

Solomon Basin Advisory Committee
Meeting Notes
Stockton City Building
115 South Walnut, Stockton, KS
Wednesday October 5, 2005, 7:00 p.m.

Basin Advisory Committee Members Present

Dee Blubaugh, Myron Abbott, Fred Landis

Basin Advisory Committee Members Absent

Paul Best, Tom Jamison, John (Bruce) Wyrill, Raymond DeBey, Kelvin Kolb

Others in Attendance

Gwen Johnson, Representative Dan Johnson, Robin Bailey (Webster Lake Asso.), Richard Palmberg, Jack Mersch, Robin Blubaugh, Scott Ross (DWR), Mark Billinger (DWR), Cliff Ehrlich (KDWP), Tracy Streeter (KWO), Tom Lowe (KWO), Diane Coe (KWO)

Welcome and Introductions –Tracy Streeter, in the absence of the chair and vice chair, opened the meeting. Self introductions were made by all present.

Kansas Water Plan Policy Issues – Tracy Streeter provided an overview of the status of four water plan policies under development.

Tom Lowe provided an overview of working draft of the **Small Dam Safety and Rehabilitation** policy. There is a need to address the aging of the thousands of small dams around the state and the reclassification and hazards of these dams when building occurs below them. Consideration is being given for the expenditure of the \$750,000 for a dam rehabilitation program authorized by the legislature. Recommendations include a program to provide for breach inundation zone mapping, and making all small dams eligible for financial assistance. Tools to address liability and hazard classification increases and their associated costs to the dam owner include using breach zone maps as a basis for zoning controls, easements and water shed assessments.

Tracy Streeter recapped the main policy points in that the purpose is first to fix the old dams then to prevent low hazard dams becoming high hazard and putting that liability on the dam owner. (The need to upgrade the dam when someone builds below can be costly and falls to the owner of that dam). The policy aims at local level solutions through a preventative program using breach inundation mapping as a basis for zoning and/or shifting liability to the developer if they choose to build in that area.

Discussion of the policy included:

- Dams are regulated by DWR if over 6 feet high and impound 50 acre feet or more, or if is 25 feet high with no minimum impoundment;
- Zoning would dictate downstream landowners use of their own land;
- If someone builds below a dam the dam owner presently, that owner is responsible to upgrade the dam and becomes liable;
- High hazard dams are inspected more frequently at the cost of the dam owner.

Tracy Streeter, Director KWO, hearing officer conducted Public Hearing, **Kansas Water Plan Policy Section Working Draft-Dam Safety and Rehabilitation**. The hearing was officially opened at 7:50 pm. Builders below a dam should be made fully aware of the breach zone and be made liable. The hearing was closed at 7:55 pm. The comment period will end at the close of the working day, October 24, 2005.

Diane Coe provided an overview of the **Water Conservation policy**. Two main issues are; 1) the role of water conservation in water management, and 2) the role of the state in water conservation. For the purpose of this policy section, water conservation is defined as the reduction in consumptive water use.

Recommendations will continue to be developed through the policy process. The development of a program that incorporates and coordinates these various activities with overall water management should be initiated is the present recommendation.

Discussion of this policy included:

- We need to get to sustainable yield, stop using faster than resource is recharged;
- Consider quality;
- Upgrade city and irrigation delivery systems, including enclosed delivery systems;
- It is the state's role to help conserve;
- Don't wait, start now;
- Give unregulated wells big penalties;
- Money to line delivery systems should go to farmer instead
- Leave water in lake, don't drain western lakes;
- Help should also go to replace county tax base, not just to assist farmers
- Need solution despite economic ramifications

Tom Lowe provided an historical overview of planning for water issues in Kansas, leading to the preliminary draft policy for **Public Involvement in the Water Planning and Implementation Process**. The BACs are providing more input into water policy than in the past. This Water Plan Policy section is working to clarify the involvement of BACs and the public in water resource planning. Status Quo option would involve addressing BAC membership, meeting schedule, term limits and possibly other areas. The recommended Public Input by Function option focuses the public input process on each of the four basic functional planning areas, and selecting the public input mechanism or combination of mechanisms that fit the informational needs of that specific function best. Under this option the technical advisory committees for policy would involve BAC representation, stakeholder groups which could include a BAC member, provide input on implementation and public response to issues would direct the level of public involvement in administrative operations.

As a result of this policy work the KWA internal policy memorandum (IPM) detailing BACs will be revised.

Tracy Streeter provided some specific examples of the four function areas including the Arkansas River BACs work on the policy for Circle K as a good representation of policy development. Implementation of policy would include BAC involvement but would not be a BAC function. (An example of this is stakeholder groups working on WRAPs projects). Public input and involvement in administrative areas would be a response to the level of public request, noting that a public process for operations is often not appropriate due to time constraints and other factors. The plan is to define this better and document what is occurring.

Discussion of this policy included:

- BAC should have broad representation, not dominated by one group;
- Limit irrigation representatives to two;
- Get to sustainable water use
- Don't let water be piped to other areas, like Wichita;
- Economic studies need to look at sustainable agriculture not what is lost with water use reductions;
- The notion water is private property is wrong, the state has the right to administer water in the public interest;
- Look at the big picture;
- Improve reservoir delivery systems below dams;
- The impact of ethanol plants may not be consistent with reduced production/water use.

Tracy Streeter provided an introduction to the **Economic Development at Federal Reservoirs policy**. The KWA requested evaluation of the lakes for the appropriate form of development is to be used as a tool for local decision makers and developers; it is recognized that each lake is unique; and that the overriding issue is how to develop the reservoir areas without compromising water quality and other environmental quality components. The main idea is to provide information to developers, not recommend development at any specific reservoir but look at each areas assets and what it is best suited for. The Department of Commerce will be doing a study considering the economics and other factors.

Discussion of this policy included:

- Enhance the opportunities that exist;
- This assumes water in the lake, there is a need to address more water in the streams of western Kansas;
- This area wants the water and good fisheries, not big ticket destinations, even now KDWP is getting too elaborate and increasing fees too much;
- Each area should determine what is needed;
- Don't pay to keep water in lakes.

Quick Response Area Update- Diane Coe provided a handout on the Ground and Surface Water EQIP program for this next year. To improve the effectiveness of the EQIP Ground & Surface Water program, the four western Groundwater Management Districts, and the Division of Water Resources for areas outside of district boundaries identified priority areas of the High Plains aquifer and hydraulically interconnected alluvial and surface waters. These are called the "quick response areas" (QRAs).

Each GMD and DWR defined quick response area is based on various conditions in that district: aquifer conditions, withdrawal patterns, socio-economic considerations AND approved by the Chief Engineer, DWR, and Director, KWO, as important for reducing consumptive water use.

QRAs will be the highest priority for dryland incentive grants and be eligible for some other related practices. The incentive rates will be \$100/acre, per year, for three years of payment and four years of practice implementation. Additional points in the ranking will be given if the water right is enrolled into Water Right Conservation Program for 10 years of non-use, and so is more likely to get selected. The application gets additional ranking points for local incentives. The entire program is being finalized right now. Local offices should have the information and be able to begin applications by the end of next week (Oct 15).

In the Solomon Basin, the QRAs are three townships in GMD 4s Thomas County area and the 2 mile circle in Sheridan where an impairment claim has been filed, and DWRs areas along the north and south forks of the Solomon River.

Agency Advisor Reports

Division of Water Resources- Mark Billinger reported the Subbasin working group is still working. Scott Ross reported that the final draft of the MOU between DWR and GMD4 related to metering is ready for signing.

Representative Dan Johnson indicated it is time to discuss water conservation and protection of the Ogallala aquifer even though those with water rights don't want too, claiming the need for that water. Water quality is also important.

Kansas Water Office- Tracy Streeter presented **Water Plan Project Initiative Phase II**. Mr. Streeter gave a brief overview of the budget line items and the effort to reinstate funding from the state general fund for operations and some programs that were historically paid for from the state general fund, so that the Water Plan fund can go to projects. Last year the effort was successful in restoring about 2.3 million. Most of this went to projects in eastern Kansas. This second phase is intended to emphasize the Ogallala High Plains.

Mr. Streeter pointed out that for western Kansas there is about \$100,000 to purchase water rights between Cedar Bluff Reservoir and the Schoenchen area, the Wilson Lake reallocation study and programs that also involve the payment received from Colorado on the Arkansas River lawsuit.

Diane Coe provided a summary of the state's 10 year plan to address phreatophytes (salt cedar and other non native intensive water using plants). The eradication and control the spread of such plants could help streamflow and some of the western Kansas hydrologic systems. The full document is available on the web site.

BAC Business

Membership-vacancies could not be filled due to lack of quorum. A discussion was held pertaining to applicant eligibility for existing vacancies. Diane Coe reported that the KWO staff will recommend to KWA the expiring BAC terms be extended from 12/31/05 to 6/30/06. If so, membership nominations will be at the April – May BAC for those positions.

Messages to the KWA –none

Next KWA meeting is November 16 -17, in Parsons

Next Basin Advisory Committee Feb. 27-March 3

Adjourn