



***KANSAS CHAPTER of the SIERRA CLUB***

**Before the House Vision 2020 Committee  
Testimony of Zack Pistora  
Presentation on State Water Plan Funding  
February 11<sup>th</sup>, 2015**

Chairman Sloan and Honorable Members of the Committee,

Thank you for the opportunity to appear before you today to give comment to the State Water Plan Fund.

**Water is in critical need of increased management and conservation across Kansas.**

Water is basic to all life. Water quality and water quantity are integral to issues such as energy, land use, and maintenance of a healthy environment for plants, wildlife and humanity. Proper management of water is essential so that present and future generations may survive and flourish.

The Kansas Chapter of Sierra Club echoes the popular sentiment of the State, including our Governor and the Kansas Water Authority, in that “Kansans must act now and rise to the challenge to make the best decisions for taking care of our precious resource.”

Long-term water availability may be the biggest environmental problem facing Kansas. The declining Ogallala-High Plains Aquifer seems to be a prime example of where impeding water scarcity meets conflicts of interest in water rights. The Kansas Geological Survey reports that the Ogallala has dropped nearly 60% in some places since 1950. Kansas State University estimates a third of the aquifer has already been drained, and that 70% of the whole Ogallala will be gone in the next 50 years if current practices do not significantly change. The U.S. Geological Survey says our previous decade of water use has led to the highest water depletion rate we’ve ever seen. Currently, the water from the Ogallala is being withdrawn over 3 times of what its annual recharge allows. Keep in mind, our aquifer serves over 2.3 million people and is estimated at \$5 billion in direct value and much more indirectly.

Beyond the Ogallala-High Plains Aquifer, surface waters are still recovering from prolonged drought. Many of our water bodies are falling victim to the trouble of Blue-Green Algae, impacting users’ safety and recreational enjoyment. We also are seeing a heavy loss of soil and sediment erosion of land, which complicates the water quality of our streams and the water quantity of our reservoirs.

These hardships facing Kansas are getting more costly – both economically and ecologically – as we put off meaningful proactive measures to increase management and conservation.



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### **Comments to the *Long-Term Vision for the Future of Water Supply***

The Water Vision itself is a very valuable guiding-document moving forward in water policy; on the whole it contains a lot of great ideas that represent smart, critical steps to preserving our water supply. Increasing public education on water conservation, implementing more efficient irrigation technologies, expanding more sustainable agricultural practices such as the use of cover crops and specialty crops, engaging neighboring states and federal authorities about interstate water issues, and prioritizing water rights based upon its type of beneficial use are all good ideas to start.

The Water Vision also brings to light the important implications of water quality, water use from energy production, as well as the significance of adapting toward impacts of climate change. The Vision also makes clear the necessity of water for positive human-health and welfare, as well as environmental stewardship, rather than just for economic gain.

The Kansas Chapter of Sierra Club participated in the Vision Team's stakeholder engagement process and provided comments that were accepted into the second draft of the Water Vision. We applaud the Governor, the Kansas Water Office, and everyone on the Water Vision team for all the hard work in collecting the concerns of Kansans on water, and compiling the important document. Furthermore, we support the Water Vision recommendations and ask you to support their legislative initiatives this session.

### **Our State Water Plan Fund is our best public tool to address water concerns. Let's fully fund it!**

The State Water Plan Fund has been the chief resource in addressing the State's water concerns. Millions of dollars, much on behalf of Kansas taxpayers, has been spent to provide positive assistance to manage water resources, including but not limited to: aid to Conservation Districts, remediation of water contamination, sediment-reduction practices such as streambank stabilization and riparian buffers, to mitigating nonpoint source pollution, and more. This work is very valuable and we suggest the money is overall well-spent.

We were disappointed to see the Governor's FY 2016 budget leaves out the statutorily-required funding of \$8 million in transfers from SGF and EDIF. This absence of money subtracts the capacity to invest in proactive water conservation practices and programs that could save us from spending larger amounts of money down the road in dredging, remediation, and water supply infrastructure.

If our state leaders want to get serious about water, we need to fully fund the State Water Plan.



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### **Innovative solutions to enhance water conservation and its dedicated funding are needed now.**

If we are to really address the root of the problem, we need to address the irrigation problem. By and large, crop irrigators, particularly Western Kansas corn growers, are the reason the aquifer is depleting so fast. Irrigators, which comprise ~15% of Kansas' total farming sector, are using nearly 85% of Kansas' total groundwater and surface water.

Irrigators ought to be held accountable with higher water prices because of their disproportionate impact on the state's water supply. It's simply not fair for a small percentage of farmers to take the largest proportion of our water. We would like to see these farmers incorporate better water –saving practices like subsurface drip irrigation, utilize cover crops, or even switch crops to enhance their water conservation. Further, we propose a ***“Water Depletion Trust Fund”*** be created, so that excessive water consumers would financially compensate counties for the property value loss from continued water withdrawal. This legal structure has worked successfully for counties and the oil and gas industry, so I encourage you to consider its potential for a different natural resource.

Of course, the Water Vision still misses a key cornerstone of sustainable water use, and that is living within one's means. Kansas cannot continue to over-withdrawal our water; our consumptive use cannot exceed natural recharge. We cannot keep drawing more from our water savings account than what is going in, that's the bottom line. Without fixing this fundamental issue regarding over-appropriated water rights beyond recharge, our water policy will continue to be unsustainable. We encourage the legislature to give the Chief Engineer authority to integrate “long-term viability” into the criteria of beneficial water use for granting water rights.

### **Water will be an ongoing issue, and we need your leadership to tackle these tough, important decisions. Current and future Kansans are counting on you.**

Beyond all the great ideas in Water Vision or from the Kansas Sierra Club... the simple, but difficult changes in philosophy and business practices will be our biggest hurdle. Upgrading our economy beyond water-intensive agricultural and energy practices will be a tough, but rewarding endeavor. We will have to transition from growing corn in semi-arid climate regions, producing corn-based ethanol, and promoting large-scale concentrated animal feeding operations, toward growing more water-efficient crops suitable for our natural climate, utilize more sustainable plant and animal food-growing, and use more efficient fuels. We must move quickly in switching toward water-saving energy sources, such as renewable fuels like wind, solar, and hydrogen fuel-cells, and drastically decrease our water-intensive, energy systems such as traditional fuels of coal, nuclear, and fracking for oil and gas.



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Lawmakers, I am grateful for your public service. Your leadership on water, an issue so critical to the welfare of current Kansans as well as Kansans to come, is appreciated more than I alone can express. Please contemplate my suggestions about enhancing the State Water Plan Fund, on behalf of your constituents, our future generations of Kansans, and for all the life within our ecosystems that depend on the clean and available water of our great state.

I am happy to answer any questions you might have.

Sincerely,

Zack Pistora | Legislative Director and State Lobbyist, Kansas Chapter of Sierra Club

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*The Sierra Club is the largest grassroots environmental organization dedicated to preserving, protecting, and enjoying our great outdoors. The Kansas Chapter represents our state's strongest grassroots voice on environmental matters for more than forty years now.*