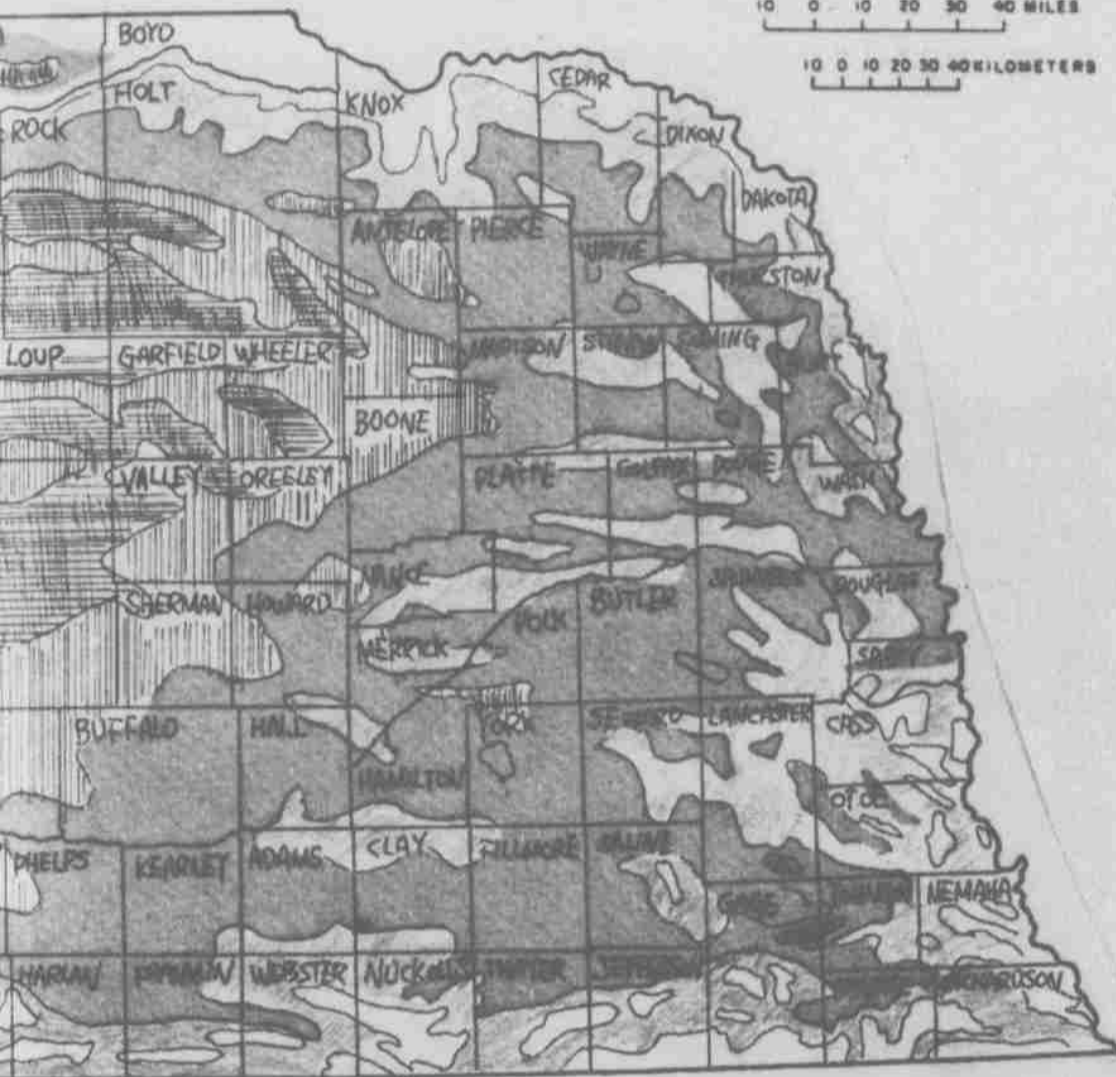


NEBRASKA WATER IN STORAGE



Conservation and Survey Division
Institute of Agriculture and Natural Resources
The University of Nebraska-Lincoln

Phil Tsai/Sower

Nebraska Water Conservation Council, was more doubtful. While some of the NRDs are good, she said, others haven't been able to regulate even groundwater usage in their districts.

"If we could come up with a way to make the NRDs work," she said, "it would be great."

At the DEC, Hutton said some state oversight of the NRDs is necessary. The NRDs are 24 different bodies, he said, with 24 different viewpoints on how they want to use their authority. The result could be inequity for farmers.

"It's so highly contingent on the managers and board members," Hutton said.

As Kissel sees it, the issue is state control versus local control. To say that NRDs are not able to make tough choices is to say that local government in general can't work, he said.

"I don't buy that argument," he said. In fact, the NRDs sometimes push harder than the state for groundwater protection. In the past, NRDs, have proposed six control areas to regulate water use, but the state only approved three of them.

Another approach to the nitrate problem is LB463, a bill introduced last year by state Sen. Chris Beutler of Lincoln. Beutler's bill would give the NRDs broad authority to control ground-

water contamination. As in the DEC strategy, though, the state would have final control.

Unlike the DEC strategy, Beutler's bill would not require action until the nitrate levels had already reached 14 ppm.

The kinds of regulations that could be imposed under Beutler's bill are unspecified. Nowka said many farmers are concerned that the bill would give the state and NRDs authority to prohibit irrigation, fertilization or even cultivation of land.

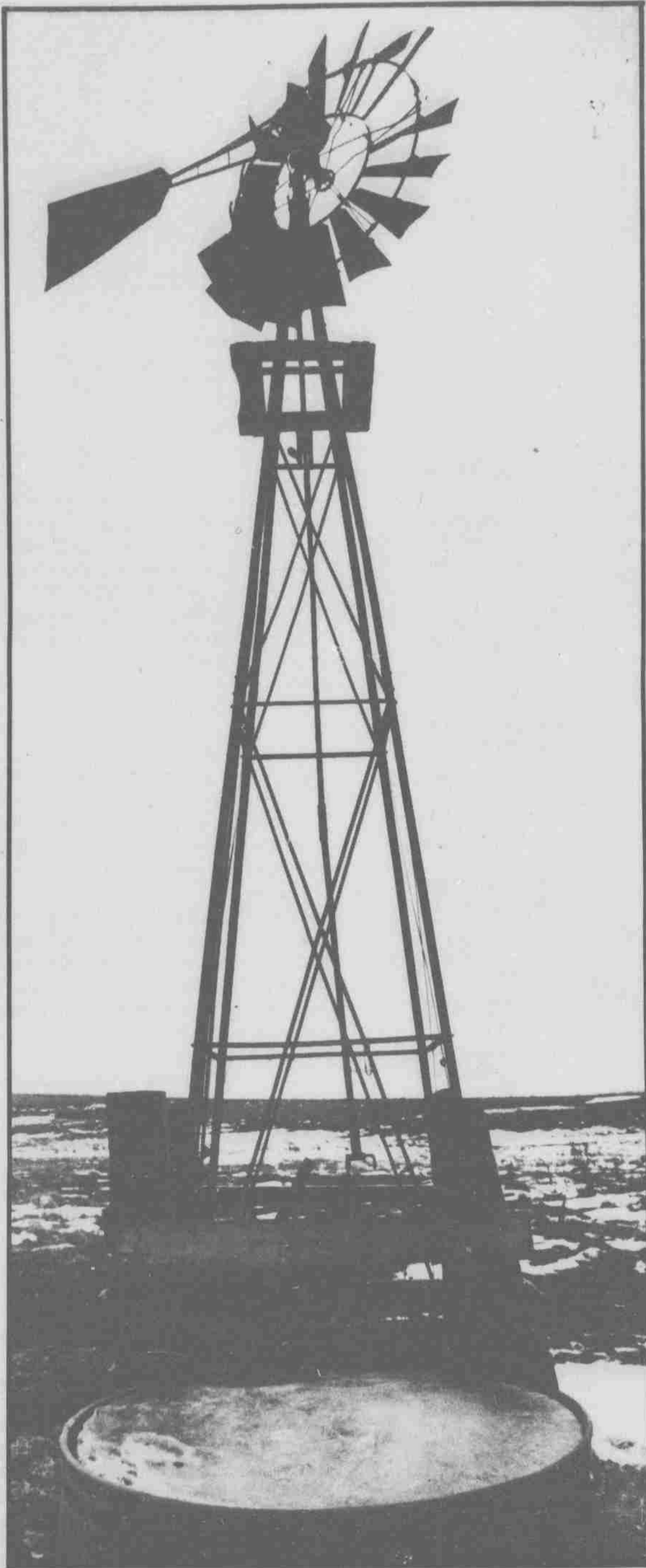
"That gets into government telling a guy how to run his farm," Lock said.

Regulating farming practices touches on an issue that raises hackles around the state — the issue of land-use management. Hutton said the DEC has no desire to manage the use of land, but it may be necessary to protect the groundwater.

"We're not trying to be staunch environmentalists, but there's an awful important resource out there that needs to be protected," he said.

Bruce Hanson of the University of Nebraska's Conservation and Survey Division in Norfolk pinpointed the dilemma.

"The question is, can we afford to solve the health problem, or can we afford not to?"



David Creamer/Sower