

MINUTES OF THE HOUSE ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on February 3, 2004 in Room 231-N of the Capitol.

All members were present except:

Representative John Faber- excused

Committee staff present:

Emalene Correll Legislative Research Department
Raney Gilliland Legislative Research Department
Mary Torrence, Revisor of Statutes
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Mary Jane Stankiewicz, Administrator, Kansas Agricultural Remediation Board, 816 SW Tyler, Topeka, KS 66612
David L. Pope, Chief Engineer, Division of Water Resources, Department of Agriculture, 109 SW 9th, Topeka, KS 66612-1283

Others attending:

See Attached List.

Vice-Chairman Lee Tafanelli called the meeting to order for Chairperson Joann Freeborn, who was testifying in another committee. He asked if anyone wished to request a bill. No one came forward.

The Chairman recognized Raney Gilliland, Legislative Research Department. He gave a brief summary on the background and responsibilities of the Kansas Agricultural Remediation Board.

Chairman Lee Tafanelli welcomed Mary Jane Stankiewicz, Administrator of the Kansas Agricultural Remediation Board (KARB). She presented the Annual Report for 2003 to the committee. The 2000 Legislature passed **SB501**, which was titled Agricultural and Specialty Chemical Remediation Act. This bill created the following programs and board: (1) Remediation Linked Deposit Loan Program. This program is to be administered by the state treasurer for the purpose of providing lower interest loans to eligible persons to pay the costs of corrective action approved or ordered by the Kansas Department of Health and Environment (KDHE). (2) Remediation Reimbursement Program. This program is administered by the Kansas Agricultural Remediation Board and provides reimbursement to eligible persons for the costs of corrective actions approved by KDHE or taken in accordance with an order from KDHE. (3) Kansas Agricultural Remediation Board. Five members are appointed by the Governor and confirmed by the Senate and two ex officio members representing KDHE and Kansas Department of Agriculture (KDA). These Board members will serve four year terms. The Board has the following authority and responsibilities: Promulgate rules and regulations; Contract or hire an administrator; Provide an annual audit of the fund; Provide an annual report to the Governor, the Senate Energy and Natural Resources Committee, and the House Environment Committee on or before February 1, of each year; and The Board and the Fund shall be subject to an annual audit by the legislative post audit committee. (See attachment 1) Committee questions and discussion followed.

Chairman Tafanelli thanked Ms. Stankiewicz for her annual report.

Chairperson Joann Freeborn welcomed David Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (KDA). Mr. Pope presented a review, with the use of overhead slides, on Water Issues involving the Circle K-Ranch, to the committee. He provided information regarding the water aspects of the proposed state acquisition of the Circle K-Ranch in Edwards County. He answered a series of questions provided to him earlier by the committee staff. The Circle K-Ranch is located just southwest of Kinsley immediately adjacent to the Arkansas River in an area often referred to as the "Middle Arkansas River" sub basin. As defined, the middle Arkansas River sub basin is that portion of the river basin from the Ford-Edwards county line to the confluence of the Arkansas River and Rattlesnake Creek, just east of Great Bend, all within Big Bend Groundwater Management District No. 5