

A Capital Year

A recap of the
State Legislature
and work with the
Federal Government



The Kansas Legislature

Kansas Legislation Summary

- Water Rights-Cause for Nonuse—House Sub. for SB 316 *Signed 4/6*
- SB 510: Added “conservation use” as a beneficial use under the Water Appropriations Act: did not get out of Senate Committee
 - Suggested for interim study
- Burning of the Flint Hills—SCR 1623 *enrolled 4/5*
- Greenhouse Gases and EPA Regulations—SR 1809 *enrolled 3/26*

Kansas Legislation of Note

- Rural Water Districts—HB 2283 Signed 3/24
- Missouri River Basin Study and the Flood Control Act—HCR 5012 enrolled 3/24
- Corps Reservoir Sustainability —HCR 5013 enrolled 3/24
- Dam Safety Bill- 2493: Proposed to repeal the classification system for dams under the Division of Water Resources' jurisdiction

Kansas Legislation of Note

Restoration of Interstate Litigation Funding

- SB 574 passed the Senate
 - Restores Litigation Fund with SGF over 5 year period beginning next year.
 - Not considered by House

Mega bill: authorizes bonding to replace litigation funds

- \$19 million authorized
- Bond repayment must first come from any interstate water proceeds.

Kansas Legislation of Note

The Reservoir Roadmap

- Presented to the Vision 2020 Committee on March 8, 2010
- HB 2428- addressed a series of needs from the *Roadmap*
- Passed the House- died in Senate Committee
- Amendments were made in the mega bill :
 - to the Multipurpose Small Lake Act to allow flood control as an optional purpose of a reservoir project and
 - Conservation Districts Law was amended to allow streambank stabilization practices to be funded at 100% state cost.

Federal Efforts



Variety of efforts with a number of state agencies

- Congressional Delegation
 - Earmarks Requests
 - WRDA or other specific legislative suggestions
- Federal Agencies
 - Corps of Engineers
 - Bureau of Reclamation
 - EPA
 - Department of Agriculture
 - NRCS
 - FSA
 - USGS

Informational / Educational Efforts Continue

- GLANCE sessions
- Individual issues phone calls and / or e-mail
- Constituent issue assistance
- On site programming
 - March 30 Missouri River Recovery program
 - April 8: Republican River Tour at Lovewell

S 787 / H 5088

- S. 787 (the Clean Water Restoration Act)
- H. 5088 (America's Commitment to Clean Water Act)
- Companion bills that seek to change jurisdiction of the Clean Water Act (post US Supreme Court *SWANCC* and *Rapanos* decisions)
- Language in both bills is similar
 - “... all other waters, including intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds...”
- The Kansas Water Authority opposed S. 787 because the language appeared to increase federal authority beyond pre-*SWANCC* and *Rapanos* jurisdiction.

Missouri River

- Authorized purposes Study
 - Already funded in current appropriations – Subsequent year funding likely
 - Missouri Sens. Kit Bond and Claire McCaskill and Missouri Rep. Ike Skelton sent a letter urging the House and Senate appropriations committees to cancel funding for this study in the next budget.
 - Kansas supports the study – will address 1944 authorities and contemporary water needs.
- Missouri River Degradation; Feasibility study
- Missouri River Recovery program

ARRA

- Corps received significant funding for Kansas Reservoir infrastructure improvements
- Initial concerns relative to Marketing & Assurance Program costs
- Corps has minimized financial impact to KWO
- Remaining costs can be amortized under new Corps policy

March 22-24

Washington DC trip

- Met with all Kansas Congressional Delegation
- Discussed 9 issues:
 - Lower Republican Feasibility Study
 - ARRA O & M
 - John Redmond reservoir – Reallocation & Hartford Levee
 - Imbedded Federal Employee
 - Missouri river Authorized Purposes Study
 - Missouri River Degradation Study
 - Missouri Recovery Program
 - Reservoir Roadmap
 - ARRA Neosho Streambank Project

Questions?