

# LB 962 UNDERMINES SOUND SCIENCE IN FAVOR OF POLITICS



The most disturbing and dangerous aspect of LB 962 is, that it by state decree, ties groundwater and surface water together in an “over or fully appropriated” basin, sub-basin or reach without any scientific data to support the claim that groundwater pumping is negatively impacting stream flow. Up until now, the term “appropriation” has only applied to surface water. In fact, it is a term with clear legal significance recognized universally as a surface water term. LB 962 violates this legal standard and thereby creates the opening for the state DNR to directly involve itself in groundwater regulation for the first time in our state’s history.

There is no scientific data proving that groundwater pumping in the central Platte valley is adversely impacting stream flow. This is not wishful thinking; it is the truth. Even the hydrologist of the Central Platte NRD said recently that,

“there is no evidence that groundwater pumping is depleting flows in the Platte River.” It is a popular notion to blame low river flows on groundwater pumping but the facts do not support the myth. The myth serves the agenda of those entities seeking to gain control of our water. Average folks in the big cities believe the myth and worry that if we don’t stop groundwater pumping, our rivers, streams, and all the birds and fish will dry up and blow away. The myth has legs and is growing. LB 962 feeds the myth by putting into law new standards and requirements that will over time choke off groundwater irrigation. If LB 962 becomes law, groundwater irrigators in the Platte Valley west of Elm Creek will be targeted first. LB 962, by decree, declares that particular sub basin of the Platte to be “over appropriated” and therefore, groundwater use there must be regulated down to the “fully appropriated” level. No one knows what that really means or when or how to get there. They use the term “sustainability” to describe the end game. The state DNR will sit as the judge and jury in making that determination.

