KANSAS WATER AUTHORITY (KWA) 2023 ANNUAL REPORT

The KWA is responsible for advising the Governor, the Legislature and the Kansas Water Office on water policy issues, approving the Kansas Water Plan and making recommendations for funding and spending the State Water Plan Fund (SWFP). KWA has 13 voting members appointed by the Governor or Legislative Leadership while there are 11 ex-officio members who are state agency directors. This 32-page report is divided into 4 areas: Ogallala Aquifer Initiatives, Reservoir Water Supply & Sediment Management, Water Quality Initiatives and Statewide Water Issues.

KWA is charged with the duty to make recommendations to the Governor and the Legislature regarding the development, management, and use of the water resources of the state. KWA’s state policy recommendations include critical depletion of the Ogallala Aquifer, State appropriations for leveraging matching federal funds (particularly for communities), environmental justice, and funding deficiency. In terms of funding the SWFP, the formula has remained unchanged since the fund was established in 1989. (It is a balanced blend of water user fees, agriculture fees, and state funding.) Now it is apparent that this funding base is inadequate at $25 to $30 million annually. KWA is now requesting $69 million annually and the program details are listed on p.4. There are not new or expanded revenue sources proposed.

This annual report describes all the programs funded and their function. It should be read in conjunction with the 2022 Kansas Water Plan that KWA adopted last August. On p. 8, the various programs are delineated by category from groundwater to water quality to reservoir water supply. The challenges here are immense. Over-appropriated groundwater rights have to be lowered but at what cost? How well is this annual report and the 2022 KWP integrating federal conservation programs into a complete plan? If the 2023 Farm Bill continues past policies of heavily subsidizing a few grain crops, that is what will be grown in Kansas and continue existing groundwater depletion and soil loss into the reservoirs.

Starting on p. 24, the Statewide issues are indeed challenging. The Quivira National Wildlife Refuge – with its most senior water rights – has junior water rights on Rattlesnake Creek preventing the refuge from getting the water to which it is entitled. By 2023, there might be an environmental assessment from GMD No. 5. The Hays/Russell pipeline...
- from the R9 ranch near Kinsley - may have full approval in 2024 for the water transfer request unless derailed by the Kansas Supreme Court. There is information on the Republican River compact and the Kansas-Colorado Arkansas River Compact along with flooding issues in the Lower Missouri River Basin. The latest drought declaration from the Governor was issued on October 6, 2022 placing 67 counties in emergency status, 11 counties in warning status, and 27 counties in watch status. In 2022, reservoir releases made up more than 90% of the flow in some river reaches.

2023 Annual Report to the Governor and Legislature - Kansas Water Authority

2023 STATE OF THE STATE PRIORITIES

On Tuesday January 24, Governor Laura Kelly gave her fifth State of the State speech (on her 73rd birthday no less). She started with her accomplishments over the last four years in terms of balanced budgets, fully funded schools, closing the KDOT bank and the largest economic development project (Panasonic) in Kansas history all while cutting taxes for families, veterans, homeowners and farmers. The Governor has her tax cut proposal of eliminating the state sales tax on groceries immediately, a four-day August window for school supplies free from the sales tax and a retirement income tax break. The Governor is ready to sign tax reduction legislation that is fiscally sound and not threaten the structural integrity of the State Budget in the future.

The Governor wants to fully fund public schools going forward as well a five year path to fully fund special education. The Governor will resist legislation that turns parents against teachers via political point scoring. The Governor wants to make Kansas public schools the very best in the nation. She wants to train up a larger, more skilled workforce through the Department of Commerce. Water is a clear priority by fully funding the SWPF and paying down public water storage debt in key reservoirs. Medicaid expansion is again at the top of the list. Kansas has left $6 Billion of our tax dollars in Washington because the state has not expanded Medicaid while all surrounding states and other red states have recently. 70% of Kansans support expansion according to the Docking Institute at Fort Hays State University. Medical marijuana should be legalized and mental health services expanded as Kansas ranks last in the country on rates of mental illness and mental health services. The Governor wants to meet in the middle on issues from tax relief to water to health care.

Full transcript of Kansas Gov. Laura Kelly’s 2023 State of the State speech
Climate change is increasingly unavoidable and increasingly undeniable. Climate change extremes are increasing via floods, droughts, wildfires, and extreme storm events. Kansas wheat farmers are facing a climate challenge that is bordering on a new ‘dust bowl’. Weather pattern changes are causing more damage. Fossil fuel giants such as Exxon were fully aware of potential climate change impacts but hid their research - since the 1970’s - in favor of corporate profits. Today the same ‘special interests’ are quelling any public debate regarding financial investments that might accurately account for future ‘billion-dollar’ weather calamities.

Kansas wheat farmers are facing a tougher future as dry, hot, windy weather takes a toll on the Wheat State’s trademark crop (one-fifth of all the wheat in the U.S.). Kansas State University - along with institutions from Texas to China - has released a study computing the impact of a changing climate on wheat farming in the Great Plains. The triple whammy of hot, dry and windy weather (HDW) inflicted the most damage on harvest. This combination of events has been increasing over the last 40 years due to climate change. April is the windiest month of the year in Kansas precisely at the time of wheat flowering and ripening. The southern High Plains is already the windiest region in the inland U.S and one of the driest regions east of the Rockies. If this climate change weather pattern intensifies, new wheat seed varieties might better withstand the HDW conditions.

**Kansas wheat farmers face a tougher future as climate change ramps up dry, hot, windy weather**

New research shows that Exxon scientists were as accurate as independent experts in predicting how the burning of fossil fuels would warm the planet and bring about climate change. The peer-reviewed paper – published in the journal Science – analyzed all known climate predictions by Exxon from 1977 to 2003. Exxon accurately predicted global warming and still attacked climate science. Corporate profits favored over the fate of the world. More than two dozen cities, counties, states and other jurisdictions have filed lawsuits against Exxon and other oil companies seeking damages for climate impacts. Exxon scientists predicted that human-induced warming would be detectable by 2000 which was confirmed by the United Nations Intergovernmental Panel on Climate Change. In 2004, Exxon said publicly that ‘scientific uncertainties continue’ about ‘humanity’s role in climate change’. As late as 2013, Exxon CEO Rex Tillerson said ‘the facts remain there are uncertainties around climate... what the principal drivers of climate change are’. Exxon spent millions on climate change denial campaigns.

**Exxon Accurately Predicted Global Warming, Years Before Casting Doubt on Climate Science**

The fossil fuel industry continues with their climate change denial campaign via a new platform – environmental, social and governance (ESG) – which are standards for financial investment decisions. Major investment firms such as Blackrock and Vanguard have lent support to discuss long term vulnerabilities regarding climate change and corporate governance issues of executive pay and corporate board membership. In our country, corporations have been granted ‘personhood’, the freedom of religion and unlimited political campaign contributions to buy elections. Does a corporation have a conscience? Should it? Are there any ethical standards on how corporations should treat their employees, their communities, their customers and their impact on earth’s life balance? Is profit for the investors (and thus our retirement funds) the only criterion – while disregarding potential future billion-dollar climate calamities?
On January 19, KDA Secretary Mike Beam testified before the Senate Agriculture and Natural Resources. This testimony presented an overview of Kansas agriculture along with a list of KDA activities. This testimony did not present a legislative priority list. If indirect economic factors are included, Kansas agriculture has a total economic contribution of $76 billion and supports over 256,000 jobs across Kansas (14% of the workforce). For 2022, grain and meat prices were strong but farm production expenses were expected to increase 17.8% - largest year-to-year increase on record. Interest expenses increased by more than 39%. Kansas commodity exports totaled $5.35 billion in 2021 – first time in a decade.

Key issues include: effective postsecondary opportunities to train students, outreach and expertise in the form of Extension personnel, increased agriculture research funding, innovative business development incentives, a reliable workforce, and federal immigration reform with a focus on long-term visas for agricultural workers. (The Farm Workforce Modernization Act passed the U.S. House on a bipartisan act and awaits action in the U.S. Senate). Drought is now impacting all 105 Kansas counties and elevated the risk of wildfires, especially in the western half of the state. The Ogallala continues to decline and especially in 2022. The avian influenza had minimal impact in Kansas affecting just over 20,000 birds.

Secretary Beam chairs the Governor’s Wildfire Task Force that was created in July. Many state and local organizations are directly involved in wildfire mitigation and response & recovery especially with the multiple large-scale wildfires since 2016. In 2023, a USDA cooperative agreement with KDA will provide $2.5 million to purchase and distribute Kansas grown food to underserved communities and families across Kansas through the state’s existing distribution network of food banks. Kansas has a significant presence in the pet food manufacturing industry. USDA has invested in projects nationwide via a grant program for Climate-Smart Commodities. KDA is not a lead partner but in contact with the 20 awardees in Kansas. Almost all major agriculture companies now have sustainability goals due to environmental, social and governance (ESG) accounting and reporting. Two examples in Kansas are General Mills and Archer Daniels Midland. For 2022, KDA licensed 61 individuals in commercial hemp production. This testimony concludes with detailed farm statistics for Kansas listing the top ten sectors and all direct Kansas agriculture sectors (on pages 10-11).

Agriculture in Kansas: Testimony for the Senate Committee on Agriculture and Natural Resources by Kansas Secretary of Agriculture Mike Beam

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**LEGISLATIVE NOTES**

There have now been 114 Senate bills and 206 House bills filed. Important to remember that these bills can carry over to the 2024 session if not worked in 2023. Virtually any idea or policy proposal can be put in bill form. Just a small percentage of these bills will get a hearing and that is determined by the chairperson with permission from legislative leaders. It often takes 2,3 to 5 years for a bill (idea) to gain traction and move onto law. A lawmaker has to spend significant time educating colleagues and attracting co-sponsors to gain the necessary momentum. Bills that have been vetted and introduced by interim committees have a much better chance of success. Over the past few years, national ‘interest groups’ write model legislation and have that legislation introduced in many states.

**Medicaid Update:** With strong opposition from key legislative leaders, it seems unlikely Kansas lawmakers will have the opportunity to expand Medicaid this year. With the December passage of the federal Omnibus Budget bill for funding the federal government, the special...
higher Medicaid subsidy rates and eligibility from the federal government will start tapering down this calendar year. Kansas Medicaid rolls expanded from 406,000 in February 2020 to 533,000 in December. Starting around April 1, Kansas will start reassessing all Medicaid cases to determine eligibility. This review has not been done for 3 years so there will be numerous changes in income and family structure. Kansas will have 12 months for these reviews and 2 more months for any appeals. The best guess is that 115,000 to 125,000 clients will lose eligibility and many will be children and single mothers. It will not be till July or August for a clearer picture of those being taken off the rolls. This will be important demographic information come next fall and the lead into the 2024 session. Kansas will need a policy debate on how Medicaid expansion could counter a number of these closed cases and the full impact on the survival of rural hospitals, nursing homes and medical/mental health services.

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**Kansas Legislature Website**

For Legislative Committee and Hearing Information, and how to contact your legislator, and view floor and committee remotely, go to:

http://kslegislature.org/ii/current/

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**LEAGUE OF WOMEN VOTERS OBSERVER CALLS**

During the legislative session, the League of Women Voters of Kansas (LWVK) hold weekly Friday (4 pm) zoom calls with their policy observers. The League has offered to open up these calls for interested Policy Watch readers. Cille King is the policy coordinator for the League. You will need to email Cille <cilleking@gmail.com> to be added to the notice list. Agendas come out a day or so before the call.

Here is the link to the LWVK 2023 Legislative Priorities:

https://drive.google.com/file/d/1CP5dYfwGxzIwOyYRRGabgD7rkRw2Rw2G/view

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Contributors to KRC are automatically on the Policy Watch e-list, if they provide an e-mail address. KRC provides Updates to the sponsoring organizations including League of Women Voters of Kansas, Kansas Natural Resource Council, Kansas Farmers Union, Climate and Energy Project, Audubon of Kansas, and Friends of the Kaw, Jayhawk Audubon Society, who make the Updates available to their memberships.

If you are receiving KRC Policy Watch through one of these organizations and have questions, contact the organization directly.

If you wish to be removed from the KRC list, contact info@kansasruralcenter.org

For questions about Policy Watch content, contact Paul Johnson at pdjohnson@centurylink.net