

Guidance for the State Fiscal Year 2010 Local Environmental Protection Program

Kansas Department of Health & Environment Bureau of Water, Watershed Management Section

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Abbreviations & Acronyms

BOW – Bureau of Water
EPA – U.S. Environmental Protection Agency
KAR – Kansas Administrative Regulation
KCW – Kansas Clean Waters (the new web-based system for LEP and EPA319 grants)
KDHE – Kansas Department of Health & Environment
KSA – Kansas Statutes Annotated
KWO – Kansas Water Office
LEP – Local Environmental Protection
LEPG-- Local Environmental Protection Group
LEPP – Local Environmental Protection Program
SFY – State Fiscal Year (July 1 through June 30)
TMDL – Total Maximum Daily Load
WMS – Watershed Management Section
WRAPS – Watershed Management and Protection Strategy

Significant Changes to the 2010 Guidance Document

1. Updated e-mail addresses (Page 3)
2. Description of core and supplemental program requirements (Page 4)
3. Water Plan Priorities updated based on the 2009 Water Plan (Page 5)
4. LEPP Grant Application Review Process (Page 6)
5. Instructions for the new KCW LEPP grant application. (Page 9)

SFY 2010 Grant Process and Timeline

| Target Date | Activity |
|---|--|
| April 1, 2009 | LEPPs may log onto the new KCW system to create their grant application and revise their 2010 LEP Plan. Step-by-step instructions on how to create and revise the LEP Plan are on pages 8-11 of this document. |
| May 15, 2009 | LEPPs submit online LEP Plan on or before this date. |
| June, 2009 | KDHE mails out Base Grant Agreements. |
| July 1, 2009 | Deadline for LEPPs to submit signed Base Grant Agreements to this KDHE address: SFY2010 Local Environmental Protection Grant KDHE Bureau of Water, Watershed Management Section 1000 SW Jackson, Suite 420 Topeka, KS 66612-1367 |
| August, 2009 | KDHE makes payment to LEPPs. |
| October 15, 2009 January 15, 2010 April 15, 2010 July 15, 2010 | LEPPs submit quarterly affidavit to their Watershed Field Coordinators. The annual performance report must be updated quarterly. |
| July 15, 2010 | LEPPs submit Performance Report. |

KDHE Technical Assistance

KDHE assistance with development and implementation of the LEP Plan will be provided by the Watershed Field Coordinators:

Watershed Field Coordinators

Beth Rowlands, Lawrence 785-842-4600 browlands@kdheks.gov

Doug Schneweis, Hays 785-625-5663 dschnewe@kdheks.gov

Richard Basore, Wichita 316-337-6020 rbasore@kdheks.gov

These individuals are also available to provide assistance:

KDHE Bureau of Water

Administrative: Lisa Duncan-Edes, 785-296-4195 lduncan-edes@kdheks.gov

General guidance: Sheryl Ervin, 785-296-8038 servin@kdheks.gov

District Environmental Administrators

Julie Coleman, Lawrence 785-842-4600 jcoleman@kdheks.gov

Jennifer Nichols, Salina 785-827-9639 jnichols@kdheks.gov

Dan Wells, Hays 785-625-5664 dwells@kdheks.gov

Al Guernsey, Dodge City 620-225-0596 aguernse@kdheks.gov

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General Guidance

Core and Supplemental Program Overview

Article 66 of the Kansas Administrative Regulations outlines the minimum requirements for each core and supplemental component of the LEP Program. All components must be addressed in the LEPP Plan.

Core components include

- the development, implementation, and enforcement of private onsite wastewater environmental codes
- the development, implementation, and enforcement of private water well environmental codes
- information, education, and technical assistance
- organization and coordination of a local environmental protection committee to provide advice and counsel to the local entity on the content and administration of the local environmental protection plan.

The supplemental program components include

- the development and implementation of a plan for subdivision water and wastewater
- the development and implementation of a plan for solid waste management
- the development and implementation of a plan for hazardous waste management
- participation in the development and implementation of the nonpoint source (NPS) pollution control
- the development and implementation of a public water supply protection plan.

Additional information to assist with completing all plan components is included in table 5.

State Water Plan Priorities

Some of the Basin Advisory Committees have also determined that other priority issues are important to their basin. All basin priority issues are listed in Table 1. LEP Programs need to be aware of these and be available to provide assistance where applicable. Table 5 describes activities in more detail that will support the Water Plan objectives. The State Water Plan is located on the State Water Office website at <http://www.kwo.org/Kansas%20Water%20Plan/Kansas%20Water%20Plan.htm> . The Kansas Water Plan Water Quality Policy and Institutional Framework through which water quality protection and restoration is addressed in Kansas is located at http://www.kwo.org/Kansas%20Water%20Plan/SWP/KWP_2008/Vol_II_Docs/Rpt_KWP_2009_Water_Quality.pdf.

| Table 1 – Basin Priority Issues | | | | | | | | | | | | | |
|--|-------------|-----------------------|-----------|-------------------|----------|--------|---------------------|---------|-----------|------------------|-----------|--------|---|
| Issue | River Basin | | | | | | | | | | | | |
| | Cimarron | KS - Lower Republican | Lower Ark | Marais des Cygnes | Missouri | Neosho | Smoky Hill – Saline | Solomon | Upper Ark | Upper Republican | Verdigris | Walnut | |
| Arkansas River Shiner | X | | | | | | | | | | | | |
| Bioenergy and Water | X | | X | | | | | | X | | | | |
| Comprehensive Flood Assessment | | | | X | | | | | | | X | X | |
| Increased Water Recreation Use and Access | | | | | X | | | | | | | | |
| Interstate Cooperation to Address Water Quality | | | | | | | | | X | | | | |
| Kansas River Degradation | | X | | | | | | | | | | | |
| Long Term Public Water Supply | | | X | | | | | | | | | | |
| Lower Smoky Hill River Water Management | | | | | | | X | | | | | | |
| Management of Ogallala-High Plains Aquifer | X | | | | | | | | X | | | | |
| Management of Ozark Plateau Aquifer System and Spring River | | | | | | X | | | | | | | |
| Middle Arkansas Sub-basin Management | | | | | | | | | X | | | | |
| Minimum Water Levels in Webster Lake | | | | | | | | X | | | | | |
| Missouri River Bed Degradation Impacts | | | | | X | | | | | | | | |
| Ogallala-High Plains Aquifer Declines | | | | | | | X | X | | X | | | |
| Protecting and Enhancing Instream Flows | | | | | | | | | | | X | | |
| Rattlesnake Creek Sub-basin | | | X | | | | | | | | | | |
| Recreation Use of the Walnut River | | | | | | | | | | | | | X |
| Regional Planning for Urbanization | | | | | | | | | | | | | X |
| Republican River System Management: Compact Compliance & Damages | | | | | | | | | | X | | | |
| Role of Reuse in Water Conservation | | | X | | | | | | | | | | |
| Salt Cedar & other Non-Native Phreatophyte Control | X | | | | | | | | X | | | | |
| Subbasin Water Management | | | | | | | | X | | | | | |
| Water Supply | | | | | | | X | | | | | | |
| Water Supply Management & Conservation | | X | | X | | X | | | | | X | X | |
| Watershed Restoration & Protection | | X | X | X | X | X | | | X | | X | X | |

Affidavits and Performance Reports

Affidavits (expenditure reports) and performance reports are submitted on the KCW. Affidavits must be submitted quarterly. The annual performance report must be updated quarterly. Watershed field coordinators will review and approve the affidavits and review each LEPP's performance report for progress quarterly.

LEPP Grant Application Review Process

LEPP applications are reviewed by the Watershed Field Coordinators and Watershed Management Section staff to identify deficiencies in the plan components as specified in K.A.R. 28-66-4 prior to approval of the SFY10 application. Any deficiencies identified in the plan will need to be addressed as part of the application process for this grant period. This may include a description of the actions that will be taken during the grant period to correct the deficiency. For example, if the sanitary code includes language to address private water wells, but the LEP plan does not discuss how the code will be implemented, the plan could state that the sanitarian will identify a process to implement the private water well code provisions. Programs will be expected to correct the deficiencies prior to June 30, 2010. Failure to correct the identified deficiencies may result in conditional funding for the 2011 fiscal year.

Funding, Disbursement, Local Contributions, and Target Grants

SFY 2010 Local Environmental Protection Grants are financed by the Kansas Water Plan Fund. Pursuant to KSA 82a-951, only activities and projects which result in the protection and restoration of the waters of the state are eligible for water plan funding.

At this time, KDHE does not have a final appropriation for SFY 2010 LEPP grants. The funding levels by county for SFY09 are shown in Appendix A. In the event the appropriation is less than SFY09, that grant amount for each county will be determined as per KAR 28-66-2(f) which states:

if the appropriation from the state water plan is not adequate to award each local entity the base grant amount for which it is eligible under subsection (e) of this regulation, then the amount for which the local entity would be eligible under subsection (e) shall be divided by the total amount of funding for which all local entities have applied. The quotient shall then be multiplied by the total amount of funding appropriated for local environmental protection grants to determine the amount of the local entity's grant.

The base grant payment will be made in mid-August. Quarterly affidavits are submitted and the annual performance report is updated via the Kansas Clean Waters web site.

Budget items are identified by category. Definitions for each category are included in Table 2.

Table 2 - Definitions of Budget Categories

Personnel - All wages and salaries paid to individuals assisting with the management of the LEPP only. Do not include wages and salaries paid to perform work in other programs. Please include the person and Full Time Equivalent (FTEs) in the budget detail.

Fringe Benefits – This category includes health insurance, FICA (Social Security and Medicare), retirement, etc.

Travel - Include mileage, meals, lodging, parking, fuel, and toll costs.

Equipment - Any purchased item with a useful life in excess of one year and a unit cost of \$2000 or more. For equipment purchases please provide a copy of the invoice, make, model and serial number of the item purchased. If you lease or rent an item, the cost should be in contractual services.

Supplies - Any purchased item which cost less than \$2000 or has a useful life of less than one year. All expendable items, such as copy paper, computer discs, light bulbs, costs of informational brochures, computer, computer programs, digital camera, postage, etc. Grant funds may not be used to purchase food.

Contractual Services - Any services provided by contract between the program and the service provider.

Other - This would be telephone, rent dues and expenses not included elsewhere.

Indirect Costs – Indirect costs may only be used for the local match amount.

Counties receiving local environmental protection grants are required to provide a participant’s local match or contribution. The participant’s local match is based on a percentage of the state grant. The local match percentage is 10, 20, 30 or 40 based on the cost share rate criteria shown in Table 3.

| Table 3 – Local Match Rate | |
|--|-------------------|
| Amount of Grant | Percentage |
| \$23,000 and less | 10% |
| Greater than \$23,000 and equal to or less than \$55,000 | 20% |
| Greater than \$55,000 and equal to or less than \$123,00 | 30% |
| Greater than \$123,000 | 40% |

In the event the legislature appropriates more than is required by the formula, the excess will be available as target grants. Please be advised there is no assurance that target grant requests will be funded.

LEP programs have flexibility in meeting the local match methods summarized in Table 4.

| Table 4 – Local Match Methods |
|--|
| <p>Direct Cash: Refers to the direct expenditure of funds derived from local sources for implementation of the Local Environmental Protection Plan. Examples are:</p> <ul style="list-style-type: none">• Appropriation from county general fund – Any appropriations from county-derived tax revenues used for implementing the local environmental protection program.• Service fees – Amount of revenue derived through the delivery of Local Environmental Protection Program services. Examples are permit fees, inspection fees, and water test fees.• Grants – Grants from state and federal agencies and private sector sources may qualify. The local entity should confer with KDHE concerning the eligibility of grants. |
| <p>In-kind: Refers to the value of goods and services provided by the county that benefit the local environmental protection program or its personnel. Examples are:</p> <ul style="list-style-type: none">• Value of office space – The rental value of space in a county-owned building provided for LEPP personnel. Utilities (water, electricity and gas) may be included in the rental value or be added on if the quantity of these resources consumed by LEPP personnel can be calculated.• Indirect charges not claimed – The charge based on a fixed percent of the grant used to cover services, such as, but not limited to, accounting, utilities, or legal services. Indirect costs must be pre-approved by KDHE. A county or LEP group that has negotiated an indirect charge rate with KDHE or the federal government has the option to claim some or all indirect costs as local match. If indirect costs are claimed as in-kind, a copy of the agreement must be submitted to KDHE Watershed Management Section.• Supervisory or support personnel – The documented time personnel such as county commissioners, administrators, support staff, and LEP committee members spend on providing oversight, direction, or support to the local environmental protection program.• Volunteer time and mileage (advisory committees, etc.) – If the local environmental protection program uses unpaid citizen advisors or other volunteers, the time of the volunteers in service as well as any unreimbursed cost of mileage and materials can be documented and claimed. |

Preparation and Submittal of the 2010 LEP Plan Instructions for the Kansas Clean Waters (KCW) System

<https://kanphix.kdhe.state.ks.us/Public/KCW/>

Access the KCW and submit the LEP Plan following the instructions below. All information must be entered into the application. Information can be copied and pasted from other documents including, but not limited to, the old KCW system, Word, or a .pdf file.

If you have questions, call your watershed field coordinator, Lisa Duncan-Edes (785-296-4195), or Sheryl Ervin (785-296-8038).

Steps to prepare and submit your 2010 LEP Plan and Budget –

1. **Access Website** -- Access the new Kansas Clean Waters (KCW) system.
2. **Log In** -- Click on “Log In” (top of menu bar to the left) to access the registration page.
3. **Registration Page** -- Enter the registered user name and password. Once logged in, the user can save information and log off at any time.
Save often to avoid being “timed-out”.
4. **Grant Homepage** -- Click on “Grants” (under the “Information” heading menu bar on left). The Grants page lists all grant types, both LEPP grants and EPA319 grants.
 - a) Scroll down and click on the “Apply” button next to “Local Environmental Protection Program (LEPP) Grants”.
 - b) Click “No” under the question “Would you like to upload CORE information from a previous grant?”. The system will open a new blank grant. (The copy from a previous year grant function will be available for the 2011 applications.)
 - c) The Application is subdivided into three main sections: Home (General Program), LEPP Specific Information Home, and Program Goals Home. Each section focuses on a specific component of the LEPP Plan.

5. Home

The subsections under Home are:

- a) History & Program Information
 - i. Select your program from the drop down list
 - ii. Enter your 9 digit FEIN number. **Do not use dashes or spaces between the numbers.** Select the “Refresh Address Choices for FEIN” button and select the correct office/address for your program. The Organization and Address information will auto fill based on the information selected from the drop down list. If your FEIN number does not display or the organization information is incorrect, please contact the Watershed Management Section for assistance. This information can not be edited in the new KCW system.
 - iii. Enter the name, phone number, and e-mail address of the program contact person. The contact person’s address does not need to be reentered if the address is the same as the sponsoring organization.

- iv. Program Overview - Provide an overview of the LEPP plan and include a description of the LEPP Committee. Include a history of your program, any significant activities, and how environmental issues are addressed by your program. This information may be copied from another document, including the old KWC system, and pasted into the text box.
 - v. Select "Click to Continue".
- b) Program Scope
- i. Select the county(ies) your program serves.
 - ii. The HUC 8 information will automatically populate based on the county(ies) selected.
- c) Grant Management
- i. The State fiscal year will automatically populate.
 - ii. Complete the contact information for your program's Signature Authority. The Signature Authority is the person in your organization who has been granted responsibility for providing approval for contracts, agreements, and financial transactions.
- d) Budget & Budget Detail
- i. A table is included at the bottom of the page listing your program name, county, grant amount, and match amount. If your program is a multi county program, the grant and match amounts will be listed individually for each county in your program. This table will not print on the .pdf document. If you would like a hard copy of this table please print this page from your browser window.
 - ii. Complete the totals for each category under "Grant Amount" and "Local Match Amount". **Enter whole dollar amounts only.** The "Program Total" will automatically calculate. Appropriate items to include in each category are defined in Table 4.
 - iii. Select "Save and Continue".
 - iv. Text boxes will appear only for the categories where dollar amounts were entered. Describe how the funds will be used for each category. Include your FTE amounts in the Personnel categories. Do not include wages and salaries paid to perform work in other programs.
- e) Team Members
- i. Include the contact information for each team member. Indicate in the "Role" field if the member is the sanitarian, on the LEPP Committee, provides technical assistance, is a member of a specialized committee, etc. Also include organization staff members such as your accountant, other inspectors, and your receptionist. Select the "Add a New Team Member" to save the information and clear the form to add another member.
- f) LEPP Specific Information Home and Program Goals Home sections may also be accessed from this page.

6. LEPP Specific Information Home

This information pertains to the LEP Program in general and includes:

a) Water Plan Priorities

- i. All LEP Programs are required to include how Kansas Water Plan priorities will be met. Provide objectives and specific examples of how the objectives will be accomplished. Indicate if your program participates in any Watershed Restoration and Protection Strategy (WRAPS) projects in your area. Include the code reference if your county codes include a non-point source pollution control section. Additional information to assist with this section can be found in Table 5. The form allows you to copy and paste this information from another document, including the old KCW system.

b) County Environmental Code

- i. Include the date the code was adopted.
- ii. Indicate if the code will be revised during the grant period.

7. LEPP Program Goals Home

This section covers your LEPP Plan.

a) Information, Education and Training Activities

- i. All Information and Education activities your program plans to accomplish during the grant will be included in the first text box on this page. Please include any notification and recruitment activities, educational materials to be produced, any educational events planned, and any other activities. Additionally, if a committee has been formed specifically to address I&E activities include the committee members and the committee purpose.
- ii. Describe any training opportunities your program plans to provide for the public. This includes installers, pumpers, water well drillers, etc. Additionally, indicate here if your program plans to provide onsite wastewater system maintenance training opportunities for septic tank owners.
- iii. Discuss any training opportunities your staff members plan to attend. Staff training examples include: KSFA, water sample testing, Sanitarian meetings, KEHA, etc.

b) Private Onsite Wastewater

- i. Select the team member primarily responsible for onsite wastewater from the drop down list. If your program is a multi-county group, please list the main contact here and include the contacts for the other counties in the text box associated with item (iii).
- ii. Include the title and citation of the code that pertains to onsite wastewater.
- iii. Include a description of how your program will implement this section of your code. List specific objectives and describe how the objectives will be accomplished.
- iv. Describe how your program will inform the general public of the onsite

wastewater code. Examples include public service announcements, press releases, web sites, etc. specific to the private onsite wastewater section of your code.

- v. The remaining questions on this page pertain to the types of inspections, licenses and permits your program requires and the associated fees, if any.

c) Private Water Wells

- i. Select the team member primarily responsible for private water wells from the drop down list. If your program is a multi-county group, please list the main contact here and include the contacts for the other counties in the text box associated with item (iii).
- ii. Include the title and citation of the code that pertains to private water wells.
- iii. Include a description of how your program will implement this section of your code. Include a description of how your program will implement this section of your code. List specific objectives and describe how the objectives will be accomplished.
- iv. Describe how your program will inform the general public of the private water wells code. Examples include public service announcements, press releases, websites, etc. specific to the private water wells section of your code.
- v. The remaining questions on this page pertain to the types of inspections and permits your program requires, any services your program provides, and the associated fees, if any.

d) Subdivision Water and Wastewater

- i. Select the team member primarily responsible for subdivision water and wastewater from the drop down list. If your program is a multi-county group, please list the main contact here and include the contacts for the other counties in the text box associated with item (ii).
- ii. List specific objectives and provide actions that will be taken to meet the objectives. Describe how your program will inform the stakeholders and the general public of the subdivision water and wastewater requirements. Include the code reference if your county codes include a subdivision water and wastewater section.

e) Solid Waste Management

- i. Select the team member primarily responsible for solid waste management from the drop down list. If your program is a multi-county group, please list the main contact here and include the contacts for the other counties in the text box associated with item (ii).
- ii. List specific objectives to be accomplished and describe how the LEPP Committee will work with local governments, organizations, businesses, and landowners to prevent or remediate solid waste dumping in water ways. Examples include presentations to local organizations, press releases, news articles, etc.

- iii. Indicate if your county or counties has a household hazardous waste collection program.
 - iv. Describe how your program will inform the stakeholders and the general public of the solid waste management requirements. Include the code reference if your county codes include a solid waste management section.
- f) Hazardous Waste Management
- i. Select the team member primarily responsible for hazardous waste management from the drop down list. If your program is a multi-county group, please list the main contact here and include the contacts for the other counties in the text box associated with item (ii).
 - ii. List specific objectives to be accomplished and describe how the LEPP Committee will work with local governments, organizations, businesses, and landowners to prevent or remediate the discharge of hazardous waste. Examples include presentations to local organizations, press releases, news articles, websites, etc. Include the code reference if your county codes include a hazardous waste section.
 - iii. Describe how your program will inform the general public of the hazardous waste management requirements. Examples include presentations to local organizations, press releases, news articles, websites, etc. Include the code reference if your county codes include a hazardous waste management section.
- g) Non-point Source Pollution Control
- i. Select the team member primarily responsible for non-point source pollution control from the drop down list. If your program is a multi-county group, please list the main contact here and include the contacts for the other counties in the text box associated with item (ii).
 - ii. List specific objectives to be accomplished and describe how the LEPP Committee will work with the county conservation district and others to minimize the adverse impact of non-point pollutant sources.
 - iii. Indicate if your program has the capability to analyze stream water quality samples.
 - iv. Describe how your program will inform the general public of nonpoint source pollution problems and issues in your area. Examples include presentations to local organizations, press releases, news articles, websites, etc.
- h) Public Water Supply Protection
- i. Select the team member primarily responsible for public water supply protection from the drop down list. If your program is a multi-county group, please list the main contact here and include the contacts for the other counties in the text box associated with item (ii).
 - ii. List specific objectives to be accomplished and describe how the LEPP Committee will work to protect public water supplies. Describe any activities related to source water or well head protection planning your program will provide to the public water supply systems in your area. Include the code

reference if your county codes include a public water supply protection section.

- iii. Describe how the public will be informed of public water supply protection needs and practices. Examples include presentations to local organizations, press releases, news articles, websites, etc.
- iv. The program will then return the user to the Home page.

Submit the plan

- i) After all sections have been properly completed, green check marks will appear next to each section and the “Submit Grant for Approval” button at the bottom of the page becomes active (is no longer grayed out).
- j) Click on the “Submit Grant for Approval” button.
- k) The system will acknowledge the grant has successfully been submitted.
- l) Click on “Log Off” in the menu to the left.

**Table 5 – State Fiscal Year 2010 LEP Plan Guidance:
Kansas Administrative Regulations (KARs) and Activity Examples**

Table 5 provides example language for completion of the Local Environmental Protection Plan. The regulations are also located on the KDHE website <http://www.kdheks.gov/nps/lepp/> or the Kansas Legislature website <http://www.kslegislature.org/legsrv-kars/index.do>.

| Table 5 – SFY10 LEP Plan Guidance | |
|--|---|
| Section | Kansas Administrative Regulations (KARs) and Activity Examples |
| Overview of LEP Plan | <p>K.A.R. 28-66-4 --</p> <ol style="list-style-type: none"> 1. A local environmental protection plan shall be developed annually by the local entity and shall be submitted and approved by KDHE prior to any grant award. 2. KDHE may issue a base grant after it has been determined that the local environmental protection plan is consistent with the environmental protection strategy of the state water plan, K.S.A. 75-5657, and all other statutes, regulations, documents or guidelines relevant to sanitary or environmental codes, or both, subdivision water and wastewater management, solid waste, hazardous waste, public water supply protection, and nonpoint source pollution. 3. KDHE may withhold the approval of a local environmental protection plan if it is determined that the local entity has not satisfactorily completed the approved objectives under the previous year's local environmental protection plan, except that the applicant shall be given the opportunity to demonstrate compelling circumstances which prohibited the completion. 4. Any local environmental protection plan may be amended during the state fiscal year. Each proposed amendment shall be submitted to KDHE in writing and KDHE shall provide written approval of the amendment. <p>Local Environmental Protection Committee</p> <p>KAR 28-66-1(b)(5) provides that an LEP Program must “establish a local environmental protection committee to provide advice and counsel to the local entity on the content and administration of the local environmental protection plan.”</p> <p>The regulations stipulate that the committee is to advise the "local entity" and the local entity is the LEPP's governing body, either the county commission for a single county or the board of directors for a multiple county program. Therefore, the governing body cannot serve as the local environmental protection committee. Other than stipulating a committee must be established, the regulations are silent on such issues as number of members, how they are appointed, the frequency of committee meetings, etc. As a consequence, the local entity (governing body) makes these decisions, although the LEPP Committee should meet at least annually to “provide advice and counsel to the</p> |

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| <p>Overview of LEP Plan (continued)</p> | <p>local entity on the content and administration of the local environmental protection plan". Traditional meetings may be held or a "virtual" committee could be established that completes all work via teleconference or e-mail.</p> <p>When describing the LEPP committee include:</p> <ul style="list-style-type: none"> • The type of members. • How the LEPP Contact Sponsor solicits input (face to face meetings, e-mail, phone calls, etc.). Please forward e-mail responses from your LEPP committee members to your Watershed Field Coordinator in order to document their participation. • How often they meet/solicit input. <p>An example of an adequate description of the LEPP committee: The First County LEP Committee shall be comprised of the First County Environmental Specialist, the Solid Waste Program Manager, the County Extension Agent, a County Conservation District Representative, the county Economic Development Director, a subdivision/sewer district representative, a realtor, and the First County Health Officer. This committee meets formally semi-annually and maintains constant contact via e-mail and phone to assure that the LEPP plan is implemented in a coordinated manner.</p> <p>Additionally, a table can be created and pasted into the overview section to provide specific information on the individual members.</p> <p>Membership of the LEP committee must be reviewed annually to ensure that all LEP plan elements are addressed.</p> <p>To assure coordinated protection of the county's water resources, the administrators of the various plan elements are encouraged to establish a formal or informal coordination team comprised of representatives of the various departments responsible for administering elements of the plan. If such a coordination group currently exists, the plan should include a list of the members and a description of its operations.</p> <p>Example:</p> <p>A Technical Coordination Committee will be formed comprised of the Second County Environmental Health Director, the Second County Planning Director, the Second County Public Works Director; the Area Wide Solid Waste Authority Coordinator; the Second County Agriculture Extension Agent; and the Conservation District Manager. The Technical Committee will be formed in July and will meet in August 2008 to determine what public input is needed and how the LEP plan can be coordinated.</p> |
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| <p>Kansas Water Plan Priorities</p> | <p>The Water Quality Policy Section of the 2009 Kansas Water Plan recognizes the value of the LEPP as a means of implementing the policies of the Plan. FY 2010 LEPP Plans are required to identify activities and tasks the LEP Program will execute to contribute towards attainment of these Kansas Water Plan 2010 Objectives:</p> <ul style="list-style-type: none"> • <i>By 2010, reduce the average concentration of bacteria, biochemical oxygen demand, dissolved solids, metals, nutrients, pesticides and sediment that adversely affect the water quality of Kansas lakes and streams.</i> • <i>By 2010, reduce the average concentration of dissolved solids, metals, nitrates, pesticides and volatile organic chemicals that adversely affect the water quality of Kansas groundwater.</i> • <i>By 2010, ensure that water quality conditions are maintained at a level equal to or better than year 2000 conditions.</i> <p>Activity Examples</p> <ul style="list-style-type: none"> • Participate in Watershed Restoration and Protection Strategy (WRAPS) projects. Provide support services to WRAPS projects, such as inventorying existing onsite wastewater systems and private water wells. • If the Ogallala Aquifer is a priority issue for your LEP Program, describe how your program will address this priority in your LEP Plan. • Become familiar with the Kansas Surface Water Nutrient Reduction Plan http://www.kdheks.gov/water/download/ks_nutrient_reduction_plan_12_29_final.pdf, which has been adopted as part of the Kansas Water Plan and promote activities to address plan goals. • Prepare a fact sheet summarizing the Kansas Water Plan – 2010 Water Quality Objectives and the activities the LEPP is performing to address these. Distribute the fact sheet to community leaders. • Be available to provide assistance with priority issues in basins included in your county or group area. Some of the Basin Advisory Committees have determined that other priority issues are important to their basin. All basin priority issues are listed on page 6 of this document. • Provide a report or presentation of LEPP accomplishments to Basin Advisory Committee members. • Encourage county elected officials to attend Basin Advisory Committee meetings. • Participate in training opportunities such as: meetings and conferences sponsored by Kansas Environmental Health Association, Kansas Small Flows Association, Kansas Water Environment Association, Kansas Rural Water Association, Kansas Section American Water Works Association, Basin Advisory Committees, etc. • Provide staff development and training. • Work with local media sources (radio, television, newspapers), county extension offices, county conservation district and public schools to communicate goals and objectives of the LEP Plan to the general public. Explore opportunities for use of Public Access cable television channels for communication to the public. |
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| <p>Kansas Water Plan Priorities (continued)</p> | <ul style="list-style-type: none"> • Total Maximum Daily Loads (TMDL) implementation activities <ul style="list-style-type: none"> ➤ Be aware of high priority TMDL watersheds in the LEP service area. ➤ Be available to brief community leaders of high priority TMDL watersheds within the LEP service area and the significance of these to the people and communities of the LEP service area. ➤ Devise a means of informing onsite wastewater treatment system owners residing in high priority TMDL watersheds of their responsibility to assure adequate operation and maintenance of onsite wastewater treatment systems. ➤ Where TMDLs have not been established: participate in TMDL development meetings; review and revise the LEP Plan as necessary to facilitate implementation of TMDLs; and assist in local needs assessments and studies. For detailed TMDL information see KDHE’s web site at http://www.kdhe.state.ks.us/tmdl/ • Public water supply protection activities <ul style="list-style-type: none"> ➤ Follow-up with non-community public water suppliers with completed source water assessments to provide counsel on actions the owner can take to address the threats identified by the assessment. ➤ Identify onsite wastewater treatment systems within Zone A and B of the assessment area and provide owners information on the importance of proper operation and maintenance of onsite wastewater treatment systems. ➤ Confer with public water supply system governing bodies and offer to assist in development of a public water supply protection plan. • Activities to address the statewide priority to develop regional public water supply strategies <ul style="list-style-type: none"> ➤ Maintain communication with the Kansas Water Office basin planner. Request to receive BAC meeting agendas, packets, and minutes. Access the KWO webpage at http://www.kwo.org to keep updated on water supply issues in specific basins. ➤ Be aware of all public water supply sources in the LEPP service area. Maintain communication with city water superintendents and RWD operators/managers. Ensure that county planning/zoning staff involve the LEPP in review of new development. ➤ Assist small public water suppliers (small communities, multi-home systems, etc.) when they assess their water needs and explore alternative water supply sources. Participate in development of water supply feasibility studies. |
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| <p>Code for Onsite Wastewater</p> | <p>KAR 28-66-1(6)(2) -- Develop, implement and enforce an environmental code approved by the secretary of KDHE setting out standards for management of onsite wastewater systems for the treatment of domestic sewage only.</p> <p>Activity Examples</p> <ul style="list-style-type: none"> • Administer the onsite wastewater section of the sanitary code. Review and revise the code as needed. Revise the code if it does not reference KDHE Bulletin 4-2, "Minimum Standards for Design and Construction of Onsite Wastewater Systems." • Septic Tank Standards effective July 1, 2002 -- Review and update, as necessary, protocol and public information tools to assure that septic tanks installed after July 1, 2002 meet the standards set out by Bulletin 4-2. Work with local installers, manufacturers, and lending institutions to assure they are aware of tank standards. • Review guidelines and procedures for reviewing and permitting alternative onsite wastewater systems. • Class V Underground Injection Wells -- Report to KDHE the location and ownership of any Class V wells the LEP staff may discover during the course of executing the LEP Plan. An inventory form is located at KDHE's website at http://www.kdheks.gov/uic/CVOnlySanitary.pdf . Definition of a Class V UIC Well: Wells not included in other classes. Typically, Class V wells are shallow wells used to place a variety of fluids below the land surface. Definitions for all classes are located at http://www.kdheks.gov/uic • Contact cities in your county to discuss any onsite wastewater system problems within city boundaries and ways the LEP Program can help resolve the problems (interlocal agreement; county health authority; etc.). • Consult the Environmental Health Handbook at http://www.kdheks.gov/nps/lepp for guidance on onsite wastewater systems. • TMDL implementation <ul style="list-style-type: none"> ➢ Include a specific description of how any failing onsite wastewater treatment systems located in areas likely to contribute to water pollution problems leading to TMDLs will be identified and corrected. ➢ Describe how proper operation and maintenance will be achieved to prevent or minimize future water quality standards violations and TMDLs. ➢ Develop protocol, guidance or regulations to assure that septage disposal does not contribute to degradation of surface and groundwater. ➢ Revise sanitary code(s) to include special regulations for TMDL watersheds. |
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| <p>Code for Private Drinking Water Wells</p> | <p>KAR 28-66-1(b)(3) -- Develop, implement and enforce an environmental code approved by the secretary of KDHE setting out standards for management of non-public water supply drinking water wells.</p> <p>Activity Examples</p> <ul style="list-style-type: none"> • Administer the private drinking water section of the sanitary code. Review and revise code as appropriate. • Devise a means of informing owners of private drinking water supplies of the quality of the drinking water, potential threats to the water supply, and ways to avoid contamination. • Contact cities in your county to discuss any private water well problems within city boundaries and ways your Program can help resolve the problems (interlocal agreement; county health authority; etc.). • Consult the Environmental Health Handbook at http://www.kdheks.gov/nps/lepp for guidance on private drinking water wells. |
| <p>Subdivision Water and Wastewater</p> | <p>KAR 28-66-1(h)(1) -- Development and implementation of a plan for subdivision water and wastewater pursuant to KSA 1992 Sup. 12-747, KSA 65-3311</p> <p>Activity Examples</p> <ul style="list-style-type: none"> • Devise a protocol to encourage maximum use of public water supplies and wastewater collection and treatment facilities. • Where onsite wastewater systems are proposed for subdivisions with public water supplies, devise a protocol to ensure that adequate wastewater treatment will be provided. • Where subdivisions occur or are proposed within TMDL watersheds, provide advice and counsel concerning actions needed to assure that TMDL goals are achieved. • Where onsite wastewater systems are proposed for subdivisions, coordinate with county staff to ensure that the LEP program is provided the opportunity to review the proposal before it is considered by county advisory boards. |

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| <p>Solid Waste Management</p> | <p>KAR 28-66-1(h)(2) -- Development and implementation of a solid waste management plan pursuant to KSA 65-3405.</p> <p>Activity Examples</p> <ul style="list-style-type: none"> • Cooperate with local solid waste management personnel and other local agencies and organizations to prevent deposition of solid waste in waterways or remove solid waste from waterways. • Explore opportunities to minimize potential contamination impacts of solid waste management practices on public water supplies. • Work with local officials to develop and implement a water quality protection plan for local solid waste programs. • Household hazardous waste • Encourage citizens to use community household hazardous waste collection facilities where these are available. • Develop education materials and programs to encourage implementation of pollution prevention programs to minimize volume of household hazardous waste. • Apply for a grant from KDHE Bureau of Waste Management to develop or expand a household hazardous waste program or facility. |
| <p>Hazardous Waste Management</p> | <p>KAR 28-66-1(h)(2) -- Development and implementation of a hazardous waste management plan pursuant to KSA 65-3430.</p> <p>Activity Example</p> <ul style="list-style-type: none"> • Be knowledgeable of state hazardous waste rules and regulations to enable competent response or referral of questions to the appropriate authority. |

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| <p>Nonpoint Source Pollution Control</p> | <p>KAR 28-66-1(h)(4)--Participation in the development and implementation of a nonpoint source pollution control plan which identifies the activities and responsibilities of the local environmental protection program in the management of nonpoint pollutant sources.</p> <p>A local NPS pollution management plan has been developed through county conservation districts for each county in the state. In addition, WRAPS have been developed for many watersheds around the state. Information on the WRAPS program and projects in your area can be found at www.kswraps.org. The LEPP Plan should identify the activities and responsibilities identified in the county plan the LEP Program will manage.</p> <p>Activity Examples</p> <ul style="list-style-type: none"> • Local Nonpoint Source Pollution Management Plan -- Work with the county conservation district to review (and update as appropriate) the local nonpoint source pollution management plan. Emphasis should be placed on WRAPS projects and on public drinking water source water areas. • Participate in WRAPS Stakeholder Leadership Team activities and provide assistance where applicable. • Citizen Awareness of Nonpoint Source Pollution Control Duties & Opportunities -- Devise a strategy to increase individual awareness of citizen's duties and responsibilities to prevent pollution of water resources. Place "Be a Clean Water Neighbor" posters (available from KDHE) throughout the community. |
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| <p>Public Water Supply Protection</p> | <p>KAR 28-66-1(h)(5)--Development and implementation of a public water supply protection plan which at the minimum:</p> <ul style="list-style-type: none"> • Specifies the duties of local government agencies, the public water supplier and other local entities in the development and implementation of a public water supply protection plan. • Define the public water supply protection area. (The zones from the 2004 source water assessments may used.) • Identifies all potential contaminant sources within the defined protection area. • Identifies management practices that may be implemented to prevent contamination of the public water supply by each identified contaminant source including, information and education, technical assistance, financial assistance and local ordinances. • Establishes a contingency plan to provide an alternative source of drinking water if the public water supply is contaminated. • Requires for a new public water supply all potential contaminant sources within the expected protection area be identified and management practices be recommended. <p>Activity Examples</p> <ul style="list-style-type: none"> • Explore opportunities for developing a plan meeting the specifications of KAR 28-66-1(5). • Follow-up with non-community public water suppliers with completed source water assessments to provide counsel on actions the owner can take to address the threats identified though the source water assessment. • Identify onsite wastewater treatment systems within zone A and B of the assessment area and provide owners information on the importance of proper operation and maintenance of onsite wastewater treatment systems. • Confer with public water supply system governing bodies and offer to assist in development of a public water supply protection plan. |
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Appendix A
Base Grant and Required Local Match Amounts by County
SFY 2010 Local Environmental Protection Grants

| County | Group | 2000 Population | Base Grant | Local Match | |
|------------|---------------------|-----------------|------------|-------------|----------|
| | | | | % | Amount |
| Allen | Allen County Group | 14,385 | \$7,912 | 10% | \$791 |
| Anderson | Single | 8,110 | \$7,000 | 10% | \$700 |
| Atchison | NEKS Environmental | 16,774 | \$9,226 | 10% | \$923 |
| Barber | Single | 5,307 | \$7,000 | 10% | \$700 |
| Barton | Single | 28,205 | \$15,513 | 10% | \$1,551 |
| Bourbon | Single | 15,379 | \$8,458 | 10% | \$846 |
| Brown | NEKS Environmental | 10,724 | \$7,000 | 10% | \$700 |
| Butler | Single | 59,482 | \$32,715 | 20% | \$6,543 |
| Chase | Single | 3,030 | \$7,000 | 10% | \$700 |
| Chautauqua | Single | 4,359 | \$7,000 | 10% | \$700 |
| Cherokee | Single | 22,605 | \$12,433 | 10% | \$1,243 |
| Cheyenne | NWKLEPG | 3,165 | \$7,000 | 10% | \$700 |
| Clark | SWLEPG | 2,390 | \$7,000 | 10% | \$700 |
| Clay | Rural Lakes LEPG | 8,822 | \$7,000 | 10% | \$700 |
| Cloud | Rural Lakes LEPG | 10,268 | \$7,000 | 10% | \$700 |
| Coffey | Single | 8,865 | \$7,000 | 10% | \$700 |
| Comanche | Single | 1,967 | \$7,000 | 10% | \$700 |
| Cowley | Single | 36,291 | \$19,960 | 10% | \$1,996 |
| Crawford | Single | 38,242 | \$21,033 | 10% | \$2,103 |
| Decatur | NWKLEPG | 3,472 | \$7,000 | 10% | \$700 |
| Dickinson | Single | 19,344 | \$10,639 | 10% | \$1,064 |
| Doniphan | NEKS Environmental | 8,249 | \$7,000 | 10% | \$700 |
| Douglas | Single | 99,962 | \$54,979 | 20% | \$10,996 |
| Edwards | Central Kansas LEPG | 3,449 | \$7,000 | 10% | \$700 |
| Elk | Single | 3,261 | \$7,000 | 10% | \$700 |
| Ellis | Single | 27,507 | \$15,129 | 10% | \$1,513 |
| Ellsworth | Tri Rivers LEPP | 6,525 | \$7,000 | 10% | \$700 |
| Finney | SWLEPG | 40,523 | \$22,288 | 10% | \$2,229 |
| Ford | Single | 32,458 | \$17,852 | 10% | \$1,785 |
| Franklin | Single | 24,784 | \$13,631 | 10% | \$1,363 |
| Geary | Rural Lakes LEPG | 27,947 | \$15,371 | 10% | \$1,537 |
| Gove | NWKLEPG | 3,068 | \$7,000 | 10% | \$700 |
| Graham | NWKLEPG | 2,946 | \$7,000 | 10% | \$700 |
| Grant | SWLEPG | 7,909 | \$7,000 | 10% | \$700 |
| Gray | SWLEPG | 5,904 | \$7,000 | 10% | \$700 |
| Greeley | NWKLEPG | 1,534 | \$7,000 | 10% | \$700 |
| Greenwood | Single | 7,673 | \$7,000 | 10% | \$700 |
| Greenwood | Single | 7,673 | \$7,000 | 10% | \$700 |
| Hamilton | SWLEPG | 2,670 | \$7,000 | 10% | \$700 |
| Harper | SC Coalition | 6,536 | \$7,000 | 10% | \$700 |
| Harvey | Single | 32,869 | \$18,078 | 10% | \$1,808 |

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| County | Group | 2000 Population | Base Grant | Local Match | |
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| | | | | % | Amount |
| Haskell | Single | 4,307 | \$7,000 | 10% | \$700 |
| Hodgeman | SWLEPG | 2,085 | \$7,000 | 10% | \$700 |
| Jackson | NEKS Environmental | 12,657 | \$7,000 | 10% | \$700 |
| Jefferson | Single | 18,426 | \$10,134 | 10% | \$1,013 |
| Jewell | Phillips Co LEPG | 3,791 | \$7,000 | 10% | \$700 |
| Johnson | Single | 451,086 | \$125,000 | 40% | \$50,000 |
| Kearny | SWLEPG | 4,531 | \$7,000 | 10% | \$700 |
| Kingman | SC Coalition | 8,673 | \$7,000 | 10% | \$700 |
| Kiowa | SC Coalition | 3,278 | \$7,000 | 10% | \$700 |
| Labette | Single | 22,835 | \$12,559 | 10% | \$1,256 |
| Lane | NWKLEPG | 2,155 | \$7,000 | 10% | \$700 |
| Leavenworth | Single | 68,691 | \$37,780 | 20% | \$7,556 |
| Lincoln | Tri Rivers LEPP | 3,578 | \$7,000 | 10% | \$700 |
| Linn | Single | 9,570 | \$7,000 | 10% | \$700 |
| Logan | NWKLEPG | 3,046 | \$7,000 | 10% | \$700 |
| Lyon | Single | 35,935 | \$19,764 | 10% | \$1,976 |
| Marion | Single | 13,361 | \$7,349 | 10% | \$735 |
| Marshall | Rural Lakes LEPG | 10,965 | \$7,000 | 10% | \$700 |
| McPherson | Single | 29,554 | \$16,255 | 10% | \$1,626 |
| Meade | SWLEPG | 4,631 | \$7,000 | 10% | \$700 |
| Miami | Single | 28,351 | \$15,593 | 10% | \$1,559 |
| Mitchell | Phillips Co LEPG | 6,932 | \$7,000 | 10% | \$700 |
| Montgomery | Single | 36,252 | \$19,939 | 10% | \$1,994 |
| Morris | Rural Lakes LEPG | 6,104 | \$7,000 | 10% | \$700 |
| Morton | Single | 3,496 | \$7,000 | 10% | \$700 |
| Nemaha | NEKS Environmental | 10,717 | \$7,000 | 10% | \$700 |
| Neosho | Neosho | 16,997 | \$9,348 | 10% | \$935 |
| Ness | Central Kansas LEPG | 3,454 | \$7,000 | 10% | \$700 |
| Norton | NWKLEPG | 5,953 | \$7,000 | 10% | \$700 |
| Osage | Single | 16,712 | \$9,192 | 10% | \$919 |
| Osborne | Phillips Co LEPG | 4,452 | \$7,000 | 10% | \$700 |
| Ottawa | Tri Rivers LEPP | 6,163 | \$7,000 | 10% | \$700 |
| Pawnee | Central Kansas LEPG | 7,233 | \$7,000 | 10% | \$700 |
| Phillips | Phillips Co LEPG | 6,001 | \$7,000 | 10% | \$700 |
| Pottawatomie | Single | 18,209 | \$10,015 | 10% | \$1,002 |
| Pratt | SC Coalition | 9,647 | \$7,000 | 10% | \$700 |
| Rawlins | NWKLEPG | 2,966 | \$7,000 | 10% | \$700 |
| Reno | Single | 64,790 | \$35,635 | 20% | \$7,127 |
| Republic | Phillips Co LEPG | 5,835 | \$7,000 | 10% | \$700 |
| Rice | Single | 10,761 | \$7,000 | 10% | \$700 |
| Riley | Single | 62,843 | \$34,564 | 20% | \$6,913 |

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SFY 2010 Local Environmental Protection Grants

| County | Group | 2000 Population | Base Grant | Local Match | |
|------------|---------------------|-----------------|------------|-------------|----------|
| | | | | % | Amount |
| Rooks | Phillips Co LEPG | 5,685 | \$7,000 | 10% | \$700 |
| Rush | Central Kansas LEPG | 3,551 | \$7,000 | 10% | \$700 |
| Russell | Central Kansas LEPG | 7,370 | \$7,000 | 10% | \$700 |
| Saline | Tri Rivers LEPP | 53,597 | \$29,478 | 20% | \$5,896 |
| Scott | NWKLEPG | 5,120 | \$7,000 | 10% | \$700 |
| Sedgwick | Single | 452,869 | \$125,000 | 40% | \$50,000 |
| Seward | Single | 22,510 | \$12,381 | 10% | \$1,238 |
| Shawnee | Single | 169,871 | \$93,429 | 30% | \$28,029 |
| Sheridan | NWKLEPG | 2,813 | \$7,000 | 10% | \$700 |
| Sherman | NWKLEPG | 6,760 | \$7,000 | 10% | \$700 |
| Smith | Phillips Co LEPG | 4,536 | \$7,000 | 10% | \$700 |
| Stafford | Central Kansas LEPG | 4,789 | \$7,000 | 10% | \$700 |
| Stanton | SWLEPG | 2,406 | \$7,000 | 10% | \$700 |
| Stevens | Single | 5,463 | \$7,000 | 10% | \$700 |
| Sumner | Single | 25,946 | \$14,270 | 10% | \$1,427 |
| Thomas | NWKLEPG | 8,180 | \$7,000 | 10% | \$700 |
| Trego | NWKLEPG | 3,319 | \$7,000 | 10% | \$700 |
| Wabaunsee | Single | 6,885 | \$7,000 | 10% | \$700 |
| Wallace | NWKLEPG | 1,749 | \$7,000 | 10% | \$700 |
| Washington | Rural Lakes LEPG | 6,483 | \$7,000 | 10% | \$700 |
| Wichita | NWKLEPG | 2,531 | \$7,000 | 10% | \$700 |
| Wilson | Wilson | 10,332 | \$7,000 | 10% | \$700 |
| Woodson | Allen County Group | 3,788 | \$7,000 | 10% | \$700 |
| Wyandotte | Single | 157,882 | \$86,835 | 30% | \$26,050 |