

MINUTES OF THE HOUSE AGRICULTURE & NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 9:00 a.m. on January 20, 2011, in Room 783 in the Docking State Office Building.

All members were present except:

- Representative Elaine Bowers - Excused
- Representative Charlotte O'Hara - Excused
- Representative Michael Peterson - Excused
- Representative Caryn Tyson - Excused
- Representative Ponka-We Victors - Excused

Committee staff present:

- Jill Wolters, Office of the Revisor of Statutes
- Sean Ostrow, Office of the Revisor of Statutes
- Raney Gilliland, Kansas Legislative Research Department
- Michael Wales, Kansas Legislative Research Department
- Kay Scarlett, Committee Assistant

Conferees appearing before the Committee:

- Tom Gross, Chief of Policy & Monitoring Section, Bureau of Air, Kansas Department of Health & Environment
- Mike Beam, Senior Vice President, Kansas Livestock Association
- Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau

Others attending:

See attached list.

Representative Tom Moxley provided background on how burning in the Flint Hills had caused ozone exceedance in Kansas City and Wichita and how EPA had denied the Kansas Department of Health & Environment's request to flag 2009 ozone exceedance data due to lack of a smoke management plan. He explained the formation of a committee and the commitment to develop a smoke management plan in 2010. Representative Moxley then introduced Tom Gross, Chief of Policy & Monitoring Section, Bureau of Air, Kansas Department of Health & Environment, to review the Flint Hills Smoke Management Plan.

Tom Gross, Chief of Policy & Monitoring Section, Bureau of Air, Kansas Department of Health & Environment, stated that a smoke management plan is necessary to reduce impacts on public health, help meet national air quality standards, and to receive an exceptional event flag in case of air quality exceedance. He explained that the Flint Hills Smoke Management Plan:

- Is voluntary for prescribed burns of range land;
- Includes restrictions on some types of burning in April;
- Includes tools to assist land managers and local fire officials in making burn decisions;
- Has a pilot program to evaluate use of a burn checklist;
- A web site with a tool to predict smoke plume movement and other burn resources; and
- Includes plans for outreach and education. ([Attachment 1](#))

Mike Beam, Senior Vice President, Kansas Livestock Association, addressed the committee and stated that prescribed burning of grasslands is an essential management practice for ecological and economic reasons. When ozone exceedance occurred in urban areas from smoke originating in the Flint Hills, it became obvious to their members that they must engage in the process of development of a smoke management plan so that ranchers and landowners could continue to burn without a future imposition of state and/or federal regulations. He included a copy of an article that appeared in the January 2011 edition of their association's magazine providing background on the issue and more details about the plan. ([Attachment 2](#))

## CONTINUATION SHEET

Minutes of the House Agriculture & Natural Resources Committee at 9:00 a.m. on January 20, 2011, in Room 783 of the Docking State Office Building.

Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau, explained that the economy and ecology of the Flint Hills region is directly tied to the ability to burn old growth thatch and young woody growth from the landscape. Smoke generated from burning of the Flint Hills creates some temporary issues with air quality in local areas and some downwind metropolitan areas, these ozone air quality violations led to the development of the Kansas Flint Hills Smoke Management Plan. KFB has been an active participant in the meetings with the Kansas Department of Health and Environment and the Environmental Protection Agency, data review, and drafting of the plan. He said it has been an educational process for all involved and has resulted in a greater understanding of both rural and urban needs when it comes to prescribed burning. (Attachment 3)

Representative Fund moved to approve the minutes of the January 11, 12, and 13 meetings. Seconded by Representative Arpke, the minutes were approved.

On behalf of Representative Joe Seiwert, Representative Kerschen requested introduction of a committee bill to create a Kansas Goat Commission. There being no objection, Chairman Powell stated that this request would be introduced as a committee bill.

The meeting adjourned at 10:15 a.m. The next meeting of the House Agriculture & Natural Resources Committee will be a joint meeting with the Senate Agriculture and Natural Resources Committees at 8:30 a.m. on January 25, 2011. Dr. Gary M. Pierzynski, Interim Dean of the College of Agriculture and Interim Director, K-State Research & Extension, will address the committees.