

NEBRASKA NATURAL RESOURCES COMMISSION

POLICY STATEMENT VIII

OPERATIONS

MINIMUM LAND TREATMENT STATE FUNDED WATER IMPOUNDMENTS

I. Purpose

The Nebraska Natural Resources Commission (Commission) manages the Nebraska Resources Development Fund, the Small Watersheds Flood Control Fund, and the Nebraska Soil and Water Conservation Fund. The following policy is adopted for the purposes of prolonging the useful life of water storage structures, enhancing water quality, and limiting construction costs. The term “adequately treated” as used in the following policy means land where the calculated soil loss is at or below the tolerance level as listed in Appendix C of the Nebraska Erosion and Sediment Control Program. Soil losses shall be figured using the Revised Universal Soil Loss Equation or other procedures deemed acceptable by the Natural Resources Conservation Service.

Exceptions to this policy may be granted by the Commission if the Commission determines that the policy is impractical because of the size of the drainage area above the reservoir or other technical reasons, but in no case shall it be less than 50 percent.

II. Policy

- A. The policy of the Commission shall be to allow Soil and Water Conservation Fund cost-sharing on practice NC-3, *Water Storage Reservoirs*, only where 75 percent or more of the land in the drainage area above the structure is adequately treated at the time of reservoir construction.
- B. Except in those P.L. 566 Watershed projects where the sponsor has adopted a lesser standard, the policy of the Commission shall be to allow the use of the Small Watersheds Flood Control Fund for the purchase of land rights for water storage structures only in those NRDs which require a minimum of 75% of the land in the drainage area above the structure to be adequately treated prior to reservoir construction.
- C. When a Nebraska Resources Development Fund project includes a water storage structure as a project feature, it shall be the policy of the Commission to establish, as part of its approval action, a minimum level of adequately treated land in the drainage area before state funds can be used for either construction of the structure or land rights for the structure. Except in instances where, in the judgment of the Commission, technical considerations such as soil type, size of drainage area, uses of the reservoir, or other considerations support a lesser standard, the level of adequately treated land will be 75 percent.

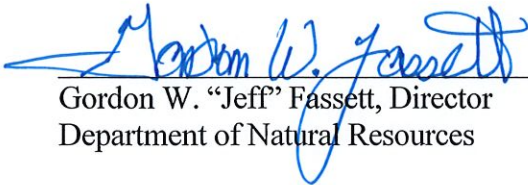
Adoption of Policy Statement:

This Policy Statement was adopted by the Nebraska Natural Resources Commission on the 19th day of April, 2016, and supersedes all prior actions of the Commission regarding this policy.



Kevin Fornoff, Chairperson
Nebraska Natural Resources Commission

ATTEST:



Gordon W. "Jeff" Fassett, Director
Department of Natural Resources