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NATURAL RESOURCES

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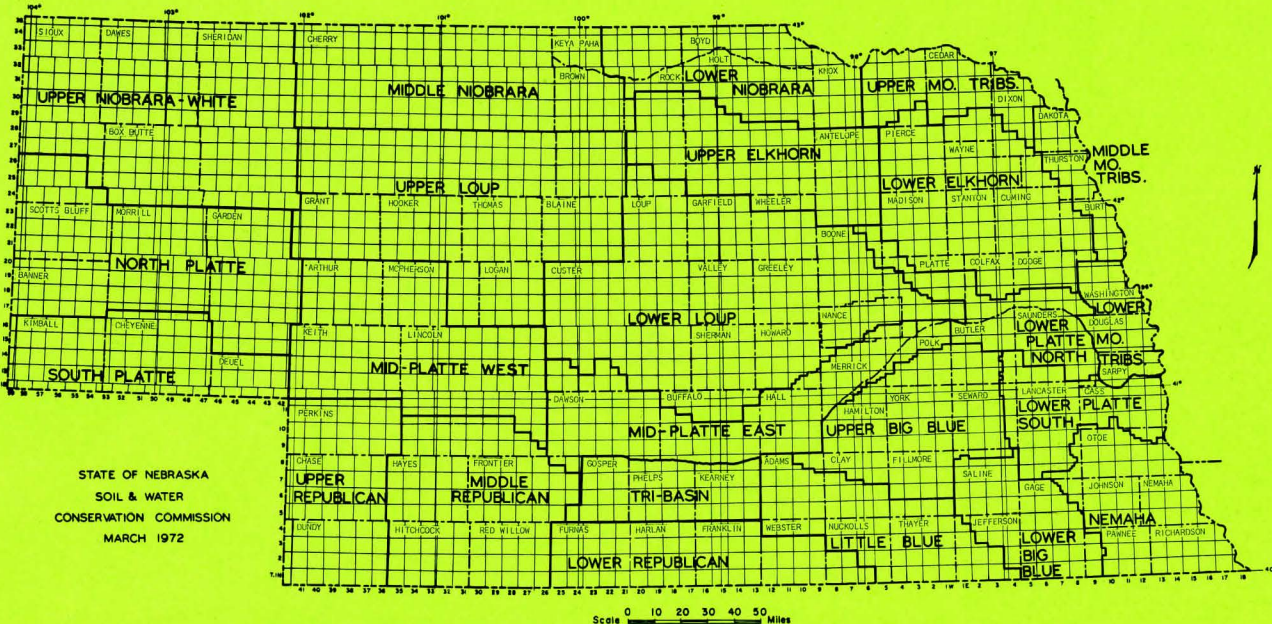
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NATURAL RESOURCES DISTRICTS





NATURAL RESOURCES DISTRICTS

By Harold Gilman

Extension Agronomist (Conservation)

Organization

1. Q. What is a natural resources district (NRD)?

A. A natural resources district is a political subdivision of the State of Nebraska which consolidates the functions of several existing types of resource-related special purpose districts.

2. Q. What types of existing districts are consolidated into the new natural resources districts?

A. All of the following types of districts are to cease their individual existence and become part of the natural resources districts:

- (a) Soil and water conservation districts.
- (b) Watershed conservancy districts.
- (c) Watershed districts.
- (d) Advisory watershed improvement boards.
- (e) Watershed planning boards.

3. Q. On what date will this consolidation take place so that the NRD's may begin operation?

A. July 1, 1972.

4. Q. How many NRD's are there and how many existing districts will they replace?

A. Twenty-four NRD's encompassing all of the State will replace 154 presently existing districts.

5. Q. What other types of special purpose districts related to natural resources are there in Nebraska?

A. In addition to those listed in Question 2, the following are also resource-related special purpose districts existing in Nebraska:

- (a) Reclamation districts.
- (b) Irrigation districts.

- (c) Drainage districts.
- (d) Groundwater conservation districts.
- (e) Rural water districts.
- (f) Sanitary and improvement districts.
- (g) Sanitary drainage districts.
- (h) Mosquito abatement districts.

6. Q. Is it possible for any of the districts listed in Question 5 to merge with a natural resources district?

A. Yes. Reclamation districts, irrigation districts, drainage districts, groundwater conservation districts and rural water districts may, with the consent of the NRD and the Natural Resources Commission, merge with the natural resources district or districts within which they lie.

7. Q. Is there any prohibition against further organization of any of the districts listed in Question 5?

A. Yes. The law states that after July 1, 1972, it will not be possible to organize any additional drainage districts, groundwater conservation districts or rural water districts.

8. Q. What happens to the assets, liabilities and obligations of the districts that are consolidated or merged into an NRD?

A. The NRD will assume all of these on July 1, 1972. If an existing district is divided by NRD boundary lines, each NRD involved will assume its proportionate share of the assets, liabilities and obligations based on land area included within the NRD.

9. Q. Can the present boundaries of a natural resources district be changed?

A. Yes. Until Jan. 9, 1975, the Legislature has the power (a) to change boundaries of an NRD, (b) to adjust territorial limits of two or more districts, (c) to combine two or more districts into a single district and (d) to divide one district into two or more districts. After Jan. 9, 1975, the Nebraska Natural Resources Commission assumes this power. In either case boundaries cannot be changed without the consent of all the natural resources districts involved.

Board of Directors

10. Q. What type of governing body will natural resources districts have?

A. They will be governed by a local board of directors. To provide for an orderly transition from the single purpose districts to

the multipurpose NRD's, the initial board, which is to serve until Jan. 9, 1975, will be composed with one exception (discussed in Question 11) of all directors or supervisors of the districts which are consolidated plus the following:

(a) All directors of groundwater conservation districts living within the NRD.

(b) One representative from each second class city (800-5,000) to be designated by the mayor with the approval of the city council.

(c) One representative from each city of the first class (5,000-100,000) for each 5,000 inhabitants to the nearest 5,000, to be designated by the mayor with the approval of the city council.

(d) Seven representatives from each primary class city (Lincoln) to be designated by the mayor with the approval of the city council.

11. Q. What is the exception mentioned in Question 10?

A. A different composition of the first board is provided for the NRD which includes the City of Omaha. Initial membership there is limited to soil and water conservation district supervisors, members of the advisory watershed improvement board and 10 representatives of urban interests to be designated by the Douglas County Board.

12. Q. If vacancies occur on these initial boards, how will they be filled?

A. The Governor of Nebraska will select the members to fill vacancies on these boards.

13. Q. In view of the fact that some of these boards will be quite large, is there any method of streamlining their operation?

A. Yes. It is mandatory that an executive committee of not more than 21 members be appointed by a majority vote of the first board of directors. This executive committee will have the power to act for the entire board in all matters unless its power is specifically limited by the establishment and appointment.

14. Q. How will the board be composed after Jan. 9, 1975?

A. Beginning on that date, the board will be composed of elected directors chosen by the residents of the NRD at the general election in November, 1974. To be eligible for election, a candidate must be a registered elector and must have submitted a petition containing not less than 25 signatures.

15. Q. How many directors will serve on the boards of the NRD?

A. The initial board of each NRD will recommend to the Natural Resources Commission an odd number of directors between 5 and 21. The Commission will then determine the exact number for each NRD.

16. Q. Will all directors be elected at large?

A. No. Only one director will be elected at large. The remainder, although voted on by all the voters within the district, will be required to be residents of certain specified subdistricts established by the initial board.

17. Q. How will these subdistricts be established?

A. The law requires that the number of subdistricts be one less than a majority of the number of directors. Each subdistrict will have two residents as directors. The executive committee of each district will establish these subdistricts by May 1, 1974, subject to the approval of the Commission.

18. Q. What term of office will NRD directors have?

A. Of those taking office in January, 1975, the directors elected at large and those receiving the greatest number of votes within their respective subdistricts will serve for four years. The remainder will serve two-year terms. All subsequent terms will be for four years.

19. Q. Do directors of NRD's receive a salary?

A. Until the first elected board takes office in January, 1975, directors will be entitled only to actual and necessary expenses. After that date, the NRD's are authorized to pay a per diem of up to \$15 but not to exceed \$600 plus expenses in any one year.

20. Q. Will the boards of directors hold regular meetings?

A. Yes. The law requires that each board hold regularly scheduled monthly meetings.

Plans and Programs

21. Q. What types of programs are the NRD's authorized to develop?

A. Natural resources districts may develop and execute plans, facilities, work and programs relating to:

- (a) Erosion prevention and control.
- (b) Prevention of damages from floodwater and sediment.
- (c) Flood prevention and control.

- (d) Soil conservation.
- (e) Water supply for any beneficial use.
- (f) Development, management, utilization and conservation of groundwater and surface water.
- (g) Sanitary drainage.
- (h) Pollution control.
- (i) Drainage improvement and channel rectification, development and management of fish and wildlife habitat.
- (j) Development and management of recreational and park facilities.
- (k) Forestry and range management.

22. Q. Are the plans and programs of an NRD reviewed by any other governmental body?

A. Yes. All plans and programs of the NRD's are to be in conformance with the goals, criteria and policies of the State Water Plan. In addition each NRD is to give certain state agencies an opportunity to review its plans to assure compliance with general state goals.

23. Q. Are the NRD's required to adopt any long-range plans for operation?

A. Yes. Beginning in August, 1975, a comprehensive long-range six-year plan and a one-year certain plan must be prepared and filed with the Natural Resources Commission. These plans are to be updated every year thereafter. Failure to comply will result in the loss of any available state funds.

24. Q. Will there be any coordination of operation between the various natural resources districts?

A. Yes. The NRD's are authorized to cooperate fully with each other. In addition, the boards of directors of each natural resources district lying within a particular river basin are required to meet jointly at least twice a year for the purpose of receiving and coordinating their efforts for the maximum benefit of that river basin.

Finances

25. Q. Is a natural resources district authorized to levy a tax?

A. Yes. A tax of up to one mill may be levied annually on all taxable property within the district except intangible property. This

maximum mill levy may be increased only by a majority vote of the electors voting at a regular election.

26. Q. Other than the mill levy limitation, are there any other restrictions on an NRD's ability to tax?

A. Yes. Natural resources districts are subject to the Nebraska Budget Act. This act requires that before a levy can be certified to the levying board, the district must conduct a public hearing on its proposed budget. All proposed expenditures must be justified.

27. Q. Does an NRD have any other means of financing its operations?

A. Yes. An NRD is authorized to issue revenue bonds, to accept county flood control funds, to receive any available state matching funds and to borrow money. In addition, projects which are of benefit to particular landowners rather than of general benefit to the district may be financed by means of special assessments.

28. Q. What procedure, if any, is utilized in establishing the special assessment areas mentioned in the answer to Question 27?

A. These areas, defined in the law as project improvement areas, can only be established after a public hearing on the desirability of the project; a complete survey and apportionment of the project benefits; and another public hearing to consider comments and objections from all parties interested in the apportionments determined. If at that time the landowners who would pay 50% of the estimated assessments object to the project in writing, the project improvement area would not be established and the project would not be constructed by the NRD.

Relationship With the Natural Resources Commission

29. Q. What is the Nebraska Natural Resources Commission?

A. This is the new name given the Nebraska Soil and Water Conservation Commission. This name change will be effective at about the same time the NRD's become operative.

30. Q. What relationship will natural resources districts have with the Commission?

A. As can be seen from some of the previous questions, the Commission is the primary coordinating state agency for natural resources district activities. Other than the specific duties of the Commission already mentioned, its main responsibility is to

coordinate the activities of the several districts to prevent conflicts of operation.

31. Q. Will any NRD directors be members of the Natural Resources Commission?

A. Yes. From January 1973 until January 1975, six of the Commission's 14 members will be NRD directors or former directors. Beginning in January 1975, 12 of 15 Commission members will be representatives of NRD's.

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