

KANSAS WATER CONGRESS



WATERWAY

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2006 SUMMER CONFERENCE

Enclosed you will find a summary of the 2006 Summer Meeting of the Kansas Water Congress. Please take special note of the individuals that gave their personal time in order to address our membership. If you have any interaction with our presenters we would ask that you take a moment to thank them personally for their involvement and dedication to the future of the State of Kansas. If you have any corrections or questions please contact Sean Miller at 785-393-1517 or via e-mail at SeanMiller98@gmail.com.

The WaterTAP subcommittee will be working with the State Conservation Commission in the coming months to help develop rules and regulations for the implementation of the WaterTAP program. This is one of the final pieces in what has been a very successful process for the Kansas Water Congress. Our members worked hard and participated in numerous committee meetings that ultimately led to the passage of House Bill 2710, also known as WaterTAP. This bill underwent a great many changes but ultimately it led to a program that gives the State of Kansas additional flexibility when dealing with sensitive water issues.

In this vein, the Kansas Water Congress will be actively developing subcommittees to look into the continuing issues including unfunded liability in our federal reservoirs, consumptive use, and IGUCAs. We are proud of our success and look forward to another comprehensive objective study and forums of the issues representing the interests of the State of Kansas and the formation of good public policy.

Finally, the Winter Meeting of the Kansas Water Congress will be held January 8, 2007, the opening day of the Kansas Legislative Session. The meeting will be held in the Hayden Office Building conference room in Topeka, KS. We will end the meeting with a legislative luncheon, leaving ample time for you to visit with your elected representatives. Mark your calendars now, more details later.

Sincerely,

A handwritten signature in black ink that reads "David A. Brenn".

David A. Brenn, President
Kansas Water Congress



Thursday, August 10

9:30 – 9:45 am: **Welcome & Opening Remarks**

David Brenn, Kansas Water Congress President
 Robert Gillen, Director, KSU Research Center
 Paul Tobia, KWC Vice-President & Program Emcee



Tom Stiles

9:45 – 10:15 am: **Water Quality Issues & TMDLs** - Tom Stiles, KDHE

Mr. Stiles gave an informative update in regards to the development, status, priorities and timelines as it relates to the various basin related total maximum daily loads or TMDLs. Kansas is considered a leader in its response to the federal mandates coming out of the Clean Water Act. Problems, both point and non-point source, are identified in water basins or parts of basins, classified to level of hazard and potential remedies are identified to ensure they meet standards. The process is far more complicated in cases where Kansas is the recipient of poor water quality from another state, i.e. Colorado and the Arkansas River. Challenges exist to reach acceptable standards in every basin and will require cooperation and coordination.

10:15 – 10:45 am: **City of Hays Water Supply** - John Bird, City of Hays Attorney

Cedar Bluff & Norton Reservoir Update - Tracy Streeter, Director, Kansas Water Office

John Bird discussed the status of the water supply for the city of Hays. Contrary to popular belief the water supply is sufficient in the short term (next 10 years). By city ordinances they have reduced their water usage nearly 50%. This has been accomplished by mandating low flow shower heads and toilets in all hotels and banning residential watering during the hottest parts of the day. It is estimated that Hays has the lowest per capita usage of water in the State of Kansas. For long term water supply there are multiple possibilities and the city will continue to pursue them all. These possibilities include the Circle K/R9 Ranch and Wilson Reservoir



Tracy Streeter

Tracy Streeter discussed the recent decisions regarding Cedar Bluff. Senior water rights downstream have requested additional releases from the dam at Cedar Bluff and those releases were granted. This has generated considerable concern from local recreation users. Cedar Bluff is currently only at 52.2% of capacity which is indicative of the lingering effects of the drought. Sebelius Reservoir is of particular concern at only 23% of capacity. That

places the lake at only eight feet above “dead pool”, the point at which no additional releases will be allowed. In addition Mr. Streeter addressed future needs of Hays. There are currently several studies underway including a demand analysis for the reservoirs in the State of Kansas. This analysis is expected to be completed by the summer of 2008.

10:45 – 11:00 am: Break

11:00 – 11:30 am: **Watershed Dam Construction & Dam Rehabilitation**

Greg Foley, Director, State Conservation Commission

Greg Foley discussed both the large and small dam rehabilitation programs. The SCC has recently completed the initial rules and regulations for the larger scale dams. The smaller dams, or “Multipurpose Small Lakes Program” primarily deals with lakes between 50 and 1000 acres. These lakes must have a public water supply purpose. A great deal of this effort is in dredging and restoring capacity. The projects are ranked and given priority based on their age, sedimentation and future planning that would reduce future loss of capacity.



Greg Foley

11:30 – 12:00 pm: **Update on Water Right Transition Assistance Program (WaterTAP)**

Tom Bogner, KWC Chairman, WaterTAP Sub-committee & Greg Foley, Director, SCC

Chairman Bogner discussed the WaterTAP hearing and testimony process from the 2006 legislative session (House Bill 2710) ultimately leading to the passage of WaterTAP. Greg Foley then outlined the timeline and process for implementing the program. The legislation funded an additional employee to implement the program. This position was posted on July 19 and is expected to be filled by early September. Look for rules and regs to follow in early spring. The KWC subcommittee on Irrigation Transition will be actively engaged in the development of the new rules and regs.

12:00 – 1:15 pm: **Lunch & Update on the Current Drought** - Tracy Streeter, Director, KWO



1:15 – 1:45 pm: **Unfunded Liability of Kansas Storage in Federal Reservoirs
& Water Marketing Program** - Earl Lewis, KWO

Earl Lewis gave a brief history of the development of the unfunded liability. In the late 1950s the federal government was developing a reservoir construction plan to reduce potential flood damage. The Kansas legislature convinced the federal government to increase the size of several lakes by making assurances of payment for the additional water storage. These payments were deferred anticipating payment when the additional water was called into municipal use. Nonetheless these payments are pending and the state has called very little of this storage space into service. This could lead to a large balloon payment in the future (approximately \$100 million). The largest cost is in northeast Kansas reservoirs (Perry, Clinton, Hillsdale). The least cost alternative would be for the legislature to fund an escrow account allowing smaller amounts of money to be set aside every year, gaining interest and funding our ultimate liability but this is a tough sell during times of tight state budgets.



1:45 – 2:15 pm: **Economic Development at Federal Reservoirs in Kansas** - Ken Grotewiel, KWO

Ray Hammarlund, Kansas Dept. of Commerce

Rick Dykstra, Geary County Convention & Visitors Bureau

The State of Kansas has studied the possibility of development on the 24 reservoirs in the state. The development must be for public use (so no private golf courses, etc.). The primary development opportunities are for recreation (marinas and golf courses), resorts (rustic lodges and hotels) and residences (both primary or secondary). The participants also heard from Rick Dykstra who expressed his excitement for the opportunity to develop tourism around the Kansas reservoirs.

2:15 – 2:45 pm: **Reservoir Sedimentation** - Earl Lewis, KWO & Chris Purzer, U.S. Army Corps of Engineers

Sedimentation is a serious problem in our Kansas lakes. For example, Tuttle Creek loses approximately 4,400 acre-feet of storage space each year due to sedimentation. Unfortunately dredging is not a feasible alternative on our larger reservoirs. Large dredging operations cost approximately \$5600 per acre-foot of sedimentation removed. To put this into perspective it would cost almost \$25 million per year to remove the sedimentation that flows into Tuttle Creek. Thus, we must look to manage our resources better by building sediment traps, managing wetland areas, developing buffer strips along agricultural land, etc. in order to reduce potential sedimentation.

2:45 – 3:00 pm: Break

3:00 – 4:00 pm: **Conservation Reserve Enhancement Program (CREP)** - Tracy Streeter, Director, KWO

CREP Panel Discussion

Panelists:

Steve Swaffar, Kansas Farm Bureau

Mark Rude, Executive Director, GMD #3

Mary Jane Stankiewicz, Kansas Grain & Feed Assn.

Mike Beam, Kansas Livestock Association

Leslie Kaufman, Kansas Cooperative Council

Sharon Falk, Manager, GMD #5

CREP is a management tool that is currently being considered by the Kansas Water Office. It is clear from the panel discussion that this is an issue that will require further discussion before an agreement is reached. On a positive note it appears that this program may be helpful in areas where long-term irrigation is not an option. It may also be helpful in specific soil types where dry land irrigation is not feasible. However there were definite concerns about the economic impact of a possible CREP. Specifically there were concerns about the impact on local economies if large acreages were completely taken out of production in order to enroll in a CREP. This is sure to be an issue that the Kansas Water Congress will monitor and be engaged in.

4:15 – 6:00 pm: **Concurrent Tours**

K-State Research Center, Hays, KS

Sternberg Museum

City of Hays Water Treatment Plant



K-State Research Tour

7:00 – 8:30 pm: **Dessert Social at Sternberg Museum**

Friday, August 11, 2006



8:30 – 9:00 am: Continental Breakfast

9:00 – 9:15 am: **NRCS Quick Response Area Program Update**

Harold Klaege, Kansas Director, NRCS Wayne Bossert, Manager, GMD #4

Harold Klaege was kind enough to give us an update on the EQIP Quick Response areas. These areas were specifically identified by the GMD's in Western Kansas to maximize the programs effect the High Plains Aquifer and various interconnected alluvials. The NRCS then allocated \$2 million in assistance for eligible areas in order to convert irrigated cropland to dry land cropland. In fiscal year 2006 forty-five contracts were approved affecting 7,000+ acres of cropland. Additional Kansas EQIP information can be found on the web at: www.ks.nrcs.usda.gov



Wayne Bossert

Wayne Bossert then described the QRA plans utilized by the various western GMDs. For example GMD #1 has targeted their QRA's to help protect groundwater in two mile areas surrounding local public water supplies. GMD #5 on the other hand has targeted their QRA's to help protect the water flows in Rattlesnake Creek that ultimately affect flows into the Quivira National Wildlife Refuge. Overall, regardless of the local management plan the EQIP program has been well received.

9:15 – 10:00 am: **Updates on Basin Issues & Interstate Water Issues** - David Pope, Chief Engineer, Kansas DWR

Chief Engineer David Pope led an insightful discussion focused primarily on interstate water issues. After a quick overview of the Kansas v. Colorado projects, Mr. Pope brought the participants up to speed on the potential downstream/upstream concerns on the Republican River, both in Northwest Kansas and North Central Kansas. This issue is potentially even more complicated than the Arkansas River Kansas vs. Colorado litigation because Kansas finds itself as both an upstream (Northwest Kansas) and downstream (North Central Kansas) state. Thus, our potential non-compliance in the Prairie Dog Creek area in Northwest Kansas might cause us great problems in litigation involving downstream compliance in North Central Kansas. Mr. Pope also addressed other relevant basin issues including the status of current IGUCAs in the state as well as the considerations for future action in the Middle Arkansas Basin.



David Pope, Chief Engineer

10:00 – 11:00 am: **Water Issues: Legislative Panel**



← Rep. McKinney, Sen. Lee, Rep. Johnson

Panelists:

Sen. Janis Lee

Rep. Dan Johnson

Rep. Dennis McKinney

Rep. Eber Phelps

Rep. Larry Powell

Rep. Sharon Schwartz

Rep. Powell, Rep. Schwartz, Rep. Phelps



Your elected legislators were very generous with their time, traveling to Hays in order to address the ongoing water concerns in the State of Kansas. Representative Eber Phelps was the lone urban member of the panel. His discussion primarily centered around the future water needs of the City of Hays. The remainder of the panelists discussed their individual legislative and economic experiences in regards to water. Several of the panelists were intimately involved in the WaterTAP and CREP discussions during the 2006 legislative session. Each of the members has a great deal of agricultural experience, from large scale grain production to hog farming. However, every member of the panel expressed a great concern for collecting the input of the local citizens before the decision making process.

11:00 am: **Summary & Adjourn**