

**Before the House Appropriations Committee
Presented by Zack Pistora, Kansas Sierra Club
Neutral to HB 2535
February 13, 2020**



Chairman Waymaster and Honorable Members of the Committee,

Thank you for the opportunity to submit neutral testimony on HB 2535, which would repeal KSA 55-163 which required a joint management plan for oil and gas regulation between the Kansas Department of Health and Environment (KDHE) and the Kansas Corporation Commission (KCC).

We understand this interagency agreement is considered obsolete, but why exactly? Sierra Club understands that the KCC is largely responsible for the regulation of oil and gas in Kansas and that it is the mission of the Conservation division to collaborate with other state agencies. However, having a codified interagency agreement may statutorily require the two agencies to work together, providing for a better level of teamwork to tackle serious problems relating to the regulation of oil and gas, such as abandoned oil and gas wells.

We are concerned that HB 2535 may limit the benefit of KDHE being involved in oil and gas management and planning for Kansas. In our opinion, we think that more of the expertise on environmental impacts, particularly to water resources, rest within KDHE compared to KCC. For example, the recent problem of the hydrostatic pressure in the Arbuckle formation that threatens water resources in as soon as 3 years for some areas, is a very serious concern that requires KDHE involvement, when perhaps the problem may have resulted within KCC's regulatory authority/jurisdiction. The issue of the Burrton Oil Field brine problem may also be applicable here.

With those concerns in mind, we offer the Committee pause before we pass HB 2535. In the case that this provision, KSA 55-163, is truly obsolete, then we are indifferent to its deletion. Otherwise, we would oppose this bill.

Sincerely,

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The Sierra Club is the largest grassroots environmental organization dedicated to enjoying, exploring, and protecting our great outdoors. The Kansas Chapter represents our state's strongest grassroots voice on environmental matters for more than forty years.