

Testimony on SB 122

Authorizing the director of the Kansas Water Office to grant easements on state property on the Arkansas, Kansas and Missouri rivers.

to the

House Agriculture and Natural Resources Committee

by

Greg A. Foley

Executive Director

State Conservation Commission

March 7, 2011

Chairman Powell and members of the Committee, thank you for the opportunity to testify in support of SB 122. The State Conservation Commission (SCC) is responsible for implementation of many natural resource protection programs. The SCC administers the Riparian and Wetland Protection Program and partner with the Natural Resources Conservation Service through EQIP, which both fund leading best management practices to reduce soil losses from streambanks that transport downstream adding to sedimentation of water supply impoundments, federal reservoirs and/or impact total maximum daily loads.

The passage of SB 122, or similar language, would be beneficial to private landowners that have property adjacent to a navigable river. The SCC has encountered three individual projects that have requested technical and financial assistance to design and install streambank stabilization measures on their property to prevent further encroachment of the river into their property. The problem that we are trying to solve is the land from the high water mark inward to the river is actually state owned property. With part of the project being on private and part placed within the streambed, the landowner does not have authority or permission to install a practice to protect his/her own land from sloughing off and changing the property lines for the state. In my opinion, the mission of the proposed process will prevent significant survey costs and permitting hurdles for each individual landowner and every project would be required to come before the Legislature to have a specific law passed authorizing each project.

Chairman Powell and members of your committee, thank you for the opportunity to appear before your Committee today. I will stand for questions at the appropriate time.

cc: SCC Commissioners