



NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS

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TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: February 23 NARD UPDATE

Update on the Republican Basin Meeting -- Representatives of the NRDs, irrigation districts, DNR and the Nebraska Attorney General's Office met in Cambridge on Thursday to further refine plans to bring the Republican River Basin in compliance with the compact. The parties continue to move forward in developing plans and programs for the basin. All targets would be based on a moderate drought scenario and subsequent management changes in place achieve balance between allocation and consumptive use within 5 years. If average or above average moisture in the basin occurs, the districts would be in compliance much faster.

Several items were agreed upon as follows:

- Consensus on short-term funding – Extend the current additional levy authority of 3 cents/\$100 valuation for at least 5 years. Also, seek authority for addition levy or fees to provide local matching dollars to fund water programs. If fees are imposed there should be a cap of no more than 1% of the total district valuation collected. Request a 80-20 state match for the next 5 years.
- Engage in water management activities that meet the goals of IMPs, including: 1) Augment water supplies; 2) Reductions of water uses; 3) Managing vegetation in the channel and riparian areas; and 4) Surface water leasing. Further reductions in groundwater allocations in varying amounts depending on how much would be needed after all the benefits of the other management options are considered. Compensation would be considered to those water areas subject to greater regulation.

Republican Basin Flows Increase – The Department of Natural Resources reported that 3,300 AF was added to Harry Strunk Reservoir and 6,300 AF added to Harlan County for a total of 9600 AF this week. The department estimates that these totals may more than double between now and the end of the month. Swanson, Hugh Butler, and Enders have not benefited very much from this recent snowmelt. However, there is some extra inflow going into Lovewell Reservoir. The Department did measure 1,500 cfs at Muddy Creek at Arapahoe on Thursday. ON the USGS web site, it looks like flows were about 1000 cfs at Orleans and about 200 cfs at Sappa Creek near Stamford. There are reports of some small ice jams but it doesn't appear to be much of a problem at this time.

Upper Big Blue NRD Outlines Irrigated Acre Policy - A total of 802,784 acres are included for certification in the Upper Big Blue NRD as of February 22, 2007. This represents approximately 70% of the total irrigated acres shown on the county assessors' records. All groundwater users must report information related to their groundwater uses by March 1, 2007 as a result of the District Average Ground Water Level Reporting Trigger becoming activated. The policy entails:

- **A 1978 decision to protect future generations from drought.** Officials gathered to determine how to protect the ground water from falling to low. They set up a standard each spring. Once the water level falls 2.48 feet below that standard, then the District begins the allocation process. The Upper Big Blue also has a goal to not let the ground water level fall below what it was in 1978.
- **Enforcement actions.** In 2004, the Upper Big Blue changed a stipulation in their plan. They now require that once the water level reaches the point of allocation (2.48 feet below set standard), each producer of the water must install flow meters on all existing wells. In addition, all new and replacement wells are required to have flow meters installed.

Nebraska Unicameral Floor Action

- **LB 333 - Private Onsite Wastewater System Contractors Certification and System Registration Act, Johnson.** This bill makes a number of provisions, including clarification of the requirement of employing a certified professional for the abandonment of an onsite system and the issuance of permits and requirements necessary for operation and maintenance. The bill was sent to Final Reading.

Committee Action

- **LB362 – Interlocal Agreements.** The Nebraska Association of Resources Districts, submitted testimony on behalf of Nebraska’s Resources Districts in opposition to LB362, which restrict interlocal agreements to spending and levy limitations. Other political subdivisions also testified or submitted testimony in opposition. Although the bill is designed to limit interlocal agreements, it is not specifically targeted at the NRD’s. The main issue brought forth is interlocal agreements between schools and utility suppliers to circumvent levy limits. Senator Ron Raikes of Lincoln sponsors the bill. The committee took no action on the bill.
- **LB503 – Change NRD board vacancy appointments.** Curt Friesen, Chairman of the Upper Big Blue NRD, testified on behalf of the Nebraska Association of Resources Districts in opposition to LB503. This bill proposes to change procedures for filling a NRD Board vacancy. The bill would require any director appointed within the first 19 months of a term file for election for the remaining two years of the term. The bill was brought to the Legislature at the request of Curt Bromm and the Papio Valley Preservation Association. sponsored by Senator Mick Mines of Blair. The committee took no action on the bill.
- **LB 272 – NRD General Obligation Bond Authority.** John Winkler, Papio Missouri NRD Manager, testified in support of LB 272 on behalf of the Nebraska Association of Resources Districts. The bill allows NRDs in a metropolitan area (PMRNRD) to use general obligation bonds to pay for flood control and stormwater projects. An amendment was offered by provided Senator Gail Kopplin of Gretna, the sponsor of the bill, to remove the additional 3 cent levy authority to pay for the bonds. Under the amendment, the district would be authorized to use existing taxing authority to pay for the bonds Jim Thompson, PMRNRF Board Chairman, also testified in support of the bill. Several residents of Washington County and the Papio Valley Preservation Association.

Nebraska Unicameral Committee Hearings Next Week – All Hearings begin at 1:30 pm.

LB387 – Require Water Meters on New Construction. This bill would require that all new residential construction be equipped with plumbing that separates inside water usage from outside water usage. It is designed to monitor each independently. **Hearing 2/27, Urban Affairs Committee, 1:30, Room 1510**

LB477 – Change Insurance Requirements. This bill would lower health insurance benefits for state employees. It also expresses that if political subdivisions do not follow suit they may face a reduction in state aid. **Hearing 2/28, Government Committee, 1:30, Room 1507**

LB701 – Create a Basin-wide Management Authority and Committee. This bill would create a basin management administration for all basins bound by an interstate compact. Water users in the basin would be regulated by this administration. **Hearing 2/28, Natural Resources Committee, 1:30, Room 1525**

LB493 – Change requirements of the Water Policy Task Force. This bill reduces meeting times of the Water Policy Task Force to one per year. At that meeting it would be required to review research provided by the University of Nebraska. **Hearing 3/1, Natural Resources Committee, 1:30, Room 1525**

LR 11CA -- Reduce Funding to the NETF and create a new Crime Fund. A constitutional amendment to reduce the distribution of state lottery proceeds to the Nebraska Environmental Trust from 44.5% to 41.5% and transfer the funds to a new Crime Fund. **Hearing 2/26 General Affairs Committee 1:30 Room 1510**