

KNOW YOUR NRD



Nebraska's Natural Resources Districts
Making the Good Life Better Since 1972

Winter, 2012



Easements are Landowner Option

by NRD General Manager Glenn Johnson



Conservation easements are a valuable tool for landowners and conservation interests, alike. Conservation easements allow a landowner with strong feelings about land that they own to determine how that

land will be protected and managed in the future, irrespective of who future owners might be. The land may contain some unique natural resources or historic significance which otherwise could be at jeopardy as land use changes around it; or they may wish to simply preserve its present uses, whether cropland, grazing lands, or natural areas in perpetuity.

The District accepted the first conservation easement in Nebraska over 30 years ago and continues to utilize this tool for protection and restoration of some of the more limited and at-risk natural lands. These have included natural and restored prairies, saline and freshwater wetlands, native woodlands, and stream corridors and floodplains. The terms of the easements are mutually negotiated with the landowners.

40 Years Ago - Governor Norbert Tiemann (center) signs legislation that created Nebraska NRDs in 1972. At far left is State Senator Harold Sieck, of Pleasant Dale, who later served on the LPSNRD Board. Today, the 23 NRDs celebrate 40 years of protecting lives, property and the future in the broad areas of flood control, soil erosion, ground water management and more. Since 1972, 154 men and women have been elected by the public to serve on the Board, setting local policy, adopting budgets and making decisions on local natural resource programs and projects.

Protecting Lives • Protecting Property • Protecting the Future

Conservation Easements Preserve Private Land Forever

Natural prairies, woodlands and wetlands are some of the most important resources we can leave to future generations. A landowner, on occasion, will decide making sure areas like these remain in their current state for future generations to enjoy is worth their creating a permanent agreement, called a conservation easement, through which the land will be protected forever with help from a group like the NRD.

Each conservation easement is different. The NRD has

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Work Expected on MoPac

A project to rebuild the first mile of the MoPac East Trail east of 84th Street has reached the design phase. The section of trail from the 84th Street trailhead to "A" Street will have to be closed during the project and signs alerting trail users to the pending inconvenience went up in the fall. Next, the project will become available for competitive bidding by contractors and the NRD hopes the project will be completed this spring.

Ballast rocks, originally part of the rail corridor, have worked

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We're 40!



The Lower Platte South and all of the Nebraska NRDs are celebrating their 40th birthday in 2012, with special events and activities planned state wide throughout the year. We hope the festivities remind us all of the progress we've made and the importance of continuing to protect our precious natural resources in the most effective ways we can.

Conservation Easements

Conservation Easements Protect Private Land Forever

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Lyle Sittler stands on prairie ground near Spring Creek Prairie his family protected through a conservation easement with the NRD in 2006.

established conservation easements with owners of wetlands, saline wetlands, native prairie, riparian woodlands and more. A conservation easement does not prevent the owner from using the land, but their use is specified in the conservation easement. For instance, a landowner may be allowed to harvest hay or graze cattle on the land, but they may not be able to build a building or convert it to cropland.

Typically, these tracts of land have special qualities. Since they are still privately owned, they are not open to public access, however,

some conservation easements agree to allow the NRD to use the area for educational purposes and it is always a special treat to be able to experience these places. Many of them support rare plants or have a wide variety of plants. Most are habitat for abundant animal populations. When we see these properties, it is usually obvious why the owner decided it should be preserved through a conservation easement.

In 2006, Lyle and Alice Sittler, their children and immediate families protected 200 acres of native prairie land, south of Denton, from future development with help from the NRD and funding from the Nebraska Environmental Trust. They're not alone. Several of Sittler's neighbors who surround Audubon's pristine Spring Creek Prairie, have utilized conservation easements or other programs to protect their native prairie. As landowners peeked over the fence line at more rooftops every year, they decided they needed help preserving their land for future generations to enjoy.



Ray Otto established this wetland conservation easement east of Ceresco in 1988.

Did you know?

- The NRD collects about 300 samples from wells throughout the District each year and analyzes the samples for up to 50 potential contaminants.
- We measure about 300 wells District-wide to track changes in the amount of available ground water.
- Since 1990, the NRD has decommissioned 865 wells, to prevent them from being a danger to people or wildlife and to prevent contaminants from entering the ground water through the abandoned wells.

Election Year!

I have this great natural area. How do I preserve it?

Governmental entities and certain other organizations whose purpose involves conservation may agree to be responsible for protecting natural areas through a conservation easement agreement between that group and the landowner. The agreement will contain a legal description of the protected area and will specify limitations on the property and the rights and responsibilities of each party concerning that area. Conservation easements may be donated, granted or purchased.



A view of the South Highway 77 Prairie Conservation Easements, formed in 1999 by Jerry Schmutte, Fred and Betty Lou Craft and Batie Farms, Inc.

Conservation easements are usually established as permanent arrangements for protecting land. If the land is later sold, the easement remains in effect. Protecting natural areas from future development may also provide the landowner some tax benefits. Conservation easements have become an important tool in helping landowners protect areas and making sure future generations are able to experience and learn to appreciate these special places. Anyone interested in finding out more about establishing conservation easements should contact the NRD.

Your NRD Board

Here is a listing of your NRD Board representatives. The Board meets regularly on the third Wednesday of each month at the NRD office in Lincoln. More information is available at Ipsnrd.org, click on About Us, then Board.

Subdistrict

- 1 Don Jacobson, W Lincoln
David Potter, Valparaiso
 - 2 Marsha Babcock, Elmwood
Roger Gaebel, Louisville
 - 3 Larry Swanson, NE Lincoln
Ron Case, NE Lincoln
 - 4 Phyllis Hergenrader, SE Lincoln
Dean Petersen, SE Lincoln
 - 5 Greg Osborn, W Lincoln
Steve Larrick, W Lincoln
 - 6 Doug Samuelson, NW Lincoln
Elaine Hammer, NW Lincoln
 - 7 Russell Barger, NE Lincoln
Richard Bolte, NE Lincoln
 - 8 Larry Hall, SE Lincoln
Ron Svoboda, SE Lincoln
 - 9 Larry Zimmerman, SE Lincoln
Bob Andersen, SE Lincoln
 - 10 Ken Reitan, SW Lincoln
Karen Amen, SW Lincoln
- At-large
David Landis, Lincoln

It's an Election Year

Non-incumbent candidates have until March 1st to file with the Secretary of State to run for one of ten seats on the 21-member Lower Platte South NRD Board of Directors. Incumbents have until February 15th to file. The 2010 Primary Election is May 15th. Primary elections will only be held for a subdistrict if more than two candidates file, with two of those candidates moving onto the ballot for the November 2nd General Election. Candidates must be a registered voter residing in the subdistrict they file to represent. NRD directors serve four-year terms. The NRD Board meets monthly and each Board member also serves on two or more subcommittees of the Board. Subdistrict maps and more information are available at Ipsnrd.org, click on About Us, then Board. (See table at bottom of page 4.)

MoPac Project

Work Expected on MoPac

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their way through the surface, creating a rough trip for bikers and foot traffic. NRD Resources Coordinator Dan Schulz said, "Fortunately it's the only section of our trail system that was constructed in that way. We're looking forward to completing the improvements for trail users to enjoy."

The MoPac East extends through Walton, Eagle and Elmwood to Wabash



and with the addition of two other trails; the Oak Creek Trail from Valparaiso to Brainard and the

Homestead Trail from 2600 Saltillo Road to Cortland; the NRD now maintains about 50 miles of recreational trails year-round. Learn more about the NRD trails at Ipsnrd.org, click on Recreation. Watch our web site, too, for information about the MoPac East project, as it becomes available.

Tree Update

Sales of seedling trees and shrubs for delivery in April will boost the NRD's all-time sales in that program to more than 340,000! Approximately 22,000 were sold this fall and winter at \$0.75 per seedling. We also provide cost-sharing with landowners and community groups wanting to buy or plant trees. See Ipsnrd.org to learn more or contact the NRD.

New Dam to Protect Highway, Pawnee Lake

Work is expected to begin later this year on a watershed dam that will help protect Highway 34 from flooding and help improve the water quality in Pawnee Lake. The NRD Board approved engineering services to complete Piening Dam when it met January 18th.

The action came after the NRD obtained the state water storage permit for the structure and a 404 permit is still pending. NRD project Coordinator Ed Ubben said the NRD has funds budgeted for the project this year and hopes to, "have the project to contractors for bidding this spring." The dam would be built north of Highway 34 in Lancaster County, just northeast of NW 140th Street.

NRD Board seats currently held by these incumbents are up for election this year:

| | | | |
|---------------------|----------------------|-----------------|-----------------------|
| Don Jacobson | <i>Subdistrict 1</i> | Doug Samuelson | <i>Subdistrict 6</i> |
| Marsha Babcock | <i>Subdistrict 2</i> | Russell Barger | <i>Subdistrict 7</i> |
| Larry Swanson | <i>Subdistrict 3</i> | Larry Hall | <i>Subdistrict 8</i> |
| Phyllis Hergenrader | <i>Subdistrict 4</i> | Larry Zimmerman | <i>Subdistrict 9</i> |
| Greg Osborn | <i>Subdistrict 5</i> | Ken Reitan | <i>Subdistrict 10</i> |

Flood Management

Beal Slough Project to Finish this Summer

Two-way traffic is now using the east side of the 14th Street Bridge over Beal Slough, near the Nebraska Penitentiary. Contractors poured the new deck on December 15th and remain on schedule to complete the project in June, according to NRD Project Coordinator Ed Ubben. From the 14th Street Bridge, the project site extends to the west and includes reshaping the banks of Beal Slough for added conveyance and to reduce erosion, replacing a service bridge with a low-water crossing of Beal Slough near the southwest corner



The main channel banks of Beal Slough, along the south wall of the Nebraska State Penitentiary are being widened to help reduce flooding in the area.

of the penitentiary and the removal of an old railroad bridge downstream. Upon completion, the \$5.15 million project will remove the Penitentiary from the floodplain and will benefit other nearby businesses. Ubben said 14th Street traffic will continue to be maintained in both directions throughout the project.

The Federal Emergency Management Agency (FEMA) is paying 75 percent of the project cost, under terms of a federal hazard mitigation grant. The NRD, state and City of Lincoln are responsible for the remaining 25 percent.

New Officers!

Congratulations to these NRD Board members for being elected officers for 2012:

- Chair, Doug Samuelson
- Vice-Chair, Greg Osborn
- Treasurer, David Landis
- Secretary, Richard Bolte
- NARD Representative, Ron Case
- NARD Alternate, Steve Larrick



Beal Slough Project near Nebraska Penitentiary

Unicameral

Legislation Part of Resource Management



The NRD always has an interest in pending legislation and as bills were introduced for this year's session of the Nebraska Legislature, we began reviewing them for any positive or negative effects on protecting natural resources. We provide input when appropriate to help legislators make good decisions. Here are some of the bills that have our attention this session:

- **LB 391** (carryover bill) - Would establish the Nebraska Invasive Species Council to minimize the effects of invasive plant species. Council would create and update a statewide management plan.
- **LB 529** (carryover bill) - Would give county boards power to deny proposed conservation easements, would limit the duration of some conservation easements to ten years and would limit the amount of Nebraska Environmental Trust Fund money available for conservation easements.
- **LB 595** (carryover bill) - Would create the Water Resources Revolving Loan Fund Act, providing low interest loans to NRDs and partner entities. Eligible projects would include buying water rights, buying and managing canals or reservoirs for irrigation, vegetation management and more.
- **LB 1134** - Would change eminent domain procedures for many agencies, including NRDs.
- **LB 1161** - Would provide for the study and evaluation of routes for proposed oil pipelines.

Winter Fun!

The NRD lakes, trails and wetlands are open for great wintertime fun, like ice fishing, snowshoeing, hiking, cross-country skiing and just getting outside. See lpsnrd.org, then click on Recreation. Later, while you're by the fire sipping on something hot, tell us about your experience on Facebook (LPSNRD) or Twitter (LPSNRDEE)!



NRD Project Update

Upper Salt 19-B Dam Rehabilitation - 9600 Saltillo Road. Project will upgrade dam to federal standards. Bidding process to begin this spring.

Salt Creek/Sun Valley Bank Stabilization - Salt Creek erosion repairs north and south of Line Drive. Bidding process to begin this spring.

Seward County Road Structure - Dam project south of Pleasant Dale, near 168th & Pioneers. NRD is cost-sharing project with Seward County. Currently in land rights phase. Bidding expected this spring.

Stevens Creek - Stream stability project near 98th & Van Dorn. Design phase.

Ash Hollow - Feasibility study of proposed flood control dam in Waverly's Ash Hollow watershed, south of Interstate 80. Public open house was held February 1st in Waverly.

Weeping Water Dam 4-J - Dam rehabilitation, two miles west and 1.5 miles south of Weeping Water. Completed.

Dead Mans Run - Six small erosion repair projects in Lincoln's East Park/Gateway area. Bids were opened February 7th. Construction to begin soon.