

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 9:08 a.m., Monday, September 13, 2010 at the Holiday Inn Express, Hutchinson, 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, Vice-Chairman
Rod Vorhees, Area V Commissioner, Chairman

Ex-Officio & Appointed Members:

None.

Staff:

Greg Foley, Executive Director
Don Jones, Water Quality Programs Manager

Guest:

Rhonda Sulsar, NRCS, State Administrative Officer

3. **APPROVAL OF AGENDA:**

Motion by Ted Nighswonger to approve the agenda, as mailed. Seconded by Andy Larson. Motion carried.

4. **APPROVAL OF MINUTES:**

Motion by Brad Shogren to approve the August 2, 2010 minutes as mailed. Seconded by John Wunder. Motion carried.

5. **COMMENTS FROM GUESTS:**

Rhonda Sulsar, NRCS

SCC MEETING MINUTES

September 13, 2010

Page 2

6. COMMUNICATIONS AND ANNOUNCEMENTS:

None.

7. UNFINISHED BUSINESS:

- a.** Greg Foley provided an overview of the Kansas Water Authority budget recommendations and reviewed final budget planning issues for Fiscal Year 2012.
 - i.** Kansas Water Authority recommendation – See Attachment A.
 - ii.** Enhancements: State Aid to Conservation Districts - \$40,000 – Reviewed procedure and process to request full funding for Aid to Conservation Districts.
- b.** Kansas Water Pollution Control Revolving Fund update – The SCC learned that this procedure would require the SCC to sign a promissory note and could not be handled like the other KDHE funding programs. The SCC does not have the statutory authority to incur indebtedness and therefore will not be able to sponsor an effort to obtain additional funding for “green projects”.

8. NEW BUSINESS:

- a.** Review and assign commissioner for the KACD Annual Meeting.
 - i.** Preside at Monday SCC luncheon: Rod Vorhees.
 - ii.** Give invocation at Monday luncheon: Brad Shogren.
 - iii.** Guest luncheon speaker introduction: Andy Larson.
 - iv.** Presentation of 20 year awards: Ted Nighswonger and John Wunder.
 - v.** Hold elections for the following:
 - 1)** KACD areas I, III and V.
 - 2)** SCC areas II and IV.
- b.** KACD resolutions for the 2010 KACD Annual Meeting – Supervisor Training – Greg Foley – The supervisor training resolution was discussed at all five area fall meetings and was unanimously supported. The SCC is unaware of additional resolutions at this time.

SCC MEETING MINUTES

September 13, 2010

Page 3

- c. Authorize Commissioner and Staff travel.
 - i. Hakim Saadi's attendance at the Association of State Dam Safety Officials conference in Seattle, Washington on September 19 – 23, 2010. The travel will be totally funded by the Kansas Department of Agriculture via FEMA grant funding – Greg Foley.

Motion by Ted Nighswonger to approve Hakim Saadi to attend the Association of State Dam Safety Officials conference in Seattle, Washington on September 19 – 23, 2010. Andy Larson seconded motion. Motion carried.

9. REPORTS:

a. Agency Reports:

- i. NRCS – Rhonda Sulsar. See attachment B.

b. Commissioner Reports:

- i. Area III Commissioner – Brad Shogren – reviewed issue of Kansas Tort Claim Act that was brought forward by the KACD-EO representative. Staff was directed to contact the individual to clarify surrounding issues.

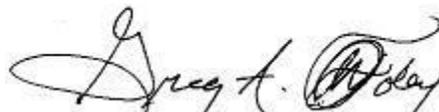
c. Staff Reports:

- i. Greg Foley, Executive Director – The Water Supply Restoration Program's (WSRP) initial project is nearly complete. The dredging of approximately 1,000,000 cubic yards of sediment has been completed and the closure of the Confinement Disposal Facility (CDF) is underway. The third project sponsor, under the WSRP, is close to entering into an agreement with the SCC to address issues on the Augusta City Lake. The last major update to the board addressed a Cooperative Agreement with the NRCS to provide design's for streambank stabilization projects. The SCC will be working with the NRCS to develop a new five-year agreement.

10. ADJOURN:

The next regular Commission meeting is scheduled for 2:00 p.m. November 21, 2010 at the Wichita Airport Hilton in Wichita Kansas.

Motion by Brad Shogren to adjourn. Seconded by Ted Nighswonger. Motion carried. Meeting adjourned at 12:15 p.m.


Executive Director

State Water Plan Fund: FY2010 - FY2012

Agency/Program	FY 2010 Approved	FY 2011 KWA Rec	FY 2011 Approved	FY 2012 Agency Request	FY 2012 ELARF
Department of Health and Environment					
Contamination Remediation	\$ 447,951	\$ 753,870	\$ 753,870	\$ 800,000	
TMDL Initiatives	\$ 194,959	\$ 238,316	\$ 166,821	\$ 240,000	
Local Environmental Protection Program	\$ 1,066,942	\$ 1,400,000	\$ 980,000	\$ 1,400,000	
Nonpoint Source Program	\$ 305,876	\$ 299,856	\$ 246,072	\$ 378,618	
Watershed Restoration and Protection Strategy	\$ 431,312	\$ 783,852	\$ 548,696	\$ 725,000	\$ 1,700,000
Treece Superfund	\$ -	\$ -	\$ 350,000	\$ -	
Total--Department of Health and Environment	\$ 2,447,040	\$ 3,475,894	\$ 3,045,459	\$ 3,543,618	\$ 1,700,000
University of Kansas--Geological Survey	\$ 28,800	\$ 37,486	\$ 28,800	\$ 40,000	\$ -
University of Kansas - Biological Survey					
Reservoir Assessment Program	\$ -	\$ -	\$ -	\$ -	\$ 440,000
Kansas State University - Forest Service					
Riparian Forest Program	\$ -	\$ -	\$ -	\$ -	\$ 80,000
Department of Agriculture					
Interstate Water Issues	\$ 338,866	\$ 459,816	\$ 459,816	\$ 459,816	
Subbasin Water Resources Management	\$ 635,780	\$ 252,977	\$ 490,032	\$ 262,796	
Water Use	\$ 60,000	\$ 66,000	\$ 46,200	\$ 83,857	
Enhanced Water Management	\$ -	\$ 445,607	\$ -	\$ 441,788	
Total--Department of Agriculture	\$ 1,034,646	\$ 1,224,400	\$ 996,048	\$ 1,248,257	\$ -
State Conservation Commission					
Water Resources Cost Share	\$ 2,435,803	\$ 3,060,216	\$ 2,142,151	\$ 3,183,181	
Nonpoint Source Pollution Asst.	\$ 2,562,787	\$ 3,254,907	\$ 2,278,435	\$ 3,254,907	
Aid to Conservation Districts	\$ 2,266,962	\$ 2,113,796	\$ 2,113,796	\$ 2,266,962	
Watershed Dam Construction	\$ 726,697	\$ 988,535	\$ 691,975	\$ 988,535	
Water Quality Buffer Initiative	\$ 312,163	\$ 281,100	\$ 196,770	\$ 300,000	
Riparian and Wetland Program	\$ 187,366	\$ 235,920	\$ 165,144	\$ 235,920	
Multipurpose Small Lakes	\$ -	\$ -	\$ -	\$ -	
Water Supply Restoration Program	\$ -	\$ 937,569	\$ 656,298	\$ 892,227	
Water Transition Assistance Program	\$ 100,000	\$ 858,548	\$ 600,984	\$ 837,425	
Conservation Reserve Enhance. (CREP)	\$ 1,113,584	\$ -	\$ -	\$ -	
Dam Safety/Rehabilitation	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Streambank Stabilization	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Total--Conservation Commission	\$ 9,705,362	\$ 11,730,591	\$ 8,845,553	\$ 11,959,157	\$ 2,000,000
Kansas Water Office					
Assessment and Evaluation	\$ 508,002	\$ 700,000	\$ 490,000	\$ 625,000	
GIS Data Base Development	\$ 177,500	\$ 250,000	\$ 175,000	\$ 250,000	
MOU - Storage Operations and Maintenance	\$ 274,500	\$ 355,000	\$ 248,500	\$ 400,000	
Technical Assistance to Water Users	\$ 585,849	\$ 624,919	\$ 437,443	\$ 455,000	
Weather Stations	\$ 50,000	\$ 70,000	\$ 49,000	\$ 70,000	
Water Resource Education	\$ 47,000	\$ 55,000	\$ 38,500	\$ 70,000	
Weather Modification	\$ 156,200	\$ 240,000	\$ 168,000	\$ 240,000	
Wichita Aquifer Recharge Project	\$ 300,000	\$ 805,044	\$ 563,531	\$ 850,000	
Neosho River Basin Issues	\$ 860,080	\$ -	\$ -	\$ -	
Reservoir Sustainability	\$ -	\$ -	\$ -	\$ 200,365	\$ 1,230,000
Total--Kansas Water Office	\$ 2,959,131	\$ 3,099,963	\$ 2,169,974	\$ 3,160,365	\$ 1,230,000
Department of Wildlife and Parks					
Minimum Pool Agreement (Webster Reservoir)	\$ -	\$ -	\$ -	\$ -	\$ 250,000
Stream (Biological) Monitoring	\$ 28,800	\$ 37,486	\$ 28,800	\$ 40,000	
Total--Department of Wildlife and Parks	\$ 28,800	\$ 37,486	\$ 28,800	\$ 40,000	\$ 250,000
Total State Water Plan Expenditures	\$ 16,203,779	\$ 19,605,820	\$ 15,114,634	\$ 19,991,397	\$ 5,700,000
State Water Plan Resource Estimate					
	FY2010 SWPF Y-T-D	FY 2011 KWA Rec	FY2011 SWPF Approved	FY2012 SWPF Estimate	FY2012 ELARF Estimate
Beginning Balance	\$ 1,205,721	\$ 34,396	\$ 531,804	\$ 222,870	
Adjustments					
KPERS D&D Moratorium (transfer to SGF)	\$ (44,200)	\$ -	\$ -	\$ -	
Released Encumbrances	\$ 2,161,863	\$ -	\$ -	\$ -	
CDWFF Transfer - Sloan Amendment\SB572	\$ -	\$ -	\$ (285,850)	\$ -	
Transfer to Kansas Corporation Commission	\$ (288,000)	\$ (374,865)	\$ (374,865)	\$ (400,000)	
Subtotal--Adjustments	\$ 1,829,663	\$ (374,865)	\$ (660,715)	\$ (400,000)	\$ -
Revenues					
State General Fund Transfer	\$ -	\$ 6,000,000	\$ 1,348,245	\$ 6,000,000	
Economic Development Fund Transfer	\$ 1,802,141	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	
Municipal Water Fees	\$ 3,028,646	\$ 3,270,343	\$ 3,270,343	\$ 3,138,531	
Industrial Water Fees	\$ 1,113,890	\$ 1,129,729	\$ 1,129,729	\$ 1,090,116	
Stock Water Fees	\$ 429,826	\$ 372,594	\$ 372,594	\$ 433,605	
Pesticide Registration Fees	\$ 1,111,880	\$ 941,000	\$ 941,000	\$ 941,000	
Fertilizer Registration Fees	\$ 2,966,702	\$ 3,220,000	\$ 3,220,000	\$ 3,220,000	
Pollution Fines and Penalties	\$ 363,094	\$ 210,000	\$ 210,000	\$ 380,000	
Clean Drinking Water Fee Fund	\$ 2,737,277	\$ 2,804,473	\$ 2,804,473	\$ 2,824,677	
Sand Royalty Receipts	\$ 146,743	\$ 170,031	\$ 170,031	\$ 140,598	
Transfer from Ks v. Co Suspense Fund	\$ -	\$ -	\$ -	\$ -	
Expanded Lottery Act Revenues Fund	\$ -	\$ -	\$ -	\$ -	\$ 5,700,000
Total Receipts	\$ 13,700,199	\$ 20,118,170	\$ 15,466,415	\$ 20,168,527	\$ 5,700,000
Total Available	\$ 16,735,583	\$ 19,777,701	\$ 15,337,504	\$ 19,991,397	\$ 5,700,000
Less: Expenditures	\$ (16,203,779)	\$ (19,605,820)	\$ (15,114,634)	\$ (19,991,397)	\$ (5,700,000)
Ending Balance	\$ 531,804	\$ 171,881	\$ 222,870	\$ -	\$ -



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NRCS HIGHLIGHTS OF ACTIVITIES for the STATE CONSERVATION COMMISSION

HUTCHINSON, KANSAS SEPTEMBER 13, 2010

PERSONNEL

New Hire: Justin C. Kramer, Soil Conservation Technician, Altamont
Leslie C. Spikes, District Conservationist, Liberal (from Plainview, Texas)

Reassignments: Blake M. McLemore, Soil Conservationist, Colby, to Soil Conservationist, Emporia
Troy J. Munsch, Assistant State Conservationist for Programs, Salina to Assistant State Conservationist for Operations, Manhattan
Crystal M. Blackburn, Contract Specialist, Salina to Auburn, Alabama

Promotion: Sheldon L. Hightower, Resource Conservationist, Hutchinson to Batavia, New York
Erin M. Riffey, Contract Specialist, Salina to Contract Specialist, Salina

OPERATIONS

Cooperative Agreement Update

Nine of the 10 conservation technician positions have been filled and are located in the following field offices: Emporia, Eureka, Greensburg, Independence, Leoti, Lyndon, Marysville, Salina, and Westmoreland.

PROGRAMS

Conservation Stewardship Program (CSP)

Kansas held two CSP signups in FY 2010. Kansas received over \$20 million. Funds for signup number two are currently being obligated

Emergency Watershed Protection Program (EWP)

There are 22 projects that were funded for \$561,774.

Environmental Quality Incentives Program (EQIP)

Kansas received over \$22.9 million in EQIP funding. To date, \$22.4 million were used to fund 934 approved contracts. Kansas is still in the process of obligating EQIP contracts for FY 2010. These figures include the following initiatives: Lesser Prairie-Chicken, Organic, and the Ogallala Aquifer.

As part of EQIP, Kansas received over \$4 million for the Agricultural Water Enhancement Program and is in the process of finalizing FY 2010 obligations. Three proposals were accepted in Kansas: Equus Beds Groundwater Management District No.2; Northwest Kansas Groundwater Management District No. 4; and Big Bend Groundwater Management District No. 5.

Farm and Ranch Lands Protection Program (FRPP)

In FY 2010, two approved contracts enrolled 5,561 acres. These contracts were funded for \$811,943

Grassland Reserve Program (GRP)

Kansas producers enrolled 8,883 acres from 16 agreements.

American Recovery and Reinvestment Act (ARRA) Stimulus Package

Big Caney Site 18, Cowley County, 85 percent complete--When fully implemented, the Big Caney Watershed Site 18 flood control dam will be stabilized. It has experienced two downstream slope embankment failures since 2006. An estimated 1,500 residents will benefit from the repair work on this site. Allocation \$320,000; Financial Assistance: \$109,148 expended to date

Wet Walnut Site 53, Rush County, completed--This dam in Wet Walnut Creek Watershed suffered erosion so severe that it is non-compliance with state law. Financial Assistance \$212,204

Lyons Creek Site 15, Morris County, new dam construction completed-- Lyons Creek Site 15, a flood control dam, will provide protection from massive damage that is caused by heavy rains to agricultural land, roads, and rural communities. The dam is one of 17 planned for the Lyons Creek Watershed; 14 have already been built.

Wetlands Reserve Program (WRP)

Kansas received nearly \$5.6 million and is still finalizing FY 2010 obligations.

Wildlife Habitat Incentives Program (WHIP)

Kansas received over \$2.1 million for WHIP. Of this amount, \$1.3 million was received and obligated for the Lesser Prairie-Chicken Initiative

TECHNOLOGY

The NRCS Soil Survey Division will conduct an inventory of the soil carbon stock throughout the nation. The assessment entitled "Rapid Assessment of U.S. Soil Carbon for Climate Change and Conservation Planning" will develop a scientifically based and statistically valid baseline inventory of soil carbon stocks for the United States. Approximately 146 primary locations across Kansas will be sampled

OTHER

Outreach Activities

Mary Shaffer will be the NRCS point of contract for the "Know Your Farmer Know Your Food" and the "People's Garden" initiatives.

A conservation tour will take place September 20 in northeast Kansas. NRCS Chief Dave White will be attending.

The "Soil Guys" program , an educational and entertaining look at soil, will be staged at the Bretz Law Arena at the Kansas State Fair grounds on September 13, 14, 16, and 17, 2010, from 11-11:30 a.m. each day.