

2023 Kansas Statutes

49-408. Reclamation of land affected by surface mining; regulations of secretary; extent that water on such land shall become public waters. (a) All land affected by surface coal mining and reclamation operations, except as otherwise provided in this act, shall be reclaimed and all operations shall be conducted, in accordance with the requirements and specifications of the national surface mining control and reclamation act of 1977, public law 95-87, and federal rules and regulations adopted pursuant thereto. The secretary shall issue such regulations as may be required to conform to the requirements of the national act.

(b) All waters in existence on mined land after reclamation is completed shall become public waters to the extent they may be stocked with fish from the state or federal hatcheries and shall be under the law enforcement jurisdiction of the Kansas department of wildlife and parks. The owner of the mined land containing such waters shall retain all other rights consistent with the ownership thereof.

History: L. 1968, ch. 395, § 8; L. 1974, ch. 229, § 3; L. 1978, ch. 208, § 7; L. 1979, ch. 169, § 6; L. 1988, ch. 192, § 16; L. 2012, ch. 47, § 82; L. 2023, ch. 7, § 109; July 1.