



Testimony in Support of Senate Bill 548 and Senate Bill 549

Presented by Mayor Jade Piros de Carvalho

City of Hutchinson, Kansas

March 14, 2022

Chairman and Members of the Committee,

My name is Jade Piros de Carvalho, and I am mayor for the City of Hutchinson. I appreciate the opportunity to submit this testimony in support of Senate Bill 548 and Senate Bill 549. The City of Hutchinson provides safe drinking water to approximately 41,000 people and is one of the largest water suppliers in South Central Kansas. We possess more than 16,000 acre-feet of water rights within Groundwater Management District No. 2 (GMD2). The City's water rights are authorized to provide a critical water resource to the Hutchinson community for municipal, industrial, and recreational purposes, and are essential to the sustainability and economic vitality of Hutchinson.

The City supports these bills' intent to address the enduring lack of representation for municipalities and the inequity of voter eligibility in the GMDs, particularly in GMD2, causing major delays in municipal permit applications. Under the current GMD voting structure, a single individual having ownership in several irrigated land tracts can cast multiple votes for elected representatives of a GMD Board, while a city such as Hutchinson has only one vote. This voting power imbalance has been a cause for concern within Equus Beds GMD2, where irrigation water-right holders control more than 85% of eligible votes, while municipal water-right holders representing South-Central Kansas cities that provide water to more than 550,000 people have only 5% of eligible votes. Whether intentional or not, an electorate so designated is, and will always be, handicapped in favor of irrigation interests.

The eligible voter imbalance has led to a GMD2 board comprised of eight (8) agriculture irrigation representative and one (1) industrial representative. Municipal water users essentially have *no* voice on the GMD2 Board and under current voting structure law have little opportunity to achieve a voice. Cities like Hutchinson have zero input in GMD2 aquifer management affairs, yet they continue to pay water use assessment fees to GMD2 to fund its operations. These assessment fees have ranged from \$1.10 to \$2 per acre-foot of water over the past three years. Again, the cities paying the fees receive no representative voice for their public water users.



This Board representation inequity does not solely affect Hutchinson. It also impacts 26 other municipalities in the area, including the City of Wichita, City of Newton, and City of McPherson. These impacted cities provide a vital water supply to a population 30 times greater than the rural population within GMD2. The lack of municipal representation within GMD2 has been an issue for the past 20 years. Several attempts over that time have been made by GMD2 to develop a board representation policy that would provide fair and balanced board membership. However, each attempt at developing such a policy has failed, with the most recent failed attempt occurring within the past year. As such, the City of Hutchinson is supportive of either bill, which provides a fair and equitable solution.

It is the belief of the City of Hutchinson that the proposed legislation is a step in the right direction for all invested parties that depend on these vital water resources and the stewardship necessary to properly protect and manage it together. Thank you for your consideration of support.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jade Piros de Carvalho".

Jade Piros de Carvalho
Mayor, City of Hutchinson, KS