

**October 15<sup>th</sup>, 2021**

**Ms. Connie Owen  
Director  
Kansas Water Office  
900 SW Jackson St., Suite 404  
Topeka, KS 666212**

**RE: WaterOne Comments to 2021 Draft Water Plan**

**Dear Director Owen:**

On behalf of WaterOne, thank you for the opportunity to comment on the 2021 Kansas Water Plan Update. The efforts of the Kansas Water Office staff on this project is greatly appreciated. It is a monumental task to encompass all the work and discussion that has occurred regarding Kansas water resources over the years, particularly since 2013 when KWO was charged with developing the long-term Vision for Water in Kansas.

Those of us that are entrenched in this topic certainly understand the criticality of the state of water resources in Kansas, yet the typical Kansan likely does not realize the planning and strategizing that goes into sustaining water resources. The typical Kansan may also not be aware that Kansas has a Water Plan. What we learned from the Water Vision process is that the issues facing water resources in Kansas are broad ranging and serious. The Vision process brought stakeholders across the State together to share perspectives and ideas. The process created momentum in dealing with these issues and allowed relationships to form that have resulted in creative solutions. We must continue to feed this momentum.

One of the best ways to do so is to develop a concise document that can be shared with stakeholders, citizens, agencies, and lawmakers that provides a high-level picture of water management in Kansas. This can be achieved through a robust Executive Summary to the Water Plan that can summarize the what, why, and how of water resource management in the State. Executive Summaries should be just that, a summary, but must include enough information to drive home the main points with the assumption the majority of readers will get no further than the Executive Summary document. The document can also serve as a workable reference document for the Legislature as they develop policy related to water resources. We would offer the following suggestions to the current Executive Summary to make the section more comprehensive:

**I. Begin the Executive Summary by setting out the statutory authority that requires the development of the State Water Plan and its contents.**

- *The Kansas Water Plan is a document the Kansas Water Office is required to formulate on a continuing basis pursuant to KSA 82a-903 with the input of citizens, stakeholder groups, and other State Agencies including the Division of Water Resources; KDHE; Kansas Geologic Survey; Wildlife and Parks and the Division of Conservation. The Water Plan document is vetted by all these groups through public forum and comment. Kansas Statute requires specific items to be considered in the formulation (82a-907) and*

*provides for long range goals for the Plan and the Policies to achieve those long-range goals. (82a-927; 82a-928).*

**II. Discuss KSA 74-2613 creating the Kansas Water Office and its role.**

**III. Discuss KSA 74-2622 creating the Kansas Water Authority and its role.**

- INSERT Kansas Water Authority membership map and list of current members

**IV. Discuss KSA 82a-951 establishing the State Water Plan Fund**

- *The Fund exists for the establishment and implementation of water projects and programs and the supporting technical support. The funds should not be used for replacing full time equivalent positions of State Agencies.*
- *The Water Plan is funded through a combination of user fees and the statutory transfers from the General Fund (82a-953a) and the Economic Development Initiative Fund (79-4804) but for many years those statutory transfers have not been met at the levels intended. Point out the number of years the Water Plan has been shorted since its enactment and the amount of money shorted.*
- INSERT Table showing User Fees
- INSERT Table showing Historic Transfers from General Fund and EIDF
- INSERT the 2021 Budget Breakdown as an example to show what agencies get money from the Water Plan Fund.
- INSERT Budget Principles of Water Authority.

**V. Summary of Water Resource Issues in Kansas:**

- Define the problem high level—*the High Plains Aquifer is depleting; water quality issues exist in ground water from intrusion from salt, mercury, and other substances and in surface water from nutrient run-off and non-point source pollution; reservoirs are losing storage space due to sedimentation; there is an unfunded liability with reservoirs that must be resolved.*
- Make the Guiding Principles part of the Executive Summary and expand upon the paragraphs for each contained on pages 3 and 4 to include a summary of the Recommended Actions and Strategies to accomplish each Principle.
  - Conserve and Extend the High Plains Aquifer—add a discussion regarding sustainability for the HPA. Add summary of Recommended Actions and Strategies from page 25.
  - Secure Protect and Restore Kansas Reservoirs—Add discussion of streambank stabilization, sediment management, and HABS. Add summary of Recommended Actions and Strategies from page 37.
  - Improve States Water Quality—Add summary of Recommended Actions and Strategies from page 50.

- Reduce Vulnerability to Extreme Events—Add summary of Recommended Actions and Strategies, Flood from page 65 and Drought, page 66.
- Increase Awareness of Kansas Water Resources—Add summary of Recommended Actions and Strategies from page 72.
- INSERT Map showing water use amounts and type of use across the State
- INSERT summary of State of the Resource document—is the State of the Resource document referenced in the Water Plan?

## **VI. Emphasize the 50 Year Water Vision process and the role and importance of the Regional Advisory Committees.**

- INSERT content of Page 9. *The 50 Year Water Vision began to be developed in 2013. Stakeholders across the State came together at the first Governor’s Water Conference to share ideas, issues, and perspectives on Kansas water resource issues. The Water Office was charged with developing a 50 Year Vision. Regional Advisory Committees were formed to represent 14 distinct geographical areas of the State to address the unique issues faced by the areas with a grass roots approach.*
- INSERT Regional Breakdown from Page 5. *Those RAC’s continue to meet regularly to send recommendations to the Kansas Water Authority. The RAC Goals are presented in detail in the full Water Plan Document.*
- Discuss the Blue-Ribbon Task Force. *The Water Vision also included a Blue-Ribbon Task force that was formed to discuss water plan funding in the state. The Task Force took public input over the course of 18 months and concluded that \$55 Million per year was required to carry out the projects identified by the Regional Advisory Committees. The Task Force discussed potential solutions to funding such as plastic bottle tax, increased user fees. Ultimately the Task Force voted to endorse a 1/10 of a cent sales tax carve off that would be dedicated to the Water Plan Fund. The Legislature did not take action on the Task Force Proposal.*
- Consider striking the rest of the Brief History on pages 7 and 8 discussing years prior to 2000 and the Vision process or in the alternative condense or move to an Appendix.

## **VII. Move the content of Management of Water in Kansas on pages 12 and 13 up into the Executive Summary and be more specific regarding challenges with each source of water.**

### **VIII. Other Comments by Section:**

- Table of Contents – Need to add to the Guiding Principles of the KWP section:
  - Very little mention is made of the Missouri River throughout the plan. As 2/3 of the State relies upon the Missouri River it should be included.
  - Protection, advocacy, etc.
  - Add a section on federal partnerships, funding, and surface water discussion

- P. 23 Measuring Success – typos in the second paragraph. Site the specific study mentioned at the end of the second paragraph regarding amount of yield production accomplished with less water through new farming practices.
- P. 26 HPA – spelling typos in the second and fourth paragraphs
- P. 35 INSERT table between the second and third full paragraphs showing each reservoir, the unfunded liability, and date for payment.
- P. 38 - 4<sup>th</sup> bullet at bottom of page is confusing. Re-word.
- P. 39 – A discussion of Missouri River System and advocacy between States and with the Army Corps of Engineers should be included.
  - Under Recommended Actions and Strategies—Add bullet points for Sediment, HABS, RCPP, Funding, and leveraging federal resources. Provide more detail for each bullet.
- P. 45 – In the discussion of Harmful Algae Bloom Response, there is no mention of taste and odor conditions and the impact to recreation during a HAB. Should be added to fully describe the issue.
- P. 46 – INSERT information regarding water quality on the Missouri River, Bromide intrusion and Atrazine.
- P. 48 Surface Water Monitoring Programs – INSERT discussion of USGS Stream Gage Monitors in the first paragraph of this section.
- P. 50
  - Measuring Success – INSERT a bullet for USGS Data
  - Implementation Actions, INSERT:
    - Best Management Practices
    - Reduce Nutrient Runoff
    - Leverage RCPP
- P. 51 Water Reuse – strike the phrase “toilet to tap.”
- P. 67 Implementation Actions – INSERT bullets for discouraging rebuilding in flood prone areas
- P. 68 Implementation Actions
  - Add the first bullet to Reservoir Section
  - Add the third bullet to Water Quality section
- p. 69
  - Data, Research, and Studies - add the first bullet to Reservoir section
  - Funding and Resources Needs - add the first bullet to Water Quality section

## **IX. Regional Planning Sections:**

### **Kansas Region**

- P. 129 – the third paragraph lists the 2019 population as 499,752. Has the most recent census data been reviewed to confirm this number?
- P. 134 – INSERT data discussing the return on investment of best management practices in sediment reduction vs. dredging.
- P. 135
  - First paragraph discussing HAB’s INSERT discussion of the EPA/SDWA Advisory Committee
  - At the end of the first paragraph also reference the USGS website on HAB information.

- Picture of the Least Tern should be deleted as it has been delisted. Maybe replace with Piping Plover.
- In the last paragraph discussing Ecosystem/Habitat Protection and Restoration, INSERT a discussion of lower turbidity levels in the river due to low sediment flow and the impacts to fish habitat.
- P. 136
  - 5<sup>th</sup> paragraph discussion on Asian carp should be revised to strike the word “limited”—Asian carp are very prevalent in the lower KS. River.
- P. 139
  - Are the Regional goals prioritized?
- P. 140 Action Steps: on the first bulled point discussing multipurpose small lakes—can an example be provided of an instance where this is feasible and effective?
- P. 141 Action Steps:
  - INSERT bullet for Streambank Stabilization. streambank stabilization?
  - INSERT bullet for additional RCPP funding

### Missouri Region

- P. 164 - Second paragraph states that water used is for both Leavenworth and Kansas City. This should be modified to strike Kansas City and reference WaterOne service territory in Johnson County and BPU in Wyandotte.
- P.166 Third paragraph, add discussion of impact to water supply and power supply intakes as a result of riverbed degradation.

Again, thank you for the opportunity to provide input on the 2021 Draft Water Plan on behalf of WaterOne. We at WaterOne appreciate the work of KWO and the other agencies that work to protect water resources in the State each day. If you should have any questions regarding the comments herein, please reach out at any time.

Respectfully Submitted,

*Darci L. Meese*

**Darci L. Meese**  
**Manager, Legal/Govt Relations**  
**WaterOne**  
**(913) 579-9817**  
**dmeese@waterone.org**