

Missouri Regional Advisory Committee Meeting Notes

Missouri Regional Advisory Committee Meeting
Monday, March 6, 2023, 9 am
In Person/Virtual Meeting

Members in Attendance:

Name	City	Category	Term	Present
Joel Mahnken (Chair)	Leavenworth, KS	Public Water Supply (cc)	2025	Yes
Michelle Wirth (VC)	Kansas City, KS	Public Water Supply 3	2025	Yes
John Bishop	Atchison, KS	Recreation	2023	Yes
Martin Simon	Atchison, KS	At Large Public (cc)	2025	No
Mike Stec	Atchison, KS	Industry/Commerce (cc)	2023	Yes
Jeffrey Grossenbacher	Bern, KS	Agriculture (cc)	2023	Yes
Chris Griffin	Troy, KS	WRAPs	2025	Yes
Carl Johnson	Leavenworth, KS	Conservation/Environment	2023	Yes
Lisa Montgomery	Reserve, KS	Sac & Fox Nation of Missouri in KS & NE	2023	No
Brett Neibling	Highland, KS	Agriculture 2	2023	No
Doug Allen	Sabetha, KS	Public Water Supply 2	2023	Yes
Vacant		Fish and Wildlife	2025	
Vacant		Agriculture Industry	2025	

Others in attendance:

Name	Representing	Name	Representing
Earl Lewis	KDA-DWR	Jud Kneuvean	USACE
Barb Oltjen	Wolf River WS	Victoria Potts	KWO
Angela Anderson	KWO	Jake Geiger	Public
Matt Unruh	KWO	Kirk Tjelmeland	KWO

- I) **Welcome/Introduction:** Joel started the meeting at 9:05 am with introductions around the room and those on the phone as well. Joel mentioned that we need to have the meeting wrapped up by 11 am today with another meeting coming in the room after us.
- II) **Approval of the Agenda:** Joel asked if everyone had reviewed the agenda and we need to approve it, John moved to approve the agenda and Carl seconded. Michelle stated there was a lot of agenda items and thought we should drop some. Tj thought moving the Goal review to another meeting would be good. The agenda was approved unanimously.
- III) **Discussion of January 24-25th Legislative visits and KWA meeting:** Tj brought up the KWA agenda and asked if Joel, Michelle or Angela would provide more information since he missed most of this. Angela mentioned that at the KWA meeting Nate had brought up some water contracts, a couple of new RAC members and the Hydrogen Hub were the main topics. The legislative visits went well

Membership: Joel Mahnken (Chair)-Leavenworth, Michelle Wirth (Vice-Chair)-Kansas City, Chris Griffin - Troy, Carl Johnson -Leavenworth, John Bishop -Atchison, Martin Simon – Atchison, Jeffery Grossenbacher – Bern - Brett Neibling – Highland, Lisa Montgomery – Reserve, Doug Allen - Sabetha, Mike Stec – Atchison, **KWO Planner:** Kirk Tjelmeland, 785-368-8149; Kirk.Tjelmeland@kwo.ks.gov

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with lots of support for water issues. Joel and Michelle thought they went well and legislatures had lots of good questions, including the reservoir payoff. There are three water related bills that are doing well. Michelle added there was an appreciation for the RACs being present and providing a local perspective.

IV) RAC Business:

- a. **Review of January 5th meeting notes:** Joel asked if everyone had read the notes and if there were any comments or corrections, there were none. Joel asked for a motion to approve the notes, Carl moved that the notes be accepted as written and Michelle seconded the motion. There was no additional discussion and the notes were approved unanimously.
- b. **Missouri River Subcommittee:** Michelle mentioned the Missouri River Recovery Implementation Committee (MRRIC) hadn't had any meeting since November of 2022 and that most of the discussion was planning for the upcoming meetings in May, possibly August and December. Focus for the group in the most recent meetings has been around selecting the next sites for building the Interception-Rearing Complexes (IRCs) and reaching agreement so budgets can be developed and construction contracts put in place. She mentioned that monitoring of fish in the river has increased with radio tags and fish have been confirmed to be using the intake dam passage last summer. Michelle also added the ice jamb by Omaha on the River broke up and the total organic carbons was the highest they had ever seen. Taste and odor complaints for WaterOne as well as other public water suppliers were higher than normal.
- c. **Ag Subcommittee:** Jeff mentioned that [Waters of the US \(WOTUS\)](#) is still in the supreme court and they are hoping for a favorable decision towards agriculture later this summer. He also mentioned that Ag had testified positively on the three bills that are moving through the legislature. Jeff also brought up the broadband meetings that are taking place across the state and how important that is to producers. [Here](#) is the site that has the entire list of meeting locations. The need is great for high speed internet and cell service so precision agriculture can operate.
- d. **Education Subcommittee:** John said he had nothing for education. Chris added the state Envirothon is at Camp Wood on April 26th and the Regional is April 5th at Red Rock Ranch. There are two local teams participating, Doniphan-West and Troy. Chris also mentioned a couple FFA clubs, Troy and D-West, will be participating in the Community Collaborative Rain, Hail & Snow Network (CoCoRaHS) program by collecting rainfall data.

- V) **KDA Response to the Missouri RAC message to KWA:** Earl Lewis, Chief Engineer, led this discussion with his responses displayed on the screen which can be seen [here](#). He mentioned that originally it was a Proof of Concept (POC) however the GMD had no plans to scale this up, this was just the movement of 6,000 gallons. Michelle asked if this was a term permit or a transfer and Earl replied that in order for it to be a transfer by statute it would be the movement of 2,000 AF of water more than 35 miles. Mike asked how often do you get requests for transfers from the Missouri River? Earl said not really ever and very few term permits either. Chris asked on a term permit is there a reason and what was it on this particular one? Earl said it was for artificial recharge, beneficial use, there was an alluvial aquifer and well close. Earl mentioned the time invested in this term permit was over 100 hours and they probably had more important items to take care of. Carl asked about

HB 2279 would have an impact this? Earl said GMD will have to do financial reports and identify problem areas and develop a plan to take care of these. Chris asked about how they could take water when the River was so low? Earl said the only thing under state law is that it wouldn't impair someone else's water right, such a small amount wouldn't impact anyone. Mike asked how many term permits are denied annually? Earl said people applying work with the field offices so only a handful are ever denied. Carl wanted to know if a report was ever submitted? Earl stated there was no report filed however there is not one required for this either. Carl asked what Earl thought was their next step? Earl stated they continue to visit with folks in other states to be a provider of Missouri River water to other entities. The cost of moving water to the Colorado basin would be in the billions so are there other options like desalinization. Who would fund this, federal government probably not since there is not a compact on the Missouri River which would be a huge hurdle. Michelle asked about term permit, was it really recharge and was it a POC? Earl said they (KDA) is no longer calling it a POC, it is a term permit for artificial recharge. He mentioned that this is a publicity stunt that other GMD's and RAC's are voicing opposition to this. Chris asked why was the term permit approved? Earl responded that it was for alluvial recharge and they didn't want to spend any more time on this. Michelle asked about the waste of water? Earl said this is something that should probably be revisited but he didn't think this met that criteria. Chris asked about the movement of Kansas water to Colorado. Earl responded that by statute it is up to the applicant to coordinate those details as far as permitting or other issues. Carl asked if there were any federal regulation on the Missouri River and Earl responded no, this should remain as a state right. Earl added that their first and foremost responsibility to make sure other water users are not harmed by an action.

- VI) Missouri River Levee Update:** Jud Kneuvean, USACE, led this discussion with a PowerPoint located [here](#). In 2019 and 2021 there were levees damaged with an estimated repair cost of around \$100 million however the repairs were completed for around \$50 million. There were a total of 136 requests for assistance and of the 59 contracts were written to cover those requests. The Holt County project was just completed last week, took longer because of lack of good material. He mentioned Tri County KS project which on Cross Creek near Rossville that will result in a levee setback. The River flood outlook for the spring is going to be normal or a little less. Jud stated that the upper basin has been very dry so the flood risk is less however there is some good snowpack (102-104%). We'll see 75% of that snowmelt runoff from mid-March through July. Projections for major flooding is limited to a relatively small area with more area predicted to be impacted by minor flooding. Jud said releases for navigation will begin around March 15th with navigation season starting April 1st. By March 25th they should be releasing 25,000 cfs. Jud mentioned the Smithville Lake annual [meeting on April 5th](#) in the morning. The low water conditions this past winter caused problems for utilities which was exaggerated by the river freezing, expect this to happen again. Mike asked what is the plan for next time when this happens again? Jud mentioned that places that froze over were in areas that had excess sandbar expansion creating large areas of shallow water, so try and limit those areas. Michelle asked about spreading coal ash on the ice

jam. Jud said that the ash wasn't applied, tried the wrecking ball below a helicopter. The wrecking ball might work on a smaller river but not on the Missouri. There is the hope that the temperatures will go up and the ice melts. Jud said explosives are not the answer. Chris asked about the levee project in Doniphan County that was going to take material from NRCS land. Jud said he didn't know but he would get back to her. Jud said the levee work in Kansas City is ramping up and will be completed in the next couple of years.

- VII) Legislative Update:** Victoria Potts, KWO, led this discussion demonstrating the [Legislative page](#) on the KWO webpage. She said there are lots of good information including the House Water Committee YouTube channel and other committee presentations related to water issues. The past recordings are available by committee and date. She showed where you can go to track the bills as they move through the legislature. Victoria moved to a discussion of bills in the house, the first being [HB 2279](#), the GMD reporting bill. This bill would require an annual report detailing finances and activities including: income, expenditures, assets, how the GMD has worked conservation of groundwater, identification of priority areas and developing an action plan. The House Water Committee modified the bill to have more input by the Chief Engineer. Victoria moved on to [HB 2302](#), which is State Water Plan funding bill that transfers 1.231% of sales tax generating approximately \$54 million dollars in FY 2024. The bill creates two new funds: water technical assistance fund (\$5 million) is to be used for grants for municipalities less than 2,000 in size, the second is the water projects grant fund (\$15 million) for grants for construction of water infrastructure projects, matching portions for grants or applied to current water project loans. Also, in the bill is \$15 million for water supply payoff for Milford and Perry. Both of these bills have been referred to a Senate committee for work. The Senate has a plan to use set aside the \$53 and earn interest and then pay off the debt at a time when the interest isn't as favorable. Carl asked if she thought the Senate would approve these? Victoria thought the Senate is a little tougher but she hopeful both bills will pass with some changes. Victoria moved next to the [State Water Plan Fund](#), showing the Governor's budget recommendations. The recommendations don't reflect additional funding from the HB 2302. There has been some adjustments to the proposed budget and there will be committees set up to hammer out the final details.
- VIII) Review of RAC Goal #1:** Due to time constraints this will be discussed at a later date. The RAC Goals can be found in the [Kansas Water Plan](#).
- IX) Other Issues/Events or Agency Updates:** Tj brought up the Local Work Group (LWG) meetings and the outcomes of these. Chris added that next year is the last year to have these completed as a Management Units and these are important since these are our landowners that are addressing water issues in the Region. She also mentioned her Kansas Bankers Award with more family friendly activities, probably do this again next year. Also, signups for conservation work on water quality is due this month and cost share amounts have been increased.

X) Public Comments: There were none.

XI) Messages to the Kansas Water Authority: There were none.

XII) Upcoming Meetings:

- a. Missouri River Public Meeting, Smithville MO, April 5, 2023
- b. KWA meeting, April 19th, KC
- c. Next Missouri RAC meeting Doodle Poll, late June in person/virtual

XIII) Adjournment of Meeting: John moved to adjourn and Michelle seconded it. The meeting ended at 11:05 am.