

Approved: 1/31/95
Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson Robin Jennison at 1:30 p. m. on January 25, 1995 in Room 514-S of the Capitol.

All members were present except:

Representative Goossen, excused
Representative Gross, excused
Representative Hochhauser, excused
Representative Nichols, excused
Representative Reinhardt, excused

Committee staff present: Russell Mills, Legislative Research Department
Jim Wilson, Revisor of Statutes
Lenore Olson, Committee Secretary

Conferees appearing before the committee:

Acting Secretary John Strickler, Kansas Department of Wildlife and Parks (KDWP)
Dick Koerth, Assistant Secretary for Administration, Kansas Department of Wildlife and Parks

Others attending: See attached list

John Strickler, Acting Secretary, Department of Wildlife and Parks (W&P), thanked the Committee for the opportunity to appear before them. Mr. Strickler said he took the position of Acting Secretary for two reasons: (1) he has a great deal of confidence in Governor Graves and his commitment to build a strong wildlife and parks agency; and, (2) he has a strong personal interest in the Department and its personnel as well as a lifetime commitment to sound management and protection of our natural resources. Mr. Strickler stated that he has three primary goals during his tenure as Acting Secretary: (1) to conduct a comprehensive, thorough search to locate the most highly qualified, professional manager as can be found as permanent Secretary; (2) to take the necessary steps to establish a solid and proper relationship with federal aid cooperators so that KDWP can get their federal aid programs on a sound basis; and (3) do what is necessary to improve morale and strengthen efficiency and management within the agency (Attachment 1).

Dick Koerth, Assistant Secretary for Administration, Department of Wildlife and Parks, covered information on the FY 1996 budget for the KDWP as recommended by the Governor. Mr. Koerth said the Governor's Budget Report for FY 1996 recommends expenditures of \$38,358,399 in FY 1995 and \$29,803,972 in FY 1996. The amounts recommended for State Operations are \$23,449,675 in FY 1995 and \$24,205,172 in FY 1996. In addition, the Governor's Budget Report provides for Capitol Improvement expenditures of \$13,792,721 in FY 1995 and \$4,983,800 in FY 1996. The number of positions recommended for both fiscal years is 417 which includes 11 special project positions. Mr. Koerth reported that KDWP now estimates the amount needed to complete repairs of extensive flood damage in 1993 at \$1,569,874. Mr. Koerth also reported on the issue of federal aid received by KDWP from the U.S. Fish and Wildlife Service for sport hunting and fishing programs and on the corrective actions which KDWP was to take prior to federal aid being restored. (Also Attachment 1)

A motion was made by Representative Carmody, seconded by Representative Mollenkamp, to approve the minutes of January 18 and January 19, 1995. The motion carried.

The meeting adjourned at 2:50 p.m.

The next meeting is scheduled for January 30, 1995.

STATE OF KANSAS



DEPARTMENT OF WILDLIFE & PARKS

OFFICE OF THE SECRETARY

900 SW Jackson St., Suite 502 / Topeka, Kansas 66612 - 1233
(913) 296-2281 / FAX (913) 296-6953

TO: Representative Robin Jennison, Chairperson, House Committee
on Appropriations

FROM: John K. Strickler, Acting Secretary

SUBJECT: Overview of the Kansas Department of Wildlife and Parks

DATE: January 25, 1995

Pursuant to your request, I am providing to you and the members of the Appropriations Committee, information pertaining to the operations of the Department of Wildlife and Parks (KDWP). The attached material is intended to address the concerns of the Committee regarding such issues as flood repair, federal aid, land acquisition, and the Prairie Spirit Rails to Trails. In addition, I and members of my staff are available for questions or comments.

As you are aware, I am serving as the acting Secretary of the KDWP until such time a permanent Secretary is appointed by the Governor. However, there are several goals which I intend to accomplish during my tenure. Attachment A is a letter sent to all employees of the KDWP which discusses these goals.

Attachment B is a table presenting information on the FY 1996 budget for the KDWP as recommended by the Governor. The Governor's Budget Report for FY 1996 recommends expenditures of \$38,358,399 in FY 1995 and \$29,803,972 in FY 1996. The amounts recommended for State Operations are \$23,449,675 in FY 1995 and \$24,205,172 in FY 1996. In addition, the Governor's Budget Report (GBR) provides for Capitol Improvement expenditures of \$13,792,721 in FY 1995 and \$4,983,800 in FY 1996. The number of positions recommended for both fiscal years is 417 which includes 11 special project positions.

The GBR provides adequate expenditure authority to comply with the requirements of the Memorandum of Agreement signed by the KDWP and the U.S. Fish and Wildlife Service (USFWS) regarding eligibility for federal aid. The amounts necessary to maintain the required base fisheries expenditures and to provide for the second year of the penalty reversion for Dingell - Johnson (D/J) federal aid expenditures during FY 1986 - FY 1992 are included in the GBR.

1/25/95
House Appropriations
Attachment 1

Additional State General Fund appropriations are included to support operations of the State Parks. In addition, an amount of \$750,000 is included to continue the repair of KDWP facilities damaged by flooding in 1993.

The FY 1996 recommendations include \$86,600 to enhance the boating education program and \$200,000 to obtain replacement boats and boating equipment. Both of these items are financed from the Boating Fee Fund. In addition, the recommendations include \$557,094 for D/J fisheries program expenditures in FY 1995 and \$74,400 in FY 1996.

For FY 1996, the GBR recommends an amount of \$4,983,800 for Capital Improvements. A listing of the recommended projects is included as Attachment C. Major items included are Flood Damage Repair, \$750,000; Cheyenne Bottoms Renovation, \$2,000,000; Road Maintenance and Development, \$1,350,000; and Wetlands Acquisition, \$300,000. It should be noted that the amount approved for FY 1995 capital improvements was approximately \$8.3 million and that the FY 1995 recommendation includes reappropriation from projects approved in prior years and not yet completed.

As the members of the Committee are aware, during the summer and fall of 1993, extensive damage to numerous KDWP facilities occurred due to flooding in northern Kansas. At one time during the summer of 1993, all or a portion of eight state parks were closed and three state parks, Glen Elder, Wilson, and Tuttle Creek, were closed for all of 1993. In addition to damage which occurred at state parks, the wildlife areas operated by the KDWP also received extensive damage. The damage to wildlife areas consisted of destroyed habitat for both wildlife and fisheries production, the flushing of sportfish from reservoirs and lakes by the extremely high water levels and the washing away of roads and other improvements such as dikes.

The KDWP had estimated in November, 1993, that repairs would total \$5,332,542. The 1994 Legislature provided a total of \$1,500,000 (\$500,000 FY 1995, State General Fund, \$1,000,000 FY 1996, State Budget Stabilization Fund) to initiate repair of facilities. In addition, the KDWP was able to obtain funding from the U.S. Department of Interior, Bureau of Reclamation and the National Park Service totalling \$325,000. This reduced the amount needed to complete repairs to \$3,507,542, which was included in the FY 1996 Capital Improvement request submitted on July 1, 1994.

Since the July 1, 1994 submission, the KDWP has continued to review the actual amount of resources needed to complete repairs at flood damaged facilities. This review has included utilization of volunteer help from local citizens who use KDWP facilities; assistance provided through the FEMA, JTPA, and AMERICORP federal programs; inmate work crews; and operating resources available to

the Department, i.e. utilization of KDWP employees. In addition, the KDWP was able to evaluate projects completed during 1994 with funding provided by the 1994 Legislature.

The KDWP now estimates that the amount needed to complete repairs to all of the flood damaged facilities is \$1,569,874. The KDWP estimates that approximately \$1,756,754 in services were provided by volunteers, federal programs mentioned above, or in-kind services. In addition, the KDWP has received an additional grant of \$170,000 from the Bureau of Reclamation. The utilization of resources other than state funds has allowed the KDWP to reduce the amount needed to complete flood repairs in FY 1996. The Governor's Budget Recommendations for FY 1996 provide a total of \$750,000 (\$650,000, State General Fund and \$100,000, State Budget Stabilization Fund) to continue repairs to flood damaged facilities. Attachment D provides information as to the facilities repaired with funds approved by the 1994 Legislature and the repairs still needed.

The next item to be discussed pertains to the issue of federal aid received by the KDWP from the U.S. Fish and Wildlife Service (USFWS) for sport hunting and fishing programs. In March, 1993, the Office of the Inspector General, U.S. Department of the Interior, performed an audit on the KDWP federal aid program. A draft of the audit findings were presented to the USFWS which in October, 1993, informed the KDWP that a diversion of approximately \$5.2 million may have occurred. The KDWP prepared a response to the draft audit findings and submitted the response to the USFWS. In a letter dated March 7, 1994, the USFWS stated that during the period of FY 1989 - FY 1992 the KDWP had violated administrative requirements prohibiting the diversion of license fees paid by hunters and fishermen to purposes other than administration of the State Fish and Wildlife Agency and that for the period FY 1986 - FY 1992 the KDWP had failed to maintain a base sports fishing program as required by federal regulations in order to be eligible for Dingell - Johnson Sports Fishing Program federal aid. In addition, the March 7, 1994 letter also referred to an amount of \$845,099 identified by the Office of Inspector General as federal aid received improperly by the KDWP for fisheries improvements at Hillsdale State Park. This letter also declared the KDWP as ineligible to participate in the federal programs for hunting and fishing and as of that date the Department was not able to receive any further federal aid until corrective actions were taken.

The corrective actions which the KDWP was to take prior to federal aid being restored are as follows:

- 1) The State of Kansas must repay \$2,408,358 to the Wildlife Fee Fund to correct for the diversion of funds. This amount could be repaid over a three year period but must be from a State source other than the Wildlife Fee Fund.

2) The KDWP must develop a three year plan to increase fisheries program expenditures by \$3,541,526 to compensate for inadequate expenditures during FY 1986 - FY 1992. In addition, the KDWP must maintain a fisheries program base expenditure level of \$1,886,771 per year. These expenditures could be financed from the Wildlife Fee Fund.

3) The KDWP must increase expenditures from the Wildlife Fee Fund for fisheries related activities by \$845,099 to settle reimbursement of federal aid funds for fisheries work at a state park.

4) The KDWP must conduct an independent audit of FY 1993 and FY 1994 to determine if diversion or inadequate fisheries expenditures occurred during those two years. In addition, the KDWP must reconcile the Department cost accounting system with the State accounting system.

5) The KDWP must develop adequate internal controls and organization to assure proper tracking and expenditure of federal aid funds.

6) The KDWP must report income and expenditures to the Wildlife Fee Fund on a quarterly basis to the USFWS.

The 1994 Session of the Legislature was made aware of the above conditions and certain actions were taken.

To address the issue of diversion, the 1994 Legislature appropriated in SUB HB 2538 an amount of \$802,736 to the State Finance Council to be transferred in FY 1995 to the KDWP, Wildlife Fee Fund, upon the enactment of a Memorandum of Understanding (MOU) between the Governor and USFWS regarding federal aid eligibility. In addition, the Legislative Post Auditor was directed to perform an audit assessing the KDWP compliance with certain requirements related to fish and wildlife programs. The MOU was agreed to and was signed on October 7, 1994 (Attachment E). The amount of \$802,736 was transferred by the State Finance Council on October 19, 1994.

The audit conducted by the Legislative Post Auditor was presented to the Legislative Post Audit Committee on October 11, 1994. The Post Auditor had determined that the amount of funds diverted by the KDWP was \$1,668,205 not \$2,408,358 as determined by the USFWS. The MOU between the State of Kansas and the USFWS provides that the USFWS must accept the audit performed by the Legislative Post Auditor. That action has not occurred. For FY 1996, the Governor's Budget Report provides for the transfer of \$432,710 from the State General Fund to the Wildlife Fee Fund for the second transfer to repay for diversion of funds and assumes that the amount of diversion will be \$1,668,205.

The fisheries expenditures penalty of \$3,541,526 as identified by the USFWS was addressed by the 1994 Legislature. The FY 1995 operations budget for the KDWP included an amount of \$411,408 for fisheries expenditures from the Wildlife Fee Fund that were above the required minimum base for fisheries expenditures of \$1,886,771. This amount plus an amount of \$769,100 which the State Finance Council was authorized to approve would equal the first year compensation of \$1,180,508 to correct the lack of fisheries expenditures in FY 1986 - FY 1992. The State Finance Council approval was contingent upon a fisheries plan being developed by the KDWP. This plan was developed and presented to the State Finance Council at their meeting on October 19, 1994 at which time it was approved and the expenditure authority of \$769,100 was authorized. The FY 1996 Governor's Budget Report contains expenditure authority of \$1,187,650 from the Wildlife Fee Fund to provide for the second year of compensation for inadequate fisheries expenditures.

The amount of \$845,099 identified by the Office of Inspector General as improper reimbursements for fisheries activities at a state park was corrected by the 1994 Legislature. Expenditure authority for dam repair and renovation at state fishing lakes financed from the Wildlife Fee Fund was appropriated in 1994 HB 2753. The MOU provides that the USFWS will provide for the audit of FY 1993 and FY 1994 expenditures by the KDWP regarding possible diversion or inadequate expenditures for the fisheries program. That audit is scheduled for Spring, 1995. The KDWP has instituted certain internal reorganizations and adopted stricter procedures to monitor the expenditure of funds. In addition, quarterly reports of expenditures from the Wildlife Fee Fund are made to the USFWS.

The KDWP has provided the annual land acquisition report required by KSA 32-844 and 1994 HB 2438 (Attachment F). The FY 1996 Governor's Budget Report provides for expenditure of \$300,000 from special revenue funds for the continued acquisition of wetlands as authorized by prior legislatures. The Governor did not recommend the acquisition of any other additional land.

The Prairie Spirit Rails to Trails was authorized by the 1994 Legislature and funds were appropriated to begin the first stage of construction in FY 1995. The Governor's Budget Report does not provide any funds for additional development in FY 1996. Also included in this report is information pertaining to the directions of Legislature, as contained in 1994 HB 2753 for management of the trail (Attachment G).

The above information pertains to specified items that were identified as major concerns by Legislative staff. If there are other items or concerns that the Committee would care to address, please advise. Thank you.

Attachments



DEPARTMENT OF WILDLIFE & PARKS

OFFICE OF THE SECRETARY

900 SW Jackson St., Suite 502 / Topeka, Kansas 66612 - 1233
(913) 296-2281 / FAX (913) 296-6953

TO: All Departmental Personnel

FROM: John K. Strickler, Acting Secretary

DATE: January 11, 1995

SUBJECT: Departmental Concerns

I welcome the opportunity to work with all of you to move the Department ahead in a positive direction. As many of you know, I have had some experience with this agency during its formative stage, having served as Acting Secretary for three months during the time we did a national search that resulted in the hiring of Bob Meinen as permanent Secretary.

There are several things I want to point out to clear the air immediately. I am not a contender for the permanent position of Secretary. I took this position at the request of Governor Graves to assist him in hiring a permanent Secretary. I was glad to take this position for two reasons: (1) I have a great deal of confidence in Governor Graves and his commitment to build a strong wildlife and parks agency, and (2) I have a strong personal interest in the Department and its personnel as well as a lifetime commitment to sound management and protection of our natural resources.

My primary goals during my tenure as Acting Secretary are as follows:

1. Conduct a comprehensive, thorough search to locate the most highly qualified, professional manager we can find as permanent Secretary. I have the commitment from the Governor that we will follow the letter and intent of the law as to qualifications. I am confident we can find a candidate with broad experience in the wildlife/parks area both in terms of education and administrative management. I am willing to take the time to do this job right.
2. Take the necessary steps to establish a solid and proper relationship with our federal aid cooperators so that we can get our federal aid programs on a sound basis. I and the Governor are committed to maintaining strict fiscal integrity in terms of all funds used by the Department. I will be meeting with key federal personnel to see what needs to be done to accomplish this. It is my understanding that Secretary Ensley and appropriate staff have made a number of positive steps to improve this situation, and I want to build

on those steps. I also hope to work on strengthening relationships with other agencies and constituent groups.

3. Do what is necessary to improve morale and strengthen efficiency and management within the agency. As many already know, Chief of Staff Tom Kirker and Legal Counsel Rogers Braizer have been relieved. I do not plan to make major structural changes or massive, wholesale personnel changes. It is my intent to leave any major changes that might be called for to the permanent Secretary. However, I do want to assure you that the Governor did give me authority to make any changes necessary to move the Department forward in a positive direction. The reason I do not see need for large personnel changes is because I'm confident the Department has a dedicated, professional staff already in place to deliver strong programs to the people of Kansas. I assure you that before any action is taken that directly affects people, the individual involved will be the first to be informed. I will be evaluating key administrative positions over the next month or so, and hope to visit with our top administrative staff and others one on one during that time. Through this process, I will be developing some recommendations for the new Secretary to consider.

I want to add a few comments about my administrative style. I intend to operate on a very open communications basis. I have had over 25 years of administrative experience, and I have seen very few situations in which serious problems have developed because people knew too much. On the other hand, I have time after time seen serious problems created because people operated on the basis of keeping information to themselves. The more everyone within the agency can be informed on the issues and concerns facing us, the better off everyone will be.

I know that this agency has been through a series of difficult and disruptive administrative changes since it was created, and this has had a serious impact on agency morale. We face some serious problems in terms of funding at a time of very tight budgets at both the federal and the state levels. Our agency, as well as all other agencies, will be asked to maximize efficiency and manage their resources to deliver programs and services without significant increases in dollars. We will work to establish a good planning and internal management system that is built on a spirit of cooperation and support for all programs of the Department.

I don't have any easy solutions, but I am confident that each and every one of you is committed to doing what is best for our natural resources and the people of Kansas. I intend to seek the counsel of the Wildlife and Parks Commission and our many constituent groups as we work through the process of putting this agency on a sound basis. I look forward to working with all of you to build a stronger, more effective Department of Wildlife and Parks.

pc: Governor Bill Graves
Lt. Governor Sheila Frahm
Wildlife and Parks Commission

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	FY 1994 Actual	FY 1995 Gov Rec	FY 1996 Gov Rec
Administrative Services	2,695,372	2,719,410	2,676,176
Grants-in-Aid	0	300,000	300,000
Executive Services	3,050,417	2,900,588	2,906,915
Law Enforcement	3,863,182	3,600,131	3,994,984
Parks and Public Lands	8,338,806	8,844,721	9,203,684
Fish and Wildlife	4,886,224	6,200,828	5,738,413
Capital Improvements	6,733,469	13,792,721	4,983,800
Total	29,567,470	38,358,399	29,803,972

Salaries and Wages	15,513,797	15,895,261	16,504,864
Contractual Services	3,662,139	3,995,750	4,306,354
Commodities	2,066,914	2,138,104	2,218,189
Capital Outlay	1,399,266	1,420,560	1,175,765
Subtotal - Operations	22,642,116	23,449,675	24,205,172

Aid/Other Assistance	191,885	1,116,003	615,000
Capital Improvements	6,733,469	13,792,721	4,983,800
Total	29,567,470	38,358,399	29,803,972

State General Fund	3,709,694	3,670,816	4,174,216
Wildlife Fee Fund	14,317,155	15,636,250	15,677,713
Park Fee Fund	2,749,269	2,507,067	2,590,818
Boat Fee Fund	759,230	605,104	891,260
Water Plan Fund	1,400	236,200	50,000
Nongame Fund	149,649	101,000	101,000
Others	955,719	693,238	720,165
Subtotal - Operations	22,642,116	23,449,675	24,205,172

LWCF - Aid	0	300,000	300,000
EDIF - Other Assistance	0	50,000	0
Wildlife Fee Fund - Aid	89,540	514,903	265,000
Federal Grants Fund	29,000	0	0
Private Gifts & Donations	14,000	0	0
State General Fund	0	201,100	0
Nongame Fund - Aid	59,345	50,000	50,000
Other			
Subtotal - Aid/Other Assist	191,885	1,116,003	615,000

Capital Improvements:			
State General Fund	696,512	70,808	650,000
Wildlife Fee Fund	857,897	2,553,214	367,700
Park Fee Fund	56,538	454,872	0
Boat Fee Fund	31,792	390,146	216,100
Water Plan Fund	1,868,902	1,314,425	1,000,000
Nongame Fund	0	105,000	55,000
EDIF	483,497	1,569,337	0
Cheyenne Bottoms - Federal	1,937,676	1,605,670	1,000,000
Road Fund	518,628	3,049,336	1,350,000
Other Funds	282,027	2,679,913	345,000
Subtotal - Capital Imp.	6,733,469	13,792,721	4,983,800
Total	29,567,470	38,358,399	29,803,972

Positions 406 417 417

Capital Improvement Projects - Governor's Recommendation FY 1996

	SGF	Water Fund	EDIF	WFF	BFF	Road Fun	Other*	Fed Funds	Total
1 C Flood Damage	650,000						100,000		750,000
2 ABC Cheyenne Bottoms Renovation		1,000,000						1,000,000	2,000,000
3 ABC Hillsdale SP Development		0							0
4 ABC Fisheries Related Expenditures		0		140,000					140,000
5 C Major Maintenance	0			177,700					177,700
6 BC Boating Access/Safety					216,100				216,100
7 C Rails-to-Trails			0					0	0
8 C Shooting Range Development				0					0
9 ABC Road Maintenance/Development						1,350,000			1,350,000
10 C Campground Renovation			0						0
11 C SW Ks Aquatic Rec Development			0	0					0
12 BC Wetlands Acquisition							300,000		300,000
13 BC Playa Lakes				50,000					50,000
14 C Lemon Lake Renovation				0					0
15 C Corps Payment - El Dorado SP	0								0
Total	650,000	1,000,000	0	367,700	216,100	1,350,000	400,000	1,000,000	4,983,800

* Includes \$55,000 from Nongame Fund and \$245,000 from Migratory Waterfowl Fund; and \$100,000 from the Budget Stabilization Fund

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ATTACHMENT C

FLOOD REPAIR FUNDING 1994-1996

<u>LOCATION/ITEM</u>	<u>ORIG. EST.</u>	<u>CURRENT EST.</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>>1996</u>
<u>Clinton State Park</u>	\$ 24,484	\$ 26,230				Completed
Boat Ramp Info Cntr	\$ 1,200		\$ 1,200			
Rip Rap	\$ 5,584			\$ 6,000		
Electric Repair	\$ 0			\$ 1,500		
Beaches	\$ 6,000		\$ 16,000	\$ 1,530		
<u>Glen Elder State Park</u>	\$ 1,411,993	\$ 882,946				Completed
Toilets	\$ 160,000		\$ 11,946		\$ 25,000	
Showerhouse	\$ 340,000			\$ 175,000	\$ 300,000	
Campground Repair	\$ 311,875				\$ 58,000	
Shelter Houses	\$ 15,000				\$ 10,000	
Replace Firerings	\$ 16,800				\$ 5,000	
Roads & Parking Lots	\$ 57,900				\$ 23,000	
Trees	\$ 52,500				\$ 25,000	
Security Lighting	\$ 2,700				\$ 5,000	
Trails	\$ 3,000				\$ 15,000	
Beach Repair	\$ 20,618				\$ 8,000	
Amphitheatre	\$ 2,500				\$ 2,000	
Repair Water Lines	\$ 0				\$ 5,000	
Seeding	\$ 25,000				\$ 50,000	
Rip Rap	\$ 243,750				\$ 80,000	
Lift Station Repair	\$ 6,000			\$ 35,000		
Electrical Repair	\$ 50,000			\$ 50,000		
<u>Kanapolis State Park</u>	\$ 597,105	\$ 353,995				Completed
Dock Repair	\$ 25,000		\$ 2,000			
Beach Repair	\$ 3,000		\$ 3,000			
Tree Removal	\$ 8,000			\$ 17,995		
Gravel Roads & Parking Lots	\$ 100,000		\$ 6,000		\$ 100,000	
Camp Pads & Amenities	\$ 72,000				\$ 75,000	

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FLOOD REPAIR FUNDING 1994-1996

<u>LOCATION/ITEM</u>	<u>ORIG. EST.</u>	<u>CURRENT EST.</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>>1996</u>
Toilets	\$ 154,000				\$ 85,000	
Erosion Protection	\$ 60,000				\$ 65,000	
<u>Lovewell State Park</u>	\$ 41,274	\$ 71,747				Completed
Gravel Roads & Parking	\$ 23,750		\$ 11,900			
Beach Repair	\$ 8,325			\$ 7,649		
Rip Rap	\$ 6,249			\$ 39,824		
Other Erosion Protection	\$ 0			\$ 10,000		
<u>Milford State Park</u>	\$ 112,930	\$ 61,900				Completed
Trees & Shrubs	\$ 14,350		\$ 2,500			
Pit Toilets	\$ 40,000		\$ 5,000			
Electrical Repair	\$ 0		\$ 4,000			
Dock Repair	\$ 20,000		\$ 4,500			
Shelter Repair	\$ 1,500			\$ 13,900	\$ 15,000	
Boathouse Repair	\$ 0			\$ 7,000		
Rip Rap	\$ 10,750			\$ 10,000		
<u>Perry State Park</u>	\$ 388,195	\$ 607,141				Completed
Beach Repair	\$ 5,850		\$ 5,800			
Trees & Shrubs	\$ 3,500		\$ 3,000			
Pit Toilet	\$ 5,700		\$ 10,000			
Shower House	\$ 62,000		\$ 144,404	\$ 35,437		
Rip Rap	\$ 13,000			\$ 50,000		
Lift Station Repair	\$ 2,400			\$ 2,500		
Dump Station	\$ 3,000			\$ 20,000		
Camp Pads & Amenities	\$ 54,175				\$ 243,500	
Gravel Roads & Culverts	\$ 66,000				\$ 66,000	
Seeding & Prep	\$ 24,000				\$ 24,000	
Docks & Piers	\$ 2,100				\$ 2,500	

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FLOOD REPAIR FUNDING 1994-1996

<u>LOCATION/ITEM</u>	<u>ORIG. EST.</u>	<u>CURRENT EST.</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>>1996</u>
<u>Tuttle Creek State Park</u>	\$ 345,892	\$ 393,780			Completed	
Dock Repair	\$ 1,800		\$ 10,000			
Electrical Repair	\$ 432		\$ 2,500			
Trees & Shrubs	\$ 1,200		\$ 5,000			
Debris Removal	\$ 10,000		\$ 10,000			
Shower Houses	\$ 200,000		\$ 155,280	\$ 200,000		
Lift Station	\$ 4,800		\$ 5,000	\$ 6,000		
<u>Webster State Park</u>	\$ 250,200	\$ 55,500			Completed	
Water Line & Fountains	\$ 1,400			\$ 1,500	\$ 3,000	
Trails	\$ 3,000				\$ 6,000	
Erosion Protection	\$ 6,000				\$ 6,000	
Dock Repair	\$ 2,000				\$ 2,000	
Tree & Dirt Work	\$ 10,500				\$ 20,000	
Revegetation	\$ 3,000				\$ 15,000	
Archery Range Repair	\$ 0				\$ 2,000	
<u>Wilson State Park</u>	\$ 499,560	\$ 84,970			Completed	
Showerhouse/Lift Station	\$ 37,000		\$ 4,800			
Campground Repairs	\$ 200,000		\$ 25,470			
Pay Station	\$ 6,500		\$ 500			
Pit Toilets	\$ 52,500		\$ 500			
Beaches	\$ 12,000		\$ 6,000			
Docks	\$ 25,000		\$ 1,700			
Electric Repair	\$ 41,800		\$ 2,000	\$ 2,000		
Culvert Repair	\$ 6,000			\$ 6,000		
Seeding	\$ 33,750		\$ 10,000	\$ 26,000		
<u>Eisenhower State Park</u>	\$ 0	\$ 2,687			Completed	
Culvert Repair	\$ 0			\$ 2,687		

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FLOOD REPAIR FUNDING 1994-1996

<u>LOCATION/ITEM</u>	<u>ORIG. EST.</u>	<u>CURRENT EST.</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>>1996</u>
<u>Clinton Wildlife Area</u>	\$ 5,000	\$ 0		Completed		
<u>Glen Elder Wildlife Area</u>	\$ 524,133	\$ 68,000			Completed	
Toilets	\$ 60,000			\$ 25,000		
Boat Ramps	\$ 6,000			\$ 6,000		
Repair Shooting Range	\$ 5,500			\$ 2,000		
Trees	\$ 75,000			\$ 5,000		
Seeding	\$ 300,000			\$ 30,000		
<u>Kanapolis Wildlife Area</u>	\$ 54,150	\$ 35,000				Completed
Fencing	\$ 8,000				\$ 8,000	
Roads	\$ 7,000				\$ 7,000	
Seeding	\$ 0				\$ 20,000	
<u>Lovewell Wildlife Area</u>	\$ 12,940	\$ 0		Completed		
<u>Milford Wildlife Area</u>	\$ 209,000	\$ 0		Completed		
<u>Perry Wildlife Area</u>	\$ 52,100	\$ 54,500			Completed	
Roads	\$ 40,800			\$ 38,000		
Boat Ramps	\$ 2,500			\$ 2,500		
Marsh Dikes	\$ 3,300			\$ 14,000		
<u>Pillsbury Wildlife Area</u>	\$ 300	\$ 0		Completed		
<u>Nemaha Wildlife Area</u>	\$ 2,240	\$ 0		Completed		

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FLOOD REPAIR FUNDING 1994-1996

<u>LOCATION/ITEM</u>	<u>ORIG. EST.</u>	<u>CURRENT EST.</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>>1996</u>
<u>Jamestown Wildlife Area</u>	\$ 13,200	\$ 15,000			Completed	
Dam Repair	\$ 2,300			\$ 15,000		
<u>Marais Des Cygnes WA</u>	\$ 0	\$ 9,978			Completed	
Spillway Repair	\$ 0			\$ 9,978		
<u>Rocky Ford Fishing Area</u>	\$ 17,600	\$ 0		Completed		
<u>Tuttle Creek Wildlife Area</u>	\$ 214,920	\$ 181,500				Completed
Roads	\$ 80,000				\$ 80,000	
Signs	\$ 1,500				\$ 1,500	
Seeding	\$ 97,000				\$ 80,000	
Marsh Dikes	\$ 20,000				\$ 20,000	
<u>Webster Wildlife Area</u>	\$ 200,666	\$ 0		Completed		
<u>Wilson Wildlife Area</u>	\$ 331,600	\$ 25,000			Completed	
Tree Removal	\$ 0			\$ 3,000		
Reseeding	\$ 150,000			\$ 6,000		
Noxious Weed Treatment	\$ 0			\$ 4,000		
Information Shelters	\$ 0			\$ 1,000		
Parking Area Repair	\$ 0			\$ 1,500		
Road Repair	\$ 108,500			\$ 9,500		
<u>Brown State Fishing Lake</u>	\$ 3,550	\$ 0		Completed		
<u>Atchison State Fishing Lake</u>	\$ 1,100	\$ 0		Completed		
<u>Leavenworth State Fishing Lake</u>	\$ 2,350	\$ 0		Completed		

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FLOOD REPAIR FUNDING 1994-1996

<u>LOCATION/ITEM</u>	<u>ORIG. EST.</u>	<u>CURRENT EST.</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>>1996</u>
<u>Douglas State Fishing Lake</u>	\$ 5,050	\$ 0		Completed		
<u>Pott #1 State Fishing Lake</u>	\$ 5,160	\$ 5,000				Completed
Roads	\$ 5,160				\$ 5,000	
<u>Pott #2 State Fishing Lake</u>	\$ 4,000	\$ 5,000				Completed
Roads	\$ 4,000				\$ 5,000	
<u>Jewell State Fishing Lake</u>	\$ 1,850	\$ 0		Completed		
<u>Other Expenditures/Encumbrances</u>						
O/M Monies Replaced (PPL)		\$ 30,000	\$ 30,000			
On-Call Engineering		\$ 100,000		\$ 100,000		
TOTALS	\$ 5,332,542	\$ 3,069,874	\$ 500,000	\$ 1,000,000	\$ 1,569,874	\$ 0

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MEMORANDUM OF AGREEMENT

BETWEEN THE
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
AND THE
UNITED STATES FISH AND WILDLIFE SERVICE

This Memorandum of Agreement ("MOA"), by and between the Kansas Department of Wildlife and Parks ("KDWP") and the United States Fish and Wildlife Service ("USFWS"), collectively referred to as ("the Parties"), is to address those issues outlined in the March 7, 1994 letter from Ralph O. Morgenweck, Regional Director, USFWS, Region 6, ("Regional Director") in a sufficient manner so as to allow KDWP to again be eligible to participate in the Federal Aid in Sport Fish and Federal Aid in Wildlife Restoration Act programs; and in so addressing those issues, to cause the "high risk grantee" designation imposed on the KDWP by the USFWS, as stated in the July 14, 1994 letter from the Regional Director ("high risk letter"), to be withdrawn.

WHEREAS, the USFWS has determined that during State fiscal years 1989 through 1992 KDWP diverted hunter and angler license revenues in the total amount of \$3,253,457 in violation of 50 CFR §80.4 -- and of this amount, \$845,099 was determined by USFWS to be Sport Fish Restoration Funds spent on ineligible activities and \$2,408,358 in license revenues was determined by USFWS not to have been spent on eligible activities, based on the findings of a draft Audit Report by the Office of the Inspector General, U.S. Department of the Interior, published in final as (Report No. 94-I-447, March 1994); and

WHEREAS, the KDWP has agreed that \$845,099 was in fact spent on ineligible activities and the State of Kansas has appropriated funds to repay this amount; but the KDWP disputes the USFWS determination with regard to the \$2,408,358; and

WHEREAS, the Regional Director's March 7, 1994 letter set forth a number of eligibility requirements, in addition to correction of the diversion, which would be necessary for KDWP to comply with as a condition to regaining eligibility to again participate in the Federal Aid Program; and,

WHEREAS, the KDWP has taken actions to address those necessary requirements; and,

WHEREAS, the actions taken by KDWP and the terms of this agreement also address the issues raised in the high risk letter; and,

WHEREAS, the Parties recognize and agree that it is essential to protect fish and wildlife resources within the State of Kansas, that Kansas again become fully eligible to participate in the Federal Aid in Sport Fish and Wildlife Restoration programs;

NOW, THEREFORE, in consideration of the foregoing and the promises hereafter made, the Parties agree as follows:

1. With regard to funds determined by USFWS to have been diverted --

a. The KDWP will reimburse the Kansas Federal Aid Program \$845,099, the amount in Sport Fish Restoration Funds acknowledged to have been spent on ineligible activities.

b. Subject to the provisions of subparagraph 1c, below, and further, subject to future appropriations by the Kansas legislature therefore, the KDWP will repay to its Wildlife Fee Fund the total sum of \$2,408,358, divided in three equal payments. The first payment to the Wildlife Fee Fund, in the amount of \$802,786, will be due upon execution of this agreement by the Parties. The second payment, in the amount of \$802,786, will be due no later than July 1, 1995. The third payment, in the amount of \$802,786, will be made no later than July 1, 1996.

c. If, at a future date, based on an audit currently being conducted by Kansas Legislative Post Audit, utilizing generally accepted governmental auditing standards, as defined in 43 CFR Part 12.15(e), and subject to the USFWS review outlined in the June 16, 1994 letter from the Regional Director to the Kansas Legislative Post Auditor, it is determined that KDWP has diverted either less or more than \$2,408,358, the remaining payment schedule will be adjusted accordingly. Upon acceptance of such audit findings by the USFWS if such amount is less than \$802,786 the Kansas legislature may reappropriate the difference between the diversion amount so determined and \$802,786 without such action constituting a diversion of license revenue. In the event it is determined that the audit conducted by Kansas Legislative Post Audit has not been done in accordance with the provisions of this subsection, the USFWS will promptly order and pay for an independent audit.

2. Subject to future appropriations, the KDWP will expend \$3,541,526 of additional State funds for the State fishery program to compensate for inadequate expenditures during State fiscal years 1986 to 1992. These funds may come from the State's Wildlife Fee Fund. The State will ensure that for each State fiscal year the KDWP budgets at least \$1,886,771 of State funds, in addition to Sport Fish Restoration Funds, for expenditure in the State fishery program.

3. The USFWS will order and pay for an independent audit of the KDWP's reconciled accounts for State fiscal years 1993 and 1994 in conformance with 43 CFR Part 12 (Administrative Requirements and Cost Principles for Assistance Programs). If audits for these two years reveal diversions of license revenue, discrepancies in Federal Aid reimbursements, or insufficient base funding expenditures for sport fish restoration activities, arrangements must be made for correcting these discrepancies within thirty days notice to KDWP that such discrepancies exist.

4. The KDWP will share its internal reorganization plan with USFWS and provide such information as USFWS requires, including the results of the organizational audit of KDWP currently being conducted by Kansas Legislative Post Audit, to ensure that KDWP has adequate internal controls to the extent required by 43 CFR part 12 and 50 CFR part 80.

5. With regard to the September 29, 1994 Report issued by the Independent Fisheries Review Panel, charged by the USFWS, with the concurrence of the KDWP, to review the KDWP's administrative organization, the KDWP will implement the recommendations outlined in said report as agreed to in principle in the October 3, 1994 letter from the Secretary of the KDWP to the USFWS Regional Director.

6. For the term of this agreement, the KDWP agrees to report to the USFWS quarterly on income and expenditures from the Wildlife Fee Fund on a modified accrual basis. The reports will disclose all income to the Wildlife Fee Fund and all expenses incurred by the Fund. The report will identify Federal Aid reimbursable expenses separately.

7. Upon execution of this agreement by the Parties, and upon evidence presented to USFWS that KDWP has reimbursed the Kansas Federal Aid Program in the amount of \$845,099, in accordance with paragraph 1a of this agreement, and that an initial payment of \$802,786 has been made to the Department's Wildlife Fee Fund, in accordance with paragraph 1b of this agreement, the USFWS shall designate KDWP as

again eligible to participate in the Federal Aid in Sport Fish and Wildlife Restoration Programs, the high risk designation of July 14, 1994 shall be withdrawn, and such withdrawal shall be promptly reported in writing to each person and entity notified by U.S. Department of the Interior of said designation.

8. Once KDWP is again eligible to participate in the Programs, project-by-project grant applications may include reimbursements for pre-grant application expenditures incurred between March 7, 1994, and the date of grant approval. Such applications will be reviewed and evaluated under the same programmatic, technical, administrative, and financial criteria as would be applied to any other Federal Aid grant application. Such prior expended project costs must be demonstrated to be clearly and directly related to and necessary for achievement of the specific project objectives in the grant applications.

9. If at any time, the Regional Director of the USFWS determines that the KDWP is in violation of this agreement, the Regional Director shall notify KDWP of such violation. If such violation is not rectified within thirty days of such notice, to the satisfaction of the Regional Director, a determination will be made by the Regional Director that the KDWP is ineligible to participate in the Federal Aid program until such violation is rectified to the satisfaction of the Regional Director.

10. Execution of this agreement by the Parties, and concurrence in such by the Ad Hoc Board of Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, ("the Board") shall constitute final Department of the Interior action in this matter before the Board, Docket No. D 94-24. However, KDWP shall have the option of appealing to the Board a determination by the USFWS that the audit being conducted by Kansas Legislative Post Audit for Kansas Fiscal Years 1989-92 has not been done in accordance with the provisions of subsection 1(c) of this agreement.

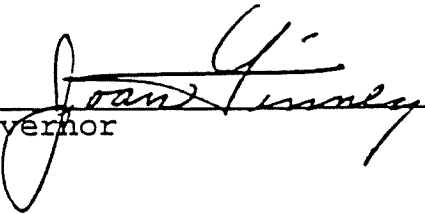
11. Except as provided in paragraph 10, nothing in this agreement shall be deemed to deny the KDWP any administrative or judicial remedy which would otherwise be available under law.

12. This agreement shall become effective upon the signatures of both Parties and shall terminate upon compliance by the Parties with the provisions of this agreement, but not later than August 1, 1996.

For the purpose of expediting execution of this agreement, it may be signed in separate counterparts, which, when both parties have signed, shall be deemed a single agreement.

IN WITNESS WHEREOF, the Parties have executed this agreement.

STATE OF KANSAS:



Governor

10/7/94
Date

UNITED STATES FISH AND WILDLIFE SERVICE:

Regional Director, Region VI

Date

1-20

For the purpose of expediting execution of this agreement, it may be signed in separate counterparts, which, when both parties have signed, shall be deemed a single agreement.

IN WITNESS WHEREOF, the Parties have executed this agreement.

STATE OF KANSAS:

Governor

Date

UNITED STATES FISH AND WILDLIFE SERVICE:

Ralph O. Morganweh
Regional Director, Region VI

10-7-94
Date

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LIST OF CHANGES TO KDWP COST ACCOUNTING SYSTEM

- 1) EFFECTIVE JULY 1, 1994, ALL VOUCHERS WILL BE ENTERED INTO THE KDWP COST ACCOUNTING SYSTEM WITH FUND SOURCE NUMBERS TO MAKE THE EXPENDITURES DIRECTLY COMPARABLE WITH THE STATE ACCOUNTING SYSTEM(STARS).
- 2) STARTING JULY 1, 1994, KDWP WILL FUND THE OPERATING EXPENDITURES FOR PROGRAMS BASED ON THE PROPORTION THE VARIOUS FUNDS AVAILABLE ARE ALLOCATED IN THE APPROVED BUDGET.
- 3) EACH POSITION WITHIN THE KDWP WAS REVIEWED FOR TYPES OF DUTIES AND RESPONSIBILITIES AND A SALARY FUNDING GROUP WAS ESTABLISHED APPROPRIATE FOR THE DUTIES OF THE POSITION.
- 4) EFFECTIVE JUNE 18, 1994, EMPLOYEE TIME AND ACTIVITY REPORTS WERE MODIFIED TO REFLECT TIME PERIODS THAT COINCIDE WITH THE STATE PAYROLL SYSTEM WHICH WILL ALLOW THE SALARIES PAID BY THE KDWP TO BE COMPARABLE WITH STARS.
- 5) A MATRIX HAS BEEN DEVELOPED WHICH REPORTS MONTHLY ON EACH EMPLOYEES LABOR DISTRIBUTION PRINT OUT AND INDICATES WHICH FUNDING SOURCE THE EMPLOYEE SHOULD BE PAID FROM BASED ON THE PROGRAM FOR THE WHICH THE EMPLOYEES TIME WAS CHARGED TO.
- 6) KDWP WILL RECONCILE THE AGENCY COST ACCOUNTING SYSTEM ON A MONTHLY BASIS WITH STARS
- 7) EFFECTIVE JULY 1, 1994, ALL VOUCHERS WILL BE MANUALLY CHECKED TO ASSURE PROPER FUNDING. ANY DISCREPANCIES WILL BE NOTED AND RESOLVED AT THAT TIME.

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DEPARTMENT OF WILDLIFE & PARKS

OFFICE OF THE SECRETARY

900 SW Jackson St., Suite 502 / Topeka, Kansas 66612 - 1233
(913) 296-2281 / FAX (913) 296-6953

LAND ACQUISITION REPORT

BY THE KANSAS DEPARTMENT OF WILDLIFE AND PARKS

JANUARY 9, 1994

K.S.A. 32-844 requires the Department to submit a land acquisition report to the Legislature at the beginning of each session. The report covers a calendar year period. Senate Substitute for H.B. 2538 (Omnibus Bill) requires the Department to submit a similar report at the beginning of the session covering the FY 94 and FY 95 time period. This submitted report covers calendar year 1993 and 1994 and is intended to satisfy both statutory requirements.

1993

The Department accepted a donation of 1,360 acres in Montgomery County near the town of Havana. The tract is located in sections 11-14 and 23, T33S, R13E. The property is locally, and popularly, known as the "Buffalo Ranch." State funds were not used to acquire the property, and the property will remain on the county tax rolls. Provisions have been made with a private foundation for operations and maintenance costs and capital improvements on the property. This was the only real estate transactions that occurred during 1993.

1994

McPherson County - 71 acres located in the NE/4 of Sec. 28, T21S, R4W were purchased at the appraised value of \$37,317. The property will remain on the county tax rolls. The purchase is part of the McPherson Wetlands Project.

Sumner County - 160 acres located in the NW/4 of Sec. 15, T33S, R2W were purchased at the appraised value of \$53,000. The property will remain on the county tax rolls. The purchase is part of the Slate Creek Wetlands Project.

Ford County - 160 acres located in the SE/4 of Sec. 18, T26S, R22W were purchased at the appraised value of \$79,500. The property will remain on the county tax rolls. The purchase is part of the Playa Wetlands Project.

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Ford County - 40 acres located in the NE/4 of Sec. 13, T26S, R23W were purchased at the appraised value of \$14,400. The property will remain on the county tax rolls. The purchase is part of the Playa Wetlands Project.

Osage County - 52.75 acres located in the SW/4 of Sec. 7, T16S, R16E and 6.81 acres located in the SE/4 of Sec. 12, T16S, R15E were purchased for \$20,846. The appraised value was \$21,250. The property adjoins Clinton Reservoir and will be used for wildlife and recreational purposes. The property will remain on the county tax rolls.

Franklin, Anderson and Allen Counties - A 50.2 mile stretch of railroad line from Ottawa to Iola was railbanked and the property was transferred to the Department to operate and manage as a recreational trail. This property will be a linear park and park lands have not been placed on the county tax rolls.

Ford County - An offer to purchase at the appraised value of \$25,600 has been extended to 80 acres located in the SE/4 of Sec. 26, T25S, R23W. The property would remain on the county tax rolls. The property would be part of the Playa Wetlands Project.

Ford County - An offer to purchase at the appraised value has been extended to approximately 40 acres located in the SW/4 of Sec. 26, T25S, R23W. Appraised value is \$13,000, but exact value cannot be determined until exact acreage is determined. The property would remain on the county tax rolls. The property would be part of the Playa Wetlands Project.

Sedgwick and Reno Counties - 150.8 acres of federally owned land at Cheney Reservoir has been approved by General Service Administration for transfer to the Department. The transfer will be accomplished by quitclaim deed and that deed has not been received as of this date. The land is located in Sec. 5, T27S, R4W and Secs. 32 and 33, T26S, R4W. The property adjoins Cheney Reservoir and will be used for wildlife and recreational purposes. The property would be added to the county tax rolls.

1-24

Memorandum

To: Michael Wilson, Chief Engineer KDWP
From: Peggy Sneegas, Prairie Spirit Trail Project Coordinator
Re: Prairie Spirit Trail Project Status

Date: January 25, 1995

Schedule for the Prairie Spirit Trail is:

Final Design Completed by Landplan Engineering:	February 15, 1995
Environmental Review Complete:	Tenatively, in February
Construction Bidding Process Starts:	March 1, 1995
Notice to Proceed Issued: Estimated	May 15, 1995
Construction will take at least 120 working days.	
Most optimistic Completion Date:	October 1, 1995

This schedule assumes there are no additional delays in the environmental permitting process. I currently am not aware of any environmental surprises that will cause a delay in the bidding process. However, I do have some concern that our consultant might not meet their February 15 deadline; primarily because we have not yet seen any architectural plans for review. Also, Phil Struble has not yet provided a scope of work for the additional maintenance items that we are adding to the package..... he did not feel this additional work would delay their project schedule since they did the research for the maintenance work in the preliminary engineering study.

Encroachments:

The grain elevator operator adjacent to our project in Richmond was deeded some of the original AT&SF Railroad Right of Way by a previous owner. In this area, the right of way is constricted by encroachments for the grain elevator operation that prohibit construction of the Prairie Spirit Trail. KDWP formed a committee to negotiate a solution to this problem with the adjacent property owner. The committee has worked out a deal, that is acceptable to the property owner, that involves a swap of property. Mike Engemann is working with legal staff to draft up an appropriate agreement, easements and/or deeds. These documents were to have been completed by January 20, 1995, but they have not been reviewed by the property owner. If they are not executed prior to construction bidding, Phase I of the Prairie Spirit Trail can be stopped south of the grain elevator without compromising the goals of the project.

There are around seven "farm crossings" in the right of way for Phase I of this project. Mike Engemann has reviewed each of these farm crossings and proposes to disallow about three of the crossings that were recently constructed by the adjacent property owners without easements or consent.

1-25

Environmental Reviews:

I have been in contact with Chris Mammolini since August, 1994, and have not received any indication the KDWP environmental section has any requirements for this project. On January 17, 1995, I sent Chris the "70% complete construction" plans and asked for written comments at this time. On that same day, Rick Ross told me he believes the State Historical Society is sending a letter to notify us that additional historical review is not required. The Historical Society and KDWP Environmental Section reviews typically require the most time for a project of this nature.

We met with the KDH&E Dam Safety Section in August 1995 and they notified us the improvements we were proposing would not require a permit from their section.

Garnett Agreement:

Rogers Brazier drafted an agreement between KDWP and the City of Garnett and it was mailed to Garnett in December 1994. They have not returned their written review comments but Rick Doran, Garnett City Manager, has told me they are only requesting minor modifications.

Istea Project Revisions:

The KDOT Committee which approves ISTEA projects will review our proposed project ammendments on February 3, 1995. We are optimistic they will approve changing the trail width to 10 feet for all of the trail outside of the Garnett City limits. (The original project called for a 12 foot width everywhere.) The asphalt trail is to remain 12 feet wide in Garnett.

We are also asking for an additional \$120,000 for the project (Bringing the total project cost to \$1,496,000) to include maintenance to two (2) bridges and nine (9) culverts within the right of way. This does NOT include any paint removal for the bridge over U.S. HWY 59 just south of Garnett.

Project Budget:

The funds we have available will construct a "no frills" project. The unit cost for limestone screenings dominates the project costs..... our current estimate places the limestone material cost and placement ALONG THE TRAIL ALONE at \$502,500. Should we get a good bid for this item alone, we shall be in a position to accept more of our "alternate" bids.

1-26

Fencing:

The Kansas Department of Wildlife and Parks used full and part time employees to maintain fences along the Prairie Spirit Trail.

Easements:

All existing easements and licenses along the rail corridor will, as a condition of the rail-banking agreement, continue to be honored. However all property owners that have built their own crossing without permission by KDWP, or person(s) who have altered the height, width, or any related aspect of the trail will be subject to KDWP review.

Signs:

Signage regarding litter and trespassing have been incorporated into the design of the trail. These signs will be placed along the trail on both sides, and informational material will be provided at trail heads to educate users about trail rules.

Litter:

The Kansas Department of Wildlife and Parks used over 150 volunteers on National Trails Day to pick up litter on and along the trail. KDWP has also used prison work crews from Toronto correctional facilities to clean up leftover railroad structures, telephone poles and wire that were left behind. Trash receptacles have been incorporated into the design of the trail, and will be placed at the three trail heads (starting/ending points), and will be placed at various locations along the trail.

Fire Control:

Calcium carbonate will be incorporated into the surface of the trail to eliminate the growth of weeds, thus leaving a 10 foot wide fire break for adjacent property owners. Fire departments along the trail will have access to the trail for fire fighting purposes.

Management:

The rail-trail will be designated for non-motorized vehicle use and barriers will be in place to restrict unauthorized access. KDWP and emergency personnel will be the only persons having motorized access for the purposes of patrolling, fire protection, and emergency needs. The only exception to the non-motorized restriction will be motorized wheelchairs as defined by statute.

Parking, water, restrooms and information will be available at trail heads. The three trail heads will be located in the communities along the rail-trail.

1.27