

Kansas Water Authority

Meeting

December 13, 2023

Concordia, KS



MEETING 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	Call to Order/Roll Call	Dawn Buehler			--
9:05 am	Approval of Meeting Minutes	Dawn Buehler			--
	October 18, 2023 Meeting			X	2-5
9:10 am	KWA Public Water Supply Committee	John Bailey			6
	CY 2024 Surplus Water Report	Richard Rockel		X	7-43
	Drought Update	Richard Rockel			--
10:00 am	KWA Planning Discussion	Dawn Buehler			--
	Long Range Drought Planning				
10:45 am	BREAK				--
11:00 am	KWA Annual Report to the Governor & Legislature	Victoria Asbury Matt Unruh		X	44
12:00 pm	LUNCH				--
1:00 pm	Equus Beds Groundwater Monitoring Update	Dave Bollenback Jeff Klock			--
1:30 pm	HB 2302 Grant Programs	Victoria Asbury			--
2:00 pm	KDA Proposed Dam Safety Program Changes	Terry Medley			--
2:20 pm	KWA Ex Officio Agency Updates	Dawn Buehler			--
2:45 pm	Director's Report	Connie Owen			--
2:50 pm	New Business	Dawn Buehler			--
3:00 pm	Adjourn	Dawn Buehler			--

Call to Order/Roll Call

Call to Order/Roll Call; *Dawn Buehler*

Minutes

Presented by: Dawn Buehler



Action Needed

Approval of minutes from:
October 18, 2023

KWA Public Water Supply Committee

Presented by: John Bailey & Nathan Westrup

Actions Proposed Following 10/11/2023 Committee Meeting:

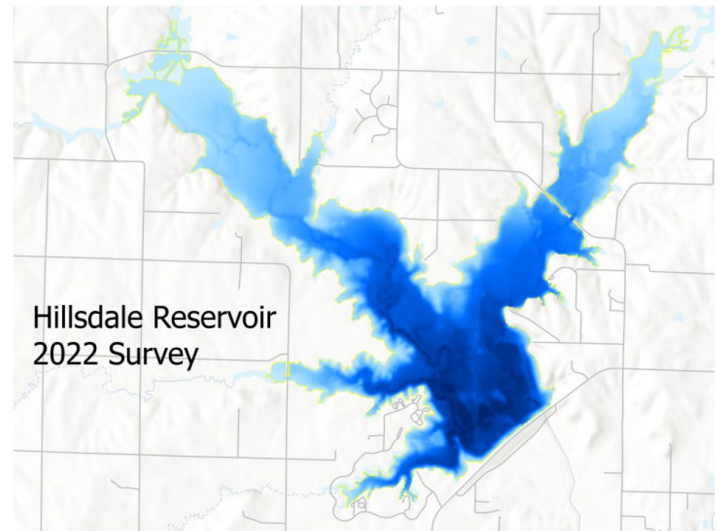
- Consider approval of the CY2024 Surplus Water Report

2024 SURPLUS REPORT –
WATER MARKETING PROGRAM
12/13/2023



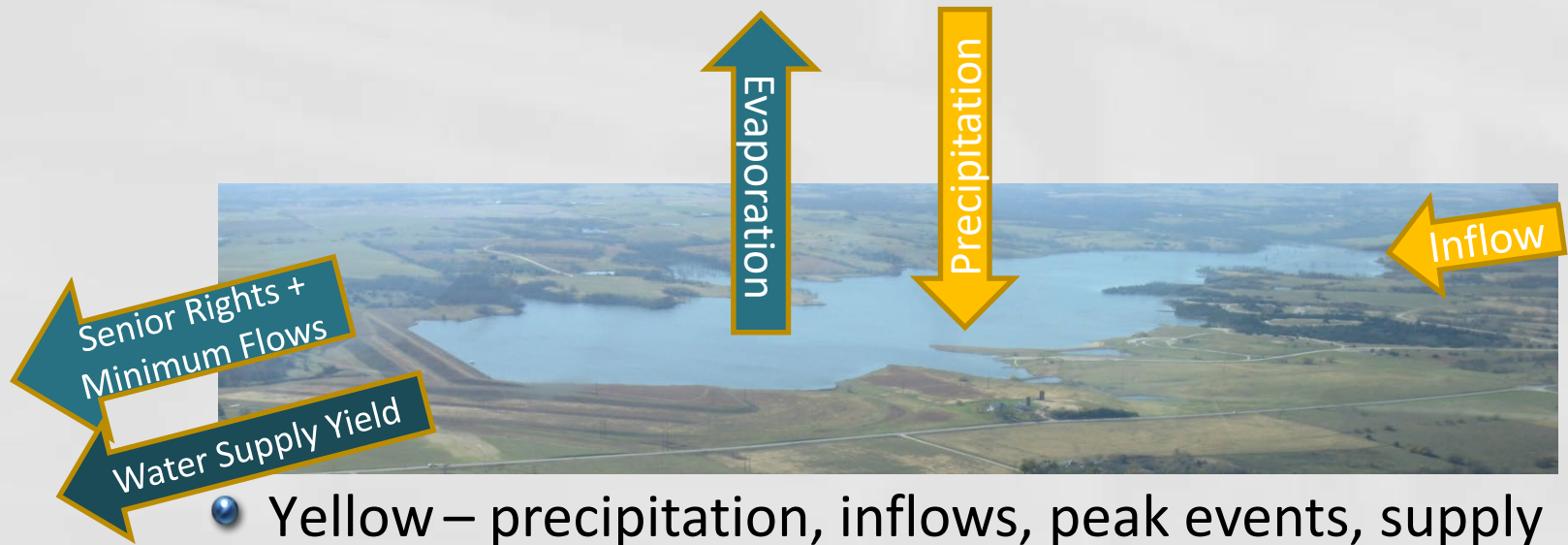
- Surplus water is defined as waters within the conservation water supply capacity committed to the State, but not required to meet contractual requirements.
- Water in this storage may be sold under short term contracts if it is found to be surplus, is determined to be in the public interest, and if the contract will advance the purposes of the State Water Resource Planning Act.

Surplus Water Available in Water Marketing Program Lakes Calendar Year 2024



- KSA 82a-1305(b) Whenever the authority finds that it is in the public's interest and will advance the purposes set forth in this act and in article 9 of chapter 82a of Kansas Statutes Annotated, and amendments thereto, the authority shall authorize the director to dispose of waters found by the authority to be surplus waters.....
- Water not subject to current contract obligations
- Not more than 1 year contracts for surplus waters
- Can not exceed 10% of the reservoir yield capacity (reservoir firm yield KAR 95-5-9)
- Payment at annual Water Marketing Program rate
 - 2024 - \$0.493 per 1000 gallons (1 acre-foot = \$160)
- Surplus Report brought to the Kansas Water Authority annually for approval, authorizes the Director to enter into surplus waters contracts.
- Drought condition contingency, impact of drought on reservoir storage will be evaluated prior to surplus contract issuance.

Water Supply Yield Calculation



- Yellow – precipitation, inflows, peak events, supply
- Green – evaporation, water quality/minimum releases, senior water right supply, yield available for contracting

Internal Policy Memorandum #12

- Policy approved and adopted by Kansas Water Authority April 7, 2006
- Authorized director of Kansas Water Office to dispose of water determined to be surplus by the Authority annually.
- Copy enclosed on page 6 of Surplus Report

Internal Policy Memorandum #12

KANSAS WATER AUTHORITY
901 South Kansas Avenue, Topeka, KS 66612-1249 (785) 296-3185

Steve Irsjik, Chairman
5405 Six Road, Ingalls, KS 67853
(620) 335-5363 - steve@ucom.net



IPM-12
Adopted April 7, 2006

MEMORANDUM OF INTERNAL POLICY

Disposal of Surplus Water in the State's Conservation Water Supply Capacity

Background

The Kansas Water Authority shall authorize the director of the Kansas Water Office to dispose of water when the Authority finds

1. the water is determined to be surplus,
2. it is in the public interest to dispose of the water, and
3. such disposal will advance the purposes of the State water resource planning act.

Surplus water is defined as waters within the conservation water supply capacity committed to the State, but not required to meet contractual requirements. K.S.A. 82a-1305(b) addresses disposal of surplus water.

82a-1305. (b) Whenever the authority finds that it is in the public's interest and will advance the purposes set forth in this act and in article 9 of chapter 82a of Kansas Statutes Annotated, and amendments thereto, the authority shall authorize the director to dispose of waters found by the authority to be surplus waters. Any arrangement for the disposition of any such surplus waters shall not be subject to the provisions of K.S.A. 82a-1306, 82a-1307 and 82a-1308a, and amendments thereto, relating to long-term contracts. No such arrangement shall be made for a period of time in excess of one year nor shall any such arrangement dispose of water from the conservation water supply capacity in excess of 10% of the yield capability as computed pursuant to subsection (a) unless the governor has declared that an emergency exists which affects the public health, safety or welfare. No charges shall be levied on the disposition of surplus waters when the purpose for such disposition is streamflow maintenance or reservoir pool management. A charge at a rate not to exceed the rate established pursuant to K.S.A. 82a-1306, and amendments thereto, shall be levied on the disposition of surplus waters when the purpose of such disposition is the maintenance of public health. A charge at a rate that may exceed the rate established pursuant to K.S.A. 82a-1306, and amendments thereto, shall be levied on the disposition of surplus waters when the purpose for such disposition is other than streamflow maintenance, reservoir pool management or maintenance of public health. History: L. 1974, ch. 452, § 5; L. 1976, ch. 441, § 2; L. 1977, ch. 358, § 1; L. 1983, ch. 343, § 4; L. 1984, ch. 382, § 2; L. 1986, ch. 396, § 4; July 1.

Reservoir Allocation Summaries

Reservoir Specific Tables



Elk City Lake

Table 1: Conservation Storage Break Out

Conservation Pool Elevation (ft msl)		764 - 796	Flood Pool Elevation (ft msl)		796 - 825
Break Out					
	of Conservation Storage		Current Yield (mgd)		Current Storage (acre feet)
Water Quality	14.08%		0		4,599
Other/Local	0.00%		0		0
Water Supply	85.92%		13.3		28,062
Future Use	0.00%		0.0		0
In Service	85.92%		13.3		28,062
Water Marketing	57.45%		8.9		18,764
Assurance District	0.00%		0.0		0
Reserve Capacity	28.47%		4.4		9,299

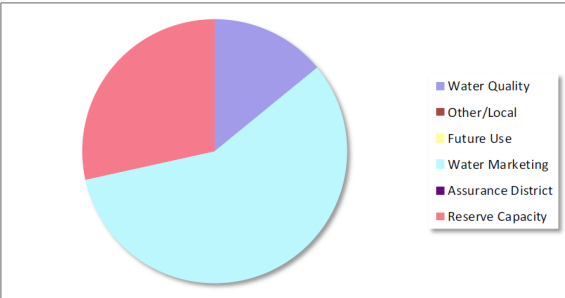


Table 2: Contracted Quantities

Contract Number	Customer Name	Contract End Date	2024 Maximum Gallons	2024 Maximum AF	Annual Contract Maximum Gallons	Annual Contract Maximum AF
23-06	City of Coffeyville	12/17/2033	500,000,000	1,534	500,000,000	1,534
99-5	Coffeyville Resources	12/3/2039	608,000,000	1,866	608,000,000	1,866
12-7	Coffeyville Resources	8/9/2051	400,000,000	1,228	400,000,000	1,228
22-01	City of Independence	8/17/2062	60,000,000	184	60,000,000	184
23-08	City of Independence	10/18/2028	200,000,000	614		614
			1,568,000,000	5,426	1,568,000,000	5,426

Table 3: Pending Applications

Applicant Name	Application Expiration Date	Requested Quantity Gallons	Requested Quantity AF
There are no pending applications on file			

Reservoir Specific Tables & Allocation Breakdowns

- Allocation of reservoir yield to different user groups
- Summary of the Lake Level Management Plans (LLMPs) agreed upon for 2024
 - In times of drought, LLMP winter drawdowns may be curtailed to maintain water supply storage

Table 4: Past Surplus Contracts

Contract Number	Customer Name	Contract End Date	Annual Contract Maximum Gallons	Annual Contract Maximum AF
23-04	City of Independence	12/31/2023	60,000,000	184
23-07	Dale Springer	12/31/2023	6,517,020	20
22-03	Independence Country Club	12/31/2022	2,000,000	6
22-04	Dale Springer	12/31/2022	6,517,020	20

Table 5: Surplus Yield

mgd	AF/yr	
13.3	14,887	Current Yield
4.8	5,426	Marketing Contracts
0.0	0	WAD Storage Yield
0.0	0	Future Use Yield
8.4	9,461	Surplus Yield
1.33	1,489	Surplus Yield Available

Lake Level Management Consideration

No Lake Level Management Plan was prepared for Elk City for Water Year 2024.

Surplus Report Summary

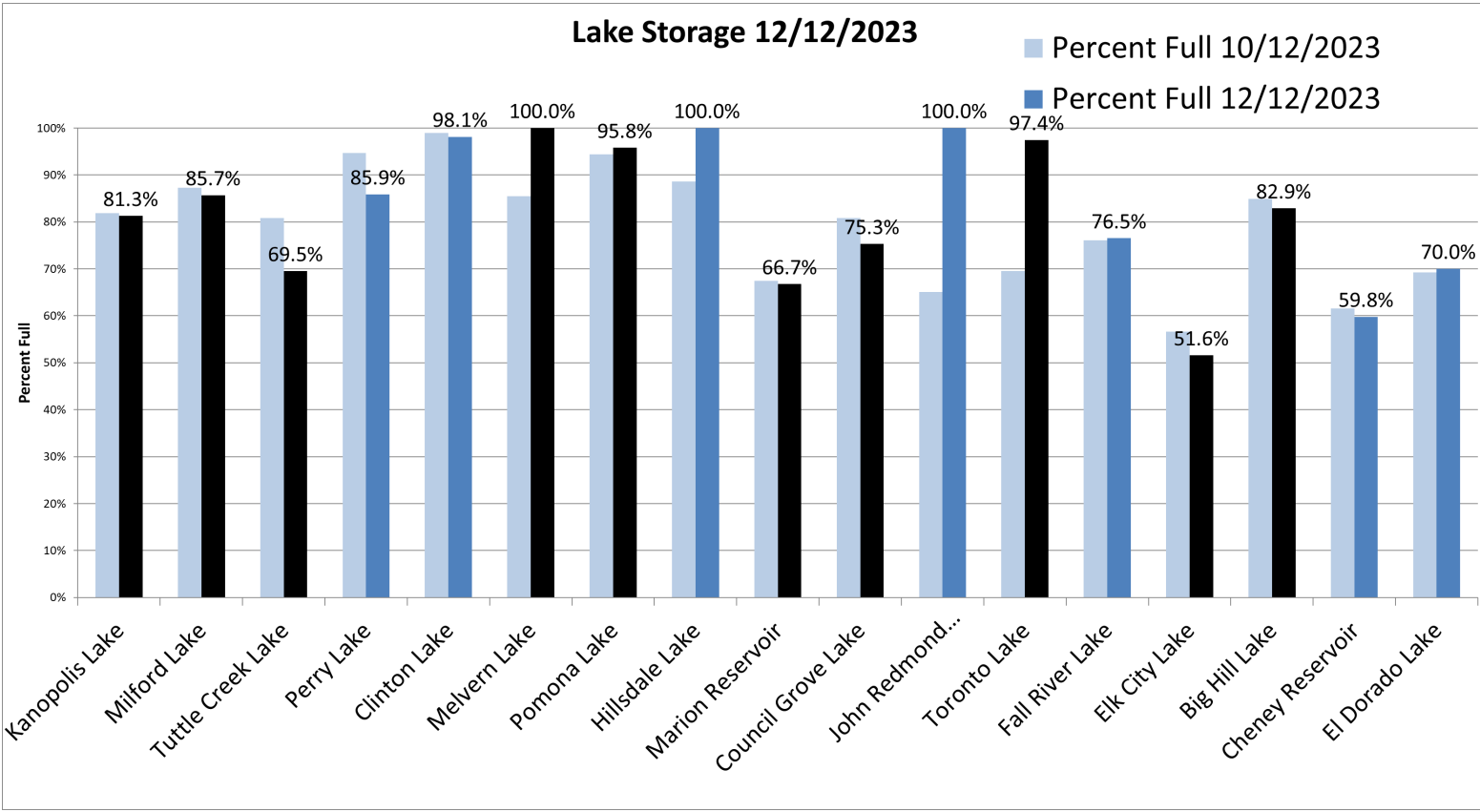
- Table on page 2 of report
- Reservoirs and quantities available for surplus contracts with Authority approval
- 2023 had 222 AF in Surplus Contracts for municipal and irrigation
- Will need an action from the Authority

Summary Table

Lake	Water Supply Yield		Surplus Yield in 2024		Surplus Yield Available for Contract	
	mgd	Af/yr	mgd	Af/yr	mgd	Af/yr
Big Hill (Pearson-Skubitz)	7.9	8,874	6.7	7,478	0.8	887
Clinton	17.3	19,393	1.4	1,595	0.0	0
Council Grove	8.2	9,183	0.2	241	0.2	241
Elk City	13.3	14,887	8.4	9,461	1.3	1,489
Hillsdale	15.3	17,205	1.0	1,092	0.0	0
John Redmond	30.5	34,144	2.0	2,203	0.0	0
Kanopolis	8.3	9,248	2.9	3,212	0.8	925
Marion	5.0	5,566	3.3	3,695	0.5	557
Melvern	8.6	9,616	5.0	5,652	0.9	962
Milford	106.9	119,878	87.3	97,904	10.7	11,988
Perry	77.0	86,277	64.1	71,894	0.0	0
Pomona	7.6	8,574	5.0	5,660	0.8	857
Toronto	4.5	5,027	4.5	5,027	0.1	117
Tuttle Creek	163.4	183,198	28.3	31,695	16.3	18,320

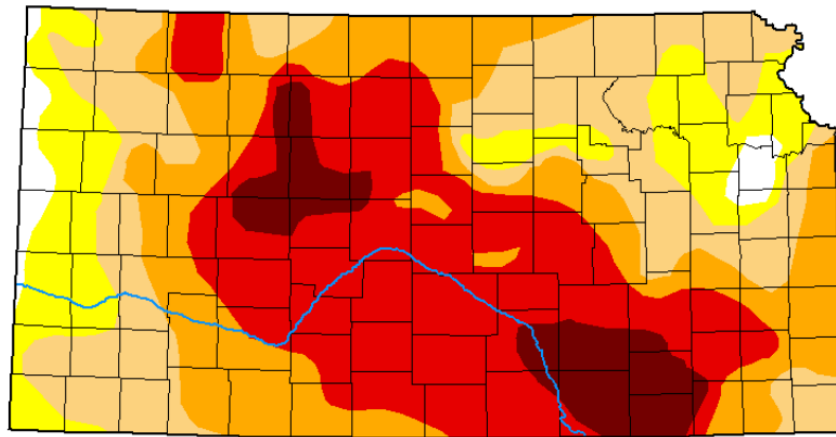
Drought Update

- Reservoirs with Surplus available shown in **black**, percent of capacity full

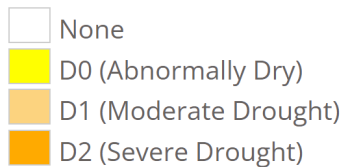


IPM #12 - Drought Update

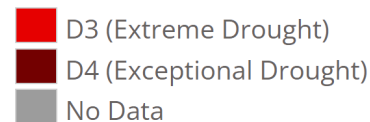
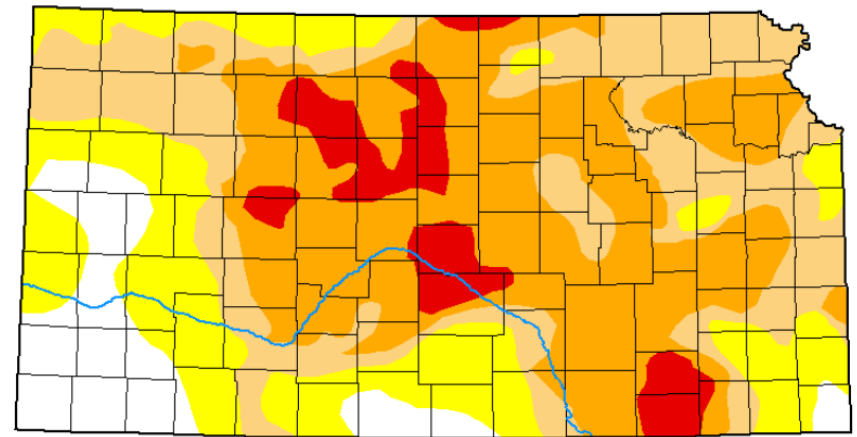
- Expansion of drought conditions for northeast Kansas drainage basins, Kansas, Smoky Hill
- Exceptional to extreme drought for Verdigris basin
- Left June 27, 2023 Drought Map



Drought Classification



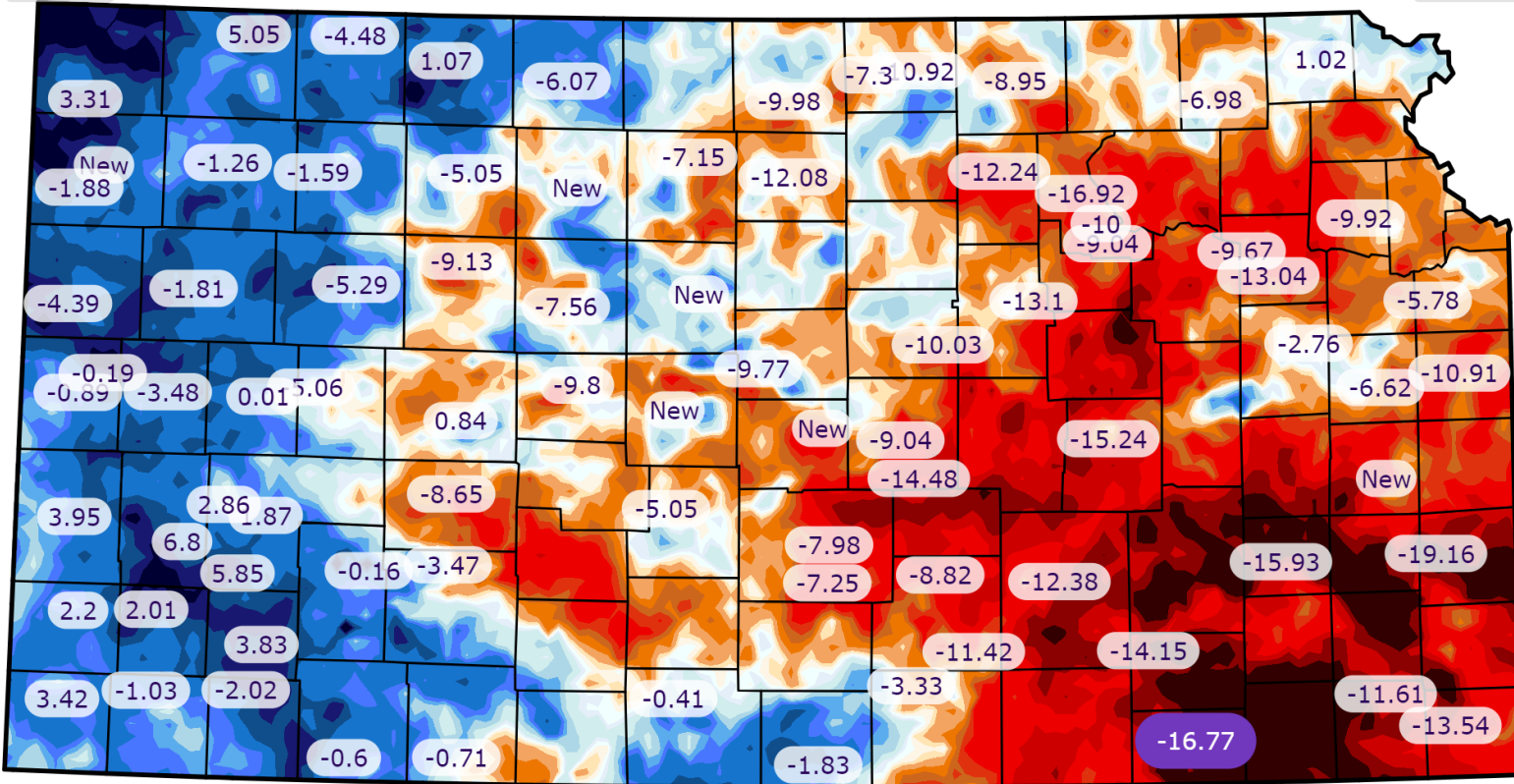
Right November 28, 2023 Drought



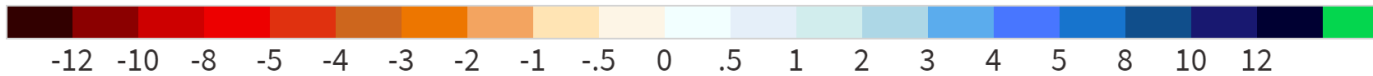
Prev

Departure - 365 Days Through Yesterday

Next



Mesonet Data - Precip (in) at Dec 12 2023 08:25 (CST)



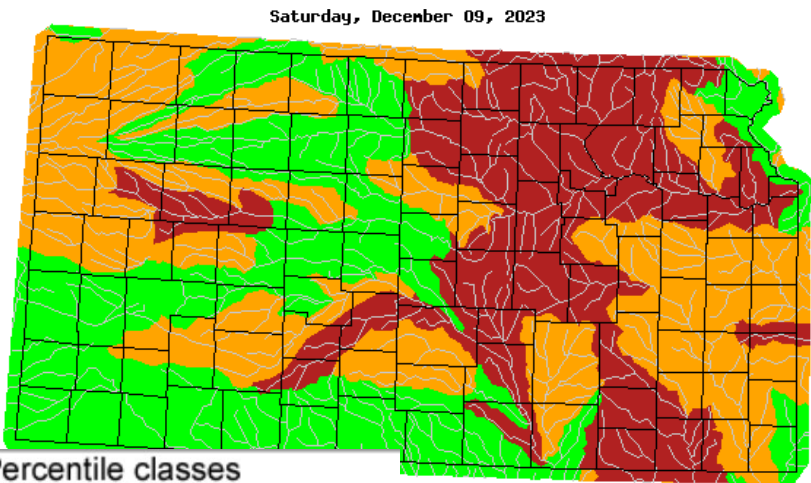
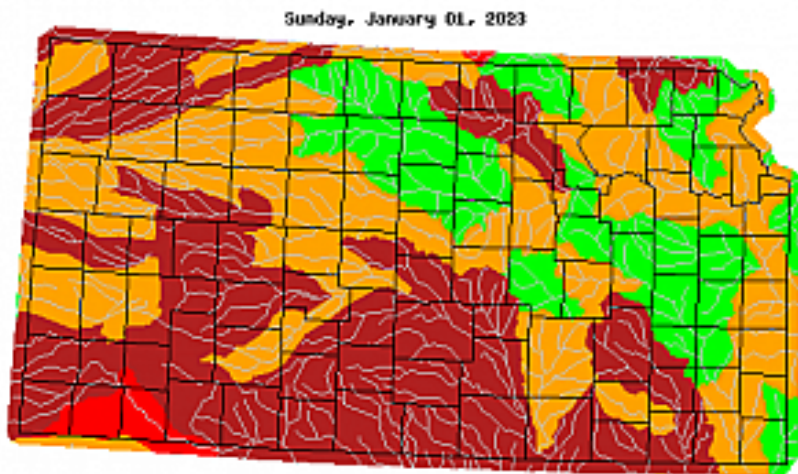
[Kansas Mesonet](https://www.k-state.edu/mesonet/)
[Precip Daily Totals](https://www.k-state.edu/mesonet/precip-daily-totals/)
[\(k-state.edu\)](https://www.k-state.edu/)

Drought Update

- Change in 180 day streamflow patterns, compared to Fall 2023
- Expansion of hydrologic basins experiencing below normal flows last 180 days
- Some areas showing “below normal” have been supported by reservoir releases to maintain streamflow, maintain water supplies, and fulfill water rights/contracts.

• Left January 1, 2023

Right December 9, 2023



Explanation - Percentile classes						
Low	<10	10-24	25-75	76-90	>90	High
	Much below normal	Below normal	Normal	Above normal	Much above normal	

Topeka Median Daily Flows 12/1/2023

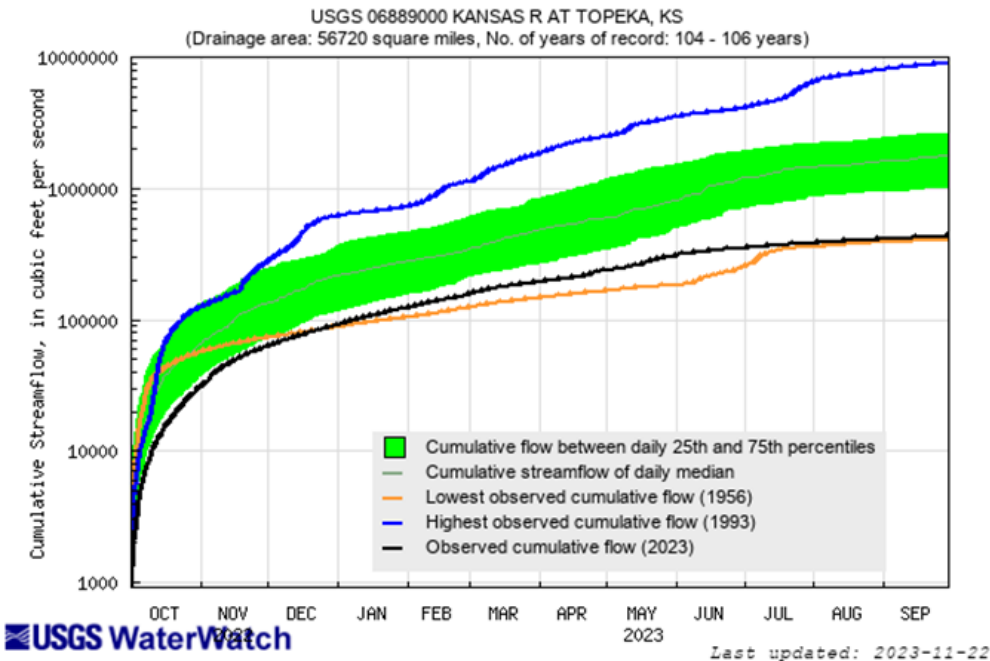
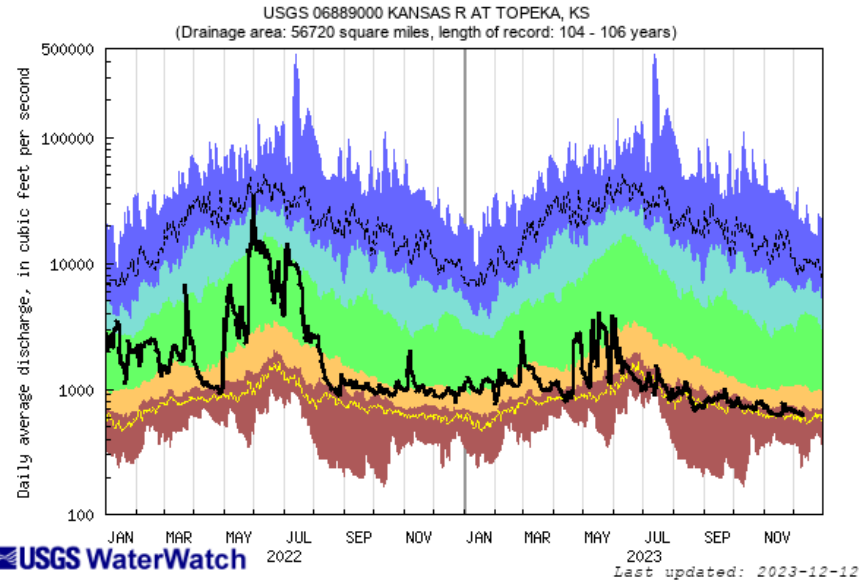
1	1956	597.5
2	1955	882
3	1991	980
4	1940	1020
5	1954	1030
6	1939	1040
7	2023	1040
8	2006	1060
9	1934	1100
10	2013	1140

Topeka Median Daily Flows - Tuttle Creek Releases Removed 12/1/2023

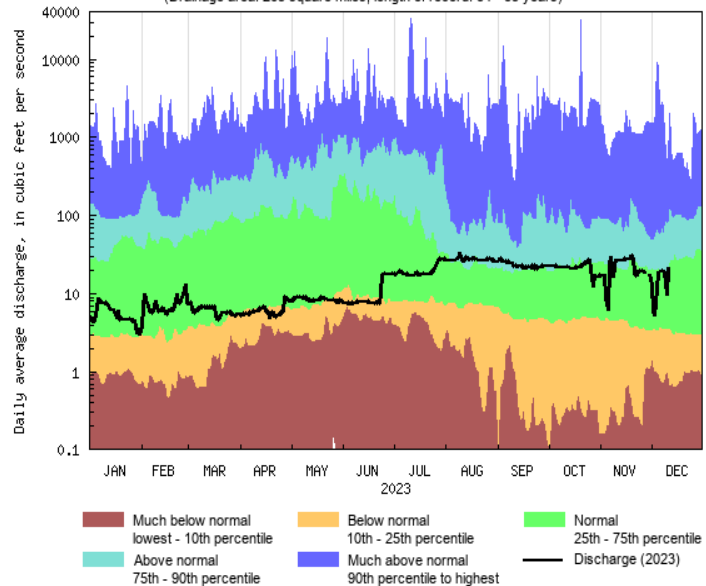
1	1956	597.5
2	2023	628
3	1955	882
4	1991	980
5	1940	1020
6	1954	1030
7	1939	1040

Topeka USGS data since 1917

Tuttle Creek being relied upon for 40-60% of Kansas River flows since mid-July



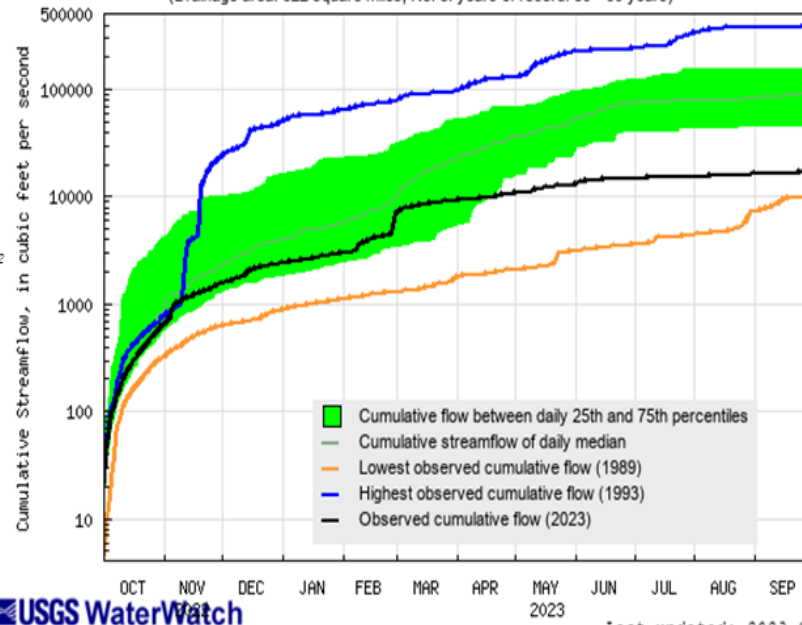
USGS 07179500 NEOSHO R AT COUNCIL GROVE, KS
(Drainage area: 265 square miles, length of record: 84 - 85 years)



Americus USGS data since 1963

Sustained releases from Council Grove Reservoir to maintain upper Neosho River Flows

USGS 07179730 NEOSHO R NR AMERICUS, KS
(Drainage area: 622 square miles, No. of years of record: 59 - 60 years)



Neosho River at Americus
Median Flows

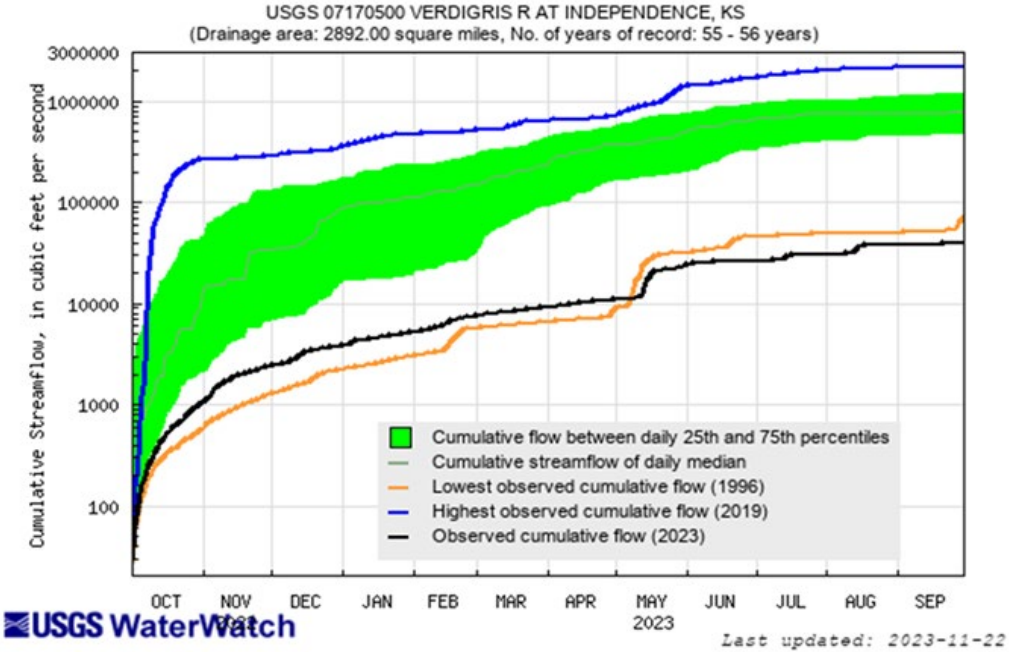
1	1963	5.50
2	1964	10.00
3	1989	13.00
4	2002	17.00
5	2014	17.40
6	2013	17.70
7	1976	19.00
8	1980	20.00
9	1991	21.00
10	2000	21.00
11	2012	22.50
12	2015	22.50
13	2018	23.40
14	2001	25.00
15	2007	26.20
16	2023	26.20
17	2022	26.50

Elk River Above Elk City Reservoir Annual Average Flows		
1	2023	3
2	1991	12
3	1981	13
4	2011	17
5	2006	33
6	2014	49
7	1996	53
8	1980	53
9	1971	60
10	2012	61

Elk River data since 1967 above Elk City Lake

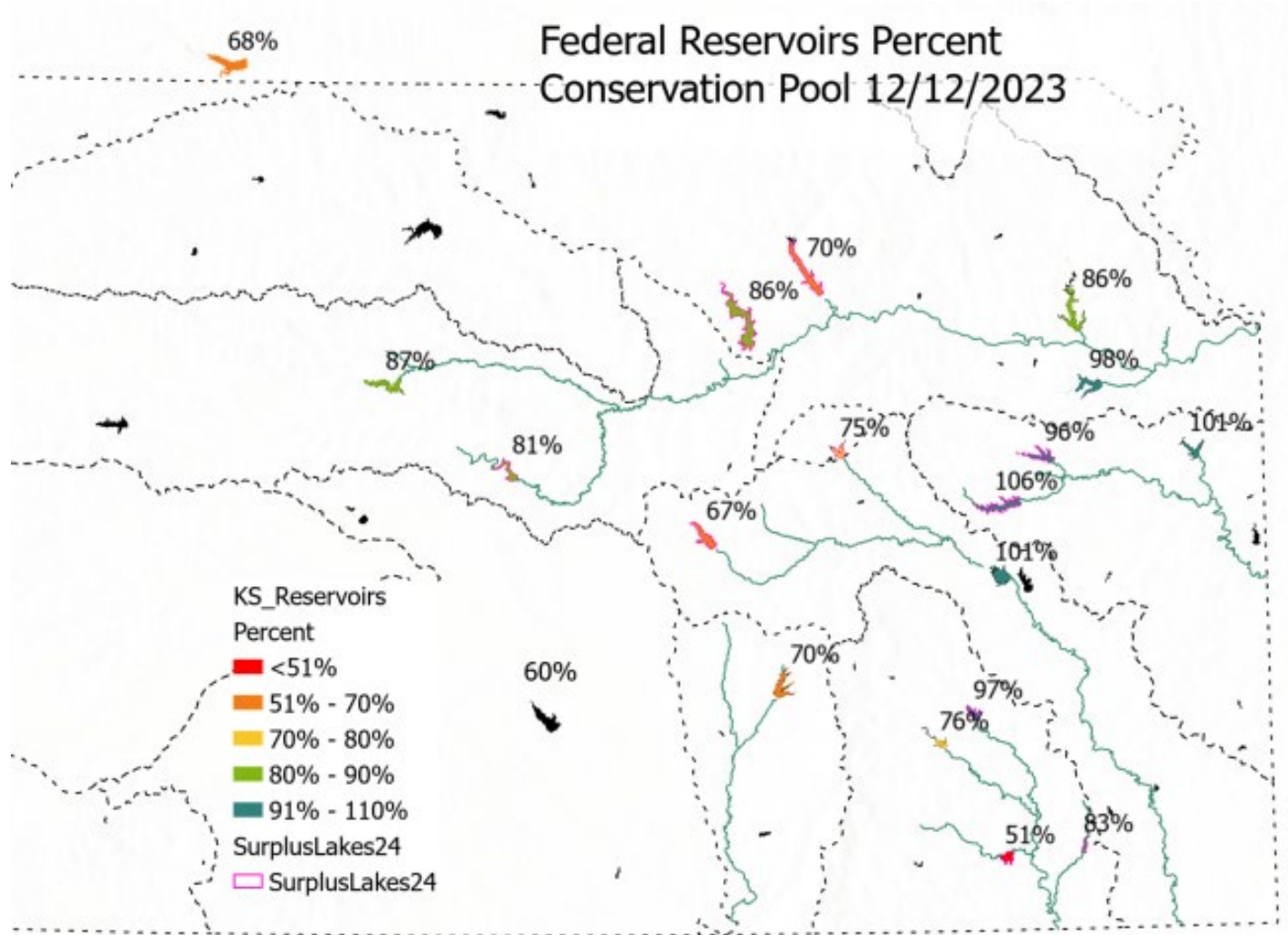
Verdigris River at Independence data since 1900

Fall River & Toronto keeping upper system flowing, Elk City used heavily for public water supply



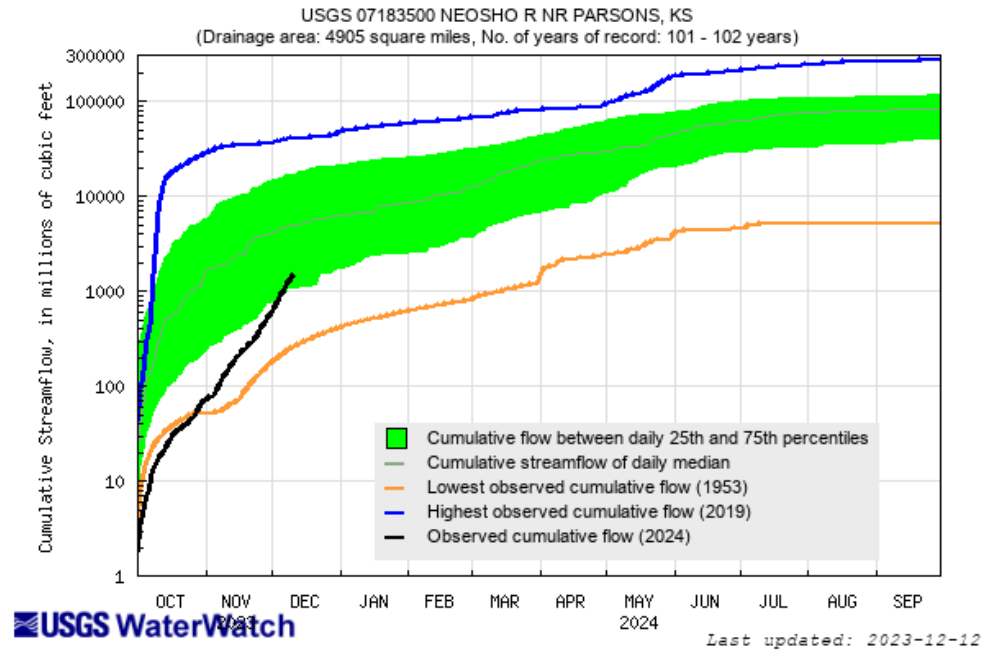
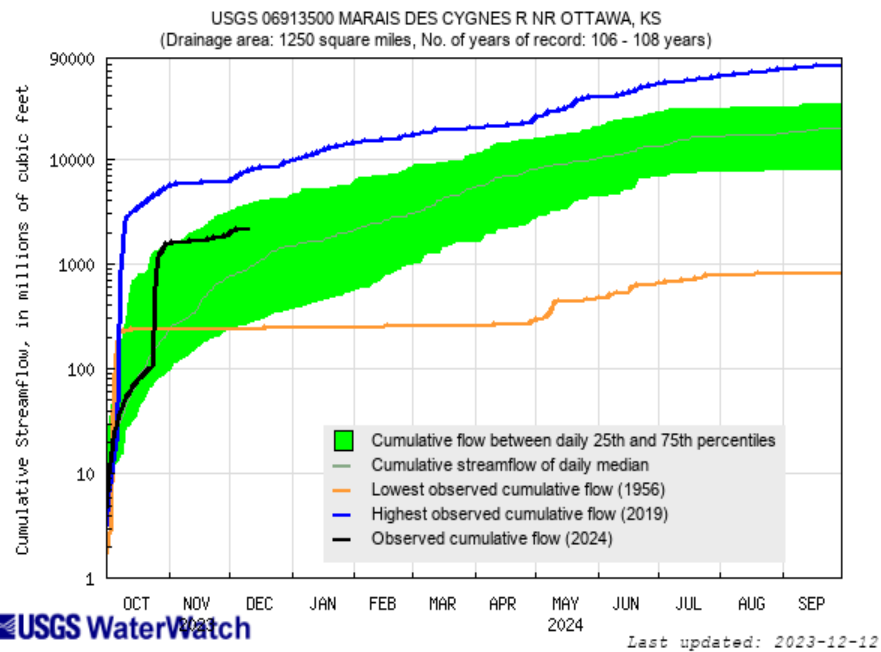
Median Annual Flows Verdigris River at Independence, KS since 1900		
1	1956	8.8
2	1954	14
3	1939	16
4	1940	20
5	1953	21
6	1955	21
7	1964	35.5
8	1952	41
9	1933	44
10	2023	44.75
11	2012	46.85

Federal Reservoirs Percent Conservation Pool 12/12/2023



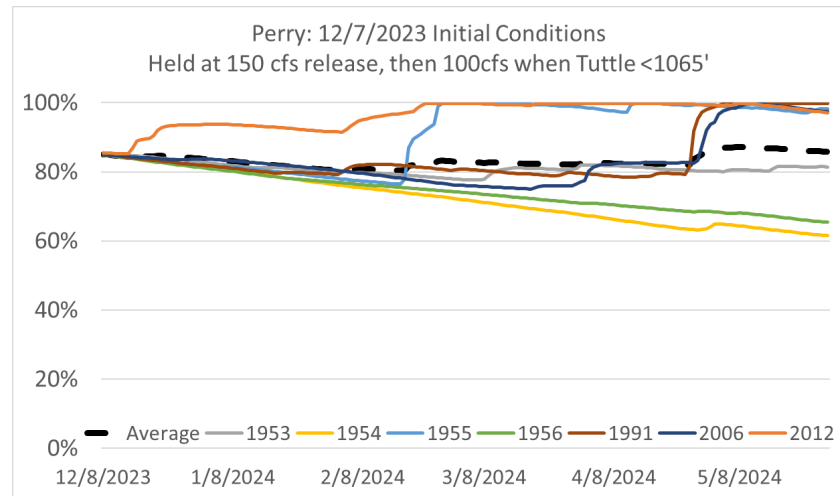
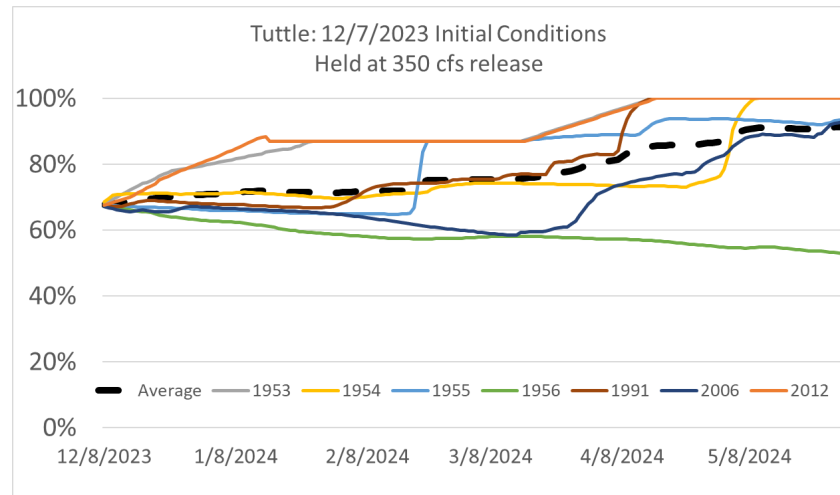
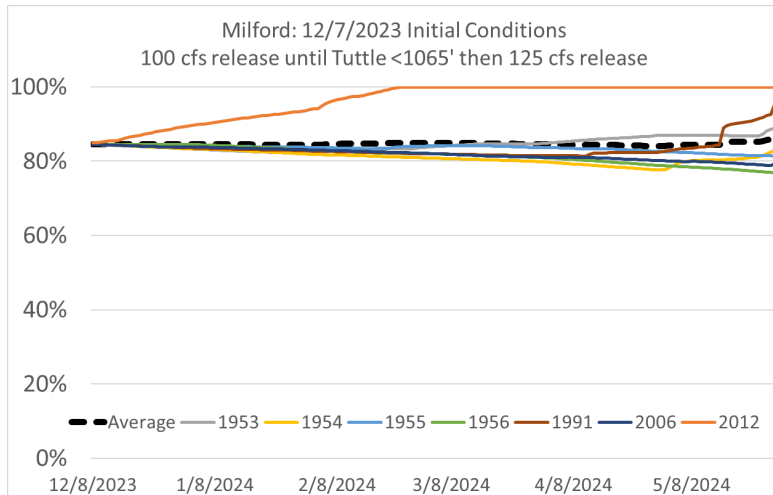
Esri, CGIAR, USGS

WATER YEAR 2024 COMPARED TO HISTORICAL GAGE RECORD



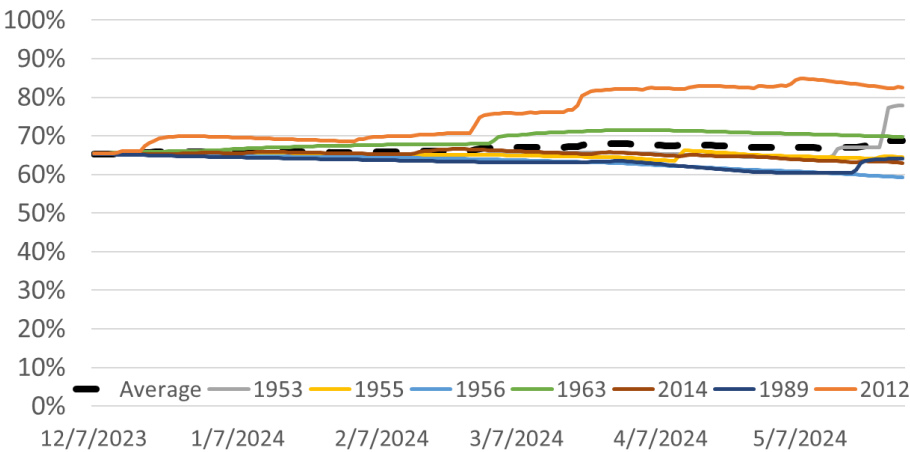
[USGS WaterWatch – Streamflow conditions](#)

KANSAS RIVER

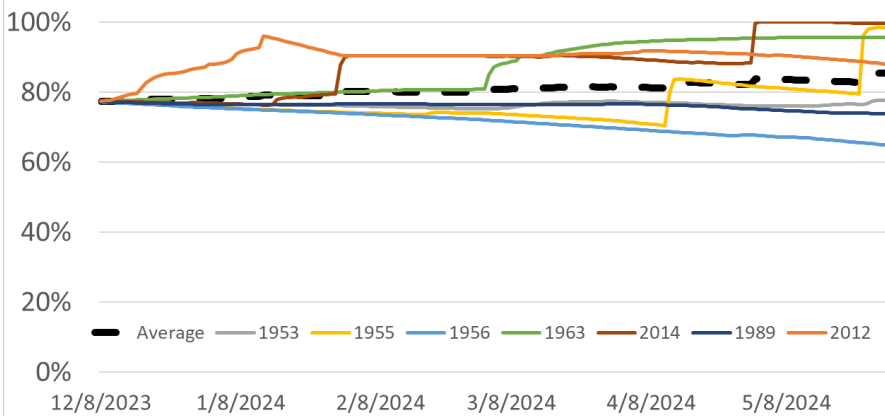


NEOSHO RIVER

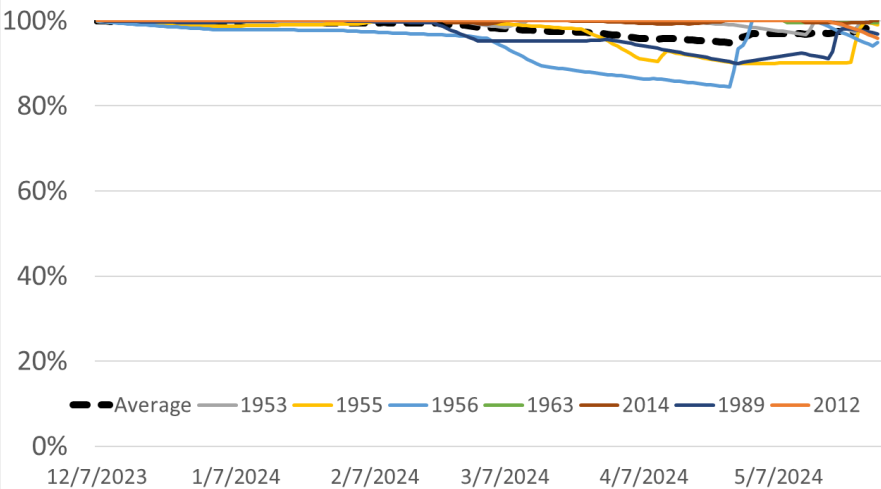
Marion: 12/7/2023 Initial Conditions



Council Grove: 12/7/2023 Initial Conditions

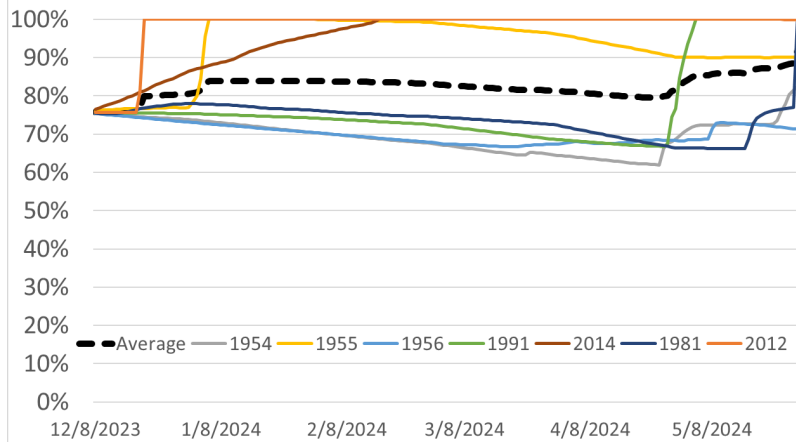


John Redmond: 12/7/2023 Initial Conditions

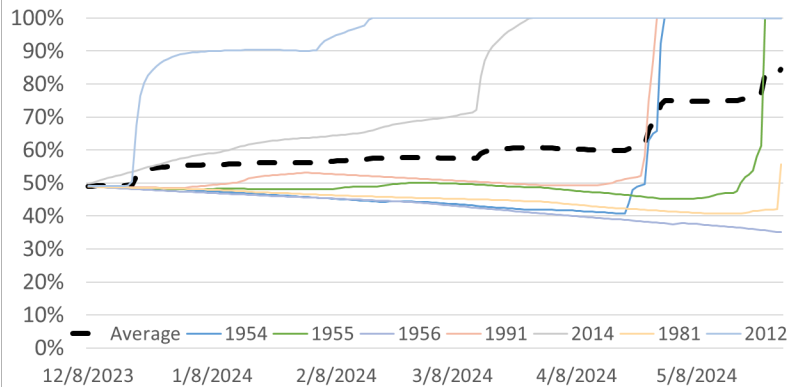


VERDIGRIS RIVER

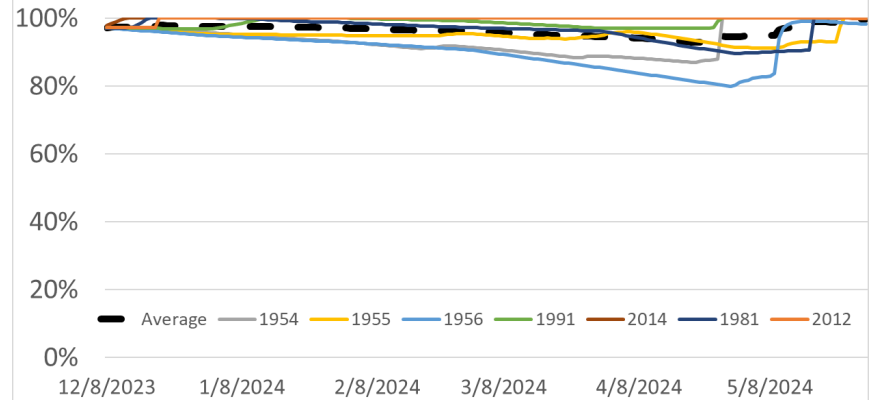
Fall River: 12/7/2023 Initial Conditions



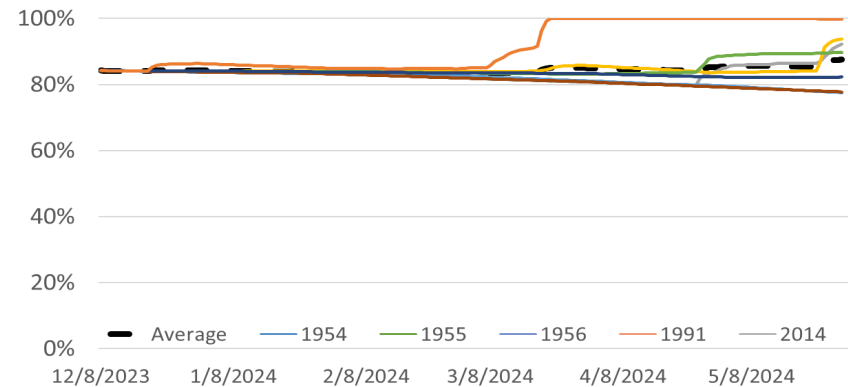
Elk City: 12/7/2023 Initial Conditions



Toronto: 12/7/2023 Initial Conditions



Big Hill: 12/7/2023 Initial Conditions



KWA Public Water Supply Committee

Presented by: John Bailey & Richard Rockel

 Actions Proposed Following 10/11/2023
Committee Meeting:

The Public Water Supply Committee recommends the Kansas Water Authority approve the Surplus Water Available in Water Marketing Program Lakes, Calendar Year 2024 report and authorize the Director to enter into surplus water supply contracts for water defined to be surplus by the report.

KWA Planning Discussion

Presented by: Dawn Buehler

Primary Topic: *Long Range Drought Planning*

BREAK

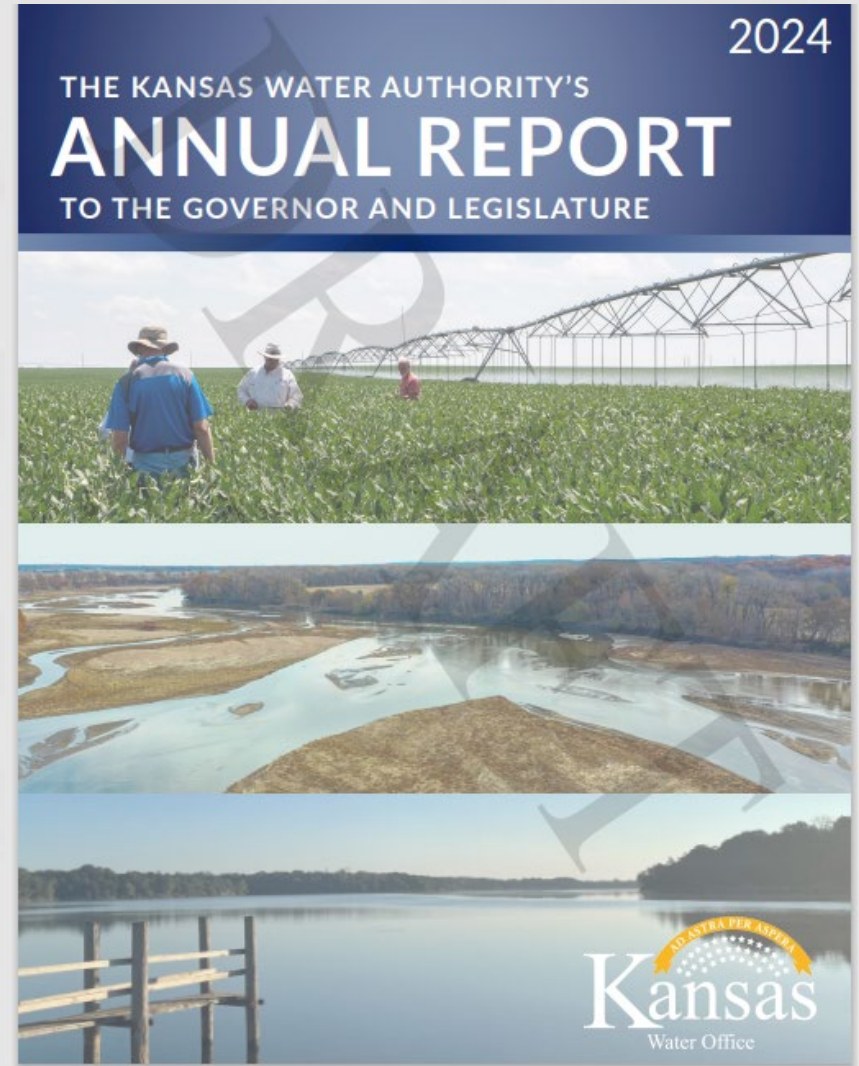
Meeting will resume shortly

KWA Annual Report to the Governor and Legislature

Presented by:
Victoria Asbury & Matt Unruh



Action Needed



RECOMMENDED NEXT STEPS

- KWO recommendation of KWA approval of the Annual Report to the Governor and Legislature with editorial license/discretion.
- Any additional KWA comments requested to be submitted to Victoria Asbury and Matt Unruh by 12/22
- Following review of comments and accompanying revisions, report finalized and delivered to the Governor and Legislature at beginning of 2024 Legislative Session

The Kansas Water Office recommends the Kansas Water Authority approve the 2024 Annual Report to the Governor and Legislature with final editorial discretion based on feedback provided by the Kansas Water Authority during its December 13 meeting.

LUNCH BREAK

Equus Beds Groundwater Monitoring Update

Presented by: Dave Bollenback and/or Jeff Klock

HB 2302 Grant Programs

Presented by: Victoria Asbury

KANSAS WATER OFFICE

HB 2302 Grant Programs

Kansas Water Authority

December 13, 2023



Sen. Sub. for HB 2302

State General Fund	\$35,000,000
State Water Plan Fund	\$18,000,000
Technical Assistance Fund	\$5,000,000
Water Projects Grant Fund	\$12,000,000



Technical Assistance Fund

Eligible Applicants:

- Municipalities
- Special Districts Related to Water

Eligible Projects:

- Planning, engineering, managing, and other technical assistance necessary for the development of plans for water infrastructure projects
- Processing grant and loan applications for water infrastructure projects



Technical Assistance Fund

Limits on Awards:

- No single grant may exceed \$1,000,000

No Matching Fund Requirement

Evaluation Criteria:

- Population: Municipalities with fewer than 2,000 residents will be prioritized for full grants
- Timeline: Projects with earlier start dates will be prioritized
- Conservation Plan: Projects that incorporate a conservation and/or climate change resiliency plan will be prioritized
- Community Factors: Other criteria for municipalities may include public health and socioeconomic factors



Water Projects Grant Fund

Eligible Applicants:

- Municipalities
- Special Districts Related to Water

Eligible Projects:

- Constr., repair, maint. or replacement of water-related infrastructure;
- Matching money for grants or loans for water-related infrastructure projects
- Outstanding loan balance (PWS loan fund or KS pollution control revolving fund)



Water Projects Grant Fund

Limits on Awards:

- No single grant may exceed \$8,000,000

No Matching Fund Requirement

Evaluation Criteria:

- Timeline: Projects with earlier start dates will be prioritized
- Conservation Plan: Projects that incorporate a conservation and/or climate change resiliency plan will be prioritized
- Community Factors: Other criteria for municipalities may include public health and socioeconomic factors
- Permits: Assurance of pertinent permits and authorizations



Water Projects Grant Fund

Evaluation Criteria for Outstanding Loans:

- Project with the outstanding loan balance is complete
- At least five years of payments have been made
- Grants may provide repayment of up to:
 - 90% of balance for cities with fewer than 2,000 residents
 - 75% of balance for cities with fewer than 5,000 residents
 - 50% of balance for cities with fewer than 10,000 residents
 - 25% of balance for all other cities



The Applications

- Project or Technical Assistance Description
- Statement of Work
- Budget for Project
- Timeline for the Project
- Affidavit

Timeline

Applications submitted by December 29, 2023 will be considered for this round of funding. Applications submitted after this date will be evaluated pending available funds.

Award notifications will be sent in the first quarter of 2024



Additional Information

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HB 2302 Grant Programs

Technical Assistance Grant Fund and Water Projects Grant Fund


In 2023, Governor Laura Kelly and the Kansas Legislature, through House Bill 2302, created the State Water Plan Fund (SWPF). The State Water Plan Fund was created to support the updated Kansas Water Plan, which the Kansas Water Office is currently reviewing. The fund will provide a significant amount of state funding for the State Water Plan, and activities recommended in the plan. The Kansas Water Authority approved the plan, and local agencies, regional advisory committees, non-profit organizations and members of the public. During the following legislative session, Sen. Sub. for HB 2302 became law. Its provisions included the creation of two new water-related grant funds: the Technical Assistance Grant Fund and the Water Projects Grant Fund.

The two grant funds serve to help identified Kansas entities to obtain the up-front technical assistance and the on-the-ground actions needed to address various water quantity and quality needs. The two funds are generally directed to supporting water-related infrastructure activities. The new law directs the Kansas Water Office (KWO) to administer these two grant programs, according to certain criteria and parameters.

[Read the press release from Governor Kelly.](#)


Applications submitted by **December 29, 2023** will be considered for this initial round of funding, with submittals after this date to be evaluated pending available funds.

Read the complete guidelines:

 [Interim Grant Fund Guidelines_Finalized](#) (docx)
34 KB

Helpful Documents:

 [HB 2302 Grant FAQ](#) (pdf)
221 KB

 [Affidavit Example](#) (pdf)

- Guidelines
- FAQ
- Example Docs
- Application Portals





Questions?

Thank You!

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KDA Proposed Dam Safety Program Changes

Presented by: Terry Medley

KWA Ex Officio Agency Updates

Director's Report

Presented by: Connie Owen

New Business

Adjourn

Upcoming Meetings:

- *January 23 & 24, 2024 – Kansas Water Authority, Topeka*
- *April 17, 2024 – Kansas Water Authority, TBD (Southwest Kansas)*
- *June 11, 2024 – Kansas Water Authority, Manhattan*
- *August 21, 2024 – Kansas Water Authority, TBD (South-Central Kansas)*
- *October 16, 2024 – Kansas Water Authority, TBD (Northwest Kansas)*
- *December 11, 2024 – Kansas Water Authority, TBD (Southeast Kansas)*