

SENATE BILL No. 228

By Committee on Natural Resources

2-9

9 AN ACT concerning the preservation of Cedar Bluff Reservoir and con-
10 trolling the release of water contained therein.

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12 WHEREAS, Cedar Bluff State Park and Recreation is the only water-
13 based recreational facility in West Central and Northwest Kansas and
14 provides camping, fishing, hunting and boating; and

15 WHEREAS, Not maintaining the reservoir at the top of conservation
16 (recreational) pool level (2,144 ft. above sea level) has a significant neg-
17 ative impact on the communities around the reservoir; and

18 WHEREAS, Hydrological studies performed over the years by the
19 Kansas Department of Wildlife and Parks, the Bureau of Reclamation,
20 the Kansas Water Office and private engineering firms indicate that the
21 future of Cedar Bluff Reservoir and other Western Kansas reservoirs is
22 bleak due to the reduction in runoff and base stream flow caused by both
23 soil conservation practices and irrigation wells upstream; and

24 WHEREAS, The Kansas Water Office conducted an analysis of the
25 hydrology of the lake which reveals the Cedar Bluff Reservoir cannot keep
26 up with evaporation from the surface of the lake during extended periods
27 of time. Without any releases, except for flood control, the lake would
28 have been below conservation pool level for 24 straight years from 1974
29 through 1998. It took two flood years, 1993 and 1995, to bring the lake
30 back to planned levels (2,144 ft.). The Kansas Water Office concluded
31 that there are no significant releases that can be sustained through a
32 drought from Cedar Bluff Reservoir; and

33 WHEREAS, The year 2000 and subsequent legislatures have given
34 guidance in budget committee reports that water not be released from
35 Kansas Water Office storage in the reservoir. The 2003 Legislature di-
36 rected the Kansas Water Office to explore the possibility of transferring
37 the ownership and operating control of all storage capacity in Cedar Bluff
38 Reservoir currently under the authority of the Kansas Water Office to the
39 Kansas Department of Wildlife and Parks; and

40 WHEREAS, The lake is now approximately 10 feet below conserva-
41 tion level (2,144 ft.) due to evaporation and releases over the last 2½
42 years. Inflow has not kept up with the loss. The success of Cedar Bluff
43 State Park and the economy of the region are directly related to the level

1 of the lake. Releases from the lake have proven to be harmful to the
2 economy of both the park and the region; and

3 WHEREAS, The Kansas water plan states that top priority in the man-
4 agement of Cedar Bluff Reservoir will be to maintain the lake level at the
5 top of conservation pool (2,144 ft.): Now, therefore,

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section. 1. The Kansas Water Office shall transfer ownership and
8 management of the 5,400 acre feet of water stored in the artificial re-
9 charge pool (the designated use pool) of the lake to the Kansas Depart-
10 ment of Wildlife and Parks along with its joint interest in the joint use
11 pool.

12 Sec. 2. There shall be no further releases of water from Cedar Bluff
13 Reservoir for any reason other than flood control, honoring the long-
14 standing city of Russel contract and maintenance of the Kansas Depart-
15 ment of Wildlife and Parks facilities below the dam. Every effort shall be
16 made to maintain the lake at the top of conservation pool (2,144 ft.).

17 Sec. 3. The primary use of Cedar Bluff Reservoir is hereby desig-
18 nated to be flood control and recreation including fishing, hunting, boat-
19 ing, camping and hiking and activities related thereto.

20 Sec. 4. This act shall take effect and be in force from and after its
21 publication in the statute book.