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Testimony on Senate Bill # 2324 Culverts

I am a farmer in Foster County, SE of Carrington along the East side of the James River. I recommend two amendments to the bill. Striking If on line 15 on Page 1, and leaving When as it was before. Delete Page 1, lines 19-22 and replace it with The department, county, or township's failure to install a culvert or bridge of sufficient capacity within one-year of notification of the determination shall be considered a willful violation of this section, and the court shall award a party the reasonable expenses of maintaining an action to enforce this section against the department, county, or township, including reasonable attorneys' fees. As it is currently in the Century Code WE LANDOWNERS, have no recourse but to go to court and litigate the damages. But that costs Probably \$30,000.00, and not a for sure thing to WIN! So spending \$30,000.00 with no guarantee of winning for damages of \$6,000.00 to \$8,000.00 in Property, in some years like last year, is just is not FEASIBLE!! My property is on the James River, in 2009 an old bridge (Clark Bridge) was overtopped with flood water. Bridge was damaged to be closed, UNSAFE, and unrepairable! FEMA was involved and the County had its OWN engineering firm do a hydraulic report on the River Crossing to take the bridge out and replace it with ONE 10 Foot Culvert. They did not do a Stream Crossing Study by the state! It The old Bridge was 50 feet long, with the distance of 70 Feet from bank to bank under the bridge. Needless to say the ONE 10 Foot culvert creates a big problem of flooding on my land! Every Spring my 77 acres of River Bottom Hayland floods, backs up into my field. It now takes a very long time into June before it dries up. In 2019 that fall with Sept. record rainfall and Oct. 8 Snowstorm it completely flooded out. Water topped over road. I never have taken my bales home until October. Never got them home because of flood. Water stayed all winter, spring, and even into summer. Killed off the grass. I made 33 bales on the 77 acres this past summer. On average every year I get 150 to 210 bales. Never before has it been this bad. It seems to me the WE LANDOWNERS just have no protection, just only go to court and spend an enormous amount of money in lawyer fees! I have also included some engineering reports and stream crossing study. I WOULD RECOMMEND PASSING OF THIS BILL.

Thank you for your time