



The Kansas Groundwater Management Districts

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Testimony before the Senate Ways & Means Committee In Support of SB 435

Mark Rude, Executive Director, Southwest Kansas GMD #3
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Good morning Chairman McGinn and committee members. Thank you for the opportunity to submit this testimony on behalf of all five Groundwater Management Districts. The GMD's stand in full support of SB 435 and its goal of establishing a Conservation Reserve Enhancement Program in Kansas statute.

As you are aware, the Conservation Reserve Enhancement Program (CREP) is a state/federal partnership that we have utilized in Kansas since 2007 through the development of the Upper Arkansas River CREP. The Upper Ark CREP project area encompasses a 10 county region beginning with Hamilton County on the Kansas/Colorado state border and continuing eastward to Rice County in the central part of the state. During the short history of the program, the Division of Conservation has enrolled and retired 22,245 acre-feet of annual water use authorization (roughly 7.2 billion gallons of annual authorization) through 67 separate contracts. These enrollments were primarily from the high priority "Tier 1 – unsuitable" soils on the southern edge of the Arkansas River.

As a state/federal partnership the Upper Ark CREP allows Kansas to match a relatively small amount of state dollars and local support and leverage a much larger amount of federal dollars. The State of Kansas, through an MOA with the USDA, agreed to provide a cost share of 20% of the program costs to be met through a combination of direct payments, technical assistance and in-kind contributions. The Kansas direct match of approximately \$4.3 million, which includes GMD3 Arkansas River Compact litigation damage funds spent on conservation projects, has leveraged an additional \$19.6 million in federal funds to Kansas producers who have voluntarily chosen to retire their water rights and permanently transition tier 1 soils to grass. This program has had the effect of providing some aquifer relief to the area affected by over \$34 million in damages and interest from the ongoing effects of past Arkansas River compact violations by Colorado. It is notable when reviewing equitable benefits that over \$23 million of the local damages restored by order of the Court have since been used to support the state general fund.

At the local levels, GMD #3 and GMD #5 have assisted the Kansas CREP with administration, water data collection and constituent outreach necessary to ensure the success of the Upper Ark CREP goals. The GMDs feel that this program has been a successful one and we fully support the statutory creation of the Conservation Reserve Enhancement Program.

I thank you for allowing me the opportunity to submit testimony and I am happy to assist in answering any questions you may have.