

## MINUTES OF THE STATE CONSERVATION COMMISSION

1. The State Conservation Commission meeting was called to order by Rod Vorhees, Chairman and Area V Commissioner, at 9:05 a.m., Monday, May 13, 2019, at the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, 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 (Left meeting at 3:30 p.m.)  
Rod Vorhees, Area V Commissioner

**Ex-Officio & Appointed Members:**

Peter Tomlinson, Ph.D., Associate Professor, Extension Specialist for Environmental Quality Agronomy Department, Kansas State University (left at 1:00 p.m.)  
Terry Medley, P.E., Water Structures Program Manager, Division of Water Resources, Kansas Department of Agriculture  
Gaye Benfer, Assistant State Conservationist for Management & Strategy, Natural Resources Conservation Service in place of Karen Woodrich, State Conservationist, Natural Resources Conservation Service

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

Rob Reschke, Executive Director  
Scott Carlson, Assistant Director  
Steve Frost, Administrative Manager  
Dave Jones, Water Quality Program Manager

**Guests:**

Herb Graves, Executive Director, State Association of Kansas Watersheds (SAKW)  
Stephanie Royer, President, KACD-EO  
Dan Meyerhoff, Executive Director, KACD  
Andy Lyon, WRAPS Technical Unit Program Manager, KDHE

## SCC MEETING MINUTES

May 13, 2019

Page 2

### 3. ADDITIONS/CORRECTIONS TO AND APPROVAL OF AGENDA:

Addition to the agenda:

- Add agenda item 8. f. State EO Meeting Update - Reschke

**A motion was made by Ted Nighswonger to approve the agenda as amended. The motion was seconded by Andy Larson. Motion carried.**

### 4. MINUTES OF THE PREVIOUS MEETING:

**A motion was made by Brad Shogren to approve the March 25, 2019, minutes as mailed. The motion was seconded by Ted Nighswonger. Motion carried.**

### 5. COMMENTS FROM GUESTS:

- a. Dan Meyerhoff, KACD – **See Attachment A.**
- b. Stephanie Royer, KACD/EO – **See Attachment B.** Stephanie reported that the statewide KACD-EO conference was held May7-8 in Hays where 88 conservation districts were represented, and total attendance was 96. They tried to have things provided for new district managers due to the high turnover the last few years, which was also a refresher course for veteran district managers. The Agriland schedule was discussed and it appeared to have gone over well. Many water festivals are occurring as well as regional and state Envirothon; nationals will be held in Raleigh, North Carolina, in July.
- c. Herb Graves, SAKW – Herb announced he had no formal report to submit, but there has been widespread flooding throughout the state. This is a golden opportunity to tout what the watershed structures are doing for the state and emphasized that we need to tell the story.
- d. Andy Lyon (KDHE) – Andy wanted to thank DOC for the work on CSIMS, as they will be utilizing CSIMS for the KACD/KDHE WRAPS partnership grant. The KDHE nutrient reduction framework will be re-vamped with help from partner agencies, which is a reboot of the framework. Rob Reschke informed the SCC that KDHE (Jaime Gaggero) contacted DOC and other agencies about Kansas Nutrient Reduction Advisory Committee participation. A discussion turned into incorporating this with Water Vision 2.0, and Dave Jones read the list of participants so far.

### 6. COMMUNICATIONS AND ANNOUNCEMENTS:

- a. Conservation District employee update
  - No changes from the March 25, 2019, update

## SCC MEETING MINUTES

May 13, 2019

Page 3

### 7. UNFINISHED BUSINESS:

#### a. Legislative/Kansas Water Authority update

- Rob Reschke updated the SCC on the approved budget numbers. **See Attachment C.**
- The last KWA meeting was held in Abilene.
- Ted Nighswonger indicated that it was surprising to some on the Water Authority that extra enhancements from the legislature were not included on the KWA recommendations.

#### b. FY 2020 NPS On-Site Waste (OSW) Policy

- Dave Jones informed the SCC that a meeting has been scheduled with DOC, KDHE, and KWO on May 21 at KDA headquarters to discuss the status and future direction of OSW cost-share.
- John Wunder had questions regarding who will be included in the OSW cost-share discussion besides the agencies. Dave said that other meetings would be scheduled with conservation districts, supervisors, etc. Dave also mentioned that this is in the information-gathering stage, that DOC will try to move into this without any pre-conceived notions, and then see where the discussion leads.
- Brad Shogren expressed that he would like a push to re-inform districts, especially supervisors, on what the NPS program is and what it is about.
- Stephanie Royer said that she liked to use the local NPS plan and that district should be bringing the entire list of practices to their board meetings when those decisions are made.
- Stephanie suggested a breakout session at the annual KACD convention or at the fall workshops to discuss the cost-share CS-2 and beyond process.

#### c. Review future SCC meeting dates

- Possible meeting dates: September 12, 2019, November 24, 2019, February 3, 2020, April 27, 2020. **See Attachment D.**
- Discussion included adding September 11, 2019, for a joint meeting with KACD in McPherson.
- A teleconference meeting date of July 22, 2019, was also proposed.

**A motion was made by Peter Tomlinson that the teleconference meeting be scheduled for July 29, 2019, the joint meeting with KACD in McPherson on September 11, 2019, and setting September 12, 2019, November 24, 2019, February 3, 2020, and April 27, 2020, as the remaining SCC meeting dates. The motion was seconded by Ted Nighswonger. Motion carried.**

### 8. NEW BUSINESS:

#### a. Water Resources Cost-Share Program Allocation and County Allocation Update

- Dave Jones provided an update. **See Attachment E.**

#### b. Non-Point Source Pollution Control Program Allocation and County Allocation Update

- Dave Jones provided an update. **See Attachment F.**

## SCC MEETING MINUTES

May 13, 2019

Page 4

- c. Forage Balance Estimate Worksheet/NRCS Grazing Management Plan Policy Discussion
  - Rob Reschke and Dave Jones provided an update on the discussion with NRCS regarding this issue. DOC policy will remain the same for FY 2020.
- d. WOTUS Update
  - Rob Reschke provided an update on the new rule. **See Attachment G.**
- e. Vision 2.0
  - Rob Reschke provided a summary of a KWO draft document about Vision 2.0 presented at the KWA meeting in Abilene. **See Attachment H.**
- f. State EO Meeting Update
  - Rob Reschke summarized the DOC update that he presented at the EO meeting in Hays. **See Attachment I.**

### 9. UPDATES:

- a. KDA Division of Conservation Updates:
  - Dave Jones provided an update on the Irrigation Technology Initiative. **See Attachment J.**
  - Steve Frost provided an update on the draft FY 2020 Aid to Conservation Districts. **See Attachment K.**
  - Rob Reschke addressed an update from Hakim Saadi. **See Attachment L.**
- b. Ex-Officio and Appointed Member Updates:
  - Karen Woodrich (USDA, NRCS): Gaye Benfer attended the meeting for Karen. **See Attachment M.**
  - Peter Tomlinson (KSU Research & Extension): One candidate has interviewed for the Dean of Agriculture and more interviews are scheduled. Interviews are ongoing for several vacant agronomist positions through extension. Peter participated in an inter-agency edge of field workshop sponsored by NRCS and Kansas Water Office, which consisted of good discussion. There is a cost to get the data but there is no replacement for the data that is collected.
  - Terry Medley (DWR): **See Attachment N.**
- c. Elected Commissioner Area Updates:
  - Ted Nighswonger (Area 1): It is still very wet, and no dirt is being moved. He spoke at the State KACD-EO meeting; felt like it was well-attended.
  - Andy Larson (Area II): The Ark River can be known as an intermittent stream, and it is flowing again. There is not any dirt work going on right now.
  - Brad Shogren (Area III): Kanopolis is 12 feet over flood stage right now. It has filled in some of the dredging, and there is more to finish up. There was a meeting with Saline and McPherson County Conservation Districts to discuss a watershed specialist position. Final assessments still need to be completed on streambank projects.
  - John Wunder (Area IV): It has been marginal weather since the week after Thanksgiving. Most of the contractors have worked only three weeks in five and half months, which affects the economics in the area. There is flooding in many places in NE Kansas. It is

**SCC MEETING MINUTES**

**May 13, 2019**

**Page 5**

good to relay this type of information to the partnership. Attended the Kansas RAC meeting in Topeka. Needs to work on information and communication.

- Rod Vorhees (Area V): **See Attachment O.**

**10. ADJOURN:**

**A motion was made by Brad Shogren to go into executive session. The motion was seconded by Andy Larson. Motion carried. The executive session began at 1:50 p.m. and ended at 2:02.**

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

The next regular Commission meeting is scheduled for Monday, July 29, 2019, via teleconference.

**The meeting was adjourned at 2:02 p.m.**



Rob Reschke  
Executive Director

# Attachment A

## State Conservation Commission Meeting KACD Report May 13, 2019

### Legislative Update

- Pleased with increase for aid to conservation districts and increase in WRCSF
- Met with Saline Co Conservation District regarding potential legislator tour
- Meeting with Sedgwick Co CD to discuss legislator tour on May 14<sup>th</sup>.
- Will be scheduling a Conservation Day at the Capitol in February 2020
- Meeting with Representative Davids on May 29<sup>th</sup>
- Working with Representatives Watkins and Estes to host conservation tour in August

### NACD Technical Assistance Grant

- Received funding for a second year for the 5 positions located in Rooks, Hodgeman, Kingman, Anderson and Nemaha counties
- Also received funding for a 6<sup>th</sup> position which will be located in Clay county

### Information and Education

- Facebook page went active last week
- Board has asked to make events calendar on website more inclusive
- Working on a KACD brochure. Is there interest from SCC on a partnership brochure?

### Leopold Conservation Award

- Nominations due June 1

### Agreements

- Partnership Agreement training completed last week, hope to begin taking applications by June 1 with initial funding decisions made shortly after July 1.
- ATV safety training completed in Kingman and Wichita management units last week. Will schedule rest of training through the rest of this fiscal year.

### Fall Workshops

- Area 1 – August 13<sup>th</sup>
- Area 2 – August 12<sup>th</sup>
- Area 4 – August 20<sup>th</sup>
- Area 5 – August 21<sup>st</sup>
- Area 3 – August 22<sup>nd</sup>

### KACD 75<sup>TH</sup> Annual Convention

- Working on speakers
- SCC Luncheon speaker?
- Have several breakout session secured, still looking for more.
- 76<sup>th</sup> Annual Convention will be at the Hyatt in Wichita



# Attachment B

## Kansas Association of Conservation Districts Employees' Organization

*KACD-EO Report*

*KACD Meeting*

*May 2019*

The KACD-EO board hosted the KACD-EO Statewide Conference on May 7<sup>th</sup> & 8<sup>th</sup> in Hays, KS. Both days were at Ag Research Center Auditorium. 88 conservation districts were registered with 96 in attendance. There were updates from KDA-DOC, SCC, KACD and NRCS the first day in the morning. In the afternoon there was educational stations for training on eleven educational tools available across the state. On the second day there will be speakers on volunteer reporting, outreach reporting, social media & promoting your district as well as an Envirothon update and update on Hays' water wise program. It was a great time to communicate with district staff especially with the turnover districts have had the last few years.

For an update on the Envirothon, this year there were 4 Regional events; Council Grove, Soldier, Wilson Lake and Parsons. At those events were 53 teams from 27 schools compete from 22 counties. At State, there were 16 teams competing from 16 schools in 11 counties. They are competing for placings in five categories including the Current Issue for this year; Ag and the Environment, Knowledge and Technology to Feed the World. The first, second and third place teams will receive scholarship money in the amounts of \$500.00, \$300.00 and \$200.00 respectively. The winning team from today's event will have the opportunity to travel to this year's NCF Envirothon in Raleigh, NC, July 26 through August 2. The Envirothon committee would like to thank KACD for all their support for this program over the years.

It is also a busy time for districts with the enterprise accounts. Grass seed sales and seed drilling are winding down but tree planting and laying fabric is still going strong with the late state due to the subsoil moisture in March. No-till drills are getting ready to start back up. As you know these are crucial income for the conservation districts.

Districts have hit their busy season with education. Many water festivals, youth days and as mentioned earlier Envirothons have been hosted in the month of April. Earth Day and Arbor Day also fall into April. Conservation districts do an excellent job for youth education.

Again, the district appreciates all the lobbying the KACD board and Dan have been busy doing this last year. It is very much appreciated.

And as always, if anyone has any questions or issues they need assistance with please contact me or your area KACD-EO rep for assistance.

# Attachment C

## State Water Plan Fund

Agency/Program	FY2020 Gov Recs	FY2020 House Recs	FY2020 Senate Recs	FY2020 Conf. Committee
<b>Department of Health and Environment</b>				
Contamination Remediation	\$ 691,394	\$ 691,394	\$ 1,088,301	\$ 1,088,301
TMDL Initiatives	\$ 278,029	\$ 278,029	\$ 278,029	\$ 278,029
Nonpoint Source Program	\$ 303,208	\$ 303,208	\$ 303,208	\$ 303,208
Harmful Algae Bloom Pilot	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000
Watershed Restoration and Protection Strategy	\$ 730,884	\$ 730,884	\$ 730,884	\$ 730,884
Drinking Water Protection Program	\$ -	\$ -	\$ 350,000	\$ 350,000
<b>Total--Department of Health and Environment</b>	<b>\$ 2,453,515</b>	<b>\$ 2,453,515</b>	<b>\$ 3,200,422</b>	<b>\$ 3,200,422</b>
<b>University of Kansas--Geological Survey</b>	<b>\$ 26,841</b>	<b>\$ 26,841</b>	<b>\$ 26,841</b>	<b>\$ 26,841</b>
<b>Department of Agriculture</b>				
Interstate Water Issues	\$ 497,386	\$ 497,386	\$ 497,386	\$ 497,386
Subbasin Water Resources Management	\$ 619,692	\$ 619,692	\$ 619,692	\$ 619,692
Water Use	\$ 72,600	\$ 72,600	\$ 72,600	\$ 72,600
Water Resources Cost Share	\$ 1,948,289	\$ 1,948,289	\$ 2,448,289	\$ 2,448,289
Nonpoint Source Pollution Asst.	\$ 1,860,023	\$ 1,860,023	\$ 1,860,023	\$ 1,860,023
Aid to Conservation Districts	\$ 2,092,637	\$ 2,192,637	\$ 2,092,637	\$ 2,192,637
Watershed Dam Construction	\$ 550,000	\$ 550,000	\$ 550,000	\$ 550,000
Water Quality Buffer Initiative	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
Riparian and Wetland Program	\$ 154,024	\$ 154,024	\$ 154,024	\$ 154,024
Water Supply Restoration Program-				
Water Transition Assistance Program/CREP	\$ 201,963	\$ 201,963	\$ 301,963	\$ 301,963
Irrigation Technology	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Crop and Livestock Research	\$ 250,000	\$ 250,000	\$ 350,000	\$ 350,000
Hemp Research				
Sorghum Crop Research				
Streambank Stabilization	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
	<b>\$ 9,046,614</b>	<b>\$ 9,146,614</b>	<b>\$ 9,746,614</b>	<b>\$ 9,846,614</b>
<b>Kansas Water Office</b>				
Assessment and Evaluation	\$ 500,000	\$ 700,000	\$ 500,000	\$ 700,000
GIS Database Development	\$ -	\$ -	\$ -	\$ -
MOU - Storage Operations & Maintenance	\$ 410,000	\$ 410,000	\$ 410,000	\$ 410,000
Stream Gaging	\$ 423,130	\$ 423,130	\$ 423,130	\$ 423,130
Technical Assistance to Water Users	\$ 325,000	\$ 325,000	\$ 325,000	\$ 325,000
Vision Education Strategy	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Reservoir and Water Quality Research	\$ 350,000	\$ 350,000	\$ 350,000	\$ 350,000
Water Tech Farms	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
Kansas Alluvial	\$ -	\$ -	\$ -	\$ -
Streambank Study				
Bathymetric Study	\$ -	\$ -	\$ -	\$ -
Harmful Algae Bloom Study				
Watershed Conservation Practice Imp	\$ 900,000	\$ 700,000	\$ 900,000	\$ 700,000
Equus Beds Chloride Plume Project	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Milford Lake Watershed RCPP	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
Water Resource Planner				
Streambank Stabilization	\$ -	\$ -	\$ -	\$ -
<b>Total--Kansas Water Office</b>	<b>\$ 3,333,130</b>	<b>\$ 3,333,130</b>	<b>\$ 3,333,130</b>	<b>\$ 3,333,130</b>
KPERS Reamortization	\$ (31,833)	\$ -	\$ -	
State Employee Pay Plan	\$ 37,935	\$ 37,935	\$ -	
<b>Total State Water Plan Expenditures</b>	<b>\$ 14,866,202</b>	<b>\$ 14,998,035</b>	<b>\$ 16,307,007</b>	<b>\$ 16,407,007</b>

# SCC Meeting Schedule

# Attachment D

## 2019

January

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April

S	M	T	W	T	F	S
					5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

S	M	T	W	T	F	S
					3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July

S	M	T	W	T	F	S
				4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

S	M	T	W	T	F	S
					1	2
					3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October

S	M	T	W	T	F	S
					4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- State Holidays
- SCC Meetings
- KDA Joint Meetings
- SCC Teleconference

# SCC Meeting Schedule

## 2020

January

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- State Holidays
- SCC Meetings
- KDA Joint Meetings
- SCC Teleconference



County	FY 2020 WR DNA Allocation	County	FY 2020 WR DNA Allocation
Allen	\$15,942	Linn	\$15,942
Anderson	\$15,942	Logan	\$20,448
Atchison	\$17,444	Lyon	\$18,195
Barber	\$21,950	Marion	\$18,946
Barton	\$19,697	Marshall	\$19,697
Bourbon	\$15,942	McPherson	\$19,697
Brown	\$18,195	Meade	\$21,199
Butler	\$19,697	Miami	\$17,444
Chase	\$17,444	Mitchell	\$18,946
Chautauqua	\$16,693	Montgomery	\$15,942
Cherokee	\$15,191	Morris	\$18,195
Cheyenne	\$21,199	Morton	\$18,946
Clark	\$21,950	Nemaha	\$19,697
Clay	\$19,697	Neosho	\$15,942
Cloud	\$18,946	Ness	\$21,950
Coffey	\$17,444	Norton	\$20,448
Comanche	\$21,199	Osage	\$17,444
Cowley	\$19,697	Osborne	\$21,199
Crawford	\$15,942	Ottawa	\$19,697
Decatur	\$20,448	Pawnee	\$20,448
Dickinson	\$19,697	Phillips	\$21,199
Doniphan	\$18,195	Pottawatomie	\$19,697
Douglas	\$17,444	Pratt	\$18,195
Edwards	\$18,195	Rawlins	\$21,199
Elk	\$16,693	Reno	\$19,697
Ellis	\$21,199	Republic	\$18,195
Ellsworth	\$19,697	Rice	\$18,195
Finney	\$22,701	Riley	\$17,444
Ford	\$21,199	Rooks	\$20,448
Franklin	\$17,444	Rush	\$20,448
Geary	\$16,693	Russell	\$19,697
Gove	\$21,199	Saline	\$19,697
Graham	\$20,448	Scott	\$19,697
Grant	\$18,946	Sedgwick	\$19,697
Gray	\$19,697	Seward	\$18,946
Greeley	\$19,697	Shawnee	\$16,693
Greenwood	\$18,195	Sheridan	\$20,448
Hamilton	\$20,448	Sherman	\$21,199
Harper	\$20,448	Smith	\$20,448
Harvey	\$16,693	Stafford	\$18,195
Haskell	\$20,448	Stanton	\$19,697
Hodgeman	\$19,697	Stevens	\$19,697
Jackson	\$18,195	Sumner	\$21,199
Jefferson	\$17,444	Thomas	\$21,199
Jewell	\$20,448	Trego	\$20,448
Johnson	\$16,693	Wabausee	\$18,195
Kearny	\$19,697	Wallace	\$20,448
Kingman	\$20,448	Washington	\$19,697
Kiowa	\$18,946	Wichita	\$20,448
Labette	\$15,942	Wilson	\$16,693
Lane	\$19,697	Woodson	\$15,942
Leavenworth	\$17,444	Wyandotte	\$17,445
Lincoln	\$19,697	<b>Total</b>	<b>\$2,001,392</b>

# Attachment F

**Nonpoint Source Pollution Control Cost-Share Program (NPS)      FY 2020 Allocation**

**FY 2020 NPS Budget: \$1,860,023**

**Obligations**

1. Funding for all 105 counties in FY 2019
2. Fund 25 Conservation Technician positions in 24 NRCS Management Units identified by the workload analysis with a Contribution Agreement with NRCS. NPS portion, \$300,000. T/A Funding Partnership: Kansas Department of Health & Environment (KDHE), Kansas Department of Wildlife, Parks, & Tourism (KDWP&T), NRCS, DOC.
3. Fund 5 Conservation Technicians in 5 management units identified by NRCS with a contribution agreement KACD. (NPS portion included in the \$300,000)

**FY 2020 Allocation:**

<u>FY 2019 Allocations</u>			<u>FY 2020 Allocations Projected</u>		<u>Adjustment from FY 2019</u>
NPS Base	\$ 1,358,350		NPS Base	\$ 1,269,644	\$ (88,706)
T/A	\$ 210,000		T/A	\$ 300,000	\$ 90,000
TMDL	\$ 75,000		High Priority TMDL	\$ 50,000	\$ (25,000)
Supplemental LWS	\$ 50,000		Supplemental LWS	\$ 50,000	\$ -
*Soil Health Education	\$ 50,000		*Soil Health Education	\$ 50,000	\$ -
NPS Operations	\$ 80,000		NPS Operations	\$ 90,379	\$ 10,379
CSIMS	\$ 25,000		CSIMS	\$ 50,000	\$ 25,000
Streambank	\$ 10,000		Streambank	\$ -	\$ (10,000)
<b>Total</b>	<b>\$ 1,858,350</b>		<b>Total</b>	<b>\$ 1,860,023</b>	<b>Total</b> \$ 1,673

\*Soil Health Education - No-till, Cover Crop, Grazing Management Education

County	FY 2020 NPS Base Allocation	County	FY 2020 NPS Base Allocation
Allen	\$11,781	Linn	\$12,687
Anderson	\$11,781	Logan	\$9,066
Atchison	\$14,497	Lyon	\$16,308
Barber	\$12,083	Marion	\$14,497
Barton	\$12,083	Marshall	\$13,290
Bourbon	\$11,781	McPherson	\$12,083
Brown	\$13,592	Meade	\$9,066
Butler	\$14,497	Miami	\$12,687
Chase	\$16,308	Mitchell	\$11,480
Chautauqua	\$12,687	Montgomery	\$14,497
Cherokee	\$14,497	Morris	\$14,497
Cheyenne	\$8,160	Morton	\$8,764
Clark	\$11,480	Nemaha	\$15,403
Clay	\$12,687	Neosho	\$12,687
Cloud	\$13,290	Ness	\$10,273
Coffey	\$14,497	Norton	\$12,083
Comanche	\$12,083	Osage	\$15,403
Cowley	\$14,497	Osborne	\$12,687
Crawford	\$12,687	Ottawa	\$12,083
Decatur	\$9,367	Pawnee	\$12,083
Dickinson	\$14,497	Phillips	\$12,083
Doniphan	\$12,687	Pottawatomie	\$15,403
Douglas	\$13,592	Pratt	\$12,687
Edwards	\$10,876	Rawlins	\$8,160
Elk	\$15,403	Reno	\$14,497
Ellis	\$12,083	Republic	\$12,687
Ellsworth	\$12,687	Rice	\$11,480
Finney	\$9,066	Riley	\$15,403
Ford	\$10,876	Rooks	\$10,876
Franklin	\$14,497	Rush	\$10,876
Geary	\$13,592	Russell	\$12,083
Gove	\$9,066	Saline	\$12,687
Graham	\$11,480	Scott	\$8,764
Grant	\$8,764	Sedgwick	\$13,290
Gray	\$9,066	Seward	\$9,367
Greeley	\$8,462	Shawnee	\$15,403
Greenwood	\$15,403	Sheridan	\$9,367
Hamilton	\$8,469	Sherman	\$8,764
Harper	\$12,687	Smith	\$12,687
Harvey	\$12,687	Stafford	\$12,687
Haskell	\$8,462	Stanton	\$8,160
Hodgeman	\$10,273	Stevens	\$8,764
Jackson	\$15,403	Sumner	\$12,083
Jefferson	\$15,403	Thomas	\$9,367
Jewell	\$13,290	Trego	\$12,083
Johnson	\$12,687	Wabausee	\$15,403
Kearny	\$8,764	Wallace	\$9,066
Kingman	\$13,290	Washington	\$12,687
Kiowa	\$12,083	Wichita	\$8,764
Labette	\$12,687	Wilson	\$12,687
Lane	\$8,462	Woodson	\$11,781
Leavenworth	\$14,497	Wyandotte	\$10,876
Lincoln	\$11,480	<b>Total</b>	<b>\$1,269,644</b>



April 15, 2019

David Ross  
Assistant Administrator for Water  
U.S. Environmental Protection Agency  
William Jefferson Clinton Federal Building  
Washington, D.C. 20460

R.D. James  
Assistant Secretary of the Army for Civil  
Works  
108 Army Pentagon  
Washington, D.C. 20310-0108

Re: Revised Definition of "Waters of the United States," EPA-HQ-OW-2018-0149

Dear Administrator Ross and Assistant Secretary James:

The water resource agencies of the State of Kansas appreciate the effort and outreach of the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers regarding their proposed new definition of "Waters of the United States" (WOTUS) under the Clean Water Act (CWA). We agree with the perspective from the Federal agencies that this issue is not about determining the ecological value of any water that may require protection in Kansas, but rather establishing a clear demarcation of CWA jurisdiction between the Federal agencies and the environmental authorities held by the State of Kansas among waters of the State. We believe the proposed rule aligns with existing Kansas law and water quality standards. We have several comments that may help clarify the intent of the Federal agencies, and thus, assist the implementation of the proposed definition in administering the CWA in Kansas.

### **Tributaries**

By far the greatest change in the proposed rule from the 2015 rule is the exclusion of ephemeral streams from Federal jurisdiction. Kansas currently operates with a pre-2015 rule application of the definition of WOTUS, owing to the preliminary injunction issued for Kansas and ten other States in *Georgia v. Pruitt*. The Federal agencies acknowledge that under pre-2015 practice, ephemeral streams were not categorically jurisdictional. Certain ephemeral stream might be considered jurisdictional based on a significant nexus analysis by the Corps, however, the proposed rule would negate the results of such an analysis and deem that ephemeral stream as lying outside Federal jurisdiction.

Kansas State law, at K.S.A. 82a-2001(a)(2), similarly excludes ephemeral streams from being considered "classified stream segments": "*Classified stream segments other than those described in subsection (a)(1)E shall not include ephemeral streams; grass, vegetative or other waterways; culverts; or ditches.*" Kansas water quality standards apply narrative and numeric

criteria to classified surface waters, those waters that support one or more designated uses defined within the standards. Narrative criteria apply to all waters of the State, regardless of classification. Thus, ephemeral streams are protected by Kansas from, among other threats, the harmful effects of substances that originate from artificial sources of pollution, including hazardous materials such as toxic substances and infectious microorganisms which jeopardize the public health or the well-being of livestock, domestic animals, terrestrial wildlife or aquatic or semiaquatic life.

Subsection (a)(1)(E) of the same statute allows for an ephemeral stream to be considered a classified stream segment if it receives a discharge from a National Pollutant Discharge Elimination System (NPDES) permitted facility: *"Classified stream segments shall include all stream segments that are waters of the state..., that: are at the point of discharge on the stream segment and downstream from such point where the department has issued a [NPDES] permit other than a permit for a confined feeding facility..."*.

Thus, Kansas will protect an ephemeral stream, if it receives pollutants from a regulated permitted discharge, by applying numeric criteria and effluent limits to that discharge, regardless of the hydrologic regime of the receiving stream. Permitted discharges under NPDES include any treated wastewater or stormwater, regulated either through individual permits or Notices of Intent under general permits. Additionally, the statute allows for a stream segment to be considered a classified stream segment if it is *"actually inhabited by threatened or endangered aquatic species listed in rules and regulations promulgated by the Kansas department of wildlife, parks and tourism or the United States fish and wildlife service; (K.S.A. 82a-2001(a)(1)(C))*. Should an ephemeral stream segment be demonstrated to provide habitat for such species, it could be considered as a classified stream segment. Furthermore, as ephemeral segments trend toward some degree of intermittent flow, they would be protected as classified stream segments if, under K.S.A. 82a-2001(a)(1)(D)(i): *scientific studies conducted by the department show that during periods of flow less than one cubic foot per second stream segments provide important refuges for aquatic life and permit biological recolonization of intermittently flowing segments;..."*.

Analysis by staff at the Kansas Department of Health and Environment of the stream network covered by the National Hydrographic Database (NHD) at a map scale of 1:24,000, indicates that the network has an extent of 183,266 stream miles. Perennial streams make up 16.7% or 30,632 miles of that universe. Conversely, truly ephemeral streams make up 0.17% or 313 miles. The balance of 152,321 miles comprises intermittent streams. Thus, the impact of the proposed rule based on digital mapping is quite small. However, serious questions arise over how representative NHD coverages are to actual hydrologic conditions on the Kansas landscape. Land use changes, regional ground water withdrawals and shifts in precipitation and evapotranspiration patterns have eroded away the base of presumed intermittent streams, thereby increasing the number of ephemeral streams beyond what NHD represents.

Because of the ecological importance of intermittent streams and their vulnerability to alteration of their seasonal flows, the technical debate regarding WOTUS has shifted from significant nexus determinations and ecological connectivity to distinguishing intermittent streams from ephemeral streams. An in-house analysis of six streams that have exhibited varying degrees of low or no-flow reveals the complexities of making that distinction. **Appendix A** shows historic hydrographs for dry periods on these streams as well as the flow and channel conditions seen on these reaches when visited for Use Attainability Analyses. While each stream reach tells a unique story, one conclusion is that making determinations of ephemeral waters is not a tabletop exercise that can be accomplished in Federal offices. Gathering of hydrologic, geologic and biological information along with site visits are necessary to make the right call as to whether a given stream reach falls within or outside Federal jurisdiction under the proposed rule. Drawing a bright policy line of jurisdiction between intermittent and ephemeral streams does not translate to an equally bright technical line to determine hydrologic regime.

We would suggest that in adopting the proposed rule's definition for tributaries, the Federal agencies also adopt a process that would lead to the most expedient and correct determination of whether a stream is intermittent or ephemeral. That process would start with a rebuttable presumption that a stream reach in question is intermittent. While the ecological value of ephemeral streams spans a broad array of significance, increasing with proximity to more permanent flowing waters, there is no doubt that intermittent streams in Kansas provide critical ecological support to aquatic and semiaquatic life that justifies raising such streams onto the mantle of Federal jurisdiction.

When a presumed intermittent stream reach is the subject of a jurisdictional determination, the Federal agencies should trigger a rapid consultation with the Kansas water agencies to ascertain whether the stream reach in question is, in fact, intermittent or ephemeral. If the State advises that it is the latter, the Federal agencies may regard the situation as lying outside their jurisdiction and leave it to the State to address any outstanding concerns on impacts to the stream reach. The Kansas water agencies have decades of experience noting the hydrologic condition of any stream reach in the State. Annual observations of water table elevations, precipitation, streamflow and evapotranspiration patterns, information on stream order and supporting drainage area, active surface water rights and water use reports, site visits for biological surveys or use attainability analyses, noted presence of habitat supporting threatened and endangered species, observations of pooling suggestive of intermittent flows and presence of regulated facilities and activities can all be collated by the State to give the Federal agencies an expedient determination on the hydrologic regime of the targeted stream reach. In the spirit of the proposed rule's use of a "typical year", this determination will reflect the current conditions that would typically be expected at the stream reach. Temporary runoff from recent rains or dewatering impacts such as diversions or impounding would be discounted.

This process embodies the spirit and intent of Cooperative Federalism in the CWA. The Federal agencies call on their State counterparts to advise and consult on jurisdictional matters and State agencies, in turn, provide their specialized expertise to guide the Federal agencies as to the appropriate assignment of regulatory responsibility. Some issues will be easily resolved, others will require some deliberation before making a flow regime determination. Regardless, the consultation process should not overly delay expedient decisions, and more importantly, will be rooted in sound science and empirical observation, thereby arriving at the correct conclusion.

We have noticed discussions on the rule tend to lump ephemeral, intermittent and headwater streams into a single category that would be threatened if the proposed rule came to pass. The truth is, the distinction between such streams occurs at a finer resolution which defies generalization and expedient off-site determinations, such as relying on NHD coverages. The process we suggest presents a pragmatic implementation of the policy put forth by the proposed rule: ephemeral streams should remain solely in the realm of State jurisdiction.

#### Typical Year

Much of the proposed rule depends upon determinations made to reflect conditions in a "typical year". The Federal agencies intend to compute a typical year as having rainfall in the previous three months lying between the 30<sup>th</sup> and 70<sup>th</sup> percentiles established from a rolling 30-year average generated from National Oceanic and Atmospheric Administration (NOAA) data. We support the concept of viewing stream through the lens of typical conditions but submit that the intended calculations can be simplified. Even though rolling averages discount the influence of extreme weather, by definition, they lack stability, i.e., with each year of new data, the rolling average values change. Two or more interested parties may arrive at different conclusions on what would be viewed as typical, depending upon the endpoints of their 30-year averaging period.

To simplify the definition of typical year, we would suggest using NOAA's regional climatic normals, which reflect a fixed 30-year period of precipitation data. Those normals are adjusted at the beginning of each decade, e.g., the current normals are computed from data collected over 1981-2010; the next recalculation will be made in 2021, using data from 1991 – 2020. These values are fixed by NOAA and available for all to use, thereby eliminating the introduced variability of moving the average computation each year. Recent precipitation at a stream reach of interest can be judged against these fixed normals on a monthly or annual basis, which were derived by a disinterested party with no inherent bias on the outcome of the calculations (NOAA). **Appendix B** displays the current normal monthly precipitation values for the nine climatic divisions in Kansas obtained from NOAA and the variability of monthly normal values across four decades for two of the divisions, showing the relative stability in calculated normal rainfall values.

### Ditches

The proposed rule excludes most ditches from Federal jurisdiction, except for those ditches that are Traditional Navigable Waters (TNW), ditches constructed within tributaries and ditches constructed within adjacent wetlands. We support the proposed rule's limited treatment of ditches as jurisdictional waters. While there are no TNW ditches in Kansas, there have been instances where natural tributaries have been ditched to expedite the movement of water away from surrounding lands. As stated under the tributary portion of the proposed rule, such alteration does not change the jurisdiction status of the tributary and we would view the ditched reach as part of the tributary remaining under Federal jurisdiction. Because of frequent connection during higher flows, we would also view the original tributary channel, e.g., oxbows and meanders, as WOTUS. Additionally, many managed wetlands in Kansas, which we view as Federally jurisdictional waters, utilize ditches to move water among marshes and wetland cells. The ditches within those wetland complexes are viewed as part and parcel of the complex of wetland areas and should be viewed as WOTUS.

The universe of ditches in Kansas comprise irrigation ditches, roadside ditches, and rural and urban drainage ditches, all with the intended purpose of conveying water from a source, e.g., Arkansas River or U.S. Bureau of Reclamation reservoir, to a place of use or, conversely, shunting water away from lands that are meant to be dryland. Again, Kansas law at K.S.A. 82a-2001(a)(2), excludes ditches as classified stream segments: "*Classified stream segments, ..., shall not include ephemeral streams; grass, vegetative, or other waterways; culverts; or ditches.*" We support the proposed rule as consistent with State law and providing further clarity on the exclusion of most Kansas ditches from Federal jurisdiction. The inclusion of tributary and wetland ditches as WOTUS is consistent with current Kansas practice, because those ditches are within waters held in the public trust.

All other ditches are locally managed or privately held conveyances which should not be subject to Federal oversight as WOTUS or point sources. In most cases, the water that is conveyed by these ditches, e.g., irrigation return flows, rural and agricultural runoff, is exempt from CWA regulation. Ditches conveying wastewater or stormwater regulated by a NPDES permit are treated as part of the conveyance and outfall delivering those wastewaters to a receiving stream. Intersection of a new ditch with a jurisdictional river or reservoir may trigger permitting such as 404, but the point of emphasis would be mitigating impacts to the river or reservoir, not the ditch itself.

### Impoundments

Nearly all lakes and ponds in Kansas are actually impoundments. Many of these are viewed as classified waters, subject to the full extent of the CWA. However, farm ponds are considered private waters lying outside the scope of the CWA. K.S.A. 65-171d(d) notes: "*...If a freshwater reservoir or farm pond is privately owned and where complete ownership of land bordering the reservoir or pond is under common private ownership, such freshwater reservoir or farm pond*

*shall be exempt from water quality standards ...*". The proposed definition specifically excludes farm ponds and we support that position. Conversely, we view Federal, State and local reservoirs as jurisdictional because of their public standing and ability to support the Section 101(a) uses of the CWA. As stated in the proposed rule, impoundment of a jurisdictional water does not change the status of that water, i.e., an impounded intermittent stream remains Federally jurisdictional, whereas the impoundment of an ephemeral water lies outside that jurisdiction.

We support that position but caution the Federal agencies that it is hypothetical that situations may arise where an ephemeral stream is impounded, and the impoundment sufficiently retains enough sporadic, Springtime runoff that it eventually augments downstream reaches with releases from stored water. Those reaches include both the non-jurisdictional ephemeral stream immediately below the dam but also jurisdictional intermittent and perennial reaches farther downstream. In that case, the impoundment begins to meet one of the criteria cited under the Lakes and Ponds provision of the proposed rule to consider in designating jurisdiction: the contribution of intermittent or perennial flow to an (a)(1) water [TNW], through an (a)(2) water [tributary]. The construction of the impoundment may have occurred outside the scope of the CWA, but its existence and downstream contributions have now converted the impoundment into a WOTUS. The transition, through releases from storage, of the ephemeral reach immediately downstream into an intermittent stream, i.e., WOTUS, also needs clarification.

Watershed structures in Kansas present a unique situation in jurisdiction determinations under the proposed rule. These watershed structures, typically supported through programs of U.S. Department of Agriculture and the Kansas Department of Agriculture – Division of Conservation, provide watershed protection, flood prevention, limited recreational and economic benefits at the local level. These structures impound streams that may be intermittent or ephemeral and we foresee much technical debate as to whether the stream they impound is intermittent (thereby, jurisdictional) or ephemeral (thus, excluded). There are consequences in determining jurisdiction because current watershed structures require permits under Section 404 and are charged with providing mitigation to offset impacts to the stream system.

#### **Interstate Waters**

We understand the rationale for eliminating the category of "interstate waters" within the definition of WOTUS. Most interstate waters in Kansas will be identified as WOTUS through the traditional navigable waters, tributary or impoundment categories. However, some level of Federal presence is warranted on waters serving as a border between two or more States, such as the Missouri River. It is likely that multiple States sharing a border defined by a stream will have different water quality standards applied to that stream within their portion of the stream. Some Federal oversight will be needed to referee conflicts that arise among States with different water quality standards applied to the same stream.

A traditional role for EPA is to arbitrate the application of diverse standards to a shared water course. Furthermore, the rules implementing the CWA designate a role for EPA in interstate matters to determine if an upstream State's water quality standards would unduly affect the water quality standards of a downstream State, pursuant to 40 CFR 131(b). Additionally, under Section 401(a)(2) of the CWA, EPA must stand ready to determine if an upstream State NPDES permit would cause a downstream State to violate its water quality standards. While removal of the interstate category under WOTUS has merit and such waters are likely covered by other categories under the proposed rule, EPA needs to reaffirm it retains other authorities and responsibilities in interstate matters under the CWA. Failing to do so, leaves open the possible argument that EPA lacks standing or jurisdiction when reconciling water quality standards or permitting issues on shared waters between States.

### Adjacent Wetlands

The proposed rule defines adjacent wetlands that abut or have a connection to other jurisdictional waters as WOTUS pursuant to *SWAANC* and the Justice Scalia argument in *Rapanos* limiting the scope of Federal jurisdiction on isolated wetlands. The proposed rule states that when wetlands are physically separated from jurisdictional waters by upland or by dikes, barriers, or similar structures and lack a direct hydrologic surface connection to jurisdictional waters, those wetlands are not adjacent. In Kansas, isolated wetlands such as playas, have not been and would not be considered WOTUS, separation occurring because of uplands. However, there are managed wetlands that have historically been connected to streams but now have a water control gate at their inlet. We would not view the presence of that gate as severing the direct connection with other jurisdictional waters, thereby threatening the status of the wetland as WOTUS. We request the Federal agencies be more explicit on their view of barriers and structures isolating wetlands to allow for water control structures in wetlands without triggering the separation and isolation of the wetlands.

Many remaining wetlands in Kansas are riparian wetlands abutting along stream courses. Over 99% of the land in Kansas is held in private hands and the bed and banks of most streams in Kansas are considered private. So, even with clarifications of the new proposed rule, there will likely be friction and conflicts between the Federal agencies and private landowners over activities impacting those privately held, adjacent wetlands. This will occur under Section 404 permitting reviews, since Kansas effectively prohibits 402 permitted discharges into natural wetlands. Since many of these activities will be rural in nature, reconciling what would be considered normal agricultural operations remains a task for the Federal agencies to sort. We would request the Federal agencies coordinate with the Kansas Department of Agriculture to further define the "normal and ongoing farming, silviculture and ranching activities" exempt from 404 permitting under Section 404(f)(1).

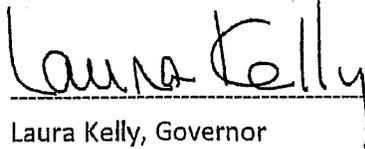
### Exclusions

The State agencies appreciate the explicit exclusions to WOTUS presented in the proposed rule and support those specific examples. We roundly support the exclusion of ground water, in any fashion, from being considered WOTUS. Kansas protects its ground water resources through its water appropriation act, its Groundwater Management Districts and by its water quality standards which identify ground water recharge by injection or infiltration as a designated use of many surface waters in the State. As private waters, we reiterate our support to exclude artificial lakes and ponds constructed in uplands, especially farm and stock watering ponds. As previously discussed, most ditches and ephemeral features should not be considered WOTUS. Pragmatically, diffuse runoff, artificially irrigated areas, upland pits, stormwater controls and water recycling features are clearly waters that lie outside the jurisdiction of the CWA and are best managed by State and local authorities.

### Summary

In summary, Kansas supports much of the proposed definition and exclusions identified in the proposed rule as it aligns itself squarely with Kansas law. Kansas water quality standards clearly define and protect "waters of the State" comprising "*all surface and subsurface waters occurring within the borders of the state or forming part of the border between Kansas and one of the adjoining states.*". We believe our State authorities and programs provide an adequate level of protection for waters of the State, which can be aided by the judicious application of the Federal 402 and 404 permitting programs. We can work within the proposed rule and its definitions to appropriately administer the CWA. Notwithstanding the clarification provided by the proposed rule, there awaits much technical work to accurately ascertain the hydrologic status of certain streams, particularly in the western half of Kansas. We have outlined a process we believe will implement jurisdictional determinations under the proposed rule in partnership with the Federal agencies. We stand ready to help the Federal agencies in administering the Clean Water Act in Kansas.

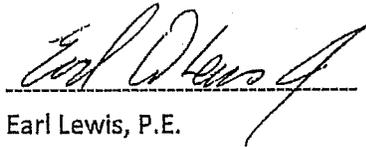
Sincerely,



Laura Kelly, Governor  
State of Kansas



Lee Norman, M.D.  
Secretary  
Kansas Department of Health  
and Environment



Earl Lewis, P.E.  
Acting Director  
Kansas Water Office



Mike Beam  
Secretary  
Kansas Department of Agriculture



Brad Loveless  
Secretary  
Kansas Department of  
Wildlife, Parks and Tourism



## **The Long-Term Vision for the Future of Water Supply in Kansas: A Concept for Reorganization and Incorporation into the Kansas Water Plan**

In January 2015, *The Long Term Vision for the Future of Water Supply in Kansas (Vision)* was completed to provide a long-term planning framework to address declines of the High Plains/Ogallala Aquifer, decreasing reservoir water supply storage lost due to sedimentation as well as other items tied to water conservation, water management, technology & crop varieties, and additional sources of supply. As we approach the five-year anniversary of the *Vision* it is now timely to evaluate progress made on implementation to this point, identify new water resource issues, develop new Regional Goals and Actions Plans, and incorporate these items into the *Kansas Water Plan*. The following document outlines a draft concept for these actions to take place.

### **PROPOSED STRATEGIC OBJECTIVES**

- Evaluate progress made and make changes based on implementation results to date
- Identification of additional issues and/or topics not previously addressed
- Identification of priority regional water resource projects
- Reorganization of *Vision* and incorporation of action items into the *Kansas Water Plan*

### **PROPOSED CORE PRINCIPLES**

- Ensuring Each Citizen has Reliable Water Supply
- Conserving and Extending the High Plains Aquifer
- Securing, Protecting and Restoring our Kansas Reservoirs
- Improving our State's Water Quality
- Developing and Maintaining our State and Local Water Infrastructure
- Develop a Long-Term, Affordable & Sustainable Method to Provide Financing for Implementation of the *Kansas Water Plan*

### **PROPOSED PROCESS**

- Provide the opportunity for local stakeholders to engage:
  - Hold public input meetings within each of the 14 Regional Planning Areas
  - Provide feedback from public meetings to Regional Advisory Committee (RAC) for each Regional Planning Area. Once feedback is evaluated RACs will:
    - Determine if new/revised Regional Goals are necessary for the region.
    - Determine if new/revised Regional Goal Action Plans are necessary.
    - Develop new Regional Goals and Actions Plans with support from the Kansas Water Office (KWO).
    - Present new Regional Goals and Action Plans to the Kansas Water Authority (KWA) for review and approval.

- Identify Priority Projects Necessary to Make Implementation Progress.
- Maintain a statewide view on issues which impact multiple regions or the state as a whole:
  - KWO staff conduct status review of all statewide action items within *Vision*.
  - The KWA, with support from KWO staff, will review and approve new/revise Regional Goals and associated Action Plans.
  - The KWA, with support from KWO staff, will review all Regional Goals and Action Plans to evaluate for consolidation of implementation efforts which impact multiple regions.
  - The KWA will review input provided by RACs on identified priority projects in development of budget recommendations provided to the Governor and Legislature.
- Merging of *Vision* and *Kansas Water Plan*:
  - Once new/revise goals and action plans have been developed and approved, KWO staff will draft document, highlighting long-term water resource priorities of Kansas as well as shorter term implementation priorities.
  - Draft document will be presented to RACs for review and concurrence.
  - Following RAC concurrence, draft document will be presented to KWA for concurrence.
  - Following KWA concurrence, there will be public hearings
  - After public hearings and KWA review of hearing comments/testimony, document will be completed and utilized to help guide water resource planning efforts of Kansas

## PROPOSED TIMELINE

- **Spring 2019:** Current RAC Implementation Progress Report shared with each RAC
- **Late Spring-Early Summer 2019:** RACs provide input to KWA on SFY 2021 budget recommendation development process and begin preliminary discussions on modifications to Regional Goals and Action Plans.
- **Late Summer-Early Fall 2019:** Public input meetings held and RACs begin process of developing new/revise Regional Goals and Action Plans if determined necessary
- **Fall 2019-Winter 2020:** RACs provide recommendations to KWA on new/revise Regional Goals and associated Action Plans
- **Winter-Summer 2020:** Reorganization and incorporation of *The Long-Term Vision for the Future of Water Supply in Kansas* and the *Kansas Water Plan* completed. RACs provide input to KWA on priority projects from each region to move implementation efforts forward



# KACD-EO Statewide Meeting

May 7-8, 2019

Division of Conservation Update

by Rob Reschke, Executive Director

## DIVISION OF CONSERVATION STAFF

**Rob Reschke,**  
Executive Director

**Scott Carlson,**  
Assistant  
Director/Land  
Reclamation  
Program Manager

**Steve Frost,**  
Administrative  
Manager/Water  
Conservation  
Programs Manager

**Dave Jones, Water  
Quality Program  
Manager**

**Hakim Saadi,**  
Watershed  
Programs Manager

**Tim McCoy,**  
Riparian & Wetland  
Program Manager

**Donna Meader,**  
Conservation  
District Program  
Coordinator

**Cathy Thompson,**  
Program  
Consultant

**Cindy Pulse,**  
Administrative  
Specialist



# NEW ADMINISTRATION

Mike Beam

Kansas Secretary of Agriculture



## WATER VISION 2.0 PROPOSED TIMELINE

**Spring 2019:** Current RAC Implementation Progress Report shared with each RAC.

**Late Spring-Early Summer 2019:** RACs provide input to KWA on SFY 2021 budget recommendation development process and begin preliminary discussions on modifications to Regional Goals and Action Plans.

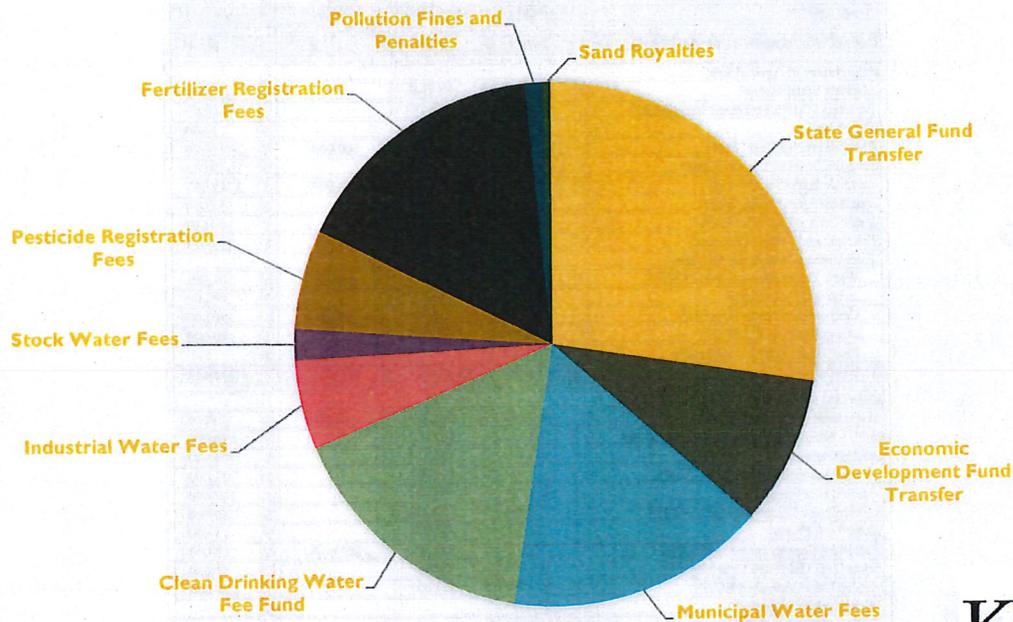
**Late Summer-Early Fall 2019:** RACs provide recommendations to KWA on new/revised Regional Goals and associated Action Plans.

**Winter-Summer 2020:** Reorganization and incorporation of *The Long-Term Vision for the Future of Water Supply in Kansas* and the *Kansas Water Plan* completed. RACs provide input to KWA on priority projects from each region to move implementation efforts forward.



# STATE WATER PLAN FUND

REVENUE ESTIMATES  
STFY 2020 \$16,407,007



## STATE WATER PLAN FUND REVENUE

Revenue for the State Water Plan Fund is received from fees assessed to municipal, industrial and agricultural water related users and includes a demand transfer from the State General Fund and Economic Development Initiatives Fund as shown in the table.

Source	Rate
Municipal Water Use	3 cents/1000 gal
Clean Drinking Water Fee	3 cents/1000 gal
Industrial Water Use	3 cents/1000 gal
Stockwater Use	3 cents/1000 gal
Pesticide Registration	\$100/ Registration
Fertilizer Inspections	\$1.40/ton
Pollution Fines and Penalties	Est. \$150,000
Sand Royalty Receipts	\$0.15 / ton
EDIF Transfer	\$ 2,000,000
State General Fund Transfer	\$ 6,000,000



# STATE WATER PLAN FUND EXPENDITURES

Agency/Program	FY2020 KWA Recs	FY2020 Gov Recs	FY2020 Senate/House Adjustments	FY2020 Conference Committee
<b>Department of Health and Environment</b>				
Contamination Remediation	\$ 1,091,394	\$ 691,394	\$ 396,907	\$ 1,088,301
TMDL Initiatives	\$ 278,029	\$ 278,029		\$ 278,029
Nonpoint Source Program	\$ 303,208	\$ 303,208		\$ 303,208
Harmful Algae Bloom Pilot	\$ 450,000	\$ 450,000		\$ 450,000
Watershed Restoration and Protection Strategy	\$ 730,884	\$ 730,884		\$ 730,884
Drinking Water Protection Program	\$ 350,000	\$ -	\$ 350,000	\$ 350,000
<b>Total—KDHE</b>	<b>\$ 3,203,515</b>	<b>\$ 2,453,515</b>	<b>\$ 746,907</b>	<b>\$ 3,200,422</b>
<b>University of Kansas—Geological Survey</b>				
	\$ 26,841	\$ 26,841	\$ 0	\$ 26,841
<b>Department of Agriculture</b>				
Interstate Water Issues	\$ 497,386	\$ 497,386		\$ 497,386
Sub basin Water Resources Management	\$ 619,692	\$ 619,692		\$ 619,692
Water Use	\$ 72,600	\$ 72,600		\$ 72,600
Water Resources Cost Share	\$ 1,948,289	\$ 1,948,289	\$ 500,000	\$ 2,448,289
Nonpoint Source Pollution Asst.	\$ 1,860,023	\$ 1,860,023		\$ 1,860,023
Aid to Conservation Districts	\$ 2,092,637	\$ 2,092,637	\$ 100,000	\$ 2,192,637
Watershed Dam Construction	\$ 550,000	\$ 550,000		\$ 550,000
Water Quality Buffer Initiative	\$ 200,000	\$ 200,000		\$ 200,000
Riparian and Wetland Program	\$ 154,024	\$ 154,024		\$ 154,024
<b>Water Supply Restoration Program-</b>				
Water Transition Assistance/CREP	\$ 201,963	\$ 201,963	\$ 100,000	\$ 301,963
Irrigation Technology	\$ 400,000	\$ 100,000		\$ 100,000
Crop and Livestock Research	\$ 250,000	\$ 250,000	\$ 100,000	\$ 350,000
Streambank Stabilization	\$ 500,000	\$ 500,000		\$ 500,000
Real Time Water Management	\$ 125,000	\$ -		\$ -
<b>Total—KDA</b>	<b>\$ 9,471,614</b>	<b>\$ 9,046,614</b>	<b>\$ 800,000</b>	<b>\$ 9,846,614</b>
<b>Kansas Water Office</b>				
Assessment and Evaluation	\$ 500,000	\$ 500,000	\$ 200,000	\$ 700,000
MOU - Storage Operations & Maintenance	\$ 410,000	\$ 410,000		\$ 410,000
Stream Gaging	\$ 423,130	\$ 423,130		\$ 423,130
Technical Assistance to Water Users	\$ 325,000	\$ 325,000		\$ 325,000
Vision Education Strategy	\$ 250,000	\$ 100,000		\$ 100,000
Reservoir and Water Quality Research	\$ 350,000	\$ 350,000		\$ 350,000
Water Tech Farms	\$ 150,000	\$ 75,000		\$ 75,000
Watershed Conservation Practice Imp	\$ 1,800,000	\$ 900,000	\$ (200,000)	\$ 700,000
Equus Beds Chloride Plume Project	\$ 100,000	\$ 50,000		\$ 50,000
Milford Lake Watershed RCPP	\$ 600,000	\$ 200,000		\$ 200,000
Streambank Stabilization	\$ 500,000	\$ -		\$ -
Water Injection Dredging	\$ 1,500,000	\$ -		\$ -
<b>Total—KWO</b>	<b>\$ 6,908,130</b>	<b>\$ 3,333,130</b>	<b>\$ 0</b>	<b>\$ 3,333,130</b>
<b>Total State Water Plan FY2020 Funding</b>	<b>\$ 19,610,100</b>	<b>\$ 14,860,100</b>	<b>\$ 1,546,907</b>	<b>\$ 16,407,007</b>

# STATE WATER PLAN BUDGET

DOC Programs	FY 2019 Actual	FY 2020 Budget	HIGHEST Allocation
Conservation District Aid	\$2,092,637	\$2,192,637	\$2,325,000
Water Resources Cost-Share	\$1,948,289	\$2,448,289	\$5,736,772
Non-Point Pollution Cost-Share	\$1,858,350	\$1,860,023	\$3,623,854
Watershed Dam Construction	\$550,000	\$550,000	\$1,577,248
Water Supply Restoration / MSL CREP / WTAP	\$0	\$0	1.4 M/700K
Water Quality Buffer Initiative	\$200,000	\$200,000	\$350,000
Riparian & Wetland	\$152,651	\$154,024	\$300,000
Streambank Stabilization	\$500,000	\$500,000	
Irrigation Technology	\$100,000	\$100,000	
<b>TOTAL</b>	<b>\$7,599,927</b>	<b>\$8,205,936</b>	



# KANSAS WATER AUTHORITY PRIORITIES

Agency	Program/Project	FY2020	FY2021
KDA	Streambank Stabilization	\$ 1,000,000	\$1,000,000
KDHE	Watershed Restoration and Protection Strategy	\$ 175,000	\$ 175,000
KWO	Milford Lake Watershed RCPP	\$ 600,000	\$ -
KWO	Vision Education Strategy	\$ 250,000	\$ 250,000
KWO	Watershed Conservation Practice Imp	\$ 1,800,000	\$1,800,000
<b>Water Conservation Sub-Total</b>		<b>\$ 3,825,000</b>	<b>\$3,225,000</b>
KDA	Real Time Water Management(Telemetry)	\$ 125,000	\$ 125,000
KDHE	Harmful Algae Bloom Pilot	\$ 450,000	\$ 450,000
<b>Water Management Sub-Total</b>		<b>\$ 575,000</b>	<b>\$ 575,000</b>
KWO	Reservoir and Water Quality Research	\$ 350,000	\$ 350,000
KDA	Crop and Livestock Research	\$ 150,000	\$ 150,000
KDA	Irrigation Technology	\$ 500,000	\$ 500,000
KWO	Water Tech Farms	\$ 250,000	\$ 250,000
<b>Technology and Crop Variety Sub-Total</b>		<b>\$ 1,250,000</b>	<b>\$1,250,000</b>
KDA	Water Supply Restoration Program		\$ 300,000
KDHE	Contamination Remediation	\$ 400,000	\$ 400,000
KDHE	Drinking Water Protection	\$ 350,000	\$ 800,000
KWO	Equus Beds Chloride Plume Project	\$ 100,000	\$ 100,000
KWO	Storage Purchase	\$ -	\$1,350,000
KWO	Water Injection Dredging	\$ 1,500,000	
<b>Additional Source of Supply Sub-Total</b>		<b>\$ 2,350,000</b>	<b>\$2,950,000</b>
<b>Total State Water Plan Expenditures</b>		<b>\$ 8,000,000</b>	<b>\$8,000,000</b>



## KDA FY2020 ENHANCEMENTS PENDING LEGISLATIVE APPROVAL

**Conservation District Aid - \$100,000 (\$400,000 requested)**

**Total - \$2,192,637**

**Water Resources Cost-Share Program - \$500,000**

**Total - \$2,448,289**

**Conservation Reserve Enhancement Program - \$100,000**

**Total - \$301,963**



## **REGIONAL CONSERVATION PARTNERSHIP PROGRAM**

### **Milford Lake Watershed**

- NRCS Investment: \$2,880,000 (National)
- Lead Partner: Kansas Water Office
- Number of Initial Partners: 28 Participating States: Kansas (Lead State)
- The frequency of harmful algal blooms within Milford Lake has created a concern among lake stakeholders that blooms will adversely impact public water supplies, their ability to provide safe potable water, and negatively impact wildlife and water-based recreation. This project will bring partners together to work with NRCS on implementation of conservation practices within the Milford Lake Watershed. These partnership efforts will help improve water quality by reducing the amount of nutrients entering Milford Lake.



## **REGIONAL CONSERVATION PARTNERSHIP PROGRAM (CONTINUED)**

### **Doniphan County Road and Fields Sediment Reduction**

- NRCS Investment: \$250,000 (State)
- Lead Partner: Doniphan County Conservation District
- Number of Initial Partners: 8
- Participating States: Kansas (Lead State)
- Steep slopes, loess soil and high rainfall amounts create erosion issues that have an impact on county roads. When soil washes out of fields into the road and road ditches, it carries sediment into the water supply. To protect the water and soil in the area, the Doniphan County Conservation District will collaborate with the Doniphan County Road and Bridge Department and NRCS to resolve these issues with landowners. Conservation plans will be developed that will address the drainage area contributing to erosion along the county roadways.



## **REGIONAL CONSERVATION PARTNERSHIP PROGRAM (CONTINUED)**

### **Kansas Projects with DOC as a Partner**

- Improving Water Quality through implementation of forestry practices and the assessment of riparian systems in Kansas priority watersheds (KSU-Kansas Forest Service)
- Middle & Lower Neosho River Water Quality Project (OK / KS)



## **REGIONAL CONSERVATION PARTNERSHIP PROGRAM (CONTINUED)**

### **Other Kansas Projects**

- Advanced Irrigation Water Management on the High Plains Aquifer in Kansas (SW Groundwater Mgmt District #3)
- Pheasant Initiative (KDWPT)
- Grassland Birds and Grazing Land Enhancement Initiative (KDWPT)
- Native Grazing Lands Protection in the Plains (The Nature Conservancy)
- Improving Working Lands for Monarch Butterflies (National Fish & Wildlife Foundation)
- Kansas Wetland Easements (KDWPT)



## FY 2019 IRRIGATION TECHNOLOGY INITIATIVE - \$100,000

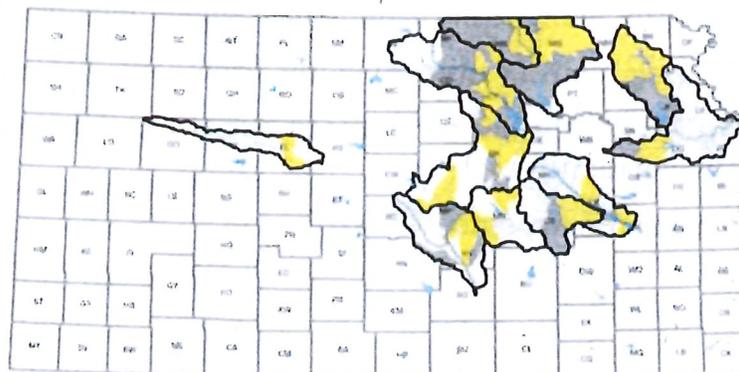
- Designed to promote irrigation efficiency by providing cost-share assistance to landowners for automated soil moisture probes, mobile drip irrigation systems and remote monitoring systems.
- 15 applications (Finney, Sherman & Wallace)
- Five water conservation areas
- \$93,110
- Automated soil moisture probes



## SEDIMENT AND NUTRIENT REDUCTION INITIATIVE

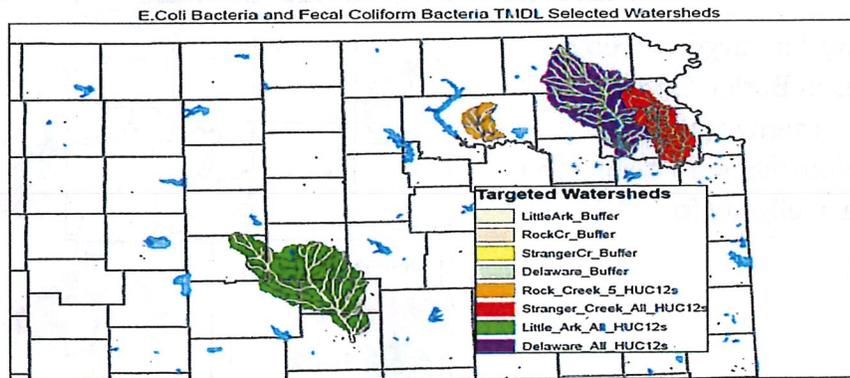
This initiative will provide an incentive payment for producers who choose to install CRP practices that are targeted by the initiative.

The incentive payment is \$225 per acre within Tier 1 HUC 12 areas, and \$162.50 per acre within Tier 2 HUC 12 areas.



# RIPARIAN QUALITY ENHANCEMENT INITIATIVE

Provides financial assistance for the enhancement of riparian areas. This initiative will be made available to the Delaware River, Stranger Creek, Little Arkansas River, and Rock Creek Watersheds. The initiative will target streams that are labeled as TMDL or E. Coli or Fecal Coliform Bacteria by KDHE.



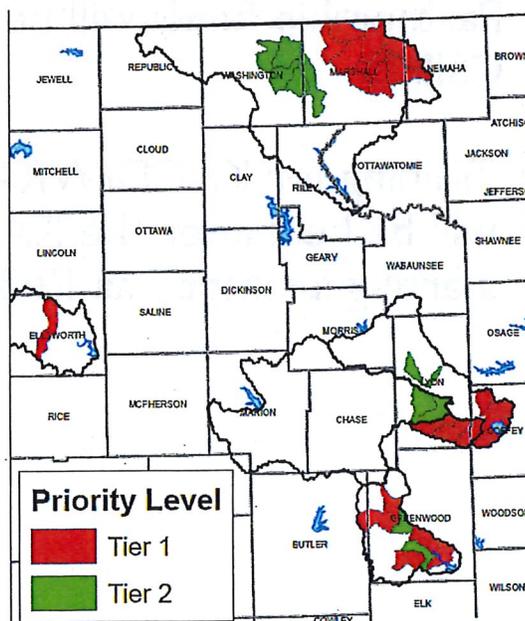
**Kansas** Bureau of Environmental Field Services  
 Department of Health and Environment Watershed Management Section  
 September 2018

**Kansas**  
 Department of Agriculture  
 Division of Conservation

# FY 2019 RESERVOIR PROTECTION INITIATIVE - \$900,000

To enhance sediment reduction efforts above four federal reservoirs including Fall River, Kanopolis, John Redmond and Tuttle Creek.

Lands located in targeted sub-watersheds in Butler, Coffey, Ellsworth, Greenwood, Lyon, Marshall, Nemaha and Washington Counties are eligible for assistance.

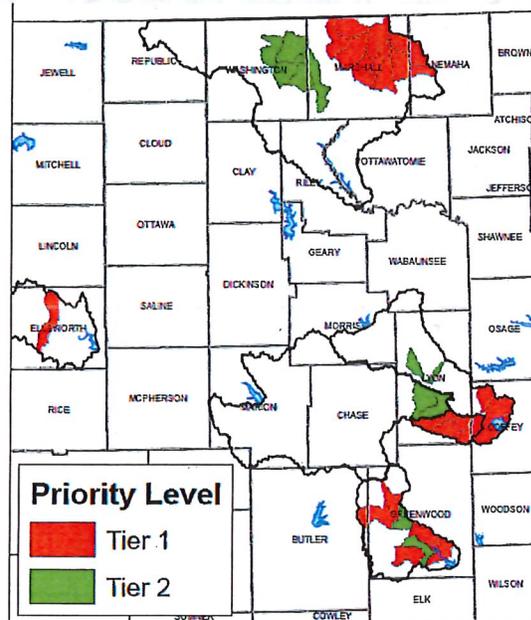


**Kansas**  
 Department of Agriculture  
 Division of Conservation

# FY 2020 RESERVOIR PROTECTION INITIATIVE - \$700,000

To enhance sediment reduction efforts above four federal reservoirs including Fall River, Kanopolis, John Redmond and Tuttle Creek.

Lands located in targeted sub-watersheds in Butler, Coffey, Ellsworth, Greenwood, Lyon, Marshall, Nemaha and Washington Counties are eligible for assistance.



**Kansas**  
Department of Agriculture  
Division of Conservation

## KACD WRAPS PARTNERSHIP INITIATIVE

- Partnership funds will be administered through CSIMS.
- Training for KACD/WRAPS partnership counties will be held after the KACD-EO Statewide Meeting starting promptly at 12:30 on Wednesday afternoon.

**Kansas**  
Department of Agriculture  
Division of Conservation

## **STREAMBANK STABILIZATION PROGRAM - \$500,000**

To decrease sedimentation due to streambank erosion in targeted federal reservoirs (Tuttle, Perry, and John Redmond). These projects help preserve water storage, protect farmland, and improve habitat diversity.

The Division of Conservation works in conjunction with the Kansas Water Office and Kansas Department of Health and Environment, Watershed Management Section to pool funding for these projects.

Sites are identified using aerial photography and on site evaluations made by agency personnel and professional fluvial geomorphologists.



## **KACD TECHNICIANS**

KACD Technician reporting tool in CSIMS is to be used by the KACD agreement technicians to report monthly activities.

Counties that have a KACD technician include the following:

- Anderson
- Hodgeman
- Kingman
- Nemaha
- Rooks



# DOC TECHNICIANS

DOC Technician reporting tool in CSIMS is to be used for the DOC contribution agreement technicians to report monthly activities.

Counties that have a DOC technician include the following:

Atchison County	McPherson County
Bourbon County	Ness County
Butler County	Osage County
Douglas County	Phillips County
Ford County	Pottawatomie County
Jackson County	Rice County
Jefferson County	Saline County
Kiowa County	Thomas County
Lyon County	Wabaunsee County
Marshall County	Wilson County



# SOIL HEALTH EDUCATION FUNDS

FY 2019

- 21 soil health grants for \$37,456.03
- Funds still available – contact Dave Jones

Funds will be available again in FY 2020

- Soil health field day or workshop
- Address no-till, cover crops, or grazing management
- \$2,500 limit per application for workshop

No-till on the Plains Winter Conference registration fees

- CD Supervisors
- Landowner/Operator first time attendees
- Must attend both days of conference



# **FY 2020 COST-SHARE PROGRAM YEAR SETUP**

Targeted date May 15, 2019

CS-1 County Allocation Report

CS-2 District Program Setup

CS-2 District Program Ranking Worksheet Setup

- State Initiatives reflected on ranking worksheets under the State Priority Section

DOC Programs Manual Revisions

## **FY 2020 STATE AID TO CONSERVATION DISTRICTS**

Matching Funds process streamlined for FY 2020.

Districts will no longer receive a State Aid Matching Funds Claim Form.

A one time payment will be made after July 1, 2019 based upon the County Certification that DOC received from CD's due on September 1, 2018.

Effective July 1, 2019 district's will no longer need to submit Claim Forms to receive their State Aid allocation.

# COST-SHARE CONTRACT REMINDERS

2017

- FY 2017 WR and NPS cost-share contracts expire June 14, 2019.

2018

- FY 2018 WR and NPS cost-share contracts expire June 1, 2020.  
**NOTE:** Livestock Waste Management projects expire June 1, 2021.

2019

- FY 2019 WR and NPS cost-share contracts expire June 1, 2021. All current fiscal year completed cost-share contracts must be submitted for final payment in CSIMS by May 24, 2019.  
**NOTE:** AWP and OSW project types expire May 22, 2020, and Livestock Waste Management projects expire June 1, 2022.



## CSIMS 2.1

(TARGETED LATE SUMMER OF 2019)

### New in CSIMS 2.1

- The Final Paid Date will be added on View/Print Payment when payment has been made by SMART.

District approval date

DOC approval date

SMART (Statewide Management Accounting and Reporting Tool) approval date

- Districts will be required to upload the final NRCS field check out sheet when processing a cost-share contract for payment in CSIMS.
- Districts will be able to View/Print Ranking Worksheet for Individuals.
- Unmet Needs and Load Reduction will be new in CSIMS 2.1.
- Forums will be new in CSIMS 2.1.



# AGRILAND AT KANSAS STATE FAIR

2019 Kansas State Fair Schedule for Staffing Soil Tunnel Trailer/Agriland Exhibit

## NEW THIS YEAR:

Shift worker schedule has been set up on a rotation cycle. Partnership

Each Conservation District Area has been scheduled to work 6 shifts this year.

Shifts will be from 8:00 a.m. to 2:00 p.m., and 2:00 p.m. to 8:00 p.m. except the first day of the fair will open at 11:00 a.m., so the worker shifts on Monday, September 6 will be from 11:00 a.m. to 3:30 p.m., and 3:30 p.m. to 8:00 p.m.

It is the district's responsibility to ensure their work scheduled day will be covered.

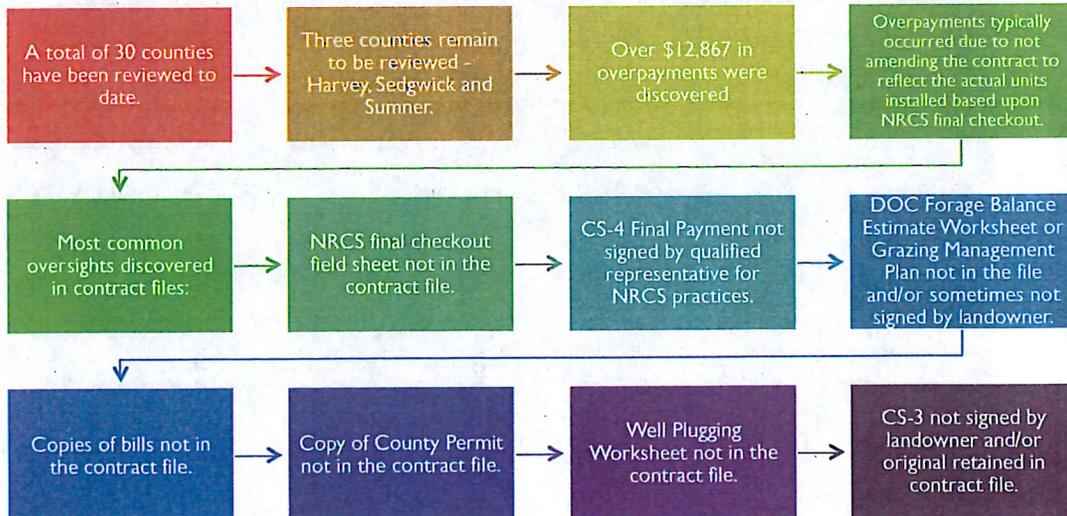
A worker could be a District Supervisor, a NRCS Employee, another Conservation District Employee, a SCC Commissioner, KACD, or a DOC Employee.

Agriland has generously approved to pay for entry into the fairgrounds for each scheduled worker.

Date	Time	Area	Conservation District	Worker Name
Friday, September 6, 2019	11:00 a.m. - 3:30 p.m.	1	Cheyenne	
	11:00 a.m. - 3:30 p.m.	1	Decatur	
	3:30 p.m. - 8:00 p.m.	1	Ellis	
	3:30 p.m. - 8:00 p.m.	1	Gove	
Saturday, September 7, 2019	8:00 a.m. - 2:00 p.m.	1	Graham	
	8:00 a.m. - 2:00 p.m.	1	Logan	
	2:00 p.m. - 8:00 p.m.	2	Clark	
	2:00 p.m. - 8:00 p.m.	2	Comanche	
Sunday, September 8, 2019	8:00 a.m. - 2:00 p.m.	2	Edwards	
	8:00 a.m. - 2:00 p.m.	2	Finney	
	2:00 p.m. - 8:00 p.m.	2	Ford	
	2:00 p.m. - 8:00 p.m.	3	Barber	
Monday, September 9, 2019 (DOLLAR DAYS)	8:00 a.m. - 2:00 p.m.	3	Barton	
	8:00 a.m. - 2:00 p.m.	3	Cloud	
	2:00 p.m. - 8:00 p.m.	3	Ellsworth	
	2:00 p.m. - 8:00 p.m.	3	Harper	
Tuesday, September 10, 2019	8:00 a.m. - 2:00 p.m.	3	Harvey	
	2:00 p.m. - 8:00 p.m.	4	Atchison	
Wednesday, September 11, 2019	8:00 a.m. - 2:00 p.m.		KACD-EO	
	8:00 a.m. - 2:00 p.m.		KACD-EO	
	2:00 p.m. - 8:00 p.m.		KACD-EO	
	2:00 p.m. - 8:00 p.m.		KACD-EO	
Thursday, September 12, 2019	8:00 a.m. - 2:00 p.m.	4	Brown	
	2:00 p.m. - 8:00 p.m.		DOC Staff	Donna Meader
Friday, September 13, 2019	8:00 a.m. - 2:00 p.m.		DOC Staff	Rob Reschke
	8:00 a.m. - 2:00 p.m.	4	Clay	
	2:00 p.m. - 8:00 p.m.	4	Dickinson	
	2:00 p.m. - 8:00 p.m.	4	Doniphan	
Saturday, September 14, 2019	8:00 a.m. - 2:00 p.m.	4	Douglas	
	8:00 a.m. - 2:00 p.m.	5	Allen	
	2:00 p.m. - 8:00 p.m.	5	Anderson	
	2:00 p.m. - 8:00 p.m.	5	Bourbon	
Sunday, September 15, 2019	8:00 a.m. - 2:00 p.m.	5	Butler	
	8:00 a.m. - 2:00 p.m.	5	Chase	
	2:00 p.m. - 7:00 p.m.	5	Chautauqua	
	2:00 p.m. - 7:00 p.m.	2	Rush (Soil Tunnel Trailer)	



## FY 2019 COST-SHARE AND OPERATION REVIEW FINDINGS



# FY 2020 TENTATIVE COST-SHARE AND OPERATION REVIEW SCHEDULE

Management Unit	County	TENTATIVE Date to Review
Emporia	Morris	7/1/2019
Emporia	Lyon	7/2/2019
Emporia	Chase	7/2/2019
Hoxie	Thomas	7/10/2019
Hoxie	Sherman	7/10/2019
Hoxie	Sheridan	7/11/2019
Medicine Lodge	Harper	7/23/2019
Medicine Lodge	Barber	7/24/2019
Medicine Lodge	Comanche	7/24/2019
Great Bend	Barton	8/6/2019
Great Bend	Rush	8/7/2019
Great Bend	Pawnee	8/7/2019
Pratt	Kiowa	8/27/2019
Pratt	Edwards	8/27/2019
Pratt	Pratt	8/28/2019
Pratt	Stafford	8/28/2019
Belleville	Republic	10/8/2019
Belleville	Jewell	10/8/2019
Belleville	Mitchell	10/9/2019
Belleville	Cloud	10/9/2019
Abilene	Dickinson	10/22/2019
Abilene	Clay	10/23/2019
Abilene	Ottawa	10/24/2019
Effingham	Jefferson	11/5/2019
Effingham	Leavenworth	11/5/2019
Effingham	Atchison	11/6/2019
Effingham	Doniphan	11/6/2019
Hiawatha	Brown	1/16/2020
Hiawatha	Jackson	1/16/2020
Hiawatha	Nemaha	1/17/2020
Lyndon	Shawnee	1/21/2020
Lyndon	Osage	1/21/2020
Lyndon	Douglas	1/22/2020
Dodge City	Ford	5/5/2020
Dodge City	Gray	5/5/2020
Dodge City	Meade	5/6/2020
Dodge City	Clark	5/6/2020

These dates are **tentative**.

Review FY 2017, 2018 and 2019 WVR and NPS cost-share contract files.

Review the following operation items:

- Surety Bond
- District Audit
- Local Operational Agreement
- Annual Work Plan
- Annual Report
- District Credit Card Policy
- Minutes and Treasurer's Report
- Personnel Policy Handbook
- Employee Agreement
- Time Sheets



## NEW EMPLOYEE TRAINING

FY 2019 (June 1, 2018 thru current)

- Twenty-two new Conservation District employee's have been hired since June 1, 2018.
- New employee training has been provided to the following counties:
  - Norton Harvey (2 new employees)
  - Sedgwick Lincoln
  - Stafford Crawford
  - Jackson (2 new employees) Rawlins
  - Atchison Barton
  - Stevens Ness
  - Harper Lane
  - Lyon Jefferson
  - Chase Montgomery
  - Gove Stanton

# QUESTIONS







DRAFT

Attachment K

FY2020 Aid to Conservation Districts			
COUNTY CD	COUNTY TOTAL	STATE OF KS MATCHED	TOTAL
ALLEN	\$ 40,000	\$ 22,327.95	\$ 62,327.95
ANDERSON	\$ 50,000	\$ 22,327.95	\$ 72,327.95
ATCHISON	\$ 29,140	\$ 22,327.95	\$ 51,467.95
BARBER	\$ 25,000	\$ 22,327.95	\$ 47,327.95
BARTON	\$ 24,650	\$ 22,015.36	\$ 46,665.36
BOURBON	\$ 34,200	\$ 22,327.95	\$ 56,527.95
BROWN	\$ 27,500	\$ 22,327.95	\$ 49,827.95
BUTLER	\$ 39,600	\$ 22,327.95	\$ 61,927.95
CHASE	\$ 17,000	\$ 15,183.01	\$ 32,183.01
CHAUTAUQUA	\$ 15,000	\$ 13,396.77	\$ 28,396.77
CHEROKEE	\$ 25,000	\$ 22,327.95	\$ 47,327.95
CHEYENNE	\$ 23,050	\$ 20,586.37	\$ 43,636.37
CLARK	\$ 26,000	\$ 22,327.95	\$ 48,327.95
CLAY	\$ 43,945	\$ 22,327.95	\$ 66,272.95
CLOUD	\$ 25,000	\$ 22,327.95	\$ 47,327.95
COFFEY	\$ 75,125	\$ 22,327.95	\$ 97,452.95
COMANCHE	\$ 20,000	\$ 17,862.36	\$ 37,862.36
COWLEY	\$ 38,000	\$ 22,327.95	\$ 60,327.95
CRAWFORD	\$ 33,912	\$ 22,327.95	\$ 56,239.95
DECATUR	\$ 22,000	\$ 19,648.60	\$ 41,648.60
DICKINSON	\$ 30,000	\$ 22,327.95	\$ 52,327.95
DONIPHAN	\$ 33,000	\$ 22,327.95	\$ 55,327.95
DOUGLAS	\$ 85,833	\$ 22,327.95	\$ 108,160.95
EDWARDS	\$ 27,955	\$ 22,327.95	\$ 50,282.95
ELK	\$ 12,000	\$ 10,717.42	\$ 22,717.42
ELLIS	\$ 72,646	\$ 22,327.95	\$ 94,973.95
ELLSWORTH	\$ 32,000	\$ 22,327.95	\$ 54,327.95
FINNEY	\$ 30,000	\$ 22,327.95	\$ 52,327.95
FORD	\$ 35,000	\$ 22,327.95	\$ 57,327.95
FRANKLIN	\$ 45,000	\$ 22,327.95	\$ 67,327.95
GEARY	\$ 33,000	\$ 22,327.95	\$ 55,327.95
GOVE	\$ 20,000	\$ 17,862.36	\$ 37,862.36
GRAHAM	\$ 27,500	\$ 22,327.95	\$ 49,827.95
GRANT	\$ 18,600	\$ 16,612.00	\$ 35,212.00
GRAY	\$ 25,000	\$ 22,327.95	\$ 47,327.95
GREELEY	\$ 25,000	\$ 22,327.95	\$ 47,327.95
GREENWOOD	\$ 18,000	\$ 16,076.13	\$ 34,076.13
HAMILTON	\$ 25,000	\$ 22,327.95	\$ 47,327.95
HARPER	\$ 20,211	\$ 18,050.81	\$ 38,261.81
HARVEY	\$ 20,000	\$ 17,862.36	\$ 37,862.36
HASKELL	\$ 36,000	\$ 22,327.95	\$ 58,327.95
HODGEMAN	\$ 24,000	\$ 21,434.83	\$ 45,434.83
JACKSON	\$ 62,000	\$ 22,327.95	\$ 84,327.95
JEFFERSON	\$ 39,801	\$ 22,327.95	\$ 62,128.95
JEWELL	\$ 25,000	\$ 22,327.95	\$ 47,327.95
JOHNSON	\$ 25,000	\$ 22,327.95	\$ 47,327.95
KEARNY	\$ 50,000	\$ 22,327.95	\$ 72,327.95
KINGMAN	\$ 25,000	\$ 22,327.95	\$ 47,327.95
KIOWA	\$ 15,000	\$ 13,396.77	\$ 28,396.77
LABETTE	\$ 22,500	\$ 20,095.16	\$ 42,595.16
LANE	\$ 25,000	\$ 22,327.95	\$ 47,327.95
LEAVENWORTH	\$ 55,000	\$ 22,327.95	\$ 77,327.95
LINCOLN	\$ 22,000	\$ 19,648.60	\$ 41,648.60

Governor's Final Budget			\$ 2,192,637.00
COUNTY CD	COUNTY TOTAL	STATE OF KS MATCHED	TOTAL
LINN	\$ 40,000	\$ 22,327.95	\$ 62,327.95
LOGAN	\$ 21,875	\$ 19,536.96	\$ 41,411.96
LYON	\$ 30,000	\$ 22,327.95	\$ 52,327.95
MARION	\$ 33,000	\$ 22,327.95	\$ 55,327.95
MARSHALL	\$ 40,000	\$ 22,327.95	\$ 62,327.95
McPHERSON	\$ 34,121	\$ 22,327.95	\$ 56,448.95
MEADE	\$ 16,000	\$ 14,289.89	\$ 30,289.89
MIAMI	\$ 44,385	\$ 22,327.95	\$ 66,712.95
MITCHELL	\$ 26,000	\$ 22,327.95	\$ 48,327.95
MONTGOMERY	\$ 25,500	\$ 22,327.95	\$ 47,827.95
MORRIS	\$ 27,000	\$ 22,327.95	\$ 49,327.95
MORTON	\$ 25,000	\$ 22,327.95	\$ 47,327.95
NEMAHA	\$ 35,000	\$ 22,327.95	\$ 57,327.95
NEOSHO	\$ 25,000	\$ 22,327.95	\$ 47,327.95
NESS	\$ 18,000	\$ 16,076.13	\$ 34,076.13
NORTON	\$ 18,500	\$ 16,522.68	\$ 35,022.68
OSAGE	\$ 31,000	\$ 22,327.95	\$ 53,327.95
OSBORNE	\$ 18,000	\$ 16,076.13	\$ 34,076.13
OTTAWA	\$ 20,000	\$ 17,862.36	\$ 37,862.36
PAWNEE	\$ 25,000	\$ 22,327.95	\$ 47,327.95
PHILLIPS	\$ 15,000	\$ 13,396.77	\$ 28,396.77
POTTAWATOMIE	\$ 82,500	\$ 22,327.95	\$ 104,827.95
PRATT	\$ 25,000	\$ 22,327.95	\$ 47,327.95
RAWLINS	\$ 22,000	\$ 19,648.60	\$ 41,648.60
RENO	\$ 45,000	\$ 22,327.95	\$ 67,327.95
REPUBLIC	\$ 37,500	\$ 22,327.95	\$ 59,827.95
RICE	\$ 30,000	\$ 22,327.95	\$ 52,327.95
RILEY	\$ 55,136	\$ 22,327.95	\$ 77,463.95
ROOKS	\$ 25,000	\$ 22,327.95	\$ 47,327.95
RUSH	\$ 25,000	\$ 22,327.95	\$ 47,327.95
RUSSELL	\$ 28,500	\$ 22,327.95	\$ 50,827.95
SALINE	\$ 26,268	\$ 22,327.95	\$ 48,595.95
SCOTT	\$ 26,000	\$ 22,327.95	\$ 48,327.95
SEDGWICK	\$ 40,000	\$ 22,327.95	\$ 62,327.95
SEWARD	\$ 38,000	\$ 22,327.95	\$ 60,327.95
SHAWNEE	\$ 42,000	\$ 22,327.95	\$ 64,327.95
SHERIDAN	\$ 18,000	\$ 16,076.13	\$ 34,076.13
SHERMAN	\$ 28,500	\$ 22,327.95	\$ 50,827.95
SMITH	\$ 17,500	\$ 15,629.57	\$ 33,129.57
STAFFORD	\$ 25,000	\$ 22,327.95	\$ 47,327.95
STANTON	\$ 20,000	\$ 17,862.36	\$ 37,862.36
STEVENS	\$ 32,020	\$ 22,327.95	\$ 54,347.95
SUMNER	\$ 25,000	\$ 22,327.95	\$ 47,327.95
THOMAS	\$ 28,000	\$ 22,327.95	\$ 50,327.95
TREGO	\$ 22,500	\$ 20,095.16	\$ 42,595.16
WABAUNSEE	\$ 37,500	\$ 22,327.95	\$ 59,827.95
WALLACE	\$ 16,150	\$ 14,423.86	\$ 30,573.86
WASHINGTON	\$ 35,000	\$ 22,327.95	\$ 57,327.95
WICHITA	\$ 25,000	\$ 22,327.95	\$ 47,327.95
WILSON	\$ 25,000	\$ 22,327.95	\$ 47,327.95
WOODSON	\$ 22,500	\$ 20,095.16	\$ 42,595.16
WYANDOTTE	\$ 45,000	\$ 22,327.95	\$ 67,327.95
<b>TOTALS</b>	<b>\$ 3,235,123</b>		<b>\$ 5,427,760.00</b>

MAY 13, 2019

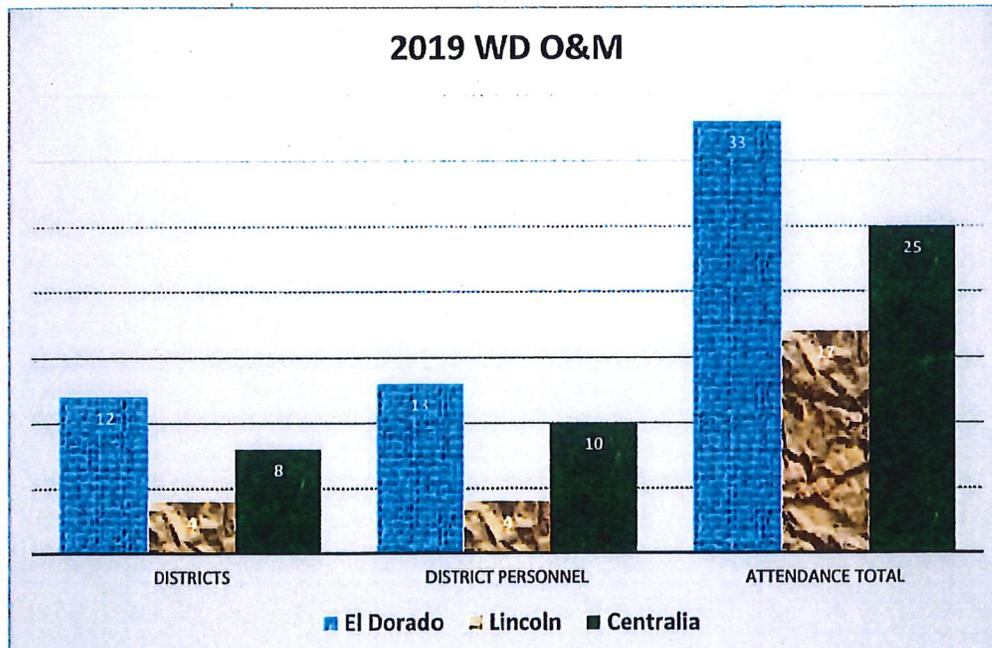
## Kansas Department of Agriculture Division of Conservation



### Kansas Watershed District Partnership Operation and Maintenance Workshops

April 16-18 2019

	El Dorado	Lincoln	Centralia	Total
W Districts	12	4	8	24
WD Personnel	13	4	10	27
DOC	1	1	1	1
SAKW	1	1	1	1
DWR	2	2	2	2
NRCS	16	9	11	30
Attendance Total	33	17	25	75



- 1) Email reminder to Watershed Districts (14) that have application for state cost-share assistance to build new detention dams advising them to reapply, revise or withdraw. Most of said applications are pre 2014.
- 2) We're still shooting to have the Watershed District Handbook Version 2.0, ready by July 1
- 3) DOC and Watershed Partnership (SAKW, DWR and NRCS) completed a successful 3 day Operation and Maintenance Workshop series, April 16, 17 and 18, in El Dorado, Lincoln and Centralia.
  - About a third of the districts were in attendance (24)
  - A strong number of NRCS - specifically those who have Watershed Districts in their counties.
  - And the regular Watershed Partnership Partners: SAKW, DWR, DOC and NRCS (State office)



**NRCS HIGHLIGHTS OF ACTIVITIES  
for the meeting of the  
STATE CONSERVATION COMMISSION  
MANHATTAN, KANSAS  
May 13, 2019**

## **MANAGEMENT AND STRATEGY**

- The FPAC Agencies have implemented an online vehicle scheduling and reporting tool called the Vehicle Management Tool (VMT). Every employee with eAuthentication credentials (includes non-federal partner employees) has access to the VMT to reserve vehicles and report use of the vehicle.
- Kansas finally received our full-year budget allocations in late-April. Even though nearly 60% of the fiscal year is past, the funding should be sufficient for the remainder of the year.
- Phase 3 of the NRCS Cycle Time Study began April 29, 2019. This will be a 12-week data collection period ending on July 27, 2019.
- In the process of re-advertising the remaining 12 FY18 positions that were not filled. For FY 2019, we are allowed to advertise up to 96% of our full-time employee cap.
- NRCS attended the 34th Annual Minorities in Agriculture, Natural Resources, and Related Sciences (MANNRS) Career Fair in April.
- NRCS recently completed installation of a weather station on land owned by the Iowa Tribe in Brown County.

## **PROGRAMS**

- The next deadline for Conservation Stewardship Program applications to be considered for funding this year is May 10, 2019. NRCS plans to invest up to \$700 million for new enrollments and contract extensions in fiscal year 2019. The 2018 Farm Bill made several changes to this critical conservation program, which helps agricultural producers take the conservation activities on their farm or ranch to the next level.
- RCPP partner agreements expiring in FY2020 will be offered a one-year extension at no cost.
- Full Kansas Technical Committee Meeting is May 30, 2019 at 9:00AM at the NRCS Conference Center in Salina.
- NRCS Kansas notice of funding availability for the Conservation Innovation Grants (CIG) is available on [Grants.gov](http://Grants.gov) to fund projects that could stimulate the development and adoption of innovative conservation approaches and technologies. Interested applicants must apply by June 14, 2019.

## **RESOURCES**

- Kansas NRCS is currently working to promote the use of nutrient management in critical watersheds for water quality benefits.

- Kansas NRCS will be carefully evaluating grazing lands conservation; including the inventory and assessment of resource concerns and application of commonly used conservation practices.
- Kansas NRCS has initiated a workgroup to evaluate Working Lands for Wildlife, Lesser Prairie-Chicken Initiative (LPCI), to determine how we can improve the application of a working lands program in the Southern Great Plains.
- Kansas NRCS is researching the possible use of satellite, unmanned aircraft system (UAS) imagery, grid sampling, yield monitor data, and soil electrical conductivity (EC) to identify areas where NRCS can offer planning assistance.
- NRCS is working with Emporia State University through an agreement to scan, mosaic, and georeference over 30 counties of historical aerial imagery from the 1930s and 1940s. The imagery will be provided to the Kansas Geospatial Clearinghouse, at the Data Access and Support Center, for public availability and used by NRCS for conservation planning purposes.
- NRCS is going to assist Kansas Rural Center with a “Pollinator, Pesticides, and Drift” workshop in Wichita on Monday, May 20, 2019.

#### **EASEMENTS**

- Easement staff are processing FY 2019 Agricultural Conservation Easement Applications (ACEP). 23 applications have been submitted.
- FY 2018 ACEP-Wetland Reserve Easements (WRE) are having boundary surveys completed.
- All FY 2017 ACEP-WRE have been acquired and will begin restoration of wetlands as soon as weather permits.

#### **NEWS RELEASES**

- Earth Team Volunteer Week was last month. During fiscal year 2018, Kansas NRCS had a total of 2,523 volunteers that contributed 17,539 hours towards helping NRCS and our partners. The value that our Earth Team volunteers contributed to NRCS was nearly \$1.4 million.

#### **EVENTS**

- NRCS participated at the Great Bend Farm Show.
- The Manhattan PMC held a plot tour on May 2, “Seeking Vegetative Solutions to Conservation Problems.” The tour was for folks interested in cover crops and soil health activities and highlighted:
  - Cereal grain cover crop variety plot: 24 entries that include cereal rye, triticale, barley, and wheat varieties
  - Population study: includes cereal rye, triticale, barley, and wheat varieties
  - Forb introduction plot

**Hays/R9:** On April 29, Secretary Beam declined administrative review of the remaining (five) requests for review of the chief engineer's order contingently approving the changes of the R9 water rights from irrigation to municipal use. Those seeking administrative review have 30 days to request judicial review. If none is received, the water transfer process will begin.

**Quivira Impairment/GMD 5:** The team met with Tom Stiles of KDHE on April 30 to discuss potential additional water quality concerns that would be caused by GMD 5's plan to rely solely on augmentation which will result in diminishing baseflows and deteriorating water quality over time.

**Wichita ASR:** Hearing Officer Connie Owen has ordered that oral arguments on the eight remaining motions by the parties will be heard May 28, 2019 at 10:00 a.m. at the Harvey County Courthouse in Newton.

**Flooding:** DWR is assisting FEMA, KDEM, the SEOC and communities regarding flood events. At the time of this report, we are assisting communities in Butler, Chase, Cowley, Harvey, Marion, Osage, Reno, Rice and Sumner counties.

**Upcoming FEMA State-owned building audit** – Governor Kelly received the letter outlining the State-owned building assessment on April 30. An informational webinar will be presented by FEMA on May 16. The webinar will explain the full details of that letter and the expectations. DWR is working with KDA legal, the GO, KDEM and Department of Administration on coordinating the effort. Unfortunately, we have some potential problems for this audit of our capabilities. There is no single State office that approves permits for State-owned buildings in the floodplain. Therefore, the local community officials are responsible for the permitting of State-owned buildings in the floodplain. K.S.A. 75-3741c exempts State-owned capital improvement projects from local building codes, permits and fees. This could be interpreted to mean they are exempt from floodplain development permits. With that interpretation, FEMA could say that local communities don't have authority to enforce regulations. Kansas' NFIP participation may be in jeopardy if that interpretation is used.

**FEMA High Hazard Potential Dam (HHPD) rehabilitation grant** – A webinar was held April 24 for the upcoming grant. There has been \$10 million allocated in the Water Infrastructure Improvements for the Nation (WIIN) Act to upgrade High Hazard Potential Dams (HHPDs). This is going to be a FEMA grant that goes to the States. The intent is the State Hazard Mitigation Officer (SHMO) would administer the grant in cooperation with the state dam safety office. FEMA indicated the NOFO would be in May with a September award due to WIIN requirements. DWR is completing an inventory of HPPDs eligible for the funding.

**Dry Creek Watershed District:** The City of Morganville conducted a special election regarding the inclusion of the City in the proposed Watershed District. The results were NO – 14, YES – 22, and one provisional ballot. Total of 37 people voted out of 125 registered voters. The question is what they need to do next, and if the Board would need to start over with a new petition with corrected boundaries, or if they could include the City of Morganville into the already approved Petition under K.S.A. 24-1205.

**National Dam Safety Review Board Performance Questionnaire:** The questionnaire was submitted April 17. Questions are used to calculate the numbers for the state assistance grant performance metrics. ASDSO also uses the information for their state performance reports.

**O&M Workshops:** In conjunction with DOC, NRCS and SAKW O&M workshops were held in El Dorado (April 16), Lincoln (April 17) and Centralia (April 18).

**LiDAR:** The request for NRCS extension for hydroenforcement was only granted for 1 year (Feb 2021) and was not authorized until Oct 2021 as requested. Trying to discuss with contractors how to meet the deliverables due to delays by Atlantic. A letter was sent to Atlantic on May 1 outlining frustrations with the delays.

**Budget:** The CAP-SSSE grant application is due May 15 (\$163k). The FDS grant application is due May 23 (\$225K). The CTP grant application is due in June (\$6.8M)

**Staffing:** Lucas Goss will start as a stream permit team engineer on May 20. Elene Hubka has submitted her resignation effective June 28. That will leave two vacancies in the Water Structures Program, one engineer and one administrative specialist.

# Attachment O

SCC Meeting  
May 13, 2019  
Area V Commission Report

In the month of April there was a brief window of opportunity allowing some to work towards completion of planned conservation practices. Conditions during this 5 – 7 days allowed some field work to be done as well. Since that time however, moderate to very heavy rain fall has occurred resulting in flood conditions in many areas that continues.

I had the opportunity to meet with both Luke Westerman, Supervising District Conservationist, Greenwood County Management Unit and Bruce Wells Assistant State Conservationist for Field Operations Area 3. We had productive communication about natural resource concerns and priorities in the area. We discussed District activities, local, state and federal programs. Together we discussed how to continue effective communication and be productive partners in the accomplishment of our duty and mission. I greatly appreciate this opportunity and continuing relationship as we strive together to assist in our respective role in helping others be better stewards.

I have also communicated with District Managers and several Area District Supervisors and other conservation partners.

Rod Vorhees  
Area V Commissioner