

**P-MRNRD EVENTS
MARCH, 2003**

DATE	TIME	EVENT
March 10, 2003		Nebraska Association of Resources Districts Board Meeting , Holiday Inn Downtown, Lincoln, NE
March 11, 2003	6:30 p.m.	Elkhorn River Public Access Study Ad Hoc Consultant Selection Subcommittee: Rich Tesar, Chairperson John Conley, Vice-Chairperson Dick Connealy Melissa Gardner Barb Nichols
	7:00 p.m.	Programs, Projects & Operations Subcommittee: John Conley, Chairperson Rich Jansen, Vice-Chairperson Tim Fowler Joe Neary Rich Tesar Alt. Members: Dick Connealy & Pete Rubin
	8:30 p.m.	Finance, Expenditure And Legal Subcommittee: Melissa Gardner, Chairperson Dick Connealy, Vice-Chairperson John Conley Barb Nichols Jim Thompson Alt Members: Joe Neary and Pete Rubin
March 13, 2003	8:00 p.m.	P-MRNRD Board Meeting
March 14, 2003	1:00 p.m.	US. Fish and Wildlife Service 100 th Anniversary Celebration of Refuge at Boyer Chute Headquarters
March 17-19, 2003		Nebraska Association of Resources Districts Washington DC Trip Directors John Conley and Barb Nichols and GM Steve Oltmans and Asst. GM Marlin Petermann will represent the District.

UPCOMING EVENTS

- April 1, 2003 Elkhorn River Public Access Study Ad-Hoc Consultant Selection Subcommittee Meeting
- April 8, 2003 P-MRNRD Subcommittee Meetings
- April 10, 2003 P-MRNRD Board Meeting

To: File
Date: 6 March, 2003
Re: Lower Decatur Bend – Williams
From: Jim Becic

In partial response to the two concerns voiced by Mr. Williams at the 13 February Board meeting regarding the notices and/or information meetings. I would like to offer this somewhat abbreviated chronology. Please consider that all parties involved were encouraged to continue open and continued dialogue as they felt needed – HOWEVER, with the potential for future litigation, the evolution of ROW legislation and court rulings **and** nothing to actually negotiate for (until the appraisals were completed and formal offers were made) - staff are encouraged to do so with caution.

- 1) December, 1989 - the NRD Board recommended "...to develop engineering and design concept plans for...Lower Decatur Bend..." (**as** funding becomes available).

Following the completion of the Blackbird Scenic Overview, the Boyer Chute National Wildlife Refuge, the Hidden Lake/Great Marsh Restoration Project and while working on California Bend, Nathan's Lake and the Stratbucker Site restorations, the Board on:

- 2) February, 1997 – Approved sending a Letter of Intent (LOI) to the Corps of Engineers to initiate a study to determine the feasibility of a project at the Lower Decatur Bend site.
- 3) 17 July, 1997 – Certified notices mailed to landowners of the NRD's Intent To Survey for the project. This allowed preliminary information to be gathered for the following Scoping Meeting.
- 4) 15 September, 1997 – The initial Interagency Scoping Meeting was held in Tekamah, Nebraska to discuss the potential project. All interested parties were invited to attend including the landowners, press, and interested public. The purpose of this meeting was to present project information to include benefits, needs, general timeline, methodology of the "process" and most importantly to allow input from all parties to this process.
- 5) 30 September and 1 October, 1997 – Individual "socioeconomic" interviews were held to solicit concerns and details that may not have surfaced at the public Scoping Meeting held earlier in the month. One of these meetings was held at Mi. Williams' house and he provided three pages of family farm history to the Corps of Engineers.
- 6) December, 1998 – Meeting in Burt County to discuss plan formulation of the chute alignments and other project features that were to be included in the preliminary design. All landowners were sent letters of invitation. Williams inquired about the possibility of selling **an** easement on the chute rather than fee. He also was also concerned about site access.

- 7) June, 1999 – Draft Ecosystem Restoration Report mailed to all landowners requesting comments. (This was the Feasibility Study.)
- 8) 8 July, 1999 – The NRD Board approved the Lower Decatur Bend Feasibility Study. (This Feasibility Study experienced considerable delay due to - among other roadblocks - significant consultant ‘problems’ as well as the attempts to develop “habitat easement” language that was acceptable to both the landowners as well as the Washington DC office of the Corps of Engineers.) Now that a project in the area was proven to be “feasible”, and considerably more details were available regarding the project, Mr. Williams at this Board meeting, was able to express his concerns based upon more detailed “designs” – rather than preliminary thoughts as discussed during the September/October, 1997 meetings.
- 9) 13 July, 2000 – The NRD Board approved the Project Cooperation Agreement (PCA) with the Corps of Engineers. This is the contractual agreement that obligates the NRD to complete this project with the COE. The COE can then develop the restoration construction designs, obtain needed permits and the NRD is obligated to acquire the necessary ROW, as well as provide cost-share for the project on a 75% COE / 25% NRD basis. Again, Mr. Williams was able to express their concerns at this Board meeting.
- 10) 25 September, 2002 – the COE contacted Williams (as a courtesy) regarding the need to be on their site for surveys in connection with completing the Plans and Specs. Williams was provided the opportunity to accompany if he desired.
- 11) 6 November, 2002 – Property appraisals were completed, received positive reviews by the COE and were subsequently approved.
- 12) 13 January, 2003 – the COE again contacted Williams (as a courtesy) regarding the need to be on their site for surveys in connection with completing the Plans and Specs. Williams was provided the opportunity to accompany if he desired.
- 13) 13 February, 2003 - The public hearing, prior to official offers being made for the needed project ROW, was conducted for the three remaining ownerships. Mr. Williams, as all of the other landowners, received certified notices of this hearing. Mr. Williams provided sole testimony at this hearing.

There have been additional phone calls to/from the property owners or renters during this process informing them of the NRD or COE plans on entering their property for planning purposes or simply for project updates in an attempt to continually keep the owners aware of our presence and on good relations.

Finally, the other item mentioned by Mr. Williams pertained to the tax generated by this property. The estimated annual tax, generated for all of the Nebraska lands within the project’s 745 acre boundary when the Feasibility Study was completed, was approximately \$2,240. If the NRD purchases this land by easement as the landowners have requested – this tax will continue to be generated.

ABOUT ICWP

The Interstate Council on Water Policy (ICWP) is the national organization of state, interstate and regional water resource management agencies. As such, it provides a means for its members to exchange information, ideas, and experience and to work with federal agencies which share water management responsibilities. In particular, ICWP focuses on water quality and water quantity issues, and on the dynamic interface between state and federal issues.

ICWP is committed to seeking more comprehensive and coordinated water management that integrates quality and quantity concerns, ground and surface water management, and economic and environmental values. Within this context, the relationship between local, state, and federal policies, programs and regulatory issues is of particular interest.

The ICWP National Office is located at: 1299 Pennsylvania Avenue, NW, 8th Floor West, Washington, DC 20004-2400 and may be contacted at telephone (202) 218-4196, facsimile (202) 478-1734.

Please visit the ICWP website at: <http://www.icwp.org>



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Yes, I would like to become an ICWP Member!

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Note: The ICWP is classified by the IRS as a tax-exempt 501(C)(3) organization. Dues paid for membership may qualify as a tax-deductible expense under applicable sections of the IRS code. ICWP's federal tax ID number is 46-6182482.

December 31, 2002



AWRA
Community, Conversation, Connections

The Honorable George W. Bush
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The White House
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The Honorable J. Dennis Hastert
Speaker
House of Representatives
235 Cannon House Office Building
Washington, DC 20515

The Honorable Bill Frist
Majority Leader
United States Senate
416 Russell Senate Office Building
Washington, DC 20510

Dear Mr. President, Mr. Speaker, Mr. Majority Leader:

Our Nation faces a water resources crisis. The year 2002 saw drought across the country. In many areas, we do not have enough water for forecasted long-term municipal and industrial use. Many of our ports, the gateways to domestic and international trade and the mobility of our armed forces, are operating at the margin in terms of channel depths. Annual flood losses in the United States continue to worsen in spite of nearly 70 years of federal action. We are losing 70,000 to 90,000 acres of non-federal wetland annually and are having great difficulty reducing the list of 1260 threatened or endangered plants and animals. EPA's 2000 assessment of US water quality found that more than 291,000 miles of assessed rivers and streams do not meet water quality standards and the picture is not getting substantially better. The quality of U.S. coastal waters are rated fair to poor and 44% of estuarine areas in the US are impaired for human or aquatic life use. The American Society of Civil Engineers 2001 Report Card for America's Infrastructure gave grades of D+ or lower to the conditions of our dams, drinking water systems, wastewater facilities, navigable waterways, and hydropower production capabilities.

At the same time, there is increasing support to remove dams that no longer serve their original purpose or threaten natural systems, for increased use of non-structural means of preventing flood damages, for new and innovative methods of producing energy and reducing and eliminating water pollution, and for more efficient use of the water resources that we have now. We continue to debate in our courts about the primacy of one water user over another, the rights of natural systems, and the rights of Native Americans.

American Water Resources Association

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PHONE: (540) 687-8390 / FAX: (540) 687-8395 / www.awra.org

Failure to address these water resources issues now, as we move into the 21st Century, could significantly impact the economy; reduce our capacity to participate in global markets; increase legal conflicts over rights and uses; reverse progress on cleaning up our rivers and restoring our natural areas; continue the escalation of flood damages; stymie our ability to effectively manage water; increase our vulnerability to terrorism both at home and abroad; and, dramatically diminish our capacity to help prevent violent conflict in the third world.

During the 19th and 20th centuries, the management of our rivers became synonymous with building the Nation. It brought major sections of the country out of poverty and now helps keep our natural systems and people healthy. Recent reviews of the condition of the Nation's water infrastructure paint a gloomy picture. The massive multi-trillion dollar investment that made our growth possible is at risk. Our Nation once led the world in water technology and management. Today our water expertise is dwindling and with it our capacity to help lead the world's growing efforts to avert famine, drought and related humanitarian disasters – the breeding grounds of terrorism and violence. It has been over a quarter of a century since the last comprehensive assessment of US water needs. The federal guidance document for development of most water projects is nearly 20 years old. Efforts to deal with water issues are met by a plethora of interest groups, a dozen committees in Congress, numerous federal agencies, and programs that are narrowly focused and fail to recognize the interrelationship among water uses and the management of water.

Recognizing this situation, the American Water Resources Association, with the support of 10 federal agencies and 25 non-federal organizations that deal with water, recently convened a National Water Policy Dialogue. More than 250 water resources experts, including senior representatives of the Administration, Congress and state and local officials, met for two days to review the above challenges and to discuss what Congress and the Administration should do to head off this crisis.

Clear messages emerged out of the myriad recommended actions. The Dialogue participants ask the Administration and the Congress to:

- o Develop a National Water Vision – Where does the Nation wish to be in 2020? Determine, in cooperation with the states and local governments, how the Nation wants to deal with water, address competing goals and objectives - social, environmental and economic - and establish broad priorities for resource expenditures.
- o Formulate a National Water Policy that translates the vision into action. ***This is not a call for a federal water policy that directs the actions of federal, state and local governments.*** Rather, it is a call for a policy that defines the shared responsibilities at each level for dealing with water or the lack thereof and addresses how our citizens should adjust to the realities of floods and droughts.

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- o Ensure coordination and collaboration among Federal agencies and with other agencies at state, regional, and local levels; consider incentives for gaining cooperation to reach policy objectives and connect water quality and water quantity for a unified water policy.
- o Deal with water issues on a holistic basis. Use watersheds and basins as the setting for water resource projects and programs.

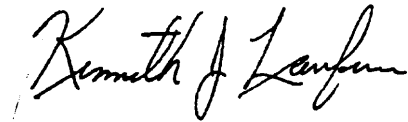
We have attached a summary of the Dialogue and additional recommendations that stemmed from the two-day discussions.

While AWRA does not advocate any specific policies, it calls on the Administration and Congress to challenge the government agencies under their authority to collaboratively create an "action agenda" to address the critical water resources challenges facing the Nation and to create such **an** agenda as soon as possible. We would be pleased to discuss the Dialogue and the conclusions reached with any group that you would deem appropriate.

The time for action is now.



Gerald E Galloway Jr., PE, PhD
Dialogue General Chair



Kenneth J. Lanfear, PE
President, AWRA

CC: Governors
Members of the United States Senate
Members of the United State House of Representatives

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