**Notes from Terry Martin, NARD Board President**

This year, the accomplishments by the NRD system here in Nebraska were pretty much “business as usual.” That’s saying a lot, because “business as usual” is a steady stream of remarkable achievements year in and year out. Of course there are those large projects that stand out because of their size, their impact, and the importance of cash in filling a specific need, but there are two things I see as being the most important. First and foremost, the NRD’s continue to protect, preserve and improve the natural resources that are the backbone of society, those being our soil and our water. This includes the thankless and mundane job of maintaining those existing improvements so that we don’t lose the progress we’ve made over the last 40-plus years.

Second, is how the NRD’s continue to support and assist each other, both as neighbors and as a unified NRD system across the state. Many times I have heard a director or staff member from an NRD say, “If there is an NRD that needs help, then their needs are important to my NRD as well.”

We see that support when special funding is needed, when special legislation is needed, when special technical skills are needed, and when outside interests don’t fully understand how efficient and effective the NRD system can be. I see a great deal of trust and respect within the NRD system and it is well deserved. We each have our own specific challenges that may not be present in other NRDs, but each NRD can rest assured knowing there are 22 other NRDs out there that support them and their efforts.

It has been a real privilege to serve as your President this year, and I am looking forward to next year’s “business as usual.” It’s pretty easy actually; all I do is stand back and watch the remarkable accomplishments all of you do all year long as each district continues to protect our property, protect our lives and protect our future. Please remember, the State Association is here to assist in any way we can.
NARD Foundation

The Nebraska Association of Resources Districts’ Foundation was established as a way to support students with a desire to enter the field of natural resources. In FY 2013-14, more than $35,000 were raised for the NARD Foundation to support programs where people of all ages can learn more about natural resources. Funds were raised through a variety of activities including the Ron Bishop Memorial Golf Tournament, a 5K run and a live and silent auction at the NARD Annual Conference. More than $47,000 was dispersed in FY 13-14 to fund the following programs:

*Raising Nebraska exhibit at the Nebraska State Fair. The 25,000 sq. ft. exhibit provides hands on experiences for all ages to learn more about agriculture and natural resources in Nebraska. Twenty-two districts each contributed $1,000 to help fund a $25,000 contribution to the exhibit.

*Nebraska Agricultural Youth Institute: A weeklong conference held each July for juniors and seniors in high school to learn more about agriculture and natural resources in Nebraska.

*Ag Day on the Hill: NARD Foundation sponsored five Nebraska college students to attend National Ag Day in Washington D.C. to learn about agriculture and natural resources issues.

*Agriculture Issues Academy and awards at Annual State FFA Convention: NARD Foundation sponsored three awards and the Convention held in Lincoln in early April. The awards were Outdoor-Recreational Proficiency, Natural Resources Chapter Award and the Environmental and Natural Resources Management Career Development Event (CDE).

*Nebraska Envirothon: An agriculture, wildlife and science competition for grades 9-12.

*Nebraska Foundation for Agricultural Awareness: Spreads a positive agriculture message to teachers, students and parents about the importance of agriculture.

*NARD Foundation sponsors, promotes, hosts and assists with many programs to educate our youth and adults about conservation and natural resources. NARD educates teachers and citizens on promoting the NRDs. In several districts, their efforts have increased public awareness and visibility.

Notes from Dean Edson, NARD Executive Director

The Nebraska Association of Resources Districts (NARD) staff is honored to be working for the NRD directors and staff while celebrating the 42nd anniversary of the NRDs. The NARD staff is dedicated to providing assistance to the NRDs with legislation, tree planting, youth programs, benefit programs and public relations. For the 18th year in a row, the NARD has balanced its budget and added to the reserves. This is thanks to member involvement from the NRD Board members and staff. To all of you, thank you very much!

The NARD manages the Health Insurance Risk Pool and Retirement Programs for the benefit of NRD staff. While FY 2011 ended in substantial losses, the program ended up $1.2 million in the black for FY 2013-14. The previous year’s addition to reserves allowed the program to withstand the loss in FY 11-12 and lower premiums by 2.5% in FY 2014-15. Lowering rates is unheard of in the insurance industry. The NARD also manages the retirement program which continues to grow even in a sluggish economy.

The NARD also manages the NARD Foundation which has grown significantly over the past 13 years. What started out as a small foundation in 1997 with $4,100 in assets and helped fund only one program has grown to more than $341,000 in assets that provides funding to eight educational programs, a NRD Building at Husker Harvest Days and participation in the new Ag Experience Building at the Nebraska State Fair. The fundraisers at the annual meeting and member involvement help grow the program each year.

There will be more challenges for NRDs in the future. However, the local districts are poised to handle them. Major infrastructure has been built and rehabilitated by the local NRDs. Thanks to the Republican Basin NRDs and Twin Platte NRD, the N-CORPE project, a $125 million project was completed in less than three years, kept Nebraska in compliance with the Republican River Compact and protected irrigators in Southwest Nebraska. The Central Platte NRD worked out agreements with four irrigation canals in Dawson County to protect irrigators in the area. So far the CPNIRD provided $15 million to finish the projects on three of the four canals. The last canal should be completed in 2015. That’s just a few of the accomplishments of the NRDs. The NARD staff is excited to assist the local NRDs in their efforts to protect lives, protect property and protect the future.

NDEQ/ NRD Liaison Activities

The NRD/NDEQ Liaison position was created to work collaboratively with the Nebraska Department of Environmental Quality (NDEQ) and the Natural Resources Districts (NRDs) regarding environmental issues. This position has a specific focus of working on water quality issues throughout the state. Also, this position communicates any changes related to regulation or funding for various programs at the NDEQ to the NRDs. For example, in 2014, LB 272 made changes to the Chemigation Act resulting in all 23 NRDs being required to update their Chemigation rules and regulations. The Liaison worked with the NDEQ, NRDs, and legal services to assist the NRDs in updating their Chemigation rules and regulations.

Additionally, this position will write and review grants for the NRDs and NDEQ and assist with 319 Nonpoint Source Pollution Projects. In 2014, this position wrote two different grants for an Ag BMP assessment and effectiveness tool. The Liaison also reviewed a number of different grants for the NRDs. Additionally, the Liaison sat on the selection committee for 319 grants and source water grants.

Other activities associated with this position include coordinating training events and conferences which provide Continuing Education Units (CEU) opportunities for NRD staff, writing annual reports, assisting with Envirothon and Husker Harvest Days, developing monitoring plans and quality assurance project plans, and representing the NARD on several work groups.

Information and Education

Public Relations- The Nebraska Association of Resources Districts has made significant strides to enhance their public image in 2014. NARD has found its slogan, “Protecting Lives, Protecting Property, Protecting the Future” is being incorporated into more NRD press releases which in turn is ending up in more media coverage.

NARD is also updating all www.nrdnet.org daily to promote the NRDs by posting their latest press releases on its website. NARD has tripled its daily to day social media use and it’s paying off. The NARD Facebook page has seen a nearly 70% spike in followers. NARD is also cross-promoting positive NRD stories on its Twitter page. These posts are being re-tweeted by others.

The newest social media venture we have; Pinterest! This is where you can find amazing recipes and tips on conservation.

One of the biggest changes coming to NARD is the use of video and editing systems. The NARD is purchasing equipment that will tell each NRD’s story about its latest project, recreational lake or bike path, etc. NARD will explain sometimes complicated conservation efforts in a way the public can easily understand.

Mary I & E members are doing their part in promoting the NRDs. In several districts, they are increasing popularity by sending out more press releases.

Some districts are holding more public meetings. They’re conducting more face-to-face meetings with farmers, ranchers, local businesses, political leaders and community members to make sure they get the facts and understand the NRDs are here to help. We’re hoping to increase this effort even more. Tours open to the public have also been conducted this past year in several districts as a way to connect with each community.

Education Programs- NARD sponsors, promotes, hosts and assists with many programs to educate our youth and adults about conservation and natural resources. NARD educates teachers and citizens on educational opportunities offered by the NRDs. The NARD helped coordinate state and regional Land Judging and Range Judging Competitions and promoted them on their website.

In 2014, about 500 students, grades 9-12, participated in Nebraska Envirothon regional competitions. The Nebraska Envirothon State Championship team was from Concordia High School. The state competition was held at the Crane Trust Nature Center near Alda.
NRD Tree Program

Natural Resources District field staff was busy this year assisting landowners with tree planting, as the NRD tree program saw an uptick in activity. Collectively, the NRD’s helped Nebraska landowners plant more than 800,000 tree and shrub seedlings in 2014.

The effort of promoting the work NRDs do to establish trees for conservation also saw an uptick in activity. Over the last year, NARD attended several conferences and programs to reach different audiences to highlight the benefits and promote the NRD tree program. NARD will look to expand on these efforts and work to increase the exposure of the tree program over the coming year.

NARD also worked with the South Platte NRD to host the NRD Forestry Workshop this past August in Sidney. The workshop provides a resource for NRD staff and program partners to network and learn more about issues across the state. Several Districts and forestry partners were in attendance. Activities included a roundtable discussion and an extended tour and demonstration. NRD staff investigated the potential long term impacts of weed barrier.

NARD is already working with the NRDC to plan next year’s workshop and is excited to build off the momentum from this past year and continue the work of promoting and growing the NRD’s tree program.

NRD/DNR Liaison Update

As articles out of our neighboring states continue to portray the economic and environmental hardships caused by vastly depleted aquifer systems, it’s refreshing to reflect on our situation here at home, where Nebraska’s aquifers remain overall sustainable. While this can be attributed to many factors, it’s primarily driven by two big dynamics. The first being Nebraskans making a conscious effort to do their part to protect our water for the future. The second driver has been Nebraska’s decentralized water management, spearheaded by our NRD system. The approach of local management and control has enabled Nebraska to avoid a one size fits all management system, addressing issues locally and in a manner that ensures both economic sustainability and water sustainability are balanced and protected for all future Nebraskans.

It’s these same two key drivers that make working in the field of water management in Nebraska such a rewarding job. Working to build off of these key factors is also what will ensure Nebraska is able to address all challenges moving forward, and this past year has been a perfect example. Many Districts in the over appropriated areas that were the first to complete Integrated Management Plans continue their partnerships with the Department of Natural Resources (DNR) and local irrigators to build on those plans to meet the goals and objectives. Despite being only half way through the 1st increment of the PRRIP, by utilizing unique and effective conjunctive management projects, Districts in the Upper Platte Basin have already accomplished requirements of the program. Fully appropriated Districts in the Republican basin also continue to build on their IMP’s. Cooperation amongst all Districts in the basin and DNR has allowed projects such as NCCORPE to be constructed, assisting to ensure that Nebraska remains in compliance with terms of the Republican River Compact, while avoiding crippling economic impacts to the region.

This past year has also seen the completion of the first voluntary integrated management plans. With three Districts working corporately with DNR to preemptively enact IMP’s to protect existing water uses, while subsequently allowing for well managed future uses. The past year also brought the state’s first voluntary effort by NRD’s to engage in basin wide planning. NRD’s in the Lower Platte Basin partnered with DNR to engage in building a management plan for the basin that will work to collaborate discussion and efforts for projects that will have an impact on the basin as a whole. As another example of the NRD’s and DNR’s working together to engage in proactive planning, a voluntary basin plan similar to that in the Lower Platte is in the preliminary stages of planning by Districts in the Niobrara Basin.

Despite the progress over the last year, the coming year holds even more potential. More NRD’s are working to partner with DNR to complete voluntary IMP’s. Basin-wide planning efforts will continue and ensure both local and regional concerns are addressed. The progress of the new Natural Resources Commission and the state’s monetary commitment to water sustainability projects will also likely contribute to continued progress in implementing conjunctive management projects. DNR will continue to work to improve INSIGHT and begin the process of adopting new rules and methods for the 2015 evaluation. Thanks to the cooperation from DNR and all the partners across the state, including all Nebraskans doing their part, these new efforts will work to strengthen the already successful NRD system, and continue to ensure our economic and water sustainability is protected, not just for 2015, but for future generations of Nebraskans.
The Nebraska Association of Resources Districts (NARD) has created a
Hall of Fame award for those individuals who have made significant contributions through Nebraska’s Natural Resources Districts.

Inaugural inductees recognized include: Walter Fick, Hall of Fame Natural Resources District Board Member, Dan Smith, Hall of Fame Natural Resources District Employee and Warren D. Fairchild, Hall of Fame Natural Resources District Supporter.

Hall of Fame inductee Walter Fick posthumously was nominated by the Upper Elkhorn NRD in O’Neill.

Fick worked with the Upper Elkhorn Natural Resources District and NARD.

Fick’s expertise on tree planting, grass seeding and range judging dates all the way back to 1958.

He contributed to the Upper Elkhorn NRD for more than 27 years and to the NARD for more than 20 years.

His immeasurable contribution as a Board member for the NRD and Board member for the NARD allowed him to spread awareness of sound management of Nebraska’s grassland resources, something he was extremely passionate about.

He won numerous awards, both local and national.

Fick’s knowledge and talents became well known across the state and nation before his death in 2004.

Hall of Fame inductee Dan Smith was nominated by Middle Republican NRD Board member, Joe Anderjaska of Hays Center.

Smith was part of the Middle Republican Natural Resources District for nearly 35 years.

Throughout the decades, the determined manager took on major legislative issues and found solutions to tough lawsuits between Nebraska and bordering states. He’s also credited for helping develop the ‘Integrated Management Plan’ which moved water policy/programs forward in maintaining an irrigated-based economy for southwest Nebraska.

One of Smith’s biggest accomplishments is assisting with the creation of the Nebraska Cooperative Republican Platte Enhancement Project (NCORPE), a stream flow augmentation project sponsored by four NRDs. The project is a cost-effective way to aid and protect the Republican and Platte Rivers, the tax base and agricultural economy of the region, and taxpayers statewide by ensuring long-term compliance with interstate water agreements. Lacking the project, severe and sudden reductions in water allocations might have to be imposed.

Hall of Fame inductee Warren D. Fairchild posthumously was nominated by the Upper Big Blue NRD in York.

Fairchild graduated from the University of Nebraska in 1949. Throughout his life, he led the state of Nebraska on flood control management issues.

He helped develop Nebraska’s first “State Water Plan”, designed so water management comes at the local level.

He worked with countless state senators on conservation projects, eventually consolidating the natural resources districts into the 23 there are today.

Fairchild didn’t stop there. He also worked at the national level, helping formulate national water policy and took his knowledge to Pakistan, North Africa and the Middle East to help governments in those countries identify suitable irrigation projects for possible financing.

He passed away in September of 2001.
The Upper Niobrara White NRD recently approved amendments to Groundwater Management Area Rules and Regulations which include reduced ground water usage of 5 acres of water per acre for five-year allocation period running 2015–2019 for the two current allocation areas. The district is incorporating data from the Upper Niobrara Ground Water Model to guide future management decisions for protection of the water resources. UNWNRD has collected about 800 ground water samples and sold more than 180,000 tons of shrubs in 2014.

The North Platte NRD takes its job of protecting the quantity and quality of groundwater very seriously. With nearly 800 monitoring wells, the District’s monitoring program is the most extensive in Nebraska and is one of the most extensive in the country. The District has incorporated the data into an interactive map that provides hydrographs for all the monitoring wells and a minimal graph which is readable.

The Lower Loup NRD is the state’s largest geographic land area encompassing all or part of 16 Nebraska counties. The LLNRD continues proactive groundwater management, tackling quality through a mandatory flow meter program in its Phase III management area and quantity through a comprehensive study of the South Loup Basin.

The Central Platte NRD completed the rehabilitation of three Dawson County irrigation canals to undertake conjunctive use of surface and ground water. The projects provide ground water recharge that enhances surface and ground water supplies and flows to the Platte River, protects water quantity and helps meet endangered species requirements of the Platte River Recovery Implementation Program and LB 962 requirements to return the river back to its 1997 level of use.

The Lower Loup NRD has partnered with other NRDS and developed a Bazille Ground Water Management Plan to address nitrate-nitrogen issues in northeastern Nebraska. Funds are being utilized to implement end-of-pipe best management practices toward the efforts of reducing nitrogen levels in the ground water.

The Upper Ekkerson NRD has partnered with other NRDS and developed a Bazille Ground Water Management Plan to address nitrate-nitrogen issues in northeastern Nebraska. Funds are being utilized to implement end-of-pipe best management practices toward the efforts of reducing nitrogen levels in the ground water.

The Lower Big Blue NRD is working on the Blue River Basin Sub-Regional Model (WWUMM) developed by the Nebraska Cooperative Republican Platte En- vironment Area. The model will determine an accurate representation of current basin conditions. Pioneer Trails Recreation Area’s lake was sealed with Constituted ash and has been restocked with fish. A water was drilled to keep lake levels from fluctuating.  

The Lower Platte South NRD completed its voluntary Integrated Management Plan for ground water and surface water early in 2014 and is beginning to implement the plan. Several rehabilitation to drainage structures along Lincoln’s Salt Creek Levee have been completed. Partnering with the City of Lincoln, the District continues to construct prioritized projects in watersheds throughout the city.

The Lewis and Clark NRD administers the Cedar-Kansas River Basin Project which provides quality drinking water to 3,140 rural customers and four commercial centers. The water source is from Lewis and Clark Lake and the water is treated and softened for distribution at a surface water treatment plant located in the Devil’s Nest region of Knox County. The project has a nearly one-million dollar annual operating budget and is self-supporting without NRD tax revenue.

This year, the Lower Big Blue NRD commemorates the 70th anniversary of the Will- o’ the Wisp Creek Recreation Area. It’s located near Pierce. The recreation area covers 1,633 acres, including a 700-acre flood control reservoir. The William J. Meyer Recreation Trail covers more than nine miles. The 10,000 square foot flood control project was built by LNERD. It offers camping, fishing, boating and swimming.

The Lower Papio NRD has received a grant from the Nebraska Game and Parks Commission to improve the Papio water system. The project includes replacing the 1970s-era 51-inch water main with 69-inch diameter pipe along 3.5 miles of Papio Parkway drive. The project is expected to be completed in late 2015. The Papio Water System was installed in 1980 and serves approximately 10,000 people. The system is expected to provide a 30-foot rise in water pressure throughout the service area. The project will improve water reliability by increasing system storage capacity and by substituting modern technology for older systems. The project is expected to be completed in 2015.

Because of it’s value to farmers and urban centers, groundwater is commonly recognized as the state’s most precious natural resources. NRDS continue to play a leading role in addressing local natural resources concerns.

Nebraska NRDS Protecting Lives, Protecting Property, Protecting the Future!

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Over the last eight years of the program, the annual health insurance premiums increases have been below 4.65% while the national annual averages have been 11.4%. However, in FY 2011-12 we had a “drought year” with almost five times the number of people with high claims which resulted in over $663,000 in losses for the fiscal year. In FY 12-13 and FY 13-14, claims were down which resulted in a $2.1 million gain over the two-year period.

The NARD Risk Pool board was considering leaving the rates at current levels for the next fiscal year. However, since there were two good years in a row, the board approved the committee recommendation to lower rates by 2.5%. This is very rare in the insurance industry. The national average increase for 2014 is 16%. The NRD employee’s involvement in wellness activities and programs reduces health care cost to local NRDs and taxpayers.

Under ObamaCare, there will be premium taxes that have to be paid to the federal government based on the number of employees and family members under the plan. These taxes will be almost $60,000 in 2014.

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Nebraska’s Natural Resources Districts (NRDs) worked together with the Natural Resources Committee and other state senators during the 2014 Legislative Session to protect the future of Nebraska’s natural resources. Senators approved and the Governor signed 20 bills that NARD was involved in. The following provides just a few of the key bills enacted this year.

**LB 272 - Change provisions relating to chemigation permits and fees, Carlson.** On February 7th, the Legislature gave final approval to LB 272 on a 43-0-6 vote. The Governor signed the bill on February 13, 2014. The intent of the bill is to increase fees for the chemigation program to offset the cost of administering the program and costs of the annual inspection programs.

The fees for chemigation permits had not changed since the Nebraska Chemigation Act was put into effect in 1986. Current fees are $30 for new and special permits ($25 to the NRD and $5 for NDEQ), $10 for renewal ($5 to the NRD and $2 to NDEQ) and $500 for an emergency permit ($80 to the NRD and $20 to NDEQ).

The bill allows each NRD to set the fees rather than the Nebraska Environmental Quality Council. This allows NRDs to keep the fees at the current level if they wish. The amendment included a cap of no more than $150 fees for new and special permits; and $500 for emergency permits.

**LB 513 - Change notice provisions under the Nebraska Ground Water Management and Protection Act, Carlson.** On February 7th, the Legislature gave final approval to LB 513 on a 43-0-6 vote. The Governor signed the bill on February 13, 2014. The bill changed the notice requirement of a cease and desist order from ten days to three days to enforce any provision of the Nebraska Ground Water Management and Protection Act.

The bill allows a shortened time frame for violators of groundwater rules and regulations to provide corrective action. Several NRDs imposed new rules in areas of their district where severe declines had occurred the last couple of years. If there are water users that are operating illegal wells, under current law the well could run for ten days before corrective action would have to be taken. Shortening this to three days could save a significant amount of water.

**LB 844 - Extend the termination date of the Nebraska Litter Reduction and Recycling Act, Schilz.** The Legislature gave final approval to LB 844 on March 24, 2014 by a 47-0-2 vote. Governor Heineman signed LB 844 into law on March 28, 2014. The bill extends the termination date of the Nebraska Litter Reduction and Recycling Act from October 30, 2015 to October 30, 2020. The bill was a Natural Resources Committee Priority Bill for the session.

The bill also changes the point of collection for the sales tax on ATVs and UTVs. Currently the sales tax on ATVs and UTVs is collected and remitted at the retail level. However, there is no way for the county or the state to ensure the sales and use tax is collected and remitted on sales outside of Nebraska, when the ATVs or UTVs are brought into Nebraska for use. By changing the point of tax collection from the retailer to the county treasurer, Nebraska will be better able to collect sales and use taxes due. The change in the point of collection mirrors the same procedure as motor vehicles and motorboats.

**LB 1098 - Change membership and powers and duties of the Nebraska Natural Resources Commission, Carlson.** The Legislature gave final approval to LB 1098 on April 11, 2014 by 48-0-1 vote; the Governor signed the bill on April 16, 2014. Since the bill included the emergency clause, it became effective immediately after the Governor signed the bill. Under the bill, the revised commission will oversee $11 million in funding for water programs annually as provided in LB 1098A starting in FY 2015-16. The “A” bill also includes an additional $21 million for FY 2014-15.

The bill expands the Nebraska Natural Resources Commission to 27 members as recommended by the Water Funding Task Force Report in December 2013. The bill maintains all sixteen current members and adds eleven members to be appointed by the Governor.

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The eleven additional appointments would be for staggered four-year terms as determined by the Governor. There are currently three governor appointees representing groundwater users, surface water users and municipalities which would remain in place until the terms are served. Future appointments shall be for four-year terms. The Governor is required to appoint the initial members within thirty days of the effective date of the act, which occurred as soon as the Governor signed the bill.

Currently there are twelve members representing river basins and one additional member representing the metropolitan class elected by caucus of natural resources districts. Under the bill, the caucus process remains. The bill would require the commission to provide notice to the public by issuing press releases for publication in a newspaper of general circulation in each county that comprises the river basin for which a caucus election will be held.

**Appointments, Process, Basin Caucus and Terms**

The following provides just a few of the key bills enacted this year.

**LB 272 - Change provisions relating to chemigation permits and fees, Carlson.** On February 7th, the Legislature gave final approval to LB 272 on a 43-0-6 vote. The Governor signed the bill on February 13, 2014.
The additional appointed membership on the commission includes:

- Agribusiness interests
- Agricultural interests
- Groundwater irrigators (current appointment)
- Irrigation districts
- Manufacturing interests
- Metropolitan utilities districts
- Municipal users of water from a city of the primary class
- Municipal users of water from a city of the first or second class or a village; (current appointment)
- Outdoor recreation users
- Public power districts
- Public power and irrigation districts
- Range livestock owners
- Surface water irrigators (current appointment)
- Wildlife conservation interests

The additional appointed membership on the commission includes:

- Water projects, programs, or activities.
- Parks Commission relating to funding and planning for Department of Environmental Quality, and the Game and Parks Commission.
- The resources and expertise of the University of Nebraska, the Game and Parks Commission.
- Contribute to multiple water supply management goals including flood control, reducing threats to property damage, agricultural uses, municipal and industrial uses, recreational benefits, wildlife habitat, conservation, and preservation of water resources.
- Assist municipalities with the cost of constructing, upgrading, developing, and replacing sewer infrastructure facilities as part of a combined sewer overflow project.
- Provide increased water productivity and enhance water quality.
- Use the most cost effective solutions available; and
- Comply with interstate compacts, decrees, other state contracts and agreements and federal law.

Legal intent was added that the fund be equally distributed statewide to the greatest extent possible for the long term. Also, intent language was added that distributions from the fund for sewer infrastructure facilities to reduce combined sewer overflow not exceed 10% of the total annual appropriation to the Water Sustainability Fund.

Legal findings are added that the goals of the fund can be met by giving equal consideration to four categories of projects:

1. Research, data and modeling;
2. Rehabilitation or restoration of water supply infrastructure, new water supply infrastructure, or water supply infrastructure maintenance or flood prevention for protection of critical infrastructure;
3. Conjunctive management, storage, and integrated management of groundwater and surface water; and
4. Compliance with interstate compacts or agreements or other formal state contracts or agreements or federal law.

In order for a natural resources district to be eligible for funding from the Water Sustainability Fund, it must have adopted or be in the process of developing an integrated management plan. The bill also allows, with the approval of the commission, to acquire interest in water and related land resources projects in the name of the state utilizing the Water Sustainability Fund.

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Members whose terms have expired shall continue to serve until their successors have been appointed.

In appointing the members, the Governor shall: (i) Create a broad-based commission which has knowledge of, has experience with, and is representative of Nebraska’s water use and economy; and (ii) Give recognition to the importance of water quantity and water quality; and (iii) Appoint members who represent diverse geographic regions of the state, including urban and rural areas.

After all members have been appointed, the commission shall revise, adopt, and promulgate rules and regulations as necessary to ensure that the commission’s funding process establishes and utilizes criteria upon which projects, programs, and activities will be ranked and prioritized according to the water sustainability goals established by the commission.

Finally, the commission is to be required to utilize the resources and expertise of the University of Nebraska, the Department of Environmental Quality, and the Game and Parks Commission relating to funding and planning for water projects, programs, or activities.

Under the bill, the goals of the Water Sustainability Fund are to:

- Provide financial assistance to programs, projects, or activities that increase aquifer recharge, reduce aquifer depletion, and increase streamflow;
- Remediate or mitigate threats to drinking water;
- Promote the goals and objectives of approved integrated management plans or ground water management plans;
- Contribute to multiple water supply management goals including flood control, reducing threats to property damage, agricultural uses, municipal and industrial uses, recreational benefits, wildlife habitat, conservation, and preservation of water resources;
- Assist municipalities with the cost of constructing, upgrading, developing, and replacing sewer infrastructure facilities as part of a combined sewer overflow project;
- Provide increased water productivity and enhance water quality;
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If an agreement cannot be reached by all parties involved, the basin-wide plan shall be developed and adopted by the department and the affected natural resources districts or by the Interrelated Water Review Board pursuant.

Other Legislative Bills Added: The following other bills of interest were added to LB 1098.

AM 2580 – Christensen. Inserts the Nature Resources Committee amendments to LB 686
- Change a certification date relating to non-irrigated acres. Christensen, and LB 710.
- Provide requirements for entering into certain ground water augmentation projects. Christensen. The amendment changes the date to certify non-irrigated status from March 1 to June 1 for land subject to occupation taxes for the same calendar year, which was the committee amendment to LB 686. The amendment also included the committee amendment to LB 710 which would require that a NRD Board could not vote to enter into a groundwater augmentation project without conducting a public hearing following the 30-day public notice and three consecutive week advertising requirements.

AM 2693 – Davis. Inserts LB 391 – Change water law provisions relating to water storage. Davis. The bill proposes to modify the requirement of a reservoir or intentional underground water storage facilities when having to release water for direct irrigation or a reservoir facility holding a senior right. Current law does not designate where the facilities are located for the water to be released. The bill outlines that the irrigation ditch or reservoir holding a senior right receiving the water have to be downstream.

The additional appointed membership on the commission includes:

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