

MEMORANDUM

TO THE BOARD:

SUBJECT: General Manager Report

DATE: November 3, 2005

FROM: Steve Oltmans, General Manager

- A. **INFORMATION/EDUCATION REPORT**: A copy of the I&E Report detailing Information and Education activities for the month of October, 2005, is attached for your review.
- B. **MISCELLANEOUS/PERSONNEL ITEMS**: None
- 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 October, 2005. 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 October 28, 2005. I would ask each Director to review this listing. If you have any questions, please feel free to contact me.
- E. **P-MRNRD 2005 UNITED WAY CAMPAIGN**: A total of \$5,141.62 was raised by District employees in the P-MRNRD 2005 United Way of the Midlands Campaign. I have attached a memo from **Marty Nissen**, P-MRNRD United Way Campaign Coordinator, thanking them for their continued support of the United Way. I would also like to thank **Marty** for his efforts.
- F. **NEWS CLIPS**:
 - ➔ Wall Street Journal Article – Cycling – Building a Better Bid Path. A transport-bill windfall is fueling a debate.
 - ➔ September 29, 2005, Dakota County Star Article – Mayor sees ‘pulling together’ important factor in Dakota City’s growth and future
 - ➔ September 29, 2005, Dakota County Star Picture – Key to the City
 - ➔ September 30, 2005, Omaha World Herald Midlands Voices – Producers have right to groundwater use
 - ➔ Omaha World Herald Public Pulse Letters:
 - Trails enhance civic life – 10/2/05
 - Treat everyone equally – 10/3/05
 - Find a different way – 10/6/05
 - ➔ October 3, 2005, Omaha World Herald Midlands Voices – Land-purchase law must be kept intact

- ➔ October 4, 2004, Douglas County Post Gazette Article – Bennington schools look ahead as housing areas multiply
- ➔ October 5, 2005, Omaha World Herald Article – Water rules won't kick in. A state official says usage is not out of balance with supply in seven of the state's 13 watersheds. Basins not overappropriated, official says.
- ➔ October 9, 2005, Omaha World Herald Editorial – Enough for now. Natural resources agency rules water supply in part of state is adequate.
- ➔ October 11, 2005, Omaha World Herald Article – Exploring our inner Omaha. A Gallup project asks residents of 22 cities what makes up a city's soul.
- ➔ October 12, 2005, Omaha World Herald Article – Valley sewer line is just weeks away from debut.
- ➔ October 13, 2005, Omaha World Herald Article – Judge overturns piping plover habitat designation
- ➔ October 15, 2005, Omaha World Herald Article – Tire burnings meet air standards. A cement company in Louisville would use scrap tires for 20 percent of its fuel if a permit is issued.
- ➔ October 18, 2005, Douglas County Post Gazette Article – Bennington marks trail completion
- ➔ October 20, 2005, Omaha World Herald Article – Bike club says commuter routes needed
- ➔ October 22, 2005, Omaha World Herald Editorial – The rabbits rise up. 'Peanuts' rerun helps sketch tale of government, the bird police, river users and piping plovers.
- ➔ October 23, 2005, Omaha World Herald Article – Natural resources director honored
- ➔ October 24, 2005, Omaha World Herald Editorial – Fruits of ambition. Communications planning is paying off for Nebraska community.
- ➔ October 25, 2005, Omaha World Herald Article – Farmers oppose plan for river. Hearings are set on a proposal to raise Missouri River water levels in the spring to aid spawning of pallid sturgeon.
- ➔ October 26, 2005, Lincoln Journal Star Article – City, NRD proactive in addressing Lincoln's flood risks, water quality
- ➔ October 27, 2005, Omaha World Herald Article – Conservation group wants to preserve flow of the Niobrara
- ➔ October 28, 2005, Omaha World Herald Article – Commission to help create Omaha lake
- ➔ October 28, 2005, Omaha World Herald Article – Grant will let group map out bicyclists' commuting secrets
- ➔ October 29, 2005, Omaha World Herald Article – Law doesn't cap concerns of groundwater advocate
- ➔ October 31, 2005, Omaha World Herald Article - \$250,000 sunk into flood study of Saddle Creek. Street fountains are no tourist attraction.
- ➔ November 1, 2005, Omaha World Herald Article – Study: Irrigation pumps billions in cash into state

October 2005

Information & Education Report

Information

- ◇ Updated Walnut Creek Lake brochure
- ◇ Gave Speakers Bureau presentation to Loveland Golden K Kiwanis
- ◇ Began work on Fall 2005 SPECTRUM.
- ◇ Continued design of NRC exhibit.
- ◇ Began planning for SWCS video.
- ◇ Distributed Annual Report copy to weekly newspapers

Education

- ☐ Managed 65 volunteer hours
- ☐ Continued to plan fall field trips and NRD programming
- ☐ Continued working with Nebraska Pheasants Forever on Leopold Education Project workshops for 2006
- ☐ Continued promotion of NRD outdoor classroom grants
- ☐ Arranged catering and presented at Summit Lake Field Day
- ☐ Continued working on the NRD Display in the Visitor's Center
- ☐ Met with LPS NRD and NRCS staff concerning programming for 2006
- ☐ Attended P-MR NRD all employee's meeting
- ☐ Presented 4 day geocaching programs to all 8th graders at King Science and Technology Magnet Center
- ☐ Presented Geocaching program to Marrs Magnet Center 7th Graders
- ☐ Arranged for Omaha Raptor Team presentation and presented Nature Hike program to all Kindergarteners at Rockwell Elementary
- ☐ Attended Nebraska Association of Teachers of Science Conference
- ☐ Designed signage for NRC flight cages (signage was installed on 10/18/05)
- ☐ Met with Millard South High School about Outdoor Classroom Grants
- ☐ Coordinated with field offices the promotion of Outdoor Classroom Grants

October 2005

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Updated: October 28, 2005

Current and On-Going Projects P-MRNRD Legal Counsel

★ = Top Priority

F = Future Work – No Assignment

N = New Assignment

O = Others Handling

W = Work in Progress

P = PFP's Portion Completed

- **Little Papio:** (Cleveland)
- **Big Papio:** (Cleveland)
- **West Branch** (Cleveland):
 - Land Exchange with Sarpy Co. (96th St.) (P)
 - ★ Purchase Agreements, deeds (90th to Giles) (Tr. 19 deed, Tr. 23 easement) (W)
 - Interlocal Agreement with Sarpy County and Bellino (P)
 - ★ Trib Crossing Contract with EGA (W)
- **Western Sarpy Dike** (Cleveland):
 - Closing with Bundy's (potentially modify ROW/offer) (F)
 - Amended drainage ditch easements on Hickey (First National Property) (P)
 - Hansen ROW Condemnation (W)
- **Floodway Purchase Program** (Woodward):
 - Floodway Property Purchase Agreements as needed (F)
- **Trail Projects** (Bowen):
 - ★ Western Douglas County Trail – Ehrhart Griffin professional services contract (W)
- **Missouri River Corridor Project** (Becic):
 - California Bend – Appeal District Court ruling on Wright's tenant (Arp) (W)
 - ★ Lower Decatur Bend – Purchase Agreements for Tobin, Williams & Olson (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 (F)
 - Release of Site S-7 Easement (W)
- **Papio Watershed Dam Sites** (Woodward/Petermann):
 - Dam Site 19 agreement (F)
 - DS 13 Closing with Lyman-Richey Corp (P)
 - ★ DS 13 Agreement with Elkhorn and Omaha (W)
 - ★ DS 13 Easement with Metro Community College (P)
 - ★ DS 13 Lyman Richey PA Addendum and Closing (W)
 - ★ Shadow Lakes Agreement with SIDs (W)
 - ★ Shadow Lakes Oversight/Review Agreement with HDR (P)
- **Papio Creek Watershed Partnership (Stormwater)** (Woodward):
- **Rural Water Projects:** (Sklenar)
- **Elkhorn River Public Access Sites** (Sklenar):
- **Other:**
 - ★ Elkhorn River – Graham Easement (W)



Memorandum

To: PAPIO-MR NRD Staff
From: Marty Nissen – NRD/ United Way Campaign Manager
Date: October 24th, 2005
Re: United Way of the Midlands Campaign for NRD

The 2005 United Way Campaign for the NRD was once again successful. Our donations go directly to the United Way of the Midlands and its 55 health and human services agencies.

Many thanks go to the generous contributions from the NRD staff . This year a total of **\$5,141.62** was raised. This is a 4.5 % **Decrease** from last year's campaign. I attached a chart reflecting the history of NRD contributions to this memo. This year's winner for the free day of annual leave is Gerry Bowen.

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

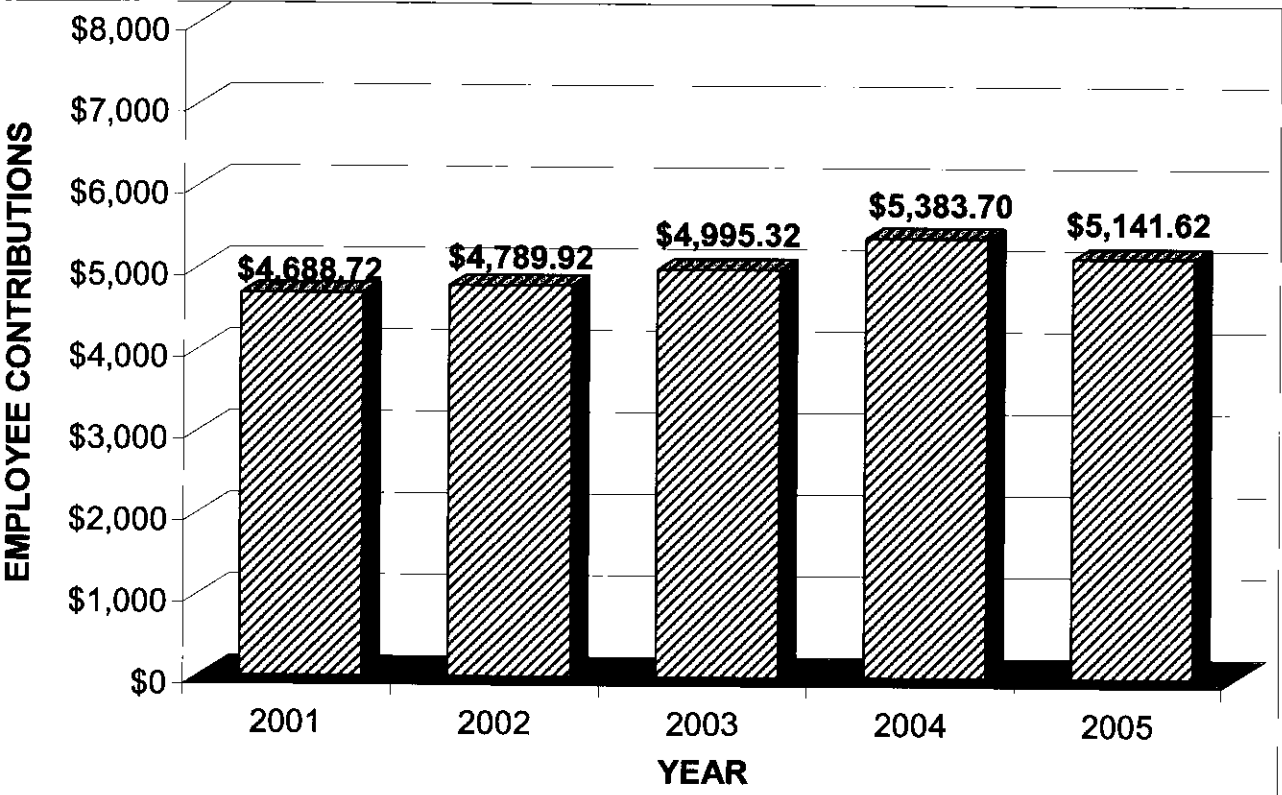
Sincerely,
Marty Nissen
Campaign Manager

mnissen@papionrd.org
<http://www.uwmidlands.org>
<http://www.papionrd.org>

**United Way
of the Midlands**



PAPIO-MR NRD UNITED WAY CONTRIBUTIONS



Building a Better Bike Path

A transport-bill windfall is fueling a debate, Reed Albergetti reports

THOUSANDS OF DENVER cyclists use the city's 85 miles of bike paths—so many, in fact, that crowding has led to serious collisions and, in the fall of 2003, to the death of a bicyclist in Littleton, Colo., a suburb. Now the Department of Parks and Recreation is proposing a cyclist speed limit—and turning to new bike-path designs. One approach: dedicated pedestrian trails to get joggers out of the way of bikers.

Cities across America such as Portland, Ore., Dallas and Clearwater, Fla., are grappling with a dilemma. They'll soon be able to tap a big new source of money to build bike paths, thanks to unusually generous provisions for cyclists in the \$286.5 billion transportation bill that Congress approved in August. But some transportation engineers and city planners argue that it's time to put the breaks on. They cite new research showing that widely used trail designs don't do enough to protect bikers—and the joggers, in-line skaters and parents with strollers that typically share the paths.

Many cities see bike paths as one solution to road congestion and higher gas prices, and are eager to expand these networks. But the current debate shows that cities' success in getting more bikers off the road and onto cycling paths has created a whole new set of challenges. One 13-mile stretch of the Silver Comet Trail in Marietta, Ga., is so crowded that people have called the parks department to report collisions and arguments on the path.

While many city officials support more bike paths, there is a lack of consensus on the best approach to building them. In some cases, designers say the ideal would be to create separate jogging trails and keep the bike paths only for cyclists—but a hitch is that usually only shared-use paths qualify for those federal funds. Another approach is to widen the bike paths. That can provide ample room for both bikers and joggers—but in some cases, increasing the size by 2 feet, or 20%, could double the cost of the path. Still others talk about "traffic calming"—basically, narrowing paths or adding curves in critical spots to force everyone to slow down.

Planners in Elizabeth, N.J., might put bicycle speed humps on a new trail, according to Jonathan Phillips, executive director of Groundwork Elizabeth, a non-profit environmental group that lobbied for the path. In downtown Clearwater, Fla., city officials hope to reduce crowding by doubling the width of part of the Pinellas Trail to 20 feet; they propose to turn one lane of street traffic into a two-way bike and skate path.

And in Oakland, Calif., signs on a new extension of the San Francisco Bay Trail will direct faster cyclists into an adjacent bike lane on the street. "I've been saying all along that these paths were going to get congested," says Kath-



ryn Hughes, a bicycle planner for Oakland's Public Works Agency. "You've got to get [the faster riders] on the street."

Some of these plans are not popular with the neighbors. Homeowners in Minneapolis, for example, say that widening a trail would saddle their neighborhood with too big an expanse of asphalt.

Thousands of miles of bike paths have been built to provide cyclists with sanctuaries from automobile and truck traffic. Tens of millions of people use 13,000 miles of bike trails just on old railroad rights of way alone, according to Rails to Trails Conservancy. But especially in cities, many of these trails have become congested.

A handful of new studies document this congestion. One small Connecticut survey conducted in the fall of 2002 and the summer of 2003 reported 51 collisions or falls. North Carolina State researchers found cyclists unhappy about sharing space with joggers, baby carriages and kids peddling their first two-wheelers. "You've got a mix of elementary students and meatheads," says Theo Petritsch of Sprinkle Consulting, who has researched bike-path use.

One problem is dated guidelines for bike-path designers. To address that, the American Association of State Highway and Transportation Officials is in the process of revising its guidelines, which haven't been updated since 1999.

The current standards for bike paths are based on the space needs of cyclists, which Mr. Petritsch says is the wrong calculation to use in most cases. That is because various other groups, with different needs, are increasingly using the paths, too. Bikes pulling a kid in a trailer, for example, have a much wider turning ra-

dius, while skaters often take up a full half of many standard trails. (People who design highways don't design them for a standard sedan, they design them for 18-wheelers, which demand the most space.) One complicating factor is that while some bike paths have been around for several decades, data on usage is still scarce.

With the prospect of so much federal money for bike paths—and the reality of so much congestion—cities from Minneapolis to Dallas are taking action.

In Dallas, the Friends of the Katy Trail responded to crowding on a shared-use path by building a second, separate jogging trail with a rubber running surface. But it had to be funded privately.

Another key issue in the bike-path debate is whether wider is better. Increasing a lane can disproportionately add to the construction cost because of the extra excavation or engineering involved. Some engineers say that wide, straight paths simply encourage bicyclists to go faster, increasing the odds of dangerous collisions; these experts argue instead for what they call "traffic calming"—narrowing paths and incorporating bends and shorter lines of sight that may make cyclists slow down.

Exactly which bike paths will share in the windfall from the new transportation bill will be up to the states. One exception: \$38 million is earmarked for bike paths in Louisville, Ky., a project mentioned in the bill. Bikes Belong, a lobbying group funded by the bicycle industry, estimates that about \$1 billion from the transportation bill will go toward trails.

—Candace Jackson
contributed to this article.

DAKOTA CO. STAR
WEDNESDAY WEEKLY
SOUTH SIOUX CITY, NE
Circulation = 2448

09/29/2005



Mayor sees 'pulling together' important factor in Dakota City's growth and future

By Jolene Stevens

Star News Reporter

E-mail: features@dakotacountystar.com

To Charmaine Cantrell the term "the first" isn't something entirely new. She was the first woman on the Dakota City Volunteer Fire Department. Today, she is Dakota City's first woman mayor. She is also justifiably proud of her community and what it has to offer.

Cantrell was quick to point out that Dakota City has grown some 12.6 percent the past year. She felt there is good reason for the growth. "We've attempted, despite our growth, to keep the small town atmosphere," she said. "A lot of people like this type of atmosphere. You can walk down the street, and you know your neighbors. You know, too, that your children can go to visit their friends, and you feel safe."

One can perhaps assume there are additional reasons for Dakota City's new emerging image - progress and accomplishment. Cantrell pointed to City Administrator Robert Peters and his staff, the city council and the town's residents themselves as having roles in the steps forward. She pointed to such things as the lowering of taxes, a large storm sewer district to help alleviate drainage problems, the new city hall completed last year and increased use of Cottonwood Cove Park by campers due to improvements there.

"We also have a new boardwalk along Broadway," Cantrell said. "This beautification effort and an attempt to return to nature was made possible through a grant Administrator Peters received from Nebraska Statewide Arboretum Enrichment Program. Additional funding came from the Papio-Missouri River NRD."



Charmaine Cantrell, mayor of Dakota City, is a woman who is comfortable with being "the first." (Photo by Jolene Stevens)

"We're doing a bike and walk path between Dakota City and South Sioux thanks to donations from Tyson and Papio-Missouri NRD," Cantrell added. "There's a grant pending to restore the old depot, and we're proud of that, and another grant in place to help restore the old landfill south of town." Residents are hopeful, she said, that this site can become a walk park with memorial benches and trees possibly donated by residents.

The local volunteer fire department is yet another source of pride within the community. Cantrell pointed out adding she herself is proud to serve with the volunteer group. She said residents have been equally receptive to what she terms "a very good working relationship" for community law enforce-

ment provided through a contract with the Dakota County Sheriff's Office.

A 27-year veteran of the nursing staff at Mercy Medical Center, Sioux City, and for the past five years, a member of Mercy's Air Care unit, Cantrell described her first term as mayor as "a great learning experience" made "much easier," she explained, by the help of the city's "experienced and talented" staff.

The decision to run for mayor, Cantrell said, came after having served four years on the Dakota City Council and in the wake of former Mayor Chuck Carson's decision to step down from his position.

Cantrell admitted the most challenging aspect of the mayor's job has been one of

See DAKOTA CITY MAYOR

• page A2

DAKOTA CITY MAYOR

continued from A1

wanting to please all residents. "As a Dakota City resident, and as a taxpayer concerned about taxes and what's good for the community, as well as serving as mayor, my philosophy is one of dealing with others with kindness and respect for others," Cantrell said. "I've always wanted people to be treated the way I myself want to be treated, and as I

want my family to be treated."

Her husband, Terry, and the couple's four children, son, Ryan, 24, and daughters, Reanna, 24, Rochelle, 23, and Rebecca, 13, have been supportive of her responsibilities as mayor, Cantrell added.

A past president of the Dakota City School Parent Teacher Association and continuing

volunteer for projects and events in the school system, Cantrell's on-going message as Dakota City mayor is a simple one. "It's important we all pull together," Cantrell said. "It makes things work and is good for our community."

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Rich Jansen (right), Chairperson for the Papio-Missouri River Natural Resources District (NRD) Board of Directors, and Steve Oltmans, General Manager for the Papio-Missouri River NRD accept a "Key to the City of Dakota City" from Charmaine Cantrell, Mayor of Dakota City, at the recent dedication ceremony for the new Service Center. The new one-stop multi-agency service center is home to the Papio-Missouri River Natural Resources District (NRD), the Dakota County Rural Water Project Office, and the USDA Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA) offices; it is located next to City Hall at the corner of Broadway and North 15th Street. Housing the agencies under one roof offers efficient and convenient service to clients as well as offering a large meeting room that can be reserved and rented to groups or organizations. For more information about reserving the meeting room, contact Randy Hummel at (402) 987-3402.

Midlands Voices

Producers have right to groundwater use

BY KEITH OLSEN

The writer, of Grant, Neb., is president of the Nebraska Farm Bureau.

A Sept. 25 editorial, "Water rules vital," was right to raise concerns about the number of wells being drilled in the Loup and Elkhorn river basins. But it wrongly implied that the owners of those wells are selfish water-grabbers and bad stewards of our water resources.

I understand the concern with the "flurry of well-drilling" that has occurred and what it might mean for the future of our water resources. But it must be remembered that producers have a legal right to the beneficial use of groundwater.

Thus, it is perfectly legal for producers to drill wells if a drilling moratorium is not in effect. During water shortages, state water law attempts to strike a balance between protecting the natural resource while not unduly infringing on landowners' rights to use it. This delicate balance also is addressed in Legislative Bill 962, which was passed two years ago.

Mother Nature's whims, particularly rainfall, are uncontrollable. But the reality is that producers must deal with them. Irrigation is a risk-management tool producers can use to minimize this risk. Reducing risk improves producers' revenue stability and profitability and can have a tremendous benefit for the economy.

Like most people, producers want to reduce risk. They generally have in their long-term business plans a goal to develop any dryland crop ground they may own for irrigation when that development is practical. The fact that some areas might be declared fully appropriated has forced producers in those areas to decide whether to make the necessary invest-

ments now or risk not having irrigation as a risk-management alternative in the future.

Producers do not invest up to \$90,000 to drill a well and erect a center-pivot system without careful thought. Bankers or other creditors require them to consider the costs of capital financing and anticipated returns on investments before making any decision about irrigation development.

It is not a "gimme mine" decision, as the editorial stated. Rather, it is a rational, legal response on the part of producers to protect the profitability of their operations and their families' long-term investments in the operation and to allow for future growth.

Producers do care about the long-term protection of the state's water resources. They have made great strides over the years in using this resource wisely. Producers are changing their irrigation management practices, using more efficient equipment and altering cropping patterns, all in an effort to save water.

In fact, we may find that conservation practices adopted by producers can offset the increased use of water on irrigated ground that was developed this year. Producers can be counted on to be good stewards of our water resources.

I agree with the editorial that there be no stumbles in the implementation of LB 962. The natural resources districts and the Nebraska Department of Natural Resources must cooperate to manage and protect this precious resource. What is needed by all of us are words that encourage cooperation rather than cast disparagement.

W-H 10-6-05
Find a different way

I'm frustrated by The World-Herald's view on groundwater issues in this state.

A Sept. 25 editorial, "Water rules vital," suggested that some irrigators have no concern for the water resources of our state. It was irritating to read comments such as "feeding frenzy" and "Gimme mine" in regard to the drilling of new irrigation wells in northeast and central Nebraska because irrigators feared a well-drilling moratorium.

Those of us involved in irrigated agriculture are serious about the responsible use of groundwater and surface water in this state and continue to take steps to become more efficient. After all, it affects our bottom line.

I believe that the Nebraska Department of Natural Resources is using an inaccurate method to calculate whether river basins are fully or overappropriated. This method can overestimate stream depletion through groundwater pumping by as much as 60 percent.

The citizens and the economy of this state deserve better methods to determine water policy and regulation than those that are plus-or-minus 60 percent.

Tom Downey, Lexington, Neb.

W-H 10-3-05
Treat everyone equally

This is in response to the Sept. 25 editorial, "Water rules vital."

I have a problem with blaming the farmers and landowners in any river basin for drilling wells before a possible moratorium on new wells is in place.

My question is: Who caused the problem? Certainly not the farmers.

All landowners want to protect and improve their investment. So why shouldn't they be given the same opportunity to drill a well as their neighbors have had?

Historically in Nebraska, we have considered the water beneath one's land as his. Even though this situation has changed because of shortages and new laws, I still feel landowners should be treated equally.

The water supply should be shared by all. And when regulations are needed, they should apply to all.

Doyle Lavene, Bertrand, Neb.

Trails enhance civic life

I have not seen more ambient, pleasurable and safe places for morning walks than in Omaha.

I am alluding to the recreational trails that abound in the metro area. They are neat, clean and well-maintained.

I was frequenting the Big Papio trail. After I moved from that neighborhood, I came across the Westin Hills trail, which is equally good, neat and picturesque.

I am a visitor from India and have been here since June.

Besides walking to keep fit, it is an unequivocal pleasure to breathe fresh air and enjoy an uninterrupted walk.

I wish to express my appreciation to all agencies that have provided the citizens of Omaha a place to relax and enjoy life.

Lakshminarasimha Rao Kanive

W-H 10-2-05 **Omaha**

Midlands Voices

Land-purchase law must be kept intact

BY MICK JENSEN

The writer, of Blair, Neb., is the volunteer chairman of the Board of Trustees for the Nature Conservancy in Nebraska.

One useful feature of the Nebraska Environmental Trust Fund is its ability to help organizations like the Nature Conservancy, the Audubon Society and Ducks Unlimited acquire land as a component of conservation strategies.

Some folks in Nebraska are concerned and are calling for a change in state law. These changes would limit use of grants for land acquisition to government entities only.

Changing this law would have a significant negative impact on efforts to protect Nebraska's rich natural resources.

Since its inception in 1992, the Environmental Trust, using lottery proceeds, has awarded some \$15.5 million — less than 25 percent of its grant awards — for land acquisition and easements. Using Environmental Trust funds, about 45,000 acres have been acquired by various state and private organizations for the benefit of native species and natural communities and for use by future generations of Nebraskans.

Just as a carpenter carries a toolbox to a building site, so too does the Nature Conservancy bring our toolbox when working with landowners who have an interest in conservation. Land acquisition is one of a handful of tools in our toolbox. It is an important tool, but not always the tool of choice. Different jobs require different tools — in conservation and in ranching.

Preventing conservation groups from buying land, by restricting their funding sources, is like telling a farmer or rancher that he has to dig fence holes with a hammer. Everybody needs the right set of tools.

The Nature Conservancy has a long history of working with partners, landowners and state and federal agencies on a wide variety of conservation strategies. Sometimes that means land acquisition. But more often than not, it means something else. Here are a few examples.

In the central Platte Valley, the conservancy has established a partnership with the Nebraska Game and Parks Commission to enhance wildlife habitat on private lands. The initiative, called the Platte Habitat Partnership, is designed to balance economic opportunities with protection of natural resources and ensure sound, sustainable grassland management on private lands.

Along the banks of the Missouri River, in a partnership with the Papio-Missouri River Natural Resources District, the conservancy is supporting the

Natural Resources Conservation Service in the Wetland Reserve Enhancement Program, which helps landowners restore and protect wetlands on private lands.

In rural communities, neighbors still count on neighbors. Beginning ranchers typically have a successful relative who helps them get started.

To that end, the conservancy is working with the Sand Hills Task Force, which includes the Nebraska Cattlemen, on a beginning rancher program focused on giving a young family an opportunity to purchase its own land. This helps to build the ranching community and helps keep rural communities strong.

Under this program, the conservancy is leasing its 3,270-acre Horse Creek Fen to a young ranching family. The agreement carries an option to purchase the property from the conservancy at the end of the five-year lease.

The conservancy will retain a conservation easement on the property, preventing future development and guaranteeing grazing opportunities. The Sand Hills Task Force will provide support with a business plan and mentoring. This project could not have been accomplished without the conservancy's ability to buy land.

In a recent action on the Platte River, where some 500,000 sandhill cranes stop each year to rest and refuel on the journey north, the Nature Conservancy acquired 150 acres of land near Shoemaker Island in Hall County. The conservancy intends to place a conservation easement on the property and then sell it to a private landowner to ensure that it still would be managed for agricultural purposes and that property taxes would be paid.

You can see that land acquisition is not the only method we use to conserve land, nor is it always the best method. But it is a critical conservation tool that often works best for the seller, the conservation group and the land.

Trying to prevent organizations like the conservancy from buying land would restrict a landowner's options and would inhibit a landowner's ability to sell to at least one segment of the buying public.

Restricting sources of money available to us would hamper our ability to be an effective partner. The conservancy and its resources should be a tool that farmers and ranchers embrace to improve their operations and condition of the land.

Let's work together and keep all the tools in the conservation toolbox.

Bennington schools look ahead as housing areas multiply

by Mary Lou Rodgers

The Bennington school district opened a second school this year, but that is just the first response to an explosion of growth on the horizon.

With more than 30 residential developments in the building or planning stages with the 43.5-square-mile district, the 718-student district is expected to double in size by 2008. That is one of the projections that DLR Group experts, Dale Nielsen and Ken West, presented to the Board of Education and Superintendent Dr. Terry Haack at a special meeting last Monday night.

The school district hired DLR to do a comprehensive study of the area and project how much growth can be expected, where it is likely to occur, how many more schools will be needed and where they should be located.

Armed with these facts, the Board can then figure out what steps need to be taken in terms of buying future school sites, planning for bond issues and deciding what direction the district will take in how those schools are structured.

This year, Bennington opened a secondary school for grades 7-12 and turned the former K-12 building into an elementary school. DLR, in projecting growth through 2010 and at full build-out, foresees the need for 11 elementary schools, two middle schools and two high schools. If the district stays with the K-6 and 7-12 concept, however, that would change the ways the schools are set up.

West said that DLR has helped several other school districts like Elkhorn, Blair, Gretna and Waverly, look at the growth in their districts and plan ahead. Doing a study, such as the one presented at the September 26 meeting, is a communication tool to prepare the community to deal with the growth in a positive way, West added.

The process takes half a dozen steps, Nielsen explained. First, DLR developed an updated existing land use plan, using the school district boundaries and numerous other sources, such as City of Omaha planning maps, Douglas County

engineering plat maps, county assessor's aerial photos, and direct information from developers. They noted where the commercial and industrial development is located, as well as parks, lakes and damsites. Nielsen said they also drove every mile of the district to verify the results.

With that information, DLR then created an existing and future residential development map that includes suggested areas for future school sites. The map denotes estimated population in each quarter mile of the district and projects the number of future home sites through 2010 and at build-out, though no one can be certain when build-out will occur.

The next step was to divide the district into zones, using natural geographical boundaries and major roads, such as Highway 36 and 156th Street, as dividing lines. They came up with seven zones: northwest, northeast, west acreages, west central, east central, east and south. By totaling up the number of homes in each area and projected for the future, Nielsen said they created a chart. The chart shows 1,244 occupied homes in the district in 2005, with that number jumping to 1,551 next year and to 3,996 by 2010. At build-out, that number could be 14,509 homes.

Next, they calculated how many students the additional homes might produce and what percentage of those students are likely to attend Bennington schools, and listed those year by year.

Finally, DLR experts projected how many students will be in each of the seven zones over the next several years. Using an average of 450 students per elementary school, 650 for middle schools and 1,000 for high schools, they came up with the total of 15 schools at build-out. Then they looked at possible sites within those zones.

West noted that the current elementary school at 156th and Bennington Road would be an ideal place for a middle school in the future, since it already has a track and other facilities needed by a middle school. At that time, the new 7-12

school could become a high school. Their plan calls for a second middle school and a second high school in the east zone.

West also pointed out the plan is a "living document." Just last week, Dr. Haack learned of two new Graves' developments being planned for 168th and Military and 156th and State. They were able to plug those numbers into the chart and adjust the totals.

Bennington school district currently has one elementary school site in the Pine Creek subdivision in the south zone, but Board member Bill Pulte questioned whether that is where the district needs to build first. West said that one mile east and west of 156th Street, up to the highway, is the strip that will have the majority of students.

School patron Tom Rivera asked if Bennington was a school district that could easily be taken over by Omaha.

Dr. Haack said that in the Omaha Public Schools' one city, one school district plan, as the City of Omaha annexes land in a different school district, the Omaha school district could follow suit. He added that Bennington could be affected, but is not more vulnerable than other districts. The law that OPS is leaning

on to implement one city, one school district will be dealt with in the next legislative session, which begins in January 2006.

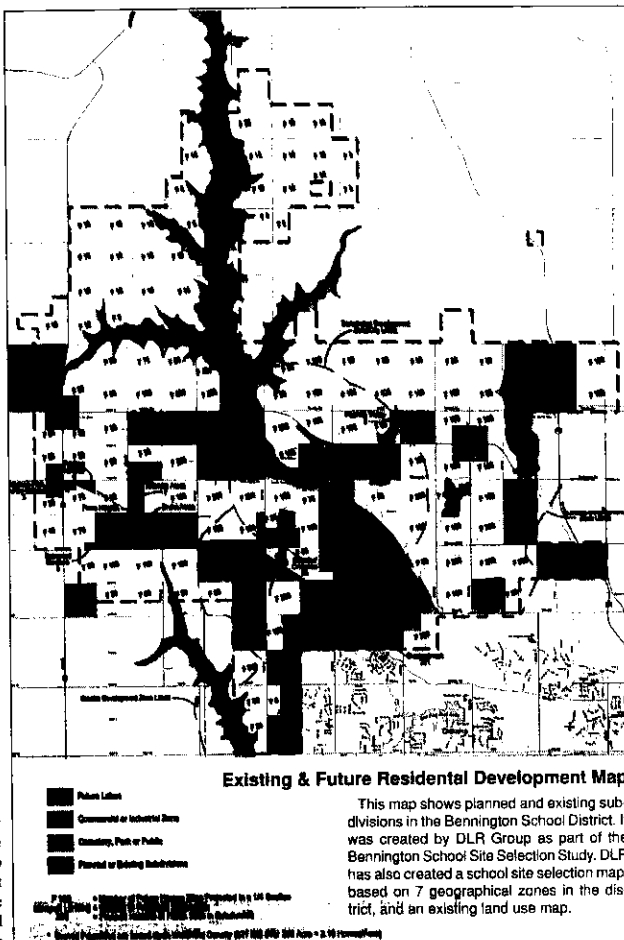
Dr. Haack pointed out to the Board members that the first step in planning for the future growth of Bennington schools is to talk about the configuration of schools, policies, and patterns of personnel and curriculum growth.

Yet the Board can't just look at growth, he noted.

"We have to continually keep the facilities we have up to par," he said.

Haack suggested that the Board discuss these issues at the November workshop. If the district will have middle schools someday, for instance, that needs to be discussed long before any bond issues are attempted. Board member Heather Goetz added that the district will need to hold a community forum to keep the public informed.

The Board agreed to set up a workshop date at their next regular meeting at 7 p.m. Monday, October 3, which will be held in the high school media center.



Water rules won't kick in

■ A state official says usage is not out of balance with supply in seven of the state's 13 watersheds.

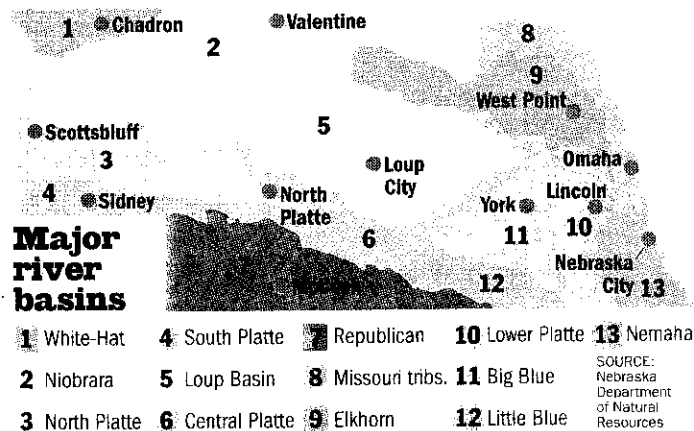
By DAVID HENDEE

WORLD-HERALD STAFF WRITER

A big chunk of Nebraska will avoid strict water regulation next year, after all.

The region covers much of central and eastern Nebraska — including the Elkhorn and Loup River basins, where a frenzy of irrigation-well drilling is under way by farmers worried about staying ahead of new state controls.

Ann Bleed, acting director of the Nebraska Department of Natural Resources, told The World-Herald on Tuesday that the agency's initial evaluation indicates that water usage is not out of balance with the supply in seven of the state's 13 river basins or other watersheds. The decision affects land ranging from the Sand Hills to the south-



Off the hook

These basins, sub-basins or stretches of rivers won't be designated as fully appropriated Jan. 1 by the Nebraska Department of Natural Resources:

- Loup River Basin (No. 5 on map above)
- Elkhorn River Basin (No. 9 on map)
- Platte River and its tributaries below its confluence with the Loup River (portion of No. 10)
- Niobrara River Basin below the area already determined to be fully appropriated in the Upper Niobrara-White Natural Resources District (portion of No. 2)
- Nemaha River Basin (No. 13)
- All remaining tributaries to the Missouri River (No. 8)
- Those portions of the Little Blue and Big Blue River Basins where groundwater is not hydrologically connected to the Platte River (portion of No. 11)

eastern tip of the state, including the Omaha and Lincoln metropolitan areas.

As a result, the areas that had been under study by the department won't be determined this

year to be fully appropriated, a designation that would have launched a series of controls intended to balance supply and demand.

See Water: Page 2

Water: Basins not overappropriated, official says

Continued from Page 1

"Next year, some or all (of these basins or watersheds) could be fully appropriated, but it won't be this year," Bleed said from Bridgeport between meetings with natural resources districts in western Nebraska.

Blead's early announcement of the department's findings takes the state off a collision course with Nebraska's 23 natural resources districts. The districts recently agreed to oppose new rules that the department plans to use to determine whether a basin is fully appropri-

ated. District officials talked of suing the state.

The State Attorney General's Office brokered talks last week in Kearney between the Department of Natural Resources and the districts. Bleed said she hoped the early decision helps both sides in the dispute focus on resolving their differences.

Dean Edson, executive director of the Nebraska Association of Resources Districts, said Bleed's decision will give the state and the districts more time to update computer models and other information in the water-

sheds under study. The data will show the extent of the connection between underground water and water in the watersheds' streams and rivers.

Acting under a new state water law, the Department of Natural Resources last year designated all or portions of eight districts in central and western Nebraska as fully appropriated. Areas of the Platte River system in that region were later designated as overappropriated, meaning that demand exceeds supply.

The department is required by law to review each of the state's

13 major river basins each year to determine whether any are fully appropriated. That report is still scheduled to be released by Jan. 1, but the watersheds named Tuesday are no longer potential targets.

Edson said he hasn't seen the department's new maps, but it appears that at least a piece of the Tri-Basin Natural Resources District in south-central Nebraska and a stretch of the Platte River in the Upper Big Blue district may be on track to be designated as fully appropriated later this year.

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Sunday World-Herald

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LARRY KING, *Executive Editor* FRANCIS L. PARTSCH, *Editorial Page Editor*

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Enough for now

Much of the Nebraska Department of Natural Resources' current round of work on river basins is complete, and the news is good. The recent whirl of well-drilling in the Loup and Elkhorn river basins, launched by irrigators' fears that limits would be imposed, turned out to be unnecessary.

Ann Bleed, acting director of the agency, said that water in seven river basins in the east and north-central areas of the state is not fully or overappropriated. That means the water-management regulations that would have kicked in — forbidding, among other things, new well construction — are not necessary.

That nearly completes the department's work on river basins for this year. Moratoriums on the drilling of new irrigation wells, set by local natural resources districts, are already in place across much of the southern and western parts of Nebraska, meaning no studies were needed there.

Blead said there are only two small areas of uncertainty, where final hydrology studies aren't complete and no decision has been made. These are the upper part of the Big and Little Blue river basins and a portion of the area east of U.S. Highway 183 that is near but not hydrologically connected to the Republican River.

Blead and her department deserve credit for quick work on this contentious issue. Doubts about

**Natural
resources
agency rules
water supply
in part of state
is adequate.**

whether basins in eastern Nebraska would be declared fully or overappropriated had motivated quite a few irrigators to action. But the action — drilling new irrigation wells — could have contributed, and in the future still may contribute, to an overappropriation.

Only recently has Nebraska law recognized the interrelationship between groundwater and surface water. Surface-water users are granted rights to water in the creeks and rivers based on seniority; in the absence of water-management rules, groundwater users can pump freely and without restriction. That can lead to neighbor-vs.-neighbor arguments that wind up in court.

The uncertainty has been resolved for this year. But it will rise again late next year because the resources department is required to make yearly rulings on fully or overappropriated basins.

Careful study of the natural resources districts' monitoring wells should provide indications that a river basin is approaching its limits. So, in theory, the districts could anticipate trouble and take action to forestall a water-management crisis at year's end.

Irrigators, municipalities and other water users across much of eastern Nebraska can relax; their water supply is adequate for another year. Used judiciously, with an eye toward good stewardship, perhaps it will remain so.

Exploring our inner Omaha

■ A Gallup project asks residents of 22 cities what makes up a city's soul.

10-11-05

By JAKE THOMPSON

WORLD-HERALD BUREAU

WASHINGTON — What most defines a city's soul?

How good it looks and the diversity of people who live there.

That's what the Gallup Organization recently found when it asked several thousand people in 22 cities around the country, including Omaha, for an unusual new project — a "Soul of the City" survey.

By those measures, Omaha Mayor Mike Fahey said Monday, Omaha is doing great on the first and working hard on the second.

He's been pleased to read re-

cent out-of-town newspaper stories that have highlighted Omaha's riverfront and downtown transformation, particularly from his hometown of Kansas City. That didn't happen 10 years ago.

"Now they write with envy," Fahey said with a smile.

He's also trying to make sure Omaha represents and embraces all people, regardless of race, ethnicity, age, economic standing and sexual orientation.

"I do believe if you have a well-rounded community, you're going to be more successful," he said.

The mayor was a panelist at a Monday forum that Gallup sponsored in Washington to unveil the first findings of its city survey.

The survey found that the top two factors giving a city soul are its attractiveness, which includes whether it honors its history and invests in clean air and water, and its diversity.

See *Inward*: Page 2

Inward: Fahey eager to learn Omaha's soul index

Continued from Page 1

Of course, people also care about jobs, schools and crime. But when asked what made them happiest, "aesthetics and diversity dominate," said Richard Florida, author of an influential book, "The Rise of the Creative Class."

After conducting in-depth interviews with 3,000 people, Gallup is planning to release by year's end a "soul index" on those and other factors for the 22 participating cities with hopes that the information will help guide

timore, Denver, Salt Lake City and Akron, Ohio.

The information could be a gold mine because people feel closer and more passionate about the city in which they live than the country they are in, said Jim Clifton, Gallup's chief executive officer.

Fahey didn't learn Omaha's soul index, but he said he is eager to hear the results.

He joined mayors of Baltimore, Denver and Brussels, Belgium, in talking about how their cities worked to overcome local

burden is that the 800,000 residents living in the larger metropolitan area make up nearly half of the state's 1.7 million residents. "As Omaha goes, so goes the state of Nebraska," he said.

X With a \$2 billion investment in riverfront development on the banks of the Missouri River, Omaha has undergone a dramatic makeover in the last five years and is thriving, Fahey said.

The gateway to the city is now enticing with the Gallup University campus, ConAgra's headquarters, Union Pacific Railroad

redevelopment downtown, Fahey said.

"One of the best things you can see about a city is to have those cranes stick up," Fahey said of the towering construction machines. "I love those new birds, the crane birds. When you see that, you know progress is being made."

He credited Omaha's growth to a partnership between the city's large companies, universities, the Chamber of Commerce, city officials and its residents.

"I'm really into these ground-

Valley sewer line is just weeks away from debut

By CHRIS OLSON
WORLD-HERALD STAFF WRITER

Barring any tricks, Valley will be ready to open the valve by Halloween on a sewage pipeline to Fremont that will treat its residents to a savings of \$6 million over the next 40 years.

City Engineer Jim Olmsted told the Valley City Council on Tuesday night that the final installation and testing on the 10½-mile underground pipe are reaching completion.

"Workers were doing the final

borings under the highway as I was coming to the meeting tonight," Olmsted said. "All of the pipes should be installed by the end of the week."

The pipeline will allow Valley to retire its 27-year-old wastewater treatment plant about seven years after it should have been replaced.

Under an agreement made with Fremont in 2004, Valley built three pumping stations and the underground pipeline to Fremont at a cost of \$5.2 million — some \$4 million less than the cost

of building a new treatment plant.

Valley expects to save an additional \$2 million over the next 40 years by paying Fremont to take its sewage, rather than operating its own plant.

Fremont, which spent \$21 million a few years ago improving its sewage treatment plant, will use the revenue from Valley to recover some of its expenses. Valley will pay the same wastewater treatment fees charged to Fremont residents.

Valley's initial costs for the

pipeline and pumping stations will be paid from bonds or a revolving loan program through the Department of Environment and Quality, which encourages such cooperation between cities.

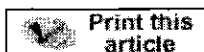
Valley will repay the loan costs for the pipeline and pumping stations with sewer bills that will more than double next month.

The \$12-a-month flat rate that Valley residents now pay for sewer service will jump to a base rate of \$25 a month. The new rate will cover 2,000 gallons of waste-

water, but residents will be charged an additional \$3.81 for each 1,000 gallons after that.

The fee will be \$50 a month for institutional users and \$100 for heavy industrial and commercial users.

* The council agreed Tuesday night to prepare an agreement so that residents of the nearby GINGER Woods development can continue to receive sewer service from Valley under the new arrangement with Fremont.



Published Thursday
October 13, 2005

Judge overturns piping plover habitat designation

LINCOLN (AP) The U.S. Fish and wildlife Service wrongly declared several Nebraska river basins as "critical habitat" for an endangered bird, a federal judge ruled Thursday.

The ruling by U.S. District Judge Lyle Strom was a victory for a coalition of natural resource districts, farm interests and others who filed suit over the critical habitat designation in 2003.

The U.S. Fish and Wildlife Service designated hundreds of miles in the Platte, Loup, Niobrara and Missouri river basins and along other rivers in the northern Great Plains, as critical habitat for the piping plover.

Such a designation can affect the use of land near and water in the river.

Strom said the Fish and Wildlife Service did not prove that the designation was valid along the Nebraska rivers.

"One survey noted plover nesting in only five out of ten years with no nesting on natural habitat since 1996 along the entire 148-mile stretch of the central Platte River," Strom said. "The lack of plover occupation on the central Platte is further evidenced by the fact that no plover chicks were fledged in the entire decade of the 1990s on this stretch of the river."

Strom vacated the designation in Nebraska and ordered the Fish and Wildlife Service to revisit the issue.

The ruling does not affect such designations along rivers in Minnesota, Montana, North Dakota and South Dakota.

The piping plover is listed as a threatened species under the Endangered Species Act.

Martha Tacha of the U.S. Fish and Wildlife Service in Grand Island said she had not seen the ruling and declined to immediately comment.

Lawyers for the coalition did not immediately return a call seeking comment.

Members of the coalition include 23 natural resource, irrigation and power districts, the cities of Lexington and Grand Island, the Nebraska Farm Bureau Federation and Nebraska Cattlemen.

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Tire burnings meet air standards

10-15-05

BY NANCY GAARDER
WORLD-HERALD STAFF WRITER

Ash Grove Cement Co. could begin burning tires for fuel by late next year, now that tests show the plant would continue to meet state and federal air pollution limits.

The Nebraska Department of Environmental Quality said Friday that results from trial burns showed significant decreases in some pollutants and insignificant increases in others.

DEQ spokesman Brian McManus said the department could not comment on whether it ultimately will grant Ash Grove a permit to burn tires at its Louisville, Neb., facility.

Barring the unexpected, however, the state appears to have no legal reason for denying Ash Grove a permit. State law and the

A cement company in Louisville would use scrap tires for 20 percent of its fuel if a permit is issued.

federal Environmental Protection Agency allow burning of tires as fuel.

The state's permit review process and the subsequent physical changes that Ash Grove would need to make should take about nine months to a year to complete.

Company spokesman Lance Latham said Ash Grove is "very pleased" by the test results.

The company would be able to replace about 20 percent of the coal it uses — and pays for — with scrap tires it would be paid to take.

Some neighbors of the plant and at least one environmental group, the Sierra Club, voiced

concern about the tire plan.

Geral Vinduska, who lives about six miles from the plant, said test results were done under ideal conditions and don't reflect daily realities. Ash Grove, he said, has had too many problems with emissions for him to feel comfortable about burning tires.

The tires would be burned in a kiln at a temperature of 2,000 degrees, so passers-by wouldn't see the thick, black smoke associated with outdoor tire fires.

The tests indicated a 50 percent decrease in nitrogen oxides and about a 33 percent decrease in sulfur oxides from burning coal alone. The former cause respiratory problems and the latter

contribute to acid rain.

The plant also releases small amounts of dioxin, polychlorinated biphenyl, hexavalent chromium and lead. The test results indicated negligible increases in these materials.

Ash Grove anticipates burning about 1 million tires a year. Latham said most would come from Nebraska, which generates about 1.6 million scrap tires annually.

The tests were conducted by Air Source Technologies and vetted by Schreiber, Yonley & Associates, two companies hired by Ash Grove.

This would be the second time that a Nebraska industrial facility has burned tires for fuel. Nebraska Public Power District burned tires at its Hallam, Neb., power plant in the mid-1990s.

Bennington marks trail completion

by Mary Lou Rodgers

As Bennington Elementary School dedicated its remodeled building on October 9, a separate ceremony outside marked the official opening of the Bennington trail connecting the elementary school to the new secondary school along Bennington Road.

The mile-long concrete trail on the north side of Bennington Road runs from five to 10 feet wide, providing safe travel for walking or biking, and connects to the trail at 168th Street that winds around the lake. The project was a joint effort of the City of Bennington, the Bennington School District and the Papio-Missouri River Natural Resources District.

"The NRD is very pleased to be able to contribute one third of the funds," NRD Director Rich Tesar said. "It is a wonderful trail. It will be used heavily by the entire community."

Bennington School Superintendent Dr. Terry Haack said the trail is a good example of how municipalities, organizations and public

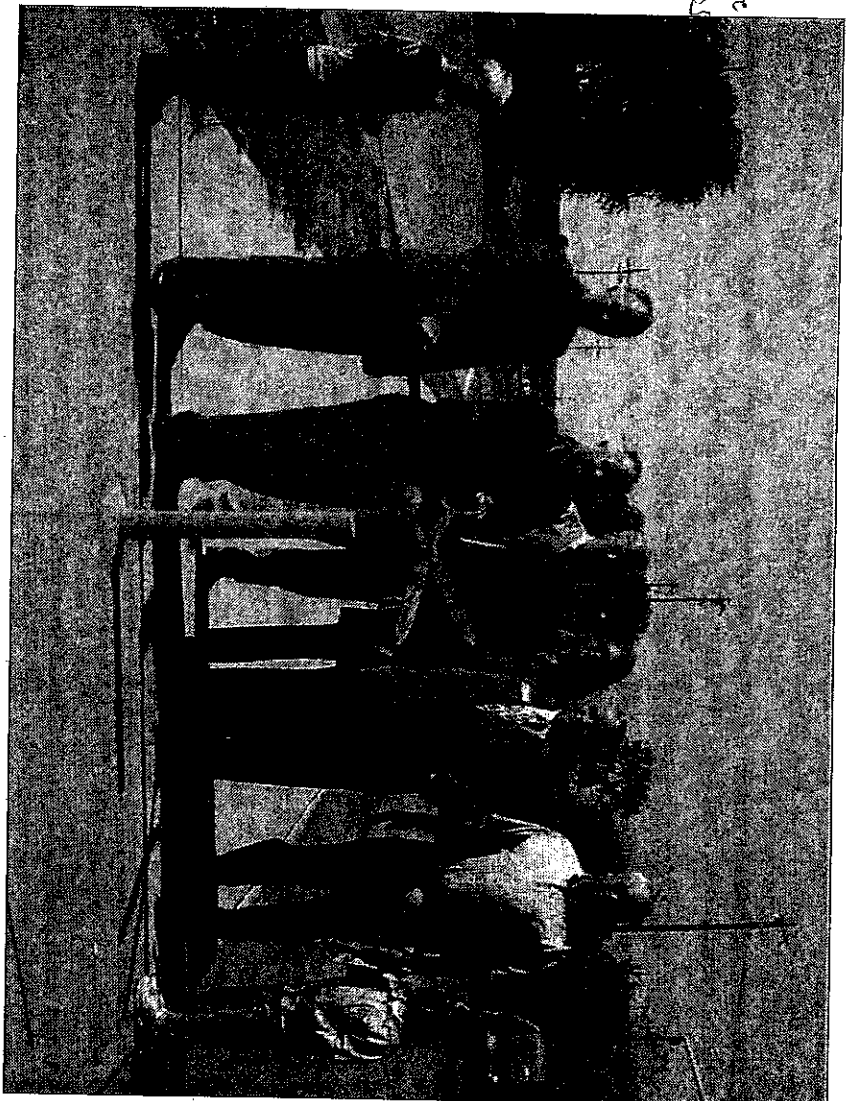
entities can get together to do something for the community.

"A lot of people worked very hard to secure the grants," Dr. Haack said. "We couldn't have done it without that."

A state highway transportation grant paid 80 percent of the cost of the trail, with the three entities splitting the remaining 20 percent. The trail, beginning at 156th Street, continuing to 168th, going around the lakes, and back to 156th Street, is about five and a half miles long.

Mayor Skip Wolff commended JEO engineers, City Clerk Mimi Laaker, former mayor Dave Clark, the school administration and the NRD for their input on the trail project. He noted that benches and lights will still be added to the trail, and the Bennington Jaycees are working with school staff members, Gary Sather and Ryan Rischling, on landscaping plans for the trail that could be done as a student project.

Mayor Wolff said that one of the goals of Bennington is to have all new developers tie into the trail system to provide a safe route to school.



Papio-Missouri River NRD, Bennington city and school representatives cut the ribbon on October 9, signifying the official opening of the mile-long trail that connected the elementary school to the new secondary school along Bennington Road. The project was a joint effort of the three entities. Participating are: (front row, l-r) 2nd grader C.J. Segehart, Superintendent Dr. Terry Haack, Mayor Skip Wolff, NRD Director Rich Tesar, City Council member Terry Lopatin, and 1st grader Kaylyn Segehart. In back are Bennington City Council members Wayne Andersen and Lisa Bliss.

Bike club says commuter routes needed

10-20-05

By MICHAEL O'CONNOR

WORLD-HERALD STAFF WRITER

Making Omaha safer for bicyclists — including those who want to bike to work — was among the goals of a workshop aimed at making the Omaha metro area a better place for cycling.

Organizers intend to develop a plan for creating commuter bike routes and bring together a coalition to help work out funding and other details.

Steve Schnitker, president of the Omaha Pedalers Bicycle Club, said the city has good recreational trails but needs safe and efficient commuter routes.

A fatal semitrailer-bicycle accident that occurred in Sarpy County on Tuesday was raised during Wednesday's workshop.

Robert "Mike" LeDent, 60, died Tuesday after the bicycle he was riding to work was struck by a semitrailer truck near 36th Street and Cornhusker Road.

Bike fatalities have declined nationally during the last 30 years, but dangers remain. Federal figures show about 600 bicyclists nationally are killed every year in collisions with vehicles, said Andy Clarke, executive director of the League of American Bicyclists in Washington, D.C.

Clarke helped lead the work-

shop. He said one way to make streets safer for bicyclists is to increase their numbers.

As the number of bicyclists increases, he said, drivers become more used to sharing the streets with them.

Last year, the Omaha Pedalers Bicycle Club asked the national group to designate Omaha a bicycle-friendly community. Although the city won praise for its bike trails, Omaha didn't measure up when it came to encouraging people to pedal to work and thus didn't earn the designation.

Forty-nine cities — none in Nebraska or Iowa — boast the league's bicycle-friendly designa-

tion, which stays in effect for two years.

The League of American Bicyclists says Omaha's bike commuter rate is below the national average, which is about 0.4 percent, according to journey-to-work data from the U.S. Census Bureau. Award-winning biking cities such as Portland, Ore., tend to have rates of 2 percent or more, the league says.

The workshop, which was held at the National Park Service regional headquarters in Omaha, drew bicyclists and representatives from local and area city governments. Activate Omaha helped organize the event.

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DEANNA J. SANDS, Managing Editor

10-22-05

The rabbits rise up

It so happens that a series of "Peanuts" comic strips now rerunning nationally (including in The World-Herald) could be a parable for the legal struggle over

whether piping plovers would be better off if humans weren't around.

In the 1969 strips, Frieda (best known for her "naturally curly hair") demands that Snoopy chase a rabbit. Snoopy, who prefers playing with rabbits, makes a half-hearted effort. Frieda screams: "You let him get away on purpose! I'm going to report you to the Head Beagle!"

And she does, frightening Snoopy. ("Once you get reported to the Head Beagle, you've had it!") When Charlie Brown confronts Frieda, she crosses her arms and sniffs: "It was his own fault! He never wanted to go rabbit chasing with me!"

That sets the stage to consider a recent federal court victory by the Nebraska Habitat Conservation Coalition, made up of government agencies, public utilities and agricultural and recreational interests.

U.S. Senior Judge Lyle Strom of Omaha reversed the U.S. Fish and Wildlife Service's 2002 designation of 560 miles of Nebraska rivers — including the entire Platte River east of Lexington — as "critical habitat" for piping plovers.

Think of Fish and Wildlife as Snoopy and the coalition as the rabbits. Playing Frieda: three environmental groups, led by the Defenders of Wildlife, which earlier sued because Fish and Wildlife had not designated critical habitat, as the Endangered Species Act required, soon after listing the plover as a threatened species in 1985.

It didn't, the agency said, because critical habitat — land that a species most needs to survive — was not "determinable." Plovers prefer bare patches of sand, preferably river sandbars, in which to nest. Many are overgrown because irrigation and other human water use lowers the river too much to scour them. But sandbars and plovers' nests aren't in the same places each year.

Even so, a Washington, D.C., judge ruled for the bird police. So Fish and Wildlife, as part of a four-state designation, set aside everything from bank to bank on most of the Platte, the lower Loup and Niobrara Rivers and the unchannelized Missouri River on Nebraska's northeast border.

The members of the habitat coalition were alarmed. Visions arose of irrigation projects, power generation, farm operations, off-road vehicle use, etc., drowning in red tape.

Relax, Fish and Wildlife said. We also said that roads, bridges, dams and such already between the riverbanks aren't critical habitat. We just don't have the time, staff or budget to list them all. Besides, you already face red tape because the birds are listed. This doesn't affect you unless

'Peanuts' rerun helps sketch tale of government, the bird police, river users and piping plovers.

you are a federal agency, have involvement with the feds or do something that hurts the birds.

That covers almost everyone, the habitat coalition countered —

and so it sued. The Endangered Species Act, the coalition argued, sets aside critical habitat only where plovers actually are. Fish and Wildlife, the coalition said, wants it where the agency wishes they were.

Then Defenders of Wildlife and its allies joined the suit. Plovers wouldn't have critical habitat, they cried, without the activists' "hard-fought administrative and legal advocacy." They feared "the current hostility from (the Department of the Interior and FWS toward critical habitat designations in general ... and the executive branch's frequent failure)" to defend them.

Translation: We still don't trust Snoopy to chase the rabbits.

This time, however, the rabbits won a round. The Endangered Species Act, wrote Judge Strom, limits critical habitat to "specific areas within the geographical area occupied by the species ... essential to the conservation of the species."

Fish and Wildlife, Strom wrote, admitted that it included "some areas not essential to conservation of the piping plover" (emphasis in original) and failed to exclude areas where plovers rarely built nests.

The record shows, Strom wrote, that plover nests were found in only half the years since 1996 along 148 miles of the central Platte — and not at all on "natural habitat." (Plovers were more plentiful in sandy areas modified or fenced off by various river users, often to appease the feds, to help the species survive.) And not one plover chick was fledged there during the 1990s.

Fish and Wildlife was rebuked twice before by other courts for trying its broad-brush approach elsewhere, Strom added. "Excuses" such as shortages of time, budget and staff "do not absolve (the agency) from its responsibility to appropriately designate (critical habitat) in accordance with the applicable statutes and regulations."

So Fish and Wildlife has to start over in Nebraska. It faces a difficult task. The plovers aren't likely to lay eggs where their bodyguards or the agency say they should.

And it appears that neither the bird police nor the river users trust Fish and Wildlife — even though the agency has shown sensitivity to the latter in forgoing its right in the plovers' name to release water from drought-stricken Lake McConaughy, in part to keep the lake level higher for recreation.

That stance reflects a practical approach upheld by the law and Judge Strom's ruling: Help endangered species where they live now. The world they once knew is gone.

W-14
10-23-05
**Natural resources
director honored**

Roger Patterson, director of the Nebraska Department of Natural Resources from 1999 until retiring in August, is the recipient of the Groundwater Foundation's Maurice Kremer Groundwater Achievement Award.

The award will be presented Nov. 4 at the Lied Conference Center in Nebraska City during the foundation's fall conference.

The award recognizes Nebraskans who have made a substantive contribution to the conservation and protection of Nebraska's groundwater.

Don Kraus, general manager of Central Nebraska Public Power and Irrigation District, said Patterson has had more influence on the management of ground and surface water in Nebraska than any other individual in the past five years.

Patterson was a leader of the State Water Policy Task Force that developed a new law to integrate groundwater and surface water management.

Susan Seacrest, president of the foundation, said Patterson recognized that a unified system that protects surface water, groundwater and urban interests is key to Nebraska's future. — David Hendee

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Omaha World-Herald

Fruits of ambition

There is a community in Nebraska where the telecommunications network is so advanced and accessible that it's used in a remarkable way at school track and field events.

In that community, trying to compile race data used to give the organizers headaches. Now, each runner

dons a vest that is bar-coded. As each competitor crosses the finish line, a sensor registers the information, which is tabulated instantly. Once the last runner crosses the finish line, the race results and standings — in all their detail — can be printed out immediately.

In that community, wireless broadband Internet access is available citywide, thanks to a 14-mile ring of fiber optics. Access to that advanced telecommunications network has enabled the Police Department to boost its capabilities in dramatic fashion. Every police car has mobile broadband capability.

Freeze frames and real-time images from surveillance cameras around the community are all accessible from the patrol-car laptops. One suspect who denied his culpability in a graffiti incident admitted his guilt after an officer whirled around his patrol-car laptop and showed the teen a surveillance-camera image of himself, spray-paint can in hand.

Police officers in the field can search through statewide criminal-justice information systems in Nebraska and Iowa not just for text but also for photographs. Officers can do quick database checks on license plates before approaching a stopped vehicle. If a local child is missing, they can e-mail each other photos of the child even before the state issues an Amber Alert.

The community making such advanced use of technology isn't Omaha. It isn't Lincoln. It is South Sioux City, a northeast Nebraska community that may well qualify for the title of Nebraska's best-wired community.

How that modest-sized community, long known primarily as a meat-packing town prone to flooding, came to create a top-flight telecommunications network and a diversified economic base is a prime example of Nebraska can-do spirit.

A prime example, that is, of Nebraska excellence.

Communications planning is paying off for Nebraska community.

A series of World-Herald editorials will focus this week on that theme. Omaha and Lincoln have their share of impressive civic success stories, but no two communities have a monopoly on civic vision and energy in the Cornhusker State. This series will share stories of civic success, large and small, from elsewhere in the state, highlighting how five medium-sized communities are demonstrating forward thinking along various dimensions of civic life.

South Sioux City — located in the far northeast corner of the state, just across the Missouri River from its larger neighbor, Sioux City, Iowa — stands out for its vision in the telecom arena. The City Council chambers alone are a high-tech wonder, complete with a large, Internet-con-

nected "smart board" presentation screen, desktop computers for each council member and hookups for a full range of video and audio inputs.

The extensive telecom infrastructure has enabled a South Sioux City economic development organization to build a tech-oriented speculative building that has filled up, with additional development in the works. The fiber-optic network was built in cooperation with the public schools, and every school now has wireless Internet access. An academy has been created to tutor young people in the world of high-tech.

These achievements, which involved complex situations and careful consideration of budgeting, occurred because leaders in the South Sioux City area — elected officials as well as government staff — developed a vision and pursued it with ambition and imagination.

Those values are of universal importance to any Nebraska community seeking to raise itself to a higher level.

That ambition and imagination was demonstrated by an idea that Lance Martin, communications director for the city, had when South Sioux City officials needed to dig under the Missouri River to fix a leaking sewer line. Martin's idea: While the excavation equipment was down there, why not also put in a fiber-optic line? That way, the city could strengthen the city's telecom link with Sioux City, which has a major telecom connections hub in the region.

The idea proved a terrific one. Now South Sioux City has two fiber-optic lines under the river.

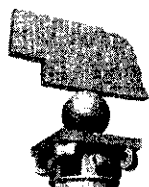
Not surprisingly, the South Sioux City story wins praise from observers of Nebraska economic strategy. Richard Baier, head of the Nebraska Department of Economic Development, stresses the community's long-range vision: "They have a clear focus and a determination for growing their community long-term. Some in Nebraska see economic development as a sprint. Successful communities like South Sioux City understand that to grow your community, it really is a marathon, and you have to commit long-term."

U.S. Rep. Jeff Fortenberry, whose 1st District includes northeast Nebraska, says he has been struck by how officials and government staff are mindful of taking a regional approach. "They look very much to partnering within their region and to partnering with other governments," he says.

Elsewhere in northeast Nebraska, the community of Wayne has city-wide wireless access. And Norfolk, a major regional hub, has every type of high-speed Internet. Such infrastructure provides that part of Nebraska with obvious potential not just for economic growth but also for initiatives involving higher education. One example of the latter is a proposed joint campus in South Sioux City planned by Northeast Community College and Wayne State College.

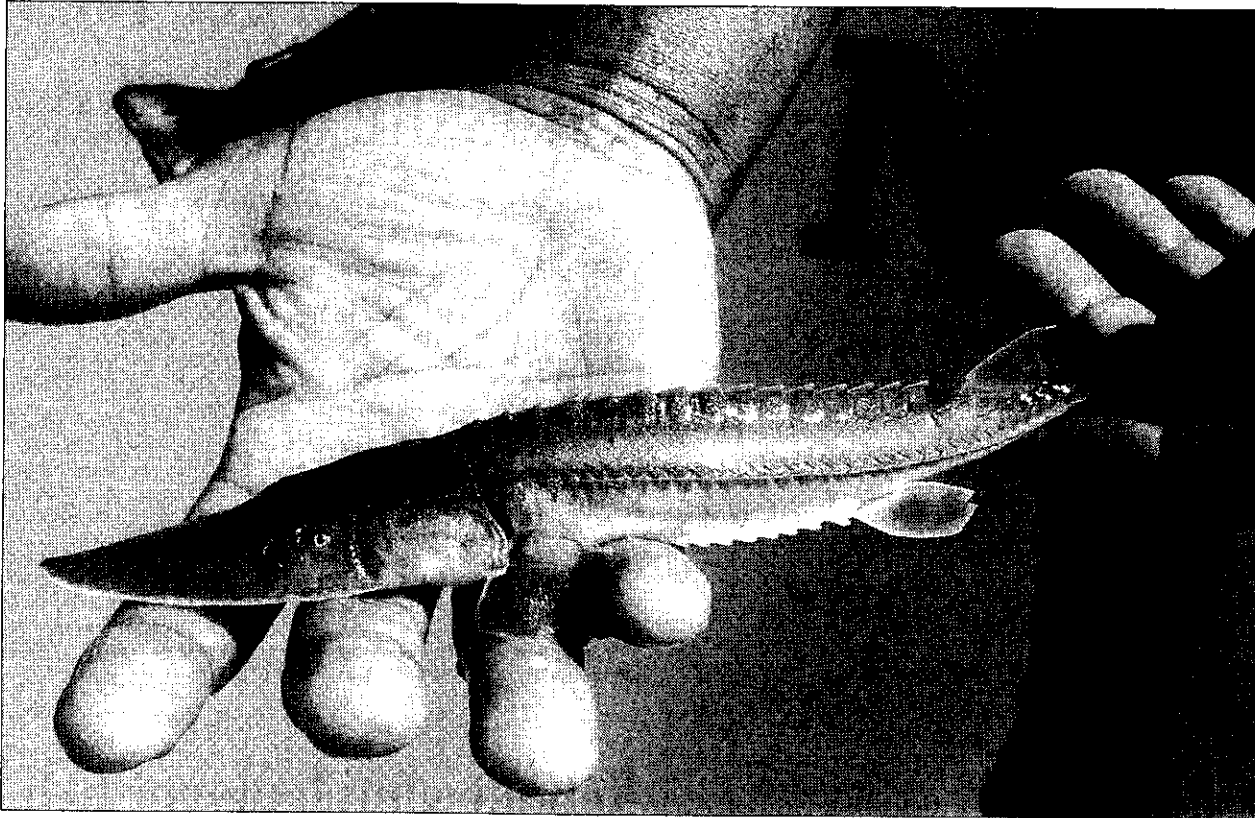
As the South Sioux City example shows, leadership and vision have tremendous potential to lift up a community. Great things can come within reach when a community shows ambition and holds itself to a high standard of excellence.

Tomorrow: Leadership pays off in Peru, Neb.



Nebraska Excellence

Small fish, big controversy



THE ASSOCIATED PRESS

Helping the endangered pallid sturgeon is the goal of an Army Corps of Engineers plan for spring rises in Missouri River levels.

Farmers oppose plan for river

10-25-03

By HENRY J. CORDES

WORLD-HERALD STAFF WRITER

The operator of the Missouri River's dams has proposed releasing two pulses of high water downriver next spring to aid the recovery of an ancient, endangered fish.

Federal wildlife officials for years have told the U.S. Army Corps of Engineers that such a "spring rise" — intended to mimic the river's natural flow before it was dammed for navigation and flood control — is critical to survival of the endangered pallid sturgeon. Next year's rise would be the first time that the corps has agreed to such releases.

Environmental groups applauded the plan, calling it a measured and well-reasoned effort to meet the corps' obligations under the Endangered Species Act. Scientists think spring rises provide an important spawning cue that has been missing since the river was dammed.

"The pallid is close to the edge here," said Chad Smith of Lin-

Hearings are set on a proposal to raise Missouri River water levels in the spring to aid spawning of pallid sturgeon.

coln, the Missouri River coordinator for the environmental group American Rivers.

The releases are expected to raise ire with farmers — including hundreds in Iowa and Nebraska — who farm the river's fertile banks. They are concerned that the releases could exacerbate flooding that sometimes occurs after major rainstorms.

The Coalition to Save the Missouri River, a group of navigation and agricultural interests, blasted the corps' plan.

"Once the corps releases that water, it can't stop it," said Randy Asbury, director of the group. If it rains, he said, "farmers are hosed."

Nebraska Attorney General Jon Bruning praised the corps' plan for striking a balance between environmental and business interests. The plan is similar to one proposed by the state in 2003, when it was trying to

broker a compromise on the contentious water issue.

"We are pleased that the corps is going to implement the changes that we proposed in 2003," Bruning said.

The spring rise proposal is far different from what environmentalists first pushed for nearly a decade ago. Some proposals called for raising the river for nearly four weeks each May.

Nebraska's proposal called for two shorter rises, each just days in duration, in March and in May. Nebraska water officials said two rises would come closer to what naturally occurred on the river, one after snow melted on the Plains and the other after mountain snowmelt.

The corps said next spring's March and May rises would be delayed for a year if there were insufficient water stored behind Gavins Point Dam and in other upriver reservoirs.

The dam releases would raise the level of the river about 2.5 feet. That's far below what it would take to flood communities along the river, but it could be enough to put water on some low-lying farm fields.

Corps officials said that by reducing the duration of the rises and taking other flood control measures, flood risk to farmers would be minimal, no more than what most farmers face from normal rains.

The corps will hold a series of eight hearings on the proposed operating plan for 2006, including two in Nebraska on Nov. 14: in Omaha at 1 p.m. at the corps' division headquarters, 12565 West Center Road, and in Nebraska City at 7 p.m. at Steinhart Lodge.

Smith, of American Rivers, said the corps will need to closely monitor the results of the spring rises to see what impact they have on the sturgeon.

Asbury said floodplain farmers will turn out at the hearings with a message summed up by stickers produced by his organization: "My Farm is NOT your laboratory."

City, NRD proactive in addressing Lincoln's flood risks, water quality

Journal Star 10-26-03

BY KARL FREDRICKSON
and GLENN JOHNSON

Recent hurricanes have provided dramatic examples of the suffering and damage created by floodwaters.

As we count our blessings, two questions surface: Could flooding cause the same kind of loss here? Could these disasters have been prevented?

Because Lincoln was built in a valley, our community has seen significant flooding in the past. The most recent was June 2003 from Antelope Creek near 21st and N streets.

The continuing flood threat was the impetus for the Antelope Valley Project. In a 100-year storm, more than 1,300 structures and 600 acres of land would be flooded up to six feet deep and a half-mile wide along Antelope Creek. Damage would be in the millions.

Significant flooding has hit close to home this year. In May, Grand Island received more than nine inches of rain in about 12 hours. This is significantly larger than a 100-year storm event, predicted to be 5.5 inches in 12 hours. As reported by the Journal Star, damage from this flooding was estimated at \$12 million to \$15 million in Hall County.

This week, some Massachusetts residents were evacuated amid fears of a dam break. Southern California storms triggered mudslides and closed roadways. Two days of rain left Las Vegas with swamped roadways and power outages. Earlier this month, parts of northeast Kansas saw up to a foot of rain and flash flooding, while hundreds of people were forced to evacuate and several people died after heavy rains caused flooding in New Hampshire, Pennsylvania and New Jersey. North Dakota and other Midwestern states also saw flooding in June.

While natural disasters can never be entirely prevented, people and property can be protected through good planning and watershed management.

In the case of Hurricane Katrina, experts say the lack of levee maintenance, the loss of delta wetlands and barrier islands along the

LOCAL VIEW



FREDRICKSON



JOHNSON

coast and the channelization of the river worsened the flooding.

Fortunately, we are now taking proactive steps to make communities safer and protect our water resources. Antelope valley, a joint project of the city, the Lower Platte South Natural Resources District and the University of Nebraska-Lincoln, is just one example.

The city, the NRD and the NRD's predecessor have partnered to address stormwater issues since the early 1960s. This partnership has made great strides in improving water quality, managing stormwater and reducing flood hazards. Together, the two agencies take a comprehensive approach to maintain the drainage system in Lincoln and its future growth areas:

■ Watershed master plans are being developed to accurately identify flood hazards, outline capital projects and provide guidance for sustainable future development.

■ To protect developed areas, easements and land are purchased to preserve key floodplain storage areas along stream channels. These areas convey and store flood water, filter pollutants and protect the biological health of the stream.

■ The Lincoln-Lancaster County Comprehensive Plan includes a strategy to designate and encourage future urban development outside of the floodplain. The city recently adopted flood standards to ensure that any future development within the floodplain does not adversely impact the flood hazards for other properties.

■ The city and the NRD cooperate on education programs, water

quality monitoring and enforcement of adopted standards to protect water quality and prevent flood hazards from increasing. This includes a program to prevent erosion from construction sites and keep mud out of the city's streets, streams and lakes.

■ The city and NRD work together to stabilize degrading streams, which can send tons of sediment downstream and threaten public and private infrastructure such as streets, bridges and buildings.

■ Flood detention facilities and other projects help to reduce flood hazards to protect existing homes and businesses.

■ Wetlands are being built to slow down stormwater runoff and filter pollutants such as oil, chemicals and sediment that would otherwise degrade our streams and lakes.

■ The city devotes significant resources to improving the storm drain system in our existing neighborhoods by replacing failing systems and increasing the capacity of older systems to minimize local flooding.

■ The city manages 21 program activities mandated by a stormwater permit from the state to meet the requirements of the Clean Water Act.

■ The NRD maintains the levee system along Salt Creek to help protect the older areas of Lincoln. The NRD is now building 10 dams in the Stevens Creek watershed to reduce flood damage to existing infrastructure from frequent storms.

■ The city and NRD are updating several floodplain maps to more accurately reflect current conditions.

While we can't eliminate the flooding threat, the city and NRD work every day to reduce the risk, inform the public and prepare for a quick response to emergencies. By improving stormwater quality, we improve our quality of life. With the support of the community, Lincoln will be a safer and better place to live, work and raise families.

Karl Fredrickson is director of the Lincoln Public Works and Utilities Department. Glenn Johnson is director of the Lower Platte South Natural Resource District.

Conservation group wants to preserve flow of the Niobrara

By NANCY GAARDER

WORLD-HERALD STAFF WRITER

10-27-05

If people want to go boating on the Niobrara River, one thing they'll need for sure is water.

For this and other reasons, a Nebraska conservation group is urging the National Park Service to protect a certain amount of water in the river, by securing what are known as in-stream

flow rights.

While the Niobrara has more "extra" water than other rivers in the state, any talk of designating a certain amount for environmental and recreational uses is sure to spark controversy.

The Nebraska Wildlife Federation on Wednesday called for protecting in-stream flows as the only way to protect the river within the context of the state's

new water law.

The federation issued a statement generally supporting the National Park Service's proposed management plan for the river but emphasizing that in-stream flows are one of the most important issues ahead.

Nebraska law "basically says you can dry up a river as long as you're not interfering with other water rights," said Duane Hov-

orka, executive director of the Wildlife Federation.

For that reason, a legal claim needs to be made, he said.

Ann Bleed, acting director of the Nebraska Department of Natural Resources, said the upper part of the river has been designated as fully appropriated. In the lower part, the river has not yet reached that threshold.

W-H 10-28-05
**Commission to help
create Omaha lake**

An Omaha city lake to be constructed near 192nd Street and West Dodge Road will be developed with the assistance of the Nebraska Game and Parks Commission.

Commissioners voted Thursday to help plan and construct the 60-acre lake so fishing opportunities there will be enhanced.

"Most of our fishing waters are where people aren't," said Don Gabelhouse, chief of the commission's fisheries division. "Whenever we get the opportunity to improve fishing in urban areas, we want to take it."

The portion of the project with which the commission will be involved will cost about \$270,000 to develop. The commission will pay \$200,000, which will come from federal funds. The City of Omaha must pay the remainder.

The project includes shoreline stabilization, sculpturing the lake bottom and the construction of a boat ramp. It is expected to be completed by next spring.

Grant will let group map out bicyclists' commuting secrets

BY ANGIE BRUNKOW
WORLD-HERALD STAFF WRITER
10-28-05

Bicyclists who ride to work may soon have a little extra help in making the trip.

An Omaha group has been awarded a two-year, \$53,000 grant to create a citywide bicycle and pedestrian transportation map and guide. As part of the project, the group will identify

safe east-west bike and pedestrian routes.

"Our trail systems all pretty much follow the creek system," said Tammie Dodge, project manager of Activate Omaha, the group that got the grant. "That's the problem. We have great recreational trail system in Omaha. (But) we're finding people are having a really hard time commuting by bicycle, even by foot. There're no safe routes that connect those trails."

The project, which will be led by Marty Shukert of RDG Planning and Design, will bring together a panel of experienced bicyclists who will share the safe routes they use to commute, using both trails and city streets.

The map will identify paths that link city trails to major activity centers and even offer safe routes for kids to walk or ride to school.

In the long term, Activate Omaha — which aims to encourage active lifestyles — hopes to turn the city into a bicycle-friendly community.

Last week in Sarpy County, a bicyclist riding to work died when he was struck by a semi-trailer truck.

Last year, Activate Omaha and others unsuccessfully sought a bicycle-friendly community designation for Omaha from the League of American Bicyclists. The city received kudos for its recreational trails but didn't measure up when it came to encouraging commuters.

+

Law doesn't cap concerns of groundwater advocate

BY DAVID HENDEE
WORLD-HERALD STAFF WRITER

Nebraska should be doing more to regulate farmers' pumping of underground water to irrigate crops, despite a new water law and other regulations, a groundwater advocate said Friday.

Susan Seacrest, president of the Lincoln-based Groundwater Foundation, said she is concerned that irrigators and local and state regulators aren't doing enough under the year-old water law to "act in a common-sense and responsible way to put limits on groundwater irrigation."

Seacrest said her new message is not intended to be anti-agriculture.

"We simply need to get a grip (on water usage). The science directs and demands us to do it," she said.

Nebraska's water law — approved last year as Legislative Bill 962 — is designed to anticipate and prevent conflicts between groundwater and surface-water users. In places where conflicts exist, the law sets out principles and timelines for resolving the issues.

Seacrest started the nonprofit Groundwater Foundation in 1985 to educate and motivate people about groundwater. The organization will mark its 20th anniversary at a conference next week in Nebraska City. Seacrest, however, said she isn't totally jubilant about what the foundation has achieved.

20th anniversary

The Groundwater Foundation will celebrate with a conference showcasing the science, tools and practices that protect underground water.

When: Wednesday through Friday

Where: Lied Lodge and Conference Center in Nebraska City

Highlights include: Book-signing reception for the foundation's new book, "Rainmakers: A Photographic Story of Center Pivot."

Sessions include: Agricultural technology, rural and urban community partnerships, collaborative strategies, best practices in the watershed, and innovative science and technology.

To register: (800) 858-4844 or www.groundwater.org

"I've had it. It's frustrating. I feel that we've failed to a certain extent," she said.

Seacrest said she hopes to launch a series of seminars in key areas across Nebraska early next year to focus on the importance of bringing usage of the state's surface water and groundwater into a sustainable balance.

"We'll have a serious discussion . . . and let the science speak for itself," she said. "We'll be focused and repetitive."

Seacrest said she plans to take the tough-love message straight to audiences that might not be receptive to ideas of using less water. One place is the Republican River valley in southwestern and south-central Nebraska, where irrigators are limited on the amount of water they can use because of declining water tables or the state's attempt to comply with a court settlement on pro-

viding Kansas its share of river water.

Seacrest said she is dismayed to read of a spurt of well-drilling in parts of northeastern Nebraska this year by farmers fearing the impact of potential irrigation restrictions if the state designates water in their river basins as totally spoken for.

"It's the mentality of, 'I need to get mine. I don't care about you,'" she said. "That's not encouraging."

Seacrest said she trusted water users to do the right thing. "No more preaching to the choir," she said of the foundation's tendency to organize cheerleading clinics for groundwater.

"If we don't have a real quality effort to change the thinking about groundwater now in Nebraska, it won't matter what we did in the last 20 years," she said. "It's now that counts."

\$250,000 sunk into flood study of Saddle Creek

By RICK RUGGLES

WORLD-HERALD STAFF WRITER
10-31-05

Saddle Creek Road becomes a stream in spots during huge downpours.

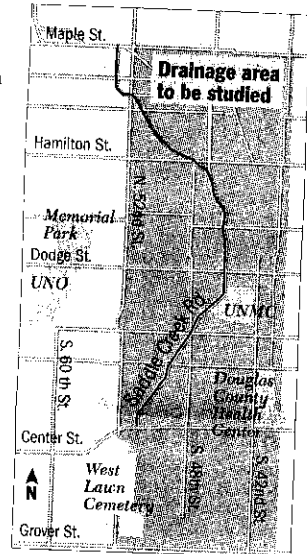
The flash flooding is destructive for those who live nearby and a hindrance for those who happen to be driving on the street during a torrent. It's a problem the City of Omaha wants to bring to an end.

The City Council over the past year has awarded HDR Engineering Inc. close to \$250,000 to gather data and do computer modeling of how the sewer system handles heavy rainfall in the Saddle Creek drainage area.

The Omaha Public Works Department intends to make some short-term improvements. Expensive, long-term answers will also be needed.

"If they find a solution, great," said Robin Mittlieder, office manager of McGill Brothers Inc. near Saddle Creek Road and South 50th Street. "If not, we have flood insurance."

Mittlieder said the offices of the commercial contractors used to be downstairs. Then, flooding in 2004 caused up to 4 feet of water to collect in the basement on three occasions. It ruined paperwork, a computer,

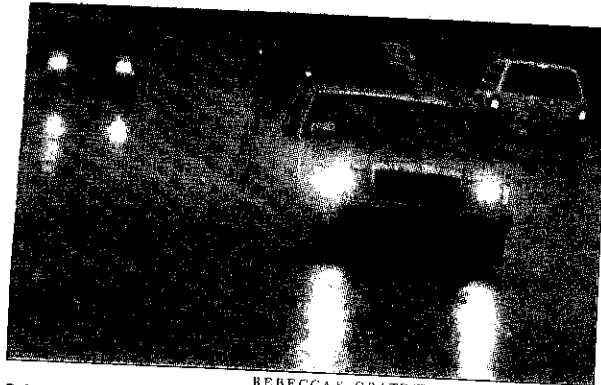


THE WORLD-HERALD

office supplies and furniture, not to mention a car and some machinery.

So McGill Brothers Inc. reclaimed the upstairs apartment it had been renting out and relocated its office into that space.

The city awarded HDR a \$49,500 contract last year to collect information on flooding on Saddle Creek Road. See *Flooding*: Page 2



REBECCA S. GRATZ/THE WORLD-HERALD

Drivers navigate pools of standing water on Saddle Creek Road when the rain is heavy. This stretch is near Emile Street during a storm in May.

Flooding: Street fountains are no tourist attraction

Continued from Page 1

Saddle Creek Road. A second contract, worth \$199,000, went to HDR this month for computer modeling to assess storm sewer capacity and bottlenecks in the system, to identify short-term improvements such as building more sewer inlets, and to propose solutions for the long haul.

Bob Sink, the city's environmental services manager, said there evidently once was a genuine Saddle Creek, but it was encased years ago in sewer pipes. The Saddle Creek drainage area now has a decades-old sewer system that cannot handle all the water from a heavy storm.

The drainage area is bounded by Maple Street on the north, Grover Street on the south, 39th Street on the east and 52nd Street

on the west.

The area is about five square miles, but the worst flooding is along Saddle Creek Road just north of Dodge Street and south to Center Street, Sink said.

Sink said the short-term solutions might go into effect next spring. But the long-term answer, which most likely will involve installing new sewer pipes, would cost millions of dollars and probably wouldn't be addressed for a couple of years.

Even if a stretch of Saddle Creek is moved a block to the west, as has been suggested to accommodate expansion by the University of Nebraska Medical Center, Sink said, the studies will be worthwhile.

The Public Works Department needs to know what size sewer

system to design to accommodate the drainage area whether or not Saddle Creek Road is moved, he said.

Sink acknowledged that some have suggested restoring Saddle Creek as a stream. He said the study will identify how rain accumulates throughout the drainage area and could be used to determine how the creek would affect drainage, he said.

Across Saddle Creek Road from McGill Brothers is Dingman's Collision Center. Co-owner Diana Dingman recalled the heavy rains of 2004 as particularly dramatic for her section of Saddle Creek Road.

Her building is on a slight rise and therefore doesn't suffer severe flooding, but the road in front of her business becomes

chaotic during major rainstorms.

"People think they can make it through and they can't, so there are cars stalled in the water," Dingman said. "If you see a car bobbing, don't try and go through."

She said three rains in the summer of 2004 caused flooding problems. Her employees have had to help people climb out of their swamped cars through windows, she said.

The sewer system on Saddle Creek becomes so full at times during heavy rains, she said, that manhole covers pop up and water shoots skyward. "It looks like a fountain," she said.

That is the kind of attraction the City of Omaha wants to terminate.

Study: Irrigation pumps billions in cash into state

By DAVID HENDEE
WORLD-HERALD STAFF WRITER
11-1-05

LINCOLN — Irrigation added \$4.5 billion to the Nebraska economy during a recent drought year, according to a report released Monday.

Irrigation's impact on the state's economy is so large that some small towns would disappear as viable economic communities if policy or other considerations prevented wide-scale use of underground water on crops, said Charles Lamphear, lead researcher for the Nebraska Policy Institute study.

The Nebraska Department of Natural Resources is implementing the state's new water law, Legislative Bill 962, in a process that includes jointly managing groundwater and surface water resources.

Don Adams, executive director of Nebraskans First, an irrigation advocacy group, said the findings should compel state policy-makers to revisit the new law's rules controlling irrigation.

Keith Olsen of Grant, president of the Nebraska Policy Institute and the Nebraska Farm Bureau, said the study wasn't intended to address state water policy but to update information about the value of irrigation.

The study measured the value of crop production, business-to-business purchases generated by crop production and economic activity generated from the personal spending of earned income.

The net total economic impact was determined by comparing the effects with and without irrigation.