

The regular GMD #2 board meeting on 12/20/17 started at 3:00 pm

All board members were present except for Alan B.

Staff present: Tim Boese, Rebecca, Steve, and Attorney Dave Stuckey

Audience: Full.

Presentation:

David gave a presentation to the Board regarding the upcoming request from Wichita on ASR. See attached. Major topics covered in his presentation included:

- Storage amounts and historic depletions within the Basin Storage Area (BSA)
- Sources of water used by Wichita to meet its demands over time, highlighting the shift from the use of the Equus Bed to Cheney as the primary source
- Recovery of the Equus Beds aquifer
- The City's analysis of its future demands and need for additional supplies in a 1% drought.
- When over his letter to the City:
 - Why AMCs are not passive credits
 - Process ahead
 - What is expected from the City
 - potential terms and conditions

1993 Levels:

The biggest concern about changing the bottom of ASR was the potential to harm shallow domestic wells by the change. This was addressed in the MOU between Wichita and the District.

Bob stated that there are many domestic wells that are approximately 40' deep and going deeper than 93 levels may dry up their wells. They all understood that is probably not going to be impairment because the aquifer will still be on average 80% full but they will be harmed by levels that deep.

The City will change the table in their report to show water depths and percent of saturated thickness left per cell at the end of the future drought. .

AMC Credit Discussion:

Mike McGinn asked what criteria would be used to determine when the City is unable to recharge. Joe Pajor explained that when they inject they create a mounding effect that can encroach on the 10' ceiling of the ASR project. At that point they cannot inject any further and would want to take it to the city for AMCs.

Bob Seiler asked a question on whether building AMC credits in a year would reduce the amount they could divert under their native Equus Bed rights for that year (as the accounting is roughly equivalent to injecting the ASR water and then removing an equivalent amount of native water)? David and Joe both said they would consider this as it had not been discussed.

There was also some discussion on the extent to which their their Little Ark SW right would need to be modified. Tim and I both stated that right is for Muni and ASR use.

Tim suggested additional analysis is needed to determine a full or perhaps "optimum" level for the aquifer, to keep it full but not too full, determined on a cell-by-cell basis.

There was discussion about the recharge credits being a different source of supply than the Equus Beds Aquifer. Bob asked in the case of impairment, are recharge credits senior to everyone? David and Joe explained that they are considered a different source. They wondered how there could be impairment claimed as the aquifer will be left on average 80% full. Bob again said, they might not be impaired but they will be affected by allowing Wichita to pull it down further.

Process:

David discussed the hearing process and the fact that the GMD will be given 2 board meetings to review the proposal.

Water Quality:

There was some discussion on water quality concerns due to the changes. Joe noted that water is treated to drinking water standards when injected.

Bob mentioned the MOU between the city and GMD. Slowing the plume and protecting domestics with the 1993 levels was the reason for the MOU. He asked about the fate of the MOU. David suggested that we will not be able to answer this until the City finalizes the package with its proposed terms and conditions.

Question and Answer/Discussion period:

Mike McGinn noted that the city should move most of their use to Cheney and that these proposed revisions to permit conditions seems counter productive. David explained again that the City's sources are inadequate during a long-term drought and the City needs to find a way to generate credits: either via the existing permits (which would mean lowering the aquifer) or revised permit conditions.

Bob noted that this whole discussion regarding drawing down the aquifer to fulfill the City's need for the project or to get their permit changes seems like blackmail. A sentiment that was echoed by someone in the crowd.

Mike noted that it seems like an opportunity to overdraw EBA too low in the 1% drought. David noted that the aquifer will still be on average 80% full.

Bob asked if anyone else could get SW permits on the Little Ark. I noted for him that it is open and people can and have gotten SW permits on the Little ark, subject to restrictions like off stream storage and time of year.

Kent Askren asked about how pumping AMC credits worked with the cities PU limitation. [note: we will need to look at the issue on how the SW right limits under their Little Ark surface diversion are perfected and fit into this limitation.]

Bob asked whether with these changes there will ever be any reason for Wichita to do physical recharge ever again. Joe reminded him that a proposed permit condition will only allow AMCs when the aquifer is too full to recharge.

Ryan Flickner asked if these changes would allow Wichita to use ASR more days. Joe noted that was not the case. They run ASR as much as possible when the stream allows.

There was some discussion between Bob and the audience that the how these coexisting supplies will be administered needs to be resolved before this is approved. Are AMC's senior to everything in the basin?

Hearing:

Vin raised the discussion on whether the CE should be the hearing officer? David noted that he had received the GMD's letter on that issue and that it was with legal for review.

David talked about the different types of hearing and said this issue needed to be resolved first. He thought an informational hearing that would assist him making the decision on the changes.

Tom Adrian noted that he wrote the letter and his point was that the proposed changes were a product of the CE and the City of Wichita and that he thought David had a investment in the product. The board had a question about the objectivity and integrity of the process.

David said he did not agree that he has a vested interest in the outcome.

WRAP UP:

Tim had some questions about the timing of the hearing and board reviews. David and Tim noted that the package will have to be in final form before it is submitted to the GMD for review.

Joe noted that the submission will happen soon. But they are making changes all the time in response to input they are receiving and expected additional changes from this meeting.

David encourage the Board to hold judgement until the final proposed is received and to engage on the terms and conditions needed to protect the public interest.

Meeting ended about 4:40 PM