

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES

The meeting was called to order by Representative Ron Fox at
Chairperson

3:30 ~~am~~ p.m. on January 31, 1985 in room 313-S of the Capitol.

All members were present except:

All members were present.

Committee staff present:

Ramon Powers, Legislative Research
Theresa Kiernan, Revisor of Statutes' Office
Betty Ellison, Committee Secretary

Conferees appearing before the committee:

Mary Fund, The Kansas Rural Center, Inc., Whiting, Kansas

Chairman Ron Fox noted that the following written testimony pertaining to the proposed State Water Plan should be incorporated into the minutes:

1. A letter from Donna Hinderliter of Wichita, Kansas. (Attachment 1)
2. A letter from Margaret J. Miller of Wichita, Kansas. (Attachment 2)
3. Written testimony from Dean Wilson, Legislative Committee Chairman of the Kansas Canoe Association. (Attachment 3)

Mary Fund testified on behalf of the Kansas Rural Center of Whiting, Kansas. Her remarks focused on several specific recommendations, with some brief comments on the proposed State Water Plan overall. (Attachment 4)

The Chairman noted that the last two conferees would testify on the water plan Thursday, February 7, followed by discussion and possibly adoption. He explained that the format for discussion would be section by section in general areas, with specific comments of criticism or approval of the committee. He said that the first decision to be made would concern which of the two tools that had been introduced would be passed out of committee. Following that, individual sections would be discussed.

The meeting was adjourned at 3:50 p.m.

The next meeting of the House Energy and Natural Resources Committee will be held on February 7, 1985 at 3:30 p.m. in Room 313-S.

January 28, 1985

Dear Rep. Ron Foy,

Being located out of Topeka, I would like to pen a few serious concerns I have about the state water plan. Actually, I question the effectiveness of the over-all structure of the Water plan.

I feel very strict controls are needed on the use of our present water supply. Rarely, does voluntary action serve as a solution. Our Ogallala aquifer is being depleted at an alarming rate.

I also feel that the rampant use of fertilizers, pesticides & herbicides be addressed & a solution to the further pollution of our precious water supply be instrumented. This is not an issue that can be ignored any longer - our environment is our livelihood.

Referring to the management section of the plan, will individuals & local groups have any say on decisions the board members make?

These are but a few of the issues that must be resolved - regardless of the hardships & sacrifices it brings - before future generations can be born to a safe, healthy environment, their God given right.

Sincerely,

Donna Hinderliter

6156 S. Pattie

Wichita, Ks. 67216

Baker

6807 E. Bayley
Wichita KS 67207
January 28, 1985

Mr. Ron Fox and members of the House Energy & Natural Resource Committee
House of Representatives
State Capitol
Topeka KS 66612

Dear Rep. Fox and Fellow Committee Members:

I am writing concerning the State Water Plan.

We citizens of Kansas are looking to you for leadership in implementing a wise and fair plan for managing the water resources of our state.

I believe the two main issues which should be addressed are those of conservation and protection from pollution. As you know from reading and listening to all of the information on these subjects, taking care of Kansas water in these regards will be a big job. I am urging that you produce satisfactory legislation in your committee to promote water conservation and the prevention of water pollution.

Thank you for the opportunity to write you on these issues.

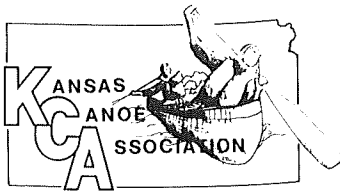
Sincerely,



Margaret J. Miller

(316) 686-2555

Attachment 2 -- 1/31/85
Energy and Natural Resources



RETURN TO:

WRITTEN TESTIMONY
KANSAS WATER PLAN
SUMMARY OF RECOMMENDATIONS

The Kansas Canoe Association supports the SUMMARY OF RECOMMENDATIONS concept. We would like to point out that we, KANSANS, must rethink of our water from "use it or lose it" philosophy to a management of our water resources to their fullest. This would mean to manage by "demand management" rather than the WATER APPROPRIATIONS ACT which only looks at useage.

Under the DEVELOPMENT SECTION, we support all issues listed. However, the issue of development of our basins for recreation use is not addressed. Recreational use, being a non-consumptive water use, we feel can live hand-in-hand with consumptive uses. Recreation is defined as canoeing, kayaking, boating, fishing, hunting, and birding. We realize that motor boating would have to be looked at as to the useage of the basin, because of the degree of pollution caused by power boats.

The Kansas Canoe Association would like to see this considered in the DEVELOPMENT SECTION Recommendation so to fully utilize our water natural resource.

Dean Wilson
KCA Legislative Committee Chairman
3509 SE Highland Ave.
Topeka, Kansas 66605

Attachment 3 -- 1/31/85
Energy and Natural Resources

THE KANSAS RURAL CENTER, INC.

215 Pratt

WHITING, KANSAS 66552

Phone: (913) 873-3431

TESTIMONY for the HOUSE ENERGY AND NATURAL RESOURCE COMMITTEE

HEARINGS on the STATE WATER PLAN

January 30 and 31, 1985

My name is Mary Fund, and I represent the Kansas Rural Center of Whiting, Kansas, which is a non-profit research and education organization focusing on agricultural and natural resource issues. The Kansas Rural Center has monitored state water issues for over three years, publishing two reports: The Distribution of Land and Water Ownership in Southwest Kansas (Dec. 1982) and Water in Kansas: A Primer (Dec. 1984), and followed the development of the State Water Plan closely.

The final draft of the January 1985 water plan contains over 60 recommendations. Our comments focus primarily on several specific recommendations related to conservation (especially agricultural), management (particularly the local control or basin advisory committee concept) and some brief comments on the plan overall.

Conservation. First, the Kansas Rural Center supports those recommendations to enhance state funding of agricultural soil and water conservation and watershed programs, and strongly urges the Legislature to find a way to increase this funding. Over half the state's cropland is not protected by adequate conservation measures, and we are losing an amount equal to or exceeding five tons per acre on nearly 40 per cent of our cropland. If we are to protect the state's agricultural and food producing future, saving soil and water is crucial. The current economic crisis in agriculture greatly reduces the individual farmer's ability to implement such practices without state as well as federal assistance.

Also, the recognition of a connection between the lack of adequate land treatment practices and watershed structures and water quality is a big step forward in the protection of water supplies from agricultural chemical fertilizer, pesticide, and herbicide runoff. This provides a second reason for increasing funding for these programs.

The Rural Center also supports the concept of requiring conservation plans by irrigators. We support this with full awareness of the farmers' needs for flexibility within the plans, the variable nature of rainfall, and the variations in crop needs. And, as an organization operating a Farm Crisis Hotline which deals with financially distressed farmers on a daily basis, (we have talked with over 100 farmers across the state since the first of the year) alone, we are very aware of the problems farmers are experiencing in attempting to service their debts. Therefore, we understand that there may be reluctance by farmers in developing conservation plans that may affect water availability and cropping practices. However, we feel that the problem is not necessarily with the water conservation policies, but with economics and general farm policy. State water policy cannot be dictated by the deficiencies of farm policy. It is in the best interest of the state, the water resource and future generations to adopt strong agricultural conservation policies. In other words, we are not going to solve the short term, economic problems of farming by throwing water on them.

Management. Because of the varied nature of water problems and situations across the state, and the desire of local people to maintain control over the water resource, the Rural Center supports the concept of basin planning, based on local participation and involvement. However, many unanswered questions exist about the selection and composition of these basin advisory committees.

While the plan before you does not explicitly lay out the make-up, representation, and selection of these committees, it does make clear the Kansas Water Authority's intent to maintain optimal control. Presently the Authority and the Kansas Water Office are adopting procedures for selection and guidelines for composition, using the Authority itself as a model for committee make-up. The Rural Center is concerned that under the adopted guidelines, irrigation is perceived as the only agriculture in the state (only ten per cent of the farms in the state irrigate), and that representation of certain interests will be discouraged, namely the public, environmental and fish and wildlife interests. Environmental and fish and wildlife concerns are not specifically represented in the current Water Authority, either.

Because the public expressed strong sentiment about local control, we feel that the Legislature should pay close attention to this part of the plan, and the extent to which it allows real local participation.

Overall Comments. In addition to the Rural Center's comments on these specific steps, we have some basic concerns about the plan overall. The plan is purported to be a policy document - a base from which to work, from which to expand. We commend the Kansas Water Authority and the Kansas Water Office for their recognition of the on-going nature of the planning process and their attention to public input. But it is sometimes difficult to see the forest for the trees.

No where in the final draft plan is there a summary of state policies, such as long term policies or goals. While the 65 recommendations summarize the plan of action (and there are many positive steps laid out) they cannot stand as a basic policy statement. For example, the overall plan fails to clearly state the conservation goal(s) of the state. We are given a definition of conservation, but not of a goal or what it is we are aiming for. For any of the recommendations to be properly understood and supported, in spirit and financially, the state's intentions should be strongly stated, and the plan fails to do this. We, therefore, recommend that a definite policy and goals statement be drafted to accompany this plan.

I thank you for your time and the opportunity to address the Committee.