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**HB 2686 Opponent Testimony**  
**Provided To The House Water Committee**  
**February 15, 2022**

Chairman Highland, Members of the House Water Committee, My name is Mark Rude, and I am Executive Director of the Southwest Kansas Groundwater Management District No. 3 (GMD3). Thank you for this opportunity to provide comments on HB 2686. In the extremely brief time available to consider HB 2686, GMD3 can see sweeping changes that adversely affect the purposes of the Kansas GMD Act. The bill erodes local assistance to state water officials in meeting their duties and attention to legislative purposes for groundwater management policy.

I will focus my comments for now on some concerns that directly affect GMD3 members. HB 2686 flips government to a centralized top-down expansion of state groundwater governance while acting to shrink, to confine and to dilute local water user funds, representation, and expertise available to advise and assist state water officials. This is not good water policy for Kansas. HB 2686 betrays the 50 Year Kansas Water Vision principle that “locally driven solutions have the best chance of providing long term solutions to water problems.” It does this by expanding state water official authority while taking stakeholder appeal rights and imposing local leader term limits that legislators will not accept on themselves. HB 2686 imposes millions of dollars of new property right tax on rural areas to create a new state agency fund rather than local trusts, while removing property owners from GMD governance and participation. Our experience - a local GMD water trust fund can serve public purposes efficiently. See GMD3 legislative report on WWCP Fund attachment for reference.

HB 2686 eliminates geographically distributed county and use category board positions of GMD3 that exist to represent the entire GMD area more fairly. Confined animal feeding operations are a major economic driver in Southwest Kansas. HB 2686 takes their GMD3 director position away in an arbitrary reduction of board size from 15 down to a maximum of 9, while elsewhere in HB 2686 a local watershed board is allowed up to 15 board positions. The bill further departs from local control afforded other instrumentalities by creating a nomination process for GMD boards with unfilled board positions and requiring an outside state water planner to appoint local leaders.

We look forward to working with the committee and partners for good Kansas water policy. Thank you for this opportunity, and I’ll stand for questions at the appropriate time.