



**REQUEST FOR COMMISSION ACTION**  
**CITY OF INDEPENDENCE**  
**October 22, 2020**

Department Administration

Director Approval David Cowan

**AGENDA ITEM** Consider adopting a resolution declaring a water emergency and implementing water conservation.

**SUMMARY RECOMMENDATION** City staff recommends approval of Resolution 2020-079 implementing water conservations measures.

**BACKGROUND** The State of Kansas contacted the City of Independence. Due to the on-going drought, a forecasted continued drought, and the decreasing natural flow of the Verdigris River, the State of Kansas is starting to restrict the amount of water the city uses from the Verdigris.

On Friday, October 16, 2020, the City of Independence received its first order limiting the City to a maximum of 1,289 GPM that can be pumped from the Verdigris starting October 20, 2020. The State will update those orders each Friday with the maximum GPM allowed to be pumped for the following week. Unless significant rainfall occurs, the State anticipates that river's natural flow will greatly reduce over the next few weeks.

The City currently averages between 1,175 and 1,250 GMP per day or 1.5 to 1.7 million gallons of water. If the drought continues, we anticipate the next few orders will reduce our daily allowed intake below 1,175 – 1,250 GPM average. Therefore, it is the Chief Water Plant Operator and the Utility Director's recommendation to implement Resolution 2020-079, implementing conservation measures effective as soon as it is published, which is anticipated to be Friday, October 23, 2020. These measures include restricting outdoor watering for gardens, lawns, trees, shrubs, plants, playing fields, private swimming pools, or other recreational areas. Also, restricting residential washing of vehicles, boats, trailers, or the exterior of buildings. The restrictions do not include commercial car washes at this time. Activities involving the care of pets or livestock are not restricted.

**BUDGET IMPACT** The impact will be reduced water usages and sales.

**SUGGESTED MOTION** I move to adopt a resolution declaring a water emergency and implementing water conservation.

**SUPPORTING DOCUMENTS**

1. Resolution
2. State Order

**RESOLUTION NO. 2020-\_\_\_\_\_**

**Declaration of Water Emergency**

*Whereas*, the Governing Body of the City of Independence, Kansas, has received an Order from the Kansas Department of Agriculture, Division of Water Resources, Water Commissioner, to the effect that due to drought conditions and insufficient water flow, the City is limited on the amount of water that can be pumped from the Verdigris River for use by customers.

*And Whereas*, unless drought conditions change, the matter will only worsen unless significant steps are taken now to conserve water.

*Now Therefore, BE IT RESOLVED* by the Governing Body of the City of Independence, Kansas, as follows:

**Section 1.** A water emergency is hereby declared due to drought conditions and low level water flow in the Verdigris River.

**Section 2.** Water customers of the City of Independence shall be subject to the following conservation measures which shall take effect immediately:

- a. All outside water use is prohibited except for commercial car washes and the watering of pets and livestock.
- b. The wasting of water is prohibited.

**Section 3.** The above conservation measures shall continue and remain in effect until otherwise determined by a Resolution of the Governing Body of the City of Independence, Kansas.

*Adopted by the Governing Body of the City of Independence, Kansas, on the 22nd day of October, 2020.*

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LEONHARD CAFLISCH, Mayor

ATTEST:

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DAVID W. SCHWENKER, City Clerk

**From:** [Fabrycky, Caleb \[KDA\]](#)  
**To:** [Ed Sykes](#); [David Cowan](#)  
**Cc:** [Tietsort, Katie \[KDA\]](#); [Smith, Tyler \[KDA\]](#); [Westrup, Nathan](#); [Rockel, Richard](#)  
**Subject:** Verdigris Basin Pumping Permission 10/20/20 through 10/21/20  
**Date:** Friday, October 16, 2020 8:34:36 AM  
**Attachments:** [image001.png](#)

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Date	Lake Releases			Protected Releases			Verdigris Flow	
	Toronto	Fall River	Elk City	Toronto	Fall River	Elk City	Indy Gage	NF Avail
Thursday, October 8, 2020	9.06	9.30	21.70	4.06	2.15	21.52	43.30	18.60
Friday, October 9, 2020	9.06	9.30	21.70	4.06	1.80	21.45	43.30	18.74
Saturday, October 10, 2020	9.06	9.30	21.70	4.06	1.77	21.48	42.90	18.23
Sunday, October 11, 2020	9.06	9.30	21.70	4.06	2.14	21.52	51.00	26.20
Monday, October 12, 2020	9.06	8.11	21.70	4.06	0.14	21.54	44.90	22.16
Tuesday, October 13, 2020	9.06	8.11	21.70	4.06	0.76	21.58	44.50	21.17
Wednesday, October 14, 2020	9.06	8.11	21.70	4.06	0.77	21.56	45.30	21.60
<b>Average</b>	<b>9.06</b>	<b>8.79</b>	<b>21.70</b>	<b>4.06</b>	<b>1.36</b>	<b>21.52</b>	<b>45.03</b>	<b>20.96</b>

CITY OF INDEPENDENCE  
811 W LAUREL ST  
INDEPENDENCE, KS 67301

Re: Vested Right, File No. MG-4  
Water Right, File Nos. 11,401 & 37,162

Dear Ed,

Orders for protection of releases from federal reservoirs are being sent out on Friday, October 16, 2020 and will go into effect on Tuesday, October 20, 2020. An investigation of the availability of natural flows for diversion under your referenced rights was conducted on Thursday, October 15, 2020. The determination was made that 2.87 cfs or 1,289 gpm of natural flows are available for your diversion under the above referenced water rights for the period 10/20/20 through 10/21/20.

Please remember to provide updated diversion needs to us on Thursday morning each week for the following time step.

This letter documents written permission to divert under all or part of your water rights during the period specified up to the rate provided.

Sincerely,



Katie Tietsort  
Water Commissioner

Caleb Fabrycky, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources - Parsons Satellite Office  
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