

COLLABORATION HAS BEEN KEY TO SUCCESS IN REPUBLICAN RIVER BASIN

By Jasper Fanning, Ph.D, Manager of the Upper Republican Natural Resources District; and Dan Smith, Manager of the Middle Republican Natural Resources District

As Nebraska began to emerge from a severe drought a few years ago that threatened livelihoods across a wide swath of the state, and Kansas began to levy charges that the state hadn't been holding up its end of the Republican River Compact, a strange thing happened.

Farmers who had struggled to stay afloat expected guidance from the director of the state Department of Natural Resources, but instead found finger-pointing. That was followed by suggestions of untenable water-management mandates that people quickly realized were really no solution at all. Instead, the suggestions seemed to have an ideological bent against groundwater irrigation – which comprises the bulk of the state's roughly \$4 billion-a-year irrigation economy – with no benefit toward Nebraska's compact compliance goals. Further, her suggestions failed to recognize that groundwater irrigation is many more times efficient than surface-water irrigation and managed under a cooperative system that a top environmental attorney recently said is one of the most effective, and responsible, in the country.

Unfortunately, farmers, water experts and politicians became frustrated with the water chief at the time, Ann Bleed. After about a year on the job, she resigned.

Recently, in the Omaha World-Herald, Ms. Bleed took aim at the system she helped develop but did not execute effectively. As she has criticized recent solutions crafted cooperatively by Natural Resources Districts in the middle and upper portions of the basin, and the state Department of Natural Resources she used to head, she has taken another strange tact.

After not using a collaborative approach to solve problems when she was at the helm, Ms. Bleed is now accusing NRDs and the state of not using a collaborative approach. That is surprising, but even more disappointing.

Both the Upper and Middle Republican NRDs, cooperating with new leadership at the state, have held more than 100 meetings since her departure to craft water-management tools to help keep Nebraska in compliance with the Republican River Compact. The creative mix of management tools was not created in a vacuum, but with input from all interested stakeholders, making it one of the most comprehensive and challenging endeavors in the regulatory history of the basin. The core challenge confronted and addressed by the districts' boards and managers and the state: balancing the desire for regulatory fairness throughout the hydrologically diverse districts with the need for effective management actions that can quickly satisfy compact allocations.

Last week, court-appointed arbitrator Martha Pagel, who is overseeing part of the river-compact dispute between Kansas and Nebraska, said in a ruling that Nebraska is "now on track for future compliance."

The revisions in plans recently approved by the two NRDs and state include a "backstop" option of shutting down rapid-response ground water acres, and surface water acres _ but include steps meant to prevent either from occurring. Ms. Bleed herself recently acknowledged that there are "good

hydrological reasons” for those actions focused on water use close to the river, both ground and surface water users.

The local NRDs are also working on other augmentation plans collaboratively with the state, local water users, and water experts to develop programs to avoid water-short years, sustain the water resources and the local economy. Sustainable solutions and funding are available and will soon be ready to use. The sustainability and collaboration that Ms. Bleed claims to seek is happening.

So if Ms. Bleed supports key pieces of the new plans and her primary opposition to them is not scientifically based, what is it based upon? She says farmers have no guarantee they will be compensated if they must stop irrigating. But the integrated management plan (IMP) Ms. Bleed cited is not the document to promise a fixed dollar payment for compensation. Rather, that amount is determined in negotiations with users after the intent is outlined in the IMP. When she was at the helm, she assisted in development of the IMP process that outlines such.

It’s vital to note that the NRDs did not develop the new plans for compact compliance on their own. The state Department of Natural Resources houses engineers and hydrologists who have studied how the state can stay in compliance with the Republican River Compact. And the cooperative water-management system Ms. Bleed helped develop and that is praised by outside experts requires that the department help craft, and then approve, new plans. The state has signed off on plans adopted by both the Upper and Middle Republican NRDs. The plans closely mirror the plans that the Department of Natural Resources, after extensive hydrological modeling, suggested.

The IMPs were not a choice of sacrificing some water users. Kansas is targeting the same water users, plus a whole lot more. These plans minimize to the greatest extent possible the number of irrigators who could be shut down from year to year and provide the only available measures to keep that from ever happening.

Now that plans to ensure continued compliance with the compact are in place, a new group of stakeholders throughout the Republican River basin are working to define sustainability of water resources in the region. The task force was created through legislation shepherded by Sen. Tom Carlson of Holdrege, and both the Upper and Middle Republican NRDs support this laudable effort. Ms. Bleed is correct when she says that success will require task force members and their constituents to collaborate to address all stakeholders’ interests.

At the end of her recent article that ran in these pages, Ms. Bleed stated that “collaboration provides the best chance for a favorable long-term outcome for the people in the Republican River Basin.”

Fortunately, that is exactly what has finally occurred in recent months.