

**Kansas Water Authority Meeting**  
**Conference Call / GoToMeeting**  
**9:00 a.m. – April 26, 2021**  
**Agenda**

<i>Time</i>	<i>Agenda Item</i>	<i>Presenter</i>	<i>KWA Advice</i>	<i>KWA Decision</i>	<i>Page No.</i>
9:00 am	<b>Call to Order/Roll Call</b>	Dawn Buehler	--	--	--
9:05 am	<b>Introductory Comments from the Chair</b>	Dawn Buehler	--	--	--
9:10 am	<b>Approval of Meeting Minutes</b>	Dawn Buehler			
	December 1, 2020 Meeting (Conference Call/GoToMeeting)			X	2
	December 11, 2020 Meeting (Conference Call/GoToMeeting)			X	3
	December 17, 2020 Meeting (Conference Call/GoToMeeting)			X	5
9:15 am	<b>Legislative &amp; Budget Update</b>				
	FY 2022 SWPF Budget Status	Cara Hendricks	X		6
	RAC Informational Budget Webinar Preview	Cara Hendricks	X		6
	House Water Committee Update	Matt Unruh	X		8
10:00 am	<b>KWA RAC Operations Committee</b>	Jeremiah Hobbs			
	RAC Messages	Jeremiah Hobbs		X	11
	RAC Membership	Jeremiah Hobbs		X	11
10:20 am	<b>KWA Public Water Supply Committee Update</b>	John Bailey	X		
	Douglas Co. RWD No. 3 Application & Request to Negotiate	John Bailey		X	13
10:45 am	<b>BREAK</b>				
11:00 am	<b>Vision/Kansas Water Plan Update</b>				
	KWP Update Timeline/Schedule & Status	Kirk Tjelmeland	X		18
	Regional Background Sections Overview	Kirk Tjelmeland	X		18
	Review and Approval of RAC Goals/Action Plans	Kirk Tjelmeland		X	--
11:45 pm	<b>Federal Cooperative Agreements</b>				
	Overview of USGS Cooperative Funding Agreements	Josh Olson	X		25
11:55 am	<b>KWA Annual Calendar for 2021</b>	Connie Owen	X		--
12:05 pm	<b>Director's Report</b>	Connie Owen	X		--
12:20 pm	<b>New Business</b>				
12:30 pm	<b>Adjourn</b>				

Upcoming Kansas Water Authority Meetings: TBD

Join Zoom Meeting

<https://zoom.us/j/96415098325?pwd=ODdnbTd3ZWNVY3NnNitJSHV6dDRIZz09>

Meeting ID: 964 1509 8325

Passcode: 534169

## Minutes

### KANSAS WATER AUTHORITY Topeka, Kansas

December 1, 2020

Conference Call

- 
- CALL TO ORDER:** Chair Connie Owen called the **December 1, 2020**, Kansas Water Authority conference call to order at **1:02** p.m.
- MEMBERS PRESENT:** Connie Owen - Chair; Mike Armstrong, John Bailey, Randy Hayzlett, Chris Ladwig, David Stroberg
- MEMBERS ABSENT:** Lynn Goossen, Jeremiah Hobbs, Alan King, Carolyn McGinn, Allen Roth, Allan Soetaert, Jean Steiner
- EX-OFFICIO MEMBERS PRESENT:** Mike Beam, Andrew Lyon, Earl Lewis, Cara Hendricks, Ted Harris
- EX-OFFICIO MEMBERS ABSENT:** Dan Devlin, Kayla Savage, Brad Loveless, Susan Duffy, Leo Henning, Rolfe Mandel
- Federal and State Law Aspects of Water Transfers:**
- Burke Griggs** presented.
- LEMA Official Comment Discussion:**
- No discussion due to lack of quorum.
- ADJOURNMENT** The KWA adjourned at 2:45 pm.

## Minutes

### KANSAS WATER AUTHORITY

December 11, 2020

Topeka, Kansas

Conference Call

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**CALL TO ORDER:** Chair Connie Owen called the **December 11, 2020**, Kansas Water Authority conference call to order at **9:02** a.m.

**MEMBERS PRESENT:** Connie Owen - Chair; Mike Armstrong, John Bailey, Lynn Goossen, Randy Hayzlett, Jeremiah Hobbs, Alan King, Chris Ladwig, Carolyn McGinn, Allen Roth, Allan Soetaert, Jean Steiner, David Stroberg

**MEMBERS ABSENT:** ALL PRESENT

#### EX-OFFICIO MEMBERS

**PRESENT:** Dan Devlin, Sara Baer, Leo Henning, Mike Beam, Andrew Lyon, Rolfe Mandel, Earl Lewis, Susan Duffy, Cara Hendricks

**EX-OFFICIO MEMBERS ABSENT:** Kayla Savage, Brad Loveless

#### APPROVAL OF MINUTES:

**Motion No. 12-20-01** It was moved by Allan Soetaert and seconded by Mike Armstrong to approve the October 26, 2020 Minutes for the Regular Meeting of the Kansas Water Authority as presented. **Motion carried with no dissenting votes.** Information found in meeting materials.

#### KWA PWS Committee Update:

##### *2021 Surplus Water Report*

**Motion No. 12-20-02** It was moved by Alan King and seconded by Jean Steiner to approve the Surplus Water Available in Water Marketing Program Lakes, Calendar Year 2021 report and authorize the Director to enter into surplus water supply contracts for water defined to be surplus by the report. **Motion carried with no dissenting votes.** Information found in meeting materials.

#### KWA PWS Committee Update:

##### *Debt Refinancing Discussion*

Nathan Westrup gave an update.

Jim MacMurray gave a presentation.

#### Vision/Kansas Water Plan Update:

##### *Conserving & Extending the High Plains Aquifer*

Armando Zarco and Keadron Pearson presented.

**Vision/Kansas Water Plan Update:**

*Reducing our Vulnerability to Extreme Events*

**Josh Olson** and **Gary Koons** presented.

**Vision/Kansas Water Plan Update:**

*Increasing Awareness of Kansas Water Resources*

**Richard Rockel** presented.

**Vision/Kansas Water Plan Update:**

*Securing, Protecting and Restoring our Kansas Reservoirs*

**Angela Anderson, Kirk Tjelmeland and Meg Richard** presented.

**Annual Report Update:**

**Cara Hendricks** presented a brief overview. No action taken due to lack of time.

**Director's Report:**

**Cara Hendricks** gave an update.

**ADJOURNMENT**

The KWA adjourned at 12:03 pm.:

## Minutes

### KANSAS WATER AUTHORITY

December 17, 2020

Topeka, Kansas

Conference Call

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- CALL TO ORDER:** Chair Connie Owen called the **December 17, 2020**, Kansas Water Authority conference call to order at **1:02** p.m.
- MEMBERS PRESENT:** Connie Owen - Chair; Mike Armstrong, Lynn Goossen, Randy Hayzlett, Jeremiah Hobbs, Alan King, Allen Roth, Allan Soetaert, Jean Steiner, David Stroberg
- MEMBERS ABSENT:** John Bailey, Chris Ladwig, Carolyn McGinn,
- EX-OFFICIO MEMBERS PRESENT:** Dan Devlin, Sara Baer, Leo Henning, Andrew Lyon, Steve Adams, Earl Lewis, Ryan Hoffman, Cara Hendricks
- EX-OFFICIO MEMBERS ABSENT:** Rolfe Mandel, Kayla Savage, Mike Beam
- KWA Annual Report to the Governor and Legislature:**
- Cara Hendricks** and **Matt Unruh** presented.
- Motion No. 12-20-03** It was moved by **Allan Soetaert** and seconded by **Lynn Goossen** to approve the KWA Annual Report to the Governor and Legislature with editorial discretion, with comments provided during today's meeting and through feedback provided by KWA members through 12/23 being accounted for within the final version of the report. **Motion carried with a 12-1 vote. 1 dissenting vote.** Information found in meeting materials.
- ADJOURNMENT** The KWA adjourned at 2:12 pm.

# MEMO



DATE: April 19, 2021  
TO: Kansas Water Authority  
FROM: Cara Hendricks  
RE: FY 2022 SWPF Budget Update & RAC Informational  
Budget Webinar Preview

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Topeka, KS 66612  
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Fax: (785) 296-0878  
www.kwo.org

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## **SWPF FY 2021 & FY 2022 Appropriations**

The table provided on the following page includes the FY 2021 and FY 2022 SWPF appropriations as they currently stand through Conference Committee action. For FY 2022, the table includes the KWA budget recommendations (Base and Full Restoration of the SGF and EDIF demand transfers), the Governor's recommendations and the actions taken by the Conference Committee.

## **RAC Informational Budget Webinar Preview/Discussion**

The Kansas Water Office plans to host a RAC Informational Budget Webinar on April 30, 2021 at 11:00 AM. The primary purpose of the webinar is to provide additional SWPF budget information to the Regional Advisory Committees (RACs) in advance of the upcoming summer RAC meetings, at which time the FY 2023 SWPF budget recommendations will be discussed.

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*This is for informational purposes only. No Kansas Water Authority action is necessary at this time.*

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# State Water Plan Fund

Agency/Program	FY 2021 GOV Recs	FY 2022 KWA Base Recs	FY 2022 KWA Recs Full Restoration	FY 2022 GOV Recs	FY 2022 Senate Adjustments	FY 2022 House Adjustments	FY 2022 Conference Committee
<b>Kansas Department of Health and Environment</b>							
Contamination Remediation	\$ 1,090,340	\$ 1,088,301	\$ 1,088,301	\$ 1,088,301			
Nonpoint Source Program	\$ 406,157	\$ 303,208	\$ 303,208	\$ 303,208			
TMDL Initiatives	\$ 340,068	\$ 280,738	\$ 280,738	\$ 280,738			
Harmful Algae Bloom Pilot	\$ 1,148,761	\$ 150,000	\$ 150,000	\$ 450,000			
Watershed Restoration/Protection (WRAPS)	\$ 752,128	\$ 730,884	\$ 1,000,000	\$ 730,884			
Drinking Water Protection Program	\$ 350,000	\$ 650,000	\$ 800,000	\$ 350,000			
<b>Total--KDHE</b>	<b>\$ 4,087,454</b>	<b>\$ 3,203,131</b>	<b>\$ 3,622,247</b>	<b>\$ 3,203,131</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Kansas Department of Agriculture</b>							
Interstate Water Issues	\$ 685,138	\$ 490,007	\$ 490,007	\$ 473,184			
Subbasin Water Resources Management	\$ 838,906	\$ 608,949	\$ 608,949	\$ 584,023			
Water Use	\$ 136,839	\$ 72,600	\$ 72,600	\$ 72,600			
Water Resources Cost Share	\$ 2,631,243	\$ 2,248,289	\$ 2,248,289	\$ 2,248,289			
Nonpoint Source Pollution Asst.	\$ 2,127,289	\$ 1,857,836	\$ 1,857,836	\$ 1,853,185			
Aid to Conservation Districts	\$ 2,192,637	\$ 1,973,373	\$ 1,973,373	\$ 1,973,373	\$ 250,000	\$ 219,264	\$ 250,000
Watershed Dam Construction	\$ 550,000	\$ 550,000	\$ 1,000,000	\$ 550,000			
Water Quality Buffer Initiative	\$ 529,454	\$ 100,000	\$ 100,000	\$ 100,000			
Riparian and Wetland Program	\$ 582,295	\$ 54,024	\$ 54,024	\$ 54,024			
Water Transition Assistance Program/CREP	\$ 454,936	\$ 402,046	\$ 627,046	\$ 396,593	\$ 50,000		\$ 50,000
Irrigation Technology	\$ 151,224	\$ 200,000	\$ 200,000	\$ 200,000	\$ 50,000		\$ 50,000
Crop and Livestock Research	\$ 350,000	\$ 250,000	\$ 250,000	\$ 250,000			
Transfer for KRPI* (Water Supply/Lake Rest.)	\$ 820,177	\$ -	\$ -	\$ -			
Streambank Stabilization	\$ 1,320,700	\$ 794,264	\$ 1,044,264	\$ 794,264			
<b>Total--KDA</b>	<b>\$ 13,370,838</b>	<b>\$ 9,601,388</b>	<b>\$ 10,526,388</b>	<b>\$ 9,549,535</b>	<b>\$ 350,000</b>	<b>\$ 219,264</b>	<b>\$ 350,000</b>
<b>Kansas Water Office</b>							
Assessment and Evaluation	\$ 599,177	\$ 658,919	\$ 858,919	\$ 858,919			
MOU - Storage Operations & Maintenance	\$ 586,452	\$ 526,081	\$ 526,081	\$ 526,081			
Stream Gaging	\$ 413,580	\$ 423,130	\$ 423,130	\$ 423,130			
Technical Assistance to Water Users	\$ 341,391	\$ 325,000	\$ 325,000	\$ 325,000			
Vision Education Strategy	\$ 100,000	\$ 125,000	\$ 125,000	\$ 125,000			
Reservoir and Water Quality Research	\$ 402,304	\$ 350,000	\$ 350,000	\$ 350,000			
Water Tech Farms	\$ 79,125	\$ 100,000	\$ 200,000	\$ 200,000	\$ (100,000)		\$ (100,000)
Watershed Conservation Practice Imp	\$ -	\$ 500,000	\$ 1,000,000	\$ 860,000	\$ (310,000)		\$ (310,000)
Equus Beds Chloride Plume Project	\$ 9,141	\$ -	\$ -	\$ -			
Milford Lake Watershed RCPP	\$ 400,000	\$ 200,000	\$ 200,000	\$ 200,000			
Water Injection Dredging (WID)	\$ 150,000	\$ 125,000	\$ 1,500,000	\$ 125,000		\$ 850,000	\$ 850,000
Flood Response Study	\$ 100,000						
Arbuckle Study	\$ 68,000		\$ 150,000	\$ -	\$ 60,000	\$ 150,000	\$ 60,000
<b>Total--KWO</b>	<b>\$ 3,249,170</b>	<b>\$ 3,333,130</b>	<b>\$ 5,658,130</b>	<b>\$ 3,993,130</b>	<b>\$ (350,000)</b>	<b>\$ 1,000,000</b>	<b>\$ 500,000</b>
<b>Kansas Department of Wildlife, Parks &amp; Tourism</b>							
Aquatic Nuisance Species (ANS) Program	\$ -	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	\$ -
<b>University of Kansas--Geological Survey</b>	<b>\$ 26,841</b>	<b>\$ 26,841</b>	<b>\$ 26,841</b>	<b>\$ 26,841</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>KPERS Reamortization</b>				<b>\$ (36,260)</b>			
<b>Governor's COLA</b>				<b>\$ 36,014</b>			
<b>State Water Plan FY 2022 Funding</b>	<b>\$ 20,734,303</b>	<b>\$ 16,214,490</b>	<b>\$ 19,883,606</b>	<b>\$ 16,772,391</b>	<b>\$ -</b>	<b>\$ 1,219,264</b>	<b>\$ 850,000</b>
<b>SGF &amp; EDIF Demand Transfers</b>							
State General Fund Transfer	\$ 6,000,000	\$ 4,005,632	\$ 6,000,000	\$ 4,005,632	\$ -	\$ -	\$ -
Economic Development Fund Transfer	\$ 913,325	\$ 500,000	\$ 2,000,000	\$ 500,000	\$ -	\$ 1,219,264	\$ 1,219,264
<i>FY 2021 Governor's Allotment**</i>	<i>\$ (2,407,699)</i>						
<b>Total SGF &amp; EDIF Demand Transfers</b>	<b>\$ 4,505,626</b>	<b>\$ 4,505,632</b>	<b>\$ 8,000,000</b>	<b>\$ 4,505,632</b>	<b>\$ -</b>	<b>\$ 1,219,264</b>	<b>\$ 1,219,264</b>

# MEMO



DATE: April 19, 2021  
TO: Kansas Water Authority  
FROM: Matt Unruh  
RE: House Water Committee Update

900 SW Jackson Suite 404  
Topeka, KS 66612  
Phone: (785) 296-3185  
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As previously shared with the Kansas Water Authority (KWA) and Regional Advisory Committees (RACs), the House Water Committee was first established with the 2021-22 Kansas Legislative Session to evaluate water issues impacting Kansas and the state and federal agencies involved with water within the state. Following this review of agencies involved with water in Kansas, the Committee will look to assess potential opportunities for improved efficiency in water resource management. Throughout this session, the Committee heard from a number state agency representatives regarding their structure, roles and responsibilities managing the water resources of Kansas. Additionally, other Kansas water experts as well as federal agency representatives presented before the Committee to help members gain additional perspective on the topic of water in Kansas. Among the presentations provided to the Committee was a presentation on March 23, 2021, with Kansas Water Office Director Connie Owen, KWA Chair Dawn Buehler, and KWA RAC Operations Committee Chair Jeremiah Hobbs providing an overview of how the KWA and RACs fit into the overall state water resources structure.

Following completion of presentations, Committee members reviewed a chart developed by Kansas Legislative Research Department (KLRD) staff which denoted state agencies along with their primary responsibilities and programs under five categories: Research and Data, Water Quality, Water Policy, Water Quantity and Emergency Management (attachment 1). Agency feedback regarding the KLRD chart was provided by Chief Engineer Earl Lewis on behalf of the Kansas Water Office, Kansas Department of Agriculture and Kansas Department of Health and Environment, which included a discussion of alternative methods for categorizing primary agency responsibilities and programs. Information shared by Chief Engineer Lewis included agency responsibilities and programs in relation to Policy and Planning, Regulation, Cost Share, Implementation & Operation, and Research and Data under primary categories of Water Quality, Quantity & Quality, Water Quantity, as well as Safety and Emergency Management (attachment 2).

House Water Committee Chair Rep. Ron Highland expressed interest working with Legislative leadership to obtain approval for the Committee to meet several days later this year. More details of further House Water Committee activities will be shared as that information becomes known.

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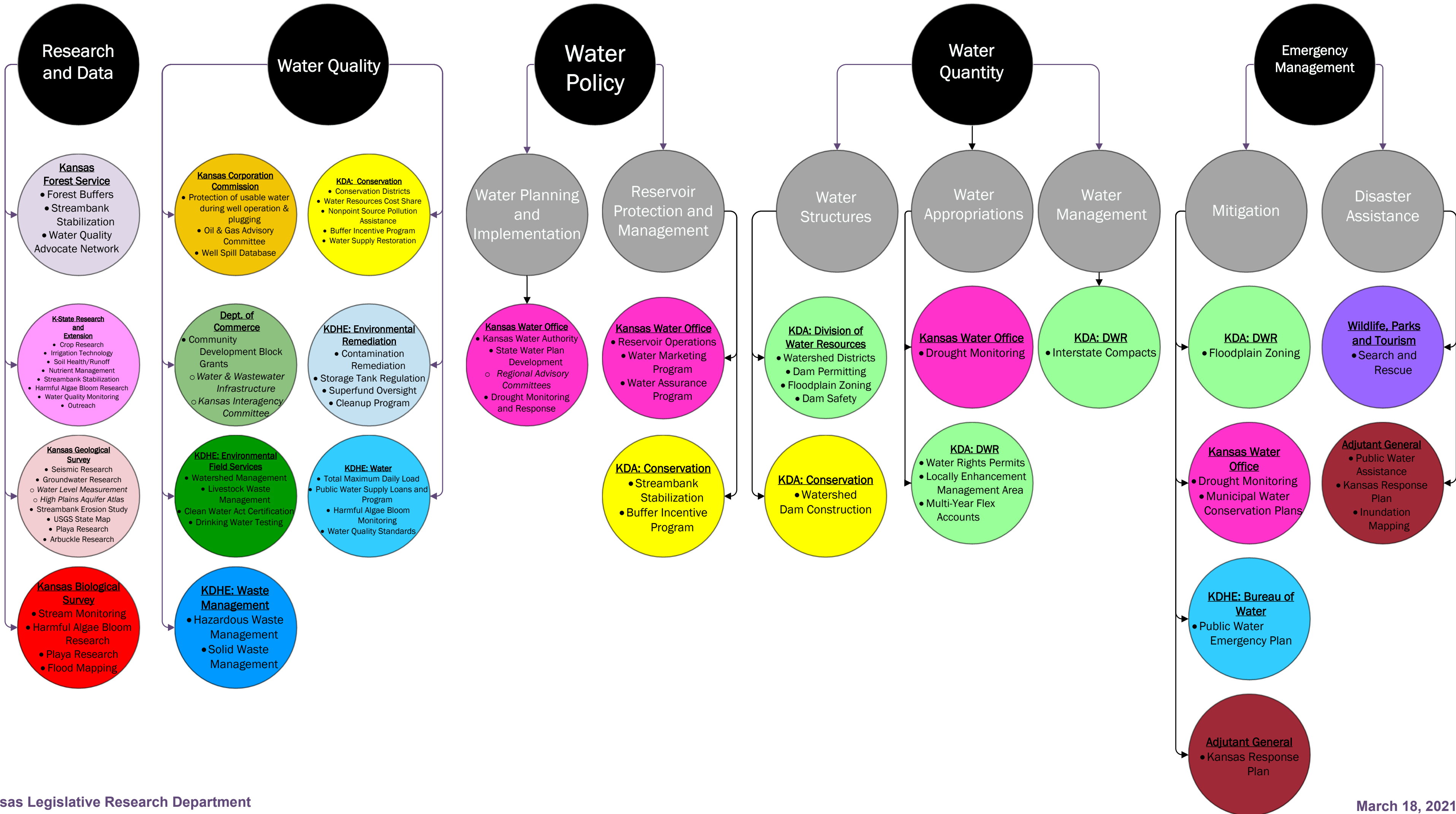
*For informational purposes only. No KWA action necessary at this time.*

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# 2021 Kansas Water Organizational Chart

Adjutant General - Emergency Management
Kansas Biological Survey
Kansas Corporation Commission
Kansas Department of Agriculture
Kansas Department of Agriculture - Division of Conservation
Kansas Department of Agriculture - Division of Water Resources
Kansas Department of Commerce
Kansas Department of Health and Environment - Bureau of Environmental Field Services
Kansas Department of Health and Environment - Bureau of Environmental Remediation
Kansas Department of Health and Environment - Bureau of Water
Kansas Department of Health and Environment - Bureau of Waste Management
Kansas Department of Wildlife, Parks and Tourism
Kansas Forest Service
Kansas Geological Survey
K-State Research and Extension
Kansas Water Office



	Water Quality		Quantity & Quality		Water Quantity		Safety and Emergency Management	
Policy and Planning	KWO	State Water Plan Development			KWO	State Water Plan Development	KWO	Water Conservation/Drought Plans
	KDHE-BEFS	Watershed Management			KDA-DWR	Water Appropriation	KDHE-Water	PWS Emergency Plan
							Adj. Gen.	Kansas Emergency Response Plan
Regulation	KDHE-Water	Water Quality Standards TMDLs Public Water Supply Permitting Underground Injection Program * Wastewater Treatment Program *			KDA-DWR	Water Appropriation Water Management * Local Enh. Management Water Conservation Areas Multi-Year Flex Accounts	KDA-DWR	Dam Permitting/Inspection Levee & Floodplain Fill Stream Obstructions Permitting *
	KDHE-BEFS	Local Env. Protection Program Livestock Waste Management Clean Water Act Certification						
	KDHE-Waste	Hazardous Waste Management Solid Waste						
	KDHE-Remed	Storage Tank Regulation						
Cost Share	KDA-DOC	Buffer Strips Non-Point Pollution Asst	KDA-DOC	Aid to Conservation Districts Water Resource Cost Share	KDA-DOC	Water Supply Restoration	KDA-DOC	Watershed Dam Construction
	Commerce	CDBG Grants		Streambank Stabilization	KWO	Reservoir Protection Initiative		
	KDHE-BEFS	WQ Restoration (WRAPs)	KFS	Streambank Stabilization				
	KDHE-Water	Revolving Loan Programs						
Implementation & Operation	KDHE-Remed	Contamination Remediation Superfund Sites	KDA-DWR	Interstate Compacts			KDA-DWR	Floodplain Zoning Nat. Flood Insurance Program *
	KCC	Abandoned Oil Well Plugging	KFS	Forest Buffers			KWO	Drought Monitoring Drought Response Team *
	KDHE-BEFS	Drinking Water Protection			KWO	Water Marketing Program Water Assurance Program		
	KDHE-Water	Harmful Algal Bloom Monitoring					Adj. Gen.	PWS Assistance Inundation Mapping
							KDHE-BEFS	Disaster Response (Water, Waste, Chem) *
Research and Data	KBS	Stream Monitoring Harmful Algal Bloom Research Playa Research	KGS	Arbuckle Study Playa Research	KGS	Groundwater Research Water Level Monitoring Stream Erosion Studies	KBS	Flood Mapping
	KSRE	Harmful Algal Bloom Research Nutrient Management	KBS	Playa Research			KDA-DWR	Flood Inundation Engineer/Analysis *
	KDHE-Water	Water Quality Sampling * HAB Research & Treatment *	KSRE	Soil Health Research	KWO	Bathymetric Surveys *		
	KDHE-BEFS	Private Water Well Education *			KSRE	Crop Research Irrigation Technology Streambank Stabilization		
	KDWPT	Stream Sampling			KDA-DWR	Water Use Data * Water Level Measurements *		

\* Added to KLRD Org Chart

Name Changed		Not Included	
Agency	Program/Activity	Agency	Reason Not Included
KDHE-BEFS	Drinking Water Testing	KDHE-Remed	Cleanup Program
	to Drinking Water Protection	KFS	Water Quality Advocate Network
KDHE-Water	Public Water Supply Loans	KSRE	Water Quality Monitoring
	to Revolving Loan Programs		Outreach
KWO	Municipal Water Conservation Plans	KGS	Seismic Research
	to Water Conservation/Drought Plans		High Plains Aquifer Atlas
KDA-DWR	Dam Safety		USGS State Map
	to Dam Permitting/Inspection	KCC	Oil and Gas Advisory Committee
KDA-DWR	Water Rights Permitting		Well Spill Database
	to Water Appropriation	Commerce	Water & Wastewater Infrastructure
			Kansas Interagency Committee
		KWO	Kansas Water Authority
			Regional Advisory Committees
			Reservoir Operations
		KDA-DWR	Watershed Districts

## MEMO



DATE: April 14, 2021  
TO: Kansas Water Authority  
FROM: Jeremiah Hobbs  
RE: KWA RAC Operations Committee

The KWA Regional Advisory Committee (RAC) Operations Committee met April 13, 2021, via GoTo meeting. Discussion during the conference call focused on the following topics:

- Membership applications for the Neosho, Marais des Cygnes and Upper Republican RAC's.
- Kansas RAC message to the KWA

The Committee reviewed and discussed the applications of Susan Hague from Cedar Point for membership on the Neosho RAC, Jared Morrison from Topeka for membership on the Marais des Cygnes as well as Kenneth Sanderson from Goodland for membership on the Upper Republican RAC. The following membership recommendations were approved by the RAC Operations Committee:

- Recommend Susan Hague be considered for the Agriculture (cc) on the Neosho RAC when the 2021 RAC membership drive is completed
- Recommend Jared Morrison for the Water Assurance District position on the Marais des Cygnes RAC with a term expiration of June 2023
- Recommend Kenneth Sanderson for the Conservation/Environment 2 position on the Upper Republican RAC with a term expiration of June 2023

The Committee also discussed the following message from the Kansas RAC and developed a response and recommendations.

### KANSAS REGIONAL ADVISORY COMMITTEE:

**Message:** Given the complexity and importance of water resources management in the state of Kansas, the Kansas Regional Advisory Committee (RAC) recommends that the Kansas Water Authority (KWA) advocate that, at a minimum, an interim summer session be utilized by the House Water Committee to further study how water is funded and managed in the state of Kansas, and that a standing committee on water is necessary to address the breadth and depth of water issues facing the state. Additionally, the Kansas RAC would like to offer its assistance, as appropriate, to the House Water Committee in its process of learning about water resources management in the state of Kansas and recommends the KWA do so as well.

**Background:** The Kansas Regional Advisory Committee (RAC) established a Funding and Governance subcommittee that supplies pertinent information to the remainder of the RAC and holds a standing slot on every meeting agenda. This message to the Kansas Water Authority (KWA) concerning assisting the House Water Committee with its endeavor to gain greater understanding of the complex water issues in Kansas was formulated by the Funding and Governance subcommittee, presented at the March 19th RAC meeting, and approved by the RAC.

A new House Water Committee, led by Rep. Ron Highland, was created for the 2021 legislative session. The committee is focused on water issues and has been meeting with various water-related agencies and interest groups to better understand how water resources are managed in the state of Kansas.

**Staff Input:** Kansas Water Office (KWO) staff have been working with the House Water Committee to present information, as requested, on the agency's structure and role in water resources management in the state of Kansas. On March 23<sup>rd</sup> Jeremiah Hobbs presented to the House Water Committee on the role of Regional Advisory Committees and where they fit in the water management framework.

**Response:** The Kansas Water Authority (KWA) will determine if it is supportive of the recommendations of the Kansas RAC, and if so, will contact the House Water Committee to support an interim summer session for further study on water resource management in the state of Kansas, and to offer assistance from the KWA.

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*The KWA RAC Operations Committee recommends KWA approval of the applications for membership on the Marais des Cygnes RAC from Jared Morrison and on the Upper Republican RAC from Kenneth Sanderson. The KWA RAC Operation Committee also recommends that the Kansas Water Authority work with KWO and the House Water Committee to support an interim session.*

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# MEMO



DATE: April 16, 2021  
TO: Kansas Water Authority  
FROM: John Bailey, Chair, Public Water Supply Committee  
Nathan Westrup  
RE: Public Water Supply Committee Update

900 SW Jackson Suite 404  
Topeka, KS 66612  
Phone: (785) 296-3185  
Fax: (785) 296-0878  
www.kwo.org

## Item Proposed for Action:

- Consider authorizing the Director to begin contract negotiations pursuant to Water Marketing Application No. 257

## Water Marketing Application No. 257 – Renewal of Water Purchase Contract No. 79-1

The Director of the Kansas Water Office submits findings to the Kansas Water Authority for review and to decide whether to authorize the Director to enter into contract negotiations with Douglas County Rural Water District No. 3 (DGRWD3) for water supply from Clinton Lake. The Kansas Water Office received a written application on March 4, 2021, accompanied by a request to begin negotiations. DGRWD3 currently holds Water Purchase Contract No. 79-1 for water supply from Clinton Lake, which will expire on December 13, 2021. Article 16 of their contract provides the purchaser a right of first refusal to enter into a new contract, contingent on the yield availability.

In accordance with K.S.A. 82a-1305, which states, in part:

"Whenever the authority finds that a proposed withdrawal and use of water, other than surplus waters, is in the interest of the people of the state of Kansas and will advance the purposes set forth in article 9 of chapter 82a of Kansas Statutes Annotated, and amendments thereto, it shall authorize the director to enter into negotiations for the purpose of entering into written contracts with any person for withdrawal and use within or without the state of waters from conservation storage water supply capacity committed to the state."

As noted in the citation above, before negotiations for a contract can begin, the Kansas Water Authority (KWA) must find:

1. That the proposed sale is in the public interest, and
2. That it will advance the purposes of the State Water Planning Act and the State Water Plan.

If the Kansas Water Authority finds that the request meets these two criteria, it should authorize the Director to begin negotiations with the applicant.

*The Public Water Supply Committee recommends the Kansas Water Authority approve the Director's request to begin contract negotiations with Douglas County Rural Water District No. 3 for use of water from Clinton Lake.*



**PRELIMINARY FINDINGS  
REQUEST BY DOUGLAS COUNTY RWD NO. 3  
TO PURCHASE WATER  
FROM CLINTON LAKE FOR WATER SUPPLY PURPOSES  
APRIL 12, 2021**

The Director of the Kansas Water Office submits findings to the Kansas Water Authority for review and to decide whether to authorize the Director to enter into contract negotiations with Douglas County Rural Water District No. 3 (DGRWD3) for water supply from Clinton Lake. The Kansas Water Office received a written application on March 4, 2021, accompanied by a request to begin negotiations. DGRWD3 currently holds Water Purchase Contract No. 79-1 for water supply from Clinton Lake, which will expire on December 13, 2021. Article 16 of their contract provides the purchaser a right of first refusal to enter into a new contract, contingent on the yield availability.

In accordance with K.S.A. 82a-1305, which states, in part:

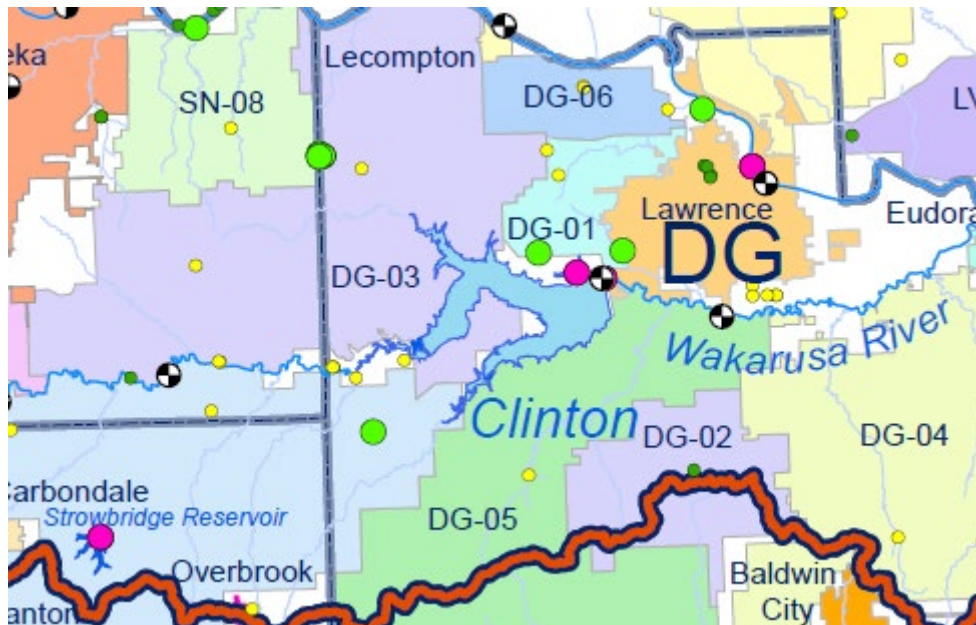
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As noted in the citation above, before negotiations for a contract can begin, the Kansas Water Authority (KWA) must find:

1. That the proposed sale is in the public interest, and
2. That it will advance the purposes of the State Water Planning Act and the State Water Plan.

If the Kansas Water Authority finds that the request meets these two criteria, it should authorize the Director to begin negotiations with the applicant. Figure 1 is a map of Clinton Lake and municipal water service areas.

Figure 1  
Clinton Lake and service areas



The Kansas Water Authority shall consider the following items in determining whether the proposed contract is in the best interest of the people of the State of Kansas and whether benefits to the State for approving the contract outweigh the benefits to the state for not approving the contract.

**1. The present and future water supply needs of the applicant;**

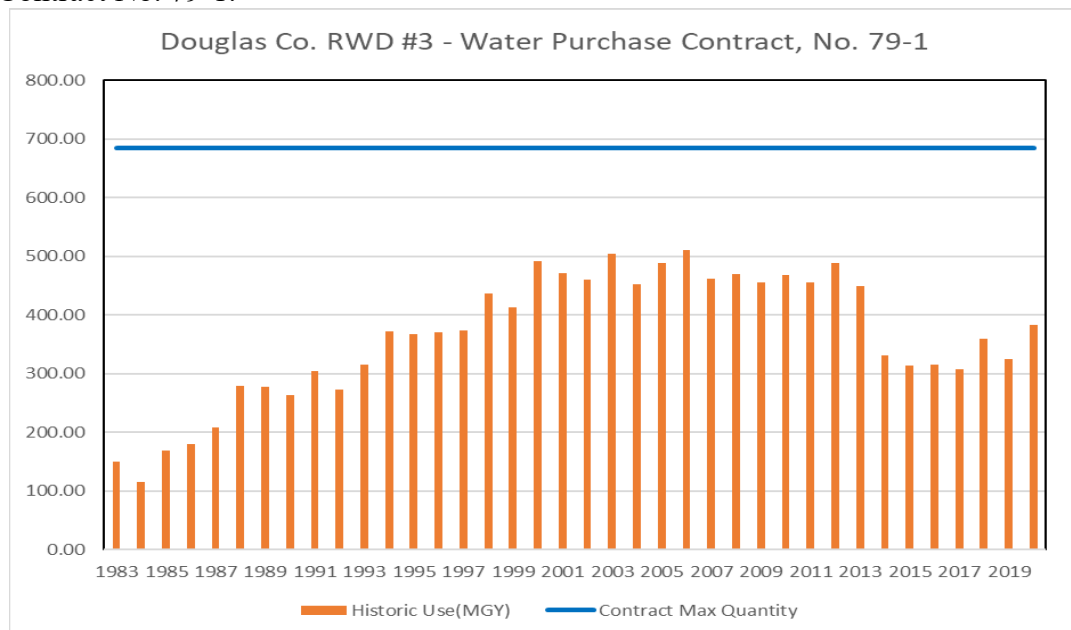
The applicant, DGRWD3, requests 684 million gallons per year (mgpy) to supply water for municipal and industrial use.

DGRWD3 currently receives its water supply through a contract from Clinton Lake under the water marketing program as well as three ground water rights. The original two wells are located south of the Kansas River in the alluvium on the county line between Shawnee and Douglas counties and were used to help service in the northeast portion of the district during high demand days. A third groundwater appropriation was added in recent years. It is a battery of three wells to the east of the older groundwater rights and the first reported use was in 2014, corresponding to the reduced use under Water Purchase Contract No. 79-1. A treatment facility is south of both well fields. Table 1 outlines the water supply that is currently available.

TABLE 1  
AVAILABLE WATER SUPPLIES

Contract or Water Right Number	Authorized Quantity (mgpy)
13,729	30
22,126	49
46,404	233.6
79-1	684
Total	996.6

DGRWD3 cooperates with Osage County Rural Water District No. 5 and Shawnee County Rural Water District No. 8 in what is commonly referred to as the Tri-District. These districts also serve the cities of Lecompton, Scranton, and Overbrook. The chart below shows the historic water use under Water Purchase Contract No. 79-1.



**2. Any current beneficial uses being made of the non-contracted water proposed to be diverted;**

The Kansas Water Office is currently re-evaluating the yield available for a presumed 40-year contract term, through 2061. Four public water suppliers have existing contracts for water supply, listed in Table 3. When negotiating the most recent contract with the City of Lawrence, consideration was given to upcoming contract renewals.

Table 3  
Purchasers, Contract Numbers, and Contract Quantities  
Clinton Lake

Contract Number	Customer Name	Contract End Date	2021 Maximum Gallons	2021 Maximum AF	Annual Contract Maximum Gallons	Annual Contract Max. AF
79-1	Douglas County Rural Water District No. 3	12/13/2021	684,273,174	2,100	684,273,174	2,100
79-2	Douglas County Rural Water District No. 6	12/13/2021	23,759,981	73	23,759,981	73
90-2	Douglas County Rural Water District No. 6	1/1/2031	9,503,298	29	9,503,298	29
95-3	Douglas County Rural Water District No. 5	10/26/2035	128,298,541	394	128,298,541	394
19-1	City of Lawrence	12/29/2059	4,988,000,000	15,308	4,988,000,000	15,308
			5,833,834,994	17,903	5,833,834,994	17,903

**3. Any reasonable foreseeable beneficial use of the water;**

There are no other active applications for water from Clinton Lake but it is anticipated that Douglas County Rural Water District No. 6 will be submitting an application in the near future and their proposed quantity will need to be considered.

**4. The economic, environmental, public health and welfare, and other benefits or adverse impacts;**

A dependable long-term water supply is essential for the vitality of the communities in this area. The KWO worked extensively with the City of Lawrence, DG RWD 1, 2, 3, 4, 5, 6, and the City of Baldwin at the time of the City of Lawrence contract renewal to develop a contract structure to allow flexibility in the distribution of available water among the members in an effort to better meet water needs necessary for local economy, public health and welfare. No adverse impacts have been identified.

**5. Alternative sources of water available to the applicant;**

DGRWD3 has the option to obtain additional water from the Kansas River through the development of a water right. This could come from a ground water well in the alluvium of the river or directly from the river. Releases for the Kansas River Water Assurance District No. 1 support the flow of the Kansas River. Based on the criteria established when the water assurance district was formed, a groundwater appropriation of this size would not indicate the need for inclusion in the assurance district but an application would be subject to safe yield. The Kansas River is open to new appropriations for direct surface water diversions. This would require establishment of a surface water intake and membership with the assurance district.

The District currently has a contract with the City of Topeka; however, the city's lines are inadequate to deliver the amount of water needed on a daily basis.



**6. The preliminary plan of design construction and operation of any works or facilities used in conjunction with transporting the water to its point of use;**

DGRWD3 currently has a contract for water supply from Clinton Reservoir. The District will use existing facilities to treat and transport water to its customers.

**7. Whether the proposed purchase is consistent with the state water plan approved by the Legislature;**

The Kansas Water Plan indicates that development of regional solutions and use of existing sources is preferred in water supply development. Douglas County Rural Water District No. 3 cooperates with Osage County Rural Water District No. 5 and Shawnee County Rural Water District No. 8 in what is commonly referred to as the Tri-District. These districts also serve the cities of Lecompton, Scranton, and Overbrook. This meets the regional guidance as well as the use of existing sources. The contract is consistent with the State Water Plan and the State Water Plan Storage Act.

**8. The date of the application to contract for withdrawal and use of water;**

Application No. 257 was received by the Kansas Water Office from the DGRWD3 on March 4, 2021.

**9. Minimum streamflow requirements; and**

Clinton Lake will be making minimum releases from a separate sub-pool (Water Quality) within the conservation pool to meet the instream flow needs of the Wakarusa. Milford, Tuttle Creek, and Perry lakes will be making releases to meet Kansas River target flows at Topeka and DeSoto under the operations agreement of the Kansas River Water Assurance District No. 1.

**10. Whether the applicant has adopted and implemented a water conservation plan;**

DGRWD3 has a water conservation plan that was developed as part of the requirements for purchase of water supply from the Water Marketing Program. The plan is consistent with the guidelines of the Kansas Water Office and was approved on October 26, 2020.

Based on these findings, the Kansas Water Office recommends that the Kansas Water Authority authorize the Director to begin negotiations with the DGRWD3 for the purchase of water from Clinton Lake for water supply for municipal purposes.

# MEMO



DATE: April 20, 2021  
TO: Kansas Water Authority  
FROM: Kirk Tjelmeland  
RE: Kansas Water Plan Update

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At the December 11, 2020 Kansas Water Authority (KWA) meeting, the KWA was provided an update concerning the Kansas Water Plan (KWP). This update included a review of the four remaining Guiding Principle sections: Conserving and Extending the High Plains Aquifer, Extreme Events, Increasing Awareness of Kansas Water Resources and Securing and Protecting our Kansas Reservoirs.

## **State Water Plan (SWP) Update Timeline/Schedule for completion**

The Kansas Water Office will present an updated timeline for completion of the 5-year update. The key dates and items for review and action by the Kansas Water Authority required to complete the final SWP will be discussed at the April 26, 2021 KWA meeting.

## **Vision/Kansas Water Plan Update**

Work has continued to complete additional KWP Regional draft sections along with finalizing Regional Goals and Actions plans for review. The following draft Goals and Action Plans will be presented at the April 26, 2021 KWA meeting:

- Great Bend Prairie RAC Draft Goals and Action Plans
- Missouri RAC Goal #5 and Action Plans

All 14 Regional Goals and Actions Plans have been reviewed by the KWA and will need to be approved to move forward on completion of the KWP.

Additional information on the update progress will continue to be shared with the full KWA at future meetings.

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*The Kansas Water Office requests approval from Kansas Water Authority of the 14 Regional Advisory Committee Goals and Action Plans as presented.*

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## Great Bend Prairie RAC Draft Goals and Action Plans

**Priority Goal #1:** Achieve water use sustainability within the Great Bend Prairie Regional Planning Area that includes a reasonable raising or lowering of the water table based on average weather conditions.

### Action Steps

#### Short-term Actions

- I. Identify existing voluntary conservation programs and determine if new incentivized conservation programs are needed to compliment current programs.
- II. Work with the appropriate agencies to ensure that cost-shares are current and economically competitive.
- III. Hold stakeholder meetings in conjunction with the appropriate agencies to inform the public about the various programs available.

#### Long-term Actions

- I. Utilize the KDAMOD\* to determine rate of withdrawal from the aquifer from all uses (irrigation, industrial, evapotranspiration, municipal, etc.) versus the rate of recharge to the aquifer from all sources (precipitation, streambank, infiltration, etc.) for the GBP RAC area.
- II. Compile the model data into presentation materials for area stakeholder groups/agencies to identify appropriate management units for further analysis with BBGMODMOD\*. This data will analyze the rate of depletion spatially across the area to assist with prioritization of projects and funding.
- III. Coordinate with state agencies & GMD#5 to assess and implement appropriate management controls to bring areas of concern into balance. “

\* The Big Bend Groundwater Management District high-resolution hydrologic model (BBGMODMOD) was initially created with seven layers, each representing a geologic formation below the ground surface allowing for analysis of water movement between the layers. KDA–DWR unified the seven layers of the BBGMODMOD to create the KDAMOD for quick water quantity assessments for the region. Both variants are based on the same datasets. BBGMODMOD can track water quality between the geologic formations.

**Priority Goal #2:** Developed for Municipalities and Rural Water Districts.

Maintain annual training funds of 15% from Clean Water Drinking Fee and increase technical training support to Public Water Supply (PWS) systems to enhance new technology and increase water efficiently and effectively, thus reducing water loss. Utilize available municipal/residential/commercial “LAWN” irrigation training programs provided by the Irrigation Association.

**Actions Steps**

- Work with state agencies, cities, rural water districts, and public water suppliers to ensure that the Clean Water Drinking Fee is being appropriately carried out.
- Continue to provide a minimum of 15% and increase more (up to 30%) of Clean Drinking Water Fee for technical assistance by the Kansas Rural Water Association for Public Water Suppliers.
- Work with Irrigation Associations to develop free training opportunities for LAWN irrigators and landscapers.

**Priority Goal #3:** Enhance the monitoring of poor quality water to stop and minimize further contamination of fresh water sources. Areas of concern include regions which have salt water disposal lines, disposal wells, high nitrate levels, and areas with high salt sources.

**Action Steps**

- I. Establish a program if a problem is observed to ensure the problem does not get worse.
- II. Start using mapping techniques and disposal line maintenance and replacement to ensure this goal is met.
- III. Evaluate extent of KDHE surface water monitoring network in petroleum producing areas and areas with high salt sources within Great Bend Prairie Regional Planning Area.
  - a. Work with KDHE to modify surface water monitoring network if evaluation finds that necessary.
- IV. Develop inventory of current active and legacy salt water disposal lines in Great Bend Prairie Regional Planning Area.
- V. Continue programs to evaluate current extent of salt water disposal well inventory.
- VI. Evaluate effectiveness of current spill and escape notification requirements.
  - a. Work with KCC to modify current spill and escape notification requirements if evaluation finds that necessary.
- VII. For all Sensitive Groundwater Areas in the Great Bend Prairie Regional Planning Area:
  - a. Check the integrity of active and known legacy disposal systems.
  - b. Investigate the integrity of plugged abandoned wells suspected of leaking.
  - c. Continued programs to conduct Mechanical Integrity Tests on all injection or disposal wells.
  - d. Develop a routine groundwater quality program to help determine extent and sources of contamination.
- VIII. Educate public in Great Bend Prairie Regional Planning Area about causes and trends of salinity and nitrate issues.

**Priority Goal #4:** Initiate research and development of alternative feed sources and less water-intensive crops. Technology transfer from this research would have benefits in areas of Kansas where water is not available for production. Multiple research programs such as plant breeding and livestock feeding should be pursued.

**Action Steps**

- I. Achieve large scale feeding trials by 2025.
- II. Coordinate with the Kansas Department of Agriculture (KDA) to improved adoptability of feed wheat, along with other alternative crops, through marketing, commodity segregation, research and education as stated within the Vision for the Future of Water Supply in Kansas.
- III. Create a program to be able to roll out small and large scale feeding trials
- IV. Find several feedlots to help roll out program
- V. Utilize membership of stakeholder groups to solicit interest
- VI. Coordinate with KDA to implement demonstration plots for yield evaluation.
- VII. Coordinate with KDA to develop markets for feed wheat and other alternative crops for use feed sources.

**Priority Goal #5:** Work towards sustainability of watersheds so that flood control capacity is maintained while maintaining streamflow to meet downstream water needs. Progress towards sustainability would be to have 50% of the drainage area within watershed districts controlled by watershed structures by 2065. Best available information/data will be evaluated every 10 years to track progress towards meeting this goal.

**Action Steps**

- I. Determine percent controlled by watershed structures within watershed districts in Great Bend Prairie Regional Planning Area.
- II. Work with landowners to promote watershed dams and the important role they have in the community and environment.
- III. Work with watershed boards and community leaders.
- IV. Determine groundwater recharge potential of watershed structures through modeling efforts.
- V. Work with watershed districts to determine costs (needs inventory) associated with building additional structures leading up to 50% of drainage area within districts controlled by structures.
- VI. Evaluate the potential of a Multipurpose Small Lake through KDA-DOC in the Great Bend Prairie Regional Planning Area.

## **Missouri RAC Draft Goal #5 and Action Plans**

**Priority Goal #5:** Provide insight to the Kansas Water Authority (KWA) on the Missouri river by keeping fully aware of management issues and problems concerning this largely untapped water resource. Over the next 3-5 years secure information from various agencies and groups in the region that provide financial, technical, and planning strategies for flooding issues.

### **Action Steps**

- I. Request semi-annual updates from the United States Army Corp of Engineers (USACE) to secure information on the Public Assistance to States (PAS) agreement between USACE and the states of Iowa, Missouri and Nebraska on Missouri River management as it affects Kansas.
- II. Request state agencies keep the Missouri RAC informed of activities, permits or other actions taking place in the region and submit final results of any projects or demonstrations occurring.
- III. Allow the Missouri River subcommittee time to update the Missouri RAC on pertinent Missouri River information at each RAC meeting:
  - System-wide related meetings or events
- IV. Lobby to hold a Missouri River Recovery Implementation Committee (MRRIC) meeting in Atchison or Leavenworth Kansas by 2025, promoting the importance of the River.
- V. Request updates as needed from the Farm Service Agency (FSA) and Natural Resources Conservation Service (NRCS) on flood recovery programs and progress.
- VI. Request updates from authorities on watershed dams in the Missouri River Region that will affect the Missouri River.
- VII. Remain engaged with the recently formed Missouri River stakeholder group which is part of the PAS study and continue to solicit public comments on River management.
  - Establish a page on the Kansas Water Office website with information and valuable links for the Missouri River system.



# MEMO



DATE: April 20, 2021  
TO: Kansas Water Authority  
FROM: Josh Olson  
RE: Federal Cooperative Agreements – Streamgaging,  
Neosho River Sediment Monitoring, Monitoring on  
Republican River at Clay Center above Milford Lake,  
Kansas River Water Quality Monitoring, Monitoring  
on Kansas River Below Tuttle Creek Lake,  
(USGS)

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There are five potential agreements between the KWO and U.S. Geological Survey (USGS) for review and consideration by the Kansas Water Authority (KWA). Approval by the KWA, under KSA 74-2622, is required before the Kansas Water Office (KWO) enters into agreements with the federal government. The proposed agreements below do not require immediate action, but the information is provided in anticipation of future action at an upcoming KWA meeting.

## **Streamgaging Network (USGS)**

The USGS, in cooperation with the KWO and other cooperators, maintains streamgages across the state. Under this Joint Funding Agreement (JFA), funding for the streamgaging program will be provided for FY 2022. Streamgages provide near real-time information about stream and river conditions. This information is used daily by numerous local, state and federal agencies and research entities to plan, protect and conserve water resources.

The non-federal contribution to cover the part of costs necessary to continue operations in FY 2021 was \$413,580 from the SWPF. As a portion of the administration and enforcement costs to the public water supply program, Water Assurance Districts pay for the streamgages that monitor flow in the Assurance Districts, and Water Marketing will pay for streamgages that monitor flow within marketing customer areas. These equal two gages per WAD and Marketing Program. The terms of the final FY 2022 agreement will be determined after further discussions with USGS.

## **Neosho River Sediment Monitoring (USGS)**

Through a Joint Funding Agreement, the KWO and USGS will include continued operation of two water quality monitors and suspended sediment sampling on the Cottonwood River at Plymouth and Neosho River at Neosho Rapids. The sites are used to evaluate the efficacy of streambank stabilization efforts on the Upper Neosho and Cottonwood rivers, as well as the overall sediment load entering John Redmond Reservoir.

The non-federal contribution to cover the cost of the necessary field and analytical work directly related to this program was \$71,630 from the KWO in FY 2021. The terms of the final FY 2022 agreement will be determined after further discussions with USGS.

## **Continuous and Discrete Water-Quality Monitoring on Republican River at Clay Center (USGS)**

Through a Joint Funding Agreement, the KWO and USGS will collect water-quality, nutrient, and sediment data at the established streamflow station on the Republican River at Clay Center, Kansas. This data will provide an understanding of baseline suspended-sediment, nutrient, and water-quality conditions on the Republican River at Clay Center, the primary inflow into Milford Lake and closest streamgaging site not to experience backwater conditions from the lake. This will allow for better understanding of sediment and nutrient concentrations, and characterization of water-quality conditions entering Milford Lake. This agreement helps to expand the monitoring network currently supported by the USGS, KWO, KDHE, TNC and communities along the Kansas River as part of the overall Kansas River Water Quality

Monitoring study, and also supports monitoring efforts associated with the Milford RCPP project.

The proposed agreement is for a multi-year study. For Year 4 (SFY 22), the following major tasks are proposed:

- Operate and maintain a water-quality station at existing USGS streamflow station at Clay Center to measure temperature, specific conductance, pH, dissolved oxygen, and turbidity
- Collect, process and review sediment and nutrient samples (12-18 total) on the Republican River at Clay Center

The non-federal contribution to cover the cost of the necessary field and analytical work directly related to this program was \$81,400 from the KWO in FY 2021. The terms of the final FY 2022 agreement will be determined after further discussions with USGS.

### **Kansas River Water Quality Monitoring (USGS)**

Through a Joint Funding Agreement, the USGS, KWO, KDHE, and the Nature Conservancy, along with the cities of Manhattan, Topeka, Lawrence, Olathe, and Water District No. 1 of Johnson County have been participating in the Water Quality Monitoring agreement to characterize the sources, frequency and causes of cyanobacteria and associated toxins and taste-and-odor compounds in the Kansas River. Previous contracts have included the operation of water-quality monitors on the Kansas River at De Soto, Wamego, and Topeka, routine sample collection at these three sites over a range of hydrologic conditions, event-based sample collection at reservoir outflows, and development of statistical relationships between collected samples and sensor values. This cooperative study is also in the process of conducting a time of travel study and evaluating the opportunity for an advanced notification system with sufficient lead time to alert water suppliers that use the Kansas River as a source of water supply of changing water quality conditions that may affect treatment processes or cause cyanobacteria-related toxin and taste-and-odor events.

The final scope and agreement for this year's monitoring will be determined after further discussions with the overall group and USGS.

### **Continuous and Discrete Water-Quality Monitoring on Big Blue River below Tuttle Creek Lake (USGS)**

Through a Joint Funding Agreement, the KWO and USGS collected water-quality and sediment data at the established streamflow station on the Big Blue River near Manhattan, Kansas, approximately 2.5 river miles downstream of the Tuttle Creek Lake outflow. The Tuttle Creek Lake Water Injection Dredging (WID) demonstration project, as proposed by the KWO and Corps of Engineers to increase reservoir storage, may affect downstream turbidity and suspended-sediment concentrations as disturbed bottom sediment is displaced and exits the reservoir. The purpose of the monitoring is to provide an understanding of baseline turbidity and water quality conditions downstream of the lake and to evaluate changes in water quality and suspended sediment concentrations caused by water-injection dredging activities.

Due to budgetary constraints and an unknown initiation date for the WID demonstration, monitoring was temporarily suspended at the Big Blue gage in October 2020. The following major tasks are proposed to support the WID demonstration in the future:

- Resume operation and maintenance of a water-quality station at the USGS streamflow station on Big Blue River near Manhattan, Kansas, to measure temperature, specific conductance, turbidity, and dissolved oxygen
- Collect, process and review monthly sediment, total and dissolved organic carbon, and nutrient samples at Big Blue River below Tuttle Creek Lake

The non-federal contribution to cover the first quarter of water-quality monitoring and sediment sampling, as well as remove the monitoring equipment in October 2020, was \$20,100 from the KWO in FY 2021. As monitoring is expected to temporarily remain suspended, no funding contribution for the project is currently anticipated in FY 2022.

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*No action is needed at this time. Information is provided for discussion purposes only.*

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