

# MEMORANDUM

TO THE BOARD:

SUBJECT: General's Manager Report

DATE: September 12, 2005

FROM: Steve Oltmans, General Manager

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- A. **UPDATE ON CALIFORNIA BEND RECREATION MASTER PLAN**: Staff member Jim Becic will give the Board an update on this issue at the September 15<sup>th</sup> Board meeting.
- B. **INFORMATION/EDUCATION REPORT**: A copy of the I&E Report detailing Information and Education activities for the month of August, 2005, is attached for your review.
- C. **MISCELLANEOUS/PERSONNEL ITEMS**:
1. Attached is a letter from Lowell Thrasher, thanking the GM for speaking at a Rotary meeting on August 8, 2005.
- D. **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 August, 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 August 15, 2005. I would ask each Director to review this listing. If you have any questions, please feel free to contact me.
- E. **REPORT ON CAMP ASHLAND SITE VISIT TO ASSESS OBSTRUCTIONS**: Attached is a memo from Rodney Verhoeff, Lower Platte River Corridor Alliance Coordinator, regarding a site visit to Camp Ashland on August 30, 2005. After the site inspection, the following action items were identified:
1. Determination of original bridge construction date
  2. Determination of bridge demolition date
  3. Historical Review with DOR
  4. Follow-up Phone Conference after Historical Review

F. **REPORT ON PAPILLION CREEK WATERSHED PARTNERSHIP:** The Papillion Creek Watershed Partnership met on August 4, 2005. A copy of the meeting minutes is attached. The following items were discussed: Watershed Study Action Items – HDR Stage III Watershed Study Scope of Work Report; NPDES Permit Compliance and stormwater legislation. The next PCWP will be held on October 6, 2005 at 10:00 a.m. at the NRC.

G. **NEWS CLIPS:**

- ➔ July 1, 2005, Wall Street Journal article – Endangering Species. A law with better intentions than results.
- ➔ August 3, 2005, Sioux City Journal article – Congressmen promote farm opportunities
- ➔ August 5, 2005, Omaha World Herald – Midlands Voices – Use of water isotopes aides state's research by F. Edwin Harvey
- ➔ August 6, 2005, Omaha World Herald article – Papio-Missouri NRD may reverse on spending
- ➔ August 8, 2005, Omaha World Herald public pulse letter from Robert D. O'Dell – Irrigators should pay
- ➔ August 9, 2005, Omaha World Herald article – Developer says city planners wanted dams.
- ➔ August 9, 2005, Omaha World Herald article – Wildlife area could open to public
- ➔ August 11, 2005, Omaha World Herald article – Judge rules Papillion dams can go ahead
- ➔ August 11, 2005, Omaha World Herald public pulse letters (2) from Joe Reestman – Time for water fee; and from Joel Carlson – Irrigators already pay
- ➔ August 11, 2005, Lincoln Journal Star article – Forum examines managing water. Farmers hear how future restrictions might affect them.
- ➔ August 12, 2005, Omaha World Herald article – NRD budget approved in spite of opposition
- ➔ August 12, 2004, Blair Enterprise article – California Bend proposal unveiled
- ➔ August 18, 2005, Omaha World Herald editorial – A difficult job done well. Task force, water policies, realistic rules are all legacy of Patterson.
- ➔ August 15, 2005, Omaha World Herald editorial – Look to the future. Water rule may be hard to accept, but it's needed for Nebraskans.
- ➔ August 16, 2005, Sioux City Journal article – Plans on track for multi-use lake near Hubbard. Conservation lake has recreation bonus.
- ➔ August 20, 2005, Omaha World Herald article – New water rules are director's last act. Roger Patterson approves basin management regulations on his final day on the job.
- ➔ August 22, 2005, Omaha World Herald article – Budget approval for 2 Papio dams derided as 'waste'
- ➔ August 22, 2005, Omaha World Herald editorial – Full speed ahead. Court OKs NRD cooperation with developers to strengthen flood control.
- ➔ August 25, 2005, Omaha World Herald article – Senator floats idea to fund state water law. Money from a property tax on irrigation equipment would be diverted to resources districts to aid a year-old program.
- ➔ August 25, 2005, Omaha World Herald editorial – A character debate. Wisely planned development can keep towns in I-80 corridor from melting into homogenous suburban stew.

- ➔ August 25, 2005, Dakota County Star article – NRC open house features art exhibit
- ➔ August 26, 2005, Blair Enterprise article – City OKs California Bend plan
- ➔ August 26, 2005, Omaha World Herald editorial – No emergency (yet). Nebraska and Iowa, from downriver, now have reason to look gratefully upstream.
- ➔ August 26, 2005, Blair Enterprise editorial – California Bend will add to quality of Blair
- ➔ August, 2005, MAPA Newsletter – Happenings around the Region – report on Washington County Rural Water tower in Blair on Highway 133.
- ➔ September 7, 2005, Bellevue Leader article – Garden combines education, pollination

/pt/SO/GM Reports/2005/September

## **August 2005**

### **Information & Education Report**

#### **Information**

- ◇ Completed Back to the River video and ordered DVDs.
- ◇ Continued work on exhibit for Natural Resources Center
- ◇ Received new traveling display.
- ◇ Prepared and staffed a booth at the Sarpy County Fair
- ◇ Wrote article for neighborhood publication on Watershed Partnership.
- ◇ Prepared for and attended public meeting on LB 962
- ◇ Gave Speakers Bureau presentations to Omaha Golden K Kiwanis and Blair Optimists
- ◇ Prepared and staffed a booth at the Omaha Jazz Festival
- ◇ Prepared design photography and copy for NRD Annual Report to be published Sept. 25 in Omaha W-H.
- ◇ Attended a booth at the NE State for NARD.

#### **Education**

- Met with Bob Bodnar on permanent display for Visitor's Center
- Met with PLT/WET Coordinator and LPSNRD Ed Specialist on ways the NRD can support PLT/WET in the State
- Organized going away luncheon for I & E Intern
- Led nature hike for West YMCA day camp kids
- Attended LEP National Convention as the Nebraska LEP Coordinator—Facilitated LEP workshop for 28 participants
- Worked with NGPC to get two of their staff to the LEP National Convention, and for the NGPC to co-sponsor the event
- Held a conference call with NE Pheasants Forever representatives to garner financial support for LEP in Nebraska
- Worked the NRD booth at the Nebraska State Fair
- Worked with the LPRCA on getting Papio-Missouri River NRD staff to assist with the Water Quality Open
- Sent out Work Place Wellness e-mails to NRD staff
- Worked the Papio-Missouri River NRD booth at the Sarpy County Fair
- Continued working on signage for the flight cages at the NRC
- Worked with CPNRD on presentation at I&E meeting in October
- Revised teacher newsletter "Cultivation"
- Started planning teacher workshops for the 2005-2006 school year
- Completed FY 2004-2005 LEP report for Nebraska PF and National PF
- Managed 54 volunteer hours



**Great Western Bank™**

P.O. Box 4070

Omaha, NE 68104-0070

402.551.4310

August 8, 2005

Mr. Steven G. Oltmans  
General Manager  
Papio-Missouri River NRD  
8901 S. 154th Street  
Omaha, NE 68138-3621

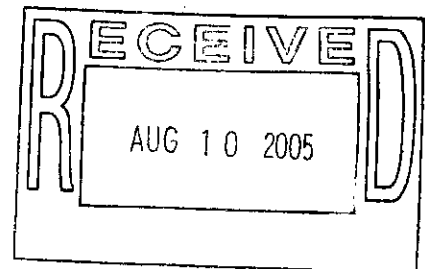
Dear Steve:

Thank you very much for the delightful and informative program you presented at Rotary today. You know, we had a much larger attendance than normal. I suspect the numbers were up due to the quality of the speaker we had presenting today!

Best regards,

Lowell M. Thrasher  
Executive Vice President  
Wealth Management

LMT/jh



## August, 2005

[illegible]

Updated: August 15, 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. (96<sup>th</sup> St.) (P)
  - ★ Purchase Agreements, deeds (90<sup>th</sup> 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 – Appraisal Review, ROW documents and habitat easements (P)
  - ★ Boyer Chute Refuge – Kuhl lease termination (N)

- **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)
  - ★ Amendment to Pigeon/Jones Site 15 contract w/Olsson (P)
- **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 (P)
  - ★ DS 13 Easement with Metro Community College (P)
  - ★ DS 13 Lyman Richey Closing (N)
  - ★ Shadow Lakes Agreement with SIDs (W)
  - ★ Shadow Lakes Oversight/Review Agreement with HDR (W)
- **Papio Creek Watershed Partnership (Stormwater)** (Woodward):
- **Rural Water Projects:** (Sklenar)
- **Elkhorn River Public Access Sites** (Sklenar):
- **Other:**
  - Heron Haven Agreement with “Friends of Heron Haven” (Becic) (W)



## Lower Platte River CORRIDOR ALLIANCE

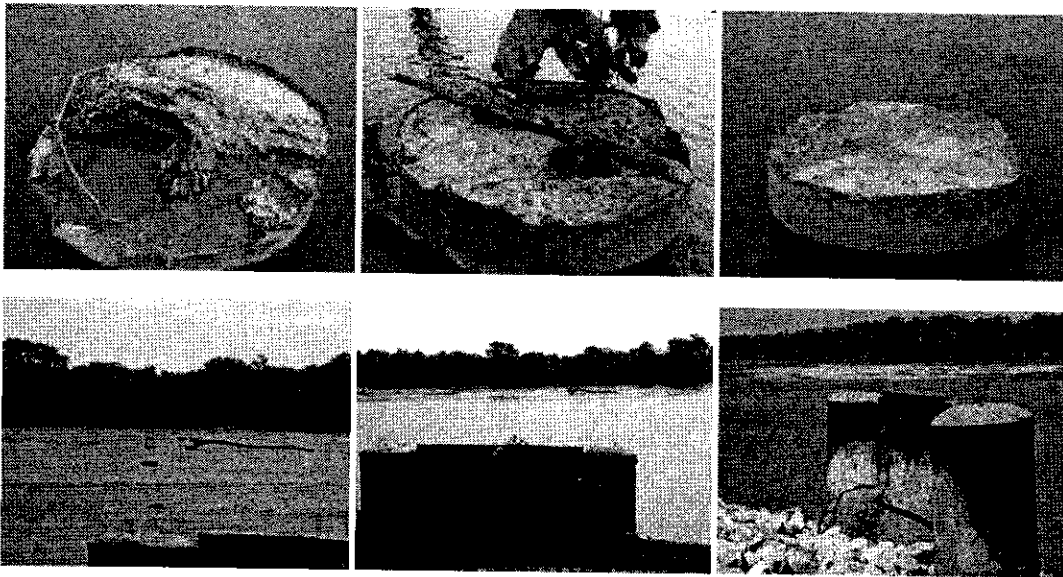
### Memorandum

**Date:** August 31, 2005  
**To:** River Obstruction Project Team Members  
**From:** Rodney L. Verhoeff, Lower Platte River Corridor Alliance Coordinator  
**Subject:** Camp Ashland Site Visit to Assess Obstructions

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Tuesday, August 30, 2005 was the date for a site visit to Camp Ashland to observe bridge pilings from the former Hwy 6 Bridge east of Camp Ashland in the Platte River. Also on site was: Larry Vrtiska, Environmental Programs Manager for Camp Ashland; MAJ Lynn Heng with the NNG; Todd Skoog, LPSNRD WS/WW Coordinator; Ryan Beckman, Olsson Associates; and Tim Gokie, Olsson Associates.

Water in the Platte River has been down recently, which may allow for a better view of the obstructions. Unfortunately, a recent rain event has resulted in higher water levels and consequently reduced visibility of the bridge pilings. Beckman, Gokie, and Vrtiska donned hip/chest waders and inspected up close the obstructions. Not counting the anchor on the west bank, there appears to be 7 pairs of pilings that are five-foot diameter concrete-filled steel tubes, some having one or two wooden pilings sticking out. They appear to be approximately 150' apart. It is not known if these wooden pilings are just embedded in the surface or extend further down. It is also unknown how far the concrete-filled tubes extend downward. The obstructions in the river are cut down to the level of the water, while the anchor pilings on the west bank are approximately 10 feet high from the water level and completely intact.



After the site inspection, the following action items were identified:

1. Determination of original bridge construction date – Lynn Heng/Larry Vrtiska, Camp Ashland
2. Determination of bridge demolition date – Lynn Heng/Larry Vrtiska, Camp Ashland
3. Historical Review with DOR – Ryan Beckman/Tim Gokie, Olsson Associates
4. Follow-up Phone Conference after Historical Review

The action item progression would be 1-2-3 and then 4. Phone conference would include all present plus Gerry Bowen with the PMRNRD. It was also suggested that Gerry Bowen be asked to start 404 COE Permit Process so we can possibly commence with removal by winter of this.

Larry Vrtiska has submitted the project to the Legacy Fund available to NG facilities for environmental projects. The maximum amount that the project could qualify for is \$125,000. This project would be 100% NNG funded. Olsson Associates reps were asked to get an estimate for removal of the obstructions so if additional funds are needed, MAJ Lynn Heng could look at other sources for supplemental funding. The estimate would be generated once the historical review is completed and information is assessed. MAJ Lynn Heng requested support letters from all partners should the project get approval. To date, it has progressed farther through the grant review process than most other projects submitted under the Legacy Program.

The site inspection concluded at 3:10 p.m.

RLV/rlv

**PAPILLION CREEK  
WATERSHED PARTNERSHIP**



**MEETING MINUTES**

**Meeting on Comprehensive Stormwater Management  
August 4, 2005, 10 AM to Noon - Board Room  
Natural Resources Center, 8901 S. 154<sup>th</sup> Street, Omaha, NE**

Attendants

The following were in attendance: Laurie Carrette Zook (HDR), Joe Soucie (LaVista), Steve Tonn (Douglas/Sarpy Extension), Pat Slaven (Omaha), Karen Klein (Omaha), Carrie Davis-Sedlacek (Sarpy County), Mark Wayne (Sarpy County), Kent Holm (Douglas County), Bob Sink (Omaha), Robert Hayes (Boys Town), Nina Cudahy (Omaha), Marty Grate (Omaha), Verlon Barnes (NRCS), Paul Woodward (P-MRNRD), and Marlin Petermann (P-MRNRD).

Purpose

A Partnership meeting was held on the above date in order to discuss topics stated in the attached agenda. The meeting began at approximately 10:08 AM.

1. Introductions

- Paul Woodward (P-MRNRD) opened the meeting and an agenda and sign-up sheet were distributed.

2. Watershed Study Action Items – HDR Stage III Watershed Study Scope of Work Review

- Laurie Carrette Zook (HDR) reported on the results from the last public meeting on June 16, 2005. She also described the facilitation provided by HDR for three recent Policy and Technical Workgroup meetings. The progress of the policy development was reviewed and discussed by the group. A handout noted the top five policy needs which had been determined by both the Technical and Policy Workgroups and that the groups would continue to work on those priorities in that order.

3. NPDES Permit Compliance

- Marty Grate (Omaha) reviewed that a May 2005 Draft of the Omaha Metropolitan Stormwater Management and Erosion Control Design Manual had been made available to the Partnership and members of an ACEC subcommittee via the PCWP website. He explained that an ACEC Subcommittee had met to review the draft and any comments received from ACEC and other organizations would be reviewed and responded to by the Omaha Public Works Department. It was also noted that policy issues in Chapter 1 will be removed. Grate also noted that a draft manual will need to be submitted to NDEQ by October 1<sup>st</sup>; after which, they will have 60 days to respond with comments. After incorporating any suggested revisions by NDEQ, the final manual along with the policy master plan and stormwater ordinance would be brought to individual city councils and county boards for adoption.

- Marty Grate (Omaha) provided a handout describing recent water quality monitoring results from 4 sites which still show water quality exceeding current standards under dry or wet weather conditions. He noted that this data did not include NDEQ monitoring results. Nina Cudahy (Omaha) explained that she had performed some preliminary regression analysis but with limited data, no conclusive relationships was found. In addition, Grate reported that Omaha had collected samples and monitored three stormwater sewer outlets for 3 separate events. The future of TMDL's was discussed. It was noted that NDEQ will likely wait for the next five year monitoring cycle for enough data to formulate a TMDL on the Papio Creeks including Washington County.
- Nina Cudahy (Omaha) reviewed recent updates to the Partnership's website including an updated home page. She also discussed ongoing or upcoming activities being planned by Keep Omaha Beautiful as part of the Phase II permit implementation. She explained that the stream/trail clean-up day had been slated for September 17<sup>th</sup>. A Water Festival for Families was also being planned on September 18, 2005 and members from the Partnership were encourage to help participate in this important public education event. More information on Keep Omaha Beautiful activities including trail cleanup and storm drain marking can be found at <http://www.keepomahabeautiful.org/>.
- Paul Woodward (P-MRNRD) reported that NDEQ had recently contacted him to report that NPDES Phase II annual reports submitted at the beginning of April were under review and t any comments should be forthcoming by the end of the month.

#### 4. Stormwater Legislation

- Bob Sink (Omaha) described ongoing efforts by Lincoln and Omaha to get new NPDES Phase II communities throughout the state to provide active support of LB 102. A meeting held on June 29, 2005 in Grand Island brought together many of these communities who are now faced with the need to submit NPDES applications and stormwater management plans by August 10, 2005. Term limits in the Nebraska Legislature will require addional education of the legislators on stormwater issues. It was suggested that updated costs based on recent stormwater programs and projects should be developed for the upcoming legislative session.

#### 5. Other Items of Interest

- Pat Slaven (Omaha) briefly reported on the availability of the Final Cunningham Lake Community-Based Watershed Management Plan.

#### 6. Next Meeting Dates

- The next full Partnership meeting was scheduled for Thursday, October 6, 2005 at 10:00 AM. The next Technical Workgroup meeting is set for Thursday, August 18, 2005 from 8:30 to Noon.

#### 7. WEF Low Impact Development Webcast (Optional)

Several partnership members participated in a webcast on Low Impact Development (LID) issues including controlling runoff volume control, CSO applications, and several case studies from across the nation. The webcast lasted from 11:00 AM to 12:30 PM. Copies of the PowerPoint presentation are available for downloading at <http://www.wefnet.org/LID/>.

8. Adjourn

- The meeting adjourned at approximately 12:30 PM. An agenda, attendance list, and the handouts passed out at the meeting are available to those members who were not present at the meeting upon request.

Please contact Paul Woodward at 444-6222 regarding any questions or comments concerning these meeting minutes.

## Endangering Species

The aim of the 1973 Endangered Species Act is to recover plants and animals threatened or endangered with extinction. Does it work? Thirty-two years and hundreds of millions of dollars later, it would be nice to know.

So kudos to Representative Richard

Pombo, who ordered a comprehensive review of the law from the House Resources Committee, which he chairs. Mr. Pombo has long argued that the species act is broken in a way that not only renders it incapable of conserving plants and animals but also puts unnecessary burdens on private landowners. It turns out he was right.

The House report was compiled almost entirely from official records, including from the U.S. Fish & Wildlife Service and the National Marine Fisheries Service, which makes it difficult for critics to argue it's a political hit job. Of the nearly 1,300 domestic species on the endangered list, the law has managed to "recover" a grand total of 10. That's a success rate of less than 1%.

Supporters of the law would say that species recovery is slow work that has to be measured over a long period—say, 100 years. But even the trends don't look good. A mere 36% of listed species are considered stable or improving. And even this 36% is nothing to celebrate, given that in many cases the only reason a species is deemed on the mend is because officials overstated the problem in the first place.

When the plant, Johnston's frankenia, was first listed, it was thought to have dwindled to about 1,500 specimens. Oops, someone miscounted. There are close to nine million, which explains why Fish & Wildlife is now proposing to remove the plant from the endangered list. Of the 10 officially "recovered" species, six were subject to erroneous original data.

These errors have real financial consequences—in particular for other species recovery. Government resources are finite, and ev-

ery dollar spent on an erroneous listing is one less that could go to a species in need.

Take the Preble's meadow jumping mouse, which Fish & Wildlife also wants to de-list due to mistaken scientific data. An economic assessment that accompanied the "critical habitat" designation

for this perfectly healthy animal estimated taxpayer and private costs would total \$79 million to \$183 million over 10 years.

Unlike other environmental laws, the Endangered Species Act doesn't require quality, peer-reviewed science in its listings. And since getting species on the list is often the simplest way for environmental groups to pursue other agendas—such as tying up private land and blocking development—they churn out dubious studies at the speed of procreating rabbits. Fish & Wildlife currently has 283 species that are candidates for listing—which would cost \$150 million to add. The agency's entire listing budget for fiscal 2004 was \$12.1 million.

Another problem is that the law doesn't allow for real priority setting. Call it the Lake Wobegone effect for species. In a statistic that defies logic, more than 92% of listed species have been accorded priorities that put them in the upper half of Fish & Wildlife's priority ranking system—i.e., they are all a top priority. This makes it impossible to focus on species truly in need.

Mr. Pombo has been trying to get species act reform rolling in the House, but Democrats don't want to amend a law that gives so much power to their green-lobby benefactors. One fix would be for Republicans on the Rules Committee to make appropriations money contingent upon reauthorizing the law, thereby forcing a debate. Mr. Pombo asked for such a ruling a while back, but his colleagues lacked the nerve. So the federal government will continue to enforce a law that costs more than it should and still doesn't protect the truly endangered.

*A law with better intentions than results.*

WSJ

7-1-05

# Congressmen promote farm opportunities

By Dolly A. Butz  
Journal staff writer

**DAKOTA CITY** — 3rd District Rep. Tom Osborne joined 1st District Rep. Jeff Fortenberry on Tuesday for a First District Ag Fly-Around in order to explore new ways to grow Nebraska's agricultural opportunities. The congressmen, who serve on the House Ag Committee, made four stops throughout the district, including the Cardinal Farms Hydroponic Tomato Facility.

Cardinal Farms is owned and operated by Garwood Enterprises Inc., a fifth-generation family farming operation. The Garwoods added hydroponically grown tomatoes to their crops their existing crops of corn and soybeans this year. The tomato plant provides tomatoes for both direct retail and wholesale distribution.

"Here we have a traditional farming operation that made a decision to diversify," Fortenberry said. "It's a wonderful model of what we've been talking about."

With a farm bill coming out in 2007, Fortenberry, R-Lincoln, said that agricultural entrepreneurship, active energy production and conservation should remain the focal point for lawmakers. He said that these three factors will influence that future of agriculture in the United States.

"These are trends that will shape public policy and be shaped by public policy,"



For additional photos go to: [www.siouxcityjournal.com](http://www.siouxcityjournal.com)

Neb. congressmen Tom Osborne, left, and Jeff Fortenberry, second from right, listen to Cardinal Farms co-owner Scott Garwood on Tuesday in the growing room at the company's hydroponic tomato facility, during a tour. Co-owner Doug Garwood stands at the far right. (Staff photo by Jerry Mennenga)

Fortenberry said. "We're looking at an emerging trend that is not only going to affect agriculture, but also public policy."

Osborne, R-McCook, said that increasing agricultural opportunities through education and value grants would be one way of bringing young people back into rural areas and increasing the number of family owned farms. Osborne said that providing Nebraska's future farmers with the knowledge to write a business plan and how to market their products is one way of revitalizing the agriculture industry.

"If you're dying on the vine, where do you start," Osborne said. "We are hoping that they will get value added grants."

Somebody will hire two or three and sometimes we hit a home run. We think that's one of the major ways to repopulate rural America."

By finding innovative ways to form partnerships with the federal government, Fortenberry said that farmers can restore economic vitality to rural communities and revitalize the agriculture industry.

"Farm diversification and niche marketing are important tools that can help the family farm turn a profit. Cardinal farms is a good example of both," Fortenberry said. "This is good rural development."

Dolly Butz can be contacted at 293-4275 or [dollybutz@siouxcityjournal.com](mailto:dollybutz@siouxcityjournal.com).

## THE MINI

Campground areas for the tri-state area are breaking records — for the good. As bad as it sounds, maybe the fuel prices are helping our campers stay closer to home and enjoy what we have right here in Siouxland.

Norm Kronick, Sioux City

Steve & Ralph —

Mini editorial published in the Sioux City Journal on 8/3/05. Thought you might find this interesting... and another good reason to see the pt Creek Rec Site come to fruition.

# Midlands Voices

## Use of water isotopes aids state's research

BY F. EDWIN HARVEY

*The writer, of Lincoln, is an associate professor of hydrologic sciences at the University of Nebraska-Lincoln.*

"Every water tells a story." And here at the University of Nebraska-Lincoln's College of Natural Resources, my students and I are using isotopes to help unravel those stories and to come to a better understanding of the occurrence, movement, protection and responsible use of our state's most precious natural resource — water.

So how are we using isotopes to study water resources? I'll answer that question in a moment. But first, let's review some basic chemistry.

Recall that all matter is composed of atoms that contain protons and neutrons in their nucleus and electrons in their surrounding outer shells. For a given atom, the number of protons defines the element — hydrogen, oxygen, carbon, etc. And the number of neutrons determines which isotope of that element is present.

Hydrogen, for example, has three known isotopes — protium (no neutron), deuterium (one neutron) and tritium (two neutrons). The number of isotopes of a given element is limited by the amount of instability resulting from having too few or too many neutrons present in the nucleus.

Isotopes thus can be unstable (radioactive) or stable in nature. Radioactive isotopes will disintegrate to become stable by some form of decay. This decay allows us to use radioactive isotopes as dating tools if the decay rate and the initial amounts of the isotope are known. Stable isotopes do not undergo decay.

A number of isotopes, both radioactive and stable, are used in water resource research. These include the radioactive isotopes carbon-14 and hydrogen-3 (tritium) and the stable isotopes oxygen-18, hydrogen-2 (deuterium), carbon-13 and sulfur-34, for example.

Generally speaking, radioactive isotopes are used to determine the age of a water sample — that is to say, when the water passed beneath the water table as recharge and thus became isolated from the atmosphere.

Stable isotopes are typically used to identify the original source of the water — rain, river, lake, canal, groundwater, etc., where the water derived its dissolved chemicals. Stable isotopes also may identify any physical, chemical and biological processes, such as condensation, evaporation or mixing with other waters, that

may have impacted the water along its journey through the Earth's water cycle.

My students and I are using isotopes in many water resource studies. We have monitored the oxygen and hydrogen isotope composition of rain across the state for several years and found that it changes in a predictable fashion throughout the year. This variation can be used to trace water movement in rivers and the soil and also can help examine how and from what source plants acquire their water during the growing season.

In another example, we used oxygen and hydrogen isotopes to determine if alluvial irrigation wells were pulling water from the Republican River. The isotope composition of groundwater in the region differed from that of the river water.

Thus, if river water were being drawn across the river bottom, through the aquifer and into the well, the well water's isotopic composition would differ from groundwater and would become similar to river water as more and more river water was pulled into the well.

We also used the radioactive tritium and carbon isotopes to estimate the age of groundwater in eastern Nebraska's Dakota Aquifer. Isotope ages indicate that shallow groundwaters were younger and had been recharged within the past 100 years. In contrast, waters drawn from deeper in the aquifer had been recharged about 30,000 years ago.

Since shallow groundwaters are being replenished much more rapidly than deeper waters, they may be more sustainable water resources than deeper waters. However, this result also means that shallow sources may be more susceptible to contamination from human activities.

Space limits prohibit me from citing other examples, but I assure the reader that isotope hydrology is a vital part of water research in Nebraska. Our collaborations with the U.S. Geological Survey and the Nebraska Department of Natural Resources, numerous natural resources districts, municipalities and citizen groups all use isotopes to help us better understand our state's water resources and make informed water management decisions.

To learn more about isotopes and their use in hydrologic studies, please contact me via e-mail at [fehharvey1@unl.edu](mailto:fehharvey1@unl.edu).

## Papio-Missouri NRD may reverse on spending

BY NANCY GAARDER  
WORLD-HERALD STAFF WRITER

Next week, the Papio-Missouri River Natural Resources District board may reverse itself and vote to slightly exceed state restrictions on its future years' spending authority.

The state restricts local governments to a 2.5 percent annual increase in spending on certain items.

Elected boards can tack on another 1 percent, if 75 percent of the members vote to do so. The NRD board fell one vote short of that super-majority last month, when one member, Tim Fowler, was absent.

Fowler will be at Thursday's meeting, and the issue has been placed back on the agenda. He said he is "leaning towards" approving the increased spending authority.

If the board approves the increase, the earliest it would

take effect is the 2006-07 budget year.

The increase would not automatically mean next year's budget will grow by that amount. Instead, it would simply give the board the authority to tap the extra funds. The board also could choose to forgo spending the extra money.

John Conley, board treasurer and a supporter of the increase, said the 1 percent would translate into about \$55,000 out of a total budget of \$32 million.

That's because most of the budget isn't subject to the spending restriction. Items covered by the restrictions include insurance, personnel and equipment.

The board also is scheduled to vote Thursday on the 2005-06 budget. It will meet at 8 p.m. at district headquarters, 8901 S. 154th St.

W-17 E-8-05  
**Irrigators should pay**

Regarding the Aug. 3 news story, "Funding is sought for water law," the governor's Water Policy Task Force is now in a position to demonstrate its integrity, or lack thereof.

As the story states, at least two members of that group are looking to Nebraska taxpayers to provide funding. Suggestions include a sales tax on water bills or bottled water and soft drinks, a \$5 fee on property-tax records or a per-capita or per-acre water fee.

The task force is composed primarily of irrigators or those with irrigation ties. The body seems reluctant to recognize that although agricultural irrigators constitute approximately 3 percent of our population, they are responsible for more than 97 percent of Nebraska's consumptive water use.

With exception of the per-acre water fee, each proposal would result in the 97 percent of us who are *not* irrigators paying the bulk of taxes for the water problems created and fostered by those who are.

After the \$145.8 million settlement that recently was laid on the backs of Nebraska taxpayers, we should scrutinize the task force's recommendations and the reactions of the Governor's Office and the Legislature to them.

**Robert D. O'Dell, Grand Island, Neb.**

# Developer says city planners wanted dams

By JOE DEJKA

WORLD-HERALD STAFF WRITER

Original plans for the Shadow Lake housing area near Papillion did not include two government-funded dams, a developer testified Monday.

Instead, runoff down Midlands Creek was to be controlled with privately built dry detention basins that would slowly release water past a new shopping center and through a culvert under Nebraska Highway 370, said John Allen, developer of the 430-acre Shadow Lake project.

The idea for lakes came out of discussions with the Papio-Missouri River Natural Resource District after Papillion city plan-

ners made it "crystal clear" that they didn't want basins, he said.

"There is no question in my mind they didn't want it," Allen said, who needed approval from the City of Papillion to go ahead with his project at 72nd Street and Schram Road.

The testimony came during a trial in which landowners from Washington County are challenging the district's \$3.3 million expenditure for the lakes.

The landowners' attorney, Kevin McManaman, questioned Allen and a district official about why they rejected a solution that would cost taxpayers nothing.

Marlin Petermann, the natural resources district's assistant general manager, testified that

detention basins are "a Band-Aid approach" to flood control.

"It's like back on the farm we say 'using baling wire and duct tape' to solve a problem," Petermann said.

The district board voted in May to pay all of the design and construction costs for the 750-foot-long Midlands Lake Dam and 75 percent of costs for the 2,500-foot-long Shadow Lake Dam. The developers would pay the rest and provide the land. The lakes would cover 12 acres and 34 acres, respectively.

Five couples sued the district, claiming that the lakes would primarily benefit the developer but offer little public benefit. The same couples sued to stop a pub-

lic-private dam project at 192nd Street and West Dodge Road.

The district's attorney, Paul Peters, suggested that landowner William Japp and other plaintiffs sued in Sarpy County hoping to set a precedent that would block a proposed NRD dam that would flood their Washington County land.

Petermann said recreational plans were left out of agreements with the developer so the district wouldn't "get stuck" paying for them.

He said public access can be great or small.

"One person is public access," he said. "Two people is public access. A million people is public access. It's all public access."

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# Wildlife area could open to public

8-9-05  
By MARION RHODES

WORLD-HERALD STAFF WRITER

BLAIR, Neb. — Hundreds of swallows nesting in a sandbank on a small island in the Missouri River.

White-tailed deer jumping through a field of native grasses.

Wild turkeys running along a trail shaded by majestic cottonwood trees.

Those are among the sights that the public could see if a proposal to open up the California Bend fish and wildlife habitat near Blair is approved.

The master plan, presented during an open house Monday in

Blair, would allow one or more scenic overlooks and fishing points inside the 221-acre habitat, designed as a restoration project for native plants and wildlife. The site, about one mile northeast of Blair, includes a restored river chute that created a series of islands, wetlands, bottomland prairie and woods.

The plan calls for a paved hiking and biking trail that would run from Blair's Optimist Park along the river's west bank through the habitat. A future option would be an extension of the trail to Cottonwood Marina, about a half-mile north of the habitat. A new road would con-

nect the north end of California Bend to the marina, where a parking lot would be built.

The city and the Papio-Missouri River Natural Resources District, which owns most of the habitat land, will have to work out some land issues with property owners between the bend and the marina, said Phil Green, Blair's assistant city administrator. The city would operate the area.

The Blair City Council will vote on the plan at its Aug. 23 meeting, following a public hearing.

A timeline for the project has not been set.

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# Judge rules Papillion dams can go ahead

8-11-05  
By JOE DEJKA

WORLD-HERALD STAFF WRITER

A partnership between private developers and the Papio-Missouri River Natural Resources District to build two dams near Papillion does not violate the law, a Sarpy County judge ruled Wednesday.

A group of landowners in Washington County had sued the district to stop the project, alleging that the district did not have the authority to enter such agreements and that the proposed Shadow Lake and Midlands dams would benefit the developers more than the public.

In recent years, resources district officials have turned to partnerships as a way to save money as the cost of land in the Papillion Creek watershed has been pushed up by development pressure.

Sarpy County District Judge George Thompson abruptly ended the trial Wednesday after three days of testimony, surprising attorneys for the resources district, who had planned to con-

tinue their case.

Thompson ruled that a cooperative agreement among the district, the City of Papillion and the developers of the Shadow Lake Towne Center and Shadow Lake subdivision is valid. He dismissed the lawsuit, filed by five Washington County couples.

The development agreement calls for the district to spend \$3.3 million to build the dams.

Thompson said an important factor in the case was the City of Papillion's rejection of dry detention basins, which had been proposed as a solution to capture runoff across the shopping center site at 72nd Street and Nebraska Highway 370.

That rejection forced developers and the resources district to consider other flood control options, the judge said. Their solution, building dams along Midlands Creek, was one in which "all the parties gave a little bit," he said.

Bill Allen, developer of the 430-acre Shadow Lake housing project at 72nd Street and Schram Road, was pleased by the

order.

"We've been confident from day one that the NRD was acting in accordance with the law," Allen said.

Kevin McManaman, an attorney representing the landowners, said he may comment on the ruling later.

During the trial, Lee Becker, a former Nebraska state hydrologist hired by the landowners for \$200 an hour as an expert witness, testified that the two dams help contain runoff from the developers' property. But Becker said the dams offer only minimal flood control after Midlands Creek goes under Nebraska Highway 370 and empties into the west branch of the Papillion Creek.

The project does nothing to control flooding on the West Branch of Midlands Creek, which joins with the main creek downstream from the dams, he said.

Marlin Petermann, assistant general manager of the resources district, disagreed with Becker's conclusion.

Petermann said the dams would create 487 acre-feet of water storage and reduce the flow of floodwater off the site by 25 percent. The Shadow Lake dams would provide flood control, improve water quality, control erosion and provide recreation, he said.

## Time for water fee

Options for funding the state's water law seem reasonable. Considering a \$10-an-acre fee or a charge based on inches of water used would be consistent with the general procedure at other utilities: The more you use, the higher the expense.

With water being so scarce, this might tend to halt excessive usage and discourage the development of marginal ground that never should have been used for row-crop farming.

The age-old law that protects first-user rights on water should be amended. It doesn't seem equitable to let those who depleted the supply continue to have full access when everyone should have the same right to water under their property.

Irrigation wells should be metered to control usage instead of placing a moratorium on new wells.

Joe Reestman, Oakdale, Neb.

## Irrigators already pay

Reading the editorials and letters on the new water law issues really drives home one thing: Nobody in this state is qualified to implement this legislation. I only wish my law professor, Norman Thorson, were still alive to give some wisdom to an otherwise confused affair.

For those with no training in economics or water law, it is totally untrue to say or suggest that irrigators don't pay for water. They pay a higher price to buy ground, they pay more rent, they pay a high price to pump the water (sometimes over \$100 an acre), and they pay more taxes.

Yes, irrigated ground is taxed at a higher rate for purposes of property taxes, which is hard to believe in this state. Perhaps all the school districts should reimburse the farmers for years of overtaxation on irrigated ground if anyone thinks irrigation water is actually free.

I don't think most people have any idea how much a \$10-an-acre tax would cost many operators. There are many farms in this state covering between 1,500 and 10,000 acres. How many people could afford that kind of money on a yearly basis?

Joel Carlson, Cozad, Neb.

W-H  
8-11-05

W-H  
8-11-05

# Forum examines managing water

Farmers hear how future restrictions might affect them.

8-11-05  
BY ART HOVEY  
Lincoln Journal Star

FREMONT — Faced with the probability of stiff state irrigation restrictions in eastern Nebraska as soon as next year, Dave Svoboda of Columbus and Kirk Kavan of North Bend were among almost 500 farmers perched uneasily on their chairs here Wednesday night.

Because of drought and heavy pumping, the state Department of Natural Resources is likely to declare irrigated areas west and north of Lincoln fully appropriated at some point before Jan. 1.

That means no new irrigation wells, no new irrigated acres. And it could easily apply to the Upper Big Blue Natural Resources District, based in York and one of the most irrigation-dependent areas in the state.

Columbus farmer Svoboda arrived at a water policy forum at the Fremont City Auditorium wondering what form restriction will take and uncertain of the wisdom of state action.

"I lean toward yes, but it's kind of iffy," he said. His attitude "depends on what decisions are made, if there will be some common sense on how much we can use."

To protect himself against an uncertain future, Svoboda recently had three more wells drilled on land he farms.

North Bend farmer Kavan also sees merit in more aggressive water management. "We used to think we had an unlimited amount of groundwater," he said. "Now we're starting to realize it isn't unlimited."

Natural Resources Director Roger Patterson gained the authority to impose water conservation measures with the passage of LB962 in 2004.

The Legislature acted amid growing concern about the depleting effects of groundwater use on rivers and streams and about the future availability of water for agriculture, as well as municipal and industrial customers.

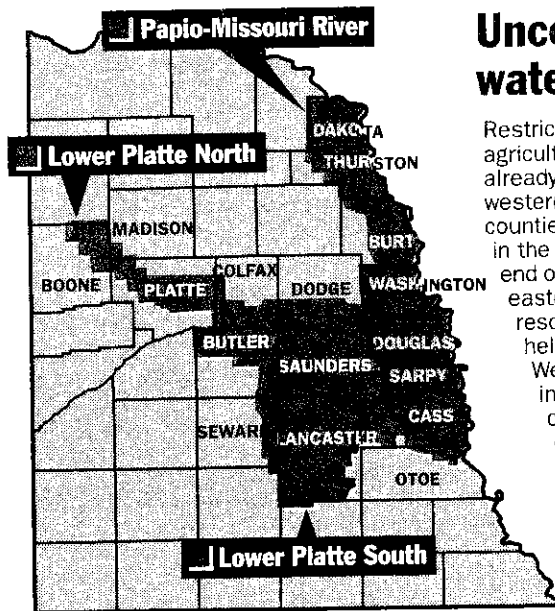
State Sen. Chris Langemeier of Schuyler moderated a Wednesday educational event organized by three natural resources districts, the Lower Platte North based in Wahoo, the Lower Platte South based in Lincoln and the Papio-Missouri River NRD based in Omaha.

Sought out beforehand, Lange-meier called LB962 a step in the right direction for dealing with water concerns in Nebraska.

John Miyoshi of Lower Platte North said farmers in the Wahoo area are "really gritting their teeth. And basically what it does is stop any (irrigation) development."

Before stepping to the podium, Patterson wasn't ready to make a prediction about how much farther east water restrictions will move by Jan. 1.

A key step toward those decisions will come in Kearney today, as water policy makers sit down to look at proposed criteria.



SOURCE: Nebraska Association of Resources Districts

## Uncertain water future

Restrictions on agricultural irrigation, already in place in western Nebraska counties, appear likely in the east before the end of the year. Three eastern natural resources districts held a forum Wednesday to inform farmers of possible changes that could limit the number of irrigated acres.

KIM STOLZER/Lincoln Journal Star

One of the most important yardsticks will be determining the degree of hydrologic connection between surface and groundwater, Patterson said, as he addressed his audience later.

If a standard of 28/40 is chosen, for example, the fully appropriated area would be everything inside a line where 28 percent of the water used by a well over 40 years of pumping is determined to be coming from surface sources.

Dave Cookson, another Wednesday speaker and special counsel on water matters to Attorney General Jon Bruning, said one objective of LB962 is to spend the state's limited financial resources on long-term water solutions.

The unappealing alternative, Cookson said, is "the surface water people hire their lawyers, the groundwater people hire their lawyers, and the only people who come out good are the lawyers."

Ann Bleed, who will replace Patterson when he leaves state government on Aug. 19, said the law will not end water development in Nebraska. Water transfers in which, for example, the city of Fremont could buy the rights to a farmer's irrigation well, are one possibility.

"Development can and will and should continue," Bleed said.

But Travis Freund, part of a Fremont dealership that sells irrigation equipment, voiced reservations about where Nebraska water policy is headed.

Eastern Nebraska irrigators will never face water problems as severe as those farther west, Freund said.

No matter what, he sees a need for a time line for water regulation. "That's a very gray area for all our customers, not knowing what they can do, what they can't do and when they can or can't do it."

Reach Art Hovey at (402) 523-4949 or [ahovey@alltel.net](mailto:ahovey@alltel.net).

# NRD budget approved in spite of opposition

8/12/03

BY MARION RHODES

WORLD-HERALD STAFF WRITER

The Papio-Missouri River Natural Resources District approved a \$31.2 million budget Thursday night in spite of staunch opposition.

The board voted 8-3 in favor of the budget, which includes roughly \$7 million — about 22 percent of the total 2005-06 budget — for the construction of dams in the metro area.

Board members Richard Connealy, Dorothy Lanphier and Joe Neary voted against the budget. They also voted for a failed amendment to remove the allocation of \$625,000 for preliminary designs of two controversial dams north of Omaha.

Those dams could affect 100 properties, most of which are in Washington County. Landowner Todd Andersen from Kennard, Neb., vowed to fight the projects.

"Before I give up the land that my father and brother have died on, we will all be very old and very tired," he told the board.

The NRD's budget includes a property tax requirement of

\$15.7 million and suggests a preliminary tax levy of 3.94 cents per \$100 of assessed valuation. That would amount to \$39.40 for a \$100,000 home, a slight decrease from last year.

The board will set the levy at its September meeting, after final valuations from the assessors' offices are in.

The board also voted 8-3 to exceed state restrictions on its spending authority by 1 percent. State law limits local governments to 2.5 percent increases for certain expenses but permits another 1 percent increase if three-quarters of the elected officials vote to do so.

General Manager Steve Oltmans told the board that the extra increase was needed to pay for equipment, energy, utilities, maintenance and salaries, and that it could allow the NRD to pay up front for purchases, thus avoiding interest charges.

Lanphier questioned the need for the increase and, along with Connealy and Neary, voted against it. It will not take effect before the 2006-07 budget year.

+

The 12 people who attended an open house at the City Council Chamber on Monday got a first look at the trail and additional enhancements proposed for the California Bend Recreation & Wildlife Habitat area along the edge of the Missouri River just north and east of Blair.

John Royster, an architectural designer with Big Muddy Workshop, presented the preliminary master plan for the 221 acre site located just upstream from Optimist Park. At a previous open house, the public was presented with three possible development options. This preliminary master plan is based on the option that 90 percent of the people at that meeting selected.

Royster also presented the probable project costs and potential funding sources. The trail and improvements on the site would cost in the neighborhood of \$445,000. Including parking and a road to Cottonwood Marina would raise the total cost to \$1,355,000.

A detailed map showing a proposed trail route from the "Paved Trail" at the top left, through a "Screen Plantings Along Property Line" area, and along a "Restored Bottomland Prairie". The route leads to "Shoreline Fishing Points" (both accessible and non-accessible) and a "Walking Path Along North Channel". A large, dark, irregular shape on the right side of the map represents a body of water or wetland. At the bottom, a road labeled "US 80" runs horizontally. Various landmarks are labeled, including "Little Waterways Treatment Plant" and "Black Bluffs Shoals Park". A north arrow points towards the top right corner. The map includes several numbered callouts corresponding to specific features listed on the left.

## BIG MUDDY WORKSHOP

8-12-05 Enterprise

W-H  
8-18-05

## A difficult job done well

**R**oger Patterson has done a remarkable job during his six years as director of the Nebraska Department of Natural Resources. He has combined foresight and a science-based knowledge of natural-resources policy with leadership and a knack for reaching out to Nebraskans who haven't always agreed with him.

Not that they necessarily agreed with him afterward — the reasonable changes and future-oriented water policies Patterson has supported, for instance, have not been universally popular. But public participation in the decision-making process is useful, particularly in the form of spirited, even acerbic, debate that promotes citizen involvement and education.

Drought has gripped parts of the state during much of Patterson's tenure, making his job tougher. It would have been hard enough being a party to the negotiations with Colorado and Wyoming over flows in the Platte River system under normal conditions. Add the factor of a water

**Task force,  
water policies,  
realistic rules  
are all legacy  
of Patterson.**

shortage, and the impact becomes more immediate. However, the three-state agreement on water and wildlife habitat is nearly complete.

Patterson's experienced grasp of hydrology and the law has helped the department and the state move toward resolving some key water issues. The Water Policy Task Force was formed under legislative authority with Patterson's guidance. Nebraska has moved toward a more realistic recognition of the relationship between surface water and groundwater during his tenure. That will reach a key turning point quickly, as Patterson is expected to ratify a new regulation before he leaves to guide the department's designation of fully appropriated river basins.

His chief assistant, Ann Bleed, will become acting director when Patterson leaves state government to open his own consulting firm. Her job will be to carry on, and extend, the sound course on which Patterson has set the department. We wish them both well.

OMAHA DAILY HERALD FOUNDED 1865  
 OMAHA DAILY WORLD FOUNDED BY GILBERT M. HITCHCOCK 1885  
 OMAHA WORLD HERALD FIRST PUBLISHED JULY 15, 1889

# Omaha World-Herald

JOHN GOTTSCHALK, Publisher

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11-24  
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## Look to the future

**A** water allocation rule proposed by the Nebraska Department of Natural Resources may be a hard swallow for many Nebraskans, particularly groundwater irrigators. In some circumstances, their livelihood could be hit hard. But they — and the broader population — should benefit in the long run from responsible management of the state's water supplies.

The regulation would govern how the department decides which river basins are fully appropriated and thus have no more water for development. No new permits for surface-water use, groundwater wells or new irrigated farm acres would be granted in a fully appropriated basin until the affected natural resources district devised a water management plan.

Two provisions of the regulation were the focus of considerable criticism at a public hearing last week: Irrigators, farm organizations and others argued the provisions were too restrictive. The Central Nebraska Public Power and Irrigation District, environmental groups and others took the opposite position.

The stricter the department's rule, the firmer must any crack-down be on water use necessary to bring a basin into compliance. About 97 percent of the groundwater used in Nebraska is used for the irrigation of crops.

The rule, which implements a portion of Nebraska's 2004 water law, deals with surface water and groundwater in a way new to Nebraskans — an integrated way that recognizes the connections between streams and wells. The law requires the department to minimize the impact of water use on the streams and the underground water supply.

It is that requirement that drove the DNR to propose relatively strict standards. The agency wants to use a 10 percent/50-year requirement to decide a well's impact on surface-water supply. That means that over 50 years, a well would be considered to have an impact if pumping for irrigation or other uses reduced by an average of 10 percent a year the amount of water that normally would become part of the stream.

Many speakers at the hearing argued for a 28 percent/40-year standard, meaning that over 40 years, pumping would have to deplete the

**Water rule  
 may be hard  
 to accept, but  
 it's needed  
 for Nebraskans.**

amount of water a well contributed to the stream by an annual average of 28 percent. This is a much lower standard, though familiar to Nebraskans

because it has been used to settle other water arguments. DNR Director Roger Patterson said, however, that it was not strict enough to comply with Legislative Bill 962.

The 10 percent/50-year standard might be more middle-of-the-road than opponents think. Some speakers argued that the minimal-harm requirement demanded a 1 percent to 2.5 percent standard, rather than 10 percent, over 50 years. Patterson reported that the standard in Colorado is 0.1 percent/100 years, a tight pinch indeed.

The hearing speakers also disagreed over the "lag effect," which is a function of how far a groundwater well is from a stream. The more distant a well is, the longer it takes for water being pumped out to affect the stream. The department's proposed rule specifies a 25-year lag effect — again either too strict or too lenient, depending on who was talking.

Nebraska is entering a new age of water, an age in which the rules will be unfamiliar to many people and unwelcome to some. Some users will be required to give up self-interest in favor of the public interest. It will cause hardships, perhaps, or at least inconvenience.

Priorities will have to be reordered. Agriculture and irrigation, which has been an unchallenged king for so many years, will be weighed according to the same set of values as municipal interests, manufacturing and business interests, environmental and recreational and power interests.

The Department of Natural Resources is trying, with this and other actions, to figuratively plow a furrow through unbroken prairie. Now is the time for wisdom, not contention.

Look beyond this year's water use to the water that will be needed by the grandchildren and great-grandchildren of today's Nebraskans. If the people of today don't look that far ahead, the questionable practices and the water mismanagement of the past win. And the new Nebraska, the Nebraska of the future and the people who populate it, lose.

Sioux City Journal 8/16/05

# Plans on track for multi-use lake near Hubbard

By Michele Linck  
Journal staff writer

## Conservation lake has recreation bonus

DAKOTA CITY — The Pigeon/Jongs Creek watershed is a 32-square-mile area just southwest of Hubbard, Neb., and about 10 miles from Sioux City. Its creeks and rainfall eventually find their way into the Missouri River.

People are hoping that in a few years they won't have to explain where it is anymore — except perhaps to campers, fishers and hikers, bikers and equestrians looking for a nice trail.

Among those working to establish a 200-acre lake in the area and surround it with recreation opportunities are conservationists from the Pappo-Missouri River Natural Resources District. They have been working for more than five years on a comprehensive, multi-use solution to a list of soil conservation problems that plague the hilly-to-flat watershed.

The goal is to get about 65 percent of the funding for the roughly \$7.5 million project from the Nebraska Department

of Environmental Quality's Resource Development Fund. The rest will come from local government and other sources.

On Monday, Steven Oltmans, P-MRNRD general manager, and Ralph Puls, the NRD's land and water projects coordinator, gave a progress report to the Dakota County Commissioners. They handed out copies of the extensive "pre-feasibility study" done by the professional engineering firm, Olsson and Associates.

Oltmans asked the commission to think about the road improvements that will be needed and how the county might contribute to the project that way.

He said 200th Street would need to be elevated and graded with an eye to being paved in the future. The street will bis-

ect the new lake, somewhat like a causeway, if the preliminary site plan is followed.

Oltmans said the NRD would have cost estimates on the various road projects by the end of January and suggested that if 200th Street is not on the state's list for aid, the county might consider listing it. The

commissioners, who were already familiar with the project, listened to the update but made no commitments.

This fiscal year, the "scientific study" is the main step in the ongoing process. Data on the watershed's history of flood damage and the quality of the run-off water are being gathered and analyzed. Land acquisition for the lake project could begin in fiscal 2007, and construction in 2008.

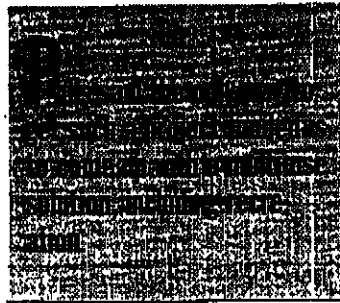
"This is our first attempt at a

recreation site," Oltmans told the commissioners. He said the lake would probably have a 5 mph speed limit to limit shore erosion. It will be an average of 19 feet deep, with areas that are as much as 35 feet deep.

The lake will be created by a large dam near its north end, at Dam Site 15. But conservation efforts aren't waiting for the big lake.

The NRD is also building a series of 14 small dams, or weirs, to slow and spread the runoff so it carries less soil with it and helps decrease flooding. One dam has been built and three are under construction. The NRD will build two or three a year. The whole package of measures also includes more buffer strips, terraces, sediment basins and small farm ponds, Puls said.

Puls said the only way to get such a project funded is to come up with a multi-use solution, including recreation. Oltmans predicted the amenities would be used by people from Omaha as well as Sioux City and the surrounding area.



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# New water rules are director's last act

8-20-05

By DAVID HENDEE

WORLD-HERALD STAFF WRITER

On his last day on the job Friday, Roger Patterson approved rules the state will use when making its annual designation of which river basins have water that is fully spoken for.

As director of the Nebraska Department of Natural Resources for six years, Patterson helped craft a law designed to help the state better manage both its surface water and underground water.

That law, approved last year, requires the department to annually assess the water supply in each river basin.

It's an attempt to prevent the types of overdevelopment and shortages in the growing Omaha and Lincoln areas, for example, that could spawn water restrictions.

"The whole idea is to start planning before we're in trouble," said Ann Bleed, the department deputy director who becomes acting director.

"It's a lot easier to tell a new (water) user that they're not going to use as much water as they hoped, versus telling an existing user that they have to cut back," she said.

The most controversial element of the rule is the standard the department will use to de-

fine boundaries of a fully appropriated basin, where the state and local natural resources districts will jointly manage water.

The agency will use a stricter formula than the state's natural resources districts wanted to define the area in which surface water and underground water are connected.

**Roger Patterson  
approves basin  
management  
regulations on his  
final day on the job.**

# Budget approval for 2 Papio dams derided as 'waste'

BY MARION RHODES  
WORLD-HERALD STAFF WRITER

Drawing up preliminary design plans for two controversial dams in Washington County is a "waste of money," the chairman of the county's Board of Supervisors said.

The board of directors of the Papio-Missouri River Natural Resources District has approved a budget that included an allocation of \$625,000 for the preliminary design of two large dams and lakes north of Omaha.

As proposed, building the Papillion Creek dams — one creating a 1,900-acre lake and the other creating a 365-acre lake — would require that several Washington County roads be closed. That would require county approval, according to state law.

The Washington County board unanimously voted last year to oppose the dams.

"That position has not changed one little bit," said board Chairman Duane Wilcox of Kennard, Neb.

Wilcox said he considers the design plans to be a way for the NRD to intrude more and more into the county.

Steve Oltmans, general manager for the NRD, said the preliminary design process is necessary to answer questions the county board members and taxpayers of the district may have about plans for the dams.

"We didn't anticipate that they're on our side at this point," he said.

The plans will explore the impact the dams would have on the county's infrastructure and whether it is possible to relocate several roads.

A big focus will be on the specific land rights the district would need to acquire to build the dams, Oltmans said. Proposals show that the projects would fully or partially affect 100 properties, most of which are in Washington County.

The NRD board has never voted to move forward with the Washington County dams, which are included in an updated multireservoir plan that hasn't been formally approved.

Paul Woodward, the district's water engineer, said the board is acting under a policy that was adopted more than 2½ years ago stating that "it is the policy of the district to seek ways to fund and construct the remaining original 21 Corps of Engineers flood control reservoirs that are feasible, more than likely through public-private partnerships."

The county has the support — at least for now — of the state senators representing the area, Mick Mines of Blair and Dwite Pedersen of Elkhorn.

Pedersen said his opinion will depend on the district's future plans. He said he opposes the use of tax money for public-private partnerships resulting in recreation projects that would mainly benefit private developers.

Mines called the NRD's approach "very clumsy."

OMAHA DAILY HERALD FOUNDED 1865  
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## Full speed ahead

**S**arpy County Judge George Thompson gave the Papio-Missouri River Natural Resources District a well-deserved vote of confidence recently. He tossed out of court a lawsuit that could have put an end to the district's beneficial public-private partnerships with developers.

The resources district has worked with subdivision developers in recent years to plan and construct flood-control lakes in conjunction with subdivisions. The developers donate land and money and, in return, get the benefit of lakes; public access is included. This plan, devised because of the increasingly high cost of land in Douglas County and surrounding counties, has saved the taxpayers millions of dollars.

Thompson cut the trial short in order to issue his ruling favoring the Papio-Missouri River NRD. The lawsuit was filed by five Washington County couples who challenged

**Court OKs  
NRD cooperation  
with developers  
to strengthen  
flood control.**

an agreement among the district, the City of Papillion and the developers of Shadow Lake Towne Center and Shadow Lake subdivision.

Interestingly, the civil action may have been a pre-emptive strike against the Papio-Missouri River NRD. During the trial, an attorney for a developer suggested that the couples sued merely to set a precedent to prevent a similar project in their county. That project, proposed in the resources district's flood-control plan, would create a lake that could flood the couples' Washington County land.

The district's partnership policy with private developers is an excellent example of the wise use of NRD authority and taxpayer dollars. It promotes flood control, it fosters sound development and it gets the job done at less cost. What is there for Thompson — and other taxpayers in the district — not to like?

# Senator floats idea to fund state water law

■ Money from a property tax on irrigation equipment would be diverted to resources districts to aid a year-old program.

8-25-05  
By DAVID HENDEE

WORLD-HERALD STAFF WRITER

KEARNEY, Neb. — State Sen. Ed Schrock of Elm Creek is floating an idea to divert about \$8 million a year to local natural resources districts from Nebraska counties and schools.

"I'll have some county officials unhappy," Schrock said Wednesday during a meeting of

the State Water Policy Task Force's executive committee.

The funds involved are collected from a personal property tax on irrigation equipment. The money would be earmarked for resources districts to use in monitoring water levels and water appropriations in basins designated by the state as fully or over-appropriated.

"I know it's a western Nebraska problem," Schrock said of restrictions created in areas where water is fully spoken for or overused. "But the line is creeping east."

Schrock is chairman of the Legislature's Natural Resources Committee and co-chairman of the task force.

The state aid to education formula would replace dollars lost by local schools under Schrock's plan, according to a report from the Legislative Fiscal Office.

Schrock's plan was added to the mix of ideas on how to fund the estimated \$10 million

needed for the state's year-old water law.

Eugene Glock of Rising City, a task force member who is leading the search to find a way to fund the water law, said Schrock's plan may not work.

"County boards don't want to lose revenue, because they're already at the taxing limit set by the Legislature," he said.

Ron Bishop, general manager of the Central Platte Natural Resources District based in Grand Island, said state and local governments should split the \$10 million cost.

See Water: Page 2

## Water: New law needs funds

Continued from Page 1

Ideas for raising the \$5 million local share include increasing resources district taxing authority by 1 cent; a \$10-per-acre fee on irrigated farmland; and a fee based on the number of inches of water pumped from the ground or diverted from a stream.

Bishop said the options were tools for resources districts. Don Adams, executive director of the pro-irrigation Nebraskans First group, objected.

"These aren't tools," Adams said. "They're taxes and fees. Let's call them what they are."

Mike Clements, general manager of the Lower Republican Natural Resources District, said the state should pay the entire cost. That's because it was

the state government that agreed to the settlement with Kansas over flows in the Republican River that led to restrictions on Nebraska irrigators.

Dave Sands, a task force member, proposed a ballot issue initiated by the Legislature in which Nebraskans would vote on earmarking sales tax revenue to fund the Water Resources Trust Fund. The fund would pay for statewide water efforts, including the water law.

Committee members hope to resolve the funding issue this fall, along with finding a way to provide Nebraska communities with certainty that they will be allocated a reliable supply of water.

# A character debate

W-H  
8-25-05

**I**t remains difficult, though less so year by year, to imagine the 56 miles of Interstate 80 between the Missouri River and the Lincoln airport with homes and businesses along its entire path.

That day may be coming. The early signs can be seen in business campuses sprouting here and there between Omaha and Lincoln. So it isn't premature to consider how to preserve the picturesque quality of the I-80 corridor and the character of towns along the route, including Waverly, Greenwood, Ashland and Gretna.

Leaders from those communities recently met in Ashland in the wake of talks between their Omaha and Lincoln counterparts on billing the two cities as a single metropolitan area and promoting the corridor.

The four towns recognized that if promotion of the "Eastern Nebraska Innovation Zone" created by Legislative Bill 546 pays off, the qualities that make them attractive bedroom communities cannot help but be altered.

For now, a good 30 miles of trees and hills and the Platte River greet I-80 travelers between Waverly and Nebraska Highway 370. The vista can be lush and green in the summer, pleasantly polychromal in the fall.

The drive along U.S. Highway 6, the most direct link between the towns, is attractive (and will be more so if Ashland succeeds in its drive to clean up the indescribably ugly junkyard at the entrance to its charming downtown).

How much of this area's physical allure could be maintained if suburbs of Lincoln and Omaha met in a

**Wisely planned development can keep towns in I-80 corridor from melting into homogenous suburban stew.**

giant urban sprawl?

New or improved highways, while necessary to handle increased traffic and commerce, have a way of sprouting growth themselves. Expansion of I-80 from four

to six lanes and the planned East Beltway around Lincoln will leave their mark on the corridor's character in time.

So would a freeway now being envisioned to encircle the Omaha-Council Bluffs metropolitan area in 20 years, just as Interstates 80, 680 and 29 once looped a smaller Omaha. It would have to cross I-80 near Gretna, bringing fueling stations, motels, restaurants, offices and homes.

It takes good planning to keep such developments from overwhelming a community. In the great metropolitan areas of this country, one suburb often blends drearily into the next, with cookie-cutter developments and little but road signs to set communities apart.

Encouraging physically diverse developments can help minimize homogenization. So can businesses that broaden the job base without siphoning off shoppers from home-grown downtown retailers — a point made at the Ashland meeting.

The best outcome for Gretna, Ashland, Greenwood and Waverly may be visible in areas like Benson, Florence, Millard and Havelock. All have succeeded at maintaining a distinctive identity within larger cities.

If the four I-80 towns can do likewise, the entity that grows around them has a chance to preserve one of its best assets: its ability to offer big-city benefits and small-town virtues in bountiful measure.

Dakota County Star 8/25/05

## NRC open house features art exhibit

An art exhibit featuring the work of three Siouxland area artists is among the special activities planned for today's (Thursday) open house at the new "one-stop multi-agency" Natural Resources Center (NRC), 1505 Broadway, Dakota City. The open house is scheduled for noon through 7 p.m.

Wildlife and nature artists highlighted in the exhibit include Jack Vitito, South Sioux City; Darin Maurer, Sioux City (formerly of Grand Island) and Deb Giegler-Copple, Hubbard.

Grilled hamburgers, brats, beverages, and desserts will be available for open house guests.

The new state-of-the-art facility, opened in early June, houses the USDA Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS) and the Papio-Missouri River Natural Resources District (NRD). The NRD's Rural Water Project office is also housed at the new site.

"Dakota City's donation of land necessary for the building

and parking was crucial to the development of the project," said Kelly Fravel, district secretary, Papio-Missouri River NRD. "The staff here at the Natural Resources Center feels very fortunate to have such a state-of-the-art building where we can efficiently serve the residents of the county," Fravel added.

The Papio-Missouri River NRD has staff and offices throughout its six-county area, which includes all of Dakota, Washington, Douglas, Sarpy Counties, and portions of Thurston and Burt Counties. Having a co-location with USDA agencies provides maximum efficiency for the agency in carrying out resources development programs and projects.

Additional information on the Papio-Missouri River Natural Resources District (NRD) is available on the agency website: [www.papionrd.org](http://www.papionrd.org) or by contacting the Dakota City field office at 494-4949.

C.M. Report

# City OKs California Bend plan

By Doug Barber *Enterprise*  
Editor 8-26-05

The Blair City Council has approved a master plan to develop the California Bend section of the Missouri River for public recreational access.

After a presentation by John Royster of Big Muddy Workshop Inc., the consulting firm that developed the plan, the council voted unanimously to accept the master plan.

Assistant city administrator Phil Green emphasized that the council's vote does not obligate any funds, nor does it set any timetable for development. It merely says the city wants to continue with the development of the area, which is located just north of the Optimist River Park along the Missouri on the north edge of Blair.

The plan would open the area that is owned by the Papio-Missouri River Natural Resources District to public access via a trail, with

several fishing access points, including three that would be handicapped accessible. The NRD is restoring the islands between the chutes and the main river channel for wildlife and prairie habitat.

The trail would be paved to allow for hikers and bicyclists, but no motorized vehicles would be allowed.

The California Bend comprises about 221 acres, including 80 acres on the west bank of the river.

"I'd like to say this is how Lewis and Clark saw the Missouri River," Royster said of the area.

Royster said the proposal has met the requirements of the Army Corps of Engineers, as well as the NRD.

Access to the California Bend area would be at the south end via a trail from the Optimist Park. Royster said the master plan also includes a trail and a road from the north end of the bend to Cottonwood Marina, but that would probably

come later in a separate phase of the development.

The total estimated cost of developing the initial trail from the south and improvements is \$445,000. Adding the road and trail to the Cottonwood would raise that total to \$1.355 million. Adding the road and trail to the north would also include having to secure 7-10 acres of right of way, which is not included in the cost estimate.

If the initial plan for the trail from the south meets federal requirements, federal funds may be available to pay up to 80 percent of the cost.

Several people spoke in favor of the development, but some concerns were also raised, including litter, enforcement of rules and laws and oversight.

The long-range plan if the area were to be developed would be to connect it to the city trail system that is being developed and to add it to the master plan for that project, too.

OMAHA DAILY HERALD FOUNDED 1865  
OMAHA DAILY WORLD FOUNDED BY GILBERT M. HITCHCOCK 1885  
OMAHA WORLD-HERALD FIRST PUBLISHED JULY 15, 1889

# Omaha World-Herald

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## No emergency (yet)

**H**istorically, Nebraska and Iowa are downstream states. For the most part, their hydrologic fortunes lie with the philosophy that their upriver neighbors must be magnanimous in not excessively using or impounding the water.

Thus Nebraska has joined in multistate agreements to be sure it receives a fair share of the North Platte and South Platte Rivers.

Similarly, Nebraska and Iowa interests have been critical, at times, of efforts in the Dakotas and Montana to keep more Missouri River water in the upstream reservoirs for irrigation, wildlife and recreation. (The major exception to this pattern, for Nebraska, is the Republican River, which flows from Colorado into Nebraska and then into Kansas, making Nebraska in this instance both an upstream and a downstream state.)

Now dry conditions elsewhere are causing some people to rethink their traditional upstream-downstream reactions.

The governor of Missouri has advanced a request that more water be sent down from the Dakotas and Montana to bolster the barge industry on the drought-lowered Mississippi River. This raises a question for the Midlands: Would that water do more good flowing down the Mississippi to float barges? Or left "in

**Nebraska  
and Iowa,  
from downriver,  
now have reason  
to look gratefully  
upstream.**

the bank" upstream for possible future use in the event the drought persists and worsens?

The U.S. Army Corps of Engineers on Tuesday said no to the request. John Paul Woodley, an assistant secretary of the Army whose responsibilities include the Corps, said: "I do not believe that an emergency situation exists at this time." He said low water levels in the Mississippi can be offset by a Corps project in which the navigation channel is being dredged.

The Corps' judgment appears sound. Additional and unplanned releases of water might augment current navigational prospects, particularly downstream from St. Louis. But at what cost to higher-priority users while placing future prospects in further jeopardy?

And how much water would it take to keep the Mississippi barges afloat should the level drop even lower and the Rocky Mountains receive subnormal snowfall in yet another year?

In time of plenty, questions of allocation often answer themselves. But time of plenty is, for now, only a fond memory. The times now call for forbearance and sacrifice by the public and, for the river's managers, both the ability to conserve existing supplies and the wisdom to allocate them to the areas of greatest need.

Editorial

# California Bend will add to quality of Blair

A father stood up at the Blair City Council on Tuesday evening and pointed to two young men sitting next to him.

"I hope you look at doing this for the kids," he told the council.

It's hard to think of a better reason for the city to continue plans to develop the California Bend along the Missouri River for public use than those boys who were sitting there.

The proposed recreation plan for California Bend, which is located just north of Blair along the Missouri, would be another big step in the continuing development of "quality of life" factors that will continue to attract and keep people in the community.

Imagine taking an evening or morning stroll (or a serious run or bicycle ride) along the proposed paved trail that would run the length of the bend. You might stop to fish at one of the three areas that would be handicapped accessible.

Since California Bend is also a wildlife refuge restoration project for the Papio-Missouri River Natural Resources District, you might also see deer or turkey or other animals across the channels on the islands of the bend.

The bottom line is it would be nice to have a place close to town where there is public access to the Missouri River.

Up and down the river there aren't many spots where folks can go to fish,

walk or just enjoy the beauty of the water and wildlife. The Optimist Park fills an important need by providing boat access and a place to get to the river. Boyer Chute National Wildlife Refuge near Fort Calhoun and some areas on the Iowa side allow access to the river.

Developing California Bend would add to that by providing a controlled access to the river on the edge of town. If done properly, it will let people get to the river, but not disrupt the wildlife habitat.

That's not to say some concerns about the California Bend master plan do not need to be addressed. Security, litter and maintenance are three areas that need to be hammered out (all of which would be a lot easier to do if Washington County had chosen to get involved in the project).

But the city should not let the chance of problems outweigh the potential benefit of developing California Bend for public access.

It might have to be done in small steps over several years, but it would be a welcome addition to make the good life we enjoy here even better.

**EDITORIALS** represent the majority opinion of Enterprise Publishing's editorial board: Publisher Mark Rhoades, Co-Publisher Kenneth Rhoades, and Editor Doug Barber.

August, 2005

MAPA  
Newsletter

# HAPPENINGS around the Region

The oldest standing structure in **Mills County** was moved recently, the third time it has been moved since it was built in 1856. The log cabin was first moved from its original location in Deer Creek Township in 1936 to a site just east of **Malvern**. It was used there by area Girl and Boy Scouts for outings until the late 1960s. Later, because of road construction, it was moved to Paddock Park near the library. This time it has been moved to another location in the park because of the Malvern Library Building Project. The cabin will be repaired and the new site landscaped with prairie grasses, wildflowers, split rail fence and walkways.

Work could begin this fall on an extensive landscaping project on South 24<sup>th</sup> Street in **Council Bluffs**. Shrubs, grasses and several hundred trees will be planted along a new, raised median on South 24<sup>th</sup> Street between the Interstate 80/29 interchange and South Omaha Bridge Road. The \$650,000 project will be paid for by the Iowa West Foundation.

A proposed community center in **Carson** was one of five projects in Iowa that recently received funding from the Community Attractions and Tourism (CAT) grant program. The city plans to construct a community center that will include a kitchen, stage, fitness room, senior center, community hall, and meeting room for the American Legion. The total project cost is estimated to be \$1,344,448; the CAT grant is for \$400,000.

The Sunpu Gate, now being assembled at the Lauritzen Botanical Gardens in **Omaha** by Japanese craftsmen using handmade tiles, bamboo and other materials from Japan, will be dedicated this fall. The ornate gate, a gift from Omaha's sister city, Shizuoka, Japan, is a scaled-down version of the entry to the former Sunpu Castle built in 1585 by shogun Ieyasu Tokugawa. The donation honors the 40<sup>th</sup> anniversary of the sister city relationship between Omaha and Shizuoka. The gate is the first piece of the proposed \$5 million Japanese garden at the Lauritzen Gardens. When the garden is completed by Japanese craftsmen using centuries-old designs and traditions, it will cover six acres and feature streams, waterfalls, and boulders.

CNN recently chose **Papillion** as one of the Best Places to Live in 2005. The city was ranked No. 23 on the list based on a number of factors, which included weather, household income, home costs and price gains, tax rates and auto insurance premiums. Also considered in the ranking were quality and availability of education, the air pollution index, and crime rates. Leisure and culture also affected the rating.

A new landmark now greets drivers as they enter **Blair** on Highway 133 – a one-million gallon water tower that is adorned with three logos - the green tree of the City of Blair, the purple paw print of the Blair Bears, and the red letter "D" for Dana College. The 135-foot tall water tower will service participating rural water customers in an area between Highway 133, U.S. Highway 75 and County Road P32. Blair will supply the water as part of a 25-year agreement between the **Papio-Missouri River Natural Resources District** and the city. Blair, the NRD and **Washington County** are partners in the project.

Planning has been underway for some time for the quasiquintennial celebration **Macedonia** will hold on September 16 and 17. Events will include both regular and kiddie parades, buffalo chip throw, baby contest, food stands, bake sale, and more. One of the highlights will be a Civil War Camp at the school park.

Boyer Chute National Wildlife Refuge, which is just east of **Fort Calhoun** in **Washington County**, received new honors this summer. The Audubon Society determined that the refuge qualified as an Important Bird Area because it supports species whose populations are of concern, and the U.S. Department of the Interior designated the six miles of trail that wind through the refuge as a National Recreation Trail.

Unincorporated Mineola in **Mills County** will celebrate its quasiquintennial in September and organizers of the celebration are hoping to have a display showing information about all the country schools that once existed in the county. Approximately seventy rural schools operated at one time or another in the county from before the beginning of the twentieth century into the 1960s. Most of the school buildings have been torn down, some were used on farms, some remodeled into homes and some, such as the one in **Glenwood Lake Park**, have been restored for display.

## CALENDAR

### September 2005

5...Labor Day

MAPA Offices Closed

9...10:00 a.m.- RPA Policy/Tech

21...8:30 a.m.-Finance Committee  
2:00 p.m.- Project Review

29...1:30 p.m.- Board of Directors

# Garden combines education, pollination

By STEPHANIE QUEEN

Leader staff writer

9-7-05

"Hands-on learning" must be the motto in the environmental education classes at Bellevue East High School.

An enclosed grassy courtyard on the East campus is now a living garden and animal habitat that was planted almost entirely by environmental education students.

Science teacher Cindy Seeba proposed putting in the garden last year as a way to educate her students and beautify the campus.

"Environmental education students need to learn about the environment outside," she said. "(There's) not much habitat with a yard of bluegrass."

Seeba, with the help of her students, wrote a grant proposal to the Papio Natural Resource District in November 2004, requesting funds for the garden.

Bellevue East found out that it had won the \$600 grant in January. Seeba's classes, along with science teacher Bruce Bartholow's environmental education class, drew out plans for the garden.

The school decided to donate an additional \$1,000 to the garden.



Photo by Stephanie Queen

From left, Daniel Jamieson, Kevin Cheirs, Gina DiMauro and Jesse Clark sit around the pond in the garden and animal habitat they helped plant for environmental education classes at Bellevue East.

"It covered the materials," said Kevin Cheairs, a senior at East who took Seeba's environmental education class last year.

The rest of the garden was

strictly a labor of love. The pond and fountain gracing one end of the garden were put in at no cost by Joel Dix, a teacher at Mission Middle School. All of the plants

and flowers in the garden were donated by students and their families.

— See GARDEN, Page 7

## Garden

— Continued from Page 1

"I think that makes it more special," Seeba said.

Construction began on the garden the first week of May. Students in three different classes hauled dirt through the cafeteria every day, planted an herb garden and flowers, mulched, watered, weeded and landscaped the courtyard to make it into a living habitat and a place of beauty.

The 50-minute class periods were just short enough for the project to take three weeks, although some students were excused from other classes to work on it all day.

"Everybody did something,"

Seeba said.

The garden was kept up by students over the summer who came in to weed, water and refill the pond when it ran dry.

The efforts have paid off, from the beauty and the lessons taught, to the animals that now call it home.

"From the day we built it, I never saw a bird there," Seeba said. "Now there are birds and insects everywhere. It's definitely a habitat for some animals now."

Cheairs and senior Gina DiMauro love the fact the new garden and habitat sets their school apart.

"Hardly any other school has

an opportunity to do this," DiMauro said.

"(People say) 'Why can't my school have that?'" Cheairs said.

Seeba said the work on the garden even inspired some of her students to work for landscapers this summer.

"We might have hooked some kids to a new profession," she said.

To continue the project for new students in her classes, Seeba plans to plant bulbs for the spring and see the garden and habitat attract more animals.

"There's always work to do in a garden," Seeba said. "It's a labor of love."