



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

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

1. The State Conservation Commission (SCC) meeting was called to order by Rod Vorhees, Chairman and Area V Commissioner at 9:02 a.m., Monday, February 10, 2014 at the Kansas Department of Agriculture, 109 SW 9<sup>th</sup> St., 4<sup>th</sup> Floor Conference Room, Topeka, Kansas.

2. **ATTENDANCE:**

**Elected Commissioners:**

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

**Ex-Officio & Appointed Members:**

Gaye Benfer, Assistant 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)  
Peter Tomlinson, Ph.D., Associate Professor, Extension Specialist for Environmental Quality Agronomy Department, Kansas State University (KSU)

**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  
Dave Jones, Conservation District Program Coordinator  
Steve Frost, Water Conservation Programs Manager  
Hakim Saadi, Watershed & Water Supply Program Manager

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### **Guests:**

Herb Graves, State Association of Kansas Watersheds (SAKW)

Pat Lehman, Kansas Association of Conservation Districts (KACD)

### **3. CERTIFICATION OF ELECTION:**

**Motion by John Wunder to certify the election to the Conservation Commission for a two-year term beginning January 1, 2014: Area I – Ted Nighswonger, Area III – Brad Shogren, Area V – Rod Vorhees. Seconded Andy Larson. Motion carried.**

### **4. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON OF THE COMMISSION:**

**Motion by Ted Nighswonger to nominate Rod Vorhees to serve as Chairperson. Seconded by Brad Shogren. Motion carried.**

**Motion by Ted Nighswonger to nominate John Wunder to serve as Vice-Chairperson. Seconded by Brad Shogren. Motion carried.**

### **5. APPROVAL OF AGENDA:**

#### **AMENDMENT:**

**3. Certification of election to the Conservation Commission for a two-year term beginning on January 1, 2014: Area I – Ted Nighswonger, Area III – Brad Shogren, Area V – Rod Vorhees.**

#### **ADDITIONS:**

**9.a.** Support letter to Groundwater Management District No. 3 on Technology Proposal.

**9.b.** Letter to Senator McGinn regarding Water Quality CREP.

**9.c.** Letter from Hodgeman County Conservation District.

**9.d.** Kickapoo Water Rights Article.

**9.e.** Farm Service Agency (FSA) CREP Letter.

**11.a.i.** Watershed District: Third party easement holder update - Greg Foley.

**11.a.ii.** Budget – Foley.

**11.a.iii.** Senate Bill No. 323 Easements Bill – Greg Foley.

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11.f. Vision for the Future of Water in Kansas Overview – Greg Foley.

11.g. Fair Booth – Scott Carlson.

**Motion by Andy Larson to approve/amend the agenda as presented. Seconded by Ted Nighswonger. Motion carried.**

### 6. MINUTES OF THE PREVIOUS MEETING:

**Motion by Brad Shogren to approve the November 24, 2013 minutes as mailed. Seconded by John Wunder. Motion carried.**

### 7. COMMENTS FROM GUESTS:

- i. Pat Lehman, KACD reported on the Sustainable Funding for District Operations see Attachment A. In 2012, 81 counties completed a resource planning workbook. The final report on the 2012 KACD resource planning process can be found on the KACD website at <http://www.kacdnet.org/resourceplanning.html>. At the 2013 KACD Convention, the KACD initiated the development of a subcommittee/working group to revisit current and future funding mechanisms for conservation district operations. The membership of this committee will tentatively meet after the DOC/KACD joint meeting in September to craft a report for the 2014 KACD Annual Convention.

### 8. FINANCIAL REPORT:

- a. Financial report update see Attachment B – Donna Meader.

### 9. COMMUNICATIONS AND ANNOUNCEMENTS:

- a. Support Letter to Groundwater Management District No. 3 on Technology Proposal – Greg Foley.
- b. Letter to Senator McGinn regarding Water Quality CREP – Greg Foley.
- c. Letter from Hodgeman County Conservation District – Greg Foley.
- d. Kickapoo Water Rights Article – Greg Foley.
- e. FSA CREP Letter – Greg Foley.

### 10. UNFINISHED BUSINESS:

- a. Review Conservation Reserve Enhancement Program (CREP) Annual Report see Attachment C and Water Transition Assistance Program (WTAP) update – Steve Frost.
- b. Approve staff out of state travel – Greg Foley. None.

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- c. Update on conservation district document submittal see Attachment D – Donna Meader.

### 11. NEW BUSINESS:

- a. Review FY 2015 Governor's budget recommendations, bills impacting the DOC and other legislative activities – Greg Foley.
  - i. Watershed District: Third Party easement holder update – Discussion on proposal to add language to 2-1904.

**Motion by Brad Shogren that the SCC support proposed language to 2-1904 to authorize KDA,DOC to hold compensatory mitigation required under section 404 of the Federal Clean Water Act. Seconded by Ted Nighswonger. Motion carried.**

- ii. 2015 Budget.
- iii. Senate Bill No. 323 Easement Bill and House Bill No. 2654 see Attachment E.
- b. Review and discuss FY 2015 proposed cost-share program policy revisions see Attachment F – Don Jones.
- c. Quality Assurance review update see Attachment G – Dave Jones.
- d. Spring Workshops agenda review see Attachment H – Donna Meader.
- e. DOC personnel updates – Cathy Thompson has been promoted to the vacant Program Consultant position in the office. The previous employee, Amanda Hunsaker, transferred to the DWR field office in Topeka. - Scott Carlson.
- f. Vision for the Future of Water in Kansas overview see Attachments I and J – Greg Foley.
- g. Fair Booth Partnership with NRCS, FSA, DOC, KACD, Kansas Forest Service (KFS) and National Agricultural Statistics Service (NASS).

**Motion by Brad Shogren to approve contributing up to \$500 to the Kansas State Fair Partnership booth in September 2014. Seconded by Andy Larson. Motion carried.**

### 12. REPORTS:

- a. Agency Reports:
  - i. NRCS – Gaye Benfer. See Attachment K.

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- ii. K-State Agronomy – Peter Tomlinson. Peter reported that he and Dan Devlin were on the Southern Plains climate hubs. He was approached by the State of Oklahoma and Peter will serve as an extension on the hub. He reported that he is still working on the initiative for poultry litter issues. He currently has the Oklahoma poultry litter brochure and is available.
  - iii. DWR – Chad Voigt – Chad reported that he will be attending the Dam Safety Conference in Lawrence on February 13, 2014. There have not been any additional legislative issues besides the easement topic. The KDA move is on the horizon. DWR Structures Division staff consisted of 17 employees, eight have found employment elsewhere, and the division currently has 4 open positions.
- b. Staff reports:
- i. Land Reclamation – Scott Carlson gave an overview on the January 17, 2014 Kansas Aggregate Producers Association annual meeting. Governor Sam Brownback attended and presented the Governor’s Mined Land Reclamation Award to Mid-States Materials, LLC. Scott also provided an update on the Ag Lime Sampling status. He also updated that he has attended four Conservation District Board meetings.
  - ii. Poultry Litter Issue – Don Jones reported that they have a contract with Herschel George, KSU, for technical assistance.
  - iii. Donna Meader reported that she has been busy with normal day to day tasks in addition to managing the scanned documents being electronically submitted by conservation districts and storing in the DocuWare system. She reported that Dave Jones has been training new cd employees and she assists as time permits.
  - iv. Greg Foley reported that the DOC has an approved budget, and he continues to travel statewide with the Governor’s Vision Team.
- c. Commissioner Reports:
- i. Area I – Ted Nighswonger. Reported that he attended the 2014 National Association of Conservation Districts (NACD) Annual Meeting in Anaheim, CA on February 1 – 5. The Annual Meeting went well.
  - ii. Area II – Andy Larson. Reported that Greg Foley was featured in a Garden City Telegram newspaper article “*Monitoring Our Liquid Assets*” see Attachment L. Andy attended the 2014 NACD Annual Meeting and noted that he attended a breakout session on Dam Safety and Rehabilitation and District Funding that were very good sessions.

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- iii. Area III – Brad Shogren. Reported on forming a Special Water Assurance District – the District is currently working with the City Commission. He attended the State Watershed Restoration and Protection Strategy (WRAPS) meeting in Manhattan. He speaks highly of his local WRAPS group. WRAPS group had Vision 50 meeting that he attended. Their local area has completed two Streambank Stabilization projects.
- iv. Area IV – John Wunder. Reported that he attended the 2014 NACD meeting. On behalf of the KACD, he accepted the Award for the KACD/DOC Supervisor Training program. Had a good attendance at the Jefferson County Conservation District Annual Meeting. A Legislature approached him at their annual meeting and visited with him regarding the Lesser Prairie Chicken.
- v. Area V – Rod Vorhees. Reported that their district took reservations for 308 attendees for the Wilson County Conservation District Annual Meeting. He noted that the Basin Advisory Committee will be meeting at the Old Iron Club in Fredonia following the SCC Area V Spring Workshop.
- vi. Other: None.

### 13. ADJOURN:

The next regular Commission meeting is scheduled for 9:00 a.m. April 7, 2014 at the Kansas Department of Agriculture, 109 SW 9<sup>th</sup> Street, 4<sup>th</sup> Floor Conference Room, Topeka, KS.

**Motion by Andy Larson to adjourn. Seconded by Ted Nighswonger. Motion carried. Meeting adjourned at 3:40 p.m.**



Greg A. Foley.  
Executive Director

## SUSTAINABLE FUNDING FOR DISTRICT OPERATIONS

*WHEREAS, Kansas conservation districts need sustainable funding for district operations to meet the responsibilities charged to them by the Kansas Conservation District Act; and*

*WHEREAS, projected state budgets show decreased funding for Kansas conservation districts' operations;*

*THEREFORE BE IT RESOLVED, that the Kansas Association of Conservation Districts seeks to develop a subcommittee/working group to revisit current and future funding mechanisms for conservation district operations, program funding for voluntary incentive-based efforts, and to outline/define the five greatest conservation priorities for the next 50 years and for this committee to report back at the 2014 KACD Convention to insure a long term funding source for Kansas conservation districts' operations.*

Above is the resolution adopted by the association at the 2013 KACD Convention. It directs the KACD Board of Directors to appoint a committee to review funding of district operations and programs as well as try to define five conservation priorities in the state of Kansas for the next 50 years.

This committee is to be created by the KACD Board of Directors and will answer to that body. Several KACD member supervisors volunteered to serve on this committee at the convention but are subject to approval of the KACD Board of Directors. The members that volunteered to serve on this committee were not part of the resolution, and while they may have input in interpreting the resolution's purpose and meaning, it is ultimately the sole responsibility of the KACD Board of Directors.

The committee should consist of a chairperson appointed by the KACD Board of Directors. The chair should be a KACD director, thereby insuring accountability to the KACD Board of Directors. A vice chair, preferably another KACD director, is recommended in order to insure continuity and accountability to the KACD board in the event the chair of the committee is unable to attend a committee meeting.

The membership of this committee is not limited to those that volunteered to serve. The KACD Board of Directors may appoint as many committee members as they choose in order to fulfill the purpose of the resolution. To date, these are the KACD member supervisors that have volunteered to serve on this committee: Chairman William Simshauser, Kearney County [620 272 3953](tel:620-272-3953); Vice Chairman Bevin Law, Clay County [785 447 1908](tel:785-447-1908); Rod Voorhees, Wilson County [620-692-3621](tel:620-692-3621); Wayne Lukert, Shawnee County [785-256-6229](tel:785-256-6229); Alan Roth, Ellis County [785-625-4319](tel:785-625-4319); Brad Shogren, McPherson County [785-227-2520](tel:785-227-2520); and Tommy Barrett, Ottawa County [785-488-3657](tel:785-488-3657).

Again, the KACD Board of Directors may appoint anyone they feel necessary to this committee to carry out the purpose of the resolution.

The KACD Board of Directors will determine the best way for the committee to proceed with implementing the resolution. The resolution is broad and covers many aspects that are difficult to get a handle on for a small committee. It is recommended that the KACD Board of Directors break the resolution down into manageable parts that the committee can address.

The resolution consists of three main parts:

- funding of conservation district operations
- funding of voluntary incentive-based conservation programs
- outline and define the five greatest conservation priorities for the next 50 years

The resolution directs that this committee report on its recommendations at the 2014 KACD Convention. The resolution could also be interpreted such that this committee could drag on and on and not accomplish anything. It is in the interest of the association to complete the purpose of the resolution in a timely manner.

The resolution directs the committee to “revisit current and future funding mechanisms” of conservation district operations and conservation programs. Funding of current programs and operations is not difficult. It is already defined and would not take long to complete. Future funding of operations and programs will be more difficult.

The committee is charged with making recommendations to KACD on where funding for operations and programs should come from. KACD will then need to persuade the Kansas Legislature to support those recommendations.

While funding of operations has its basis in the Conservation District Act and can be funded from county general funds or from the state general fund (though in reality district operations have not been funded from the state general fund for decades), this association is being asked to determine how all conservation programs, from cost share of terraces and waterways to dredging sediment from reservoirs to any program affecting water use in the Ogallala Aquifer, be funded.

Is it the responsibility of KACD to make such determinations?

This is why the committee must address these issues in three parts. While solutions for some may be found, it may be impossible to determine a solution for all three parts.

Further, it is the responsibility of conservation districts to seek funding to insure operations of the district. A conservation district cannot administer its own programs or those of the state of Kansas, or federal government, if it does not have funding to support the technical, educational and local administrative aspects of a particular conservation program.

Conservation programs may come and go, but conservation districts need adequate and reliable funding of their local operations to support any conservation program.

As for the five greatest conservation priorities, there are two that should top the list:



- **Sediment and erosion control.** This is a conservation district's strength. This is why conservation districts were created. Sediment and erosion control protect the property tax base by keeping productive land from turning into wasteland. Sediment and erosion control keep reservoirs from filling up with soil. Sediment and erosion control keep nutrients and pesticides where they can do the most good and out of drinking water supplies.
- **Water quality and quantity.** All water in Kansas is affected by the negative impacts of sediment and erosion in both urban and rural areas. Having adequate ground and surface water for irrigation, livestock, and other uses is a major concern, exacerbated by the continued drought conditions that have plagued much of the state.

Other top priorities will be identified by the committee. A valuable resource for those efforts is the "Report on the 2012 KACD Resource Planning Process," which details an initiative undertaken by Kansas conservation districts. The report, which can be found on the KACD website at [http://www.kacdnet.org/Resource\\_Planning\\_Report.pdf](http://www.kacdnet.org/Resource_Planning_Report.pdf), includes an overview of the conservation priorities districts wish to address.

**DIVISION OF CONSERVATION, KDA - FY 2014 QUARTERLY FINANCIAL REPORT  
JULY 1, 2013 THROUGH DEC 31, 2013**

	Program/Fund	Index	Appropriation/ Allocation	Total Expenditures	% of Funds Expended	Funds	Uncommitted Balance
						Committed/ Encumbered	
<b>1.</b>	<b>STATE GENERAL FUND - 1000</b>						
	a. Office Operations	0053	472,497.00	245,747.41	52.0%	0.00	226,749.59
	<b>TOTAL - STATE GENERAL FUND</b>		<b>\$472,497.00</b>	<b>\$245,747.41</b>	<b>52.0%</b>	<b>\$0.00</b>	<b>\$226,749.59</b>
<b>2.</b>	<b>STATE WATER PLAN FUND - 1800</b>						
	a. Water Resources Cost-Share						
	(1) Office Operations		105,570.00	43,540.17	41.2%	13,733.96	48,295.87
	(2) WR-Webelan-Programming		15,000.00	0.00	0.0%	15,000.00	0.00
	(3) CSIMS Cost-Share Assistance		2,238,700.65	435,251.20	19.4%	1,462,912.83	340,536.62
	(4) Reserve Funds		25,489.84	0.00	0.0%	0.00	25,489.84
	<b>WR - TOTAL</b>	<b>1205</b>	<b>2,384,760.49</b>	<b>478,791.37</b>	<b>20.1%</b>	<b>1,491,646.79</b>	<b>414,322.33</b>
	b. Non Point Source Pollution Control						
	(1) Office Operations		1,501.00	0.00	0.0%	0.00	1,501.00
	(2) NPS-Webelan-Programming		15,000.00	0.00	0.0%	15,000.00	0.00
	(3) NPS-Engineering Services		61,105.76	0.00	0.0%	61,105.76	0.00
	(4) NPS-Wyandotte CO CD-TA		12,993.00	0.00	0.0%	12,993.00	0.00
	(5) NPS/TA-Conservation Technician Positions		144,434.73	144,434.73	100.0%	0.00	0.00
	(6) NPS/TA-No Till Conservation Districts		42,500.00	5,600.00	13.2%	3,879.50	33,020.50
	(7) CSIMS Cost-Share Assistance		1,756,031.00	478,111.92	27.2%	1,042,125.78	235,793.30
	(8) Reserve Funds		180,353.26	0.00	0.0%	0.00	180,353.26
	<b>NPS - TOTAL</b>	<b>1210</b>	<b>2,213,918.75</b>	<b>628,146.65</b>	<b>28.4%</b>	<b>1,135,104.04</b>	<b>450,668.06</b>
	c. Aid to Conservation Districts	1220	2,326,147.00	2,211,347.36	95.1%	114,799.64	0.00
	d. CREP/WTAP						
	(1) Office Operations		90,737.00	45,890.34	50.6%	0.00	44,846.66
	(2) WR/CREP CSIMS		37,677.40	37,677.40	100.0%	0.00	0.00
	(3) WTAP Projects		0.00	0.00	0.0%	0.00	0.00
	(4) Reserve Funds		371,163.60	0.00	0.0%	0.00	371,163.60
	<b>CREP/WTAP - TOTAL</b>	<b>1225</b>	<b>499,578.00</b>	<b>83,567.74</b>	<b>16.7%</b>	<b>0.00</b>	<b>416,010.26</b>
	e. Watershed Dam Construction						
	(1) Watershed Dam Cost-Share Assistance		273,200.00	52,274.00	19.1%	220,926.00	0.00
	(2) Rehabilitation		368,315.98	7,164.00	1.9%	361,151.98	0.00
	(3) Reserve (PAYBACK)		(971.98)	(971.98)	0.0%	0.00	0.00
	<b>WATERSHED PROGRAM - TOTAL</b>	<b>1240</b>	<b>640,544.00</b>	<b>58,466.02</b>	<b>9.1%</b>	<b>582,077.98</b>	<b>0.00</b>
	f. KS Water Quality Buffer Initiative	1250	295,393.51	0.00	0.0%	253,376.34	42,017.17
	g. Riparian and Wetland Protection						
	(1) RW-OOE		300.00	150.00	50.0%	0.00	150.00
	(2) RW-Engineering		0.00	0.00	0.0%	0.00	0.00
	(3) CSIMS-Demonstration Projects		171,200.54	0.00	0.0%	0.00	171,200.54
	(4) Reserve Funds		0.00	0.00	0.0%	0.00	0.00
	<b>RW - TOTAL</b>	<b>1260</b>	<b>171,500.54</b>	<b>150.00</b>	<b>0.1%</b>	<b>0.00</b>	<b>171,350.54</b>
	i. Lake Restoration-Water Supply Program	1275	286,868.00	0.00	0.0%	286,868.00	0.00
	<b>TOTAL - STATE WATER PLAN FUND</b>		<b>\$8,818,710.29</b>	<b>\$3,460,469.14</b>	<b>39.2%</b>	<b>\$3,863,872.79</b>	<b>\$1,494,368.36</b>

**DIVISION OF CONSERVATION, KDA - FY 2014 QUARTERLY FINANCIAL REPORT  
JULY 1, 2013 THROUGH DEC 31, 2013**

FEE FUND PROGRAMS	Index	Fee Deposit Accounts	Total Expenditures	% of Funds Expended	Funds		Cash Flow
					Committed/	Encumbered-Contigent	
1. AG Lime Program - 2118	1200	23,758.37	0.00	0.0%	770.00	23,758.37	
2. KDWP-Buffer Partnership - 2517	2510	75,000.18	75,000.18	100.0%	0.00	0.00	
3. LAND RECLAMATION FEE FUND - 2542	2090	126,716.41	69,528.92	54.9%	0.00	57,187.49	
4. KDHE/EPA - FEDERAL FUNDS - 3889	(ON THIS ACCOUNT-MONEY IS DEPOSITED AS REPORTS ARE SUBMITTED TO KDHE)				REMAINING BAL TO REQUEST		
a. KDHE/NPS Conservation Tech	3880	40,196.48	40,196.48	0.0%	0.00	0.00	
<b>TOTAL KDHE-TA - 3880</b>		<b>40,196.48</b>	<b>40,196.48</b>	<b>0.0%</b>	<b>0.00</b>	<b>0.00</b>	
b. KDHE/Buffer Indirect Funds	3705	23,530.05	0.00	0.0%	20,000.00	23,530.05	
c. KDHE/NPS Indirect Funds	3705	4,500.00	0.00	0.0%	0.00	4,500.00	
<b>TOTAL KDHE-INDIRECT FUNDS - 3705</b>		<b>28,030.05</b>	<b>0.00</b>	<b>0.0%</b>	<b>20,000.00</b>	<b>28,030.05</b>	
<b>TOTAL- FEDERAL FUNDS - 3915</b>		<b>68,226.53</b>	<b>40,196.48</b>	<b>58.9%</b>	<b>20,000.00</b>	<b>28,030.05</b>	
5. NRCS CONTRIBUTION AGREEMENTS - 3715	(ON THIS ACCOUNT-MONEY IS DEPOSITED AS REQUESTED FROM NRCS)				REMAINING BAL TO REQUEST		
a. NRCS/NPS Conservation Tech	3825	116,141.84	64,117.28	55.2%	122,175.31	52,024.56	
<b>TOTAL NRCS-TA/ENGINEERING - 3825</b>		<b>116,141.84</b>	<b>64,117.28</b>	<b>55.2%</b>	<b>122,175.31</b>	<b>52,024.56</b>	
b. NRCS/WQ Indirect Funds	3800	53,258.97	0.00	0.0%	1,074.47	53,258.97	
<b>TOTAL NRCS-INDIRECT FUNDS - 3800</b>		<b>53,258.97</b>	<b>0.00</b>	<b>0.0%</b>	<b>1,074.47</b>	<b>53,258.97</b>	
<b>TOTAL- NRCS FUNDS - 3917</b>		<b>169,400.81</b>	<b>64,117.28</b>	<b>37.8%</b>	<b>123,249.78</b>	<b>105,283.53</b>	
6. WR_WSD DROUGHT PROGRAM - 7305	7000	90,000.00	4,000.00	4.4%	56,000.00	86,000.00	
		<i>Deposits</i>	<i>Total Expenditures</i>	<i>Funds Expended</i>	<i>Total Encumbered</i>	<i>Cash Flow Balance</i>	
<b>FEE FUNDS GRAND TOTAL</b>		<b>\$553,102.30</b>	<b>\$252,842.86</b>	<b>45.7%</b>	<b>\$0.00</b>	<b>\$300,259.44</b>	
1. *HOSPITALITY FUND - 1000	0054	0.00	0.00	0.0%	0.00	0.00	

\*Paid under KDA Budget

**UPPER ARKANSAS RIVER  
CONSERVATION RESERVE ENHANCEMENT PROGRAM  
PERFORMANCE REPORT  
BY THE  
STATE OF KANSAS  
October 1, 2012 – September 30, 2013**



Amber Sanko, NRCS District Conservationist and FSA County Executive Director, CZ Thompson, inspect a CREP grass stand in Gray County, Kansas.



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### For additional information, contact:

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Kansas Department of Agriculture, Division of Conservation  
109 SW 9<sup>th</sup> Street, 2A Topeka, Kansas 66612-1283  
(785) 296-3600; <http://www.ksda.gov/doc/>

## Executive Summary

The Conservation Reserve Enhancement Program (CREP) in Kansas is a federal – state partnership created for enhancing water conservation efforts along the Upper Arkansas River corridor from Hamilton County to Rice County. The Upper Arkansas River (UAR) CREP has been officially approved and operating for six years; this annual report provides a synopsis of the implementation activities and progress to date.

CREP is a specialized version of the Conservation Reserve Program (CRP) in which the Farm Service Agency (FSA) of the United States Department of Agriculture (USDA) and the State of Kansas have mutually agreed to address specialized natural resource concerns. The Natural Resources Conservation Service (NRCS) is USDA's provider of technical services to producers who are implementing FSA's CREP contracts in the field. The Kansas Department of Agriculture - Division of Conservation (DOC) is the primary coordinator acting to administer the program in concert with numerous other state, local, and private partners including the Kansas Water Office, Kansas Department of Agriculture - Division of Water Resources, Kansas Department of Wildlife, Parks and Tourism, Kansas Department of Health and Environment, Kansas Geological Survey, Kansas State University, Groundwater Management Districts #3 and #5, and Pheasants Forever.

The Upper Arkansas River CREP is a voluntary, incentive based program allowing producers to enroll irrigated acres in targeted, eligible areas for 14-15 year contracts with FSA, permanently retire the associated state water rights on the enrolled acres, and establish an approved land cover (typically a native grass) on the same acreage. The producer receives an upfront, incentive payment from the DOC and an annual rental payment, plus additional cost share opportunities for specific conservation practices from FSA.

Groundwater is the dominant source of water for all uses in the basin, and aquifer declines are a serious concern. Therefore, water conservation is the main management objective in the Upper Arkansas CREP, but the program also provides other resource benefits including soil conservation, water quality protection, wildlife habitat enhancement, and energy savings. The majority of irrigated acres being enrolled have been on highly erodible, sandhills soils that are unsuitable for dryland farming.

One of the most significant merits of the program to date has been establishing cover on these highly erodible lands. The extremely sandy and fragile, windblown soils of the sandhills will be very difficult to re-vegetate when irrigation is no longer possible after crop production runs out due to groundwater declines. The CREP program has given these area producers a viable option, incentive and financial opportunity for starting native grass stands and other conservation covers while limited irrigation water is still available.

As of September 30, 2013, a total of 93 state CREP contracts on 15,765 acres have been approved by the state of Kansas. These contracts have resulted in the permanent retirement of 31,965 acre-feet of annual water appropriation on 108 water rights from 143 wells. The contracts represent a total of \$947,947 in state sign-up payments to producers over the past six years. These payments are matched by total annual producer payments from FSA totaling about \$1,507,000 per year over the 14 – 15 year life of the CREP contracts. Since December 6, 2007, a total of \$7,433,864 from state, local and private expenditures has been made in support of the CREP project. The state of Kansas has again met its financial commitment to provide at least 20 percent of the total federal costs of the program through a combination of direct payments, technical assistance and in-kind contributions with at least 10 percent coming from direct match.

Especially between 2011 and 2013, a severe and prolonged drought has taken a serious toll on the ability of participating landowners to both establish new stands of grass, as well as to maintain existing stands of even well established grass. DOC, FSA, NRCS and the other CREP partners have been very active again this year in assisting enrollees with compliance related issues and identifying alternative vegetative and cultural practices which can keep the objectives of the program in a mode of successful transition and completion. At this time, the State of Kansas is requesting that FSA consider reevaluating irrigated rental rates for producers and updating the timeframes for water use rules which effect water right eligibility.

## **Overview**

The 2007 and 2008 Kansas Legislature approved funding for an Upper Arkansas River Conservation Reserve Enhancement Program. CREP is a USDA program that creates individual rules and special conditions and rates for a geographic region or watershed. The USDA and the KWO worked with USDA's FSA and NRCS to develop and launch the program. A Memorandum of Agreement (MOA), signed by Kansas Governor Kathleen Sebelius on November 27, 2007, and by Acting USDA Secretary Charles Conner on December 4, 2007, officially established the Kansas UAR CREP.

The Kansas CREP is a voluntary program that provides incentives and cost sharing to participants who enroll their land into eligible conservation practices such as native vegetation establishment or wildlife conservation for a period of 14 to 15 years. The CREP area lies within 10 counties along the Arkansas River corridor, covering 1,571,440 acres. In the CREP area, 718,683 acres were authorized for groundwater irrigation prior to program start-up. Another approximate 10,680 acres are authorized for irrigation from surface water. Reducing irrigation demands on the stream-aquifer system will help slow the aquifer declines, mitigate the spread of saline waters into the aquifer, and help restore stream and riparian health. The state sought to enroll up to 20,000 acres into the program under the first MOA - 17,000 acres of irrigated land, and 3,000 dryland corners from irrigated circles. In 2011, FSA approved an expansion of the total project size to 28,950 acres with a target goal of 25,950 irrigated acres to be enrolled.

## **History**

The CREP project area lies within the upper Arkansas River basin. Overall, the target area includes portions of ten counties (Hamilton, Kearny, Finney, Gray, Ford, Edwards, Pawnee, Stafford, Barton and Rice counties) and two groundwater management districts (Southwest Kansas Groundwater Management District No. 3 (GMD3) and Big Bend Groundwater Management District No. 5 (GMD5) along the river corridor. The 1,571,440 acre project area has hydrologic interaction with the Arkansas River due to surface flow and groundwater pumping. The main water sources for producers within the project area are local stream / river surface waters, and the alluvial and High Plains aquifers. The Arkansas River flows from headwaters in the Rocky Mountains, and has been diverted for more than 100 years for irrigation in Colorado and Kansas. The river and groundwater system has had several decades of well-documented flow depletions entering the state of Kansas, and groundwater declines in the aquifer are resulting in loss of baseflow to the river, decline in well yields, and in some locations, degradation of groundwater quality.

The Arkansas River is a resource of state and national concern for both water quantity and water quality. The flow into Kansas is extensively controlled though releases from the John Martin Reservoir in eastern Colorado, and is managed through the Arkansas River Compact Administration. Reduced flows as the river entered Kansas, in violation of the compact, have historically resulted in stream flow depletion, groundwater declines, and economic damage. The river is also one of the most saline in the nation where it enters Kansas, a result of the extensive concentration of salts occurring from irrigation use and reuse. The declining flows and deteriorated water quality threaten the viability of this important surface water source in Western Kansas. Correlated with the reduced flow and increasing salinity of the river is the degradation of riparian health and wildlife habitat. Native plant communities have declined, and there has been an extensive and aggressive infestation of tamarisk and other non-native phreatophytes.

## **Kansas-Colorado Arkansas River Compact**

The Kansas-Colorado Arkansas River Compact (Compact) was negotiated in 1948 between Kansas and Colorado with participation by the federal government. Its stated purposes are to settle existing disputes and remove causes of future controversy between Colorado and Kansas concerning the waters of the Arkansas River, and to equitably divide and apportion between Colorado and Kansas the waters of the Arkansas River as well as the benefits arising from John Martin Reservoir.

Kansas filed an original action in the United States Supreme Court, *Kansas v. Colorado*, No. 105, in 1985 to enforce the terms of the Compact. In 1994, a Special Master appointed by the Court, Arthur J. Littleworth, recommended that the Court determine that Colorado had violated Article IV-D of the Compact by means of post-compact well pumping in Colorado. On May 15, 1995, the Supreme Court agreed. Colorado paid Kansas more than \$35.1 million in damages for Colorado's Compact violations. This money has been deposited in three funds created by statute that specify generally how and where the money will be spent. The acceptable uses of two of these funds are consistent with UAR CREP objectives, while the third is for future litigation. The Water Conservation Projects Fund, now known as the Western Water Conservation Projects Fund after transfer to GMD#3, must be applied to projects within a portion of the CREP area.

The Special Master's fifth and final report to the Supreme Court in January 2008, and the Supreme Court "Judgment and Decree" entered on March 9, 2009, provided that the Supreme Court would retain jurisdiction for a limited period while the states evaluated the sufficiency of the 1996 Colorado Use Rules.

As a result of that evaluation, modifications of the initial judgment and decree were jointly developed by Kansas and Colorado based on decisions by the Special Master and the United States Supreme Court. The decree contains several appendices, such as the hydrologic-institutional model and accounting procedures, which will be used to determine if Colorado is in compliance. The states submitted a modified appendix to the Supreme Court on August 4, 2009, bringing an end to the retained jurisdiction.

### **CREP Steering Committee**

The Upper Arkansas River CREP Steering Committee consists of the Kansas Water Office, the Kansas Department of Agriculture – Division of Conservation, the Kansas Department of Agriculture - Division of Water Resources, the Kansas Department of Wildlife, Parks and Tourism, the Kansas Department of Health and Environment, and the Kansas Geologic Survey. These state agencies are joined by the Farm Services Agency, Natural Resources Conservation Service, Groundwater Management Districts Nos. 3 and 5, and Pheasants Forever (Attachment F).

The steering committee met on September 20, 2013 (Attachment F). Some members attended in the DOC conference room with others participating via teleconference. The purpose of the steering committee was reviewed and the committee was provided an update of the current enrollment. The input of the committee on the success of the CREP program in meeting objectives and ways to improve it will become more and more valuable, as more acres enroll and the impact of the water right retirements and land in a conservation practice begin to become measurable.

The impact of a severe, prolonged drought is again the main story of the 2013 fiscal year. Lack of precipitation, high winds and extreme, sustained heat are significantly hampering the efforts of landowners and producers who have CREP enrollments in Southwest Kansas. The drought is exacerbating the need for all producers to irrigate in unusual quantities, and that in turn is increasing stress on the groundwater supplies, water table conditions, and the rate at which aquifer levels are declining. NRCS has formed a technical team of soils and plant specialists, and facilitated field tours and meetings in response to the hardships being incurred by CREP landowners who are trying to establish new grass covers and even to maintain existing grass stands under these conditions. FSA has responded with a schedule of revised cost-share incentives for producers who are re-planting failed cover crops and grass stands due to the drought.

It was again noted that some monitoring activities of the CREP are still premature for the agencies to significantly undertake at this time, or to determine any significant changes in results or impacts due to the CREP project. Even though enrollment is steadily increasing, almost the entirety of the enrollment has been located in areas of the "Tier 1 / Unsuitable soils" which will require continued limited irrigation for another couple of years to establish the vegetative cover. Therefore, there has not yet been substantial water use curtailment to record measurable differences given the enormous amount of irrigation historically established in the area.



The steering committee was informed of the efforts that Kansas is undertaking to increase interest and enrollment in CREP, including possible consideration of irrigated rental rate increases to producers and updating the timeframes for water use rules which effect water right eligibility. The committee also discussed the concept of increasing the project size from the current limit of 28,950 acres to the total 40,000 acres initially authorized by the Kansas legislature. The committee discussed the pending suspension of all CRP enrollment which was to become effective October 1, 2013 due to the lack of congressional re-authorization of the current Farm Bill in lieu of a totally new Farm Bill adoption. DOC explained subsequent efforts that were being jointly undertaken with the KWO, DWR and GMDs to re-market and promote the CREP program to eligible irrigators in the CREP area in an attempt to increase enrollment during the fall and winter season. In spring 2014, the steering committee will again be updated on field conditions and additional technical team recommendations to re-assess program results prior to summer irrigation.

Although participation in the eastern areas has been disappointing so far, the great merit of the CREP program to date has been realizing a very substantial benefit to the western regions of the project. The extremely sandy and fragile, windblown soils of the sandhills will be very difficult to re-vegetate after the groundwater is depleted and crop production runs out. The CREP program has given these area producers a viable option for starting grass stands while limited irrigation water is still available and the financial opportunity and incentive to do it. This somewhat unexpected result should be highlighted and warrants consideration of similar ways to better utilize the resources of future CREP programming in the Upper Arkansas River Valley of Kansas.

### **CREP Project Implementation Summaries**

The CREP program is designed to protect water quality and extend the usable life of the of the High Plains aquifer by establishing conservation practices and retiring the associated water rights on irrigated project lands in Barton, Edwards, Finney, Ford, Gray, Kearny, Pawnee, Rice and Stafford counties. Hamilton County was previously ineligible for the program because it was at a maximum level of acres that could be enrolled in a Conservation Reserve Program (CRP). FSA rules regarding the maximum allowable acres specifically pertaining to CREP program enrollment were changed in 2011. Therefore, Hamilton County is now officially eligible for the program. The Kansas Legislature approved the enrollment limit up to a maximum of 40,000 acres. However, the program cap with FSA was initiated at the 20,000 acre level to stay within a legislative stipulation which allows only one acre of land to be enrolled in CREP for every two acres of current CRP contracts which expire annually. This project cap has since been increased to 28,950 acres.

CREP applications are typically made in the county where the land is located, and all applications are considered on a first-come, first-served basis. Farmers who enroll irrigated cropland in the program and permanently retire their water rights will receive rental payments for 14 to 15 years at rates between \$110 and \$140 per acre per year. Rates vary depending on the Hydrologic Unit Code (HUC) and irrigation system currently in place. Cost-share funds and monetary incentives are available for seeding and well plugging on enrolled land. As a part of CRP, CREP acres are subject to normal FSA haying, grazing, burning, and other management provisions, and they can also be leased for hunting. Producers receive an upfront signing bonus from the state of either \$62 per irrigated acre (Tier 1 Soils) or \$35 per irrigated acre (Tier 2 soils).

The current goals of the UAR CREP are to enroll up to 28,950 acres of eligible cropland within the designated area to significantly reduce the amount of irrigation water consumptively used. Water quality will be improved through the reduction of agricultural chemicals and sediment entering waters from agricultural lands, and thereby impeding the spread of poor quality river water into the fresh alluvial and High Plains aquifers. The reduction of water consumption and non-point source contaminants, through permanent retirement of water rights appurtenant to the land enrolled in CREP and the establishment of conservation covers and other resource management practices, will slow the aquifer declines and loss of baseflow, enhance associated wildlife habitat (both terrestrial and aquatic), and conserve energy.

Successfully meeting the goals and objectives of the UAR CREP involves interagency cooperation and adherence to a coordinated implementation plan. The implementation plan covers each agency's responsibility and the step-by-step process for outreach, processing applications, providing technical assistance, and monitoring success.

The UAR CREP is being implemented through continuous signup on a first come, first priority basis, until a county reaches the CREP program maximum for enrolled acres or the federal limit on CRP acreage enrolled in any one county. The application enrollment pattern in the first year demonstrated high interest in December of 2007, and in January / February of 2008, with a peak of more than 13,000 acres offered for enrollment. By March 2008, inquiries slowed, as most landowners had already made decisions on their land if a crop was to be planted during the upcoming season. A number of applications were subsequently withdrawn as some land was sold. Others were also withdrawn as crops were put in, as 2008 was a year of very high commodity prices and escalating land values. There were also a number of applications that ultimately were found to not meet the federal or state eligibility criteria during the review process. Finally, there were some inquiries that ultimately did not result in applications being filed because it initially appeared that the county cap had already been filled for Kearny and Gray counties. One state requirement is that no more than 25 percent of the CREP program acres can be in any one county, which in 2008 was a 5,000 acre cap. That cap has since been raised to 7237.5 acres per county.

At the end of the first fiscal year on September 30, 2008, a total of 6,377 acres had officially been approved for enrollment in the CREP program. A total of 12,871 acre-feet of annual authorized water right allocations associated with these acres had been voluntarily and permanently retired. By September 30, 2009 (the end of the second fiscal year), an additional 4,011 acres had been approved for enrollment, bringing the project total to 10,388 acres. An additional 8,208 acre-feet of annual authorized water right allocations were also retired, bringing the project total to 21,179 acre-feet retired. At the end of the third fiscal year, 378 enrolled acres were added and an additional 634 acre-feet of annual authorized water right allocations were also retired. At the end of the fourth fiscal year, 247 enrolled acres were added, bringing the current project total to 11,013 acres, and an additional 532 acre-fee of annual authorized water right allocations were also retired, bringing the total to 22,245 acre-feet of annual authorized water right allocations retired. By September 30, 2012, 4079 acres were added and a total of 15,092 acres had been enrolled, and 30,734 acre-feet of annual authorized water right allocations had been retired. As of September 30, 2013, a total of 15,765 acres have been enrolled, and 31,965 acre-feet of annual authorized water right allocations have been retired. Most of the enrolled acres are irrigated (99 percent), and 87 percent of those are located in the "Tier 1 / Unsuitable soil" classifications. Nearly all of the acres (99 percent) have been enrolled in the CP2 conservation practice.

### *Outreach*

Public outreach for the UAR CREP was initiated prior to and during the preparation of the project proposal to gather information and assess public support. Many outreach meetings occurred on the UAR CREP throughout Western Kansas and during the legislative session. The implementation team developed an informational brochure and poster about CREP for use during the awareness campaign (attachment A). This brochure and related promotional posters were also updated and revised during the third program year, FY2010, and again in the fourth program year, FY2011.

A coordinated approach to outreach and support will continue through implementation of the program. Much of the initial success of the UAR CREP is a result of strong marketing of the program to interested producers. The outreach was accomplished through direct mailings, newspaper press releases, educational brochures, radio broadcasts and local informational meetings. Each of the agencies cooperating in the program was responsible for the outreach component, but the KWO, DOC, GMD3 and GMD5, and the local conservation districts were especially instrumental, as identified in Attachment A.

## *Technical Assistance*

Technical assistance is provided to the producers enrolled in the UAR CREP by USDA's NRCS and the DOC. Over the brief life of the program, there have been a number of meetings between NRCS and the producers discussing the challenges of transitioning to a permanent cover on soils that are highly susceptible to wind erosion (the majority of the enrolled acres are in this category). These meetings and communications have been even more frequent and heightened with the impacts of the ongoing drought conditions. The process for implementing CREP in Kansas (KCREP\_IP\_02) has been modified to indicate that NRCS will meet at the CREP site with all new participants (Exhibit C).

A very productive meeting was convened between FSA, NRCS, DOC, KWO, DWR, GMD3 and GMD5 officials in Garden City on February 26, 2009 to discuss the unique challenges, strategies, and techniques of establishing permanent grass covers on highly erodible soils associated with the majority of the CREP enrollment to date. Some very successful grass establishment was developed by the end of the 2010 season. NRCS staff has found a strategy involving an effective combination of cover crops, herbicides, irrigation and summer seeding times which has resulted in many circles of nearly 100 percent CRP grass establishment after just two years. Other county offices are being apprised of the methodologies so that the experience can be re-created in areas where the grass establishment has been difficult.

A second meeting was held in Dodge City at the USDA Service Center on July 7, 2011. Discussion at this meeting focused on the progress of the program including establishment of permanent vegetative cover. NRCS reviewed Kansas Conservation Reserve Program Technical Guidance Number 81, "Guidelines for Cover Crop and Grass Establishment on Sandy Sites Associated with Conservation Reserve Enhancement Program Acres". This guidance document has been updated to provide emphasis on the establishment of a cover crop, weed management, irrigation for establishment, and frequent monitoring. NRCS staff expressed their concern with current conditions resulting from the severe drought being experienced in 2011 and the ability of participants to irrigate grass stands for establishment. The full effects of the drought on CREP stands will not be known for a few years, but recent observations are not positive. District conservationists have reported that some stands considered to be established in 2010 appear to have died in 2011. These stands will need to be evaluated in the following growing seasons to determine their post-drought status. There have also been reports from participants that they were unable to irrigate or that their ability to irrigate has been limited. Some were due to their location in areas of the aquifer that are severely drawn down while others only experienced the seasonal draw down of mid and late summer. The current conditions of the drought-stricken areas will challenge CREP participant's ability to establish the permanent cover required by the program.

NRCS conducted a field tour of selected CREP sites in Kearny County on May 22, 2012. As the drought had continued and worsened over the 2011–2012 winter, it became even more apparent that alternative strategies would be necessary to re-establish grass stands that were regressing to drastically low populations of desired prairie mixture species. After convening a technical team of soil and plant specialists, NRCS conducted sampling of sites which indicated problems or issues which might be resolved through alternative cropping or cultural practices. During the summer, the Kansas Department of Agriculture also conducted chemical sampling on the same sites for the purposes of determining any possible pesticide residual effects which could be contributing to plant deterioration. NRCS conducted a meeting with 30 landowners in Garden City on November 13, 2012, to communicate the findings of the research effort and to convey recommendations for future planting of cover crops and grasses. At the meeting, FSA announced its revised schedule of cost-share incentives for producers who will need to re-plant during the 2013 season. DOC, FSA and NRCS discussed compliance issues with the producers. All parties are in agreement that until normal precipitation patterns resume, no requirements will be enforced to re-cultivate fields with minimal cover that are in danger of blowing if adequate irrigation water is unavailable. However, each CREP contract owner who is facing establishment compliance issues because of drought related effects will still be required to have a review and plan approved by his or her local FSA county committee.

## *Agency and Organization Cooperation*

The ***Kansas Water Office (KWO)***, the state's planning agency for water issues, provides direction for the CREP program development. KWO contributes to public outreach through presentations at the Upper Arkansas Basin Advisory Committee and Kansas Water Authority meetings and to other interested stakeholders. KWO works collaboratively with DOC and each of the agencies identified below to prepare and provide USDA with annual CREP progress reports. The KWO is also the lead on amending the CREP Agreement with USDA. The KWO director originally administered the Water Conservation Projects Fund for projects in the Upper Arkansas River corridor that provide water conservation, efficiency gains and aquifer recharge. Legislative directives from the 2008 session transferred the fund and administrative duties to GMD3. The KWO director continues to review and give approval for proposed projects recommended by the GMD3 and the Arkansas River Litigation Funds Advisory Committee, with input from the DWR chief engineer. The use of these funds is consistent with the purposes of CREP.

The ***Kansas Department of Agriculture - Division of Conservation (DOC)*** (formerly *State Conservation Commission (SCC)*) coordinates with local groundwater, watershed and county conservation districts, state and federal agencies, and other conservation partners to implement programs that improve water quality, reduce soil erosion, conserve water and reduce flood potential. DOC administers the state portion of CREP. DOC also is responsible to contract with eligible participating entities for the state upfront incentive payments (SUPs); to review, and make assurances that all CREP eligibility criteria are met and correctly documented; to assure that the relevant water right is properly and permanently dismissed; and to provide appropriate recommendations regarding final approval of FSA CREP applications. The DOC also administers a similar, solely state funded water right retirement program (Water Transition Assistance Program). DOC utilizes an existing staff position as the State CREP Coordinator to facilitate and oversee CREP in the Upper Arkansas basin.

The ***Farm Service Agency (FSA)*** is the lead USDA agency for CREP. FSA provided the first public announcement of the program signups and made broad outreach to all potentially eligible persons. FSA field office staff work with landowners and producers to determine if CREP is a program that fits for their acreages and circumstances. FSA initiates the contract with interested parties; provides estimates of payments, and works to determine suitable conservation practices. Final approval of contracts comes from FSA county committees. FSA has no responsibility for the water right terminations, but coordinates with DOC and DWR as to the sufficiency of the voluntary dismissals.

The ***Kansas Department of Agriculture - Division of Water Resources (DWR)*** provides verification of water rights in good standing, administration of retired water rights, issuance of term permits, well administrations and monitoring of aquifer levels and streamflows. DWR has and will continue to provide legal partitioning of water rights, as necessary. This agency assists the Arkansas River Compact Administration with compact compliance. The chief engineer of DWR also reviews proposed project applications for water conservation and efficiency in the Upper Arkansas River basin through the former Water Conservation Projects Fund, now known as the Western Water Conservation Projects Fund, in coordination with the director of KWO. These efforts are consistent with the CREP objectives.

The ***Kansas Department of Health and Environment (KDHE)*** monitors surface water quality in the Arkansas River and tributaries. Activities include collection and preparation of chemical, bacteriological and radiological lab samples taken from Arkansas River at up to seven sites located between Coolidge and Great Bend, and analysis for chemistry, microbiology and radiological content of samples. KDHE coordinates water quality issues and meetings with Colorado and other Kansas state agencies, and stakeholders.

The **Kansas Geological Survey (KGS)** provides annual monitoring of aquifer levels. KGS also provides technical studies on the salinity fate and transport, aquifer characterization, and groundwater modeling. The KGS maintains a long-term research site for investigating phreatophyte and stream-aquifer interactions in the Arkansas River valley at the USGS gage site northeast of Larned, within the CREP project area. Most of the wells are screened in the alluvial aquifer and a few are screened in the underlying High Plains aquifer. Most of the wells are instrumented with pressure transducers that record water levels on a 15 minute time interval year round. Periodic measurements of specific conductance are made in the wells and at least one sample a year is collected from most of the wells. In future years, data from this site may be used along with other sites with water-level data in the CREP area in conjunction with the model for the Middle Arkansas River subbasin to determine the effect of reduced pumping from CREP on the system.

**Kansas Department of Wildlife, Parks and Tourism (KDWPT)** provides fish and wildlife population monitoring. KDWPT conducts wildlife and habitat surveys through several programs including stream monitoring and assessment and shorebird surveys. KDWPT conducts statewide stream surveys to document the current range and distribution of stream species. Since 2002, KDWPT has coordinated a volunteer effort to survey shorebirds at wetlands throughout Kansas. Portions of these ongoing survey efforts as well as additional wildlife population monitoring activities can serve as in-kind contribution towards the CREP project. KDWPT monitors visitation rates at Cheyenne Bottoms Wildlife Area, to be used in evaluation of a CREP objective.

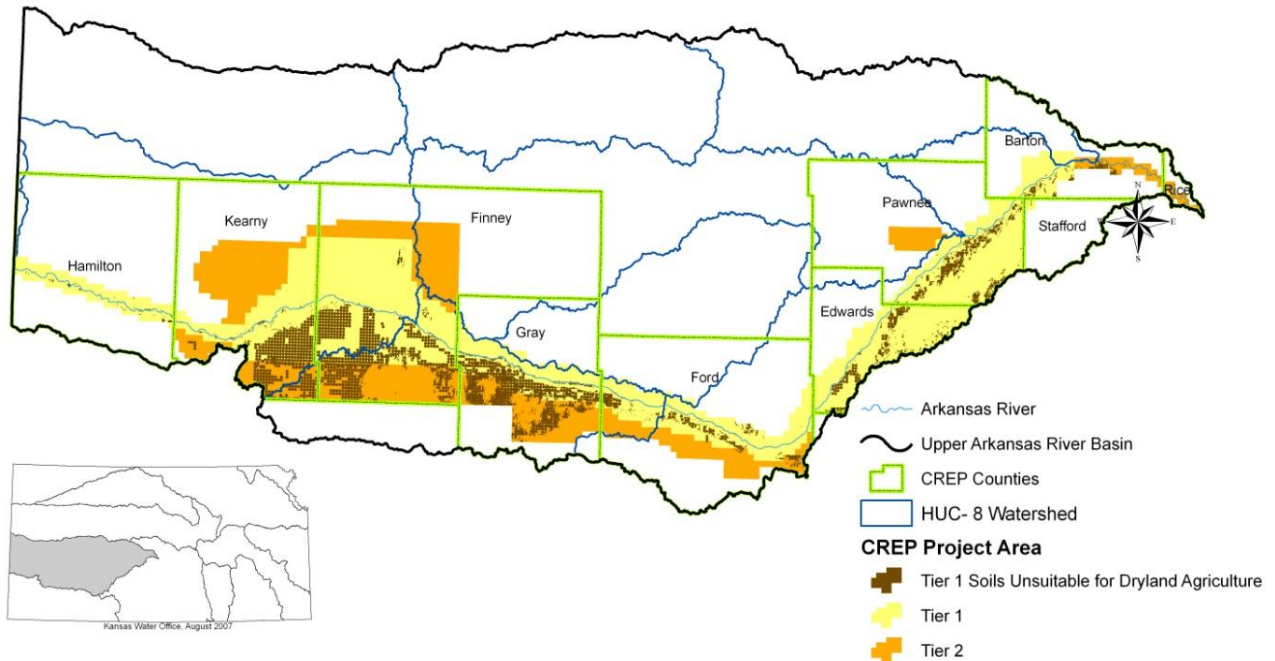
**Groundwater Management Districts (GMD3 and GMD5)** monitor water levels, collect water quality samples, recommend water management actions to the chief engineer, review and advise on water conservation projects in the Upper Arkansas River valley and promote water conservation. Both GMDs have sponsored stakeholder meetings to help explain and promote the Upper Arkansas River CREP. The GMDs have also provided technical assistance to interested parties on partitioning of water rights or fields to meet both the CREP eligibility criteria and the needs of the producer.

**Kansas State University (K-State)** has provided public outreach support to the cooperating state and local agencies involved with this CREP submission and implementation. Extension agents with expertise in programmatic areas important to the program are available to answer questions posed by users of the program. K-State Cooperative Extension has established outreach networks to transfer important information and results to clientele and end users of program information. K-State also has the capacity to analyze and interpret economic impacts as the CREP program is further implemented. These changes include both positive and negative impacts in the basin communities. Positive impacts will result from changes in the environment as less water is diverted for irrigation and remains in the stream flow and aquifer, and the useable life of the aquifer is extended. Negative impacts result from decreased economic activity as land is removed from irrigated agricultural production, whether temporary or permanent.

**Natural Resources Conservation Service (NRCS)** provides technical assistance on CREP contracts to create the conservation plan of operations and implement the approved practices. NRCS employees evaluate the offered acres with the applicant to determine the appropriate suite of practices to meet needs of the land and producer. Specifications for practice implementation are documented and provided to the participant on conservation practice worksheets. NRCS personnel then follow-up with participants by making site visits to evaluate progress, and by making recommendations to help with management decisions.

**Pheasants Forever (PF)** is a national non-profit conservation organization dedicated to the conservation of pheasant, quail, and other wildlife. PF members are a diversified group of hunters, non-hunters, farmers, ranchers, landowners, conservation enthusiasts and wildlife officials organized in local chapters who work through fundraising and project development efforts to make a difference by creating habitat, restoring wetlands and protecting prairies. They also promote cooperative endeavors through public awareness, education and land management policies and programs.

**Figure 1: Map of Upper Arkansas River CREP Eligible Project Area**



## CREP Program Implementation Summaries

### Land Conserved

As of September 30, 2013, the total amount of land which has been offered and approved for enrollment into the CREP program is 15,765 acres, as detailed in the table below (see maps of CREP counties showing location of acres enrolled in Attachment D).

Acres Approved for Enrollment: December 20, 2007 to September 30, 2013							
CREP County	Acres Approved December 20, 2007 – September 30, 2008	Acres Approved October 1, 2008 – September 30, 2009	Acres Approved October 1, 2009 – September 30, 2010	Acres Approved October 1, 2010 – September 30, 2011	Acres Approved October 1, 2011 – September 30, 2012	Acres Approved October 1, 2012 – September 30, 2013	Total Acres Approved since Program Initiation
Barton							
Edwards							
Finney	129	1,137	(- 494)*		1,338		2,110
Ford							
Gray	1,802	2,018	872	247	1,088	673	6,700
Hamilton							
Kearny	4,205	856			1,522		6,582
Pawnee	241				131		372
Rice							
Stafford							
<b>Total</b>	<b>6,377</b>	<b>4,011</b>	<b>378</b>	<b>247</b>	<b>4,079</b>	<b>673</b>	<b>15,765</b>

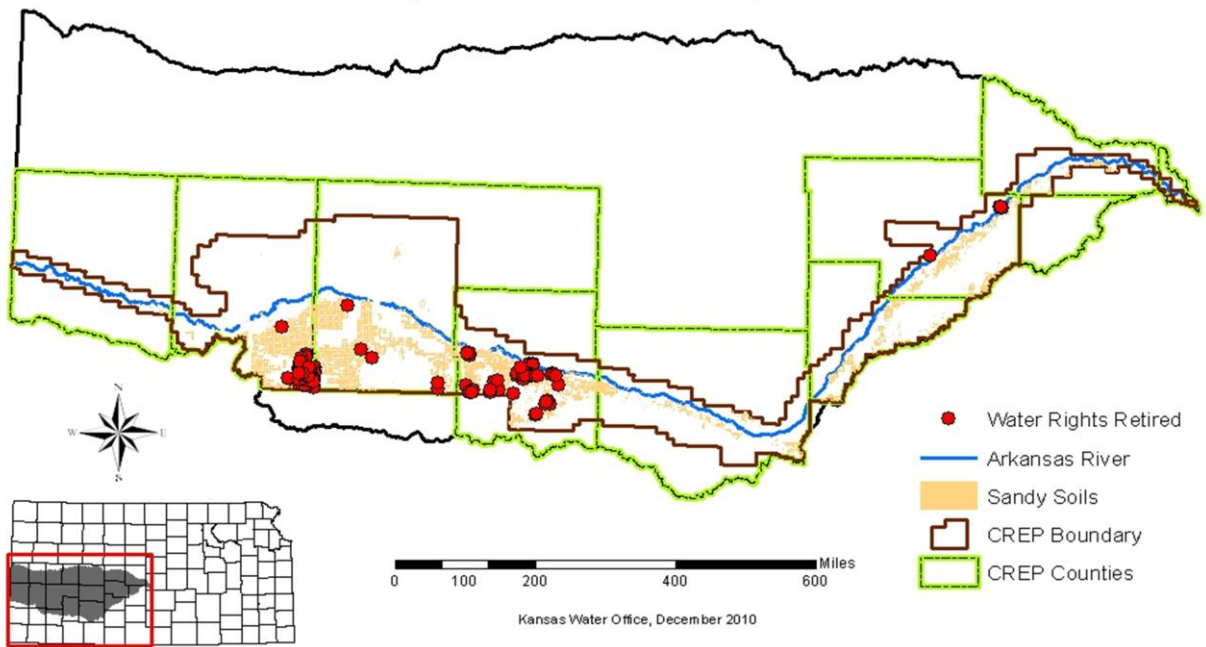
\*494 acres were withdrawn from state contracts prior to final CRP-1 approval by FSA

## Water Conserved

The total amount of water rights that have been offered and accepted for permanent retirement under state approved contracts from the beginning of enrollment on December 20, 2007 through September 30, 2013, are shown in the table below. To date, a total of 31,965 acre-feet of annual authorized water right allocation has been permanently retired from irrigation through enrollment into the Upper Arkansas River CREP.

<b>CREP Authorized Water Right Allocation Permanently Retired: 2007 - 2013</b>		
<b>CREP County</b>	<b>Authorized Quantity (Acre-Feet) of Annual Water Right Allocation Permanently Retired on State Contract Approved Acres</b>	<b>Number of Irrigation Wells Being Permanently Retired on State Contract Approved Acres</b>
Barton		
Edwards		
Finney	3816 AF	17 Wells
Ford		
Gray	13,883 AF	5 Wells
Hamilton		
Kearny	13,680 AF	51 Wells
Pawnee	586 AF	16 Wells
Rice		
Stafford		
<b>Total</b>	<b>31,965 AF</b>	<b>143 Wells</b>

**Figure 2: Map of Upper Arkansas River CREP Retired Water Rights**



## Groundwater Monitoring Activities

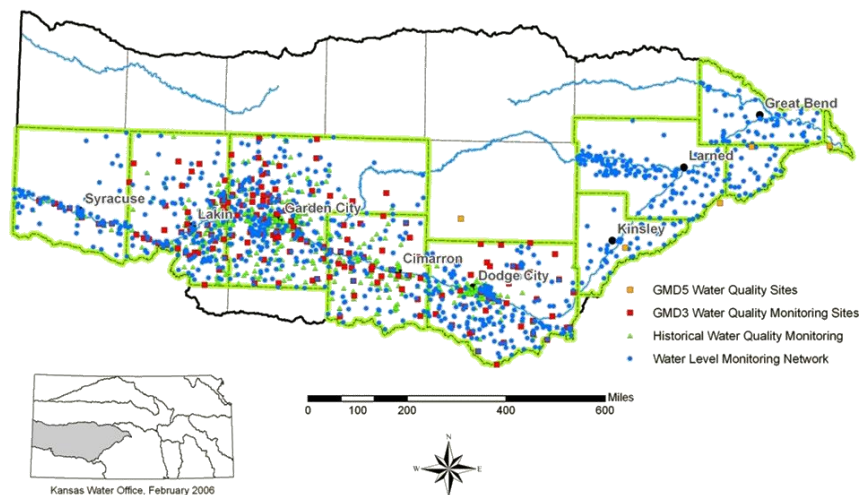
The majority of the acres enrolled in the Upper Arkansas CREP are requiring limited irrigation to get a permanent vegetative cover established on soils highly susceptible to wind erosion. The current drought will further necessitate that additional irrigation water be applied to re-start cover crops and grass stands that have been damaged, in addition to recent enrollments that are just getting started. Therefore, there will still be minimal reductions in pumping that will likely be reflected in the last measurements from the annual groundwater level monitoring program (January, 2013). Many of the additional acres approved during FY2009, FY2010, FY2011, FY2012 and FY2013 did not get contracts established until mid-year. However, ground-water level measurements and annual water use reports are being collected for the CREP project area (average groundwater levels and the locations of monitoring wells are provided in Attachment E).

Water levels have been monitored at least annually at numerous locations in the CREP counties. Figure 3 includes the locations of historical water level measurements in the area. GMD5 obtains water level measurements from 25 wells in the CREP area. Annual measurements are collected from 14 of these wells and quarterly measurements of 11 wells are planned to continue.

Water levels within the boundaries of the CREP area, particularly in the areas where contracts are approved, will be measured over time. One option is to compare monitored changes with predicted changes based on the Middle Arkansas subbasin and GMD3 computer modeled scenarios. The Kansas Geological Survey is also working cooperatively with DWR and GMD3 to enhance the monitoring network for the aquifer close to the retired CREP acres and water rights in Kearny, Finney and Gray counties. Improvements include providing additional annual monitoring wells and increasing the measurement frequency, equipping some key well sites with pressure transducers and temperature loggers, and designating some wells as index calibration wells. Since a great deal of the enrollments in Gray and Kearny counties are in very close proximity, the establishment of such an enhanced monitoring program would result in some very specific information about the effects of substantial water right retirements in these highly localized areas.

**Figure 3: Upper Arkansas River CREP Water Quality and Water Level Monitoring**

### Groundwater quality and water level well locations within the CREP counties





## Annual Irrigation Water Usage in CREP Area: 2007 - 2012

Water use reports of authorized acres actively being irrigated each year have been received and verified by DWR for the 2007 – 2012 reporting years. Reported irrigation water use and the number of actual irrigated acres within the CREP project area for 2007, 2008, 2009, 2010, 2011 and 2012 are shown below.

<b>CREP Project Area Reported Irrigated Water Use and Irrigated Acres: 2007 - 2012</b>						
<b>County</b>	<b>2007 Reported Irrigated Acres in CREP Project Area</b>	<b>2007 Irrigation Reported Water Use (AF) in CREP Project Area</b>	<b>2008 Reported Irrigated Acres in CREP Project Area</b>	<b>2008 Irrigation Reported Water Use (AF) in CREP Project Area</b>	<b>2009 Reported Irrigated Acres in CREP Project Area</b>	<b>2009 Irrigation Reported Water Use (AF) in CREP Project Area</b>
Barton	16,599	15,898	15,687	15,157	16,415	15,133
Edwards	35,741	30,375	36,128	38,681	36,313	35,896
Finney	204,649	248,916	200,856	293,357	197,894	238,180
Ford	42,898	44,833	41,822	58,260	41,213	44,889
Gray	81,547	94,995	82,232	105,570	81,916	92,088
Hamilton	10,899	13,270	12,570	19,424	12,679	15,707
Kearny	86,387	126,609	106,934	191,013	110,314	165,931
Pawnee	48,709	38,983	49,792	41,714	49,550	44,233
Rice	336	281	331	221	331	230
Stafford	628	601	628	552	628	695
<b>Total</b>	<b>528,393</b>	<b>614,761</b>	<b>546,980</b>	<b>763,950</b>	<b>547,253</b>	<b>652,982</b>

<b>CREP Project Area Reported Irrigated Water Use and Irrigated Acres: 2007 - 2012</b>						
<b>County</b>	<b>2010 Reported Irrigated Acres in CREP Project Area</b>	<b>2010 Irrigation Reported Water Use (AF) in CREP Project Area</b>	<b>2011 Reported Irrigated Acres in CREP Project Area</b>	<b>2011 Irrigation Reported Water Use (AF) in CREP Project Area</b>	<b>2012 Reported Irrigated Acres in CREP Project Area</b>	<b>2012 Irrigation Reported Water Use (AF) in CREP Project Area</b>
Barton	16,064	17,621	16,172	25,239	16,418	24,186
Edwards	36,875	38,534	36,580	48,840	35,176	43,349
Finney	196,224	271,887	193,792	34,1958	190,032	330,573
Ford	41,788	47,235	42,903	72,143	41,863	69,614
Gray	79,321	96,563	74,420	112,065	74,061	100,544
Hamilton	12,585	18,235	12,265	22,219	13,118	22,521
Kearny	103,754	168,632	103,211	174,369	85,618	146,221
Pawnee	50,130	53,645	52,243	68,733	50,070	62,075
Rice	331	369	331	611	336	353
Stafford	628	787	628	969	625	860
<b>Total</b>	<b>537,700</b>	<b>713,514</b>	<b>532,545</b>	<b>867,150</b>	<b>507,317</b>	<b>800,296</b>

## Summary of Non-Federal Program Expenditures

The total federal costs of the program to date are \$22,464,790. The state of Kansas, with its partners of other agencies, conservation districts, groundwater management districts and Pheasants Forever have provided a cost share that meets or exceeds the required 20 percent match of federal costs. The state of Kansas agreed to pay not less than 20 percent of the program costs, as required for a CREP program, through a combination of direct payments, technical assistance and in-kind contributions. No less than 10 percent of this match is in direct match. Since December 6, 2007, a total of \$7,433,864 of non-federal expenditures has been made in support of the CREP project. The Kansas state direct match now totals \$5,293,286 with \$947,947 having been paid to producers for sign-up incentives on enrolled irrigated acres.

<b>Direct Match to Federal Dollars from October 1, 2012 to September 30, 2013</b>		
<b>Organization</b>	<b>Amount</b>	<b>Activities</b>
KDA – Division of Conservation State Upfront Payments	\$37,677	State Sign-up-payments to CREP participants
State CREP Coordinator	\$44,433	Coordinate implementation of program with FSA, Conservation Districts, NRCS, and state agencies
KDA – Division of Conservation	-	Cost share on well plugging and other allowed practices
Western Water Conservation Project Funds	\$291,852*	Alternate Delivery route, ditch lining, Lake McKinney storage capacity and bypass
Pheasants Forever / Quail Forever	-	Cost share on seeding; loan of grass seeder
Kansas Water Office	-	Cost share on tamarisk control, or wetland bonus payments
<b>TOTAL DIRECT</b>	<b>\$373,962</b>	

\*No report received for FY2013 – assumed to be the same as previous year

<b>State Upfront Payments Approved by County**</b>							
<b>COUNTY</b>	<b>State Upfront Payments SFY2008</b>	<b>State Upfront Payments SFY2009</b>	<b>State Upfront Payments SFY2010</b>	<b>State Upfront Payments SFY2011</b>	<b>State Upfront Payments SFY2012</b>	<b>State Upfront Payments SFY2013</b>	<b>COUNTY TOTAL</b>
Barton							
Edwards							
Finney	\$8,022	\$33,756	\$2,677		\$78,251		\$122,706
Ford							
Gray	\$156,954	\$44,856	\$75,618	\$15,320	\$64,419	\$37,677	\$394,844
Hamilton							
Kearny	\$260,632	\$37,510	\$15,620		\$94,241		\$408,003
Pawnee	\$14,291				\$8,103		\$22,394
Rice							
Stafford							
<b>TOTAL</b>	<b>\$439,901</b>	<b>\$116,122</b>	<b>\$93,916</b>	<b>\$15,320</b>	<b>\$245,011</b>	<b>\$37,677</b>	<b>\$947,947</b>

\*\*These figures reflect the State of Kansas fiscal years from program start date on December 20, 2007 through June 30, 2013

As of September 30, 2013, a total of \$947,947 has been expended by the Division of Conservation for the State Upfront Payments (SUPs) in 93 separate state contracts to producers who have been approved and enrolled in the CREP program. Based on these 93 contracts, producers will receive an average of about \$1,507,000 annually in direct payments from FSA over the 14-15 year period of the CREP contracts. Producers may also receive other cost-share help from FSA.

<b>Services by Organizations from October 1, 2012 to September 30, 2013</b>		
<b>Organization</b>	<b>Actual</b>	<b>Activities</b>
<b>Technical Assistance</b>		
Western Water Conservation Projects Fund Management	\$48,266*	Preferred interstate, grant applications, general TA water rights, laws and issues
KDA – Div. of Water Resources	\$610	CREP database maintenance, water right reviews, divisions and retirements for applications
Kansas Geological Survey	\$61,800	Water level monitoring, database management, phreatophyte investigations, TA, water right communication, modeling, river water quality and practical saturated thickness work
Kansas Dept of Wildlife, Parks and Tourism	\$7,430	Wildlife and Fish population investigations in CREP counties
Kansas Conservation Districts	-	No activity to report
<b>State &amp; Local In-kind</b>		
KDA – Div. of Conservation	\$91	Outreach & CREP Field Inspections
Water Conservation Projects Fund	\$16,200*	Alternative delivery system, storage capacity, and efficiency improvements (ARLFSC time)
Big Bend Groundwater Management District #5	\$40,000	Water level measurements, meter compliance, water banking, CREP assistance and clerical pay
Southwest Kansas Groundwater Management District #3	\$93,646*	Water management, stakeholder assistance in CREP area, program promotion
Kansas Department of Health and Environment	\$14,348*	Ark River Coordination with Colorado, Sampling of Ark River water quality
Kansas Water Office	\$4,380	Weather modification and phreatophyte, and CREP activities
<b>TOTAL TA / In-Kind</b>	<b>\$286,771</b>	

\*No report received for FY2013 – assumed to be the same as previous year

### **Progress on CREP Objectives (12 objectives)**

1. Enroll a maximum of 28,950 acres into CREP in the project priority area (25,950 irrigated acres, 3,000 from dryland pivot corners as part of whole field enrollment), with a goal of up to 18,600 acres put into native grass.

*As of September 30, 2013, a total of 15,765 acres have been offered, accepted and enrolled into the CREP program. Of the total number of acres currently offered, only 1.8 percent (296 acres) was farmed dryland. Offers which are predominately “Tier 2 soils” comprise 11.0 percent (1,679 acres) of the total approvals to date. This objective is 54 percent complete.*

2. Reduce the application of groundwater for irrigation in the targeted area by 45,125 acre-feet, annually, with the enrollment of 25,950 irrigated acres.

*As of September 30, 2013, a total of 31,965 acre-feet of authorized water rights for irrigation have been permanently retired. This rate is averaging just over 2 acre feet per acre, a rate higher than estimated in the CREP objective, particularly because the majority of the enrollment in the project area has been in the western counties where the water appropriation allowances are the highest in the state, and some irrigated acreage is authorized on land which is not being enrolled at the irrigated rate due to FSA restrictions. This objective is 70 percent complete.*

3. Increase the frequency of meeting minimum desirable streamflows in the Arkansas River at the USGS gaging stations at Great Bend and Kinsley by 2020 from 71 percent and 52 percent, respectively, as measured in 1996-2004.

*No assessment of this objective has been made as of September 30, 2013. Measurement of the impact of enrollment of acres into the Upper Arkansas River CREP on minimum desirable streamflow will begin after water rights have been terminated and sufficient time has elapsed to have an effect on the system. Most of the acres enrolled have just recently terminated the water rights, or are still allowed temporary limited irrigation to establish vegetation on soils susceptible to wind erosion. Following is a summary of the anticipated methodology for this objective.*

*There are three components to streamflow: frequency, magnitude and duration. Each of these components will be reviewed at the Great Bend and Kinsley MDS gage. The daily flow from 1960 to 2004 will be summarized into annual data. The summarization parameters include:*

1. *The percent of time the MDS was not met (frequency of excursion).*
2. *The volume of flow less than MDS as calculated by the difference between MDS and reported flow (magnitude of excursion).*
3. *The maximum length in consecutive days that MDS was not met (duration of excursion).*

*The frequency, magnitude and duration for which MDS was not met will be compared for the pre-CREP years (1960–2006) to the post-CREP years (2007-2013). A nonparametric test, the Wilcoxon rank-sum, will be used to determine if a statistically discernible difference existed between the pre and post-CREP period.*

*The same comparison will be made using the pre and post-CREP period and the average annual Palmer Drought Severity Index (PDSI) for the region in which the MDS gage was located. This will create an index for the antecedent moisture conditions that will be a primary factor in determining each period's flow condition. One would expect that in those regions where the PDSI had become significantly greater (wetter), one should see a concomitant improvement in the magnitude, frequency or duration of the MDS condition.*

*Finally, the trend for the annual summarizations of the three components of flow will be assessed. This assessment will be used to determine whether there is a discernible trend in the annual frequency, magnitude or duration of minimum desirable stream flows through time (1960-2005).*

4. Reduce stream flow transit losses due to inefficiencies in the delivery of the water by improving the channel and canal delivery system.

*No official assessment of this objective has been made as of September 30, 2013. Improvements to the stream flow delivery system are underway. Construction is complete on the cleaning and reshaping of the canal used by the South Side Ditch Company to enhance delivery of water to its members and to more efficiently deliver water to the downstream Farmers Ditch Company during a*

*drought. It's estimated that water delivery to the Farmers Ditch Company via the refurbished canal has at least 15 percent less stream flow transit loss than delivery via the river channel.*

5. Reduce the rate of groundwater declines in the alluvial aquifer and the hydraulically connected High Plains aquifer in the CREP area by 2020 from those measured during the winter months for the pre-CREP five year period (2003 – 2007) and pre-CREP ten year period (1998 - 2007).

*No assessment of this objective has been made as of September 30, 2013. The impact of enrollment of acres into the Upper Arkansas River CREP on groundwater conditions will be made after water rights have been terminated. At the present time, limited irrigation is still provided on many of the enrolled acres to help establish vegetation, where the soils are highly susceptible to wind erosion. Following is a summary of the anticipated methodology for this objective.*

*Water levels have been monitored at least annually at numerous locations in the CREP counties. The map below includes the locations of historical water level measurements in the area. GMD5 obtains water level measurements from 25 wells in the CREP area. Annual measurements are collected from 14 of these wells and quarterly measurements of 11 wells are planned to continue. Data collected from each of these measurements will be used to assess the progress towards meeting this objective.*

*Water levels within the CREP area, particularly in the areas where contracts are approved, will be measured over time. Depending on levels of change, monitored changes could also be compared with predicted changes with computer modeled scenarios. The steering committee is cooperating to create an enhanced monitoring network for the aquifer close to the retired CREP acres and water rights. Possible improvements mentioned include providing additional annual monitoring wells and increasing the measurement frequency, equipping some key well sites with pressure transducers and temperature loggers, and designating some wells as index calibration wells.*

6. Reduce the outward migration of river salinity within the High Plains aquifer by 2020 from the currently projected extent based on 1990s groundwater conditions in the Arkansas River valley.

*As of September 30, 2013, 15,765 acres have been offered, approved and enrolled into the CREP program. Some of the offered acres are close to the stream, and most are south of the river. An assessment of this objective will be made in the future, once more acres are enrolled, and when most of the wells are permanently turned off. A number of the wells are still in use for limited irrigation to help establish permanent vegetative cover. While no formal assessment of this objective is made at this time, the state's comprehensive water quality monitoring network, as described below, will be used to determine progress in meeting this objective.*

*Instream water quality and groundwater quality have been recorded historically through monitoring programs at the state and local level. KDHE has a long-standing network of monitoring stations along the Arkansas River from Coolidge to Great Bend. These stations are the foundation for the TMDL work in the Upper Arkansas Basin. Three years (2004 – 2006) of intensive bacteria sampling have been conducted with over 12 sessions of sampling 5 times within 30 days at these stations on the Arkansas River, in accord with K.S.A. 82a-2001, et seq. KDHE has been developing additional TMDLs in the Upper Arkansas Basin in 2011 for the next round of TMDLs on the Arkansas River.*

*The existing stations will be used to assess future post-TMDL conditions, over the 15 years CREP enrollment period. It is not expected that CREP will have an impact on the overall TDS (Total Dissolved Solids) levels in the river, however improvement is expected in the reduction of the advance of TDS or sulfate into the fresh water aquifers laterally from the river.*

Annual groundwater sampling was temporarily suspended by GMD3 in 2011 - 2013 for the 183 monitoring sites in the CREP counties this report period. They were replaced by 40 additional groundwater samples collected for analysis of uranium in the CREP area by the KGS, including the regular suite of analysis. This work was done by KGS as an enhancement to a cooperative river flow sampling project funded by an EPA grant; it evaluates the deposition of uranium in Arkansas River flows. This work should broaden the water quality evaluations of CREP benefits and future management progress.

Further east, groundwater quality monitoring in the area by GMD5 has been conducted for specific projects from 12 wells. This information can provide a basis for comparison in the future.

This data will provide water quality information prior to CREP, and the continuing monitoring program will enable data analysis for documenting impacts of the program. This monitoring, along with the groundwater monitoring for other state initiatives, provides a baseline for post-CREP comparison. Stream and groundwater samples will be analyzed to determine mineral content at a frequency appropriate to determine representative water quality at least on an annual basis. At a minimum, sulfate, selenium and total dissolved solids will be quantified. Groundwater samples will be obtained for analysis and result comparison from wells with an analysis history. Wells with previous data will be monitored from both the alluvial and High Plains aquifers.

7. Reduce the bacterial, nutrient and pesticide levels in the Arkansas River in Edwards and Pawnee counties by 2020 from the 1990 – 2000 levels.

Bacterial impairments under the new state definition are in the middle reaches of the basin. Intense sampling for bacteria after 2015, concentrating on the Kinsley area, is planned. Additional data will be available through the monitoring network as described in Objective #6. However, an assessment of this objective will not be made at this time.

As of September 30, 2013, 372 acres have been enrolled into the CREP program in Pawnee County. No acres have yet been offered in Edwards County.

8. Increase aquifer recharge and wildlife habitat by enrolling 400 acres of playa lakes and soils, and other suitable locations for shallow water development.

As of September 30, 2013, no acres have been formally offered for the CP9 Shallow Water Areas practice. Approximately 8 acres of playa soils occur on acres offered into the CREP program.

9. Reduce agricultural use of highly erodible soils with a goal of enrolling 7,000 acres that are unsuitable for dryland farming.

As of September 30, 2013, approximately 12,777 acres of soils unsuitable for dryland farming have been enrolled in the CREP program. More than 100 percent of this objective has been met.

<b>Acres Enrolled as of September 30, 2012</b>	
Tier 1	1,309
Tier 1 Unsuitable Soils	12,777
Tier 2	1,679
<b>Total Acres Enrolled</b>	<b>15,765</b>

10. Reduce the amount of soil lost to erosion by approximately 80,000 tons per year on all acres enrolled in CREP.

Soil erosion in the Upper Arkansas River Basin occurs primarily due to wind erosion. Water erosion is also a factor in soil erosion in the basin, but to a lesser extent. In comparison, wind erosion can reach 4 tons/acre whereas water erosion would total 0.3 ton/acre on the same soil types with the same cropping patterns and management practices. Factors that affect wind erosion include residue cover, field width, crop rotation intensity, and tillage operations (USDA 2006).

With 15,765 acres enrolled in the CREP program as of September 30, 2013, the amount of soil lost to erosion will be reduced by about 60,368 tons per year. Approximately 75 percent of this objective has been met. In order to help establish vegetative cover, limited irrigation for up to two full calendar years will be a condition on the water right termination for offers with highly erodible soils of factor I-34 or greater. Prior to final contract approval, a conservation plan of operation will be prepared, and limited irrigation may be recommended.

<b>Soil Erosion</b>	
4 tons / acre/ year	15,765 acres
<b>Total soil erosion reduction</b>	<b>63,060 tons per year</b>

11. Protect the ecological and recreational viability of the Cheyenne Bottoms with improved Arkansas River stream flow, as measured by an increase in the average, annual bird count at the Bottoms in 2015-2023 as recorded from 1996-2004, and with increased human visitation rates in 2015-2023 as recorded from 1996-2004.

No assessment of this objective has been made as of September 30, 2013. The impact of enrollment of acres into the Upper Arkansas River CREP on the ecological and recreational viability of Cheyenne Bottoms will not be discernible until water rights have been terminated and wells turned off. Many application acres just recently had the associated water rights terminated, or have limited irrigation to establish permanent vegetative cover. Monitoring of the average annual bird count and human visitation rates will continue.

12. Reduce energy consumption from an average of 59,850 kW-hr to less than 5,000 kW-hr per pivot for the first two years on pivots enrolled in the CREP. In subsequent years, energy consumption will be reduced to zero, as the pivots eligible for limited irrigation will be removed from the enrolled parcel. Total energy savings for the term of the CREP contracts will approach 8 million kW-hr.

K-State Research and Extension staff provided a rough estimate of energy consumption for a 125 acre center pivot in counties along the Upper Arkansas River. An average energy consumption of 59,850 kW-hr per pivot per year was derived from their estimates. In the first two years of the program, offers made for acres that occur in soils unsuitable for dryland agriculture will have the opportunity to irrigate minimally to ensure establishment of grass cover. Therefore, a small amount of energy consumption will still be experienced in the first years of the program.

With 15,092 irrigated acres enrolled in CREP as of September 30, 2013, more than 7 million kW-hr of energy savings may be achieved each year. 87 percent of this objective has been met.

<b>Energy Savings</b>	
Irrigated Acres Enrolled as of September 30, 2012	15,765 acres
Approximate Number of Center Pivots Retired	122 pivots
Average Energy Consumption per Pivot	59,850 kW
<b>Total Energy Savings per Year (kW)</b>	<b>7,301,700 kW</b>

# ATTACHMENT A UPPER ARKANSAS RIVER CREP BROCHURE & POSTER



## ARK RIVER CREP PARTNERS

Working partners include: USDA Farm Service Agency, State Conservation Commission, Natural Resources Conservation Service, Southwest Kansas GMD No. 3, Big Bend GMD No. 5, Pheasant Forever, KGS, KDHE, KDA-DWR and KWO.



CREP Field, Kearny County

### FOR MORE INFORMATION CONTACT:

Steve Frost, CREP Coordinator,  
State Conservation Commission,  
(785) 296-3600, STEVE.FROST@SCC.KS.GOV

Carla Wilkoff, USDA-FSA,  
(785) 529-3534, CARLA.WILKOFF@KS.USDA.GOV

### APPLICANTS WATER RIGHT QUESTIONS:

Kansas Department of Agriculture,  
Water Resources Division (785) 296-6081  
GMD No. 3, Garden City, (620) 275-7147  
GMD No. 5, Stafford, (620) 234-5352

### FARM SERVICE AGENCIES (FSA)

Barton	(620) 792-5329
Edwards	(620) 659-3142
Finney	(620) 275-0211
Ford	(620) 227-3731
Gray	(620) 855-3515
Hamilton	(620) 384-6955
Kearny	(620) 355-7911
Pawnee	(620) 285-2821
Stafford	(620) 549-3321
Rice	(620) 257-5184



## 1-2-3 OF SIGN-UP

As you decide whether CREP enrollment fits your business plan, you'll be working with the USDA-Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS) and the State Conservation Commission (SCC).

1. First stop is your local FSA office. FSA personnel will use a CREP data base to determine whether at least half of the irrigated land offered for enrollment lies within the CREP boundaries and if minimum water use criteria have been met. They also will be able to provide eligible producers with a preliminary estimate of rental and upfront payments.
2. Any questions on water rights will be referred to the KDA-Division of Water Resources or Groundwater Management District No. 3 or 5. Producers whose land is accepted into the voluntary program are expected to permanently retire the associated water right(s).
3. The State Conservation Commission will make the state's upfront payments and practice cost share payments on approved CREP contracts.

## ELIGIBILITY CRITERIA

Federal and state eligibility criteria must be met to enroll your land in CREP. This partial list of the criteria will help to screen your eligibility in advance. Your local FSA office has a data base to screen your application on these criteria.

1. At least one-half acre foot of water per acre was applied four out of six years (1996-2001).
2. At least 50 percent of the maximum annual quantity authorized to be diverted under the water right has been used in any three years from 2001 through 2005.
3. Half or more of the offered land must be located within the CREP boundary.

## BENEFITS TO FARMERS

- Federal annual irrigated rental and maintenance payments for 14 to 15 years.
- Rental payment on dryland cropland (i.e., center pivot corners) that's part of a whole field enrollment. State upfront payment of up to \$62 per irrigated acre.
- 50 percent cost share on seeding.
- Pheasants Forever offers to provide up to \$500 per producer to offset farmers' seeding costs.
- Well plugging cost share of \$1,000/well.
- Bonus payment of \$350/acre for shallow water area development in Kearney or Finney Counties.
- Land can be leased for hunting.



## WATER AND SOIL CONSERVATION IN THE UPPER ARKANSAS RIVER CORRIDOR

The Conservation Reserve Enhancement Program affords potential benefits for both farmers and land and water resources in 10 counties along the upper Arkansas River. Landowners who enroll in CREP will receive up to 15 years of rental payments, a state sign-up bonus, and state, federal and private cost-share dollars to put irrigated acres into a conservation planting. The water rights associated with the enrolled land will be permanently retired. Enrollment is on a first-come, first-served basis. Program enrollment is only assured through June, 2011 at this time.

### What is CREP?

CREP is a targeted, enhanced Conservation Reserve Program (CRP), a federal program administered by the USDA's Farm Service Agency (FSA). CRP was designed to prevent soil erosion, but also has provided water quality and wildlife habitat benefits. CREP allows the focus to be on a state resource concern; in this case, water conservation.

### What are the water and soil benefits?

Reducing irrigation demands on the stream-aquifer system will slow aquifer declines. It will also reduce the spread of saline river water into the aquifer and help restore stream and riparian health. Most acres enrolled have highly erodible, sandy soils.

Multi-year transition with limited irrigation allows establishment of cover vegetation. This program provides cash payments for land transition, while irrigation is still possible. Continued, irrigation is permitted to establish a suitable land cover.

Among the approved practices eligible for cost share money are native grass seeding, wildlife habitat establishment, shallow water area construction, wetland restoration and filter strip and riparian buffer installation.

### Are there targeted areas?

The program places priority on acreage where the retirement of the land and attendant water rights would have the greatest water conservation benefit and protect highly erodible soils.



Arkansas River during high flow in 1995 at Dodge City. It appears now at Dodge City.

### Are there wildlife benefits?

The conservation practices to be implemented open a host of opportunities for wildlife and landowner revenue related to hunting, bird watching and other forms of eco-tourism.

## NEW IN 2011

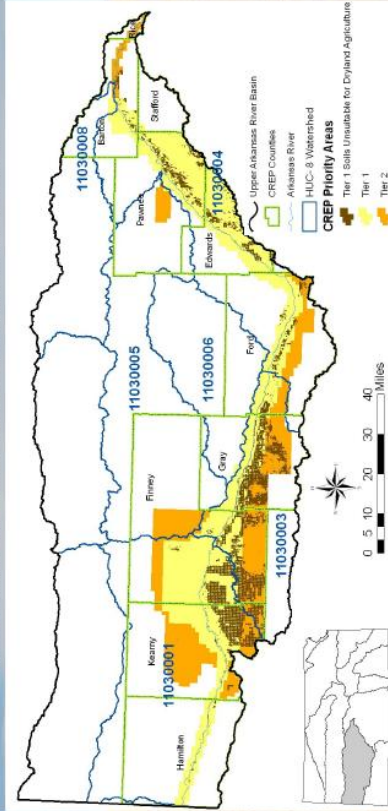
### INCREASED FEDERAL RENTAL PAYMENTS!

\$115 TO \$140 PER ACRE UP TO 15 YEARS

### EXPANDED CREP ENROLLMENT CAP!

#### Upper Arkansas River CREP

(Rental rates for irrigated land are keyed to the Hydrologic Unit (HUC-8 Watershed))



Irrigated Rental Rate per Acre by HUC-8 Watershed*	
HUC-8 Watershed	11030001 11030003 11030004 11030005 11030006 11030008
Center Pivot and Subsurface Drip	\$120 \$125 \$140 \$130 \$130 \$135
Flood	\$115 \$120 \$130 \$120 \$120 \$125

# Upper Arkansas River CREP

## CONSERVATION RESERVE ENHANCEMENT PROGRAM:

*Water and soil conservation in the  
Upper Arkansas River corridor.*

**NEW 2010 ENHANCEMENTS**  
**INCREASED FEDERAL RENTAL PAYMENTS!**  
**\$115 TO \$140 PER ACRE OVER 14 TO 15 YEARS.**  
**EXPANDED CREP ENROLLMENT CAP!**

## BENEFITS TO FARMERS

- UPFRONT PAYMENT OF UP TO \$62 PER IRRIGATED ACRE
- 50 % COST SHARE ON SEEDING
- UP TO \$500 TO OFFSET SEEDING COSTS
- WELL PLUGGING COST SHARE UP TO \$1,000
- RENEWED LANDOWNER REVENUE FROM HUNTING, BIRD WATCHING & ECO- TOURISM
- ASSURED INCOME WITH ANNUAL CASH PAYMENTS

## BENEFITS TO THE REGION

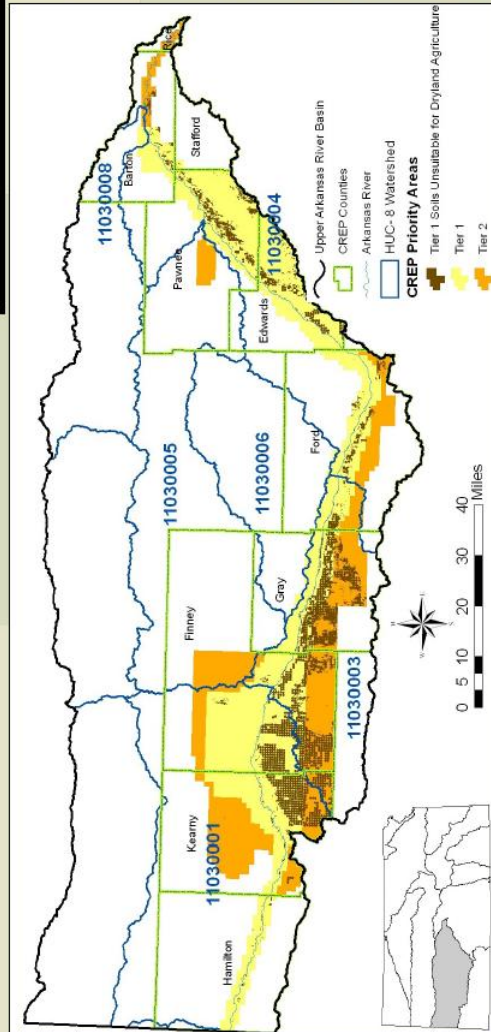
- SLOW AQUIFER DECLINES
- PROTECT LAND FROM SOIL EROSION WITH IRRIGATED TRANSITION
- REDUCE THE SPREAD OF SALINE WATER
- RESTORE STREAM & RIPARIAN HEALTH



Blown sand in center pivot field, Edwards County

**SIGN-UP AT YOUR LOCAL  
USDA-FARM SERVICE  
AGENCY OFFICE TODAY!**

**FOR MORE INFORMATION CONTACT:**  
 Steve Frost, CREP Coordinator,  
 State Conservation Commission,  
 (785) 296-3600, STEVE.FROST@SCC.KS.GOV



Arkansas River during high flow in 1995 at Dodge City.



SW Kearny Co. sand dunes.



Stable grass stand in CREP field, Kearny Co.



Arkansas River dry riverbed as it appears now at Dodge City.

**Attachment B**  
**Upper Arkansas River Conservation Reserve Enhancement Program Outreach**

**December 2007 - December 2008 Outreach for the Conservation Reserve Enhancement Program Events** (Brochure distribution and conversation)

- Stakeholder Meeting – Garden City, GMD3, December, 2007
- Conservation District Meetings in the 10 counties in CREP area – Jan. 11 - Feb. 28, 2008
- GMD5 Meeting – Stafford, February 7, 2008
- No-till on the Plains – Salina, January 2008
- 3i Show – Great Bend, May 2008
- Upper Arkansas Basin Advisory Committee public meeting – Jetmore, May 21, 2008
- Upper Arkansas Basin Advisory Committee public meeting – Garden City, July 16, 2008
- KSU Agronomy Day – August 2008
- Kansas Agribusiness Expo – November 2008
- CREP Producer Outreach Information Meeting – Larned, December 12, 2008; Garden City, December 17, 2008; Dodge City, December 18, 2008

**December 2008 - December 2009 Outreach for the Conservation Reserve Enhancement Program**

- Garden City Farm Show – January 2009
- NRCS All Personnel Meeting – Hays, February 11, 2009
- NRCS All Personnel Meeting – Scott City, February 12, 2009
- Collaborative Technical Issues Meeting – Garden City (FSA, NRCS, SCC, KWO, GMDs), February 26, 2009
- Middle Ark WRAPS Meeting – Dodge City (KSU, GMD3), March 3, 2009
- Middle Ark WRAPS Meeting – Larned (KSU, GMD5), March 5, 2009
- Upper Ark WRAPS Meeting – Garden City (KSU, GMD3), March 10, 2009
- Water and the Future of Kansas Conference – Topeka (SCC, KWO Presentation), March 12, 2009
- 3i Show – Great Bend, May 2009
- Kansas legislative Field Tour – Lakin (SCC, KWO Presentation), June 4, 2009
- Stakeholder Meeting – Garden City, GMD3, October, 2009
- Public Information / Education Meeting – St. John (w/ GMD5) October 29, 2009

**December 2009 - December 2010 Outreach for the Conservation Reserve Enhancement Program**

- 3i Show - Garden City May 2010
- GMD3 CREP promotion - Ongoing

**December 2010 – September 2011 Outreach for the Conservation Reserve Enhancement Program**

- FSA National Press Release – August 23, 2011
- KDA & KWO Kansas Press Release – August 23, 2011
- 3i Show - Great Bend May 2011
- GMD3 CREP promotion - Ongoing

- Second technical meeting preparing for 2011 MOA updates - Dodge City, July 7, 2011 at USDA Service Center (DOC, NRCS, FSA, DWR, GMD3, and GMD5 participating)
- September, 2011 - DOC sent a directed mailing to 1235 landowners who appeared to have eligible water rights in the project area

### **October 2011 – September 2012 Outreach for the Conservation Reserve Enhancement Program**

- 3i Show - Great Bend May 2012
- May 22, 2012 – NRCS CREP Drought Impacts Field Tour in Kearny County
- August 2012 – KDA field chemical sampling project in Gray, Finney and Kearny counties
- November 13, 2012 – NRCS CREP Drought Impacts Landowner Meeting in Garden City
- GMD3 CREP promotion - Ongoing

### **October 2012 – September 2013 Outreach for the Conservation Reserve Enhancement Program**

- November 11, 2012 - CREP Producer Meeting in Garden City
- February 6, 2013 - Presentation to Kansas Water Congress annual meeting in Topeka
- August 1, 2013 - Presentation to Kansas Water Congress summer meeting in Garden City

### **Brochures/Posters**

- Updated CREP promotional poster to be distributed in December at CREP informational meetings in December to FSA offices and Conservation Districts
- Updated CREP promotional brochure for distribution by State Conservation Commission at stakeholder meetings in August.
- Updated CREP promotional brochure used at K-State Agronomy Day.
- Updated CREP promotional brochure used at Kansas Agribusiness Expo.

### **Articles**

- **Establishment of Upper Arkansas River CREP**, (December, 2007, Governor Sebelius and KWO press release)
- [\*\*Upper Arkansas River CREP Attracts More Than 12,000 Acres in Seven Days\*\*](#) (January 2008 KWO HydroGram)
- [\*\*CREP Conservation Practices Include Aquifer Recharge\*\*](#) (January 2008 KWO HydroGram)
- [\*\*Conservation Reserve Enhancement Program Benefits Water Resources & Farmers\*\*](#) (September 2008 KWO HydroGram)
- **Response to Hutchinson Daily News editorial by SCC executive director on behalf of KDA, KDWP, and the KWO** (November 2008)
- [\*\*Congressional funding measure keeps CRP rolls open\*\*](#) (January 2008 HPJ news release)
- Pratt newspaper article on KDWP conducting a wildlife impact survey starting last spring per an article, as part of the CREP effort.

### **Internet**

- **Access to various resources and reports on the Upper Arkansas CREP program are continuously updated and made available on the DOC's website at**

<http://www.ksda.gov/doc/>

**ATTACHMENT C**  
**PROCESS FOR IMPLEMENTING UPPER ARKANSAS RIVER CREP IN KANSAS**

**FSA Kansas Exhibit 44 (Par. 171, 401)**

2-CRP (Rev. 5), KS Amend. 6

August 23, 2011

STEP	ACTION	RESULT
<p>1. Initial Application with FSA</p>	<p>a. Producer visits local FSA office and provides a recent water use report with water user permit number for offered acreage. FSA enters water right number in CREP database to determine general eligibility.</p> <p>b. If a water right is ineligible and no registry number is assigned, print a screen capture and send an electronic copy to State CREP coordinator. If ineligible and a registry number is assigned, save the file and notify State CREP coordinator.</p> <p>c. If producer's water right meets basic eligibility as determined by CREP database, producer identifies physical location of acres and CREP practice (identify on an aerial photo). FSA uses CRP-GIS tool, and determine total # acres within CREP boundary and within HUCs. FSA estimates federal payment rate through CREP calculator. FSA reviews with producer total incentive package on another tab (includes state upfront payments, cost share, SIPs, PIPs if apply, etc.)</p> <p>NOTE: FSA follows normal continuous enrollment processing found in 2-CRP, Part 7, Section 3.</p> <p>Producer initiates process by signing CRP-2C and CRP-1.  NOTE: Applicant signs CRP-2C and CRP-1 based on application acres. The forms will be finalized based on actual contracted acres after water right review.</p> <p>d. FSA informs producer of process and works in conjunction with NRCS to determine appropriate practice. Producer is provided a packet with the process and practices. Producer is provided a sheet listing guidelines for cover crop establishment on sandy sites associated with CREP acres. If producer has questions on a water right issue, he/she is directed to a) DWR or GMD on water right termination issues; b) KDA-DOC for state upfront payments and Shareholder Agreement; and c) KWO for wetland bonus payment. NOTE: No water right is terminated without an approved, signed CREP contract.</p>	<p>a. FSA enters water right number into database and a register number is automatically assigned. This state developed database indicates eligibility based on water right information and location.</p> <p>b. If ineligible on CREP database, process stops here. Producer can contact DWR or GMD to review water use history.</p> <p>c. Save an electronic copy of estimated total CREP payments and send to CREP coordinator.</p> <p>d. State forms are updated with producer information from CREP Calculator tab. FSA prints out a copy for producer, but send to State staff for additional information.</p> <p>Producer is to sign, get additional signatures if needed, make a copy for personal record, and mail all state forms to State CREP Coordinator.</p>

STEP	ACTION	RESULT
2. FSA	<p>a. Determination of basic Federal CREP Eligibility (FSA County Office) Example: ownership, person, land, practice, cropping history, CRP acreage cap. Ensure all eligibility requirements as provided in subparagraph 181 in 2-CRP Procedures Manual are met.</p> <p>b. If eligible, FSA recommends conservation practices for application acres, and FSA provides NRCS a copy of CRP-2C. Copy State CREP Coordinator and producer on CRP-2C and map with recommended practices.</p> <p>c. If ineligible based on Federal criteria, FSA notifies producer and copies State CREP coordinator. Explain appeals process to applicant.</p>	<p>a. FSA enters supplemental information related to practices and acres offered into CREP database.</p> <p>b. If eligible, process moves forward with NRCS and State CREP coordinator.</p> <p>c. If ineligible on federal criteria, producer can review with FSA.</p>
3. DOC	<p>a. State CREP Coordinator receives CRP-2C and map from FSA, and reviews for state eligibility, including county cap of 25% of total CREP acres. If not eligible, inform producer of finding and explain review process. State CREP coordinator determines predominant tier of irrigated acres in application, in consultation with FSA office.</p> <p>b. Review water right termination form for manageable unit and eligibility. 1) Identify if water right needs to be divided or if application acres have overlapping water rights. If yes, go to Step 3B. 2) Identify if application acres have both a groundwater right and ditch water irrigation. If yes, go to Step 3C. 3) Identify if application acres unsuitable for dryland farming; if yes, notify owner he/she has option of requesting limited irrigation condition on water right termination to establish vegetative cover.</p> <p>c. After steps 3B &amp; 3C are complete, if needed, and application meets state eligibility, sign water right termination form and forward it to DWR and copy FSA County Office with current status of application and file completion.</p> <p>d. Enter necessary information on application for SUP.</p> <p>e. Check GIS coverage for Tamarisk on application acres; note it on a file with applicant's name and HUC 8.</p> <p>f. Forward to KWO contract sheet for wetland bonus on CP-9, if applicable, with update on application status.</p> <p>g. Notify producer if application meets state eligibility and if all forms are in order. Provide information on State cost share for well plugging and tamarisk control and see if interested in participation.</p>	<p>a. If applicant doesn't meet state eligibility, explain applicant can meet with DOC to review application.</p> <p>Predominant tier will determine SUP rate.</p> <p>b. If needed, CREP coordinator notifies producer to meet with DWR on water right changes, or to get signatures on shareholder agreement and return to DOC (see 3B and 3C). Copy DWR on the referral.</p> <p>Owner may consider limited irrigation option if soils predominantly unsuitable for dryland farming, and discuss it with FSA as part of CPO, and request it from DWR, if desired.</p> <p>c. Inform FSA office and producer on preliminary status of state eligibility and file completion.</p> <p>d. SUP is to be shared with participants in same arrangement as on CRP contract.</p> <p>e. Notify KWO Tamarisk control Program Manager</p> <p>f. Wetland bonus is to be shared with participants in same arrangement as on CRP contract.</p>

STEP	ACTION	RESULT
3B. DWR and DOC	<p>If needed:</p> <ul style="list-style-type: none"> <li>a. Applicant meets with DWR or GMD to request necessary changes on water right. DWR or GMD flag change forms as a CREP Application.</li> <li>b. DWR completes process to adjust water right or place of use, so that a water right can be retired on CREP application acres.</li> <li>c. State CREP coordinator re-evaluates application based on split water right or adjusted application acres to confirm eligibility and maximum acres.</li> </ul>	<ul style="list-style-type: none"> <li>a. Water right may need to be legally split or eligible place of use adjusted, so that a manageable unit is available for CREP enrollment.</li> <li>b. DWR copies CREP coordinator on changed water right information.</li> <li>c. DOC notifies producer and FSA County Office of re-evaluated application, maximum acres and file completeness.</li> </ul>
3C. DOC	<p>If needed:</p> <ul style="list-style-type: none"> <li>a. CREP Coordinator receives a signed copy of CREP Shareholder Agreement (KCREP_SA_03). Application acres with both a ditch surface irrigation and a groundwater right, must file this form to not deliver ditch company surface water on specific tract(s) while enrolled in a CREP contract.</li> <li>b. When CREP Coordinator receives a fully signed form, update CREP database, and notify FSA County office and DWR.</li> </ul>	<ul style="list-style-type: none"> <li>a. Applicant gets Irrigation Association or Ditch Company's signature, and returns signed shareholder agreement to CREP Coordinator.</li> <li>b. Enrolled acres cannot be irrigated by surface water during the life of the CREP contract. The associated groundwater right must be terminated.</li> </ul>
4. DWR	<p>Receives owner and DOC signed water right termination form.</p> <p><b>NOTE: The termination of the water right is conditional upon final approval of CREP contract.</b> The CRP-1 is not approved by the COC at this point.</p>	<ul style="list-style-type: none"> <li>a. Water right termination form will be held by DWR, and cannot be processed without a copy of producer and FSA signed CRP-1 contract.</li> </ul>
5. NRCS	<p><u>If needed:</u></p> <p>NRCS makes a site visit to determine suitability of practice, needs and feasibility.</p>	<p>NRCS notify FSA County Office of practice suitability. Use CRP-2C form.</p>
6. FSA and NRCS	<ul style="list-style-type: none"> <li>a. When DOC indicates application file is complete, FSA makes an appointment with applicant to finalize application at county office.</li> <li>b. FSA completes CRP-2C and CRP-1 for irrigated &amp; dryland acres.</li> <li>c. NRCS develops CPO, and fills out CPA-52, CED completes &amp; signs CPA-52. Identify if soil and climate conditions make this site at risk for wind erosion during seeding and special cover crop considerations should be included.</li> </ul>	<ul style="list-style-type: none"> <li>a. Finalize application and adjust final contracted acreage at the county office. Enter the effective date and actual contracted acreage and practice totals to the CREP database.</li> </ul>

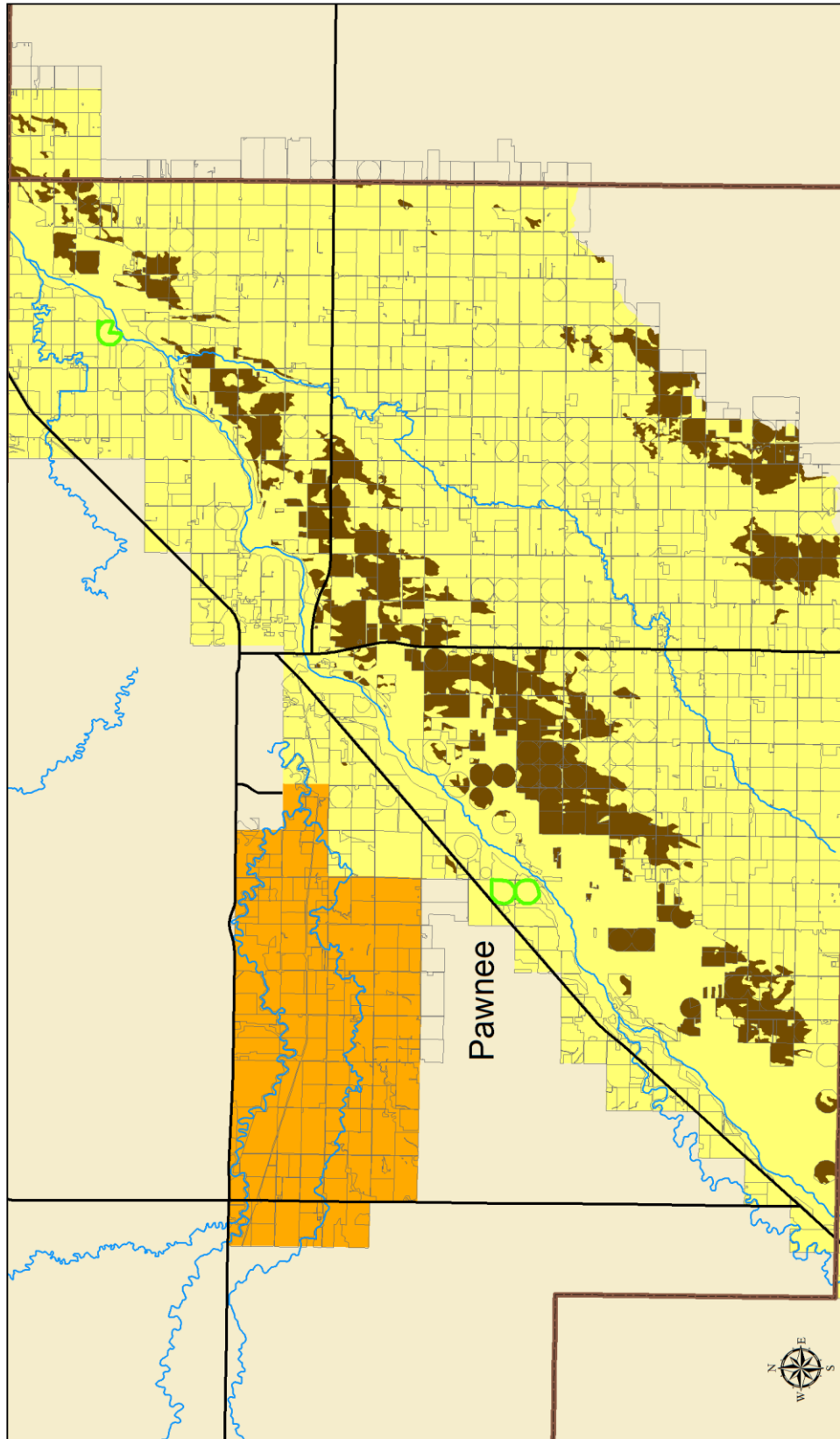
STEP	ACTION	RESULT
7. FSA with producer	<ul style="list-style-type: none"> <li>a. County FSA meets with producer to complete application materials.</li> <li>b. Producer signs CPO.</li> <li>c. Notify CREP Coordinator Producer has signed CRP-1 and CPO</li> </ul>	
8. FSA, DWR, and DOC	<ul style="list-style-type: none"> <li>a. FSA County office confirms by faxed receipt and verification of CREP database, that water termination agreement has been signed by producer and evaluated by DWR.</li> <li>b. COC approves CRP-1 and CPO.</li> <li>c. FSA sends a copy of CRP-1 and map to DWR Appropriations Manager and to State CREP Coordinator, and notifies NRCS.</li> </ul> <p><b>Important:</b> County office must redact (strike) the participants' taxpayer id number(s) prior to providing a copy of the CRP-1 to DWR or DOC.</p>	<ul style="list-style-type: none"> <li>a. FSA notifies producer. DWR updates CREP database.</li> <li>b. FSA County office updates CREP database with COC approval date.</li> </ul>
9. DWR, DOC, and FSA	<ul style="list-style-type: none"> <li>a. DWR receives the copy of signed CRP-1 and issues the water right termination order by the Chief Engineer. DWR sends order to owner, with a reminder owner is responsible for filing a copy with County Registrar of Deeds. DWR provides a copy to State CREP coordinator.</li> <li>b. DOC notifies FSA county office of agreement completion, and updates CREP database.</li> </ul>	<ul style="list-style-type: none"> <li>a. As applicable, FSA approves and pays SIP.</li> <li>b. As applicable, State CREP Coordinator approves and pays SUP to participants as share on CRP contract.</li> </ul>
10. NRCS or producer, FSA, DOC, and KWO	<ul style="list-style-type: none"> <li>a. NRCS conducts an on-site review of practice installation and submits to FSA certified AD-862 certifying installation, or producer submitted certification of practice (Form AD-245).</li> <li>b. FSA sends a copy of AD-862 or AD-245 to Pheasants Forever/Quail Forever, and CREP coordinator.</li> <li>c. CREP coordinator notifies KWO of CP-9 practice installation, where eligible for wetland bonus payment, and updates CREP database.</li> </ul>	<ul style="list-style-type: none"> <li>a. As applicable, FSA issues PIPs, Hydrology, and cost share payments.</li> <li>b. PF/QF pays up to \$500 / producer for seeding cost share.</li> <li>c. KWO pays wetland bonus on CP-9, to participants as share on CRP contract.</li> </ul>



# ATTACHMENT D

## MAPS OF ACRES OFFERED FOR ENROLLMENT IN THE UPPER ARKANSAS RIVER CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP) BY COUNTY AS OF September 30, 2012

**Upper Arkansas River Conservation Reserve Enhancement Program (CREP)**  
Acres Enrolled in CREP Program as of September 30, 2013



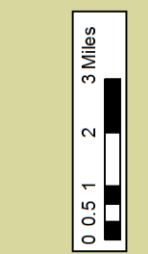
2013  
Kansas Department of Agriculture

**CREP Project Areas**

- Tier 1
- Tier 1 Soils Unsuitable for Dryland Agriculture
- Tier 2

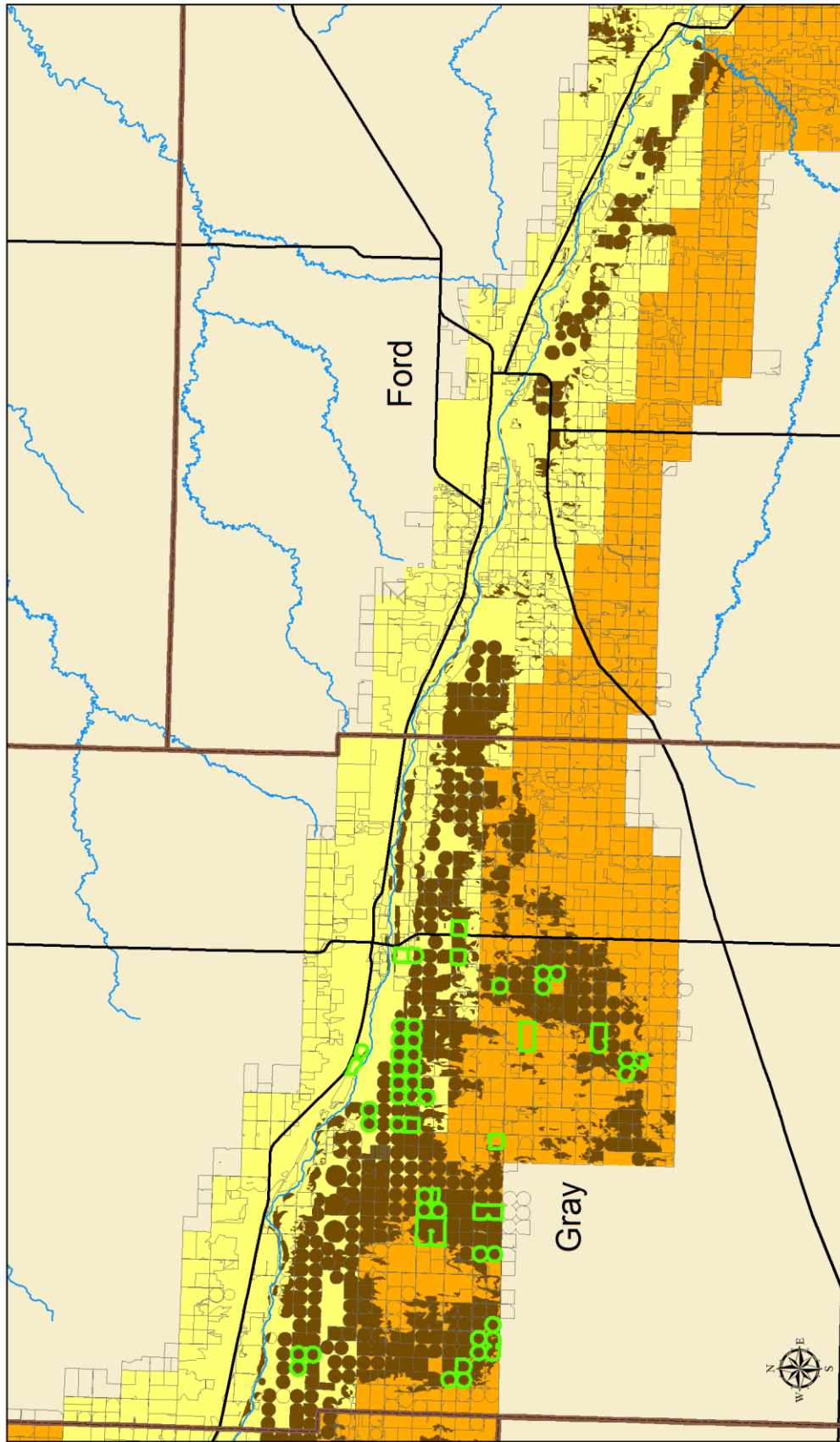
**CREP Enrollment 2013**

- County
- CREP Enrollment 2013



# Upper Arkansas River Conservation Reserve Enhancement Program (CREP)

Acres Enrolled in CREP Program as of September 30, 2013



**2013**  
Kansas Department of Agriculture

**CREP Project Areas**

- Tier 1
- Tier 1 Soils Unsuitable for Dryland Agriculture
- Tier 2

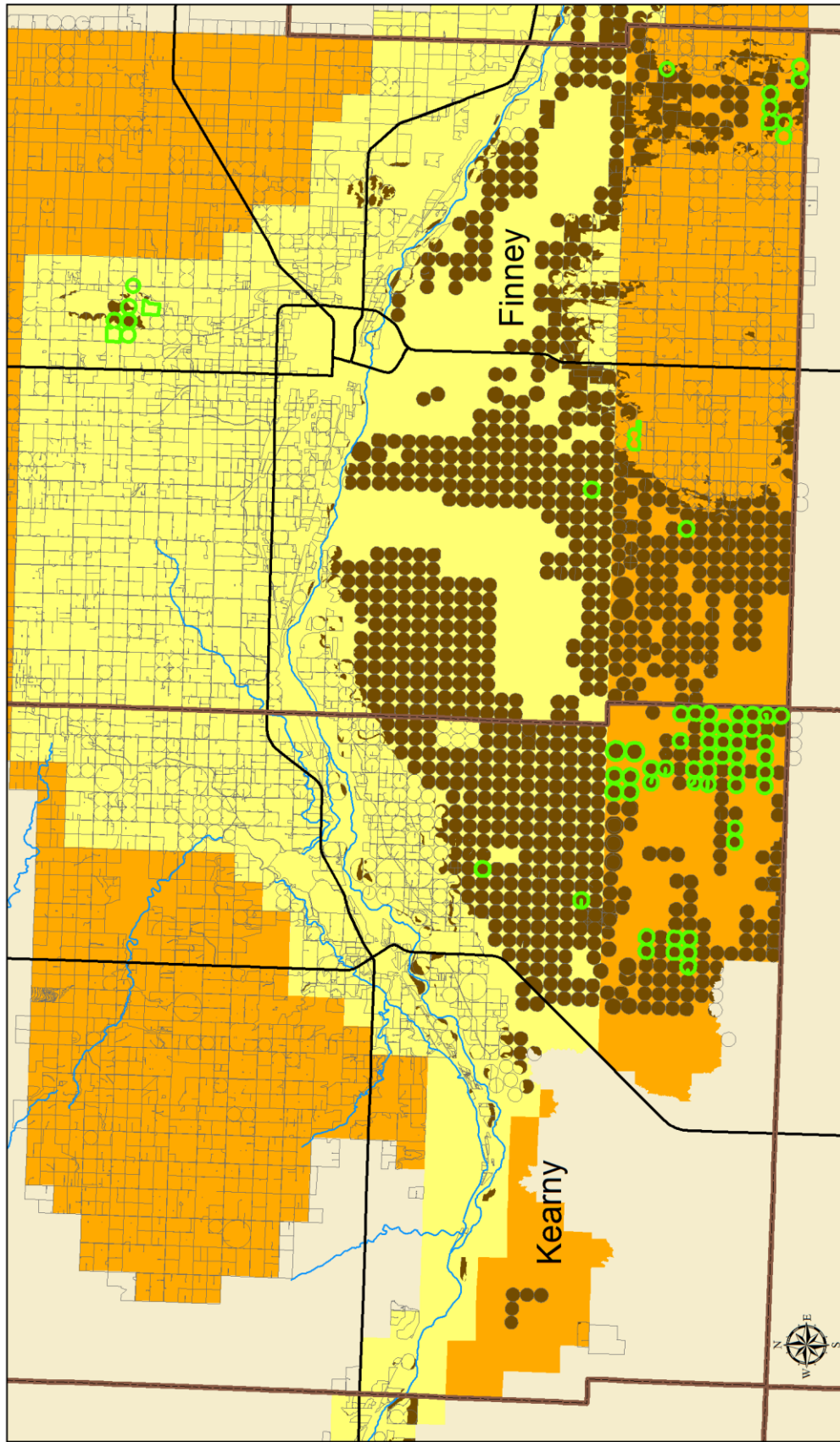
**CREP Enrollment 2013**

- County
- CREP Enrollment 2013

0 1 2 4 6 Miles

# Upper Arkansas River Conservation Reserve Enhancement Program (CREP)

Acres Enrolled in CREP Program as of September 30, 2013



0 1 2 4 6 Miles

**2013**

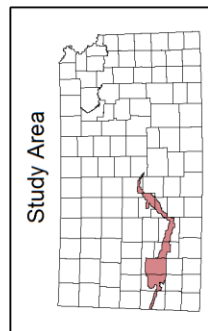
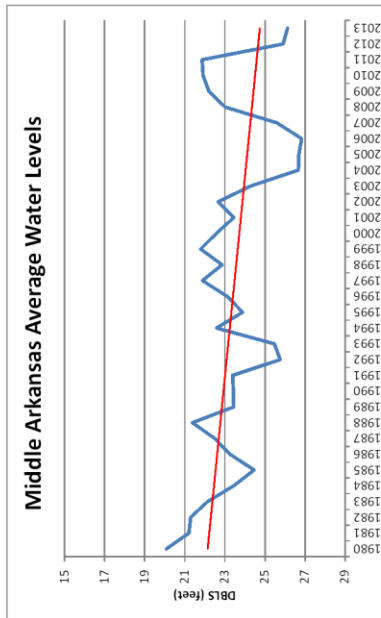
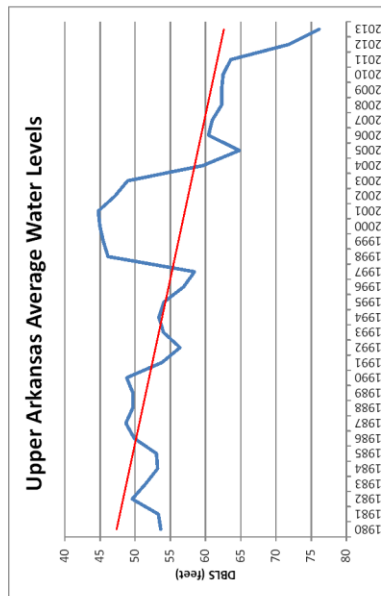
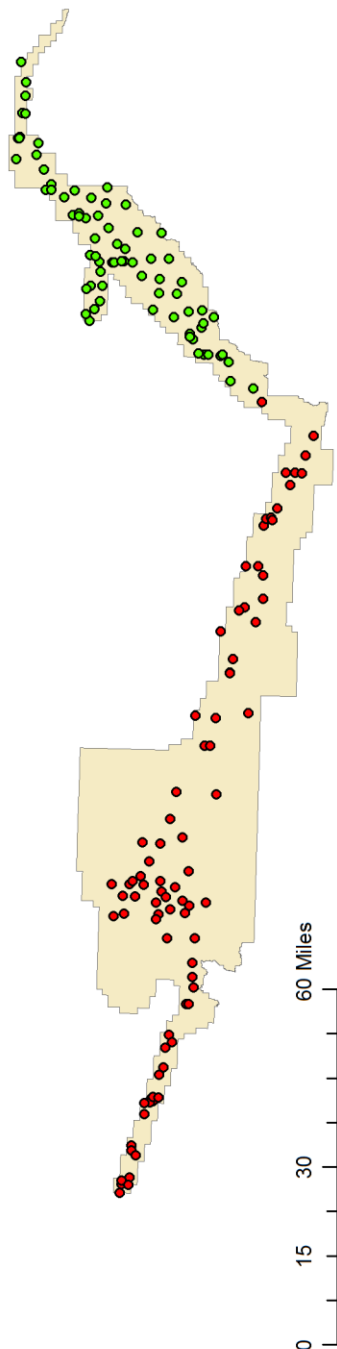
Kansas Department of Agriculture

**CREP Project Areas**

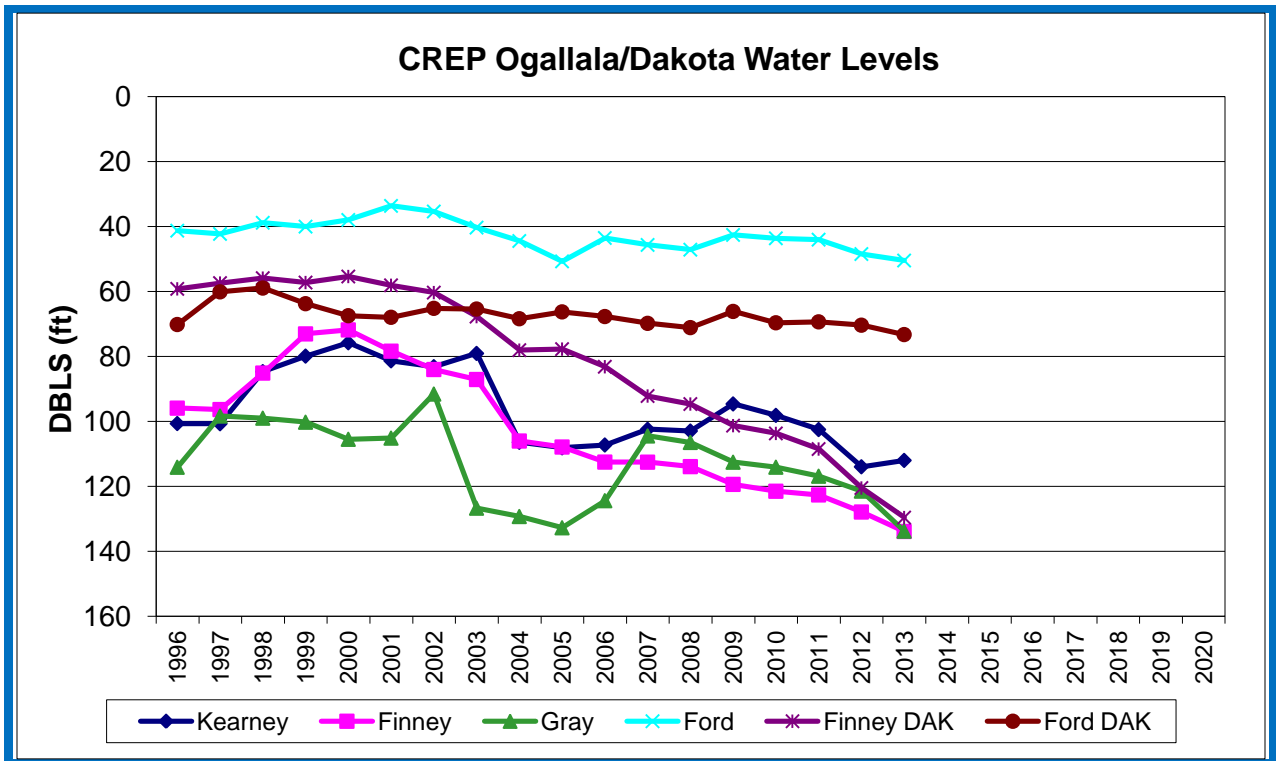
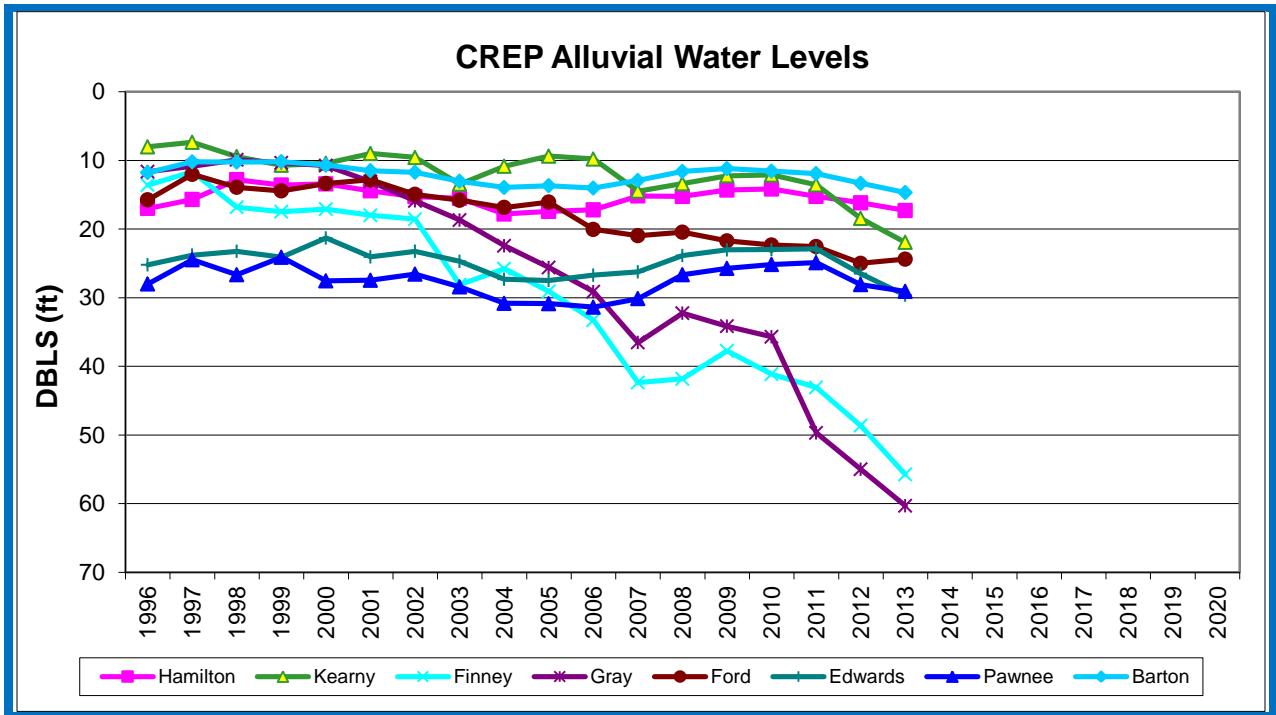
- Tier 1
- Tier 2
- Tier 1 Soils Unsuitable for Dryland Agriculture
- CREP Enrollment 2013
- County

# Attachment E Monitoring Wells and Average Groundwater Levels

## Monitoring Wells and Average Groundwater Levels Upper and Middle Arkansas CREP Area 1980-2013



Kansas Department of Agriculture  
Division of Water Resources  
Basin Management Team  
December 11, 2013



**Attachment F  
Steering Committee Minutes**

**CREP Steering Committee Meeting  
Friday, September 20, 2013  
10:00 AM  
DOC Conference Room**

**Attendees:**

Steve Frost (DOC); Rod Winkler and Carla Wikoff (FSA); Susan Stover & Diane Coe (KWO); Tara Lanzrath (DWR); Trevor Flynn (KDHE). **Joining by phone:** Mark Janzen and Chad Volkman (NRCS); Don Whitemore (KGS); Mark Rude (GMD#3); Steven Riley (PF).

**Proceedings:**

Steve started the meeting with introductions and updating enrollment numbers for the CREP program.

- \* 15,765 acres have been offered for enrollments (processed and pending)
- \* 88 state contracts approved (5 pending)
- \* 15,469 irrigated acres proposed / approved to be permanently retired
- \* 108 water rights on 143 wells and 31,965 AF of authorized quantity will be permanently retired
- \* 99% are in the CP2 practice code for native grasses
- \* 85% of enrolled acres are located on "Tier 1" or "Tier 1 Unsuitable" soils
- \* \$947,947 has been contracted by the state for up front incentive payments
- \* \$22 Million (approx.) will be paid out by FSA over the next 14-15 years
- \* 2,470 qualifying water rights still potentially eligible for enrollment in the project area

Enrollment has had several peaks and valleys since the project start date on December 20, 2007. Another small peak occurred in October 2011 after irrigated rental rates had been raised by FSA. Sometimes acres are enrolled and approved under a state contract, then withdrawn prior to final CRP-1 approval by FSA due to owner / tenant disagreements, limiting CRP rules, etc. Since then, enrollment has been slow again in 2012 – 2013 with the latest offers coming from Gray County. Very high land values and lofty commodity prices are still making it difficult for the nominal irrigated rental rates in CREP to compete for landowner interests. It is also very probable that the severe drought has a great deal of impact on any landowner interests to retire any water rights under such severe conditions.

DOC currently has a FY2014 budget allocation of \$499,578 for CREP which must be shared with WTAP.

Steve also reported on the CREP FSA rule issue of "legally and physically capable of being irrigated in a normal manner at the time of enrollment". Producers have been offering water rights for enrollment which meet the existing water use criteria based on the 2001 – 2005 years of record. However, the actual pumping capabilities of some of the wells in the project area have severely declined within the last 8 years due to the stress of the drought and increased acres being irrigated on high value / high water using crops. This issue has been discussed several times, and most recently between FSA and DOC on the current Gray County offers. The FSA County Executive Director in Gray County has expressed serious concerns (as have others) about the low yielding wells and the landowners' ability to irrigate the cover crops and grass stands with the current lack of precipitation being experienced there. The latest KGS information indicates water levels in some parts of the project area have declined over 20 feet in just the last five years.

Steve suggested the possibility of temporarily suspending the acceptance of any additional offers until some of these issues could be resolved, especially since all CRP enrollment would be suspended by FSA effective October 1, 2013 for an indefinite time anyway.

Steve also commented on some anecdotal observations he had made during a recent inspection visit to a few Kearny County CREP fields in August. The soil conditions there are especially desperate on sites where no irrigation water is available to supplement the low precipitation which has been available. On one particular CREP field which had been visited on a group tour in 2012, all of the existing plant matter was completely desiccated except for some very vibrant, healthy bunches of a grass that was apparently propagating itself in spite of the adversarial conditions. Steve had discussed his observations with the District Conservationist in Kearny County in hopes of revisiting the site with the NRCS research team and learning more about how this variety of grass (which appears to be "Giant Sand Reed") was succeeding and proliferating so well under the otherwise harsh situation.

### **Agency Reports / Special Comments from the Agencies:**

**FSA** – Carla Wikoff stated that September 30, 2013 may be that last day for enrollment to occur in CRP programs under the current Farm Bill. At this time, Congress has not provided any continuing budget authority for CRP, and therefore, CREP enrollments will be suspended until a new Farm Bill is adopted or until further continuing budget authority is provided. From FSA's perspective, the two main challenges for the CREP program again this year have been grass establishment issues (exacerbated by the extreme drought in Southwest Kansas) and identifying what barriers exist for producers who wish to enroll. Rod Winkler reviewed information reported from the FSA Kearny County Executive Director and provided a Power-Point presentation on CREP fields and drought conditions there. Some CREP fields that previously had good grass stands in 2009 and 2010 and were considered well established have fallen back drastically – generally overall, 10% are rated "good", 20% are rated "not as good", 20% are rated "optimistic", and 50% are rated "bottom tier".

**NRCS** – Mark Janzen discussed the investigations which are being undertaken to address alternative cover species and the ability to produce seed and rhizome stocks of potentially adaptable plant varieties. Mark also reported that a rangeland scientist from Ft. Hays University is being engaged to assist in the effort. Chad Volkman discussed the difficulty which the drought is imposing on CREP landowners who are attempting to establish new grass stands and / or maintain existing stands. Many cover crops and grass stands seeded over the last two years will have to be re-seeded. NRCS staff members in Kearny, Finney and Gray counties have reported that landowners are experiencing a lot of problems with their ability to irrigate the cover crops and grass seeds for a couple of reasons – 1) some fields were fully established and the producers have since removed the irrigation systems; and 2) water levels in the areas of CREP enrollments have decreased so significantly in the last few years that full or even partial irrigation is no longer physically possible or economically feasible. Mark conveyed a sentiment which was expressed at a recent CREP producer meeting in Garden City in November, 2012 – "that if a well can still pump 300 – 400 gpm, they wouldn't be enrolling it in CREP yet" – therefore, we somehow need to be getting these water rights enrolled before it is too late so that they can irrigate the grass up while there is enough well capacity.

**KWO** – Diane Coe reported that the Western Kansas Water Conservation Projects Fund still has about \$5.6 Million available, and expenditures from that resource can still be used for CREP financial matches. She reported that work on the South Side Ditch and Lake McKinny is complete, and that a new headgate and flume project on the Amazon canal is now under construction. Susan Stover commented that funding for weather modification activities in Western Kansas have recently been cancelled by the governor, and that those funds will no longer be available for matches. Discussion again ensued on some of the current budget / funding issues in the Kansas Legislature and what can be done to extend the CREP programming. Despite interest in wetlands-related activities in other programs, Diane again reported that (to date) no applications have been received for the "shallow water wetland area" practices in the Upper Ark River CREP program (because so little of the CREP enrollment is occurring in the Tier 2 soils north of the river where most wetlands are located).

**PF** – Steven Riley introduced himself as the Regional Director for Pheasants Forever and talked about some of the work that is being done by PF wildlife biologists in the CREP project area.

**DWR** – Tara Lanzrath stated that the CREP data base was again updated in June with the new “Blatant and Recurring Overpumpers” list which can affect CREP eligibility based on water use and water right records. She reported that the CREP database still appears to be functioning well and offered assistance to any inquiries for assistance.

**KDHE** – Trevor Flynn reported that KDHE is currently updating the 303d impaired waters list (TMDLs) for presentation at public hearings slated to be held in Spring, 2014. He stated that KDHE will continue their role in water quality monitoring and analysis for the related CREP project objectives.

**KGS** - Don Whittemore reported that his agency continues to monitor water levels at Larned, and is also working on uranium issues in the basin. And further, because of the serious impacts that the drought is imposing, KGS is examining the correlation between water levels and climate indices. He stated that there is a significant correlation in GMD#3, which is where almost all CREP enrollment is occurring. Don’s staff also continues to review information from the water level program and evaluating raw data from various impairment areas. Don particularly wanted to make note of the very beneficial effects that the CREP project is providing in spite of the drought conditions.

**GMD3** – Mark Rude lauded the model partnership effort which is occurring in the CREP program. He discussed the decision-making which landowners and producers are facing in Southwest Kansas as the “water leaves”. In response to the KGS report, Mark also noted that irrigators must face a question of whether to try and drill deeper (if they can) in order to “chase the water”. The district staff feels there is still interest in CREP enrollments and that potential enhancements can be helpful in securing additional offers. Especially now with the obvious drought impacts, everyone is more and more realizing there is a looming need to get the sandhills covered before the irrigation water runs out and to develop plant and cultural strategies to deal with more limited abilities to irrigate grass stands to maturity. Mark also talked about the “Holly dispute” issue and how it relates to the river flow regimen.

#### **Data Needs for Monitoring Results:**

It was again noted that many of the monitoring activities which are incorporated in the CREP MOA are difficult for the agencies to significantly undertake at this time – or to determine any significant changes in results or impacts due to the CREP project. Even though enrollment is still increasing at this time, almost the entirety of the enrollment has been located in areas of the Tier 1 / Unsuitable soils which will require continued irrigation for another couple of years. We have yet not seen any significant water use curtailment to monitor, and the serious drought continues to exacerbate this situation.

Don Whittemore stated that additional “index wells” are being installed in Southwest Kansas. This should be very helpful to obtaining more good monitoring information in the future.

A question was asked whether the oil and gas funding that was being used to help install new river gages could be used as match funding for CREP.

#### **Enhancing Enrollment during 2013 – 2014:**

Kansas is still looking for more ways to increase interest and enrollment in CREP. DOC, KWO and the GMDs will work to re-market and promote the program noting the higher rates and the successes of the grass establishment strategies.



### **Recommendations for Future Modifications to CREP Program Rules / Procedures:**

Additional discussion was initiated on the CREP “enrollment suspension” idea – no firm decision was forthcoming, although the consensus of the group present was that it may be a good time to implement a pause while some of the serious rule and incentives issues are resolved, but further investigation is needed. No other items for future program changes were specifically forthcoming at this time. A general discussion followed about the state’s FY2016 budget forecasts and the possible ramifications to future CREP funding. On the state side, the program is currently authorized by the Kansas Legislature until June 30, 2014.

### **Identification of Other Issues:**

Mark Janzen stated that NRCS has to be committed to the assistance of the sandhill landowners “with or without” CREP. Several questions / issues were raised in general discussion about the program implementation. Mark Rude commented about the possible Prairie Chicken ESA listing and how resolution of that issue could be used to beneficially enhance CREP enrollment. He also suggested that the price of corn was currently “on the bubble” and that he thinks we can expect better CREP enrollment in the future as more commodity prices stabilize.

In regard to the annual report, Steve asked that all the entities get their costs and narratives of activities in by early November. The next annual report is based on the federal fiscal year of October 1, 2012 to September 30, 2013.

### **Conclusion:**

The steering committee members were sincerely thanked for their time and efforts in fulfilling the mission of the CREP program. The meeting was concluded at 11:57 AM.

**Conservation District Documents  
Not Received by the DOC as of 2/7/14**

**Monthly Board Meeting Minutes, Treasurer's Reports & Unpaid Bills Reports:**

Mitchell County – December 2013

Morton County – November & December 2013

Phillips County – December 2013

**2012 Audit & Notification of CD Audit Review Form (Due 1/1/2014)**

Greenwood County

Harper County

Morton County

Pawnee County

Sumner County (Notification of CD Audit Review Form ONLY)

**SENATE BILL No. 323**

By Committee on Ways and Means

1-29

1 AN ACT concerning property; relating to conservation easements;  
2 amending K.S.A. 58-3811 and repealing the existing section.  
3

4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 58-3811 is hereby amended to read as follows: 58-  
6 3811. (a) A conservation easement may be created only by the record  
7 owner of the surface of the land specifically stating the intention of the  
8 grantor to create such an easement under this act.

9 (b) Except as otherwise provided in this act, a conservation easement  
10 may be created, conveyed, recorded, assigned, released, modified,  
11 terminated or otherwise altered or affected in the same manner as other  
12 easements.

13 (c) No right or duty in favor of or against a holder and no right in  
14 favor of a person having a third-party right of enforcement arises under a  
15 conservation easement before its acceptance by the holder and a  
16 recordation of the acceptance.

17 (d) Except as provided in subsection (b) of K.S.A. 58-3812, *and*  
18 *amendments thereto*, and unless the instrument creating it otherwise  
19 provides, a conservation easement shall be limited in duration to the  
20 lifetime of the grantor and may be revoked at *such* grantor's request.  
21 *Except as provided in subsection (b) of K.S.A. 58-3812, and amendments*  
22 *thereto, conservation easements created on and after July 1, 2014, shall*  
23 *terminate upon the death of the grantor or upon a specified term of years*  
24 *contained in the instrument creating such easement, whichever occurs*  
25 *first.*

26 (e) An interest in real property in existence at the time a conservation  
27 easement is created is not impaired by it unless the owner of the interest is  
28 a grantor of the conservation easement.

29 (f) A conservation easement may not be conveyed or assigned by a  
30 holder to any entity or person other than a city or county of this state, an  
31 entity enumerated by subsection (b)(2) of K.S.A. 58-3810, *and*  
32 *amendments thereto*, or the grantor thereof or such grantor's heirs.

33 Sec. 2. K.S.A. 58-3811 is hereby repealed.

34 Sec. 3. This act shall take effect and be in force from and after its  
35 publication in the statute book.

Landon State Office Building  
900 SW Jackson Street, Room 504  
Topeka, Kansas 66612



phone: 785-296-2436  
fax: 785-296-0231  
budget.director@budget.ks.gov

Jon Hummell, Interim Director

Division of the Budget

Sam Brownback, Governor

February 3, 2014

The Honorable Larry Powell, Chairperson  
Senate Committee on Natural Resources  
Statehouse, Room 237-E  
Topeka, Kansas 66612

Dear Senator Powell:

SUBJECT: Fiscal Note for SB 323 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 323 is respectfully submitted to your committee.

Current law limits the duration of a conservation easement to the lifetime of the grantor and allows the easement to be revoked at the grantor's request. The limitation does not affect the power of the court to modify or terminate a conservation easement. SB 323 would expand the limitation so that conservation easements created on or after July 1, 2014, would terminate upon the death of the grantor or at the end of a term of years specified in the instrument creating the easement, whichever comes first.

According to the League of Kansas Municipalities and the Kansas Association of Counties, passage of SB 323 would have no fiscal effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Hummell".

Jon Hummell,  
Interim Director of the Budget

cc: Larry Baer, League of Municipalities  
Melissa Wangemann, Association of Counties

**HOUSE BILL No. 2654**

By Committee on Agriculture and Natural Resources

2-12

1 AN ACT concerning agriculture; relating to the Kansas department of  
2 agriculture division of conservation; state conservation commission;  
3 powers and duties thereof; amending K.S.A. 2013 Supp. 2-1904 and  
4 repealing the existing section.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2013 Supp. 2-1904 is hereby amended to read as  
8 follows: 2-1904. (a) There is hereby established, to serve as a conservation  
9 program policy board of the state and to perform the functions conferred  
10 upon it in this act, the state conservation commission. The state  
11 conservation commission shall succeed to all the powers, duties and  
12 property of the state soil conservation committee. The commission shall  
13 consist of nine members as follows:

14 (1) The director of the cooperative extension service and the director  
15 of the state agricultural experiment station located at Manhattan, Kansas,  
16 or such persons' designees shall serve, ex officio, as members of the  
17 commission.

18 (2) The commission shall request the secretary of agriculture of  
19 United States of America to appoint one person and the secretary of the  
20 Kansas department of agriculture to appoint one person, each of whom  
21 shall be residents of the state of Kansas to serve as members of the  
22 commission. These members shall hold office for four years and until a  
23 successor is appointed and qualifies, with terms commencing on the  
24 second Monday in January beginning in 1973.

25 (3) Five members of the state commission shall be elected by the  
26 conservation district supervisors at a time and place to be designated by  
27 the state conservation commission. The method of electing such members  
28 to be conducted as follows: The state is to be divided into five separate  
29 areas. Area No. I to include the following counties: Cheyenne, Rawlins,  
30 Decatur, Norton, Phillips, Smith, Osborne, Rooks, Graham, Sheridan,  
31 Thomas, Sherman, Wallace, Logan, Gove, Trego, Ellis and Russell. Area  
32 No. II to include: Greeley, Wichita, Scott, Lane, Ness, Rush, Pawnee,  
33 Hodgeman, Finney, Kearny, Hamilton, Edwards, Ford, Gray, Haskell,  
34 Grant, Stanton, Morton, Stevens, Seward, Meade, Clark, Comanche and  
35 Kiowa. Area No. III to include: Jewell, Republic, Mitchell, Cloud,  
36 Lincoln, Ottawa, Ellsworth, Saline, Rice, McPherson, Reno, Harvey,

1 Kingman, Sedgwick, Sumner, Harper, Barber, Pratt, Barton and Stafford.  
2 Area No. IV to include: Washington, Marshall, Nemaha, Brown,  
3 Doniphan, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson,  
4 Leavenworth, Wyandotte, Johnson, Douglas, Shawnee, Wabaunsee, Geary,  
5 Dickinson, Morris, Osage, Franklin and Miami. Area No. V to include:  
6 Marion, Chase, Lyon, Coffey, Anderson, Linn, Bourbon, Allen, Woodson,  
7 Greenwood, Butler, Elk, Wilson, Neosho, Crawford, Cowley, Chautauqua,  
8 Montgomery, Labette and Cherokee. Areas II and IV will elect in even  
9 number years and Areas I, III and V shall elect in odd number years for  
10 two year terms. The elected commission members from Areas I, III and V  
11 shall take office on January 1, of the even number years. The remaining  
12 two elected members of the state commission from Areas II and IV shall  
13 take office on January 1, of the odd number years. The method of election  
14 is to be by area caucus of the district supervisors of each of the five  
15 separate areas of Kansas. The commission shall give each district notice of  
16 the time and place of such annual election meeting by letter if a member is  
17 to be elected to the commission from that area that year. The selection of a  
18 successor to fill an unexpired term shall be by appointment by the  
19 commission. The successor who is appointed to fill the unexpired term  
20 shall be a resident of the same area as that of the predecessor.

21 (b) The commission shall keep a record of its official actions, shall  
22 adopt a seal which seal shall be judicially noticed, and may perform such  
23 acts, hold such public hearings and adopt rules and regulations necessary  
24 for the execution of its functions under this act.

25 (c) In addition to the powers and duties conferred in this section, the  
26 state conservation commission shall have the powers and duties not  
27 delegated to the Kansas department of agriculture division of conservation  
28 pursuant to K.S.A. 2013 Supp. 74-5,126, and amendments thereto.

29 (d) The commission shall designate its chairperson and, from time to  
30 time, may change such designation. A majority of the commission shall  
31 constitute a quorum, and the concurrence of a majority in any matter  
32 within their duties shall be required for its determination. Members of the  
33 state conservation commission attending meetings of such commission or  
34 attending a subcommittee meeting thereof authorized by such commission  
35 shall be paid compensation, subsistence allowances, mileage and other  
36 expenses as provided in K.S.A. 75-3223, and amendments thereto. The  
37 commission shall provide for keeping of a full and accurate record of all  
38 proceedings and of all resolutions, regulations and orders issued or  
39 adopted.

40 (e) The state conservation commission together with the Kansas  
41 department of agriculture division of conservation shall make conservation  
42 program policy decisions, including modification of current conservation  
43 programs, creation of new conservation programs and budget

1 recommendations.

2 (f) The Kansas department of agriculture division of conservation in  
3 consultation with the state conservation commission shall have the  
4 following duties and powers:

5 (1) To offer such assistance as may be appropriate to the supervisors  
6 of conservation districts, organized as provided hereinafter, in the carrying  
7 out of any of their powers and programs;

8 (2) to keep the supervisors of each of the several districts organized  
9 under the provisions of this act informed of the activities and experience of  
10 all other districts organized hereunder and to facilitate an interchange of  
11 advice and experience between such districts and cooperation between  
12 them;

13 (3) to coordinate the programs of the several conservation districts  
14 organized hereunder;

15 (4) to secure the cooperation and assistance of the United States and  
16 any of its agencies and of agencies of this state, in the work of such  
17 districts and to contract with or to accept donations, grants, gifts and  
18 contributions in money, services or otherwise from the United States or  
19 any of its agencies or from the state or any of its agencies in order to carry  
20 out the purposes of this act;

21 (5) to disseminate information throughout the state concerning the  
22 activities and programs of the conservation districts organized hereunder  
23 and to encourage the formation of such districts in areas where their  
24 organization is desirable;

25 (6) to cooperate with and give assistance to watershed districts and  
26 other special purpose districts in the state of Kansas for the purpose of  
27 cooperating with the United States through the secretary of agriculture in  
28 the furtherance of conservation pursuant to the provisions of the watershed  
29 protection and flood prevention act, as amended;

30 (7) to cooperate in and carry out, in accordance with state policies,  
31 activities and programs to conserve and develop the water resources of the  
32 state and maintain and improve the quality of such water resources;

33 (8) to enlist the cooperation and collaboration of state, federal,  
34 regional, interstate, local, public and private agencies with the  
35 conservation districts; ~~and~~

36 (9) to facilitate arrangements under which conservation districts may  
37 serve county governing bodies and other agencies as their local operating  
38 agencies in the administration of any activity concerned with the  
39 conservation of natural resources-;

40 (10) *to take such actions as are necessary to restore, establish,*  
41 *enhance and protect natural resources for the purpose of compensatory*  
42 *mitigation required under section 404 of the federal clean water act,*  
43 *including:*

1 (A) Accepting, purchasing or otherwise acquiring conservation  
2 easements, as defined in K.S.A. 58-3810, and amendments thereto, ~~and~~  
3 ~~real property~~ for the purpose of protecting compensatory mitigation sites,  
4 and enforcing such conservation easements, ~~and maintaining, improving,~~  
5 ~~exchanging and disposing of such real property;~~

6 ~~(B) contracting with engineering consultants, surveyors and~~  
7 ~~construction contractors for the purpose of restoration, establishment and~~  
8 ~~enhancement of natural resources;~~

9 ~~(C) establishing in-lieu fee instruments, mitigation banks or other~~  
10 ~~forms of compensatory mitigation credits for sale to state and local~~  
11 ~~government agencies; and~~

12 ~~(D) establishing fees for the sale of compensatory mitigation credits,~~  
13 ~~accepting such fees from state and local government agencies, and~~  
14 ~~assuming responsibility for the implementation, performance and long-~~  
15 ~~term management of mitigation projects for which fees have been~~  
16 ~~accepted.~~

17 Sec. 2. K.S.A. 2013 Supp. 2-1904 is hereby repealed.

18 Sec. 3. This act shall take effect and be in force from and after its  
19 publication in the statute book.

(B) establishing fees for the implementation and enforcement of conservation easements, accepting such fees from state and local government agencies and assuming responsibility for the implementation of conservation easements for mitigation projects.





**State Conservation Commission Meeting  
February 10, 2014**

**FY 2015 Proposed Program Revisions**

**NPSPCP**

➤ **Revised Onsite Wastewater System Eligibility Worksheet**

- DOC staff has worked with KDHE Watershed Management staff to review the existing OSW eligibility worksheet.
- DOC and KDHE recommendations to ensure that limited cost-share funds yield the most environmental protection:
  - Remove question #1 from the worksheet. The issue under discussion is what public benefit is derived by using cost-share funds to protect private water wells.
    - In the last 3 fiscal years, 36% of cost-share contracts were for protection of private water wells.
    - KDHE did not have any data on the number or private water wells in Kansas that may be impacted by a rat hole, cesspool, or seepage pit.
  - Question #2: delete “intermittent stream”
  - Question #3: replace “two mile radius” with “2000 feet” and replace “public water supply well” with “public water supply source”.

**WRCSP**

➤ **Irrigation Water Management Code 449**

- Request from Stevens County Conservation District to make Water Probe Sensors eligible for cost-share assistance.
  - Normally one water probe sensor is installed for each center pivot (122 acres)
  - Sensors are installed at various depths up to 4 feet deep.
  - A telemetry box transmits the data regularly to a satellite and then on to a data storage center to a website. Data can be retrieved by a computer or cell phone.
  - A solar panel is installed to provide energy for the data transmission and battery recharge.
  - Estimated cost including labor, website connections and professional fees for one year: \$2,400 per probe.
  - Provides landowner real time information on the need to pre-irrigate, when to start irrigation, precise EvapoTranspiration, and when to stop irrigation at the end of the growing season.
- The Stevens County Conservation District recommends that the landowner would need to reduce water consumption by at least 10% compared to historical values. The landowner would need to reduce water use for a period of up to 5 years.
- DOC staff would have to modify the practice code with appropriate requirements and forms.

## Onsite Wastewater System Eligibility Worksheet

If the answer to any one of the following questions related to the location of a failing on-site wastewater system is “Yes”, the system meets the location criteria for cost-share eligibility.	Check if “Yes”
<p><del>1. Is the failing system located at a site where the drinking water for human consumption is supplied from a domestic water well and one or all of the following are present at the site? (Please check applicable items)</del></p> <p><del><input type="checkbox"/> Current system is a rat hole, cesspool or seepage pit.*</del></p> <p><del><input type="checkbox"/> Current failing system is within 100 ft. of the domestic well.</del></p> <p><del><input type="checkbox"/> Current failing system is up gradient of the domestic well and is within 400 ft. of the domestic well.</del></p> <p><input type="checkbox"/> The domestic water well has tested positive for fecal coliform bacteria or has elevated nitrate levels (over 10 ppm) and the failing system is determined by the local sanitarian to be a possible source of the contamination.</p>	
1. Is the failing system located 500 feet or less from a perennial <del>or intermittent</del> stream (as shown on a USGS 7.5 Minute Topographic Map)?	
2. Is the failing system located within a <del>two-mile 2000 foot</del> radius (or other designated source water protection zone) of a public water supply <del>well source</del> ?	
4. Is the failing system located within one of the aquifer areas listed below?	
<p>Aquifer Areas:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Equus Beds Groundwater Management District No. 2</b> (includes portions of Reno, Sedgwick, Harvey, and McPherson counties)</li> <li><input type="checkbox"/> <b>Big Bend Groundwater Management District No. 5</b> (includes all of Stafford and Pratt counties, and portions of Pawnee, Edwards, Barton, Kiowa, Reno, and Rice counties)</li> <li><input type="checkbox"/> <b>Sand Springs Water Quality Protection Project</b> area (includes a portion of Dickinson County)</li> <li><input type="checkbox"/> <b>Alluvial aquifer area shown on the state alluvial aquifer map.</b> The following process can be used for determining the location of a failing system relative to these areas:               <ul style="list-style-type: none"> <li>a. Determine the general extent of stream reaches with adjoining alluvial aquifer areas (gray shaded areas) as shown on the regional map provided using the section lines as a <u>general</u> guide. A 500-foot buffer should be used for all other perennial or intermittent stream reaches not shown with an alluvial aquifer area on the regional map (see criterion No. 2 above). The 500-foot buffer also represents the minimum area of eligibility within an alluvial aquifer area.</li> <li>b. If the failing system is clearly located within the general boundary of an alluvial aquifer area as shown on the regional map it can be considered eligible.</li> <li>c. If the failing system is at or near a general aquifer boundary, a further evaluation should be made to determine if the system is located in one of following areas:                   <ul style="list-style-type: none"> <li><input type="checkbox"/> Within an area of alluvium or alluvial terrace deposits as shown on a detailed county geologic map (if available).</li> <li><input type="checkbox"/> Within a soil map unit associated with floodplains or stream terraces and subject to frequent, occasional, or rare flooding (or in a sandy soil associated with these areas), as indicated in the county Soil Survey.</li> <li><input type="checkbox"/> Within a designated floodplain shown on a FEMA floodplain map.</li> <li><input type="checkbox"/> Within an alluvial area based on other information (specify source).</li> </ul> </li> </ul> </li> </ul> <p>* Most county codes require remediation of these types of illegal systems. Conservation districts should follow their county sanitary code when determining eligibility of these types of systems. Conservation districts should make sure that these types of failing systems are remediated at the time the system is upgraded.</p>	
<p><b>NOTE: A completed worksheet (or similar documentation) should be kept in the landowner file for future reference and DOC field reviews.</b></p>	

## QUALITY ASSURANCE REVIEW REPORT

Dave Jones

### STATE CONSERVATION COMMISSION MEETING

February 10, 2014

- Lyndon and Pratt Management Units have been completed (7 Counties).
- 208 contracts have been reviewed.
- 127 contracts required some corrective action.
- DOC staff attended board meetings in Edwards and Stafford Counties to address personnel/cost-share contracting issues.
- Discovered that over payments in the total amount of \$5,410.89 were made on 15 Water Resources cost-share contracts in Edwards County during the three year review period.
- Edwards County District Manager Stacy Neilson was let go by the Edwards County Conservation District Board of Supervisors at their December 11, 2013 Board Meeting. DOC staff was in attendance.
- Stafford County District Manager Zoe Staub has resigned.
- DOC staff will attend Quality Assurance Reviews in the following NRCS Management Units in 2014: Emporia, Medicine Lodge, Paola, Columbus, Abilene, Leoti, Hugoton, Belleville, Hoxie, Lincoln, Smith Center and Marion.



## 2014 SCC Spring Workshops

### **Area I** SCC Spring Workshop

March 11, 2014

American Legion Hall

235 Main Street

Grainfield, KS

### **Area II** SCC Spring Workshop

March 12, 2014

KSU Experiment Station

4500 E Mary Street

Garden City, KS

### **Area III** SCC Spring Workshop

March 13, 2014

NRCS Conference Center

747 Duvall Avenue

Salina, KS

### **Area IV** SCC Spring Workshop

March 4, 2014

Farm Bureau

3801 SW Wanamaker Road

Topeka, KS

### **Area V** SCC Spring Workshop

March 5, 2014

Old Iron Club

10392 Jade Road

Fredonia, KS



## Area I, II, III, & IV Tentative Agenda 2014 Spring Workshop

<u>TIME</u>	<u>TOPIC</u>	<u>PRESENTER</u>
9:00 a.m.	REGISTRATION	Division of Conservation (DOC)
9:15 a.m.	Welcome/Introductions	SCC Area Commissioner
9:30 a.m.	Water Conservation & the Future of Water in Kansas <ul style="list-style-type: none"><li>• The 50-Year Vision for Kansas Water</li><li>• Latest Policy &amp; Research Developments</li><li>• Ogallala Conditions</li><li>• Conservation District Input</li></ul>	Vision Team Member(s)
10:30 a.m.	DOC Report/Updates <ul style="list-style-type: none"><li>• Budget</li><li>• Ag Liming Program</li><li>• Move to Manhattan</li><li>• DocuWare - Scanning of Documents</li><li>• FY 2015 State Cost-Share Program Revisions</li><li>• Quality Assurance Reviews</li></ul>	DOC Staff
11:00 a.m.	BREAK	
11:15 a.m.	NRCS Report	Eric Banks, NRCS
11:35 a.m.	KACD Report <ul style="list-style-type: none"><li>• NACD 2013 Convention</li><li>• Legislative Updates</li><li>• 2014 KACD Convention</li></ul>	Pat Lehman, KACD
11:55 a.m.	Soil Health <ul style="list-style-type: none"><li>• Crop Rotations</li><li>• Cover Crops</li><li>• No-Till</li><li>• How to Sell Soil Health to Producers</li></ul>	NRCS Staff
12:45 p.m.	ADJOURN	SCC Area Commissioner



## Area V Tentative Agenda 2014 Spring Workshop

<b><u>TIME</u></b>	<b><u>TOPIC</u></b>	<b><u>PRESENTER</u></b>
9:00 a.m.	REGISTRATION	Division of Conservation (DOC)
9:15 a.m.	Welcome/Introductions	SCC Area Commissioner
9:30 a.m.	Water Conservation & the Future of Water in Kansas <ul style="list-style-type: none"><li>• The 50-Year Vision for Kansas Water</li><li>• Latest Policy &amp; Research Developments</li><li>• Ogallala Conditions</li><li>• Conservation District Input</li></ul>	Vision Team Member(s)
10:30 a.m.	DOC Report/Updates <ul style="list-style-type: none"><li>• Budget</li><li>• Ag Liming Program</li><li>• Move to Manhattan</li><li>• DocuWare - Scanning of Documents</li><li>• FY 2015 State Cost-Share Program Revisions</li><li>• Quality Assurance Reviews</li></ul>	DOC Staff
11:00 a.m.	BREAK	
11:15 a.m.	NRCS Report	Eric Banks, NRCS
11:35 a.m.	KACD Report <ul style="list-style-type: none"><li>• NACD 2013 Convention</li><li>• Legislative Updates</li><li>• 2014 KACD Convention</li></ul>	Pat Lehman, KACD
11:55 a.m.	Poultry Litter Nutrient Management <ul style="list-style-type: none"><li>• Benefits from Litter Application to Soil</li><li>• Environmental Considerations</li><li>• Nutrient Availability in Poultry Litter</li></ul>	Peter Tomlinson, KSU
12:45 p.m.	Lunch on Site <ul style="list-style-type: none"><li>• Tour Old Iron Club Facility</li></ul>	SCC Area Commissioner
1:30 p.m.	Soil Health <ul style="list-style-type: none"><li>• Crop Rotations</li><li>• Cover Crops</li><li>• No-Till</li><li>• How to Sell Soil Health to Producers</li></ul>	NRCS Staff
2:15 p.m.	ADJOURN	SCC Area Commissioner

# Vision for the Future of Water in Kansas



At the Governor's Conference on the Future of Water in Kansas, Governor Brownback issued a call to action to address the need for a **Vision for the Future of Water in Kansas** that meets the state's needs now and in the future.

The Governor charged his administration, including the Kansas Water Office, Kansas Department of Agriculture, and Kansas Water Authority, along with the Kansas Department of Health and Environment and Kansas Department of Wildlife, Parks and Tourism to lead the vision and called upon his Council of Economic Advisors to engage in the planning since water and the economy are closely linked.



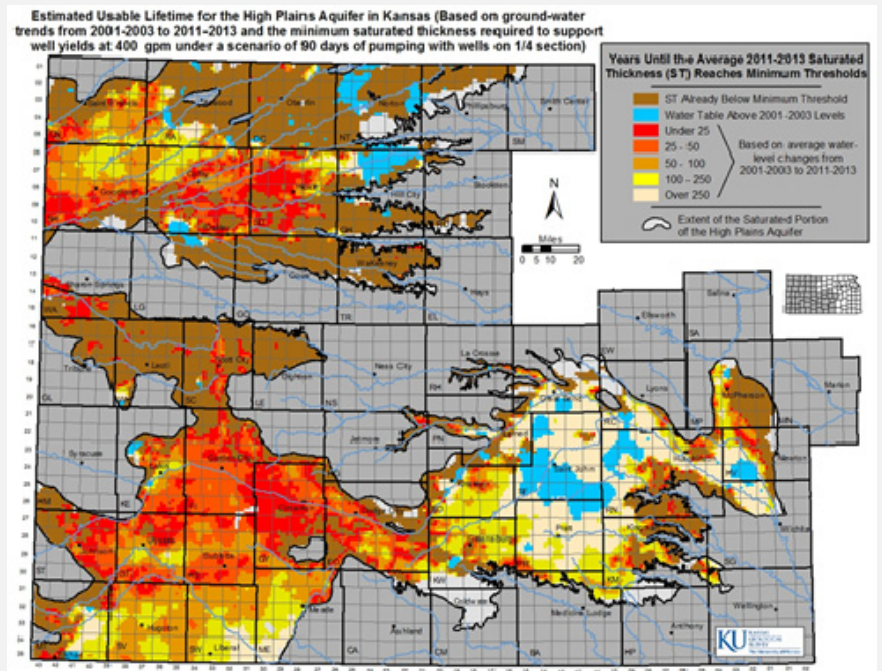
*“Water and the Kansas economy are directly linked. Water is a finite resource and without further planning and action we will no longer be able to meet our state's current needs, let alone growth.” - Governor Sam Brownback*

One of Kansas' greatest challenges is to provide a reliable water supply to maintain and support a growing Kansas economy. The Vision will address plans to ensure supply is sufficient to meet the future needs of our state.

The Ogallala Aquifer is declining faster than it is recharging. Reservoirs which are critical water storage structures are filling with sediment.

**If we take no action in the next 50 years:**

- The Ogallala will be 70% depleted
- Another roughly 40% of the area irrigated with Ogallala water won't support a 400 gallon per minute irrigation well
- Our water supply in federal reservoirs will be 40% filled with sediment
- Five of the seven basins in which reservoirs support our municipal and industrial water use won't be able to meet demands during a drought

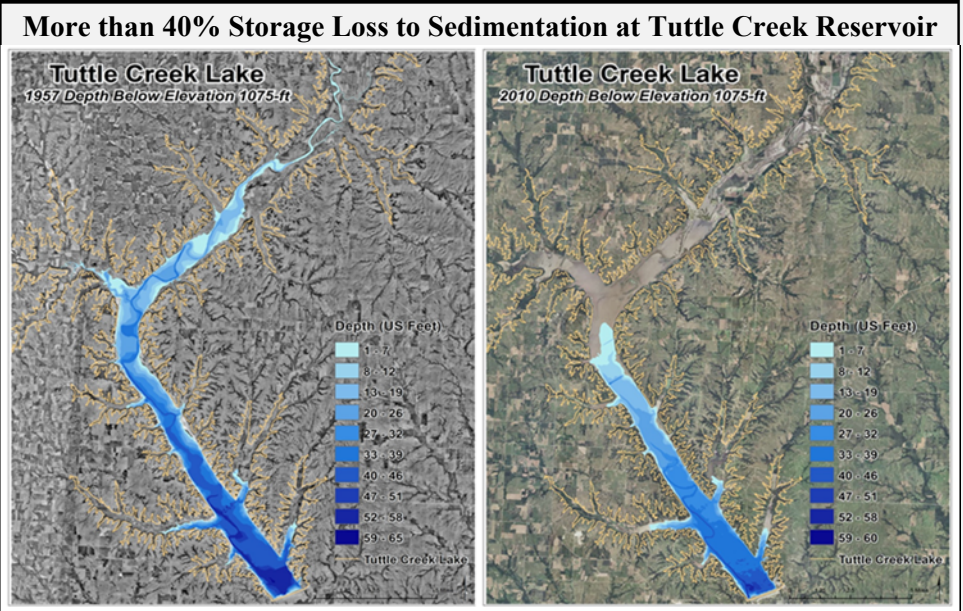




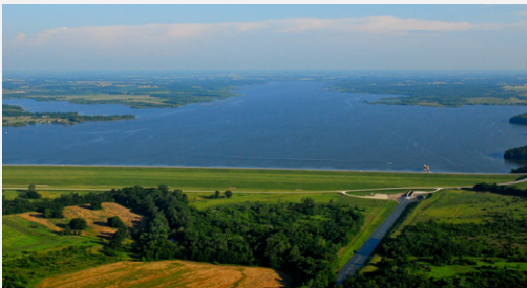
The *Kansas Water Plan* (KWP) will remain the state’s plan to coordinate the management, conservation and development of the water resources of the state.

**Economic impacts would be devastating:**

- The irrigated cropland in Ogallala region has a \$5 billion value
- The Ogallala was responsible for \$1.75 billion in corn production and \$2 billion in beef production
- Reservoirs provide water in some manner to two-thirds of Kansas’ citizens
- 60% of the electricity production in Kansas at a value of \$1.96 billion relies on our state’s reservoirs



To be successful in achieving the Vision, we will need to set 10 to 20 years goals and milestones divided further into 5-year action plans. The KWP will help measure our success towards meeting the goals.



As a state, we know we need to develop plans to improve water quality; reduce our vulnerability to extreme events, like floods and drought; develop and maintain water infrastructure; and improve recreational opportunities available to our citizens. However, water supply will be the focus in this Vision.

A Visioning Team is embarking on a one-year mission to seek input from water users, compile data, conduct research and chart a path forward.





We need your help and input in this process. Give us your feedback and ideas during townhall meetings and through other outreach events. ***Be a part of the solution.*** If you are interested in this process, here are a few public meetings you may want to attend: April 2, Manhattan, KS, May 21-22, Garden City, KS, August 21-22, Olathe, KS. For additional meetings please check out the Kansas Water Office web site.

### **Kansas Water Vision Team**

#### **Kansas Water Office**

Tracy Streeter, Director

Earl Lewis, Assistant Director

Susan Metzger, Chief, Planning & Policy  
*Vision Team Leader*

#### **Kansas Department of Agriculture**

Jackie McClaskey, Secretary

Greg Foley, Division of Conservation

Lane Letourneau, Division of Water Resources

For more information please contact:

Kansas Water Office  
901 S. Kansas Avenue  
Topeka, KS 66612  
[kwo-info@kwo.ks.gov](mailto:kwo-info@kwo.ks.gov)  
Phone: 785-296-3185  
Toll Free: 1-888-526-9283

You are encouraged to visit the Vision page at [www.kwo.org](http://www.kwo.org) and share your comments and input for the future of water in Kansas.



# VISION FOR THE FUTURE OF WATER IN KANSAS WORKSHEET

## VISION

*Big Picture Idea of What you want to Achieve*

DRAFT: Kansas will have adequate water resources to support the state's current needs and the long-term needs of a growing Kansas economy.

**Thoughts/Feedback:**

## MISSION

*General Statement of how you will achieve your vision*

DRAFT: Develop framework, policy and tools, in concert with stakeholders, to manage the state's water resources that balance conservation with economic growth, as well as secure, protect and restore water storage and supply.

**Thoughts/Feedback:**

## GOALS

*General Statements of what you want to achieve, integrated with vision & mission*

**Ideas/Comments:**

## STRATEGIES

*Series of actions or activities designed to achieve the goal*

**Ideas/Comments:**



Natural Resources Conservation Service  
760 South Broadway  
Salina, Kansas 67401-4604

Phone: 785-823-4500  
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www.ks.nrcs.usda.gov

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**NRCS HIGHLIGHTS OF ACTIVITIES  
for the  
STATE CONSERVATION COMMISSION  
TOPEKA, KANSAS  
February 10, 2014**

**PERSONNEL**

**Conversions:** Brittany A. Anderson, Student Trainee (Soil Conservationist), to Soil Conservationist, Pratt  
William D. Lavergne, Student Trainee (Soil Conservationist), to Soil Conservationist, Belleville  
James L. Ungerer, Student Trainee (Soil Conservationist), to Soil Conservationist, Scott City  
Nathanael J. Williams, Student Trainee (Soil Conservationist), to Soil Conservationist, Oakley

**Details:** Clifford I. Thornton, Assistant State Conservationist for Field Operations, Emporia, detailed to Lexington, Kentucky, as Acting State Conservationist  
Chad G. Volkman, Resource Conservationist, Programs Staff, Salina State Office, to Acting Assistant State Conservationist for Field Operations, Emporia

**Reassignments  
and/or Promotions:** Kevin B. Arnet, Soil Conservationist, El Dorado, to District Conservationist, Wellington  
Jason C. Stegemoller, Rangeland Management Specialist, Muskogee, Oklahoma, to District Conservationist, Fredonia  
Daniel E. Wood, Soil Scientist, Garden City, to Soil Scientist, Powell, Wyoming

**Resignation:** Erin M. Riffey, Contract Specialist, Salina State Office

**Retirements:** Loren H. Frees, Resource Conservationist, Hutchinson Area Office  
Susan M. Furgason, Soil Conservationist, Water Resources Staff, Salina State Office  
Robert S. Heller, Soil Conservation Technician, Beloit  
Ronald L. Rader, District Conservationist, Howard  
Mark S. Schmidt, Supervisory District Conservationist, Abilene

## **OPERATIONS**

With recent budget reductions, and the possibility of additional reductions in the future, I want to make sure the Kansas Natural Resources Conservation Service is in the best position to handle these future challenges. To do this I have asked state, area, and field representatives to work as a team (Kansas Operational Structure Team) to review the Kansas management and operational structure and functions, a continuation of the "Field Office of the Future" study. Gaye L. Benfer, Assistant State Conservationist for Operations (ASTC-O) is leading this effort.

## **PROGRAMS**

### **Agricultural Water Enhancement Program (AWEP)**

Kansas received an allocation of \$2.7 million for the approved AWEP proposals in Kansas Groundwater Management Districts 2, 3, and 5. An application period cutoff date has yet to be determined.

### **Conservation Security Program (CSP)**

Annual payments have been made on 389 contracts for fiscal year (FY) 2014 in the amount of \$3,900,000.

### **Conservation Stewardship Program (CStP)**

- The CStP cutoff date for accepting applications has been extended from January 17 to February 7, 2014. The news release was posted on the Kansas NRCS Web site on January 9.
- Annual payments have been made on 1765 contracts for \$35,254,498.

### **NRCS Easement Programs**

- **Farm and Ranchland Protection Program (FRPP)**
  - NRCS still has authorization (even without a new farm bill) to enroll new lands in the FRPP.
  - Kansas FRPP FY14 signup deadline is April 4, 2014.
  - Assistance and reviews are being provided to Cooperating Entities as they work on various steps toward closing on conservation easements.
- **Grassland Reserve Program (GRP)**
  - Authorization for GRP expired on September 30, 2013, with the expiration of the farm bill.
  - No new applications can be taken under GRP until a new farm bill is completed.
  - NRCS has closed on 3 easements protecting 1759 acres so far in FY14. Currently in the closing process are 4 additional easements that were enrolled in FY13. To date Kansas landowners have enrolled over 85 GRP easements protecting over 48,000 acres of grasslands for future generations.
- **Wetlands Reserve Program (WRP)**
  - Authorization for WRP expired on September 30, 2013, with the expiration of the farm bill.
  - New applications for WRP cannot be taken until a new farm bill is passed.
  - All WRP enrollments in Kansas are now closed and recorded at the appropriate county courthouse.
  - Workload is now focused on backlog of restoration work that is needed. There are 29 projects that need restoration/construction completed.

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

- Kansas NRCS recently completed an update of the Emergency Recovery Plan (ERP) which provides guidance for technical and financial assistance through EWP.
- Kansas currently has no eligible EWP projects on the waitlist at National Headquarters.

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

- Kansas received an allocation of approximately \$12.3 million for General EQIP. The application evaluation cutoff date was November 15 for FY14 General EQIP funds. We are working on ranking applications and will have funding decisions in early February.
- The Cooperative Conservation Partnership Initiative (CCPI) multi-state proposal for Forested Riparian Buffers and Shelterbelt Renovation will continue this year. Kansas received an allocation of \$684,000 for Forested Riparian Buffers and Shelterbelt Renovation. An application period cutoff date has yet to be determined.

#### **EQIP—Initiatives**

- Organic, On-Farm Energy and Seasonal High Tunnel—Application cut-off deadlines set for February 21 and April 18 for these three initiatives and the news releases were sent to the field offices on January 7. State bulletins will be sent out by January 21.
- Ogallala Aquifer and LPCI—Application cut-off deadline set for some time in March or April on both of these initiatives. News releases are ready and will be sent out 6 weeks prior to application cutoff.
- National Water Quality—Teleconference held with the Kansas Technical Committee (KTC) on January 9 to discuss an additional watershed within West Emma Creek, due to low participation in FYs 2012 and 2013.
- \$4,460,584 was received for initiatives (LPCI, Organic, Seasonal High Tunnel, Ogallala, NWQI, On-Farm Energy).

### **Watershed Rehabilitation Program Activities**

- Kansas NRCS recently submitted a revised request of \$1,793,000 for 7 projects for FY2014. FY2014 funds have only been authorized for Technical Assistance associated with Prior Year Watershed Rehabilitation activities. No FY2014 funds have been authorized for new rehabilitation planning assistance.
- The Spring Creek Watershed District in Sedgwick County continues forward with rehabilitation of their R-1 Dam near Garden Plain, Kansas. Construction is targeted to begin this spring and be completed during FY2014.
- NRCS continues to work with local watershed districts on NRCS-assisted watershed projects to ensure Emergency Action Plans (EAPs) are developed for all 123 High Hazard Dams--45 EAPs have been developed.
- During calendar year 2013, watershed districts and local NRCS field offices worked together to conduct annual inspections on NRCS-assisted flood-control structures. Fifty-nine percent of the inspections have been submitted to Salina State Office.

NOTE: The data provided in this report was not obtained through the Resources Economic Analysis and Planning Division (REAP) of NRCS and as such is considered unofficial.

## **TECHNOLOGY**

NRCS is actively working with Kansas researchers and partners to develop sound technical assistance for Soil Health. Additionally, the Kansas soil health teams are working with producer groups and presenting critical information for field level work.

NRCS soil health and cover crop information may be found on the Kansas NRCS Web site at: <http://www.nrcs.usda.gov/wps/portal/nrcs/main/ks/technical/ecoscience/agronomy/>.

The Web Soil Survey was updated on January 17, 2014. This update includes all spatial and soil property changes that occurred during 2013. Most of the changes were soil properties that were updated to National Cooperative Soil Survey standards. These soil property changes occurred within map units that were reviewed and updated by the Major Land Resource Soil Survey offices. Spatial changes that occurred were corrections to small digital errors that had occurred along county boundaries.

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

- Construction of the last project from the DOC agreements is scheduled to be completed late this winter.

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

- Construction of the assigned streambank protection projects is continuing. One more project has been completed. The other six projects have been permitted and are either waiting to be staked out or are in construction. They all should be built by early spring.
- The preliminary design for an agricultural waste management system has been approved by the owner and the final design should be completed by February 1.

## **OUTREACH**

NRCS will sponsor a booth at the Women Managing the Farm Conference, February 13-14, 2014, in Manhattan.

The NRCS Conference Center, 747 Duvall, Salina, will serve as a host site for the Cover Crop and Soil Health Forum, February 18, 2014. The forum will open with live video internet-stream from the National Cover Crop and Soil Health Conference in Omaha, Nebraska. The forum will feature Secretary Tom Vilsack.

# Monitoring our liquid assets

1/23/2014

**Foley speaks about long-term water plan at local Farm and Ranch Show.**

**By ANGIE HAFlich**

*ahaflich@gctelegram.com*

Because agriculture is the No. 1 one industry in Kansas, water is closely linked to the Kansas economy. That means there is an immediate need to address its future in the state.

That is what Greg Foley, executive director with the Kansas Department of Agriculture's division of conservation, told a crowd Thursday during the Garden City Farm and Ranch Show.

Foley pointed out that the link between the state's economy and water prompted Gov. Sam Brownback to issue a call to action regarding the situation.

"Water is a finite resource and, without any further planning or action, we will no longer be able to meet those needs, and we will not be able to have economic growth or stability in our state 50 years down the road," Foley said.

In 50 years, the Ogallala Aquifer will be 70 percent depleted, as it is declining at a faster rate than it is recharging, Foley said, adding, "It's, in essence, water in the bathtub, and we're looking to say how many years of life do we have?"

According to a handout Foley provided, irrigated cropland in the Ogallala region has \$5 billion in value; the Ogallala was responsible for \$1.75 billion in corn production and \$2 billion in beef production. Sixty percent of electric production in Kansas — at a value of \$1.96 billion — also relies on the state's reservoirs.

According to the High Plains Water District website, [hpwd.com](http://hpwd.com), the Ogallala Aquifer is one of the largest systems in the world. It stretches across all or portions of eight states running generally from north to south, including South Dakota, Nebraska, Wyoming, Colorado, Kansas, Oklahoma, New Mexico and Texas. It underlies about 174,000 square miles.

Other areas of the state are expected to encounter different types of issues. For this reason, Gov. Brownback has charged his administration, including the Kansas Water Office, the Kansas Department of Agriculture, Kansas Water Authority, the Kansas Department of Health and Environment and the Kansas Department of Wildlife, Parks and Tourism, to help develop a long-term vision for managing water resources in Kansas.

"The governor announced this particular vision at the Water and the Future of Kansas conference last October, and he gave us a year to go get this input and then start crafting drafts. To this point, we've met with about 120 different groups and about 2,400 people and had many varied responses," Foley said.

A question that has arisen repeatedly is the status of Kansas' existing water plan.

"That still exists," Foley said. "There are other things that have to continue to be addressed, whether it's water quality under the safe drinking water act, the clean water act, the different chapters of the current Kansas water plan, whether its catastrophic



events, water quality, water quantity, recreation, or any of the above — those are going to continue to be updated on the five-year frequency. But this will be a supplemental chapter, a clear vision."

The impetus behind the development of the plan is to combine regional efforts.

"The 50-year vision will align the priority of the growing Kansas economy and the strategies and the actions necessary to ensure an adequate water supply for that future growth. We just need vision, and our charge and responsibility is to put all these different regional efforts together," he said, asking for input from both individuals and groups. "What do you believe the vision should be, what our goals should be and what are the action plans to accomplish those ideas?"

The Sixth Annual Garden City Farm and Ranch Show is sponsored by the Mid America Ag Network, through its parent company, Steckline Communications.

Others who spoke at the event on Thursday included Gordon Stucky of the American Angus Association and Domenic Varricchio, commodities broker at Schwieterman, Inc., who spoke about commodities, prices and fluctuations in the market.

Today, Rex Friesen with the Cotton Growers Association, Jeff Sternberger and Jody Wacker with the Kansas Livestock Association and senate candidate Milton Wolf will speak.

On Saturday the various speakers will be from Kansas Soybeans, Kansas Wheat, Kansas Agri Women and Kansas Agri Tourism.

"On Saturday, we're also giving away a \$10,000 hot tub from Stone Creek Spas and \$1,000 Goodwin Industries smoker," Seth Stahlheber, general manager at the Mid-America Ag Network, said. There will be daily door prizes as well. "We've also got live music throughout the weekend from Rusty Rierson."

Rierson is a country artist from Leon, who is signed with Red Dirt Music Co. out of Nashville, Tenn.

The Farm and Ranch show also showcases car dealers, sprayers, seed companies, heavy equipment and other businesses. It kicked off Thursday at the at the Finney County Exhibition Building and continues from 9 a.m. to 5 p.m. today and 9 a.m. to 4 p.m. Saturday.