

ONE HUNDRED FOURTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 323

Introduced by Groene, 42; Ebke, 32.

PURPOSE: Agriculture is one of the most important drivers of the state's economy and irrigation is essential to the ability of most producers to raise crops in Nebraska. Nebraska irrigates 8.3 million acres which is more irrigated farmland than in any other state according to the United States Department of Agriculture. Because ground water is essential to irrigation agriculture, it is important to understand ground water depletion and the complex effects that ground water pumping has on stream base flow as well as the timing of ground water pumping and the response of hydrologically connected streams.

Augmentation projects have been utilized in the Republican and Platte Rivers to offset excessive depletions to the stream flow from hydrologically connected ground water withdrawals. Nebraska has two options to meet its obligation under the Republican River Compact. Nebraska can either reduce beneficial consumptive use, or increase the water supply in the basin. Nebraska has elected to import more water from the Platte River to meet river flow obligations. Specifically, the Nebraska Cooperative Republican Platte Enhancement project (N-CORPE) is a joint effort of four natural resources districts designed in part to assist in complying with the Republican River Compact. The project consists of 19,500 acres in Lincoln County. Over 15,000 irrigated acres have been retired and approximately 65,000 acre feet of water made available annually to be piped into the Republican and Platte Rivers. Water can be banked when not immediately needed so that it will be available in future years. The cost of the N-CORPE project has been paid for by producers in the area and the project has produced some controversy.

The purpose of this resolution is to examine the issues surrounding the N-CORPE augmentation project and to give local producers an opportunity to hear

and to be heard on the subject of augmentation. The study shall include, but not be limited to, an examination of the following issues:

(1) The long-term consequences of annual ground water pumping from N-CORPE for purposes of compliance with the Republican River Compact and the Twin Platte Natural Resources District Integrated Management Plan and how the effects of the pumping are determined;

(2) The potential for banking water from the N-CORPE project when banking is determined to be appropriate and how the decision to bank water is determined;

(3) Which entity is responsible for enforcement, reporting, and oversight of augmentation projects;

(4) How information about the project and the consequences to streamflow, compliance with the compact, and the tax base are disseminated to producers, taxpayers, and the general public;

(5) What impact augmentation will have on long-term sustainability including the ability of future generations of producers to remain in agriculture and be able to irrigate;

(6) Whether augmentation is causing unintended harm to other landowners, producers, agencies, counties, or other political subdivisions; and

(7) What are the long-term consequences of augmentation projects on property taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.