

## WETLAND & RIPARIAN MANAGEMENT

### INTRODUCTION

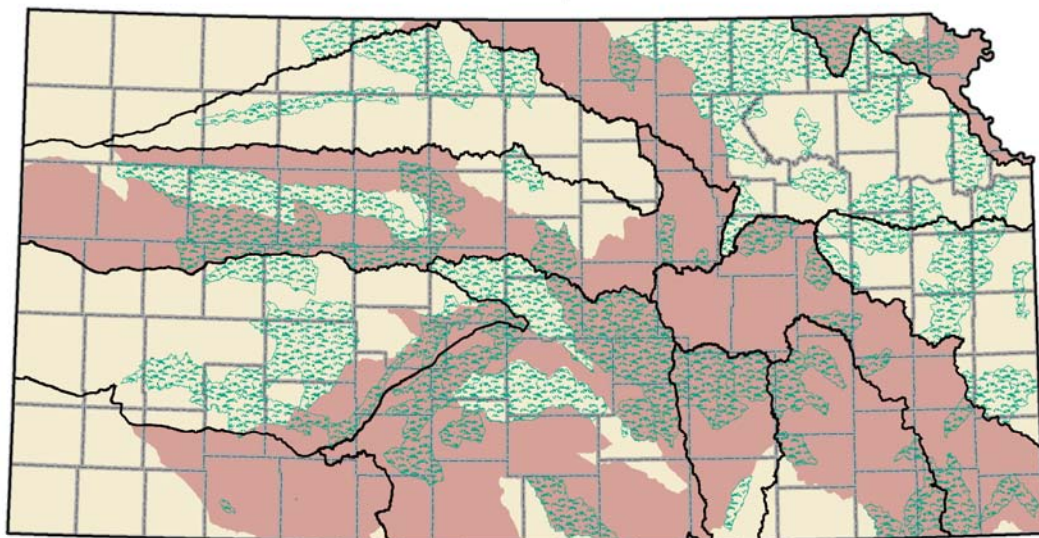
Concerns for the protection, restoration or enhancement of wetland and riparian areas have increased in response to greater public understanding of their ecological and economic value. Wetland and riparian areas are transitional lands between aquatic and upland locations. Wetlands include areas with hydric soils where standing water or wet soil conditions predominate. Riparian areas include streamside and floodplain areas where the vegetation, soils, or topography are distinguishable from that on adjoining uplands. Benefits derived from riparian areas include erosion and sediment control, timber production, wildlife habitat, water quality protection, recreation, and aesthetic values. Wetlands in Kansas provide unique wildlife habitat, floodwater detention, ground water recharge, and water quality benefits.

Estimates by the U.S. Fish and Wildlife Service indicate that Kansas has lost more than 400,000 acres or nearly one-half of its wetlands since the 1780s. The vast majority of these were shallow and often ephemeral wetlands drained for agricultural use since 1950. Loss of riparian areas to channel modifications and streamside clearing has also been extensive in many parts of the state although estimates of these losses are not readily available.

The primary policy of the state regarding wetland and riparian management is to facilitate the protection of these areas from conversion or channel modifications, and to stabilize streams which have been adversely affected by channel modification activities. Conversion of wetland or riparian areas from their natural state to agricultural or development uses poses a difficult management problem. There are some federal regulations protecting some wetland areas from being filled in, or that may require mitigation. There are no state regulations on wetlands, although there is a Conservation Easement Act in the Kansas statutes that would allow for state purchase of managed easements from a land owner willing to sell.(K.S.A. 32-807 and K.S.A. 58-3810 *et seq.*). This Act has never been used.

The state also promotes the restoration and enhancement of riparian and wetland areas to maintain or maximize the environmental benefits mentioned above. This is a key strategy in addressing the state's water quality restoration needs as part of implementing Total Maximum Daily Loads in high priority areas (see Water Quality Policy Section), and in addressing identified high priority biological areas. High priority areas were identified and mapped in the State Wetland and Riparian Implementation Plan (See map Figure 1).

KDWP Natural Resource Value Assessment  
KDHE TMDL Priority Status



 KDHE High Priority TMDL  
 KDWP High Biological Priority

Kansas Water Office  
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TMDL (KDHE) implementation priority watersheds are preliminary in the Upper Republican, Solomon and Smoky Hill - Saline river basins.

Natural Resources Assessment Value (KDWP) data developed to assess natural resource impairment for the Unified Watershed Assessment.

TMDL watersheds developed from 1:24,000 scale HUC 14 database.  
Source: KDHE/BOW/WPS

Natural Resources Assessment Value watersheds developed from 1:100,000 (or smaller) scale HUC 8 database.  
Source: KDWP

Figure 1

## OBJECTIVES

- By 2010, maintain, enhance or restore priority wetlands and riparian areas.

## STATUTORY FRAMEWORK

Statutory authority for addressing wetland and riparian management issues in the *Kansas Water Plan* is contained in the State Water Resource Planning Act (K. S. A. 82a-901 *et seq.*). This Act establishes as long-range goals “the reduction of damaging floods and the losses resulting from floods, the prevention of the pollution of the water supplies of the state, and the sound coordination of the development of the water resources of the state with the development of the other resources of the state.” Statutory policies for achieving these goals include:

- The utilization of nonstructural methods, including floodplain regulation, and structural measures for the reduction of flood damage (K.S.A 82a-928 (a)).

- The identification of minimum desirable streamflows to preserve, maintain or enhance baseflows for in-stream water uses relative to water quality, fish, wildlife, aquatic life, recreation, general aesthetics, domestic uses, and for the protection of existing water rights (K.S.A. 82a-928 (i)).
- The maintenance of the surface waters of the state within the water quality standards adopted by the Secretary of Health and Environment as provided by K.S.A. 65-164 to 65-171t, inclusive, and amendments thereto (K.S.A. 82a-928 (j)).
- The provision of financial and technical assistance to public corporations concerned with management, conservation, and development of water resources (K.S.A. 82a-928 (m)).
- The encouragement of local initiative in the planning, implementation, funding, and operation of local water programs to the extent that the same are supportive of state water programs (K.S.A. 82a-928 (p)).
- The Kansas Forest Service is directed to carry on an assistance program with forest landowners and operation in the practice of forestry, including the growing, harvesting and marketing of forest products and in the management of forests for other multiple benefits such as water quality, streambank stabilization, erosion control, wildlife and recreation (K.S.A. 76-425(i)).
- The Kansas Forest Service shall cooperate with other agencies and organizations in conducting forestry related programs, including riparian and wetland protection and nonpoint source pollution control (K.S.A. 76-425(k)).
- The Kansas Forest Service shall cooperate with and assist the U.S.D.A. Cooperative Extension Service and other appropriate agencies in conducting educational programs and demonstrations in forest management, forestation, reforestation and other forestry related programs (K.S.A. 76-925(p)).
- The Kansas Forest Service shall promote and carry out the intent and purposes of this act and of the provisions of all federal acts for state cooperation in watershed management and urban and community tree planting management and care; and to enter into cooperative agreements with federal and state agencies and such agency's subdivisions for any or all of such purposes (K.S.A. 76-425(f)).
- The statutory guidance for State Conservation Commission programs providing potential technical and/or financial benefits for riparian and wetland management are found in K.S.A. 2-1915, as amended.
- The statutory guidance to the Kansas Department of Wildlife and Parks to administer a Conservation Easement Program in which landowners could voluntarily enroll eligible high priority wetland and riparian areas or donate easements is found in K.S.A. 32-807 and K.S.A. 58-3810 *et seq.*

- The Statutory guidance for Kansas Department of Health and Environment involvement in riparian and wetland management related issues is found in the TMDL development and implementation activities (K.S.A. 65-165 *et seq.*) and in the nonpoint source pollution control measures including grants for development of local protection plans, technical assistance, and demo projects (K.S.A. 75-5657).
- The Environmental Coordination Act which regulates channel change activities is under the statutory authority of the Kansas Department of Agriculture, Division of Water Resources (K.S.A. 82a-325-327).