

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairwoman Carolyn McGinn at 8:30 a.m. on March 12, 2010, in Room 144-S of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Research Department  
Corey Carnahan, Research Department  
Kristen Kellems, Office of the Revisor of Statutes  
Stanley Rasmussen, U.S Army, Senate Fellow

Conferees appearing before the Committee:

Representative Jeff Whitham, 123<sup>rd</sup> District  
Robin Jennison, Jennison Government Services, on behalf of Joshua Hobbs, Manager of HorseTheif Reservoir  
J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks

Others attending:

See attached list.

Kristen Kellems briefed the Committee on **HB 2638 - Horse thief reservoir water district employees granted law enforcement powers; requiring trained at the law enforcement training center.**

Representative Jeff Whitham, 123<sup>rd</sup> District (Attachment 1) addressed the Committee as a proponent of the bill. Mr. Whitham discussed information concerning the HorseTheif Reservoir and the need for law enforcement and a mechanism to insure public safety. Mr Whitham stated that the salaries were paid by the benefit district.

Mr. Whitham took questions from the Committee.

Robin Jennison, Jennison Government Services, on behalf of Joshua Hobbs, Manager of HorseTheif Reservoir, addressed the Committee as a proponent of the bill. (Attachment 2). Mr. Jennison referred the Committee to Joshua Hobb's written testimony.

Senator Lee made a motion to for the passage of HB2638. Senator Abrams seconded the motion. The motion carried.

Kristen Kellems briefed the Committee on **HB 2434 - State parks; relating to naming thereof.**

J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks (Attachment 3) addressed the Committee as a proponent of the bill. Mr. Hayden discussed the history of the Spirit Rail Trail and his reasons of support to change the name of the trail to the Prairie Spirit Trail State Park.

Chairwoman McGinn stated that there was additional bills that may be attached to the bill and that **HB 2434** would not be worked in that Committee meeting.

The next meeting is scheduled for March 18, 2010.

The meeting was adjourned at 8:50 a.m.

# SENATE NATURAL RESOURCES COMMITTEE

Guest Roster

3-12-2010

Name	Representing
Chris Tymocz	KDWP
Mike Hayden	KDWP
John Dowling	KS Lusk. Ass'n
Ed Klumpp	KACP/KPOA/KSA
JES MILLER	CAPITOL STRATEGIES

Please Use Black Ink.

**PAT GEORGE**REPRESENTATIVE 119TH DISTRICT  
HOME ADDRESS: 3007 WESTVIEW  
DODGE CITY, KANSAS 67801  
620-227-2012OFFICE ADDRESS: STATE CAPITOL  
TOPEKA, KANSAS 66612  
785-296-7646

TOPEKA

HOUSE OF  
REPRESENTATIVES

Testimony on Behalf of HB 2638  
House Ag and Natural Resources Committee  
February 9, 2009

Chairperson Powell and members of the committee, thank you for the opportunity to appear before you to express my support of HB 2638. As a member of the Kansas House, and a resident of the HorseThief Reservoir Benefit District, I want to thank you for your support over the past several years for a project that promises to benefit all Kansans.

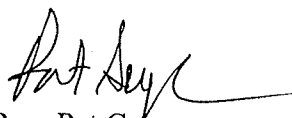
The dam at HorseThief was completed in late August of last year, and after final state inspection, the gate was closed on September 8. Due to timely rains, the Reservoir is now 1/3 full, and continues to slowly rise due to upstream spring flow.

Park facilities are also under construction, albeit at a slower pace than had been hoped, due to a colder and wetter winter than anticipated. The water distribution system is nearly complete, primary electrical is well underway, and the park road system should be completed with another three weeks of favorable weather. Bids for the boat ramp parking area and two campgrounds will be let next week.

Plans are to open the park for public use sometime between late May and early July.

With the influx of visitors will come the need for law enforcement and a mechanism to insure public safety. HB 2638 addresses that need, and I urge your support for it.

I thank you for your attention and will stand for your questions.

  
Rep. Pat George

# HORSETHIEF RESERVOIR

*A Joint Project of  
PAWNEE WATERSHED JOINT DISTRICT NO. 81  
and HORSETHIEF RESERVOIR BENEFIT DISTRICT*

514 W. Highway 156 • Jetmore, Kansas 67854 • 620-357-6420 • email: horsethiefres@hotmail.com

March 10, 2010

Chairman McGinn and members of the committee:

I am Joshua Hobbs, manager of HorseThief Reservoir (HTR) and its facilities in Hodgeman County.

Thank you for the opportunity to give brief testimony today on House Bill 2638, dealing with law enforcement capabilities for HorseThief Reservoir. With the completion of roads, utilities and park facilities the project should open to the public in early summer. An exact open date has not been set due to the wetter and colder than normal winter which has slowed our construction projects. Although wet conditions have allowed an increase of approximately 80 acre feet of water accounting for about one foot in surface water elevation.

Based on other parks in our region we plan on eventually providing recreational opportunities for up to 150,000 visitors per year, providing family friendly outdoor recreation. Meade State Park and Scott State Park which are smaller in acreage average 135,000 visitors per year. We will exceed their annual visitors and recreational opportunities that include; camping, fishing, skiing, hiking, mountain biking and equestrian trails. With that many potential park patrons there is a need for law enforcement capabilities to ensure the safety of the users. Researching and visiting with other park managers has indicated that safety is the primary reason for families to continue to use parks. The basic reason is people want a safe place that they can go and not worry about there wellbeing and the wellbeing of there children.

With 150,000 visitors per year it is obvious that law enforcement presence will be required as with all state parks. How the law enforcement will take place and personnel trained is addressed with HB 2638.

As we transition from construction to usable facilities we have contracted with the Hodgeman County Sheriff for law enforcement. The one year contract with the sheriff allows the county to provide a deputy that will spend 75 percent of his time at HorseThief Reservoir for a law enforcement presence. The other 25 percent of his time could be

anywhere within Hodgeman County. I have also visited and worked with Hodgeman County Sheriff Ron Ridley to make sure that liability and training will be the responsibility of HTR. Now that the bill has been amended and wording corrected the sheriff is supportive of our goals. The only way to work in a small community such as ours is to be able to work together with the other law enforcement agencies and that is being done and will continue.

As we grow into our full capacity of 150,000 park users we foresee the need to have additional law enforcement capabilities at the park to provide law enforcement 100 percent of the time. This will help insure that emergency situations will be attended to in a timely manner. This is where the HB 2638 is needed. HB 2638 spells out the requirements and limitations that the law enforcement persons at the park has and needs. The manager and other employees that will be functioning as law enforcement must "successfully complete the required course of instruction for law enforcement officers approved by the Kansas law enforcement training center..." The cost of that training and equipment will be the responsibility of HTR.

With the safety and wellbeing of all the visitors and employees of HorseThief Reservoir at the forefront of our plans, it is necessary to have all means available to keep our visitors, property and community as safe as possible.

In conclusion, the time has come to start law enforcement capabilities at our park. We are only a short time from opening the facility; with your help and support of HB 2638, the opportunity to provide safety for our park and patrons will be available.


Thank you for your time and the opportunity to provide testimony and facts. I would be glad to answer questions you may have.

Testimony on House Bill No. 2434

To

Senate Committee on Natural Resources

By

J. Michael Hayden, Secretary   
Kansas Department of Wildlife and Parks

March 12, 2010

The Kansas Department of Wildlife and Parks (KDWP) appreciates the opportunity to discuss the merits of House Bill no. 2434 which renames the Prairie Spirit Rail Trail as the Prairie Spirit Trail State Park and includes the trail on the list of state parks. This action will recognize the trail as a recreational opportunity similar to other parks such as Sand Hills and Kaw River state parks.

The Prairie Spirit Rail Trail is a 51 mile trail that extends from the center of Ottawa to the center of Iola. The trail was built in three segments with the first segment opened on March 30, 1996. The last segment was opened in August 2008. The trail is used for non-motorized activities such as biking and hiking. There are no camping opportunities on the rail but such facilities are available in Garnett.

The provisions of House Bill No. 2434 will allow KDWP to use additional funding sources to support the Trail. Currently the Department is restricted by state law from financing trail operations from the Park Fee Fund. In addition, the Trail will receive more public exposure as a state park and KDWP will be able to promote the trail on the Department website and other venues with the state parks.

The Trail is almost 14 years old and it is time to list it with the state parks as unique recreational opportunity. Your favorable consideration of House Bill No. 2434 would be appreciated. Thank you.



February 2, 2010

Secretary Mike Hayden  
 Kansas Department of Wildlife and Parks  
 1020 S. Kansas Ave.  
 Topeka, KS 66612-1327

Re: Prairie Spirit Trail

Dear Mr. Hayden:

We are excited about the possibility of the Prairie Spirit Trail becoming a "State Park" instead of a state operated park. The successful promotion of the trail will mean extra dollars to our community and others along the 51 mile route from Ottawa to Iola.

Everything of value needs promotion; therefore we are in support of the Prairie Spirit Trail becoming a State Park. The added signage and addition of its listing on brochures and along Highway 59 will be very beneficial. This easily accessible trail provides an experience to travelers and locals alike who chose to take advantage of the trail system in Kansas whether walking or biking.

Please let us know if there is anything we can do to help gain this state designation for the Prairie Spirit Trail. We are here to support that effort.

The Franklin County Convention and Visitors Bureau is thankful for your efforts. We look forward to the successful promotion of the trail. You have our support.

Thanks for all you do.

Sincerely,

Kristi K. Lee, Executive Director  
 Franklin County Convention & Visitors Bureau

*Hospitality awaits...*

PO BOX 203 • 2011 EAST LOGAN • OTTAWA, KANSAS 66067  
 (785) 242-1411 • (785) 242-2238 fax • [www.visitottawakansas.com](http://www.visitottawakansas.com)



Garnett Area Chamber of Commerce  
419 S Oak St  
Garnett KS 66032-1337  
785-448-6767  
[garnettchamber@embarqmail.com](mailto:garnettchamber@embarqmail.com)

February 2, 2010

Secretary Mike Hayden  
Kansas Department of Wildlife & Parks  
1020 S. Kansas Avenue  
Topeka, KS 66612-1327

FAX: 785.296.6953

RE: HB 2434 - Designating the Prairie Spirit Trail as a "State Park."


Dear Mr. Hayden:

The Garnett Area Chamber of Commerce supports HB 2434, making the Prairie Spirit Trail Officially the "Prairie Spirit Trail State Park".

The Prairie Spirit Trail is a draw for visitors to our community and a valuable asset to Garnett. We request that you convey to legislators our support of HB 2434.

Thank you for your time and consideration in this matter.

Sincerely,

  
\_\_\_\_\_  
President  
Mayor





## *Friends of the Prairie Spirit Rail Trail*



P. O. Box 71, Garnett, Kansas 66032-0071 E-Mail: [info@prairiespirittrail.org](mailto:info@prairiespirittrail.org)  
Visit our website: [www.prairiespirittrail.org](http://www.prairiespirittrail.org)

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Secretary Mike Hayden  
Kansas Department of Wildlife and Parks  
1020 S Kansas Ave

Topeka Ks 66612-1327

Dear Mr. Secretary.

I am writing in regard to the Wednesday afternoon hearing about the Prairie Spirit Rail Trail becoming a part of the Kansas Park System. I am sorry I can not attend, the notice came to late , and I am committed to my granddaughters spelling bee.

Having been involved in the friends organization from day 1 , I have always felt that it only makes sense to be a part of the State Parks...It will give the trail more exposure , which should be a plus for the state as well as our 7 communities along the trail.

During our Friends 13 years, we have grown in numbers of support and are very active in the Garnett community. We do a number of community activities , including kids bike safety rodeos and Halloween, Christmas , picnics, chocolate night, fish trot twice a year with Wildlife and Parks and our upcoming Birthday Bash. We have such good attendance at our meetings and such willing workers. We invite you to our annual Birthday bash #14 this year on Mar. 10. We get people from other communities along the trail to attend..(Its great food) Seriously we would love to have you attend. Just let me know if you can work it In your busy schedule..

Hopefully , if the trail becomes part of the park system, we will get more exposure in the Kansas City, Lawrence and Topeka area..

Please relay to the committee that The Friends of the Prairie Spirit at Garnett would be extremely grateful if they would add the trail to the great Kansas park system .

Janice Hodgson , President  
Friends of the Prairie Spirit Rail Trail  
514 N Orange  
Garnett, Kansas  
785-448-6118

Hodgsondj @ embarqmail.com



**Anderson County Development Agency**

Box H, 131 West 5th Avenue  
Garnett, KS 66032  
785-448-5496 / Fax: 785-448-5555  
www.andersoncountyks.net

February 2, 2010

Secretary Mike Hayden  
Kansas Department of Wildlife & Parks  
1020 S. Kansas Avenue  
Topeka, KS 66612-1327

FAX: 785.296.6953

RE: HB 2434 - Designating the Prairie Spirit Trail as a "State Park".

Dear Mr. Hayden:

Please accept this letter as a Letter of Support for House Bill 2434, which if passed will declare the Prairie Spirit Trail as a State Park.

The Prairie Spirit Trail brings trail users, individuals and families to the area and with them value to our economy, as they spend their dollars locally during their visit. The Prairie Spirit Trail also serves as a great quality of life amenity to the rural Anderson County communities of Garnett, Colony, Scipio and Welda.

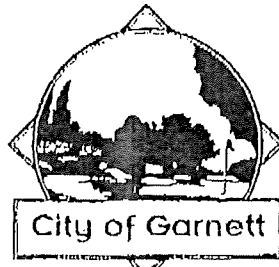
As the driving force of economic development in Anderson County, ACDA supports this legislation. This designation will improve the visibility of the trail to state visitors, as well as out of state visitors, and potentially increase traffic to the area and impact the communities along the trail economically through additional expenditures.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Arnold".

Dennis Arnold  
Director



February 1, 2010

Secretary Mike Hayden  
 Kansas Department of Wildlife & Parks  
 1020 S. Kansas Avenue  
 Topeka, KS 66612-1327

FAX: 785.296.6953

RE: HB 2434  
 Designation of Prairie Spirit Trail as a "State Park."

Dear Mr. Hayden:

Please accept this letter in support of pending legislation, HB 2434, changing the designation of the Prairie Spirit Trail from a state operated park to the official "Prairie Spirit Trail State Park".

The Prairie Spirit Trail is a valuable amenity to the City of Garnett and to the quality of life for its citizens. The trail brings many visitors to our community and passes through our city park facilities. It is only fitting that this trail becomes an official state park and be considered as such within the Kansas Department of Wildlife and Parks.

The City of Garnett supports this legislation and asks that during the hearing on Wednesday, February 3, 2010 at 3:30 p.m. in Room 152-S of the Capitol Building, my letter of support be acknowledged by those in attendance.

Thank you for your time and consideration in this matter.

Respectfully,

Christian C. Maynard  
 Mayor

CCM/sw

February 2, 2010

Secretary Mike Hayden  
Kansas Department of Wildlife & Parks  
1020 S. Kansas Avenue  
Topeka, KS 66612-1327

FAX: 785.296.6953

RE: HB 2434 – Prairie Spirit Trail becoming a State Park

Dear Secretary Hayden:

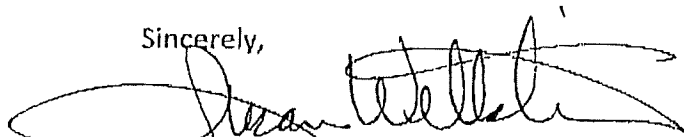
I am unable to attend the Hearing on Wednesday, February 3<sup>rd</sup>, concerning HB 2434. This bill would allow the Prairie Spirit Trail to be designated a state park.

I have been a supporter of the trail since its inception. This 51 miles of trail has been a wonderful thing for our area and has brought many communities together; connected or linked county and rural citizens in a way that cannot be described. The trail brings nice people to our city, and in some instances, has brought new residents here as well. Being able to say we have a state park in our midst, not just a trail managed by KDWP, would be a great thing for Garnett, and every community the trail passes through.

Please continue these efforts to see this bill through. I write *The Prairie Spirit Express* newsletter for the Friends of the Prairie Spirit Trail. It will be a great day when I can proudly call our trail, the "Prairie Spirit Trail State Park".

Thank you for your time.

Sincerely,



Susan Wettstein  
617 South Hayes Street  
Garnett, KS 66032