

February 6, 2018

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

RE: GMD 3 draft management program review

To: The Board of Directors of Southwest Kansas Groundwater Management District No. 3
(Board)

Thank you for the considerable effort you've invested in this latest draft of the GMD 3 Management Program (draft MP) dated August 11, 2017. Thank you for being responsive to several of our previous comments. There are several issues that still need to be addressed. We apologize if we did not previously communicate our thoughts effectively.

To help you re-formulate this draft, below are some main points and specific examples of why the draft has not yet been approved. We have also provided a copy of the draft management plan with recommended edits and changes as an attachment.

General Comments and Recommendations

- Replace the word "governance" with the word "management" throughout the document to be consistent with statute.
- Throughout the document we have recommended deletion of paragraphs and in some cases, full sections, to be more accurate and concise, stay consistent with statute, and to remain within the role and authority of a GMD.
- Please see the list in David Barfield's March 6, 2017 letter to the GMDs for potential actions for your consideration as you draft your action plans and goals.
- The draft document has a large number of potential actions included in both Sections V and VI, the sum of which will require considerable time and effort to implement and achieve. We recommend grouping these action items based on priority.

Specific Comments and Recommendations

Characteristics of the District – General Characteristics

- Highlight some of the key general characteristics about the district in a table. Including information on the average use and average annual reduction in storage could help readers understand the significance and magnitude of the resources remaining to be managed

Characteristics of the District – Economy

- Inclusion of the economic conditions in the district is useful background. If possible, include district-specific data rather than statewide.

Characteristics of the District – Water Use and Water Levels/Saturated Thickness

- Water use and water level/saturated thickness declines charts and maps are helpful references. As often as feasible, we recommend including data specific to GMD3 such as graphs on annual pumping or maps of estimate useable lifetime within the district.
- Moved many of the graphs and maps to an appendix and enlarged to full page.
- Percent storage remaining in 25 years is an important graphic to target areas that don't meet the allowable depletion rate. Replace the image with a clearer graphic so county numbers are readable.
- Add a sentence description to the caption for the Arkansas River Flow/Loss Chart to help readers understand the data displayed and its connection to the management plan.

Problem 1: Threatened Water-based Economy

- Add citations and sources for information related to contributions from irrigation to Gross Regional Product and statements related to growth in the economy with the application of less water.
- Some of the narrative included in the *Threatened Water-based Economy* section seems better suited for the Groundwater Conservation section. We have recommended moving this background and action items to Problem 3.

Problem 2: Water Right Impairment

- We disagree that water right impairment or water administration is a problem, it is the law. We recommend this section be removed or redefined to offer actions to reduce the risk of impairment in the district through proactive management and conservation.
- Related to groundwater banking, the concepts you raise are interesting and if actions to create a bank or a similar program are a proposed action item it should be described in the Activities section. With that in mind we have proposed a draft activity statement related to deferred groundwater use for your consideration.

Problem 3: A Culture of Water Conservation

- Related to minimum conservation standards, you discuss the goal of reducing local decline rates by one percent per year. While potential mechanisms to achieve this goal are described throughout the draft management plan, here could be an opportunity to add some details such as what is the baseline condition, how do those decline rates vary across the district, and will greater activity be focused in areas not meeting the goal?
- Identification of high priority areas within the GMD would strengthen the management plan. Could you designate, on a map, areas that currently do not meet your 1% decline per year target and begin with those areas as designated high priority areas?

Problem 4: Implementing WCA Maximum Water Utilization Provision

- The issues raised in this section are inaccurately described. Water Conservation Areas (WCAs) are a conservation tool, not a problem and not about maximum utilization. We have recommended removal of this section.
- KDA-DWR is working to develop rules and regulations for the WCA program. The arguments and issues raised in the draft management plan related to WCAs would be helpful during the development of these rules and regulations. We have also recommended an action item in Problem 3 to highlight this opportunity.

Problem 5: Arkansas River IGUCA (Intensive Groundwater Use Control Areas)

- We have recommended removal of some of the background to Problem 5 to reflect our understanding of the background and history of the IGUCA. We are a bit unclear of the purpose and direction of some of the activities described to address this problem and look forward to visiting with you more to hear your concerns and perspective on this issue.

Problem 6: Upper Arkansas River Corridor Water Management

- Activity 3 “Explore water storage options for water importation projects” seems to better fit with the background as described in Problem 1. We have moved it to the activities to address a *threatened water-based economy*.

Problem 12: Improve On-Site Water Management

- One activity describes promotion of on-site technology through the Tomorrows Aquifer Supply Collaborative (TASC). We are unfamiliar with this effort. Recommend adding some context or background about TASC in the problem description for Problem 12.
- Problem and activities described under “Enforcement” seemed to align with the content under “Improve On-Site Water Management” so we’ve recommended consolidating these two problems.
- Activities such as “Provide GMD3 enforcement assistance” and “Ensure an appropriate regulatory environment” warrant additional discussion with KDA, as well as, more descriptive detail of the specific activities.

VI. Programs

- Recommend including an introduction to this section to clarify how this section relates to the rest of the document.
- Recommend adding a clarifying sentence to the guiding principles (item #7). Do these guiding principles apply to the GMD review of water right applications?
- Contribution to future supply – can you clarify this guiding principle? Does this apply to groundwater banking?
- Recommend removal of “Board intervention” as a guiding principle as this extends beyond the authority of the GMD.

Data Collection Programs

- Recommended removal of a separate water rights database as this would be duplicative to the water right information system (WRIS).

Each of the above comments and recommended changes within the document are aimed at clarifying measurable goals for problems you believe GMD3 should be addressing and streamlining the document to improve its accessibility to district members.

While we recognize it may take time to re-formulate the document, we believe the process and product is well worth the delay and will be helpful to both the Board and members. This is an historic opportunity to address these long-term problems as there is increased interest in so many of the solutions and new tools provided.

We look forward to meeting to discuss our comments with the GMD3 Executive Committee and/or the Policy Committee.