

February 20, 2013

The Honorable Sharon Schwartz, Chairperson  
House Committee on Agriculture and Natural Resources  
Statehouse, Room 149-S  
Topeka, Kansas 66612

Dear Representative Schwartz:

**SUBJECT:** Fiscal Note for HB 2363 by House Committee on Agriculture and Natural Resources

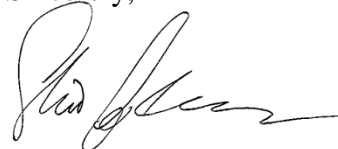
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2363 is respectfully submitted to your committee.

HB 2363 would exempt certain sand and gravel, as well as aggregate mining operations from rules and regulations administered by the Department of Health and Environment (KDHE). The bill would also authorize the Chief Engineer of the Kansas Department of Agriculture to permit, in certain areas of the state, the use of water for hydraulic dredging and sand washing, as long as there would be no significant increase in net consumptive use. The bill would also exempt those using water for hydraulic dredging and sand washing from water flow meter requirements if the beneficial use of water is currently permitted.

The Department of Agriculture estimates that the bill would exempt approximately ten sand and gravel pits or aggregate mining sites from water flow meter requirements when water is used for hydraulic dredging and sand washing. The bill would produce savings of between \$500 and \$1,000 each for those site owners affected. Passage of the bill would have no fiscal effect for the Department of Agriculture.

The Kansas Department of Health and Environment indicates that if a pit or pond only accepts dredge return flows, water from aggregate classification, or flows from washing aggregate, and there is no surface discharge from the pit or pond, no permit would be required. The passage of the bill would not have a fiscal effect for KDHE. Any fiscal effect associated with HB 2363 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Aaron Dunkel, KDHE  
Mark Heim, Agriculture