

# MEMORANDUM

TO THE BOARD:

SUBJECT: General Manager Report

DATE: July 6, 2007

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 June, 2007, is attached for your review.

B. **MISCELLANEOUS/PERSONNEL ITEMS**:

- The District is in the process of hiring a Stormwater Management Engineer. This is a new position. The individual filling this position will assist in the administration and coordination of the District's floodplain management program including technical assistance to individuals and other governmental agencies. The close out for applications was June 29<sup>th</sup>. Staff is now in the process of reviewing applications. Hopefully we will have someone on Board by the end of summer.

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 June, 2007. 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 June 18, 2007. I would ask each Director to review this listing. If you have any questions, please feel free to contact me.

E. **LEGISLATIVE UPDATE**: The following information is attached for your information:

1. Vegetation Task Force Membership Announced – Attached is a press release from the Office of Governor Dave Heineman announcing the membership of the Riparian Vegetation Task Force. The Task Force was created by LB 701, the comprehensive water bill signed into law during this year's legislative session. Director Rich Tesar was appointed to the Task Force as the representative of the second congressional district.
2. Natural Resources Committee Interim Hearing Schedule – Attached is the Natural Resources Committee Interim Hearing Schedule. Please note that there is a joint hearing with the Urban Affairs Committee on September 27<sup>th</sup>. The hearing will be on LR94 to examine issues relating to the rapid urbanization of the Papillion Creek Watershed. Details on the hearing will follow, but please mark your calendars for September 27<sup>th</sup>.

F. **PAPILLION CREEK WATERSHED PARTNERSHIP REPORT:** Attached is the Papillion Creek Watershed Partnership Monthly Update. This report will be a monthly feature of the GM Report. Please review and if you have any questions, contact me. The next Partnership meeting will be held on July 19, 2007 at 10:00 a.m. at the NRC.

G. **NEWS CLIPS:**

- ✓ June 9, 2007, Fremont Tribune article – Possible dam is just one of several proposals.
- ✓ June 9, 2007, Fremont Tribune article – Residents concerned about possible reservoir
- ✓ June 9, 2007, Fremont Tribune article – Dam proposal has some flooded with concerns
- ✓ June 10, 2007, Fremont Tribune article – Supervisors: Roads, farms would be lost
- ✓ June 14, 2007, Omaha World Herald article – NRD moves ahead with metro dams construction plan
- ✓ June 14, 2007, Omaha World Herald article – Drought-busting rains not over in southwestern Nebraska
- ✓ June 15, 2007, Washington County Enterprise article – NRD to unveil alternate dam plan
- ✓ June 16, 2007, Omaha World Herald article – UNO dam-study offer rejected
- ✓ June 16, 2007, Omaha World Herald article – Amphitheater ready for its debut
- ✓ June 18, 2007, Omaha World Herald article – Liability for water use spans Nebraska
- ✓ June 19, 2007, Pilot-Tribune article – Alternate dam plan on agenda
- ✓ June 20, 2007, Omaha World Herald Public Pulse Letter – Dams still questioned, written by David Mooter
- ✓ June 22, 2007, Lincoln Journal Star article – Nebraska buys more Republican River water
- ✓ June 22, 2007, Fremont Tribune article – Looking for flood control help
- ✓ June 23, 2007, Fremont Tribune article – Dam projects could cost Arlington
- ✓ June 23, 2007, Omaha World Herald article – Nebraska will send more water to Kansas
- ✓ June 23, 2007, Omaha World Herald article – Court hands NRD a victory on dams. The decision says the agency can work with private developers.
- ✓ June 24, 2007, Omaha World Herald editorial – Clearing the way. Supreme Court of Nebraska decides NRD can form alliances to build dams.
- ✓ June 25, 2007, Omaha World Herald article – Federal farm bill bankrolled prairie in Lincoln
- ✓ June 26, 2007, Douglas County Post Gazette article – Boyer Young pioneers rain gardens at Newport Hill
- ✓ June 27, 2007, Omaha World Herald article – State adds to river flowing into Kansas
- ✓ June 27, 2007, Lincoln Journal Star article – Gardens to rein in pollution. Rain gardens could soon sprout in watershed near Holmes Lake, city says.
- ✓ June 27, 2007, Pilot-Tribune article – Meeting outlines dam options in co.
- ✓ June 27, 2007, Sioux Falls SD Argus Leader article – Rare Sturgeon spawning seen in South Dakota
- ✓ June 28, 2007, Omaha World Herald article – NPPD giving irrigators a month before they could be cut off
- ✓ June 28, 2007, Omaha World Herald article – Delayed irrigation releases help Big Mac
- ✓ June 28, 2007, Lincoln Journal Star article – NPPD delays call on water in Niobrara River basin
- ✓ June 29, 2007, Omaha World Herald article – Surplus may enable NRD to clip tax levy

## **June 2007**

### **Information & Education Report**

#### **Information**

- ❖ Continued work on design of Recreation Area signs for Chalco Hills and Prairie View
- ❖ Produced ad for Sarpy County 150 publication
- ❖ Continued work on Opinion Survey (calling being carried out)
- ❖ Began work on SPECTRUM.
- ❖ Gave Speakers Bureau presentations to Bellevue Kiwanis and South Omaha Optimists Clubs
- ❖ Coordinated news release on Forest Run project
- ❖ Completed update of Overview DVD and ordered copies
- ❖ Attended Risk Management Workshop

#### **Education**

- ❖ Presented at Agriculture Instructors Conference in Kearny
- ❖ Presented Nature Hike and Frog/Turtle Program to KOB Ecology Day Camp
- ❖ Attended Healthy Water Healthy People Workshop in Nebraska City
- ❖ Attended National LEP Workshop—presented GPS activity, started Curriculum writing team work
- ❖ Presented Nature Hike to Little Lambs Day Care
- ❖ Trained 11 teachers in Prairie Plant Identification and LEP curriculum
- ❖ Started planning Statewide I&E meeting in Scottsbluff (currently serving at I&E President)
- ❖ Continued working with ISU/NFWS/PF on GPS Curriculum Grant
- ❖ Coordinated Fall Intern Job Description

**June, 2007**

1

Updated: June 18, 2007

## **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)
  - ★ Land transfer agreement w/Douglas County (N)
- **Big Papio :** (Cleveland)
- **West Branch** (Cleveland):
  - Land Exchange with Sarpy Co. (96<sup>th</sup> St.) (P)
- **Western Sarpy Dike** (Cleveland):
  - Bundy ROW preparation (potentially modify ROW/offer) (N)
  - Amended drainage ditch easements on Hickey (First National Property) (P)
  - ★ Hansen ROW Condemnation settlement (W)
  - Glasshoff and Horn levee easement (W)
- **Floodway Purchase Program** (Woodward):
  - Floodway Property purchase agreements as needed (F)
  - Buelt Beacon View closing (W)
  - King Lake purchase agreement (N)
- **Trail Projects** (Bowen):
  - ★ Mopac Trail (Hwy 50 to Lied Bridge) – NEBCO purchase agreement; Educational Land & Funds condemnation; closings (W)
- **Missouri River Corridor Project** (Becic):
  - California Bend – Appeal District Court ruling on Wright's tenant (Arp) (W)
  - ★ Mo. River Trail – Purchase agreements, easements and closings (W)
  - ★ Missouri River Trail – Stratbucker and Surfside condemnations (W)

- **USDA P.L. 566 Projects, Silver Creek and Pigeon/Jones Watershed** (Puls/Cleveland):
  - Pigeon/Jones Creek Site Easements – as needed (F)
  - ★ Silver Creek Site Easements– as needed (Site #11 ROW) (W)
  - Release of Site S-7 Easement (W)
  - ★ S-27 easement with SIDs on Dam Rehab/Trail Replacement (W)
  - ★ S-27, S31 and S-32 – Revision of purchase agreements and handle condemnations (W)
- **Papio Watershed Dam Sites** (Woodward/Petermann):
  - ★ Shadow Lake ROW Closing (W)
  - ★ Amend Omaha/Elkhorn Agreement for DS-13 (W)
- **Papio Creek Watershed Partnership (Stormwater)** (Woodward):
- **Rural Water Projects:** (Sklenar)
- **Elkhorn River Public Access Sites** (Sklenar):
- **Other:**
  - Kennard Wastewater Interlocal Agreement (Woodward) (P)
  - ★ Forrest Run Channel Agreement (Woodward) (P)
  - ★ Candlewood Lake diving contract (Cleveland) (P)

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Dave Heineman, State of Nebraska

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## News

FOR IMMEDIATE RELEASE  
July 5, 2007, 12:30 p.m. CT

CONTACT  
Ashley Craddock, 402-471-1970

### **Vegetation Task Force Membership Announced**

(Lincoln, NE) Gov. Dave Heineman announced the appointments to the Riparian Vegetation Management Task Force created by LB 701, the comprehensive water bill signed into law during this year's legislative session.

"I want to thank each of these individuals for their willingness to help find ways to improve river flow in several parts of our state by dealing with invasive plants," Gov. Heineman said.

LB 701 calls for three of the seats to be filled by riparian landowners from Nebraska's congressional districts. Mike Arps of Fremont will represent the first district, Rich Tesar of Waterloo will represent the second district, and Mike Sarchet of Minatare will represent the third congressional district.

The task force also includes representatives of surface water projects along each of the state's fully or over appropriated river basins. Representing the Platte River Basin is Kent Aden of Cozad, Jim Miller of Hardy, representing the Republican River Basin, and Tom Thompson of Whitney, who will represent the Upper Niobrara River Basin.

These individuals will join representatives of the Nebraska Association of Resources Districts (NARD), Nebraska Environmental Trust (NET), Nebraska Weed Control Association, and the University of Nebraska, along with representatives from several state agencies and the Legislature.

Representing NARD are Michael Clements of Alma, and Ron Bishop of Grand Island. Gloria Erickson of Holdrege will serve on behalf of the NET, Charles Brooks of Holdrege and Russ Schultz of Lincoln will represent the Weed Control Association, and Gary Cunningham will represent the university.

**NATURAL RESOURCES COMMITTEE  
INTERIM HEARING SCHEDULE**

**July 30-31, 2007  
NORTH PLATTE**

- 30      Water Policy Task Force Meeting  
            Sandhills Convention Center  
            2201 South Jeffers  
            North Platte, NE 69101  
            10:00 – 4:00

4:30-5:30      Buffalo Bill Ranch State Historical Park  
                    Tour and other activities

**DINNER PLANS TO BE ANNOUNCED**

**OVERNIGHT AT QUALITY INN – North Platte**  
2102 South Jeffers  
North Platte, NE 69101  
(308) 532-9090

- 31      **HEARING** – North Platte Community College  
            McDonald-Belton Building  
            601 West State Farm Road  
            North Platte, NE 69101

10:00-12:00      LR 198 (Interim study to examine information collected  
                         from flow meters installed to measure ground water use  
                         and surface water use)

1:00-4:00      LR 174 (Interim study to examine coordination between  
                         natural resources districts, state agencies and state and  
                         federal government with respect to surface water flows  
                         during times of great need)

LR 177 (Interim study to examine the ground water model  
development as set forth from the Final Settlement  
Stipulation of the Republican River Compact regarding  
inputs and accounting)



**August 20-22, 2007**  
**CHADRON**

20 Travel to Chadron

**OVERNIGHT AT BEST WESTERN WEST HILLS INN – Chadron**

1100 West 10<sup>th</sup> Street  
Chadron, NE 69337  
(308) 432-3305

21 **HEARING** – Chadron State College  
Scottsbluff Room  
Student Center  
1000 Main Street  
Chadron, NE 69337

9:00 LR 77 (Interim study to examine the issue of electronic waste recycling)

LR 105 (Interim study to examine uranium mining with respect to water consumption in, expansion in, and contracts with the state of Nebraska)

12:00 Lunch provided by Crow Butte Resources

1:00 Tour of Crow Butte Resources uranium mine

3:00-5:00 Fort Robinson State Park  
Activities at the Park (jeep rides, museum tour, etc.)

5:30 Dinner at the Fort Robinson Lodge

**OVERNIGHT AT BEST WESTERN WEST HILLS INN – Chadron**

1100 West 10<sup>th</sup> Street  
Chadron, NE 69337  
(308) 432-3305

22 **HEARING** - Chadron State College  
Scottsbluff Room  
Student Center  
1000 Main Street  
Chadron, NE 69337

9:00 LR 107 (Interim study to examine the effects of the elimination of state park entry permit fees on the state park system)

12:30 Lunch at Louden Ranch

**September 18, 2007  
KEARNEY**

18 9:00 Tour of NPPD facility at Doniphan

**HEARING – Location TBA**

2:00 LR 79 (Interim study to examine net metering and draft legislation which creates a net metering program in Nebraska)

LR 108 (Interim study to examine issues relating to the laws governing the generation of electric power using renewable energy)

**September 27, 2007  
OMAHA**

**HEARING (Joint with Urban Affairs Committee) - Location TBA**

1:00 LR 94 (Interim study to examine issues relating to the rapid urbanization of the Papillion Creek Watershed)

**September 28, 2007  
LINCOLN**

**HEARING – Room 1525, State Capitol**

9:00 LR 77 (Interim study to examine the issue of electronic waste recycling)

LR 89 (Interim study to examine how discarded televisions and their components could be recycled rather than discarded in landfills)

1:30 LR 113 (Interim study to examine issues relating to urban storm water runoff)

**October 30, 2007**

## **ALMA**

**HEARING -** (Joint with Agriculture Committee)  
Location TBA

9:30 LR 106 (Interim study to examine the effects of vegetation  
on river-flow in river basins in Nebraska)

# MONTHLY UPDATE

JUNE 2007



Following a Partnership meeting on the very last day in May, several activities and deadlines were identified for the month of June in order remain on schedule with the Stage IV study and Public Outreach. These activities are outlined in the sections below. In addition, another volunteer subcommittee was formed to assist with the public outreach process and overall Partnership Communication. A meeting of this subcommittee was held on June 15, 2007. The full Partnership also meet on June 21, 2007 to discuss the issues detailed below. Full meeting minutes and other materials are updated on the Partnership website.

## Stage IV Technical Evaluation

During June, HDR completed much of the baseline and future land use hydrologic modeling which will be utilized to compare against potential watershed management alternatives, including conservation development techniques, regional detention, and some combination of both.

## Public Outreach and Involvement

IMS produced a draft of their public outreach and involvement plan for review prior to the June 15<sup>th</sup> communication subcommittee meeting. In addition to reviewing the plan, the Partnership also reviewed several new draft fact sheets aimed at bringing the public up to speed with where the Partnership has been and where it is going. This outreach stresses several key messages which are important for everyone involved with the Partnership to consider:

1. The Papillion Creek Watershed Partnership exists to solve critical flood prevention and water quality needs in our communities.
2. The Papillion Creek Watershed is a common thread that joins our local communities.
3. The guiding principles of the Partnership are cooperation, community participation and comprehensive watershed planning.
4. Partnership policies provide solutions for our communities and watershed to meet federal regulations.
5. Our Watershed has limited options, time and available land for needed flood prevention and water quality improvements.

The Partnership is working hard to update these fact sheets as well as revise the website hopefully by mid-July.

## Risk Communication Training

Several members of the Partnership, especially from the Papio-Missouri River NRD and Omaha, participated in a training workshop on June 28<sup>th</sup> and 29<sup>th</sup> focused on improving the communications skills and methods of each individual and the group as a whole.

## State Stormwater Legislation

Two legislative resolutions were approved by the legislature to study stormwater management in Nebraska and specifically in Omaha as a result of several years of statewide effort to generate interest in the issue. These resolutions (LR 94 and 113) can be looked up at <http://uniweb.legislature.ne.gov/Apps/BillFinder/finder.php>.

## Partnership Funding

Per the agreement, annual Partnership contributions from each entity were due by June 30, 2007. This brings the projected balance for the beginning of July to almost \$291,000. Over the next NRD Fiscal Year, this money and future contributions will be used to pay HDR and IMS for their work as well as reimburse the City of Omaha and the P-MRNRD for their efforts on behalf of the Partnership to meet EPA Permit requirements.

## Stormwater Management Policies

To date, all but 2 of the 10 Partnership entities have adopted the policies proposed by the Partnership. As you are probably aware, Douglas County has worked with Washington County to create a revised set of Stormwater Management Policies which excludes detention and relies more on Conservation Development. At their Public Input session on May 9, 2007, the Partnership provided a written statement which noted that there are far more similarities than differences between the two sets of policies and that we should continue to work together toward comprehensive stormwater management for all areas of the Papillion Creek Watershed.

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## Archives: News

# Possible dam is just one of several proposals

By Don Bowen/Tribune Staff

6-9-07

Even though a proposal to create a new lake in southern Washington County has angered some people who live there - particularly people in the village of Washington - that is only one of five proposals on the table as a solution to an ongoing flooding threat in the Papillion Creek Watershed.

John Winkler, general manager of the Papio-Missouri River Natural Resources District based in Omaha, referred questions about the watershed proposals to water resources engineer John Engel with engineering firm HDR.

Winkler said there is no set timetable to make a decision about the proposals.

"Obviously, this is a very big decision to make," he said. "It'll take quite a bit of discussion and time to determine which option or combination of options we end up with. There's a lot of additional work that needs to go into it."

Engel said the Omaha-based engineering firm was hired in January 2006 by the Papio-Missouri River NRD to examine possible solutions to flooding threats along the Papillion Creek system that includes Washington and Douglas counties.

The current project was started because of ongoing flooding problems along the watershed, the project's Web site stated.

The U.S. Army  
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determined in 1967 that a series of 21 dams and reservoirs was needed throughout the watershed. Seven of those dams have been built through government funds and private developers. An eighth dam is under construction.

Along with those dams and reservoirs, there have been channel improvements to enhance the flow of water down creek beds and levees built, but more needs to be done, the Web site report stated.

During the past year, HDR engineers and other staff members have developed flood control concepts that included flood plain management, channel improvements, flood plain buyouts and conservation measures.

But Engel said after a December public meeting, officials with Papio-Missouri River NRD asked the firm to focus on five other proposals: Three dealing with dry dams and two dealing with permanent dammed reservoirs, including the one that has many Washington area residents upset.

That proposal would create a pair of reservoirs from two dams. The northern most reservoir would be about 23 square miles just west of County Road 27 and nearly three-fourths of a mile north of U.S. Highway 30.

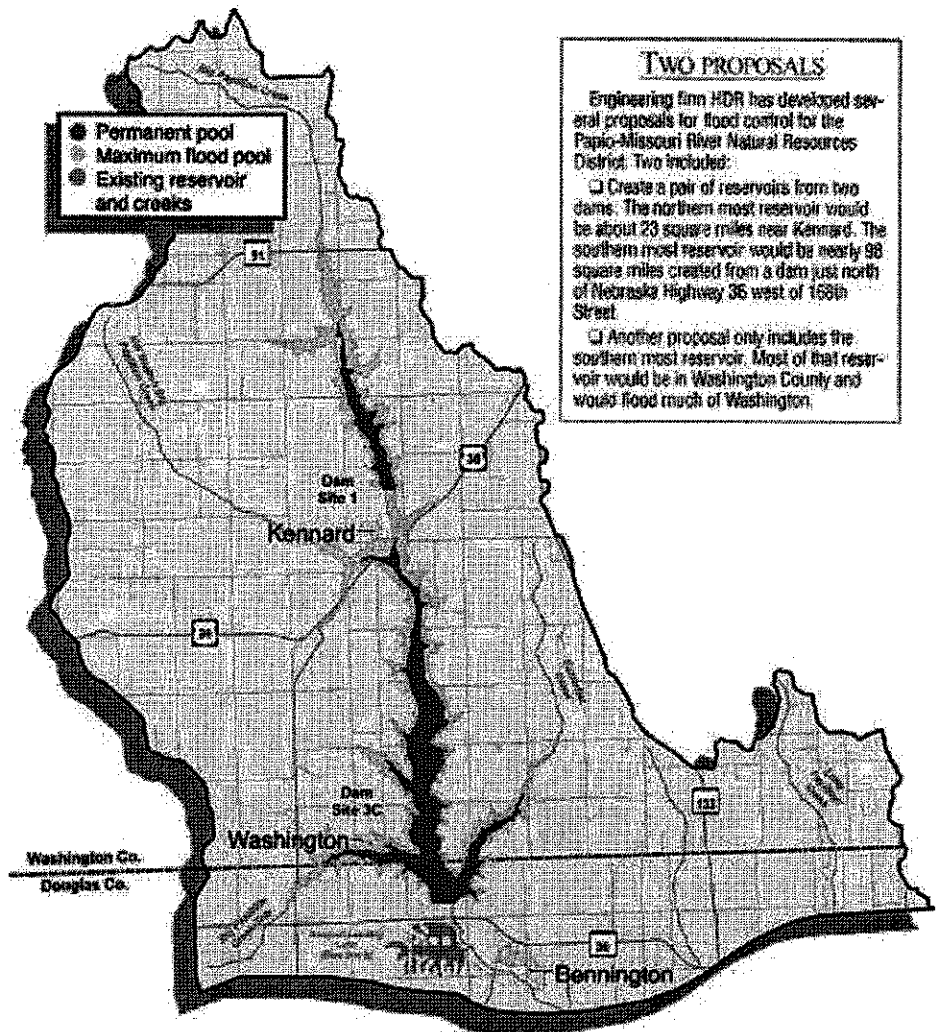
The southern most reservoir would be nearly 98 square miles created from a dam just north of Nebraska Highway 36 west of 168th Street. While the dam would be in very northern Douglas County, most of the reservoir would be in Washington County and would flood much of Washington. It could also affect an area south of Kennard.

Another proposal only includes the southern most reservoir.

Engel said the reservoirs would be permanently filled.

Both proposals would create challenges and opportunities, he said.

The biggest challenges could rest with farmers who operate on both the east and west sides of the proposed reservoirs and with residents who would have to move.



#### TWO PROPOSALS

Engineering firm HDR has developed several proposals for flood control for the Papio-Missouri River Natural Resources District. Two included:

□ Create a pair of reservoirs from two dams. The northern most reservoir would be about 23 square miles near Kennard. The southern most reservoir would be nearly 98 square miles created from a dam just north of Nebraska Highway 36 west of 168th Street.

□ Another proposal only includes the southern most reservoir. Most of that reservoir would be in Washington County and would flood much of Washington.

Opportunities that would be generated include not only recreational but also residential as people and families move into new homes around and near a lake.

In studying the recreational impact of a new reservoir, Engel said they did not consider how it would affect Fremont Lakes State Recreation Area or a new waterpark that is set to open within the next few weeks in Fremont.

Mick Sibbel, president of Ayres Kahler, a Lincoln-based public relations firm working with HDR, said he knows a lot of people who don't even consider Fremont when they plan outdoor vacations because of the number of people who already come to the city.

Sibbel said he thinks a new reservoir would only enhance outdoor recreation opportunities in the area.

Two of the other three proposals include a series of smaller reservoirs that will act to slowly funnel floodwaters down the Papillion Creek channel, Engel said. The reservoirs would hold water only until it all funnels out.



The final proposal would place a dry dam at the location of a proposed dam that would create the southern reservoir, he said. Like the other dry dams, it would slowly funnel floodwaters down the creek bed, but like the two permanent reservoir proposals, it would greatly affect the Washington community.

The five proposals will be discussed in more details at an upcoming public meeting from 5-9 p.m. June 21 at Bennington High School, 16610 Bennington Road. Engel said those details will include updated costs, benefits and impact analysis.

After information from the public meeting is compiled with other information on the proposals, the final report will be given to the Papio-Missouri River NRD in July, he said. It will be up to NRD officials to decide on the proposals.

HDR project manager Dick Gorton said the firm's role is specific.

"We are hired to provide technical data. We don't determine the cost value."

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## Archives: News

### Residents concerned about possible reservoir

By Beverly J. Lydick/Tribune staff

6-9-07

**Just one small green sign on Nebraska Highway 36 shows the way to Washington.**

One sign pointing north to the tiny town nestled in the valley of the Big Papillion Creek in southern Washington County.

With a population of 135, Washington's business district isn't extensive. There's a welding and repair shop, two lawn care businesses and an antique store open on weekends and "by appointment."

And there's Knudsen Oil and Feed Company Inc., a hub of commerce for about 3,000 area customers who buy tires, propane, gasoline, oil, fertilizer, livestock feed and seed.

Washington resident Loren Cohrs, 75, hopes the store remains a village fixture a while longer - because it has become a family affair.

Opened in 1944 by the late Eric Knudsen, the store was later obtained by Cohrs and his wife, the former Marybeth Knudsen. Now, the Cohrs' daughter and son-in-law, Amy and Bob Harper, are expected to take over when the Cohrs retire.

But all plans are on hold for the family and other Washington area residents awaiting word of a final plan to control stormwater runoff in the Papio Creek Watershed.

If what is known as Dam Site 3C is constructed south of the village, as was suggested in a

**FEATURED LISTINGS:**

**Pole Island North Bend, NE**  
**\$245,000**  
**86+ acres**

Phyllis Young's Properties

**NP Dodge - Fremont**  
**GO WITH A PRO!**



study conducted by Omaha engineering firm HDR and paid for by the Papio-Missouri River Natural Resource District, much of Washington will be flooded one day. It is one of several proposals being considered.

John Winkle, general manager of Papio-Missouri River NRD, said a final decision

hasn't been made, and no one particular plan is favored at this point.

"We're waiting for the final report and analysis," he said. "There isn't a favorite option. We're going to look at all of the options on the table."

Mike Larimore is past director and present member of the Papio Valley Preservation Association, a citizens' group that opposes the building of dams in the area.

"Dam Site 3C would definitely affect Washington," Larimore said. "In my estimation, it would decimate the town."

Larimore predicted two-thirds to three-fourths of the approximately half-mile-square village will be under water if the dam is built.

Larimore is employed at Knudsen Oil and Feed, which he said would be lost to a dam-created reservoir, resulting in hardship for area customers who depend on the company for gasoline, propane and other fuel.

"As far as southern Washington goes, we're a big player," Larimore said. "You'd have to go to Blair, Fremont or Fort Calhoun to find another (fuel) tank wagon."

He estimated at least 25 homes would have to be moved or bought out if the dam comes in.

Larimore said the preservation association favors a management plan endorsed by the Douglas-Washington County Stormwater Management Committee, whose members are private citizens and representatives from both county boards. The committee's plan reduces stormwater runoff by restricting building in floodplains, developing bioswales, rain gardens and green spaces, and requiring developers to control excess runoff at the source.

"Dams aren't necessary," Larimore said, "if you can stop runoff where it starts."

Winkle said those types of comments do have an impact in the decision-making process.

"I think this board is sensitive in the impacts that this will have," he said. "I don't think people realize the impact testimony has on an issue. We weigh all of those feelings and input."

Bob Harper, Washington resident and current president of the preservation association, said the group has been fighting the dam proposal since it came out in 2004 - just as it opposed a similar plan in the late 1960s.

Between 15 and 40 members attend NRD monthly board meetings to keep up on the issue, Harper said. The group also sent a busload of members to Lincoln in February when the NRD appeared before the Nebraska Legislature revenue committee to seek bonding authority.

LB272, as the request was called, would have added a 3-cent levy per \$100 of taxable valuation which would have been appropriated by the NRD board of directors to issue bonds to pay for flood and reservoir structures. The bill was killed in the committee, chaired by District 15 senator Ray Janssen.

Janssen said Monday State Sen. Don Priester and Tom White, both of Omaha, also serve on the revenue committee.



Debbie Schroer and her family, including her daughter, Kelli, 16, have lived at their home near Washington for 23 years. The Schroer's could lose their home if a NRD proposal is approved. - Chris Bristol/Fremont Tribune

"They both said this thing didn't need to be built," Janssen said, "and they live right there (in Omaha).

"For Washington County, it was taking a lot of land out of production," he added.

Janssen said he never heard a projected cost of the dam construction.

"As I recall, the cost would have been tremendous ... drawn out over several years," he said. "Nobody ever put a pencil to it."

Douglas and Sarpy counties also are in the Papio Creek Watershed, but Bob Harper said citizens of those areas do not appear concerned by the possibility of dams or attend informational meetings conducted by HDR or the Douglas-Washington County Stormwater Management Committee. The committee formed to offer alternatives to the Papio Creek Watershed Partnership, which includes Douglas and Sarpy counties, the NRD and the cities of Omaha, Bellevue, Papillion, Ralston, Boys Town, Gretna, LaVista, Elkhorn and Bennington.

"We are the only ones who show up at these meetings," Harper said. "We're fighting for the Omaha people, too. Where are they?"

Omaha resident Sue Jennings, a University of Michigan graduate who has worked 20 years in natural resource management, attended the May 9 information session hosted by the Douglas-Washington County Stormwater Management Committee at Bennington High School.

"They made sense, they're sustainable," said Jennings of the committee's proposals.

Jennings said she would be "hard-pressed" to endorse the building of dams, berms or any kind of development without knowing exactly why they're needed.

"There are other sensible choices out there that ought to be explored, particularly when you look at the costs involved," she said. "I'd like to see a study by the (United States Geological Survey) who could provide a viable range of alternatives."

Development can be costly to water quality as well as to taxpayers, Jennings said.

"As you develop more in the watershed, you're going to have more runoff, more pollution, more turbidity," she said. "This is something that would benefit developers, probably, if you're going to have open water. But why should taxpayers pay for that project?"

While the drainage area of Dam Site 3C also includes Kennard, population 360, and the surrounding agricultural land, Kennard village board chairman George Pearson said in late May the village board had taken no official stand on the issue.

"I'd like to have justification as to what impact (the dam) would have on us," Pearson said, noting some residents have voiced concerns about paying higher property taxes due to potential development in the Kennard area and whether a reservoir to the south would cause an increase in ground-water levels.

Pearson said Dam Site 3C could be under consideration for two reasons - watershed management and property development.

"I honestly think it's both," he said. "It could be a positive thing, depending on how we handle it."

Down at Knudsen Oil and Feed Company, Loren Cohrs isn't so sure.

"We were set up to turn this place over to the kids," he said. "Now, we just don't know."

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## Archives: News

### Dam proposal has some flooded with concerns

By Tribune Staff

6-9-07

**Several players have roles in the ongoing saga of how to manage stormwater runoff in the Papillion Creek Watershed. And they don't always agree with each other.**

There's the Papio-Missouri River Natural Resource District, a member of the Papillion Creek Watershed Partnership now considering several solutions to runoff in the watershed that covers

402 square miles in Washington, Douglas and Sarpy counties. A pair of proposals they are considering would build dams in Washington County - one of which would leave parts of the village of Washington under water.

There's the Papio Valley Preservation Association, first formed in 1974 to oppose an Army Corps of Engineers proposal to build dams on the Papio Creek and its tributaries, and rejuvenated 30 years later to monitor a solutions study by HDR, an engineering firm commissioned by the NRD.

Kennard and Washington are located in the Papillion Creek Watershed and residents of both villages wonder how stormwater management will ultimately affect their towns and the surrounding countryside.

One member of the preservation association said Dam Site 3C near Washington would create hardships.

"Dam Site 3C would definitely affect Washington," said Mike Larimore. "In my estimation, it would decimate the town."

Also playing a role is the Douglas-Washington County Stormwater Management Committee, whose members are private citizens and representatives from both county boards. They've come up with some runoff management solutions of their own - which don't include the



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Phyllis Young's Properties

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building of dams.

Informational meetings have been staged since 2006 by both HDR and the Douglas-Washington county committee, with hundreds of citizens attending to ask questions and get answers.

Not everyone comes away happy with what they hear.

They'll get and give the final word on HDR's study June 21 at Bennington High School, 16610 Bennington Road.

Then NRD will consider what to do - and how much to pay - for stormwater management in the watershed.



Loren Cohrs, owner of Knudsen Feed and Oil in Washington, outlines the parts of Washington that would be under water if a Papio-Missouri Natural Resources District proposal is enacted. Approximately 20 to 25 houses would have to be relocated or torn down. - Chris Bristol/Fremont Tribune




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## Archives: News

### Supervisors: Roads, farms would be lost

By Russ Krebs/Tribune Staff

6-10-07

**Washington County officials are drowning in their anger about a proposed dam and lake to handle stormwater runoff and control flooding.**

"I do not think we need the lake whatsoever," said Harlo Wilcox, chairman of the Washington County Board of Supervisors.

The Papio-Missouri River Natural Resource District, which covers Washington County, is considering a plan to build dams to mitigate water quality problems stemming from stormwater runoff. One of those dams - Site 3C - would create a lake that would flood much of the village of Washington and come close to Kennard.


John Winkle, general manager of the NRD, said they are waiting for the final report and analysis before making a selection and that all options are on the table.

Supervisor Ernest Abariotes agrees with Wilcox.


"It would lose some county roads," he said. "It would take farmland out of production, which is one of the worst parts."

That isn't the only thing Abariotes is upset about.

"The other thing is we are asked to embrace those policies where Douglas County isn't," he said, adding all the development and parking lots. "It's their stormwater and we're stuck with

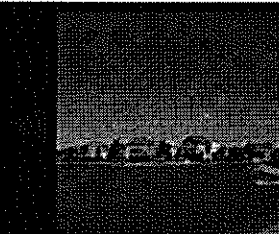


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it."

Wilcox said he believes it's the NRD's desire to work with the developers in the project, but he hasn't always been upset with the NRD.

"I think the NRD has done numbers of great things," he said. "They've built miles of terraces through the county. Actually, that is controlling your stormwater rolloff."

The NRD Web site states one dam would be built on the Big Papillion Creek west of County Road 27 and approximately seven-tenths of a mile north of U.S. Highway 30 and that the contributing drainage area would be about 23.3 square miles of primarily agricultural land, with minimal residential development.

The second dam would be built about four-tenths of a mile northwest of the intersection of Nebraska Highway 36 and 168th Street on the Big Papillion Creek in Douglas County, with the majority of the reservoir pool in Washington County. The NRD estimates contributing drainage area of this site would be about

97.5 square miles of primarily agricultural land, with isolated rural residential development and concentrated residential development in the villages of Washington and Kennard.

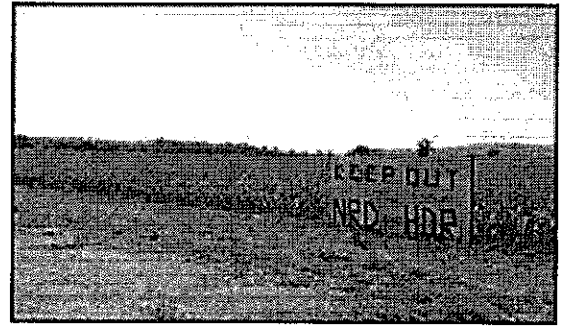
"On our roads and fire and rescue protection, it would be just terrible," Wilcox said.

He said that studies have proved that dams don't really need to be built.

"The stormwater causing flooding is not coming from Washington County or northern Douglas County, but Omaha and the suburbs," Wilcox said. "Water runs downhill."

Both men think there can be a solution.

"With proper management, I don't think there is any need for this kind of move," Wilcox said. "I realize we need a stormwater solution, but this isn't it."



A sign near Washington expresses displeasure over a Papio-Missouri River Natural Resources District and HRD Engineering proposal that would flood the area, including this field. - Chris Bristol/Fremont Tribune

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# NRD moves ahead with metro dams construction plan

6-14-07

By NANCY GAARDER

WORLD-HERALD STAFF WRITER

The Papio-Missouri River Natural Resources District continues to move forward with dam construction plans.

The new 2007-08 NRD budget would set aside \$10.8 million for its proposal to build new dams in the metro area.

Of that total, \$4 million in property tax revenue would be placed into a reserve account that the NRD says is needed because the Legislature rejected its request for authority to issue bonds.

The NRD also proposes to move forward with land acquisition for a new reservoir in Sarpy County.

NRD General Manager John Winkler said Tuesday that the district is creating the

reserve account to begin saving money for flood-control work.

"Until we get bonding authority, we have to save money," Winkler said.

Earlier this year, a legislative committee killed a bill that would have given the Papio-Missouri NRD bonding authority, which is the ability to go into debt and then pay off that debt with tax dollars.

Shawn Melotz, a Douglas County resident who opposes the district's dam-building plans, said Tuesday that she believes the NRD reserve fund is an end run around the Legislature.

"They basically ... said if you're not going to give us bonding authority, we're still going to take the money from the taxpayers," she said.

Several years ago, the NRD approved a 1-cent increase in its property tax levy to fund flood control measures. Board member John Conley said the proposed reserve fund would keep that money from being used for other purposes.

Conley said the NRD has an obligation to do something to reduce flood risks, and additional dams are needed to accomplish that.

The NRD and several local governments, including the City of Omaha, have proposed building up to 29 dams in Douglas, Sarpy and Washington Counties for flood control and to help meet federal water-quality standards.

The proposal has generated opposition from the Douglas County Board and some area residents.

On Tuesday, an NRD board committee voted 3-2 to recommend purchasing some land needed for a dam to be located near 126th Street and Cornhusker Road.

The property is scheduled for development. If the district doesn't buy the land now, it will lose the opportunity to build a dam there, said Paul Woodward, NRD water

resources engineer.

John Pink, vice president of Pink Grading, which owns about 25 acres in the area, said the company is expanding a nearby light industrial and commercial park onto that property. The NRD will buy 11.86 acres of Pink's land for about \$35,000 an acre.

Woodward said the NRD has not set a timeline for acquiring additional property or building the dam. With a pool area of about 88 acres, the \$20 million project would be slightly smaller than the 100-acre Walnut Creek Lake in Papillion.

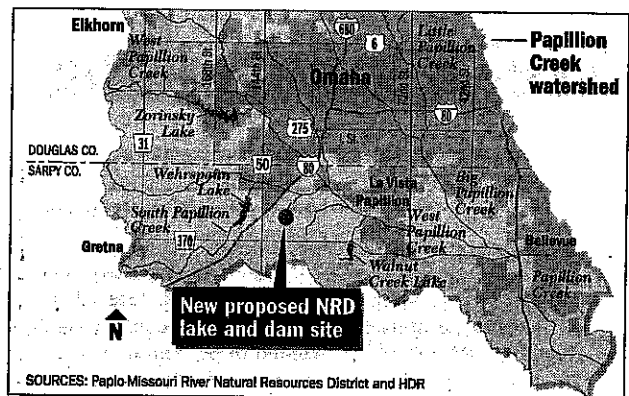
This is the second time the NRD has bought land for a dam to keep it from being developed. Last year, it bought a parcel near Bennington.

Board member Dorothy Lanphier said the NRD doesn't have enough information for the choices it is making.

"We seem to be pulled in one direction and jerked in another, instead of us deciding what's best for the taxpayer. I would like to see a more well-thought-out plan," she said.

Woodward said the 126th Street dam is needed to counteract flood risks from development.

OMAHA WORLD-HERALD



SOURCES: Papio-Missouri River Natural Resources District and HDR

THE WORLD-HERALD

Published Thursday | June 14, 2007

## **Drought-busting rains not over in southwestern Nebraska**

BY RHONDA STANSBERRY

WORLD-HERALD STAFF WRITER

The hailstorm took out the sensor on her rain gauge, but Teri Beard measured the water on the road to her house west of Champion, Neb., by where it hit the door on her Jeep.

### **Nebraska totals**

Rainfall, in inches, for the 24-hour period ending 10 a.m. Wednesday.

<b>Rainfall</b>	<b>City</b>	<b>County</b>
4.15	Paxton	Keith
4.05	Ogallala	Keith
4.00	Sutherland	Lincoln
3.98	Grant	Perkins
3.70	Venango	Chase
2.51	Madrid	Perkins
2.30	Mullen	Hooker
1.98	Stapleton	Logan
1.97	Valentine	Cherry
1.92	O'Neill	Holt
1.84	Taylor	Loup
1.75	Anselmo	Custer
1.60	Gross	Boyd

**Source:** National Weather Service

"It's pretty deep out there," she said Wednesday.

The assistant to the Chase County clerk was at her desk, even though it had rained all day and was still raining at midafternoon. She got there in her trusty four-wheel-drive vehicle.

The storm, which began Monday, had already dumped as much as 6 to 10 inches of rain on at least five southwestern Nebraska counties. The storm system was parked Wednesday over much of central Nebraska.

"It's a very slow-moving system," said Tom Kines, a meteorologist with AccuWeather, The World-Herald's weather consultant. It will continue at least through Friday, he said. "And there are no guarantees out to the weekend."

The rain was expected to spare the Omaha area, Kines said, although a shower could make into Iowa.

Flood warnings were posted Wednesday in Chase, Perkins, Dundy, Lincoln and Keith Counties in Nebraska. Radar estimates indicated 24-hour rain totals of 3 to 6 inches at 1 p.m., in addition to the 2 to 8 inches logged the day before.



"Hello! The drought's over!" said Beard, the Chase County assistant clerk. "Everybody's in good spirits."

Beard and her husband live on the old reservoir two miles west of Champion that had been bone-dry for the past six years.

Not anymore.

"My reservoir is back," she said. "I expect we'll raise Canadian-size mosquitoes this summer."

Kines said everyone might see some giant mosquitoes after the hot, wet and humid weekend.

Although Omaha, eastern Nebraska and western Iowa had a scant chance of weekend showers, the humidity and highs near 90 will make the outdoors uncomfortable for humans, but great for breeding mosquitoes.

Into next week, a cold front from the Pacific Northwest was expected to bring thunderstorms and cooler weather to the Midlands on Tuesday. The system was forecast to be strong enough to then push everything to the east.

That will give flood-plagued areas a chance to dry out, Kines said.

When waters recede, crews will evaluate the damage to roads and bridges, said Jodi Thompson, a Chase County Board member.

Twenty-five miles of U.S. Highway 6 remained closed from the Nebraska-Colorado border east to Imperial early Wednesday, she said.

Frenchman Creek, which picked up floodwaters from a normally dry Sand Draw and Spring Creek, runs through the southwestern part of Chase County.

Thompson said bridges were standing, but they might be damaged.

"We have roads that are a lake and homes that are isolated, not endangered, but getting there is the problem," she said. "Roads are the issue. There are washouts, cutouts and water crossing the road, and it's still raining."

Beard said residents of the area have seen flooding before about 10 years ago. And then years of drought. Now, she said, she's thinking hard about being careful what she prays for.

"I don't want to say please go away, but I think we prayed a little too hard."

# NRD to unveil alternate dam plan

By Jim Brazda  
Reporter

Enterprise  
6-15-07

The Papio-Missouri River Natural Resources District and HDR are ready to unveil their stormwater management conclusions for the Papillion Creek Watershed, this time with an ace up their sleeves.

The final public information meeting will be from 5 to 8:30 p.m., Thursday, June 21, at Bennington High School, and if history is any sort of guide, between 200 to 300 people will be there.

The turnout may be higher than past public informational meetings on the Washington County dam sites, because HDR also has developed an alternative plan for 14 smaller dam sites that would affect different landowners than the original plan for two, large dam sites.

In addition none of the dams would require the closing of county roads, seemingly voiding the county board's trump card. In 2004, the county board passed a resolution in opposition to the two planned dams that sent a loud message to the P-MRNRD board it would not cooperate in closing county roads to make way for the two dams. The county board is the only governing body that has the authority to close county roads.

P-MRNRD board member Rich Tesar said in a March 8 NRD board meeting he had met with county supervisors Harlo Wilcox and Jeff Quist in the summer of 2006, and formulated the regional dam idea after he was left with the impression the Washington County supervisors would not cooperate by closing the county roads.

"If the Washington County Board was not willing to close roadways, we needed a Plan B," Tesar said during the meeting.

The largest of the 14 alternative dams would have a permanent pool size of 382 acres, about as big as Glenn Cunningham Lake in Douglas County. Nine of the dams would cover between 16 and 70 acres in water, while three would be larger than 100 acres.

All together, with the regional dam proposal more than 1,000 acres of Washington County farmland would be underwater, compared to more than 2,200 acres if dam sites 1 and 3C were constructed.

But along with the wet-dam proposal, HDR has also prepared a proposal to construct the same regional retention facilities as dry dams with no permanent pool.

In addition to looking at these flood control alternatives, the meeting will also go over information from previous meetings about dam sites 1 and 3C, including an evaluation and detailed impact analysis of the alternatives, identification of flood-prone areas along Big Papillion Creek, recreation plans for sites 1 and 3C and potential funding options.

# UNO dam-study offer rejected

6-16-07

By NANCY GAARDER  
WORLD-HERALD STAFF WRITER

The Papio-Missouri River NRD, which has proposed partnering with developers on up to \$380 million in dam construction, rejected an offer by UNO to analyze whether the costs would be fairly divided between taxpayers and the private sector.

Board members voted 6-5 against taking part in the study.

In opposing the study, some board members said they fear the results could be used against

the NRD, while others saw little merit in the study.

Board members supporting the analysis said it would help the district make sound decisions and bring greater transparency to dam projects.

At issue in part is whether the \$500 per residential lot fee that

builders would pay is enough.

Preliminary analysis by the University of Nebraska at Omaha Real Estate Research Center indicates, for example, that views of Zorinsky Lake add an average of \$43,000 in value to a home. Views of Standing Bear Lake add an average value of

\$19,000 to a home.

The NRD, the City of Omaha and other local governments are proposing that taxpayers shoulder about two-thirds of the cost of building up to 29 dams.

Builders would pick up the remainder through the new fee on all home lots and a higher fee on

all multifamily, commercial and industrial property. Developers might chip in more money on a dam-by-dam basis.

The district is studying two dam construction plans, and both would rely on partnering with the private sector.

The first is the 29-dam plan and carries an estimated price tag of \$282.5 million. The other initiative involves two large reservoirs in Washington County at a cost of about \$100 million.

The board faced conflicting

See Dam: Page 2

## Dam: NRD won't co-sponsor cost-sharing study

Continued from Page 1

advice on the UNO offer at its Thursday meeting.

District staff recommended in writing and at the meeting that the board approve the study. Paul Woodward, water resources engineer for the NRD, told the board that the study would give the district a better understanding of what to charge developers.

But General Manager John Winkler, when asked directly by the board, said he was not taking a position.

The district's legal counsel, Paul Peters, gave a legal opinion to the board before the meeting. Board members spoke indirectly about the opinion at the public meeting without anyone, including Peters, explaining what it said.

Board member Rich Tesar

questioned the secrecy.

"What do we have to hide here?" he asked. "We seem to be very nervous about an opinion that somebody wrote. So what? It's an opinion. It may have credence, it may not. Why don't we just open up our hands here and be transparent and tell the truth?"

Board member Rick Kolowski, who had supported the study earlier in the week, reversed his position Thursday.

"If there is even a modicum of potential threat, that we might have it (the study results) used against us," Kolowski said, "that raises a flag for me."

Kolowski said he hopes the study will be done, but that the NRD shouldn't be connected to it.

Board members who had not read the legal opinion asked for

someone to explain what the potential risk might be.

Board member John Conley said the study could be used against the district if it does not successfully extract from developers the amount that the proposed study would recommend.

Steve Shultz, director of the UNO Real Estate Research Center, told the board that most developers in the Omaha area are willing to pay fair market value, but that they, too, lack information.

Better data, he said, lead to better decisions for all involved.

Board member Rick Patterson said the study could help the district overcome the perception that it is "cozying up" to developers.

"The more information, the better," he said.

Bob Doyle, an attorney who often represents developers, was not at the meeting, but he said Friday he would have no problem with the study.

The results, Doyle said, will show that everyone along the way benefits. Farmers are paid well for their land, developers and builders earn a profit. And the public, he said, benefits through flood control and recreational access to the lakes.

The study would have been subsidized by UNO. The district's share would have been \$15,000.

Voting against the study: Conley, Dick Connealy, David Klug, Kolowski, John Schwope, Jim Thompson. Voting for: Fred Conley, Tim Fowler, Dorothy Lanier. *Patterson and Tesar*

# Amphitheater ready for its debu

■ A concert will showcase Papillion's new venue, which also can host other types of performances.

By KRISTIN ZAGURSKI  
WORLD-HERALD STAFF WRITER

For years, a performance by the Papillion Area Concert Band has closed the city's annual Papillion Days celebration.

That tradition will continue at the end of this year's event Sunday, but the concert will move from the picnic shelter at City Park to a new venue — Sumtur Amphitheater at Walnut Creek Recreation Area.

The new location is appropriate, as the amphitheater has been a labor of love for the band's founder and director, Ken Molzer.

Papillion Mayor James Blinn praised Molzer for his tireless work on the amphitheater.

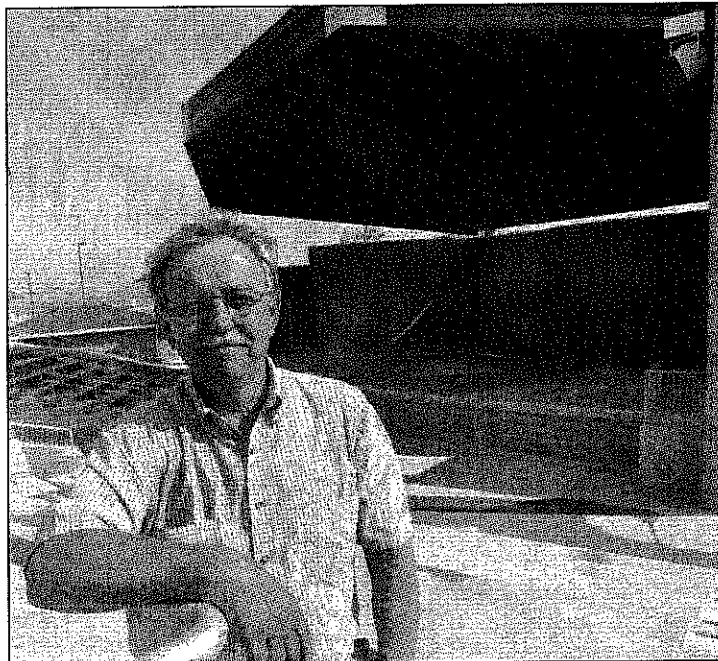
"There's no question, this project would not have existed without Ken Molzer's work," he said.

Molzer, retired as band director at Papillion Junior High, said he thought 20 years ago that it would be nice if there was a place for bands to play near the duck pond at Papillion's Halleck Park.

The amphitheater project became the product of that vision.

A steering committee was formed in 1990, Molzer said. The group considered five other sites before settling on the ultimate location along 108th Street, south of Nebraska Highway 370.

Also starting in the 1990s, the committee worked to raise funds for the project. With the city's



RUDY SMITH/THE WORLD-HERALD

help, the committee in recent years collected about \$2 million from nearly 400 donors — individuals, community organizations, businesses, developers and the city and county, Molzer said this week.

Construction on the amphitheater began in May 2005. It was named Sumtur Amphitheater last month in honor of two major donors — Wally and Elaine Sump and Wes and Ruby Turtscher — who, Molzer said, gave about a half-million dollars combined. The Sumps also were major benefactors for Papillion's Sump Memorial Library, which opened in 1996.

The amphitheater is "just a great asset for the City of Papillion and Sarpy County," Blinn said. "It really gives a unique outdoor experience that many times you only see in larger cities, and we're very fortunate to see it here."

Sunday's grand opening, fea-

turing music by the Papillion Area Concert Band and the Sarpy Serenaders Barbershop Chorus, will be the first public event at the amphitheater, Molzer said.

The venue is the only one of its kind in the Omaha metropolitan area. Its stage is large enough to hold a symphony orchestra.

Behind the stage are dressing rooms, performers' restrooms and room for scenery storage. In front is permanent seating for 300 people and a grassy slope that can boost the capacity to more than 1,000. There's also a concession plaza.

"I think the residents are going to be extremely happy with it," Blinn said.

Concerts, stage productions and other performances will be held at the amphitheater. Many events will be free, but some will have admission fees.

Events were kept to a minimum this year to help the amphitheater get established, Molzer

## Summer events

**Sunday:** Grand opening, with performances by the Papillion Area Concert Band and the Sarpy Serenaders Barbershop Chorus 7:30 p.m.; free

**July 13-15 and 20-22:** Papillion Vista Community Theater presents "Fiddler on the Roof" tickets \$10 for adults and \$5 students

**Aug. 19:** Papillion Area Concert Band performs; free

**Aug. 26:** Sarpy Serenaders Barbershop Chorus performs free

**The Sumtur Amphitheater has been a labor of love for Ken Molzer. As director of the Papillion Area Concert Band, Molzer envisioned an outdoor stage for concert and other performances.**

said. There will be a full schedule next year, running from through September or October.

The City of Papillion, contributed more than \$2 toward the amphitheater, to operate the venue. It has a board of directors to approve events, said Molzer, who is a board member.

Molzer said he has mixed feelings of anxiety and joy no the amphitheater is opening. "It's taken a lot of time," he said.

His goal is for families to enjoy nature and the arts at the venue.

Molzer's amphitheater list isn't complete yet, he said. Remaining are improvements such as more landscaping, privacy fencing and a canopy over the seating area that Blinn said the city is committed to making.

"This is a project in progress," Molzer said. "It's going to be quite a showpiece in years to come."

# Liability for water use spans Nebraska

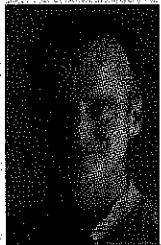
W-H 6-18-07

This spring, both the Missouri River and Platte River rose toward their flood stages near Omaha. Rain clouds rolled through in waves. Foliage busted from its winter sleep, lush and deep green. Ticks and mosquitoes rejoiced, as surely did the makers of Deet.

Through this period of heavy rainfall, The World-Herald has continued its occasional series on how decades of heavy irrigation and drought in central and western Nebraska have dropped Nebraska's groundwater tables by 50 feet or more in places.

Some rivers there are now most often laces of riparian brush. The reservoirs are raisins of their old selves. Boat docks sit far from shorelines, like the hulls of old sea barges wrecked at high tide.

And no, recent flooding in some of these areas has not solved the problem.



Robert Nelson

Here in eastern Nebraska, The World-Herald project is likely falling on wet ears. It rained out here.

And it always rains here. Our rivers flow. Enough said. Everything is fine.

Indeed, for most of the state's history, this is how the eastern part of the state has looked at the water issues of the High Plains. It's wet here. What's the problem?

In the absence of interest from the east, state water law has been guided by those in the rural central and western regions who want the state's groundwater and surface water the most — irrigators.

And now Nebraska is stuck with arguably the worst water crisis in the central and western United States, says Robert Glennon, author of "Water Follies: Groundwater Pumping and the Fate of America's Fresh Waters" and one of the foremost authorities on American water laws.

"Very simply, Nebraska's policy of putting water policy in the hands of those (natural resource districts) run by irrigators is a disastrous policy," Glennon said from his office in Tucson, Ariz. "You have the foxes guarding the hen house."

"Add that your Supreme Court has taken only baby steps toward linking surface water use to groundwater use, and you have a policy that's true madness," he said.

I read Glennon's book last year after hearing him speak in Phoenix, a city at the confluence of two great rivers that no longer run. South of Glennon's office at the University of Arizona law school in Tucson, the Santa Cruz River also, essentially, no longer exists. That's the fate of many of the rivers in that state.

But that's arid Arizona. I couldn't imagine it happening in Nebraska. Then I saw the Platte near Grand Island, drove the rim roads of several western reservoirs. It's happening here. The groundwater no longer sustains lakes and rivers once rain or snowmelt subsides.

As time passes, farmers and ranchers must drill deeper and deeper to find water.

World-Herald reporter David Hendee points out in the series that some progress has been made in the past decade.

Glennon, who has spoken several times in Nebraska, says any progress here has only been forced by adjacent states.

"It's not that Nebraska has proven it wants to change the way it does things," he said. "It's that your neighboring states won't let you screw them over anymore."

This bleak view doesn't come from a radical. Glennon simply advocates sustainable water use and water law based on science, science that shows groundwater and surface water are part of an intricate and delicate system that needs thoughtful management to be sustained for future generations.

Indeed, he's actually a hard-core capitalist. For one thing, he advocates policies that cap

See Nelson: Page 2

## Nelson: Water crisis hits state

Continued from Page 1

groundwater consumption in a way that makes users pay its true market value.

What must happen, say Glennon and those within the state who have pushed similar policies of sustainability, is that eastern Nebraskans must see the state's water problems as something they, too, must help fix.

Urban Nebraskans and representatives need to look past the flowing rivers east to the rivers dying west.

Only then will our officials be able to work with the focus and determination needed to enact measures larger than baby steps.

And only then will the lands and lakes of the Platte region around for our children.



Pilot-Tribune 6-20-07

# Alternate dam plan on agenda

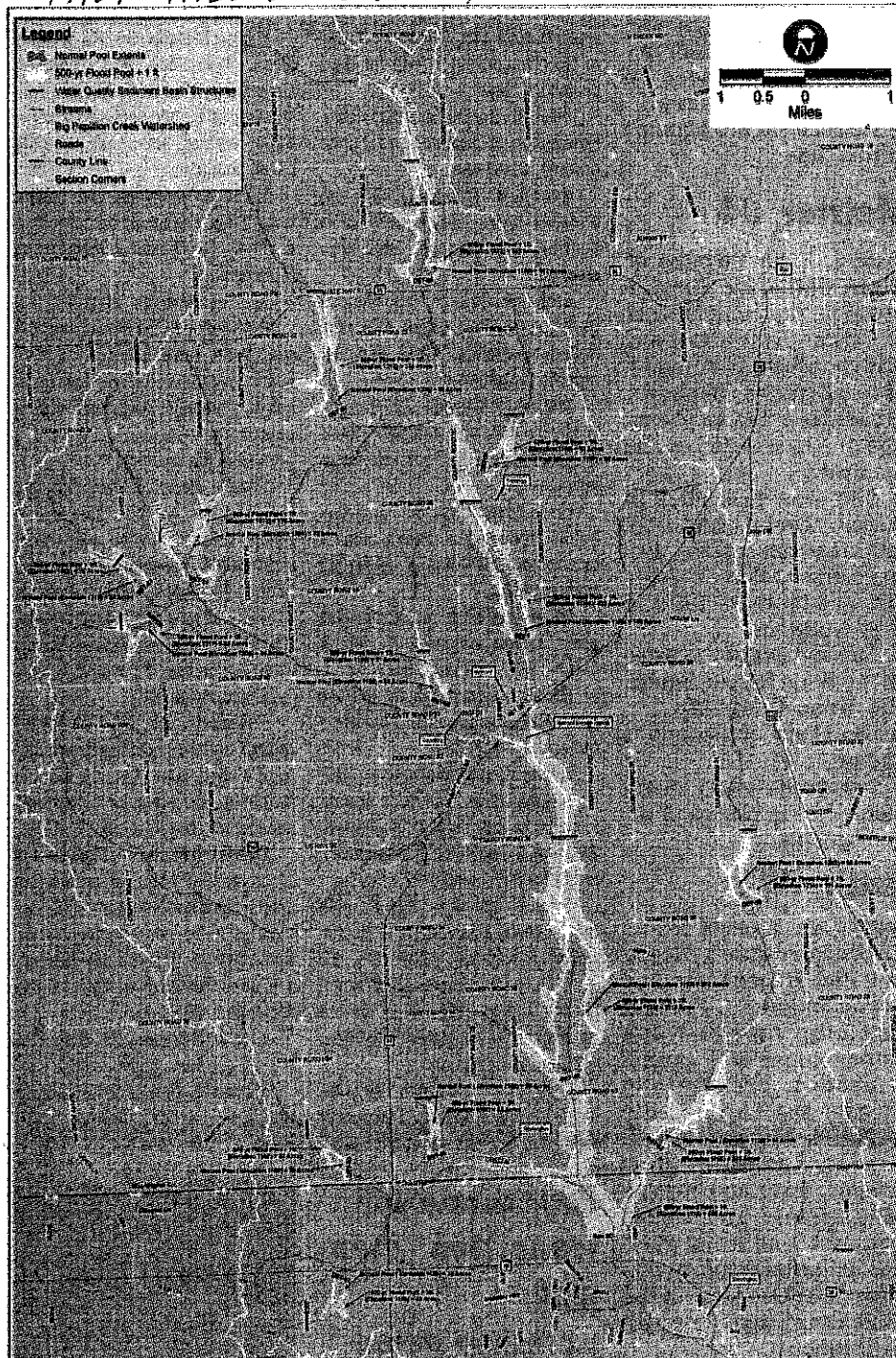
The Papio-Missouri River Natural Resources District and HDR will hold the final of three public meetings Thursday to unveil the past year's findings on a study to investigate two large dams in Washington County, and alternative flood control measures that may provide the same level of flood control.

An open house will begin at 5 p.m., with the presentation commencing at 6:30 on June 21 at Bennington High School.

In addition to studying dam sites 1 and 3C, HDR also developed an alternative plan for 14 smaller dam sites that would affect different landowners than the original plan for two, large dam sites.

None of the regional dams would require the closing of county roads, seemingly voiding the county board's trump card. In 2004, the county board passed a resolution in opposition to the two planned dams that sent a loud message to the P-MNRD board it would not cooperate in closing county roads to make way for the two dams.

The largest of the 14 alternative dams would have a permanent pool size of 382 acres, about as big as Glenn Cunningham Lake in Douglas County. Nine of the dams



SEE DAMS PAGE 3A

An alternative plan that includes several smaller dams in Washington County will be among the items discussed at a public meeting at Bennington High School on Thursday, June 21.

## DAMS: Meeting is Thursday

FROM PAGE 1

would cover between 16 and 70 acres in water, while three would be larger than 100 acres. All together, with the regional dam proposal, more than 1,000 acres of Washington County farmland would be underwater, compared to more than 2,200 acres if dam sites 1 and 3C were constructed.

In addition to looking at these flood control alter-

natives, the meeting will also go over information from previous meetings about dam sites 1 and 3C, including an evaluation and detailed impact analysis of the alternatives, identification of flood-prone areas along Big Papillion Creek, recreation plans for sites 1 and 3C and potential funding options.

## Dams still questioned

Recent news stories have reported that the Papio-Missouri River Natural Resources District has budgeted \$10.8 million for a proposal to build new dams in the 2007-08 fiscal year. The NRD indicates that \$4 million of the total amount would be set in reserve for future dam construction.

NRD engineer Paul Woodward says the dams are needed to counteract flood risks from land development. According to present policy, developers pay one-third of the cost to control runoff that is created by land development, and the taxpayers pay two-thirds.

The NRD has rejected a University of Nebraska at Omaha study to determine whether dam construction costs are divided equitably between taxpayers and the private developers.

Why should taxpayers pay two-thirds of the cost of managing runoff, while those who create the problem pay only one-third? Aren't there less expensive ways to control runoff?

With all due respect to the NRD

W-H 6-20-07

leadership, it is no wonder that many landowners are not very trusting of the decisions being made at the top. I would like to express my thanks to those board members who are open to more information and want to make this entire process a little more transparent.

**David Mooter, Kennard, Neb.**

# JournalStar.com

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## Nebraska buys more Republican River water

*By the Lincoln Journal Star*

*Friday, Jun 22, 2007 - 11:57:42 pm CDT*

The state of Nebraska has completed its purchase of 54,000 acre feet of Republican River water to send across the border to Kansas.

Ann Bleed, director of the Nebraska Department of Natural Resources, announced Friday an agreement had been signed by the Republican River Basin Coalition, the U.S. Bureau of Reclamation, and several irrigation districts in the basin to buy the use of this year's irrigation water supply.

The 2007 water that would have been available for diversion by the Frenchman Valley, Riverside and Frenchman-Cambridge Irrigation Districts — totalling 36,000 acre feet of water — will not be diverted for use by local irrigators, but instead will be sent downstream as part of the state's efforts to comply with the 2001 Republican River Compact settlement.

When combined with the surface water already purchased from Nebraska's Bostwick Irrigation District, a total of more than 54,000 acre feet of water will be used to help reduce Nebraska's consumptive water use this year and provide water to Kansas. The first release of water from the Harlan County Dam for Kansas was scheduled to occur this week.

A three-state agreement governs the amount of Republican River water that each can use: Nebraska gets 49 percent, Kansas gets 40 percent and Colorado gets 11 percent.

Nebraska has overused its compact allocation the past three years.

In a news release, Gov. Dave Heineman said the agreements with the irrigation districts "are a significant step in helping our state meet our consumptive use targets for the year. We still have a number of challenges to address, but today's announcement is key in getting Nebraska on the right track."

Heineman said the rainfall the southwest Nebraska basin has received so far this year — largely breaking a years-long drought — "will also go a long way towards helping producers" who are losing their irrigation water.

Jasper Fanning, manager of the Upper Republican Natural Resources District and a member of the Republican River Basin Coalition, said in a statement the surface water purchases will help the state "avoid severe allocation reductions and unnecessary economic devastation."

The Republican River Basin Coalition was formed to implement the water purchase. The coalition consists of the Upper Republican, Middle Republican and Lower Republican natural resources districts.

Bostwick officials said earlier they had sold their 17,500 acre-feet for about \$5.7 million. The news release from the Department of Natural Resources did not say how much the state paid for the additional 36,000 acre-feet. A call to a department official Friday was not immediately returned.

An acre-foot of water is enough to cover an acre of land with a foot of water, or enough to meet the yearly residential needs of an average family of four.

Money for the purchase will come from provisions of a bill (LB701) passed this session by the Legislature.



Under it, officials can impose a new tax levy of 10 cents per \$100 of assessed property value on all Republican River basin residents and a \$10 per-acre fee on irrigated land.

The property tax levy and fee could raise up to \$16 million a year. The money can be used to buy and lease water to send to Kansas, reduce water-consuming vegetation along the river and possibly augment it with groundwater, among other things.

*The Associated Press contributed to this story.*

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Print Page



# Looking for flood control help

## No matter what proposal is picked, NRD will need additional funds

BY DON BOWEN

TRIBUNE STAFF

Papio-Missouri River Natural Resources District is going to need help paying for major flood control measures in the northern half of the watershed, one NRD official said.

Thursday evening, NRD officials and staff with engineering firm HDR held the last of three public meetings to outline possible flood control measures and get public input.

Water resources engineer John Engel said Omaha-based engineering firm HDR was hired in January 2006 to examine possible solutions to flooding

threats along the Papillion Creek system that includes Washington and Douglas counties.

Engel's presentation Thursday night focused on five proposals that NRD officials said are still on the table. Three of those include dry dam structures that would only hold water after a heavy rain to allow overflow water to funnel slowly into the creek system.

The other two proposals include dams that create permanent reservoirs in Washington County and extreme northern Douglas County.

One would create two reservoirs: One north of Kennard and one just north of

Nebraska Highway 36 that would flood most of the village of Washington.

The other only includes the southern most reservoir.

HDR senior environmental engineer Dick Gordon said he doesn't think people understand the real flooding threat facing the watershed, especially Omaha.

"Keep in mind that water runs south," Gordon said. "So any flooding in the watershed is going to drain down to Omaha."

The situation is worse than it has ever been, he said. Continued development on the fringes of Omaha is to blame.

"I grew up in the Rockbrook area," he said. "In the 1960s, that was the west edge of Omaha. Now, it's geographically midtown. Half of the city has been built since the 1960s. That's the problem."

Rick Mangold pointed at a location on a map around the Highway 64 and 144th Street intersection.

"This is where there's a Home Depot and a Lowe's now," Mangold said. "I used to go pheasant hunting there."

The additional concrete and rooftops create additional runoff into the creek system, Gordon said. Along with that,

PLEASE SEE FLOOD CONTROL, A2

## ● FLOOD CONTROL: NRD will need additional funds

CONTINUED FROM PAGE A1

as more and more of the area is developed, those developments are removing conservation measures that were in place before.

Papio-Missouri River NRD general manager John Winkler said the threat will continue to escalate.

"It's anticipated that the watershed will be completely built up by the year 2040," he said. "We only have 20 to 30 years where we have an opportunity to do this. It's also anticipated that this whole area will be platted completely in 10 years."

"There's a time crunch that we have to make a decision how we will handle stormwater and flood control in the district."

Time isn't the only issue facing NRD officials, he said. Regardless of which proposal is adopted by the NRD's board of directors, they will have to find a way to fund it.

Winkler said there is not enough in the NRD's annual budget to handle a project this large. With an overall budget of about \$41 million, the NRD has about \$10 million in its budget for flood control measures.

"That's for everything we do," he said. "We certainly don't have the money in our budget to handle a project like this."

But Winkler said there is a solution to the funding problem, but they will need help.

"We need the Legislature to give us bonding authority so we can issue bonds to pay for whichever proposal is chosen," he said. "This would be a project that would be completed over time. We wouldn't have bonds issued all at once."

The NRD's levying authority allows its board to set a levy of up to 4.5 cents, he said. Cur-

### Cost of proposals

Papio-Missouri River Natural Resources District officials are trying to decide how to handle growing flood concerns in the watershed that includes Washington and Douglas counties.

Estimated costs, compiled by staff with the Omaha-based engineering firm HDR, associated with five proposals being considered are:

■ Two reservoir dams. Dams located three-fourths mile north of Kennard and one-half mile north of State Highway 36 near Washington would create two permanent reservoirs, requiring six large water quality basins. The total cost estimate for the project would be \$108.3 million. That includes more than \$62 million for land acquisition.

■ One reservoir dam. A dam located one-half mile north of Highway 36 near Washington would create a single permanent reservoir, requiring five large water quality basins. The total cost estimate for the project would be \$93.4 million. That includes more than \$57.6 million

for land acquisition.

■ Regional wet dams with a series of 15 dams mostly throughout Washington County, including 14 smaller permanent reservoirs and 16 large water quality basins. The total cost estimate for the project would be \$109.7 million. That includes more than \$41 million for land acquisition.

■ One dry dam. A dry dam located one-half mile north of Highway 36 near Washington would hold water only after heavy rains until the excess water funnels slowly into the Big Papillion Creek. The total cost estimate for the project would be \$58.5 million. That includes nearly \$33 million for land acquisition.

■ Regional dry dams with a series of 15 structures mostly throughout Washington County. Each dam would hold water only after heavy rains until the excess water funnels slowly into the creek system. The total cost estimate for the project would be \$91.7 million. That includes more than \$35 million for land acquisition.

rently, the Papio-Missouri River NRD has a levy of about 3.8 cents. The levy for the next fiscal year is expected to drop nearly 1 cent.

"We've calculated, and we can do this without going over the limit of our levying authority," he said. "It's going to take some time, but we can do it. It would be incrementally done over 20 to 40 years."

"We want to put a leash on ourselves," he continued. "We want to do this in a responsible manner over a several year period."

About 270 people attended the public meeting.

Gary Petersen said he favors a dry dam solution.

"I grew up near Herman," Petersen said. "Part of the town always flooded when there was a lot of rain. They put a dry dam on some farmland nearby. That fixed the problem."

Engel said HDR would give a final report to the NRD by late July.

Winkler said all of the options will be considered, but a hydrology study still needs to be completed before all of the information is available to them.

"We're waiting for the final report and analysis," he said. "There isn't a favorite option. We're going to look at all of the options on the table."

Published Saturday | June 23, 2007

## Nebraska will send more water to Kansas

LINCOLN (AP) — The State of Nebraska will send an extra 54,000 acre-feet of Republican River water downstream to help meet its obligations to Kansas.

The Department of Natural Resources announced Friday that it had signed agreements to buy a total of 36,000 acre-feet of water from the Frenchman Valley, Riverside and Frenchman-Cambridge Irrigation Districts. That's in addition to the water bought last month from the Nebraska Bostwick Irrigation District.

Bostwick officials say they sold their 17,500 acre-feet for about \$5.7 million. A press release from the department did not say how much the state paid for the 36,000 acre-feet. A call a department official Friday was not immediately returned.

An acre-foot of water is enough to cover an acre of land with a foot of water.

Money for the purchase will come from provisions of Legislative Bill 701, passed this year by the Legislature.

Under that bill, officials can impose a new tax levy of 10 cents per \$100 of assessed property value on all Republican River basin residents and a \$10-per-acre fee on irrigated land.

The property tax levy and fee could raise up to \$16 million a year. The money can be used to buy and lease water to send to Kansas, reduce water-consuming vegetation along the river and possibly augment it with groundwater, among other things.

The bill also includes a water fund filled with state general fund dollars and new regulatory powers for natural resources districts statewide.

A three-state agreement governs the amount of Republican River water that each can use: Nebraska gets 49 percent, Kansas gets 40 percent and Colorado gets 11 percent.

Nebraska has overused its compact allocation the past three years. The state estimates that it could be 200,000 acre-feet short of meeting its obligation.

A final determination will be made in August.

Contact the Omaha World-Herald newsroom

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# Court hands NRD a victory on dams

■ The decision says the agency can work with private developers.

By PAUL HAMMEL  
WORLD-HERALD BUREAU

LINCOLN — Washington County opponents of a series of dams proposed by the Papio-Missouri River Natural Resources District were dealt a setback Friday by the Nebraska Supreme Court.

The court ruled that the NRD had authority to work with private developers in building two dams near 72nd Street and Highway 370 for the Shadow Lake residential development and Shadow Lake Towne Center shopping mall.

The ruling turned back an appeal by five Washington County landowners, including William Japp, president of a group fighting larger dams proposed in that county.

Japp, who heads the Papio Valley Preservation Association, also is among 10 landowners who sued over a 58-acre lake built to accompany a planned "signature" Omaha city park at 192nd Street and West Dodge Road.

Due to Friday's ruling, a motion will now be filed to dismiss that lawsuit, which is still pending in Douglas County District Court, said John Winkler, manager of the Papio NRD.

"We believe it's the same subject matter," Winkler said.

He added that Friday's ruling should give his board more "comfort" when contemplating agreements with private developers.

The lawsuit against the two Shadow Lake dams was filed after the NRD in May 2005, voted to spend \$3.3 million in an

agreement with developers.

The money paid all the design and construction costs for the 750-foot-long Midlands Lake Dam and 75 percent of costs for the 2,500-foot-long Shadow Lake Dam. The private developers paid the rest and provided the land for the two lakes, which cover 12 acres and 34 acres.

The landowners' lawsuit maintained that the NRD's deal was unconstitutional, violating a clause prohibiting "the credit of the state" to be given or lent to aid a private corporation.

The landowners also claimed the NRD had no authority under state law to contract with private developers.

The court, in affirming an earlier ruling by Sarpy County District Judge George Thompson, rejected both arguments.

It said the NRD may contract with private parties to achieve its goals, which include preventing floods and erosion by building

dams.

The court also ruled that money was not lent or given to the Shadow Lake entities. NRD merely "expended" funds to carry out its obligations under state law.

"Reasonable minds may agree whether it is good policy for NRDs to contract with private developers," the ruling stated. "That decision, however, is for the (state) Legislature."

The NRD envisions up to two dams, but it is unclear how many will be built, Winkler said.

One of the largest dams Washington County, would be built on land owned by Japp and some of the other landowners.

An attorney for the landowners, Jocelyn Walsh of Lincoln, declined to comment on the ruling.

06/23/2007



# Dam projects could cost Arlington

BY DON BOWEN  
TRIBUNE STAFF

Any of the five proposals that are being considered by the Papio-Missouri River Natural Resources District will affect a local school.

Information released by Omaha-based engineering firm HDR Thursday night at the last of three public meetings showed that Arlington Public Schools will initially lose revenues from land being taken off the tax rolls for the flood control measures.

The proposal to have two permanent dam reservoirs, which would take the most amount of land and property off tax rolls, would cost Arlington schools the most, HDR information stated. The school district would lose about \$94,000 from its annual bud-

## PROPOSALS' COSTS

Each of the five proposals being considered by the Papio-Missouri River Natural Resources District will at least initially cost the Arlington school district.

Here's how much the local district would stand to lose in annual property tax revenues from each of the five proposals as compiled by engineering firm HDR.

- Two dams with permanent reservoirs: \$94,000 to flood control and \$18,000 to recreational projects.
- One dam with permanent reservoir: \$90,000 to flood control and \$7,000 to recreational projects.
- Regional dams with permanent reservoirs: \$93,000 to flood control.
- One dam without permanent reservoir: \$22,000 to flood control.
- Regional dams without permanent reservoirs: \$80,000 to flood control.

et initially from the land that district an additional \$18,000, would be used for flood control the HDR estimates stated.

Any additional land taken off proposal that includes just the the tax rolls for recreational single permanent reservoir, projects could cost the school Arlington schools could still

lose a total of about \$97,000 to the flood control and recreational projects.

The single dry dam proposal would have the least impact to Arlington schools: About \$22,000.

HDR economist Jeremy Cook said these figures are just an estimate and only take into account the initial impact any of the proposals would have on the district.

Over time, the district's fortune could reverse with additional developments being built around the projects.

"We don't have any idea what that might be," Cook said.

Rennington and Blair school districts would also initially lose revenues from each of the proposals. Both would be affected more than Arlington.

Published Monday | June 25, 2007

## Federal farm bill bankrolled prairie in Lincoln

BY JAKE THOMPSON  
WORLD-HERALD BUREAU

WASHINGTON — Two years ago, then-Lincoln Mayor Coleen Seng boasted that a creative partnership had allowed Nebraska's capital city to add 230 acres of mostly native tallgrass prairie to its beloved Pioneers Park — at a low cost to local taxpayers.

Seng thanked the "generous support" of the Friends of Pioneers Park Nature Center, the Nebraska Environmental Trust, donors to the Lincoln Cares Program, Lancaster County and the Lower Platte South Natural Resources District.

She also might have mentioned the federal government, which really bankrolled the deal with subsidies paid for by taxpayers nationwide.

The prairie land initially was purchased for \$1.26 million by the private nonprofit Lincoln Parks and Recreation Foundation, which oversees Pioneers Park. The foundation then went to work with the U.S. Department of Agriculture.

Tapping into a grassland reserve program created by the 2002 federal farm bill, the USDA sent the parks foundation \$1.1 million and established a permanent grassland easement to shield the land from development.

That payment ranks the Lincoln Parks and Recreation Foundation as one of the top 20 recipients of federal crop or conservation subsidies in Nebraska from 2003 through 2005, according to the Environmental Working Group.

For a number of years, the environmental group has collected USDA farm subsidy records and published them in an online database. It recently updated the database with new USDA information that shows more clearly who receives the federal subsidies.

In Lincoln, once the parks foundation received the federal money, it transferred ownership of the land to the city for about \$115,000, paid for by donations, grants and local government support, city officials said.

The cost to Lincoln city taxpayers was less than \$30,000.

The addition builds on the recent expansion of Pioneers Park, which includes hiking and biking trails, public art and wildlife sanctuary.

In the 1990s, city officials acquired 237 acres adjoining the park from the family of David and Bonnie Martin. The Martins' children sold the latest 230 acres to the foundation.

Now park officials hope to restore the area so thousands of annual visitors can get an idea of the landscape seen by early settlers.

While the new land had been grazed heavily for years, much of it had never been broken for farming, said Lynn Johnson, city parks director in Lincoln.

The plan is to let the land rest to see what native prairie grasses and plants emerge, then perhaps introduce bison to the property, Johnson said.

The Lincoln project involves one of the largest subsidy payments to Nebraska under the grassland reserve program, said Randy Epperson of the USDA's Nebraska office of the Natural Resources Conservation Service.

The intent of the program is to protect native prairie from imminent development.

"It's a very fragile ecosystem, and there aren't a lot of acres left. Those are very special places in Nebraska and the country, and they are intended to stay that way," Epperson said.

Lincoln has seen a development boom in the past two decades.

Martin family members, Epperson said, were very interested in leaving the land in a grassland condition long after they were gone.

"It was a very unique situation because they could have easily sold it for a lot more for another housing development. And how many more of those do we need around Lincoln?" Epperson said. "I think it's a fantastic use of taxpayer money."

OMAHA DAILY HERALD FOUNDED 1885  
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 OMAHA WORLD-HERALD FIRST PUBLISHED JULY 15, 1889

# Sunday World-Herald

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## Clearing the way

**W**hat could have become a distracting detour on the road to flood control in the Omaha area was resolved by the Nebraska Supreme Court

Friday in favor of the Papio-Missouri River Natural Resources District.

The court's decision left no doubt that the NRD has the power to contract with private developers to share the cost of building flood-control dams across the multicounty area for which it is responsible. The lawsuit was filed in 2005 by five Washington County couples; it involves dams that created Midlands and Shadow Lakes near Papillion in Sarpy County.

One caveat in the court's decision: Though the justices ruled the public-private partnership legal, the decision said it was up to the Legislature to decide whether such alliances were wise.

The ruling is highly significant because the arguments rejected by the Nebraska high court are the same as those likely to be made against similar existing or proposed partnerships in Douglas and Washington Counties.

A number of Washington County residents have registered objections to dams discussed for their area. An 11-government coalition that includes Omaha and Douglas County has preliminary plans for two projects, one involving 29 dams and the other calling for two larger structures on the Papio Creek watershed.

The couples involved in the lawsuit argued that the NRD unlawfully built two dams at a cost of \$3.3 million in a 430-acre development project at 72nd Street and Schram Road. They argued that the dams would benefit primarily the developer but offer little or no advantage to taxpayers.

The NRD has used the public-private partnership strategy to construct several flood-control projects in recent years. Typically, a private developer donates land and, sometimes, a portion of construction costs needed to create a lake. In return, the NRD pays much of the cost of construction. Most of the projects

**Supreme Court  
 of Nebraska  
 decides NRD  
 can form  
 alliances  
 to build dams.**

allow recreational public access to the lakes; developers can sell homes on lots near the water.

Another key element in the dispute was clarified during

the district court trial of the case in 2005 and apparently survived high court scrutiny: The Washington County couples' attorney questioned NRD officials on why another proposed solution that would have cost taxpayers nothing was rejected.

But that solution — dry detention basins — is "a Band-Aid approach" to flood control, testified Marlin Petermann, the NRD's assistant general manager. The debate over alternatives will rise again during discussions of other dam projects.

The ruling clears up some of the debilitating fog under which the NRD and its board of directors have been functioning for several years.

John Winkler, executive director of the agency, said, "We always believed we were operating within the limits of the law." Nevertheless, the uncertainty seems to have encouraged caution among NRD board members.

The decisiveness of the court's ruling should give board members more confidence in their decisions.

It also may relieve the district of another lawsuit filed by the Washington County couples in Douglas County District Court. That suit makes essentially the same charges as the Sarpy County case, this time involving an NRD/developer partnership in a proposed 58-acre recreational lake near 192nd Street and West Dodge Road. NRD officials can be expected to ask the court to dismiss this lawsuit under the new precedent.

Perhaps this court decision will encourage residents, the NRD and the other governments involved to work together toward a reasonable compromise. As development continues across all of the Omaha area, flood control will become ever more important to everyone — industries, businesses, residents. Increasingly, it is in everyone's best interest to prevent, rather than merely react to, future flooding.

# Boyer Young pioneers rain gardens at Newport Hill

Post-Gazette  
by Mary Lou Rodgers 6-26-07

A new housing development west of Bennington fits right in with the concept Douglas County has adopted for water control.

Both water quality and stormwater drainage have become issues as metro areas grow, more land is covered with cement, and federal standards are raised.

Boyer Young, in planning one of its newest residential subdivisions, Newport Hill, is incorporating several environmentally friendly methods of addressing potential water problems. Newport Hill, just south of Highway 36 at 180<sup>th</sup> Street, will have rain gardens built into the back yards and outlets.

"They are the first of their kind in the area," Tim Young said. "The rain gardens are indentations in the ground that have gravel and special plants that essentially slow down water and filter it before it gets into waterways."

Newport Hill will also have a detention basin for the water to run into. Boyer Young plans to make that into an amenity by creating an attractive pond of an acre or more in size. Ponds, a feature Boyer Young has used in other developments as well, have their own wells to keep the water fresh and clean, and usually have a fountain.

"Imagine going out on your back deck or patio and being able to enjoy a water feature," Young said.

Besides being very popular in other Boyer Young subdivisions, the ponds control the stormwater so that mud isn't washed into creeks. At Newport Hill, controlling the runoff will directly benefit the NRD lake just south of the property. Young said it is important to con-

trol the runoff from the Newport Hill land, which was a corn field, to avoid putting sediment into the lake.

"The water quality in the lake will be better," he said.

Boyer Young created a pond and fountain at Savannah Shores in Sarpy County that feeds into Walnut Creek Lake. They've done a similar feature in Manchester Park. At West Bay Woods at 180<sup>th</sup> and F, they have a 13-acre pond that drains into Zorinsky Lake, and at nearby West Bay Springs, there are smaller ponds, and water flows into the West Bay woods.

Douglas County Commissioners recently adopted stormwater management policies for the county that are based on Best Management Practices (BMPs). The idea is to encourage low impact development that will control stormwater with ponds, rain gardens, open spaces and other means rather than building dams with permanent pools.

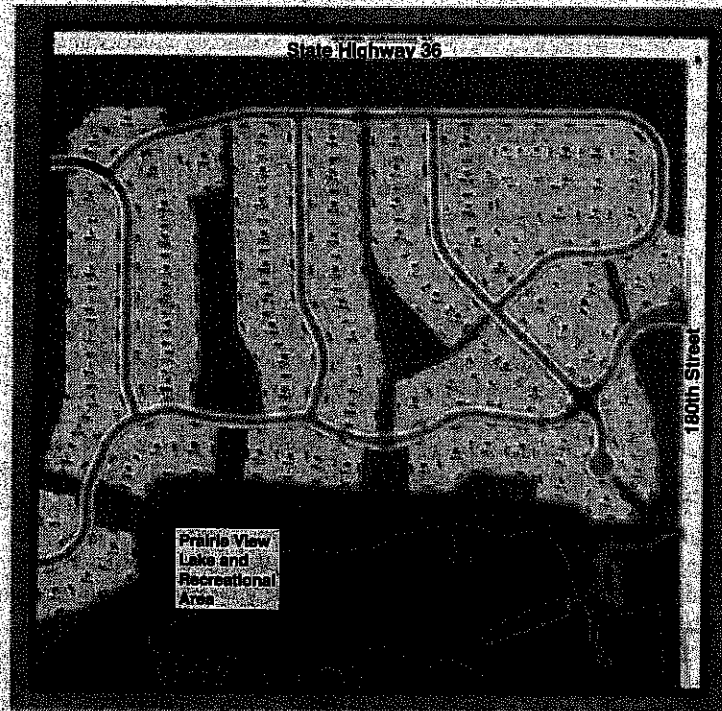
"The County is very proactive on this," Young noted. "Where they're headed is exactly where we want to go as well. 'The product we've been turning out has been magnificent.'"

Young said the Hamptons development was the Street of Dreams last year, and now they are building the South Hamptons, where they kept 95 percent of the tree canopy.

Tim Young and his partner, Mark Boyer, started taking this approach to development a few years ago.

"We looked at the situation," he said. "We have national stormwater quality standards, then state, then cities. It is a problem — more paving, more runoff. So we, as a development company, looked at it eight years ago."

Rather than viewing the need to



**Newport Hill, at the southwest corner of 180th and Highway 36, is north of Prairie View lake. Lots will have rain gardens, and open spaces and ponds will help control stormwater runoff.**

control water as a negative, they decided to turn it into a positive with the use of ponds.

Young expects Newport Hill to be a very appealing place to live. There are 91 lots on 110 acres, with each lots about 3/4 of an acre in size, or about 150 x 250 feet.

"Research told us that three acres is too much to take care of," Young said. "This seems to be the perfect size for a home site. There is room between homes, setbacks and more room for outbuildings."

Newport Hill will have full utilities with MUD water and gas, paved streets, storm sewers and curbs. Buyers will choose their own build-

ers, and homes are expected to be in the range of \$300,000 to \$700,000. All the sites are graded so that the water flow is directed properly. The majority of the homes will have walkout basements.

Newport Hill sits higher than its neighbor to the east, Newport Landing, so residents will have a view of the lake.

"It's a very nice country feeling with open spaces, large home sites and city amenities," Young said.

The land is already graded and he expects sanitary and storm sewers to be done by the end of the summer. The land is going on the market this month.



# State adds to river flowing into Kansas

By DAVID HENDER

WORLD-HERALD STAFF WRITER

6-27-07

Water is spilling out of Harry D. Strunk Lake and into the Republican River northeast of McCook, Neb., as the state begins transferring billions of gallons to Kansas this summer.

The U.S. Bureau of Reclamation is releasing 250 cubic feet — the equivalent of 1,870 gallons — per second from the reservoir in a steady release expected to continue for a month.

Downstream at Harlan County Lake near Alma, operators are releasing 150 cubic feet per second into the Republican River to meet calls from Kansas irrigators for water.

The flows are part of the first purchases of water by Republican basin natural resources districts from three Nebraska irrigation districts. Legislation enacted this year authorizes the NRDs to issue bonds to buy water rights from irrigation districts.

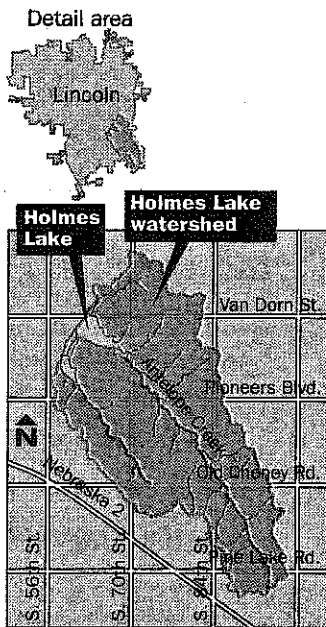
The action is part of the state's effort to comply with the Republican River compact. Nebraska has overused its share of the basin's water since 2003 and owes Kansas at least 136,000 acre-feet.

Purchases of about 54,000 acre-feet of water from the Nebraska Bostwick, Frenchman-Cambridge, Frenchman Valley and Riverside irrigation districts this summer are expected to help bring Nebraska closer to complying with the agreement with Kansas.

The Republican NRDs will pay nearly \$7.8 million to Frenchman-Cambridge for 26,000 acre-feet of water from Harry D. Strunk Lake. Riverside District will receive \$126,000 and Frenchman-Valley an estimated \$640,000 for a combined 10,000 acre-feet of water.

The State of Nebraska paid more than \$5.6 million to the Nebraska Bostwick district for 17,500 acre-feet.

The purchases total nearly 17.6 billion gallons of water.

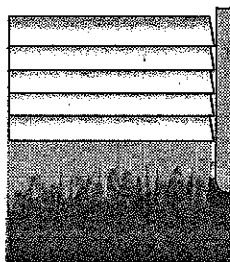


Source: City of Lincoln



City of Maplewood, Minn.

The city of Lincoln hopes to help 20 residents in the Holmes Lake watershed build rain gardens, like this one in Minnesota.



## Rain gardens

A rain garden is a small garden planted in a soil depression designed to temporarily hold and soak in rainwater runoff that flows from roofs, driveways, lawns and parking lots.



Place at least 10 feet away from building foundations

Source: lincoln.ne.gov

SHEILA STORY/Lincoln Journal Star

# Gardens to rein in pollution

Rain gardens could soon sprout in watershed near Holmes Lake, city says.

BY ALGIS J. LAUKAITIS  
Lincoln Journal Star

Flower gardens.  
Veggie gardens.  
Herb gardens.  
Butterfly gardens.  
Rain gardens.  
Huh?  
That's right. Rain gardens.  
The Lincoln Public Works and Utilities Department wants to build 20 rain gardens in the watershed above Holmes Lake as a demonstration project. It

also wants to inform the public about what can be done on a small scale to maintain and improve water quality.

A rain garden is a small garden planted in a depression with native shrubs, perennials and flowers. It is designed to collect water that runs off roofs, driveways, patios or lawns and release it slowly into the soil.

Ed Kouma, an engineer with the department's water management division, said the idea is to trap chemicals and sedi-

ments in the rain garden before they enter the lake and harm aquatic life.

The city, along with its state and federal partners, recently spent \$5.5 million on an extensive renovation of the lake, and they've come up with a program that could help maintain or improve its water quality.

"With all of the work done on Holmes Lake, we're definitely interested in improving the quality of the water running into the lake so we don't have

any problems," Kouma said.

Rain gardens are among three pollution-prevention actions that the department is exploring. The others are giving away rain barrels and nonphosphorus lawn fertilizer.

Experts say rain gardens are effective in removing as much as 90 percent of the chemicals and as much as 80 percent of the sediment from rainwater runoff.

See GARDENS, Page 3B

## ■ Gardens

Continued from Page 1B

Kouma said the city is interested in building 20 rain gardens in the watershed, all on a voluntary basis. Rain gardens not only improve water quality by filtering out pollutants, but the native plants can be an attractive feature and also benefit insects, birds and other wildlife.

"Water is intended to infiltrate out of a garden within a 48-hour period," Kouma said. "This is not designed to be a wetland, bog or pond.

It's nothing like that. It's intended to be dry most of the time. ... If there is no rain, it will have to be watered."

Kouma said the city will pay for 90 percent of the cost of a rain garden; the homeowner, 10 percent. The work will be done by a landscape contractor hired by the city. Each rain garden will be sized to the amount of runoff on the property.

Kouma said the city also will be distributing free bags of nonphosphorus lawn fertilizer and rain barrels as part of a Holmes Lake Watershed Pollutant Reduction Project. Fertilizers containing phosphorous promote algae growth in the lake.

While some lawns may need fertilizer containing phosphorous to promote new growth, Kouma said, there is enough phosphorous already in the soils of the watershed, so adding more doesn't benefit a lawn. Instead, it only offers opportunities for the phosphorous to wash off and flow into waterways.

One thousand free bags of fertilizer will be distributed. Homeowners who live in the watershed above the lake will receive a coupon that can be redeemed for the free fertilizer.

Rain barrels are an old-fashioned idea for saving water for irri-

gation and other purposes. But they also help trap some of the water and sediment that would end up as runoff. Twenty rain barrels, each holding about 55 gallons of water, will be distributed on a first-come basis, Kouma said.

"They are not for potable water, but rainwater is good quality water," he said.

Each rain barrel will be fitted with a spigot so homeowners can easily get to the water and use it on their flowerbeds or gardens. Kouma said they have gotten a few calls already for the rain barrels.

The city is funding the water

quality program through a \$254,680 grant from the Nebraska Department of Environmental Quality. The money came from the U.S. Environmental Protection Agency under a federal water quality program.

"It was given to us to give out specifically for projects involving nonpoint source pollution," said DEQ spokesman Rich Webster. Nonpoint source pollution includes rainwater runoff.

The state agency also is providing advice and assistance to the city, which is contributing \$96,100. The Lower Platte South Natural Resources District also is helping out

with \$60,000, and \$12,348 is coming from the University of Nebraska-Lincoln and private donations.

Rain gardens, which are popular on the East Coast, are relatively new in Lincoln. Kouma said he is not aware of any that have been built in yards, but the city has installed a large one in a parking lot at 63rd Street and Platte Avenue in Havlock and is working on another one next to a parking lot near 27th and F streets.

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

# Meeting outlines dam options in co.

By Jim Brazda  
Reporter

Pilot-Tribune  
6-27-07

The study is done and the next call belongs to the Papillion-Missouri River Natural Resources District. HDR presented its finding Thursday, June 21, in its more than one-year-long study of flooding in the Papillion Creek Basin and the feasibility of construction of two large dams in Washington County.

About 300 people attended the meeting to hear the results, and voice their opinions and concerns.

John Engel, who led the study for HDR, said develop-

ment throughout the drainage basin has expanded the floodplain in and around Omaha. Around 760 structures are currently at risk of flooding during a 100-year storm event, Engel said. Constructing dam sites 1 and 3C in Washington County would reduce potential flood damage by 85 percent, he said.

In addition to providing flood control, the reservoirs would provide more than 2,000 acres of open space, including eight parks and 27 miles of trails, linking the parks

SEE DAMS PAGE 3A

# DAMS: Many question study

FROM PAGE 1

together, Engel said. Around half a million people would be expected to visit the reservoirs and park system for recreation each year, he said.

HDR was also asked by the P-MRNRD to look at alternatives to the two dams. HDR also studied the costs and impacts of building only 3C—the damsite closest to Bennington—as a wet dam or dry dam, as well as building 15 smaller, regional dams in Washington County to replace the two large ones.

The funds to pay for the project would come from a mixture of federal grants, corporate and federal earmarks, property taxes through the P-MRNRD and private contributions from developers. In earnest, the money would come from local and federal coffers as well as developers.

"There is not a single funding source that would make these projects cost-feasible," Engel said.

As usual with the previous two HDR presentations of the study, the large majority of the public, many of whom would lose homes and farmland to the project, was not enthusiastic.

Mike Ryan told the crowd the real flooding danger is not caused by a lack of dams, but by large, impervious areas covering the ground. The problem should be dealt with by enacting low impact development ordinances and best management practices to control runoff, he said.

"The best part about it, taxpayers don't have to pay for it," Ryan said.

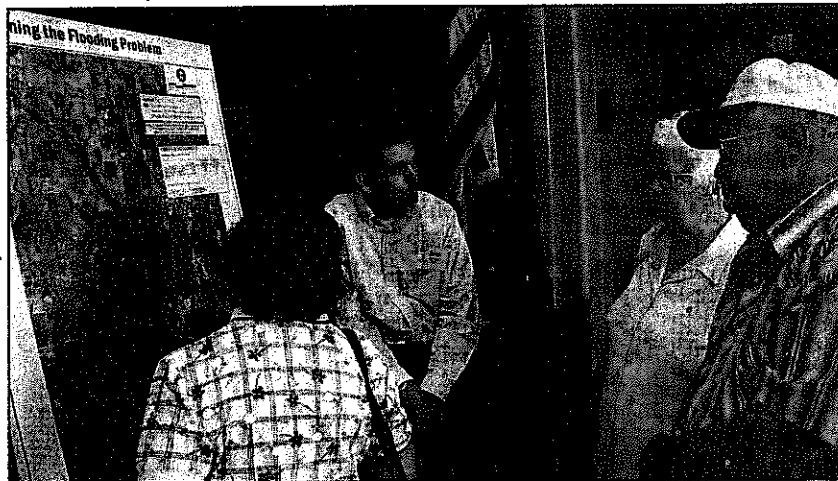
Engel said for low-impact developments and best management practices to work, the design would have to extend past the standard of "no net increase" in runoff to actually reduce runoff.

Sheila Dreessen was also not happy with the plan, and said the NRD should help Omaha improve its sewer system as a more effective way to provide flood relief.

"You people, you just keep pouring cement, pouring cement, pouring cement," Dreessen said. "Some day you'll be paying \$10 for a loaf of bread and you'll be crying, 'where's all the farmland?'" she said.

The developers caused the flooding problem in the drainage basin, Dreessen said, "and here you're kissing their butts and kicking ours."

Shawn Melotz said she thought the numbers HDR was using for the study were skewed, and the project would cost much more than the \$108 million.



John Engel, project leader for the HDR study of dam sites 1 and 3C, speaks with LeMara Eicke, Washington, and Herman Lauritsen, Blair.

## Cost, impact estimates of proposals

A summary of the costs and impacts of dam sites 1 and 3C, as well as the alternative flood control methods researched by HDR. All these options provide a \$9.4 million annual equivalent reduction in flood damage.

**Sites 1 & 3C**—two permanent pools, six water quality basins  
70 properties with structures affected, including 35 houses  
5,865 acres total (project and recreation)

Property tax impacts:  
Washington County—2.7 percent  
Blair School District—1.6 percent  
Arlington School District—3.7 percent

Total cost:  
Flood control—\$108.3 million, \$1.6 million annual operation and maintenance  
Recreation—\$47.4 million, \$300,000 annual operation and maintenance

**Site 3C**—one permanent pool, six water quality basins  
66 properties with structures affected, including 35 houses  
4,840 acres total (project and

recreation)  
Property tax impacts:  
Washington County—2.5 percent  
Blair School District—.6 percent  
Arlington School District—3.2 percent  
Total cost:  
Flood control—\$93.4 million, \$1.5 million annual operation and maintenance  
Recreation—\$39.8 million, \$230,000 annual operation and maintenance

**Site 3C as a dry dam**—no permanent pools, no water quality basins  
35 properties with structures affected, including 19 houses  
2,145 acres total (project and recreation)  
Property tax impacts:  
Washington County—1.1 percent  
Blair School District—.1 percent  
Arlington School District—.7 percent

Total cost:  
Flood control—\$9358.5 million, \$1.5 million annual operation and maintenance  
Recreation—\$11.6 million, \$60,000 annual operation and maintenance

**Regional wet dam detention**—14

permanent pools, 16 water quality basins  
10 properties with structures affected, including 2 houses  
4,650 acres total (no recreational use evaluated)

Property tax impacts:  
Washington County—2.3 percent  
Blair School District—1.4 percent  
Arlington School District—3.1 percent

Total cost:  
Flood control—\$109.7 million, \$2.3 million annual operation and maintenance

**Regional dry dam detention**—15 sites, no permanent pools, no water quality basins  
10 properties with structures affected, including 2 houses  
3,820 acres total (no recreational use evaluated)

Property tax impacts:  
Washington County—2 percent  
Blair School District—1.2 percent  
Arlington School District—2.7 percent

Total cost:  
Flood control—\$91.7 million, \$2.2 million annual operation and maintenance

flooded," Melotz said.

"If HDR and the NRD are truly concerned with flooding, stop the people from building where it floods," she said.

The general feeling of the crowd was the purpose of the dams is more to spark development and provide recreation areas than flood control.

"If you took recreation off the table, could you even justify these dams just for flood control?" Washington County farmer Gary Lambrecht asked.

HDR will present the same information on its conclusions to the P-MRNRD board at its July meeting. Then, the board will make its decision on how to proceed based on its interpretation of the study's findings.

Published Wednesday | June 27, 2007

## Rare Sturgeon Spawning Seen in S. Dakota

The Associated Press

SIOUX FALLS, S.D. (AP) - Scientists have documented natural spawning by the endangered pallid sturgeon in the Missouri River.

They had suspected the six dams in the Dakotas and Montana kept the fish from spawning by altering flow, temperature and sediment content.

But starting in March, they found successful spawning for the first time by closely following two female sturgeon between Vermillion and Blair, Neb.

Using radio tags implanted in March, scientists from several agencies followed the sturgeon upstream. When the sturgeon were recaptured in May, both had released their eggs in an apparent attempt to spawn, said Craig Fleming, of the U.S. Army Corps of Engineers near Yankton.

"This is the first direct evidence that pallid sturgeon do spawn" in the section of the river between Omaha, Neb., and Vermillion, Craig said. However, "we haven't actually answered anything other than, OK, we verified spawning."

The research is part of a larger attempt to recover the pallid sturgeon species.

Another part of that effort came in May 2006, when the corps released extra water from Gavins Point Dam near Yankton in a "spring pulse" meant to mimic a natural rise and thought to cue sturgeon reproduction.

There was no artificial rise this year, but at least two pallids spawned anyway.

"It is encouraging to know that they are spawning, but what it ultimately means to species recovery, we don't know," said Darin Simpkins, a fish biologist for the U.S. Geological Survey in Columbia, Mo.

It will take several years for research to generate recommendations for changes in river management, said Wayne Nelson-Stastny, of the U.S. Fish and Wildlife Service.

"We went through more than a century of changes," Nelson-Stastny said. "I think people's expectation in today's world is for instant results, but you've got to think about where we've been with this river."

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Information from: Argus Leader, <http://www.argusleader.com>

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Published Thursday | June 28, 2007

## NPPD giving irrigators a month before they could be cut off

BY DAVID HENDEE  
WORLD-HERALD STAFF WRITER

Hundreds of farmers and ranchers who pump water from the Niobrara River across northern Nebraska have one more month before they could be cut off and required to pay for the water.

The Nebraska Public Power District will delay until Aug. 1 a call for state water officials to give the utility its full water right at a hydropower plant at Spencer Dam on the Niobrara.

NPPD originally planned to call for its water next week.

The delay interrupts plans by the Nebraska Department of Natural Resources to mail letters Monday to more than 200 Niobrara irrigators upstream from the dam, ordering them to stop diverting or storing water.

The delay also gives the Niobrara irrigators more time to sign agreements offered by NPPD allowing them, for a price, to irrigate during times of low flows. The agreements were mailed to irrigators a week ago.

Under these "subordination agreements," both parties keep their original water rights. But those with junior, or newer, rights for irrigation can use water before NPPD claims its senior rights for power, if NPPD is paid just compensation.

NPPD set the compensation rate at 70 cents per acre-foot, based on the cost calculated to replace the power that would have been generated. An acre-foot is the amount it would take to cover an acre of land with a foot of water.

"The compensation protects NPPD's water rights at a price that is fair," said Ron Asche, the Columbus-based utility's president and chief executive, calling hydropower plants an important asset for a utility and its customers.

NPPD doesn't anticipate further extensions after Aug. 1.

The State Natural Resources Department originally sent closure notices to Niobrara irrigators May 1. The action triggered a lawsuit and other legal action against the department.

The notices were subsequently lifted because of increased river flows.

Contact the Omaha World-Herald newsroom

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## Delayed irrigation releases help Big Mac

By David Hendee

WORLD-HERALD STAFF WRITER

The bottom is falling out of Lake McConaughy's water supply this summer as flows in the North Platte River diminish.

But boaters should have good access to the big Nebraska reservoir at least through July, according to the Central Nebraska Public Power and Irrigation District.

"July should be very good, although some boat ramps may be inaccessible late in the month," said Tim Anderson, a Central spokesman. Central owns and operates the lake. Generous spring rains pulled much of Nebraska out of persistent drought conditions, but the Panhandle and the North Platte River watershed above Lake McConaughy near Ogallala haven't been as fortunate.

For example, the North Platte's flow Monday at Lewellen, at the upper end of the reservoir, was 84 cubic feet per second, or 4.5 percent of the average June 25 measurement since storage began in 1941.

The lowest daily inflow recorded — 38 cubic feet per second — occurred June 24, 2002.

During May and June — the time of year when stream flows are typically at their highest — inflows to McConaughy averaged 22 percent of the May-June average since 1941, said Cory Steinke, a Central engineer.

Big recent rains below the lake, however, raised stream flows and enabled Central to delay releases to downstream irrigators for several weeks. As a result, McConaughy is about three feet higher than it was at the end of June last year.

Anderson said that if south-central Nebraska receives timely rains in July and August, the district would release less water from the reservoir, which would extend use of boat ramps this summer.

Central started releasing water from McConaughy last week. Irrigators started putting it on their fields Tuesday.

Powered by TECNIA

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# JournalStar.com

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## NPPD delays call on water in Niobrara River basin

*By The Associated Press  
Thursday, Jun 28, 2007 - 10:55:29 am CDT*

COLUMBUS — Nebraska Public Power District is giving irrigators upstream of its Spencer Dam more time to divert Niobrara River water before they have to pay for it or be cut off.

In a news release, NPPD said it believes that "delaying the call for water for the Spencer Hydro Power Plant until Aug. 1 will provide adequate time for junior surface water irrigators in the Niobrara River basin above the hydro to enter into subordination agreements offered by NPPD."

The agreements let irrigators use their junior water rights — for a price — during times of flow shortages.

The district originally told the irrigators with water rights junior to NPPD that they had to end use on May 1, but changed its mind. It was in the process of cutting off use on July 1 instead, but now has extended that to Aug. 1.

NPPD said it doesn't expect extensions beyond Aug. 1.

Some of the irrigators last month sued NPPD and the Nebraska Department of Natural Resources.

The irrigators described NPPD's offer to sell water rights back to the irrigators — as long as the irrigators concede that NPPD has priority over their water rights — as "economic coercion."

The class-action lawsuit filed in U.S. District Court in North Platte says the irrigators should have been given a hearing before their water was put in jeopardy. It also requests that NPPD tear down Spencer Dam and remove the silt left behind.

Nebraska's surface water is distributed on a priority system — the older the water claim, the higher the priority of usage.

Brian Barels, NPPD's water resources manager, says NPPD's water claims on the Niobrara for Spencer date to the 1890s — senior to claims by most of the irrigators upstream.

But Nebraska also has a preference system for surface water. Domestic uses — drinking water, etc. — rank the highest, followed by irrigation, then manufacturing.

In this case, the manufacturing is the power generation at Spencer Dam.

The state administers the water by the priority system, unless some group wants to assert its preference.

The irrigators can do that, Barels says, but under state law they must compensate the NPPD its cost to replace the power.

NPPD's board has set that figure at 70 cents an acre-foot, which is enough water to cover an acre of dirt with one foot of water. The money will buy power elsewhere in order to compensate for loss of the station's output.

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# Surplus may enable NRD to clip tax levy

By NANCY GAARDER  
WORLD-HERALD  
STAFF WRITER

The Papio-Missouri River Natural Resources District proposes to take in fewer property tax dollars in the coming fiscal year, in part by whittling down a budget surplus.

John Winkler, the NRD's general manager, said the district anticipates that it will have accumulated \$11 million in reserves by the conclusion of the current fiscal year, which ends Saturday.

"It's the taxpayers' money, and we shouldn't be sitting on it," Winkler said.

About \$7 million of the surplus will be used to cover expenses in the 2007-08 budget, Winkler said.

The remaining \$4 million will be placed in a reserve account for dam construction in the Omaha metropolitan area. Opponents of the dams say the district should eliminate the reserve account if it's serious about lowering taxes.

The 2007-08 budget is under review this summer by the board and is scheduled for a vote in August. The tax rate will be set in September.

As currently proposed, the district's tax rate would drop by about 5 percent. If property valuations come in as Winkler expects, the tax rate that is set in September could be lowered by about 20 percent.

The NRD proposes to collect about \$16.5 million in property tax revenue in the coming fiscal year, which is about \$107,000 less than the current year. "We're going to hold the line," Winkler said.

Based on the currently proposed tax rate, a home valued at \$100,000 would face a \$36.37 NRD property tax bill next

## Papio NRD proposed budget

**Total budget:** \$44.12 million, an increase of \$6.8 million.

**Property tax levy:** 3.6378 cents per \$100 assessed valuation, a decrease of .207 cents.

**Total property tax revenue:** \$16.5 million.

**Who is affected?** Sarpy, Douglas, Washington, Burt, Thurston and Dakota Counties.

year, a drop of about \$2 from the current year. If valuations come in as high as expected, Winkler said, the home's tax bill could be cut by about \$6 more.

Public comment will be taken at the July and August board meetings. For information, see [www.papionrd.org](http://www.papionrd.org).

Shawn Melotz, an accountant and Douglas County resident, said the NRD is misleading people when it talks of tax cuts. Instead of banking \$4 million for dams that haven't been approved, she said, the district should further reduce its tax take.

"You're playing games with this budget," Melotz said.

Winkler said the reserve account gives the district needed flexibility. "It's just good planning," he said.

Next year's \$44.12 million budget reflects an increase over the current budget year. Winkler said the district is able to increase spending while reducing its tax take because it is drawing down the surplus and because other governments partner with the NRD and provide it money.

This is Winkler's first budget as the district's general manager.