JOINT MEETING OF THE KENTUCKY FARM BUREAU WATER MANAGEMENT WORKING GROUP AND KENTUCKY WATER RESOURCES BOARD AGENDA APRIL 26, 2017 EDEN SHALE FARM OWENTON

<u>Times are</u> Approximate

10:00 a.m. EST	Call to Order and Announcements: Mr. Steve Coleman, Chair
10:05 a.m.	Introductions
10:10 a.m.	Consideration of Minutes
10:15 a.m.	Eden Shale Farm Tour and BMP Overview
Noon	Lunch
1:00 p.m.	Source Water Protection: Mr. Rob Blair, KDOW Watershed Management Branch
1:30 p.m.	Kentucky Water Resources Board - Discussion on Content of Commonwealth Strategic Water Plan and Project Rankings: Mr. Peter Goodmann, KDOW
2:00 p.m.	Review of WMWG General Recommendations and BMP Guide: Mr. Steve Coleman
2:30 p.m.	General Discussion
3:00 p.m.	Adiourn

Water Resources Board Draft Meeting Minutes February 2, 2017

<u>Board Members in Attendance</u>: Earl Bush (County Judge Executives); Brent Burchett (Proxy, KDA); Steve Coleman (KY Farm Bureau); Lloyd Cress, Jr. (KY League of Cities); Dr. Nancy Cox (UK); John Dix (KRWA); Kate Shanks (Proxy, KY Chamber of Commerce); Charles Snavely (EEC Secretary); Shane Wells (Proxy, KACD);

Board Members Absent: Jared Carpenter (LRC); Kevin Jeffries (Soil and Water Conservation Districts); Kevin Rogers (KY Chamber of Commerce); Ryan Quarles (Commissioner Dept. of Agriculture);

Others in Attendance: Paulette Akers (Director DCA); Adam Andrews (KYCGA); Amy Babey (USACE); Biff Baker (GOAP); Angela Billings (DPH-EMB); Steve Blanford (NRCS); Chloe Brantley (DOW); Brandon Brummet (USACE); Lane Boldman (KY Conservation Committee); Joe Cain (KYFB); Bill Caldwell (DOW); David Chinn (Monty's Plant Food Co.); Pete Cinotto (USGS); Allison Crawford (KYSEC); Lee Anne Daveine (USACE); Nicole Erwin (OVR); Peter Goodmann (Director DOW); Mike Griffin (USACE); Amanda Gumber (UK-CES); Richard Harrison (ORSANCO); Steve Higgins (UKCAFE); Wayne Hunt (Hunt Farms); Carey Johnson (DOW); Samantha Kaiser (DOW); Aaron Keatley (Commissioner DEP); Jim Kipp (KWRRI); Allen Kyle (Kyle Farms); Gary Larimore (KRWA); David London (USACE); Hailey McCoy (EEC); Kim Richardson (DOC); Bijaya Shrestha (KWA); Joscoh Sisk (Sisk Farms); Larry Thomas (Farmer); Michael West (EEC-OGC); Karen Woodrich (USDA-NRCS);

The meeting began at 1:05 p.m.

Call Meeting to Order and Roll Call of Board Members

Secretary Snavely called the meeting to order. Peter Goodmann led the roll call of Board members. The Board will need to decide on a member to take the place of Senator McKee.

Introduction of Guests

Secretary Snavely introduced Colonel Chris Beck from the US Army Corps of Engineers (USACE). He is the Commander of the Louisville District. Colonel Beck introduced his team from the Louisville District.

Guests introduced themselves.

Minutes of November, 2016

The meeting minutes from November were approved by consensus.

Water Resources Discussion with Colonel Chris Beck, USACE

Colonel Beck gave a presentation about the USACE authorities. He discussed the civil works watershedbased boundary lines which cover five states and are centered in Kentucky. The Louisville District regulates Indiana, Illinois, and Kentucky. The USACE strives to provide consistency in all areas. Budgets vary for different projects and programs. USACE provide funding for individual projects in navigation, flood and storm risk management, aquatic ecosystem restoration, and watershed planning, as well as, programs in emergency management and regulatory programs. A smaller portion of the budget funds hydropower, recreation, and water supply. Colonel Beck stressed to the Board that though a policy may be authorized does not mean that funds have been appropriated to implement it. The 2016 Water Infrastructure Improvements for the Nation (WWIN) Act is the newest legislation which incorporated the Water Resources Development Act (WRDA). Several authorities were mentioned and the USACE asked the public to discuss how these authorities can benefit their projects. The Kentucky Silver Jackets is a group of organizations that meet every six weeks to share and leverage information and resources to improve flood risk management across the Commonwealth.

Lee Anne Devine gave a presentation on regulatory updates to the Board. She encourages the public to ask questions and reach out to the USACE. The USACE goal is to work with applicants to get approval and applicants are encouraged to have a pre-project meeting to discuss future projects and applications with the USACE. Most applications are revised before approval. Options with lesser environmental impact receive approval. The key for the applicant is having an open dialogue with USACE. If an approved option cannot be completed, the applicant can discuss other options with the USACE. The main two statutes that are regulated are Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

The Board asked Ms. Devine to further explain what qualifies as a permit exemption and how land owners should be advised on the application process. Ms. Devine reiterated that the USACE encourages anyone with questions to call before beginning a project for which a permit could be required, which is preferable to having the USACE perform a site visit after the project is completed. A written exemption request can be submitted to the USACE and could be issued within 60 days of receipt. If the exemption request is denied it could take up to four months to develop an application and receive an approved permit.

The USACE proposed rule for use of USACE reservoir projects for domestic, municipal and industrial water supplies is currently in the Federal Register and is open for comments until February 14, 2017.

Colonel Beck discussed the Ohio River Basin Comprehensive (ORBC) Plan initiative which is a collaboration of various agencies and stakeholders across 14 states to provide a strategic plan for prioritizing investments in order to efficiently and effectively address water resource related issues using a watershed approach. The Great Lakes Restoration Initiative has received consistent funding while Ohio River Division funds have decreased. The ORBC initiative could help with funding in the Ohio River Basin. The Ohio River Basin Alliance (ORBA) is leading the ORBC initiative and needs to maintain the momentum.

The Board would like a subgroup to continue discussions with Colonel Beck and the USACE. Colonel Beck discussed the challenges with creating a flow chart for possible exemptions and projects that could require permits because each individual project is unique, and cautioned that such a chart could be misleading.

Final Projects Profiles Report

Bill Caldwell (DOW) discussed the final project profile ranking results. The State Water Plan ranked number one. He reminded the Board of the two working committees (technical data committee and roadmap), members of the committees, and the areas of focus.

Motion: (John Dix) To recommend that the Cabinet pursue funding for projects that further the goals of the Water Resources Board to:

- 1. Develop technical data and studies that are necessary for the development of a State Water Plan, or
- 2. Implement additional surface, groundwater or soil moisture monitoring where it is determined to be necessary to quantify and mange water resources for planning purposes including drought monitoring and response; and

3. That the Cabinet will notify the Board as to when the Cabinet pursues funding opportunities and discuss the proposed project with the Water Resources Board at the next Board meeting.

Second: (Steve Coleman)

The Board further discussed the motion until all members understood the motion.

Vote: Unanimous

The two working committees will meet before the next Board meeting.

Open Discussion for Board Members

Mr. Coleman reminded the Board of the Kentucky Farm Bureau Water Management Work Group recommendations.

Public Comment Period

No public comments were made.

Next Meeting

Mr. Goodmann recommended that a future meeting be at Eden Shale. The Kentucky Farm Bureau Water Management Work Group meeting at Eden Shale is April 26, 2017. The Board will communicate through email to confirm meeting.

The meeting adjourned at 3:22 p.m.

Water Resources Board Meeting **Eden Shale Farm** Owenton, Kentucky 40359 April 26, 2017

PUBLIC SIGN-IN SHEET

Name

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Agency/Organization **Email Address** Phone number Senator Rand Paul Billy-Matthews (PRul. Senate. 854-322-3499 Gou. Kelly Caribusiners Association Kkelby @ kyretail.com 502-750-3766 Farm Credit Mid America Brad. Burke QE-Farmeredit. com Smile 606-782-1367 270-166-2342 Speaker Hoover Lon Ellis bryon. ellis@Irc. ky. ga KIRD KURRT KIPPE ULY. 50M 859-257-1822 Specter Howver Elder Lorey, Eller @Lrc. Ky. Gov 270804 5718 chit. g-ales &KI. Gov KPA 859 537 9540 502-229-1714 KDA ben conner Oky gev Dane chardson 502-782-6751 Kimberly, richardsono 502-564-8100 owll atchle no Burchett KDA brent burchette Steve Workman UKA Steve warknand itry. edn lonty's Plant food Sarah gaddis@ Kari Johnso Cry 502 JCA-3410 Sarah Gad Kan Johns+ E 4

Water Resources Board Meeting **Eden Shale Farm** Owenton, Kentucky 40359 April 26, 2017

BOARD MEMBER SIGN-IN SHEET

Name

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Name	Agency/Organization	Email Address	Phone number
Pat Hendergen	FFB Bourd	mi headersur Eblitelion	270-945-1711
Steve Coleman	Ky Water Resou		
Tom GABBARD	EEC/DOW	tregetbarda KY. Kor	502-782-6592
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Type 1	"Good Management Pratice"	Type 2	Түре 3	Practice	Definition
Crops	GMP 1			Conservation Cover (327)	Establishing and maintaining permanent vegetative cover.
Crops	GMP 2			Conservation Crop Rotation (328)	Growing crops in a planned sequence on the same field.
Crops	GMP 3			Contour Buffer Strips (332)	Narrow strips of permanent, herbaceous vegetative cover established around the hill slope, and alternated down the slope with wider cropped strips that are farmed on the contour.
Crops	GMP 4			Contour Farming (330)	Using ridges and furrows formed by tillage, planting and other farming operations to change the direction of runoff from directly downslope to around the hillslope.
Crops	GMP 5			Cover Crop (340)	Crops including grasses, legumes, and forbs for seasonal cover and other conservation purposes.
Crops	GMP 6	Livestock		Filter Strip (393)	A strip or area of herbaceous vegetation that removes contaminants from overland flow.
Crops	GMP 7	Streams and Other Waters		Drainage Water Management (554)	The process of managing the drainage volume and water table elevation by regulating the flow from a surface or subsurface agricultural drainage system.
Crops	GMP 8	Farmstead		Irrigation Land Leveling (464)	Reshaping the surface of land to be irrigated, to planned lines and grades.
Crops	GMP 9			Irrigation Pipeline (430)	A pipeline and appurtenances installed to convey water for storage or application, as part of an irrigation water system.
Crops	GMP 10			Irrigation Reservoir (436)	An irrigation water storage structure made by constructing a dam, embankment, pit, or tank.
Crops	GMP 11	245		Irrigation System, Microirrigation (441)	An irrigation system for frequent application of small quantities of water on or below the soil surface: as drops, tiny streams, or miniature spray through emitters or applicators placed along a water delivery line.
Crops	GMP 12	5. 10		Irrigation System, Surface and Subsurface (443)	A system in which all necessary earthwork, multioutlet pipelines, and water-control structures are installed for distribution of water by surface means, such as furrows, borders, and contour levees, or by subsurface means through water table control.
Crops	GMP 13			Irrigation Water Management (449)	The process of determining and controlling the volume, frequency, and application rate of irrigation water.
Crops	GMP 14			Mulching (484)	Applying plant residues or other suitable materials produced off site, to the land surface.

	"Good				
	Management	Type 2	Type 3	Practice	Definition
Type 1	Pratice"				
					Managing the amount (rate), source, placement (method of application), and timing
Crops	GMP 15	Livestock		Nutrient Management (590)	of plant nutrients and soil amendments.
1					Growing planned rotations of row crops, forages, small grains, or fallow in a
Crops	GMP 16			Stripcropping (585)	systematic arrangement of equal width strips across a field.
1					A structure in a water management system that conveys water, controls the
1		Streams and			direction or rate of flow, maintains a desired water surface elevation or measures
Crops	GMP 17	Other Waters		Structure for Water Control (587)	water.
1		Streams and			
Crops	GMP 18	Other Waters		Tailwater Recovery	
					An earth embankment, or a combination ridge and channel, constructed across the
Crops	GMP 19			Terrace (600)	field slope.
					The temporary or permanent exclusion of animals, people, vehicles, and/or
Farmstead	GMP 1	Livestock		Access Control (472)	equipment from an area.
Farmstead	GMP 2	Livestock		Access Road (560)	An access road is an established route for equipment and vehicles.
Farmstead	GMP 3	Livestock		Animal Trails and Walkways (575)	Established lanes or travel ways that facilitate animal movement.
	-				A structure or device to contain and facilitate an aerobic microbial ecosystem for
×					the decomposition of manure and/or other organic material into a final product
			1		sufficiently stable for storage, on farm use and application to land as a soil
Farmstead	GMP 4	Livestock	Crops	Composting Facility (317)	amendment.
					Establishing permanent vegetation on sites that have, or are expected to have, high
					erosion rates, and on sites that have physical, chemical, or biological conditions that
Farmstead	GMP 5			Critical Area Planting (342)	prevent the establishment of vegetation with normal seeding/planting methods.
					performing tillage operations below the normal tillage depth to modify the physical
					or chemical properties of a soil. It includes tillage operations commonly referred to
					as deep plowing, subsoiling, ripping, or row-till, performed from time to time below
Farmstead	GMP 6			Deep Tillage (324)	the normal tillage depth.
					A non-pressurized permanent pipe assembly system installed into water source that
Farmstead	GMP 7	Livestock		Dry Hydrant (432)	permits the withdrawal of water by suction.
					Development and implementation of improvements to reduce, or improve the
Farmstead	GMP 8			Farmstead Energy Improvement (374)	energy efficiency of on-farm energy use

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Type 1	"Good Management Pratice"	Type 2	Type 3	Practice	Definition
Farmstead	GMP 9	Livestock		Heavy Use Area Protection (561)	The stabilization of areas frequently and intensively used by people, animals or vehicles by establishing vegetative cover, surfacing with suitable materials, and/or installing needed structures.
Farmstead	GMP 10			Lighting System Improvement (670)	Complete replacement or retrofitting of one or more components of an existing agricultural lighting system.
Farmstead	GMP 11			Roof Runoff Structure (558)	A structure that will collect, control and convey precipitation runoff from a roof.
Farmstead	GMP 12			Roofs and Covers (367)	A rigid, semirigid, or flexible manufactured membrane, composite material, or roof structure placed over a waste management facility, agrichemical handling facility, o an on-farm secondary containment facility.
Farmstead	GMP 13	Livestock		Trails and Walkways (575)	A trail is a constructed path with a vegetated or earthen surface. A walkway is a constructed path with an artificial surface. A trail/walkway is used to facilitate the movement of animals, people, or off-road vehicles.
Farmstead	GMP 14	Silviculture		Tree/Shrub Establishment (612)	Establishing woody plants by planting seedlings or cuttings, by direct seeding, and/or through natural regeneration.
Farmstead	GMP 15	Livestock		Water Harvesting Catchment (636)	A method to detain stormwater for beneficial reuse with basin structures or tanks.
Farmstead	GMP 16	Crops		Water Well (642)	A hole drilled, dug, driven, bored, jetted or otherwise constructed into an aquifer f water supply.
Livestock	GMP 1	Streams and Other Waters		Aquaculture Pond (397)	A water impoundment constructed and managed for farming of freshwater and saltwater organisms including fish, mollusks, crustaceans and aquatic plants.
Livestock	GMP 2			Genetic Improvements	Lowering the weight of animals to reduce compaction of pastures
Livestock	GMP 3			Livestock Shelter Structure (576)	A permanent or portable structure with less than four walls and/or a roof to provid for improved utilization of pastureland and rangeland and to shelter livestock from negative environmental factors. This structure is not to be construed to be a building.
Livestock	GMP 4	Crops	Farmstead	Vegetated Treatment Area (635)	An area of permanent vegetation used for agricultural wastewater treatment.

Type 1	"Good Management Pratice"	Type 2	Туре 3	Practice	Definition
Streams and Other					An artificial wetland ecosystem with hydrophytic vegetation for biological treatmer
Waters	GMP 1			Constructed Wetland (656)	of water.
	GMP 2	_		Dike (356)	A dike is an embankment constructed of earth or other suitable material to protect land against overflow or to regulate water.
	GMP 3			Diversion (362)	A channel generally constructed across the slope with a supporting ridge on the lower side.
Streams and Other Waters	GMP 4			Grade Stabilization Structure (410)	A structure used to control the grade and head cutting in natural or artificial channels.
Streams and Other Waters	GMP 5	Crops		Grassed Waterway (412)	A shaped or graded channel that is established with suitable vegetation to convey surface water at a non-erosive velocity using a broad and shallow cross section to a stable outlet.
	GMP 6			Pond (378)	A pond is a water impoundment made by constructing an embankment, by excavating a dugout, or by a combination of both.
Streams and Other Waters	GMP 7	Silviculture		Riparian Forest Buffer (391)	An area predominantly trees and/or shrubs located adjacent to and up-gradient from watercourses or water bodies.

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ANTICIPATING FUTURE NEEDS AND REACTING TO PROBLEMS

Water Resources Board

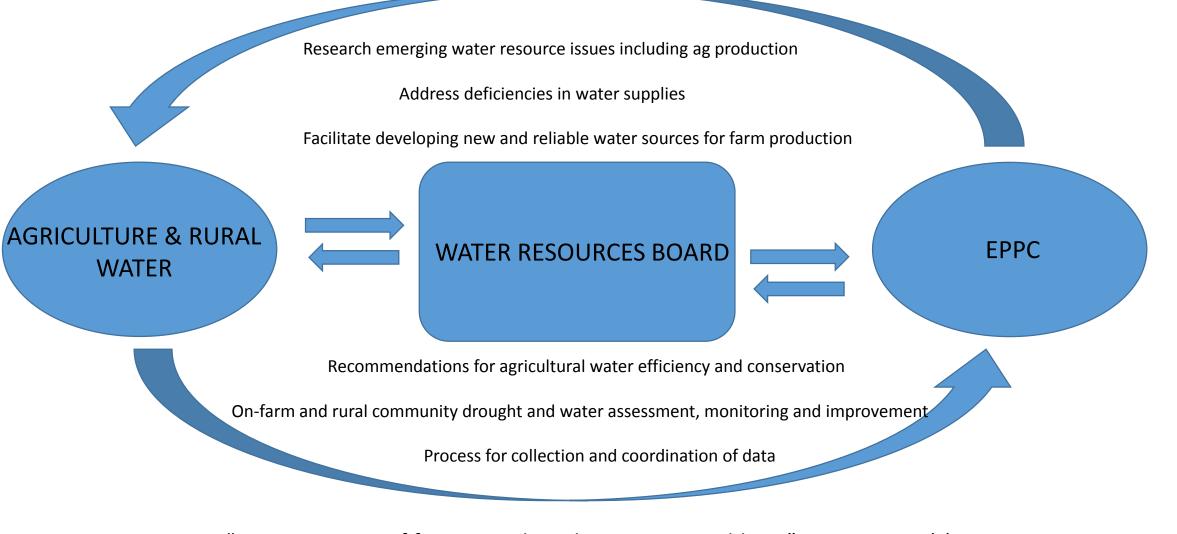
April 26, 2017

Department for Environmental Protection Energy and Environment Cabinet



To Protect and Enhance Kentucky's Environment





"Be anticipatory of future needs and reactive to problems" KRS 151.112(c)

Draft Goals: Project Development Plan / a.k.a. Water Plan

- Create and maintain an Inventory the state's available water resources
- Quantify water demands and project future needs
- Develop mitigation strategies and funding to insure the adequacy and sustainability of agricultural and rural water supplies
- Develop amendments to the state drought plan that strengthen drought assessment, response and mitigation for agriculture
- Develop or expand monitoring networks for climate, hydrologic, water use and other data needed for water resources management
- Create mechanisms for outreach and dialog with individuals and communities to initiate activities related to water efficiency, drought preparedness, and future water needs.

PROJECT DEVELOPMENT PLAN AND TIMELINE

Data and GAP Analysis – Ag and Rural Water		
• Water Availability – source and infrastructure	Technical Commit	tee Progress Reviews
 Water Use and Demand – Ag focused 	May 11, May 31,	June 15
GAP identification – Data Gaps / Water Gaps	June 15 – June 30	
Needs Assessment / Solutions / Alternatives	June 15	Project Development Committee
Project Development		
From GAP analysis results	June 15	Project Development Committee
Preliminary Results Report out to Full Board	July 15	

PROJECTS CURRENTLY UNDERWAY OR BEING DEVELOPED	RELATES TO	STATUS
I. Data and GAP Analysis – Ag and Rural Water	DOW-1	Underway
II. Aquifer Designation/Characterization (USGS WUDR)	KGS-1	Submitted
III. Groundwater Monitoring Network	KGS-1	Development
IV. Drought Risk Assessment (FEMA)	DOW-1	Funded
V. Project Development Committee Additions	KRS 151.113	Forthcoming

END

STATE WATER PLAN INITIAL PROJECT PROFILE

A state water plan will be built upon a series of technical studies or tools. These will be designed to provide decision makers with the necessary data to conceive, develop, prioritize and implement measures that will address existing water supply issues and create a vision for future water resources development for the Commonwealth. Two fundamental areas of technical study are proposed that will be complemented by several lesser projects that together will provide a basis for developing a state water plan (see attached presentation from the October Board meeting for process overview).

Water Availability

A statewide water availability assessment will be performed at a planning unit level to inventory the regional water sources and assess annual and seasonal surplus and deficit based on hydrological records, models or other methods and known withdrawal and instream flow demands.

Demand Forecasting

Projecting future water demands for water supply, agriculture, industry, mining, energy production and other needs is a key part of developing a long-term vision for the state's water resources. Reliable projections for water demands combined with a water availability assessment will be used to identify gap areas where water demands may exceed supply, serving as the basis for water plan development.

Other related projects and studies

<u>Drought Risk Assessment</u>: a drought risk assessment will be developed by the Division of Water in 2017. One of the principal water use sectors included in the assessment will be agricultural drought risk based on regional vulnerability to drought in crop and animal production operations. Data from this assessment may inform both the Water Availability and Demand Forecasting technical studies. This project is funded by a grant from FEMA.

Aquifer Designation: developed for all regulated groundwater withdrawals in Kentucky, or for a region in a pilot study. Data and methods developed for this study are expected to contribute to more detailed characterization studies of aquifers that are or may become high-use aquifers, most notably in the Jackson Purchase area. This study will be proposed as part of a USGS Water Use Data and Reporting grant (WUDR) in cooperation with KGS.

<u>Water Tracking</u>: Tracking the various uses of water that produced by the state's 397 Public water systems (PWS). Treated water is used for domestic, commercial, industrial, mining, agricultural and other purposes. This study will include an assessment of the demands that may be placed on PWS by livestock water demand, especially under seasonal high demand or drought conditions. It is anticipated that this study can be funded by leveraging funds from a WUDR grant with other funding sources.

Status of KGS KY Groundwater Observation Network Sites (April 2017) KGON wells:

- Well established as long-term water-level monitoring site.
- Well evaluated but rejected as monitoring site.
- Well being considered or under investigation.

Other Monitoring:

A New karst spring monitoring site.

Kentucky's Source Water Protection Program

Robert J. Blair, P.G.

Kentucky Division of Water Watershed Management Branch

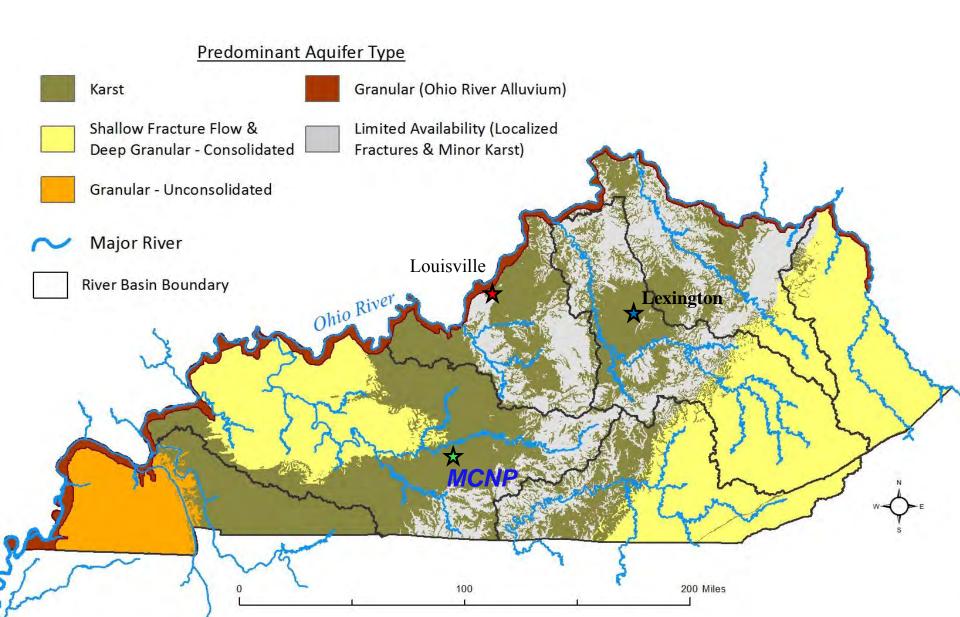
KFB Water Management Working Group/KY Water Resources Board April 26, 2017



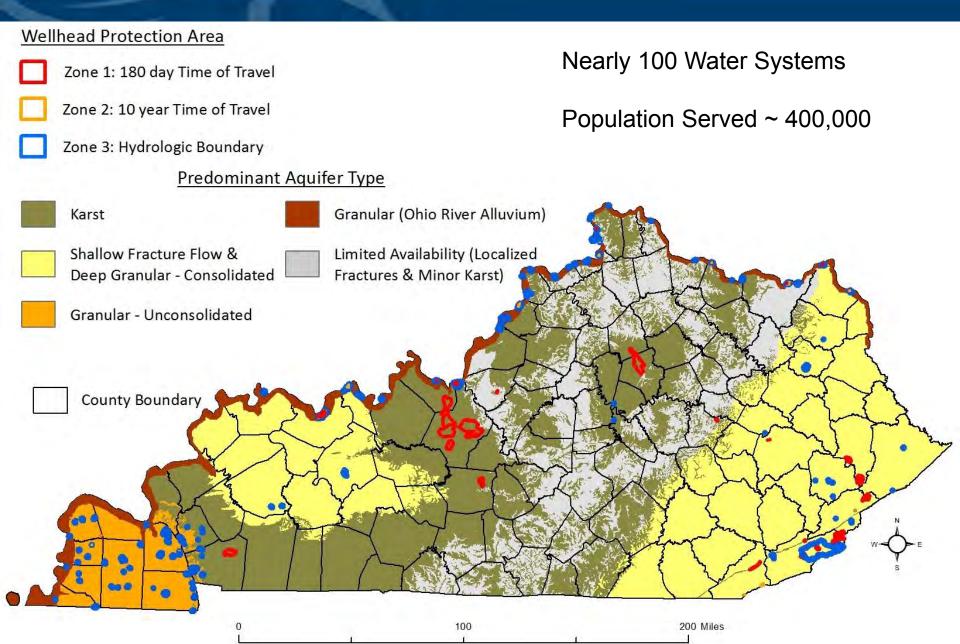
Source Water Protection Planning

- <u>Select Planning Committee</u> community representation
- <u>Delineate Protection Zones</u> contributing areas of Water Supply Source(s)
- <u>Contaminant Source Inventory</u> identify potential contaminant sources in protection areas
- <u>Develop Management Strategies</u> regulatory, BMP, E & O
- <u>Contingency Planning</u> drought, contamination, alternatives
- <u>Implementation</u> management strategies, review & update plan

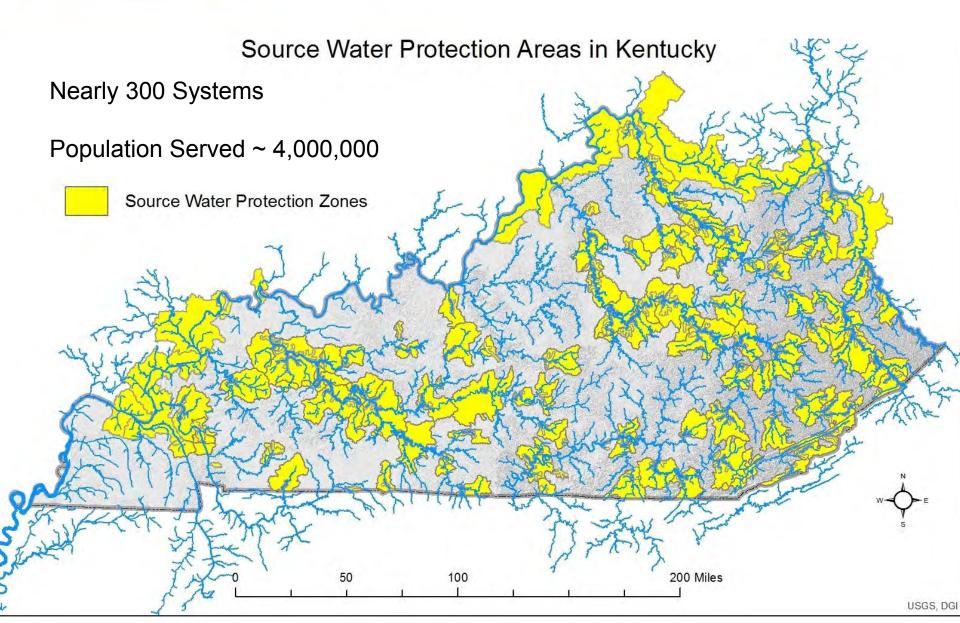
Generalized Hydrography of Kentucky



KY Public Water Supplies - Groundwater



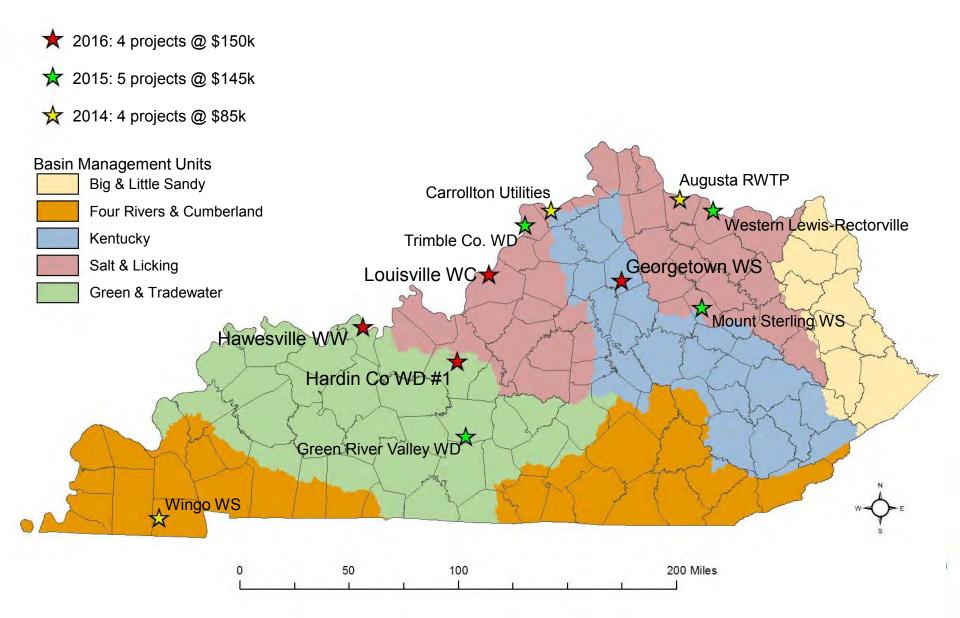
KY Public Water Supplies – Surface Water



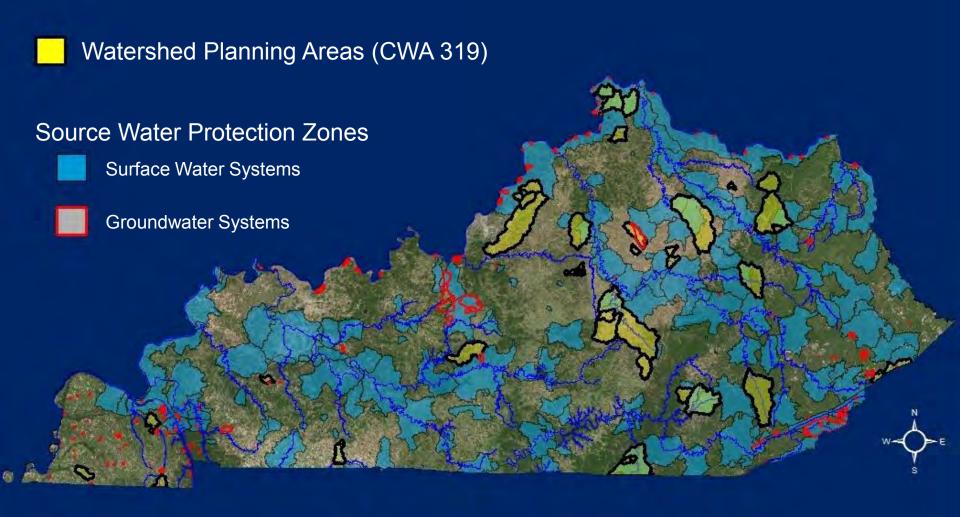
Moving Forward with SWP in KY

- Source Water Protection Assistance Program
- Collaboration and Partnerships
 - CWA 319(h) funding and Watershed Plans
 - Area Development Districts Water Management Councils
 - Individual Water Systems
 - Other agencies
- Evaluate/Update SWP for Surface Water Systems
 - Focus on Management and Implementation
- Promote programs and assistance at workshops and meetings throughout Kentucky

Source Water Protection Assistance Program Projects

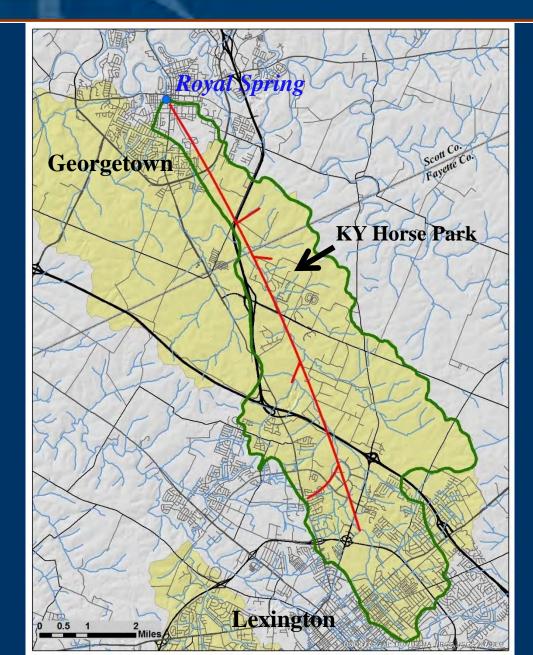


Collaboration and Partnerships



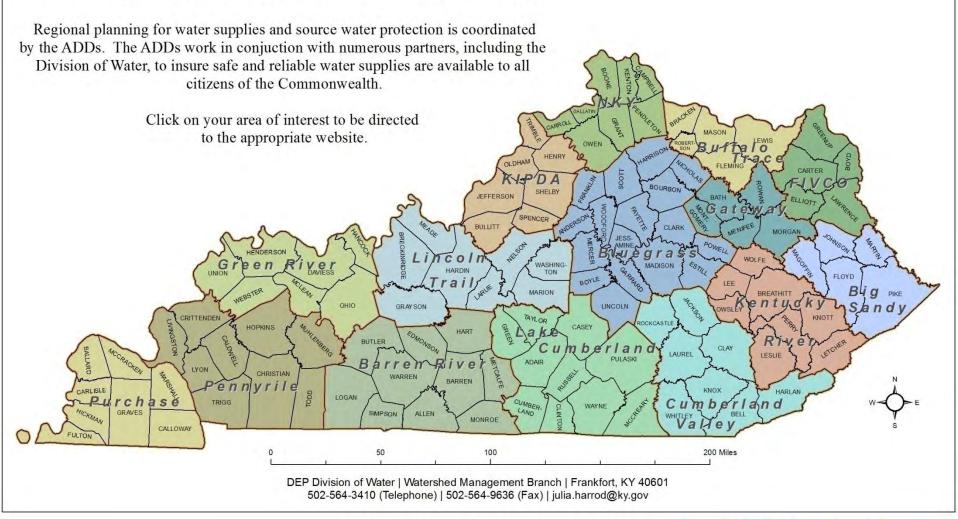


CWA-SWP Collaboration



Collaboration and Partnerships

Water Supply Planning and Kentucky Area Development Districts (ADD)

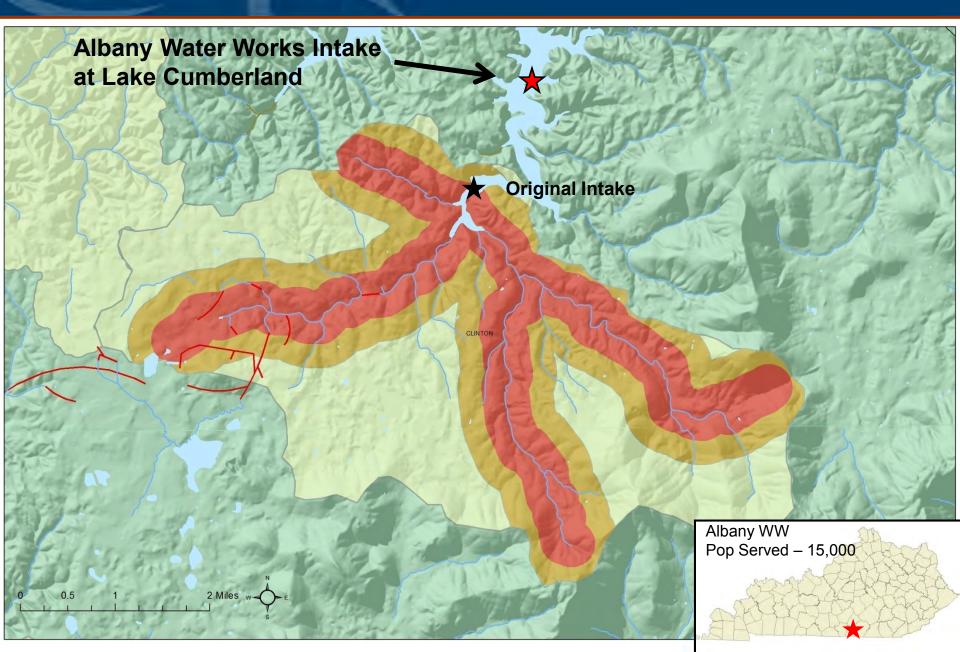


Collaboration and Partnerships

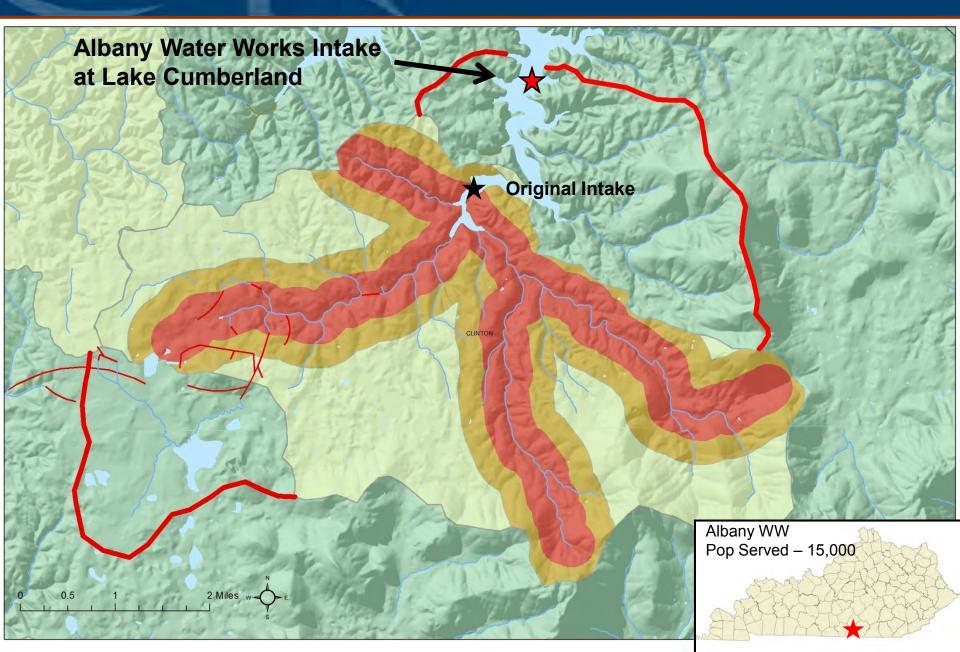
Other government and non-government agencies

- EPA and Region 4 states
 - SWP meeting to share ideas and discuss programs
- Association of State Drinking Water Administrators
 Information exchange
- Drinking Water Advisory Council
 - Direct interaction with regulated community
- Kentucky Rural Water Association
 - SWP plan development and water system assistance
 - Meetings, trainings and workshops

SWP Evaluation and Updates



SWP Evaluation and Updates



Monitoring

- Drinking water supply assessments
 - Adequacy and reliability
- Water withdrawal permitting relies on similar info
 Monthly withdrawal reporting to DOW
- Limited collaboration with KGS Groundwater Level Observation Network

Analysis of Water Use and Information Needs

- Water system production and demand info
- Technical assistance to rural water systems
 Often in tandem with KRWA
- Planning for expansion and future demand
- Public awareness and involvement are keys to SWP success

Water Resource Development and Tech Assistance

- Efficiency programs for new facilities/infrastructure may have some utility
- Technical assistance for SWP may not directly apply, but we are an available resource

Drought Mitigation and Response

- Part of coordination between water users
- Part of coordination and information exchange within and between agencies
- Technical assistance for SWP may not directly apply, but we are an available resource

Communications & Outreach

- Major part of our efforts water suppliers, communities, local/regional governments
- Collaboration and partnerships
- SWP is an element of comprehensive water management planning

Water Resource Development Act

 Section 7104 – SWP implementation is an eligible use of SRF

Closing Thoughts

• Recent national and local events highlight need for SWP

- Elk River, WV spill (MCHM)
- HABs on Ohio River (other DW sources)
- State/Local land use proposals
- Increased treatment costs
- Successful SWP through partnerships:
 - Government (federal, state and local)
 - Water Systems
 - Communities
- Unique drinking water supplies require individualized assessment, planning and implementation

Questions?

Rob Blair, SWP Coordinator KY Division of Water <u>robert.blair@ky.gov</u> 502-782-6893