

Kansas House Committee on Agriculture and Natural Resources

Chairman Rep. Larry Powell
Vice Chairman Rep. Dan Kerschen
Minority Member Rep. Jerry Williams

Committee Members: Tom Arpke, Elaine Bowers, Bob Brookens, Dan Collins, Rocky Fund, Gary Hayzlett, Brett Hildabrand, Kyle Coffman, Tom Moxley, Charlotte O'Hara, Willie Prescott, Caryn Tyson, Vince Wetta, Bob Grant, Ponka-We Victors and Mike Peterson.

From: Duane Hund, Contracting Officer
Mill Creek Watershed District #85
Wabaunsee, Geary and Morris Counties

Mr. Chairman and Committee Members,

On behalf of the board of directors of the Mill Creek Watershed District we ask for your approval of House Resolution No. 6009. We need your support to send a message to the Corps of Engineers that requiring Perpetuity language within conservation easements required for Federal 404 water quality permits is clearly an over reach by the federal government.

We are annoyed that within the past 18 months the Corps has initiated this requirement upon their jurisdiction in Kansas but do not impose this requirement in other states such as our neighbors to the east in Missouri.

Watershed dams are expected to last for 100 years before decommissioning. The conservation easements should only last as long as the structure is viable. No landowner should have to give an easement for eternity. This action is an insult to the landowners who continue to preserve the very habitat the Corps seeks to mitigate. I might add the landowners in our district donate the easements for our detention dams. The least the government could do is be fair and equitable concerning the duration of conservation easements.

Thank you for your support of House Resolution No. 6009

Sincerely,

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House Ag & Natural Resources
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Attachment 3