

Local NRDs Effectively Manage Groundwater Resources

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Holdrege, Nebraska - There has been discussion recently about whether Nebraska's unique system of Natural Resources Districts (NRDs) are adequately regulating groundwater pumping by farmers. Some argue that state government control of groundwater use would result in more uniform regulation. Unlike state government, which is administered by unelected bureaucrats, NRDs are supervised by locally-elected boards of directors who understand local economic and environmental conditions, which vary widely across the state.

Many people believe Nebraska's NRDs have always had authority to regulate groundwater, but that is incorrect. Over the years, we have had to repeatedly ask the Unicameral for authority to effectively protect groundwater resources. In fact, every major piece of water legislation passed by the Unicameral since 1972 either originated as a proposal from NRDs, or was endorsed and advocated for by us.

NRDs have a track record of responsibly using legislative authority as soon as it is made available. Upper Republican NRD established a groundwater quantity management area in 1976 – the year after Nebraska's first groundwater management act was passed. All four Republican Basin NRDs voted to initiate integrated groundwater management in 1996, just weeks after passage of LB 108, the first state law that recognized the connection between groundwater and surface water. Unfortunately, a lawsuit by Kansas against Nebraska led then-Attorney General Don Stenberg to halt NRD efforts to protect Republican streamflows for several years. After that lawsuit was settled, NRDs worked with the state to develop a plan that ensured that Nebraska would maintain compliance with the compact. In the Platte Basin, NRDs declared moratoriums on development of additional irrigated land as long as a year before LB 962 required them.

NRDs were also instrumental in persuading state senators to pass LB 701 in 2007. In this bill, Republican Basin NRDs agreed to pay for augmenting streamflows to keep Nebraska in compliance with the Republican River Compact. Unfortunately, LB 701 has been challenged in court, so a court injunction prevents us from continuing to use that local management authority.

NRDs have driven the science of groundwater hydrology in Nebraska. NRD boards need good data to make sound, reliable and responsible decisions to protect Nebraska's water now and for the future. The first computer groundwater model in Nebraska was constructed for a predecessor of the Upper Big Blue NRD in York. Since then, NRDs have paid for and participated in dozens of studies of groundwater systems and supplies. For the last eleven years, Tri-Basin NRD has worked together with five other NRDs and several other local

state and federal partners in the Cooperative Hydrology Study of the Platte River Basin, often referred to as COHYST. COHYST has developed a comprehensive set of databases of groundwater and surface water features for the basin. These databases form the foundation of a set of groundwater models of the Platte system that help us effectively target groundwater management and protection efforts.

While we recognize that groundwater needs to be protected through regulation, our locally-elected boards also know the value that irrigated agriculture adds to our local economy and property tax base. For this reason NRDs work closely with University of Nebraska Cooperative Extension on many projects that show farmers how to pump less water by improving the efficiency of their center pivots and other irrigation systems.

When given the choice, Nebraskans have consistently chosen to keep control of local resources and institutions at that local level. Local control is accompanied by local responsibility, so citizens need to play an active role in local government to keep it strong. NRDs constantly work to protect our citizens' lives, property and natural resources, so we enjoy high levels of support and cooperation from our constituents. As long as we continue to do our job effectively, advocates of a big government, state-run groundwater regulatory scheme will find little support in the Unicameral for changing Nebraska's uniquely effective system of locally-led groundwater management.