

**Joint Upper Arkansas, Lower Arkansas, and Cimarron  
Basin Advisory Committees**

**Edwards County Fair Grounds  
Kinsley, Kansas  
October 12, 2006 at 1:00pm**

**Meeting Notes**

**Attendance:**

Southwest BACs:

*Upper Arkansas*

Clark Rusco (Chairperson), Lynn Freese, Steven Hines, Randy Hayzlett, Roger Mohr, Steve Cottrell, Beverly Komarek

*Lower Arkansas*

Joseph Botinelly, Byron Warta, Daniel Filbert, Jerry McNamer, Mike Brothers, Vaughn Weaver

*Cimarron*

Gloria McKinney (Chairperson), Clark Bibb, Ellen Verell, Kathy Bloom, Larry Kepley, Rick Nix

Members Absent:

Ron Allen (UARK), Kermit Thompson (UARK), Fred Claassen (CIM), Greg Shelor (CIM), Jeff Sibley (CIM), Steve Rome (CIM), Wanda Adams (CIM), Carolyn McGinn (LARK), Gerald Holman (LARK), Larry Mangan (LARK)

Others in Attendance:

Susan Metzger (KWO), Bob Frisbee (KSU Research and Extension), Susan Stover (KWO), Diane Coe (KWO), Steve Frost (SCC), Kent Askren (Kansas Farm Bureau), Mark Rude (GMD#3), Keen Brantley (Wheatland Electric), Richard Neilson (Edwards County), Sharon Falk (GMD#5), Judy Adams (Meade, KS), Lisa Sader (KDA-DWR), Cameron Conant (KDA-DWR), Bruce Falk (KDA-DWR), Duane Mathers (Edwards County), Kim Barnes (Pawnee County), Kylene Orebaugh (High Plains Journal), DeEtte Huffman (Arkansas River Coalition), Joan Weaver (Arkansas River Coalition), Darci Paull (KDA-DWR), Tina Alder (KDA-DWR), Steve Graber (NRCS), Thom Makens (KDA-DWR), Fred R. Burgess (Edwards County Economic Development), Mark Billinger (KDA-DWR), Harry Manges (Reno County), Tom Stiles (KDHE)

**Welcome and Introductions**

Gloria McKinney, Chairperson of the Cimarron BAC, welcomed those in attendance. Self-introductions were made by committee members and others in attendance.

**Conservation Reserve Enhancement Program (CREP)**

Susan Stover (KWO) presented information related to the CREP proposed for the Upper Arkansas River. The State of Kansas seeks to obtain federal funds through the United States Department of Agriculture (USDA) for the purpose of encouraging irrigators along the Upper Arkansas River corridor to enroll in a Conservation Reserve Enhancement Program (CREP). The primary goal of the Upper Arkansas River CREP is to sustain the resources of the Arkansas River valley, including its regional ground water supply. This CREP is designed to reduce water quantity shortages in a voluntary and cost effective manner by focusing on the irrigated lands adjacent to and influencing the river.

In response to member questions, Susan provided an explanation of contract length, areas chosen for the program, carbon credits and energy savings, and economic impacts.

### **Water Transition Assistance Program (WaterTAP)**

Steve Frost (SCC) offered a discussion on a pilot program to decrease historic consumptive use in critical areas. The program is initially targeted to two high priority demonstration areas – Prairie Dog Creek and Rattlesnake Creek. The pilot program has been funded by the Legislature for five years and is to be administered by the State Conservation Commission (SCC). The annual budget is not to exceed \$1.5 million. The funding will be used to purchase and permanently retire water rights. Steve serves as the Water Conservation Programs Manager and is responsible for administering the objectives of the program.

### **Environmental Quality Incentives Program (EQIP) Quick Response Areas (QRA)**

Sharon Falk (GMD#5) presented an explanation and update on the EQIP Quick Response Areas (QRA). Under this program, NRCS pays to temporarily conserve ground and surface water used to irrigate farmland. A producer enrolling in the program agrees to not irrigate enrolled acres for four years and in turn receives annual payments for three years of the contract period. The producer retains the right to dryland crop the acreage during the contract period. Sharon explained the selection of priority areas to target the program in each of the GMDs and in areas administered by KDA-DWR.

### **Water Management in the Kansas Water Plan**

Susan Stover (KWO) provided an introduction of the following agenda items in the context of the Water Management section of the Kansas Water Plan. Subunit management is under development by each of the three western GMDs and DWR (fringe areas). The GMDs use their Boards of Directors meetings for public input, while the DWR is using the BACs to review their activities. There are tools, such as well and water level information, available on the Kansas Geological Survey (KGS) website for individuals who wish information.

### **Aquifer Subunit Management Development**

**GMD#1** – Mark Rude (GMD#3) provided comments on behalf of David Brenn (Manager GMD#1). The GMD1 board has identified a 2-mile radius around all community water supplies as the targets (quick response areas) for EQIP ground and surface water program to reduce water use. They are presently exploring areas 5-miles radius around county seats for future targets.

**GMD#3-** Mark Rude (GMD#3) discussed GMD#3's approach to aquifer subunit development. Mark discussed that data from KGS related to practical saturated thickness was used to identify areas of vertical and horizontal diversity in the aquifer. Mark emphasized that it is

difficult to identify one or two priority areas and then focus efforts on just those priorities. Instead, they advocate using a “community approach” in identifying areas to focus efforts.

### **Pawnee Buckner-Sawlog Intensive Groundwater Use Control Areas (IGUCA)**

Tina Alder (KDA-DWR) provided an overview and update on the Pawnee Valley IGUCA proceedings. In June, the Chief Engineer initiated proceedings to amend the order that established the Pawnee IGUCA to include the part of the Pawnee-Buckner-Sawlog subbasin located in Hodgeman, Ness, and Pawnee counties. Public information meetings and pre-hearing conferences were held this summer. Public hearings and comment periods are currently on hold.

### **Fringe Area Aquifer Management**

Mark Billinger (KDA-DWR) presented the protocol and recommendations related to management of the Ogallala-High Plains fringe area. Mark discussed that the protocol used to establish hydrologic subunits outside the GMDs (fringe area) used water levels below streambed elevations on average from 1996-2003 and/or average annual water use density exceeding natural recharge as criteria. Each subunit was then identified as high, medium, or low priority. Mark requested feedback from the BACs on the proposed subunit priority designations. He asked that the BACs consider the information presented and contact KDA-DWR or the KWO if changes should be considered.

**Susan Metzger (KWO)** reported on the applications received for BAC membership. She reminded those present that applications for the BAC positions to be filled in 2006 (those determined by each BAC at their last meetings) are due Oct 15. Those postmarked by Monday the 16<sup>th</sup> will be accepted for consideration for these first positions. The expiring BAC members must apply to be considered for one of the new categories. As of Oct 11, the KWO had received approximately over 100 applications for all the BACs.

### **Kansas Water Plan Basin Sections**

Susan Metzger (KWO) provided an introduction to the following agenda items related to water quality. Susan reminded the committees of the approval of the basin section for the Kansas-Lower Republican basin earlier this year. Similar revisions will be made to the basin sections for the Lower Arkansas and Upper Arkansas in 2006-2007. TMDLs, Watershed Restoration and Protection Strategies (WRAPS), and other water quality initiatives will be included in the basin section revisions.

### **Total Maximum Daily Loads (TMDLs)**

Tom Stiles (KDHE) provided an update on the status of the TMDLs for Upper Arkansas and Lower Arkansas Basins.

For the Lower Arkansas basin, Tom reported that the chloride TMDLs submitted on June 30 for Cow Creek, the Arkansas River, Upper Little Arkansas River and Turkey Creek were approved by EPA on September 20. Six TMDLs covering nutrient type impairments have been drafted and submitted for public review from September 13 to 30; TMDLs will be submitted to EPA in late October. The atrazine impairments on the Little Arkansas River and its tributaries are being addressed through a watershed management plan implemented through the Little Arkansas WRAPS. This alternative, categorized by EPA in its 2006 listing guidance as a “4B alternative”, addresses the impairment in lieu of a TMDL.

Three of the TMDLs are designated as high priority for implementation as is the 4B alternative for atrazine on the Little Arkansas. The other three TMDLs are designated medium priority. The high priority TMDLs include the Little Arkansas River Watershed (Atrazine), Sand Creek (Nitrate), Cowskin Creek (Biology), and Lake Anthony (Eutrophication and Siltation). Tom reminded the committee that the High Priority TMDLs need to be referenced in the Lower Arkansas Basin Plan TMDL table, so as to direct state (and Federal) resources toward their implementation.

***A motion was made by Byron Warta and seconded by Dan Filbert to accept the TMDL priority proposal for the Lower Arkansas river basin. The motion carried without dissent.***

Tom continued with an update of the TMDLs for the Upper Arkansas River basin. Work is underway to establish selenium TMDLs on the Arkansas River from Coolidge to Pierceville and Ford to Dundee. The Kansas Biological Survey has been sampling fish tissue at both locations for selenium accumulation. Previous results indicate levels exceeding proposed criteria for fish tissue. Current analysis on selenium is focusing on the increase in selenium seen between John Martin Dam and the stateline, the reason for the high selenium levels seen since the cessation of surplus water in the valley in June 2000 and reviewing ongoing research on Best Management Practices by Colorado State.

Colorado currently has a temporary modification to its water quality standards in place for selenium on the Arkansas River (14 ppb). The Arkansas River Water Quality Standards are undergoing review at this time. Colorado will hold an Issues Formulation Hearing in Alamosa on November 13 to consider any applicable issues. Kansas intends to highlight the need for reduced selenium concentrations above the stateline.

### **Tamarisk Control and Research**

Susan Metzger (KWO) directed the attention of the committee members to a newsletter providing an update of several tamarisk related projects and activities throughout Kansas. The newsletter is published to the Kansas Water Office website.

### **Agency Reports**

Bruce Falk (KDA-DWR) welcomed several new KDA-DWR employees in attendance.

Bob Frisbee (KSU Research and Extension) reported on the progress of the Watershed Restoration and Protection Strategy (WRAPS) in development for the Upper Arkansas River basin. Several leadership meetings are scheduled for December. In addition, meetings are scheduled in December to discuss the coordination of the Conservation Reserve Enhancement Program (CREP) with the WRAPS.

### **Other Business**

#### ***Messages to the Kansas Water Authority***

The Lower Arkansas River Basin had one message to the Kansas Water Authority. They wish to emphasize to the Authority their support of the proposed list of priority TMDLs for their basin (see motion and discussion above).

The Upper Arkansas River Basin had one message to the Kansas Water Authority. The committee supports Tom Stiles and KDHE in their effort to highlight the need for reduced selenium concentrations above the stateline at the Issues Formulation Hearing in Alamosa on November 13 in Colorado.

Clark Rusco reported that the next meeting of the Kansas Water Authority will be held November 16 & 17 in Great Bend.

The next meetings of each BAC will be scheduled for late November and early December 2006. The focus of the next meetings will be BAC application review.