

Senate Natural Resources Committee:

I am writing to encourage you to support SB118. I'm very pleased to hear this bill is being reconsidered. The regulatory requirement of the Kansas City, Missouri District of the US Army Corps of Engineers (hereby referred to as the Corps) wants to develop and implement a third party easement holder for the mitigation plan that offsets any environmental impacts to woodlands, wetlands, or streams. These are things watershed districts are doing and should continue to do so in order to be good stewards of the land.

Most watershed dams are built for a 50 or 100 year life of the structure. The problem lies with Corps requiring the land easement be established for perpetuity instead of life of the structure. Land owners are not willing to sign a perpetuity easement to a third party management agency they know nothing about. Mitigation is a major financial burden to districts. Fee for service offers have ranged upwards of 25-100+ % of project estimated costs. Districts cannot afford to pay for these expensive services with a perpetuity management responsibility. Land owners are giving up their property (land) by donating the easement for the structure to be built. The Corps want disinterested parties to be in control of the third party easements. These regulations have made it so difficult that it is strangling the Kansas Watershed Program. My question is why should tax payer dollars go to a disinterested party? Watershed districts and KDA are very interested in conservation. It is our feeling that our tax dollar is better spent with Division of Conservation, than a disinterested party who is gaining money from the watershed district taxpayers. Therefore, I urge you to support SB118 so that the Kansas Department of Agriculture's Division of Conservation and the watershed districts of Kansas can continue being good stewards. The Department of Agriculture's Division of Conservation is an agency we can work with and who understands our needs. Thank you for your consideration on the matter.

Sincerely,

Gary D. Regehr, President

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