

# MEMORANDUM

TO THE BOARD:

SUBJECT: General Manager's Report

DATE: April 4, 2014

FROM: John Winkler, General Manager

A. **INFORMATION/EDUCATION REPORT:** The Information and Education Report detailing the department's activities for the month of March, 2014 is attached for your review.

B. **PERSONNEL/MISCELLANEOUS ITEMS:**

1. The District received a letter from Mitch Robinson, Mayor of the City of Fort Calhoun, commending Lori Ann Laster on the outstanding job she did on behalf of the city, by helping them partner with Olsson Associates and the District, in the submittal of a Letter of Map Revision to correct flood hazard changes without study, during the revision of the Washington County Flood Insurance Rate Map. The city also recognizes the District for the cost share financial support they received for this endeavor. Mayor Robinson's letter is attached for your review.

2. The District has hired Joe Riebe as our new Surveyor/GIS/AutoCAD Technician. Joe began working for the District on March 31, 2014. I look forward to working with Joe and wish him luck in his new position.

3. The District has hired Walter Juhlin as the District's Water Supply Operator/District Maintenance Technician located in the Walthill Office. Wally began working for the District on March 25, 2014. I look forward to working with Wally and wish him luck in his new position.

4. The District has received the Wellness Council of American's Award of Well Workplace designation. Many thanks to Heather Borkowski and to our Wellness Committee members: Penny Burch, Kelly Fravel, Amanda Grint, Terry Keller, and Terry Schumacher.

C. **REPORT ON PURCHASES – CONSTRUCTION SERVICES, PROFESSIONAL SERVICES AND PERSONAL PROPERTY:** Pursuant to Board direction, attached is a report indicating construction services, professional services and personal property purchases from the month of March, 2014. Please review this report and contact me if you have any questions.

D. **CURRENT AND ON-GOING PROJECTS – P-MRNRD LEGAL COUNSEL:** Attached is a copy of the current and on-going projects for District Legal Counsel, Paul Peters, as of March 17, 2014. I would ask each Director to review this listing. If you have any questions, please feel free to contact me.

E. **PAPILLION CREEK WATERSHED PARTNERSHIP REPORT:** The minutes from the March Papillion Creek Watershed Partnership are attached for your review. The next Partnership meeting is scheduled for April 24, 2014

F. **NEWS CLIPS:**

- ✓ March 14, 2014, Omaha World Herald Public Pulse, Save Nebraska's water cooperation, John Winkler
- ✓ March 19, 2014, Omaha World Herald article, Bill that would boost water regulation faces stiff NRD opposition
- ✓ March 20, 2014, Lincoln Journal Star article, Cowboy Trail and other trails safe from Supreme Court ruling
- ✓ March 23, 2014, Omaha World Herald Public Pulse, Drip, drip, drip: Water funding won't wait and Beware of the groundwater irrigators
- ✓ March 24, 2014, Omaha World Herald article, Lawmakers OK budget package that includes more money for property tax credits
- ✓ March 24, 2014, Omaha World Herald article, Federal Program Hit Hard, Flood insurance premiums will surge in order to bail out subsidy program
- ✓ March 24, 2014, Omaha World Herald article, Nebraska residents face federal flood insurance hikes
- ✓ March 24, 2014, Washington Co. Enterprise article, Park project gives Herman group hope for future
- ✓ March 25, 2014, Omaha World Herald article, Floor fight promised on water funding
- ✓ March 26, 2014 Scottsbluff Star-Herald editorial, Sensible policy aim of water bill
- ✓ March 26, 2014, Omaha World Herald Midlands Voices article, Keep water issues under local control
- ✓ March 27, 2014, Washington Co. Enterprise and Pilot Tribune article, Judge denies NRD's motion
- ✓ March 27, 2014, Pender Times article, Free electronic waste collection in Walthill on Thursday, April 10
- ✓ March 29, 2014, Omaha World Herald Editorial, Flood Study's Findings – Record rains fed rare event
- ✓ April 2, 2014, Wellness Council of the Midlands news release, WELCOM recognizes 15 companies for excellence in workplace wellness
- ✓ April 3, 2014, Omaha World Herald article, With agreement to compromise, Nebraska lawmakers advance water funding proposal
- ✓ April 9, 2014, Omaha World Herald article, \$11M annually for water projects gets 2<sup>nd</sup>-round approval in Nebraska Legislature

## March, 2014 Information/Education Report

### Information

- Updated Web site
- Updated Facebook page
- Completed Friends of NRD e-mail distribution list
- Finalized movie theater video spots distribution
- Continued archiving of slides and b&w prints
- Finalized design of Storm Chasers Werner Park concourse sign
- Distributed news releases
- Scheduled TV PSAs on WOWT and KETV
- Continued work on Spring Spectrum

### Education:

#### March Programming Schedule:

- 3/3- Omaha Public Library- Birds- 8 children (Pre-K)
- 3/3- Blumfield Green Club- Owls- 34 students (3<sup>rd</sup>-5<sup>th</sup> grade)
- 3/4- Metro Regional Envirothon- 48 students (9<sup>th</sup>-12<sup>th</sup> grade)
- 3/6- Benson West Elementary- Owls- 56 students (6<sup>th</sup> grade)
- 3/7- Blumfield Elementary- Animal Adaptations- 43 students (3<sup>rd</sup> grade)
- 3/8- Metro Science and Engineering Fair- Environmental Science/Medicine Judge
- 3/10- Westgate Elementary- Lizards- 54 students (K)
- 3/10- Millard West- Animal Adaptations- 41 students (9<sup>th</sup> – 11<sup>th</sup> grade)
- 3/11- Holy Name ELC- Insects- 12 students (pre-K-8<sup>th</sup> grade)
- 3/12- Mary our Queen- Analyze your River- 57 students (4<sup>th</sup> grade)
- 3/13- Sandoz Elementary Nature Night
- 3/14- Rohwer Elementary- Insects- 59 students (4<sup>th</sup> grade)
- 3/18- - Holy Name ELC- Snakes- 12 students (pre-K-8<sup>th</sup> grade)
- 3/19- Sump Library- Lizards- 39 students (K-6<sup>th</sup> grade)
- 3/25- Morton Elementary Nature Night
- 3/26- Earth Wellness Festival- Turtles- 135 students
- 3/27- Earth Wellness Festival- Turtles- 135 students
- 3/28- Benson West- Animal Adaptations- 85 students (1<sup>st</sup> grade)
- 3/31- Westside Middle School- Animal Adaptations- 42 students (7<sup>th</sup>-8<sup>th</sup> grade)

#### Meetings/Training:

- Children and Nature Network Regional Contact Conference Call
- More Nature Meeting
- Envirothon Steering Committee Meeting
- Spectrum Article Meeting
- STEM/Collective for Youth Meeting
- Water Works Steering Committee Meeting

#### Planning:

- Spring/Fall Nature Nights
- Spring Field Trips and Programming
- Spring Tree Order, Bags & Cards
- Summer Day Camps: Registration/Confirmation e-Mails
- Water Works Festival Section, Letters, Teacher Correspondence
- Earth Day Omaha Coordination

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March 20, 2014

Papio-Missouri River NRD  
8901 South 154<sup>th</sup> Street  
Omaha, NE 68138

Attn: John Winkler, General Manager

RE: Lori Laster, Stormwater Management Engineer  
City of Fort Calhoun LOMR Case No. 13-07-218P

The City of Fort Calhoun wants to acknowledge and commend the outstanding job Lori Later has done on behalf of the city, by helping us partner with Olsson Associates and the District, in the submittal of a Letter of Map Revision to correct flood hazard changes made without study, during the revision of the Washington County Flood Insurance Rate Map No. 31177C03308D that became effective January 6, 2012.

It has been a long, slow and frustrating process, but Lori Laster stuck with us through continued attempts to get FEMA to recognize the work done in the 2000 Flood Mitigation Study, paid for by FEMA, during that revision process and throughout this corrective documentation and map change.

Lori understood the city's commitment to our residents and businesses; their burden with new requirements for flood insurance that the faulty revision of the Special Flood Hazard Areas along Missouri River Tributary 2.1 caused.

Not only has Lori been a great help with this project she has been a valuable resource for other city floodplain management questions and given sound direction to city staff on many occasions.

We would ask that you recognize Lori, however possible, on a job well done!

The city also recognizes and thanks the District for the cost share financial support we have and will receive for this endeavor.

Sincerely,



Mitch Robinson, Mayor

Cc: Lori Laster

MAR 25 2014

# Report on Purchases

## Construction Services, Professional Services, Personal Property

**March, 2014**

[illegible]

Updated: March 17, 2014

## **Current and On-Going Projects P-MRNRD Legal Counsel**

★ = **Top Priority**

F = Future Work – No Assignment

N = New Assignment

O = Others Handling

W = Work in Progress

P = PFP's Portion Completed

- **Little Papio:** (Cleveland)
  - UNO Arena access easement (W)
- **Big Papio:** (Cleveland)
  - Interlocal Agreement with Papillion & La Vista & SIDs on Fricke Drainage (W)
  - ★ Interlocal Agreement with La Vista on Thompson Creek Sewer Relocation (N)
- **West Branch:** (Cleveland)
  - Land Exchange with Sarpy Co. (96<sup>th</sup> St.) (P)
- **Western Sarpy Dike:** (Cleveland)
  - Saunders County side ROW agreement and easements (F)
  - NRDs/NE-ARNG Interlocal for Camp Ashland Property (P)
- **Floodway Purchase Program:** (Laster)
  - ★ Agreement with MAPA for King Lake Management (W)
  - ★ Agreement with MAPA for Sarpy Co. Missouri River Buyouts (W)
- **Trail Projects:** (Williams)
  - ★ Mo Pac (Springfield to Platte River) drainage repair easements (W)
- **Missouri River Corridor Project:** (Becic)

- **USDA PL 566 Projects, Silver Creek and Pigeon/Jones Watershed:** (Schumacher/Cleveland)
  - ✧ Papio W-3 Eminent Domain (Camden) (W)
    - Papio W-3 Access-Quiet Title Action (W)
  - ✧ Exchange Agreement with Wachter for PJ-15 ROW (W)
  - ✧ Deed for 0.46 acre Rohde/Bourland Tract for PJ-15 (W)
    - Tek/Mud PL 566 Site 41A access (W)
- **Papio Watershed Dam Sites:** (Grint/Laster/Williams)
  - ✧ Interlocal agreement with Douglas County for DS-15A (W)
  - ✧ DS-15A purchase agreements, deeds and easements (W)
- **Papio Creek Watershed Partnership (Stormwater):** (Grint)
- **Missouri River R-613 and R-616 Levees:** (Cleveland/Henkel)
- **Rural Water Projects:** (Nelson)
  - ✧ Fort Calhoun Lawsuits on WCRW (W)
- **Other:**
  - Review Letter of Intent/PA with Heritage for West Glacier Creek Property (N) (Grint)
  - ✧ Kennard Auction/Land Sale documents (N) (Grint)



## MONTHLY UPDATE

March 2014



A Partnership meeting was held on March 27, 2014 at 10am at the NRC Building. Minutes are updated regularly on the Partnership's website: [www.papiopartnership.org](http://www.papiopartnership.org).

### Interlocal Agreement

The Interlocal Agreement for continuation of the Partnership is set to expire on June 30, 2014. A draft of the Interlocal Agreement was presented at the February meeting. Revisions to the agreement include the new Implementation Plan as presented in the HDR report, updated Watershed Fee schedule, and inclusion of the draft SWMP.

After discussion of the draft agreement at the February meeting, the Partnership members in attendance decided that more discussion was warranted before the agreement is presented to boards and councils for their adoption.

The language regarding collection of Watershed Management Fees was refined in light of the updated fee schedule. As a result of the HDR financial analyses, the Watershed Management Fees were adjusted to reflect inflation in construction costs and to make sure that the fees cover one-third of the project costs for the regional detention basins and water quality basins identified in the Watershed Management Plan. In order to maintain the one-third private, two-thirds public funding ratio for the projects the following schedule of fees would be necessary:

Land Use	FY14	FY15	FY16	FY17	FY18
Single Family Residential	\$823	\$843	\$864	\$886	\$908
High Density Multi-Family Residential	\$3,619	\$3,710	\$3,803	\$3,898	\$3,995
Commercial/Industrial	\$4,387	\$4,497	\$4,609	\$4,724	\$4,842

The fee schedule was presented to members of the Metro Omaha Builders Association and other individuals involved with development in the metro area. Their only concern about the increase in the fees was for existing developments that were intending to pay the previous rates. Language was included in the Interlocal Agreement to ensure that developments with an existing subdivision agreement or other development agreement would still be able to pay the rate written into the agreement.

The Partnership members present voted to take the draft Interlocal Agreement to their governing body for approval.

### Notice of Vote:

In April the Partnership members will vote to approve the yearly hosting fee for the CBI Systems MS4Web software used to track MS4 permit activities.

### Next Meeting:

The next Partnership meeting will be April 24, 2014 at 10 am at the NRC building.





## **Omaha W-H Public Pulse 3-14-14**

### **Save Nebraska's water cooperation**

Nebraska water management is considered a model for the rest of the country, in large part because of the cooperation that exists among diverse stakeholders from across the state.

This cooperative approach has helped ensure that complaints from a small group of water users don't trigger drastic and knee-jerk reactions that severely and unnecessarily impact people and economies across the state. This approach was taken this past year as stakeholders from across Nebraska worked together to create a comprehensive water funding plan.

However, I am concerned that this cooperative approach and the water funding proposal could be at risk. A special-interest group, which has worked against the interests of Nebraska and sided with Kansas in a lawsuit over the Republican River Compact, appears to be jeopardizing the hard work of the water funding task force and Nebraska's cooperative model.

Legislative Bill 1074 would appear to give to Kansas what it could not win in the U.S. Supreme Court. Kansas had requested that Nebraska shut down at least 300,000 irrigated acres. A special master ruled against Kansas on that request, stating that Nebraska's compliance efforts are sufficient. However, LB 1074 and its plethora of amendments set the stage for shutting down irrigation across the state.

This is not the Nebraska way of doing business. Cooperation and coordination must prevail for the state as a whole to become stronger, more prosperous and well positioned for the challenges of the 21st century.

John Winkler, Omaha  
General Manager, Papio-Missouri River NRD

## Bill that would boost water regulation faces stiff NRD opposition

By [Paul Hammel](#) / *World-Herald Bureau*

LINCOLN — An Omaha lawmaker's foray into the typically rural domain of state water regulations drew a full house Tuesday to a legislative hearing room.

State Sen. Steve Lathrop said Nebraska needs to put more teeth in laws that seek to prevent the depletion of underground aquifers and river flows due to irrigation.

A parade of opposition came from representatives of the state's natural resources districts, which now regulate water use in their rural areas.

But it appears that Lathrop's proposal still has a fighting chance.

The fate of Legislative Bill 1074 may be the key to whether lawmakers approve an additional \$31 million in funding for water sustainability projects during the last weeks of the 2014 session.

Lathrop said it doesn't make sense to provide more funding until the Legislature makes sure water resources are not being sucked dry.

"I don't think we should be spending more money until we have policies in place to make sure we are using water in a sustainable fashion," Lathrop said in a recent interview.

Water law has always been a controversial topic in Nebraska. Irrigation is a driving force in the state's No. 1 industry, agriculture.

The prospect of restricting or shutting off center-pivot systems — which irrigate about nine times more acres than ditch irrigation — sends an alarm through rural areas over the prospect of decreased farm revenue.

Lathrop, an attorney who has been involved in some of the Legislature's biggest issues during his eight years in office, said recent studies have concluded that Nebraska is depleting its water resources. Lawmakers, he said, need to do more to prevent the state from becoming like Texas, where aquifers have been sucked dry.

So Lathrop has declared the water bill his priority and is wading into a fight usually reserved for lawmakers from farm country.

"I don't raise corn, and I don't irrigate," Lathrop said. "But water is probably our greatest natural resource in the state, and I believe we need to ensure, with good state policy, the sustainability of that resource."

The Legislature's Natural Resources Committee held the special public hearing on a new amendment that Lathrop proposed to LB 1074. Such hearings are required when an amendment makes substantial changes to a bill that has already undergone a public hearing.

Under the proposed amendment, the bill would require natural resources districts to work with each other and water users to develop basinwide plans to sustain water resources in every river basin in the state — from the Platte, Blue and Elkhorn to the Republican, Loup and Niobrara.

Currently, an NRD manages water use only within its own district, which represents only a portion of an entire river basin.

Lathrop said that while some NRDs have taken appropriate steps to sustain groundwater levels and river flows, others have not. If the NRDs cannot devise a basinwide solution, the state would step in under LB 1074, but only after 30 years.

Some surface water irrigators, who draw water from rivers, testified in support of LB 1074. They said the bill would provide a balance with water allocated to center-pivot irrigators, who draw water from aquifers.

Farmer Dale Helms of Holbrook said he lost \$130,000 in crop revenue last year because of deep cuts in the water allowed for ditch irrigators in the Republican River valley.

"I can't survive another two or three years of that," Helms said.

However, representatives of several NRDs said that the Lathrop measure was unnecessary and a threat to local control and that it needed more study.

"We like the current law just like it is," said John Turnbull, general manager of the Upper Big Blue NRD, based in York.

He and several other NRD executives said that the "one-size-fits-all" approach in LB 1074 would not work and that it would give preference to surface water irrigation, when groundwater irrigation was much more efficient.

Representatives of the Nebraska Farm Bureau and Nebraska Corn Growers also opposed the bill.

A lobbyist for the Nebraska Water Resources Association said Lathrop's amendment came too late in the 60-day session. It's a complicated subject, said lobbyist Amy Prenda, and needs more study.

After the hearing, Sen. Tom Carlson of Holdrege, who heads the Natural Resources Committee, said he planned to get more information from Lathrop and NRD officials before the committee votes on whether to advance the bill to the full Legislature.

Carlson, a Republican candidate for governor, said he agrees that current water use in some areas is not sustainable, but he wants to see if the opposing parties can agree on a bill.

He said it isn't too late in the session to address the issue.

## Cowboy Trail and other local trails safe from Supreme Court ruling

Almost a century ago, when cars chugged along at 20 miles per hour, Lincoln was one of the big cities on the Detroit-Lincoln-Denver transcontinental highway.

A recent U.S. Supreme Court ruling on the ownership of abandoned railways won't affect the Cowboy Trail or any of the other recreational trails developed in Nebraska from abandoned railroad lines, officials say.

On March 10, the high court ruled that after a railroad has abandoned a line, the land should revert to owners of the adjacent property instead of to the federal government.

Some fear the ruling threatens rails-to-trails projects across the country built on abandoned railways, but trail supporters say the ruling is narrow in scope and only affects trails developed under certain conditions.

"I don't think this affects us at all," said Ross Greathouse of Lincoln, vice president of the Nebraska Trails Foundation. "I think we're safe on it."

Greathouse said the ruling was based on land once owned by the federal government in Wyoming. The railway corridor in the Supreme Court case passes through a parcel of land surrounded by Medicine Bow National Forest in Wyoming that the U.S. Forest Service patented to the Brandt family in 1976.

"We don't have any railroads that were ever owned by the feds," Greathouse said, adding that railroads here acquired their property from private landowners or from the state of Nebraska.

The Cowboy Trail, which stretches across Nebraska's northern tier counties, is not affected by the ruling because it was built on land that has been railbanked, rather than abandoned, according to the Nebraska Game and Parks Commission.

"When a trail is railbanked, it may be developed into a trail but the railroad retains the right to convert it back into a rail line," said Cara Pesek, the agency's public relations manager in a news release.

The Rails-to-Trails Conservancy purchased the right-of-way for the 321-mile span between Norfolk and Chadron in the early 1990s from the Chicago and North Western Transportation Co.

The conservancy gave the right-of-way to the commission in 1993. Since then, the commission has worked to develop and maintain 196 miles of the trail between Norfolk and Valentine for walking, running, bicycling and horseback riding.

Jake Lynch, spokesman for the Rails-to-Trails Conservancy based in Washington, D.C., said the ruling only affects mostly non-railbanked corridors that were created from federally granted rights-of-way through the General Railroad Right-of-Way Act of 1875.

He said most railroad corridors created under this federal law are west of the Mississippi River but the conservancy doesn't believe any trails in Nebraska are affected by the ruling. Rights-of-way acquired by railroads from private landowners are also exempted.

"Because there isn't a federal database on federally granted rights-of-way, it isn't possible to answer exactly how many miles of corridor this applies to," Lynch said. "What we can say is that, unfortunately, the ruling will likely increase future litigation over these corridors."

Greathouse believes there are about 500 miles of "railbanked" trails in Nebraska.

In addition to the Cowboy Trail, they include the Homestead Trail which stretches from south of Lincoln into Kansas, the Oak Creek Trail near Valparaiso, the Rock Island and MoPac trails in Lincoln and the MoPac East Trail from Lincoln to Wabash and the John Brownell Trail in Grand Island.

Reach writer at 402-473-7243 or [alaukaitis@journalstar.com](mailto:alaukaitis@journalstar.com).

## **W-H public Pulse 3-23-14**

### **Drip, drip, drip: Water funding won't wait**

With less than two weeks left on the legislative calendar, the Legislature better get moving on providing adequate state funding for vital water and flood-control projects.

Agriculture, one of the state's largest employers, which provides over \$2 billion in economic activity, not to mention being a major component of our national security, is in need of our investment to protect this critical piece of infrastructure.

This is not only a Nebraska issue but also a national issue with international implications.

Water funding should be one of the no-brainers of this legislative session, yet it appears mired in inexplicable brinkmanship. Our state's future depends on the supply and control of water resources.

We had all better get in the boat and start rowing in the same direction.

George Nielsen, Omaha

### **Beware of the groundwater irrigators**

In Nebraska, the terms "water" and "money" can be used interchangeably. Those who control the flow and use of water control the flow of wealth.

Ever-expanding groundwater irrigation along with minimal surface-water irrigation account for over 96 percent of Nebraska's water consumption. Climate variations indicate a growing probability of extended drought, with even greater demands on the water supply. Even groundwater irrigators finally admit that our aquifer is diminishing too fast.

Legislative Bill 1074, billed as a way to "conserve" water, appears to be yet another ploy to let groundwater irrigators continue and even increase consumption. Other water users are likely to be the first to be told to sacrifice and the last to benefit under this bill.

Sen. Steve Lathrop's amendment would require all Natural Resources Districts to reach a point of sustainability in 30 years. Groundwater irrigation supporters will go to any lengths to defeat regulation of their consumption.

Domestic water users — especially Omaha and Lincoln residents — would be well advised to support Lathrop's amendment, with one change: cut the 30 years to no more than five.

Robert O'Dell, Grand Island, Neb.

## Lawmakers OK budget package that includes more money for property tax credits

*By Martha Stoddard / World-Herald Bureau*

LINCOLN — Nebraska lawmakers passed a \$7.8 billion budget package Monday that would give property owners a little bigger break on their taxes.

Lawmakers also passed a separate bill earmarking \$3.6 million for the purchase of a new state airplane.

The four-bill budget package and airplane bill now head to Gov. Dave Heineman, who has five days to consider them. He can sign or veto the bills as a whole or veto individual items.

His spokeswoman, Jen Rae Wang, said the office may have a comment about the budget later this week.

The main budget bill passed on a 40-8 vote. The other budget measures passed with stronger support.

State Sen. Heath Mello of Omaha, the Appropriations Committee chairman, said the package represents “a sensible, pragmatic state budget that invests in key priorities and provides direct property tax relief to Nebraskans.”

He noted that the budget bills passed by “wide, bipartisan margins.”

All of those voting against the main bill were Republicans, three of whom are seeking higher office. Those voting against the main bill were: Sens. Dave Bloomfield of Hoskins, Tommy Garrett of Bellevue, Tom Hansen of North Platte, Charlie Janssen of Fremont, Bill Kintner of Papillion, Lydia Brasch of Bancroft, and Beau McCoy and Pete Pirsch of Omaha.

Janssen is running for state auditor, and Pirsch is a candidate for attorney general. McCoy, a Republican candidate for governor, tweeted later that he voted against the bill because he believed it increased spending too much compared with the amount allocated for property tax relief.

The package boosts Nebraska's seven-year-old property tax credit program by \$25 million, pushing the total to \$140 million annually.

With the change, property owners would get a tax credit worth about \$74 for every \$100,000 in assessed valuation this year.

The budget package also includes money for water projects, state parks maintenance, a new heating and cooling system for the State Capitol, job training, early childhood education and services for more people with developmental disabilities.

In addition, it provides money for short-term steps to address the rising prison population. The package updates the two-year state budget passed last year. The budget covers the period ending June 30, 2015.

As passed, the budget package leaves \$91 million of projected state revenue on the table for



additional tax cuts or spending measures.

Lawmakers have given at least one round of approval to bills that would use about \$80 million. About \$33 million would go toward keeping state school aid funding for the 2014-15 school year at the level approved last year.

Several tax changes would account for an additional \$23 million in the coming fiscal year. Among them is a proposal to index income tax brackets to inflation, to exempt more Social Security payments from income tax and to provide a limited tax exemption for military retirement benefits.

The budget plan takes \$65 million from the state's rainy-day fund, while leaving an estimated \$696 million in the fund at the end of the budget period.

It dips into the cash reserve fund for several one-time uses, such as the renovation and repair of state parks facilities and the Capitol heating and cooling system. A controversial plan to finish the original plan for the Capitol by installing fountains in the four courtyards is among those one-time projects. Heineman has criticized the plan repeatedly.

Funds for the new state airplane also would come from the cash reserve.

The property tax credit program, started in 2007, provides a state-funded discount on a local homeowner or landowner's property tax bill. Since 2008 the state has directed \$115 million annually to the fund.

But credits have been shrinking as the amount of taxable property in the state has grown. Last year the program saved taxpayers \$65.97 per \$100,000 in property valuation. If left unchanged, the program would mean credits of about \$61 per \$100,000 valuation this year.

Among the major items in the budget:

- » Increase property tax credits, \$25 million.
- » Start water sustainability projects, \$21 million.
- » Tackle Game and Parks Commission maintenance backlog, \$17.5 million.
- » Boost job training fund, \$10 million.
- » Expand early childhood education programs, \$3.5 million.
- » Reduce developmental disability services waiting list, \$5 million.
- » Address prison population issues, \$14 million.
- » Replace State Capitol heating and air conditioning system, \$12 million.
- » Install State Capitol fountains, \$2.5 million.



THE ASSOCIATED PRESS

Floodwaters rise up the front stoop of a house in Findlay, Ohio. The federal flood insurance program has been hit hard recently, paying out much more than it takes in, so many homeowners' premiums will increase.

## FEDERAL PROGRAM HIT HARD

### Flood insurance premiums will surge in order to bail out subsidy program

JERSEY SHORE, Pa. (AP) — This small, central Pennsylvania river town doesn't have beach homes or boardwalks, but it shares more than a name with the famous stretch of New Jersey coastline 250 miles to the east.

Both are among the thousands of places around the United States where people could face trouble in the years ahead because of the rising cost of government-mandated flood insurance.

Earlier this month, Congress sought to ease their fears of sky-high premiums by rolling back a 2012 overhaul, ending the government's costly practice of offering subsidized insurance for older homes and businesses in flood zones. The president signed the bill Friday.

But while the law was widely hailed as a victory for people who had seen their bills triple, quadruple or even increase 15-fold overnight, pocketbook pain for many has merely been delayed.

As many as 1.1 million policyholders with subsidized government insurance will still be hit with steady rate increases. While no one is sure yet how high rates will go, there is cause for worry in cities and towns that rely on affordable policies to keep businesses afloat and prop up the housing market.

Lurie and Michael Portanova live in Jersey Shore, which sits in a flat flood plain along the banks of the West Branch of the Susquehanna River. They bought up a row of 19th-century brick shops on the town's main street and have been restoring them.

They found out a few months ago that the annual flood insurance premium on two buildings they bought in 2012 had soared from less than \$3,000 to a minimum of \$26,868 for a high-deductible policy, or up to \$33,000 if they kept their original coverage. The congressional rollback will reset their rate to where it was before, but it will start climbing again.

Within a decade, it will be more than \$26,000.

The Portanovas and people like them are at the mercy of forces — political and natural — much greater than themselves.

For years, they've relied on insurance that was far cheaper than the risks warranted, and the federal government paid the difference. When Congress tried to stem the red ink by raising rates to reflect the real costs, people in the flood plains screamed — and the politicians listened.

But many property owners say even the adjusted premiums will soon be beyond their means, and the question remains: Will the government continue to subsidize insurance in places that are increasingly untenable as sea levels rise and storms become more severe?

The Associated Press analyzed records from the Federal Emergency Management Agency for roughly 18,500 communities where the government offers subsidized rates.

Data from the National Flood Insurance Program show that there are communities in every state where even a few years of price increases could leave affected owners unable to afford their properties. Hundreds of river towns and coastal communities with significant numbers of homes and businesses in flood hazard zones are at risk.

FEMA's records also show why there is pressure to raise premiums. Some communities with large proportions of subsidized properties have been tremendously costly for the flood program. But there are just as many places where those policy discounts have cost taxpayers almost nothing — yet.

Last year, the rates rose dramatically for a number of people as a result of the 2012 overhaul of the National Flood Insurance Program. Facing a public outcry in an election year, Congress came to the rescue, rolling back parts of the 2012 law.

But at least 820,000 homeowners will still get hit with rate increases of up to 18 percent a year until the program is collecting enough revenue to cover a \$24 billion shortfall created by the long-running discounts and a series of catastrophic storms.

Owners of another quarter- million businesses or second homes will see their rates rise 25 percent a year, until their premiums reach rates that match what building elevation surveys indicate is the true risk of flooding.

There are indications that rising premiums have already had an effect. National enrollment in the insurance program dropped by nearly 80,000 in the 12-month period that ended Jan. 31, with the great majority of that decline coming after rates began going up on Oct. 1 under the 2012 law.

While the rate increases will unquestionably affect the largest numbers of people in subtropical coastal cities like New Orleans, Miami and St. Petersburg, Fla., they also have the potential to deliver crippling blows to river towns and port cities that have little in common with the beach communities that have earned the flood program so much scorn.

In Brunswick, Ga., a port city where nearly 1,200 policyholders are set to gradually lose their subsidized rates, the new rollback will offer temporary relief to people like Ray Bodrey, whose annual premiums had surged from less than \$700 to more than \$4,700.

But if FEMA opts for an average increase of 15 percent a year, his annual payments would top \$2,800 within a decade, and keep climbing — rates that he says will push the limit of what he can afford.

“It doesn't help me at all,” Bodrey said. “I saw this politician saying something on C-SPAN, out in Texas, and he said he was tired of Joe Blow subsidizing all these rich people on the coast. Well, not everybody who lives on the coast is a millionaire. I don't even make \$40,000 per year. I'm working class like everybody else.”

And yet, if rates don't climb, taxpayers will surely have to spend vast sums to bail out a struggling flood insurance program that makes it easier for people to keep on living in dangerous spots in an age of potentially stronger storms and rising seas.

“We've solved a very short-term problem and made it a long-term problem,” said Sen. Tom Coburn, R-Okla. “We didn't really do our work because we were in such a hurry to take the political pressure off of the increases in the flood insurance rates.”

Congress created the National Flood Insurance Program in the late 1960s, in part because private insurers had abandoned the market. Today, in most places, it is the only option for buying flood insurance.

Much of the program is aimed at ensuring that any new construction will stay dry in most floods. Almost everyone getting a mortgage on a property in a flood hazard zone is required to buy flood insurance.

But the original program also made policies available at discounted rates for homes and businesses built in those hazard areas before 1975, when there were few rules and few accurate flood maps. Those properties were the most at risk of catastrophic damage, but rates were kept low — subsidized by the U.S. Treasury — because owners would otherwise be priced out of their properties.

Today, those subsidized properties make up about 20 percent of the 5.5 million policies in the program, but they are an albatross, producing less in premiums than they are collectively paid in claims.

The problem became a monster after Hurricane Katrina, when the program had to borrow \$17 billion to cover payouts. After Superstorm Sandy, the program's debt topped \$24 billion.

Congress decided just months before Sandy struck that the subsidies had to go.

With broad bipartisan support, lawmakers abolished an old rule limiting rate increases to 10 percent per year, eliminated subsidies immediately for any property that changed ownership and erased old grandfathering rules that protected properties from price increases if updated flood maps put them in a new flood zone.

The recent rollback does offer rate relief where many say it is needed most. It restores those lost grandfathered protections, meaning that new flood maps won't trigger massive, immediate rate increases. A change of ownership also will no longer trigger an immediate jump to a risk-based rate.

The law does not, however, offer relief to the owners of vacation homes, businesses or buildings that have suffered repeat flooding. They will see mandatory annual increases of 25 percent until they switch to a rate based on an elevation survey.

Others will see rate hikes that are harder to predict.

How high will rates ultimately go?

A FEMA-funded study from 1999 estimated that 550,000 homes would see premiums top \$6,800 per year if the owners were required to pay a premium based on the true flooding risk.





THE ASSOCIATED PRESS

Steve Skoda's house near a creek in Lincoln is a second home, so rates will jump higher.



## Nebraska residents face federal flood insurance hikes

LINCOLN (AP) — Steve Skoda was surprised when he opened his yearly flood insurance bill and discovered that his Lincoln vacation home's premium had jumped by more than 20 percent.

Skoda, 57, has owned the home near Deadman's Run, a local creek, for nearly 25 years without seeing a price spike. But like thousands of Nebraskans, Skoda will end up paying more because of a 2012 law designed to ease pressure on the National Flood Insurance Program. "We can handle it, for the most part, but it's never fun to have higher bills than you anticipate," Skoda said.

Others may not be so lucky. Subsidized premiums throughout the country are on the rise, and nearly 5,800 policyholders in Nebraska will be affected.

In 2012, Congress passed a law requiring 1.1 million policyholders to start paying rates based on the true flood risk at their properties. The overhaul has been scaled back, but affected homeowners will still face premium increases as high as 18 percent a year, until the government collects what it needs to pay out claims. Owners of businesses and second homes face annual increases of 25 percent.

Skoda said his latest annual bill rose from roughly \$550 to \$680, followed by a note that said he'd have to pay more because it wasn't a primary residence. Skoda splits his time between Lincoln, where he has spent most of his life, and Texas, where he works.

Down the street, Robert Atkinson said rates also are expected to increase on the home he shares with his mother, Grace Walker, 82. Atkinson, 57, said he wasn't sure how much his rate would increase, but he doesn't view the trickling creek near his backyard as a serious threat. "I've lived in Lincoln all my life and I've never seen it flood. ... If it gets that high, the whole city had better head for higher ground."

Nebraska had 12,439 flood insurance policies in force as of Dec. 31, representing \$2.1 billion in coverage and \$10.4 million in premiums paid by insured property owners.

Lincoln leads the state with 1,041 property owners who will face insurance rate increases, followed by Omaha with 403.

Dropping the insurance is seldom an option, because banks require mortgage holders to have coverage. The rate increases have aggravated many homeowners who want to sell their homes, refinance mortgages or reinstate coverage.

“I think there's a lot of frustration,” said Ben Higgins, a senior engineer for Lincoln's public works department. “The average person isn't going to know this is coming. Some people are shell-shocked.”

## By the numbers

More than a million flood insurance policies across the nation face premium increases as the federal program tries to dig itself out of a \$24 billion hole.

About 5,800 policies in Nebraska face higher premiums, 44 percent of the state's total. Communities with the most policies facing increases:

	Policies affected	Nonresidential	Primary residences	Total
Lincoln	1041	312	729	1873
Omaha	403	137	266	1032
Fremont	276	105	171	1074
Sarpy County	187	73	114	573
Valley	172	50	122	429
Douglas County	151	56	95	351
Bellevue	48	12	36	225

*Source: The Associated Press*

# Park project gives Herman group hope for future

Posted: Monday, March 24, 2014 9:00 pm | Updated: 7:56 am, Tue Mar 25, 2014.

Teresa Hoffman Washington County Enterprise and Pilot Tribune | **0 comments**

To an outside observer, the latest addition to Herman Park may just be a building.

But to Sheila Gritit, it is a symbol of what makes the town great.

"It's been really exciting," Gritit said of the construction of the new building, which will house a concession stand and restrooms.

Construction of the new building began this winter, as weather permitted, and Gritit said, under the terms of a grant the village board received, it must be completed by June 1.

"I'm thinking it's going to happen real soon," Gritit told the Pilot-Tribune Thursday about the completion of the project.

**The Herman Village Board received a \$28,000 grant from the Papio-Missouri River Natural Resources District to assist with the project.** A fundraising effort spearheaded by the Hearts for Herman group generated more than \$20,000 in additional funds for the project.

The Hearts for Herman group was formed about a year ago, and this was the group's first fundraising effort.

But, it won't be their last, said Gritit, one of the group's members.

The group has other dreams for the park, she said, and the effort to raise money for the concession stand/restroom building shows the community can be supportive.

"It's amazing," she said. "It just warms my heart to see the community come together like this. People have volunteered and they are just so energetic and enthusiastic about it."

Gritit said the Hearts for Herman group is already making plans to raise money during this fall's Herman Days for phase two of park enhancements — building a covered area with picnic tables next to the concession stand/restrooms.

She said having a fundraising effort in conjunction with Herman Days makes sense.

"Why not try to raise funds for the park when Herman Days is in the park?" she said. "It's a perfect fit."

Gritit said the group and the village have already been looking for grant funding.

"We are waiting to hear on a grant," she said.

How that effort plays out will depend on where the group can go in the future, she said.

In addition to the covered area, Gritit said, the group hopes to one day be able to purchase new playground equipment.

Gritit and other members of the Hearts for Herman group first began their quest to enhance Herman Park as a way to honor their friend, Adean Compton, who first had the dream to do so. Compton died in 2012 after a battle with breast cancer.



Grimit said Compton was a real simple, life-loving person who wanted things to be better.

As the project progresses, Grimit said there are plans to honor Compton with a plaque and by planting a tree in her memory at the park.

The Hearts for Herman group, Grimit said, is hopeful Compton's vision will become a reality.

Grimit said the cooperation between the village, Hearts for Herman members and the support of those who donated money, volunteered for last summer's fundraising effort and volunteered to help with construction of the building has her hopeful for the future.

"I have a lot of faith in the community to come forward and help us make this park even more beautiful than it is," she said.

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## Floor fight promised on water funding

3-25-14

B Y JOE DUGGAN

WORLD-HERALD BUREAU

LINCOLN — A fight looms over a legislative plan to distribute new funding for Nebraska water projects.

The Legislature's Natural Resources Committee voted 8-0 Monday to advance a bill that would establish a system to award millions of tax dollars to conserve the state's water resources. Lawmakers have already approved \$21 million in this year's budget; ongoing appropriations of at least \$10 million will be sought in the future.

But State Sen. Steve Lathrop of Omaha promised to filibuster the bill when it comes up for first-round debate. He argued that the bill contains no regulations to protect the state's underground water supply from depletion by future irrigation.

Lathrop prioritized a bill that would have required water interests in all of the state's river basins to come up with plans that balanced water demand with supplies. After natural resources districts and agriculture groups opposed the bill at a public hearing, the committee voted not to advance it to the floor.

The committee chairman, Sen. Tom Carlson of Holdrege, proposed an amendment to Lathrop's bill to make water sustainability planning voluntary, not mandatory. Lathrop said he could not support such an amendment, and the committee took no action on the amended version.

Legislative Bill 1098, which the committee amended and advanced Monday, would establish a list of criteria that applicants would have to meet to obtain money from the water fund.

It would prioritize projects in categories including research, restoration of water supply and flood protection structures, groundwater recharge and compliance with interstate compacts. The goal would be to protect water supplies for human and livestock use as well as for irrigation, wildlife and recreation, and other uses.

The Natural Resources Commission would decide which projects got funding. The bill calls for the commission to be expanded from 16 to 27 members. The governor would appoint 14, and 13 would be elected.

The bill was based on recommendations of a water sustainability task force.

## Scottsbluff Star-Herald editorial: Sensible policy aim of water bill

*This editorial originally appeared in the Scottsbluff Star-Herald.*

Fortunately for residents of western Nebraska, the North Platte Natural Resources District and other NRDs in our part of the state have been among the leaders in adopting a stewardship role in preserving the quality of water and soil, which are essential to the region's economy.

Over many years, the North Platte NRD has worked to study and manage water quality, educating and assisting farmers and participating in conservation efforts involving other NRDs and even other states.

Although we live at the dry end of Nebraska, the North Platte NRD was among the first to limit and meter groundwater extraction and retire irrigated land in an effort to bring down demand for water. The NRD promotes understanding of the undeniable link between groundwater and surface water. It works to keep nitrogen and other agriculture-related contaminants out of rivers and aquifers. It promotes no-till practices that preserve soil moisture and contributes to efforts to remove thirsty invasive plant species.

If other NRDs behaved as responsibly, Nebraska would be on the way to establishing sustainability as a driving principle in water management. Unfortunately, that's not the case.

Recently, Omaha State Sen. Steve Lathrop urged fellow lawmakers to put more teeth in laws that seek to prevent the depletion of underground aquifers and river flows caused by irrigation practices. His most determined opposition has come from representatives of natural resources districts charged with preserving and regulating water in their rural districts.

There's nothing new about the notion of sustainability, and it shouldn't be controversial.

Nebraska has experienced extended drought in recent years. Many of its river systems have seen water extracted faster than nature can replace it, compounded by a free-for-all boom in pivot irrigation that disrupts the complex water cycle that sustains their flow.

University studies show that groundwater levels are falling. Legislative studies have identified millions of dollars in essential projects needed to ensure that Nebraska agriculture can continue to be the key driver of the state's economy for decades to come.

You'd think farmers would be the first to support that. Cropping is sustainability in action. If they didn't plant seeds, fertilize the soil and supplement natural precipitation every year, their industry wouldn't exist. In fact, some surface water irrigators, who draw their water from river systems, testified in support of LB 1074.

Yet some of those who draw their water from underground seem to regard it as a resource to be mined rather than farmed. The prospect of restricting or shutting off center-pivot systems — which irrigate about nine times more acres than surface-water systems such as those in the North Platte Valley — causes them fits over the prospect of reduced profits.

Representatives of several NRDs, many of whom are producers themselves or have business links to agriculture, called the measure unnecessary, a threat to local control and, of course, called for more study, which is often just another word for delay.

"We like the current law just like it is," said John Turnbull, general manager of the Upper Big Blue NRD, headquartered in York. Representatives of the Nebraska Farm Bureau and Nebraska Corn Growers also opposed the bill.

Lathrop reminded fellow lawmakers that in many areas controlled by NRDs, Nebraska is depleting its water resources. It's up to the Legislature, he said, to do more to prevent the state from becoming like Texas, where some aquifers have been sucked dry.

An amendment he proposes to LB 1074 would require natural resources districts to work with each other and water users to develop basin-wide plans, similar to those already adopted here, to sustain water resources in every river system in the state. Currently, an NRD manages water use only within its own district, which represents only a portion of an entire river basin. If the NRDs fail to devise a basin-wide policy, the state would step in, but only after 30 years.

Water use in some areas is already at levels that aren't sustainable. Unless depletion is brought into line with the restoration of river systems and aquifers through the natural precipitation cycle, which relies on mountain snowpack and yearly rains, creeks will continue to dry up and wellhead levels will continue to drop. Given time, nature will enforce conservation measures that are far more harsh and costly than anything politicians could ever find the courage to devise.

What happens then? Let's hope Nebraska lawmakers have the good sense to never let it go that far.

## Midlands Voices: Keep water issues under local control

By Linda L. Luebke

*The writer, of Beaver Crossing, Neb., is a board member of the Upper Big Blue Natural Resources District.*

In Nebraska, we take pride in governing ourselves differently. We have a nonpartisan, one-house Legislature. We have public power systems supplying electricity efficiently at a cost that's beneficial to everyone.

And we have placed the state's most valuable resource, our water, in the hands of local natural resources districts (NRDs) to be controlled by the residents of each watershed in the state. These boundaries don't follow the lines of counties, legislative districts or political parties. They follow the watershed boundaries created by nature.

Other states, like California, have allowed powerful special-interest groups to gain control of important water supplies, which has led to unfortunate examples of corruption and abuse when one group — without accountability to the citizens — diverts that water to further their own economic interests.

In Nebraska, we believe that good government means keeping those who govern close to the issues they are allowed to decide. That requires having issues decided at the most local level possible by members of those communities. The NRDs have a four-decade history of dealing with the difficult issues of protecting, conserving and managing the competing claims for water usage. This system is now under attack as never before.

Sen. Steve Lathrop has introduced Legislative Bill 1074 as his priority bill, summarized vaguely as a bill "to change provisions relating to over-appropriation designations" and "to harmonize provisions."

That doesn't tell us much, does it? A better summary would be this — a bill relating to the transfer of all authority for determining water rights in Nebraska. If passed, the bill and its amendment would have disastrous effects both on this state's agriculture and on the tax base of many local governmental bodies.

Two parallel systems of water rights have evolved over the years — surface-water rights and groundwater rights. As with many systems of rights and ownership, the historical fact is that the two sets of rights are sometimes contradictory, and often, more rights for water usage were granted than nature's limited abundance is able to meet. NRDs have worked hard to balance and manage fairly the contradictions and trade-offs between the two systems of water rights.

The language in the bill and its amendment clearly intends to make all groundwater rights less important than surface-water rights. The bill itself is not very transparent, as you might expect of any legislative attempt to create a great transfer of power over our state's most valuable resource.

The bill calls for creating an integrated management plan for every river basin and leaves the NRDs to make certain that all but the groundwater users have their full claims on water met. The bill specifically mentions bringing together for "consultation and collaboration" all "irrigation districts, reclamation districts, public power and irrigation districts, mutual irrigation companies, canal companies, and municipalities" to create agreements to share the water.

These are all descriptions of mainly surface-water users. The thousands of current holders of groundwater rights are written out of the picture. This is not how we should "harmonize provisions" for water usage. We have to ask ourselves: Is this omission of all the groundwater irrigators just accidental, or is it really the main purpose for this bill?

So the bill would set up a way of saying that when any users of surface water can't fulfill their entire claim to water, it is the groundwater users who must lose. But when irrigated ground becomes dryland, that ground loses about half its value.

Rather than making one type of water user become the sure loser among competing claims, NRDs have the knowledge and expertise to work with those competing claims through conservation, technology, monitoring and incentives to find acceptable ways of managing that limited supply for everyone's benefit. A distant state agency does not.

Here is the bottom line. Do you trust a moderate number of local NRDs to handle the competing claims of water usage within their own watersheds and be answerable to their neighbors and communities for the decisions they make? Or do you trust a single state agency, in this case the Department of Natural Resources, having to act under the usual pressure of a governor pushing his own political agenda and under the demands of those who put him in office? Are you comfortable with moving the control of Nebraska's valuable water to one big state agency where it is vulnerable to intensive lobbying by well-funded special-interest groups eyeing the potentially high payoff of a huge shift in statewide water ownership?

Clearly, local control has been the Nebraska choice for decision-making and has proven its worth. Other states have dealt with water differently and sometimes with terrible results. Our reaction to this bill, like water itself, will touch everything we do in the future.

# Judge denies NRD's motion

Posted: Thursday, March 27, 2014 4:46 pm

**Judge denies NRD's motion** Teresa Hoffman Washington County Enterprise and Pilot Tribune | **0 comments**

A Washington County District Court judge has ruled against the Papio-Missouri River Natural Resources District motion to dismiss in a case involving the merging of two rural water districts.

In an order issued March 24, District Court Judge John Samson said the City of Fort Calhoun and Mayor Mitch Robinson do have standing to bring the lawsuit against the NRD, therefore denying the NRD's motion to dismiss.

The Petition in Error, filed on behalf of the city and Robinson alleges a violation of state law and the Nebraska Open Meetings Act in the NRD's action to expand the boundaries of Washington County rural water districts 1 and 2.

This week's ruling is the latest against the NRD in this issue.

Last year, Samson ruled against two other motions to dismiss filed on behalf of the NRD.

Those motions involved a Petition in Error filed by the city and Robinson, which seeks an appeal of the NRD's decision to merge Washington County rural water districts 1 and 2 and the complaint asks for an injunction to stop the merger, based on what the city and Robinson allege is a breach of contract.

No trial date has been set for these cases.

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## Free electronic waste collection in Walthill on Thursday, April 10

The Papio-Missouri River Natural Resources District (PM-RNRD) is organizing a free electronic waste collection on Thursday, April 10, from 3-6 p.m. at the Walthill USDA Service Center.

The collection will accept computers, monitors, printers, office equipment, televisions, DVD and VHS players, audio equipment, video equipment, microwaves, radios and small electronic devices at no charge. All computer hard drives received during the event will be shredded by Secure Recyclers, the contractor for this collection.

"It is difficult to properly dispose of electronic waste because we don't have recycling centers which accept e-waste in our area," said Teresa Murphy, PM-RNRD Program Assistant. "Some e-waste components contain mercury, arsenic, lead and cad-

mium, so proper handling and disposal are important to avoid toxic contamination, which can result in health problems and environmental issues. The PM-RNRD e-waste collection is a convenient, free event for individuals and businesses who want to responsibly dispose/recycle e-waste."

The collection will take place at the USDA Service Center, 106 S. Costello in Walthill. The PM-RNRD is also organizing e-waste collections in Dakota, Burt and Washington counties during the same week. Individuals and businesses unable to bring e-waste to the Thurston county site are encouraged to participate in one of the other collections.

Funding for this free collection is being provided by the Papio-Missouri River NRD. Contact Teresa Murphy at 402-846-5655, ext. 101, for more information.

Omaha W-H 3-29-14

Editorial

## FLOOD STUDY'S FINDINGS

### **Record rains fed rare event**

Blame record rains. Blame runoff from already saturated ground. Blame more than a century of precipitation records for the Missouri River basin.

But it's time to move on from the idea that someone could have prevented the Missouri River flooding of 2011, including the oft-criticized Army Corps of Engineers.

That's the key finding from a new study of the flood by the nation's top weather experts at the National Oceanic and Atmospheric Administration.

The flood claimed lives and damaged some \$2 billion in property across a wide swath of the Midlands. Floodwaters encroached on farm fields, homes and a nuclear power plant, regrettably leaving many homeless and jobless in its wake. If not for the valiant efforts of sandbag-filling volunteers, levee-building farmers, the National Guard and others, losses would have been even worse.

But the NOAA experts concluded that nothing in weather patterns could have helped the corps predict 2011's record spring rainfall early enough to avoid releasing the amount of water it did from the reservoir system it manages. Enough rain fell to fill the system's reservoirs even if they had been empty.

Jody Farhat, the corps official who manages water releases from the dams, was relieved that the corps missed no sign of what was coming. But her hope was for some clues that might help give the corps more time to react in the future.

Alas, the study found no pattern to help weather forecasters accurately predict a recurrence. It was the rare confluence of record rainfall on already wet land, exacerbated by a colder-than-normal winter that left the region with unusually high snowpack.

Climate change was not to blame, although the NOAA says more study is needed to determine what's behind wider swings in precipitation in the river basin. Nor was it the fault of La Niña, at least on its own. The study verified only the corps' long-questioned explanation.

That explanation could understandably ring hollow to those who lost homes and businesses to flooding. They and their representatives in Congress were right to ask questions of the corps. It is right and fair to look back at how prepared the corps was for record rainfall, how it reacted to that rainfall and how it released the water.

Farhat agreed with the study's authors that more research is needed. And the corps is awaiting a second report by the federal atmospheric agency on the potential for forecasting future extreme floods.

Traditionally, the corps has been charged with managing the Missouri according to eight priorities — from flood control to barge traffic to power generation to recreation and irrigation. How it balances those priorities affects every state on the river, but Congress has given the agency little guidance.

Certainly the corps deserves direction from Congress, which is the group best able to weigh competing interests, assess costs and benefits and reach a reasonable compromise and consensus. And both the corps and Congress should continue to discuss needed adjustments to management of the river and reservoirs.

But the NOAA study indicates that it's time to acknowledge some things are beyond our control and shift focus toward what cities and counties along the river can do to work with the corps to limit development in flood-prone areas and strengthen the levee system for the next unexpected event. It's time to look forward.



## **WELCOM recognizes 15 companies for excellence in workplace wellness**

(OMAHA, Neb., April 2, 2014)— The Wellness Council of the Midlands (WELCOM) today honored 15 of the midlands' healthiest companies for excellence in wellness promotion at the workplace during a luncheon at the CenturyLink Center in Omaha. The event featured a keynote address from Dr. Shane Lopez, a senior scientist for Gallup and research director for the Clifton Strengths Institute.

Dr. Lopez is considered one of the world's leading researchers on hope. His mission is to teach people that investing in their future pays off today. His keynote was entitled, "Health, Happiness and Hope."

The businesses received the Well Workplace Award for demonstrating outstanding efforts in addressing employee health at the workplace. Companies are able to achieve a Well Workplace Award at five levels: Platinum, Gold, Silver, Bronze, and Small Business.

"It's exciting to recognize forward-thinking organizations of all sizes on their achievements in creating a supportive environment and overall culture of health and well-being at the worksite," said Rebecca Vinton Dorn, executive director of WELCOM.

Dr. David Hunnicutt, CEO of the Wellness Council of America (WELCOA), received the "Spirit of Wellness Award," which honors a community leader and innovator for their passion and advocacy concerning the WELCOM mission.

The 2014 Well Workplace Award winners included:

### **Platinum:**

Gallup  
Physicians Mutual

### **Gold:**

Baird Holm LLP  
Central States Health and Life Co. of Omaha  
ConAgra Foods  
Immanuel  
Lincoln Financial Group  
National Rural Electric Cooperative Association (NRECA)  
Papio-Missouri River Natural Resources District  
Union Bank & Trust Company  
University of Nebraska at Omaha  
Warren Distribution, Inc. & Affiliates

**Silver:**

Nebraska Orthopaedic Hospital

**Small Business:**

Greater Omaha Chamber of Commerce

Region 6 Behavioral Healthcare

In addition to honoring this year's Well Workplace Award recipients, WELCOM collaborated with Nebraska Methodist College to offer the **Pathways to Wellbeing Symposium**, a full-day wellness conference in conjunction with the awards luncheon.

The **Pathways to Wellbeing Symposium** covered two tracks: a healthcare/community wellness track, and a workplace wellness track. Attendees had the opportunity to network and visit vendor exhibits showcasing resources to strengthen their workplace wellness efforts. Continuing education was provided for health care professionals.

For more information about the Wellness Council of the Midlands or how your organization can become the next "Well Workplace," please contact Vinton Dorn, at (402) 934-5795, [rebecca@welcomomaha.org](mailto:rebecca@welcomomaha.org).

The Wellness Council of the Midlands (WELCOM), which has 200 corporate members, is a 501 (c)3 non-profit organization and the first wellness council established in the United States. WELCOM educates companies on well workplace standards and recognizes them for achievement of excellence in health promotion at the worksite. Through trainings, workshops and roundtable discussions, WELCOM consults with companies to develop and improve their worksite wellness programs.

**Tom O'Connor**

PR volunteer for WELCOM

## With agreement to compromise, Nebraska lawmakers advance water funding proposal

By [Paul Hammel](#) / World-Herald Bureau

LINCOLN — State lawmakers on Wednesday put off until later a fight over a water funding bill.

State Sen. Steve Lathrop of Omaha had promised a filibuster against Legislative Bill 1098 unless it put more teeth into state laws that seek to sustain Nebraska's precious groundwater and surface water supplies.

But after a couple of hours of debate, he and the chief sponsor of the bill, Holdrege Sen. Tom Carlson, agreed to work on a compromise before the measure comes up again for debate.

The deal allowed LB 1098 to advance from first-round discussion on a 34-0 vote.

Lathrop's promised filibuster, and the prospect that it could hold up millions in new funding for water sustainability projects, caused an uproar among the state's natural resources districts, which manage groundwater usage in the state.

LB 1098 sets up a mechanism to award the new funds — about \$32 million over the next two years — for projects that will retain water during wet years so it can be released during dry years to sustain stream flows and recharge aquifers.

Lathrop has said it doesn't make sense to allocate the money unless state law is changed to require the three NRDs in the Republican River valley to develop a water sustainability plan for the entire basin, and not just their three separate districts.

Groundwater levels in at least one area of the valley have dropped 80 feet, the senator said, which illustrates that irrigators are depleting the resource and current water plans are not working.

Lincoln Sen. Bill Avery said the state's current network of 24 local NRDs aren't sufficiently protecting water resources, and changes are needed.

Carlson, and another senator from southwest Nebraska, Ken Schilz of Ogallala, disputed that and said “local control” by the NRDs is working.

Schilz said that while groundwater levels have declined in the region, overall, aquifers have been depleted by only 1 percent.

“Across the vast majority of Nebraska, we are not running out of water,” he said.

LB 1098 also would provide some benefits to the Omaha area. It would allow up to \$1.1 million a year to go to Omaha to lower the costs of the city's federally mandated sewer separation project. It would also allow some funding to be used to upgrade a levee that protects Offutt Air Force Base from Missouri River flooding.

## \$11M annually for water projects gets 2nd-round approval in

Nebraska Legislature *By Joe Duggan / World-Herald Bureau*

LINCOLN — Nebraska lawmakers reached a compromise Tuesday on a bill that makes major investments in rural and metro water projects.

Working out differences that threatened to derail months of work by a statewide task force, the Legislature gave second-round approval to a bill that would distribute \$11 million annually for water sustainability. The bill more than triples the amount the state currently spends on water projects.

“This is landmark legislation,” said State Sen. Tom Carlson of Holdrege, the main sponsor of the measure.

Legislative Bill 1098 establishes a scoring system that awards grants to protect drinking water and conserve water supplies for livestock consumption, irrigation, industrial uses, wildlife habitat and recreation. It would likely help fund water research as well as reservoirs, flood control projects and water delivery projects.

Although the fund seeks to sustain agriculture, the state's largest industry, it also would benefit two major projects in Omaha.

The bill earmarks about \$1 million annually for the multi-billion upgrade of the sewer system in Omaha, a provision sought by Omaha Sen. Heath Mello. And Sen. Jim Smith of Papillion included partial funding for rehabilitation of the flood-control levee that protects Offutt Air Force Base.

Omaha Sen. Beau McCoy, however, expressed reservations about including money for the Omaha sewer project. He questioned why statewide taxpayers should help bear the cost of a project a succession of Omaha mayors failed to address.

McCoy, a Republican candidate for governor, said he shared the same objections about the sewer project raised by Gov. Dave Heineman.

Mello countered by saying the Omaha sewer project is the largest water quality and public works project in Nebraska, and therefore qualifies as a project of statewide significance.

The bill also included concessions sought by Sen. Steve Lathrop of Omaha, who wanted to tie funding to more stringent regulation of groundwater pumping by irrigators. The compromise legislation requires basin-wide water use planning by the three Natural Resources Districts along the Republican River.

Lathrop said the intent is to move the state toward balancing water use with water supply, so Nebraska does not experience the severe groundwater depletions seen in other Great Plains states.

Dean Edson, director of the Nebraska Association of Resources Districts, said NRD managers across the state can live with the compromise version of the bill as a starting point.

The bill also creates an expanded Natural Resources Commission to review applications and dole out funds. The commission would include 27 members — about half elected, the rest appointed by the governor — representing all water interests in the state.