

MEMORANDUM

TO THE BOARD:

SUBJECT: General Manager Report

DATE: September 10, 2007

FROM: John Winkler, General Manager

- A. **INFORMATION/EDUCATION REPORT:** A copy of the I&E Report detailing Information and Education activities for the month of August, 2007, is attached for your review.
- B. **MISCELLANEOUS/PERSONNEL ITEMS:**
1. Attached is a letter from Dick Butalla, Concierge at Pacific Springs Immanuel Health Systems Senior Living, thanking staff member **Christine Jacobsen** for the presentation she gave to the group on August 16, 2007. Mr. Butalla stated "...when we came there for our colloquium, my whole group was received with Great welcome, a Great Natural Resources presentation and Exceptional education through discussion, all at the hands of **Christine Jacobsen!**" Mr. Butalla's letter is attached.
- C. **REPORT ON PURCHASES – CONSTRUCTION SERVICES, PROFESSIONAL SERVICES, PERSONAL PROPERTY:** Pursuant to Board direction, attached is a report indicating construction services, professional services and personal property purchases for the month of August, 2007. Please review this report and contact me if you have any questions.
- D. **CURRENT AND ON-GOING PROJECTS – P-MRNRD LEGAL COUNSEL:** Attached is a copy of the current and on-going projects for District Legal Counsel, Paul Peters, as of August 13, 2007. I would ask each Director to review this listing. If you have any questions, please feel free to contact me.
- E. **LEGISLATIVE UPDATE:** Verbal report will be given at the Board meeting.

Dates to Remember

- | | |
|--------------------|---|
| September 27, 2007 | Natural Resources and Urban Affairs Joint Committee
Legislative Hearing on LR 94, 1:00 p.m., NRC – Board
Room |
| September 28, 2007 | Natural Resources Committee Legislative Hearing on LR
113, at 9:00 a.m., Room 1525, State Capitol, Lincoln, NE |

- F. **PAPILLION CREEK WATERSHED PARTNERSHIP REPORT:** Attached is the Papillion Creek Watershed Partnership Monthly Update for August, 2007. Please review and if you have any questions, contact me. The next Partnership meeting will be held on September 20, 2007 at 10:00 a.m. at the NRC.
- G. **STRATEGIC PLANNING SESSION:** I am in the process of coordinating a Strategic Planning Session for Directors. Tentative dates are December 1, 8 or 15, 2007. Please check your calendars and contact me if you have a conflict on any of these dates. More details to follow.
- H. **WALNUT CREEK TRANSFER CEREMONY:** The transfer of Walnut Creek Lake from the Papio-Missouri River NRD to the City of Papillion will be held on Monday, October 1, 2007, 12:00 noon to 1:00 p.m. Emcee for the event is Jim Flowers, sportsman and WOWT Chief Meteorologist. **All Directors are encouraged to attend.**
- I. **NEWS CLIPS:**
- July 26, 2007, Pender Times article – Tribal, county cooperation leads to Macy drainage improvements
 - July 26, 2007, Pender Times article – Over 160 turn out to learn about no-till farming at 1-day expo here
 - July 26, 2007, Dakota County Star article – Lady landowner informational meeting set
 - July 31, 2007, Washington County Enterprise article – Neighbors agree to keep looking for silt solutions
 - August 8, 2007, Omaha World Herald article – Cunningham rehab sails along - Renovation effort ahead of schedule.
 - August 10, 2007, Lincoln Journal Star editorial – Time to craft better policy for Nebraska
 - August 14, 2007, Douglas County Post Gazette article – Plans for Western Douglas County trail move forward
 - August 14, 2007, Douglas County Post Gazette article – Skyline Road trail to West Dodge nears completion
 - August 15, 2007, Leigh World advertisement – “Name the Lake”
 - August 16, 2007, Humphrey Democrat article – Leigh Dam project now open for bids
 - August 19, 2007, Lincoln Journal Star article – Patience wearing thin on Kansas side of the Republican River
 - August 21, 2007, Omaha World Herald article – Group is hoping t challenge water law. Taxes under LB 701 should be levied statewide, not just in the Republican River basin, the southwest Nebraskans say.
 - August 25, 2007, Omaha World Herald article – Assault on invasive plants
 - September 4, 2007, Omaha World Herald article – Blair legislator resigning seat. State Sen. Mick Mines says he has a business opportunity he can’t pass up.
 - September 5, 2007, Wall Street Journal article – How Ethanol is Making the Farm Belt Thirsty. More Cornfields, Distilleries Heighten Irrigation Worries; A Water Cop Cracks Down

- September 6, 2007, Omaha World Herald article – Majority will see tax bill go down. Lower levies and a new state credit mean 80,000 of 120,000 metro-area homeowners will pay less property tax next year.

/pt/Winkler/GM Reports/2007/Sep

August 2007

Information & Education Report

Information:

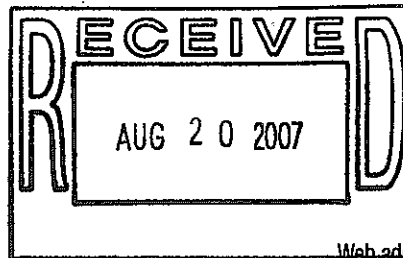
- ◇ Completed postcard invitation to Walnut Creek transfer event
- ◇ Completed order of new creek-side NRD signs
- ◇ Completed Opinion Survey
- ◇ Completed Trails brochure redesign and update
- ◇ Completed work on Spectrum
- ◇ Completed Annual Report for publication September 23 in Omaha W-H
- ◇ Staffed NARD booth at NE State Fair
- ◇ Continued work on PCWP info program

Education:

- ☐ Attended and presented at Early Childhood Conference in Norfolk
- ☐ Continued planning for World O! Water Festival
- ☐ Presented Enviroscope to Boy Scout Troop
- ☐ Continued working on developing new curriculum for LEP
- ☐ Received Grant approval from USFWS for developing GPS Curriculum
- ☐ Presented Wildlife CSI, Bird Nest, and Park Tour to Ladies Group from Pacific Springs Village
- ☐ Presented NRD available programming to Ralston/Papillion LaVista Teachers Group
- ☐ Attended stakeholders meeting in Lincoln to develop Master Naturalist Program
- ☐ Continued planning Statewide October I&E Meeting in Nebraska City
- ☐ Started promoting Metro Envirothon 2008
- ☐ Coordinated payment of fall Outdoor Classroom Grants
- ☐ Developed Agriculture game for Water Quality Open
- ☐ Updated West Branch Fact Sheet
- ☐ Finalized and ordered NRD 30th Anniversary Apparel
- ☐ Planned Intern Luncheon
- ☐ Worked with Burt County PF on Banquet Sponsorship

Pacific Springs Village

An Immanuel Senior Living Community



805 South 173rd Court
Omaha, NE 68118
Office: 402.691.8434
Fax: 402.614.5033
Web address: www.immanuel seniorliving.com

PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT

To: Mr. John Winkler, Park General Manager, and
Mr. Jerry Herbster, Park Superintendent

Chalco Hills Recreation Area
8901 South 154th Street
Omaha, NE 68138—3621

August 16th, 2007

Mr. Winkler
Dear Mr. Winkler and Mr. Herbster,

We here of Pacific Springs Village were presented with Extraordinary accommodation, good treatment and a professional experience when we connected this month with your NRD office there at Chalco Hills.

First I was met with a very perceptive and insightful reception by Ms. Christine Jacobsen when I called to inquire about an educational visit to the NRD. I was planning a "nature study" outing for a group of retired professional women from our Community.

Then today when we came there for our colloquium, my whole group was received with a Great welcome, a Great Natural Resources presentation and an Exceptional education through discussion, all at the hands of Christine Jacobsen!

So I am writing to compliment you on your staff and your management of your mission in so far as it related to us and our broad interests in our pursuit of nature knowledge. And, I just want to say how MUCH we all appreciated Christine and the way she undertook to work with us so completely and in such an accommodating and friendly way!

We are ALL very appreciative! THANK you! We look forward to meeting you all again sometime!

Most sincerely,

A handwritten signature in black ink, appearing to read "Dick Butalla".

Dick Butalla
Concierge at Pacific Springs
Immanuel Health Systems Senior Living

August, 2007

⌞

Updated: August 13, 2007

Current and On-Going Projects P-MRNRD Legal Counsel

⊛ = Top Priority
F = Future Work – No Assignment
N = New Assignment
O = Others Handling
W = Work in Progress
P = PFP's Portion Completed

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

- **USDA P.L. 566 Projects, Silver Creek and Pigeon/Jones Watershed** (Puls/Cleveland):
 - Pigeon/Jones Creek Site Easements – as needed (F)
 - ☛ Silver Creek Site Easements– as needed (Site #11 and #9 ROW) (W)
 - Release of Site S-7 Easement (W)
 - ☛ S-31 – Handle Moore condemnation (W)
- **Papio Watershed Dam Sites** (Woodward/Petermann):
 - ☛ Amend Omaha/Elkhorn Agreement for DS-13 (W)
- **Papio Creek Watershed Partnership (Stormwater)** (Woodward):
- **Rural Water Projects:** (Sklenar)
- **Elkhorn River Public Access Sites** (Sklenar):
- **Other:**
 - Kennard Wastewater Interlocal Agreement (Woodward) (P)

MONTHLY UPDATE

AUGUST 2007



At a meeting on August 23, 2007, the Partnership discussed the Stage IV study, reviewed public outreach materials, and coordinated on upcoming legislative hearings. Full meeting minutes and other materials are updated regularly on the Partnership's new website: www.papiopartnership.org.

Stage IV Technical Evaluation

In August, the Partnership discussed and agreed upon a tentative schedule for the Stage IV study:

SEPTEMBER

- Analyze LID templates along with regional detention scenarios for their flood prevention and water quality benefits.
- Assess capital and maintenance costs, recreational benefits, and green space enhancements for each scenario.
- Begin public outreach by giving public and 1 on 1 presentations about Partnership

OCTOBER

- Review results and prepare remaining public education materials
- Form advisory group

NOVEMBER

- Hold open-house public forums at several locations in the watershed to review study results and receive input.

Public Outreach and Involvement

IMS completed new fact sheets which form the basis for future public outreach and education efforts. Fact sheets addressing the following issues are attached for your information.

1. The Papillion Creek Watershed Partnership exists to solve critical water quality and flood prevention problems.
2. Our watershed has limited options, time and available land for water quality and flood prevention improvements.
3. Papillion Creek Water Quality must be improved.

4. The Partnership is reaching its fourth stage of water quality and flood prevention planning.

Other fact sheets will be available on the Partnership website. IMS is working to prepare presentation slides and boards based on the fact sheets.

Partnership spokesperson, Mark Wayne, is planning to meet with several public interest groups and elected officials to explain the importance of the Partnership and its mission!

State Stormwater Legislation

LR 94 addresses stormwater issues specific to the Omaha Metro, including the potential for general obligation financing by the Papio-Missouri River NRD. An informational hearing on this resolution will be held on September 27, 2007 at 1:00 PM at the Natural Resources Center in Chalco Hills (8901 S. 154th Street).

Similarly, LR 113 addresses state-wide stormwater issues, including enabling legislation for a stormwater utility fee. This hearing will be held on September 28, 2007 at 1:00 PM at the State Capitol in Lincoln.

The Partnership participated in a conference call to coordinate informational testimony on these resolutions with other NPDES Permitted Communities throughout the State including Lincoln and Grand Island.

Combined Sewer Overflow Study

The City of Omaha is in the process of studying options for their long-term control plan to address combined sewers (CSO). Potential solutions to Omaha's CSO problems were unveiled and discussed at a public information meeting on August 23rd. A preliminary costs estimate for all projects is around \$1.5 billion. More information along with the presentation from the meeting can be found at www.omahacso.com.



The Papillion Creek Watershed Partnership exists to solve critical water quality and flood prevention needs in our communities



The Papillion Creek Watershed is a common thread that joins our communities.

- The Papillion Creek Watershed is the area through which rain and snowmelt enter the Papillion Creek system, which threads through our communities to the Missouri River.
- Three main tributaries join to form the Papillion Creek system: Little Papillion Creek, Big Papillion Creek and West Papillion Creek.
- The watershed includes portions of three counties and over one-third of Nebraska's population. It covers 402 square miles.
- Water quality is affected by and affects all of us within the watershed. Rain in one part of the Watershed could cause flooding and impaired water quality in another area. Green areas benefit all communities.

The Partnership is comprised of 11 local governments that are wholly or partially in the Papillion Creek Watershed.

- Bellevue, Bennington, Boys Town, Gretna, La Vista, Omaha, Papillion, Ralston, Douglas County, Sarpy County and the Papio-Missouri River Natural Resources District have an interlocal cooperative agreement to work together as the Partnership.
- The northern part of the watershed is in Washington County, a jurisdiction not participating in the Partnership.
- The Partnership welcomes all governments in the watershed to participate.
- The Environmental Protection Agency encourages a watershed partnership approach because it benefits all involved communities.


The guiding principles of the Partnership are cooperation, community participation and comprehensive watershed planning.

- The Partnership works through an open process of looking at our communities' needs and building consensus for solutions.
- Representatives from each of the 11 partners have worked together to develop water quality and flood prevention policies. The 11 governmental bodies each decide independently to adopt common policies.
- Engineering studies have been completed to examine existing and future flood potential and water quality concerns.
- Continuing studies are underway to assess the comprehensive results of implementing different measures for improving water quality and preventing flooding. Results showing the benefits and effects of different measures will be analyzed and reported to partner communities.
- Open meetings have and will continue to be held to gather public input. Coordination meetings take place among government bodies for an exchange of ideas.

It is the mission of the Partnership to address issues related to surface water quality and stormwater quantity in the watershed by establishing goals and standards common to the region for development within the watershed through 2040.



Available Fact Sheets



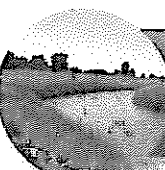
Land: Our watershed has limited options, time and available land for water quality and flood prevention improvements

- Past land use decisions have left us with challenges for tomorrow.
- Current flood control and water quality measures will not meet future needs.
- The Partnership's comprehensive policies will help all watershed communities meet vital water quality and flood prevention goals.



Water Quality: Papillion Creek water quality must be improved

- Water quality is directly related to water quantity.
- Partnership policies provide water quality solutions for our watershed.
- Our watershed's water quality is everyone's responsibility.



Process: Partnership communities have worked together in a six-year process to develop comprehensive policies for watershed solutions

- Comprehensive engineering and scientific analysis is the guiding process for Partnership plans and policies.
- Regional development trends indicate that we must act now to keep our watershed safe and clean.
- The public has been involved in Partnership planning and studies every step of the way.



Policy: Partnership policies provide solutions for our communities to meet watershed regulations

- Federal and state regulations require our communities to improve water quality.
- Many watershed communities have limited resources and need help to meet regulatory requirements.
- The Papillion Creek Watershed Partnership has developed policies that provide our communities with water quality and flood prevention solutions.



Water detention sites help with water quality and flood prevention

- Water detention sites of different sizes slow water to prevent flooding while improving water quality.
- Our watershed is running out of viable locations for water detention sites.
- Over time, water detention sites are proven to save lives and property.



LID: Low Impact Development can help protect our watershed

- Low impact development mimics natural hydrology.
- Low impact development improves stormwater quality and quantity.
- Low impact development can help reach watershed goals.



Stage IV: The Partnership is reaching its fourth stage of water quality and flood prevention planning

- Stage IV will study five options for meeting comprehensive regional flood prevention, water quality and land use policy goals.
- Increased development in the watershed requires action to improve water quality and reduce the threat of flooding.
- The public will be involved in recommending solutions.


Frequently asked questions

Stage IV: Study results

The Papillion Creek Watershed's current water quality and flood prevention measures will not meet our future needs. Through cooperation, community participation and comprehensive planning, the Partnership is working through an open process to set the foundation for meeting our communities' needs.

**Papillion Creek
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402-444-6222

The Papillion Creek Watershed Partnership exists to solve critical water quality and flood prevention needs in our communities.



Our watershed has limited options, time and available land for water quality improvements and flood prevention

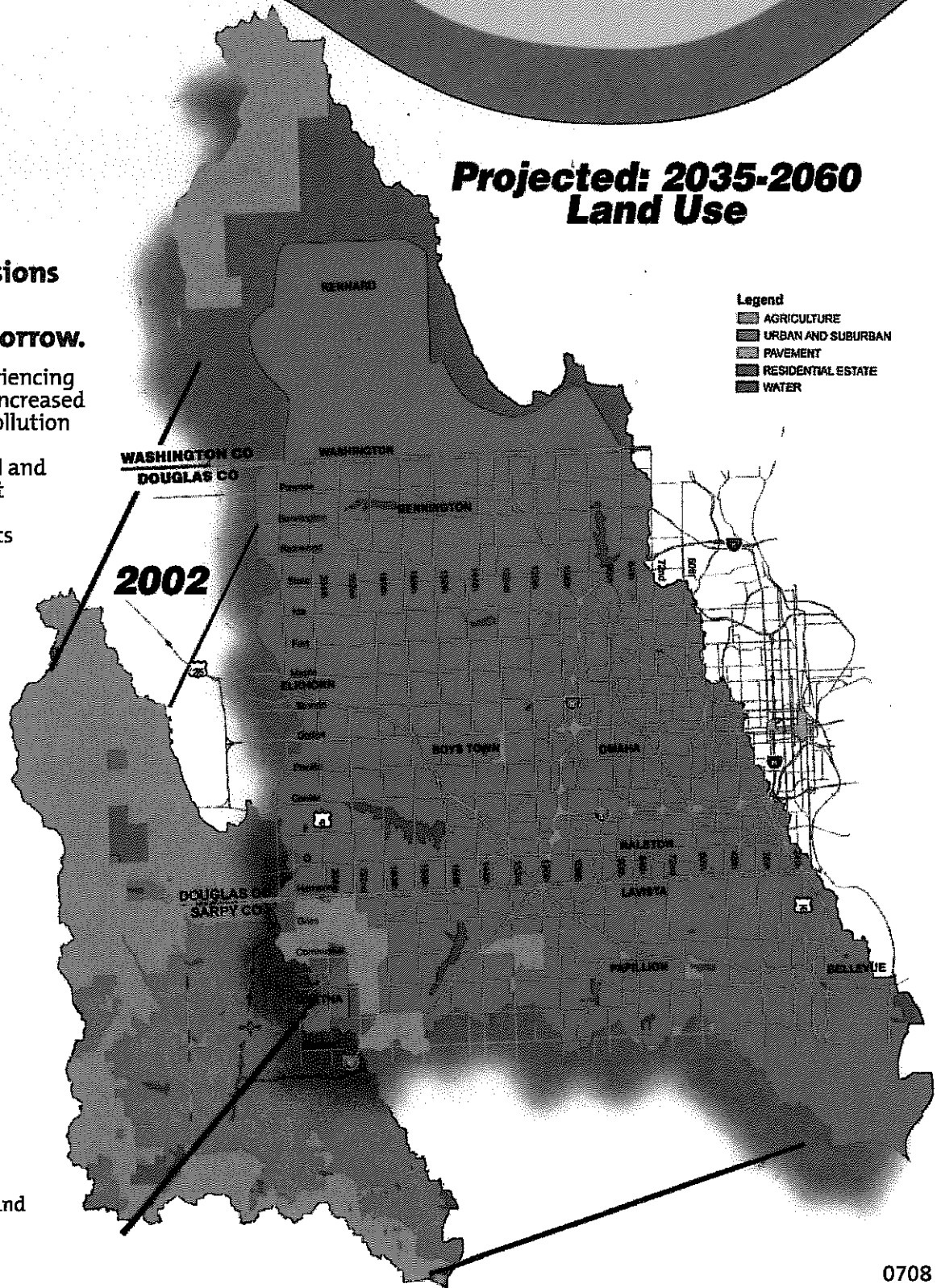
Projected: 2035-2060 Land Use

Past land use decisions have left us with challenges for tomorrow.

Our watershed is experiencing growing stress due to increased flooding threats and pollution created by the steady residential, commercial and industrial development that is consuming the limited remaining tracts of available land, according to comprehensive development plans and land use studies of the governmental jurisdictions within the Papillion Creek Watershed.

Our past and current construction methods take away the open land necessary to naturally absorb and filter rainfall and slow runoff and for green space that enhances quality of life.

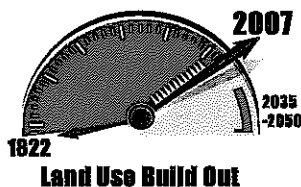
- A majority of the land in the watershed is planned for urban development within the next 30 to 50 years, local and regional authorities, comprehensive plans and studies predict.



- Additionally, using projections by the Bureau of Business Research, the City of Omaha Planning Department estimates that 16.3 square miles of land are developed every 10 years, indicating that the watershed within Douglas County will be fully developed by 2025.

Recently released FEMA flood maps show that existing floodplains have expanded to include hundreds of properties previously not identified as in a floodplain.

- Past planning allowed development adjacent to the floodplain, not knowing what the future effects would be.
- Development has also expanded the floodplains.
- Continued urban growth will lead to larger floodplains if appropriate actions are not taken.



Current water quality and flood control measures will not meet future needs.

Existing flood control and water quality measures within the watershed are at capacity and are not designed to properly manage the continued development occurring within the watershed.

- Water quality has been significantly impaired with continued urbanization of the watershed and from impacts associated with farming and livestock.

The eight major reservoirs in the watershed first conceived of in the 1960s were built over the next 40 years to meet anticipated urban development plans.

- Development throughout the watershed has moved past both the time frame and land use expectations of those 40-year-old projections, according to comprehensive plans.

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The Partnership's comprehensive policies will help our communities meet vital water quality and flood prevention goals.

The development activities and practices allowed within one jurisdiction have direct impact on all the other communities within the watershed, upstream and downstream.

- Development and land use policies complicate each jurisdiction's ability to properly manage their portion of the watershed.
- The 11 jurisdictions that form the Papillion Creek Watershed Partnership understand the need to establish regionally common goals through comprehensive planning policies so that everyone can live in a safe, clean and green watershed.

The policies created by the Papillion Creek Watershed Partnership (detailed in the Policy fact sheet) help ensure that water quality and flood prevention goals are incorporated into land use density plans and other land use requirements. These policies have already been adopted by 9 of the 11 jurisdictions of the Partnership.

Sources:

- The Sarpy County Plan, http://www.sarpy.com/pcommission/comp_plan.htm
- The Douglas County Comprehensive Development Plan, <http://www.dccplanning.org/pzcompplan.htm>
- Omaha Master Plan, http://www.ci.omaha.ne.us/planning/urban_planning/Master%20Plan/default%20June%202007.htm
- The Papillion Plan, http://www.papillion.org/planning_build/planning_comp_plan.htm
- Boys Town Zoning Map
- Bennington, Nebraska Comprehensive Development Plan Zoning and Subdivision Regulations
- La Vista Unified Development Ordinance, Comprehensive Development Plan
- Ralston Comprehensive Plan
- Washington County, Nebraska Comprehensive Development Plan, www.washcoplanning.org
- Bellevue Comprehensive Plan
- City of Gretna's Comprehensive Plan
- Papillion Creek Watershed Generalized Future Land Use, July 2007 (Source: Compilation of Comprehensive Plans and Discussions with Partnership Members)
- FEMA Draft Floodplain maps, <http://www.sarpy.com/gisviewer>, http://www.dogis.org/dogis_alias/dogis
- MAPA, <http://www.mapacog.org/>
- Bureau of Business Research (BBR), University of Nebraska Lincoln, <http://www.bbr.unl.edu/>

Our watershed has limited options, time and available land for water quality improvements and flood prevention.



Papillion Creek water quality must be improved



The Big Papillion Creek and West Papillion Creek and several lakes have been listed by the Nebraska Department of Environmental Quality as impaired waters. They have unacceptable levels of the following:

- Fecal coliform bacteria, commonly found in human and animal feces, which means the possible presence of disease-causing bacteria, viruses and protozoans.
- PCBs, manmade chemicals called polychlorinated biphenyls, which accumulate in the food chain and have been shown to cause cancer, according to the EPA.
- Agricultural runoff called Dieldrin used in insecticides, which also accumulates in the food chain and is linked to cancer, birth defects and immune system impairments, according to the EPA.
- Sediment.

When it rains or when snow melts, water quality in the Papillion Creek Watershed is significantly and negatively affected, according to sources such as the Papillion Creek Watershed Project.

- Levels of fecal coliform bacteria, PCBs and Dieldrin significantly increase in Papillion Creek with stormwater runoff, based on

monitoring at 32 sites by the Papillion Creek Watershed Project.

- The EPA says additional pollutants that are flushed into waterways from rain or snow melt include:

- Oil, grease and toxic chemicals from motor vehicles,
- Pesticides and nutrients from agriculture and lawns,
- Viruses, bacteria and nutrients from pet and human waste,
- Road salts,
- Heavy metals from roof shingles, motor vehicles and other sources, and
- Sediment.

- This type of common water pollution is called "nonpoint" because it does not come from one specific site.

These pollutants harm our ecosystems and can foul drinking water supplies and make recreational areas unsafe. Controlling stormwater runoff pollution is viewed by the EPA as key to improving the water quality of our nation's waterways. In a 1990 report to Congress, the EPA reported that approximately one-third of our nation's waterways are negatively impacted by stormwater runoff. The EPA requires local communities to obtain NPDES stormwater permits under the Clean Water Act. These permits and requirements are further discussed in the fact sheet on water regulations.

30%
Evaporation
Transpiration

55%
Runoff

disease-causing bacteria
polychlorinated biphenyls

Agricultural runoff called Dieldrin

10-20%
Interflow

Deep
Groundwater
Near 0%

Water quality is directly related to water quantity.

- In urban and suburban areas, much land surface is covered by pavement, roofs and other materials that water cannot pass through into the soil.
- Less water is absorbed into the landscape where it can be filtered naturally, according to the EPA.
- The quantity of runoff from rain and snow increases in volume and carries more pollutants with it.
 - A typical city block generates more than five times the runoff than a woodland area of the same size, according to the EPA.
- In a natural area, only 10 percent of stormwater runs off the natural ground cover, while 55 percent runs off in an urbanized environment.
- Water quality and quantity work hand-in-hand; more runoff results in more pollution.

Partnership policies provide water quality solutions for our watershed.

- The 11 governments of the Partnership have worked for years to create a set of policies for our watershed that are meant to improve our water quality and prevent flooding, which will become a greater risk as our watershed continues urbanizing.
- Three of the six policies seek to improve water quality by reducing pollution from numerous sources across the watershed.
- Because the quantity of runoff directly affects water quality, the remaining policies also address improving water quality in our watershed.

Our watershed's water quality is everyone's responsibility.

- What happens upstream or downstream affects the entire watershed ecosystem.
- Each of us – as individuals, organizations, cities and counties in the watershed – is responsible for pollutants that run into our watershed.
- Information on what you can do to protect our water quality is available from the EPA (www.EPA.gov).

Sources:

- Environmental Protection Agency (EPA) PCB website page, www.epa.gov/pcb/
- EPA Monitoring and Assessing Water Quality, Fecal Bacteria website page, www.epa.gov/volunteer/stream/vms511.html
- EPA Persistent Bioaccumulative and Toxic (PBT) Chemical Program website page, www.epa.gov/pbt/pubs/aldrin.htm
- EPA Stormwater Program website page, http://cfpub.epa.gov/npdes/home.cfm?program_id=6
- Papillion Creek Watershed Project, funded by the EPA, www.papillioncreek.org
- University of Nebraska-Lincoln Extension in Douglas and Sarpy Counties, Watershed News and Views Winter 2006, http://douglas-sarpy.unl.edu/ci/2006_winter_news.shtml

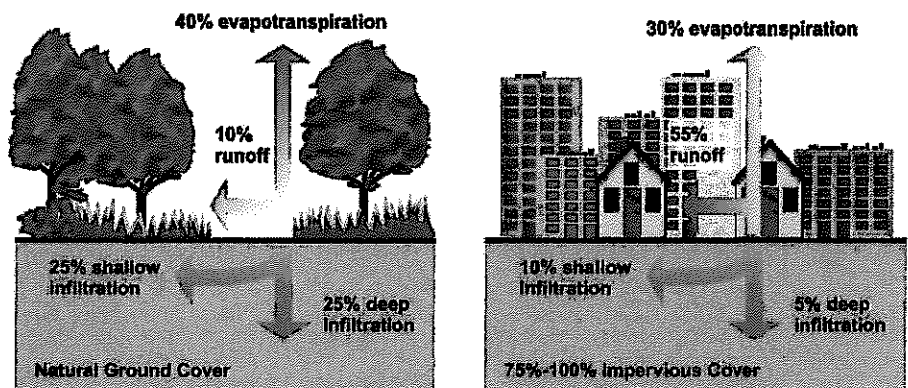


Illustration from the EPA. Urbanization leads to more water runoff. Less water is absorbed by the land and filtered by natural processes.

Papillion Creek water quality must be improved.

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The Partnership is reaching its fourth stage of water quality and flood prevention planning



Stage IV will study five options for meeting comprehensive regional flood prevention, water quality and land use policy goals.

The Stage IV study addresses technical water quality and flood prevention issues in the Papillion Creek Watershed. Stormwater management is being studied under current and future full "build-out" conditions. Build-out means the construction of homes, buildings, roads, parking lots, etc., on all remaining rural land in the watershed. Scenarios being studied include:

- Baseline (2004) land use conditions with no new flood management improvements.
- Full build-out land use conditions with no new flood management improvements.
- Full build-out land use conditions with inclusion of LID strategies only.
- Full build-out land use conditions with inclusion of potential new regional detention structures only.
- Full build-out land use conditions with inclusion of LID strategies plus potential new regional detention structures.

Objective scientific findings for these scenarios will be evaluated and can be used to develop the most effective solutions for our watershed.

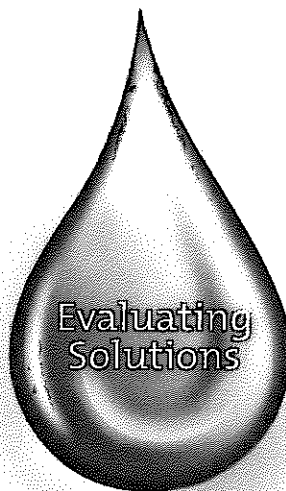
- Stage IV uses hydrologic and hydraulic models at key locations in the watershed for finding combinations of methods to improve water quality and prevent flooding.
- Stage IV builds upon the six stormwater management policies that were created during Stage III.
- Stage IV efforts will help support the implementation of a Papillion Creek Watershed Plan.

Increased development in the watershed requires action to improve water quality and reduce the threat of flooding.

Water quality and flood prevention in a watershed depend on three factors: its size and shape, the rate of the water running downstream and land use in the area. Our watershed's size and shape cannot be changed, but the methods studied by Stage IV can address the other two factors, rate and land use, to improve water quality and flood prevention.

Stage IV will use models to evaluate the impact of a system of regional detention sites and LID strategies to improve water quality. Water quality basins are already for the sole purpose of water quality improvement and trapping sediment. The study will qualitatively evaluate factors that affect water quality using the following parameters:

- Erosion Potential – estimate the potential for sheet/rill erosion, stream bank erosion and shoreline erosion.
- Sediment Yield – measure sediment amounts and storage requirements for developing and finished basins.
- Bacterial Reduction – estimate the relative percent of reduction in bacterial counts in water bodies.
- Nutrient Reduction – estimate the relative percent of reduction in total nitrogen and phosphorus, which may contribute to poor water quality.



The Papillion Creek Watershed has a history of flooding, and the need for additional flood control measures becomes more vital as urbanization continues in the watershed. The Stage IV study examines a variety of methods to manage storm events in the watershed, including:

- **Low Impact Development (LID) strategies** – techniques to minimize stormwater impact and retain water where it falls. Examples include rain gardens, vegetation swales and permeable pavement.

- *Water quality basins* – smaller structures that reduce runoff and pollution in the basin before they get downstream. Basins capture and hold the first flush of runoff, which has the most pollutants, according to many sources.
- *Regional detention* – larger structures designed to capture a large amount of water, well in excess of the first flush of runoff.

Different combinations of these methods will be measured for their ability to meet objectives for water quality and flooding and associated cost impacts. Models of these combinations will be created with current 2004 land use and “full” build out of the watershed modeling future use conditions.

The public will be involved in recommending solutions.

Stakeholders can evaluate and discuss the results of the study and provide direct feedback on the range of options that may fit the needs of our communities. Public meetings are planned for fall 2007 to explain the results of the study and gather feedback. An advisory group of stakeholders and subject matter experts from throughout the watershed is also slated to evaluate the results and provide recommendations. Public and technical recommendations from the study will be provided to elected officials in each jurisdiction in the watershed.

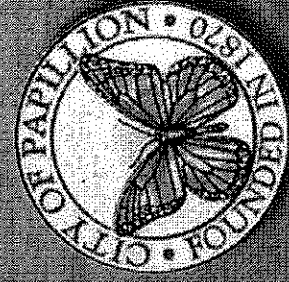
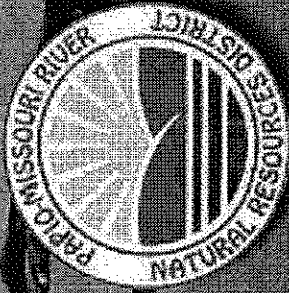
The Partnership is reaching its fourth stage of water quality and flood prevention planning.

Photos: (Front) Flooding of Big Papillion Creek in 1999 near One Pacific Place; (Back) Low Impact Development and Water Quality basins

**Papillion Creek
Watershed Partnership**
www.papiopartnership.org
402-444-6222



WALNUT CREEK LAKE and RECREATION AREA

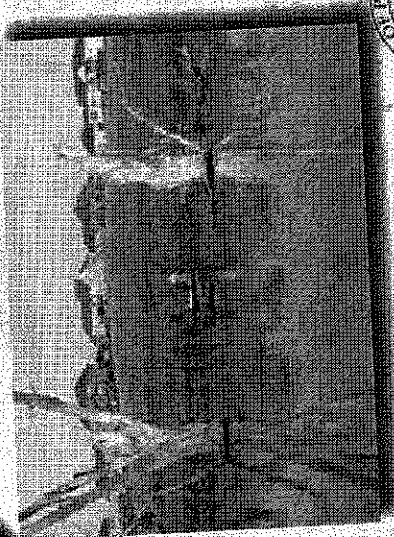


*You're Invited
to a
Celebration of Cooperation*



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT**

3801 S. 154th Street • Omaha, NE 68148-3524
402-424-6222 • www.papio-nrd.org



Join us...

at Walnut Creek Lake and Recreation Area

For the transfer of Walnut Creek Lake
from the Papio-Missouri River NRD to the City of Papillion



When: October 1, 2007
Noon to 1:00 p.m.

Where: Walnut Creek Lake and Recreation Area
Large Group Shelter

(Walnut Creek Lake is south of Highway 370 between
96th and 108th Streets - enter park from Schram Rd.)

What: Refreshments and Music by Papillion/LaVista South Students
Emcee - Jim Flowers, sportsman and
WOWT Chief Meteorologist

NONPROFIT ORG.
U.S. POSTAGE
P A I D
MAIL U.S.A.

07/26/2007



Present at Macy for last week's blessing ceremony were, from left, Rodney Morris, Millard Lovejoy, Leonard Peters, Teri Lamplot, Brad Halti, Lisa Hurley, Louis Pofhal and Jerry Henscheid.

Photo contributed

Tribal, county cooperation leads to Macy drainage improvements

The Omaha Tribe and Thurston County celebrated their progress on a multi-phase drainage project in east Macy with a blessing ceremony last week.

The multi-phase drainage improvements began last year with the Papio-Missouri River NRD-funded construction of ditch grading and storm water detention basins. This year storm water piping is being constructed to convey the storm water from the detention basins through Macy.

The piping improvements are being constructed with a combination of Community Development Block Grant and Bureau of Indian Affairs funds.

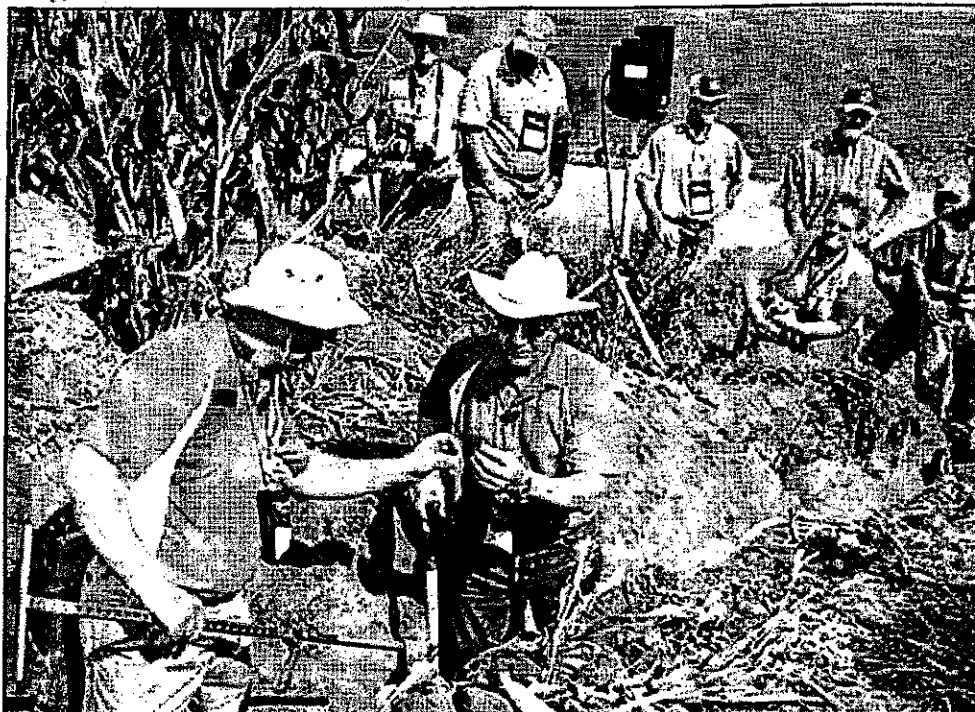
Thurston County enabled the

CDBG funds by sponsoring the application for CDBG and is now responsible for grant administration during the construction phase. The Thurston County Supervisors have expended considerable time in developing the CDBG funding and the administration of the ongoing grant, according to a spokesman for the tribe.

Future projects will include drainage structures into Blackbird Creek, and additional grading of storm water detention ponds and drainage channels. The multiple projects are a result of long range planning by the Omaha Tribe to respond to drainage issues in Macy.

The long range planning was funded by a Thurston County-sponsored CDBG grant. Multiple year funding for the multiple projects has been received from the Papio-Missouri Natural Resources District and a second Thurston County sponsored CDBG grant.

The success of the project is a result of cooperation between the Omaha Tribe, Thurston County and the State of Nebraska.



Paul Jasa (left) University of Nebraska Extension Engineer at Lincoln and Dr. Ray Ward of Ward Laboratories at Kearney, inspect the soil profile for root growth, earthworm activity, moisture content, etc. The pit was located in a minimum-tilled field.

Over 160 turn out to learn about no-till farming at 1-day expo here

By Don Atkinson
*Natural Resources Conservation Service
Walthill, Nebraska*

Last week, 162 attendees gathered at the Randy Rink farm southeast of Pender for the Whirlwind No-Till Expo.

First, the attendees listened to a presentation by Bud Davis, retired Kansas NRCS state agronomist. He used the rainfall simulator to show farmers how different amounts of tillage and residue affect soil during approximately one inch of rainfall.

Randy Rink is a unique no-till farmer because he combines crop rotations, cover crops and manure application to improve the quality of his soil. He usually follows a five-year crop rotation of corn-corn-beans-wheat-beans. Within this rotation,

Randy double crops and/or uses cover crops of proso millet, lentil peas, canola and red clover.

Farmers saw proso millet that Randy had recently drilled into standing wheat stubble.

Randy's diverse crop rotation has several benefits. Nearly continuous vegetative growth and cover increases bacterial populations in the soil. Consequently, soil organic matter increases.

This improves the quality of the soil.

Secondly, a diversity of crops is Mother Nature's time tested way of achieving weed and pest control.

Thirdly, the continuous vegetative cover has improved the soil quality on Randy's farm quicker than just a continuous corn-bean rotation.

Finally, with improved soil quality, there is improved soil structure and more worm holes. Then when the rains come, there is much better infiltration of water into the soil profile.

Ray Ward of Ward Laboratories in Kearney and Paul Jasa, a University of Nebraska Extension Service engineer, showed attendees the improved soil quality in the pit located on a field continuously no-tilled for six years with Randy's varied crop rotation. The rapid improvement in the soil quality was shown graphically.

In the afternoon attendees had the opportunity to listen to Dr. Charles Shapiro from UN-L discuss manure management in continuous no-till. Mark Watson discussed cropping systems, and Jasa finished the afternoon by

discussing no-till equipment.

Sponsors for the expo included the Lower Elkhorn and Papio-Missouri River Natural Resources Districts (NRD), Natural Resources Conservation Service (NRCS), Pender Implement, Blu-Jet Products, Pender State Bank, Farm Credit Services, Pioneer Seed, First National Bank-Northeast, Soil Solutions and Philom Bios.

Logan Valley Sales of Pender provided the tanks for the ice and water, and Golden Harvest financed registrations for five attendees.

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

07/26/2007



Lady landowner informational meeting set

Female landowners and operators of Dakota County plan to attend an informational meeting featuring representatives from the Papio-Missouri River Natural Resources District (NRD), USDA Natural Resources Conservation Service (NRCS), Farm Service Agency (FSA), UN-L Extension, and Nebraska Game and Parks Commission (NGPC); they will be speaking about programs and information that is available to agricultural producers through each of their agencies.

"Those attending will learn about conservation practices, cost-share programs, lease agreements, special watershed projects, and other informative items," said Kelly Fravel, Programs Assistant for the Papio-Missouri River NRD. "This meeting is a great opportunity for ladies involved in farming operations to hear about the basics of various programs and be able to ask questions in a comfortable setting."

The meeting will be held

Wednesday, August 15 from 9:30 a.m. to 2:30 p.m. at the USDA Service and Natural Resource Center located at 1505 Broadway in Dakota City, Nebraska. Lunch will be provided to registered participants by the Papio-Missouri River Natural Resources District (NRD). There is no charge to attend, but pre-registration is encouraged.

For more information or to register for lunch contact Kelly Fravel, Papio-Missouri River NRD at 494-4949, extension 101.



Denny Piper (left) field representative and Dennis Cady, conservation technician for the Papio-Missouri River Natural Resources District (NRD) at Walthill inspect a portion of the more than 7,000 plastic pesticide containers that were collected in Dakota and Thurston Counties in June and July. Tri-Rinse, Incorporated, of St. Louis, Missouri, was awarded the multi-state contract to shred the containers which will later be used to make more pesticide containers, parking lot stops, pallets and plastic lumber. This cooperative effort has continued to help protect air and water quality in our area for the past 12 years.

Neighbors agree to keep looking for silt solution

By Jim Brazda
Reporter

7-31-07
Enterprise

Two Washington County residents appeared before the county board Tuesday, August 28 to ask for help mediating a dispute over stormwater drainage and silt.

Jerry Pokorski said the water that runs off of Mitch McGowan's Clearwater Creek subdivision is not so clear. In fact it is full of silt, which he said has been slowly ruining a wetlands and freshwater spring lake on his own property.

McGowan said he has complied with all the regulations of the county and state, and feels he has even gone beyond what was required of him by leaving silt fences and a silt pond installed after

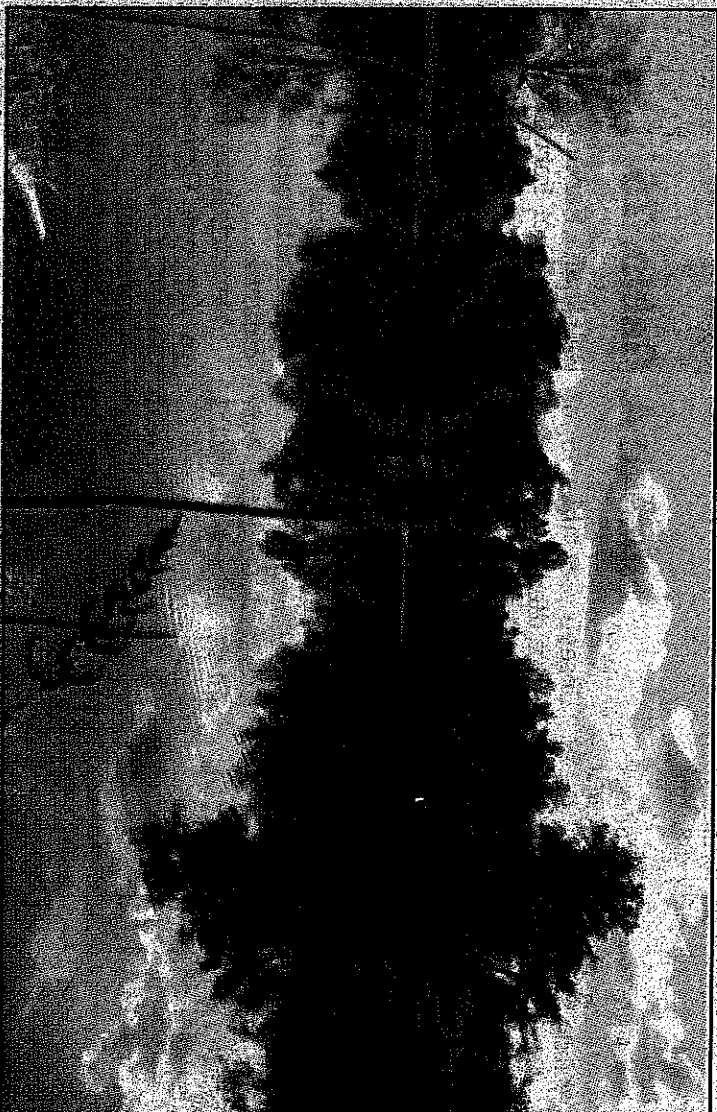
the Nebraska Department of Environmental Quality told him they could be removed.

Pokorski said gentle rains usually do not cause a problem. The fast, heavy rains, such as the ones the county has been experiencing for the past several weeks, cause silt from the subdivision to run onto his property.

"I've been putting up with it for three years," Pokorski said. "I don't know how much longer before it's filled with mud."

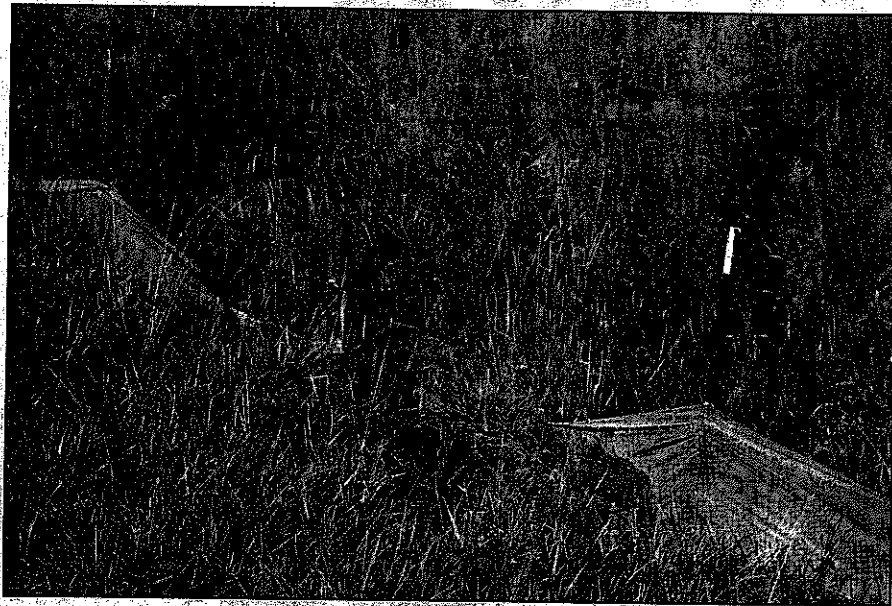
At the same time, Pokorski said he did not want to stop McGowan's subdivision, and believed McGowan's intentions were good. He just does not want

SEE SILT PAGE 3A



Jerry Pokorski's spring-fed pond, which he said is being damaged by stormwater silt runoff from Clearwater Creek.

JOE BURNS/ENTERPRISE



A silt fence knocked down from the pressure of dirt moving down the hill during heavy downpours.

SILT: Heavy rains cause problems

FROM PAGE 1

to have to worry every time it rains the silt will creep onto his property.

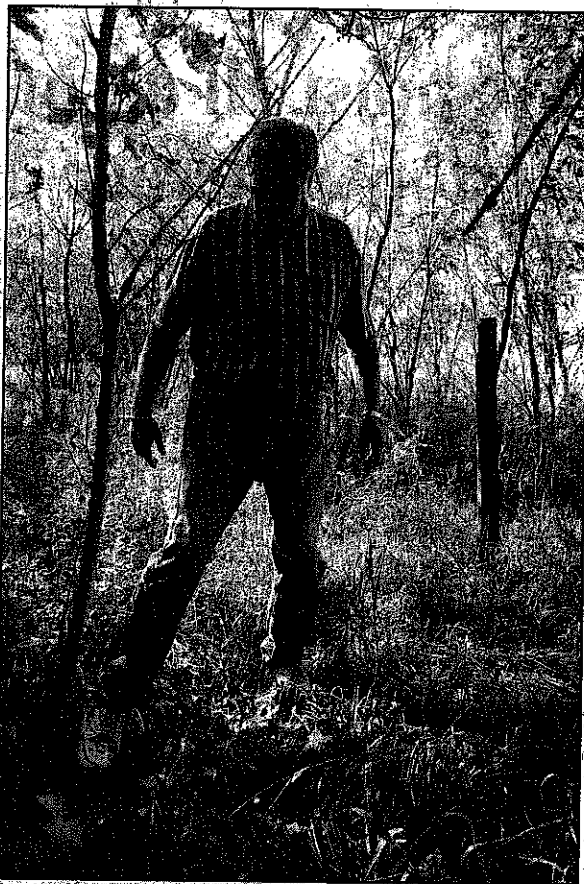
McGowan said he had complied with all the regulations set on him from the DEQ, and he did not know where the silt was coming from. He said he even installed extra silt fences and an extra silt pond over and above what was required of him. Grass has taken root in areas where bare dirt was before, and he has already been given the OK to remove some of the silt detention.

County supervisors said they saw both sides of the argument, and pleaded with both parties to get together and find some sort of a solution other than litigation, whether it be a larger silt pond, more silt fences or both.

Some members of Save Our Hills, a county environmental group, also attended the meeting, and told the supervisors this dispute would not be the last unless the county takes a leadership role in stormwater management. Pam Daly said the dispute was a perfect example of how the DEQ regulations are not tough enough, nor are they enforced.

"The NDEQ is not a competent organization to save our county's stormwater and runoff," Daly said.

To protect property in the county, local government



Jerry Pokorski inspects a fallen silt fence.

has to take a leadership role, and cannot rely on state regulations, she said.

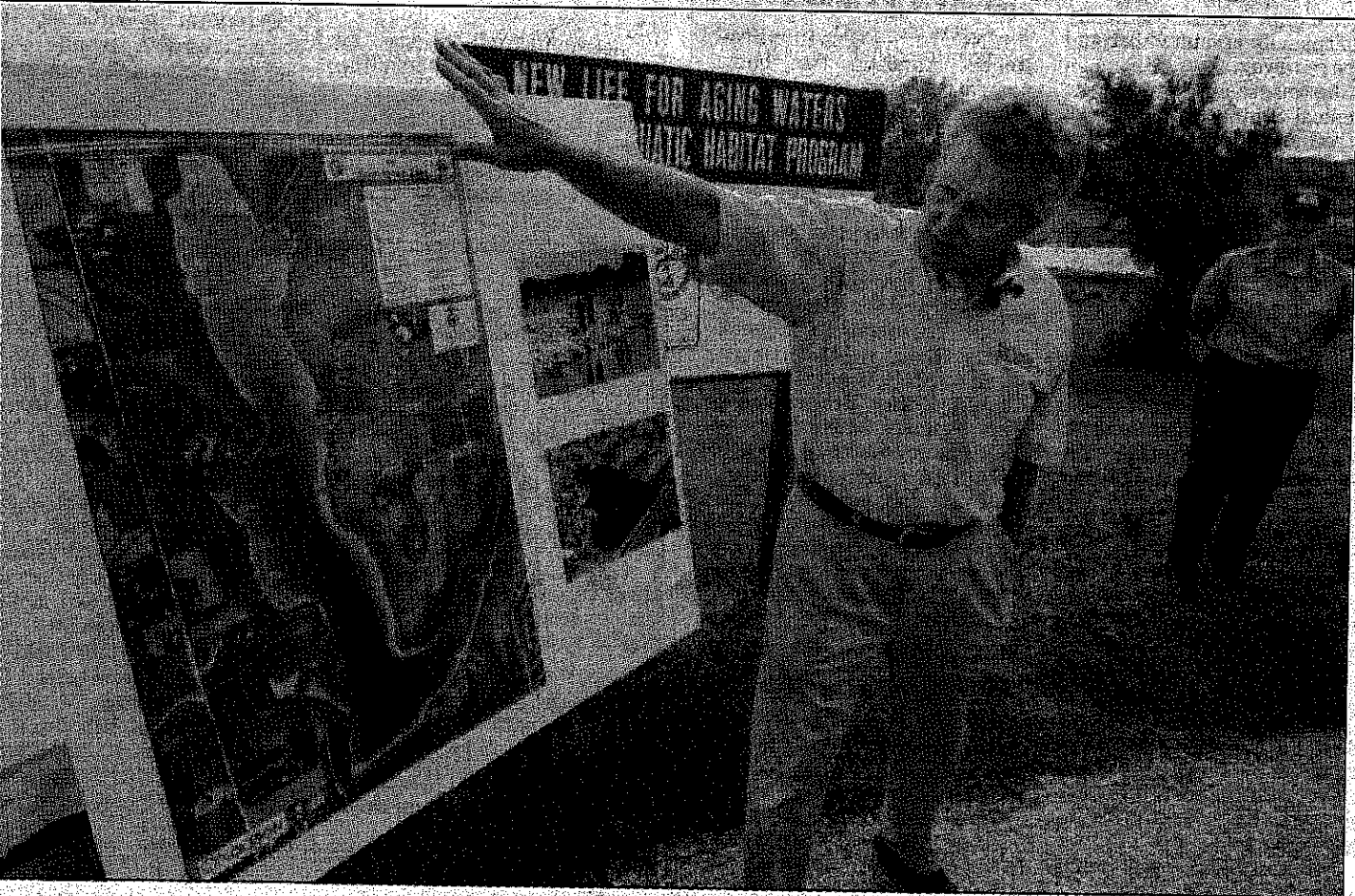
Robbin Jeffrey said this dispute over silt would be nothing compared to the headaches on the horizon as the southern part of Washington County, with its steep hills and highly

erodible soils, was opened up to development.

Although the board did not take any action on the dispute, it did talk McGowan and Pokorski into agreeing to sit down and discuss the issue further to try to find an amicable resolution for both sides.

CUNNINGHAM REHAB SAILS ALONG

Renovation effort ahead of schedule



JAMES R. BURNETT/THE WORLD-HERALD

Andy Winter, aquatic habitat manager for the State Game and Parks Commission, said the Cunningham Lake renovation "has been a long time coming." At top, an excavator removes silt from the lake area, a process that could last until spring.

Continued

■ The project could extend the lake's recreational life by 100 years or more.

8-8-07
BY NANCY GAARDER

WORLD-HERALD STAFF WRITER

A vast expanse of weeds and trees stretches across what was Cunningham Lake in northwest Omaha, giving the impression of little progress on excavating and renovating the metropolitan area's largest lake.

Nebraska Game and Parks Commission officials said Tuesday, however, that they have good news. After a slow start, the \$4.5 million lake rehabilitation is ahead of schedule.

When the work is completed, people will find a much improved lake for fishing, sailing and family outings, city and state officials said. Although Cunningham will have some of the metro area's cleanest lake water, planners have chosen not to allow swimming.

Excavation should be completed by spring. Once the heavy equipment is removed, the park will be reopened to visitors. The lake is expected to fill within a year.

Draining of the lake began in April 2006, and the park has been closed to visitors since earlier this year for safety reasons. The project itself goes back more than seven years.

"This has been a long time coming," said Randy Winter, aquatic habitat manager for the Game and Parks Commission.

The lake is owned by the U.S.

Army Corps of Engineers, and the state had hoped to draw on corps money for much of the work.

With the war in Iraq and Hurricane Katrina, the corps' budget tightened, and other sources had to pick up more of the load, Winter said. The lake restoration is being funded by a

mix of local, state, federal and private dollars.

About 440,000 cubic yards of silt is being removed, the equivalent of about a 28-story building covering an acre of ground. Still, that is a fraction of the silt that has filled in the 390-acre lake over its 30-year life, said Jeff Jackson, district fisheries man-

ager for the Game and Parks Commission.

Because a variety of structures are being added to reduce erosion and siltation, Winter said, the project could extend the lake's recreational life 100 years or more.

Those structures include wave breaks, especially along

the western shore, where the bank collapse has been the worst, and the northern end, where windblown waves stir up sediment entering the lake from its main source of water, the Little Papillion Creek.

As a result of these structures, more than three miles of

See Lake: Page 2

Continued

Lake: Tons of silt being removed during Cunningham rehab effort

Continued from Page 1
shoreline are being protected.

Across Nebraska Highway 36, above the north end of the lake, major excavation will be done to create wetlands to catch the sediment that the Little Papillion Creek has been feeding into the lake. The wetlands should cost an estimated \$1.5 million to \$2 million.

Jackson said the commission plans to stock the lake with wall-eye, largemouth bass, bluegill, channel catfish and crappie. Fishing probably will be permitted as soon as the lake begins filling.

Most of the excavation is being done along the shore of the lake to improve deep-water fishing from the bank, he said. The middle of the lake won't become any deeper.

Two dozen jetties and shoreline peninsulas are being built to give anglers access farther out into the lake without having to get into a boat. Two will be accessible to the disabled.

Fish habitat will be improved through various shoreline changes, Jackson said.

The northern end and the branch near the campground have been deepened to give sailors a greater distance to sail,

Jackson said.

In terms of fishing and water quality, Cunningham Lake should be on par with Zorinsky and Wehrspann Lakes when they were first completed, he said. It will not have the water quality of Walnut Creek Lake in Papillion, because Cunningham will collect runoff from too large of an area, he said.

Steve Scarpello, city parks director, said Omaha plans to install new playground equipment and repave the access road off the lake's Rainwood Road entrance.

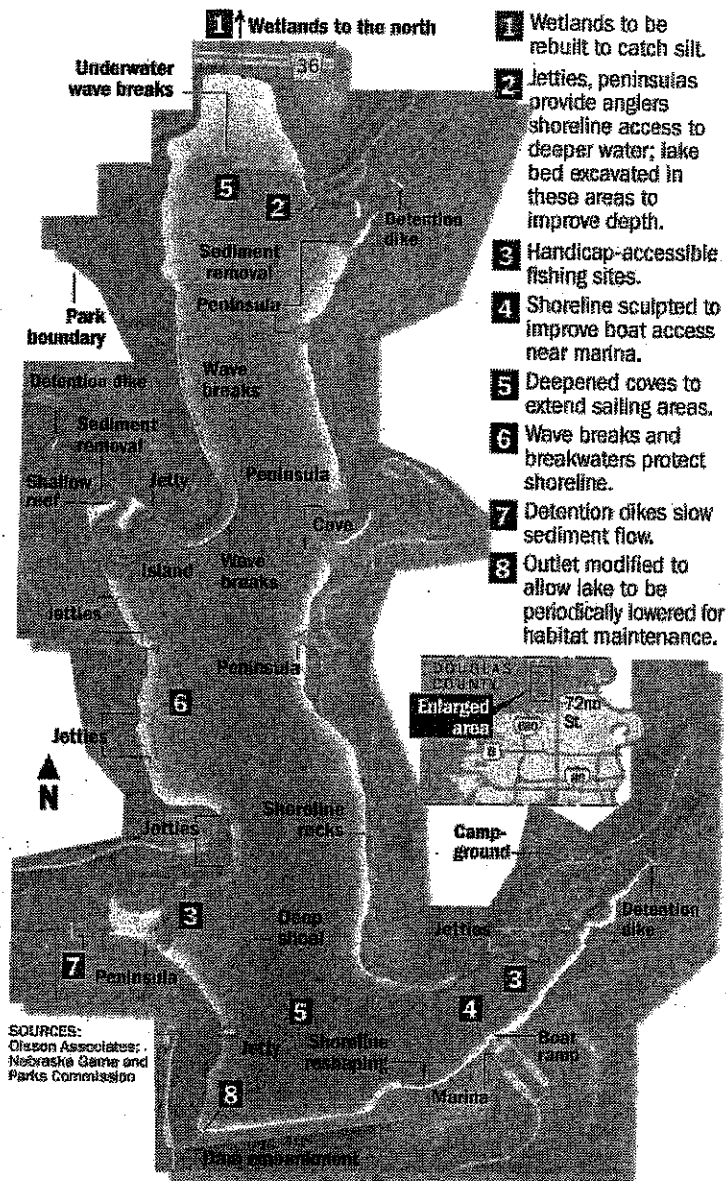
He said there are no plans to move the road, and the idea of closing that entrance has been dropped. Eventually, as money becomes available, a trail will be built around the lake that will connect to the Keystone Trail.

The marina will reopen and be significantly improved, Scarpello said.

Deteriorating outhouses will be replaced with portable toilets that are enclosed in metal buildings.

The State Street entrance remains open for visitors who want to view progress.

Cunningham Lake restoration plan



DEAN WEINLAUB/THE WORLD-HERALD

Time to craft better policy for Niobrara

Friday, Aug 10, 2007 - 02:05:34 am CDT

A series of court decisions dismissing lawsuits filed by irrigators has provided encouragement that the scenic Niobrara River can be protected as a recreational and wildlife resource.

Dismissal of the lawsuits in state and federal courts cleared the way last week for state officials to order the shutdown of 400 irrigation operations that were taking water from the river.

Competition for water from the Niobrara has intensified recently as irrigator requests for water from the river have increased.

That elicited calls this spring for a moratorium on new requests for surface water from the river by the Niobrara River Council, which was followed by similar calls from the Nebraska Game and Parks Commission, the Journal Star and others.

State officials said they had no authority to impose a moratorium, and two of the three local natural resources districts with jurisdiction failed to do so. The Nebraska Public Power District, however, stepped in to claim its senior water rights in the Niobrara. The publicly owned utility said water being diverted from the river was threatening its hydroelectric operation at Spencer Dam near Lynch.

The utility wanted irrigators with junior water rights to either pay it for use of the water or to stop irrigating. Few agreed to pay. The law has been on the books since 1896 but seldom used.

At this point, NPPD's intervention may have had an effect almost as beneficial to the interests of the public as a statewide moratorium.

It may allow time for formulation of plans to manage the Niobrara River basin in an enlightened fashion that preserves the river as a state treasure. The Niobrara is enjoyed by as many as 30,000 people a year who float down its beautiful stretches on canoes and tubes, as well by as the elk, deer, heron, kingfishers and other wildlife that depend on it.

The Game and Parks Commission more than a year ago launched plans to work toward protection of an "instream flow right" that would require potential users to leave a specified minimum amount of water in the river to protect it for canoeing and wildlife.

The special nature of the river was recognized years ago when a 76-mile stretch was designated by Congress as a scenic river in recognition of its sandstone cliffs, waterfalls and pine-covered hills.

Those features must be safeguarded in an era when a spike in the price of corn and years of drought have triggered renewed interest in diminishing the Niobrara for agricultural uses.

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Print Page

Plans for Western Douglas County trail move forward

Public meeting set for August 21

by Mary Lou Rodgers

There have been some changes in the design of the Western Douglas Trail linking Elkhorn, Waterloo and Valley, and the public will have an opportunity to learn about them later this month.

John Winkler, general manager of the Papio-Missouri River Natural Resources District, which is heading up the project, came to Valley on July 24 to update the Council on Valley's portion of the trail. Dan Dolezal from the engineering firm, Ehrhart Griffin Associates showed the Council drawings of the trail and answered questions. NRD District 5 Director Rich Tesar and Gerry Bowen, the project manager from the NRD, also attended the meeting, along with Marty Shukert from RDG Design.

Mayor Mary Caffey said that she and Winkler have met with people from 3M, Lyman Richey, Dial, the YMCA and the school about the trail system. Dolezal said the engineers have also met with the Nebraska Department of Roads and the Douglas County engineer to get their input, and made some alterations.

The original trail plan, designed to provide access from Valley and surrounding communities to the YMCA in Valley, has been altered considerably, due largely to restrictions by the Nebraska Department of Roads (NDOR). Some of the original routes along state highways will have to be moved because the state will not allow the trail to be in the highway right-of-way.

The trail in Valley will run from the city park at the west end of town, down Gardiner Street to Lane Street. That portion will use sidewalks for pedestrians. Bikers will

share the parking lane, which will be marked, when it is available. North of the baseball field, the trail will be a 10-foot wide concrete trail down to the school property along 270th Street on the west side past the 3M plant.

South of Meigs, the trail will cross to the east side and then turn into the Mallard Lake subdivision. Dolezal said that Dial developers are very interested in having the trail on their property. It will run along the north edge of the property to 264th Street, then south on the west side of the street down to Maple Street.

At 264th and Maple, the trail will be split on both sides of Maple with eastbound on the south side and westbound on the north side. That stretch of the trail will go past Highway 275 and connect to the Waterloo trail.

In the next phase of the trail project, from the school over to the YMCA, Bowen said they are looking at building a bridge over the highway and the railroad that would link to the YMCA property at the north end. The NRD will seek additional funds to pay for that part of the project. A bikeway path along Reichmuth Road between Valley and Fremont will also come in a later phase.

Waterloo section

The new configuration of the Western Douglas County trail caused some concern when it was presented at the Village Board of Trustees meeting last month.

Chair Stan Benke said in the original plan the trail came off the pedestrian bridge, went under the Elkhorn River bridge, then along the north side of Highway 64, ending at Highway 275.

"Because of the speeds out there, they had to move the trail off the

state right-of-way," he said.

The new plan comes off the pedestrian bridge, hooks into the Waterloo trail down to 3rd Street, then to Lincoln and 7th Street and around the south side of the school. In the new plan, the Western Douglas County trail does not remain on the edge of town, but uses part of Waterloo's loop.

"A couple of board members had reservations about people using a trail like that close to houses," Benke explained. "That's a real genuine concern."

Benke said another alternative might be to take the trail west on the levee down Dryers Road.

Elkhorn section

The section of the Western Douglas County Trail between Waterloo and Elkhorn was originally designed to run along the south side of Highway 64 from the Elkhorn River east to Ta-Ha-Zouka Park. Bowen said that NDOR has the same issue with the trail being in the highway right-of-way there, so they are looking at alternative routes between Elkhorn and Waterloo.

Larry Foster from the Omaha Parks and Recreation Department, said the project will be more costly now because without the state right-of-way, there will be land acquisition costs.

"We're working with the NRD and the engineers they retained on project," Foster said. "We will continue to do so to try to help the NRD find the best route."

Public information meeting

Area residents will be able to see maps and learn the details about the trail at a public information meeting at 7 p.m. Tuesday, August 21, at Twin Rivers YMCA in Valley. The

• continued on page 3

Continued

Plans for Western Douglas County trail move forward

- continued from p. 1

Papio-Missouri River NRD, which is in charge of the project, will host the meeting and answer questions. RDG Planning & Design created the original drawings. The NRD is now working with Ehrhart Griffin & Associates engineers as well.

Congressman Lee Terry helped obtain over \$5 million in transportation grants for county trail projects. The county, the NRD and local communities will provide another 20 percent of the cost. The first phase is estimated to cost \$3.5 million. The remainder will be used for additional phases that will link to the Western Douglas County trail.

Benefit of trails

John Winkler, general manager for the NRD, told Valley City Council members at a meeting on July 24 that the trail coming through Valley leading to the YMCA and connecting the other towns would be a great benefit to the city and its residents. He noted that trails can help get kids away from their TV games systems and outside getting exercise.

"The biggest thing is the economic development," Winkler said. "Trails expose people to a community, to its downtown and residential areas."

Trails can be a recruitment tool to bring companies in, Winkler added. As a former city administrator in Plattsmouth, Winkler noticed the attraction of trails.

"When we met with the CEO of a company, they asked what amenities the community offered," he said. "Residential areas love trails. Dial said please put the trail in our area. It adds value."

Winkler said trails can psychologically connect a community. In Valley, for instance, they can lead from the school to downtown to the YMCA. Valley's plan to use keno

funds for its portion of the cost of project is appropriate, he added, so there is no competition with the city's general fund.

Valley's portion will be \$110,000 to \$120,000 of the \$1 million cost for Valley's section of the trail. The city will be able to pay it off at \$10,000 a year.

"It may seem like a lot, but it is an investment," he explained. It's a quality of life issue ... I think this is a great project for the community."

NRD Director Rich Tesar from Subdistrict #5 commented at the Valley meeting that he was once skeptical about trails, but not anymore.

"To this day, trails are the number one item I get phone calls on," he said. "They ask, 'how can our subdivision get on the trail system?'"

The Western Douglas County Trail will be built primarily through federal funds of over \$5 million obtained by Congressman Lee Terry.

"It should be full speed ahead," Tesar said.

Dolezal, the EGA engineer, said the time table for the project is somewhat dependent on the railroad. The final design for the trail should be done in September, he said.

"We hope to bid it in early 2008, with construction in spring 2008," Dolezal said.

The entire trail from Elkhorn to Valley will be bid as one project. Dolezal said it could be built in one construction season, with some followup in 2009.

Funding for the bridge over to the YMCA must still be found. Winkler said the NRD will take the lead on pursuing that additional funding. The total cost of the trail is estimated at \$3.5 million.

Skyline Road trail to West Dodge nears completion

by Mary Lou Rodgers

Post-Game 8-14-07

The Skyline Road link of the trail system through the Elkhorn area is nearly done, but recent heavy rains have slowed down the work.

The 10-foot-wide trail is ready for the cement, but construction cannot go forward until the dirt dries out. Larry Foster of the Omaha Parks and Recreation Department said all the major preliminary work has been done over the past five or six weeks. Part of the trail was put over a ditch, so underground stormwater sewers had to be installed. The compaction is also complete, and the paving will go quickly once the ground is dry, Foster said.

The trail, which connects to the existing trail at Honeysuckle Drive east of the Greenbrier subdivision, runs along the east side of Skyline Road all the way to West Dodge Road. There it connects to the pedestrian walk on the bridge over Dodge. The cost of construction of the Skyline trail is \$214,808.

Foster said they expect to complete the work in early September. There are no plans at this time to extend the trail south of Dodge. Foster said that the City of Omaha will look at that possibility sometime in the future. The slope of that section of the



The preparation work is complete for the 10-foot trail along Skyline Drive between Honeysuckle Drive and West Dodge Road, but recent heavy rains have prevented crews from pouring the cement. The City of Omaha anticipates completion in early September. At right is where the new subdivision, Summer Glen, is under construction.

Photo: Mary Lou Rodgers

road and other issues make it more difficult for a trail, Foster said.

At the north end of the Skyline trail, the existing connection winds over to and through Greenbrier Park, then runs east along Park Road

to Main Street. Sidewalks through old downtown Elkhorn connect to a trail along the south side of Center Street along Ta-Ha-Zouka Park running all the way to West Maple Road. The City of Omaha is

working with the Papio-Missouri River Natural Resources District, Douglas County and the towns of Waterloo and Valley to extend the trail from that point all the way through Valley. That section, the Western Douglas County Trail, is slated for construction in 2008. A public information meeting on the Western Douglas County Trail will be held at Twin Rivers YMCA in Valley at 7 p.m. on August 21.

08/15/2007



118 "Name the Lake"

The LERND will have a contest,
possibly beginning soon.

"Name the lake."

Will it be a mudhole
or a steamy lagoon?

A name? May I suggest

LAKE TAKE-AWAY.

Take away their land,
some owned by a family
over 100 years.

A time of frustration,
heartfelt prayers
and bitter tears.

Take away the native prairie
where the Indians trod.

Denigrate those early years
now known only to God.

Take away tax dollars landowners have spent
and increase the taxes others will have to pay.

The lake does not pay taxes.

With your increased taxes

you will know where your tax dollars went.

Or EMINENT DOMAIN LAKE--

The process used
to legally seize from others
and leave them abused.

Or how about

BERNEY & STAAB LAKE--

Two distinguished figures
with thoughts of take, take, take!

Or perhaps

LAKE DANGER.

With the fairgrounds in mind
the violence of water is no stranger.

A recent inspection
of Willow Creek Dam

reveals cracks in the structure
and a movement of the dam.

Demise of the fairgrounds
is surely a must.

The violence of water
we simply cannot trust.

Of all the names,

LAKE TAKE-AWAY

says it the best.

It describes what others have done
to feather their own nest!

Adv.

DEMOCRAT
THURSDAY WEEKLY
HUMPHREY, NE
Circulation = 1293

08/16/2007



Leigh Dam project now open for bids

The Lower Elkhorn Natural Resources District (LENRD) Board of Directors voted recently to seek bids for the construction of the Leigh Dam project.

Board members also approved an agreement with the Nebraska Department of Roads to raise Highway 91, which will pass over the north end of the new lake. The deadline for the completion of the raised highway is October 31, 2007.

The LENRD is working with the U.S. Army Corps of Engineers to obtain a Section 404 permit needed for work in wetlands.

The board also approved a work order to relocate Loup Power lines and to build a temporary power line south of Highway 81. The LENRD will pay the \$155,000 cost of the work in the project area.

The earthen dam will receive a name later this year in a "naming contest" sponsored by the district. The dam will be approximately 50 feet tall and located immediately west of Leigh, across the west fork of Maple Creek, north of Colfax County fairgrounds. The \$6.9 million project will provide flood protection for the fairgrounds below the dam including the property owners on the south side of Leigh and downstream landowners along the west fork of Maple Creek.

The project consists of 557 acres of land that will contain a 160 acre reservoir divided into two parts by Highway 91. The draft of the recreation plan includes camper pads, a swimming beach, a walking/biking trail, fishing, boating (5mph-no wake) and picnic shelters.

LENRD Assistant General Manager, Ken Berney added, "Part of the plan will include raising Highway 91 which would create a sediment retention/wetland area to provide good water quality and extend the life of the lake."

Olsson Associates Engineers will continue as engineers for the project.

The LENRD received a grant from the Nebraska Resources Development Fund for up to \$3.7 million, not to exceed 55% of the total project cost which is currently estimated at \$6.9 million. The LENRD will provide the balance of the project while additional sources of funding are investigated.

LENRD General Manager Stan Staab said, "After more than seven years of planning, we are pleased to move to the construction phase of the project."

Patience wearing thin on Kansas side of the Republican River

By ART HOVEY / Lincoln Journal Star

Sunday, Aug 19, 2007

CONCORDIA, Kan. — They kid around in Kansas, just like they do in Nebraska, and the laughter rang out loudly from the breakfast bunch at Kristy's restaurant in Concordia last week.

Somebody from a table of about eight mostly middle-aged men had just explained how he had slipped a for sale sign onto a pickup belonging to somebody at the next table.

Imagine all the questions for the victim of a practical joke in a small town of perhaps 5,000 people.

But Wilber Chartier wasn't kidding a few minutes later when he slid into a nearby booth and answered questions about how Nebraska and Kansas are going to resolve their differences over the Republican River — a familiar, if much diminished presence along Concordia's northern outskirts.

"They're going to have to give Kansas more water is what they're going to have to do," the 61-year-old Clyde farmer responded as he waited for his order.

"Nebraska just kept putting wells in and putting wells in," he said. "They've never quit."

Now, in his view and in the view of other Kansas irrigators along the Republican's Kansas course, it's time for Nebraska to make things right.

The attempts of the two states to agree on a water-sharing strategy reached an important juncture in nearby Junction City Wednesday as Nebraska officials estimated they had fallen at least 28,000 acre feet short of meeting the terms of the Republican River Compact in 2006.

There are more annual deficits stretching back to 2003.

That news, delivered at the annual meeting of the Republican River Compact Administration, did not catch Kansas Attorney General Paul Morrison in a conciliatory mood.

In Associated Press reports, Morrison promised his state would be “fairly quick and fairly decisive to begin the process of enforcing the agreement.”

Whether the matter goes to court or not, other recent disputes between states over water suggest that Nebraska could be looking at a bill for damages of \$100 million or more.

David Aiken, a water-law specialist at the University of Nebraska-Lincoln, thinks he heard Morrison loud and clear.

The message should also be pointed enough to get through to Nebraska farmers who irrigate in the Republican River Valley and to natural resources districts who control groundwater irrigation from Imperial, Curtis and Alma, Aiken said.

“This is cram-down time,” Aiken said, “cram-down time for the NRDs.

“And the state of Nebraska, or the state of Kansas, or some combination thereof is going to say, ‘You guys either agree to do what the governor (Heineman) has recommended in terms of groundwater pumping — which is cut way back — or the state of Nebraska is going to go over your heads and do it for you.’”

Although he’s not the only one, Jim Miller is in the fairly small grouping that irrigates with Republican River water on both sides of the state border.

The possibilities for humorous interpretation have not escaped him.

“I don’t like suing myself,” the former Guide Rock school teacher said as he warned of poison ivy and led the way down to the banks of the river near the Hardy, Neb., bridge. “I don’t want to sue myself. I haven’t so far.”

But Miller lives on the Nebraska side of the river and most of his irrigated acres are on the Nebraska side.

In more serious mode, he’s quick to dispute Kansas contentions that the river’s less-than-inspiring 2-foot depth at the border is all about groundwater wells depleting the surface flow.

“A lot of people would have you believe that well irrigation is the sole culprit in the lack of water in the Republican,” Miller said. “But you can’t blame it on deep-well irrigation 100 percent.”

A multi-year drought has been a factor. And no-till farming, soil terraces and other soil and water conservation measures have slowed runoff from the river’s Colorado origins to its entry into the Kansas River at Junction City.

Miller, one of three board members who oversee surface-water irrigation for the Bostwick Irrigation District from Red Cloud, thinks Kansas needs to be more understanding.

He compared the situation to one in which a judge might be asked to adjust child support payments.

“Doggone it, if your job changes or your income changes, you go back and ask for a change.”

Many of the less than accommodating attitudes of Miller's counterparts in Kansas are based on a fundamental difference in how water use is governed in the two states.

From the very early going, Kansas regulated both surface and ground water from the state level and in what many have seen as a more aggressive fashion.

Nebraska, much more blessed with groundwater resources, divided the responsibility. The state had its say on rivers and streams. Twenty-three natural resources districts and their locally elected boards made the rules for wells.

Not until recently has Nebraska grappled with the depleting effect well pumping has had on the Republican, the Platte, the Niobrara and other rivers and their tributaries.

Scandia, Kan., irrigator Mike Brzon, who has not been able to use some of his Republican River pumps this year because of low flows, is not a model of tolerance on that point.

Brzon, also chairman of the 300-member the Lower Republican Water Association, said the supply relationship between surface water and wells drilled in the same watersheds is "a no brainer."

Facing the nearby river from a lawn chair in front of his house, he listens patiently to points made about drought and diminished runoff. Then he offers a perspective that also takes into account Nebraska's reputation for rapid expansion in groundwater pumping.

In assessing the Republican's shallow contents, he said, "I think what we're actually seeing is a time lag on consumptive use of the river flow."

Those who live along the middle and lower reaches of the Republican in Nebraska are quick to point out that a well-drilling moratorium already in place farther upstream has been extended to its exit point at Hardy.

Groundwater allocation rules also have been enacted, and the state has spent millions of dollars over the past two years to buy Republican water and release it to Kansas.

As he offers a tour of his irrigation holdings, Brzon said it's all too little and too late.

Has the time come for a lawsuit?

"It depends on how much more lip service we'll put up with," he said.

The fact is that Kansas is not getting the 40 percent share of water it was supposed to get under the terms of a 1943 compact.

Those terms need to be enforced, he said. It's not any different than a landlord-tenant contract in agriculture.

How would you expect one partner to respond, Brzon asked, if the other said: "I'm going to keep farming the farm, but I'm not going to pay you any more."

n n n

At Scandia's T.A.G. Grill and Bar, an afternoon coffee group of farmers, retired farmers and others in between makes room for another chair and for questions about where resolution of Republican River differences is

headed.

As other heads nod, Bill Waite and Glenn Loring describe a situation in which Nebraska kept drilling wells for year-round use along the Republican long after Kansas adopted a more conservative approach.

Kansas' braking tactics included earlier metering of pumping, Waite and Loring said, and junior rights wells, which had to be shut off when the river reached a minimum flow.

Is this lawsuit time?

"Whatever it takes," said Waite.

His coffee counterparts chuckle at his parting advice.

"Keep the water coming down here now."

While Kansas Attorney General Morrison promises quick and decisive action, things don't seem to be moving along quite so quickly or decisively north of the border.

Ann Bleed, director of the Nebraska Department of Natural Resources, is trying to appease irrigators and NRDs who see a major threat to their economic well-being.

"As far as I'm concerned, we're working on it," Bleed said. "I'm just optimistic and very hopeful that we can pull together what we need to do to comply with the compact."

UNL observers Aiken and Mike Jess, associate director of the school's Water Center, cite state proposals to cut back groundwater allocations in the Republican NRDs to 6.5-8.5 inches in normal years and 3.5-5.5 inches in dry years.

That's much less than irrigators typically use on corn in dry years.

Dan Smith, manager of the Middle Republican at Curtis, said actions plans at the local level are centered on 60 inches over five years.

"If everybody pumped 12 inches in an average year, we'd be slightly over (the limit)," Smith said. "But yearly compliance is not a requirement of the settlement. A five-year rolling average of compliance is. So the fact we overuse in one year is not a big deal."

Jess described the lower numbers as "a bit more realistic, given what the compact commissioners heard this week."

Blead said there's nothing on the table that would allow for annual water use as high as 12 inches from wells.

"Current allocations have to be cut somewhere between 4 and 5 inches," she said. "And the key there is that we're also providing water to surface water users, who have a right to use water."

Jess, former director of what used to be the Nebraska Department of Water Resources, is not inclined to regard Morrison's remarks as just more legal saber rattling.

"It seems to me what he's saying should be seen as somewhat ominous in the state of Nebraska," he said, "and I think we have to take it very seriously."

That suggests that, even though summer may be about over, the heat could linger along the Republican River for a long time.

“My expectation is that the Kansas attorney general will file something fairly soon,” Jess said, “and that we’re very likely to be talking about money damages, because Nebraska didn’t comply with the requirements.”

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Group is hoping to challenge water law

■ Taxes under LB 701 should be levied statewide, not just in the Republican River basin, the southwest Nebraskans say.

By DAVID HENDER

WORLD-HERALD STAFF WRITER

8-21-07

A group of southwest Nebraskans is raising money to finance a possible legal challenge of the new law designed to help resolve the state's Republican River problems.

The group, Friends of the River, says it will challenge the constitutionality of Legislative Bill 701, which permits new taxes on irrigators in the river basin.

"We think the whole state ought to share in the tax. It's a state issue, not a local issue," said Tom Kiplinger, 78, a McCook rancher and one of the organizers.

Friends of the River still needs about \$15,000 to hit its \$60,000 goal, organizers said Monday.

LB 701 gives local natural resources districts authority to levy additional taxes for projects that will help Nebraska meet its requirements to share Republican River water with Kansas and Colorado.

Nebraska has used more than its share of water for four consecutive years.

The four Republican basin resources districts are allowed to assess an annual occupation tax of up to \$10 an acre on irrigated land. They also may levy a property tax of not more than 10 cents per \$100 of taxable valuation.

Revenue from the new taxes would pay off bonds used to buy or lease water and other related projects.

Districts in the basin are in the early stages of establishing the new taxes. Budget hearings for 2008 will be held next month.

The Middle Republican NRD at Curtis, for example, may propose a new 4.7 cents per \$100 property tax and about a \$7 per acre occupation tax to raise its share of the LB 701 requirement, said Dan Smith, the general manager.

Angus Garey, a retired McCook banker and a Friends of the River organizer, said the pending lawsuit would focus on the Nebraska Constitution's prohibition on levying a property tax for state purposes.

"By requiring NRDs to levy this tax for the sole purpose of complying with the state's obligation . . . we believe the state has violated its constitution," Garey said.

The Legislature approved LB 701 this year, and Gov. Dave Heineman signed it. The measure was tailored specifically to help Nebraska comply with terms of the Republican River Compact with Kansas and Colorado.

The other leader of the tax challenge is Claude Cappel, a McCook farmer and irrigator and member of the State Water Policy Task Force.

Assault on invasive plants

5-19-07

BY DAVID HENDER
WORLD-HERALD STAFF WRITER

OGALLALA, Neb. — Nebraska's counterattack on a western invader is under way.

Helicopters armed with herbicide this week attacked non-native salt cedar trees — each of which can consume 88 to 250 gallons of water a day — that have overrun fringes of drought-depleted Lake McConaughy.

Called Operation Surround and Drown, the attack is the first salvo in Nebraska's surge to control and wipe out invasive weeds, brush and trees that rob water from streams and choke out wildlife habitat, recreational beaches and shoreline.

"If we don't stop salt cedar now at McConaughy, it'll be scary to see what it does in eastern Nebraska if it moves down the Platte River," said Kent Aden of Cozad, Central Ne-

braska Public Power and Irrigation District's assistant real estate administrator.

"It's as thick as the hair on a dog's back when it takes root. Lake McConaughy probably has more acres of salt cedar infestation than anywhere else in Nebraska," he said.

The assault is part of a wider war on invasive shrubs in the Platte and Republican River basins.

Legislative Bill 701, passed this year, created a special task force funded with \$2 million a year for two years to rid the rivers of invasive vegetation.

Lake McConaughy, Nebraska's largest reservoir, was formed on the North Platte River near Ogallala in 1941 to irrigate cropland in south-central Nebraska.

The lake developed into the state's premier water-based recreation site

See Spraying: Page 2



CENTRAL NEBRASKA PUBLIC POWER
Salt cedar is a highly invasive, non-native plant that can quickly displace native plant species. The bushlike tree can grow to a height of 25 feet.

Spraying: Assault part of wider war in river basins

Continued from Page 1

and — until stricken by drought — a world-class walleye fishery.

Salt cedar moved from the Rocky Mountains down the North Platte to the upper reaches of Lake McConaughy about six or seven years ago. The initial infestation coincided with the first drought years, when the reservoir didn't completely refill over winter.

Those first plants are now trees at least 15 feet high. About 400 mature trees can live on each acre of lakebed or shoreline.

"Their roots go wherever they need to go to get water," Aden said.

Declining lake levels exposed 12,000 acres — nearly 19 square miles — of McConaughy lakebed normally under water. Invasive plants also moved into more than 3,300 acres of shoreline, the equivalent of more than five square miles.

The reservoir was 26.3 percent full Friday. That's more than 6 feet higher than a year ago, but nearly 59 feet below capacity.

The exposed lakebed at the west end is overgrown with grasses, towering cottonwoods and dense thickets of willow and salt cedar.

Salt cedar is the primary target of the eradication campaign at McConaughy.

The irrigation district contracted with North Star Helicopters of Jasper, Texas, to spray Habitat herbicide on the thousands of salt cedars.

The herbicide is authorized for use near and in water and doesn't affect people, animals, reptiles or fish. The chemical shuts down

an enzyme in some plants, causing them to slowly starve.

North Star used two military surplus OH-58 Bell helicopters equipped with 100-gallon chemical tanks and spray booms. The pilots flew preset routes and sprayed when they visually identified salt cedars.

Aden said project organizers plan to leave the treated salt cedars in place for two years to give the herbicide time to kill them.

Planners also hope that a rebounding lake will drown plants in the lakebed. Full-grown salt cedar will die after being inundated by water for nine to 24 months.

Plans call for removing dead shoreline plants with machinery to restore the sites to bare sandy beaches in a year or two.

Aden said spraying salt cedar, cottonwoods and other woody invaders at Martin Bay, Sand Point and an area east of Van's Lakeview Fishing Camp would restore the areas for wildlife and recreation.

A 465-acre site west of Van's Lakeview Fishing Camp on the south shore wasn't treated to give salt cedar leaf beetles, introduced last year by the U.S. Agriculture Department, time to establish themselves as a biological control.

The \$630,000 spraying project was largely financed by LB 701 funds, with contributions from the Nebraska Game and Parks Commission, the Nebraska Attorney General's Office and in-kind support from Central.

Crews hope to finish spraying at the lake early next week.

About salt cedar

Also known as tamarisk, salt cedar is a highly invasive, non-native plant species with few natural or biological controls. It:

Is a bushlike tree that grows to about 25 feet.

Has an extensive root system with a taproot that can grow rapidly to depths of 100 feet to reach water.

Consumes 88 to 250 gallons of water per tree daily.

Invades streamside areas across the West, desiccating Southwestern and Californian desert wetlands.

Absorbs large amounts of water and creates large deposits of salt.

Reproduces quickly in great numbers and can quickly displace native plants. Reproduces from roots if tree is damaged or incompletely removed.

Secretes salt from leaves, raising the salinity of soil and inhibiting establishment of other plants.

Produces hundreds of thousands of small seeds per plant.

Introduced to the United States from Asia as an ornamental in early 1800s.

Added to Nebraska's list of noxious weeds that require suppression in 2006.

Sources: Central Nebraska Public Power and Irrigation District, U.S. Department of Agriculture

Other projects

Salt cedar spraying at Lake McConaughy is one of four projects awarded grants with funding from Legislative Bill 701.

The bill in part was a reaction to the problems Nebraska had in 2006 trying to get water down the Republican River from Harlan County Lake to Kansas. The river channel was so clogged with invasive vegetation that little water reached Kansas.

The three other projects:

■ Targeting Republican River and tributaries from Harlan County Lake to Kansas. LB 701 funds: \$772,500. Status: Opening bids Monday for contract to spray and mechanically remove vegetation.

■ Targeting the Republican from Colorado border to Harlan County Lake to spray and remove vegetation. LB 701 funds: \$814,617. Status: Preparing to seek bids.

■ Educating Panhandle landowners and mapping salt cedar, Russian olive and phragmites for removal. LB 701 funds: \$65,000. Status: Regional weed board being formed.

Blair legislator resigning seat

■ State Sen. Mick Mines says he has a business opportunity he can't pass up.

By LESLIE REED
WORLD-HERALD BUREAU
7-4-07

LINCOLN — State Sen. Mick Mines of Blair, Neb., said he would submit his resignation from the Legislature today.

Mines, 57, a former Blair mayor, was elected to his second legislative term in 2006.

He said he is forming a public relations, lobbying and campaign management firm with political campaign strategist Jordan McGrain and lawyer Scott Berryman.

Mines described it as an opportunity he could not pass up.

"I've been in elected office for 16 years. It's time for me to move on," he said. "Term limits changed the dynamics in Nebraska politics,

and I look forward to helping others manage those dynamics."

Mines is a former chairman of the Legislature's Banking, Commerce and Insurance Committee. He made an unsuccessful bid for the speaker's post early this year.

He is a longtime executive of HunTel Systems in Blair and is a former president of the League of Nebraska Municipalities.

He said the legislative salary,



Mines

\$12,000 per year, was not a significant factor in his decision to step down.

"Even if you double or triple the salary, it's still not enough" for the work lawmakers do, he said. "I looked at where I am and where I will be in the next two or three years — particularly with two kids in college — and decided it was time to resign."

Mines said he had informed Gov. Dave Heineman of his decision and would submit his resignation letter today.

Heineman will appoint someone to serve through 2008, when voters will elect a new state senator to serve the remaining two years of Mines' term.

Mines represents District 18, which includes parts of northwest Omaha, Douglas County, Blair and Fort Calhoun. It is one of the fastest-growing legislative districts in the state.

How Ethanol Is Making the Farm Belt Thirsty

More Cornfields, Distilleries Heighten Irrigation Worries; A Water Cop Cracks Down

By JOE BARRETT
Alma, Neb.

WSJ
9-5-07

MIKE CLEMENTS stood near the railing of a low bridge on a dusty country road and pointed to a clump of green amid the rippling waters of the Republican River.

"There it is," he said ominously. Anyone else might have seen a reed-like grass swaying in the breeze. But Mr. Clements, head of the Lower Republican Natural Resources District, saw phragmites, a fast-growing invasive species that is slowing the flow of the river and sucking up precious water. The stuff had to go, he said.

Mr. Clements, 55 years old, is the water

cop in this dry corner of the Farm Belt and lately, he has had to make every drop count—even if it means whacking weeds.

With ethanol plants moving into his slice of southern Nebraska, he'd love to be able to allow farmers to use all the water they want to satisfy the growing demand for corn. But a big settlement with Kansas over the effects of under-

Mike Clements polices water use near the Republican River.

ground water wells on the Republican River has forced him to put in place some of the toughest water rules in the state. Now, with Kansas complaining that it's still not getting the water it's owed, he's likely to have to tighten the rules even further.

Everywhere farmers grow corn, water is becoming a major concern as ethanol plants ramp up production at a startling rate and the threat of drought is ever-present. Rushing to help meet President Bush's call to cut gasoline use by 20% over the next 10 years, the ethanol industry has projects under way that would nearly double capacity from the current 6.8 billion gallons of ethanol a year.

A 50-million gallon ethanol plant might use about 150 million gallons of water to make fuel. That's more water than some small towns use.

Please turn to page B16

Joe Barrett



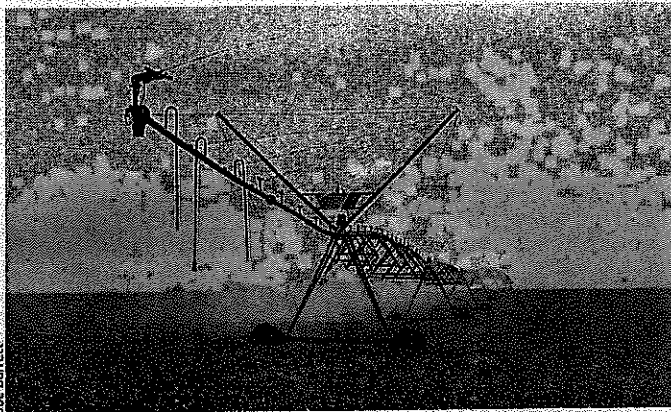
A Water Cop Cracks Down

Continued from page B1

raising some local battles over placement of the plants. But farmers in Mr. Clements's district alone pumped 62.6 billion gallons of water from underground in 2005. That's why many water experts are more concerned about farmers growing more thirsty corn to meet the extra demand from ethanol than they are about the water used by the distilleries themselves.

Nowhere is the mix of water and ethanol more volatile than in Nebraska. It is the nation's No. 3 corn producer after Iowa and Illinois—even though the state is in the so-called rain shadow of the Rocky Mountains, depriving the state of moisture from the Pacific Ocean. Large-scale agriculture is possible here chiefly because farmers have learned to tap the Ogallala Aquifer—an enormous complex of underground water formations, some dating to the last ice age—that stretches beneath parts of eight states. In some areas, overpumping has lowered the level of the Ogallala, something the state has vowed to stop.

Kansas has complained for years that pumping near the Republican River lowers the water table, leaching water from the stream and robbing the state of river water it is owed under a 1943 compact. In 2000, a special master appointed by the Supreme Court sided with Kansas.



Joe Barrett

Water pumped from the Ogallala Aquifer irrigates a field near Alma, Neb.

Underground water is so plentiful in Nebraska that farmers "historically have seen it as an inexhaustible resource," says David Barfield, acting chief engineer of the Kansas Division of Water Resources. "It's vast, but it's not inexhaustible. The Republican is the first place where that conflict has occurred."

Despite the looming water questions, Mr. Clements and other Nebraskans welcome the ethanol industry with open arms as a means to stimulate farm-town economies. In Mr. Clements's district, one ethanol plant is under construction, one is close to breaking ground and two more are in the planning stages.

An ethanol plant "complicates" the local water picture, says Ann Bleed, director of Nebraska's Department of Natural Resources, which oversees sur-

face water. In tight-water districts such as Mr. Clements's, local officials must offset the water used by ethanol plants by either reducing farmers' yearly water allocations or restricting the use of some existing nearby wells.

"We're not going to allow the use of our aquifers to become unsustainable," she says.

That leaves Mr. Clements, a former project manager at Luccent Technologies, in a tough spot. When he arrived here six years ago, the area was just entering a record, years-long drought.

At the time, there were no restrictions on water use and the district didn't even monitor all of its wells. Mr. Clements accelerated efforts to put meters on all nearly 3,800 irrigation wells in the district and stepped up the monitoring of groundwater levels.

WST
9-5-07

Then in 2002, Nebraska reached a settlement with Kansas over the Republican, throwing him a curve. Suddenly, Mr. Clements had to tell his farmers, even those miles away from the river, that they would have to curtail their pumping to try to send more water to Kansas.

"It'd be a lot easier for [farmers] to understand if they went out to their wells and the water wasn't there. The supply is there," said Mr. Clements.

Mr. Clements and his board halted the drilling of new wells and the addition of new acres of irrigated cropland. They also capped how much water farmers could use each year: an average of 11 inches to 12 inches per acre under the current three-year allocation.

Farms trimmed their use to an average of 7.5 inches in 2004 and 2005, down from about 12 before the allocation system took effect. Mr. Clements's staff now checks the meters on farmers' wells after harvest each fall. Recalcitrant farmers can lose water under the next allocation or face fines for overuse.

Farmers say they've cut back about as far as they can and that additional cuts in allocations would make irrigation uneconomical. If much of the land in the area were taken out of irrigation, property values would drop and tax receipts would tumble. "It'd be devastating to the economy around here," says Nelson Trambly, a local farmer and chairman of the resource district.

Mr. Clements and his board have proposed lowering farmers' allocations to 11 inches a year across the board for the next five years. To make that work, the board, in cooperation with the state and other natural-resource districts in the Republican basin, has been buying surface water from reservoirs and other sources to send through the river to Kansas.

Mr. Clements is also working with other officials to plan an extensive effort to eliminate invasive plants such as phragmites and trees that suck up additional water. They have even proposed using some wells to feed water directly into the river.

Kansas remains skeptical that these steps will be enough. In a recent meeting between the states, all parties agreed that Nebraska is still using more than its share of the river's water under the complex computer model set up to monitor the agreement. Kansas Attorney General Paul Morrison said he would soon take action to force Nebraska to move more aggressively.

Now, the pressure on Mr. Clements has ramped up another notch, as ethanol plants arrive in the area.

One recent morning, a team developing an ethanol plant outside Alma dropped by Mr. Clements's brightly lit office in a converted lumberyard. They discussed various options for securing water for the plant. But a bigger issue loomed.

"I guess my question is, will the farmers get enough water?" asked Justin Kent, president of **Olympus Energy Group**, developer of the planned 55-million-gallon plant. "I know we'll get enough water for our one plant, but if farmers don't get enough water that's a big problem."

"That's the million-dollar question," Mr. Clements said.

Majority will see tax bill go down

■ Lower levies and a new state credit mean 80,000 of 130,000 metro-area homeowners will pay less property tax next year.

9-6-07
By TOM SHAW

WORLD-HERALD STAFF WRITER

If you live in the Omaha metropolitan area, there's a good chance that you'll pay less in property taxes next year.

Several school districts and local governments are lowering their tax levies in Douglas and Sarpy Counties.

nificantly increased and will pay more in property taxes.

The figures are based on the approved or proposed tax levies that will be applied to the final valuations of 130,000 homeowners living in the five largest school districts in the metro area — the Omaha Public Schools and the Millard, Westside, Bellevue and Papillion-La Vista districts.

For example, the owner of a home in OPS valued at \$100,000 will pay a total property tax bill of \$1,974 — a tax savings of \$101 over last year, assuming that

the home's \$100,000 valuation didn't change.

Every property owner in the state will benefit from the tax credit approved this year by the Legislature. Owners of all kinds of real estate — include homes — will receive the tax credit on their 2007 property tax bills, which are due next year.

The credit will reduce tax bills by about \$80 for each \$100,000 in assessed valuation. That is the equivalent of taking 8 cents off the total tax rate, more than any single local levy

See Property tax: Page 2

Property tax credit

Approved by the Nebraska Legislature this year as part of a tax cut package.

Equal to about 8 cents per \$100 of assessed valuation, or \$80 on a property that is assessed at \$100,000.

Has no cap. For example, the owner of a home assessed for tax purposes at \$200,000 would receive a \$160 credit.

Applies in the 2007 and 2008 tax years to all types of real estate (commercial, residential and agricultural property).

Continue

Property tax: Most homeowners' bills will drop

Continued from Page 1
reduction under consideration.

The state tax credit was part of a broader package signed into law by Gov. Dave Heineman that also included income tax, estate tax and sales tax changes.

State Sen. Abbie Cornett of Bellevue, a member of the Legislature's Revenue Committee, said the package was meant "to improve the tax climate to make Nebraska more attractive" for potential businesses and residents.

In addition to the tax credit, what schools and local governments do to their tax rates will ultimately determine the size of property tax payments. Schools make up more than half of Nebraska property tax bills.

Several taxing entities are planning to lower their property tax rates because of higher valuations, and others plan to leave tax rates the same. They have until Sept. 20 to finalize levies.

Nearly all taxing groups — even those lowering their levies — will take in more property tax money next year because of higher valuations. Officials say that they need to pay for higher operating costs and that inflation justifies collecting more in property taxes.

The Millard, Westside and Papillion-La Vista school districts plan to lower their levies.

"This is the highest (valuation) percentage increase we've seen in a while," said Al Inzerello, Westside's assistant superintendent for operations and finance. Westside is considering about a 5-cent levy drop, and Millard is proposing a 7-cent drop.

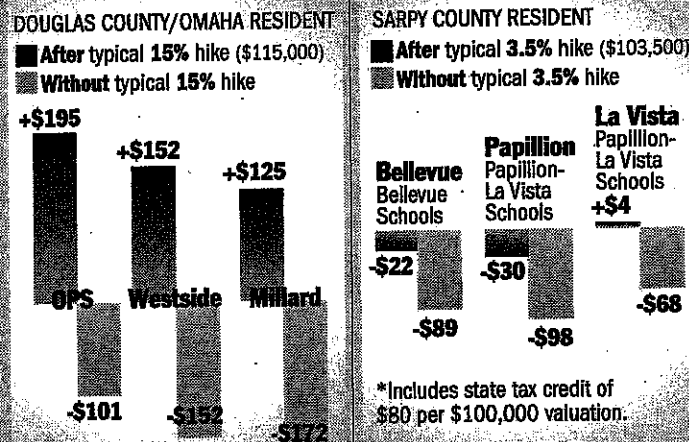
Smaller levy reductions also are planned by the Douglas and Sarpy County governments, Metro Area Transit and the Papio-Missouri River Natural Resources District.

John Winkler, general manager of the NRD, said the district actually will collect less property tax next year. He said reserve property tax revenues will

Total tax bills

Most homeowners in the Omaha area's five largest school districts will pay less in total property taxes next year so long as they didn't receive a significant valuation increase. Those with significant hikes still will pay more, despite a state tax credit and some lower tax rates.

Tax bill for \$100,000 house*



SOURCES: World-Herald analysis of valuations and proposed tax rates, Douglas and Sarpy Counties.
DEAN WEINLAUB/THE WORLD-HERALD

Budget votes scheduled

These local governments and school districts in the Omaha metropolitan area are scheduled to approve their budgets in the next two weeks:

Bellevue Public Schools: 7:30 p.m. Monday, Bellevue Public Schools/Offutt Air Force Base Welcome Center, Fort Crook Road and Nebraska Highway 370.

Papillion-La Vista Public Schools: 7 p.m. Monday, district central office, 420 S. Washington St., Papillion.

City of Bellevue: 6 p.m. Monday, City Hall, 210 West Mission Ave.

Westside Community Schools: 6:30 p.m. public hearing, 7 p.m. meeting, Tuesday, ABC Building, 909 S. 76th St.

Sarpy County: 3 p.m. Tuesday, Sarpy County Board room, 1210 Golden Gate Drive, Papillion

Millard Public Schools: 7 p.m., Sept. 17, Stroh Administration Center, 5606 S. 147th St., Omaha

Omaha Public Schools: 7:30 p.m., Sept. 17, Teacher Administrative Center, 3215 Cuming St.

City of La Vista: 7 p.m. Sept. 18, La Vista City Hall, 8116 Park View Blvd.

be used to help pay for operations.

"We wanted to use those first before we took any additional

taxes," Winkler said.

Even with the higher valuations, some school districts, including the Omaha and Bellevue

Public Schools, are planning to keep their levies virtually the same.

Dennis Pool, an assistant OPS superintendent, said the district had hoped to lower its levy, but a change in state law will require the district to pay more for employee retirement benefits. The district, he said, couldn't take advantage of the entire increase in its valuation base because state aid drops when more money is collected locally.

The Cities of Omaha and Bellevue plan to keep their levies the same next year. Papillion has approved a slight decrease.

Omaha Mayor Mike Fahey recommended against lowering the city's tax rate, in part because the city anticipates having to raise the levy sometime in the next several years to pay the debt on the Qwest Center Omaha. City officials also have said that sales tax revenues have not kept pace with inflation.

The City of La Vista is the only local government in the comparison looking at a property tax rate increase. La Vista officials plan to increase the tax rate by 2½ cents, in part because it lost sales tax revenues with the departure of two major retailers. That will mean a slightly higher total tax bill for La Vista residents who received a valuation increase.

The typical valuation increase for Douglas County homeowners was about 15 percent, and the typical valuation increase for Sarpy homeowners was 3.5 percent.

The Douglas County assessor has relied on steeper, periodic valuation increases, but Sarpy residents have seen smaller, more incremental increases.

The tax bill calculations are for the City of Omaha, Bellevue, Papillion and La Vista residents in the five school districts. They don't include residents of those school districts who live in rural areas or sanitary and improvement districts.