

MEMORANDUM

TO THE BOARD:

SUBJECT: General Manager Report

DATE: December 2, 2009

FROM: John Winkler, General Manager

- A. **INFORMATION/EDUCATION REPORT:** A copy of the I&E Report detailing Information and Education activities for the month of November, 2009, is attached for your review.
- B. **MISCELLANEOUS/PERSONNEL ITEMS:**
1. **P-MRNRD United Way Campaign:** A total of \$4,872.60 was raised by District employees in the P-MRNRD 2009 United Way of the Midlands Campaign. I have attached a memo from **Marty Nissen**, P-MRNRD United Way Campaign Coordinator, thanking District employees for their continued support of the United Way. I would also like to thank **Marty** for his efforts.
- C. **REPORT ON PURCHASES – CONSTRUCTION SERVICES, PROFESSIONAL SERVICES, PERSONAL PROPERTY:** Pursuant to Board direction, attached is a report indicating construction services, professional services and personal property purchases for the month of November, 2009. 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 November 16, 2009. 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 November, 2009 Papillion Creek Watershed Partnership Monthly Update is attached for your review. The next Partnership meeting will be held on December 17, 2009, at 10:00 a.m. at the NRC
- F. **NEWS CLIPS:**
- ✓ November 9, 2009, Omaha World Herald articles – Farmland released from CRP – Millions of acres of farmland taken out of conservation program.
 - ✓ November 11, 2009, Lincoln Journal Star article – Conservation acres at risk, may return to crop land
 - ✓ November 12, 2009, Ralston Recorder article – Lakeview site gets OK from NRD
 - ✓ November 13, 2009, Omaha World Herald article – Man pulled from pond
 - ✓ November 17, 2009, Omaha World Herald article – Tree takes a final bow (Janne Simonsen was a groundskeeper at Chalco Hills from 1988 to his retirement in 2000.)

- ✓ November 17, 2009, Omaha World Herald editorial – Some energy sources are more thirsty than others
- ✓ November 23, 2009, Omaha World Herald article – Bleak fiscal future renews idea of agency mergers. Nebraska's recent restructuring efforts have not always resulted in savings.
- ✓ November 25, 2009, Kearney HUB article – State budget cuts include natural resources project funding
- ✓ November 29, 2009, Lincoln Journal Star article - Republican River fight: The next round
- ✓ December 2, 2009, Omaha World Herald article – Bib Papio Creek trail to close weekdays for repairs. Soil erosion along the creek bank has raised safety concerns.

/pt/Winkler/GM Reports/2009/December

November 2009
Information and Education Report

Information

- Continued work on NRD Facebook page development
- Attended Public Relations Society Conference
- Set up booth at Western Douglas County Chamber function
- Continued work on Fact sheet template
- Continued airing Waterways PSAs
- Continued work on Rec Area signs
- Made web site updates
- Continued work on Winter Spectrum

Education:

- All employees meeting
- Send out invitations for MORE Nature Task Force meeting—both e-mail and via facebook page
- GPS program with Sandoz Elementary – 11 students
- Owl Pellet program with Sandoz Nature Club—35 students
- GPS Program with Millard West Students—20 students
- Outdoor classroom meetings
 - Montessori Early Childhood Center – LaVonne Plambeck
 - King Science Center – Kim Garcia
 - Oak Valley Elementary – Denise Niemann
 - Ponca Elementary – Kim Lidgett
 - Gretna High School – Deb Childs
 - St. Mary's Bellevue – Cindy Menzel
 - Omaha South—Betsy Lomax
 - Lothrop Magnet—Pam Galus
 - NARED's Pee Wee Palace—Sylvester Washington
- WILD/WET/PLT/LEP 2 day curriculum workshop – 24 educators
- Castelar Elementary Enviroscope programs – 96 3rd graders
- MORE Nature task force meeting hosted at the NRD
- Trumble Park Enviroscope programs – 64 4th graders
- MORE Nature booth at Building the Future conference
- Millard South water quality program, park clean up, and Wildlife program (3-1.5hr programs)
- Attended National Association for Interpretation conference
- Omaha Children's Museum garden bug program – 27 children
- Safety Committee meeting
- Formatted template for a Projects info sheet
- Planned and organized curriculum workshops
- Updated outdoor classroom files
- Continued to contact/coordinate outdoor classroom meetings
- Chaired MORE Nature Steering committee meetings
- Promoted MORE Nature on KCRO Radio program—aired November 9

- Met with Millard Public Schools Administration—Ed Rockwell, Ken Fossen, Kim Thompson on Sandoz Outdoor Classroom, and work at other MPS
- Participated in Envirothon Steering Committee Conference Call
- Updated NRD service plaques and printed employee service awards
- Met with Kristyl Stoner at NGPC regarding LEP coordination

Teer, Pat

From: Nissen, Marty
Sent: Monday, November 16, 2009 9:53 AM
To: Everyone @ NRD
Subject: United Way
Attachments: UW_graph_2009.pdf



Memorandum

To: PAPIO-MR NRD Staff
From: Marty Nissen – NRD/ United Way Campaign Manager
Date: November 16th, 2009
Re: United Way of the Midlands Campaign for NRD

The 2009 United Way Campaign for the NRD was once again successful. Our donations go directly to the United Way of the Midlands, and it's 55 health and human services agencies.

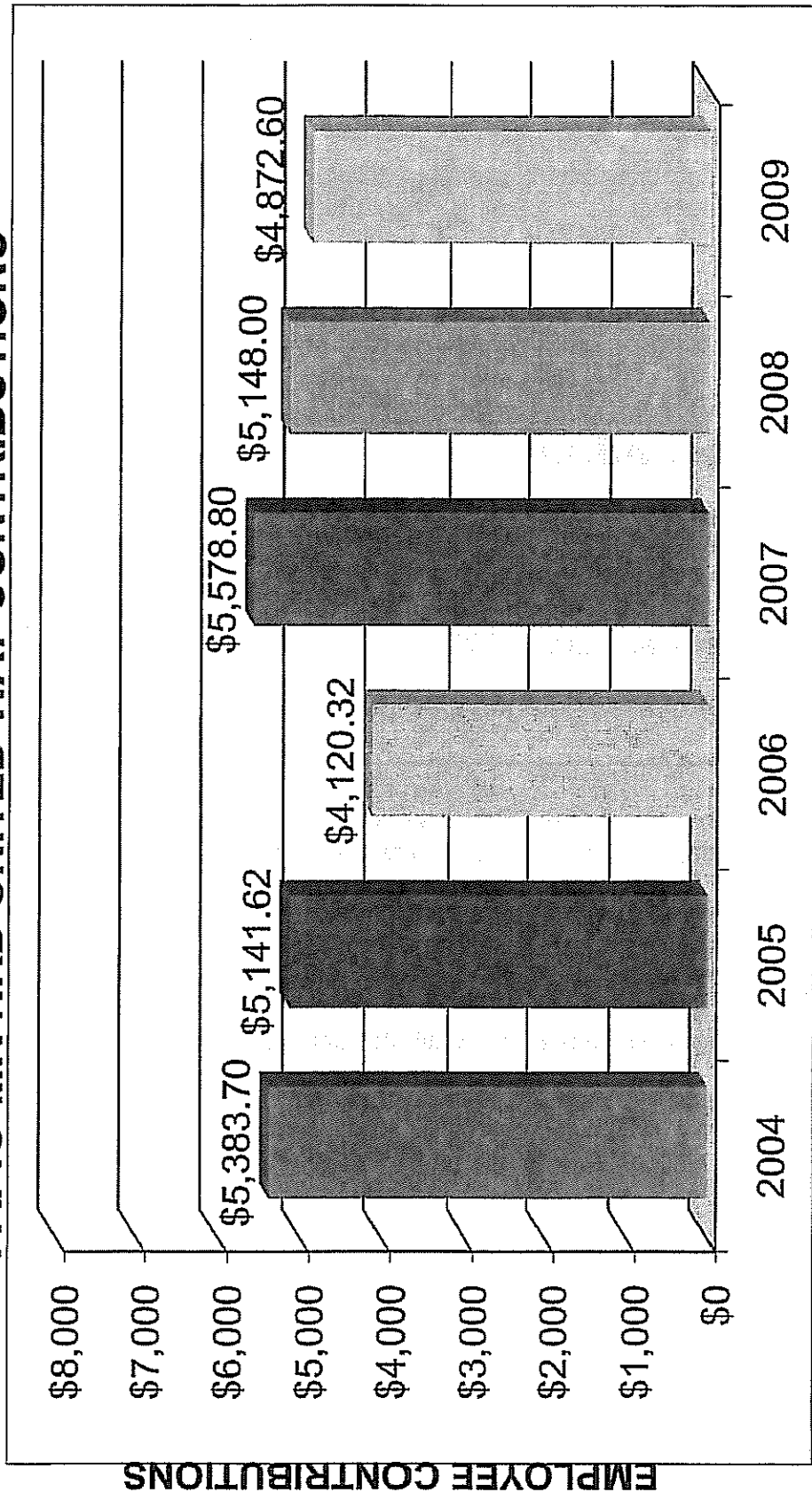
Many thanks go to the generous contributions from the NRD staff . This year a total of **\$4,872.60** was raised. This is a 5% decrease from last year's campaign. I attached a chart reflecting the history of NRD contributions to this memo. This year's winner for the free day of annual leave was **Denny Piper**.

Thanks again for your continued support and to all who participated in this years campaign!

Sincerely,
Marty Nissen
Campaign Manager

mnissen@papiornrd.org
(402) 315-1714
<http://www.uwmidlands.org>
<http://www.papiornrd.org>

PAPIO-MR NRD UNITED WAY CONTRIBUTIONS



EMPLOYEE CONTRIBUTIONS

YEAR

Report On Purchases Construction Services, Professional Services, Personal Property

November, 2009

Date	Project Name	Item / Task	Company	Cost
11/9/09	Western Sarpy Drainage Ditch	Erosion control design, permitting and monitoring	Lamp, Rynearson and Assoc.	\$6,100.00
11/17/09	Western Sarpy Drainage Ditch	Grind, removed trees and hauled away chips	Terry Hughes Tree Service	\$8,400.00
11/2-27/09	Project Maintenance	Crusher run and screened rock	Martin Marietta	\$8,282.00

Updated: November 16, 2009

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)
- **Big Papio:** (Cleveland)
- **West Branch:** (Cleveland)
 - Land Exchange with Sarpy Co. (96th St.) (W)
 - ★ Interlocal Agreement w/Papillion, Sarpy County, etc on W. Papio levee/bridge Improvements (P)
- **Western Sarpy Dike:** (Cleveland)
 - ★ Right of Way Certification (temp easement) for Corps (N)
- **Floodway Purchase Program:** (Grint)
 - ★ Review Floodway Purchase title work & prepare PAs for King Lake properties (W)
 - Floodway Property purchase agreements as needed (F)
 - Prepare Amendment #2 to Waterloo Levee Design Interlocal Agreement (N)
- **Trail Projects:** (Bowen)
 - Western Douglas County Trail – purchase agreements, deeds, easements, etc. (F)
- **Missouri River Corridor Project:** (Becic)
 - Agreement for Omaha to maintain Missouri River Trail at N.P. Dodge North (P)

- **USDA PL 566 Projects, Silver Creek and Pigeon/Jones Watershed:** (Puls/Cleveland)
 - Pigeon/Jones Creek Site Easements – as needed (F)
 - ☒ Pappio W-3 Eminent Domain (Camden) (W)
 - ☒ W-3 Right of Way Certification for NRCS (N)

- **Pappio Watershed Dam Sites:** (Grint/Petermann)
 - Interlocal Agreement with City of Omaha for DS 15 A (F)
 - ☒ Review HDR professional services contract for DS 15A (W)
 - ☒ Purchase Agreements and closing documents for WP5 (W)
 - ☒ Interlocal Agreement w/City of Omaha for ZB#1 (W)
 - ☒ WP-5 Tracts 1 and 11 eminent domain (N)

- **Pappio Creek Watershed Partnership (Stormwater):** (Grint)

- **Rural Water Projects:** (Sklenar)

- **Elkhorn River Public Access Sites:** (Sklenar)

- **Other:**
 - Kennard Wastewater Closing (Grint) (F)
 - Radio system service agreement (Cleveland) (W)
 - ☒ Review agreement with UNO on Davis Prairie Data Shack Project (Henkel) (W)
 - ☒ Review of Missouri River Levees Tetra Tech professional services contract (Henkel) (W)

MONTHLY UPDATE

November 2009



A Subcommittee meeting was held on November 13th and a Partnership meeting was held on November 19th. Meeting minutes and other materials are updated regularly on the Partnership's website: www.papiopartnership.org.

Post Construction Stormwater Management Ordinance

As part of the new interlocal agreement, each community needs to adopt updated ordinances to reflect the changes in the PCWP policies. Specifically, each community needed to update their ordinance to reflect the policy of requiring a no net increase in peak runoff from a 2-year storm event for new development. Omaha has finalized their new ordinance. Papillion expects their ordinance to be adopted in late December or early January. Gretna has their ordinance on the city council agenda for December 15. Follow up with other communities will be done before the next PCWP meeting.

Nebraska Department of Roads

At the October meeting, NDOR was present and shared that they have been designated as an MS4 and are required to have an NPDES permit. They also to execute a Memorandum of Understanding with other MS4 communities where the jurisdictions overlap. This MOU will clarify who is responsible for the monitoring and reporting of the facilities. Several PCWP members have questions after review of the draft MOU. NDOR representatives will be at the December meeting to answer questions regarding the MOU.

Floodplain Ordinances

FEMA has issued the Letter of Final Determination for the new West Papillion Creek flood maps. The effective date of the maps will be May 4, 2010. Each community must adopt an ordinance to incorporate the new maps before the May 4th date. The goal is to have all communities adopt the new floodplain ordinance by March 1, 2010 to ensure that there will be no issues once the maps are finalized. There has been much discussion on the PCWP policy regarding the limitation of fill in the floodway fringe and how the restriction can be enforced. It has been decided that the restricted area

will not be call a floodway overlay zone, as this is a FEMA regulatory term and the restricted zone is a local policy. A restricted fill zone will be developed and it will be up to each community's planning department to enforce the restriction. Another part of the updated ordinance will only allow for a crawl space no more than 4 feet in height below the base flood elevation. This will eliminate full walk-out basements being constructed below the BFE

Runoff Control Plans

The City of Omaha has developed runoff control plans for their municipal facilities. These are facilities that are not required to have a Stormwater Pollution Prevention Plan under NPDES regulations, but still have the potential to release pollutants in the event of a stormwater discharge from the site. Omaha will share the template developed for their facilities with the other communities in order to address that item in the Stormwater Management Plan approved in the NPDES permit. We will also look in to conducting training sessions at a shared location for employees of these facilities during the winter months.

Post Construction Stormwater Management Guidance Document

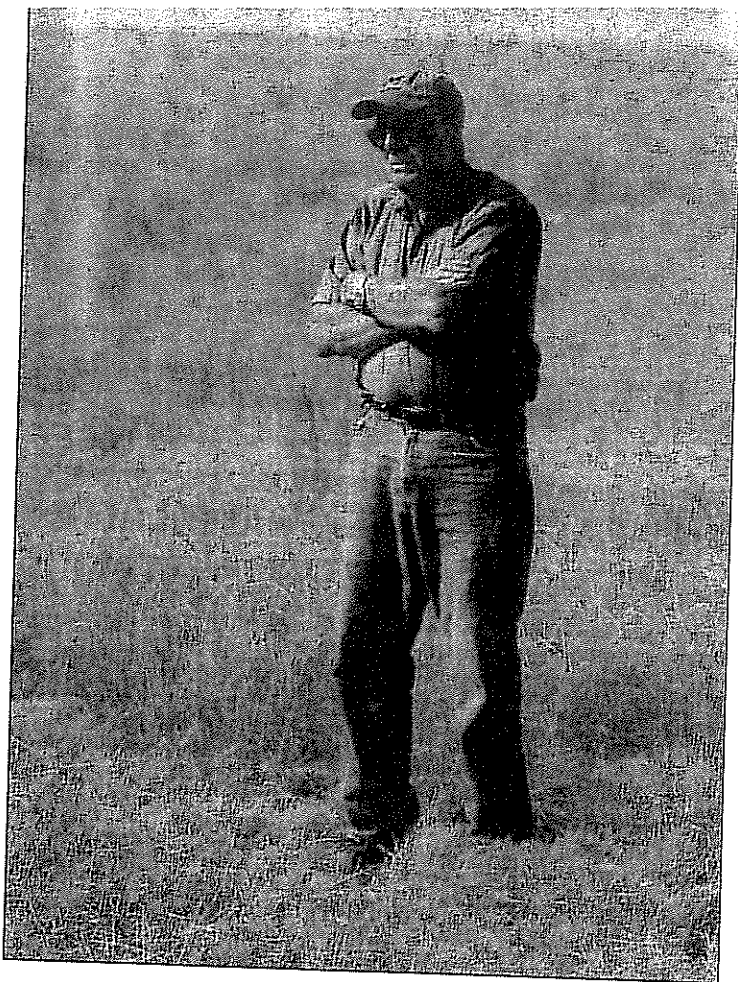
The PCWP is going to update the City of Omaha guidance document to include all of the communities in the partnership. Having one central document for the area will ensure that the regulations are being applied consistently throughout the watershed. In the coming months, the NRD will work with each community to develop the process for the submission and review of the PCSMPs as they are submitted for each project.

Upcoming Events

Mark your calendars for the annual Sediment and Erosion Control Seminar. The event will be held on February 3rd from 8am to noon at the Holiday Inn Central on 72nd & Grover.

Next Meeting: The next full Partnership meeting is scheduled for December 17th at 10:00 AM at the NRD office.





THE ASSOCIATED PRESS

Retired farmer Joe Govert checks out a family parcel of land near Tribune, Kan. Govert, 85, put all his land — about 750 acres — in the CRP in 1987 and got rid of his farm equipment. His contracts expired last month and for the most part cannot be extended.

Farmland released from the CRP

THE ASSOCIATED PRESS

States where the most land is being released from the federal Conservation Reserve Program:

- Texas, 3.85 million acres active; 644,025 acres expire in 2009; 698,313 acres expire in 2010; 683,991 acres expire in 2011
- Montana, 3.2 million acres active; 245,925 acres expire in 2009; 410,487 acres expire in 2010; 497,236 acres expire in 2011
- Kansas, 3.1 million acres active; 339,527 acres expire in 2009; 617,687 acres expire in 2010; 532,555 acres expire in 2011
- North Dakota, 2.86 million acres active; 212,294 acres expire in 2009; 261,409 acres expire in 2010; 388,974 acres expire in 2011
- Colorado, 2.41 million acres active; 434,060 acres expire in 2009; 464,062 acres expire in 2010; 346,132 acres expire in 2011
- Iowa, 1.69 million acres active; 191,813 acres expire in 2009; 171,954 acres expire in 2010; 72,249 acres expire in 2011
- Minnesota, 1.67 million acres active; 166,519 acres expire in 2009; 80,259 acres expire in 2010; 128,018 acres expire in 2011
- Washington, 1.51 million acres active; 124,602 acres expire in 2009; 209,072 acres expire in 2010; 89,167 acres expire in 2011
- Missouri, 1.4 million acres active;

45,398 acres expire in 2009; 152,701 acres expire in 2010; 197,535 acres expire in 2011

— South Dakota, 1.2 million acres active; 202,152 acres expire in 2009; 151,761 acres expire in 2010; 125,612 acres expire in 2011

— Nebraska, 1.18 million acres active; 134,338 acres expire in 2009; 187,552 acres expire in 2010; 151,482 acres expire in 2011

— Illinois, 1 million acres active; 60,704 acres expire in 2009; 78,793 acres expire in 2010; 68,705 acres expire in 2011

— Oklahoma, 960,839 acres active; 110,435 acres expire in 2009; 210,884 acres expire in 2010; 191,787 acres expire in 2011

— United States, 33.65 million acres active; 3.41 million acres expire in 2009; 4.75 million acres expire in 2010; 4.42 million acres expire in 2011

Source: Farm Service Agency's monthly CRP acreage report prepared on Sept. 25. Statistics do not reflect recent contract re-enrollment or extension offers.



Millions of acres of farmland taken out of conservation program

TRIBUNE, Kan. (AP) — Surveying grasslands that disappear into the western Kansas horizon, retired farmer Joe Govert pointed out parcels no longer enrolled in a federal program that pays property owners not to farm environmentally sensitive land.

The arid, wind-swept ground stripped of topsoil by Dust Bowl storms has laid undisturbed beneath a protective cover of native grasses that took two decades to re-establish under the Conservation Reserve Program. But millions of those acres are being plowed again after the 2008 farm law capped the program at 32 million acres.

More than 3.4 million acres nationwide were taken out of the program in September when the owners' contracts expired. Most of them were in Texas, Colorado and Kansas, but hundreds of thousands of acres also came out in Montana and the Dakotas.

The environmental and economic repercussions could extend beyond the nation's midsection with a greater risk of new dust storms, soil erosion and water pollution. Farmers also worry more grain will mean even lower commodity crop prices.

CRP pays landowners not to farm easily eroded land, while splitting with them the cost of establishing vegetative cover. The goal is to reduce soil erosion and sedimentation in streams and lakes, improve water quality and establish wildlife habitat.

The program has created millions of acres of habitat for quail, pheasant, prairie chickens and other wildlife and established filter strips and forested buffers to protect streams, lakes and rivers from agricultural runoff.

In return, farmers receive annual rental payments on 10-, 15- and 20-year contracts. With payments averaging \$51 per acre per year, the program cost about \$2 billion in fiscal year 2008.

Govert, 85, put all his land — about 750 acres — in the program in 1987 and got rid of his farm equipment. His contracts expired last month and for the

most part cannot be extended.

With the government checks ending and property taxes and other bills to pay, Govert said he has little choice but to break up the ground to farm again — or sell it to someone who will.

"This stuff has roots," he said as he looked glumly across a field in Greeley County near the Colorado state line. "It is well established. This is what hurts. It took years to get it established."

But much of the land can be farmed again without harming the environment, said Adrian Polansky, director of the Farm Service Agency overseeing CRP in Kansas. Modern agricultural practices, such as no-till farming, curb soil erosion. CRP also gives a higher priority for re-enrolling the most environmentally sensitive acres.

Polansky also noted the program was more about the economy than the environment when Congress authorized it amid the farm crisis in 1985.

"We had producers, landowners, banks, suppliers that were in dire financial straits," said Polansky. "So in those early years ... it was in a sense an economic rescue-type program to stabilize land prices."

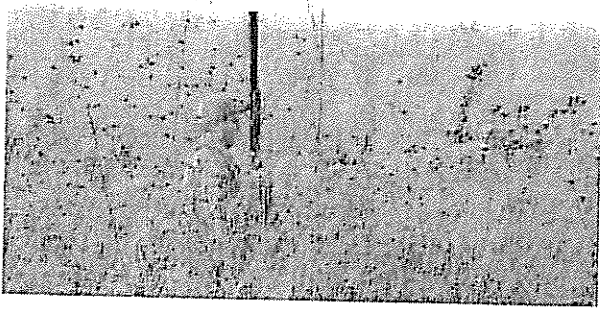
Still, CRP was criticized early on for hastening the decline of rural towns. With fewer farmers tilling the ground, farm equipment dealerships closed and grain elevators consolidated. Many farmers moved away, and government payments often went to absent landowners.

By the time lawmakers scaled down the program in the latest farm bill, CRP protected 39.2 million acres with contracts expiring between now and 2012.

Bringing the land back into production could stimulate rural economies, with more sales of fertilizer, seed and other supplies; more business for grain elevators; and lower costs for corn, grain sorghum and other feedstocks used by ethanol plants and livestock feedlots. Lower commodity prices also might help reduce food prices for consumers.

Conservation acres at risk, may return to crop land

By ART HOVEY / Lincoln Journal Star | Posted: Wednesday, November 11, 2009 3:00 am |



In its 23-year history, the Conservation Reserve Program has protected fragile Nebraska acres from erosion, provided wildlife habitat and produced a steady source of income to landowners.

Now one of the most popular federal conservation programs in the nation's agricultural history is adrift.

Contracts on more than 40 percent of the state's 1.18 million CRP acres are scheduled to expire over a three-year period that began last year.

So far, there's no show of urgency in the U.S. Department of Agriculture to allow typical holders of 10-year agreements to re-enroll and to keep big portions of some 470,000 acres in Nebraska from going back into crop production.

Todd Reynolds of Broken Bow said the contract on 240 acres of "marginal ground" he manages for his grandmother in Custer County -- planted mostly to switchgrass and home to song birds, pheasants, deer, grouse and more -- is scheduled to expire in September.

"Honestly, if this got torn out," Reynolds said, "we wouldn't have a place to pheasant hunt."

The 2008 farm bill shrank the national CRP inventory from 39 million to 32 million acres. That target has already been hit, but signs of further shrinkage loom large.

Between now and the end of fiscal year 2011, more than 9 million more acres are at risk because of expiring contracts.

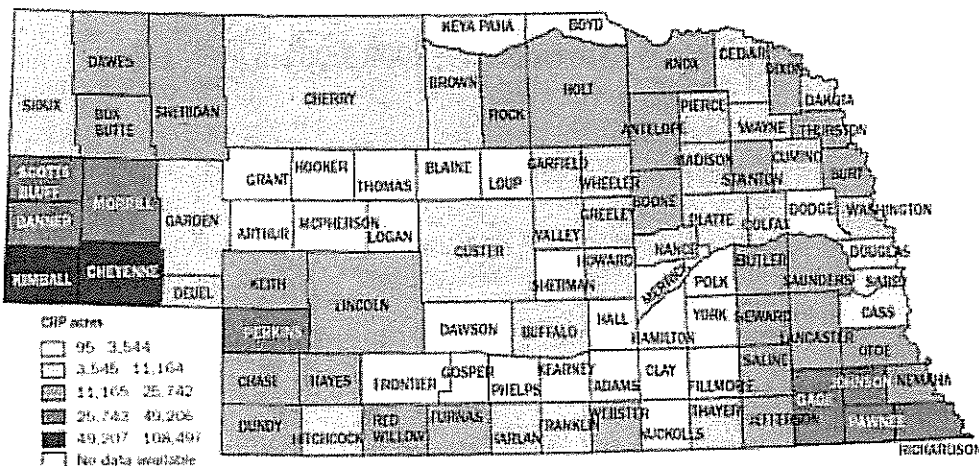
Nebraska is one of a dozen states with more than 1 million acres enrolled. That adds up to about \$70 million in annual government checks due out as of Oct. 1.

Counties involved in the Conservation Reserve Program

Greg Reisdorff, based in Lincoln with the administering Farm Service Agency, said Johnson and Pawnee counties in Southeast Nebraska were among five in the state that had the maximum 25 percent of tillable acres in the CRP.

Now there are no Nebraska counties in that category.

Several Southeast Nebraska counties are among the most heavily involved in the state in the federal government's Conservation Reserve Program. Contracts on more than 40 percent of the 1.18 million acres enrolled in Nebraska are scheduled to expire by the end of the 2011 fiscal year.



Source: Natural Resources Conservation Service

ANDREA STORV/LANCASTER JOURNAL STAR

Reisdorff has heard nothing about when there might be a new enrollment window opened by the Ag Department.

"Those decisions are up to the secretary," he said.

Nebraska's Game and Parks Commission and state leaders of Pheasants Forever and the National Wildlife Federation are among those watching anxiously to see what happens next.

"We're trying to get this off the back burner," said Tim McCoy of Game and Parks, "because we're looking at what happens when we have another round of contracts expire next year."

Duane Hovorka of Elmwood and the Wildlife Federation sees the CRP as especially important in Nebraska because of the state's relatively modest ownership of public land by federal, state and local governments.

"What we're hoping is that the Department of Agriculture will open up the program to new enrollment so at least some of the acres could stay in the program or other acres could get in to make up for some of the acres that are leaving," Hovorka said.

Pete Berthelsen assesses the potential damage in other ways as Pheasants Forever's St. Paul-based senior field coordinator.

Berthelsen said the USDA's own numbers for Nebraska include 13.8 million tons of soil saved and 1.56 million metric tons of carbon held out of the atmosphere each year by grass cover.

He also cited \$10.5 million in annual statewide hunting revenue and 1.08 million pheasants born in that same habitat.

"When you lose those benefits," he said of CRP payments, "there's a cost to us as a society associated with those."

Reisdorff doesn't see as much momentum behind the idea of getting acres back into crop production as there seemed to be as recently as last year.

"Now, a year later, farming is not as profitable -- or as potentially profitable -- as it was a year ago," he said. "It doesn't look like there's all that pressure to get land out of the CRP."

Reach Art Hovey at 473-7223 or at ahovey@journalstar.com.

Teer, Pat

From: Egr, Emmett
Sent: Thursday, November 12, 2009 10:53 AM
To: Winkler, John; Petermann, Marlin; Grint, Amanda; (asmola@nrdnet.org); Teer, Pat; Laster, Lori
Subject: Lakeview Dev. Ralston Recorder article

Ralston Recorder 11/12/09

Lakeview site gets OK from NRD

By Adam Klinker, Recorder Correspondent

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Plans for and work on a residential development at the site of the former Lakeview Golf Course have so far met all requirements under regulations handed down from the local body that governs such development.

Since construction plans on a 250-unit apartment complex at the site in northeast Ralston were announced last year, residents in the area expressed concern over building in the 100-year floodplain of the Big Papillion Creek – the development's eastern boundary.

According to officials with the Papio-Missouri River Natural Resource District, the development is meeting all of its obligations at the local, state, and federal level.

In its role as a technical adviser to local governments and developers, the NRD aids in the planning stages of a project. It ensures that plans and designs are meeting with all applicable local, state, and federal laws and regulations.

"We've reviewed all sorts of documents and plans," said Amanda Grint, water resources engineer at the Papio NRD. "They've met all the criteria that we've asked of them. We've talked with the developer and Ralston throughout the process and we're happy with that."

Grint added there are existing drainage problems, but the developer, Key FM Lakeview, is working to resolve them.

"I'm not sure that it will entirely solve the problems," Grint said. "But the development won't make things worse."

Ralston Mayor Don Groesser added the city has worked with developers to ensure potential flooding would be directed away from buildings and toward planned stormwater basins and wetlands.

"We took a look at that in the design of the buildings," Groesser said. "A lot of our work in the planning was to make sure any flooding would be parking lot issues, not building issues."

A central concern was the one-foot fill requirement imposed by the city of Ralston via state and federal regulation. The requirement states that when building in a 100-year floodplain, the lowest floor of a building must be elevated one foot above the floodplain.

With 110,000 tons of dirt being backfilled at the site, Papio NRD Assistant General Manager Marlin Petermann said his office is satisfied both the city and the developer are doing what's necessary for floodplain construction.

"Certainly, much of that area is in the floodplain of the Big Papillion Creek," Petermann said. "But with the dirt they're bringing in, from what we've seen in the plans, they should be able to elevate to that one-foot level."

The one-foot fill regulation relates to national flood insurance standards – meaning that similar state and local regulations must be at least as restrictive as the one imposed at the federal level.

Petermann and Grint said the dirt, from the Loess Hills overlooking the Missouri River, should provide proper compaction and runoff traits in the event of flooding.

"Usually the soils from around here are good soils for that kind of work," Petermann said. "I would think they've done their homework in that regard."

In addition to the floodplain issues, Petermann said other flooding concerns focus on storm runoff from the hill rising just west of the site. The city of Ralston has apportioned money for a larger storm sewer pipe and drainage basins in the area that are expected to sufficiently take on runoff.

Petermann said the fill dirt, larger pipe, basins and proposed wetland area are all necessary steps to take in floodplain development, especially in light of the levy system on the Big Papillion Creek which, he said, is not currently high enough to forestall a 100-year flood.

"The levies aren't intended to handle that level of flooding," he said. "But with the basins and the wetlands, there should be enough ways to collect that water and store it to take the pressure off."

The levy system lies in the floodway – a corridor abutting the creek and in which development is prohibited. Development in a floodplain – the outlying area beyond a floodway, is restricted and requires a permit from the city of Ralston that is certified by the NRD.

Key FM Lakeview has obtained the floodplain development permit, Grint said, and the NRD is satisfied work is proceeding in accordance with the articles of the permit.

The NRD's oversight keys on concerns for proper floodplain management, protecting the ecosystem in a floodplain, and to ensure water quality standards are being met.

Petermann said his principle interest is in maintaining the integrity of the watershed in the Papio-Missouri NRD.

"By everybody working together, we can get there," he said. "Ralston, La Vista, Papillion, Omaha – they can't do anything by themselves, but realizing we're all part of the watershed together, we can protect it. The development in Ralston now – you can't turn back the clock, but we work with what we have."

Grosser said the city is doing all it can to work within the bounds of the NRD's vision.

"We certainly went through all the steps," he said. "We feel it's going to be an adequate design."

Beyond the planning and permit certification process, the NRD is not involved unless problems arise, meaning much of the oversight onus is on the city, its residents, and the developers.

Grint said that she has received one viable complaint from a resident in the Lakeview vicinity and she is working to set a meeting with city officials to review the current work being done on the site.

Emmett J. Egr, APR
Information/Education Coordinator
Papio-Missouri River Natural Resources District
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402-315-1708
www.papionrd.org

11-13-09

Man pulled from pond

By ANDREW J. NELSON
WORLD-HERALD STAFF WRITER

An Omaha man working for the Lower Platte North Natural Resources District nearly drowned in a farm pond near Wahoo on Thursday.

Firefighters and paramedics from four local departments helped save Robert Heimann, 47, said Saunders County Sheriff Kevin Stukenholtz.

Ultimately, Heimann was pulled from the pond, flown by helicopter to Creighton University Medical Center in Omaha and treated for hypothermia and a leg injury. He was listed in serious condition later Thursday.

Heimann was stuck in the cold water for 1½ hours because of suction from a drainpipe, which also cut circulation to the leg.

Stukenholtz said Heimann was clearing debris away from the pipe when he was sucked in. A co-worker held him in a bear hug to keep his head above water.

"If it had sucked him down any farther, he'd have drowned," he said. "It was indescribable, the amount of force that water had going through there."

Rescuers struggled to free Heimann. Friends and family members brought in personal watercraft and boats. A diver managed to get a line around Heimann. Rescuers on boats finally managed to pull him from the drink.

Said Stukenholtz, "It felt pretty helpless when you had a guy who was three inches from drowning and in a lot of pain, and you couldn't get him out."

Contact the writer:
444-3105, andrew.nelson@owh.com

'THE PERFECT GIFT'

11-17-09

TREE TAKES A FINAL BOW



■ The majestic blue spruce, a neighborhood favorite for years, will grace Union Station this holiday season.

KENT SIEVERS/THE WORLD-HERALD

Once at the Durham Museum, this spruce's boughs will be trimmed in all the sparkle and splendor that Janne Simonsen once adorned them with. Here, Union Pacific workers load the 40-foot tree onto a flatbed truck.

BY CINDY GONZALEZ

WORLD-HERALD STAFF WRITER

'Twas 1976 when Janne Simonsen planted the baby evergreen outside the house he and his wife had just built.

Then a mere 18 inches or so, the blue spruce grew to 40 feet high over the next three decades. It withstood ferocious ice and wind storms that other trees could not.

It stood guard near 161st Street and Cornhusker Road as families moved onto adjacent farmland that Simonsen sold to a housing developer.

On Monday, that majestic tree came down.

But it's about to meet a fate that Simonsen, who died six years ago, would have wanted, said his widow, Eileen.

She and her two daughters have arranged for the tree to be on public display this Christmas at the Durham Museum's Union Station. Its boughs will be trimmed in all of the sparkle and splendor they knew when Simonsen was adorning them.

"He always decorated that tree," said Eileen, 75. "He loved Christmas. He loved trees. So this is the perfect gift to be given in his memory."

Crews hauled the spruce to the museum after they cut it down. On Nov. 27, Mayor Jim Suttle will throw the switch that lights up the tree for all to see at 801 S. 10th St.

It will remain there through New Year's Day.

Simonsen's widow expects they'll be filled just a little deeper with the Christmas spirit that filled her household.

The story begins 33 years ago when Janne and Eileen built their home. The area was all farmland, about 80 acres of it owned by her husband's family.

In an effort to make their new home a little homier, Janne planted shrubs, flowers and a pair of blue spruces. They were "tiny little things," Eileen recalled.

One tree did not flourish, but the tree closest to Cornhusker Road stretched taller and wider.

Simonsen blanketed it with multicolored lights each November. When it got too tall for a ladder, he bought poles to string up the lights.

He set up a Santa's sleigh and reindeer and lined the long driveway with twinkling candy canes. "This was the house everyone came to," Eileen said.

Even after Janne Simonsen sold his corn and bean fields to a developer who created Cinnamon Estates housing subdivision, he continued to work with nature. **For 12 years, he was a groundskeeper at the nearby Chalco Hills Recreation Area.**

"All those trees there, he helped plant them," said Eileen.

Simonsen, also a veteran who was awarded the Purple Heart after being injured in the Korean War, died at age 75.

Eileen still puts up a few decorations but says she doesn't even try to compete with Christmases of yesteryear. "That was his thing," she said.

Last summer, she and her daughters — Cynthia Rademacher of Tecumseh, Neb., and Corrine Holmquist of Omaha — were admiring her husband's landscaping.

"The girls said, 'You know, Mom, that tree is so beautiful, but how long is it going to be that way?'"

They knew that it wouldn't be long before its branches would interfere with power lines.

Thus was planted the idea to do something extraordinary with the spruce.

Displaying a grand tree at Union Station (the railway building that houses the museum) dates to the opening of the station in 1931. Lore has it that a Union Pacific crew brought in an evergreen that year from Oregon. Railroad crews made it an annual tradition to bring in a fresh holiday tree from the Northwest.

For the past 18 years, museum spokeswoman Shawna Forsberg said, metro-area families have donated the tree.

This year more than 50 families called to offer theirs.

The one chosen has to be at least 40 feet tall, with a classic Christmas tree shape, pointed top and straight trunk.

Spectators flock to the tree each year. Groups sing carols around the tree. Schoolchildren make special ornaments. Families snap pictures in front of the tree. Eileen teared up at the thought of Janne's spruce as the center of that cheer. She views it as a tribute to him and as a gift to the community that he would have wanted.

"I'm sure if he were living he would have come up with the same idea," Eileen said. "He always said we must share the joy of the season."

Some energy sources are more thirsty than others

Omaha World Herald

This editorial appeared Nov. 17 in the Scottsbluff Star-Herald.

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When people talk about water conservation in Nebraska, most of the discussion centers on carelessness — the water wasted by errant sprinklers, or stray detergents from car-washing entering waterways. Everyone understands that wasting water is environmentally unethical, but few believe that we could ever run out of water.

The trouble is, we're already using water faster than nature can replace it. The water drawn from the High Plains Aquifer that underlies much of the state took years, sometimes centuries, to accumulate.

More than 90 percent of the water consumed in Nebraska is used for agriculture. If farming and ranching are the heart of the state's economy, water is its lifeblood.

When people talk about "green" technology, they often refer to a "carbon footprint" — the amount of carbon dioxide a process or product releases into the atmosphere. Nothing releases more carbon than energy production.

But most energy production also requires a lot of water. Thermoelectric power plants transform energy by boiling water. Coal or nuclear fuel generates heat that turns water to steam that spins turbines that generate power. Water is required not only to create the steam but also to cool everything down.

It takes at least a gallon of water to create one kilowatt-hour of power — enough to run an air conditioner for an hour. A central air conditioner running for 12 hours a day will drink up 16,800 gallons of water every year at the power plant.

A Virginia Tech University study estimated that fossil-fuel thermoelectric plants use 8 to 16 gallons of water to burn one 60-watt light bulb for 12 hours per day. "Over the duration of one year, this one incandescent light bulb would consume about 3,000 to 6,300 gallons of water," researchers said.

Nationwide, those plants require almost as much water as irrigators use, according to a 2006 study by the U.S. Department of Energy. However, of the 132 billion gallons per day of freshwater withdrawn for thermoelectric power plants in 1995, the study said, all but about 3.3 billion gallons per day (3 percent) was returned to the source — although at a higher temperature and with changes in water quality.

In contrast, of the 134 billion gallons per day withdrawn for irrigation in 1995, 81 billion gallons per day were consumed by evaporation and transpiration (60 percent). So while thermal plants don't consume large volumes of water, the availability of plentiful water is critical to their operation.

Hydropower isn't a large source of energy in Nebraska. Kingsley Dam at Lake McConaughy generates electricity by releasing water from the lake. Again, that water is still available for other uses, but a lack of available water can constrain power generation.

Hydroelectric power is especially valuable in stabilizing the transmission grid and meeting peak loads. When demand grows or transmission somewhere else lags, releasing water through a dam can quickly pick up the slack.

Biofuels, such as ethanol and biodiesel, are playing a growing role in the nation's vehicle fuel mix. They use water in production processes plus the water needed to grow crops such as corn and soybeans.

Extracting oil and gas actually produces surplus water, approximately 900 barrels of water per barrel of oil equivalent in Wyoming's Powder River Basin. Unfortunately, much of that water isn't fit for other uses. Oil and gas production that isn't properly managed and monitored can contaminate surface water and groundwater.

The Department of Energy report says that over the next couple of decades, America's electricity demand will grow by approximately 50 percent. That will create more demand for water, as well as for innovative energy technologies that reduce water use.

If new power plants continue to be built that require evaporative cooling, consumption of water for electrical energy production could rise to 7.3 billion gallons per day. Consumption for electric power generation alone could equal the entire nation's 1995 domestic water consumption. The discharge of large volumes of warm water by those plants can kill wildlife and degrade the environment.

Declining groundwater tables and periods of drought will limit future water availability. It would make sense to take those factors into account when determining both water and energy policy.

The highest and best use for water is obviously for drinking. Other uses, such as health care, also land high on the list. Agricultural production requires large amounts of clean water, but wildlife and environmental concerns also deserve consideration at the bargaining table.

The water demands of future energy sources in Nebraska should be considered as well. Sources such as wind and solar energy are far less thirsty than thermal sources. Coal and nuclear plants should be required to be water-efficient — by using less, recycling what they use and using lower-quality water, such as municipal or industrial wastewater, instead of tapping rivers or groundwater.

It would be smart to formulate water and energy policies together to derive maximum value and minimum waste of valuable resources. That requires taking into account our water footprint as well as our carbon footprint.

Bleak fiscal future renews idea of agency mergers

■ Nebraska's recent restructuring efforts have not always resulted in savings.

(OWH, 11-23-09)

BY PAUL HAMMEL, WORLD-HERALD BUREAU

LINCOLN — Consolidation, and even elimination, of state agencies is being eyed by some state senators who see even rougher fiscal times ahead for state government.

Nebraska lawmakers just concluded a special session that closed a \$334 million state budget gap, caused by recession-reduced tax receipts.

But a gap of nearly twice that size is projected by 2011. And with many experts predicting a slower-than-normal economic recovery, some senators are looking at merging or restructuring state government agencies to realize long-term tax savings.

"We have to be willing to look outside of the box at our state government right now," said Omaha Sen. Heath Mello, a member of the budget-writing Appropriations Committee. "That's what voters voted for when they approved term limits — they wanted different perspectives and different ideas looked at."

Some of the merger ideas floating around the Capitol are not new, and some senators are skeptical about whether such consolidations save money or just give the illusion of progress.

Indeed, a look at a couple of state reorganizations in recent years shows that they didn't result in a lot of savings.

But consolidations are getting a new look in a body where only 11 of the Legislature's 49 members have more than three years' experience.

Among proposals being studied:

- Realigning higher education to cut administration costs. Merging the state college system with the University of Nebraska system is one idea, thereby eliminating one of two governing boards and one of two central administration offices. Such a merger might also fold in the Coordinating Commission for Postsecondary Education, an oversight entity approved by state voters in 1990 with a budget that has grown to \$8 million a year.

- Eliminating the elected office of state treasurer and merging those functions with the Departments of Revenue and Administrative Services.
- Merging the Departments of Aeronautics and Motor Vehicles with the Nebraska Department of Roads, creating a Department of Transportation as seen in many states, including Iowa.

- Consolidating the Departments of Labor and Economic Development into a one-stop shop for creating jobs.

Lincoln Sen. Bill Avery, a former professor at the University of Nebraska-Lincoln, said he sees a lot of overlap in the administration of higher education in the state. He said he's exploring several options toward eliminating that overlap and reducing costs.

Why, he asked, are there separate presidents at the three state colleges, as well as a chancellor's office in Lincoln for those three schools?

Are separate state college and community college boards really needed, Avery asked, if there's already a Board of Regents governing the NU system?

“People argue that the mission of the state colleges is different than the university’s,” Avery said. “But how different is (University of Nebraska at) Kearney’s mission from Chadron State, Peru State and Wayne State? Don’t tell me the Board of Regents couldn’t manage all of those institutions.”

State Sen. Dennis Utter of Hastings said he’s likely to introduce a bill to eliminate the State Treasurer’s Office, a post that has drawn keen interest leading up to the 2010 elections after current Treasurer Shane Osborn announced that he would not see re-election.

Dissolving that constitutional office would also require a public vote before it could be achieved. The state treasurer is an appointed position in at least a dozen states, and Utter said many of the office’s duties could be divided between the State Revenue and Administrative Services Departments.

The \$85,000-a-year state treasurer’s post would be eliminated, he said, and maybe more jobs, too.

“It’s probably not going to save big money,” Utter said. “But businesses have gotten very lean. There’s no reason state government can’t do that. We need to downsize.”

Figures, however, show a mixed bag in terms of savings in a couple of state agency reorganization efforts in recent years.

The Departments of Water Resources and Natural Resources were merged in 2000. In the three years leading up to the merger, the agencies’ spending on salary and benefits rose by about 11 percent. During the three years after the merger, salary and benefits in the combined agency rose by 17 percent.

One of the biggest state reorganizations — merging the Departments of Social Services, Health and Public Institutions into the State Health and Human Services System in 1997 — led to the elimination of 300 mostly vacant jobs and saved \$7.7 million, according to the Legislative Fiscal Office.

But state budget figures show that spending overall, including spending on personnel, kept rising in the new mega-agency, whose budget was over \$1 billion a year.

Spending on salaries slowed only slightly after the merger, rising 11.4 percent from 1994 to 1997, and then rising only 10.2 percent from 1997 to 2000.

Former Lt. Gov. Kim Robak, who helped craft the HHS reorganization, said the larger goal of the merger was to eliminate infighting among agency heads, not to save money.

Mergers sometimes create agencies that are just too large to manage efficiently, said State Sen. Tony Fulton of Lincoln.

Fulton, who is an announced candidate for state treasurer, said that office is already doing “more with less” in terms of employees. Moving the office duties elsewhere might mean having the same number of workers doing the same jobs, just with different bosses, he said.

“It’s not a silver bullet,” he said. “But if it can be shown that it saves money, you certainly have to look at that.”

State Sen. Brad Ashford of Omaha said he might introduce a bill to remove the Office of Juvenile Services from the Health and Human Services Department.

He said that having a separate state agency to deal with the treatment of troubled juveniles would bring a sharper focus to prevention and intervention efforts and that, he said, would save money in the long run.

State Sen. John Harms of Scottsbluff, a former community college administrator, said most mergers he saw in the education world didn't save money immediately but did in the long run, if the right leaders were in place.

One thing is certain, Harms said: With a projected \$639 million budget gap looming in the 2011 and 2012 fiscal years, this year's special session was a relative "piece of cake."

"The next time, you're not going to be talking about how much we take from each agency — it's whether we keep the agency," he said.

State budget cuts include natural resources project funding

11/25/2009 12:54:29 PM

Kearney HUB

By Lori Potter

KEARNEY - A budget vote by state senators Friday morning and a stroke of the pen by Gov. Dave Heineman halved funding for natural resources projects in Nebraska.

"It has taken a beating from time to time," Nebraska Natural Resources Commission Chairman Dick Hadenfeldt, a Lower Loup Natural Resources District director from Dannebrog, said Monday about the Resources Development Fund. This time the cuts are "gonna be brutal."

At the joint meeting of the Nebraska State Irrigation Association and Nebraska Water Resources Association meeting in Kearney, Hadenfeldt said, "We're \$181/2 million in the hole already and have \$30 million in projects waiting."

So, it would take six to seven years to pay the full amount already committed to multi-year projects, even if no new projects were approved and the development fund continued to get the \$3.3 million in annual state funds allocated the past three years. "So, if any NRD has a project, you're going to be on a long (waiting) list," Hadenfeldt said.

Similar budget cuts were made to other programs overseen by the 16-member commission. Also halved were the soil and water conservation program's original \$2.5 million and the interrelated water management program fund that started the fiscal year at \$2.4 million.

Hadenfeldt said that if NRDs haven't already spent all of their soil and water appropriations for this fiscal year, they probably will lose what's left.

Budget plans call for another 2.5 percent cut in the natural resources programs next fiscal year and 5 percent more the following year.

Hadenfeldt and Steve Gaul, supervisor of the Nebraska Department of Natural Resources Planning and Assistance Division, said Nebraska Water Policy Task Force proposals for a dedicated source of state funds for integrated water management programs never went far legislatively.

"The Water Policy Task Force went over that and over that and over that," Gaul said, but a solution never was found to make it "palatable."

One task force idea was to create a State Water Resource Trust Fund by earmarking 1/50th of a cent from each sales tax dollar to raise \$4.7 million a year that would be supplemented by money from NRDs and other sources such as federal conservation programs and the Nebraska Environmental Trust.

Hadenfeldt said legislative efforts to increase the development fund to \$7 million to \$10 million a year never went anywhere. Also a nonstarter, Gaul said, was having a water management priority for Nebraska Environmental Trust funds.

Gaul described resources planning as a "very wide subject" involving numerous local, state and federal agencies that have different resources and priorities at any given time.

"You just can't look at the state budget," he said, but also at how to leverage funds from other sources.

Gaul said Nebraskans should assess the "total width and breadth of our interrelated water management needs" and then ask: How much funding? For what? By whom? Equity is a big issue, he added, and one that's often hotly debated.

For the foreseeable future, any such debates will center around less state money. When asked by the Hub if there is an alternative for the resources development money cut by the budget bill, Sen. Tom Carlson of Holdrege said, "There really isn't. I don't look for there to be any general funds for much of anything this next year."

The situation leaves water resources managers, including the Central Platte Natural Resources District's Ron Bishop, wondering how to fund new projects or even complete ongoing work such as the Prairie-Silver-Moores Flood Control Project at Grand Island.

CPNRD Director Dick Mercer of Kearney said one option discussed at last week's Natural Resources Commission meeting was greater use of borrowed money by the NRDs. Bishop and Carlson see potential for some type of occupation tax, if legislation can be written to avoid the current constitutionality challenge to an LB701-authorized tax used in the Upper,

Middle and Lower Republican NRDs. A lawsuit is pending in Lancaster County District Court.

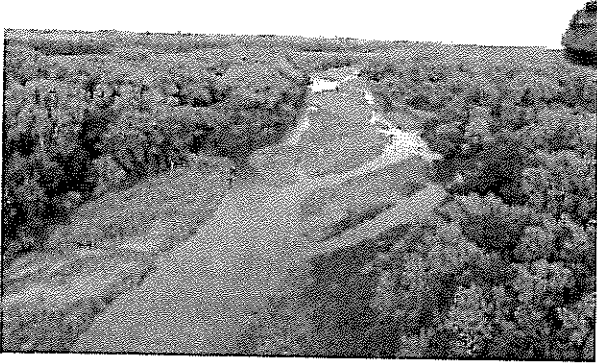
Carlson said the occupation tax idea involves "a group taking responsibility and somehow getting the money to do a project that might help them."

Republican River fight: The next round

By ART HOVEY

Lincoln Journal

Sunday, November 29, 2009



Republican River flows in southwest Nebraska below Harlan County Lake. An arbitrator gave Nebraska the money round in its high-stakes water fight with Kansas but Nebraska has a long way to go to meet the arbitrator's long-range demands. (COURTESY PHOTO/Twin Valley Weed Management)

If you measure the outcome of legal battles in dollars, Nebraska emerged in July as a clear winner in its dispute with Kansas over Republican River water.

Kansas, after all, had sought more than \$70 million in damages at one point. But a Colorado arbitrator, examining Kansas' claims of violations of the Republican River Compact, suggested \$10,000 as a more appropriate penalty for Nebraska.

Flash forward to late November, and it becomes clear that, dollars aside, Nebraska officials know they have work to do to make sure Kansas gets its share of water during future dry years.

Headed toward another legislative session and another planting season, the Nebraska Department of Natural Resources is on the road advocating substantial cutbacks in groundwater allocations to their local counterparts at Imperial, Curtis and Alma for use in water-short years.

A similar message could easily be woven into the state agency's upcoming Monday forecasting meeting in Curtis.

And there's a tone of urgency in the voice of Dave Aiken, a specialist in agricultural and water law at the University of Nebraska-Lincoln, as he takes note of these events and of the possibility that Kansas will move on from non-binding arbitration to the U.S. Supreme Court.

"They've got to get it done before the next dry spell," Aiken said of upgrades the river arbitrator recommended in the state's management strategies. "If nothing changes, they'll throw the book at us."

One possible key to getting something done could play out in a Lincoln courtroom as soon as Dec. 14.

That's when a Lancaster County District Court judge is scheduled to hear arguments about the constitutionality of an occupation tax, at a rate of up to \$10 an acre, on irrigated parts of the river basin.

The idea, when state lawmakers approved it in the 2007 legislative session, was to use the proceeds to pay landowners to not irrigate and to lessen the depleting effects of irrigation on Republican flows.

Dean Edson, executive director of the Nebraska Association of Resources Districts, umbrella organization for the state's 23 natural resources districts, said the sidetracking of the occupation tax is also a factor in aggressive action on water conservation right now by state officials.

If there's no money to pay people not to irrigate, the alternative is conservation without compensation.

"The NRDs can levy the tax," Edson said. "They just can't spend it on anything - which creates the problem that we have today."

The farther you get from the river basin, the more likely you are to encounter people who regard it as a local problem.

As the Nebraska Farm Bureau Federation prepares for its annual convention in Kearney Dec. 7 and 8, there will be a push to change that and to make all of the state's residents financially accountable for solutions.

"The general sentiment is that water programs benefit all Nebraskans," said the Farm Bureau's Jay Rempe in a prepared statement, and general fund dollars from the state budget should be used accordingly when spending is needed to underwrite those programs.

Jasper Fanning, general manager of the Upper Republican NRD at Imperial, couldn't agree more. Fanning noted that the terms of the Republican River Compact - fair or not - were negotiated by member states, not local officials.

He said the Governor's Water Policy Task Force, set up when Mike Johanns was governor, feels the same way.

"I think the consensus of the task force is that these water issues - they are a state problem. State laws have a significant role in creating some of the issues that are out there. And the feeling was everyone should contribute."

That doesn't mean that Fanning or Edson thinks that idea can be sold politically.

"Politically, what we hear from the governor and from eastern state senators - they feel their constituents had no role in creating these problems."

Edson said the state's recent budget pinch has become part of an uphill climb.

"Nobody has got any money to do anything," he said.

That puts the focus elsewhere.

If the occupation tax that currently applies only to the Republican were broadened to apply to other river basins, for example, that might remove the problem of constitutionality.

Aiken said Republican irrigators might have to turn to their own solutions. If irrigated acres have to be trimmed during a dry cycle, one water user could shut off his pumps in exchange for cash from a neighbor who keeps on pumping.

As he put it: "I can sell my half to you or you can sell yours to me."

Fanning said it's important to remember the loss of irrigation ability and the crop yields that go with it aren't just a problem for farmers.

"The real important impact is if you take half of the irrigated acres in the basin and you turn them to dry land a third of the time, there are some things that just don't work there for farmers very well. And the resulting consequence doesn't work for the local economy very well."

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W-H 12.2.09

Big Papio Creek trail to close weekdays for repairs

■ Soil erosion along the creek bank has raised safety concerns.

BY MAGGIE O'BRIEN

WORLD-HERALD STAFF WRITER

A small stretch of the Big Papio Creek hiking and biking trail will be closed during the day starting today for repairs to deal with soil erosion.

The trail will be closed at the 72nd Street bridge just south of L Street between 7 a.m. and 5 p.m. Mondays through Fridays. It will be open at night, however, and on the weekends, said Martin Cleveland, construction engineer for the Papio-Missouri River Natural Resources District.

Cleveland said soil erosion on the banks from Big Papillion Creek had caused safety concerns for trail users. The trail runs adjacent to the creek.

Broken-up limestone is being added on the banks of the creek to address the erosion, Cleveland said. Without it, Cleveland said, the trail "could possibly be undermined and fall into the creek. We're trying to avoid that."

Soil erosion occurs naturally over time, Cleveland said.

The work is scheduled to be complete by the week of Dec. 21, depending on weather. Closed signs will be posted along the trail.

Officials decided to close that part of the trail during the day so crews could work there safely without having to dodge runners and cyclists. The trail was not in an ideal location for a detour, so none was established. People can still use other parts of the trail.

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