

## 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 8:05 a.m., Thursday, September 15, 2022, at the Cottonwood Court Building, Kansas State Fairgrounds, Hutchinson, Kansas.

2. **ATTENDANCE:**

**Elected Commissioners:**

Ted Nighswonger, Area I Commissioner  
Andy Larson, Area II Commissioner  
Sam Sanders, Area III Commissioner  
John Wunder, Area IV Commissioner  
Rod Vorhees, Area V Commissioner

**Ex-Officio & Appointed Members:**

Peter Tomlinson, Ph.D., Associate Professor, Extension Specialist for Environmental Quality  
Agronomy Department, Kansas State University  
Susan Metzger, Associate Director, College of Agriculture, K-State Research and Extension, Director  
Kansas Center for Agricultural Resources and the Environment (KCARE) and the Kansas Water  
Resources Institute (KWRI)

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

Andrew Lyon, Executive Director  
Steve Frost, Assistant Director, Administrative Manager  
Hakim Saadi, Watershed Programs Manager  
Kristin Kloft, Riparian & Wetland Program Manager  
Marsha Setzkorn-Meyer, Conservation District Program Coordinator

**Guests:**

Dan Meyerhoff, Executive Director, KACD  
Amanda Scott, President, KACD-EO  
Jack Fitzgerald, Assistant State Conservationist for Partnerships, NRCS  
Ryan Armbrust, Rural Forestry Program Coordinator, KFS

## **SCC MEETING MINUTES**

**September 15, 2022**

**Page 2**

### **3. APPROVAL OF AGENDA:**

**A motion was made by Ted Nighswonger to approve the agenda as emailed. The motion was seconded by Sam Sanders. Motion carried.**

### **4. MINUTES OF THE PREVIOUS MEETING:**

**A motion was made by Ted Nighswonger to approve the June 10, 2022, minutes as emailed. The motion was seconded by John Wunder. Motion carried.**

### **5. UNFINISHED BUSINESS:**

a. Watershed Dam Construction Program funding, New Construction & Dam Rehabilitation for FY 2023 – Saadi

- i. Hakim Saadi informed the commissioners that 13 applications have been received, two for new construction, 11 for rehabilitation for a total of \$1.2 million with \$550,000 funding available (Attachment A). Rehabilitation applications must have a DWR permit, and new construction applications must have a DWR and Corp of Engineers permit. The number of applications is down due to the permit requirements and funding 23% the past two years.

**A motion was made by John Wunder to approve the proposed funding of watershed dam new construction and dam rehabilitation. The motion was seconded by Sam Sanders. Motion carried.**

b. Irrigation Technology Initiative Update – Lyon

- i. Andrew Lyon informed the commissioners that sign up for the Irrigation Technology Initiative ends today (Attachment B). \$252,000 in applications has been received. Southwest Kansas didn't have many applications. Additional updates will be provided at the KACD Convention.

### **6. NEW BUSINESS:**

a. WR and NPS Cost Share Cancellation and Encumbering – Lyon

- i. Andrew Lyon informed the commissioners there are uncommitted funds in WR and NPS (Attachment C) and recommended not encumbering in the future due to the risk of losing funding if large balances are carried forward. There was discussion on the suggestion to move the cancellation date to mid or late October versus the early December cancellation date. DOC could do a better job of communicating the cancellation date. District Managers may experience limiting factors for getting funds under contract such as availability of technical staff and assistance and the timing of when producers come in. This could be a topic of discussion at the Area Meetings at the KACD Convention.

**SCC MEETING MINUTES**

**September 15, 2022**

**Page 3**

**A motion was made by Peter Tomlinson to make the cancellation date December 2. The motion was seconded by Ted Nighswonger. Motion carried.**

b. SCC Luncheon Awards – Lyon

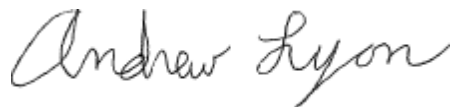
- i. Andrew Lyon informed the commissioners DOC would like to change the awards at the SCC Luncheon in the future.

**7. ADJOURNMENT:**

The next SCC meeting will be on November 20 at the KACD Annual Convention, Hyatt Regency, Wichita, KS.

**A motion was made by Andrew Larson to adjourn the meeting. The motion was seconded by Ted Nighswonger. Motion carried.**

**The meeting was adjourned at 9:04 a.m.**



Andrew Lyon  
Executive Director

**KANSAS DEPARTMENT OF AGRICULTURE  
DIVISION OF CONSERVATION  
WATERSHED DAM CONSTRUCTION & REHABILITATION**



Hakim Saadi, P.E.

9/15/2022

**FY 2023**

Watershed District	Site	RAC	WSI	Hazard	Cost-share			Total Cost Estimate
					Requested	Approved	App Cumul	
<b>New Construction</b>								
1 Upper Little Ark WJD 95	9-C	EW	DRC-0031	L3	\$120,000.00	\$120,000.00	\$120,000.00	\$741,000.00
<b>Rehabilitation</b>								
1 LDM WJD 5 (*)	66	KS	DBR-0034	L3	\$65,639.70	\$43,027.05	\$163,027.05	\$82,049.60
2 Wakarusa WJD 35	117	KS	DSN-0643	H3	\$120,000.00	\$120,000.00	\$283,027.05	\$250,660.00
3 Upper MDC WJD 101	106	MC	DLY-0137	L2	\$58,270.00	\$58,270.00	\$341,297.05	\$83,243.00
4 Pony Creek WJD 78	101	MO	DNM-0268	L2	\$61,184.00	\$61,184.00	\$402,481.05	\$84,128.00
5 Big Creek WJD 48	3 (SP-7)	NE	DGW-0186	L2	\$120,000.00	\$120,000.00	\$522,481.05	\$199,425.00
6 Deer Creek WJD 55 (**)	122	NE	DAN-0048	L2	\$120,000.00	\$27,518.95	\$550,000.00	\$202,000.00

<b>(*) Partially Funded in FY 2022:</b>	<b>\$17,393.48</b>
<b>(**) To be Supplemented in FY 2024:</b>	<b>\$92,481.05</b>

<b>Totals</b>	<b>\$665,093.70</b>	<b>\$550,000.00</b>		<b>\$1,642,505.60</b>
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<b>Funds Requested</b>
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<b>\$1,282,431.05</b>
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<b>Funds Available</b>
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<b>\$550,000.00</b>	<b>43%</b>
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## FY 2023 Kansas Irrigation Technology Initiative Update 9/15/2022

County	GMD	Landowner Name	Practice	Funds Requested
Pawnee	GMD 5	Steve Miller	Year 2 Autonomous Pivot Subs	\$1,000.00
Sheridan	GMD 4	Scott Shaw Living Trust	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Sam Crissman Jr	Irrigation Technology Incentive	\$5,000.00
Pratt	GMD 5	John McGuire Trust	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Kirby Crissman, Operator	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Ward Beaver Inc	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Jo Nita Harrison	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Jeffery F. Mawhirter	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Michael Christie	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Corey Weber	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Kristen & Rick Johnson	Irrigation Technology Incentive	\$5,000.00
Pratt	GMD 5	Nelson Declaration of Trus	Irrigation Technology Incentive	\$5,000.00
Pratt	GMD 5	H Duane Deweese	Irrigation Technology Incentive	\$5,000.00
sheridan	GMD 4	Jeff Wessel	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Tim Fisher	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Kenton Fisher	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Max Fisher	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Mike Bookstore	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Chad Fisher	Irrigation Technology Incentive	\$5,000.00
Stafford	GMD 5	Craig Fischer	Irrigation Technology Incentive	\$5,000.00
Thomas	GMD 4	Wyatt Hating LLC	Irrigation Technology Incentive	\$2,000.00
Thomas	GMD 4	Wyatt Hating LLC	Irrigation Technology Incentive	\$2,000.00
Thomas	GMD 4	Michael Quade Woofter	Irrigation Technology Incentive	\$2,500.00
Thomas	GMD 4	Michael Quade Woofter	Irrigation Technology Incentive	\$2,500.00
Thomas	GMD 4	Jeff Quenzer	Irrigation Technology Incentive	\$2,500.00
Thomas	GMD 4	Thomas	Irrigation Technology Incentive	\$2,500.00
Thomas	GMD 4	Rocking Q Farms Inc	Irrigation Technology Incentive	\$2,500.00
Thomas	GMD 4	Rocking Q Farms Inc.	Irrigation Technology Incentive	\$2,500.00
Stafford	GMD 5	Carl Nelson, Operator	Irrigation Technology Incentive	\$5,000.00
Graham	GMD 4	Don Nickelson and Elizabeth	Irrigation Technology Incentive	\$5,000.00
Reno	GMD 2	Sam Sanders	Irrigation Technology Incentive	\$5,000.00
DECATUR	GMD 4	Ashley Farms LLC	Combination of Irrigation Tachr	\$1,300.00
Barton and Stafford	GMD 5	Karla Kirkman	Irrigation Technology Incentive	\$5,000.00
Barton, Stafford and Pawnee	GMD 5	Clark Farms	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Harry Joe Pratt	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Michael Schamberger	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Donna Farber Mowry	Combination of Irrigation Tachr	\$5,000.00
Sheridan	GMD 4	Lester Sealock	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Zita Schamberger	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	David Schamberger	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Winter Farm, LLC	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Keith Caldwell	Irrigation Technology Incentive	\$5,000.00
Thomas	GMD 4	Aaron Davis	Year 2 Autonomous Pivot Subs	\$5,000.00
Thomas	GMD 4	Daran Neitzel	Irrigation Technology Incentive	\$5,000.00
Gray	GMD 3	Quarter Turn Inc	Combination of Irrigation Tachr	\$5,000.00
Sheridan	GMD 4	Opal Davis Testamentary	Irrigation Technology Incentive	\$5,000.00
Sheridan	GMD 4	Patrick Heim	Irrigation Technology Incentive	\$5,000.00
Reno	GMD 2	Cameron Peirce	Irrigation Technology Incentive	\$5,000.00
			<b>Application Total:</b>	<b>\$211,300.00</b>

## FY 2023 NPS and WR uncommitted status as of 9/9/2022

### FY 2023 NPS

	Allocation	Committed	Paid	Pending Approval	Pending Saved	Uncommitted
<b>Total</b>	\$1,370,695.09	\$671,793.00	\$52,460.89	\$5,382.00	\$0.00	\$641,059.20

### FY 2023 WR

	Allocation	Committed	Paid	Pending Approval	Pending Saved	Uncommitted
<b>Total</b>	\$3,751,051.47	\$2,272,080.29	\$97,427.69	\$34,523.25	\$17,425.93	\$1,329,594.31

## FY 2022 WR and NPS End of Year Cancellation Numbers

<b><u>FY 2022 NPS</u></b>			
	<b><u>Allocation</u></b>		<b><u>Carry Forward</u></b>
	\$956,117.00		\$428,172.96

<b><u>FY 2022 WR</u></b>			
	<b><u>Allocation</u></b>		<b><u>Carry Forward</u></b>
	\$2,210,211.42		\$1,325,291.67

**Cimarron Custom Watershed Kickoff Meeting:** The Cimarron Custom Watershed kickoff meeting was held 13 June virtually. KDA, FEMA and AECOM met with communities to discuss flooding concerns, mapping needs and an overview of the Risk Mapping, Assessment and Planning (Risk MAP) process. The initial mapping is being performed at a Base Level Engineering (BLE) level. Gray, Ford, Seward and Stanton counties are scheduled to receive a mapping update in 2024.

**Data Development Kickoff Meetings:** Data development meetings were held for Potawatomi County (16 June), Greenwood County (21 June), Chautauqua County (22 June), Butler County and Reno County (23 June). DWR discussed how the hydrologic and hydraulic engineering will be performed to enhance the BLE data for the stream updates. DWR asked for feedback from the communities on the preliminary BLE data and discussed the remainder of the Risk MAP process.

**Kansas Oklahoma Arkansas River Compact Meeting:** Kansas hosted the annual compact meeting and activities in Pittsburg, KS on 19 - 20 July. The annual compact meeting was held the morning of the 20th. This is a non-controversial compact with good interstate cooperation. In addition to Earl, Lisa French and Rep. Ponka-We Victors-Cozad serve as Kansas compact commissioners.

**Cooperating Technical Partners (CTP):** The interviews in response to DWRs CTP Request for Qualifications for contractors were held 18 - 19 July. DWR, KDA – CFO and a representative of the Department of Administration interviewed 8 firms. DWR selected 3 main contractors, 2 technical assistance contractors and 1 levee contractor.

**Flood Risk Reduction (FRR) Meetings:** The Linn and Bourbon County FFR meetings were held 13 July. DWR discussed the Base Level Engineering (BLE). The BLE will be further enhanced through data development. These initial floodplains are not yet ready to be released to the public since they will be further enhanced. It is important for the communities to be involved early in this process to begin reviewing the data and provide feedback to DWR. DWR also discussed any technical assistance needs.

**LEMAs:** Hearings were held for renewals of the Sheridan 6 LEMA and for the GMD 4 district wide LEMA in Hoxie on 26 July in Colby on 27 July respectively. Both LEMA management plans are the same as was approved for the previous five-year period. Public attendance at the SD-6 renewal hearing was light and only one member of the public testified to say action needs to be taken to protect the water resources.

Attendance was greater at the GMD #4 district-wide LEMA hearing with about 40 in attendance, but public comment was light. Two members of one family complained that they were not clear on the terms of the LEMA and were penalized for over-pumping when they didn't understand their limitations.

**Consultation Coordination Officer's (CCO) meetings:** The Harper and Barber County CCO meetings were held on 27 July. During the meetings, DWR explained the post-preliminary and due diligence portions of the project. DWR also explained the appeal period, public notification, letter of final determination, community adoption of the new map and other community responsibilities. The goal of the meetings was to ensure that communities understand the process and what they will be responsible for over the next year and a half.

**Kansas Hazard Mitigation Plan (KHMP) meeting:** DWR, KDEM, KDHE and the KWO met on 17 August to discuss the update to the 2023 HHMP chapters 3 and 4. The DWR has a

significant role in the plan and is working on the revisions. DWR has shared the document with the Division of Animal Health, and they have already provided comments back to DWR.

**Doyle Creek Watershed District Site 11 (LMN-0067) Environmental Assessment (EA):**

DWR participated in the inter-agency EA meeting on 25 August. The proposed site is west of Peabody. The plans are in the 60% complete stage. No adverse comments during the meeting were raised by state agencies. The USACE raised concerns about mitigation assessments.

**Kansas Association for Floodplain Management (KAFM):** The annual conference and business meeting for KAFM was held 30 August – 1 September in Lawrence. DWR gave presentations on floodplain management 101 (4 sessions), DWR permitting and the plenary session on floodplain issues in the state.

**Dam Safety Evaluation:** The Request for Proposals (RFP) to evaluate our dam safety program, as authorized by the legislature, was published 28 July in the Kansas Register. Response to the RFP were submitted by 5 firms. Interviews are being scheduled. In general, we are looking at the regulatory requirements needed to make sure we have a safe inventory of dams. Included in the RFP are if permitting and inspections regulatory requirements are adequate as well as the frequency of inspections. Finally, we will look at what other states are doing compared to us and what the staffing and funding needs are to fully meet the state statutes.

**ASDSO:** The ASDSO board of directors meeting, state leadership day and annual conference will be held 17 – 22 September in Baltimore, MD.

**Staffing:** The dam safety team has 1 engineering associate and 2 professional engineering positions vacant.



**Conservation District Program Coordinator  
SCC Commission Meeting • Kansas State Fair  
09/15/2022**

<b><u>New District Managers</u></b>			
<b><u>Area</u></b>	<b><u>County</u></b>	<b><u>Name</u></b>	<b><u>Start Date</u></b>
2	Scott	Nichole O'Brien	06/06/2022
2	Haskell	Megan Berg	Summer only
2	Ford	Evelyn Wilson	06/13/2022
5	Labette	Elissa Robinson	06/27/2022
4	Jefferson	Chelli Helm	08/01/2022
4	Douglas	Suzy Mooney	08/01/2022
3	Ottawa	Chi Woodrich	
2	Seward	Patti Amerin	08/16/2022
2	Haskell	Guadalupe (Wally) Garcia	09/05/2022

<b><u>Resigned / Retired District Managers</u></b>				
<b><u>Area</u></b>	<b><u>County</u></b>	<b><u>Name</u></b>	<b><u>End Date</u></b>	
4	Douglas	Randy Winchester	07/31/2022	Retired
2	Seward	Carolyn Quillin	08/20/2022	Retired
3	Ottawa	Jennifer Cleveland		Retired
3	Reno	Chloe Gerhring	October	Cheney Lake Watershed

<b><u>Current Vacancies</u></b>	
<b><u>Area</u></b>	<b><u>County</u></b>
None	

Since last SCC Meeting:

- In person office visits/training: Rawlins, Phillips, Jewell, Clay, Stafford, and McPherson Counties
- DOC staff presented 23 training sessions with new managers
- District Manager Training conferences held with KACD and NRCS in August were very successful. Good feedback on evaluations

Marsha Setzkorn-Meyer  
Division of Conservation  
Conservation District Program Coordinator