

Granting of Easements on State Property for Construction and Maintenance of Conservation Projects

SB 122 authorizes the Director of the Kansas Water Office, after consultation with other agriculture and natural resources agencies, to negotiate and grant easements on state property for construction and maintenance of conservation projects with cooperating landowners for the expected life of the project. Conservation projects are defined as any project or activity that assists in restoring, protecting, rehabilitating, improving, sustaining, or maintaining the banks of the Arkansas, Kansas, or Missouri rivers from the effects of erosion, as determined by the Director of the Kansas Water Office. State property is defined as real property currently owned in full or in part by the state in the Arkansas, Kansas, or Missouri rivers in Kansas, in and along the bed of the river to the ordinary high water mark on the banks.

Notice of the easement will be given to the county or counties in which the easement is proposed and to any municipality or other governmental entity that holds a riparian interest in the river and may have an interest in the project or results of the project. Those persons receiving notice will have 30 days to provide comments on the proposed easement to the Director of the Kansas Water Office. In addition, if the proposed easement on state property is located on property owned or managed by any other state agency, the Director of the Kansas Water Office will provide notice of the proposed easement and project to the state agency. The state agency will then negotiate jointly the proposed easement with the Director of the Kansas Water Office. The Director of the Kansas Water Office will file a copy of all easements entered into with the Office of the Secretary of State and the Office of the Register of Deeds for the county or counties in which the easement is located.

The bill authorizes the Director of the Kansas Water Office to adopt rules and regulations to carry out the provisions of the bill.