

2015 KANSAS LEGISLATIVE SESSION

WATER-RELATED AGENDA

Following is a brief summary of the legislative items proposed during the 2015 Legislative Session to implement the Vision for the Future of Water in Kansas.

Multi-Year Flex Account (MYFA) Carry Over

Would allow MYFA participants who re-enroll in a new MYFA to carry over any unused quantity in the amount of up to one year's allocation.

State Revolving Loan Fund Availability

Modify the definition for a project in the Kansas Department of Health and Environment (KDHE) public water supply loan program to allow loan funds to be used for water transfer projects. Priority for the use of the funds will continue to be applied toward assisting communities with safe drinking water quality requirements. Adopting the definition change removes a barrier to fully encouraging cooperative public water supply projects.

Local Enhanced Management Area (LEMA) Changes to Add Sponsors Other than GMDs

Currently LEMAs can only be sponsored by Groundwater Management Districts (GMDs). This change would allow Conservation Districts to sponsor LEMAs. Would also allow an individual water rights holder or holders to apply directly to Kansas Department of Agriculture (KDA) to put his/her rights into an individual LEMA.

Change Application for Place of Use

Would allow a change application for a change in place of use of up to 10 acres or 10% of the place of use if someone wants to go to a more efficient system. Currently the law states we cannot change a term permit (MYFAs are term permits) and this is a discouragement towards transitioning to more efficient systems. Producers are taking advantage of Agricultural Water Enhancement Program (AWEP)

funds to convert from flood to center pivot irrigation.

Protecting Conservation Efforts in Future Actions

Would provide for the protection of water rights in future voluntary and involuntary reductions in water use. A guiding principle of the Vision is that policies and programs should not unintentionally penalize those who have already demonstrated good stewardship with the state's water resources. Language will be added to the LEMA statute establishing corrective controls that allow flexibility based on local average reasonable use so as to not penalize those who have already demonstrated reduced water use. Other opportunities to legislatively identify the protection of water rights in future water use reductions may be identified.

Third Party Conservation Easements

Would enable KDA to be the third party holder of perpetual easements. This was introduced last year as SB147.

The following are being developed by KDA-Division of Water Resources (DWR) for submittal outside of the Vision Legislative package:

Augmentation as a Tool

KDA-DWR will request that augmentation be formally recognized as a tool that the Chief Engineer can use as part of an order to rectify impairment.

The following is being developed by KDHE for submittal outside of the Vision package:

Local Conservation Lending Program

Would create a low-interest loan program in the form of a linked-deposit system. The program would provide for low-cost financing to individuals to implement approved conservation practices.

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