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ADDRESS GIVEN AT THE
ANNUAL CONVENTION OF THE
GROUND WATER MANAGEMENT DISTRICTS ASSOCIATION
ON DECEMBER 7, 1977
IN LINCOLN, NEBRASKA
By Dr. Clayton Yeutter*

It is good to be back in Nebraska. As many of you know, water resources was my major field of endeavor a dozen years ago when I was on the faculty of the University of Nebraska. My Ph.D. dissertation involved water law and water administration in the central United States, and I know you have a number of states represented here that were involved in that particular study. Those states were Kansas, Colorado, Iowa and Nebraska, but with some spillover into ~~the~~ ^{geographic} other areas as well. At that time, of course, I spent a lot of time with people like Don Axthelm and Vince Dreeszen, who are here today, and later with Senator Kremer and many others.

It is interesting now to return to the state after 10 years and find some things changed, but most things unchanged in the water area. This is so notwithstanding all of the time, effort and energy that has been expended on these issues in the past decade.

I would like to spend a little time today talking with you about the water situation as I see it on the Federal and state level, with particular emphasis on ground water, but with some attention to other areas. I will concentrate primarily on the big picture

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items that sometimes receive short shrift in discussions at the state and local level.

The first point I would like to make to you today is that, in my judgment, the most difficult problem we have in the water area is one of awareness. Now, that is not too surprising in that we have an awareness problem in other issues too - energy, for example. Though many people recognize energy as one of the most challenging issues that we face in this country today, a lot of others are nonchalant about it. I really believe that we are even more nonchalant about water; yet, if one looks down the road 20 or 30 years, our challenges in water may prove to be much greater than our challenges for obtaining additional energy sources, but the alternatives in water supplies are limited indeed.

P Regrettably, we often have a tendency to be too short-run in our evaluation of issues. That is certainly true with water, which by its very nature is long-run in scope. Americans just do not focus well on long-term issues. We are a crisis-oriented, short-term problem-oriented society, and when it comes to long-term issues, we have a terrible time maintaining our attention span. That should be evident to everyone if we look at the crises we have confronted over the last 10-20 or even 50 years. That is just the way we Americans function, and in some issues it causes us problems. In water, that attitude is going to cause us a lot of problems in the future, because people want to wish those problems away. We are not willing to focus on them, engage in essential long-term planning, or make hard decision. Furthermore,

essentially all water users fall in that category. It is not a matter of one segment of our water-using society that feels that way, it is everybody! Farmers prefer to ignore water problems, except when their own wells go dry. Regulation of water use is anathema to them. The same thing applies to metropolitan areas. People who live in Lincoln, Omaha or any other city are unconcerned about water so long as it flows through the pipes to their homes and businesses. If something happens to the Platte River and the wells go dry, they will get disturbed very quickly, but they really expect the city fathers to make sure there is water available when they turn on their faucets in the morning. Industrialists are no different. Water is a business input which they take for granted.

So what one has is all essential users being relaxed about water issues until a crisis arises. That means that all of us face a huge educational-informational task. We have already been working on that for a long time. People like Deon Axthelm and others have done a magnificent job in Nebraska, and I know the non-Nebraskans in the audience have spent thousands of hours working with the general public on these issues in their own states. But we have got to keep plugging away. This may be a never-ending job, but it is too important to stop now. I am convinced that the American public will ultimately respond, and respond properly.

I can recall when I was working on my dissertation back in the early '60's that Kansas had just passed some key water legislation, including ground water laws. Kansas officials told me

of the tremendous education effort they had gone through prior to passage of that legislation. They had held hearings all over the state successfully encouraging people to participate, and this eventually brought about strong public support for their proposals. I can recall, Senator Kremer, when we were debating Natural Resources Districts here in Nebraska. It took a lot of education then too until that concept could be enacted into law. Senator Kremer provided superb leadership in those very challenging days.

This educational-informational need will always be with us. If anything, the need will accelerate and amplify in the coming years as water becomes a more crucial commodity in our society. Everyone in this room needs to go back home and say, "What can we do to improve our educational effort, expand it, and magnify it?" In the U.S. we really focus on only one or two major issues at any point in time. That being the case, the challenge for those of us interested in water is to stimulate and maintain attention on water issues. It is not easy, as anybody who has been involved in government knows.

One must not only try to maintain some momentum of attention in the public area, but within the government itself. Congressmen and state legislators have a lot of other issues on their minds, and they become crisis oriented out of necessity. I can remember that Senator Carpenter used to say "The only way to get anything done in the state of Nebraska is to create a crisis!" He created quite a few in his day! That may be an oversimplification, but

not by much. Water is a subject that is not well understood in the Congress, and it is a subject that is not well understood in the Executive Branch, other than perhaps in the Department of Interior and the Department of Agriculture. Neither is it well understood in a lot of state legislatures, as you very well know, and it is not often a priority issue in any of these governmental bodies. It does not seem to be a high priority issue in Washington within the present administration. Decisions that have been made during the last several months would indicate otherwise. This means that those of us who are interested in water, and who believe that it ought to carry a higher policy making priority, have a job to do in pushing it from the back burner to the front burner of government deliberations.

That is enough on awareness. Let us talk for a few moments about Federal involvement in water, first from the standpoint of regulatory involvement, and second from the standpoint of financial involvement.

From a regulatory standpoint, I see no basic reason for the Federal government to become involved in ground water management or ground water regulation. The exception may be in instances where aquifers cross state lines. If the affected states cannot agree on the handling of such interstate issues, it may be necessary to get the Federal government in the act. But, aside from that, ground water regulation ought to be a state and local function, and I hope it stays that way.

On the other hand, when we are talking about financial

involvement in the ground water arena, it seems to me that the Federal government can and should play a significant role. I would like to expand on that a bit. First of all, I am alluding to the replenishment of ground water levels through surface water projects. In my judgment, we have often underestimated the value of surface water projects to ground water users. For example, my farming operations in Dawson County are just a couple of miles from the Tri-County Irrigation Canal, which was constructed in the mid-30's. Because of that Bureau of Reclamation project, we have never had to worry about our ground water levels. We never will have to worry so long as the canal is in existence. If anything, our ground water levels have gone up over the last 20-25 years and that is a rather comforting situation. Many other irrigation farmers in Nebraska and elsewhere are not so fortunate. As we add more surface water projects in the future (if any can pass muster at OMB!), whether they be small or large, we will see significant ground water renewal benefits coming to farmers, municipalities and industrialists.

On the negative side, we are today faced with declining ground water tables in a lot of areas. This audience is fully appreciative of that problem. We are experiencing declining tables in some parts of Nebraska, as you know, and in areas like western Kansas, the Texas panhandle or Arizona, it is just a matter of time until water tables drop to a level where it becomes economically infeasible to irrigate. We may well see some cities disappear in time because there may not be enough water left even for municipal

uses. That is a rather disturbing situation, of course, and one which really should provoke a major public policy debate in this country. Yet I have observed very little discussion on such issues in Washington during my seven years there. I wonder if anyone is diligently pondering what we are going to do in this country when declining ground water tables force us to shift from irrigated agriculture to dry land agriculture, and force cities out of existence. It is high time the United States faced such questions squarely. They are national issues in that the solutions or potential solutions are interstate, if not international, in scope. If we are to replenish the ground water aquifers of west Texas, Arizona, or anywhere else, the water has to come from somewhere. Right now, the supply is being dissipated and nobody is doing anything about it.

Perhaps the right answer is to do nothing, to return to dryland farming, and to permit certain cities and villages to die. But that ought to be a conscious, deliberate public policy decision, not a policy by default. I fear that some of our water policies today are being made in the latter way. They are policies of omission rather than commission!

Projects to deal with these problems have come up for discussion through the years, but they have never caught the fancy of those who will have to put up the billions of dollars necessary to finance them. I wonder though whether we have ever satisfactorily debated the complex issues that are involved. I doubt it, and I think we ought to do it.

I would like to add an additional point on the international aspects of this issue. One could mention the complications of bringing in water supplies from another country, such as Canada, but that is not what I am referring to now. What I wish to emphasize is the need to preserve and enhance the basic economic and political strength of the United States. When we debate the future of west Texas, Kansas, Arizona, or wherever, we are remiss if we ignore the international implications of that future. After all, our agricultural productivity is an important part of our national power base. Admittedly, we sometimes exaggerate the role of food as a weapon of foreign policy, its barter potential with oil, etc. Nevertheless, the fact remains that agriculture and rural people always have been and always will be one of the main sources of strength of this nation.

Why do you suppose the Soviet Union came to us in 1972 and 1973 to buy grain? Because we had the largest and highest quality supply available. Now that does not mean that we can squeeze the Soviets or anyone else and force them into political submission or that we would ever want to. That is not the way this country operates. But it does mean that we have some leverage with our agricultural productivity on at least some occasions. If we permit that productivity to decline, we will eventually force thousands of acres from irrigated production to dryland production. Once that occurs, we will have lost some of our political leverage as a nation. That could become increasingly important as time passes, populations of the world increase, and we become (potentially at least)

an even larger international supplier of feed grains, wheat, soybeans, rice, etc. This is a major policy consideration which has received little attention to date in any forum.

Unfortunately, we have a tendency to be parochial in issues like this. We talk about what is going to happen on my farm in the middle of Nebraska, or what is going to happen in my ground water district in west Texas, and we ignore the national and international implications of what we have done or not done. If we want to maintain the international leverage that arises from our agricultural strength, then we ought to consider that an investment has to be made by the people of the United States for the general welfare of us all. Obviously, humanitarian considerations, i.e., helping to feed the people of the world, must enter this debate too. But that is another speech for another day.

If we choose the policy route of maintaining and enhancing our political and economic strength, we ought to think seriously about replenishing our major ground water aquifers. If this can be done only with massive endeavors, that require 20 or 30 years to complete, we had better get cutting with a commitment to those endeavors. And we better sit down and figure out how we are going to preserve the economies of the affected areas during the interim. It makes no sense to phase out irrigated agriculture, or the towns, that have grown up to support it, shift them all back into a dryland economy, and then come along 10 years later and establish an irrigated economy once again. We should not wish that kind of social and economic trauma on anyone. It would be far better to

conserve water supplies in the interim, altering irrigation and other water uses as necessary, ^{while} but trying to maintain the basic life style of the area until new water supplies become available.

That may mean in the short run, of course, that someone has to regulate withdrawals so that ground water supplies will last 20 or 30 years, rather than 5 or 10 years. That could be a hotly contested public policy issue. Some users will say, "No, I want to use the water now; I do not care what happens 20 years down the road. Let that generation take care of itself." Well, if that be the considered decision of the policy makers, so be it. We will go through the trauma I have mentioned, and accept it as a cost to our society over the next 20 to 30 years. If, on the other hand, we choose to avoid or minimize the trauma, we will have to trim back on consumption in declining water table areas.

You will hear farmers in that kind of a situation saying, "Gee, with the price of corn being what it is today, I cannot afford to cut back on water usage." And city fathers will say, "But we are going to add another thousand people in the next five years. We have got to have water for them." Okay, that is what democracy is all about. We make those kinds of public policy decisions all the time. Present interests have to be balanced against future interests, and one user against another. But they ought to be studied decisions, based on knowledge and foresight, not on emotion or demagoguery.

What about state involvement in this area? Well, of course, the first thing is to get a sound institutional framework in place. We have done a pretty good job of this in some of the states represented here, though ground water institutions have traditionally lagged behind surface water systems. The basic point here is that the necessary regulatory framework should be created before a crisis occurs, not during or after! Decisions made under pressure are often unsound decisions. Users, of course, fear that once a regulatory framework is created, it will be used - and probably to their detriment. But this need not be the case. The answer is to build into that framework the protections of due process and all other basic decision-making principles on which this democracy was built.

We should also try to build flexibility into our institutional systems, whether they be local, state or Federal. Water institutions must be able to flex with the times, or we will have interminable legislative debates and no action. We spend too much time legislating on all issues, and one of the reasons is ^{that} we pass laws that are rigid and inflexible. People get nervous about flexibility because that usually means someone managing a regulatory program has been given additional decision-making discretion. Sometimes the manager does not merit that discretion! My answer is that in such cases, we ought to change the manager, not the law! In the long run, we will be a lot better off with a flexible system operated by quality people, than a rigid system that will attract only mediocre managers. After having had many regulatory programs under

my jurisdiction over the past several years, I feel more strongly than ever that one simply has to provide discretion to regulators. But I also feel strongly that it is imperative to have quality people in those position. Discretion in the hands of someone who is arbitrary, demanding, discriminatory and arrogant - and I have seen some regulators like that - can be disastrous. But discretion in the hands of a knowledgeable, fair, and capable administrator is a joy to behold. That is the proper way to deal with the tough issues of water administration.

It has been a pleasure to be with you today. Good luck as you confront those ^etough issues in the future.