

Agency 29 - Department Of Natural Resources

Statutory Authority:

Authority for the Department of Natural Resources (DNR), is contained in the Nebraska Constitution, Article XV, Sections 4, 5, 6 and 7; Nebraska Statutes: Chapter 2, Articles 15, 32 and 46; Chapter 11, Article 1; Chapter 16, Article 6; Chapter 31, Articles 4, 5, and 10; Chapter 33, Article 1, Chapter 37, Article 7; all of Chapter 46, with the exception of Article 11; Chapter 54, Article 24; Chapter 56, Article 1; Chapter 61, Article 2; Chapter 66, Article 11; Chapter 81, Articles 1, 15 and 26; and Chapter 84, Articles 2, 3, 7, 9, 10, 11, 12, and 14, Reissue Revised Statutes of Nebraska including the 2002 Cumulative Supplement, the 2003 Supplement, and the yet to be published 2004 Supplement.

Vision Statement:

Provide quality service with a professional work force dedicated to the management and conservation of the land and water resources of the State of Nebraska.

Mission Statement:

Administer and regulate surface water; direct floodplain management and dam safety programs; assemble and share data on land, water and related resources in a user friendly manner; provide natural resources planning assistance and work with local natural resource interests; register ground water wells and issue permits; manage state cost-share programs in an expedient and cost-effective manner to assure proper use and protection of Nebraska's land, water and related resources.

Goals:

- 1) Implementation of LB 962 is the highest priority and will take significant key staff involvement
- 2) Further refine an appropriate process for working with the State of Wyoming in administering the settlement on the North Platte River system.
- 3) Continue to develop the processes needed to meet the provisions of the Republican River settlement. This will require working with the states of Kansas & Colorado as well as the four NRD's in the basin and the several irrigation districts.
- 4) Work closely with all of the NRD's in the development and implementation of integrated water management plans.
- 5) Strengthen the department's dam safety program.
- 6) Work with the NRD's in the Platte River Basin to develop & implement the New Depletions Plan element of the Cooperative agreement.
- 7) Provide necessary technical and financial tools to the Water Rights Division to ensure accuracy or all well registrations and surface water rights information, as well as creating an electronic record for all surface water rights data.
- 8) Continue development of Geographic Information Systems to better serve the state, staff, and other natural resource interests. Continue to make improvements in the GIS clearinghouse.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	13,125,507	14,647,369	19,196,279	18,339,408	19,185,316	18,554,783
Cash Fund	1,438,122	4,057,761	2,789,875	2,794,758	2,789,875	2,797,156
Federal Fund	595,342	941,000	741,000	752,027	741,000	755,980
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	15,158,971	19,646,130	22,727,154	21,886,193	22,716,191	22,107,919

Agency 29 - Department Of Natural Resources Program 303 - Small Watersheds Flood Control Fund

Program Objectives:

- 1) Maintain the asset value of the Fund (cash and real estate) at a minimum of one million dollars.
- 2) Make funds available for sponsors in order to expedite the construction of cost effective flood control projects.
- 3) Assist project sponsors in their utilization of the fund and management of lands.
- 4) Sell lands acquired in fee title on a timely basis to maximize the revolving nature of the fund.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	21,681	23,760	23,760	23,760	23,760	23,760
Cash Fund	0	500,000	500,000	500,000	500,000	500,000
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	21,681	523,760	523,760	523,760	523,760	523,760

Performance Measures:

The objective of the program is to provide financial assistance to local units of government in the procurement of lands, easements and rights-of-way that are needed for construction of Commission approved flood control projects. Secondary objectives are to assist in accelerating the watershed planning process and to assist sponsors in all aspects of land rights acquisition and land management. The Commission has been assigned, by law, the responsibility for flood control programs, and the financial assistance provided to local sponsors for land rights acquisition under this program is an integral part of the total flood control program.

Agency 29 - Department Of Natural Resources Program 304 - Soil & Water Conservation Fund

Program Objectives:

The goal of this program is to preserve the productive capacity of the State's land and water resource base through assistance to private landowners for the installation of soil and water conservation practices. A more specific goal is to operate the fund in a manner that best utilizes the funds available to achieve the highest level of "on the land" conservation. A special appropriation of \$500,000 per year was made to this fund in each of fiscal years 99, 00, and 01 to cost-share on water meters to be installed on irrigation wells in the Republican River alluvium and to cost-share on measuring devices for all surface water withdrawals. That program was later expanded to include cost-share on water meters in the entire Republican basin.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	3,178,840	2,688,454	3,438,454	2,688,454	3,438,454	2,688,454
Cash Fund	67,915	5,000	405,000	405,000	405,000	405,000
Federal Fund	109,591	100,000	100,000	100,000	100,000	100,000
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	3,356,346	2,793,454	3,943,454	3,193,454	3,943,454	3,193,454

Performance Measures:

	FY03 Actual	FY04 Actual	FY05 Current	FY06 Request
Claims Paid	2,936	2,962	2,900	3,000
Feet of Terraces	1,079,252	1,145,100	1,200,000	1,200,000
Feet of Terrace Outlets	218,108	220,458	200,000	200,000
Dams	13	21	20	20
Grade Structures	11	14	10	10
Reuse Pits	1	2	5	5
Diversions	28	14	15	15
Acres of Waterways	91	1,190	750	750
Water Control Basins	38	9	20	20
Dugouts	12	9	10	10
Acres of Grass Seeding	2,904	4,279	3,600	3,600
Acres of Windbreaks	527	867	750	750
# of Planned Grazing Systems	271	258	300	300
Acres of Grazing Systems	138,568	119,731	125,000	125,000

Agency 29 - Department Of Natural Resources Program 306 - Water Well Decommissioning Fund

Program Objectives:

To provide financial assistance to landowners to plug or "decommission" water wells that are no longer in use so that those wells cannot serve as a conduit for contaminants to enter the groundwater aquifer or so that the well cannot be a safety hazard. The decommissioning of an abandoned or unused well is also a legal requirement administered by the Regulation & Licensure Division of HHSS.

The funds are paid to Natural Resources Districts that administer qualified decommissioning programs. Twenty-one of the twenty-three NRDs participate in the program. The source of funds for this program is a portion of each well registration fee collected by the Department.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	174,442	240,840	240,840	240,840	240,840	240,840
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	174,442	240,840	240,840	240,840	240,840	240,840

Performance Measures:

The only performance measure is the number of water wells decommissioned.

	FY 02 Actual	FY 03 Actual	FY 04 Actual
# of Wells Decommissioned	1317	962	1166

Agency 29 - Department Of Natural Resources Program 307 - Resources Development Fund

Program Objectives:

The Nebraska Resources Development Fund (NRDF) was created in 1974 to assist with the development and wise use of Nebraska's land and water resources. Funds are used to make grants and/or loans to political subdivisions for projects that provide land and water resource benefits to the citizens of Nebraska. Project applicants must demonstrate technical, economic, and financial feasibility and environmental acceptability. Project grants can be up to 75% of a project's eligible costs and loans can be up to 90%. A grant/loan combination can also be provided for up to 90% of a project's eligible costs.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	2,897,630	3,588,368	3,588,368	3,588,368	3,588,368	3,588,368
Cash Fund	0	50,000	50,000	50,000	50,000	50,000
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	2,897,630	3,638,368	3,638,368	3,638,368	3,638,368	3,638,368

Performance Measures:

The primary objectives for this program relate to the efficient operation of the fund and the use of state dollars to leverage other available funds for each project. This can best be achieved by keeping an even flow of new projects, projects under construction and projects nearing completion. Therefore, the performance measures presented relate to the number of projects in various stages and the dollars involved.

Agency 29 - Department Of Natural Resources Program 308 - Soil Survey Fund

Program Objectives:

The goal for this program is to maintain a modern and usable modern soil survey for the entire state and to make quality soils information available in a digital format. The dollars appropriated to the soil survey fund are, by law, passed through in their entirety to the Conservation and Survey Division of UNL, who is the cooperating soil survey agency in Nebraska. While the Conservation and Survey Division and the Natural Resources Conservation Service of USDA do the actual field soil survey work, the Department is working cooperatively with these two agencies to digitize the soils information so that the information can be available to users in a digital format.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	127,995	143,051	143,051	143,051	143,051	143,051
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	127,995	143,051	143,051	143,051	143,051	143,051

Performance Measures:

The field work for the modern soil surveys for all counties is now completed, with only Cherry county yet to be published. Revised soil surveys to provide updated information to better complement today's technology and provide the best information to use with current applications are being completed on a priority basis. Sarpy, Gage, Kimball and Hall counties are completed. Survey work is also being updated in the entire Central Platte Natural Resources District. Preparation of soil survey information in digital format to meet national standards is now complete in all counties.

Agency 29 - Department Of Natural Resources Program 309 - Natural Resources Water Quality Fund

Program Objectives:

The Natural Resources Water Quality Fund was created to provide Natural Resources Districts with funds for water quality programs. The source of the funds is a portion of fees for pesticide registrations and pesticide applicators licenses collected by the Nebraska Department of Agriculture. The Department of Natural Resources serves as the administrative body to pass the funds through to the NRDs.

The Natural Resources Commission has established rules and regulations for the operation of the fund and the requirements that the NRDs must meet to be eligible to receive the funds. Funds are distributed to NRDs twice each year. NRDs must provide three dollars of their own funds for each two dollars received from the Fund to carry out their water quality responsibilities.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	850,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	850,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000

Performance Measures:

Distribution of the funds is based on a formula adopted by the Natural Resources Commission that provides for twenty percent of the available funds to be divided equally among the NRDs, twenty percent divided based on the proportion of groundwater management areas in each NRD, and the remaining sixty percent based on the amount of fertilizer sales in each NRD based on records from the Nebraska Department of Agriculture.

Agency 29 - Department Of Natural Resources Program 310 - Planning & Review Process

Program Objectives:

Program 310 was created in the current fiscal year as the program to contain the funding provided by the Legislature & the Governor to implement the provisions of LB 962. LB 962 was the product of the Water Policy Task Force created by legislation in 2002 for the purpose of studying Nebraska's ground and surface water laws and recommending changes that ought to be made in those laws. LB 962 makes the state and its 23 NRDs much more proactive in anticipating and preventing conflicts between groundwater users and surface water users. In those portions of the state where such conflicts already exist, the legislation also establishes principles and timelines for resolving those conflicts.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	1,500,000	4,700,000	4,506,651	4,700,000	4,513,983
Cash Fund	0	1,000,000	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	0	2,500,000	4,700,000	4,506,651	4,700,000	4,513,983

Performance Measures:

LB 962 outlines some specific requirements of the Department and for Natural Resources Districts in order to accomplish the objectives of the act. Those general measures and their timeline are outlined in the supporting information for this section. In addition to these measures LB 962 made some amendments to existing law to better facilitate this process and to make some other changes in water and related statutes.

Agency 29 - Department Of Natural Resources Program 331 - Nebraska Water Rights

Program Objectives:

This program contains funding to implement settlements of two major lawsuits.

Nebraska v. Wyoming: The two parties reached a settlement in 2002 which called for each state to perform a number of duties and abide by certain conditions. That settlement was approved by the Special Master and the US Supreme Court. Because of severe drought in the North Platte Basin the last several years, some of the agreed upon work has not been accomplished by either Nebraska or Wyoming. It now appears as though significant progress will be made on those efforts this fiscal year.

Kansas v Nebraska & Colorado: This case has also been settled by the parties involved and approved by the Special Master and the US Supreme Court.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	1,401,873	1,018,598	1,018,598	1,032,968	1,018,598	1,048,002
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	1,401,873	1,018,598	1,018,598	1,032,968	1,018,598	1,048,002

Performance Measures:

Objective measures do not exist for inputs, outputs, efficiencies and quality. More subjective but perhaps more important, one could monitor the nature of the interstate relationships with and without settlement. Successful implementation of the settlements and cooperation between the parties involved over the longer term of years will be the best measure of successful performance. The two settlements have clearly saved all of the parties involved significant amount of money and time.

Agency 29 - Department Of Natural Resources Program 334 - Soil & Water Conservation

Program Objectives:

This program represents the majority of the agency's functions and nearly all personnel. Only the six "funds", the financial support for the North Platte and Republican Basin settlements and the funds appropriated for the implementation of LB 962 are not included.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	5,497,488	5,685,138	6,284,048	6,356,156	6,273,085	6,549,165
Cash Fund	345,765	1,011,921	344,035	348,918	344,035	351,316
Federal Fund	485,751	841,000	641,000	652,027	641,000	655,980
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	6,329,004	7,538,059	7,269,083	7,357,101	7,258,120	7,556,461

Performance Measures:

Only a minimal number of empirical performance measures are available in this program. Most of the employees in this program are involved in work that cannot be easily quantified, such as data base development, hydrology studies, computer modeling, GIS applications, program administration, floodplain delineations, floodplain administration, review of dam construction plans, and cooperative work with NRDs, irrigation districts and other natural resource interests. The empirical measures presented below represent only a small portion of the work being accomplished by the employees in this program.

	2002-03	2003-04	2004-05 (estimated)
Water Rights Actions *	9,920	5,000	
Water Rights Applications	210	231	250
Water Rights Hearings	278	93	100
Well Registrations	8,549	9,156	9,000
Dam Inspections	319	360	400
Stream Gages			
Annual	70	70	70
Seasonal	90	100	100
Data Bases Managed	48	48	52

* This item involves closing, regulating or opening of a specific surface water right. It reflects the severe strain placed on our water administration division and our field offices by the drought and the cumulative