

Kansas Water Plan

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Water Planning In Kansas

Water planning in Kansas has two main attributes - collaboration and citizen involvement. This *Kansas Water Plan* (KWP) section provides an overview of the KWP, including its purpose, structure and the process through which it is developed. The relationship of the KWP to other key water planning efforts also is described.

The *Kansas Water Plan* - The *Kansas Water Plan* is one of the primary tools used by the State of Kansas to address current water resources issues and to plan for future needs. The Plan also serves as a guide to coordinate local, state and federal actions. Statutory authority and basic guidance for formulating the *Kansas Water Plan* is contained in the State Water Resources Planning Act.⁽¹⁾

State Water Resources Planning Act – Initially enacted in 1963, the Planning Act declares that “. . . the state can best achieve the proper utilization and control of the water resources of the state through comprehensive planning which coordinates and provides guidance for the management, conservation and development of the state’s water resources. . .” The Kansas Water Office is directed to formulate a state water plan on a continuing basis and to include sections corresponding with water planning areas as determined by the KWO. Factors to be considered in formulating the state water plan are listed⁽²⁾ as are long-range planning goals⁽³⁾ and policies for achieving the long-range goals.⁽⁴⁾

The Planning Act directs that prior to submission of the state water plan for approval, advice from the general public and from committees within the 12 basin planning areas shall be sought and that public hearings be held. The Planning Act also states that the KWO, with KWA approval, shall annually submit to the Legislature and to the Governor an updated water plan containing recommendations needed to achieve the long-range planning goals as stated in the Act.⁽³⁾

Historical Overview

Comprehensive planning for water resources in Kansas began with an emphasis on use and development. Over the decades, the planning emphasis shifted to management and protection. The KWP is best understood with a basic knowledge of previous planning activities and the process through which it is developed.

1950s - 1970s

Comprehensive water resource planning at the state level in Kansas was spurred by the disastrous flooding of 1951 and the subsequent severe drought conditions from 1952 through 1956. A special meeting of the State Finance Council was held in 1954 to discuss the drought and to consider allocating money from the State Emergency Fund for a statewide water study. An appropriation for the study was unanimously approved.

The study was to provide the 1955 Kansas Legislature with a survey and other factual data needed for comprehensive statewide water planning and conservation programs. The Kansas Water Resources Fact Finding and Research Committee conducted the study. The resulting study, *Water in Kansas*, was presented to the Governor and members of the Kansas Legislature on January 2, 1955.⁽⁵⁾

Water in Kansas addressed the organizational structure needed for comprehensive planning, noting that closer working relationships among agencies were needed. A key recommendation was to “. . . Provide the necessary organizational structure, personnel and funds to prepare and maintain a state plan of water resources development.” The Kansas Water Resources Board (KWRB) was established in 1955 to fulfill this recommendation.

Kansas Water Resources Board (KWRB) – For planning purposes, the KWRB divided the state into 12 units based on hydrological boundaries. Between 1955 and 1963, much of the planning effort concentrated on preliminary studies of these planning units which included an inventory of resources and identification of problems and needs.

The State Water Plan Act of 1963⁽¹⁾ expanded the role of the KRWB in planning, policy and coordination. The Act mandated preparation of a state water plan addressing all aspects of water resources, covering beneficial use, control and development. The Act also encouraged the Plan be prepared with cooperation of other agencies.

The State Water Plan Act was again expanded in 1965. A portion of the Act itself was identified as “the State Water Plan.” The Plan identified reservoirs to be built and contained goals, policies and considerations for planning.

During this time the KWRB became an important partner with stakeholders and the federal government in the many water resources development projects. Among

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these projects were federal dams and reservoirs constructed by the U.S. Army Corps of Engineers and the Bureau of Reclamation, watershed dams development by the USDA Soil Conservation Service and rural water districts developed with USDA Farmer's Home Administration financial assistance.

1970s

Governor's Task Force on Water Resources – By the 1970s, rising costs and public environmental concerns had altered the water resources management landscape. The era of intense water resources development had ended. The need for a more management-oriented approach to water resources was recognized. Drought gripped much of Kansas in 1976 and there was increasing concern about rapid depletion of ground water supplies in western Kansas. As a result, Governor Robert F. Bennett created the Governor's Task Force on Water Resources in 1977.



Governor Robert F. Bennett

Governor Bennett charged the Task Force with determining the key water supply problems facing Kansas, and examining their underlying causes. The Task Force was to identify options available to the state and to local units of government for resolving problems, including:

1. Ways to eliminate any duplication and inefficiencies in state and locally sponsored water resource programs;
2. Ways to achieve more effective coordination among state and local water resources programs;
3. Recommendations for any needed changes in existing water resources laws, policies and programs; and
4. New programs which should be undertaken at state or local levels.

The Task Force found that the State Water Plan, as identified in the Planning Act, had not been an effective mechanism for achieving interagency and state water resource policy coordination. The Task Force recommended:⁽⁶⁾

“...that increased attention be given to the use of the State Water Plan as the state’s basic expres-

sion of policy on subjects relating to conservation, planning, development and management of the state’s water resources, and the principal means of assuring continuous coordination of the research, regulatory, developmental and operational activities of the various state water agencies and local water entities. . . .”

The task force further recommended that policy and objective statements be approved by the Legislature but that the State Water Plan itself not be incorporated into the statutes.

The Task Force Chairman, concerned about long term coordination proposed a reorganization of state water agencies that would have consolidated into one agency the functions of the Kansas Water Resources Board, the Division of Water Resources of the Kansas State Board of Agriculture and the water-related functions of the Division of Environment of the Kansas Department of Health and Environment. This proposed reorganization generated significant discussion. In the end, the Task Force concluded that reorganization was not justified. The Task Force reaffirmed the value of and need for inter-agency coordination and suggested physical co-location of the three major water agencies.

1980s

Creation of the Kansas Water Office and Kansas Water Authority - During the 1981 Legislative Session, water agency reorganization was again discussed. The Legislature reach a compromise that resulted in abolishment of the Kansas Water Resources Board and establishment of the Kansas Water Office (KWO), effective July 1, 1981.⁽⁷⁾ The powers, duties and functions of the KWRB were transferred to the new KWO. The KWO was charged with development of a state plan of water resources management, conservation and development.

This Act also created the Kansas Water Authority (KWA). The KWA is statutorily within and a part of the KWO. Its membership is comprised of 13 appointed citizen members representing various water resources interests and 11 state agency representatives.

Duties of the KWA include:⁽⁸⁾

- Consulting with and advising the Governor, Legislature and Director of the KWO on water management issues;
- Reviewing plans of any state or local agency related

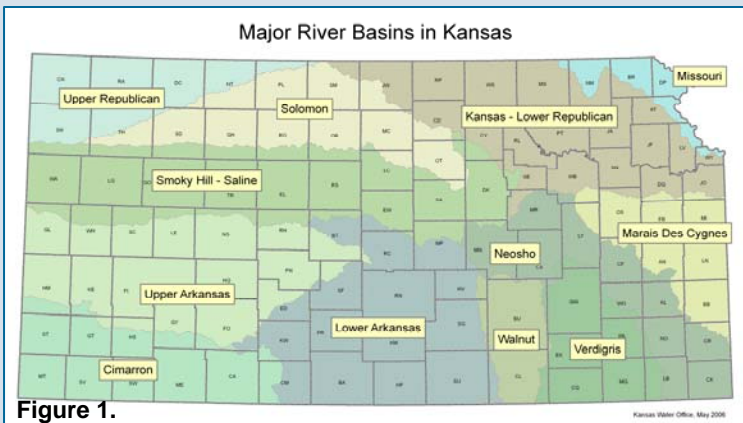
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- to the water resources of the state;
- Studying laws related to water resource management issues and recommending new or amendatory legislation;
- Recommending coordination of water resource management activities; and
- Approving amendments to the State Water Plan.

The current KWP took shape in the early 1980s. Public meetings were held by the KWO throughout the state during the summer of 1983. At these meetings drafts of proposed Water Plan sections were reviewed and public input was encouraged. After extensive revision and another round of public meetings, the KWP was approved by the KWA in December 1984. In February 1985, the Kansas Legislature endorsed the comprehensive, continuous coordinated planning process through which the Water Plan was formulated.⁽⁹⁾



An initial policy focus of the *Kansas Water Plan* was development of new programs or modification of existing programs needed to meet the water resource management challenges that had emerged by the 1980s.

In addition, twelve major river basins, nearly identical to the planning units utilized by the KWRB, were delineated and basin advisory committees (BAC) organized for each basin in 1985 (Figure 1). The BAC (then as now) provided significant citizen input on the development of the Plan. Targeting of program resources to areas of need and necessary interagency coordination was addressed through the *Kansas Water Plan* basin sections. Initial basin sections of the *Kansas Water Plan* were approved in 1986.

In 1989, under the leadership of then Governor Hayden another important step in current water planning was taken with the creation of the State Water Plan Fund (SWPF). The Fund is used for establishing and imple-

menting water related programs or projects identified in the KWP.⁽¹⁰⁾

1990s

During the 1990s the KWP was updated regularly with guidelines to agencies and utilizing the SWPF. The KWP continued to address programs and projects but from a budgetary planning view point.

The 1997 Kansas Legislature directed that a report be prepared addressing the overall direction of programs and activities funded from the SWPF. A Vision Summit, attended by 275 Kansans, was held in Salina in November 1997 to gather advice prior to preparing the requested report. The resulting report, delivered to the 1998 Legislature, provided direction on the Water Plan with preliminary goals for the KWP to be achieved by 2010.⁽¹¹⁾ These 2010 Objectives were approved by the KWA and incorporated into the KWP in October 1998 following a series of public meetings to gather input. The objectives provided direction for planning, but despite this attempted reorientation of the KWP, its relevance and effectiveness continued to be less than desired.

The 21st Century

With the 2002 election of Governor Kathleen Sebelius, an extensive review of water resource agencies was undertaken. The Sebelius administration recommitted to the KWP and the Kansas water planning process as a tool to identify and coordinate implementation of water resource issues relevant to Kansas. An enhanced coordination process was established, including a Natural Resources Subcabinet comprised of agency executives named by the Governor.

Kansas Water Planning Process

The Kansas water planning process incorporates the three key state water plan characteristics mandated by the State Water Resources Planning Act,⁽¹⁾ comprehensive, coordinated and continuous adaptive planning approach. Adaptive planning is the cornerstone upon which the planning process and the *Kansas Water Plan* rest.

This process is based upon the assumptions that: 1) our ability to understand the interdependencies among natural and social systems is ever evolving; 2) water management decisions must be incremental adjustments from the status quo; and 3) water resource decisions must be made recognizing varying interests of public and private sectors. This view of water resource plan-

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ning supports the ability of the decision-making process to be flexible in response to changing current and future conditions and promotes adjustments from the current situation which do not foreclose future resource use options.⁽¹²⁾

Guiding Principles – The Kansas water planning process emphasis is comprehensive, coordinated and continuous planning. The current KWP provides a comprehensive scope, organized around water management categories and the 12 river basin plans covering all aspects of water resources management, conservation and development. The river basin or watershed approach has been used in formulating the *Kansas Water Plan* wherever pertinent. Watersheds tend to integrate the effects of water management actions as they interact with the climatic, physiographic, land use and land cover characteristic of the watershed, making them an ideal spatial entity for planning purposes. Watersheds extend beyond state borders; some issues addressed must be from that perspective.

Coordination among local, federal, state and occasionally interstate partners is promoted for example, through the diverse membership on the KWA, agency representation at basin advisory committee meetings, membership on technical advisory committees and through public review and comment on the KWP. The State Water

Resources Planning Act⁽¹⁾ also requires that plans, projects and recommendations of public corporations, the federal government and state agencies be considered, which may include: Kansas Hazard Mitigation Plan,⁽¹³⁾ Total Maximum Daily Loads,⁽¹⁴⁾ Kansas Surface Water Nutrient Reduction Plan,⁽¹⁵⁾ Capacity Development Strategy⁽¹⁶⁾ and State Comprehensive Outdoor Recreation Plan⁽¹⁷⁾ to name a few.

Kansas Water Planning Process

The water process is not stagnant. Policy or basin issues are added or modified as needed, using the described planning process. Figures 2 and 3 illustrate the various steps in the Kansas water planning process.

Policy Issue Planning Process

Concept Paper – Preparation of a concept paper is the initial formal step in the policy issue planning process (see Figure 2). The concept paper defines the issue to be addressed, including a brief background discussion. A plan of study with an anticipated planning timeline is included. KWA approval authorizes the KWO to proceed with development of a Background Paper and Preliminary Draft Section of the KWP.

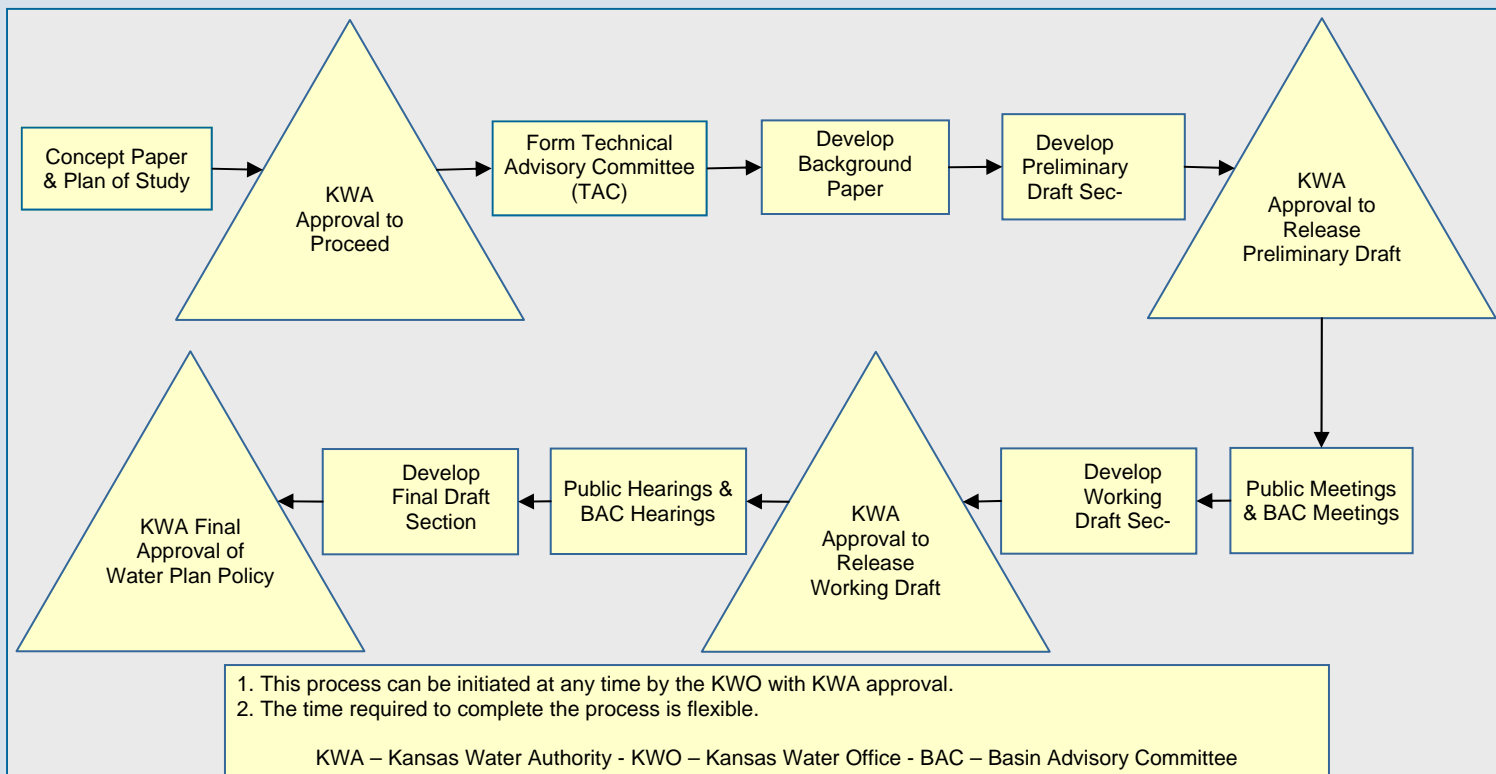


Figure 2. *Kansas Water Plan*—Policy Issue Planning Process (2004)

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Background Paper – In the Policy Issue Planning Process, preparation of a Background Paper follows approval of the Concept Paper. The Background Paper expands on the Concept Paper, providing a comprehensive description of the issue, including its statutory and administrative context and possible alternative approaches. Associated federal authorities and programs are identified, if appropriate, as are approaches to the issue in peer states. The Background Paper is prepared in conjunction with development of a Preliminary Draft Policy Section (see following). A technical advisory committee is formed to provide input and review the paper.

Proposed Policy Section – Policy sections of the KWP present several options for addressing an issue and identify any recommended options. A detailed description of the issue being addressed and an overview regarding resource trends, statutory authority, applicable Kansas programs etc. are included. Legislative, administrative and fiscal requirements necessary for implementation are identified. An implementation schedule is also developed. Proposed policy sections are developed through three drafts: Preliminary, Working and Final. Preliminary and Working drafts are released by the KWA for public comment prior to KWA action on the Final Draft (see Figure 2).

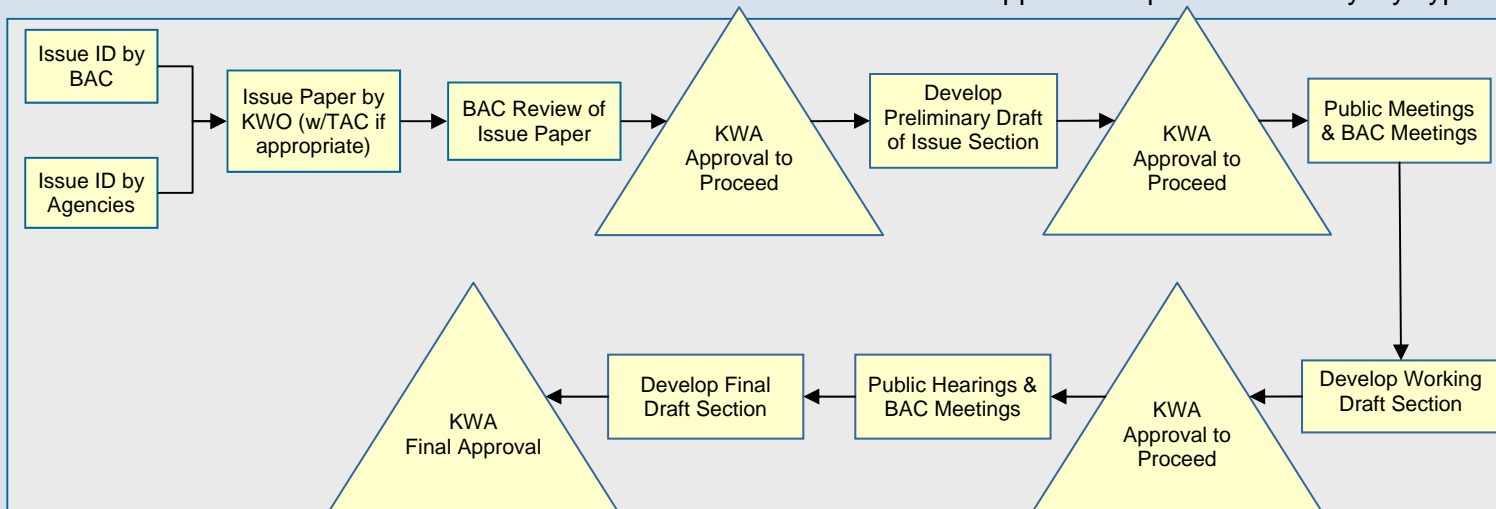
Basin Issue Planning Process

Issue Paper – The basin planning equivalent of the policy concept paper is the Issue Paper (see Figure 3). The KWP contains basin priority issues identified by a number of sources including a basin advisory committee, a member of the public or by a water resources agency. An issue paper is prepared that describes the issue, proposes revisions to the basin plan and a plan of study with proposed planning timeline. KWA approval authorizes the KWO to proceed with development of a preliminary draft basin issue section of the KWP.

Proposed Basin Plan Section – New priority issues identified in the issue paper step are developed through three draft stages: Preliminary, Working and Final. Preliminary and Working drafts are released by the KWA for public comment prior to KWA action on the Final Draft (see Figure 3). Basin issues may be introduced at any time. The entire basin section is reviewed at least every 5 years.

Kansas Water Plan Components and Products

The KWP references several related documents that describe existing policy and programs or make new recommendations regarding the management, conservation and development of the water resources of the state. The review and approval steps needed vary by type of



1. New issues can be submitted at any time by the BAC or any agency.
2. Time required to complete process is flexible depending on the specific issue being addressed.
3. When new issues are considered in the planning process, the entire basin plan will be subject to review.
4. The basin plan will be cycled through the planning process at least once every 5 years.

BAC - Basin Advisory Committee - KWA - Kansas Water Authority - KWO - Kansas Water Office - TAC Technical Advisory Committee

Figure 3. Kansas Water Plan—Basin Issue Planning Process (2004)

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document. KWO and other agencies coordinate on several related documents that support SWP development and implementation. A brief description of each follows.

State and Federal Water Programs – The Programs Manual, compiled periodically by the KWO, is also referred to as the “Red Book.” The Programs Manual describes state and federal water resources programs, including identification of relevant statutory authority and program contact information.

2010-2015 Objectives and Assessment⁽¹⁸⁾ – Objectives were added to the *Kansas Water Plan* in 1998 and again in 2002. Objectives for each management category are located in in Volume II the Plan. An assessment of the Objectives was conducted to establish a baseline condition against which progress in achieving the objective could be measured. In several cases, the objective was too vague or data was not available to conduct an assessment. Summaries of assessment results were compiled in reports prepared by the Kansas Water Office in 2002 and 2006.^(19, 20)

Kansas Water Plan Status Report – The annual Status Report, compiled by the KWO, provides an update on programs and projects receiving funding from the State Water Plan Fund (SWPF). The Status Report is organized by agency and program and provides summary information for the immediate past fiscal year and discusses planned activities for the current and next fiscal years. When possible, information is provided by river basin.

KWA Annual Report – The KWA makes recommendations to the Governor and the Kansas Legislature regarding implementation of the KWP through the annual report. The report contains recommendations on budget as well as new or amendatory legislation. The document plays a key role in defining the necessary budget to implement the KWP. The Report also highlights priority water issues around the state and how they are being addressed through agency actions supported by the Fund. The KWA Annual Report must be provided annually by December 1st.

The Future

No one knows what the future holds. What is known is that water and management, conservation and development of the states water resources, will continue to be critical to the state. Water planning for current and future needs will continue.

Resources

1. State Water Resources Planning Act. K.S.A. 82a-901 et seq. <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
2. K.S.A. 82a-907. <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
3. K.S.A. 82a-927. <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
4. K.S.A. 82a-928. <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
5. *Water in Kansas*. A Report to the 1955 Kansas State Legislature. Prepared by the Kansas Water Resources Fact Finding and Research Committee as directed by the State Finance Council.
6. State of Kansas. 1978. *Final Report of the Governor's Task Force on Water Resources*.
7. K.S.A. 74-2606 et seq. <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
8. K.S.A. 74-2622. <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
9. HCR No. 5010, February 18, 1985. A Concurrent Resolution commending the KWA and KWO in the preparation of the State Water Plan.
10. K.S.A. 82a-951. <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
11. KWO/KWA. January 23, 1998. Report on Recommended Direction of Activities under the *Kansas Water Plan*.
12. Shabman, Leonard. April 1984. *Emerging Concepts for the Conduct of State Water Resources Planning*. American Water Resources Association. Water Resources Bulletin, Vol. 2, No.2.
13. Kansas Hazard Mitigation Plan
14. TMDLs
15. Kansas Surface Water Nutrient Reduction Plan
16. Capacity Development Strategy.

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17. State Comprehensive Outdoor Recreation Plan
18. 2010/2015 Objectives Section of the *Kansas Water Plan*.