

901 S. Kansas Avenue
Topeka, KS 66612



Phone: (785)-296-3185
Fax: (785)-296-0878
www.kwo.org

Tracy Streeter, Director

Sam Brownback, Governor

**Before the
2013 Special Committee on Agriculture and Natural Resources**

Milford and Tuttle Creek Reservoirs

**Tracy Streeter, Director, Kansas Water Office
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Chairman Love and members of the Committee, I am Tracy Streeter, Director of the Kansas Water Office (KWO). Thank you for the opportunity to provide background information on issues involving Milford and Tuttle Creek Reservoirs.

There are three federal reservoirs located in the Kansas-Lower Republican River Basin. Milford and Tuttle Creek are located on the Republican and Blue Rivers, and Perry is located on the Delaware River. Each of these reservoirs were authorized by Congress to address the purposes of flood control, water supply, fish and wildlife, water quality and navigation. Irrigation is not an authorized purpose for any of these reservoirs.

There are several issues of concern for these lakes but the chief concern to Kansas is the management of each for the purpose of navigation support on the Missouri River. The U.S. Army Corps of Engineers (Corps) and the state of Kansas share responsibility for the management of the various reservoir purposes. The Corps is ultimately responsible for the overall management of the reservoirs and has sole responsibility to manage the lakes for flood control and navigation. Navigation support is managed by the Corps via the Missouri River Master Control Manual, individual Lake Regulation Manuals and the Annual Operating Plan (AOP) for the Missouri River. Reservoir storage used by the Corps for navigation support consists of Future Use and Water Quality storage. Future Use storage is that which has not been called into service by KWO under its water supply contracts with the federal government and Water Quality storage is devoted to downstream water quality support. The table below illustrates the break down of storage at each reservoir represented in acre-feet:

| Reservoir | In Service | Water Quality | Future Use | Total |
|------------------|-------------------|----------------------|-------------------|--------------|
| Perry | 32,608 | 0 | 162,999 | 195,607 |
| Milford | 125,086 | 0 | 244,117 | 369,203 |
| Tuttle Creek | 98,649 | 142,076 | 0 | 240,725 |

Under the lake regulation manuals, the Corps may lower the level of each lake three feet from the normal conservation elevation before October 1, an additional three feet after October 1 and prior to the end of the Missouri River navigation season, which is usually late November.

Kansas has long contended that the water supply, economic and recreation impacts of navigation releases at the reservoirs, far outweigh the short-term benefits to navigation support on the Missouri. A number of strategies have been utilized or considered over the years to protect Kansas' interests in the reservoirs including, court injunctions, economic studies illustrating the impacts, de-authorization of navigation as a reservoir purpose and annual deviation requests to the lake regulation manuals. The purchase of Future Use storage in Milford and Perry has also been discussed by the Kansas Legislature in the past as a means of controlling the use of the storage for navigation from those lakes. The cost of calling this storage is contained below:

| Reservoir | Balance 2011 | Annual P & I 2011 | Addit'l O & M 2011 | Contract Exp. Year | Balance at Term |
|------------------|---------------------|------------------------------|-------------------------------|---------------------------|------------------------|
| Perry | \$16,741,424 | \$833,823 | \$361,329 | 2040 | \$26,951,533 |
| Milford | \$16,949,180 | \$802,977 | \$189,077 | 2040 | \$29,966,434 |

Earlier this year, it was brought to my attention that interstate water compacts on the Republican and Blue Rivers may take precedence over the Corps' legal authorities to manage storage at Milford and Tuttle Creek. I have engaged in conversations at the federal and state level regarding this possibility from a legal standpoint. In response to my inquiry, I received a letter from Mr. Matthew Jeppson, Assistant District Counsel, US Army Corps of Engineers, Kansas City District. A copy of his letter is included in your information.

Again, I appreciate the opportunity to appear before you today. I will stand for questions at the appropriate time.