

# NEBRASKA NATURAL RESOURCES COMMISSION

---

## POLICY STATEMENT VI

## OPERATIONS

---

### MANAGEMENT AND UTILIZATION OF THE SMALL WATERSHEDS FLOOD CONTROL FUND

#### I. Purpose

In recognition of anticipated changes in the amount and nature of future demands for the funds available in the Small Watersheds Flood Control Fund, the Nebraska Natural Resources Commission has determined that a need exists for the establishment of additional Commission policy regarding the administration of the Fund. This policy statement is intended to provide the Commission and local sponsors with guidance regarding when such funds will be made available, to what extent and for what types of acquisitions.

#### II. Authority

*Neb. Rev. Stat.* §§ 2-1502 and 2-1503.02, provide that the Commission may cost-share with local sponsors in the cost of acquisition of land rights by allocating from the Small Watersheds Flood Control Fund an amount less than the total cost of acquisition. Section 2-1503.02, further authorizes the Commission to allocate “. . . such sum or sums as in the judgment of the state commission may be necessary to enable such local organization to acquire real property or easements . . .”

#### III. Objectives

The objectives of this policy statement are:

- A. To provide a management procedure for the Small Watersheds Flood Control Fund that will:
  - 1. Preserve the revolving nature of at least a portion of the Fund.
  - 2. Guide the utilization of the Fund for the various types of acquisitions authorized by section 2-1502.
  - 3. Be based on a budgetary determination at the beginning of each fiscal year.
  - 4. Allow flexibility so that funding policies can be altered during a budget period.
- B. To establish a budget procedure involving:
  - 1. Input from project sponsors.
  - 2. Cost-sharing with sponsors when needed.
  - 3. A determination of General Fund needs.

#### IV. Policy

It is the policy of the Natural Resources Commission that administration of the Small Watersheds Flood Control Fund be governed by the following provisions:

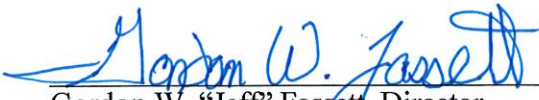
- A. A revolving fund base amount shall be established by the Commission prior to the beginning of each fiscal year. Such base amount shall consist of: (a) the total amount of funds invested at the time by the Commission in all parcels of realty for which the total cost of acquisition was provided from the Fund; and, (b) a cash set-aside for the next fiscal year to be used to provide the total cost of acquisition (as defined by Title 257, Chapter 2, Rule 004) of additional parcels of realty.
- B. Cash assets in the Fund over and above those set aside for the revolving fund base amount shall be available for assistance to local sponsors in the acquisition of easements and title for other parcels of realty at the rate of 100% of the purchase price. Purchase price is defined to mean the amount actually paid by the local sponsor or the amount established by an appraisal approved by the Commission, whichever is less, or, in the event of a condemnation proceeding, the amount of damages (excluding court fees and costs) awarded by a court of competent jurisdiction.
- C. To be eligible for assistance local sponsors by May 1 must provide the Commission with estimates of dollar amounts to be requested from the Fund for both easement and title acquisitions for the next two fiscal years. The information thus provided will be utilized by the Commission to establish revolving fund base amounts and to determine the amount of legislative appropriations which are needed to meet demands.
- D. During the course of any fiscal year, the total assets in the Fund will increase or decrease because of profits and/or losses from land sales, rental income, and interest earnings. Adjustments in the revolving fund base amount or in the amount set aside for other purchases may be made by the Commission at any time because of such increases or decreases.

#### Adoption of Policy Statement:

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

  
\_\_\_\_\_  
Kevin Fornoff, Chairperson  
Natural Resources Commission

ATTEST:

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