



Lower Arkansas Basin Advisory Committee

Meeting Notes

Lower Arkansas
Basin Advisory Committee
City of Hutchinson Water Treatment Center
Hutchinson, KS
9:00 a.m., Wednesday, March 3rd, 2010

DRAFT

Members in Attendance: Larry Mangan, Jay Zimmerman, Sharon Falk, Mike Brothers, Vaughn Weaver, Dan Filbert, Brian Meier, Byron Warta, Suzanne Loomis

Members Absent: Carolyn McGinn, Budd Fountain

Others in Attendance: Deb Baker, Tracy Streeter (KWO), Jess Crockford (NRCS), Dave Bollenback (KCC), Don Koci, Brent Lundmark (City of Hutchinson), Tom Kneil (KS Sierra Club), Scott Davies (Harvey County), Amy Shields (EPA Region 7), Alison Herring (KDHE SCDO), Lisa French (KWA, Cheney Lake Watershed), Ron Graber (KSRE), Tim Boese (GMD2), Tom Stiles (KS+DHE)

The meeting was called to order at 9:05 by Chairman Byron Warta. Special thanks were expressed to Don Koci for hosting the meeting and providing refreshments. Self introductions were made by all attending. Deb Baker requested all BAC members update their contact information if necessary.

Constituency Reports:

Byron Warta emphasized the importance of BAC members maintaining communication with members of the groups they represent in order to provide a conduit between state policy and local input. Constituency reports are a standing agenda item when members report on contacts/input that they have had. There were no constituency reports.

Agency Reports:

Lisa French reported that the Cheney Lake Watershed project will host a USDA team of scientists who will be looking at ephemeral gullies in conventional and no-till fields during the week of March 22nd. Interested parties are invited to attend and can call Lisa at 620-200-0172 for additional information.

Public Comments: There were no public comments.

Approval of October meeting notes: The October meeting notes were approved without dissent.

Water Issues Forum:

Deb reminded all members who attended the Forum to respond to the questionnaire that was sent via email. Members who attended generally found the information to be based on good science and good data. A suggestion was made for the next Forum to follow up

MEMBERS:

BYRON WARTA
CHAIRPERSON
Conservation
Newton, KS

VAUGHN WEAVER
VICE CHAIRPERSON
Fish and Wildlife
Wichita, KS

BRIAN MEIER
Industry/Commerce
Wichita, KS

BUDD FOUNTAIN
At Large Western Basin
Langdon, KS

DANIEL FILBERT
Agriculture
Macksville, KS

JAY ZIMMERMAN
Conservation/
Environment
South Haven, KS

LARRY MANGAN
At Large Public
Wellington, KS

MIKE BROTHERS
Non-Municipal Public
Water Supply
Lyons, KS

SHARON FALK
Recreation
Stafford, KS

SUZANNE LOOMIS
Municipal Public Water
Supply
Newton, KS

**THE HONORABLE
CAROLYN MCGINN**
Groundwater
Management District
Sedgwick, KS

For questions please
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Basin Planner
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on the Planning for Change theme and include one or several panel discussions of “normal” people discussion of their views on the subject.

Reservoir Roadmap:

Tracy Streeter provided an overview of the Vision 2020 committee effort which resulted in production of the Reservoir Roadmap which will be presented to the committee on March 8th. Contents of the Roadmap were summarized and the full report is available at this link: <http://www.kwo.org/reservoirroadmap.htm>

Legislative Contacts:

Following up on Byron’s comments regarding the importance of BAC members as conduits of information, Tracy discussed the possibility of members to also contact legislators to assist in gaining support for Water Plan Initiatives. The Annual Report was provided and members are encouraged to become familiar with the contents so they can discuss issues with key people.

Senate Bill 510 and other legislative issues:

Kansas Department of Agriculture, Division of Water Resources, requested introduction of Senate Bill 510 which modifies the Kansas Water Appropriation Act (KWAA) to add water conservation as a beneficial use. This change would dispel the ‘use it or lose it” provision of the KWAA and allow water right holders to keep their water right without having to use the water. It was discussed that water hoarding is a potential problem with the current language, especially in areas still open to new appropriations. Some want it to apply only in closed areas. DWR thinks the language is sufficient to avoid facilitating hoarding but the bill has not yet been passed.

A bill proposing to de-regulate all dams was introduced but has little chance of passage because it is not a good idea. The real issue is dams whose hazard class has changed due to downstream development. Middle ground needs to be found to address the issue.

Tracy also discussed the continuing budget problems and related that revenue enhancement tools will probably need to be developed. He also noted that Water Plan revenues are down largely due to wet weather in the past couple of years.

Legislative Post Audit:

Tracy discussed that the legislative post audit committee will again evaluate the potential benefits of water agency consolidation. This has been done before and the result has always been to keep the agencies separate. The audit has not yet been initiated. Tracy mentioned that depending on the outcome of the audit, BAC members may wish to weigh in on the recommendations.

Total Maximum Daily Load Update:

Tom Stiles provided a historic overview of the TMDL program and noted that the 303d list biannual review is underway. The list was distributed to BAC members and identifies which impairments will have TMDLs developed in the next round. The Clean Water Act requires development of the 303d list and the development of TMDLs for Category 5 waters which are those that do not meet designated uses. A law suit settlement in 1998 resulted in development of numerous TMDLs throughout the basin due to the complexity of water uses. During the 2006/2007 review of the original TMDLs, more focus was given to urban stormwater and point source issues, especially in Cow Creek. KDHE will again evaluate LARK TMDLs in 2011.

Lead has become an issue in the basin. It attaches to sediment and is influenced by hardness of the water. Other new issues are bacteria in the Chickaskia and Ark rivers, in which impairments generally are associated with wet weather events. Also phosphorus and total suspended solids are flagged on some creeks. Implementation has been underway in the basin for ten years. The 2011 revisions will bring the TMDLs to reflect what has occurred during the past ten years.

There was discussion concerning which impairments are related to each other and it was agreed that identification and management of common drivers/stressors for multiple impairments is the best approach.

Tom provided a handout summarizing the 303d and TMDL processes. He then asked for BAC input on proposed priorities for the 2011 revisions. In general, the committee prioritized the TMDLs as follows in descending order.

- Little Arkansas River TSS
- Cheney TMDL revisions
- Slate Creek and Chikaskia River E. coli
- Total phosphorus Budget along Ark River from Hutch to Ark City
- Little Ark lead
- Cow Creek D.O.

KDHE will recognize these priorities as revisions are proposed.

Region 7 EPA/Colorado Uranium Standards

Amy Shields, USEPA Region VII KS Water Quality Standards Coordinator, noted that the 303d list submitted by KS will be reviewed by her. She provided a handout discussing nutrient criteria and informed the committee that nutrient criteria will soon be developed for Kansas.

A question was asked concerning uranium, gross alpha standards and Colorado water quality standards. Amy's follow up response is provided below.

1. What are CO's uranium and gross alpha standards?

It's true that Colorado does not have a gross alpha criterion. Dave said that the gross alpha criterion is on Region 8's "[MCL Candidate List](#)" for Colorado.

Additional information from Dave on uranium:

In 2005, Colorado updated its water supply table value standard for uranium to 30 ug/L (see attached). Using Colorado's conversion factor, the previous water supply table value standard of 40 pCi/L converted to 59.7 ug/L. You might be interested to know that the risk-based criterion for uranium is 16.8 ug/L (using the EPA reference dose of 0.6 ug/kg-day and a relative source contribution factor of 0.8). The MCL of 30 ug/L was influenced by a national cost-benefit analysis that is a required element of MCL development under the SDWA. Colorado also has aquatic life criteria for uranium that are a function of hardness. They are substantially less stringent than the water supply standard. (See attached file: Colorado Uranium Criteria.jpg)

Note: Kansas does not have an uranium domestic water supply WQS for surface waters. The gross alpha standard does not include radon or uranium. [Kansas Tables](#)

For other KS WQS documents in the EPA Water Quality Standards repository, see: [EPA website: Repository Documents](#)

2. Does CO monitor the Arkansas River for uranium and/or gross alpha near the KS border?

Dave Moon is forwarding this message on to his monitoring contacts. In Region 8, the WQS standard coordinators do not work on the 303(d) list like me and the other Region 7 WQS coordinators. I will let you know as soon as he responds.

3. Is there any development on a 304(a) federal WQS for uranium?

Region 8 hasn't heard anything about plans to develop 304(a) criteria for uranium. The federal drinking water regulations (SDWA) for radionuclides are not that old (relative to other parameters). When I receive information from HQ on anything related to uranium WQS development, I will let both you and KDHE know.

Deb will continue to provide additional information to the committee as it is received.

Natural Resource Planner/May KWA meeting

Deb presented info about the Natural Resource Planner developed by the Kansas Applied Remote Sensing (KARS) program under the direction of Kansas Department of Wildlife and Parks (KDWP). The format of the web based planner is similar to what is being developed for the Walnut/Lower Arkansas Natural Resource Inventory. It is being used by the wind energy development sector to assist in siting wind farms and the associated transmission line. The KWO will host a seminar describing the tool on Wednesday April 14 from 12:00 noon to 1:00 p.m. The meeting will also be in form of a Webinar and participants can call in from remote locations and be able to participate via conference call as well as view the powerpoint presentation.

If you are interested in participating in this presentation from a remote location, please call Ashlei Glenn at 785-296-3185 for call in instructions.

Message(s) to the KWA: There were no messages to the Kansas Water Authority.

The next meeting of the KWA is May 13-14 in Wichita. Check the KWO website about two weeks before the meeting to see the agenda. All members are encouraged to attend.

Next Meeting Date

The next LARK meeting will be **Wednesday, June 30, 2010 at 9:00 a.m. in Wichita.** In October, we may meet jointly with the Upper Arkansas BAC.

Hutchinson Water Treatment Plan Presentation and Tour: Don Koci provided a PowerPoint presentation overview of the new reverse osmosis water treatment plan, followed by a tour of the fully automated plant.

The tour was over around 1:30 p.m. and the meeting was adjourned.