

## Local Governments, Agriculture, and Water Quality in Nebraska

Nebraska is a unique place when it comes to the relationship between agriculture and its environmental impact. Unlike many other places, we have allowed, and in some instances encouraged, local governments to assist in ameliorating the environmental impacts of production agriculture. Specifically, we have created Natural Resources Districts, which have broad authority to carry out programs and impose regulations that stem environmental harms. In addition, counties are given broad land use regulatory authority over all land within their jurisdictions. Sometimes this authority is used to environmental ends, often in the case of concentrated livestock production.

My contribution to this panel explores the extent to which the great hope of local control actually achieves good environmental outcomes. To say that it has been a roaring success would be inaccurate. But to conclude that it has been an abject failure would also not be true. Rather, as is often the case, Nebraska's NRDs have done some good things and failed in some understandable respects.

- I. Background: Nebraska's NRDs
  - i. Consolidation of service delivery and financing structures
    1. Results in various functions they serve, some markedly different from one another.
      - a. Financing
      - b. Service delivery
      - c. Project construction
      - d. Spending distribution and oversight
      - e. Regulatory and administrative
    2. Entrusted with "local control" over groundwater (quality and quantity)
      1. Groundwater Quality Management Areas
        - a. Designation
        - b. Planning
        - c. Implementation
2. Case Study: The Upper Big Blue NRD - Battling Nitrate Contamination
  - a. Control Area Designation
  - b. Gravity and Extent of the Problem
  - c. Current Hostility to Proposed Controls and Action Plan: Farmer Led
3. Conclusions

Upper Big Blue NRD - if the NRD refuses to implement the controls that it needs to make headway on the problem, it will be very difficult to conclude that local control is an effective means of protecting public health in the face of localized economic impacts. As a result, public-health outcomes may only be feasible if obligations come from the State level.