



PERFORMANCE AUDIT REPORT

**Reviewing the Conservation Commission's
Effectiveness at Meeting the Goals
Established Under the State Water Plan:**

A K-GOAL Audit

Executive Summary *with Conclusions and Recommendations*

**A Report to the Legislative Post Audit Committee
By the Legislative Division of Post Audit
State of Kansas
October 1996**

Legislative Post Audit Committee

Legislative Division of Post Audit

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October 29, 1996

To: Members of the Kansas Legislature

This executive summary contains the findings and conclusions, together with a summary of our recommendations and the agency responses, from our completed performance audit, *Reviewing the Conservation Commission's Effectiveness at Meeting the Goals Established Under the State Water Plan: A K-GOAL Audit*.

The report also contains appendices showing how well two Conservation Commission programs--Non-Point Source Pollution and Watershed Dam Construction--did at meeting goals of the State Water Plan for fiscal year 1996.

This report includes several recommendations for ensuring that the goals in the Annual Implementation Plans for the State Water Plan better reflect water conservation needs throughout the State, and for ensuring that Commission programs meet the goals of those plans. It also contained recommendations to ensure that Conservation Commission projects are completed as designed, and that programs operate within established, published guidelines. We would be happy to discuss these recommendations or any other items in the report with you at your convenience.

If you would like a copy of the full audit report, please call our office and we will send you one right away.

Barbara J. Hinton
Legislative Post Auditor

**Reviewing the Conservation Commission's
Effectiveness at Meeting the Goals
Established Under the State Water Plan**

EXECUTIVE SUMMARY

LEGISLATIVE DIVISION OF POST AUDIT

**Question 1: Are Programs Operated by the Conservation
Commission Effective at Meeting
The Goals of the State Water Plan?**

In fiscal year 1996, almost all the moneys spent on Commission-funded projects or activities were spent on areas identified as priorities in the annual State Water Plan. page 11
In this audit, we looked at three major programs for which counties receive Commission funding. Counties' spending on targeted priorities varied significantly from one river basin to another, but overall about 93% of the Water Resources Cost Share Program moneys—or more than \$4.5 million—went to meet priorities specified in the State Water Plan. Spending on priority activities for the Non-Point Source Pollution and Watershed Dam Programs was 86% and 100%, respectively.

The ways in which Annual Implementation Plans are assembled and spending decisions are made may not ensure that a high percentage of moneys always will be spent on priority needs. page 12
The Annual Plan identifies priority areas or projects designed to conserve the State's water resources, but it doesn't clearly rank them. As a result, there's no way to tell which items have the highest priority and should receive the most funding. Also, although county conservation district officials generally decide which projects actually will be carried out, they aren't formally involved in the process of developing annual priorities. Because of this "disconnection," county officials sometimes spent program moneys on water-related projects that they thought were important, but that weren't addressed in the Annual Plan. Conversely, they sometimes didn't spend any money for projects listed as priorities in the Annual Plan because they didn't consider them to be priority needs in their county.

Other reasons why priority areas sometimes weren't addressed— page 14
some counties hadn't met all the requirements for receiving funding for certain projects, particularly for non-point source pollution projects, and the voluntary nature of the Commission's programs meant there sometimes was little demand for funds in areas identified as priorities. We also noted the Legislature has earmarked certain moneys to be distributed to all conservation districts equally, which can limit the Commission's ability to direct moneys where they are most needed. Finally, no one at the State level systematically reviews program spending after the fact to see how well it addressed the water-related priorities identified in the annual State Water Plan.

The types of projects being funded by the Commission appeared to be the types of projects designed to meet State Water Plan goals. page 16
Although the Commission had approved only those projects or activities that it had previously reviewed and approved as having met the broad Water Plan goals, we noted a few problems. First, the

Commission paid more than it should have in one project, and is now recovering that overpayment. Second, we saw some instances where county conservation district secretaries or other support staff had certified that septic tank projects had been properly completed, even though they had no qualifications for making that determination, and no other qualified person—such as a county sanitarian—had inspected the project. Third, the Commission’s administrative regulations don’t reflect current practices relating to the Watershed Dam Program, which resulted in some projects being funded at higher levels than the amounts described in regulations. Finally, in two cases the Commission provided a higher level of supplemental funding for watershed dam projects than its guidelines allow. page 19

Neither the State Water Plan nor the Kansas Water Office requires water agencies to track program effectiveness; however, the Commission does some effectiveness measurement. *The Plan generally doesn’t contain specific benchmarks for measuring such things as how much water should be conserved, how much land should be saved because of erosion-control practices, or how much water quality should be improved. Commission staff gather some information from county conservation districts regarding program benefits—such as the tons of soil per acre saved because of erosion-control projects—but they told us these figures often are overstated because counties don’t accurately report the information.* page 20

The Commission’s programs could be transferred to other State agencies but there are pros and cons to doing so. *In some cases, the Department of Health and Environment, the Department of Agriculture’s Division of Water Resources, and the Department of Wildlife and Parks operate programs that are similar to the Commission’s programs. Although more than half the Commission’s expenditures are for programs that no other agency currently is involved in, these programs probably could be carried out by one or more other State agencies involved in water-related activities. We didn’t find a compelling reason for a transfer, and it’s unclear whether significant savings could be achieved. Abolishing the Commission could have the advantages of streamlining government by concentrating water-related programs in fewer agencies, and possibly saving money on some staff positions. Possible disadvantages are that the Commission’s programs as a whole don’t fit neatly into any one existing State agency, the appointed Commission—the agency’s governing body—probably would be dissolved, which would reduce the involvement of local conservation districts in policymaking decisions that affect them, and the State’s large agricultural base would no longer have a single agency focused on soil conservation.*

Conclusion: *In general, our audit work has shown the Conservation Commission program funds are being spent where they should be—in the areas targeted as priorities by the Annual Implementation Plan. In addition, the Commission’s review processes help ensure that the types of projects being carried out are designed to meet at least the broad goals of the Water Plan. However, the Commission and other agencies can and should do more to ensure that the priorities targeted in each year’s Annual Implementation Plan are met. The actions recommended in this report will ensure a more coordinated and effective approach to addressing the State’s water resources and conservation needs. Finally, if the Legislature takes up the issue of transferring Commission programs to another agency or agencies, it* page 24

should consider the advantages and disadvantages presented in this report, as well as any other input State and local officials may provide.

Recommendations: *A brief summary of the report's recommendations, together with a summary of applicable comments from the agencies, is presented below.*

..... page 24

To ensure that the annual Water Plan goals better reflect water conservation needs across the State, we recommended that the Kansas Water Office and river basin advisory committees formally involve county conservation districts in developing the Annual Implementation Plan, and that the Water Office and Water Authority consider ranking the priorities listed in each year's Plan so the importance of each priority is clear.

To ensure that the Commission's programs are meeting the goals of the annual and State Water Plans, we recommended that the Commission periodically review county expenditures for Commission-funded programs, and work with county conservation district officials to adjust spending as needed to meet those goals. We also recommended that the Commission work with the Water Office to determine what information is needed to measure effectiveness at meeting those goals, and that it take appropriate steps to improve the type, consistency, and accuracy of the information reported.

To ensure that Commission projects are completed as designed, we recommended the Commission make sure that all individuals who are allowed to certify that projects have been completed are properly qualified. And to ensure that the Commission's published guidelines are consistent with its practices, we recommended that the Commission update its administrative regulations regarding the maximum level of funding allowed for watershed dam projects, and either follow its existing program guidelines when approving requests for supplemental funding on dam constructions projects, or update those guidelines to reflect the Commission's current practice.

In general, the State Conservation Commission and the Kansas Water Office concurred with the recommendations. Both agencies described the efforts they've made since fiscal year 1996—the year reviewed in this audit—to target Water Plan funds to identified priority areas and develop outcome measures for Water Plan funded programs.

In its response, the Commission stated that it has drafted revised regulations that reflect its current practice regarding the maximum level of funding allowed for the Watershed Dam Construction Program. It also pointed out that it reviewed program expenditures bi-annually through its fund reallocation process. Through this process, it rewards those counties that spent initial allocations on Water Plan priorities by giving them additional funds. However, this process doesn't necessarily assess whether some priority areas haven't been addressed and whether funding should be adjusted to meet those needs.

APPENDIX A: *Fiscal Year 1996 Comparison of Water Plan Goals to page 27*
Actual Spending in the Non-Point Source Pollution Control
And Watershed Dam Construction Programs

APPENDIX B: *County Composition of Kansas River Basin Areas page 33*

APPENDIX C: *Agency Responses page 39*

This audit was conducted by Sharon Patnode, Cindy Lash, and John McIntyre. If you need any additional information about the audit's findings, please contact Ms. Patnode at the Division's offices. Our address is: Legislative Division of Post Audit, 800 SW Jackson Street, Suite 1200, Topeka, Kansas 66612. You also may call (913) 296-3792, or contact us via the Internet at: **LPA@PostAudit.ksleg.state.ks.us.**

