



Testimony on HB 2685

House Committee on Energy and Utilities

February 10, 2012

Chairman Holmes and members of the House Committee on Energy and Utilities

My name is Herb Graves, Executive Director of the State Association of Kansas Watersheds. SAKW takes a neutral stance on HB 2685. We do support any program that improves the chances of sustaining the storage capabilities of any reservoir. Our neutral stance is from just not having enough information on the establishment and financing needed for reservoir improvement districts.

Several programs now address the issue of reservoir health to include water quality and quantity. The Natural Resources Conservation Service (NRCS), Kansas Department of Agriculture's Division of Conservation (DOC), Watershed Restoration and Protection Strategy (WRAPS), and Watershed and Conservation Districts all have partnered to preserve and protect our precious water resources. HB 2685 would add one more potential partner to this effort.

Watershed districts now have the authority to partner with all programs to improve and protect the watersheds flowing into our 1300 existing reservoirs. Every watershed district has a senior water right for the stored water behind each of those dams. Other special use water right permits exist for mainly controlled irrigation purposes. From a water right number standpoint, we see no watershed district reservoir that could qualify to form a watershed improvement district. This would include water storage reservoirs that now exist to serve several cities and rural water districts.

The planning for this legislation must have had reservoirs in mind that have multi-water right holders enough to petition for, plan for, and finance for their intended purpose. I assume the Kansas Department of Agriculture's Division of Water Resources has the water right figures to show where the eligible reservoirs are at. This information would really be helpful.

As I see the legislation, it takes at least 3 water right holders per reservoir(s) to form a board of directors plus enough other water right holders to be assessed operational fees and implementation charges to successfully complete a improvement plan.

Just a few questions to also consider:

What is the expected impact to the current program load on the Kansas Water Office?

Would land rights or conservation easements be needed from landowners for planned practices?

Are the fees and charges to water right holders a one time or annual collection?

We appreciate the opportunity to testify on HB 2685 and look forward to answering any questions you may have.

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SAKW Executive Director