

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF KANSAS**

IN THE MATTER OF

**THE APPLICATION OF THE CITIES OF)
HAYS, KANSAS AND RUSSELL, KANSAS)
FOR APPROVAL TO TRANSFER WATER) OAH NO. 23AG0003 AG
FROM EDWARDS COUNTY, KANSAS)
PURSUANT TO THE KANSAS WATER)
TRANSFER ACT.)
_____)**

Pursuant to K.S.A. Chapter 77.

**REBUTTAL TESTIMONY OF AMY HAASE, AICP, PRINCIPAL AT
RDG PLANNING & DESIGN
ON BEHALF OF
THE CITIES OF HAYS AND RUSSELL, KANSAS**

1 **Q. Please state your name and present position.**

2 A. Amy Haase. I am a Principal at RDG Planning & Design.

3 **Q. On whose behalf are you submitting testimony?**

4 A. The City of Hays, Kansas and the City of Russell, Kansas (the “Cities”).

5 **Q. Have you previously provided pre-filed testimony in this proceeding?**

6 A. Yes, I have. I submitted Direct Testimony on behalf of the Cities, which included
7 and incorporated my written expert report relating to population projection.

8 **Q. What is the purpose of your rebuttal testimony?**

9 A. I will respond to portions of testimony submitted by Edward Harvey and his
10 associated report (the “HE Report”), who testifies on behalf of Intervenors Water Protection
11 Association of Central Kansas and Edwards County, Kansas.

12 **Q. Are you sponsoring any exhibits with your rebuttal testimony?**

13 A. Yes. I sponsor exhibit AAH-03, which is my rebuttal expert report, and which is
14 incorporated into my testimony as if set forth in full.

15 **Q. Please provide a summary of your rebuttals to the conclusions contained
16 within Mr. Harvey’s pre-filed testimony and attachments to same.**

17 A. Sure. My rebuttal opinions are set forth in more detail in exhibit AAH-03, but
18 generally, I conclude that Mr. Harvey’s opinions relating to Ellis County and Hays population
19 trends are flawed in that he failed to account for the pervasive undercount that occurred in the 2020
20 Census relating to certain Kansas population centers and failed to consider the City’s employment
21 demand on population growth.

22 **Q. Has this direct testimony been prepared by you or under your direct
23 supervision?**

24 A. Yes, it has.

25 **Q. Does that conclude your direct testimony?**

1

A. Yes, it does.

[Faint handwritten text, possibly "Yes, it does"]

[Faint rectangular stamp or box containing illegible text]

VERIFICATION

STATE OF Nebraska)
COUNTY OF Douglas)

I Amy A. Haase, being duly sworn, on oath state that I have read the foregoing and know the contents thereof, and that the facts set forth therein are true and correct to the best of my knowledge and belief.

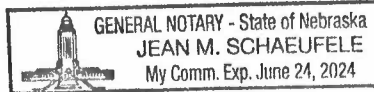
By: Amy A. Haase
Amy A. Haase, AICP

The foregoing was subscribed and sworn to before me this 21st day of June, 2023.

Jean M. Schaeufele
Notary Public

My Commission Expires:

6-24-2024



RDG Planning & Design was retained by Foulston Siefkin LLP to review the Harvey Economics report *Review of the Reasonable-Need Limitations Determining Future Water Needs for the Cities of Hays and Russell, Kansas*. This review will specifically focus on the report's assessments of Ellis County and Hays population trends and projections, and the following conclusions (see pages six and 30 of the report):

- The long term, minimal growth or declining population trends for Hays and all of Western Kansas.
- That there is no justification for assuming that Hays will grow at a stronger rate than the last 20 years.

Concerns With the 2020 Census Population Counts

Based on our experience with numerous communities in Kansas and across the Midwest I have concerns about whether the 2020 Census count was correct for Ellis County and for many other counties in Western Kansas. The report notes that growth has been significantly slower or declining in the last decade. However, if undercounts did occur, then the growth rates for Hays and many counties in western Kansas were likely higher than the Census count would indicate.

Many researchers and the Census Bureau itself are concerned about anomalies in the 2020 population count that specifically effects Hays and Western Kansas. These include:

- Student populations that were sent home and not in-person during the 2020 Census due to COVID-19. In May 2022 the Census Bureau noted plans to launch a review of Group Quarters (which includes dorms). This undercount could significantly impact Hays and Fort Hays State University (FHSU) (Source: [U.S. Census](#)) The HE report does not mention the concerns with the potential student undercount.
- Undercount of Hispanic populations is significant for many Western Kansas communities noted in this study. Specifically for Dodge City and Garden City where Hispanic populations make up over 50% of the population. It is estimated that the 2020 Census count missed one-in-twenty Hispanics (Source: [Pew Research Center](#)). For Ellis County, 7% of the population identifies as Hispanic and an undercount in this population could also impact the final population numbers.

Student Population

- For Ellis County the number of residents between the ages of 18 and 24 report in the Census grew by 104 from 2010 to 2020. Based on FHSU numbers, the number of full-time enrolled students in 2010 was 3,900 compared to 4,712 in 2020, a change of 812.
- The 2020 Census count indicated that there were 1,546 individuals living in dorms, 32.8% of the full-time enrolled students.
- FHSU does not require students to live on campus beyond their first year, therefore, it can be assumed that most older students live off campus. This is supported by the 122 multi-family units constructed between 2010 and 2020, the majority of which are oriented/marked to college students.
- Students living on campus that relocated during the Pandemic were much easier to capture in the 2020 Census due to the University's ability and willingness to work with the Census to confirm counts in their housing units.
- Students living off campus would have been harder to capture/track if they returned to their homes of origin. This is supported by the Census reported population loss of 312 between 2010 and 2020 that occurred for those between the ages of 21 and 24.
- In conclusion, the number of students living off campus during the 2020 Census was likely undercounted during the 2020 Census.

At Risk Populations

- Minorities and those in poverty are more likely to be undercounted in a Census. For Western Kansas' largest communities this includes a significant portion of the population.
- According to a study compiled by the Finney County Economic Development Corp. four counties in Western Kansas had over 50% of their population at risk of being undercounted (see attached study).



- This means that while the Census 2020 count indicated that 11 counties grew in population, there may have been several other counties that also grew and that many of the 11 positive growth counties grew at a greater rate than the Census count would indicate.
- These growth rates are often supported by the level of residential building activity reported by [Dodge City](#) and [Garden City](#), low vacancy rates, and school enrollments in these communities.
- In the Finney County 2021 Housing Study, it was estimated that Garden City's actual population was closer to 33,000 than the 28,151 reported by the Census. This was based on building permits, utility hookups, and jobs generated over the past two decades.
- In conclusion, many analyses assume that rural areas are stagnant or losing population. However, much of Western Kansas has actually been growing and growing at a higher rate than estimated because of the immigration of Hispanic and other minority populations.

The Influence of Employment Demand on Growth

The HE report notes that historic growth trends from decades past is not a good basis on which to determine future population trends. The report suggests a growth trend based on Kansas Statistical Abstract's 0.34% annual growth rate. Neither of these sources seem to take into consideration the current economy's impact on growth. Today the unemployment rate in Ellis County is approximately 2.1% (Source: Bureau of Labor Statistics) and there are 430 job openings within a 25-mile radius of Hays (Source: Kansas Works). The population within the larger region is aging (Source: U.S. Census Bureau) and therefore to fill these jobs workers will need to come from outside the county and region. The potential to add to the city and county's population is not the same as it was in the early 2000s and even coming out of the Great Recession in 2008. To fill these jobs and create more labor supply it should be assumed that the county will need to grow at a faster annual rate than 0.34%, as the actual 0.36% annual growth rate that occurred between 1990 and 2020 was not enough to keep pace with employer's needs.

