

Kansas Water Authority Meeting
In-Person/Zoom
Pittsburg, KS
9:00 a.m. – June 22, 2022
Agenda

<i>Time</i>	<i>Agenda Item</i>	<i>Presenter</i>	<i>KWA Advice</i>	<i>KWA Decision</i>	<i>Page No.</i>
9:00 am	Call to Order/Roll Call	Dawn Buehler	--	--	--
9:05 am	Approval of Meeting Minutes				
	April 20, 2022 Meeting	Dawn Buehler		X	2
9:10 am	Welcome to Pittsburg/Pittsburg Water Update	Jay Byers			
9:20 am	KWA Public Water Supply Committee Update	John Bailey			5
	Water Marketing Variable Rate			X	5-6
9:50 am	KWA RAC Operations Committee	Jeremiah Hobbs			--
	<i>*Materials with recommended KWA to be provided following KWA RAC Operations Committee Meeting*</i>			X	
10:00 am	Legislative Update	Matt Unruh			
	2022 Kansas Legislature Wrap Up		X		7-8
10:15 am	KWA Summer Water Policy Discussion Update	Dawn Buehler	X		--
10:30 am	BREAK				
10:45 am	Federal Update				--
	USGS Federal Cooperative Agreements	Josh Olson		X	9-10
	Tuttle Creek Water Injection Dredging Demonstration	Josh Olson	X		11
11:15 am	Kansas/Colorado Arkansas River Quality Summit Update	Tom Stiles	X		--
11:35 am	Dealing with Nitrates in Kansas	Tom Stiles Travis Sieve	X		--
12:00 pm	LUNCH				
12:45 pm	Kansas Water Success Stories: KDA-DWR	Earl Lewis	X		--
1:05 pm	Kansas Dam Safety Update	Earl Lewis	X		--
1:35 pm	KWA Open Discussion	Dawn Buehler	X		--
1:55 pm	KWA Ex Officio Agency Updates	Dawn Buehler	X		--
2:25 pm	Director's Report	Connie Owen	X		--
2:35 pm	New Business				
2:45 pm	Adjourn				

Upcoming Meetings:

- August 10, 2022 – Water Policy Discussion, Salina
- August 17, 2022 – Kansas Water Authority, Manhattan
- October 19, 2022 – Kansas Water Authority, TBD
- November 16-17 2022 – Governor's Conference on the Future of Water in Kansas, Manhattan
- December 14, 2022 Kansas Water Authority, TBD

Zoom Participation Information (6/22/2022 Meeting):

Meeting Link: <https://us06web.zoom.us/j/83963075451?pwd=OXQ3SmtNdkFFZnJ6UXVmVDAySEJZQT09>

Meeting ID: 839 6307 5451

Passcode: 394400

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Minutes

KANSAS WATER AUTHORITY Hybrid Meeting

April 20, 2022

Emporia, KS

CALL TO ORDER: Chair Dawn Buehler called the **April 20, 2022**, Kansas Water Authority (KWA) meeting held in-person and Via Zoom webinar/call to order at **09:00 a.m.**

MEMBERS PRESENT: Dawn Buehler, John Bailey, Randy Hayzlett, Alan King, Chris Ladwig, Carolyn McGinn, Allen Roth, Allan Soetaert, Jean Steiner, David Stroberg

MEMBERS ABSENT: Mike Armstrong, Lynn Goossen and Jeremiah Hobbs

EX-OFFICIO MEMBERS PRESENT: Earl Lewis, Susan Metzger, Steve Adams, Sara Baer, Leo Henning, Mike Beam, Andrew Lyon, Connie Owen, Rolfe Mandel

EX-OFFICIO MEMBERS ABSENT: Dwight Keen, Ernie Minton, Rolfe Mandel, David Toland, Kayla Savage

APPROVAL OF MINUTES:

Motion No. 04-20-01 It was moved by Allen Roth and seconded by Chris Ladwig to approve the January 27, 2022, Minutes for the Regular Meeting of the Kansas Water Authority. **Motion carried with no dissenting votes.** Information found in meeting materials.

KWA PWS COMMITTEE:

John Bailey & Nathan Westrup gave a presentation for the Public Water Supply (PWS) Committee and an update on Evergy's request for an extension on Water Purchasing Contract 17-2.

Negotiations approval for Water Purchasing Contract 17-2

Motion No. 04-20-02 It was moved by John Bailey and seconded by Jean Steiner to allow negotiations with Evergy on Water Purchasing Contract 17-2, the supplemental water supply for Wolf Creek Nuclear Generating Station. The source of supply for WPC No. 17-2 is John Redmond Reservoir and it is the sole source of make-up water for the power plant's cooling lake. **Motion carried with no dissenting votes.** Information found in meeting materials.

KWA RAC OPERATIONS COMMITTEE:

Angela Anderson gave an update on the KWA RAC Operations Committee. She went through 3 RAC applications and presented a memo to the KWA from the Upper Republican RAC regarding concerns with Water Quality in their region. This memo sparked a conversation about Water Quality concerns in that region and for the State of Kansas. Copy of the memo and article can be found in the meeting materials.

RAC Member Applications

Motion No. 04-20-03 It was moved by Jean Steiner and seconded by David Stroberg to approve the RAC membership applications for Tim Boese to the Equus-Walnut RAC for the Conservation/Environment (cc) category, Laura Hines to the Marais des Cygnes RAC for the Industry & Commerce (cc) category, and Dean Grant to the Neosho RAC for the Water Assurance District category. **Motion carried with no dissenting votes.** Information found in meeting materials.

KANSAS WATER PLAN UPDATE:

Connie Owen gave an update on the ongoing Kansas Water Plan update.

LEGISLATIVE:

Connie Owen gave an update on the House Water Committee.

Matt Unruh gave an update on the House Appropriation process.

KWA SWPF FY 2024 BUDGET RECOMMENDATION PROCESS:

Matt Unruh spoke and gave a presentation about the FY 2024 SWPF Budget Recommendation timeline and process.

KANSAS DROUGHT DISCUSSION:

Richard Rockel gave a presentation about the current drought conditions and outlook for the state of Kansas.

Connie Owen gave an update on the Governor's drought declaration.

Nathan Westrup gave a presentation on the Reservoir Water Supply Operations during Drought.

KANSAS WATER SUCCESS STORY:

Andrew Lyon gave a presentation on a Kansas Water Success Story. He presented on the GRASP project.

FEDERAL UPDATE:

Tom Stiles gave an updated on the Federal Infrastructure Funding.

Josh Olson gave an update regarding the Tuttle Creek Water Injection Dredging Project.

Kirk Tjelmeland gave an update and requested approval to enter into an agreement with the Federal Government regarding the 2021 EPA Wetland Development Program Grant.

2021 EPA Wetland Development Program Grant

Motion 04-20-04

It was moved by **Jean Steiner** and seconded by **Allen Roth** for the Kansas Water Authority to authorize the Director of the Kansas Water Office to enter into an agreement with the U.S. EPA for the 2021 Wetland Program Development Grant. **Motion carried with no dissenting votes.** Information found in meeting materials.

NEW BUSINESS:

Steve Adams gave update from the Kansas Department of Wildlife and Parks.

Andrew Lyon gave update from the Department of Conservation

Earl Lewis gave an update from the Division of Water Resources.

Leo Henning gave an update on from Kansas Department of Health and Environment.

Jude & Tim gave an update from the Kansas Biological Survey.

Susan Metzger gave an updated from Kansas State University.

DIRECTORS REPORT:

Connie Owen gave Director's Report from the Kansas Water Office.

ADJOURNMENT:

Dawn Buehler adjourned the meeting at **2:23 p.m.**

Dawn Buehler, Chair

Connie Owen, Secretary

MEMO



DATE: June 6, 2022
TO: Kansas Water Authority
FROM: John Bailey, Chair, Public Water Supply Committee
Nathan Westrup
RE: Public Water Supply Committee Update

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Topeka, KS 66612
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Action Items:

- Set the CY 2023 Water Marketing Variable Rate

The Public Water Supply Committee met on June 6, 2022 to set the water marketing rate for calendar year 2023. The water marketing rate is determined based on the financial needs of the program and projected sale of water. The State Water Plan Storage Act requires the KWA take action by July 15th on the rate to be applied the following calendar year.

As an introduction to the financial needs of the program in CY 2023, the committee was provided a briefing on the dramatic change to the long-standing unfunded liabilities. There were two significant SFY 2022 SGF appropriations that benefited the Water Marketing Program finances: 1) \$80 million dollars for water supply storage debt – paying off all capital costs at Big Hill, Clinton, and Hillsdale reservoirs 2) Payoff of 2015A State of Kansas projects revenue bonds, including the John Redmond dredging project. These legislative actions have put the Water Marketing Program in a solvent financial status.

Water Marketing Program Variable Rate for Calendar Year 2023

At the meeting held on June 6, 2022, the PWS Committee acted to recommend that the KWA set the Calendar Year (CY) 2023 water marketing variable rate at \$0.473/1000 gallons, which is a 4.2% increase from the CY 2022 rate. The 1.9 cent increase is necessary to cover projected Water Marketing Program expenses and make deposits into the Conservation Development fund, to be used for re-investment protection and/or restoration of water supply storage.

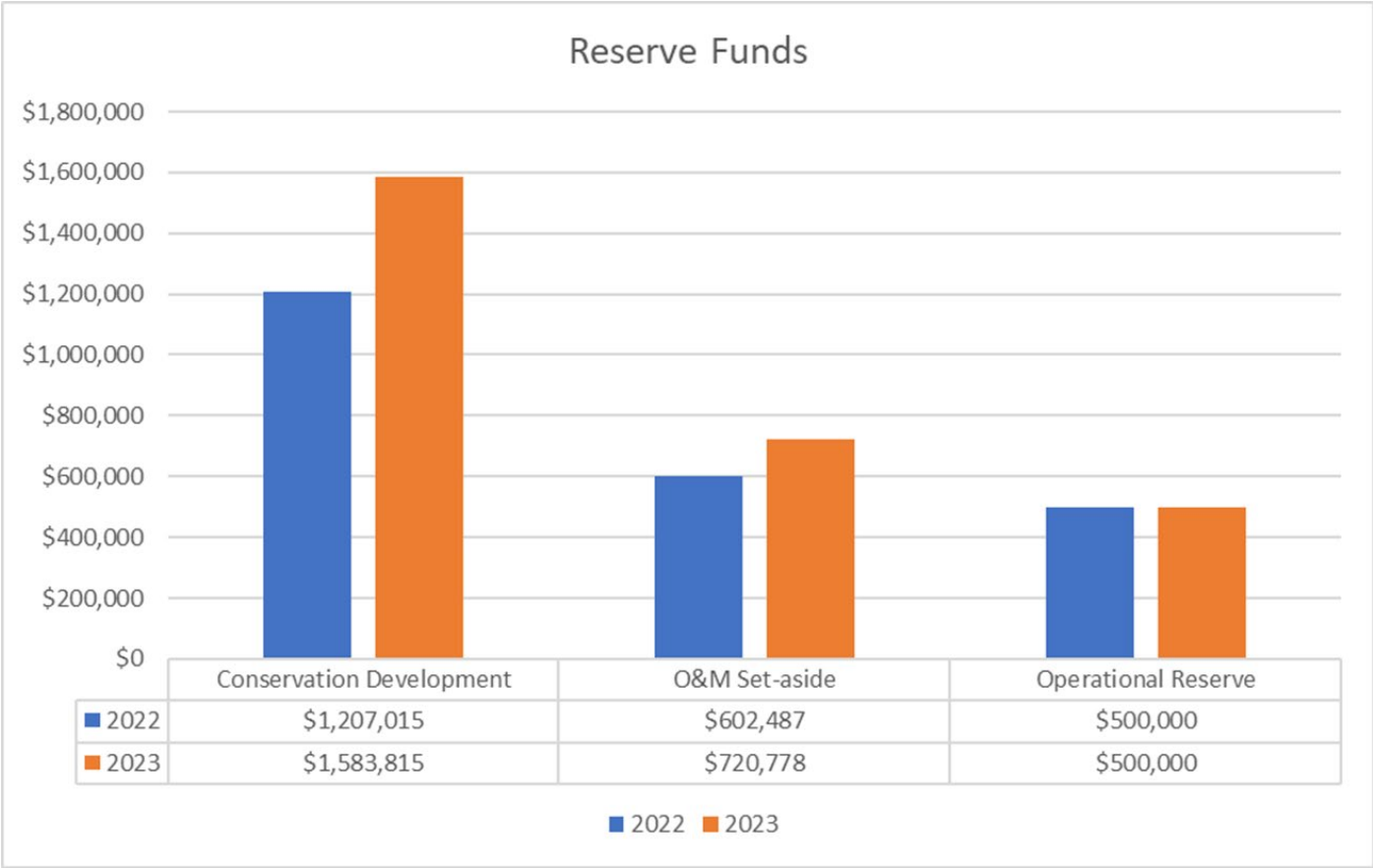
The table below shows the recent history of rates set by the authority.

Calendar Year	2018	2019	2020	2021	2022	2023
Variable Rate	\$0.392	\$0.405	\$0.418	\$0.436	\$0.454	\$0.473
% Increase	3.2%	3.2%	3.2%	4.2%	4.2%	4.2%

The committee chose from the range of rates in the following table, varying the amount of revenue available for Conservation Development fund deposit.

Calendar Year	2023	2023	2023	2023	2023	2023	2023	2023
Rate Range	\$0.442	\$0.454	\$0.459	\$0.463	\$0.468	\$0.472	\$0.473	\$0.477
% Increase	-2.60%	0%	1%	2%	3%	4%	4.20%	5%
Cons Development	\$0	\$152,047	\$211,193	\$258,510	\$317,655	\$364,972	\$376,801	\$424,117

Additionally, the chart below reflects the anticipated minimum CY 2022 balances of reserve funds and the projected CY 2023 balances with the recommended rate of \$0.473/1000 gallons.



The PWS Committee recommends that the Kansas Water Authority set the CY 2023 Water Marketing variable rate at \$0.473/1000 gallons.

MEMO



DATE: June 16, 2022
TO: Kansas Water Authority
FROM: Matt Unruh
RE: 2022 Legislative Session Update

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State Water Plan Fund (SWPF) FY 2022 & FY 2023 Appropriations

The table provided on the following page includes the FY 2022 and FY 2023 SWPF appropriations. The FY 2023 SWPF appropriations include expenditures reflecting full statutory State General Fund (SGF) and Economic Initiatives Development Fund (EDIF) demand transfers of \$6 million and \$2 million, respectively, to the SWPF. The full \$8 million statutory demand transfer was also included within the Governor's FY 2023 budget recommendations and represents the first time since FY 2008 in which this full amount was approved.

The Legislature also approved the addition of \$150,000, all from the SWPF, for the Tuttle Creek Lake water injection dredging (WID) demonstration. This addition brings the total state appropriation for the project to up \$2.0 million and has allowed the Kansas Water Office along with the U.S. Army Corps of Engineers to advance demonstration planning efforts.

Reservoir Water Supply Storage Debt Payments

\$80.0 million of State General Fund (SGF) was appropriated to the Kansas Water Office within House Substitute for Substitute for Senate Bill 267 (House Sub. for Sub. for SB 267) for the purpose of paying off capital expenses for water supply storage within Big Hill Lake, Clinton Lake, and Hillsdale Lake during FY 2022. Included within this bill was additional language regarding the dedication of revenue streams which would have been previously utilized for capital expenses on those three reservoirs to be utilized on retirement of storage debt in the future. These payments were made to the U.S. Army Corps of Engineers in late May.

Also of note, but not specifically tied to the previously mentioned water supply storage payments within House Sub. for Sub. for SB 267, was the approved FY 2023 revenue adjustment which transfers \$50,000 SGF to the Water Structures Emergency Fund.

John Redmond Dredging Project Bond Payment

House Bill 2510, which included \$332.2 million SGF for the early payoff of Series 2015A and 2015G bonds, was passed and ultimately enrolled into law effective June 2, 2022. The Series 2015A bonds include the John Redmond Reservoir dredging project bond which was issued to support design, permitting, construction, dredging and reclamation work as well as additional streambank stabilization on the Cottonwood River. Remaining bond debt will be paid off before the end of FY 2022.

Substitute for House Bill 2686

After much discussion over the past two years, the House Water Committee ultimately passed Substitute for House Bill 2686 (Sub. for HB 2686), which would amend the Kansas Groundwater Management District Act to require groundwater management districts (GMDs) to provide certain reports to the Legislature. The bill would also distribute a portion of retailers' sales tax and compensating use tax revenue to the State Water Plan Fund each year. Sub. for HB 2686 did not advance to the House floor, thus dying on the calendar with adjournment of the Legislature.

This is for informational purposes only. No Kansas Water Authority action is necessary at this time.

**State Water Plan Fund
2022 Session**

EXPENDITURES	FY 2021 Actuals	FY 2022 Approved	FY2023 Approved
Department of Health and Environment			
Contamination Remediation	\$ 1,089,869	\$ 1,088,772	\$ 1,088,301
Nonpoint Source Program	\$ 393,118	\$ 316,247	\$ 403,208
TMDL Initiatives	\$ 275,574	\$ 345,232	\$ 380,738
Harmful Algae Bloom Pilot	\$ 326,697	\$ 1,272,064	\$ 150,000
Watershed Restoration/Protection (WRAPS)	\$ 752,127	\$ 730,884	\$ 1,000,000
Drinking Water Protection Program	\$ 264,346	\$ 350,000	\$ 800,000
SUBTOTAL--KDHE	\$ 3,101,731	\$ 4,103,199	\$ 3,822,247
State Employee Pay Plan			\$ 30,314
Department of Agriculture			
Interstate Water Issues	\$ 435,436	\$ 722,886	499,481
Subbasin Water Resources Management	\$ 443,342	\$ 979,587	621,651
Water Use	\$ 65,908	\$ 143,531	100,000
Water Resources Cost Share	\$ 2,404,488	\$ 2,475,044	2,698,289
Nonpoint Source Pollution Asst.	\$ 2,002,236	\$ 1,978,238	1,860,104
Aid to Conservation Districts	\$ 2,192,637	\$ 2,223,373	2,473,373
Watershed Dam Construction	\$ 411,715	\$ 688,285	550,000
Water Quality Buffer Initiative	\$ 192,855	\$ 436,599	200,000
Riparian and Wetland Program	\$ 80,479	\$ 555,840	154,024
Water Transition Assistance Program/CREP	\$ 132,709	\$ 768,820	546,593
Irrigation Technology	\$ 76,178	\$ 325,046	350,000
Crop and Livestock Research	\$ 350,000	\$ 250,000	250,000
Soil Health - NEW		\$ -	100,000
Streambank Stabilization	\$ 1,196,678	\$ 918,286	750,000
SUBTOTAL--KDA	\$ 10,754,576	\$ 12,465,535	11,153,515
State Employee Pay Plan			45,145
Kansas Water Office			
Assessment and Evaluation	\$ 491,110	\$ 812,287	834,078
MOU - Storage Operations & Maintenance	\$ 582,408	\$ 578,862	530,464
Stream Gaging	\$ 413,580	\$ 423,130	413,580
Technical Assistance to Water Users	\$ 325,000	\$ 341,391	325,000
Vision Education Strategy	\$ 225	\$ 224,775	250,000
Reservoir and Water Quality Research	\$ 266,027	\$ 486,277	350,000
Water Technology Farms	\$ 4,125	\$ 175,000	200,000
Watershed Conservation Practice Imp (KRPI)	\$ -	\$ 550,000	1,000,000
Equus Beds Chloride Plume Project	\$ -	\$ -	50,000
Milford Lake Watershed RCPP	\$ 20,000	\$ 580,000	50,000
Water Injection Dredging (WID)	\$ -	\$ 975,000	1,025,000
Arbuckle Study	\$ 61,700	\$ 60,000	150,000
Flood Response Study	\$ -	\$ -	200,000
SUBTOTAL--KWO	\$ 2,164,175	\$ 5,206,722	5,378,122
Department of Wildlife & Parks			
Aquatic Nuisance Species (ANS) Program	\$ -	\$ -	224,457
University of Kansas--Geological Survey	\$ 26,841	\$ 26,841	26,841
Total State Water Plan Expenditures	\$ 16,047,323	\$ 21,802,297	\$ 20,680,641

MEMO



DATE: June 15, 2022
TO: Kansas Water Authority
FROM: Josh Olson
RE: Federal Cooperative Agreements – Streamgaging,
Kansas River Water Quality Monitoring, Neosho
River Sediment Monitoring, Monitoring on
Republican River at Clay Center above Milford Lake,
HABs in Rivers Study
(USGS)

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There are five potential agreements between the KWO and U.S. Geological Survey (USGS) for review and consideration by the Kansas Water Authority (KWA). Approval by the KWA, under KSA 74-2622, is required before the Kansas Water Office (KWO) enters into agreements with the federal government.

Streamgaging Network (USGS)

The USGS, in cooperation with the KWO and other cooperators, maintains stream gages across the state. Under this Joint Funding Agreement (JFA), funding for the streamgaging program will be provided for SFY 2023. Stream gages provide near real-time information about stream and river conditions. This information is used daily by numerous local, state and federal agencies and research entities to plan, protect and conserve water resources.

The expected non-federal contribution to cover the part of costs necessary to continue operations in SFY 2023 is \$413,580 from the SWPF. As a portion of the administration and enforcement costs to the public water supply program, Water Assurance Districts pay for the stream gages that monitor flow in the Assurance Districts, and Water Marketing will pay for stream gages that monitor flow within marketing customer areas. These equal two gages per WAD and Marketing Program. Final agreement will be determined after further discussions with USGS.

Kansas River Water Quality Monitoring (USGS)

Through a JFA, the USGS, KWO, KDHE, and the Nature Conservancy, along with the cities of Manhattan, Topeka, Lawrence, Olathe, and Water District No. 1 of Johnson County have participated in the Water Quality Monitoring agreement to characterize the sources, frequency and causes of cyanobacteria and associated toxins and taste-and-odor compounds in the Kansas River. Previous contracts have included the operation of water-quality monitors on the Kansas River at De Soto, Wamego, and Topeka, routine sample collection at these three sites over a range of hydrologic conditions, event-based sample collection at reservoir outflows, and development of statistical relationships between collected samples and sensor values. This cooperative study is also evaluating the opportunity for an advanced notification system with sufficient lead time to alert water suppliers that use the Kansas River as a source of water supply of changing water quality conditions that may affect treatment processes or cause cyanobacteria-related toxin and taste-and-odor events.

The final scope and agreement for this year's monitoring will be determined after further discussions with the overall group and USGS. The expected KWO contribution to the project in SFY 2023 is \$30,000.

Neosho River Sediment Monitoring (USGS)

Through a JFA, the KWO and USGS will operate and maintain two water quality monitors on the Neosho River at Neosho Rapids and Burlington. Historically, this monitoring network has been used to support the evaluation of the efficacy of streambank stabilization efforts on the Upper Neosho and Cottonwood Rivers. The two remaining monitors will be used to evaluate turbidity conditions upstream and downstream of John Redmond Reservoir, as well as the overall

sediment load entering the reservoir.

The expected non-federal contribution to cover the cost of the necessary field and analytical work directly related to this program is \$51,400 from the KWO in SFY 2023. Final agreement will be determined after further discussions with USGS.

Continuous and Discrete Water-Quality Monitoring on Republican River at Clay Center (USGS)

Through a JFA, the KWO and USGS will collect water-quality, nutrient, and sediment data at the established streamflow station on the Republican River at Clay Center, Kansas. This data will provide an understanding of baseline suspended-sediment, nutrient, and water-quality conditions on the Republican River at Clay Center, the primary inflow into Milford Lake and closest streamgaging site not to experience backwater conditions from the lake. This will allow for better understanding of sediment and nutrient concentrations, and characterization of water-quality conditions entering Milford Lake. This agreement helps to expand the monitoring network currently supported by the USGS, KWO, KDHE and communities along the Kansas River as part of the overall Kansas River Water Quality Monitoring study, and also supports monitoring efforts associated with the Milford RCPP project.

The proposed agreement is for a multi-year study. For Year 5 (SFY 23), the following major tasks are proposed:

- Operate and maintain water-quality monitoring at existing USGS streamflow station at Clay Center to measure temperature, specific conductance, pH, dissolved oxygen, and turbidity.
- Collect, process and review 2 opportunistic sediment and nutrient samples from the Republican River at Clay Center to capture any extreme events outside the existing range of samples.
- Complete the USGS Scientific Investigations Report detailing findings with an associated USGS Fact Sheet

The expected non-federal contribution to cover the cost of the necessary field and analytical work directly related to this program is \$83,500 from the KWO in SFY 2023. Final agreement will be determined after further discussions with USGS.

HABS in Rivers Study (USGS)

Through a JFA, the USGS, in collaboration with other cooperators, will be investigating the occurrence of Harmful Algal Blooms (HABs) and algal toxins in slow-moving streams, wetlands, and oxbows above Perry and Milford Reservoirs and in the floodplain of the lower Kansas River and its tributaries downstream of dams. The first two years of the study will focus on analysis of the temporal and spatial relations and hydrologic, water-quality and meteorological conditions of potentially toxic cyanobacteria bloom formation locations, transport of blooms downstream, and subsequent bloom development in reservoirs and large rivers. Additionally, the study will evaluate the use of satellite imagery for identifying potentially toxic cyanobacteria blooms in slow-moving streams, wetlands, and oxbows, with a goal of improving the utility of satellite imagery to monitor the occurrence of HABs and algal toxins in near-real time and assist with developing predictive models of HAB occurrence. The study will culminate in a publication of the study findings.

The expected KWO contribution to the project in SFY 2023 is \$21,400. Final agreement will be determined after further discussions with USGS.

The Kansas Water Office recommends the KWA give approval to the Director to enter into agreements with the U.S. Geological Survey for the Streamgaging Network, Kansas River Water Quality Monitoring, Neosho River Sediment Monitoring, Monitoring on Republican River at Clay Center above Milford Lake, and HABs in Rivers Study.

MEMO



DATE: June 15, 2022
TO: Kansas Water Authority
FROM: Josh Olson
RE: Water Injection Dredging (WID) Demonstration
at Tuttle Creek Lake

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The Kansas Water Office (KWO), in partnership with the U.S. Army Corps of Engineers (USACE), is continuing to pursue a Water Injection Dredging (WID) Demonstration at Tuttle Creek Lake. WID is a process in which large volumes of water are injected at low pressure into the sediment bed near the bottom of the reservoir through the use of pumps and a series of nozzles located on a horizontal pipe positioned above the sediment bed. The injected water effectively fluidizes the sediment, creating a density current that allows the sediment to flow by gravity to deeper areas. In the case of Tuttle Creek Lake, the proposed WID demonstration project would be aimed at moving the sediment toward the existing low-level outlet in the dam and monitoring the flow of the density current through the outlet during controlled discharges. This will be the first time WID has been used in a lake anywhere in the world and the first time in Kansas sediment is intentionally managed in a large lake by passing it downstream, which presents unique research opportunities.

Background research, planning, and development of the project since 2018 have been funded by various sources, including Planning Assistance to States (PAS) agreements with the USACE and funding through the USACE Engineer Research and Development Center (ERDC). A combination of State and Federal funding will support the full demonstration project. The State of Kansas appropriated \$975,000 for the Tuttle WID demonstration in FY22. An additional \$1,025,000 was appropriated for the project by the State in FY23. USACE received \$1.3 million in Federal Year 2022 funding for the project. Additional Federal funding to cover remaining project need, contingent on the budget process, is anticipated in Federal Year 2023. The KWO and USACE are currently in the process of discussing the timeline and plans for the demonstration, which will occur no sooner than 2023.

A WID Research Ideas Workshop was held on June 1 in Lawrence to generate ideas related to research, surveying, and monitoring for the WID demonstration. Participants consisted of a variety of stakeholders, including representatives from state and federal agencies, academia, and water suppliers. Discussion focused on the types of analyses and measurements needed pre-, during, and post-WID to assess WID effectiveness, environmental effects, and human use considerations, as well as the capabilities and interest of local researchers to participate in data collection and analysis. Feedback received will be used to inform the WID monitoring and implementation plans.

This is for informational purposes only. No Kansas Water Authority action is necessary at this time.
