

Testimony of
Allyn O. Lockner before the Kansas House Water Committee
at 8:45 am to 9:45 am on August 18, 2021, Garden City Community College,
Endowment Room, Beth Tedrow Student Center, 801 Campus Dr., Garden City, KS

Thank you for the opportunity to testify on the most vital and urgent public policy problems in Kansas: water. My name is Allyn Lockner. I reside at [REDACTED]

Background

I hold a PhD in economics. My career in water planning and management includes South Dakota Secretary of Environmental Protection for six years; Deputy Regional Director of United States Office of Surface (Coal) Mining in Kansas City, Missouri for three years; and Director of the Kansas Water Office for one year.

I participated in reorganization of the executive branch of South Dakota state government.

I am a member of the American Society for Public Administration. I represent myself and no organization.

Since 2014 I have studied Kansas water problems, and the development and implementation of water policies aimed at solving these problems. I have testified on water bills and budgets before committees of the Legislature. I have observed and participated in meetings of the Kansas Regional Advisory Committee, one of fourteen regional water committees in Kansas. I am researching and writing a book about achieving regional water security in democracies.

Water is Vital and Urgent for Kansans

Water is the most vital and urgent public policy problems confronting we Kansans and our Legislature and Governor and the House Water Committee. Why?

All life can't exist without water. The quantity of water in the water cycle is fixed. There is no known way to manufacture water. There is no known substitute for water.

Also, availability of adequate water quantity and quality determines current and future population, living standards, economic development, economic growth, and overall health and security of Kansans.

Kansas Vision and Mission are the Kansas Water Standard

Generally, a standard is defined as a level of quality or attainment. It is used as a measure, norm, or model in comparative evaluations. The following statements contain the Kansas water standard.

Kansas Water Vision statement is: "Kansans act on a shared commitment to have the water resources necessary to support the state's social, economic and natural resource needs for current and future generations."

An additional statement is: "The Vision statement calls on every Kansan, as stakeholders, to not only commit to ensuring a reliable water supply but also to act on that commitment."

Kansas Water Mission statement is: "Provide Kansans with the framework, policy and tools, developed in concert with stakeholders, to manage, secure and protect a reliable, long term statewide water supply while balancing conservation with economic growth."

An additional statement is "Since the Vision calls on all Kansans to be committed to their water resources, the state of Kansas is called on in the mission to provide Kansans everything they need to act on that commitment."

These four statements are the basis of my findings, conclusions, recommendations, and questions.

Findings, Conclusions, Recommendations, and Questions

The following comments aim to assist the House Water Committee in making decisions regarding Kansas water problems, policies, functions, and frameworks. Each comment is intentionally brief; details can be discussed at the committee's request.

Findings of fact are prioritized as follows:

1. Continuing depletion of ground water (fossil aquifers) in one or more of the fourteen regions.
2. Continuing loss of reservoir surface water storage capacities in one or more of the fourteen regions.

3. Continuing increased quantity of surface water use in one or more of the fourteen regions.
4. Continuing impairment of surface water quality in one or more of the fourteen regions.
5. Continuing underfunding of the Kansas Water Plan.
6. Spreading of water policy and project implementation among state executive branch agencies.
7. Assigning the solving of water problems to independent agencies (e.g. Kansas Corporation Commission)
8. Spreading of water policy development among legislative committees and/or subcommittees.
9. Preparing needed regional water quantity and water quality goals and action steps to achieve goals.

Conclusions of policy are prioritized as follows:

1. Continuing policy of allowing depletion of ground water in regions is unsustainable.
2. Continuing policy of allowing loss of reservoir surface water storage capacities in regions is unsustainable.
3. Continuing policy of allowing increased surface water use may become unsustainable in regions.
4. Continuing policy of allowing impairment of surface water quality needs monitoring to ascertain sustainability in regions.
5. Continuing policy of underfunding of Kansas Water Plan allows continuation of 1 through 4.
6. Moving Kansas Water Reality toward the Kansas Water Vision is threatened by 1 through 5.
7. Achieving the Kansas Water Mission is necessary to avoiding the threat in 6.
8. Overlooking inadequacy of state government framework for reversing 6.
9. Overlooking inadequacy of state government framework for obtaining 7.

Recommendations for improvement are prioritized as follows:

1. Expanding the Kansas public water information and education campaign.
2. Establishing an adequate, long-term, and stable revenue source for Kansas Water Plan Fund.
3. Acknowledging this revenue source type exists for funding highways and bridges in Kansas.
4. Choosing a revenue source: examples, water withdrawal fee, sales tax rate, or income surtax.
5. Using Kansas Water Plan Fund to leverage acquisition of federal funding of water programs and projects.
6. Verifying the number and skills of staff exists to implement programs and projects financed by Kansas Water Plan Fund.
7. Establishing "Kansas Water for the Future Fund" with donations from persons and groups in the private sector.
8. Establishing a Department of Water Resources headed by Secretary to strengthen framework.
9. Establishing communication/collaboration between 8 and the fourteen regional advisory committees to improve framework.
10. Continuing the Kansas Water Authority to advise the Secretary, Governor, and Legislature.
11. Establishing a Joint House-Senate Water Resources Committee to match Department of Natural Resources.
12. Undertaking 13 through 28 after completion of 1 through 11.
13. Estimating time required to solve water problem.
14. Estimating risk and urgency of water problems.
15. Estimating risk and urgency of projects to solve water problems.
16. Estimating approximate monetary and nonmonetary benefits and costs of project.
17. Acknowledging water problems will not be solved due to limited revenues, knowledge/skills and/or public support.
18. Using results of 13 through 17, to prioritize water problems for solution in each region or entire state.
19. Promoting successful ground water management districts.
20. Promoting successful local enhanced ground water management areas.
21. Promoting successful ground water conservation areas.
22. Promoting successful fourteen regional advisory committees and their goals and action plans.
23. Investigating effectiveness/feasibility of locally-enhanced surface water management areas.
24. Investigating effectiveness/feasibility of surface water conservation areas.
25. Encouraging increase of soil health practices that conserve water quantity and protect water quality.
26. Encouraging more adoption of wastewater use, recycling, and reuse to conserve water.
27. Increasing awareness of need to prevent movement of saline water into freshwater aquifers.
28. Collecting and storing more rainwater for later use and reduction of runoff (water harvesting).

Questions needing answers are prioritized as follows:

1. Is it necessary to obtain the Legislature's approval of the Kansas Water Vision Statement?
2. Is it necessary to obtain the Legislature's approval of the Kansas Water Mission Statement?
3. Is it necessary to know the connections between water quantity and quality, and economic development and growth?
4. What facts are missing but necessary to achieve and maintain ground water quantity and quality?
5. What facts are missing but necessary to achieve and maintain surface water quantity and quality?

6. Is it necessary to acknowledge that Kansas doesn't have water problems, but does have water management/use problems?
7. Is it necessary to know the location and magnitude of over-appropriation of water under Kansas water rights statutes?
8. Is it necessary to appreciate publicly water right holders' voluntary compliance with Kansas water rights statutes?
9. Is it necessary to know the effectiveness of Kansas water rights statutes during long-term water scarcity?
10. Is it necessary to know the effectiveness of Kansas water rights statutes during short-term droughts and floods necessary?

11. Is it necessary to know the long-term effectiveness of water rights enforcement?
12. Is it necessary to provide an education and information program about the Kansas water rights statutes to water right holders?
13. Is it necessary to know the long-term effectiveness of financial incentives to improve water conservation by users?
14. Is it necessary to know the long-term effectiveness of irrigation technology to reduce water withdrawals by users?
15. Is it necessary for regional advisory committees to contact indigenous groups residing in water regions?
16. Is it necessary for regional advisory committees to contact other states where watersheds and aquifers cross state boundaries?

Need to Solve Kansas Water Problems Now

The best time to solve our Kansas water problems was seventy years ago. The second best time to solve them is now. Later will be the worst time. Or later will be too late to solve our water problems.

I will be glad to answer committee questions.