

Barfield, David

From: Barfield, David
Sent: Monday, May 1, 2017 10:08 AM
To: Mark Rude; Kirk Heger (kirkheger@gmail.com); Kirk Heger (ag1stkh@pld.com)
Cc: Beightel, Chris; Metzger, Susan; Letourneau, Lane
Subject: GMD 3 management program update discussion
Attachments: 2017.3.3_GMDs Mngt programs.pdf

Mark and Policy Board members,

We appreciate the opportunity to collaborate with you as you draft your management program update. KDA-DWR and the district have the same compelling reasons to ensure that GMD3 has a meaningful, achievable management plan and the support to implement it. We sent along some general advice on management program updates in our March 6, 2017 letter to you (attached). After reviewing your recent drafts, we've prepared some additional comments and guidance to keep us moving towards a successful update of your plan.

The GMD Act defines a management program as, *"a written report describing the characteristics of the district and the nature and methods of dealing with groundwater supply problems within the district..."* GMD3's plan needs to lay out the district's water supply problems and the board's plan of action, under the existing statutes, rules and regulations, in a specific, concise, understandable way; no more, no less.

The management program is not the appropriate venue to discuss policy positions or stake out opinions on "water governance", re-interpretation and commentary on statutes, and such.

It is both your mission and ours to fulfill the respective purposes and roles prescribed to us by the Legislature. While the chief engineer is singularly responsible for administration the state's water rights, GMDs are tasked with recommending rules and acting via the powers prescribed to them in K.S.A. 82a-1028 to advance groundwater management within the Districts. Your management plan update should give particular attention to recent years legislation granting additional tools to address your water resource challenges within the District (LEMAs, WCAs, legislation aimed to remove disincentives to reduce use).

Thus, the plan needs to be a simple, clear document, defining specific problems, laying out specific goals (how much of the problem is going to be solved, and when), and specific actions (what is going to be done, and when) to solve those problems within the GMD's role and powers granted by the Legislature.

For instance, in the most recent draft one of your commitments is to "promote water use efficiency through new technology implementation". This worthy goal should be followed with a commitment and plan to achieve it, such as, "by March 31, 2018, the district will implement a cost-sharing program and will commit up to 10% of the district's assessments to the program to help its constituents implement water saving technology." Another statement in the recent draft says the district will, "reduce the rate of water level decline a minimum of 1% per year". There needs to be a plan for how this will happen.

As we have interacted with the board and membership, particularly over the last three years, we sense a heightened awareness of the problem of over-appropriation and a desire to do something tangible about it. We believe this growing consensus and the new tools developed in recent years (LEMAs, WCAs, revised MYFA for example) provide an historic opportunity for GMD 3 to take the lead in promoting and achieving water conservation that can sustain the region's economy into the future.

We look forward to continuing to work with you on your management plan update and will be happy to have further discussions with the board on how to best use this opportunity to serve our water users.

David

David W. Barfield, P.E.

Chief Engineer

Kansas Department of Agriculture, Division of Water Resources

1320 Research Park Drive, Manhattan, KS 66502

785-564-6670

<http://agriculture.ks.gov/dwr>

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 6, 2017

Western Kansas GMD #1
PO Box 604
Scott City, KS 67861

Equus Beds GMD #2
313 Spruce
Halstead, KS 67056

Southwest Kansas GMD #3
2009 E. Spruce St.
Garden City, KS 67846

Northwest Kansas GMD #4
PO Box 905
1290 W 4th
Colby, KS 67701

Big Bend GMD #5
125 S. Main
Stafford, KS 67578

RE: GMD management program update recommendations

GMD Managers and Board Members,

During our joint meeting last November it was suggested that it would be helpful if KDA provided input and guidance to the GMDs on updates to their management programs, including advice on the level of detail required in such updates. Below are our thoughts and suggestions related to GMD management programs and their updates.

The GMD Act defines a management program as, “*a written report describing the characteristics of the district and the nature and methods of dealing with groundwater supply problems within the district. It shall include information as to the groundwater management program to be undertaken by the district and such maps, geological information, and other data as may be necessary for the formulation of such a program.*”

The Act requires the GMD Board to prepare a management program before undertaking active management of the district. In addition, the Board is to review the document at least annually and to update the plan as required, using the same process as required for the original program adoption (review and approval by the Chief Engineer, public hearing, adoption by the Board with notice to the Chief Engineer). Beyond the definition above and the process for adoption and revision of management programs, the Act provides little additional guidance.

Thus, we believe the Act provides significant flexibility for GMDs to develop a plan with the level of detail it believes necessary to outline and support the Board’s plan of action to address conservation of the District’s groundwater resources.

Last year GMD 4 updated its management program (see our web site or GMD 4's for a copy). It provides a good example of a plan update, particularly their work in designating high priority areas and the Board's active work in these area to develop plans for enhanced groundwater management. GMD2's management program also provides a good example of a plan with a significant level of data analysis to support their plan.

For your consideration, below is a listing of potential subjects for management program updates from KDA brain-storming:

- Identification and designation high priority areas within the GMD with plans to dialogue with water users within these areas regarding additional management they wish to explore and best means to accomplish (LEMAs, WCAs, proposing rules for the District, water banks, etc.)
- Education activities within the District to promote and facilitate the adoption of water savings measures and practices, particularly those which maintain the economic benefits of water use, such as alternate crops, use of technology and irrigation scheduling to reduce inefficient use, etc.
- GMD cost sharing on soil moisture probes and other technology for improved water management.
- GMD support for research on water conservation methods.
- Collection of stories and strategies from those who are using less water. Recognize those are using water most effectively. Develop a best practices manual for irrigation.
- Proactively work with those who are concerned about potential impairment and their neighbors before they file complaints.

In summary, we see the management program development and updating process as the means for each GMD to keep current its plans for action to fulfill the their purpose under the GMD Act: *to promote the conservation of groundwater resources and the prevention of economic deterioration; for associated endeavors within the state of Kansas through the stabilization of agriculture; and to secure for Kansas the benefit of its fertile soils and favorable location with respect to national and world markets.*"

We would be happy to meet with any of the GMDs as you develop updates to your management programs to share ideas and feedback during your update process.

Let us know if you have any questions.

Sincerely,



David W. Barfield, P.E.

Chief Engineer

Kansas Department of Agriculture

Division of Water Resources