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CC179 The Salt-Wahoo Watershed District Referendum : Questions and Answers

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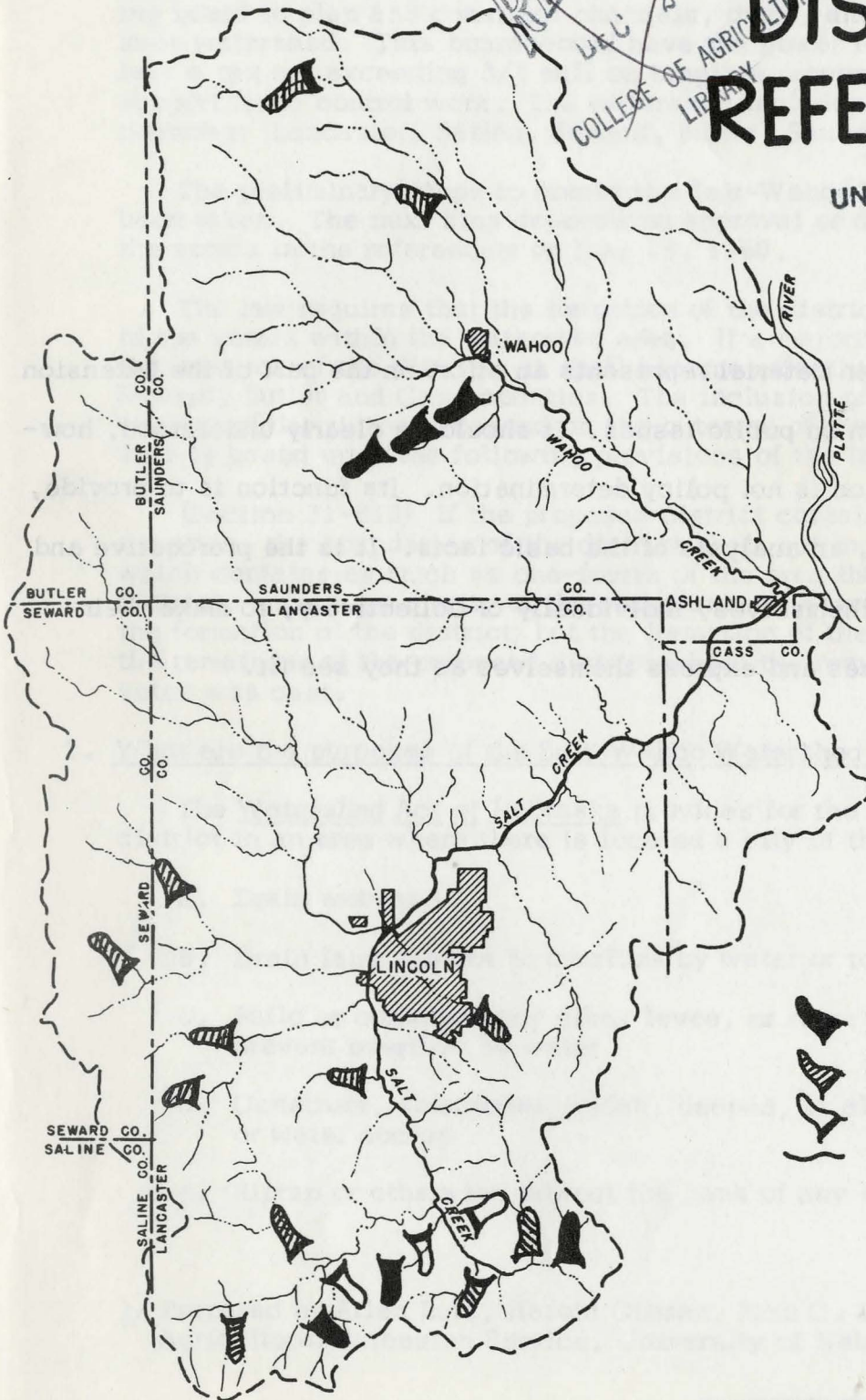
The Salt-Wahoo

WATERSHED DISTRICT REFERENDUM

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QUESTIONS & ANSWERS



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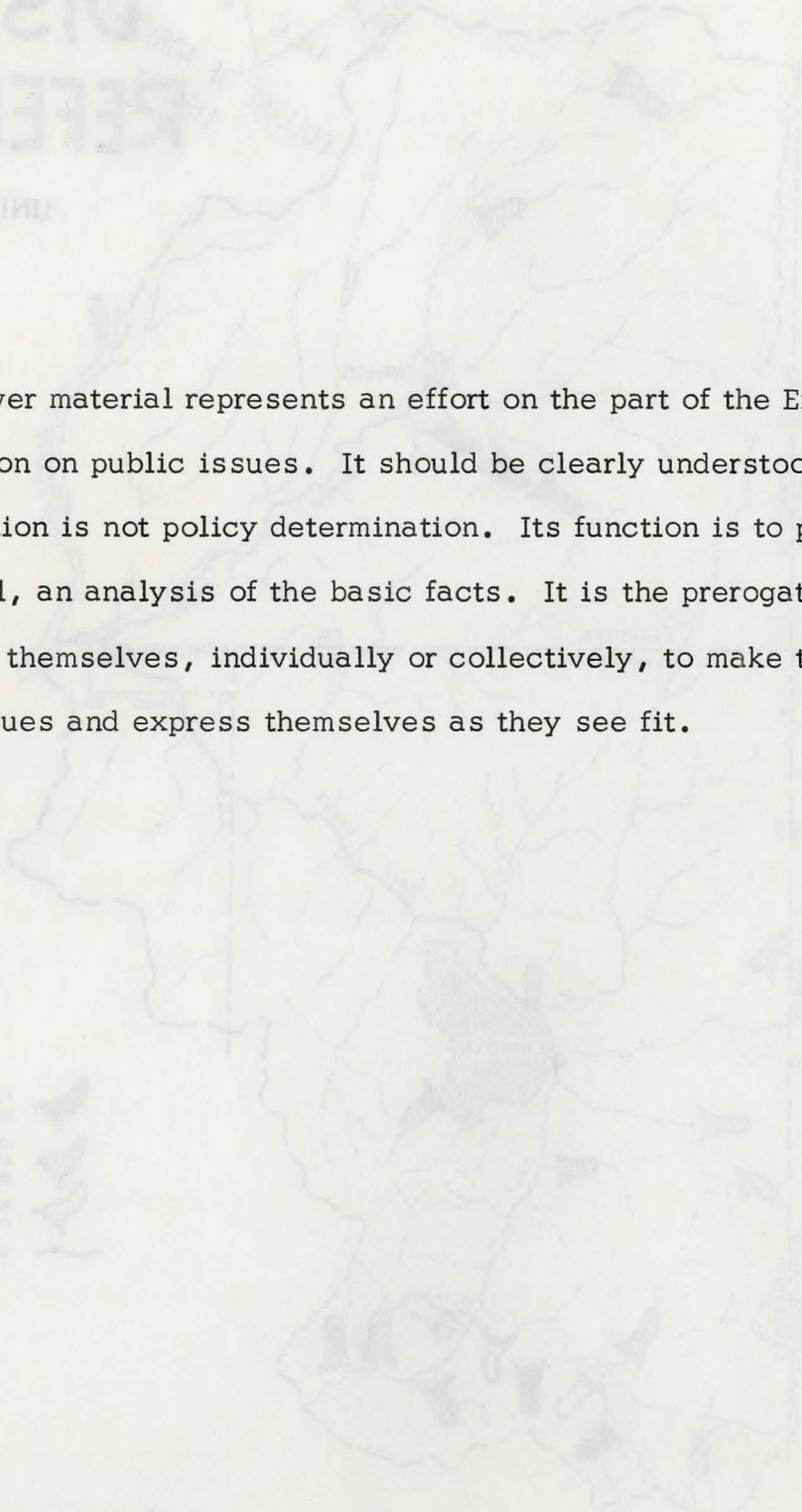
The Salt-Water

WATERSHED DISTRICT REFERENDUM

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This Question and Answer material represents an effort on the part of the Extension Service to provide information on public issues. It should be clearly understood, however, that Extension's function is not policy determination. Its function is to provide, through educational material, an analysis of the basic facts. It is the prerogative and responsibility of the people themselves, individually or collectively, to make their own decisions on policy issues and express themselves as they see fit.



LEGEND
COUNTY BOUNDARIES
WATERSHED BOUNDARIES
MUNICIPAL BOUNDARIES
CITY OF NEBRASKA

THE SALT-WAHOO WATERSHED DISTRICT REFERENDUM

QUESTIONS AND ANSWERS 1/

1. Why are we having a referendum on the Salt-Wahoo Watershed District?

The 1959 Legislature passed LB 537 known as the watershed district law. This law authorizes formation of a watershed district, and provides for a governing board to plan and construct channels, dams, and levees for flood control in such watershed. This board would have the power to require the counties to levy a tax not exceeding $3/4$ mill on tangible property within the watershed to support flood control work. The watershed includes parts of the following counties: Lancaster, Saline, Seward, Butler, Saunders and Cass.

The preliminary steps to create the Salt-Wahoo Watershed District have been taken. The next step depends on approval or disapproval of the district by the voters in the referendum on May 10, 1960.

The law requires that the formation of the district be approved by a majority of the voters within the watershed area. If a majority of the votes cast favor the creation of the district, it shall become effective in Lancaster, Saline, Seward, Butler and Cass counties. The inclusion of Saunders County in the watershed district will depend on the outcome of the vote in Saunders County. This is based upon the following provisions of the law:

(Section 31-810) If the proposed district contains part or all of two or more counties, the boundaries of the district shall not include the land in any county which contains as much as one-fourth of the area that lies within the proposed district, unless a majority of the votes cast by electors from that county favored the formation of the district; but the formation of the district may proceed as to the remainder of the proposed district where the required majority of favorable votes was cast.

2. What are the purposes of the Salt-Wahoo Watershed program?

The Watershed Act of Nebraska provides for the organization of a watershed district in an area where there is located a city of the primary class to:

- a. Drain wet land
- b. Drain land subject to overflow by water or to improve land by drainage
- c. Build or construct any dike, levee, or reservoir for storage and to prevent overflow by water
- d. Construct, straighten, widen, deepen, or alter any ditch, drain, stream, or water course
- e. Riprap or otherwise protect the bank of any stream or ditch

1/ Prepared by Arlen Lutz, Harold Gilman, John C. Steele, Everett E. Peterson, Agricultural Extension Service, University of Nebraska, Lincoln.

- f. Construct, enlarge, extend, improve, or maintain any system of drainage
- g. Construct, enlarge, extend, improve, or maintain any system of control of surface or running water
- h. Establish and maintain in cooperation with soil and water conservation districts a coordinated program of on-the-land water conservation, erosion control, and flood abatement for the watershed as a whole, beginning on the land and in the upper tributaries
- i. Develop wildlife habitat and recreational facilities without additional cost to the landowners, in connection with moisture conservation and flood abatement and/or
- j. Do any two or more of said things jointly.

3. What will happen to the Lincoln Sanitary District if the Salt-Wahoo Watershed District is created?

The Lincoln Sanitary District at present is responsible for only surface drainage for the city of Lincoln. This District is responsible for the planning, building and financing of storm sewers, channel improvement and other public works to provide drainage and flood protection (not sewage disposal) for the city of Lincoln. By agreement with the board of directors of the watershed district, the Sanitary District may become inactive if the watershed district is formed. Since the Board of Directors of the Salt-Wahoo Watershed, if it is approved, will be charged with the responsibility of providing flood control to the entire watershed, it will probably absorb the function of the Lincoln Sanitary District.

However, dissolution of the Lincoln Sanitary District would have to be submitted to a vote of the people.

4. How much will the development of the watershed cost and who will pay for it?

Specific estimates of the cost of construction of the Salt-Wahoo project are not available at the present time. Planning and cost estimates await the formation of the district.

Big dams will be built by the Army Engineers. Funds for planning, construction and acquiring of sites will be dependent upon funds appropriated by the U. S. Congress. Local tax revenue will not be used for this phase.

Channel improvements will also be constructed by the Army Engineers. Funds for this work would also be dependent upon appropriations by Congress. Directors of the Watershed District must secure easements on the land included in the construction area and any additional land adjoining these improvements if such is needed. Funds for easements would be provided by a levy of up to 3/4 mill on tangible property within the watershed.

Flood protection and development within small sub-watersheds may be planned and carried out under U. S. Public Law 566. This act provides that Federal funds may be obtained for technical assistance in planning, construction

and inspection. The other costs such as easements for dam and channel sites, contract services, and maintenance would be the responsibility of the local people. However, the directors of the watershed may assume these responsibilities; or local people could organize to provide for the development of small sub-watersheds under the Nebraska Watershed Conservancy District Act; or they could secure assistance from a city or county under the Nebraska County Flood Control Act.

5. Who will be responsible for the planning, construction, operation and maintenance within the watershed?

The board of directors of the Salt-Wahoo Watershed will have the responsibility for planning, building and operating the watershed project. The Board will be assisted by the Corps of Army Engineers, Soil Conservation Service, local soil conservation district boards of supervisors, and others.

6. How are district board members selected?

LB 537 provides that the county commissioners (in the county having the greatest number of referendum petition signers) shall determine: (1) the number of directors that the district shall have; (2) the area in the district from which each director is to be elected; and (3) the names, addresses and terms of office of the proposed directors of the district for the first board.

The terms of office of these proposed directors are designated so that not more than one-third terminate each even-numbered year. Successors are elected by vote of the people. If the district is formed, the first such election will be in 1962.

Lancaster county had the most petition signers among the counties in the district. The number of directors has been set at 27. The county commissioners have apportioned them as follows:

<u>Area</u>	<u>Number of Directors</u>
Rural Lancaster County	7
Saunders County	7
Lincoln	10
Cass County	1
Seward County	1
Butler County	1
Total	27

The county board shall also provide temporary rules to insure that at least 20% of the directors to be elected reside on farms.

Each director shall be a property holder or representative of a firm which owns property and shall be required to give bond in the sum of \$5,000.

Approval of the establishment of the district by the voters on May 10 would also carry approval of the first board of 27 directors named by the Lancaster county commissioners in accordance with terms of the law.

7. What powers and duties does the district board have?

The Watershed District Law provides that the board of directors shall have the following powers and duties:

- (1) The right and authority to enter into contracts and agreements for construction, operation and maintenance of the works of the district.
- (2) The power to borrow money for periods not exceeding five years at interest not exceeding 5 per cent.
- (3) The power to issue bonds for terms up to ten years at interest not exceeding 5 per cent.
- (4) The power to submit a budget to the county governing board. The county board shall levy a tax sufficient to meet the amount of funds requested, but not more than 3/4 mill on the assessed valuation of taxable tangible property in the district.
- (5) Elect officers, keep minutes, books and records which shall be subject to public inspection.

8. How will the board secure funds for construction, operation and maintenance?

The board has the power to require the county commissioners to levy up to 3/4 mill on tangible property located within the boundaries of the watershed.

The board also has the power to issue bonds and to borrow money for development of the watershed. (See 7 above.)

9. How will the land be acquired for building sites for dams and other structures in the watershed?

Two groups may acquire land for the watershed district:

- (1) The Corps of Army Engineers will acquire sites needed for large dams by right of eminent domain. The Corps will employ appraisers to negotiate with property owners for needed land. Property owners have right of appeal to courts if a satisfactory price cannot be negotiated.
- (2) The Board of Directors of the Salt-Wahoo Watershed would also have the right of eminent domain to acquire land needed for channel improvement and needed sites.

10. What benefits can be expected by people in the area when the Salt-Wahoo Watershed has been developed?

Benefits to people living in the watershed are hard to estimate. The direct benefit to individuals will depend upon whether they live in the flood hazard areas.

Benefits to residents living in the watershed areas:

- (1) Flood hazards will be reduced materially. The Corps of Army Engineers

estimates that flooding may be reduced by one-third or more. The actual reduction of damage will depend on the local severity of storms.

- (2) Soil erosion from uncontrolled water runoff will be reduced.
- (3) Damage to roads and highways will be reduced. Repair of damaged bridges and roads has increased county tax levies following floods.
- (4) Recreational areas for hunting, fishing, and boating can be developed within easy driving distance of all persons living in the area. Recreation areas will also attract many people from outside the area. However, the law does not permit the 3/4 mill levy to be used to develop recreational areas.
- (5) Flood control and adequate recreational facilities are among the important factors to industry in deciding upon plant location.
- (6) Property values may increase in some cases as a result of water control.
- (7) The cost of some attempts to control erosion and flooding would be borne by all of the people in the district. The cost of others such as large dams and channel improvement would come from Federal funds. At present the cost of water erosion and flood control on individual farms is borne by the individual farmer with some Federal cost-sharing. The watershed would provide for joint action by all property owners in the district in developing needed conservation measures.

11. What are the limitations and disadvantages of the proposed Salt-Wahoo Watershed District?

- (1) Flooding and water erosion of soil will be reduced but not completely controlled.
- (2) Some individual owners of farm and city property may be required to sell all or portions of their property to the district for construction sites, channel improvement and other purposes.
- (3) Some of the details about how the proposed Salt-Wahoo program would be developed, and the total cost of the program, are uncertain. This is the case in many proposals for public undertakings. Those who favor such proposals expect the governing body to function in the interests of the majority of people involved.

12. Who can vote in the election on May 10 to accept or reject the proposal to create the Salt-Wahoo Watershed District?

The law provides as follows: (31-808)

"Any qualified elector residing within the boundaries of the proposed district shall be eligible to vote."

13. How will the district formation question be stated on the ballot in the May 10 election?

This is a sample of the proposal as it will appear on your ballot May 10:
Shall the Salt-Wahoo Watershed District be formed? Yes No