

MINUTES – NOVEMBER 8, 2018
BIG BEND GROUNDWATER MANAGEMENT DISTRICT #5
MEETING OF THE BOARD OF DIRECTORS

The monthly board meeting of the Big Bend Groundwater Management District #5 was held at the District office in Stafford on Thursday, November 8, 2018. Board members present were Darrell Wood, John Janssen, Kent Lamb, Tom Taylor, Fred Grunder, Justin Gatz, Jerry Cullop and Phil Martin. Board member Kerry Froetschner was not present. District staff present was Orrin Feril. Guests present were Keith Miller, Jeff Lanterman, Leah Chadd, Calvin Kissick, Berry Bortz, Tom Turner, Carolyn Dunn, Jordan Martincich, Todd Wycoff, Rep. Greg Lewis, David Brenn, and John McClure.

The November regular board meeting was called to order at 10:00 a.m. by Darrell Wood.

Kent Lamb moved, and John Janssen seconded to approve the October minutes as presented. Motion carried 6-0-1.

Fred Grunder joined the meeting at approximately 10:05 a.m.

Orrin Feril provided the board and public with the November treasurer's report and highlighted the unique items for further board review. Justin Gatz moved, and Fred Grunder seconded to accept the November treasurer's report as presented. Following discussion, the motion carried 7-0-1.

Jordan Martincich, representing Pheasants Forever ("PF"), presented the board with the Corners for Wildlife program. PF is proposing to bring this program into the Rattlesnake Creek region to create approximately 2000 acres of favorable wildlife habitat. To achieve this goal, PF with partners will provide funding to establish this habitat around the corners of center pivot systems at rates up to \$100 per acre per year depending on the contract details. PF is reaching out to the District for partnership and matching funds of \$200,000 for the 5-year program period. Following thorough discussion, Mr. Martincich was thanked for this partnership opportunity and the District will consider it. No action was taken by the board.

John McClure joined the meeting at approximately 7:45 p.m.

David Brenn, Kansas Water Congress, provided the board with an overview of KWC's history and framework. The KWC is a non-profit, fee-funded entity separate and distinct from existing state agencies, associations, organizations, and direct political affiliation. The objective of the KWC is to bring the advancement of programs for the conservation, development, and protection of the water resources of the State of Kansas. In 2017, the District board voted to discontinue its membership in KWC. No action was taken by the board.

Orrin Feril discussed staff activities for the past month and upcoming months. District staff is working with Kansas Water Office staff to review the Central Kansas Water Bank Association operations for the past five years. The District's annual meeting is approaching quickly and if the board would like to have a specific speaker at this meeting, it is time now to get in contact. The upcoming legislative session is also approaching quickly. For the past two years, the District has utilized the services of Devine Donley & Murray Governmental Affairs, LLC to assist in the monitoring of activities in Topeka throughout legislative session. Following a discussion on the merits of this service, John Janssen moved, and Phil Martin seconded to have Mr. Feril obtain an updated scope of work and cost for the same services for the coming legislative session for evaluation at the December board meeting. Motion carried 7-0-1. Mr. Feril highlighted a recent development from KDA-DWR regarding the annual water use reports. Jeff Lanterman confirmed

that KDA–DWR is planning to implement a \$20 per water right fee for filing a paper water use report, with no fee for filing online. Following a thorough discussion, Fred Grunder moved, and Phil Martin seconded to oppose this initiative as it is premature at this stage of implementing online water use reporting. Motion carried 7-0-1.

The LEMA committee updated the board on the status of the proposed Rattlesnake Creek LEMA. Recently, the LEMA committee, along with technical and legal advisors, met with KDA–DWR staff to discuss the technical basis for the District’s assertion that augmentation is not only sustainable, but also a viable remedy to the alleged impairment. Mr. Feril and the LEMA committee answered several clarifying questions from the public regarding this information. Tom Taylor moved, and John Janssen seconded to rescind the motion passed in the October board meeting describing the general specifications for the proposed LEMA. The motion carried by show of hands 7-0-1. Following this determination, Fred Grunder moved, and Justin Gatz seconded to present to KDA a remedy to the alleged impairment that includes augmentation as the key item in addition to end gun removal, sealing of water flow meters to the pipe, promotion of water transfers and water right retirement out of high impact areas as secondary items to be enacted through the District’s revised management program effective in 2020. The motion carried by show of hands 7-0-1. A proposed memorandum of understanding with the Chief Engineer to itemize the duties in the planning, design and implementation of augmentation was presented to the board for consideration. Following a review of the document, Justin Gatz moved, and John Janssen seconded to approve the memorandum as presented. The motion carried 6-0-2. Two draft revisions to existing regulations to ensure the proper implementation of an augmentation wellfield along with a new draft regulation to provide the mechanism for moving water were presented the board for consideration. No action was taken by the board.

Calvin Kissick provided an update on the KWA activities to the board. Recently, the director of the water office, Tracy Streeter, announced his retirement effective in December. Until that position is filled by appointment, Earl Lewis will take on the role of interim director. The next KWA meeting will be in Wichita at the American AgCredit building on December 18.

Berry Bortz provided a brief update on the Great Bend Prairie RAC activities. The RAC met on October 25 in Great Bend. In this meeting, the committee began the discussion to modify the goals for the RAC. Mr. Feril emphasized the importance for the District board to consider these goals and the role the District might play in them.

The next District board meeting was tentatively set for December 13, 2018 at 10:00 a.m.

With no further items to discuss the board adjourned at 1:00 p.m.

Attest by:  Dated 12/13/18