



**Before the
House Energy and Utilities Committee
Testimony on HB 2685
Earl Lewis, Kansas Water Office Assistant Director
February 10, 2012**

Chairman Holmes and members of the Committee, I am Earl Lewis, Assistant Director of the Kansas Water Office. I am pleased to appear before you today in support of HB 2685. However, it is important to note we have not evaluated how this bill would be fully implemented and may have recommendations for changes should the committee choose to work this bill. HB 2685 would create the ability for local water users to create a new district for the purpose of implementing projects and practices that improve or preserve a reservoir.

The state of Kansas, through the Kansas Water Office, owns storage in 13 federal reservoirs for the purpose of providing water supply to municipal and industrial customers. The Kansas Water Office operates two programs from this storage to meet local and downstream needs. The Water Marketing Program operates as a wholesale raw water utility for municipal and industrial users, while the Water Assurance Program serves to back up existing downstream water rights by making targeted releases during times of low flow, or drought. In addition, last year legislation was passed that created the ability for local users below Kanopolis Reservoir to develop a special access district that includes irrigation and recreation as well as the traditional municipal and industrial users. Each of these programs is user fee funded with the majority of cost being passed through to the U.S. Army Corps of Engineers for debt service and operation and maintenance.

Storage in our federal reservoir system serves as the primary or backup water supply for roughly two thirds of our citizens. As such, insuring reservoir capacity is available during times of drought and for future growth is a critical issue for the long term viability of our water supply and our economy. Sedimentation poses the greatest threat to our reservoir system by depleting storage capacity and its ability to meet our long term needs.

The Kansas Water Authority has adopted an overall reservoir sustainability initiative to meet this growing problem. That initiative takes a holistic approach to reservoir sustainability by recognizing that what happens in the watershed affects the reservoir, and what happens in the reservoir affects users downstream. Implementing the reservoir sustainability initiative means first slowing the rate of sedimentation by implementing protection practices in the watershed. These practices take both money and cooperation among numerous entities to be successful.

HB 2685 fits well with the reservoir sustainability initiative in that it creates the ability for users of a given reservoir to form a district for the purpose of protecting or improving that reservoir. If formed by local water users, a reservoir improvement district will be able to develop a general plan of projects and practices to protect the reservoir, and impose charges against holders of water rights that benefit from the reservoir to fund the plan. This approach provides both funds and cooperation needed at the local level.

Insuring that reservoirs in Kansas continue to provide the water supply benefits they do today will be a long and expensive effort. Cooperation of individuals and all levels of government will be needed to address the issue of sedimentation and increase the amount of storage that is available to meet future needs. HB 2685 is a step towards that goal.

Thank you for the opportunity to appear before you today. I will be happy to answer questions at the appropriate time.