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Shawn Sullivan, Director of the Budget

Sam Brownback, Governor

January 16, 2018

The Honorable Tom Sloan, Chairperson
House Committee on Water and Environment
Statehouse, Room 521-E
Topeka, Kansas 66612

Dear Representative Sloan:

SUBJECT: Fiscal Note for HB 2452 by House Committee on Water and Environment

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2452 is respectfully submitted to your committee.

HB 2452 would amend existing law concerning conservation easements that are required as a condition for the issuance of a permit under Section 404 of the Federal Clean Water Act in order to satisfy the requirements for compensatory mitigation or to satisfy special conditions for mitigation of significant losses. The bill would limit these conservation easements to the life of the project; the easements would not be binding in perpetuity. The bill defines "life of the project" and also provides the means by which a holder or party to these conservation easements could petition the Division of Water Resources of the Kansas Department of Agriculture to determine whether the life of the project was completed and the easement could be terminated. The bill provides the date upon which an easement determined to be completed could be terminated.

The Kansas Department of Agriculture reports that passage of HB 2452 would have no fiscal effect on the agency as the provisions of the bill are mainly procedural.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", written over a horizontal line.

Shawn Sullivan,
Director of the Budget

cc: Justin Law, Agriculture
Katie Mitchell, Water Office