

NOTICE OF HEARING

In the Matter of the Designation of The Four County Local Enhanced Management Area (LEMA) In Wallace, Greeley, Scott, and Lane Counties in Kansas

Pursuant to K.S.A. 82a-1041, the Western Kansas Groundwater Management District No. 1 (GMD No. 1) has requested the designation of the Four County Local Enhanced Management Area (Four County LEMA) in a designated area in Wallace, Greeley, Scott, and Lane counties within the boundaries of GMD No. 1. The plan for the proposed designation of the Four County LEMA was previously submitted to the chief engineer by GMD No. 1 and was found to be acceptable for further consideration. An initial public hearing in this matter was held on October 17, 2022, and, on December 21, 2022, the chief engineer issued an order finding that the evidence presented at the initial public hearing satisfied the relevant criteria set forth in K.S.A. 82a-1041 and ordered that a second hearing to consider the designation of the Four County LEMA would be held. The initial order is available online at: www.agriculture.ks.gov/FourCountyLEMA

Since the chief engineer found at the initial hearing that the Four County LEMA plan satisfied the relevant criteria set forth in K.S.A. 82a-1041, the chief engineer has scheduled a second public hearing pursuant to K.S.A. 82a-1041. The hearing will be held at 10:00 a.m. central time on February 2, 2023 at the Western Kansas Child Advocacy Center, 212 E. 5th Street, Scott City, Kansas. The hearing will continue as long as is necessary for a full disclosure of relevant facts. If a full disclosure of relevant facts cannot be achieved on February 2, 2023, the hearing will continue on a future date that allows adequate notice to be given as required by K.S.A. 82a-1041.

The chief engineer has also scheduled a prehearing conference to take place prior to the hearing. The prehearing conference will be held virtually via Zoom at 10:00 a.m. central time on January 18, 2023. Members of the public who wish to attend the prehearing conference must pre-register. A link to pre-register is located at: www.agriculture.ks.gov/FourCountyLEMA and can also be obtained by contacting Ronda Hutton at (785) 564-6715 or ronda.hutton@ks.gov. At the hearing, the chief engineer will serve as the hearing officer. The hearing will be conducted pursuant to K.S.A. 82a-1041 and K.A.R. 5-19-3 and will determine whether the proposed LEMA should be designated and if the corrective controls proposed in the LEMA Management Plan shall be accepted, rejected, or if modifications to the plan should be proposed.

Anyone may submit written or oral comments to be included in the hearing record. Oral comments will be accepted only from in-person attendees at the hearing location in Scott City. Written comments may be submitted at the public hearing or may be mailed to the Four County LEMA, c/o Ronda Hutton, 1320 Research Park Drive, Manhattan, Kansas 66502; faxed to (785) 564-6777; or e-mailed to ronda.hutton@ks.gov. Written comments may be submitted until February 9, 2023 and must be postmarked by that date. After that date, the chief engineer will close the record of the initial hearing and will issue an order accepting the proposed LEMA plan, rejecting the proposed plan, or returning the plan to GMD1 and giving GMD1 the opportunity to modify and re-submit the plan.

A copy of the proposed Four County LEMA plan and related documents are available online at: www.agriculture.ks.gov/FourCountyLEMA. Interested members of the public are encouraged to attend the public hearing.

Earl D. Lewis, P.E.
Chief Engineer, Division of Water Resources
Kansas Department of Agriculture