

LEGISLATIVE BILL 538

Approved by the Governor May 22, 1971

Introduced by J. W. Burbach, 19th District; Maurice A. Kremer, 34th District; Rudolf C. Kokes, 41st District; Irving F. Wiltse, 1st District; Herb Nore, 22nd District; Thomas C. Kennedy, 21st District; E. Thome Johnson, 15th District

AN ACT to amend section 2-3203, Reissue Revised Statutes of Nebraska, 1943, relating to natural resources districts; to provide for the creation of districts based on reorganized river basins and abolish districts created on other bases; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 2-3203, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3203. In furtherance of the policy set forth in section 2-3201, the entire area of the State of Nebraska shall be divided into natural resources districts. The Nebraska Soil and Water Conservation Commission is hereby authorized and directed to determine and establish the exact number, and the boundaries of such districts, ~~following public hearings. During the boundary determination process the commission shall consult with and receive information from appropriate agencies or subdivisions of this state and of the United States.~~ Boundaries of natural resources districts shall be established on or before September 1, 1970 1971. When establishing such boundaries the commission shall employ the following guidelines and criteria:

(1) The primary objective shall be to establish boundaries which provide effective coordination, planning, development and general management of ~~common problem areas. Common problem areas are contiguous lands which, when taken in the aggregate, areas which~~ have related resources problems, ~~influenced primarily by one or more natural characteristics of topography, soil, or water.~~ Such ~~common problem areas~~ shall be determined according to the hydrologic and geologic patterns, ~~to which the problems are most directly related, such as surface water divides or basins, occurrence or movement of ground water, soil or geologic~~

conditions, and topography. A district shall include at least one common problem area except in those areas of the state as recognized in subdivision (5) of this section. The recognized river basins of the state shall be utilized in determining and establishing the boundaries for districts and where necessary for more efficient development and general management two or more districts shall be created within a basin;

(2) Boundaries of districts shall follow approximate hydrologic or geologic patterns except where doing so would divide a section, a city or village, or produce similar incongruities which might hinder the effective operation of the districts; When a public power and irrigation district requests of the commission that it be allowed to create a natural resources division, the public power and irrigation district's boundaries shall not be subject to change by the commission in approving or denying such an application, and the boundaries of any such division as delineated by the commission must not extend outside the boundaries of the public power and irrigation district;

(3) Existing boundaries of political subdivisions or voting precincts may be followed wherever feasible. A district may include wholly or in part the land area of one or more counties. Districts shall be of sufficient size to provide adequate finances and administration for plans of improvement; and no district shall comprise an area less than five hundred square miles nor more than seven thousand square miles;

(4) The number of districts shall be not less than twenty-five sixteen nor more than fifty twenty-eight. ; and

(5) It is recognized by the legislature that there are those parts of the state characterized by areas of noncontributing or undefined ground water and surface drainage where common problems exist. In such areas political subdivision boundaries such as county and township delineations or the planning and development boundaries as developed by the State Office of Planning and Programming may be appropriate and may be used as a basis for determining boundaries of these districts by the commission where such boundaries are not otherwise inconsistent with the foregoing criteria;

Sec. 2. The boundaries for the thirty-three natural resources districts established by the Nebraska Soil and Water Conservation Commission on August 20, 1970, are hereby abolished and shall have no legal

significance from and after the effective date of this act.

Sec. 3. That original section 2-3203, Reissue Revised Statutes of Nebraska, 1943, is repealed.