

Testimony on SB 118  
Senate Committee on Natural Resources  
Chairman Powell

February 2015

From: Duane Hund, Contracting Officer  
Mill Creek Watershed District #85  
Wabaunsee County

I have served on the board of directors of MCWD #85 since 1976. During that time we have built 27 detention structures with another 30+ to fulfill our goals of limiting the extreme flood events which occur periodically.

Our District has had one individual swept to his death by floodwaters some years ago. Life and property are at risk and we take our mission to control flooding very seriously. We are in favor of SB 118. While we don't really see the need for a third party to be part of the easement process, we are not opposed to working with the Department of Conservation within the Kansas Department of Agriculture to fulfill the Corps of Engineers request.

The process should work similarly to the present DWR requirement for all dams to be checked annually and inspection reports being signed and delivered to the DOC. These annual reports are the assurance that mitigation areas are being maintained properly. Districts would need to hire an engineering firm or pay the state a fee for in house inspections. These inspections would guarantee mitigation areas are being effectively managed.

Landowners are much more favorable toward signing a mitigation easement when they are obligating themselves to fellow Kansans within state government rather than other potentially less receptive entities.

Cost is also a factor. We feel we can be much more prudent with the taxpayer's money if we could work with the Department of Conservation to annually check on mitigation areas.

Our District is ready to work with the department of Conservation and the Corps of Engineers to get back on track securing 404 permits. SB 118 would enable us to meet the Corps. requirements.

Thank you for the opportunity to address this committee.

I would entertain any questions the committee may have through Herb Graves our executive director or by calling me directly at 785-532-8601