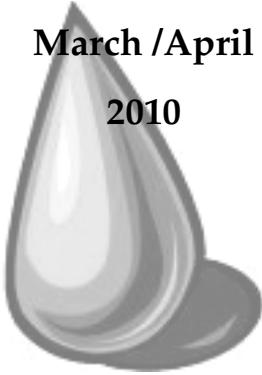


March /April  
2010



### Looking Ahead

March 1  
8:00 a.m. & 9:30 a.m.  
REAP & WRC Meetings  
WSU Metroplex

March 3  
9:00 a.m.  
Lower Ark BAC Mtg.  
Hutchinson, KS

March 3  
6:30 p.m.  
Walnut BAC Mtg.  
Winfield, KS

March 9  
GMD # 2 Meeting  
Halstead

March 30–April 1  
Kansas Rural Water  
Assoc. Annual Conf.  
Wichita, KS

Mark Your Calendar!!  
May 27  
El Dorado  
3rd Annual WRC  
Regional Water

### U.S. Lakes Assessment Released

The most comprehensive study of the nation's lakes to date was released in February 2010 and provides unbiased estimates of the condition of natural and manmade freshwater lakes, ponds and reservoirs greater than 10 acres and at least one meter deep. To complete the National Lakes Assessment (NLA), 1,028 representative lakes were sampled by states and tribes during the summer of 2007.



The study rates 56% of U.S. lakes as "good" with the remainder as fair or poor. In general, natural lakes are healthier than man-made lakes and poor habitat conditions along the lakeshores is the most significant stressor of lakes, followed by nutrient pollution. The results of the NLA establish a baseline status for future monitoring efforts and highlight the importance of excess human disturbances. The full report can be found online at <http://www.epa.gov/lakessurvey/>

### EPA Publishes Effluent Limitations Guidelines for Construction Sites

In December 2009, the EPA published effluent limitation guidelines and new source performance standards in an effort to control the discharge of pollutants from construction sites. Regulations took effect February 1, 2010 and require all construction sites to implement a range of erosion and sediment controls as well as pollution prevention measures. Beginning in August 2011, all sites that disturb 20 or more acres of land at one time are required to comply with the turbidity

limitation and in February 2014, the limitation will apply to 10 or more acres.

Monitoring will consist of samples of stormwater discharges and turbidity levels to ensure a level below 280



NTU. This action represents an unfunded mandate on local governments to monitor and enforce the guidelines. More online at

<http://www.epa.gov/guide/construction/>

### Proposed "substantial shift" in Kansas Water Policy Introduced

The Kansas Department of Agriculture used the beginning of the 2010 legislative session to promote the voluntary conservation of water by statutorily changing the definition of beneficial use of a water right to include "conservation". Senate Bill 510 would establish "conservation use" as a new and distinct beneficial use of water under the Kansas Water Appropriation Act and owners of a vested or certified water right, that has not been abandoned, would have the option of changing the right to conservation use.

Current trends combined with bill details yield an estimate that any increase in cost for processing and changing a water rights use would offset the cost of processing any increase in applications received for FY2011. The bill's fiscal note adds, however, that cost increases and static application fees mean that additional fee revenue would cover less of the agency's processing costs in future years. The current status of the bill as well as additional information is available online at

<http://www.kslegislature.org>

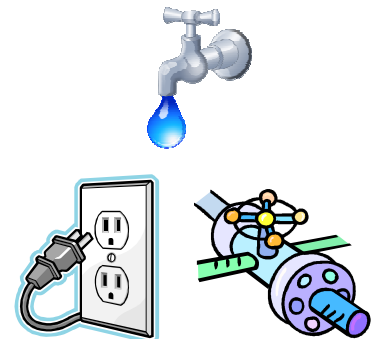
## Kansas Legislature Considers Bill to Eliminate Sales Tax Exemption for Utilities

Facing a substantial budget shortfall, members of the Kansas House of Representatives recently reviewed a plan to remove the sales tax exemptions on utility bills, including water, electric and natural gas for residential customers. As proposed, the bill (HB 2549) repeals the exemption for residential utility customers as well as non profit groups and other current special designees. Experts estimate that a repeal of the current 5.3% sales tax exemptions on utilities alone would

raise \$130.3 million for the State General Fund and State Highway Fund. Utilities would thus represent the largest share of the overall increase in revenues, projected at \$172 million in 2012. Current law allows local governments to collect sales tax on residential utilities, The estimated increase in local revenues from the repealed exemptions, which include nonprofit organizations and other entities, would increase local revenues by approximately \$15.4 million in

FY2011. Two days of testimony regarding the bill ended February 16. To read the full text of the bill or track its progress through the legislature, visit

<http://www.kslegislature.org/>



## Kansas Healthy Yards and Communities Program Launched

2010 is the kick-off year for an environmental initiative sponsored by Kansas State Research and Extension with the mission to have yards and communities that enhance our quality of life through earth friendly practices. Kansas Healthy Yards and Communities offers an assessment to determine the current health of a



yard. With consideration to their results, homeowners are encouraged to review the nine healthy yard strategies and their components to build better yard health. Strategies identified as being most pertinent to Kansas residents include being “water

wise”, which encourages water conservation among municipal customers as well as education regarding potential contamination from fertilizers and stormwater runoff. County-specific tips, events, videos, pictures, publications and the assessment are available online at

<http://www.kansasgreenyards.org>

## House Considers Drinking Water Fees at \$0.03 per 1000 gallons

In January, the Kansas House Vision 2020 Committee considered House Bill 2428, which would assess a sustainability fee of \$0.03 cents per 1,000 gallons of water to public water suppliers served by surface water systems and



delivered through mains, lines or pipes. Though the fee would not be charged to groundwater systems, a household using 5,000 gallons per month would add 15 cents to the monthly bill which would then create and contribute to the Kansas Drinking Water Supply Lakes Sustainability Fund. It is estimated that the addition of the fee would generate \$2 million annually to fund monitoring and remediation of

sedimentation in water supply lakes as well as supporting joint projects with the U.S. Army Corps of Engineers. As of February 19, the bill was withdrawn from Vision 2020 and referred to Federal and State Affairs. The complete text of the bill, fiscal notes, and tracking of its current status are all available online at

<http://www.kslegislature.org>

### WRC Completes Second Annual Regional Water and Wastewater Rate Survey

The REAP Water Resources Committee recently completed its update of the Regional Water and Wastewater Rate Survey. Nearly 81% of survey respondents reported new rates and/or rate structures in water, a fact which is likely the result of heavy participation, continued budget concerns and the continuing need for maintaining and improving utilities infrastructure. Fifty-five percent of respondents saw some change in structures or rates for residential wastewater service within city limits. In residential water service, the regional average residential municipal wastewater base rates saw an increase of just over 9% from \$16.30 in 2009 to the current average of \$17.79. The

of survey respondents reported new rates and/or rate structures in water, a fact which is likely the result of heavy

Water Rate Survey Highlights		Wastewater Rate Survey Highlights	
Average Base Rate:	<b>\$13.87</b>	Average Minimum cost:	<b>\$17.79</b>
Average Gallons Included in Base Rate:	<b>1970</b>	Average Gallons Included in Min. Cost:	<b>2186</b>
Average Cost for 5,000 Gallons of Service:	<b>\$27.86</b>	Average Cost for 5,000 Gallons of Service:	<b>\$28.14</b>

average price per 1000 gallons for communities with a uniform rate structure also increased, from \$3.09 to \$3.26 per 1000 or nearly

5.5%. Added this year were questions regarding water and wastewater treatment system types. The surveys are available online at <http://www.reap-ks.org/water>

### REAP Moves Forward on Guidelines for Annexation

In December 2009, REAP initiated and coordinated a small working group to develop guidance documents providing a framework for cities and RWDs to work from during water service area annexations. The group has recently completely guidelines on preventing conflict among providers, a checklist for water service providers to follow in anticipation of an annexation and three sample of water service

agreements that address a variety of possible annexation situations. These documents will be discussed in detail in a concurrent session, Wednesday, March 31 at 2:45 p.m. as part the 43rd annual Kansas Rural Water Association Conference in Wichita. The Conference lasts from March 30–April 1 and registration information is available online at <http://www.krwa.net/conference/10/Registration.pdf>

### What is the REAP Water Resources Committee?

In 2007, the Water Resources Committee was formed as a subset committee of REAP with the purpose of serving as a regional forum and informational resource for water quality and quantity issues in South Central Kansas . The Committee is currently comprised of 26 cities and counties. The WRC also serves as a regional voice on behalf of the members before federal, state and regional agencies. Interested communities can attend our meetings and contact the Committee’s Executive Officer, Angela Buzard, at the information below to learn more about the Committee.



**WaterWise**  
 c/o REAP Water Resources Committee  
 Hugo Wall School  
 1845 Fairmount, Campus Box 155  
 Wichita, KS 67260

Feedback and topic suggestions are welcome!  
 Please contact Angela Buzard  
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 Website: [www.reap-ks.org](http://www.reap-ks.org)