Approved February 2, 1983
Date

MINUTES OF THE House COMMITTEE ON Energy and Natural Resources.

The meeting was called to order by Representative David J. Heinemann at
Chairperson

3:30 ~~a~~.m./p.m. on January 19, 1983 in room 519-S of the Capitol.

All members were present except:
Representative Ben Foster (excused)
Representative Keith Roe (excused)
Representative Fred Rosenau (excused)

Committee staff present:
Ramon Powers, Research Department
Theresa Kiernan, Revisor of Statutes' Office
La Nelle Frey, Secretary to the Committee

Conferees appearing before the committee:
Joseph Harkins, Director, Kansas Water Office.

Joseph Harkins said there has not been a comprehensive water policy plan developed in the state since 1965, although Kansas does have an excellent planning law on the books. The law has just not been developed. He said eight long-range goals are stated in the existing laws: (1) the development to meet the anticipated future needs of the people of the state for sufficient supplies of water for beneficial purposes, (2) reduction of damaging floods and losses resulting from floods, (3) protection and the improvement of the quality of the water supply, (4) sound management, both public and private, of the atmospheric surface of the groundwater supplies, (5) prevention of the waste of the water supplies, (6) prevention of the pollution of the water supplies, (7) the efficient economic distribution of the water supplies, and (8) the sound coordination of the development of water resources with the development of other resources in the state.

Mr. Harkins stated that in the last decade, nearly 200 major water-related studies have been conducted by many federal, state and local agencies, at public expense. However, data collected from these studies has not yet been pulled together, interpreted and analyzed. This is the job at hand for the Kansas Water Office. It must pull together all of these resources and manpower and implement the state planning law and develop a plan that gives long-term policy guidance in the area of water resources in the state.

Mr. Harkins addressed some of the water resources problems facing the state and some of the possible solutions. In Western Kansas, for example, one of the problems is the depletion of the Ogallala Aquifer which supplies most of the municipal and agricultural needs for the western third of the state. This groundwater reserve is being depleted primarily by irrigation. Also, there are still some areas in Western Kansas with potential for flooding. Planning must be done to resolve this potential hazard. One possible solution to water problems in Western Kansas is weather modification. This idea is being tested, and may or may not have potential as a significant source of water.

Mr. Harkins discussed special problems associated with four major reservoirs in the western part of the state. All four reservoirs were designed to provide water for irrigation, yet none of them has released water for irrigation for several years. One of the problems related to this is that streamflows going to these reservoirs have been diminished.

Mr. Harkins stated that several cities in the state have unique water resources problems. In the Salina area there has been natural intrusion of minerals into the streams. This salt pollution is being tasted as far east as Lawrence. The city of Wichita has expressed in recent years a desire for an additional water supply source. A solution to this problem could be to ship water by interbasin transfer rather than building another reservoir. The city of Spring Hill is in desperate need of the water in the new Hillsdale Lake in Jackson County. Mr. Harkins said a contract to sell state water to that city cannot be completed until the state's pricing policy for the sale of water from state storages is modified. He requested

that immediate attention be given to this pricing policy issue.

Mr. Harkins said he would like to see an interim study committee formed that would include members of the Senate and House Energy and Natural Resources committees. This study committee could provide the Water Office with guidance and advice throughout the coming year as they pursue the development of a water policy plan. Chairman Heinemann took the suggestion under advisement.

Mr. Harkins advised the committee that the Water Office is currently in the process of moving to the Mills Building where the Division of Water Resources is located. This is a first step in moving some of the water-related agencies closer together so they are more easily accessible to persons utilizing their services. He concluded by saying that the Water Office has received several offers of assistance from agencies involved in the water planning business. Two of these offers include: (1) the Corps of Engineers offered $200,000 worth of their planning manpower between now and October for participating in the Water Office's planning effort, and (2) the U.S. Geological Survey made a commitment to provide significant assistance in the area of computerization of data which is already on line and will be accessible to the Water Office in the near future. A brief question and answer period followed the presentation.

There being no further business to come before the committee, the meeting adjourned at 4:40 p.m.

The next meeting of the committee will be held at 3:30 p.m., January 20, 1983.

Rep. David J. Heinemann, Chairman

Date January 19, 1983

GUESTS

HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE

NAME	ADDRESS	ORGANIZATION
Marsha Marshall	Dodge, Kansas	Kansas Natural Resource Council
Kenny Wedel	Topeka, Kansas	"
[illegible]	Lawrence Kansas	WRO
Lee Wright	Topeka	Ks. Water Office
Jerry Doling	Topeka	Ks Water Office
George Barbee	Topeka	Ks Consulting Engrs.
Jon Stanton	Topeka	KP&L
Ed Reinert	Topeka	League Women Voters
BARB REINERT	"	WOMENS POLITICAL CAUCUS
Deb Miller		Gov's Office
Joe Harkins		Water Office
Mary Ellen Conlee	Wichita	City of Wichita,
CHARLES ANDERSON	LAWRENCE	KANSAS U.
Bill Henry	Topeka	Ks Engineering Society

Handout
1-19-83

I. AUTHORITY FOR STATE WATER RESOURCES PLANNING

A. State legislative or executive directives. Water resources planning is carried out under the State Water Plan Statute, K.S.A. 82a-903 et seq., as amended in 1981. It sets forth goals, objectives, and policies to be followed in state water planning.

Governor Carlin, in his message to the Kansas Legislature on January 17, 1983, announced that a state master plan will be presented this time next year to the Governor and the Kansas Legislature.

B. State agency, commission, or board directives. The Kansas Water Office is the primary state planning agency. They work with the advice of the Kansas Water Authority and the proposed plans are subject to the review of the Authority.

II. ORGANIZATION FOR STATE WATER RESOURCES PLANNING

A. Individual or multi-state agency, board or commission. In developing the plan, the Kansas Water Office has the assistance of all the other state agencies concerned with water. This is specified in the statutes.

B. Intrastate agency coordination. The plans are developed with the cooperation of other state, local, and federal agencies under the theory that you can't separate planning from doing.

III. THE STATE WATER PLANNING PROCESS

A. Description of the water planning process. We are presently developing a planning process to complete a policy master plan this year, with the cooperation of those mentioned above plus a panel of advisors we have retained for this purpose.

Presented by Joseph F. Harkins, Director, Kansas Water Office, January 19, 1983.

B. Relation of water quantity and quality planning. Water quantity and quality planning are integrated carefully. The Department of Health and Environment cooperates with us in our state water planning and we cooperate with them in their quality planning responsibility.

C. Coordination with water rights administration and water use regulation. The state water planning legislation is used as a guide for water rights administration by the administrative agencies. It is expected that the state water policy plan will provide additional guidelines.

D. Planning funding mechanism and recent amounts. The general revenue funds for Fiscal 1983 are approximately $1 million for planning.

IV. BACKGROUND AND CURRENT STATUS OF STATE WATER PLAN

A. Plan description. There is currently no legislatively adopted state water plan beyond the state water plan statutes.

B. Reports and publications. In 1955, the Kansas Legislature created the Kansas Water Resources Board and directed it to plan for future water resource development, and to coordinate the actions of the various tiers of government involved in water. In October of 1956, the Board published its first major planning document. Bulletin No. 1, Developing a State Water Plan, laid out a planning strategy that serves as a reference for planners today. The report outlined three fundamental elements of planning. "To assure that the water resources of the state are developed to the end that the greatest good is provided for the greatest number, an accurate determination must first be made as to the water supply available, the relative quantity and quality of that supply, the

present and future water needs, and finally, the selection of the best means of providing for those needs." These three elements--assessment of resources and problems, determination of goals, and planning to meet those goals provide the foundation of planning in Kansas.

In 1958, a state constitutional amendment was passed allowing state financial involvement in water projects. In 1958, under the Federal Water Supply Act, federal reservoirs could be constructed to include future water supply storage if the state would make assurances for the repayment of that water. The Board was given responsibility for the resulting water marketing program. The state now controls 740,000 acre-feet of storage in nine reservoirs.

From 1958 to 1962, the Board published a series of reports entitled State Water Plan Studies, Part A, Preliminary Appraisal of Kansas Water Problems, sections 1 through 12. These reports established an area planning strategy in which the state was divided into 12 areas, coincident with natural drainage basins. Each report assessed the water-related resources and problems of one area. Secondary functions of the reports were to estimate future water requirements and to recommend solutions to water problems.

In 1963, the Legislature passed the State Water Plan Act, which directed the Board to formulate a comprehensive state water plan, to be adopted in sections. The Act also gave the Board the authority to disapprove any action of questionable conformance to that plan. The first section of this plan outlined the objectives and policies of the state concerning water-related matters. It was adopted by the 1965 Legislature. (See attached.)

Over the years, the Board completed numerous planning studies. The immediate goals of these studies included making a more precise determination of immediate water needs and a preliminary extension of those needs to define specific project needs and integrating water-related activities and programs. Of particular interest is a series of seven reports published in 1967, and the report State Water Plan Studies, Part B, Kansas Long-Range Water Requirements.

In 1981, the Kansas Water Resources Board was replaced by the Kansas Water Office and the Kansas Water Authority. In 1981, the Kansas Legislature amended the State Water Plan statutes, placing more emphasis on conservation and management. The State Water Plan (K.S.A. 82a-903) as amended in 1981 states that the Kansas Water Office ". . .shall formulate on a continuing basis a comprehensive state water plan for the management, conservation, and development of the water resources of the state. Such state water plan shall include sections corresponding with water planning areas. . ."

V. RESULTS OF STATE PLANNING TO DATE

Among the results of state water planning to date in Kansas are: (1) state-owned storage in nine federal reservoirs which is available for use for municipal and industrial purposes; (2) the major aquifers of the state are all under the jurisdiction of groundwater management districts established under a state law which arose out of these planning efforts; (3) the Floodplain Management Act was passed to add nonstructural measures to the extensive structural flood program; (4) the basic data collection program of the state is on a sound long-range basis; (5) the administration of water laws is aided by guidelines established

in the State Water Plan legislation, and (6) the various state, local, and federal programs are more closely coordinated through the state water planning effort.

VI. FUTURE PLANNING

For the immediate future, we are working on the state master policy plan mentioned above. Topics to be covered this year include: minimum desirable streamflows; reservoir management; reservoir development needs, and research, data, and planning priorities.

ATTACHMENT

The State Water Plan lists several long-range goals for water management, conservation, and development in K.S.A. 82a-927. Policies for achieving these goals are presented in K.S.A. 82a-928.

Long-Range Goals

1. The development, to meet the anticipated future needs of the people of the state, of sufficient supplies of water for beneficial purposes;

2. The reduction of damaging floods and of losses resulting from floods;

3. The protection and the improvement of the quality of the water supplies of the state;

4. The sound management, both public and private, of the atmospheric, surface, and groundwater supplies of the state;

5. The prevention of the waste of the water supplies of the state;

6. The prevention of the pollution of the water supplies of the state;

7. The efficient economic distribution of the water supplies of the state; and

8. The sound coordination of the development of the water resources of the state with the development of the other resources of the state.

Policies for Achieving Long-Range Goals

1. The utilization of nonstructural methods, including floodplain regulation and structural measures for the reduction of flood damage;

2. The design of proposed levees and dikes so as to reduce flood risks in agricultural areas to a chance of occurrence in any one year of 10 percent or less;

3. The design of proposed levees and dikes so as to reduce flood risks in urban areas to a chance of occurrence in any one year of one percent or less;

4. The design of proposed storage structures for the protection of agricultural areas so as to provide sufficient capacity to control the volume of a flood having a chance of occurrence in any one year of four percent or less;

5. The design of proposed storage structures for the protection of urban areas to provide sufficient capacity to control the volume of a flood having a chance of occurrence in any one year of two percent or less;

6. The development of adequate water storage to meet, as nearly as practicable, present and anticipated water uses through planning and construction of multi-purpose reservoirs;

7. The inclusion in publicly financed structures for the conservation, management, and development of the water resources of the state of reasonable amounts of storage capacity for the regulation of the low flows of the water courses of the state;

8. The achievement of the primary drinking water standards promulgated by the secretary of health and environment pursuant to K.S.A. 1981 Supp. 65-171m, and amendments thereto;

9. The identification of minimum desirable streamflows to preserve, maintain or enhance in-stream water uses relative to water quality, fish, wildlife, aquatic life, recreation, and general aesthetics;

10. The maintenance of the surface waters of the state within the water quality standards adopted by the secretary of health and environment as provided by K.S.A. 65-164 to 65-171t, inclusive, and amendments thereto;

11. The protection of the quality of the groundwaters of the state as provided by the Kansas groundwater exploration and protection act and other acts relating thereto;

12. The management of the groundwaters of the state as provided by the Kansas water appropriation act and the provisions of K.S.A. 82a-1020 to K.S.A. 82a-1040, inclusive and amendments thereto;

13. The provision of financial and technical assistance to public corporations concerned with management, conservation and development of water resources;

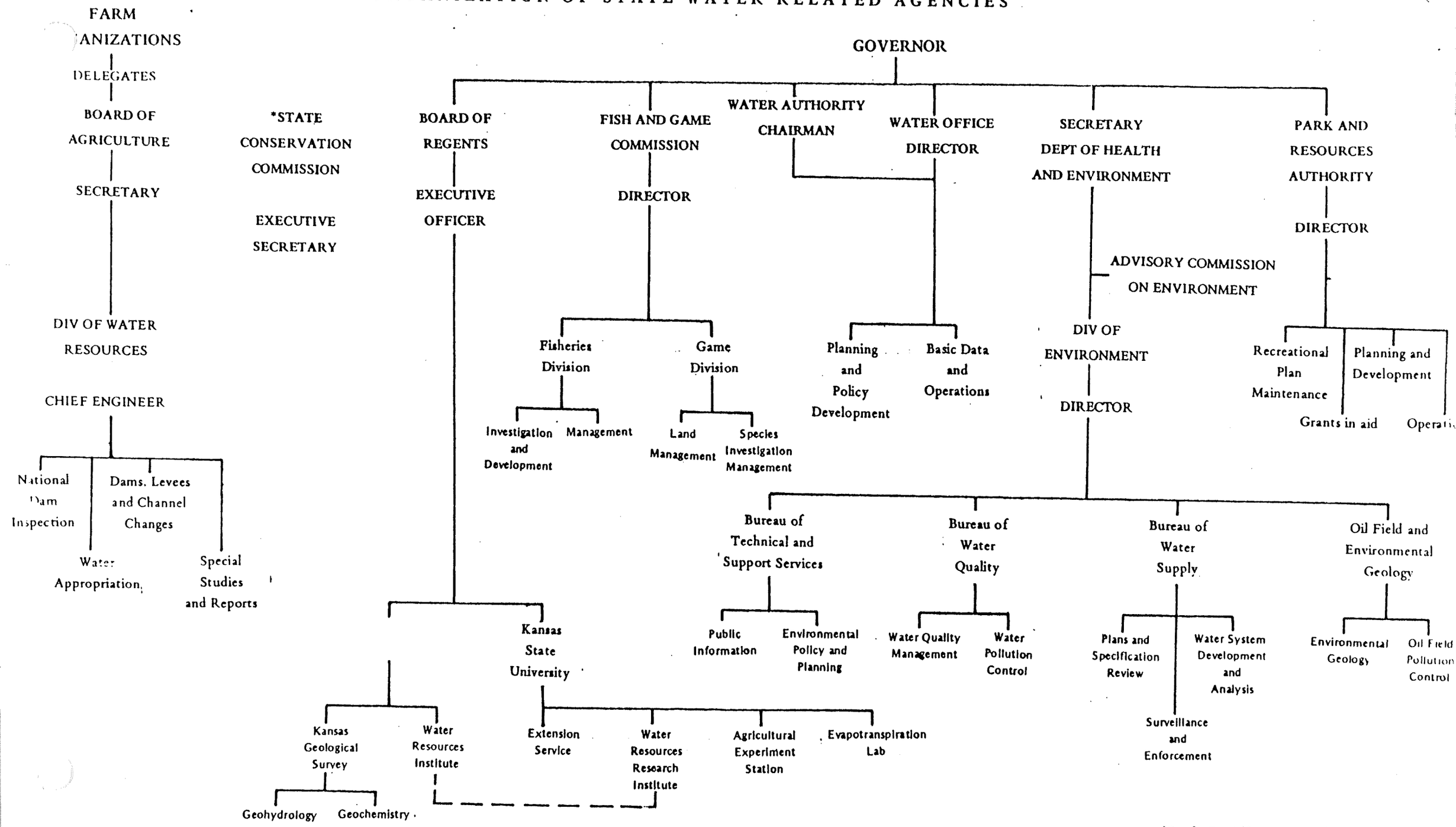
14. The review and coordination of financial assistance for research that may be provided by federal or state agencies to public corporations concerned with management, conservation, and development of water resources to prevent duplication of effort;

15. The development of groundwater recharge projects;

16. The encouragement of local initiative in the planning, implementation, funding, and operation of local water programs to the extent that the same are supportive of state water programs; and

17. The design of municipal water systems to provide an adequate water system to provide an adequate water supply to meet the needs during a drought having a two percent chance of occurrence.

ORGANIZATION OF STATE WATER RELATED AGENCIES



*Partly Ex Officio and Partly Specially Elected