



109 SW 9<sup>th</sup> Street 2A  
Topeka, Kansas 66612-1283

## **MINUTES OF THE STATE CONSERVATION COMMISSION**

1. The State Conservation Commission meeting was called to order by Rod Vorhees, Chairman and Area V Commissioner at 9:00 a.m., Thursday, September 12, 2013 at the Pride of Kansas Building, Kansas State Fairgrounds, Hutchinson, Kansas.

2. **ATTENDANCE:**

**Elected Commissioners:**

Ted Nighswonger, Area I Commissioner  
Brad Shogren, Area III Commissioner  
John Wunder, Area IV Commissioner  
Rod Vorhees, Area V Commissioner

**Ex-Officio & Appointed Members:**

Eric Banks, State Conservationist, USDA, Natural Resources Conservation Service (NRCS)  
Chad Voigt, P.E., Water Structures Program Manager, Kansas Department of Agriculture (KDA), Division of Water resources (DWR)  
Dan Devlin, Director, Kansas Care for Agricultural Resources and the Environment (KCARE), K-State Research and Extension  
Peter Tomlinson, Ph.D., Associate Professor, Extension Specialist for Environmental Quality Agronomy Department, Kansas State University

**Division of Conservation, Kansas Department of Agriculture Staff:**

Greg Foley, Executive Director  
Scott Carlson, Mined Land Reclamation Program Manager  
Donna Meader, Public Service Executive  
Don Jones, Water Quality Programs Manager

**Guests:**

Herb Graves, State Association of Kansas Watersheds (SAKW)

3. **ADDITIONS, AMENDMENTS AND APPROVAL OF AGENDA:**

**Motion by Ted Nighswonger to approve the agenda as mailed. Seconded by Brad Shogren. Motion Carried.**

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### 4. MINUTES OF THE PREVIOUS MEETING:

- a. Approve the July 29, 2013 minutes as mailed.

**Motion by John Wunder to approve the July 29, 2013 minutes as mailed. Seconded by Brad Shogren. Motion carried.**

### 5. COMMENTS FROM GUESTS:

- a. Herb Graves – SAKW – Reported that he would like to thank Hakim Saadi for his help with the Operation and Maintenance workshops scheduled for Watershed Dams.

### 6. COMMUNICATIONS AND ANNOUNCEMENTS:

- a. Handout of the first State Conservation Commission meeting see Attachment A – Scott Carlson.
- b. Docuware Overview – Scott Carlson – Reported that Division of Conservation (DOC) staff is working with the Kansas State Historical Society (KSHS) archiving staff, KDA Legal and KDA Information Technology staff; archiving and imaging DOC documents.

### 7. UNFINISHED BUSINESS:

- a. Watershed Dam Construction Program (WDCP) funding recommendations for Rehabilitation FY 2014 see Attachments B & C – Greg Foley.

**Motion by John Wunder to authorize funding in the amount of \$316,235.98 from the FY 2014 WDCP for 10 rehabilitation applications outlined in Attachment B. Seconded by Ted Nighswonger. Motion carried.**

**Motion by John Wunder to authorize an additional allocation of \$51,739 from the FY 2014 WDCP as outlined in Attachment C. This authorization is subject to the Division of Conservation (DOC) receipt of a canceled FY 2014 contract from the Nemaha-Brown Watershed District. Seconded by Ted Nighswonger. Motion carried.**

- b. Conservation District document submittal update see Attachment D – Scott Carlson.
- c. Poultry litter nutrient management incentive update see Attachment E – Don Jones.

### 8. NEW BUSINESS:

- a. Review and assign commissioner assignments for the Kansas Association of Conservation Districts (KACD) Annual Meeting – Chairman Vorhees
  - i. Preside at Monday SCC luncheon – Rod Vorhees.

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- ii. Give invocation at Monday luncheon – Andy Larson.
- iii. Guest luncheon speaker introduction – Brad Shogren.
- iv. Governor’s Recognition award winners during banquet – Area Commissioner.
- v. Presentation of 20 year awards during banquet – John Wunder & Ted Nighswonger.
- vi. Hold elections at area meetings for the following:
  - a) KACD – Areas II and IV.
  - b) SCC – Areas I, III and V.

- b. Authorize Commissioner and staff travel – Chairman Vorhees.
- c. Review and take possible action on Finney County Conservation District request to make a replacement Watering Facility eligible under the Water Resources Cost-Share Program (WRCSP) and the Non-Point Source Pollution Control Program (NPSPCP) for FY 2014 – Don Jones.

**Motion by John Wunder to authorize replacement Watering Facility eligibility under the WRCSP and NPSPCP for FY 2015. Seconded by Ted Nighswonger. Motion carried.**

- d. Overview of Kingman County Farm & Ranch Tour – Greg Foley.
- e. Policy perspective on new Irrigation impacts to domestic users – Greg Foley.
- f. Central Kansas discussion on en-gun watering roadways – Greg Foley.

### 9. REPORTS:

- a. Agency Reports:
  - i. NRCS Report see Attachment F – Eric Banks.
  - ii. KSU, Environmental Quality Agronomy Department – Peter Tomlinson.  
Reported that they are continuing to work on the grazing project with Oklahoma State University, the educational components for Poultry Litter and the Landon Lecture on Monday, October 21, 2013 will feature all living past U. S. Secretaries of Agriculture.

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- iii. KDA, DWR – Chad Voigt – Reported the Republican River Compact is almost complete. The trial was in August and they are having a meeting today.
  - iv. KCARE, Kansas State Research and Extension – Dan Devlin – Reported on October 24<sup>th</sup> – 25<sup>th</sup>, 2013 is the Governor’s Conference on the Future of Water in Kansas and that there is a new Ogallala Aquifer publication by Kansas State University.
- b. Staff reports:
- i. Update on the move to Manhattan - Greg Foley
  - ii. Land Reclamation Awards – Scott Carlson – Reported that Mid-State Materials, LLC of Lecompton, KS will be the recipient of the 2013 Governor’s Mined Land Reclamation Award. It was also announced that Harshman Construction of Cedar Point, KS will be the recipient of the National Non-Coal Reclamation Award, to be presented by the National Association of State Land Reclamationists (NASLR) at their Annual Conference on October 1, 2013.
- c. Commissioner Reports:
- i. Area I – Ted Nighswonger. None.
  - ii. Area III – Brad Shogren.
  - iii. Area IV – John Wunder.
  - iv. Area V – Rod Vorhees.
10. **ADJOURN:**

The next regular Commission meeting is scheduled for November 24, 2013 at 2:00 p.m. at the DoubleTree by Hilton Hotel Wichita Airport, 2098 Airport Road, Wichita, Kansas.

**Motion by Ted Nighswonger to adjourn. Seconded by John Wunder. Motion carried. Meeting adjourned at 12:18 p.m.**



Greg A. Foley  
Executive Director

MINUTES OF THE STATE SOIL CONSERVATION COMMITTEE MEETING  
(KANSAS)

The first meeting of the State Soil Conservation Committee was held May 20, 1937 at 2:00 P. M. in Dean Call's office, Manhattan, Kansas.

Members present were; Jonas W. Graber, Dean L. E. Call, Dean R. Umberger, and I. K. Landon.

By unanimous consent of those present the formal organization of the Committee was deferred until the entire Committee was present and until the question of the eligibility of Mr. Graber to serve was ruled on by the NRC in Washington.

The following forms suggested by the Solicitor's Office, U. S. Department of Agriculture, were read and the temporary secretary was authorized to submit them to the Attorney-General for approval or revision:

1. Petition for the organization of a District.
2. Notice of Hearing.
3. Notice of further Hearing for including of additional lands.
4. Determination of need for organization of District and defining boundaries.

Dean Umberger presented a petition received from Haskell County and inquiries from Marion and Osage Counties.

It was agreed that the formation of Districts to utilize the existing Camps in Franklin, Marion, Clark, Douglas, Crawford, and Nemaha Counties <sup>is favored</sup> and that Districts should be encouraged as fast as camps were available for movement to Ellsworth, Jackson, Leavenworth, Washington, and other northeastern counties.

It was agreed that CCC Camps could not be used to good advantage in eastern Kansas and that only technical assistance should be furnished in that territory.

The application from Haskell County was discussed and the temporary secretary was instructed to draft a letter to the County Agent enclosing the proper petition form and suggesting that all of Haskell County, Finney County south of the Arkansas River and Seward County north of the Cimarron River be included in the proposed area.

Various methods of conducting the required referenda were discussed. It was tentatively agreed that the support of absentees

landlords could be secured best by conducting the referenda through the mail provided means could be found for purchasing stamps, stationery, etc., locally.

The acting secretary was instructed to write Mr. George E. Farrell, Regional Director, Western Region AAA, requesting permission to use the AAA list of owners and operators as a basis for eligibility.

The date of the next meeting was set for June 4 at 2:30 P. M.

I. K. Landon,  
Acting Secretary.

## Soil Conservation Districts in Kansas

Soil Conservation Districts are a necessary organization for stabilizing cooperation with locally organized areas and the federal and state governments. Such organized districts should develop plans for soil conservation and then request suitable cooperation from outside agencies. This procedure will assure that state and federal conservation and land-use programs will be adapted to local conditions.

There are several problems which become apparent whenever a new organization plans to enter a field of endeavor that has been partially covered by existing organizations. Such problems are being uncovered in Kansas as soil conservation districts are being contemplated. It is, therefore, desirable to outline a common plan of organization for soil conservation districts in cooperation with such existing organizations as the Kansas Extension Service and county farm bureaus.

### Plan of Organization

1. Districts in Kansas should be developed within political subdivisions of the state and preferably a district should consist of a county or a major portion of a county. It is possible that entire county areas might include some territory in which a soil conservation district is not essential or desirable at the present time.
2. Areas in which soil conservation districts will be encouraged shall be designated by the State Soil Conservation Committee.
3. After areas are designated, a meeting of influential selected farm leaders should be held. At this meeting the Extension Soil Conservationist will explain the district plan and discuss the advantages of such an organization. After such a meeting the leaders may circulate a petition in each community in order to get an indication of the possible interest in the district formation. If sufficient interest is manifest in the petition, the leaders may present a signed petition to the state committee.
4. Petitions for such a district must contain the signatures of 25 land occupiers and should contain a sufficient number of signatures to indicate a substantial interest in the district organization. Signatures on a petition should be those of influential land occupiers. The petition should indicate that there is considerable interest among farm leaders in all parts of the proposed area.
5. Upon receipt of a petition from any area, the state committee must arrange for a hearing on the petition.
6. The Extension Soil Conservationist may arrange for community meetings in the area. Such community meeting may be conducted by selected local leaders who are capable of explaining the Soil Conservation District law and the possibilities of a soil conservation program under its organization.

7. The Hearing shall be held. At such hearing representatives from the various committees should present their resolutions and arguments for and against such a district organization.

8. If, after the hearing the state committee is convinced that there is need in the interest of the public health, safety, and welfare for a soil conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall define by metes and bounds or by legal subdivision the boundaries of such district.

If the committee is not so convinced, it shall deny the petition.

9. If the determination of the state committee is favorable to district organization a referendum will be authorized to be held in the proposed district area.

10. The local farm leaders will arrange for and assist with a referendum. Previous to the referendum the local leaders may conduct as many community meetings or employ such means as they think necessary to acquaint the land occupiers with the purposes of the district organization.

11. If seventy five per cent of land occupiers voting at the referendum are in favor of the district organization, the state committee may approve the district if they believe that such a referendum presented a true indication of the wishes of the total number of land occupiers in the area.

12. If the district is finally approved, two local farm leaders who are bona fide land occupiers in the district will be appointed to act as supervisors by the state committee. They will complete the organization according to the Soil Conservation District Law. The two men appointed and three others who will be elected shall constitute the Board of Supervision of the local district.

#### Responsibility of Organization

In Kansas the County Farm Bureau, a local organization cooperating with the Kansas Extension Service and the United States Department of Agriculture is the agency through which all state and federal educational programs should be promoted.

1. In promoting a Soil Conservation District in any county or major portion of a county the Board of Directors of the local farm Bureau should sponsor and provide the local leadership necessary to complete the organization of the Soil Conservation District in the area.

2. The board of directors should indicate to the state soil conservation committee their approval of an area in which a soil conservation district should be encouraged.

3. After the area is designated a Farm Bureau organization committee should assume the responsibility for an educational and organization program to be conducted in the area. They should arrange and conduct



the educational and organization program to be held in the area. They should arrange and conduct community meetings. They may circulate petitions. They may present petitions to the state committee and suggest a date for a hearing.

4. After the date for the hearing has been determined, the organization committee of the farm bureau should develop an educational program, and assist in conducting it. The committee members should act as leaders in presenting resolutions to the state committee at the hearing.

5. If, after the hearing, the state committee approves the petition for a referendum vote, the organization committee will develop a program to encourage a representative vote of interested land occupiers at the referendum.

6. The organization committee will assist in conducting the referendum.

7. If, after the referendum, the state Committee approves the organization of the soil conservation district, any interested parties may nominate to the state Committee, four or more bona fide land occupiers of the District who are locally acceptable as supervisors of the District. From these, the state committee will appoint two to act as supervisors and to complete the organization of the district according to Kansas Law.

# KANSAS DEPARTMENT OF AGRICULTURE

## DIVISION OF CONSERVATION

### WATERSHED DAM CONSTRUCTION: REHABILITATION

**FY 2014**

	Watershed District	Site	Hazard	County	Basin	Detention (ac-ft)	Drainage (acres)	Cost/Share Requested	Cost/Share Approved
1	Delaware WJD 10	D-34	H	JA	KLR	99	210	\$35,200	\$35,200
2	Salt Creek WJD 46	107	L	LC	SOL	97	628	\$50,000	\$50,000
3	Wet Walnut WJD 58	129	L	NS	UAR	222	1,260	\$57,208	\$57,208
4	Salt Creek WJD 104	115	S	LY	MDC	158	453	\$21,855	\$21,855
5	Rock Creek WJD 28	22	H	BU	WAL	767	5,583	\$13,650	\$13,650
6	Wakarusa WJD 35	26	H	DG	KLR	1320	2,803	\$46,664	\$46,664
7	Delaware WJD 10	C-48	L	JA	KLR	134	355	\$24,000	\$24,000
8	Labette-Hackberry WJD 96	B-21	L	NO	NEO	230	778	\$40,000	\$40,000
9	Rock Creek WJD 28	21	L	BU	WAL	222	570	\$14,000	\$14,000
10	Rock Creek WJD 28	12	L	BU	WAL	257	832	\$14,000	\$13,659
<b>Total =</b>								<b>\$316,235.98</b>	

<b>Funds Available</b>	<b>\$315,264 + \$971.98 = \$316,235.98</b>
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9	Rock Creek WJD 28	21	L	BU	WAL	222	570	\$14,000	\$14,000
10	Rock Creek WJD 28	12	L	BU	WAL	257	832	\$14,000	\$14,000
11	Switzler Creek WD 63	3	L	OS	MDC	857	1,953	\$120,000	\$51,739
<b>Total =</b>								<b>\$368,315.98</b>	

<b>Funds Available</b>	<b>\$315,264 + \$971.98 + \$52,080 =</b>	<b>\$368,315.98</b>
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**Conservation District Documents  
Not Received by the DOC as of 9/10/13**

**2011 Audit & Notification of CD Audit Review form:** (Due 1/1/2013)  
Marshall County Conservation District

## Poultry litter Nutrient Management Update

SCC Meeting, Hutchinson

September 12, 2013

1. DOC held a meeting of stakeholders on Tuesday, Sept. 10<sup>th</sup>. See attendee list below.
2. Road blocks for implementation
  - a. Producers do not want to be involved in government programs
  - b. Producers do not want to document their soil test results or poultry litter application rates where other people or agencies can evaluate.
  - c. Producers want proof that application of poultry litter is causing a water quality issue
3. What producers would like to have offered to them
  - a. Someone to properly site temporary poultry litter storage sites
4. New implementation strategy
  - Provide training to NRCS staff, NRCS Contribution Agreement Technicians, and KSU extension staff in the 10 county area on completion of the Poultry litter Storage Site Evaluation Worksheet.
  - DOC and KDHE to provide funding for free soil tests for producers.
  - DOC and KHDE to provide funding for one temporary poultry litter site for each county in the 10 county project area.
  - Peter Tomlinson to give presentation in each county on proper poultry litter application.
    - Get on agenda of Co-op annual meeting, KLA meeting, Farm Bureau meeting, KSU Extension meeting, Conservation District Annual meeting etc.
  - The DOC will be sending a letter to Eric to recommend at the next NRCS KTC meeting to no longer target EQIP funding for Poultry litter in SE Kansas.
  - Peter Tomlinson is in process of completing a KSU extension publication on poultry litter nutrient management.

### Attendees:

1. Ron Seiber – KS Ag Retailers
2. Randy Stookey – Ks Ag Retailers
3. Dana Minihan – KS Ag Retailers
4. KLA – Myndee Reed
5. Steve Swaffar – Kansas Farm Bureau
6. Peter Tomlinson – KSU Extension
7. Dan Devlin – KSU
8. Ann Alfonso – KDHE
9. Tom Stiles – KDHE
10. Terry Medley – KDHE
11. John Conway, Bruce Wells – NRCS Conference call
12. Greg Foley – DOC
13. Dave Jones – DOC
14. Don Jones - DOC



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**NRCS HIGHLIGHTS OF ACTIVITIES  
for the  
STATE CONSERVATION COMMISSION  
HUTCHINSON, KANSAS  
September 12, 2013**

**PERSONNEL**

Reassignments

and/or Promotions: Arvil G. Bass, Acting Assistant State Conservationist for Field Operations, Hutchinson Area Office, to State Conservation Engineer, Salina State Office

Kristen S. Chaffin, Resource Conservationist, Reno, Nevada, to Resource Conservationist, Salina State Office

Jamie E. Johnson, Soil Conservationist, Pratt, to Soil Conservationist, Holton

Sheldon L. Hightower, Assistant State Conservationist for Field Operations, Batavia, New York, to Assistant State Conservationist for Field Operations, Hutchinson

Resignations: Steven M. Ramsey, Agriculture Economist, Salina State Office

Retirements: Freddie L. Wedel, District Conservationist, Goodland  
Bruce L. Yonke, District Conservationist, Holton

**OPERATIONS**

- The annual Supervisory District Conservationist (SDC) meeting will be held October 15-17. The meeting focuses on leadership and management skills.
- The Natural Resources Conservation Service (NRCS) has been working with the Kansas Department of Agriculture Division of Conservation (DOC) and the Pheasants Forever (PF) to provide a two-day training to DOC technicians and PF biologists emphasizing the importance and purpose of their positions and the agreements that provide them.
- The PF partnership biologist located in Abilene has resigned and a replacement will be hired soon.
- The FY2014 budget outlook for NRCS is still uncertain. It does not appear that a budget bill will be passed in time for the start of the fiscal year. Therefore, a Continuing Resolution (CR) may get put in place until a budget bill is passed. The CR for NRCS could evolve anywhere from a comparable budget to FY2013 or upwards to a 7 percent reduction--depending on the impacts of sequestration. The other unknown, at this time, is the status of the Farm Bill. A few of the conservation Farm Bill programs have authorization through FY2014, but many of them do not.

## **PROGRAMS**

### **Conservation Reserve Program (CRP)**

Kansas has completed conservation planning on 2,005 accepted offers for the Farm Service Agency CRP sign-up 45.

### **Conservation Stewardship Program (CStP) and Conservation Security Program (CSP)**

The CStP cutoff deadline for obligation is September 13, 2013. Kansas has received a total of 358 applications for fiscal year (FY) 2013.

### **NRCS Easement Programs**

- **Farm and Ranchland Protection Program (FRPP)**
  - Kansas received \$3.1 million for the enrollment of FRPP applications in FY2013.
  - Seven applications were received covering approximately 7,280 acres in Lyon, Osage, Riley, and Washington counties.
  - The Easement staff continues to work on easement closings from previous year enrollments.
- **Grassland Reserve Program (GRP)**
  - Field offices completed initial ranking of FY2013 GRP applications. Kansas is expecting sufficient FY2013 funds during the month of September to fund 4 additional FY2013 easement requests. Kansas NRCS has closed on 3,358 new acres of GRP permanent easements during FY2013.
  - The Easement Staff continues to work on easement closings from prior year enrollments.
- **Wetlands Reserve Program (WRP)**
  - Thirty-three wetland restorations are currently in the planning, design, and construction process involving approximately 2245 acres.

### **Emergency Watershed Protection Program (EWP)**

- NRCS currently maintains funds for 1 EWP (debris removal) project in Labette County. However, we expect this project to be withdrawn since recent heavy rains in Labette County moved the debris downstream from its location at the bridge.
- Kansas, along with 5 other states, received notification from our National Headquarters that all 2009 and 2010 EWP projects on the national "wait list" were being cancelled since it was not anticipated that Congress would ever provide funding for these projects. This impacted 10 Kansas EWP projects on the "wait list". Sponsors have been notified.

### **Environmental Quality Incentive Program (EQIP)**

- We have currently obligated 95 percent of the over \$35 million EQIP General Allocation for FY 2013.
- All eligible applications in each ranking category were fully funded except for water quality.

### **Watershed Rehabilitation Program Activities**

- Kansas NRCS recently submitted FY2014 funding requests for planning assistance on seven Kansas watershed dams in need of rehabilitation assistance planning.
- The Spring Creek Watershed District in Sedgwick County is moving forward with rehabilitation of their R-1 Dam near Garden Plain, Kansas. Funds have been obligated for the project, with construction targeted to begin in the fall of 2013

## **TECHNOLOGY**

### **National Inventory of Dams**

Information has been supplied to field personnel concerning technical assistance with dams and the reporting requirements that NRCS has for the National Inventory of Dams. Clarification was provided on new regulations that were adopted in July by the Kansas Department of Agriculture, Division of Water Resources (DWR). The instructions apply to structures that meet the current NRCS definition of a dam and the revised DWR definition of a dam and permit requirements.

### **Division of Conservation (DOC) Streambank Agreements**

The last streambank protection project from the first DOC agreement has been constructed. Contractors are still working on the last two projects from the second agreement and are on track to finish the projects this fall.

### **Architect and Engineer (A&E) Contracts**

- An agricultural waste management system for a southern Kansas beef operation is being designed by one of the A&E contractors.
- All of the assigned streambank protection projects have been designed, and task orders have been issued to have the A&E contractors oversee construction for eight of the nine projects (one project was cancelled by its owner). These eight projects are in various states of permitting, stakeout, or construction, and all should be built by this winter.

### **Cover Crop Studies**

Studies continue on cover crops at the NRCS Manhattan Plant Materials Center. Mid-summer plantings are complete and growing. Staff continues to monitor growth stages and collect additional information.

## **OUTREACH**

### **Radio Programs**

Playa Lakes Radio will be highlighting the Ogallala Aquifer and Playas on its Playa Country Radio program the month of September. Amanda Shaw, Supervisory District Conservationist, Garden City, will be on the program September 15. These programs are part of a contribution agreement with Kansas and Nebraska NRCS and Playa Lakes Joint Venture. A link is provided on the Kansas NRCS Web site.

### **Producer Training**

NRCS staff provided assistance to two adult range schools in collaboration with Kansas Grazing Lands Coalition and assisted in presenting information for two drought-planning workshops.

### **Soil Health Workshops**

Ray Archuleta, NRCS Agronomist, and state staff provided soil health related information the week of August 6. Over 300 producers participated at 4 locations across Kansas: Scott City, McPherson, Holton and Emporia.

### **Soil Moisture Study**

NRCS is working with Kansas Conservation Districts and landowners in setting up eight (8) soil moisture study sites across the state to monitor changes in soil water content with cover crops. The sites are in Barber, Cloud, Coffey, Decatur, Ford, Gove, McPherson, and Wallace counties.