



**Testimony on Senate Bill 120
House Agriculture and Natural Resources Committee**

**Nick Hernandez, City Manager
Dodge City, KS**

March 22, 2023

Chairman Rahjes and Members of the Committee,

I am Nick Hernandez, City Manager of Dodge City. Thank you for the opportunity to provide testimony in support of Senate Bill (SB) 120. As proposed, the bill amends two statutes pertaining to water infrastructure projects. SB 120 is identical to House Bill 2047 which was passed last month by your committee, as amended.

Section 1 amends K.S.A. 65-163 to allow the replacement of water distribution systems to annually certified by qualified staff of a public water supply entity. Currently, the statute only allows certification of water distribution system extension projects. Dodge City has an engineering department and is qualified to perform the certifications. The adoption of this amendment will allow public water supply systems to more efficiently complete water line extensions and replacements without unnecessarily burdening Kansas Department of Health and Environment staff with this task.

Section 2 amends K.S.A. 65-3326 to allow loan agreements after July 1, 2023, from the Kansas Water Pollution Control Revolving Fund to be repaid in full not later than 30 years after the execution of said agreements. Currently, the maximum loan repayment period is 20 years. This amendment to K.S.A. 63-3326 will allow water pollution control projects such as those treating municipal and industrial wastewater to be financed under similar terms as its counterpart, the Public Water Supply Loan Fund.

As you may know, Dodge City will be home to a new dairy processing facility owned and operated by the Hilmar Cheese Company. The facility is scheduled to be operational in late 2024 and the city will be responsible for providing the facility's water and wastewater utility services. The facility will produce 1.5 million gallons of wastewater per day and the city is currently developing plans to expand the treatment capacity to handle the additional waste stream from the continued growth of National Beef and the new flow from Hilmar Cheese Company. With the favorable passage of SB 120, the city will be able to finance the additional infrastructure needs more affordably by adding 10 additional years to the amortization period.

Currently, the city manages its municipal wastewater and wastewater from the National Beef processing facility with a system of aerobic and anaerobic digesters and facultative lagoons. The lagoons not only serve as part of the treatment system but also serve as irrigation storage for a large complex of irrigated cropland adjacent to the wastewater facility. In addition, the city also produces biogas from the wastewater which provides a renewable natural gas source.

The city is currently evaluating a plan to utilize the Hilmar wastewater along with excess waste stream from the municipal flows to develop a managed aquifer recharge project. This project will return the treated wastewater to the Arkansas River and utilize the dry riverbed and alluvium to further cleanse the water and recharge the aquifer in the vicinity of many of the city's public water supply wells.

In closing, the simple amendment to K.S.A 65-163 will allow Dodge City and other Kansas public water suppliers to more efficiently implement water distribution projects and maximize the use of qualified engineering staff. The modification to the Water Pollution Control Revolving Fund will allow Dodge City and other Kansas communities to implement wastewater treatment solutions more efficiently and affordably for its utility users by extending the amortization period by a decade. In Dodge City's case, the expansion of the wastewater facility not only will serve a significant economic enhancement to the region, but also provides the opportunity to sustain our water supply, the Ogallala Aquifer.

I encourage your favorable passage of SB 120. Thank you.