

February 12, 2021

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Regarding SB 2324

Chairman Burckhard and members of the Senate Political Subdivisions Committee,

My name is Drew Courtney and I farm by Oakes. Thank you for the opportunity to testify on SB 2324. Today I am going to explain two reasons why I have great concerns with SB 2324 in its form as introduced.

The first concern I have is a potential mandate from the state causing a township to spend money on a project for which they may not have funding. If it is deemed necessary for a township to install a culvert, I believe a funding mechanism from the state should be in place. Many townships in the state are running on slim margins and this bill could place a large financial burden on them.

Another scenario causing concern is the detriment of a mandated culvert to a farmer who has implemented good farming practices by moving water through the use of drain tile and has gained control of the sub surface drainage. If a culvert is sought out by Farmer A, who has done zero subsurface water management, to move water under a road and into Farmer B's field, and a culvert is mandated, a culvert could increase the water flow to an area where Farmer B implemented good farming practices. These practices include moving water through the use of drain tile causing gained control of the sub surface drainage. If Farmer A has remained complacent in their water mitigation practices, Farmer B, who has invested large amounts of money into land improvements, could be penalized by the mandated culvert.

Thank you for the opportunity to testify on SB 2324. I would request amendments to help address these concerns. Feel free to contact me with questions.

Sincerely,

Drew Courtney