

# NEBRASKA

Good Life. Great Water.

DEPT. OF NATURAL RESOURCES



Pete Ricketts, Governor

December 31, 2019

Patrick J. O'Donnell, Clerk of the Legislature  
Room 2018 State Capitol  
Lincoln, NE 68509-4904

Subject: 2019 Biennial Report of the Nebraska Water Sustainability Fund

Dear Mr. O'Donnell,

Neb. Rev. Stat § 2-1507(7) requires a biennial report be made to the Clerk of the Legislature on December 31, 2019, describing the work accomplished by the use of funds towards the goals of the Water Sustainability Fund. The Fund was created by the 2014 Legislature in LB906, and governance requirements were provided in LB1098.

The following report summarizes the 2018-2019 biennium activities relating to the Water Sustainability Fund.

If any questions remain about the Water Sustainability Fund, members of the Legislature are invited to contact me or Natural Resources Commissioners and review the NRC's Water Sustainability Fund website page at: <https://nrc.nebraska.gov/water-sustainability-fund-0> for additional details.

Respectfully Submitted,

Gordon W. Fassett, P.E., Director





Natural Resources Commission

# Water Sustainability Fund

Biennial Report to Legislature

2018-2019



“A biennial report shall be made to the Clerk of the Legislature describing  
the work accomplished by the use of funds towards the goals  
of the Water Sustainability Fund beginning on December 31, 2015.

The report submitted to the Clerk of the Legislature shall be submitted electronically.”

The Water Sustainability Fund (WSF) is a source of financial support to help the State achieve the goals set out in Neb. Rev. Stat § 2-1506. The Nebraska Natural Resources Commission (NRC) oversees the fund operations including selecting successful applications, and the Nebraska Department of Natural Resources (NeDNR) oversees administration. Of the funding appropriated by the Nebraska Legislature each year, 10% is designated for projects addressing combined storm and sewer water overflow and 10% to small project requests of \$250,000 or less.

WSF applications are filed electronically between July 16<sup>th</sup> and 31<sup>st</sup> each year. Once filed, the applications are reviewed by NeDNR staff; those determined by the director to be “sufficient,” as required by Neb. Rev. Stat § 2-1509(3), are forwarded to the NRC for scoring. Each of the applications may be viewed by clicking the “*Applications with Satisfactory Determination by the Director*” link under **Applications** at: <https://nrc.nebraska.gov/water-sustainability-fund-0> . Only applications with the highest scores are funded. Funds remaining are rolled forward and added to the next legislative appropriation in an attempt to be conservative and wise stewards of taxpayer money and to encourage the best project applications be submitted in the next round of funding. The NRC’s scoring process is designed to identify those projects that will provide the most comprehensive benefits as requested in Neb. Rev. Stat § 2-1506.

The WSF has completed five funding cycles between 2015 and 2019. A link to the applications funded during each annual funding cycle may be viewed by clicking on the “*Fiscal Year Link*” under **Applications** at: <https://nrc.nebraska.gov/water-sustainability-fund-0> . In addition, the projects sponsors’ annual reports for each project may be viewed by clicking on “*Water Sustainability Fund Annual and Final Reports*” under **Reports** at: <https://nrc.nebraska.gov/water-sustainability-fund-0> .

In 2018, 10 projects were approved for a total of \$7,802,649; and in 2019 12 projects were approved for a total of \$17,865,005.10. A table of the projects funded can be found on next page.

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## 2018-2019 Biennium WSF Application Funded

APP #	Applicant	Projects	Allocation	Obligation
5205	Omaha	Combined Sewer Overflow Program	1,030,952.00	1,030,952.00
5246	Omaha	Combined Sewer Overflow Program	\$ 1,086,503.30	\$ 1,086,503.30
			\$ 2,117,455.30	\$ 2,117,455.30

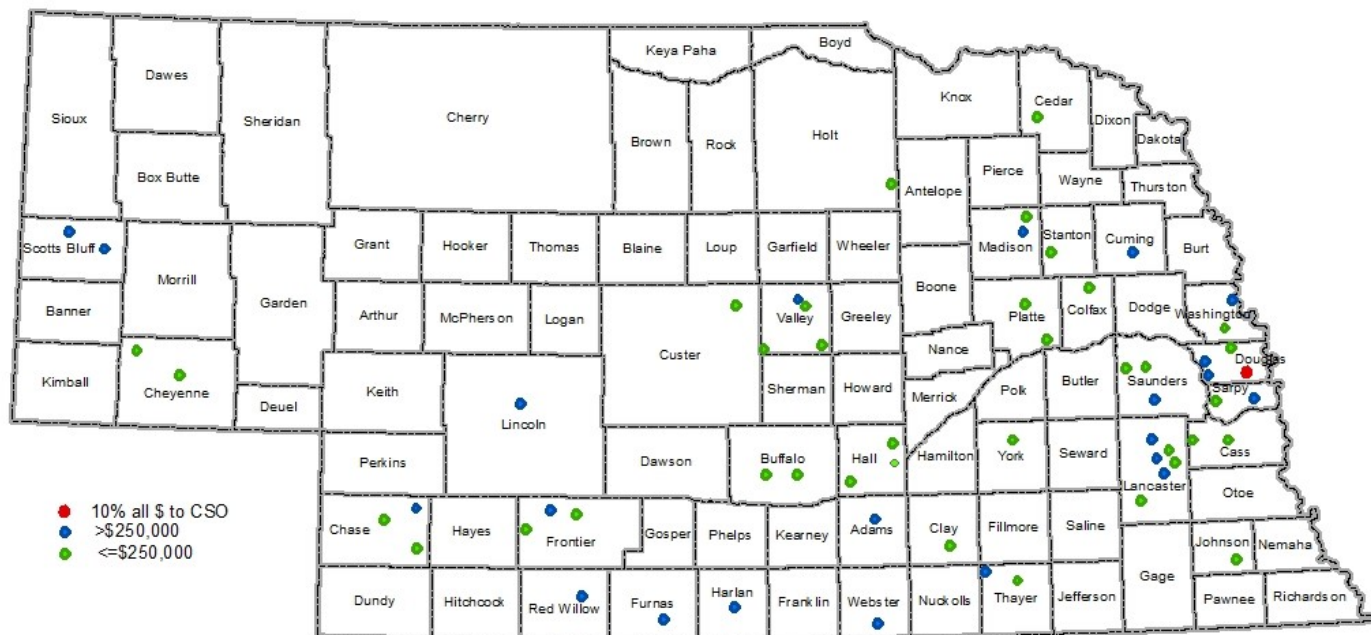
App No		Small ( $\leq$ \$250,000) Project Name	\$ Amount Allocated	\$ Amount Obligated
5214	C P NRD	CPNRD Conceptual Multi-use Dam Design	56,270	56,270
5220	M R NRD	MRNRD Phase 2 High Tech Irr Implementation Project	250,000	250,000
5206	L L NRD	LLNRD Aquifer Mapping Project	250,000	250,000
5222	U R NRD	URNRD Soil Moisture Probe Program	86,400	86,400
5209	L L NRD	LLNRD Cover Crop Water Use Study	250,000	250,000
5218	S P NRD	SPNRD WWUM Update & Extension	240,000	240,000
5241	U B B NRD	UBBNRD Allocation Software	\$ 105,000.00	\$ 105,000.00
5243	L E NRD	LENRD Groundwater Model	\$ 201,600.00	\$ 201,600.00
5244	L L NRD	LLNRD Drought Management Plan	\$ 52,260.00	\$ 52,260.00
5255	N NRD	NEMAHA NRD AEM Mapping	\$ 236,100.00	\$ 236,100.00
5256	Platte Center	Platte Center Water Quality Improvement	\$ 210,000.00	\$ 210,000.00
			\$ 1,937,630.00	\$ 1,937,630.00

App No		Large ( $\uparrow$ \$250,000) Project Name	\$ Amount Allocated	\$ Amount Obligated	\$ Amount of Cap Utilized
5213	F C I D	FCID Phase 2 Rubicon	528,643	528,643	
5221	U R NRD	URNRD Remote Monitoring	375,336	375,336	
5217	Papio NRD	Papio NRD's WP-1 Structure	4,735,048	4,735,048	
5242	T P NRD	TPNRD Data Collection & Modeling	\$ 1,654,860.00	\$ 1,654,860.00	
5249	M R NRD	MRNRD Hydrogeologic Mapping	\$ 785,764.80	\$ 785,764.80	
5238	P-M NRD	P-MNRD AEM Survey	\$ 420,000.00	\$ 420,000.00	
5247	West Point	West Point Levee Improvement	\$ 1,249,125.00	\$ 1,249,125.00	
5252	Blair	Blair Water Supply Resiliency	\$ 6,006,000.00	\$ 6,006,000.00	
5253	L P S NRD	Deadmans Run Flood Reduction-LPSNRD	\$ 5,857,792.00	\$ 3,293,650.96	\$ 2,564,141.04
			\$ 21,612,568.80	\$ 19,048,427.76	\$ 2,564,141.04
Grand Total			\$ 25,667,654.10	\$ 23,103,513.06	\$ 2,564,141.04

Below is a map showing the project sponsors' locations in an effort to demonstrate the NRC's intent to deliver long term equitable statewide distribution of funding as required by Neb. Rev. Stat § 2-1507(1) through the Water Sustainability fund. Two things should be noted: most of the approved projects scored highly because they provided multiple benefits to a broad area of the state, and funding can't be awarded in some areas of the state until a project sponsor submits an application within that region.



## Water Sustainability Fund Approved Projects



Updated 12/18/2019

The NRC and NeDNR continue to review and evaluate Rules (Title 261) governing this fund. The most significant rules change during this biennium was the repeal of the NeDNR's Rules (Title 264) and merger of NeDNR's guidance into that of the NRC's such that an applicant need only reference one set of rules (Title 261) for use of the Water Sustainability Fund.

During the biennium several projects were completed and closed out. Detailed final project summary reports are filed by project sponsors and can be viewed at: <https://nrc.nebraska.gov/water-sustainability-fund-reports>. Funding remaining when projects are completed under budget is made available by the NRC to help fund future applications. The following table lists the projects completed during this biennium and summarizes those returning funds.

App No.	Year Filed	Approved Grant	Grant Released	Final Grant	Applicant
4117	2015	\$4,410,000.00	\$0.00	\$4,410,000.00	Hastings Utilities
4125	2015	\$96,300.00	\$0.00	\$96,300.00	ENWRA
4132	2015	\$250,000.00	\$0.40	\$249,999.60	LPSNRD
4133	2015	\$81,270.00	\$0.00	\$81,270.00	UENRD
4135	2015	\$200,000.00	\$108,275.40	\$91,724.60	LPNNRD
4140	2015	\$240,000.00	\$0.00	\$240,000.00	PMNRD
4141	2015	\$250,000.00	\$0.40	\$249,999.60	LENRD
4142	2015	\$250,000.00	\$0.40	\$249,999.60	LPNNRD
4143	2015	\$61,200.00	\$0.00	\$61,200.00	LCNRD
4144	2015	\$250,000.00	\$0.40	\$249,999.60	LLNRD
4159	2016	\$250,000.00	\$0.00	\$250,000.00	MRNRD
4160	2016	\$2,407,200.00	\$0.00	\$2,407,200.00	Village of Mitchell
4170	2016	\$915,554.70	\$0.00	\$915,554.70	FCID
<b>TOTAL</b>		<b>\$9,661,524.70</b>	<b>\$108,277.00</b>	<b>\$9,553,247.70</b>	

After reviewing five rounds of project proposals, it is clear that the state's need to continue funding projects that support the sustainable use of and management for water quality, quantity and infrastructure needs as defined in Neb. Rev. Stat § 2-1506 remains as important today as it was when LB 1098 was implemented in 2014. The following table tracks the unmet funding demand of project sponsors seeking cost share assistance to provide these types of projects.

Year Filed	Unmet Funding Demand				
	Applications Filed	Amount Requested	Applications Funded	Amount Granted	Unmet Demand
2015	27	50,853,853.00	17	8,590,502.00	42,263,351.00
2016	34	45,435,963.17	11	19,529,667.30	25,906,295.87
2017	24	20,305,164.00	13	10,682,546.00	9,622,618.00
2018	18	17,397,798.00	10	7,802,649.00	9,595,149.00
2019	19	28,638,105.10	12	17,865,005.10	10,773,100.00
<b>TOTAL</b>		<b>162,630,883.27</b>		<b>64,470,369.40</b>	<b>98,160,513.87</b>

Gordon W. "Jeff" Fassett, P.E.  
Director

Date