



# Kansas Regional Advisory Committee Meeting Notes

October 19, 2017

US Bank Bldg. 719 Kansas Ave. 3<sup>rd</sup> floor conference room,  
Topeka, Kansas 66612

**Members Attendance:**

<i>Name</i>	<i>City</i>	<i>Category</i>	<i>Term</i>	<i>Present</i>
Brad Bradley, Chair	Overland Park, KS	Fish and Wildlife	2021	Yes
Katie Miller, Vice-Chair	Junction City, KS	Conservation/Environment	2019	Yes
Marlene Bosworth	Sabetha, KS	Conservation/Environment (cc)	2019	Yes
Glenn Brunkow	Westmoreland, KS	Agriculture (cc)	2021	No
Dawn Buehler	Eudora, KS	Recreation	2019	Yes
Blake Follis	Topeka, KS	At Large Public (cc)	2019	No
Sarah Hill-Nelson	Lawrence, KS	Industry/Commerce	2019	Yes
Heath Horyna	Topeka, KS	Industry/Commerce (cc)	2021	Yes
Daniel Howell	Frankfort, KS	Agriculture	2021	Yes
Darci Meese	Lenexa, KS	Public Water Supply (cc)	2019	Yes
William Ramsey	Leawood, KS	Planning, Restoration and Protection	2021	No
Sharon Schwartz	Washington, KS	WRAPs	2019	No
Greg Wilson	Olathe, KS	Water Assurance District	2021	Yes

**Others in attendance:**

<i>Name</i>	<i>Town</i>	<i>Representing</i>
Allyn Lockner	Topeka	Himself
Lloyd Hemphill	Topeka	Kansas Department of Agriculture
Christy Ostrander	KC	USACE
Amanda Reed	Topeka	Kansas Department of Health and Environment
Heidi Mehl	Lawrence	The Nature Conservancy
Rob Reschke	Manhattan	KS Dept. of Ag, Division of Conservation
Gary Satter		Glacial Hills RD&D
Judy Boltman	Topeka	Shawnee Co Conservation District
Marci Francisco		League of Women Voters
Georgia Sardlin		League of Women Voters
Leslie Holthaus	Marysville	Marshall Co. Conservation District
Tom Stiles	Topeka	Kansas Department of Health and Environment
Earl Lewis	Topeka	Kansas Water Office
Matt Unruh	Topeka	Kansas Water Office
Ginger Harper	Topeka	Kansas Water Office
Tammy Matchett	Topeka	Kansas Water Office
Kirk Tjelmeland	Topeka	Kansas Water Office

**Welcome and Introductions:**

The meeting started a few minutes after 9 am, called to order by Chair Sarah Hill-Nelson. TJ confirmed a quorum of RAC members was present. Sarah had everyone around the room give self-introductions.

**League of Women Voters of Kansas (LWVK)** – Sarah introduced State Senator Marci Francisco from the LWVK and Marci introduced another of her colleagues, Georgia Sardlin. Sen. Francisco talked a little about the formation of the

**Membership:** Sarah Hill-Nelson, Lawrence, KS; Marlene Bosworth, Sabetha, KS; Brad Bradley, Overland Park, KS; Glenn Brunkow; Dawn Buehler, Eudora, KS; Blake Follis, Topeka, KS; Heath Horyna, Topeka, KS; Daniel Howell, Frankfort, KS; Darci Meese, Lenexa, KS; Katie Miller, Wichita, KS; William Ramsey, Leawood, KS; Sharon Schwartz, Washington, KS; Greg Wilson, Olathe, KS  
**KWO Planner:** Kirk Tjelmeland, 785-368-8149: kirk.tjelmeland@kwo.ks.gov

LWVK and they have based their water policy on sound science through multiple studies. They are currently reviewing two proposals to their 2015 Water Resources Management Policy Statement that have been submitted for consideration and possible adoption in April of 2018. The first proposal questions giving all beneficial uses equal weight, changes to this statement would allow the LWVK to be an advocate on more water issues. The second proposal is to remove section H from their policy and to reaffirm “first in right first in use” doctrine. Sen. Francisco thought these changes would keep LWVK non-partisan and encourage flexibility on water issues. The documents that she presented at the meeting are available at LWVK [policy](#) on the Kansas RAC page. She also mentioned that funding the Water Plan was important.

**Sarah passed Chairmanship to Brad** – Sarah talked about her decision to resign from the Chair position due to demands of her business and also because she felt it was important to demonstrate that the policy positions of the RAC were widely held. She noted that Brad had agreed to serve as Chair and had been approved by Gary Harshberger, KWA Chair. Katie will remain as Vice-Chair. Sarah said she intends to remain fully engaged as a member. Brad thanked Sarah for her guidance and service to the committee, and assumed chairmanship of the RAC.

**Review of August 15<sup>th</sup> Meeting points** – Brad led the group in a discussion of the Top-line themes which emerged from the August 15 meeting.

**Top-line themes from breakout sessions:**

- We are grateful for the \$1.2 million legislatively funded in 2017. We think it is a step in the right direction, and we are pleased that state leaders see water as a priority.
- Strong support among RAC members to collect and spend dollars regionally. This money should be dedicated to water projects, and should not be able to be moved. It should be distributed according to the water priorities of the people who live and work in the region. Looking at the GMD model, the money would not go into the state – would be collected and spent at the local level.
- We believe legislative funding of the water plan is a state priority, and we should keep asking for the \$8 million. It is vital.
- Importance of education in this process. The message that RAC members are hearing is that more emphasis is needed on that. The education plan that is currently developed needs more work. RAC believes there is a need to take a second crack at the education effort of the Vision. Lots of support to leverage existing channels to do that.
- Support for the KBWM. We see the RACs as driving accomplishment of the Water Vision through the KBWM system. It is the role of the RAC to drive progress, and the KBWM is the means to do so.
- Increase communication between RACs and constituents. RAC members should be presenting on behalf of the RACs individually, and should receive local input to bring back, because communication is a two-way street.
- BMPs on state and federal land have strong support. All the state and federal agencies should be participating in BMPs.

The RAC then discussed. Greg added there needed to be a mechanism to collect the fees. Brad explained the difference between fees and taxes and that the overall goal should continue to be to improve quality and quantity of water in the region. Marlene added that the fees should be assessed fairly and that the group needs to fully explore fund raising. Dan added that the need for money for water issues is a statewide thing, although there are differing water issues across the state but he didn’t want to throw cold water on the regional idea. Sarah stated that the cost to address water issues is monumental. A member of the audience, Allen, was recognized by the Chair and promoted two possible ideas for funding: 1) Levy fee on withdrawal of surface or groundwater through a regional authority and 2) Broaden the tax base – get rid of exemptions. Sarah mentioned the possible loss of funds once raised, need to protect money so it isn’t swept by

the legislature once collected, this money needs to go to fund water issues. Darci spoke up stating that everyone is already paying “fees” and that we need to continue to push for funding the Water Plan. There is a need for an easy and equitable way to raise fees, maybe look at the Missouri sales tax model, constitutional amendment? Dawn brought up that most farmers are exempt from taxes and that maybe this needs to be changed. Earl was recognized and talked about the funding issue, Blue Ribbon Funding Task Force and the bad timing to discuss money with recent budget problems. Funding water issues is a long term issue and there has to be some sustained funding source. He added that on day 2 of the Governor’s Water Conference there will be a session dedicated to water funding by other states. Dan spoke up that we do need to expand the tax base and that farmers should be paying their share of taxes. Greg wanted to know where Farm Bureau is on this, no one had an answer. Brad wanted to know if the RAC was still in general agreement on the list? Marlene moved that the RAC adopt the bullet points from the August 15<sup>th</sup> notes and Sarah seconded it. Motion adopted unanimously.

**RAC Moving Forward** – Greg had proposed a document with the idea of developing subcommittees for addressing the following issues:

1. Funding options to implement Kansas watershed Vision goals
2. Watershed educational and outreach options, and
3. BMP project implementation under the Kansas Basin Watershed Management System.

The RAC approved of the idea of smaller groups working on specific issues and reporting back to the entire RAC. Heath thought the goals align well with the subcommittees. The education topic was brought up and Ginger explained that the education piece of the Vision continues to move forward. Dawn suggested a presentation be developed for the RAC to address the region’s issues and delivered by RAC members to interested groups. Sarah mentioned the need for more coordination and asked how much would it cost to implement the KBWM? Matt offered that there is a good deal of coordination on the streambank team and that he is trying to use the same type of coordination on implementing BMPs. KWO is evaluating roles and responsibilities of different agencies. Brad ended this portion of the meeting with the need to establish subcommittees. Heath moved that the RAC establish subcommittees as outlined in Greg’s proposal and Greg seconded the motion, committee approved unanimously. Sheet of paper was passed around and those at the meeting recorded their first, second, and third subcommittee preferences. Brad stated that he would make assignments within the next week, would appoint subcommittee chairs, and that the subcommittees were to meet at least once before the next RAC meeting.

**State of the Resource (SOTR) Document** – Kirk led the group through the draft SOTR. He explained what was on the screens was different from the version that had been sent out earlier for comments. Dawn asked to have the current version sent out for the RAC to comment on. Brad didn’t want to have to look through pages of information to get to the important stuff. He thought possibly putting some of the information that can be found elsewhere in appendices. Greg agreed and didn’t want a bunch of fluff just to make it look good. Marlene thought some of the data was not in the form she was used to seeing it in and wanted to know if KDHE had previewed the SOTR yet. Amanda said she hadn’t and pointed out that some of the load reductions have been adjusted and that some of the 9-element plans are under review. Sarah added that she is working on comments to the document and would get those to me soon. Heath wanted to make sure our progress in certain areas can be tied directly back to the goal developed by the RAC. Brad asked how soon comments were needed back from the RAC and November 2<sup>nd</sup> was the date suggested.

**Sustainable Rivers Program (SRP) Presentation** – Heidi from The Nature Conservancy (TNC) and Christy Ostrander from the USACE presented a brief overview of the SRP. Heidi explained that SRP is a nationwide program of partnership between TNC and USACE to engage all stakeholders in a river basin to see if stream flow adjustments can be made to improve the results for all stakeholders. Several rivers across the country have been positively affected through the program to date. In Kansas, the first application would be on the Kansas River. She and Christy will be attending a SRP conference in North Carolina to further their work on the Kansas River. Christy stated that the USACE is assisting with

some hydrological modeling. A team charter and steering committee has been set and another meeting is planned for November 16<sup>th</sup>. Greg was unaware of this effort. Heidi stated that Galen had been part of the steering committee and there is room for Greg to attend if he would like to. Greg wanted to make sure that Christy was aware of the Oasis Modeling which Nate does at the KWO. Heidi said she was and would visit with Nate. Greg also wanted to make sure the SRP is looking at water rights.

**Tyson Issue** – Earl started with the August announcement that Tyson would be coming to Tonganoxie. Tyson thought there was a sufficient work force available, water supply and land available. Tyson stated the plant would provide roughly 1,600 jobs and amount to a \$320 million investment in facilities. The plant would require 2 million gallons of water/day and would process 1.2 million chickens/week. There would be sanitary sewer handled through the local community with an onsite facility to treat plant waste with discharge into Cow Creek and ultimately the Kansas River. Greg asked about water supply to the plant. Suburban Water would be the supplier. Earl went on to explain that the chicks would be hatched at the site and shipped to grow-out facilities in the surrounding countryside within 50 miles of the plant and operated by independent contractors. The plant would also house a feed mill producing feed for the chicks at the main facility and also the chickens at the grow-out facilities. The grow-out facilities could be the potential problem with each house having 29,000-31,000 birds and 4 to 6 houses/site. Control of the dry litter and application timing are the potential weak points. Sites would be federally regulated and would have to a nutrient management plan. Earl added that the state is currently receiving chicken litter from Arkansas. Nutrient input has to be monitored to insure compliance. Earl said the plant in Tonganoxie has been withdrawn and Concordia and Wichita are being considered as other potential sites. Greg questioned water supply in Concordia. The water for the plant would be supplied by converting existing Ag water rights to Industrial. Dawn mentioned that if the plant comes to Kansas there is a good likelihood that it will impact the Kansas River due to preferred locations. Sarah mentioned there must be problems if they are exporting litter to our state, are producers testing? Has there been a nutrient change over time? Have there been local issues that caused problems? Could we have Tyson pay to treat water quality issues? Amanda was asked if they had the manpower to monitor something like this, they don't. She was curious why some states have had problems with Tyson and others haven't, what is the difference? Sarah wanted to make sure that the Kansas River is safe for her employees to work in and around. She said the river smells bad and that she didn't want a sore on an employee to turn into an infected mess. No action was taken by the RAC.

**Conservation Field Day in Hays** - Katie was unable to attend so Matt talked about the day. This will be an annual day that will be moved to different cities with water supply issues. Presenters that day showed successes and where they still need to improve regarding water conservation. This Field Day is directly related to one of their RAC's goals to hold the annual event, approximately 40 people participated in this first year's event. Burns & McDonnell helped sponsor what Matt thought was a productive event. Many of the cities in the area have made changes out of necessity, due to successive water short years.

**Agency or Public Comments** – Allen thought the counties should have control of land use and he would like to attend the subcommittee meetings. No other comments were noted.

#### **Next meetings and relevant events:**

November 8<sup>th</sup> – 9<sup>th</sup>, 2017, Governor's Water Conference in Manhattan, KS 66502.

December 12<sup>th</sup>, 2017, KWA meeting, 10 am, KMU training facility, 2090 East Avenue A, McPherson, KS 67460

January 18<sup>th</sup>, 2018, Kansas RAC meeting, 1 pm, Westar Professional Training Center, 801 NE Hwy 24, Topeka, KS 66608.

January 23-24, 2018, KWA meeting in Topeka, Kansas.