

MINUTES OF THE HOUSE WATER COMMITTEE

The meeting was called to order by Chairperson Ron Highland at 9:00 am on Wednesday, January 20, 2021, in room 152-S of the Capitol.

All members were present

Committee staff present:

Chris Waggoner, Office of Revisor of Statutes
Damien Gilbert, Committee Assistant
Meredith Fry, Legislative Research Department
Victoria Potts, Legislative Research Department
Zach Fridell, Office of Revisor of Statutes

Conferees appearing before the Committee:

No conferees present

Others in attendance:

No list available

Request for bill introductions

Chairperson Highland called for bill introductions. Hearing none, he moved to the next order of business.

Informational briefing:

Victoria Potts, committee researcher, gave a presentation on the Report of the Special Committee on Natural Resources to the 2020 Kansas Legislature ([Attachment 1](#)). In response to 2019 flooding events, the committee was instructed to review the relationships between local, state, tribal, and federal entities regarding flood control and prevention, the role of state government in flood control and response, and the availability and need of resources. Potts summarized the flood-related responsibilities of various state and federal agencies, then detailed the conclusions reached by the committee. The committee recommended basin-by-basin evaluations by the Kansas Water Office to determine the location and severity of flood damage, as well as solutions to prevent and mitigate future flood damage. It also recommended restoring the statutory \$8 million transfer to the State Water Fund Plan, as well as including efforts to reduce reservoir sedimentation in the State Water Plan.

Chairperson Highland asked if the testimonies provided during the Special Committee, as well as reports from the Kansas Water Office on reservoir sedimentation and Iowa's system of flood statistic reporting, were available somewhere. Potts said that she will provide them to the Committee Assistant for distribution.

Rep. Rhiley asked where the sediment that was dredged from John Redmond Reservoir was disposed.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Potts answered that land near the site was designated for the sediment to be placed. Rep. Rhiley asked whether any wildlife was disturbed or harmed by the dredging, and Potts said that she did not know but would look into it.

Rep. Newland asked for further explanation of the \$8 million Water Plan Fund. Potts detailed that \$6 million dollars from the State General Fund and \$2 million from the Economic Development Initiative Fund is required by statute to be transferred to the Water Plan Fund on an annual basis, but that \$8 million has been lowered in the budget process every year since 2008.

Rep. Stogsdill asked if injection dredging actually removes silt or just moves it downstream. Potts answered that it moves downstream.

Rep. Bishop asked whether the recommendations from the committee have been implemented. Potts answered that there has not been a federal appropriation which was requested, and that she was unsure whether the recommended study had begun by the Army Corps of Engineers. Rep. Bishop made a note that dredged sediment is anaerobic, meaning that there is no oxygen left in it, and that it takes a while to reconstitute back into usable soil.

Chairperson Highland made a note that money had been appropriated to test injection dredging in the Tuttle Creek Dam. He asked research to find out whether the study had occurred yet.

Rep. Jennings asked if the requested report from Parks and Recreation regarding 2019 flood damage was produced. Potts answered that they provided testimony to several committees in the time since the report with that information. Rep. Jennings requested a copy. He also asked how they responded to the loss of revenue as a result of the flooding. Chairperson Highland said that information was in their testimony to the various committees, and that Parks and Recreation has seen a jump in revenue since the start of the COVID-19 pandemic since people are looking for outdoor activities.

Rep. Vaughn asked who is directing the use of the State Water Plan Fund. Potts answered the Kansas Water Authority makes the official recommendations on budget usage in consultation with state water agencies.

Rep. Rhiley asked if chemical companies were still paying a fee on their products used to pay for chemical cleanup. Chairperson Highland answered yes.

Vice Chairperson Orr asked how the Army Corps of Engineers plans to fund their activities in the future. Potts answered that she does not know.

Rep. Minnix asked how neighboring states treat their upstream mitigation of sedimentation since it would flow into Kansas, and which department is responsible for that. Potts answered she does not

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know but that it would be a good question for the Water Office.

There being no further questions, Chairperson Highland ended the meeting at 9:42 am.