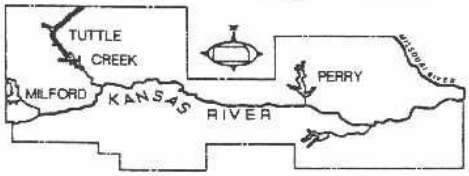
The Kansas River



Water Assurance District No. 1

212 SW 7th Street - Topeka, Kansas 66603-3717

August 5, 2024

Connie Owen
Director
Kansas Water Office
900 SW Jackson Street, Suite 404
Topeka, Kansas 66612

RE: Statewide Strategy to Implement the 2022 Kansas Water Plan

Dear Ms. Owen:

The Kansas Water Assurance Districts (WAD's) are highly invested in the current process by where the Kansas Water Office, with the assistance of Burns & McDonnell, is developing a prioritized list of water projects to present to the Kansas Legislature for implemented over the next 10 years. As major stakeholders in Kansas water quantity and quality concerns, Directors of our WAD's have participated in the recent Local Consult meetings. As a group, the WAD's would like to give the following statement that presents the WAD's foremost interest as far as funded projects resulting from this planning process:

> The Kansas Water Assurance Districts continue to advocate and support projects that will enhance reservoir management and sediment reduction for Kansas reservoirs, particularly projects designed to preserve and maintain conservation pool lifespan design capacities whole well past the original lifespan. We feel it is critical that the conservation pools be preserved to sustain their ability to provide drought resiliency to the Kansans that rely on them.

Kansas Water Assurance Districts Profile

The Kansas Water Assurance Districts (WAD) provide drought resiliency to water rights held by multiple Evergy facilities, several manufacturing facilities, and to municipal entities providing water to well over one million Kansans and producing over 40 billion gallons per year of water from WAD river basins. We do this by offsetting use during drought with releases from WAD-owned storage in Federal reservoirs. As such, the WAD members and their wholesale customers have not had to institute conservation measures during this current drought. Overall, the WAD's own a little over 35% of the active acre-feet of Water Supply Pool storage in the 14 reservoirs the Kansas Water Office has purchased storage from the Corps of Engineers.

Phone - 232-9947 • Fax - 232-1922

Kansas River Water Assurance District #1 has 14 industrial and municipal members and owns 34% of the conservation storage pool in Tuttle Creek, 17% of the conservation storage pool in Perry, and 18% of the conservation storage pool in Milford.

Marais Des Cygnes River Water Assurance District #2 has 7 industrial and municipal members and owns 24% of the conservation storage pool in Pomona, and 7% of the conservation storage pool in Melvern.

Cottonwood & Neosho River Basins Water Assurance District #3 has 17 industrial and municipal members and owns 7% of the conservation storage pool in John Redmond, 14% of the conservation storage pool in Council Grove, and 0.4% of the conservation storage pool in Marion.

We appreciate your consideration of our position in this important planning process.

Sincerely,

Michelle A. Wirth

Michelle Wirth, PE
Acting President, Board of Directors
Kansas River Water Assurance District #1

Jared Morrison

Jared Morrison
President, Board of Directors
Marais des Cygnes River Water Assurance District #2

Tim Peoples

Tim Peoples
President, Board of Directors
Cottonwood and Neosho River Basins Water Assurance District #3

Cc: Julie Lorenz, Burns & McDonnell
Dawn Buehler, Kansas Water Authority

WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

Kansas Water Authority
Upper Smoky Hill Regional Advisory Committee
Attn: Frank Mercurio, RAC Chairman

Re: 2024 Strategic Planning Process

The Western Kansas Groundwater Management District No. 1 *(WKGMD1)* based out of Scott City, Kansas would first and foremost like to thank the Kansas Water Office and the Kansas Water Authority on their efforts to address critical water issues throughout the State, with meaningful long-term policy to address funding issues. After some discussion, the WKGMD1 Board of Directors is requesting to submit formal comment to the Upper Smoky Hill Regional Advisory Committee as well as the Kansas Water Authority.

The WKGMD1 Board has discussed a couple comments for consideration, and they are listed below.

- **Purchasing of Water Rights:** The leasing or purchasing of water rights in the State of Kansas has possible economic concerns specifically in very rural, agriculturally dependent areas. Water is the lifeblood of our economies, and areas have proven through the implementation of LEMA's and WCA's that it is very possible to reduce pumping while still producing a viable crop. Keeping responsible, LEMA driven irrigated agriculture in production is critical for our economy. Purchasing water rights for permanent retirement certainly does have its place, to incentivize against redrilling or retiring water rights directly adjacent to small municipalities. However, large scale retiring of productive wells can have significant economic impact to these local communities.
- **Compensation for Conservation and Existing LEMA's:** Currently there are four LEMA's in Kansas *(in GMD1 and GMD4)* all of which were established without monetary incentives, but rather by Board's and stakeholders that recognized the need for enhanced localized management to reduce use in the aquifer and to save water for future generations. Therefore, it would be important to take this into consideration when determining how these incentives would be structured and administered.
- **Locally Driven Solutions:** For many years now, it has been demonstrated that locally driven, grass root solutions for water conservation in Kansas can and do work when administered through the GMD's and precious trust has been built between the GMD and stakeholders throughout the District. Therefore, it is critically important that this framework of promoting local control be protected in any proposed future policy. Lastly, while goals are critical it is almost more important as to how these goals are implemented and achieved. There have been recent examples seen in other parts of the county where "line in the sand" approaches have encouraged knee jerk reactions that in some cases have had negative impacts on the agricultural economy. In comparison, locally driven solutions promote, education, mind-set and cultural changes, and promote innovation.

BOX 604, 906 W. 5TH
SCOTT CITY, KANSAS 67871
(620) 872-5563

WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

In closing we want to sincerely thank the Upper Hill Smoky RAC for the opportunity to comment on this process and are very thrilled about many of the programs that this proposed policy includes like enhanced cost-share opportunities, K-12 Education, additional resources in technology implementation, and facilitated collaboration across different industries. Therefore, the WKGMD1 submits these comments for consideration and would be more than willing to elaborate or explain any of the previous remarks in greater detail.

Respectfully Submitted,

Katie Durham
District Manager, GMD1

BOX 604, 906 W. 5TH
SCOTT CITY, KANSAS 67871
(620) 872-5563

Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

July 12, 2024

Kansas Water Authority
Great Bend Prairie Regional Advisory Committee
c/o Isaac Aberson, RAC Chairman

Re: KWA Strategic Planning
Comments & Feedback

Mr. Aberson and the Great Bend Prairie RAC:

The Big Bend Groundwater Management District No. 5 (District) encompasses 2.5 million acres in south central Kansas and covers all or part of eight counties. There are approximately 4500 large capacity wells withdrawing water from the Great Bend Prairie aquifer, representing agriculture, municipal, industrial, and recreational needs. Economic stability in the area is highly dependent on this water resource. As the Great Bend Prairie Regional Advisory Committee (GBP RAC) is keenly aware, this region has unique challenges that are not shared by several other RACs in the state. As such, the District would like to provide assistance in crafting comments from the GBP RAC to the Kansas Water Authority. The District board met on July 11 to discuss these comments for your consideration, and they are summarized below.

High Plains Aquifer

The District recognizes that the condition of regional aquifer systems differs greatly throughout the High Plains Aquifer (HPA) system. As such, the conservation toolbox of the state should be able to accommodate such a diverse set of issues as well. We are encouraged by the efforts in recent years to fully fund the State Water Plan to address a wide range of issues across the state. However, there are still monumental issues ahead for the state and an increased need for funding that will benefit generations of Kansans in the future. In some regions of the HPA, Local Enhanced Management Areas (LEMAs) have been developed to get closer to sustainable water use in those areas. These LEMAs have not utilized monetary incentives to achieve conservation as local water leaders realized that without mandatory management, future water use was bleak. In contrast, within the GBP RAC, the existing water use is within 1.6% of being sustainable according to the Kansas Geological Survey[1]. The future is bright with regards to the quantity of available water; however, the timing of when that water is available has been a significant challenge. Monetary incentives have been an effective tool to incentivize water users to voluntarily limit water usage in critical times. This allows the water to be available for other types of use within the region. A recent example of this has been developed by the Central Kansas Water Bank Association through the Compensated Allocation Management Program (CAMP)[2]. CAMP is an example of a targeted incentive program to address a need in a very specific region with significant benefit to improve the water availability in the area. Many of the traditional tools that have been utilized in other regions of the state could not have been tailored to fit this unique need in such a short amount of time.

[1] Whittemore, D. O., Butler, Jr., J. J., & Wilson, B. B. (2023). 2023 Status of the High Plains Aquifer in Kansas. Lawrence: Kansas Geological Survey
[2] Central Kansas Water Bank Association (2024) CAMP: https://ckwba.org/camp

Water Quality

The District is in the process of escalating the importance of high water quality in the region through enhanced water quality monitoring. The District is working to get a better understanding of the existing water quality of the Great Bend Prairie aquifer, specifically regarding the current chloride and nitrate concentrations present throughout the aquifer. The District does have a concern about the scope of the Kansas Water Authority's goal for water quality: "All water sources are free of all forms of pollution and contaminants." The District commends KWA for setting such a lofty goal but also realizes there are naturally occurring contaminants in both surface and groundwater systems that make this goal unattainable. The District would encourage the revision of this goal to be more feasible and practical.

In summary, the District is looking forward to working with the GBP RAC and KWA to achieve the goals set out by the GBP RAC and KWA to provide long-term water resource availability with adequate funding for future Kansans. In the GBP RAC region, the future is bright, and the District is ready to be an active partner in the successful implementation of these goals. If GBP RAC would like to meet formally with the District board or would like further clarification on any of this information, please do not hesitate to contact our office.

Sincerely,

Orrin Feril
District Manager
Big Bend Groundwater Management District No. 5

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 4
1290 West 4th Street
P.O. Box 905
Colby, Kansas 67701-0905

Kansas Water Authority

Re: 2024 Strategic Planning Process

The Northwest Kansas Groundwater Management District #4 (GMD 4) wants to commend the Governor for putting the KWA to task to make water a higher priority in the State of Kansas and to the KWA and KWO for taking on that task with the seriousness it deserves. Those of us in NW Kansas understand the importance of water and the highest of priorities it deserves throughout the state and the reason for the process. This understanding has led us to utilize local control to implement programs that manage the water in our region and will continue for decades to come. Given the passion we have for water management in GMD 4, the Board of Directors would like to submit a formal comment.

For us to manage our water resources at the local level, an especially vital component must first be established with water users. That component is trust. Without it, we have no framework to build upon. Trust takes years to build, and it must be held onto gently and guarded fiercely as it is fragile. It took trust to implement Local Enhanced Management Areas (LEMAs) and we are committed to maintaining that trust and to further build it so that we can continue to extend the life of the Ogallala Aquifer in NW Kansas through local control. That process is a very delicate one with all the moving pieces that work together and are interwoven with water, agriculture, industry, and rural Kansas life. When state agencies begin to make a presence in the region and hold informational/public input meetings, fear of what is to come emerges, compromising trust. This makes the job of water management at the local level in GMD 4 more difficult.

We have proven time and time again that irrigated agriculture can continue to exist, be profitable, and extend the life of the aquifer in NW Kansas. Drying up acres and paying to retire water rights or even paying irrigators not to pump comes with unintended consequences. Drying up acres leads to lack of needed industry that supports local jobs and extra income going into the local economy. This leads to the dying of a rural Kansas that so many of us hold dear to our hearts. We see this happening in eastern Colorado today with the retirement of irrigated acres. Paying irrigators to dry acres does keep some money in the local economy, but not in the form of jobs and industry which equals opportunity for our youth. What happens when that money runs out? The pumps will turn

on until they are paid again to not pump. Incentives to reduce pumping have already been tried and proven through the SD 6 LEMA and GMD 4 LEMA. Compensation comes in the form of being more profitable with lower inputs, extended life and use of the aquifer, more flexibility in how water rights can be managed, and a sense of pride in the community for doing it. The City of Hoxie is hard proof that this incentive is real. That was not believed at first, and it will not be in other areas of Kansas where the decline problems are an issue. It can be implemented and save hard working Kansas taxpayers millions of dollars by not paying them to pump a resource that every Kansan owns as a people. Landowners may own their grass, their soil, their cows, but they do not own the water, so we should not be paying them to not use it.

Lastly, it is rumored, and locally feared, that a timeframe for "sustainability", or "Q-Stable" be met by a certain year. As mentioned earlier, there are several moving parts surrounding water management. GMD 4 is moving as quickly as they can to extend the life of the aquifer without disrupting all the other moving parts. To do so would lose that trust. Our water resources and future of NW Kansas cannot afford to lose that.

In conclusion, the GMD 4 Board of Directors wants to thank the Governor, KWA, and KWO, and many other state agencies and groups for the continued support provided to GMD 4. The continued encouragement to locally to manage our water resources with cost-share opportunities, education, and professional resources is appreciated. Thank you for the opportunity to provide formal comment on this process and please reach out if there are any questions or need for clarification.

Respectfully submitted,

Shannon Kenyon,
Executive Director, GMD 4

PLAYA LAKES
JOINT VENTURE

700 Ken Pratt Blvd Ste 206, PMB 338, Longmont, Colorado 80501
303.926.0777 ❖ 303.926.8102 Fax ❖ www.pljv.org

September 20, 2024

Matt Unruh, Assistant Director
Kansas Water Office
900 SW Jackson St
Topeka, KS 66612

Dear Mr. Unruh,

I'm writing to request that the contribution of playas to conserve and extend the Ogallala aquifer be fully represented in the Kansas Water Authority's Strategic Implementation Plan. Playa conservation aligns with and supports many of the guiding principles in the Kansas Water Plan. Because playas are a primary source of groundwater recharge, contributing up to 95 percent of water flowing to the aquifer, they can be an important part of a sustainable approach to securing water for communities over the Ogallala Aquifer. Once water use has been reduced, healthy playas can provide a sustainable source of future water.

Recharge rates in playas are 10 to 1,000 times higher than under other areas. Playas across the region recharge at an average annual rate of about three inches per year (*Gurdak and Roe, 2009*) — that's three inches of water the size of the playa moving toward the aquifer each year there is adequate rainfall. The benefit goes beyond simple recharge; playas clean the water as it travels toward the aquifer. Studies show that water reaching the aquifer through playas is of higher quality than that going through other pathways.

Although playas are described in the Kansas Water Plan, the potential for healthy playas to support drinking water for Kansans needs to be clearly stated within the implementation plan to guide and fund restoration efforts. The implementation plan should also recognize there are significant federal dollars that could be leveraged using state water plan funds, making playa restoration a cost-effective water conservation practice. There is a lot of support for playa conservation in Kansas, by a diverse regional partnership, with existing playa conservation programs successfully developed with local stakeholder input.

The attached maps show the potential contribution to drinking water needs in western Kansas – by county, Groundwater Management District, and Regional Planning Areas – as well as the playa restoration needed to realize that contribution. As you'll see, when healthy, playas could provide significant amounts of future drinking water for the population of many counties in western Kansas.

Thank you for the opportunity to provide comments about the Strategic Implementation Plan.

Sincerely,

Rich Schultheis, Coordinator

Playas' Potential Contribution to Drinking Water for Kansans

"Having a clean, stable water supply is critical to maintaining our way of life in all communities across Kansas, rural and urban alike." ~Kansas Governor Laura Kelly

Playas are described in the Kansas Water Plan and support its first priority, to conserve and extend the Ogallala aquifer. However, the potential for healthy playas to support drinking water for Kansans needs to be clearly stated in future plan revisions in order to guide and fund restoration efforts. Plan updates should also identify funding mechanisms for playa restoration and incentives for voluntary participation in state and federal playa restoration programs. The attached maps show the potential contribution to drinking water needs in western Kansas – by county, Groundwater Management District and Regional Planning Areas – as well as the playa restoration needed to realize that support.

Playas – round, shallow depressions found at the lowest point of a watershed – are recharge wetlands, meaning water flows through them to the underlying aquifer. Because playas are a primary source of groundwater recharge, contributing up to 95 percent of water flowing to the aquifer, they can be an important part of a sustainable approach to securing water for communities over the Ogallala Aquifer.

Communities can proactively address a declining water supply by reducing the impacts from aquifer overuse and increasing groundwater recharge through playas. Once water use has been reduced, healthy playas can provide a sustainable source of future water.

Recharge rates in playas are 10 to 1,000 times higher than under other areas. Playas across the region recharge at an average annual rate of about three inches per year (Gurdak and Roe, 2009) — that's three inches of water the size of the playa moving toward the aquifer each year there is adequate rainfall. For example, a four-acre playa, which is a very small one, sends approximately an acre-foot of water toward the aquifer. That's 325,851 gallons of water, more than enough to supply a couple of families for a year.

The benefit goes beyond simple recharge; playas clean the water as it travels toward the aquifer. Studies show that water reaching the aquifer through playas is of higher quality than that going through other pathways. This happens in two ways: first, as rainfall and runoff travel toward the playa, the surrounding grasses trap sediments, which can carry contaminants into the playa; then, as the water moves through the clay floor of the playa, a second 'cleaning' process occurs as the soils beneath the playa remove nitrates and other dissolved contaminants.

Many playas have been modified and are no longer functioning as healthy playas. Playa restoration reverses past modifications to playas by removing accumulated sediment, filling drainage features, redirecting water back into the playa, and protecting the playa with a buffer composed of native vegetation.

***Contact**: Matt Smith, Playa Lakes Joint Venture, 785.420.7000 or matt.smith@pljv.org*

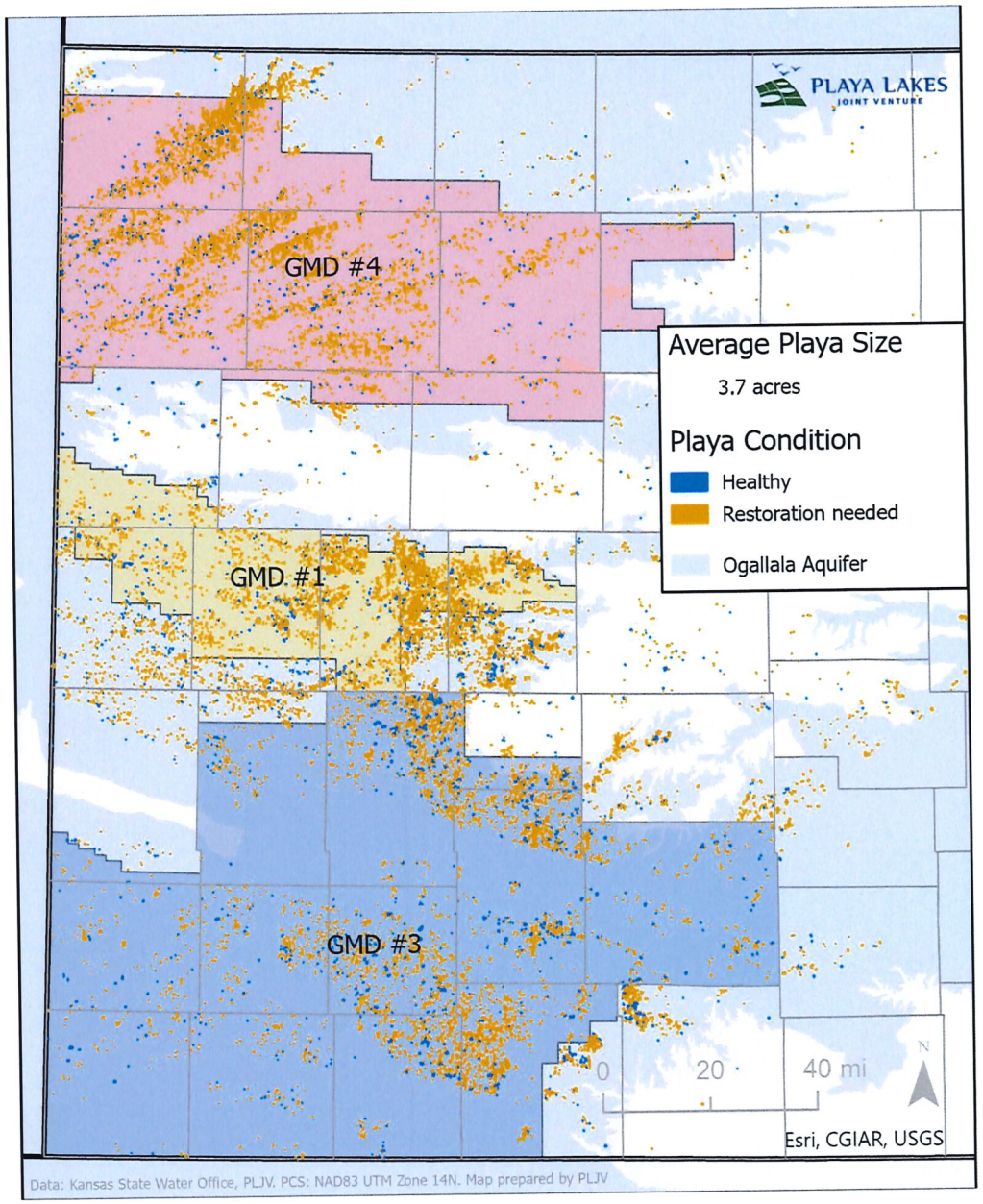
Playas' Potential Contribution to Drinking Water for Kansans

Groundwater Management Districts in Western Kansas

GMD #4	50% Goal	100% Goal
Current contribution of healthy playas toward goal (%)	27%	13%
Restored playa acres needed to meet goal	5,220 acres	12,362 acres
Restored playas needed to meet goal (avg size playas)	1,411 playas	3,341 playas
Potential annual recharge from ALL playas >1.2 acres, if healthy: 1,254M gal or 3,848 ac-ft		

GMD #1	50% Goal	100% Goal
Current contribution of healthy playas toward goal (%)	49%	24%
Restored playa acres needed to meet goal	1,325 acres	3,919 acres
Restored playas needed to meet goal (avg size playas)	358 playas	1,059 playas
Potential annual recharge from ALL playas >1.2 acres, if healthy: 721M gal or 2,214 ac-ft		

GMD #3	50% Goal	100% Goal
Current contribution of healthy playas toward goal (%)	18%	9%
Restored playa acres needed to meet goal	23,630 acres	55,425 acres
Restored playas needed to meet goal (avg size playas)	1,411 playas	3,341 playas
Potential annual recharge from ALL playas >1.2 acres, if healthy: 2,741M gal or 8,412 ac-ft		



Playas' Potential Contribution to Drinking Water for Kansans

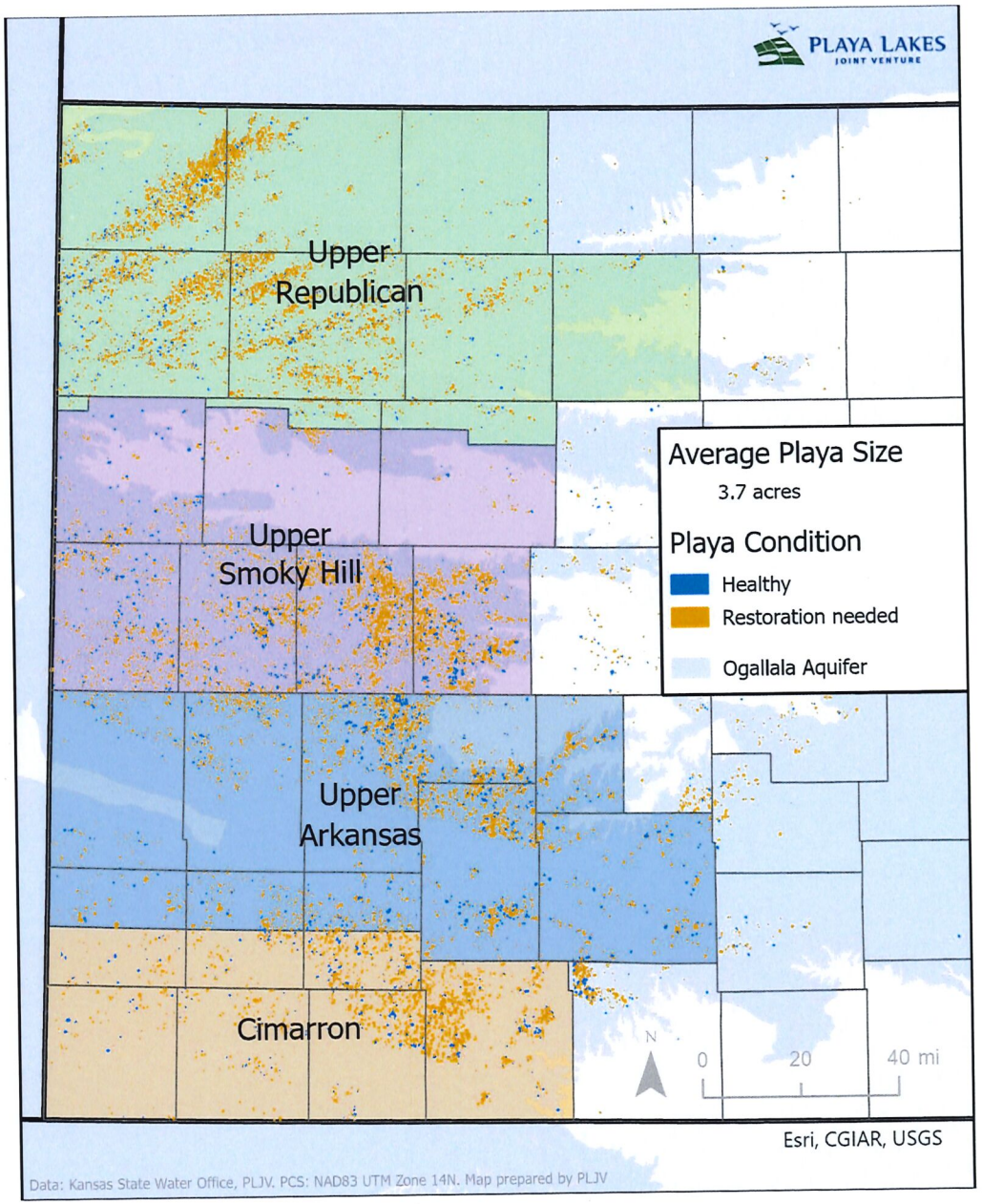
KWO Regional Planning Areas in Western Kansas

Upper Republican	50% Goal	100% Goal
Current contribution of healthy playas (%)	36%	18%
Restored playa acres needed for goal	3,762 acres	9,687 acres
Restored playas needed (avg size)	1,017 playas	2,618 playas
Potential annual recharge from ALL playas >1.2 acres, if healthy: 1,343M gal or 4,121 ac-ft		

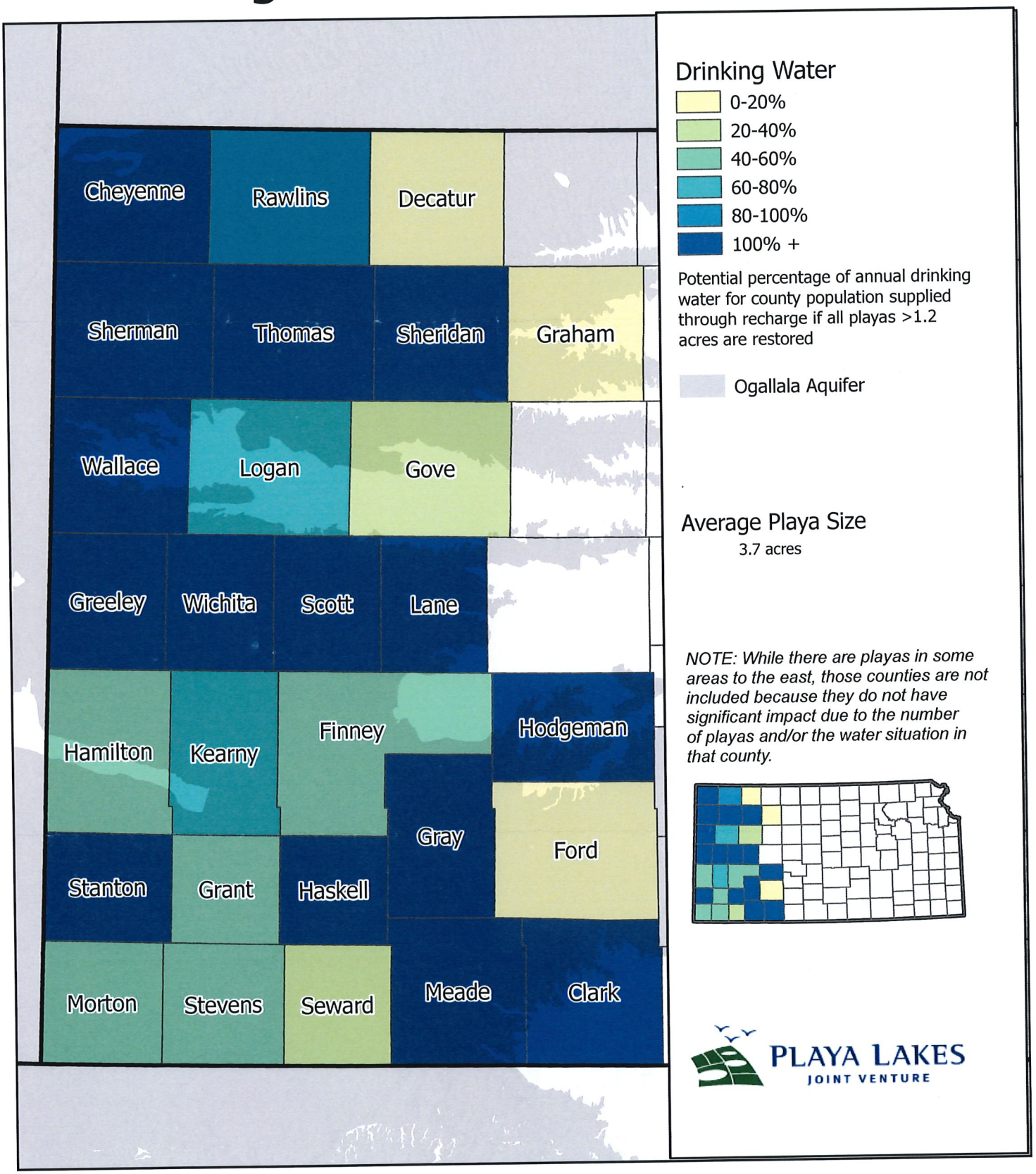
Upper Smoky Hill	50% Goal	100% Goal
Current contribution of healthy playas (%)	77%	38%
Restored playa acres needed for goal	888 acres	4,700 acres
Restored playas needed (avg size)	240 playas	1,270 playas
Potential annual recharge from ALL playas >1.2 acres, if healthy: 1,470M gal or 4,509 ac-ft		

Upper Arkansas	50% Goal	100% Goal
Current contribution of healthy playas (%)	20%	10%
Restored playa acres needed for goal	17,118 acres	38,467 acres
Restored playas needed (avg size)	4,626 playas	10,396 playas
Potential annual recharge from ALL playas >1.2 acres, if healthy: 1,849M gal or 5,673 ac-ft		

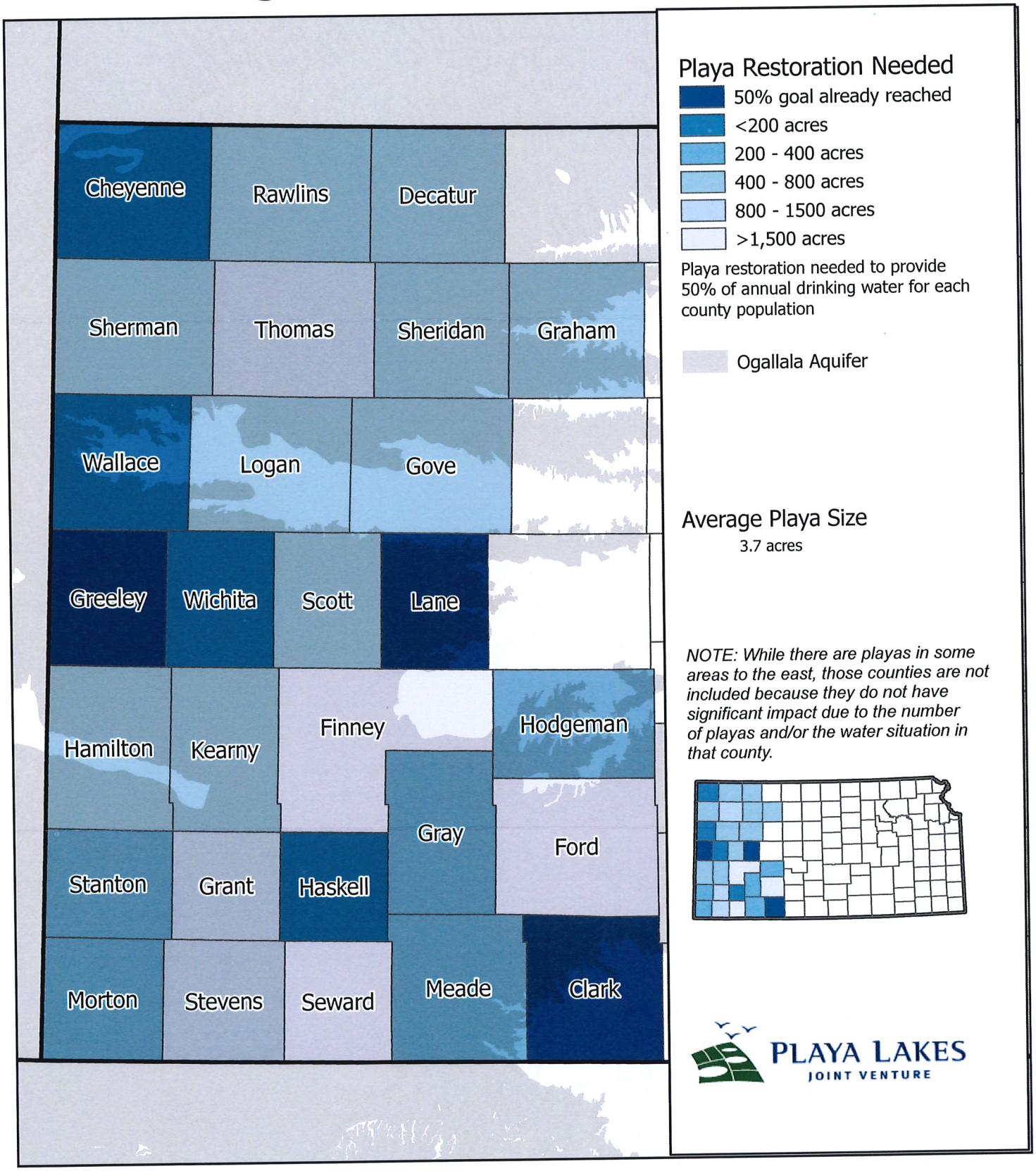
Cimarron	50% Goal	100% Goal
Current contribution of healthy playas (%)	24%	12%
Restored playa acres needed for goal	6,400 acres	14,789 acres
Restored playas needed (avg size)	1,730 playas	3,997 playas
Potential annual recharge from ALL playas >1.2 acres, if healthy: 1,246M gal or 3,823 ac-ft		



Playas' Potential Contribution to Drinking Water for Kansas Counties



Playa Restoration Needed to Support Drinking Water for Kansas Counties



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

October 28, 2024

Connie Owen, Director
Kansas Water Office
900 SW Jackson Street, Suite 404
Topeka, Kansas 66612

RE: KWA Strategic Planning
Comments & Feedback

Ms. Owen,

The Big Bend Groundwater Management District No. 5 (District) encompasses 2.5 million acres in south central Kansas and covers all or part of eight counties. There are approximately 4500 large capacity wells withdrawing water from the Great Bend Prairie aquifer, representing agriculture, municipal, industrial, and recreational needs. Economic stability in the area is highly dependent on this water resource. District staff have attended the recent round two local consult meetings in Newton and Wichita and engaged in five different breakout sessions. The District board met on October 10 to discuss these meetings with the intention of providing meaningful feedback from the perspective the local water users in this region of the state. Following the board meeting, District staff attended the Kansas Water Authority meeting on October 15 where an overview of the results of the local consult meetings were presented. The following feedback includes observations and comments gathered from the local consult meetings, District board meeting and the KWA meeting in Oakley, KS.

Shared Criteria for Kansas Water Plan Implementation

The District invests significant time in developing and implementing programs and objectives for water conservation in central KS. Having common criteria for determining which state programs move further for development and, more importantly, funding is of utmost importance for success. In reviewing the criteria that meeting attendees were asked to compare and rank, the District noticed that there are many shared aspects of other options. Our staff had candid conversations with other participants after each breakout session to gather additional feedback beyond their own experience. The general feedback received was overall confusion or difficulty in distinguishing one criterion from another when it came time to "vote" in the bracketology exercise. Since our staff attended multiple sessions, we noticed inconsistencies in how these criteria were presented and explained. This is likely due to evolving understanding of their meanings throughout the process but does indicate that not all local consult breakout sessions would have received the same information leading to their respective decisions.

Reasonability

When it comes to the information handed out at the local consult meetings, the District is still unsure of the data being used to determine the investment levels for each of the guiding principles. The participants were asked if the outcomes looked reasonable based on the investment levels the implementation team developed. When asked directly regarding just one piece of one guiding principle, the moderators and supporting agencies were unable to provide any information on how this information was put together. From discussions with other participants, this was a common issue and made it very difficult for participants to be able to provide meaningful feedback on whether these investment levels were reasonable because the supporting information was not available to review and discuss.

The District understands the role of asking the reasonability questions in the breakout sessions. The first of these questions concerns the District specifically regarding how the data is analyzed and presented. This question is regarding "…all Kansas communities will have 50 years or more of water supply for their communities/economic base in 10 years..." The District, along with other state agencies, monitors the water level of the local aquifer throughout the year and has done so for several decades. In the local consult meetings, the map created by the Kansas Geological Survey regarding the useable life of the aquifers has been presented but we are unsure of how this map will be used in making future policy decisions. From the District's experience, maps like these are useful to generate discussion but when policy decisions are being formed, local data should be consulted and relied upon over the more generalized data. A perfect example of this is the information presented in the Ag sector webinar on August 13 that overlayed municipalities on top of the useable life map. A few things were not considered before presenting this map publicly. First, in central KS where the map shows less than 25 years of useable life the aquifer, most of these regions have not changed over the past 40 years of measuring the water levels. In other words, the thick aquifer was either used prior to the beginning of the state's measurements or the thicker aquifer was never in these locations. Typically, these thinner portions of the aquifer in central KS are on the outer fringes of the local aquifer. For the municipalities that were shown on the August 13 webinar map, the District quickly put together hydrographs using the KGS' website to highlight this issue for those municipalities. Secondly, in many of these regions, the municipality or public water supply wells are not located within city limits as depicted on the map but rather they are sited where water is more readily available in thicker portions of the aquifer. So, prior to regeneration of such a map, more time and localized information should be considered before publication. In general, the District supports the concept of ensuring communities have 50 years or more of water supply. The methodology for how this is determined is critically important prior to implementing policy.

The District has significant concerns regarding implementing a policy that requires cost share programs to only provide funding for irrigation systems in areas that have already adopted a LEMA, IGUCA or WCA. This presumes that all areas of the High Plains Aquifer system require a LEMA, IGUCA or WCA to conserve water. The very next sentence in this reasonability question implies that these are the only conservation measures out there that get any credit for conservation. This is flat wrong. In many areas of central KS these programs are not necessary, but conservation is happening every day and is a way of life for the water users of the local region. To highlight this point, when this reasonability question was asked in one of the breakout sessions the response from an individual representing a municipality was "Absolutely". But when there was further discussion about what water users, specifically irrigators in central KS, were doing to conserve water, the same individual's response was "I had no idea. This needs to be highlighted and the irrigators should be praised for conserving even if not in one of these special areas." Posing a reasonability question like this without further context further pits one user group against others purely because of the lack of information. Additionally, this will breed resentment and overall mistrust from individuals and entities whose efforts seem to be ignored.

Revenue

The water resource within Kansas is not privately owned, but rather a public resource owned by the State of Kansas and administered by the respective agencies. There is a disproportionate distribution of the state's population vs overall water use. If not handled carefully, this can create significant division both in the revenue source for state programs as well as distribution of funding to the same programs. Historically, there has already been a perceived east vs west mentality when it comes to water. It is time that the State of Kansas deal with water, especially the revenue source for and implementation of water programs in a different manner. Utilizing user fees to drive the revenue source for statewide programs becomes problematic as the users have a hard time seeing the benefit of their fees for the programs that are being implemented in their local regions. Instead, it seems reasonable to utilize a funding source that all individuals pay into for the conservation of the shared statewide resource.

From the District's perception, there is a significant amount of time discussing the fate of the High Plains Aquifer system, yet the projected investment to address the issue is less than 15% of the total budget for water programs in the state. This further hardens the resolve of water users in western Kansas for providing additional revenue into the state water plan to not be assured that funding will make it back into their regions to deal with the real issues

they are facing in their local area. The District is aware that the water issues the state is facing are daunting in many regions of Kansas.

Currently, municipalities are paying into the state general fund at $0.03 per 1000 gallons of water which equates to $9.78 per acre-foot of water. As an alternative to new user fees that go toward the state general fund, the groundwater management districts currently have statutory authority (K.S.A. 82a-1030) to assess water use fees to individuals and entities with their respective boundaries. Currently these assessments are capped at $2.00 per acre-foot of water authorized within their regions. Not all districts are currently assessed at the maximum amount, but some districts are at this assessment level. These assessment rates are set by the GMD boards of directors annually in coordination with local input and guidance on how these funds are expended. The local assessment revenues are the primary funding source for the districts to establish significant conservation efforts in their respective regions. Throughout nearly 50 years of operation, the districts have generated significant rapport with local water users in the implementation of conservation programs that show real water savings. If the districts were to be able to assess at a higher rate than currently authorized, these dollars would stay local and be able to address water issues in a meaningful way. An added benefit to this alternative is direct accountability for the districts to their local constituency for how those funds are being utilized. The districts are also accountable to the Chief Engineer of KDA–DWR as well as annual reporting to the Kansas Legislature per K.S.A. 82a-1044. These funds could then be utilized as local non-state, non-federal dollars for state and federal grants as those opportunities arise in the future. A side benefit of this alternative would be to lighten the burden on the state general fund water projects in western Kansas as they would already be financed by the districts at the local level.

General Comments

The District has a concern with how the information is being portrayed to the general public. District staff have had the opportunity to see the presentations by the interagency team in different capacities (local consult meetings, RAC meetings, KWA meetings, etc.). The results of these meetings are being portrayed as Kansans have a consensus on a variety of issues. According to the 2020 Census, there are approximately 2.9 million Kansans. In reality, according to the team's own presentation, approximately 1500 Kansans have participated in the various meetings held across the state. This equates to approximately 0.05% of the general population of Kansas. The participation numbers are further inflated by the number of participants that attended multiple meetings. The District understands the difficulty in reaching every Kansan to present the information and receive feedback, especially with the timeframe in which this process has been undertaken. Therefore, the District urges caution in how the participation numbers are represented to the legislature and general public. Current characterizations of the consensus of the feedback misrepresent nearly 100% of the general population of Kansas.

In summary, the District is looking forward to working with KWO and the KWA to achieve the goals set out by the GBP RAC and KWA to provide long-term water resource availability with adequate funding for future Kansans. In central KS, the future is bright, and the District is ready to be an active partner in the successful implementation of these goals. If further clarification of any of this information is needed, please do not hesitate to contact our office.

Sincerely,

Orrin Feril
District Manager
Big Bend Groundwater Management District No. 5

pc: Dawn Buehler, Chair, Kansas Water Authority
Vijay Ramasamy, Special Advisor to the Governor
Julie L. Lorenz
Matt Unruh, Assistant Director, Kansas Water Office

The Nature Conservancy
PO Box 4345
Topeka, KS 66604

phone (785) 233-4400
fax (785) 233-2022
web nature.org/kansas

November 4, 2024,

Kansas Water Authority
900 SW Jackson Street
Suite 404
Topeka, Kansas 66612

Members of the Kansas Water Authority:

On behalf of The Nature Conservancy, I appreciate the opportunity to provide recommendations for water policy during your strategic planning process.

BACKGROUND

The Nature Conservancy in Kansas has served for over three decades as a resource to producers and municipalities concerning management of our natural resources, including issues of water quality and quantity. For example, the recently implemented High Plains Aquifer Regional Conservation Partnership Project (HPA RCPP) by the Kansas Department of Agriculture is based in concept on an innovative irrigation program and successful stakeholder engagement in Big Bend Groundwater Management District Number 5, led by The Nature Conservancy.

Additionally, The Nature Conservancy has a conservation footprint of 190,000 acres across the state including the ownership of multiple working ranches and a demonstration row crop farm. The Nature Conservancy's staff has substantial experience in land management to simultaneously maximize ecological and agricultural benefits.

COMMENTS

Successful water policy balances the needs of all users through the optimal utilization of both natural and built infrastructure. Discussion and planning efforts on the state's water needs may tend to focus on "tangible" or quantifiable water – the water found in rivers, lakes, and aquifers. Equally important however is the intangible, or perhaps less tangible, water that resides in soils and biomass.

The Global Commission on the Economics of Water refers to this distinction as "blue water" and "green water" respectively. Green water can travel great distances as it evaporates, precipitates, and permeates various soil and vegetation pathways to complete the hydrological cycle. This movement, referred to as terrestrial moisture flows, intrinsically links water issues between geographically distant areas. According to the commission, over half of the world's terrestrial rainfall originates from green water, or land-based ecosystems.

Therefore, land use decisions have a disproportionate impact on the hydrological cycle and the water that Kansans rely on to harvest crops and sustain life. The state's greatest opportunities for **long-term** improvements in our water supply exist not in reservoirs

or water transfers, but in substantial investment in management practices on land, such as improving soil health and protecting and restoring native vegetation.

Address to commission's report: https://watercommission.org/

RECOMMENDATION

As the Kansas Water Authority deliberates policy recommendations for its annual report, The Nature Conservancy requests that the following be considered for adoption:

"Prioritize Nature-based Solutions for long-term water supply"

The KWA encourages state agencies to prioritize nature-based practices for addressing water quality and quantity concerns, specifically those promoting beneficial land use decisions, and to prioritize implementing these methods as cost efficient, enduring solutions. These practices include (but are not limited to): practices improving soil health (soil organic matter and the soil microbiome); protection or restoration of native vegetation; protection or restoration of the stream corridor; and incentives or market creation for perennial crops.

Please don't hesitate to contact me with any questions.

Sincerely,

Heidi Mehl

Heidi Mehl
Director of Water and Agriculture Programs, The Nature Conservancy in Kansas
Heidi.mehl@tnc.org