

DR 83-11 - Corbin Reservoir,
Chikaskia Project Draft Environ-
mental Statement.

ACTION

DATE

COMMITTEE

*authorized chairman to sign a letter stating that
Corbin Res. pumping is a priority*

M.A.P.C. option for drinking water. 11-23-81

B.C.C./B. CO. C. _____

CHIKASKIA PROJECT -

CORBIN RES., CHIKASKIA
PROJECT DRAFT ENVIRONMENTAL
STATEMENT

Nov. 23, 1981 Authorized Chairman
to sign a letter ^{saying} ~~stating~~
that Corbin Res. remains a
viable option for meeting future water
needs.

Corbin Landowners Seek Signatures Of Those Opposing Reservoir Project

Wichita government and business leaders urged the federal government to push for funding of the proposed Chikaskia dam near Corbin as a solution to Wichita's future water needs.

The endorsements, expressed at a public hearing on the \$246 million reservoir pipeline project, carried no financial commitments for Wichita, which would have to fund the project.

Caldwell and Corbin area residents, in danger of losing their land and tax base if the Corbin dam and reservoir project is built, accused Bureau of Reclamation officials of publishing an erroneous report and pushing for construction of the Corbin dam and reservoir solely to justify their jobs.

The proposed Corbin Project will inundate at least 17,000 acres of prime farmland. With the recreation areas and stream corridors, an estimated 35,400 acres will be removed from Sumner County tax rolls. The Sumner County Commissioners have gone on record as opposing the proposed dam and reservoir.

The average mill levy of the lands to be taken is five mills higher than the average for the rest of Sumner County. Total tax money taken off the county rolls with the loss of 35,400 acres is over \$159,000 according to 1981 tax figures. This is only real estate taxes. Add to that approximately \$50,000-\$70,000 more for loss in personal property taxes. This estimated loss of over \$220,000 tax revenue will be made up by all the taxpayers in Sumner County.

The Chikaskia Landowners are actively encouraging opposition to the Corbin Dam. The Landowners seek support for the battle they are waging to stop the proposed Corbin Project. Those who want to be involved with conserving the Chikaskia River as a free flowing stream, should sign the letter of opposition immediately which is available at the following businesses in Sumner County.

In Wellington:
Pacey Chiropractic Offices
First National Bank
The Hen House
MILady's Country Store

Security State Bank
Bank of Commerce
Wellington Implement
Sumner County Farm
Bureau
Wellington Co-op
Ernie's Farm Equipment

In Caldwell:
Kloeffkorn Chevrolet
Stock Exchange Bank
Caldwell State Bank
Massey Melton John Deere
Farmers Co-op

In South Haven:
Blackwell Co-op in
South Haven
Neal's Market

In Mayfield:
Mayfield State Bank
Mayfield Co-op

In Corbin:
Corbin Lumber Co.

In Oxford:
Oxford Bank
Oxford Elevator

In Argonia:
Forrest Implement
Farmers and Merchants
State Bank
Botkin Grain Co.

In Conway Springs:
Garvey Grain



Popular Poem
For Santa's List

CITY OF WICHITA
ROUTING SLIP

TO:	<i>Jackwell</i>	<input type="checkbox"/>	APPROVAL
		<input type="checkbox"/>	SIGNATURE
2	<i>[Signature]</i>	<input type="checkbox"/>	COMMENT
3	<i>[Signature]</i>	<input type="checkbox"/>	SEE ME
4	<i>2. Leivo</i>	<input type="checkbox"/>	AS REQUESTED
5	<i>3. Falls</i>	<input type="checkbox"/>	INFORMATION
6		<input type="checkbox"/>	READ AND RETURN
		<input type="checkbox"/>	READ AND FILE
		<input type="checkbox"/>	NECESSARY ACTION
		<input type="checkbox"/>	INVESTIGATE
		<input type="checkbox"/>	RECOMMENDATION
		<input type="checkbox"/>	PREPARE REPLY

FROM: *Wynbauer*
DATE: *12/30*

REMARKS:
*Received this from
Handy Peck.
Chiskaskia*

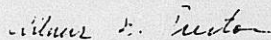
Please reverse for additional remarks

Mr. Robert H. Weimer, Regional Director
United States Department of the Interior
December 21, 1981
Page Two

If Wichita can't, or won't, make a decision in the near future, it may be necessary for Wellington to move in another direction, if possible. The City has forestalled solutions for over fifteen years already because of the Chikaskia project.

Your attention to these matters is appreciated.

Very truly yours,



Arthur B. Preston
City Manager

ABP/dh

cc: Mr. A. O. Peck, Project Director ✓
U.S. Dept. of Interior
Bureau of Reclamation
50 Penn Place, Suite 560
Oklahoma City, Oklahoma 73118

Mr. Dennis Foltz, Executive Director
Chikaskia Association of Local Governments
Pratt, Kansas

Mr. James D. Marsh, City Engineer
Wellington, Kansas

Chikaskia Dam Backed By Officials

By MICHAEL GINSBERG
Staff Writer

Local government and business leaders urged the federal government Tuesday to push for funding of the proposed Chikaskia dam near Corbin as a solution to Wichita's future water needs.

The endorsements, expressed at a public hearing on the \$246 million reservoir-pipeline project, carried no financial commitments for Wichita, which would have to fund the project. Several government officials said after the meeting that they want to keep the Chikaskia project alive as one of several water-source options.

"One of the things that's important about the Chikaskia project is that it's the most up to date and most closely studied," Doug Hahn, director of the Sedgewick County Department of Environmental Resources, said outside the meeting room.

"THE PRUDENT thing to do is to develop comparable information for the other alternatives, so you can make comparisons between them," said Hahn, who represented Sedgewick County commissioners at the hearing. "It would be equally imprudent to cast aside alternatives until you know what they are and whether or not others may be better or comparable."

In his statement to representatives of the federal bureau of reclamation, which had prepared the Chikaskia report, Hahn said the commissioners recommended the U.S. Interior Department "continue consideration of the project as a potential future water supply alternative."

Other officials, including representatives of the Metropolitan Planning Commission, the Central Plains Tri-County Planning Commission and the

(See CHIKASKIA, 1C, Col. 1)

Engle 12/9/81

Keep Options Open, Several Advise Chikaskia Dam Funding Urged By Officials, Business Leaders

● From Page 1C

Wichita Area Chamber of Commerce, also endorsed the project as an option to be considered.

BUT OPPONENTS of the project, including Wichita area environmentalists and residents of the proposed dam area, were more direct. They condemned the project on environmental, economic, social and moral grounds. "We oppose the project," said Tom Kneel of the Kansas Sierra Club. "We are for the river. We are for the people who live there. We are for the recreationists who use the river and all the people who will benefit from food production when times get tough in a few short decades . . ."

"It doesn't make sense to remove 17,000 acres of prime crop land."

Construction of the dam would replace the acreage and 14 miles of the Chikaskia River with a 12,000-acre

reservoir in the south central Kansas area. A 40-mile pipeline would pump enough water to double the city's daily water use capacity.

But Wichita officials also have been examining the possibility of forming a wholesale water district with other central Kansas cities to share the cost of building a pipeline to carry water from the M-10 reservoir near Junction City to the Kanopolis reservoir near Salina. The cost of either project, estimated at \$130 million to \$160 million, would be shared by the cities.

MAYOR BOB BROWN, who endorsed the Chikaskia project at the public hearing, said later that the city should "keep several options open."

Andy Peck, Oklahoma representative for the bureau of reclamation, said the city won't have to match its verbal commitment to the Chikaskia project with a monetary commitment for several years.

Comments from the Tuesday hear-

ing, along with comments from a hearing at 7:30 p.m. today at Caldwell High School, will be considered when a final environmental statement is completed, probably next April, Peck said. Interior Secretary James Watt will consider the public hearing comments, the impact statement and comments from the Kansas and Oklahoma governors when he decides whether to recommend that President Reagan endorse the project.

After other reviews, the project would have to be introduced as an authorization bill in Congress, Peck said. Authorization would take about two years, he said, to be followed by 2½ years of pre-construction work and ½ years of construction.

PECK SAID the city wouldn't have to sign any contracts until funding is established, which he said is several years away.

"Of course, without their support, it's not even going to get authorized," he said.

THE CITY OF WICHITA

RECEIVED

Lakin

DEC 8 1981

METROPOLITAN PLANNING

ROUTE

OFFICE OF THE MAYOR
CITY HALL - 3RD FLOOR
300 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 266-0311

December 8, 1981

Mr. Robert H. Weiner, Regional Director
Bureau of Reclamation, Southwest Region
U. S. Department of the Interior
Commerce Building
714 South Tyler - Suite 201
Amarillo, Texas 79101

Dear Mr. Weiner:

Thank you for submitting to us a draft copy of the environmental statement on the Chikaskia Project. We have reviewed the statement and we concur with its recommendations and conclusions.

We realize that we must begin now to plan for our next water supply if we are to insure our City's continued growth and prosperity. The Corbin Reservoir, with its excellent quality and adequate quantity, provides us with a strong alternative in our search to solve the water needs of our community. Your past assistance in this endeavor is most appreciated, and we welcome your continued effort on this project.

The City has had no better Federal partner than the Bureau of Reclamation. This partnership was responsible for the development and construction of Cheney Reservoir, which now supplies a major portion of our annual water requirements. I would be remiss if I did not convey to you our high regard for the people that make up the Bureau of Reclamation. It has been a pleasure working with you these many years.

After all testimony has been received and your report is finalized, we would urge that it be submitted as soon as possible to the Secretary of Interior for his review.

Sincerely,

Robert C. Brown
Mayor

RCB/b

WICHITA-SEDGWICK COUNTY

DATE 12/10/81

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Carl Eric Leivo, Principal Planner, Advance Plans Division
SUBJECT DECEMBER 9 CALDWELL, KANSAS PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL STATEMENT, CHIKASKIA PROJECT (CORBIN DAM)

Several hundred people attended the public hearing. The Caldwell High School Auditorium was filled with people. The audience applauded after each speaker and all the speakers opposed the Corbin Reservoir. With two exceptions, all the speakers were from Sumner County. I did not recognize anyone at the meeting from Wichita.

Arguments against the Corbin Reservoir were varied and are summarized below:

- 1) The project would devastate the agriculturally based economy at Caldwell.
- 2) Equus Beds irrigators should dry land farm which would allow Wichita to withdraw more water and save the farms in the Corbin area.
- 3) The shallow, silty, treeless, windy Corbin Reservoir would be a poor fishing and recreation site.
- 4) The population and per capita water use forecasts in the report are too high.
- 5) The project would change the rural lifestyle of the area.
- 6) Sumner County property tax receipts will be reduced by eight percent (\$159,000).
- 7) The Bureau of Reclamation is the only entity pushing the project because the Bureau's employees have nothing else to do.
- 8) There will be an increase in local crime when the Corbin Reservoir is opened for recreation purposes.
- 9) The Corbin Dam will be located in an earthquake hazard zone.
- 10) The Corbin Reservoir will divide the Caldwell School District and hurt the district's tax base.
- 11) The project would be a tax dollar giveaway by the Federal Government to Wichita.
- 12) There is not enough water in the Chikaskia River to irrigate one farm, let alone provide water for Wichita.

Willard L. Stockwell, Chief Planner -2-
DECEMBER 9 CALDWELL, KANSAS PUBLIC LIBRARY
ON THE DRAFT ENVIRONMENTAL STATEMENT, CHIKASKIA
PROJECT (CORBIN DAM)

December 10, 1981

- 13) Wichita should spend its money on water conservation and reclamation rather than dam building.
- 14) It does not make sense to flood 17,500 acres behind the dam to prevent flooding of 17,500 acres below the dam.

Of special note, the water superintendent and City Manager, Drake Rice, from Blackwell, OK testified at the hearing. They opposed the proposed Corbin Reservoir. They were concerned that the downstream flow in the Chikaskia River would not be enough to satisfy their future municipal and industrial water needs. They did not acknowledge potential flood control benefits of the project.

Wichita TV stations did not cover the meeting. I did not recognize any other members of the Wichita Press. There appeared to be several reporters there from newspapers in the Caldwell area.

To summarize, the public hearing, speakers and audience, were vociferously opposed to the proposed Corbin Reservoir. Those that spoke were almost entirely from Sumner County and represented a rural standpoint.



Carl Eric Leivo
Principal Planner

CEL:rh

cc: John Wynkoop, Director of Water
Art Woodman, Wichita Area Chamber of Commerce Water Resources Committee
Gerald Holman, Wichita Area Chamber of Commerce
James Gardner, II, Chairman, MAPC
Steve Martens, Chairman, Advance Plans Committee, MAPC

December 1, 1981

Mr. Robert H. Weiner, Regional Director
Bureau of Reclamation, Southwest Region
U.S. Department of the Interior
Commerce Building
714 S. Tyler, Suite 201
Amarillo, TX 79101

Dear Mr. Weiner:

Sedgwick County officials recently received copies of the Draft Environmental Statement, Chikaskia Project, Kansas-Oklahoma and the Feasibility Report, Chikaskia Project, Kansas-Oklahoma. Those two documents, which represent the most recent reports on what is known locally as the Corbin Reservoir Project, were reviewed and evaluated by Sedgwick County technical staff in preparation for the public hearing on the project, scheduled for December 8 in Wichita.

During the regular meeting of the Board of Sedgwick County Commissioners on December 2, 1981, the Commissioners adopted the following statement on the Chikaskia Project:

"Water supply needs in Sedgwick County, both for domestic and industrial use, are projected to increase significantly into the next century due to an increased population and increased industrial base in the Wichita Standard Metropolitan Statistical Area, which includes Sedgwick County. Such water needs will impact the smaller communities and rural areas of Sedgwick County as well as the City of Wichita. Local engineering, water supply, and environmental officials expect such water needs to exceed current sources of supply sometime during the 1990's. A water supply shortfall may exist even in the presence of local water conservation measures.

In the face of future water supply needs, the proposed Chikaskia Project represents a viable source of water for Sedgwick County residents

Mr. Robert H. Weiner
Page 2
December 1, 1981

and businesses during the latter part of this century and into the next century. The Board of Sedgwick County Commissioners recommends that the United States Department of the Interior continue consideration of the Chikaskia Project as a potential future water supply alternative for Sedgwick County, Kansas. Your consideration of our recommendation is appreciated."

Very truly yours,

Donald E. Gragg, Chairman
Board of Sedgwick County
Commissioners

Recreational Benefits - Corbin Reservoir

Existing Conditions

1. Free Flowing Stream -
14.7 miles; 183 acres
2. 25,600 acres subjected
to flooding; \$1 million
dollars damage per year
3. Narrow strip of vegetation
along stream corridor - "low
wildlife habitat value"
4. Lack of public access and use
5. 4958 pounds of stream orientated
fish species
6. 1260 private hunting man-days
per year

Corbin Reservoir

Reservoir - 12,600 acres
of surface water

47% decrease in average down-
stream flow; more stable
environment

8,500 acres plus marshes
at upper end of reservoir

28,590 acres converted from
private to public use

Additional 1,870,000 pounds
of fish species

550,000 initial annual visitor
days--increase to 650,000 in
ten years including:
80,675 fishing man-days
37,200 hunting man-days

WLS

HEARINGS ANNOUNCED ON CHIKASKIA ENVIRONMENTAL STATEMENT

Public hearings on a draft environmental statement on the proposed Chikaskia Project in south-central Kansas are scheduled in early December by the Bureau of Reclamation. Information will also be presented on the effect on wetlands and flood plains.

The City Commission Room in City Hall at Wichita, Kansas, will be the site for a hearing on Tuesday, December 8, and the Caldwell, Kansas, High School on Wednesday, December 9. Both meetings will start at 7:30 p.m.

The draft environmental statement presents alternatives for meeting the expanding municipal and industrial water needs of the City of Wichita and the surrounding area according to Robert H. Weimer, Regional Director of Reclamation's Southwest Region. The statement was filed with the Environmental Protection Agency on October 2, and written comments will be accepted until December 31.

Reclamation recommends Corbin dam and reservoir as the most viable of the several alternatives studied. Corbin dam would be located on the Chikaskia River in Sumner County, about 5 miles northeast of Caldwell. In addition to supplying municipal and industrial water, the project would provide flood protection, recreation opportunities, fish and wildlife enhancement, and some 8,500 acres of land for wildlife management by the State.

Oral statements at the hearings will be limited to 10 minutes and will be scheduled as requested by letter or telephone whenever possible. For additional information, you may contact the Bureau of Reclamation, Suite 201, 714 South Tyler Street, Amarillo, Texas, telephone 806-378-5400, extension 599.

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NOV 30 1981

METROPOLITAN PLANNING
ROUTE _____

STATEMENT CONCERNING THE DRAFT
ENVIRONMENTAL STATEMENT
CHISKASKIA PROJECT

I AM JIM GARDNER, CHAIRMAN OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION. ON NOVEMBER 19, 1981, THE COMMISSION REVIEWED THE STATEMENT AND AUTHORIZED ME TO MAKE THE FOLLOWING STATEMENT.

THE WICHITA METROPOLITAN AREA WILL NEED A THIRD MAJOR WATER SOURCE BY THE 1990s. IT IS RECOMMENDED IN THE WATER SUPPLY ELEMENT OF THE WICHITA-SEDGWICK COUNTY COMPREHENSIVE PLAN, THAT THIS THIRD SOURCE BE A SURFACE WATER SUPPLY. THE PROPOSED CORBIN RESERVOIR WOULD SUPPLY ADEQUATE AMOUNTS OF HIGH QUALITY WATER. THE NEGATIVE ENVIRONMENTAL, ECONOMIC AND SOCIAL IMPACTS IF THE WICHITA AREA WERE UNABLE TO SECURE A THIRD WATER SOURCE, OUTWEIGH THE ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT. THEREFORE, THE CORBIN RESERVOIR REMAINS A HIGH PRIORITY OPTION FOR MEETING THE FUTURE WATER NEEDS OF THE WICHITA AREA.

November 23, 1981

Mr. Robert H. Weiner, Regional Director
Bureau of Reclamation, Southwest Region
U.S. Department of the Interior
Commerce Building
714 S. Tyler, Suite 201
Amarillo, TX 79101

Mr. Weiner:

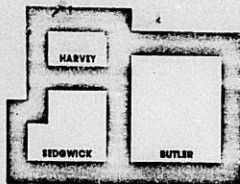
The Wichita-Sedgwick County Metropolitan Area Planning Commission reviewed the Draft Environmental Statement, Chikaskia Project at its meeting on November 19, 1981. The Commission authorized its Chairman to forward the following comments.

The Wichita metropolitan area will need a third major water supply source by the 1990s. It is recommended in the water supply element of the Wichita-Sedgwick County Comprehensive Plan that this third source be a surface water supply. The proposed Corbin Reservoir would supply adequate amounts of high quality water. The negative environmental, economic and social impacts if the Wichita area were unable to secure a third water source outweigh the environmental impacts of the proposed project. Therefore, the Corbin Reservoir remains an option for meeting the future water needs of the Wichita area.

Sincerely,

James Gardner, II
Chairman

JG:CEL:vn



**CENTRAL
PLAINS
TRI
COUNTY
PLANNING
COMMITTEE**

CITY HALL - TENTH FLOOR, 455 NORTH MAIN STREET, WICHITA, KANSAS 67202 (316) 268-4391

November 23, 1981

TO Central Plains Tri-County Planning Committee
FROM Robert A. Lakin, Secretary
SUBJECT DRAFT ENVIRONMENTAL STATEMENT--CHIKASKIA PROJECT

In accordance with the National Environmental Policy Act of 1969, A Draft Environmental Statement has been prepared for the Chikaskia Project (Corbin Reservoir). The Federal Bureau of Reclamation has requested comments on the Draft Environmental Statement from interested organizations.

Staff has reviewed the Statement and has come to the following conclusions:

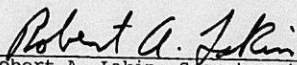
- The Wichita metropolitan area will need a third major water supply source by the 1990s.
- A surface water source is the best alternative for development of a long-range water supply.
- The proposed Corbin Reservoir would provide adequate amounts of high quality water.
- Major impacts of the proposal include the replacement of a natural streamside environment with a lake environment and the loss of 17,429 acres of farmland.
- The negative environmental, economic and social impacts if the Wichita area were unable to secure a third water source outweigh the environmental impacts of the proposed project.
- Corbin Reservoir remains a preeminent option for meeting the future water needs of the Wichita area.

The Draft Environmental Statement was reviewed by the Wichita-Sedgwick County Metropolitan Area Planning Commission on November 19, 1981. The MAPC favored retaining Corbin Reservoir as a water supply option (see attached).

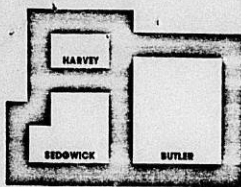
Page 2
November 23, 1981

The Bureau of Reclamation will hold public hearings on the Draft Environmental Statement on Tuesday, December 8, 1981, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, beginning at 7:30 p.m. and on Wednesday, December 9, 1981, at the High School, Caldwell, Kansas, beginning at 7:30 p.m.

ACTION: Authorize the CPTCPC Chairman to forward the attached written comments and also to appear and present these comments at the public hearing.


Robert A. Lakin, Secretary *wes*

RAL:CEL:vn



**CENTRAL
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COUNTY
PLANNING
COMMITTEE**

DRAFT COPY

CITY HALL - TENTH FLOOR, 455 NORTH MAIN STREET, WICHITA, KANSAS 67202 (316) 268-4391

November 23, 1981

Robert H. Weiner, Regional Director
Bureau of Reclamation, Southwest Region
U.S. Department of the Interior
Commerce Building
714 S. Tyler - Suite 201
Amarillo, TX 79101

Mr. Weiner:

Providing sufficient amounts of good quality water continues to be a major responsibility of local governments in the Tri-County area. When the City of Wichita makes an important decision regarding water supply, it effects the water supply decisions of surrounding county and municipal governments. Therefore, the Central Plains, Tri-County Planning Committee discussed the Draft Environmental Statement, Chikaskia Project at its December 7, 1981, meeting. The Committee approved the following statement.

If the Wichita urban areas grows as projected, an additional water source needs to be developed. The City of Wichita cannot withdraw more water from the Equus Beds than it is currently allocated. All cities and many farmers in Harvey County rely on the Equus Beds for water. This normally recharging aquifer may be depleted if more water is withdrawn than at present. In Butler County, significant development has occurred over the past ten years. Additionally, municipalities in the County have suffered severe water shortages. With the recent completion of the El Dorado Reservoir and agreements between Wichita and selected cities, substantial progress has been made toward solving water supply problems in Butler County. Considerable growth also has occurred in the cities surrounding Wichita in Sedgwick County. These communities either obtain water from private individual wells, or municipal wells. In some cases the quantity and/or quality of water from wells is deficient. If the Wichita urban area does not obtain a third major source of water, then the water supplies for Harvey County and solutions to water supply problems in Butler County would be threatened. It also would be more difficult to find answers to water supply problems in Sedgwick County.

DRAFT COPY

Page 2
November 23, 1981
Robert H. Weiner, Regional Director

The proposed Corbin Reservoir would provide adequate amounts of high quality water for the Wichita urban area. The project would consume agricultural land and replace a natural river environment with a lakeside environment. Yet, there would be severe impacts to the environment, agriculture, and communities in the Tri-County area if a third water source is not available for the Wichita urban area. Therefore, the Department of the Interior should continue to regard the Corbin Reservoir as a viable option for meeting the future water needs of the Wichita urban area.

Sincerely

Eldon Phillips, Chairman

EP:CEL:vn

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

November 23, 1981

Mr. Robert H. Weiner, Regional Director
Bureau of Reclamation, Southwest Region
U.S. Department of the Interior
Commerce Building
714 S. Tyler, Suite 201
Amarillo, TX 79101

Mr. Weiner:

The Wichita-Sedgwick County Metropolitan Area Planning Commission reviewed the Draft Environmental Statement, Chikaskia Project at its meeting on November 19, 1981. The Commission authorized its Chairman to forward the following comments.

The Wichita metropolitan area will need a third major water supply source by the 1990s. It is recommended in the water supply element of the Wichita-Sedgwick County Comprehensive Plan that this third source be a surface water supply. The proposed Corbin Reservoir would supply adequate amounts of high quality water. The negative environmental, economic and social impacts if the Wichita area were unable to secure a third water source outweigh the environmental impacts of the proposed project. Therefore, the Corbin Reservoir remains an option for meeting the future water needs of the Wichita area.

Sincerely,

James Gardner, II
Chairman

JG:CEL:vn

Any person who K.S.A. 82a-803, or 82a-810a, or 82a-814 or any mission shall be shall be subject ty dollars (\$50)

ates any provi-nd 82a-813 or lty of a misde- to a fine of not rs (\$100) or im- ed ninety (90)

, § 19; L. 1961, 98, § 11; Jan. 1,

nt from provi- of K.S.A. 82a-2a-810 shall not on lakes, ponds r leased and not

B, § 10; Jan. 1,

ts by commis- or tax purpose; n or before the te forestry, fish r furnish to the ty in this state a lresses of the ch county and issued therefor ere in effect on it shall be the of each county t the personal owners of such ancies between l property tax

§ 1; June 2.

unlawful acts; ll be unlawful in the streams ; in compliance y the forestry, it shall also be uba dive in any ate unless and h regulations

adopted by the forestry, fish and game commission. The term scuba diving shall include any person diving or submerging in a body of water with the aid of any mechanical diving or breathing device or suit.

History: L. 1967, ch. 514, § 1; L. 1969, ch. 481, § 1; July 1.

Cross References to Related Sections:

Spear fishing while skin and scuba diving, see 32-161a, 32-161b.

82a-822. Scuba diving; buoy required; description of flag; unlawful display. Any person scuba diving in a body of water in which motorboats are operated shall place a buoy in the water at or near the point of submergence. The buoy shall bear a red flag at least twenty-one (21) inches square with a red background and white diagonal stripe that is one-fifth ($\frac{1}{5}$) the width of the flag. The white stripe must run from the top of the hoist to the bottom of the flag. It is unlawful to display this flag when diving or spear fishing is not in progress.

History: L. 1967, ch. 514, § 2; L. 1969, ch. 481, § 2; July 1.

82a-823. Same; penalty for violation. Any person who violates any provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not to exceed fifty dollars (\$50).

History: L. 1967, ch. 514, § 3; July 1.

82a-824. Vessels required to be equipped with toilets designed for discharge in on-shore sewage treatment facilities when available. At such time as adequate on-shore facilities for receiving and treating marine sewage are available, as determined by the secretary of health and environment, no person shall operate, launch, moor, dock or use any vessel on the waters of the state, except as hereinafter provided, when said vessel has located on or in the vessel a marine toilet designed to or intended to discharge marine sewage to other than an on-shore receiving and treating facility operating under a valid permit as issued under the provisions of K.S.A. 1977 Supp. 65-165.

History: L. 1973, ch. 415, § 2; L. 1975, ch. 462, § 127; July 1.

82a-825. Leaving, placing or discharge of receptacles containing sewage into or near waters prohibited. It shall be unlawful

to place, leave, discharge or cause to be left, placed or discharged into or near the waters of this state any receptacle containing sewage, whether by the owner, operator or guest of a vessel.

History: L. 1973, ch. 415, § 3; July 1.

82a-826. Rules and regulations; operation of vessels registered in other states; inspection of vessels. The secretary of health and environment shall adopt such rules and regulations as are necessary to properly administer and enforce the provisions of K.S.A. 82a-824 to 82a-826, inclusive. The secretary in adopting rules and regulations shall provide that any vessel having lawful registration from other than the state of Kansas and having marine toilets designed or intended to discharge marine sewage to the waters of the state, may be operated, launched, moored, docked or used on the waters of the state, if such vessel is in compliance with all applicable state and federal marine toilet requirements applicable and associated with the vessel registration. All vessels located on waters of this state may be inspected at any time for the purpose of determining if such vessel is in compliance with this act, and the secretary or the designees of the secretary shall have all powers necessary to properly enforce such rules and regulations.

History: L. 1973, ch. 415, § 4; L. 1975, ch. 462, § 128; July 1.

82a-827. Violation of act; misdemeanor. Any violation of K.S.A. 82a-824, 82a-825 or 82a-826 shall constitute a class C misdemeanor.

History: L. 1973, ch. 415, § 5; July 1.

82a-828. Applications for license of vessels to indicate presence of approved toilet. On and after January 1, 1974, all applications for license or renewal application shall identify the presence of marine toilets constructed as required by this act; and the forestry, fish and game commission shall identify the presence of such toilets upon the certificate of number when issued to an applicant.

History: L. 1973, ch. 415, § 6; July 1.

Article 9.—STATE WATER PLAN

82a-901. Legislative declaration. It is hereby declared that: The welfare of the

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514, § 1; April 23.

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of § 4; Waters §§ 230,

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state water plan shall consider such plans, regulations, rules and recommendations as the state agencies and federal agencies concerned with the development of the water resources of the state shall have developed or promulgated.

History: L. 1963, ch. 514, § 3; L. 1975, ch. 462, § 129; July 1.

Research and Practice Aids:

Levees and Flood Control—3; Waters and Water Courses—180.

C.J.S. Levees and Flood Control § 4; Waters § 230.

82a-904. Same; requirements; recommendations; standards; development of water resources. The state water plan shall establish long-range goals and objectives for flood control and conservation, development, utilization and disposal of water based on careful consideration and estimate of the water resources of the state, and the present and projected water use and control needs of the people of the state. The plan shall state the recommendations of the board for the development of the water resources of the state, including the general location, character, and extent of such existing and proposed projects, programs, and facilities as are necessary or desirable in the judgment of the board to accomplish such goals and objectives. The plan shall specify standards for operation and management of such projects, programs, and facilities as are necessary or desirable. The plan shall be formulated and used for the general purpose of accomplishing a coordinated, balanced and harmonious development of the water resources of the state.

History: L. 1963, ch. 514, § 4; April 23.

Research and Practice Aids:

Hatcher's Digest, Waters § 6.

82a-905. Same; public hearings; notice; summary of proposed plan; records of hearings; plan to legislature. The board shall hold public hearings at some time or times during the last calendar quarter of each year, preceding the opening of each regular session, at such place or places as may be convenient to the area affected, to consider the state water plan or one or more sections thereof or amendments thereto, and to hear protests or petitions of all interested persons. Notice of such hearing shall be published at least twice prior to such hearing in the official state paper. The board

shall send, by United States mail, a reasonable notice of hearing to (1) such agencies of the state as have an interest in the development, regulation, administration, or control of the water resources of the state, (2) the county clerk of each county affected by the proposed plan, (3) the agencies of the federal government having an interest in water resources development, and (4) such persons, public or private, as have requested notification in writing from the board. In addition, the board may send notice of a scheduled hearing to any person or persons it deems proper. The board shall furnish a summary of the proposed plan to those persons it is required by law to notify of a public hearing and to such other persons as request a summary. The records of hearings shall be public records and open for inspection at the office of the board. The board shall give due consideration to the matters presented at such public hearing and shall then present the plan to the legislature. Provisions in this section concerning notice and summary shall be directive and not jurisdictional.

History: L. 1963, ch. 514, § 5; L. 1967, ch. 420, § 2; July 1.

Research and Practice Aids:

Administrative Law and Procedure—453, 470.

C.J.S. Public Administrative Bodies and Procedure § 130.

82a-906. Same; submission of plan or sections thereof to legislature and governor; plan effective upon enactment by legislature; rules and regulations. The board shall submit to the legislature and to the governor, the state water plan or any one or more sections thereof or amendments thereto and any revisions thereof which the board shall have formulated and adopted pursuant to this act. The plan shall be submitted to the legislature and the governor in odd-numbered years; and shall be completed and available at least ten (10) days prior to the convening of the legislature at which the plan is to be so submitted; and said board may submit plans at such other times as it deems appropriate. The plan, or any section or sections thereof or amendments or revisions thereof, formulated and adopted by the board pursuant to this act shall not become effective until after legislative enactment thereof. The provisions of this section shall not prohibit the board from adopting,

amending, or promulgating such reasonable procedural rules and regulations as it shall deem necessary for the achievement of purposes of this act.

History: L. 1963, ch. 514, § 6; L. 1967, ch. 420, § 3; L. 1974, ch. 451, § 1; July 1.

82a-907. Same; considerations in formulating plan. In formulating the state water plan the board shall consider and follow the policies stated in K.S.A. 82a-901. It shall also give consideration to the following:

(a) Maximum economic development of the water resources of the state for the benefit of the state as a whole.

(b) The benefits to be derived from development of reservoir sites for the combined purposes of flood control, water conservation and recreation.

(c) The safeguards to public health, aquatic and animal life established by K.S.A. 65-161 to 65-171f, inclusive, and acts amendatory thereof and supplemental thereto.

(d) Water development policies, whenever possible, consistent with the beneficial development of other natural resources.

(e) Local development of watershed conservation, when consistent with sound economic and engineering principles.

(f) The public health and general welfare of the people of the state.

(g) All appropriation and other rights to the use of water that exist under article 7 of chapter 82a of the Kansas Statutes Annotated, and acts amendatory thereof and supplemental thereto.

(h) Order of preference of uses in accordance with the provisions of K.S.A. 82a-707, and acts amendatory thereof or supplemental thereto, when proposed uses of water are in conflict with each other and when available supplies of water are insufficient for all desired uses.

(i) The interrelationship of ground water and surface water supplies and the effects of evapo-transpiration on water supply.

(j) Alternative programs, projects, and developments in the interest of effecting maximum water resource development.

(k) Means and methods for the protection of aquatic and other wildlife.

(l) The use of waters to augment the flow of surface streams for the support of aquatic

and other wildlife and to improve the water quality of the stream and to protect the public health.

(m) The inclusion of conservation storage in reservoir development and planning for the regulation of streamflow for the purpose of quality control, such inclusion not to serve as a substitute for methods of controlling wastes at their sources.

(n) The maintenance, preservation, and protection of the sovereignty of the state over all the waters within the state.

(o) Plans of public corporations prepared pursuant to any statutory authority.

(p) Plans and projects of river basin associations and governmental projects and purposes.

(q) Such other matters as the board deems proper or desirable.

History: L. 1963, ch. 514, § 7; April 23.

Research and Practice Aids:

Levees and Flood Control § 3; Waters and Water Courses § 180.

C.J.S. Levees and Flood Control § 4; Waters § 230.

82a-908. Same; action conflicting with state water plan enacted by legislature; notification requirements; approval or prohibition by board; protest by state agency; public hearing, when; copies of determination to interested parties; injunction proceedings. (a) After the enactment of the state water plan by the legislature, whenever any person proposes, approves, recommends or authorizes any action that may conflict with the state water plan as enacted by the legislature, that person may file with the board a notification of the proposed action. The notification shall contain a description of the proposed action, shall have such form and content as the board may direct, and shall constitute a public record in the office of the board from the time of its receipt in such office. The board, in accordance with the state water plan and procedural rules and regulations which shall be adopted by it, shall give such notification due consideration and either approve, conditionally approve or prohibit such action: *Provided*, If the board is of the opinion that the action does not or will not substantially affect the state water plan, no further action shall be taken on such notification, except to so notify the applicant.

(b) Any department or agency of the state or any public corporation may file a

protest against by any person conflict with t by the legislat proposed acti or prohibited l state departme tion involved view the prop

(c) When this act to gi review any act hold a public (10) days pri board shall gi state agencie known to be i clusion of suc termine the m termination interested station.

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protest against any action or proposed action by any person if the same is or may be in conflict with the state water plan as enacted by the legislature. Before any such action or proposed action is conditionally approved or prohibited by the board, it shall notify the state department, agency or public corporation involved that the board intends to review the proposed action.

(c) Whenever the board is required by this act to give notice of its intention to review any action or proposed action, it shall hold a public hearing thereon. At least ten (10) days prior to any such hearing, the board shall give written notice thereof to all state agencies and public corporations known to be interested therein. At the conclusion of such hearing the board shall determine the matter, and a copy of such determination shall be delivered to each interested state agency and public corporation.

(d) Upon the request of the board the attorney general of this state is authorized to institute appropriate proceedings in the name of the state of Kansas in any court of competent jurisdiction to enjoin any action or proposed action that in the opinion or determination of the board, conflicts with the state water plan as enacted by the legislature, or to enjoin any action or proposed action not consistent with the state water plan as enacted by the legislature.

History: L. 1963, ch. 514, § 8; April 23.

Research and Practice Aids: Waters and Water Courses=188(1). Hatcher's Digest, Waters § 6. C.J.S. Waters § 251.

* 82a-909. [Redacted] such public corporation has made application for approval of such financial assistance with the board in such form and manner as the board may require, which application each public corporation is hereby authorized to make, and (2) that such [Redacted] will confer general flood control benefits beyond the boundaries of such public corporation in excess of twenty percent of the total flood control benefits of [Redacted] and (3) that such works are contemplated in the state water plan, and (4) that such public corporation will need such financial assistance for actual expenditures during the fiscal year next following, and (5) that the legislature has appropriated funds for the payment of such sum. [Redacted] in amount equal to the total cost of such public corporation shall become actual and legally obligated to [Redacted] and easements, and rights-of-way for state water resource development works, multiplied by the ratio that the flood control benefits conferred beyond the boundaries of the public corporation bear to the total flood control benefits of the project. Such findings shall each be made at and in such manner as is provided by procedural rules and regulations which shall be adopted by the board.

(a) Any public corporation shall be eligible for state financial assistance for a part of the costs it becomes actually and legally obligated to pay for all lands, easements, and rights-of-way for the water development projects in the event the board shall find (2)

[Redacted] such public corporation has made application for approval of such financial assistance with the board in such form and manner as the board may require, which application each public corporation is hereby authorized to make, and (2) that such [Redacted] will confer general flood control benefits beyond the boundaries of such public corporation in excess of twenty percent of the total flood control benefits of [Redacted] and (3) that such works are contemplated in the state water plan, and (4) that such public corporation will need such financial assistance for actual expenditures during the fiscal year next following, and (5) that the legislature has appropriated funds for the payment of such sum. [Redacted] in amount equal to the total cost of such public corporation shall become actual and legally obligated to [Redacted] and easements, and rights-of-way for state water resource development works, multiplied by the ratio that the flood control benefits conferred beyond the boundaries of the public corporation bear to the total flood control benefits of the project. Such findings shall each be made at and in such manner as is provided by procedural rules and regulations which shall be adopted by the board.

(b) Any public corporation receiving financial assistance under this section shall apply those sums toward the satisfaction of the legal obligations for the specific lands, easements, and rights-of-way for which it receives them or toward the reimbursement of those accounts from which those legal obligations were satisfied, in whole or in part, and it shall return to the state any sums that are not in fact so applied. [Redacted] the costs of lands, easements, and rights-of-way under this section, the board shall not consider any costs which relate to land treatment measures not authorized by the federal aid for construction costs is granted pursuant to the watershed protection and flood prevention acts or pursuant to any other federal act.

History: L. 1963, ch. 514, § 9; April 23. Research and Practice Aids: Waters and Water Courses=188(2). C.J.S. Waters § 251 et seq.

82a-910. Same; recommendations to federal agencies as to future water supply storage; agreements with federal govern-

ment; petition concerning future water supply needs. (a) The board may recommend to any agency of the federal government the inclusion in any proposed or authorized federal project of any conservation storage features for water supply that the board expects will be needed within the state in the future for the achievement of the purposes of this act and the board may extend to and procure for any agency of the federal government reasonable assurances and evidence that such expected future demands for the use of such storage will be made within a period of time which will permit payment of the costs allocated to such purposes within the life of the project, if such assurances have been authorized by the state water plan as enacted by the legislature.

(b) When in addition to actions taken under the next preceding subsection the board shall find it necessary or desirable for the achievement of the purposes of this act, the board may enter into agreements with the federal government for the repayment of costs for the inclusion of any conservation storage features for water supply that the board expects will be needed within the state in the future for achievement of such purposes if such agreements have been authorized by the state water plan as enacted by the legislature.

(c) Any person wishing the board to make a recommendation for storage features for expected future water supply needs, as provided in subsection (a) above, may petition the board and show that (1) it has good reason to and does believe that it will have future needs for the use of the additional storage; (2) it will request the use of such storage by a time and for a duration that will permit it to pay out the costs allocated to such purposes within the life of the project; (3) it will be able to repay to the state the costs of the requested storage features; and (4) it will insure compliance with such maintenance and operational requirements in the use of the expected future water supply requested as the board shall direct for the achievement of the purposes of this act.

History: L. 1963, ch. 514, § 10; April 23.

Research and Practice Aids:
Waters and Water Courses—193.
C.J.S. Waters §§ 241, 257.

✦ **82a-911.** Same; board recommendations to legislature for inclusion in state

plan of storage features for water supply on federal projects; findings. In its discretion, either upon its own initiative or in response to a specific request, the board may submit to the legislature for inclusion in the state water plan, or for other appropriate action to the governor and the legislative coordinating council at such time as the boards shall deem advisable, recommendations for the inclusion at state expense in any proposed or authorized water development project of the federal government of any conservation storage features for water supply that in the opinion of the board will be needed within the state in the future to achieve the purposes of this act. Before making such recommendations the board shall find that (1) such recommended features are consistent with the state water plan;

(2) the recommended features will achieve or tend to achieve the purposes of this act;

(3) the federal government will not at its expense include those features for the purposes contemplated by the board under terms which would assure essential state control of the waters of the state or meeting of state objectives, which purposes may include maintenance and operational requirements in the use thereof that the board shall specify for achievement of the purposes of this act; and

(4) in the future some responsible person or persons will have needs for the use of all or a portion of the recommended conservation storage and that such person or persons will request the use thereof within a period of time which will permit them to pay out their proportionate share of the costs allocated to such needs within the life of the project.

History: L. 1963, ch. 514, § 11; April 23.

Research and Practice Aids:
Waters and Water Courses—180.
C.J.S. Waters § 230.

✦ **82a-912.** Same; recommendations for inclusions in state plan of storage features for water supply of public corporations; findings. In its discretion, either upon its own initiative or in response to a specific request, the board may submit to the legislature for inclusion in the state water plan, or for other appropriate action to the governor and the Kansas legislative council at

such time as the recommendatory expense in any project of any conservation storage features for water supply that in the opinion of the board will be needed within the state in the future to achieve the purposes of this act. Before making such recommendations the board shall find that (1) such recommended features are consistent with the state water plan;

(2) the recommended features will achieve or tend to achieve the purposes of this act;

(3) the federal government will not at its expense include those features for the purposes contemplated by the board under terms which would assure essential state control of the waters of the state or meeting of state objectives, which purposes may include maintenance and operational requirements in the use thereof that the board shall specify for achievement of the purposes of this act; and

(4) in the future some responsible person or persons will have needs for the use of all or a portion of the recommended conservation storage and that such person or persons will request the use thereof within a period of time which will permit them to pay out their proportionate share of the costs allocated to such needs within the life of the project.

(5) the federal government will not at its expense include those features for the purposes contemplated by the board under terms which would assure essential state control of the waters of the state or meeting of state objectives, which purposes may include maintenance and operational requirements in the use thereof that the board shall specify for achievement of the purposes of this act; and

(6) in the future some responsible person or persons will have needs for the use of all or a portion of the recommended conservation storage and that such person or persons will request the use thereof within a period of time which will permit them to pay out their proportionate share of the costs allocated to such needs within the life of the project.

History: L.

Research and Practice Aids:

Waters and Water Courses—180.

C.J.S. Waters § 230.

82a-913. Same; board recommendations to legislature for inclusion in state plan of storage features for water supply of public corporations; findings. In its discretion, either upon its own initiative or in response to a specific request, the board may submit to the legislature for inclusion in the state water plan, or for other appropriate action to the governor and the Kansas legislative council at

such time as the recommendatory expense in any project of any conservation storage features for water supply that in the opinion of the board will be needed within the state in the future to achieve the purposes of this act. Before making such recommendations the board shall find that (1) such recommended features are consistent with the state water plan;

(2) the recommended features will achieve or tend to achieve the purposes of this act;

(3) the federal government will not at its expense include those features for the purposes contemplated by the board under terms which would assure essential state control of the waters of the state or meeting of state objectives, which purposes may include maintenance and operational requirements in the use thereof that the board shall specify for achievement of the purposes of this act; and

(4) in the future some responsible person or persons will have needs for the use of all or a portion of the recommended conservation storage and that such person or persons will request the use thereof within a period of time which will permit them to pay out their proportionate share of the costs allocated to such needs within the life of the project.

(5) the federal government will not at its expense include those features for the purposes contemplated by the board under terms which would assure essential state control of the waters of the state or meeting of state objectives, which purposes may include maintenance and operational requirements in the use thereof that the board shall specify for achievement of the purposes of this act; and

(6) in the future some responsible person or persons will have needs for the use of all or a portion of the recommended conservation storage and that such person or persons will request the use thereof within a period of time which will permit them to pay out their proportionate share of the costs allocated to such needs within the life of the project.

History: L.

Research and Practice Aids:

Waters and Water Courses—180.

C.J.S. Waters § 230.

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each time as the board shall deem advisable, recommendations for the inclusion at state expense in any proposed water development project of any public corporation of any conservation storage features for water supply that in the opinion of the board will be needed within the state in the future to achieve the purposes of this act. Before making such recommendations the board shall find that (1) such recommended features are consistent with the state water plan;

(2) the recommended features will achieve or tend to achieve the purposes of this act;

(3) the federal government has not and will not, on satisfactory terms, extend financial aid for that portion of those features for which the board recommends financing;

(4) some public corporation has given reasonable assurances to the board that it will comply with such maintenance and operational requirements in the use of the additional conservation capacity as the board shall specify for the achievement of the purposes of this act; and

(5) in the future some responsible person or persons will have needs for the use of all or a portion of such conservation storage and such person or persons will request the use thereof within a period of time which will permit them to pay out their proportionate share of the costs allocated to such needs within the life of the project.

History: L. 1963, ch. 514, § 12; April 23.

Research and Practice Aids:
Waters and Water Courses—193.
C.J.S. Waters §§ 241, 257.

82a-913. Same; statement of state costs. When any recommendation is made pursuant to K.S.A. 82a-911 and 82a-912, the same shall include a statement of (1) the portion of the state costs for which the state does not anticipate repayment of its expenditures; and (2) the part of the state costs for which the state does anticipate repayment for its expenditures.

History: L. 1963, ch. 514, § 13; April 23.

82a-914.

History: L. 1963, ch. 514, § 14; Repealed, L. 1974, ch. 452, § 22; March 22.

82a-915. Same; contracts with federal government relative to release of water

from projects or reservoirs, when the board is hereby authorized to negotiate with the federal government relative to releases of water from projects or reservoirs and to enter into agreements with the federal government with respect to the operation of projects or reservoirs for the releases of water, if such agreements are authorized by the state water plan as enacted by the legislature.

History: L. 1963, ch. 514, § 15; April 23.

Research and Practice Aids:
Waters and Water Courses—183(1).
C.J.S. Waters §§ 228, 235.

82a-916, 82a-917.

History: L. 1963, ch. 514, §§ 16, 17; Repealed, L. 1974, ch. 452, § 22; March 22.

82a-918. Same; public corporations eligible for state financial assistance to make annual applications; findings of board; budget requests. The governing body of each public corporation eligible for state financial assistance under the provisions of this act shall make application for state payment each year to the board in such form and manner, as the board may prescribe by its rules and regulations. Each year the board shall determine what persons are eligible to receive financial assistance from the state, and the amounts thereof pursuant to this act. In the event the board shall determine that any such application, including the amounts thereof, is proper and in compliance with this act and is supported by a resolution as provided in K.S.A. 82a-919, the board may submit a request therefor, as a part of its annual budget requests and estimates. Each such request shall be separately stated and identified. The budget item for each project shall contain the name of the project, the name of the public corporation to which the item relates, the county or counties in which such public corporation is located, the identification of the agreement or resolution supporting the request, and the amount of state payment requested therefor.

History: L. 1963, ch. 514, § 18; L. 1967, ch. 515, § 1; July 1.

Research and Practice Aids:
Waters and Water Courses—188(2).
C.J.S. Waters § 251 et seq.

82a-919. Same; resolution by public corporation requesting state payments; requirements. In order that any public corporation eligible for state payments under

the provisions of this act may receive payment from the state, the governing body of the public corporation shall adopt and transmit to the board an appropriate resolution requesting the board to approve payment to the requesting body of a sum or sums to be named within the limits of and for the purposes defined in this act. The resolution shall show the total cost allocated to the requesting body for providing the lands, easements, and rights-of-way for the works of improvement of the said requesting body and shall pledge that all money received from the state under authority of this act will be applied solely to the purposes specified in this act.

History: L. 1963, ch. 514, § 19; April 23.

82a-920. Same; projected costs of water management projects. The board shall maintain in continuous process and revision tentative projected costs of water management projects for the coming years covering a total period of not less than twenty-five (25) years, which projected costs the board shall submit with its annual budget request. In preparing such projections, the board shall include all items for which payment is expected to be made from state funds.

History: L. 1963, ch. 514, § 20; April 23.

82a-921.

History: L. 1963, ch. 514, § 21; Repealed, L. 1974, ch. 452, § 22; March 22.

82a-922. Same; expenditures from appropriations for state water resources board procedure. All expenditures from appropriations for the state water resources board shall be made in accordance with the applicable appropriation act and directions of such board upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director or by a person or persons designated by him or her.

History: L. 1963, ch. 514, § 22; L. 1974, ch. 452, § 21; March 22.

Research and Practice Aids:

States=137.
C.J.S. States § 169.

82a-923. Same; rules and regulations. The board shall adopt, amend, promulgate, and enforce such rules and regulations as are necessary and proper to carry out the provi-

sions of this act. Such rules and regulations shall be filed in the office of the revisor of statutes as provided by law. The board may prepare and distribute, free or at cost, compilations of its rules and regulations.

History: L. 1963, ch. 514, § 23; April 23.

Research and Practice Aids:

Administrative Law and Procedure=386; Levees and Flood Control=3; Waters and Water Courses=202.
C.J.S. Public Administrative Bodies and Procedure § 94; Levees and Flood Control § 4; Waters § 280.

82a-924. Same; liberal construction.

This act shall be construed liberally to effectuate the purposes hereof, and the enumeration of specific powers in this act shall not operate to restrict the meaning of any general grant of power contained in this act or to exclude other powers comprehended in such general grant.

History: L. 1963, ch. 514, § 24; April 23.

Research and Practice Aids:

Levees and Flood Control=2; Waters and Water Courses=182.
C.J.S. Levees and Flood Control § 3; Waters § 226 et seq.

82a-925. Same; invalidity of part. If any clause, sentence, paragraph, section, or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and it shall be presumed that the legislature would have enacted this law with the omission of the section, subsection, or clause held to be invalid.

History: L. 1963, ch. 514, § 25; April 23.

Research and Practice Aids:

Statutes=64(2).
C.J.S. Statutes § 96 et seq.

82a-926. Same; name of act. This act shall be known as the "state water plan act."

History: L. 1963, ch. 514, § 26; April 23.

82a-927. State water plan; long-range goals. The long-range goals and objectives of the state of Kansas for flood control and conservation, development, and utilization and disposal of the waters of the state, are hereby declared to be:

- (1) The development, to meet the anticipated future needs of the people of the state,

of sufficient su-
poses that are c
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streamflow reg
and fish and
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of losses result
(3) the prot
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§ 24; April 23.

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25; April 23.

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of sufficient supplies of water for beneficial purposes, including but not limited to purposes that are domestic, stockwater, municipal, irrigation, agricultural, industrial, streamflow regulation, public recreational and fish and wildlife, water power, and navigation purposes;

(2) the reduction of damaging floods and of losses resulting from floods;

(3) the protection and the improvement of the quality of the water supplies of the state;

(4) the sound management, both public and private, of the atmospheric, surface, and ground water supplies of the state;

(5) the prevention of the waste of the water supplies of the state;

(6) the prevention of the pollution of the water supplies of the state;

(7) the efficient, economic distribution of the water supplies of the state; and

(8) the sound coordination of the development of the water resources of the state with the development of the other resources of the state.

History: L. 1965, ch. 558, § 1; May 12.

(A) **82a-928.** Same; listing of general goals and objectives. The general goals and objectives of the state of Kansas that are deemed desirable for the achievement of the purposes set forth in K.S.A. 82a-927, and that shall serve as guides for all agencies of the state relative to their responsibilities with respect to the water resources of the state whenever physical and economic conditions permit, are hereby declared to be:

(1) The inclusion of 19,000,000 acres of land in the state within watershed programs;

(2) the design of proposed levees and dikes so as to reduce flood risks in agricultural areas to a chance of occurrence in any one year of 10 percent or less;

(3) the design of proposed levees and dikes so as to reduce flood risks in urban areas to a chance of occurrence in any one year of one percent or less;

(4) the design of proposed storage structures for the protection of agricultural areas so as to provide sufficient capacity to control the volume of a flood having a chance of occurrence in any one year of four percent or less;

(5) the design of proposed storage structures for the protection of urban areas to

provide sufficient capacity to control the volume of a flood having a chance of occurrence in any one year of two percent or less;

(6) the development by 1975 of at least an additional 185,000 acre-feet of water to meet the increasing annual needs of Kansas municipalities;

(7) the development by 1975 of at least an additional 750,000 acre-feet of water to meet the increasing annual needs of Kansas industries;

(8) the development by 1975 of at least an additional 1,900,000 acre-feet of water to meet the increased annual needs of Kansas irrigators;

(9) the development of adequate water supplies for small communities and rural users;

(10) the achievement of the drinking water standards of 1962 of the U.S. public health service as to bacterial, chemical, and physical quality characteristics for public water supplies;

(11) the maintenance of the quality of water in watercourses within the state so that (a) the dissolved oxygen never falls below five milligrams per liter (mg/l) for more than eight hours in any 24-hour period and never falls below three milligrams per liter (mg/l) at any time, (b) the maximum water temperature each day during the summer months does not exceed 95 degrees Fahrenheit (95°F.), (c) neither the chlorides nor the sulfates exceed 250 milligrams per liter (mg/l) for more than one day in any 30-day period;

(12) the development of irrigation waters in such a manner so that (a) the sodium-adsorption ratio does not exceed 15, (b) the specific conductance does not exceed 750 micromhos;

(13) the plugging of abandoned wells and control of seepage areas through which mineralized waters pollute supplies of usable surface and underground waters;

(14) the disposal of all brines in a manner such that they will not pollute supplies of usable surface or underground waters;

(15) the reasonable freedom of watercourses from toxic substances and oils;

(16) the proper treatment and release of sewage and industrial wastes in accordance with the assimilation capacities of those watercourses into which wastes are discharged; and,

(17) the inclusion in publicly financed structures for the development, conservation, control, or management of the water resources of the state of reasonable amounts of storage capacity for the regulation of the low flows of the watercourses of the state.

History: L. 1965, ch. 558, § 2; May 12.

82a-929. Same; state responsibility for water. The state of Kansas hereby recognizes its responsibility and jurisdiction to protect, conserve, and control all waters affecting the people of the state, including those waters impounded in projects constructed pursuant to programs of the federal government.

History: L. 1965, ch. 558, § 3; May 12.

82a-930. Same; state responsibility to manage water conservation. The state of Kansas hereby recognizes its responsibility and jurisdiction to operate and to manage those water conservation features financed by the state, and it recognizes its duty to fulfill its responsibility and to exercise its jurisdiction through either direct action or contractual delegation and in accordance with any agreements made between the state and any operating person or agency: *Provided, however,* That the provisions of this section shall not be deemed to apply to flood control features.

History: L. 1965, ch. 558, § 4; May 12.

* **82a-931.** Same; intergovernmental coordination of planning. As a matter of basic policy concerning the water resources of the state, the state of Kansas hereby declares its intention to coordinate state planning with local and national planning and, in safeguarding the interests of the state and its people, to undertake the resolution of any conflicts that may arise between the water policies, plans, and projects of the federal government and the water policies, plans, and projects of the state and its people.

History: L. 1965, ch. 558, § 5; May 12.

* **82a-932.** Same; water resources board to negotiate with federal government, when. The Kansas water resources board shall enter into negotiations and agreements with the federal government relative to the operation of, or the release of water from, any project that has been authorized or constructed by the federal government when the board shall deem such negotiations and agreements to be necessary for the achieve-

ment of the policies of the state of Kansas relative to the water resources thereof.

History: L. 1965, ch. 558, § 6; May 12.

82a-933. Same; providing evidence of need to include storage features. The Kansas water resources board may provide evidence of need to any agency of the federal government relative to the inclusion in any proposed or authorized water resource project of any conservation storage features for water supply that the board anticipates will be needed in the future.

History: L. 1965, ch. 558, § 7; May 12.

* **82a-934.** Same; agreements with federal government to pay for conservation storage features for water supply; limitations; reimbursement cost may include payment to third parties, exceptions. The provisions of K.S.A. 46-901 shall not apply to any agreement made under this section. The Kansas water resources board, on behalf of the state, shall enter into negotiations and agreements with the federal government relative to the inclusion of, and the payment for, conservation storage features for water supply in any project that has been planned, authorized or constructed by the federal government when the board shall deem such negotiations and agreements to be necessary for the achievement of the policies of the state of Kansas relative to the water resources thereof: *Provided, however,* Such agreements shall be binding upon the state to the extent that future appropriations are made in support thereof. Subject to the foregoing proviso, any agreement made under this section may provide that a portion of the reimbursement cost shall include any payment made by the United States to third parties as a result of the finding of liability by a court of competent jurisdiction or by settlement arising out of the use of the water storage space and the release therefrom, except that no reimbursement shall be made to the extent that the liability arises from the sole fault of the United States.

History: L. 1965, ch. 558, § 8; L. 1973, ch. 416, § 1; May 2.

82a-935 to 82a-937.

History: L. 1965, ch. 558, §§ 9 to 11; Repealed, L. 1974, ch. 452, § 22; March 22.

82a-938. State water plan; major reservoirs. The projects and data listed in the

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Name	V
Big Hill	B
Cedar Bluff	S
Cedar Point	C
Cheney	N
Clinton	W
Council Grove	N
Douglas	L
El Dorado	E
Elk City	E
Fall River	F
Fort Scott	M
Garnett	M
Glen Elder	M
Grove	S
Hilldale	B
John Redmond	N
Kanopolis	S
Kendall	A
Kiowa	N
Lawrence	V
Marion	C
Melvern	M
Millford	R
Norton	P
Onaga	V
Perry	E
Pomona	I
Tonawanda	V
Towanda	W
Tuttle Creek	B
Webster	S
Wilson	S
Wolf-Coffee	V
Creek	

1--Flood Control
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History: L. 1
ch. 516, § 1; L
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following table, identified as Table—
MAJOR RESERVOIRS IN KANSAS, are
hereby made a part of the state water plan.
With respect to the project "Grove" on the
Soldier Creek watercourse, the board shall
enter into no agreement under K.S.A. 82a-
910 or any other statute for repayment in an
amount greater than is contracted to be paid
by public corporations and industrial water
users. The board shall not provide assur-
ances for said Grove project in violation of

the foregoing limitation. No agreement
under K.S.A. 82a-934 relating to said Grove
project shall provide for any payment by the
state of Kansas in excess of amounts re-
ceived for such project from municipal cor-
porations and industrial users. With respect
to the project "Kendall," on the Arkansas
River, the board shall enter into no agree-
ment under K.S.A. 82a-910 or any other
statute for repayment of any costs by the
state.

TABLE—MAJOR RESERVOIRS IN KANSAS

Name	Watercourse	Actual or estimated completion date	County	Long-range storage allocations (1,000 acre-feet)			Long Range Yield (Million Gallons/Day)	Long-range purpose of project
				Flood control	Conservation and sediment	Total		
Big Hill	Big Hill Creek	1980	Labette	12.7	27.9	40.6	7.1	1,2,4,5
Cedar Bluff	Smoky Hill River	1951	Trigo	191.9	185.1	377.0	23.7	1,2,4,5
Cedar Point	Cedar Creek		Chase and Marion					1,2,4,5
Cheney	North Fork Ninnesbush River	1965	Settling, Kingman and Reno	50.5	162.8	243.3	33.0	1,2,5
Clinton	Wakarusa River	1979	Douglas and Shawnee	258.3	138.9	397.2	23.3	1,2,4,5
Council Grove	Neosho River	1964	Morris	62.1	51.9	114.0	9.7	1,2,4,5
Douglas	Little Walnut River		Butler					1,2,4,5
El Dorado	East Branch Walnut River	1977	Butler	79.2	157.0	236.2	20.8	1,2,4,5
Elk City	Elk River	1966	Montgomery	230.7	60.3	291.0	28.4	1,2,4,5
Fall River	Fall River	1949	Greenwood	235.1	23.9	259.0	10.0	1,2,4,5
Fort Scott	Marmaton River	1980	Bourbon					1,2,4,5
Garnett	Pottawatomie Creek	1966	Anderson and Franklin					1,2,4,5
Glen Elder	Solomon River	1969	Mitchell and Osborne	722.3	241.5	963.8	59.8	1,2,3,4,5
Grove	Soldier Creek	1982	Shawnee and Jackson					1,2,4,5
Hillsdale	Big Bull Creek	1981	Miami	81.0	79.0	160.0	22.3	1,2,4,5
John Redmond	Neosho River	1964	Colfax and Lyon	531.3	113.5	644.8	47.2	1,2,4,5
Kanopolis	Smoky Hill River	1948	Ellsworth	234.5	215.5	450.0	56.8	1,2,3,4,5
Kendall	Arkansas River		Hamilton					1,2,4,5
Kirwin	North Fork Solomon River	1955	Phillips	215.1	99.4	314.5	25.9	1,3,5
Lowell	White Rock Creek	1957	Jewell	50.5	41.7	92.2	11.4	1,3,5
Marion	Cottonwood River	1968	Marion	59.8	96.6	146.5	12.3	1,2,4,5
Melvern	Marais des Cygnes River	1974	Osage	200.0	167.0	367.0	27.9	1,2,4,5
Milford	Republican River	1967	Geary, Dickinson, Riley and Clay	700.0	460.0	1,160.0	128.6	1,2,4,5
Norton	Patrick Dog Creek	1965	Norton	98.8	35.9	134.7	9.7	1,2,4,5
Osage	Vernillion Creek		Pottawatomie					1,2,4,5
Perry	Delaware	1969	Jefferson and Atchison	480.0	260.0	740.0	79.5	1,2,4,5,6
Ponoma	110-Mile Creek	1963	Osage	162.5	84.0	246.5	14.2	1,2,4,5
Tonawanda	Vergennes River	1960	Woodson and Greenwood	172.0	23.3	195.3	9.9	1,2,4,5
Towanda	Whitewater River							1,2,4,5
Tuttle Creek	Blue River	1963	Riley, Marshall and Pottawatomie	1,933.0	413.0	2,346.0	226.2	1,2,4,5,6
Webster	South Fork Solomon River	1956	Bucks	183.4	77.3	260.7	17.3	1,3,5
Wilson	Saline River							1,2,3,4,5,6
Wolf-Coffee Creek	Wolf Creek	1965	Russell and Lincoln Johnson	510.0	265.0	775.0	55.8	1,2,3,4,5,6

1—Flood Control

2—Municipal and industrial

3—Irrigation

4—Streamflow regulation

5—Recreation, fish and wildlife

6—Navigation

History: L. 1965, ch. 558, § 12; L. 1967, ch. 516, § 1; L. 1969, ch. 482, § 1; L. 1971, ch. 334, § 1; L. 1974, ch. 453, § 1; L. 1976, ch. 439, § 1; L. 1977, ch. 357, § 1; July 1.

82a-939. Same; watershed projects. The programs and data listed in the following table, identified as TABLE—WATERSHED PROJECTS, are hereby made a part of the state water plan.

TABLE—WATERSHED PROJECTS

Name	District No.	County	Actual or estimated completion date	Long-range storage allocations (acre-feet per annum)			Long-range purpose of project
				Flood Control	Conservation and Sediment	Total	
Walnut Creek	1	Brown	1968	8,613	2,329	11,142	0 1
Cimarron	3	Gray	1960	523	189	712	0 1

82a-939

WATERS AND WATERCOURSES

TABLE—WATERSHED PROJECTS—Continued

Name	District No.*	County	Actual or estimated completion date	Flood Control	Conservation and Sediment	Total	Long range yield (acre-feet per annum)	Long range purpose of project
Little Delaware-Mission	5*	Brown and Atchison	1970	1,940	890	2,830	0	1
Thompsonville	6	Jefferson	1960	440	144	584	0	1
Nemaha-Brown	7	Nemaha and Brown	1962	...	...	...	0	1
Andale	9	Franklin	1975	2,198	304	2,502	0	1
Delaware	10	Atchison, Jackson, Jefferson and Nemaha	1964*	1,584*	642*	2,226*	0	1
Humboldt	12	Gray and Morris	...	...	...	...	0	1
Five Creeks	13	Clay and Cloud	1962	...	...	...	0	1
Grant-Shanghai	14	Chautauqua	1972	2,207	762	2,969	0	1
Bee Creek	15*	Chautauqua and Montgomery	1970	8,215	1,219	9,434	0	1
Spring Creek	16	Sedgewick	1975	3,071	1,142	4,213	0	1
Cherry-Plum Creeks	17	Allen and Woodson	1960	...	...	...	0	1
Little Walnut-Hickory	18	Butler and Greenwood	1971	17,075	2,647	19,722	0	1
Frog Creek	19	Coffey and Chase	1971	3,565	1,075	4,641	0	1
Fall River	21	Greenwood and Butler	1971	42,741	10,661	53,402	1,090	1, 2
Whitewater River	22	Butler, Harvey, Marion and Sedgewick	1978	31,736	6,578	38,314	0	1, 5
Upper Verdigris	24	Lyon and Greenwood	1972	32,037	8,915	40,952	110	1, 2, 5
Silver Creek	25	Chase	1967	2,514	303	2,817	0	1
White Clay, Brewery	26	Atchison	1965	4,548	1,991	6,539	0	1
Muddy Creek	27	Butler	1968	5,138	1,032	6,169	0	1
Rock Creek	28	Butler and Cowley	1976	14,231	2,831	17,062	0	1
Peanut Creek	29	Nemaha	...	...	...	...	0	1
Clear Creek	30	Sedgewick	...	...	...	...	0	1
Big Caney	31	Chautauqua, Cowley and Elk	1972	33,429*	7,509*	40,937*	0	1
Turkey Creek	32	Dickinson and Marion	1973	12,407	2,493	14,900	0	1
Upper Walnut River	33	Butler and Chase	1978	26,721	4,629	31,350	0	1
Twin Caney	34	Chautauqua, Elk and Montgomery	1973	35,677	16,019	51,696	645	1, 2, 5
Wakarusa	35	Douglas, Osage, Shawnee and Wauzabuse	1977	29,227	10,872	40,099	110	1, 2, 5
Upper Black Vermillion	37	Marshall and Nemaha	1976	31,996	14,575	46,571	78	1, 2, 5
Timber Creek	38	Butler and Cowley	1975	19,334	23,832	43,166	3,700	1, 2, 5
Goose Creek	40	Kingman and Reno	...	...	...	...	0	1
Lyon's Creek	41	Dickinson, Gray, Marion and Morris	1978	17,655	9,094	26,749	0	1, 2, 5
Cross Creek	42	Jackson, Pottawatomie and Shawnee	1977	14,797	3,159	17,956	0	1
Spillman Creek	43	Lincoln, Mitchell, Osborne and Russell	1975	13,700	4,700	18,400	0	1
Lost Creek	44*	Lincoln	1960	717	180	897	0	1
Rock Creek	45	Pottawatomie	1960	...	...	...	0	1
Salt Creek	46	Lincoln, Mitchell and Ottawa	1976	25,490	7,448	32,938	0	1
Elk River	47	Butler, Chautauqua, Greenwood, Elk and Wilson	1976	50,253	12,942	63,195	0	1
Big Creek	48	Coffey, Greenwood, Lyon and Woodson	1977	...	...	...	0	1
Lakin	49	Kearny	1970	2,598	455	3,053	0	1
Middle Creek	50	Linn and Miami	1977	...	...	...	0	1
Mission Creek	51	Marshall	1973	2,054*	797*	2,851*	0	1
Mt. Hope	54	Reno and Sedgewick	1978	3,291	322	3,613	0	1
Deer Creek	55	Allen and Anderson	1980	...	...	...	0	1
Cedar Creek	56	Neskeo and Wilson	1976	...	...	...	0	1
Dry Creek	57	Clay, Cloud, Republic and Washington	1976	...	...	...	0	1
Wet Walnut	58	Barton, Lane, Ness, Pawnee, Rush and Scott	1980	...	...	...	0	1, 2, 3, 5
Duck Creek	59	Elk, Montgomery and Wilson	1977	4,497	606	5,103	0	1
Middle Walnut	60	Butler, Cowley, Sedgewick and Sumner	1980	...	...	...	0	1
Diamond	61	Chase and Morris	1980	...	...	...	0	1
Middle Creek	62	Chase, Marion and Morris	1980	...	...	...	0	1
Switzer	63*	Osage	1960	2,851	545	3,396	0	1
Ark Tributaries	64	Cowley	...	...	...	...	0	1
Wolf River	65	Brown, Atchison and Doniphan	1980	...	...	...	0	1
Fisher and Criss Creeks	67	Cloud	...	...	...	...	0	1, 5
Sand Creek	68	Marion and Harvey	1976	...	...	...	0	1, 5

Name

Snake Creek
Vermillion Creek
Payton Creek
Walnut West
Roy's Creek
South ForkEagle Creek
Pony CreekSpring Creek
Pawnee RiverTany Creek
Oter Creek
Rock CreekMill Creek
Doyle Creek
James DrawAllen Creek
Potawatonic Creek

Grouse-Silver Creeks

Long-Scott Creeks
Jacobs-Phenis Creeks
Upper Little Arkansas River
Labette and Hackberry Creeks
Cedar Creek
Mill Creeka. Organized under K. S. A.
b. Nebo Creek, a subdistrict
c. Kansas portion.* Pilot watershed.
1—Flood Control
2—Municipal and IndustrialHistory: L. 1906
ch. 516, § 2; L. 1907
ch. 334, § 2; L. 1908
ch. 357, § 2; July 1908

82a-940. Sanitation and programs. It is the policy of the station of the project herein as a part of the project not be deemed to be planning, development or management of not listed: Provisional program is not in water plan.

History: L. 1906
82a-941. Sanitation research related hereby declared to

TABLE—WATERSHED PROJECTS—Concluded

Total	Long-range yield (acre-feet per annum)	Long-range purpose of project	Name	District No.*	County	Actual or estimated completion date	Flood Control	Conservation and Sediment	Total	Long-range yield (acre-feet per annum)	Long-range purpose of project
830	0	1	Saige Creek	69*	Marshall	1956	606	105	891	0	1
554	0	1	Vermillion Creek	70	Marshall	...	...	...	...	0	1
...	0	1	Payton Creek	71	Chase	...	...	...	...	0	1
502	0	1	Walnut-West	72	Greenwood	1960	...	...	...	0	1
236 ^b	0	1	Boy's Creek	75	Brown	1960	...	...	...	0	1
...	0	1	South Fork	76	Butler, Chase and Greenwood	1960	...	...	...	0	1
...	0	1	Eagle Creek	77	Lyon	...	...	...	...	0	1
...	0	1	Pony Creek	78	Brown, Nemaha, Kansas and Richardson, Nebraska	1960	...	...	...	0	1
134	0	1	Spring Creek	80	Marshall	...	...	...	...	0	1
113	0	1	Pawnee River	81	Edwards, Finney, Ford, Gray, Hodgeman, Lane, Ness, Pawnee and Rush	...	...	...	...	0	1
...	0	1	Tasy Creek	82	Douglas and Franklin	...	...	...	...	0	1
94	1,000	1, 2	Oter Creek	83	Greenwood and El	...	...	...	...	1,000	1, 2
...	1	5	Rock Creek	84	Morris, Lyon and Wabaunsee	...	...	...	...	1	5
...	0	1	Mill Creek	85	Wabaunsee, Riley, Geary and Morris	...	...	...	...	0	1
...	0	1	Doyle Creek	86	Harvey and Marion	...	...	...	...	0	1
...	0	1	James Draw	87	Greeley, Wichita, Hamilton, Kearny and Finney	...	...	...	...	0	1
...	0	1	Allen Creek	89	Lyon	...	...	...	...	0	1
...	0	1	Pottawatomie Creek	90	Coffey, Franklin, Linn, Miami and Anderson	...	...	...	...	0	1
...	0	1	Crouse-Silver Creeks	92	Elk, Butler and Cowley	...	...	...	...	0	1
645	1, 2, 5		Long-Scott Creeks	93	Coffey	...	...	...	...	1, 2, 5	
...	1, 2, 5		Jacks-Pharis Creeks	94	Lyon and Chase	...	...	...	...	1, 2, 5	
...	78	1, 2, 3	Upper Little Arkansas River	95	Ellsworth, Rice, McPherson and Reno	...	...	...	...	78	1, 2, 3
...	3,700	1, 2, 5	Labette and Hackberry Creeks	96	Labette and Neosho	...	...	...	...	3,700	1, 2, 5
...	1	2, 5	Cedar Creek	97	Woodson and Greenwood	...	...	...	...	1	2, 5
...	0	1	Mill Creek	98	Bourbon	...	...	...	...	0	1

a. Organized under K. S. A., Chapter 24, Article 12.
 b. Neho Creek, a subdistrict of Delaware Watershed Joint District 10.
 c. Kansas portion.
 * Pilot watershed.
 1—Flood Control
 2—Municipal and industrial
 3—Irrigation use
 4—Streamflow regulation
 5—Recreation, fish and wildlife
 6—Navigation

History: L. 1965, ch. 558, § 13; L. 1967, ch. 516, § 2; L. 1969, ch. 482, § 2; L. 1971, ch. 334, § 2; L. 1974, ch. 453, § 2; L. 1977, ch. 357, § 2; July 1.

82a-940. Same; additional projects and programs. It is hereby declared to be a policy of the state of Kansas that the inclusion of the projects and programs listed herein as a part of the state water plan shall not be deemed to preclude the investigation, planning, development, control, operation or management of any project or program not listed: *Provided*, That such project of program is not inconsistent with the state water plan.

History: L. 1965, ch. 558, § 14; May 12.

82a-941. Same; agencies to perform research related to water resources. It is hereby declared to be a policy of the state of

Kansas that all agencies of the state having responsibilities affecting the water resources of the state shall, insofar as circumstances permit, carry on basic data collection, research, and analyses concerning climate, streamflow, water quality, groundwater levels, character and geographical extent of groundwater reservoirs and their relation to both surface and underground waters, interrelation of surface and groundwaters, methods and techniques for recharging groundwater reservoirs, probable yields from surface and groundwater reservoirs, seepage and evapotranspiration losses, and such other matters that relate to the water resources of the state, and those agencies shall direct their attention to the problems of water distribution, quality, pollution, supply variability, floods, and supply in relation to demand.

History: L. 1965, ch. 558, § 15; May 12.

82a-942. Same; United States powers not affected. Nothing in this act shall be deemed as an addition to, or an impairment of, any rights, powers, or jurisdiction of the United States, or those acting by or under its authority, with respect to the water resources of the state.

History: L. 1965, ch. 558, § 16; May 12.

82a-943. Same; liberal construction of act. This act shall be construed liberally to effectuate the purposes hereof.

History: L. 1965, ch. 558, § 17; May 12.

82a-944. Same; severability. If any clause, sentence, paragraph, section, or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been entered, and it shall be presumed that the legislature would have enacted this law with the omission of the section, subsection, or clause held to be invalid.

History: L. 1965, ch. 558, § 18; May 12.

82a-945. Same; definitions. The following words when used in this act, shall have the meaning ascribed in this section, except where the context clearly indicates a different meaning:

(a) "Person" means and includes a natural person, partnership, organization, association, private corporation, public corporation, any taxing district or political subdivision of the state, and any department or agency of the state or federal government.

(b) "Federal government" means the United States of America or any department or agency thereof.

History: L. 1965, ch. 558, § 19; May 12.

82a-946. Same; title. This act shall be known and may be cited as the "state water plan."

History: L. 1965, ch. 558, § 20; May 12.

Article 10.—GROUNDWATER MANAGEMENT DISTRICTS

82a-1001 to 82a-1019.

History: L. 1968, ch. 403, §§ 1 to 19; Repealed, L. 1972, ch. 386, § 17; July 1.

82a-1020. Legislative declaration. It is hereby recognized that a need exists for

creation of special districts for the proper management of the groundwater resources of the state; for the conservation of groundwater resources; for the prevention of economic deterioration; for associated endeavors within the state of Kansas through the stabilization of agriculture; and to secure for Kansas the benefit of its fertile soils and favorable location with respect to national and world markets. It is the policy of this act to preserve basic water use doctrine and to establish the right of local water users to determine their destiny with respect to the use of the groundwater insofar as it does not conflict with the basic laws and policies of the state of Kansas. It is, therefore, declared that in the public interest it is necessary and advisable to permit the establishment of groundwater management districts.

History: L. 1972, ch. 386, § 1; July 1.

Law Review and Bar Journal References:

Mentioned in note on the water depletion deduction in Kansas, 25 K. L. R. 453, 460 (1977).

82a-1021. Definitions. The following terms when used in this act shall have the limitations and meanings respectively ascribed to them in this section:

(a) "Aquifer" means any geological formation capable of yielding water in sufficient quantities that it can be extracted for beneficial purposes.

(b) "Board" means the board of directors constituting the governing body of a groundwater management district.

(c) "Chief engineer" means the chief engineer of the division of water resources of the Kansas state board of agriculture.

(d) "District" means a contiguous area which overlies one or more aquifers, together with any area in between, which is organized for groundwater management purposes under this act and acts amendatory thereof or supplemental thereto.

(e) "Eligible voter" means any person who is a landowner or a water user as defined in this act except as hereafter qualified. Every natural person of the age of eighteen (18) years or upward shall be an eligible voter of a district under this act if (1) he or she is a landowner who owns, of record, any land, or any interest in land, comprising forty (40) or more contiguous acres located within the boundaries of the district and not within the corporate limits of any municipality, or (2) he or she withdraws or uses groundwater from within the boundaries of the district in an amount of one acre-foot or more per year.

Except as is public or private eligible voter or either (1) if it is record any land comprised of five acres located within the district and not of any municipality within the district foot or more per

Each tract of contiguous acre withdrawn or acre-foot or more sent by but a land is held by years, under co owner shall be less the parties i the land is held majority in into natural person entitled to vote. E entitled to cast authorized to ac for estates, trus porations or pr cast one vote fe pality, or publi represented. N strued to autho

Any landown may have his or district assessn his or her right serving a writte sion with the board. Such a l an eligible vote by serving a w the board statin be reinstated district and wi sements.

Any eligible water user as d the owner of a pricing not less acres in area, l of the district, used or from w drawn, may ha on or from whi drawn, exclude the manner de

MAPC Will Support Corbin Reservoir Planning

The proposed Corbin reservoir remains a possible solution to Wichita's future water needs, members of the Metropolitan Area Planning Commission said Thursday.

On a unanimous vote, they endorsed continued study of the Corbin reservoir plan, which calls for building a dam on the Chikaskia River near Corbin, in south-central Sumner County.

The endorsement will be submitted at public hearings next month in Wichita and Caldwell,

where a federal government environmental impact report is to be discussed.

No decision to go ahead with the \$246 million project has been made, and other alternatives have been suggested to meet Wichita's future water needs.

Planning Department Director Bob Lakin said the endorsement meant "This is still a viable project as far as we're concerned," but said it didn't

mean ending studies of other potential water sources.

Corbin is "certainly the most significant project that we have studied and have available to us at the moment," Lakin said.

Gerald Holman of the Wichita Area Chamber of Commerce also urged that planning commissioners endorse the Corbin project as a "viable alternative." Holman said a number of questions must be answered about other potential water sources.

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November 19, 1981

Keep Corbin Plan Alive Lakin Urges

By MICHAEL GINSBERG
Staff Writer

Construction of a dam on the Chikaskia River near Corbin, despite a \$246 million price tag and extensive environmental side effects, is still under consideration as an answer to Wichita's future water needs, says city-county Planning Director Robert A. Lakin.

"Corbin reservoir remains a pre-eminent option for meeting the future water needs of the Wichita area," Lakin said in a memorandum last week to the Metropolitan Area Planning Commission.

The planning commission today will consider approving a letter from chairman James Gardner II to U.S. Department of Interior officials endorsing the Corbin reservoir plan. The meeting will be at 1:30 p.m. at City Hall.

"THE NEGATIVE environmental, economic and social impacts if the Wichita area were unable to secure a third water source outweigh the environmental impacts of the proposed project," said a draft copy of Gardner's letter distributed among planners this week.

The commission's comments will be submitted at public hearings scheduled for 7:30 p.m. Dec. 8 at Wichita's City Hall and 7:30 p.m. Dec. 9 at Caldwell High School, to discuss the federal government's report of the environmental impact of the Corbin reservoir project.

No decisions have been made about the project, pending a review of the cost and environmental impact.

City Water Director John Wynkoop considers the Chikaskia project too expensive for the city, and has said that preliminary estimates indicate that pipelines from reservoirs at Milford or Kanopolis would cost less than half the cost of building the Corbin reservoir.

BUT WYNKOOP agreed with Lakin that the Chikaskia project should be kept alive as an alternative.

Lakin said the proposed dam on the Chikaskia River offers an important advantage over the construction of a pipeline from the Kanopolis or Milford reservoirs because its costs and benefits are known.

"I want to keep the Chikaskia as a viable alternative," Lakin said. "I want to be in a position to take the most viable economic alternative when we have the answers ready on all three."

"It may be the only option left open to us by the time we're ready to go. I don't know."

Lakin's memo and a summary of a U.S. Interior Department study on the Chikaskia project were responses to a request from the planning commission. The Interior Department didn't consider the Kanopolis or Milford options, and the planning commission didn't request reports on alternatives to Chikaskia, Lakin said.

WICHITA NOW receives its water from Cheney Reservoir, and under-



ROBERT LAKIN

... Looks at water needs

ground water from the Equus Beds. By the mid 1990s, city studies indicate, those supplies may not be enough to meet the city's growing water needs.

The city has taken preliminary steps toward organizing a wholesale water district with other central Kansas cities to share the costs and benefits of building a pipeline from either reservoir near Junction City or Kanopolis reservoir near Salina.

Lakin said the water district plan needs more study before the city decides which option to pursue. Unanswered questions include: the cost of a pipeline from Milford or Kanopolis, the legality of pumping water from one water basin to another and the willingness of Congress to reallocate water from Kanopolis, which has been designated only as a source of irrigation water, Lakin said.

Lakin and chief planner Bill Stockwell said they are concerned that the federal government would lose interest in the Chikaskia project if the city doesn't keep it alive until it decides which option to pursue.

WICHITA-SEDGWICK COUNTY

DATE 11/9/81

METROPOLITAN AREA PLANNING DEPARTMENT

RE: AGENDA ITEM NO. 15

TO Metropolitan Area Planning Commission
FROM Robert A. Lakin, Director of Planning
SUBJECT MAPC REVIEW OF DRAFT ENVIRONMENTAL STATEMENT--CHIKASKIA PROJECT

In accordance with the National Environmental Policy Act of 1969, a Draft Environmental Statement has been prepared for the Chikaskia Project (Corbin Reservoir). The federal Bureau of Reclamation has requested comments on the Draft Environmental Statement from the Metropolitan Area Planning Commission.

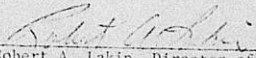
Staff has reviewed the Statement and has come to the following conclusions:

- The Wichita metropolitan area will need a third major water supply source by the 1990's.
- A surface water source is the best alternative for development of a long-range water supply.
- The proposed Corbin Reservoir would provide adequate amounts of high quality water.
- Major impacts of the proposal include the replacement of a natural streamside environment with a lake environment and the loss of 17,429 acres of farmland.
- The negative environmental, economic and social impacts if the Wichita area were unable to secure a third water source outweigh the environmental impacts of the proposed project.
- Corbin Reservoir remains a preeminent option for meeting the future water needs of the Wichita area.

Details of the Draft Environmental Statement were reviewed at a meeting of the Advance Plans Committee on October 29, 1981.

The Bureau of Reclamation will hold public hearings on the Draft Environmental Statement on Tuesday, December 8, 1981 in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, beginning at 7:30 p.m. and on Wednesday, December 9, 1981 at the High School, Caldwell, Kansas, beginning at 7:30 p.m.

ACTION: Authorize the MAPC Chairman to forward the attached written comments and also to appear and present these comments at the public hearing.


Robert A. Lakin, Director of Planning

RAL:CEL:rh

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

November 19, 1981

Mr. Robert H. Weiner, Regional Director
Bureau of Reclamation, Southwest Region
U. S. Department of the Interior
Commerce Building
714 S. Tyler, Suite 201
Amarillo, Texas 79101

Dear Mr. Weiner:

The Wichita-Sedgwick County Metropolitan Area Planning Commission reviewed the Draft Environmental Statement, Chikaskia Project at its meeting on November 19, 1981. The Commission authorized its Chairman to forward the following comments.

The Wichita metropolitan area will need a third major water supply source by the 1990's. It is recommended in the water supply element of the Wichita-Sedgwick County Comprehensive Plan that this third source be a surface water supply. The proposed Corbin Reservoir would supply adequate amounts of high quality water. The negative environmental, economic and social impacts if the Wichita area were unable to secure a third water source outweigh the environmental impacts of the proposed project. Therefore, the Corbin Reservoir remains a preeminent option for meeting the future water needs of the Wichita area.

Sincerely,

James Gardner, II
Chairman

JG:CEL:rh

DRAFT COPY

Summary of
Draft Environmental Statement
Chikaskia Project, Kansas-Oklahoma

I. Introduction

This draft environmental statement presents alternatives for meeting municipal and industrial (M&I) water needs of Wichita and surrounding areas in south-central Kansas (see General Map-No. 807-500-16 preceding this page). The Wichita Standard Metropolitan Statistical Area (SMSA), which encompasses 2,449 square miles, had a population of 378,745 in 1975; the projection for year 2020 is 583,600, an increase of 54 percent. The population served by the city of Wichita water system is projected to increase 78 percent from 1980 (350,500) to 2040 (622,800). Thus, water to support Wichita's future growth is the greatest need in the study area. Without an additional source of water, Wichita's water supply will be fully utilized in 1991 and the city will face a no-growth future or a severe water shortage problem.

Also, about 25,600 acres of land are subject to flooding along the Chikaskia River below the town of Corbin, Kansas. These floods cause damages (structural and nonstructural) of about \$1 million annually.

II. Alternatives considered

The environmental consequences for each of the alternatives are comparatively listed in the table at the end of this summary.

A. Recommended Alternative (Corbin dam and reservoir)

Through coordination with other agencies and interested individuals, a steering committee, and a plan formulation group, the Water and Power Resources Service (Service) determined that this plan is the most viable of all alternatives.

Corbin dam would be located on the Chikaskia River in Sumner County, Kansas, about 5 miles northeast of Caldwell, Kansas. The dam would consist of a rolled earthfill embankment 91 feet high and 31,700 feet long; a 200-foot-wide controlled concrete-weir spillway constructed on the right abutment. Corbin reservoir would cover 12,600 acres of land at top of conservation pool. It would initially contain some 233,000 acre-feet of water at top of conservation pool. Of the reservoir's 100-year-condition firm annual yield, about 56,400 acre-feet will be available annually for municipal and industrial use by the project sponsors (52,716 to Wichita and 3,684 to Wellington). The city of Wichita would provide a water treatment plant to be located immediately downstream from the dam.

The city of Wellington has an appropriated right of up to 3,684 acre-feet annually from the Chikaskia River. The impoundment at Corbin reservoir would result in the inundation of Wellington's diversion site.

Right-of-way to be acquired in fee title for the dam and reservoir would be 24,620 acres; 380 acres outside the normal reservoir boundary would be acquired in fee title to replace hunting and fishing losses and for fish and wildlife. Acquisition of 3,970 acres (including the 380-acre mitigation lands) of stream corridors along the Chikaskia River and below Corbin reservoir would provide lands for fish and wildlife. The upstream corridor (about 1,000 feet wide) to Highway 160 would provide 1,280 acres of land for fish and wildlife; the downstream corridor (about 1,500 feet wide) extending to Highway 81 would provide 2,690 acres for fish and wildlife. Included in the 24,620 acres of land to be acquired is the 8,500 acres of mitigation lands to be managed for wildlife. The Kansas Fish and Game Commission has stated its interest in managing the stream corridors. A total of 23 miles of the Chikaskia River and 5,220 acres of adjacent land would be placed in public ownership for preservation and public recreation use.

The reservoir's sediment storage would provide releases to maintain aquatic habitat below the dam. At the end of 100 years the sediment pool would be filled with sediment and releases for habitat maintenance would no longer be made.

The aqueduct to deliver treated water from the reservoir to Wichita would be an underground closed system extending 39.6 miles from the dam to Wichita. Three pumping plants and three regulating tanks (from 30 to 138 feet high) would be required. Rights-of-way for the aqueduct system would include 20 acres in fee title, 480 acres of permanent easement, and 240 acres of temporary easement. This aqueduct would also provide the city of Wellington with the 3,684 acre-feet of water to which they have rights from the Chikaskia River.

The actual construction of the entire project requires about 4-1/2 years. Preconstruction work requires another 2-1/2 years.

Four recreation areas would be developed around the reservoir to provide picnicking and camping areas; swimming; boating; sightseeing; a golf course; tennis facilities; and trails for hiking, cycling, etc. The city of Wichita has indicated its intent to participate in recreation enhancement under provisions of Public Law 89-72. A downstream fishing area would be provided, and fishing would be permitted from the upstream face of the dam.

About 70 farmsteads and building foundations including some where families are now living would be removed or relocated. Telephone lines and about 37 miles of electric transmission lines would be relocated; two small cemeteries would be relocated; two recently developed oil or gas wells would be raised in place; Highway K-49 would be relocated to the west of the reservoir for about 15 miles; a county road would be raised at two locations; and a gravel surfaced road would be constructed around the downstream side of the dam.

1. Environmental impacts of Recommended Alternative

a. Dam, reservoir, and aqueduct--Fourteen miles of river ecosystem would be changed to a lake ecosystem. Flows downstream of the dam would be altered by the reservoir and its operation. Spills would be initially about 65,600 acre-feet annually. The initial total average annual downstream flow would be about 84,800 acre-feet, including spills and releases for downstream water rights and fish and wildlife purposes from the sediment pool. This amount of water represents a decrease of about 47 percent in terms of the normal average flow of 159,300 acre-feet at the Corbin gage, as determined by the U.S. Geological Survey (USGS). At the end of 100 years of project operation, total average annual downstream flows would decrease to 82,400 acre-feet.

Corbin reservoir would reduce the 15-year frequency flood peak flows to the channel capacity of 3,000 cubic feet per second (ft^3/s) so that flooding downstream of the reservoir would reduce. Decreased danger of flooding below the dam may encourage development of the riverbank and flood plain unless flood plain zoning is adopted. Further agricultural encroachment on the river is unlikely to result; cropland now generally extends as far as the topography and soils will allow. Mudflats would develop at the upper end of the reservoir where velocities decrease and suspended particles first settle out.

Highly productive marsh-type vegetation and other low successional stages are likely to develop in the upper end of the reservoir, providing habitat for fish and wildlife. Releases from the reservoir downstream to the fishery would normally contain less sediment and lower turbidity levels than the river now carries.

Actual construction of the dam should contribute only slightly to the turbidity of the stream; however, depending on location, erosion from borrow areas and other construction sites may contribute to stream turbidity. During the last stages of construction, 535 acres within the conservation pool would be cleared of woody vegetation. Fifteen brush piles (350 feet long by 50 feet wide) would be constructed and anchored in place for fish habitat. Clearing, which would require about 3 months, would contribute to downstream turbidity until the dam is closed and water impounded.

Reservoir water is expected to be similar to the good quality of the Chikaskia River. Total dissolved solids concentration (325 milligrams per liter [mg/L]) is expected to be well below the 500 mg/L proposed National Secondary Drinking Water Standard.

The major effect of the expected level of turbidity would be to reduce light penetration, thereby limiting the likelihood of the lake to be eutrophic under average conditions. The water will be treated to reduce turbidity levels to conform to drinking water standards prior to municipal use as required by State law.

Regulating tanks would be located in rural areas away from large or major population centers. These tanks should not be very conspicuous since the general landscape is characterized by rolling hills and scattered grain storage facilities. They will be constructed so as to blend with the existing environment as nearly as possible.

A total of 17,429 acres of cropland would be required by the project. The SCS (1977) estimates that 95 percent of this cropland is prime farmland. Of these 17,429 acres, 8,500 are within the conservation pool and would be taken out of production. Future management by KFGC would determine whether any of the remaining 8,929 acres of cropland would be taken out of production.

b. Fish and wildlife--About 8,500 acres of land between the top of the conservation pool and the right-of-way boundary would be made available to the Kansas Fish and Game Commission (KFGC) as an area to be managed for wildlife.

A 5,000-foot low-level terrace (about 5 feet high) constructed at or below the conservation pool level would provide resting areas for waterfowl during lake drawdowns. The earthfill levee would be excavated to create a terrace on the upstream side.

Inundation of the reservoir would displace or destroy ground dwelling or nesting wildlife. The smaller, less mobile species (such as rodents) would be most affected. The existing riverine aquatic communities would be replaced by those representative of a reservoir. Of the 17 species of fish which now inhabit the 14.7 miles of Chikaskia River to be inundated, only the green sunfish, carpsucker, and channel catfish will reproduce in the reservoir. Settling of sediment entering the reservoir would result in somewhat clearer water downstream. Clearer water would result in higher plankton production and higher overall fishery production.

Wildlife species designated as endangered in the Federal listing (memorandum dated December 17, 1979) which may utilize the project area are the bald eagle, American peregrine falcon, and whooping crane. The bald eagle is a transient and may utilize the Chikaskia River as resting habitat. The peregrine falcon, a spring and fall transient and winter resident of Kansas, may utilize the reservoir area. Whooping cranes often stop over at the Quivira National Wildlife Refuge (about 100 miles northwest of the Chikaskia basin) and migrate directly south, passing west of the basin. No adverse impact to any species is expected. A formal request for Section 7(c) Endangered Species Act of 1973 compliance was made to FWS on March 14, 1979. The FWS biological opinion dated April 10, 1980, states that "the proposed project is not likely to jeopardize the continued existence of the American peregrine falcon (Falco peregrinus anatum), whooping crane (Grus americana), and bald eagle (Haliaeetus leucocephalus).

c. Vegetation--The 8,500-acre wildlife management area would be maintained to support a wide variety of plant communities and wildlife

populations. The 3,970 acres of primarily bottom land forests to be acquired in 20 miles of the Chikaskia River corridors would be managed so that succession could continue toward a climax bottom land forest. Wildlife populations would shift accordingly.

There are no threatened and endangered plant species in the project area; therefore, there would be no associated impacts.

d. Recreation--Recreation areas, while highly desirable, would have some associated harmful impacts on the environment. Among these are littering, increased noise and air pollution, damage to natural resources and natural physical features, and other factors associated with large numbers of visitors in a limited area. It is estimated that there would be 550,000 initial annual visitor-days (increasing to 650,000 in 10 years), 80,675 fishing man-days, and 37,200 hunting man-days. With recreational development, there would be some modification of existing vegetation, and additional trees would be planted. Though some existing wildlife would be displaced because of the increase in visitors, the creation of a more diverse habitat is expected to support an increase in species types and numbers.

e. Esthetics--About 28,590 acres would be changed from private to public ownership. The overall rural atmosphere of the project area and Sumner County would not be altered. A total of 14.7 miles of stream vista and 944 acres of riparian timber would be changed to a 12,600-acre lake vista.

f. Social--Relocating families and their possessions would have some adverse effects. The displacement would produce stress in people who would have to find suitable new home sites and adjust to new surroundings and possibly new lifestyles. Relocation of people would require lands, homes, service facilities, and other accommodations in new locations. There would be no significant alteration of the area by the proposed rerouting of roads; however, there would be a temporary disruption to vehicular traffic and wildlife habitat. The influx of local construction workers would create need for additional housing. Wages from these workers would produce a large volume of trade for the area's businesses. Project development would result in the removal of purchased private property from local tax rolls. Public Law 94-565 provides for payment to local governments in lieu of taxes.

Fear of flooding would be reduced below the reservoir.

g. Cultural resources--A literature and records search and an intensive field survey of 20 percent of the proposed Corbin Reservoir operation lands have revealed 26 sites (one historic and 25 archeological) on those lands. Specific plans to preserve, protect, recover, and interpret cultural resources would be developed on completion of the intensive field survey and would involve the Kansas State Historic Preservation Officer and the Advisory Council on Historic Preservation.

B. National Economic Development (NED) Alternative

This alternative is the same as the Recommended alternative except that only 330 acres (about 1 mile of stream corridor) would be acquired upstream from project lands and 50 acres (about 1 mile of stream corridor) would be acquired below the dam for mitigation. This alternative would provide for 64,175 man-days of fishing use and 25,800 man-days of hunting use, which is 16,500 less fishing man-days and 11,400 less hunting days than provided for in the Recommended alternative.

C. Environmental Quality (EQ) Alternative

The EQ alternative is essentially the same as the Recommended alternative except that this alternative provides for 10,780 acres of stream corridors above and below Corbin reservoir (including 380 acres mitigation land) and on Bluff Creek, an increase of 6,810 acres over the Recommended alternative. This alternative also would include creation of a 6,600-foot rock jetty for fishing access within the reservoir. The jetty would be earthfill and have 3 feet of riprap for spawning habitat for walleye. Brush piles would be strategically placed to benefit aquatic life.

This alternative would provide for 121,554 man-days of fishing use and 56,343 man-days of hunting use, which is 40,879 more fishing man-days and 19,143 more hunting man-days than provided for in the Recommended alternative.

D. Alternate Plan

This plan is identical to the Recommended alternative except as described below.

The Service, in coordination with FWS and KFGC carried out instream flow studies using a system developed by FWS. These studies indicated that 11,750 acre-feet per year would be required to maintain downstream aquatic habitat. Except when the reservoir spills, releases of 23 ft³/s in April, May, and June and 14 ft³/s during all other months would be made. The FWS and KFGC recommend these releases be made for the life of the project.

The entire firm yield of the reservoir (56,400 acre-feet a year) would be available for M&I use for the first 25 years of the project since the 11,750 acre-feet for downstream releases would be supplied from the sediment storage capacity. The amount of water available for M&I use would reduce to 52,000 acre-feet at 50 years; and at the end of 100 years the entire 11,750 acre-feet would be taken from the firm yield, thereby reducing the amount of water for M&I to 44,650 acre-feet a year. Because this plan reduces the amount of water available for M&I uses, staff members of the plan formulation group representing the city of Wichita and the Kansas Water Resources Board oppose the plan.

With this plan, project features would accommodate 18,045 man-days of stream-related fishing and 50,500 man-days of reservoir-related fishing.

III. Alternatives Eliminated from Detailed Study

A. No-Action Alternative

Under this alternative an additional water supply to accommodate future growth of Wichita would not be provided. Investigation of the Equus Beds ground water supply indicates that this aquifer cannot satisfy Wichita's projected demand. Therefore, if Wichita is to maintain its projected growth rate, an additional water source must be obtained. Development of a surface water source, such as Corbin reservoir, without Federal participation could result in major environmental consequences without consideration for these losses. Vigorous and restrictive conservation measures, including efforts to limit population growth or growth of the service area, would have major economic and social consequences. Without water, no additional industrial expansion could occur to accommodate expected population increases unless major water conservation practices were instituted, such as increased water pricing and water recycling. The major consequence of this alternative would be reduced employment and a lower standard of living along with associated social problems.

B. Nonstructural Alternative

Water conservation could be achieved by implementation of educational and information campaigns, restricted use, rationing, land use planning, and rigorous pricing practices. At present Wichita uses water meters and has a rate structure to discourage waste. An intensive, but voluntary, water use reduction program in Wichita would save only about 5 percent. Because the existing local governmental programs of water conservation and management appear adequate, and more stringent measures lack public acceptance and create administration problems, no further consideration was given to additional conservation measures as an alternative. However, the city of Wichita is currently preparing a water conservation program that would be implemented in conjunction with the Recommended alternative. Limited or no-growth policies could be established, thus eliminating the need for further consumptive use of water. However, limited or no-growth policies are controversial and are subject to legal, political, and public acceptability.

Recycling renovated waste water for municipal use would require a highly sophisticated degree of treatment not presently available and would need to gain acceptance by public health officials and the general public.

C. Other surface reservoirs

Other surface reservoir sites which were considered and studied to various levels were: Hunnewell, Caldwell, Norwich, Drury, Braman, and Braman (alternate). Hunnewell damsite, on the Chikaskia River 1.7 miles downstream from the confluence

of Bluff Creek, was eliminated because of lack of local support and because of Kansas-Oklahoma-Arkansas River compact constraints. Caldwell damsite, on Bluff Creek about 4 miles southwest of Caldwell, Kansas, was not considered viable because the water supply would not meet projected needs. Norwich damsite, on the south fork of the Minnescah River, was investigated as one of the possible sources of an M&I water supply for south-central Kansas. The water quality was found to be undesirable. Drury damsite, about 8 river miles downstream from the Corbin damsite on the Chikaskia River, was studied as part of the Kansas Water Plan. This site was dropped from further study because of expensive railroad and highway relocations, and the limited storage capacity would not permit optimum development of the Chikaskia basin. Braman damsite, about 5 miles downstream from the confluence of Bluff Creek and the Chikaskia River, would not be a suitable site since the reservoir would inundate the town of Drury, cemeteries, and an oil field, and require major modifications of an existing water supply system along with railroad and highway relocations. Braman (alternate) damsite, is located 5-1/2 miles upstream from the Braman damsite. This site would be unfavorable because at a capacity large enough to supply the project's needs, there would be minimum volume available for flood storage without endangering the town of Caldwell.

D. Ground Water Alternative

The only large water producing aquifer in the vicinity of Wichita is the Equus Beds. Under contract with the Water and Power Resources Service, the University of Kansas Center for Research, Inc., made a study to determine the long-term "safe yield" of the aquifer and to predict the effect of ground water withdrawal on the flow of the Little Arkansas River.

Withdrawal sufficient to meet the needs of the project could result in the contamination of the Equus Beds with saltwater from the nearby saline aquifer because of reduced hydrological pressures. The Little Arkansas River flow during drought periods is primarily from springs supplied from the Equus Beds. Lowering of the Equus Beds water table would result in an intermittent river during normal low flow periods. Any additional demands on it would result in the conversion of up to 55,000 acres (1979) of irrigated farming to less dependable dryland farming with accompanying economic losses. No environmental benefit would be expected under this alternative.

Current management practices of the Equus Beds Groundwater Management District prohibit extensive development that could endanger the long-term productivity of the aquifer.

IV. Major Conclusions

The city of Wichita is the largest city in Kansas that is expected to grow in the near future. The Wichita metropolitan area is in need of a dependable water supply to satisfy its expected growth. The surface water of the Chikaskia basin is the best source of water to meet these M&I needs.

The Equus Beds aquifer is a source of supply for several municipalities and is also needed for existing irrigation. The impacts of large additional withdrawals by Wichita from this aquifer would be considerable.

The Corbin dam and reservoir site is the best of all reservoir alternative sites considered. It is engineeringly sound, economically justified, and environmentally acceptable.

V. Issues to be Resolved

Stream corridors along the Chikaskia River above and below Corbin reservoir would provide lands for fish and wildlife. Although there is no disagreement over the amount of land to be acquired for the project, the basic difference in the FWS's recommendation and the Water and Power Resources Service plan would be whether the lands would be for mitigation or enhancement.

The only other issue with FWS remaining unresolved is to what extent the project will provide water to maintain downstream aquatic habitat.

The FWS and KFGC now maintain that an acceptable level of achievement for this goal would be the seasonal minimum flows estimated for the Alternate plan. However, after about the first 25 years of project operation, some of the project water supply would be required to maintain those minimum flows. The use of project water supply for this purpose is opposed by plan formulation group members representing the city of Wichita and the Kansas Water Resources Board. These representatives support the Recommended plan which provides for downstream releases to be made from the sediment storage capacity for so long as water from that source remains available.

Recently enacted legislation ^{*/} directs the KWRB to identify a minimum desirable streamflow as part of the State water plan, with final approval of the plan resting with the Kansas Legislature. Minimum streamflows for the Chikaskia River and other streams are yet to be developed.

^{*/} KSA82a-703 as amended in 1980.

COMPARISON OF ALTERNATIVES

	<u>Recommended</u>	<u>NED</u>	<u>EQ</u>	<u>Alternate</u>
Land to be acquired (acre)				
Dam and reservoir - fee title	24,620	24,620	24,620	24,620
Stream corridors - fee title	3,970	380	10,780	3,970
(Includes 380 acres for mitigation)	(20 miles)	(2 miles)	(57 miles)	(20 miles)
Total project lands	28,590	25,000	35,400	28,590
Aqueduct				
Fee title (2 pumping plants)	20	20	20	20
Permanent easement	480	480	480	480
Temporary easement	240	240	240	240
Create reservoir (acres of surface water)	+12,600	+12,600	+12,600	+12,600
Loss of stream (miles)	-14.7	-14.7	-14.7	-14.7
Loss of stream (acre)	-183	-183	-183	-183
Loss of wildlife habitat (acre)	-12,417	-12,417	-12,417	-12,417
M&I water supply (acre-feet)	56,400 annually up to 100 years	56,400 annually up to 100 years	56,400 annually up to 100 years	44,650 annually at 100 years
Flood protection (acres)	25,600	25,600	25,600	25,600
Energy required (kwh per year)	41,360,000	41,360,000	41,360,000	41,360,000
Annual yield available from the reservoir for downstream fishery management releases (acre-ft)	14,300 (year 0) 12,000 (year 20) 9,300 (year 40) 6,400 (year 60) 3,200 (year 80) 0 (year 100)	14,300 (year 0) 12,000 (year 20) 9,300 (year 40) 6,400 (year 60) 3,200 (year 80) 0 (year 100)	14,300 (year 0) 12,000 (year 20) 9,300 (year 40) 6,400 (year 60) 3,200 (year 80) 0 (year 100)	11,750
Mitigation area to be made available to RFGC to be managed for wildlife (acre) ^{1/}	+8,500	+8,500	+8,500	+8,500
Low-level terracing (feet)	+5,000	+5,000	+5,000	+5,000
Rock jetty (dike) (feet)	0	0	+6,600	0
Construct brush piles (number) (350 feet long by 50 feet wide)	15	15	15 ^{2/}	15
Removal of timber within main body of reservoir for boating and recreation (acre)	535	535	535	535
Part of reservoir allowed to remain in standing timber for fish and wildlife purposes	one-half	one-half	one-half	one-half
Land removed from tax rolls (acre) (Change from private to public ownership)	28,590	25,000	35,400	28,590
Workers employed during construction (benefit local economy):				
Government	60	60	60	60
Contractual	600	600	600	600
Relocations:				
Farmsteads, facilities, etc.	70	70	70	70
Cemeteries	2	2	2	2
Highways (miles)	25	25	25	25
Electrical transmission lines (miles)	37	37	37	37
Raise in place recently developed oil wells	2	2	2	2

^{1/} M&I water supply would decrease gradually after the first 25 years of operation.

^{2/} To be fenced with 4-strand barbed wire.

^{3/} Anchored in selected areas.

COMPARISON OF ALTERNATIVES (con.)

	Recommended	NED	EQ	Alternate
Known archeological and historical sites inundated ^{4/}	26	26	26	26
Recreation:				
4 recreation areas on 1,430 acres of land (initial annual visitor days) ^{5/}	550,000	550,000	550,000	550,000
Lake fishing days annually	50,500	50,500	63,300	50,500
Fishing use (man-days)	80,675	64,175	121,554	80,675
Hunting and trapping (man-days)	37,200	25,800	56,343	37,200
Hunter parking lots	8	8	8	8
Fisherman access points	2	2	2	2
Remove land from crop production (acre) (About 95% is prime farmland)	8,500	8,500	8,500 ^{6/}	8,500
Total project inundation-caused losses of terrestrial wildlife habitat units ^{7/}	-45,900	-45,900	-45,900	-45,900
New terrestrial habitat units ^{7/} created by intensive management of the 8,500 acres by KPOC	+58,300	+58,300	+58,300	+58,300
Intensive management of stream corridors could provide additional terrestrial wildlife habitat units ^{7/}	+18,100	+1,860	+48,870	+18,100
Loss of stream-oriented fish in inundated river (pounds)	-4,958	-4,958	-4,958	-4,958
Gain of lake-oriented fish (pounds)	+1,875,000	+1,875,000	+1,875,000	+1,875,000
Intensive management of stream corridors would produce additional stream-oriented fish and would replace the 4,958 pounds of stream-oriented fish lost to inundation (pounds)	+21,100 ^{8/}	+1,762	+49,300	21,100

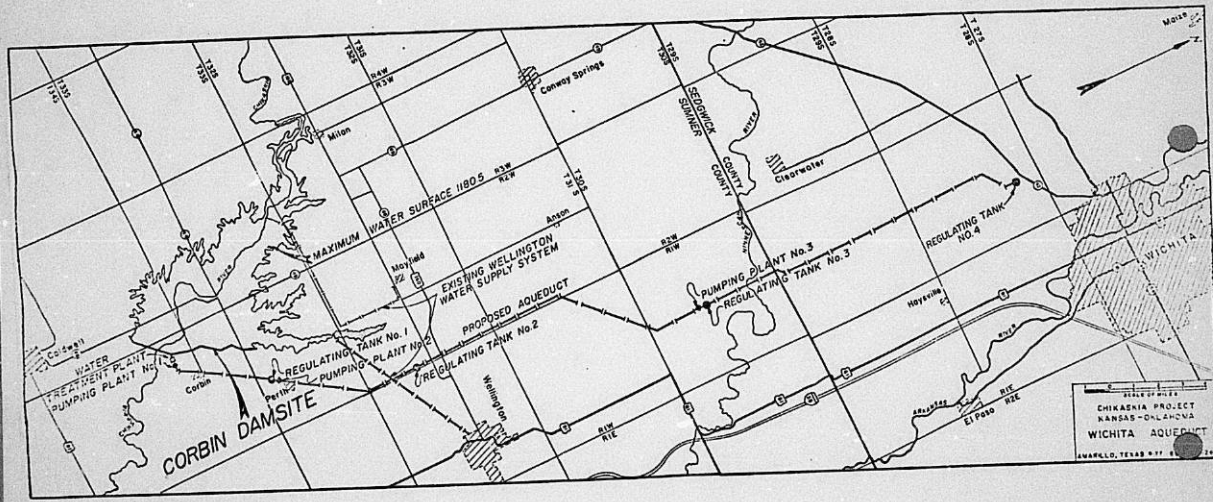
^{4/} Based on 20X survey of the proposed Corbin reservoir operation lands.

^{5/} Increasing to 650,000 in 10 years.

^{6/} Does not include cropland within 6,800 acres of stream corridors.

^{7/} Based on FWS assigned wildlife habitat units

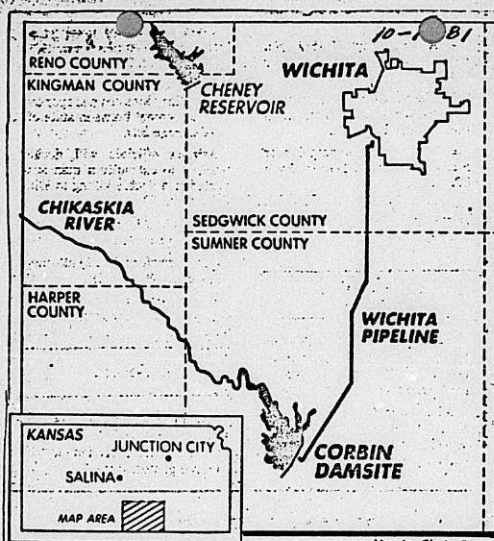
^{8/} The figures for the Recommended, NED, and EQ alternatives apply only to the first years of operation when there is sufficient water in the sediment storage to maintain downstream habitat. After this time the standing crop of fish below the dam would decline until at year 100 when it would be significantly less than these numbers indicate.



WATER SERVICE ALTERNATIVES

	<u>Kanopolis</u>	<u>Milford</u>	<u>Corbin</u>
Water Quantity	Adequate	Adequate	Adequate
Water Quality	Poor	Good	Excellent
Total Construction Costs	Unknown	Unknown	\$246,010,000
Intercity Cooperation	South Central Kansas Water District	South Central Kansas Water District	Wellington
Construction Time	5 to 10 years	5 to 10 years	10 to 20 years
Estimated Distance	80 miles	150 miles	40 miles
Estimated Pumping Elevation	+200 ft.	+500 ft.	+350 ft.
Agricultural Land Taken	Unknown	Unknown	17,429 acres
Loss of Streamside Environment	No	No	Yes
Displacement of Farm Homes	Unknown	Unknown	70
Congressional Action Required (Irrigation to M&I)	Yes	No	No
Legal Issues Associated with Basin Transfer	Yes	Yes	No

F. Department
is to explain
U.S. ...



Map by Cindy Greer

PROPOSED RESERVOIR NEAR CORBIN
... Cost to users \$19.8 million a year, study says

Chikaskia Dam Urged For City Water Needs

By **MICHAEL GINSBERG**
Staff Writer

The U.S. Interior Department this week recommended that Wichita build a dam on the Chikaskia River near Corbin to meet the city's future water needs.

But the city's top water official said Friday that Wichita isn't likely to buy the \$246 million project.

Because the city would have to approve and pay for the dam and 40-mile pipeline, city Water Director John Wynkoop said Friday he's looking north, to the Kanopolis and Milford

reservoirs, for less costly sources of water.

"I think Corbin is a good reservoir site," Wynkoop said. "The thing that prevents us from considering it at this time is the cost of the project and the cost of borrowing money."

THE CITY would have to repay more than \$240 million of the \$246 million cost of the project, which would be built by private contractors and initially financed by the federal government, under a plan proposed

(See COSTS, 10A, Col. 1)

Costs May Doom Corbin Reservoir Plan

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Costs May Doom Corbin Reservoir Plan

● From Page 1A

by a Interior Department study released this week.

The payments over a 50-year period at a 7.21 percent interest rate would cost city water users about \$19.8 million per year, according to the federal study.

"With that in view, Corbin is obviously not as attractive as it once was," Wynkoop said.

The report, completed by the Interior Department's water and power resources service, recommends construction of a 91-foot-high dam that would transform 14 miles of the Chikaskia River into a 12,600 acre reservoir in south central Kansas. Under the proposal, a 40-mile pipeline would pump enough water to Wichita to double the city's daily water use capacity.

WICHITA WATER users consume about 50 million gallons of water per day, the same amount projected for the proposed Chikaskia reservoir. But Wynkoop said he's confident either the Milford or Kanopolis reservoirs

would provide enough water to meet the city's water needs into the 21st century.

The Chikaskia study assumed the city would need more water in 10 years. But Wynkoop said the city doesn't believe it needs new water sources before 2000.

By the year 2000, Wynkoop said, the city could be getting water from Milford — which could provide the city 54 million gallons per day, or Kanopolis — which could provide the city about 45 million gallons per day.

Wynkoop said pumping water from Milford, near Junction City, or Kanopolis, near Salina, would satisfy the city's water needs through 2030.

THE COST OF building a 40-mile pipeline from Kanopolis or a 100-mile pipeline from Milford would be \$130 million to \$170 million, Wynkoop said. And Wichita is moving to join several other Kansas cities in sharing the costs and the water of the reservoirs, he said.

Among the other cities interested in sharing the costs and water are McPherson, Salina, Abilene, Hesston, Newton, Hutchinson and Haysville.

Wynkoop said he wouldn't eliminate the Chikaskia project as a potential water source, but said he doubts the city would finance such a costly project. He said the state could consider paying for the project.

The Chikaskia project will be the subject of public hearings in December, when the City Commission could decide whether to act on the proposal, Wynkoop said.

The project has floated in and out of consideration since the 1930s. The federal government shelved the proposal in 1967, re-funded a study in 1974 and shelved the proposal again in the

late 1970s. But work on the study continued, and after three years was finished with a push from the Reagan administration.

The reservoir would force 70 farm families to leave their land and would dam one of Kansas' few remaining free-flowing rivers. But the federal government has said the project would provide a valuable supply of good water and recreational opportunities and solve the area's periodic flooding problem.

Neither Milford nor Kanopolis was studied as an option.

likely with the hot-water supply, he said.

2D Thursday, October 15, 1981

As We See It:

The Case Against Corbin Dam

Several things are clear from the feasibility report and draft environmental statement issued last week on the proposed Corbin Dam on the Chikaskia River in Sumner County. The project, intended to meet Wichita water needs by 1991, a decade hence, would be:

- Economically unsound. It would require Wichita water users to come up with \$19.8 million a year over a 50-year period in order to repay the federal government for its initial cost — a cost that likely would multiply many times before actual construction.
- Environmentally unacceptable. It would destroy a free-flowing prairie stream of great scenic beauty and recreational potential, perhaps the best-quality such stream still existing in Kansas.
- Socially unjustified. It would force 70 farm families off their land, for the sole benefit of Wichita residents, thus intensifying the hostility felt by many rural residents toward urban dwellers.
- Agriculturally counterproductive. It would displace 17,000 acres of some of the best wheat-growing country anywhere in the world, reducing Kansas' annual wheat yield by 700,000 bushels.



Chikaskia at Corbin: Scenic quality high

- Politically unrealistic. It would require Congress and the administration, in a time of fiscal austerity, to seek federal funding for the initial cost of a project whose need has not been proven and whose feasibility, for the reasons stated above, is in serious question.

Strangely, the Bureau of Reclamation planners who produced last week's report apparently gave little attention to Wichita's prospects for deriving a large part of its future water supply from existing reservoirs, particularly Milford Reservoir in Geary County. John Wynkoop, city water director, says either Milford or Kanopolis Reservoir, in Ellsworth County, could provide enough additional water to meet Wichita's needs into the next century. He disputes the claim the city will need another water source within 10 years.

Not only could water be piped to Wichita either from Milford or Kanopolis at about half the cost of the Corbin project — with user cities along the way sharing the cost — but the water could be run mostly downhill. Corbin water would have to be pumped uphill, requiring at least three expensive pumping stations. The Milford alternative is especially appealing, because the pipeline could be laid along existing rights-of-way, minimizing disruption of the countryside.

Besides the prospective water sources already available, the implementation of a Wichita water conservation plan would reduce the need for water dramatically over the coming years. Untold quantities of water are wasted yearly at present, with no return to anyone. Even if additional water were not needed eventually, to squander such a precious resource is reprehensible, and a water conservation plan should be put into effect in any case.

The appearance of the Corbin Dam report, after many months of delay and uncertainty, at least gives city officials a firm basis on which to plan for future water needs, and to place those needs in some kind of perspective. Acting on the information it contains, the Corbin project now should be scratched from the drawing boards, before any more time and money are wasted, and so planning can proceed on more realistic and acceptable alternatives.

FROM WES

DATE 10/14/81

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input type="checkbox"/> Lakin	<input type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> Funk	<input type="checkbox"/> Lytle	<input type="checkbox"/> Stafford
<input type="checkbox"/> Doramus	<input checked="" type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Commer
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Chambers	<input type="checkbox"/> Crook
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<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Singhal
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<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart		
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<input type="checkbox"/> Note & Return	<input type="checkbox"/> Signature
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REMARKS We need to coordinate on this with Wyntrop - did like his proposal to reinforce ours from the BRAC - and vice versa.

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE October 12, 1981

WLS

TO John Wynkoop, Director of Water and Water Pollution Control
FROM Robert G. Finch, Deputy City Manager

SUBJECT Draft Environmental Statement --
Chikaskia Project

Attached is a copy of a draft Environmental Statement - Chikaskia Project, Kansas-Oklahoma, prepared by the U. S. Department of the Interior.

It is my understanding that you received a copy of the draft statement as did Robert Lakin, Planning Department.

Please assume responsibility for preparing draft comments on behalf of the City for the Mayor's signature, within the 90-day time frame outlined in the letter from Mr. Weimer, Department of the Interior.

Any comments which may be received through this office from other agencies or boards will be forwarded to you for consideration. Should comments from other department directors be deemed necessary, please invite those comments.



Robert G. Finch
Deputy City Manager

RGF/hpd
Attachments
cc: Robert A. Lakin, Director of Planning

FROM 102 DATE _____

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input type="checkbox"/> Lakin	<input checked="" type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
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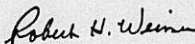
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REMARKS You may want to do briefing
on this in our July planning session.

After the project is authorized, a "Definite Plan Report" will be prepared, along with a repayment contract with the water users, recreation and Fish and Wildlife sponsors, design data collected, designs and specifications prepared, construction bids let, and initial construction begun. To reach this initial construction start would take about 5 years; then with 5 years to construct the project, water could be ready for the city of Wichita in 1991, which is the time our projections say that the city will need the water.

As you can see, there is still a lot of work to be done in a short time. While the report is progressing satisfactorily, your continued support is appreciated. If you desire any further information or explanation, please advise by contacting Dan Rubenthaler of my staff.

Sincerely yours,



Robert H. Weimer
Regional Director

cc: Commissioner, Attention: 737
Oklahoma Representative, Oklahoma City, OK
Kansas Representative, Topeka, KS

August 5, 1981

MEMORANDUM

TO: Corbin Reservoir File

FROM: Gerald H. Holman

RE: Conversation with Dan Rubenthaler and Hayden L^e regarding status of the project

On August 5, 1981, I contacted Mr. Dan Rubenthaler to discuss the status of the Corbin Reservoir report. This was in direct response to receipt of his letter dated July 31 wherein the anticipated schedule over the next several months was discussed as well as the commitment which the city needs to make during the upcoming public hearing. It is interesting to note that there is contradiction between Mr. Rubenthaler and Mr. L^e regarding resolving the differences between the Bureau of Reclamation and the Fish and Wildlife Commission. Key elements of both conversations are summarized below.

I. Conversation with Mr. Dan Rubenthaler

- A. Corbin Report was sent to the Ft. Worth government printing office on Friday, July 31, 1981, along with a request to print 500 copies. The printing should be accomplished within the next two weeks.
- B. The differences of opinion have not been resolved and a meeting has not been held with the Bureau and the Fish and Wildlife in this regard. Printing of the reports and their distribution will be accomplished with or without the items being resolved.
- C. Within the July 31 letter, Mr. Rubenthaler attempted to discuss the national exposure which the Corbin Reservoir has received. He was unable to commit anything in writing. In prior telephone conversations, he had indicated that the Corbin project was one that within the Bureau of Reclamation was considered the only project "off the shelf." This being the case, it would have received some amount of exposure as a potential project to be constructed.
- D. Mr. Rubenthaler indicated that since the President has not formally issued his water policies, little commitment to the Corbin in the federal government can be made at this time. In general, the President supports water resource development. Additionally, several new goals and guidelines have been distributed, one of which is streamlining projects and their planning and construction to reduce the amount of time required.

Memo - Corbin Reservoir
August 5, 1981
Page 2

- E. The following person in Washington is the individual directly responsible for reviewing the Corbin as well as planning of other projects:

Hayden C. Lee
Staff Assistant
Planning - Policy Staff
Bureau of Reclamation
19th & C Streets NW
Washington, D.C. 20240
(202) 343-3125

II. Conversation with Mr. Hayden Lee

- A. I asked Hayden to receive directly copies of the report upon its release. He indicated that it would be all right if Dan Rubenthaler mailed them to me directly.
- B. According to Hayden, the Bureau and Fish and Wildlife Department will need to resolve the differences in opinion on the project in advance of release of the report. This could take "a couple of months." If at all possible, the differences will be resolved earlier than that. Hayden indicated that the report could be released without all items being resolved, although an attempt will be made to do so. In any event, the report will not be immediately released.
- C. Hayden indicated there are two other projects which are farther along than the Corbin which would more than likely be used as pilot projects for water resource development in the western states. Both of these projects are within Colorado.
- D. It would be, at minimum, six months before Secretary Watt could get his approval on the project and send it to the President. It would take considerable political doing to have the project funded within fiscal '83. More than likely, fiscal '84 is the first real opportunity for funding the project.
- E. Hayden indicated that the federal government is moving more toward requiring local levels to put up money in advance of go ahead on the project. This would preclude the federal government investing considerable planning dollars when local commitments are not really existing.
- F. In an optimistic schedule, about three years would be required to complete all the necessary reports and design plans on the Corbin followed by approximately five years of construction. If this schedule could be held with a fiscal '84 authorization, then the project would be completed about 1992. I would note, this is optimistic.

Memo - Corbin Reservoir
August 5, 1981
Page 3

The main differences as noted above are in the resolving of differences with the Bureau and Fish and Wildlife and when the report would therefore be released. I will maintain periodic contact in order to be up to date on this project.

It is also important to begin discussing the merits of the Corbin project with the City and County Commissions, Representative Glickman, other state officials, as well as area Chambers and area governments. This will be necessary in order to gather much support for the project for the public hearing. Art Woodman and I are to meet to discuss this effort.

GHH:sdm