

Testimony – House Bill 2686

Neutral

Oral (in person)

Sara Baer, Director, Kansas Biological Survey

In 1959, the Kansas biological survey became recognized as a unit of state government through adoption of House Bill No. 133. The state biologist appointed by the governor is the director of this non-regulatory state agency that is also a designated research center at the University of Kansas.

The biological survey's legislative mission is to survey – meaning to inventory and study – the animals and plants in Kansas. Today, our work reaches far beyond plants and animals to include understanding factors influencing soil, water, and many other aspects of the environment in our State.

Working closely with the Kansas Water Office, the biological survey has conducted detailed assessments of our State's reservoirs, in their capacity to store water and the quality of water as indicated by nutrients and harmful algal blooms.

Working with the Kansas Water Office to fulfill goals of the State Water Plan, our scientists collaborate with the Kansas geological survey in determining the potential for conservation-minded farming practices to recharge groundwater in western Kansas through playa wetlands and have developed tools to model the extent and severity of flooding in real-time.

As such, establishing the Kansas department of water and the environment is relevant to the current and future work of the biological survey.

General Comment: Creating the division of environment and conservation within the Kansas department of water and the environment will merge the duties and responsibilities of the Kansas department of agriculture's division of conservation and Kansas department of health and environment's division of the environment. This organizational change appears to reduce the role that the Kansas Department of Agriculture will play in conservation and the role that the newly named Kansas department of health will play in understanding the environment.

The protection and management of water depends agricultural practices, and human health interacts with the environment. Thus, a plan for interagency cooperation will be needed to address the complex and interrelated challenges of protecting human health, water, and the environment.

Regarding New Section 5: Kansas biological survey has capacity to inform the chief engineer on responsibilities relating to identification and protection of floodplains and wetlands, as well as on the state of water quality in our streams and reservoirs.

Regarding New Section 8 on water and environment maintenance board. We request that Kansas biological survey be empowered to appoint one of the members for this board or hold an ex officio position on the board.

Regarding New Section 9 that “establishes a new water rights fee on all existing owners of a water right or permit to appropriate water for beneficial use.” **Beneficial use** is not defined.

Regarding Sec. 21. K.S.A. 2021 Supp. 2-1904 on “establishing a conservation program policy board of the state named the state conservation commission.” We request that one board member of this commission be appointed by the Kansas biological survey.

Regarding Sec. 66: "Reclamation means the reconditioning of the area of land affected by surface mining to a usable condition for agricultural, recreational or other use." Recommend including "...to a usable condition for agricultural, recreation, or other use to include a more natural state that builds natural resources and supports wildlife."