

May 24, 2010 KRVN Resource Report

I'm Heather Francis of the Upper Republican Natural Resources District in Imperial, Nebraska and this is the Natural Resources Report.

Your Natural Resources Districts are here to make sure that local interests are served. When Nebraska's portion of the Republican River Basin fell out of compact compliance earlier in the decade, local producers were ready to answer the call, wanting to solve the problem locally. The solution: LB 701, which would collect local funds for conservation and streamflow augmentation programs –however, the constitutionality of this law was soon challenged, leaving irrigation curtailment as virtually the only option to reclaim compliance.

During the 2010 legislative session, the NRDs worked with Senators Christensen and Carlson, and members of the Natural Resources Committee, to develop LB 862, which was approved by the governor on April 14 of this year.

LB 862 changed the occupation tax provision in LB 701 by granting occupation tax authority to any NRD located in an over- or fully-appropriated basin that has adopted an Integrated Management Plan for the purpose of complying with an interstate compact or decree. Additionally, LB 862 lifts the stipulation that funds raised through the occupation tax must be used for the repayment of riverflow enhancement bonds.

The occupation tax is a per-acre tax levied on irrigated ground within the district, which essentially allows water users to invest in the projects needed to adequately deal with the water challenges facing Nebraska.

Eligible uses for occupation tax funds benefit both groundwater and surface water users, and include projects like the purchase or lease of groundwater or surface water rights, vegetation management, and streamflow augmentation. Without the passage of LB 862, up to 190,000 acres in the Republican Basin could have been shut-off without compensation.

Thank you for listening. This is Heather Francis keeping you informed about your natural resources. Nebraska's NRDs are dedicated to protecting lives, protecting property and protecting the future.