow establishment of natural resource development districts for persons who own or lease property and intend to develop that property. Information regarding the specified district would then be available to future landowners and developers. In answer to questions, Mr. Gilliland stated that there is no specific definition of natural resources; the assumed option for this point in time is for aggregates and surface material.

The Chairman opened the hearing on **SB 249 - Cities and counties; creation of natural resources districts**.

Woody Moses, Managing Director, Kansas Aggregate Producers Association, stated that quality deposits of rock, sand and gravel need to be protected (Attachment 1). He recalled that the recommendations found in the Kansas Natural Resources Alliance report given to the Legislature in 2004 provide for measures to be adopted to preserve access to natural resources. Referring to an article attached to his testimony, Mr. Moses reiterated the importance of resource planning on the part of local governments in the procurement of natural resources. He stated further the importance of having information readily available for future developments.

The Chairman closed the hearing on **SB 249** .

The Chairman called for consideration of **SB 146 - amending the solid waste and waste tire management program** and noted for the members the information previously requested from Bill Bider, Director, Kansas Department of Health and Environment (Attachment 2). Raney Gilliland commented that the memo provides the statistics regarding use of waste tires. He then answered questions to help clarify for the committee the various facets implied if the bill becomes law.

Following discussion, the Chairman formulated a sub-committee hearing to be conducted on **SB 146**. Members interested in serving will be announced at the next meeting.

The Chairman called for consideration of **SB 190 - Amending the storage tank act**.

Representative Feuerborn moved to pass SB 190 favorably and place it on the Consent Calendar. Representative Svaty, seconded the motion. The motion passed.

The meeting was adjourned at 4:30 p.m. The next meeting is to be held March 6, 2007.

# HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: March 5, 2007

NAME	REPRESENTING
<del>Wendy Miller</del>	KAPA
Wendy Miller	KAPA
C V Cotseradii	KID#

# KRMCA

Kansas Ready Mixed  
Concrete Association

# KAPA

Kansas Aggregate  
Producers' Association

## TESTIMONY

By the  
Kansas Aggregate Producers Association &  
Kansas Ready Mixed Concrete Association

Before the  
House Committee on Agriculture & Natural Resource

Regarding SB 249  
Natural Resource Development Districts

March 5, 2007

Mr. Chairman and members of the committee:

My name is Woody Moses, Managing Director of the Kansas Aggregate Producers' Association, and the Kansas Ready Mixed Concrete Association. Thank you for the opportunity to provide testimony on behalf of SB 249. The Kansas Aggregate Producers' Association (KAPA) and The Kansas Ready Mixed Concrete Association (KRMCA) is a statewide trade association comprised of over 250 members and one of the few industries to be represented in every county of this state.

The purpose of SB 249 is to provide a clearer definition regarding access to and development of natural resources within our state. As a result of ever increasing urbanization we believe it is time to consider the concepts embodied in SB 249. This is required in order to achieve three important policy goals:

1. Provide a frame work whereby all citizens are informed of proposed and existing natural resource developments.
2. Promote reasonable limits for operation including safety, environment and noise.
3. Provide for the complete development, once approved, of natural resource deposits.

While aggregate resources, like air and water, appear to be plentiful the simple truth is they are not. Once again just like air quality and water quality are often important; so too is rock or sand & gravel quality. **Quality** deposits, meeting required absorption and hardness standards; are only found in those rare places where nature put them and must be protected. If we are to fully develop these limited resources for the future of our state and its citizens we must be allowed the ability to develop them. Adoption of such a measure will also be consistent with the recommendations contained in the Kansas Natural Resources Alliance report presented to the Legislature in January 2004, specifically that the State adopt measures to preserve access to limited natural resources for their future utilization. In our opinion SB 249 while limited in scope is a step in the right direction.

Please join us in supporting this proposal.

Thank you for receiving our comments on SB 249, I will be happy to respond to any questions you may have at the appropriate time.



Kathleen Sebelius, Governor  
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH  
AND ENVIRONMENT

www.kdheks.gov

Division of Environment

## MEMORANDUM

TO: House Agriculture and Natural Resources Committee

FROM: Bill Bider, Director, KDHE Bureau of Waste Management

DATE: March 2, 2007

RE: Answers to Questions on SB 146, Waste Tire Grants

This memo provides answers to the questions asked by the committee during the hearing yesterday on SB 146 that I was unable to answer at the time. It also provides some clarification of a few points discussed during the hearing. Please let me know if you have any additional questions.

### 1. Use of Waste Tires for Playground Cover or On Football Field

40 ft X 40 ft playground (loose fill 6 inches deep) – 2,100 to 2,300 waste tires  
Cost of product - \$3,000 to \$5,000; grant amount is 50% of total (\$1,500 to \$2,500)  
Grant amount per waste tire - \$.70 to \$1.20 per waste tire processed

*cost share*

Full football field – 18,000 to 20,000 waste tires  
Cost – Maximum grant amount would be reached – proposed to be \$10,000 per project

### 2. Total Waste Tires Landfilled in Kansas in 2006 – 73,797 tons

-- Equivalent to over 7 million tires

-- Kansas generation is about 2.75 million waste tires (this mean many imports)

### 3. Current Annual Burning in Cement Kilns

Monarch Cement (Humbolt) and Ash Grove Cement (Chanute) combined – about 460,000 waste tires

### 4. Status of Ethanol Plant Combustion of Waste Tires

Resource Management (Ness County) has negotiated to provide 2,500 waste tires per day to provide 100% of the fuel needs for a new ethanol plant in St. John. Res. Mgt. was the recipient of a waste tire recycling equipment grant to produce this fuel two years ago.