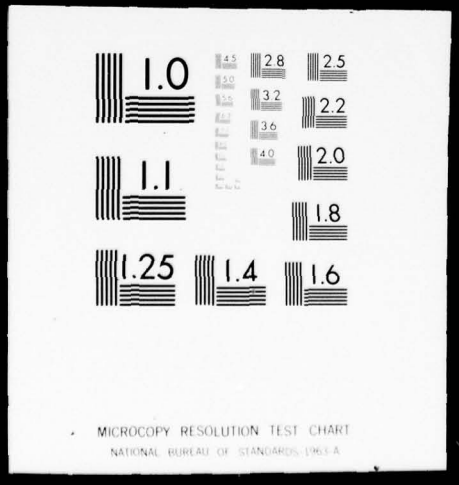
AD-A041 942 ARMY ENGINEER DISTRICT OMAHA NEBR F/G 8/6
WATER AND RELATED LAND RESOURCES MANAGEMENT STUDY. VOLUME VIII.--ETC(U)
JUN 75

UNCLASSIFIED NL

1 OF 4
ADA041942

1 OF 4
ADA041942



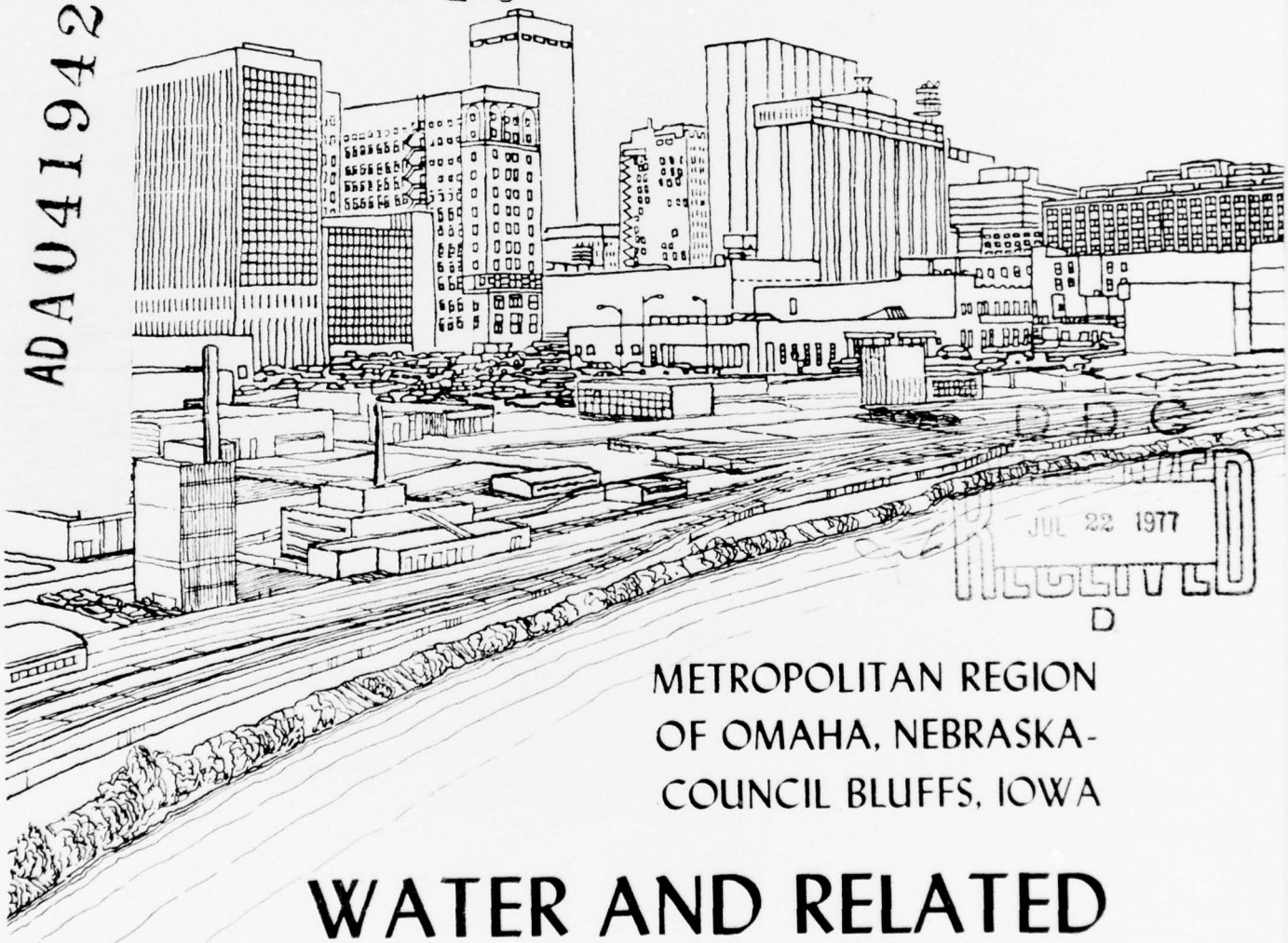
VOLUME VIII

INSTITUTIONAL ARRANGEMENTS

REVIEW REPORT ON THE MISSOURI RIVER AND TRIBUTARIES

AD A041942

ADA041942



DDC
JUL 22 1977
D

METROPOLITAN REGION
OF OMAHA, NEBRASKA-
COUNCIL BLUFFS, IOWA

WATER AND RELATED LAND RESOURCES MANAGEMENT STUDY

DDC FILE COPY

DISTRIBUTION STATEMENT A
Approved for public release;
Distribution Unlimited

JUNE 1975

CORPS OF ENGINEERS · U.S. ARMY · BICEN
200th
BICENTENNIAL · 1775 · 1975

34

REVIEW REPORT FOR

Metropolitan

Omaha, Nebraska-

Council Bluffs, Iowa

ACCESSION for
NTIS White Section ☑
BDC Buff Section ☐
UNANNOUNCED ☐
JUSTIFICATION
Per Ltr. on file
BY
DISTRIBUTION/AVAILABILITY CODES
Dist. AVAIL. and/or SPECIAL
A

(11) Jun 75

(12) 296p.

(6)

WATER AND RELATED LAND RESOURCES MANAGEMENT STUDY

Volume VIII. Institutional Arrangements.

DDC
RECEIVED
JUL 22 1977
D

DISTRIBUTION STATEMENT A
Approved for public release;
Distribution Unlimited

402 220 mt

REVIEW REPORT FOR
METROPOLITAN OMAHA, NEBRASKA
COUNCIL BLUFFS, IOWA
WATER AND RELATED LAND
RESOURCES MANAGEMENT STUDY

Institutional Arrangements Appendix

SECTION A INTRODUCTION

SECTION B INSTITUTIONAL DATA BASE

SECTION C SUMMARY OF EXISTING INSTITUTIONAL CAPABILITIES IN THE STUDY AREA

PREPARED BY THE
OMAHA DISTRICT, CORPS OF ENGINEERS
DEPARTMENT OF THE ARMY

SECTION A

INTRODUCTION

INTRODUCTION

TABLE OF CONTENTS

Item	Page
BACKGROUND	A-1
DEFINITION	A-1
OBJECTIVE	A-3
PROCEDURE	A-4

SECTION A

INTRODUCTION

Background

1. The Omaha-Council Bluffs Urban Study provides an integrated approach to water resources management by determining needs and developing alternative choices of programs to satisfy the needs. In addition, this study develops alternate ways in which local, State, and Federal agencies may implement the programs. The development of implementation alternatives is accomplished by Institutional Analysis.

Definition

2. Institutions, for purposes of this study, are defined first; as organizations that are highly structured, systematized, and

stable, and second; as commonly accepted practices or processes. Organizations are governmental bodies or agencies, regional districts or planning agencies, and non-governmental special interest groups. Commonly accepted practices include attitudes toward residential densities, acceptance or rejection of urban expansion, and desires for recreation, water quality, and regionalization.

3. Institutional analysis is a planning procedure developed and adopted by the Corps of Engineers. The procedure consists of three basic steps: (1) an in-depth study of the organizational structure, legal authorities, financial capabilities, and political interdependencies of the institutions in the study area; (2) an analysis of the capabilities of the institutions to plan for and accomplish urban growth, rural development, water supply and wastewater facilities construction, recreational facilities construction, land use control, and the operation and maintenance of facilities; and (3) the development and recommendation of alternative institutional arrangements necessary to implement technical alternatives for the study area. Institutional analysis is an integral part of the Corps' urban study process. The urban study develops alternate ways to solve water and water related problems in the study area. Through institutional analysis, the urban study: (1) determines whether the existing institutions can adopt and implement the recommended alternative solutions, or (2) proposes changes to laws, regulations, and organizations which will enable local decisionmakers to implement the alternatives.

4. The goals of institutional analysis are:

- To suggest alternate ways to transform plans into action programs;

- To show how Federal and State laws and regulations should be incorporated in local institutional arrangements; and

- To present ways to include the desires of the citizens in the solutions to their problems.

Objective

5. The objective of this volume is to accomplish the first two basic steps of institutional analysis discussed in paragraph 3 above, the in-depth study and the analysis of capabilities. The institutional recommendations are included in the Plan Formulation Volume of the urban study.

Procedure

6. The procedure used to complete this institutional analysis consisted of accomplishing the following major tasks:

- During the formulation of the plan of study, an inventory of institutions was developed and used as the basis for the collection of background data.

- The data collection effort consisted of a study of statutes, collection of available studies and documents, and numerous personal and telephonic interviews with officials of Federal, State, and local agencies and organizations.

- The preparation of institutional recommendations was accomplished by analyzing technical alternatives, Federal requirements and regulations, regional planning, status of capital improvements construction, attitudes of local and State officials, desires of the citizens, and the financial situation and capabilities of the jurisdictions involved.

SECTION B

INSTITUTIONAL DATA BASE

INSTITUTIONAL DATA BASE

TABLE OF CONTENTS

Item	Page
INTRODUCTION	B-1
FEDERAL INSTITUTIONS	B-1
THE FEDERAL ROLE	B-1
FEDERAL AGENCIES	B-2
REGIONAL INTERSTATE INSTITUTIONS	B-37
MISSOURI RIVER BASIN COMMISSION	B-37
METROPOLITAN AREA PLANNING AGENCY (MAPA)	B-37
NEBRASKA INSTITUTIONS	B-43
THE STATE ROLE	B-43
DEPARTMENT OF WATER RESOURCES	B-44
NEBRASKA NATURAL RESOURCES COMMISSION	B-47
DEPARTMENT OF HEALTH	B-52
DEPARTMENT OF ENVIRONMENTAL CONTROL	B-53
NEBRASKA GAME AND PARKS COMMISSION	B-55
DEPARTMENT OF ECONOMIC DEVELOPMENT	B-57
NEBRASKA STATE OFFICE OF PLANNING AND PROGRAMMING	B-59
CONSERVATION AND SURVEY DIVISION, UNIVERSITY OF NEBRASKA	B-61

TABLE OF CONTENTS (Cont'd)

Item	Page
NEBRASKA INSTITUTIONS (Cont'd)	
AGRICULTURAL EXPERIMENT STATIONS, UNIVERSITY OF NEBRASKA	B-62
AGRICULTURAL EXTENSION SERVICE, UNIVERSITY OF NEBRASKA	B-63
WATER RESOURCES RESEARCH INSTITUTE, UNIVERSITY OF NEBRASKA	B-65
NEBRASKA REGIONAL AGENCIES	B-66
NATURAL RESOURCES DISTRICTS	B-66
METROPOLITAN UTILITIES DISTRICT (MUD)	B-86
OMAHA PUBLIC POWER DISTRICT (OPPD)	B-88
IRRIGATION DISTRICTS	B-90
NEBRASKA COUNTIES	B-91
THE COUNTY ROLE	B-91
DOUGLAS COUNTY, NEBRASKA	B-99
SARPY COUNTY, NEBRASKA	B-103
CASS COUNTY, NEBRASKA	B-105
WASHINGTON COUNTY, NEBRASKA	B-107

TABLE OF CONTENTS (Cont'd)

Item	Page
NEBRASKA CITIES	B-110
THE ROLE OF THE CITY	B-110
OMAHA, NEBRASKA	B-117
NEBRASKA CITIES AND VILLAGES SURROUNDING OMAHA	B-131
IOWA INSTITUTIONS	B-166
THE STATE ROLE	B-166
OFFICE OF PLANNING AND PROGRAMMING	B-168
IOWA DEPARTMENT OF AGRICULTURE	B-171
IOWA NATURAL RESOURCES COUNCIL	B-171
DEPARTMENT OF ENVIRONMENTAL QUALITY	B-177
DEPARTMENT OF SOIL CONSERVATION	B-182
STATE CONSERVATION COMMISSION	B-183
IOWA REGIONAL AGENCIES	B-186
IOWA CONSERVANCY DISTRICTS	B-186
IOWA COUNTIES	B-188
THE COUNTY ROLE	B-188
HARRISON COUNTY, IOWA	B-197
MILLS COUNTY, IOWA	B-198
POTTAWATTAMIE COUNTY, IOWA	B-199

TABLE OF CONTENTS (Cont'd)

Item	Page
IOWA CITIES	B-201
THE ROLE OF THE CITY	B-201
COUNCIL BLUFFS, IOWA	B-203
IOWA CITIES SURROUNDING COUNCIL BLUFFS	B-212
SPECIAL INTEREST GROUPS	B-243
THE ROLE OF SPECIAL INTEREST GROUPS	B-243
GLOSSARY OF PERSONS INTERVIEWED	B-244
FEDERAL AGENCIES	B-244
REGIONAL AGENCIES	B-245
NEBRASKA STATE AGENCIES	B-246
NEBRASKA COUNTIES	B-246
NEBRASKA CITIES	B-247
NEBRASKA PUBLIC UTILITIES DISTRICTS	B-248
IOWA STATE AGENCIES	B-248
IOWA COUNTIES	B-249

TABLE OF CONTENTS (Cont'd)

LIST OF TABLES

No.	Titles	Page
B-1	FEDERAL WASTEWATER CONSTRUCTION PROGRAMS	B-28
B-2	MAPA MAJOR PROGRAM ACHIEVEMENTS 1967-1974	B-41
B-3	POPULATION OF NEBRASKA COUNTIES	B-99
B-4	DOUGLAS COUNTY TAXING SUBDIVISIONS AND CONSOLIDATED MILL LEVIES 1973-74 TAX YEAR	B-101
B-5	SARPY COUNTY TAXING SUBDIVISIONS AND CONSOLIDATED MILL LEVIES 1973-74 TAX YEAR	B-104
B-6	CASS COUNTY TAXING SUBDIVISIONS AND CONSOLIDATED MILL LEVIES 1973-74 TAX YEAR	B-106
B-7	WASHINGTON COUNTY TAXING SUBDIVISIONS AND CONSOLIDATED MILL LEVIES 1973-74 TAX YEAR	B-109
B-8	CITY OF OMAHA PROPERTY VALUATION AND TAXATION 1956 TO 1973	B-126

TABLE OF CONTENTS (Cont'd)

LIST OF TABLES (Cont'd)

No.	Titles	Page
B-9	CITY OF OMAHA GENERAL OBLIGATION BONDED INDEBTEDNESS 1956 TO 1974	B-127
B-10	CITY OF OMAHA SUMMARY OF BONDED INDEBTEDNESS BY MATURITIES DECEMBER 31, 1973	B-128
B-11	FORMAT FOR SUMMARY SHEETS	B-132

LIST OF FIGURES

No.	Titles	Follows Page
B-1	SANITARY AND IMPROVEMENT DISTRICTS	B-81
B-2	METROPOLITAN UTILITIES DISTRICT CORPORATE BOUNDARY	B-86

SECTION B

INSTITUTIONAL DATA BASE

Introduction

1. The information contained in this section was obtained from published documents and from personal and telephonic interviews with the directors or principal staff members of the organizations listed.

Federal Institutions

THE FEDERAL ROLE

2. The Constitution and Public Laws of the United States are formidable institutions which establish a multitude of Federal, State, and local agencies and institutions encompassing all aspects of this study. In a real sense, the Federal Government

establishes policies on growth, land use, and water quality through its administration of Federal funding programs. In the past several years, many new laws regulating pollution, the environment, urban renewal, and flood insurance have been enacted to protect the Nation's natural resources and to assist local governments through provision of loans and grants.

FEDERAL AGENCIES

3. Nine Federal agencies involved with water and associated land management in the study area have been selected for description and analysis.

U. S. ARMY CORPS OF ENGINEERS

4. The Corps of Engineers was delegated civil works responsibilities immediately after the Revolutionary War. Since 1824, the Corps has been the principal developer of the Nation's water resources. These responsibilities have been expanded to include planning for and construction management of improvements for navigation, flood control, coastal protection, hydroelectric power generation, water supply, recreation, and conservation.

5. During the last 148 years, the Corps has completed more than 4,000 civil works projects. It has built more than 19,000 miles of inland and intracoastal waterways now in commercial use, and 500 coastal, Great Lakes, and Waterway harbors, including almost all those through which the United States carries on its vital domestic and foreign trade, and 250 small boat harbors and harbors of refuge. It has constructed some 350 reservoirs, local flood control projects incorporating more than 9,000 miles of levees,

and flood walls and 7,500 miles of improved channels. Flood control projects built by the Corps have so far prevented more than $19.3 billion in flood losses, more than three times the amount invested in flood protection. Corps hydropower plants in more than 50 projects have a total generating capacity of more than 12 million kilowatts. Recreation attendance at Corps lakes during 1972 was in excess of 300 million people. One hundred and fifty fish and wildlife management areas have been established around these lakes, as well as 400 state, county, and municipal parks. In time of flood or hurricane, the Corps provides rescue work and rehabilitation both under its own authorities and as engineering agent of the Office of Emergency Preparedness. Since 1963 the Corps has been involved in more than 100 disaster operations, including floods and hurricanes.

6. The lakes and pools of canalization projects created by the water resource development work of the U. S. Army Corps of Engineers provide vast expanses of water and miles of shoreline with an enormous potential for outdoor recreational pursuits. Traditionally, the projects embrace works chiefly for navigation and flood control. However, broadened legislative authority requires full consideration be given to multiple-purpose developments encompassing recreation, fish and wildlife conservation, hydroelectric power, water supply, pollution abatement, low flow augmentation, and preservation and enhancement of natural beauty.

7. The Corps of Engineers operates 350 dams and lakes in 44 States. The lakes cover 8 million acres and have 28,000 miles of shoreline. Public use of these lakes and their shorelines for fishing, boating, camping, hunting, picnicking, and a multitude

of other recreation activities has skyrocketed in the past two decades. The Corps of Engineers provides facilities and services to meet this public demand both directly and through lease arrangements.

8. All visitor facilities required in the vicinity of the dams and lakes are developed by the Corps. Construction of these facilities is budgeted as one of the several major capital costs of the project. Facilities may include visitor interpretation centers, parking areas, overlooks, and public health and safety facilities.

9. The Corps of Engineers provides basic shoreline facilities at its water resource projects for (1) picnicking, (2) camping, (3) boat launching, (4) swimming and boating, (5) fishing, (6) information and guidance, (7) observation and sightseeing, and (8) public health, public safety, and preservation and development of recreation and biological resources. Pursuant to the Land and Water Conservation Fund Act, the Corps of Engineers charges for public use of certain of these facilities.

10. The Corps of Engineers encourages State and local governments to construct and maintain needed additional recreational facilities. It issues long-term rent-free leases to other Federal, State, and local agencies to develop public park and recreation areas and furnish needed services. These leases are for terms of up to 50 years. Leases are also issued at nominal rates for periods of up to 25 years to quasi-public and nonprofit organizations such as Boy Scouts, church organizations, and the YMCA.

11. When needed specialized facilities and services are not furnished by a State or local agency, the Army Corps of Engineers provides them through commercial concessionaires. Typical operations include marinas, restaurants, motels, cabins, and mechanical boat-launching facilities. Concession sites available for leasing are widely advertised. A prospectus shows the minimum facilities and services that will be required of the lessee. Concessionaires ordinarily pay a flat rental fee plus a percentage of gross profits for leases with a term of up to 25 years. Their construction plans must be approved by the Corps of Engineers.

12. When available, leases of land at water resource development projects are granted to private recreation organizations, associations, and individuals, in that order. The leases are for fixed rental charges based on fair market rental value.

13. Since 1962, the Corps of Engineers and the Department of the Interior (Bureau of Reclamation) have followed a policy of acquiring lands at lakes for long-range recreation and fish and wildlife purposes. They purchase land for (1) the structure, (2) the area below maximum flow, (3) public access to the area, and (4) full fish and wildlife potential for recreation at each area. For this last objective, the Corps acquires lands in accordance with a plan embodied in the document authorizing the project.

14. The Corps administers the following Federal programs which are pertinent to this study:

• Flood Control Works and Federally Authorized Coastal Protection Works, Rehabilitation (Public Law 99 Program).

Authorization: Public Law 84-99, Flood Control Act of 1941; Public Law 77-228; as amended by Public Law 87-874; 33 U.S.C. 701n.

Objective: To assist in the repair and restoration of flood or control works damaged by flood or Federally authorized hurricane-flood and shore protection works damaged by extraordinary wind, wave, or water action.

• Flood Fighting and Rescue Operations, and Emergency Protection of Coastal Protective Works Federally Authorized (Public Law 99 Program).

Authorization: Flood Control Act of 1941; Public Law 77-228, as amended by Public Law 84-99, and Public Law 87-874; 33 U.S.C. 701n.

Objective: To provide emergency assistance as required to supplement local efforts and capabilities in time of flood or coastal storm.

• Flood Plain Management Services.

Authorization: Section 206 of the Flood Control Act, 1960, as amended; Public Law 86-645; 33 U.S.C. 709a.

Objective: To promote appropriate recognition of flood hazards in land and water use planning and development through the provision of needed information, technical services, and guidance.

• Protection of Essential Highways, Highway Bridge Approaches, and Public Works (Emergency Bank Protection).

Authorization: Section 14 of 1946 Flood Control Act; Public Law 79-526; 33 U.S.C. 701s, as amended by Public Law 93-251.

Objective: To provide bank protection of highways, highway bridges and essential public works endangered by flood-caused erosion.

• Flood Control Projects (Small Flood Control Projects).

Authorization: Section 205, 1948 Flood Control Act; Public Law 80-858 as amended; 33 U.S.C. 701s; as amended by Public Law 93-251.

Objective: To reduce flood damages through projects not specifically authorized by Congress.

Types of Assistance: Provision of Specialized Services.

• Snagging and Clearing for Flood Control.

Authorization: Section 2 of the 1937 Flood Control Act, as amended; Public Law 79-14, 33 U.S.C. 701g, as amended by Public Law 93-251.

Objective: To reduce flood damages.

Types of Assistance: Provision of Specialized Services.

15. Corps involvement in the Omaha-Council Bluffs Urban Study program began in 1971 in compliance with resolutions of the Public Works Committees of the U. S. Senate and the House of Representatives. Urban Studies represent a new assignment for the Corps; however, they take advantage of Corps' expertise in water resource planning and management.

U. S. DEPARTMENT OF AGRICULTURE, FARMERS HOME ADMINISTRATION (FmHA)

16. Government aid to farmers was started in earnest in the 1930's as a result of national concern over rising agricultural problems. In the early 1940's, conditions improved due to a war economy and the need for emergency assistance diminished. However, progress of the technological revolution continued to accentuate the problems of beginning farmers and others with limited capital. After careful study of the basic issues by the Congress, the *Farmers Home Administration Act* was passed in 1946. The FmHA provides supervised agricultural credit for farmers unable to obtain credit from any other source on reasonable terms and conditions to make their farm operations successful. Also, the FmHA provides disaster emergency loans due to conditions beyond the farmer's control, such as droughts, floods, hail, and adverse economic conditions.

17. FmHA has a regional office in Omaha. The 1973 budget for this office was approximately $3.5 million with $600,000 allocated to loans and grants for water supply and waste disposal. Grant money is almost always given in conjunction with loans.

18. FmHA administers the following Federal programs which are pertinent to this study:

- Recreation Facility Loans.

Authorization: Consolidated Farm and Rural Development Act, Subtitle A, Section 304; Public Law 92-419; U.S.C. 1924.

Objectives: To assist eligible farm and ranch owners or tenants, through the extension of credit and supervisory assistance, to convert all or a portion of the farms they own or oper-

ate to income-producing outdoor recreational enterprises which will supplement or supplant farm or ranch income and permit carrying on sound and successful operations.

Types of Assistance: Guaranteed/Insured Loans.

- Resource Conservation and Development Loans.

Authorization: Food and Agriculture Act of 1962; Public Law 87-703; 1011 (Supp. V) 1959-63; 7 U.S.C. 1010.

Objectives: To provide loan assistance to local sponsoring agencies in authorized areas where acceleration of programs of resource conservation, development, and utilization will increase economic opportunities for local people.

Types of Assistance: Guaranteed/Insured Loans.

- Soil and Water Loans (SW Loans).

Authorization: Consolidated Farm and Rural Development Act, Subtitle A, Section 304; Public Law 92-419; 7 U.S.C. 1924.

Objectives: To facilitate improvement, protection, and proper use of farmland by providing adequate financing and supervisory assistance for soil conservation; water development, conservation, and use; forestation; drainage of farmland; the establishment and improvement of permanent pasture; and related measures.

Types of Assistance: Guaranteed/Insured Loans.

- Water and Waste Disposal Systems for Rural Communities.

Authorization: Consolidated Farm and Rural Development Act, Section 306; Public Law 92-419; 7 U.S.C. 1926.

Objectives: To provide basic human amenities, alleviate health hazards and promote the orderly growth of the rural areas

of the Nation by meeting the need for new and improved rural water and waste disposal systems.

Types of Assistance: Guaranteed/Insured Loans; Project Grants.

- Watershed Protection and Flood Prevention Loans.

Authorization: Watershed Protection and Flood Prevention Act of 1954, as amended, Section 8; 16 U.S.C 1006a.

Objectives: To provide loan assistance for the local sponsors and share of cost for works of improvement in approved watersheds.

Types of Assistance: Guaranteed/Insured Loans.

- Business and Industrial Development Loans.

Authorization: Consolidated Farm and Rural Development Act, Section 310 B, Public Law 92-419; 7 U.S.C. 1989.

Objectives: To assist public, private, or cooperative organizations organized for profit or nonprofit, Indian tribes, or individuals in rural areas for the purpose of improving the economic and environmental climate in rural communities including pollution abatement and control.

Types of Assistance: Guaranteed/Insured Loans.

- Community Facilities Loans.

Authorization: Consolidated Farm and Rural Development Act, Section 306; Public Law 92-419, 7 U.S.C. 1926.

Objectives: To construct, enlarge, extend, or otherwise improve community facilities providing essential service to rural residents.

Types of Assistance: Guaranteed/Insured Loans.

- Industrial Development Grants.

Authorization: Consolidated Farm and Rural Development Act; Section 310B, Public Law 92-419; 7 U.S.C. 1989.

Objectives: To facilitate the development of business, industry, and related employment for improving the economy in rural communities.

Types of Assistance: Project Grants.

19. Eligibility for assistance from the above programs is generally restricted to individuals or organizations unable to obtain reasonable financial help through conventional commercial establishments.

20. Through its technical action panels, which are established in most counties, the FmHA also helps to coordinate the rural area development services available from other Department of Agriculture agencies.

SOIL CONSERVATION SERVICE (SCS)

21. A national conservation program was formally initiated by passage of the Soil Conservation Act in 1935 and organization of the Soil Conservation Service in the Department of Agriculture. In 1937, the SCS began active cooperation with local soil and water conservation districts set up by the States.

22. The Soil Conservation Service provides technical assistance in land conservation to private rural landowners. This includes assistance in developing land, planning and development of income-producing recreation, and fish and wildlife enterprises.

23. Assistance is given to farmers, ranchers, and other landowners in land treatment needs and procedures. Basic soil survey information is provided along with needed interpretation including possible recreation uses of the land. Conservation and land use plans are developed for each farm or ranch. Where applicable, fish and wildlife enhancement and outdoor recreation development practices are contained in the plan.

24. The SCS also provides technical services to help cooperating landowners implement conservation plans on their land. This help includes detailed site investigations, designs and specifications, construction plans, layout, and guidance on installing conservation practices.

25. Technical assistance is also given to groups of landowners having soil erosion and water control problems that can best be solved by group action. This assistance often involves the efficient use or disposal of water, stabilization of critical areas, reduction of runoff, and prevention of flooding and sedimentation. Farmers and ranchers who participate in such group enterprises usually finance the cost of installing control measures on their land, except for cost paid through Agricultural Conservation Program pooling agreements.

26. Additional assistance is provided to individuals, rural communities, and to organizations such as State Agricultural Experiment Station, State Highway Departments, City and County Planning or Zoning Boards, Schools Boards, and Tax Commissions. This assistance includes soil interpretations, information on erosion and flood-water problems, and recommendations on land use includ-

ing the development of outdoor recreation and fish and wildlife enhancement programs.

27. The SCS administers the following Federal programs which are pertinent to this study:

- Resource Conservation and Development.

Authorization: Food and Agriculture Act of 1962; Public Law 87-703; 76 Stat. 607; 7 U.S.C. 1010, 1011 (Supp. V) 1959-1963; Public Law 91-343; 7 U.S.C. 1011(3); Public Law 74-46; Public Law 92-419.

Objectives: To assist local people in initiating and carrying out long-range programs of resource conservation and development for purposes of achieving a dynamic rural community with satisfactory level of income and pleasing environment, and by creating a favorable investment climate attractive to private capital.

Types of Assistance: Project Grants, Advisory Services, and Counseling.

- Soil and Water Conservation.

Authorization: Soil Conservation Service Establishing Act; Public Law 74-46, approved April 27, 1935.

Objectives: To plan and carry out a National soil and water conservation program, and to provide leadership in conservation, development, and productive use of the nation's soil, water, and related resources.

Types of Assistance: Advisory Service and Counseling.

• Watershed Protection and Flood Protection (Small Watershed (or PL-566) Program).

Authorization: Watershed Protection and Flood Prevention Act; Public Law 83-566, 68 Stat. 666; Public Law 84-1018, 70 Stat. 1088; Public Law 85-624, 72 Stat. 563; Public Law 85-865, 72 Stat. 1605; Public Law 86-468, 74 Stat. 131, 132; Public Law 86-545; 74 Stat. 254; Public Law 87-170, 75 Stat. 408; Public Law 87-703; 76 Stat. 608; Public Law 89-337, 79 Stat. 1300; Public Law 90-361; 82 Stat. 250. Public Law 92-419, 86 Stat. 667.

Objectives: To provide technical and financial assistance in planning and carrying out works of improvement to protect, develop, and utilize the land and water resources in small watersheds.

Types of Assistance: Project Grants, Advisory Services, and Counseling.

• River Basin Surveys and Investigations.

Authorization: Watershed Protection and Flood Prevention Act; Public Law 83-566, as amended, Section 6.

Objectives: To assist States and other Federal agencies preparing comprehensive plans for the development of water and related land resources within river basins or regions, giving full consideration to agricultural program impacts on resource development and use.

Types of Assistance: Advisory Services and Counseling; Provision of Specialized Services.

FEDERAL INSURANCE ADMINISTRATION

28. The Federal Insurance Administration of the Department of Housing and Urban Development is responsible for administering a

flood insurance program to: (1) enable persons to purchase insurance against losses from physical damage to or loss of real or personal property caused by floods or mudslides in the United States; and (2) to promote wise land use practices in the Nation's flood prone and mudslide prone areas. The program is a cooperative effort between the Federal Government and the private insurance industry. The program affects this study directly in that it requires cities and counties to take positive action on land use in flood hazard areas.

29. Under the Flood Disaster Protection Act of 1973, effective March 2, 1974, flood insurance must be purchased as a condition to any form of Federal or Federally-related financial assistance. Assistance includes Federal grants, disaster assistance and mortgage loans from Federally regulated lending institutions, and FHA and VA insured or guaranteed mortgages for acquisition or construction purposes within identified special flood hazard areas where flood insurance is available. Communities having one or more identified special flood hazard areas must enter into the National Flood Insurance Program by July 1, 1975, or be denied Federal or Federally-related financial assistance for acquisition or construction purposes within those areas. No contract for flood insurance may be entered into after June 30, 1977.

30. Cities and counties that do not establish land use regulations in flood prone areas will render their constituents ineligible for subsidized insurance.

31. The flood protection insurance program will require a great deal of effort by the Federal Insurance Administration to estab-

lish flood hazard maps. Also local governments must enact regulations to limit building in hazard areas. The Federal Insurance Administration is establishing regional and area offices to interpret and administer flood insurance programs. In the meantime, questions concerning the program are being directed to local HUD offices.

U. S. DEPARTMENT OF THE INTERIOR, BUREAU OF OUTDOOR RECREATION (BOR)

32. The Federal role in outdoor recreation programs through the early 1950's was chiefly one of a protector, designating outstanding natural features for preservation in national parks, forests, and wildlife refuges. But, with the increasing population and urbanization of America, and the growing mobility and affluence of the people, it became apparent that comprehensive recreation planning and assistance were needed on a national level and, with it, more and better recreation areas. On June 28, 1958, President Eisenhower established the Outdoor Recreation Resources Review Commission (ORRRC) to study the Nation's outdoor recreation resources and needs. Among the many recommendations contained in the Commission's report, "Outdoor Recreation for America", submitted to the President and the Congress on January 31, 1962, was one to establish a Bureau of Outdoor Recreation (BOR) in the Department of the Interior. The Bureau was established by the Secretary of the Interior on April 2, 1962. Public Law 88-29, approved by the Congress on May 28, 1963, set forth a new national recreation policy that all Americans should be assured adequate outdoor recreation resources. Today, the Bureau of Outdoor Recreation's programs directly implement this mandate and the President's commitment to create a "Legacy of Parks" for this and future generations of Americans.

33. The Bureau is the recreation policy and planning agency for the Secretary of the Interior and "banker" for the Land and Water Conservation Fund, which provides recreation grants to States and finances acquisition of Federal recreation areas. Promoting coordination of outdoor recreation programs, the Bureau serves all Federal agencies as well as State and local governments, private organizations, and individuals concerned with outdoor recreation. The Bureau manages no lands or waters.

34. The Bureau promotes the coordination of plans and activities of more than 200 Federal programs involving outdoor recreation interests, and reviews proposed major Federal actions or legislation that affect outdoor resources or opportunities.

35. The Bureau has formulated a comprehensive nationwide outdoor recreation plan. The plan provides a framework within which Federal outdoor recreation and related problems will be developed and managed. It serves as a guide for the coordination of outdoor recreation efforts by all levels of government and the private sector. The States are in the process of providing the necessary coordination to implement the plan.

36. Distribution of the congressionally authorized Land and Water Conservation Fund is planned and administered by the Bureau of Outdoor Recreation. The Fund finances the acquisition of lands for federally administered recreation areas, and provides matching grants to States for recreation planning, acquisition and development. The Bureau assists States in developing comprehensive outdoor recreation plans which are required in order for a State or its political subdivisions to participate in the Land and Water Conservation Fund grant program.

37. The Bureau prepares environmental impact statements on reports with far-reaching recommendations and on major State and local projects assisted through the Land and Water Conservation Fund, and reviews environmental impact statements on many federally assisted public works projects.

38. By legislative authority or upon the order of the Secretary of the Interior, the Bureau undertakes studies of the suitability of appropriate areas for designation as national parks, recreation areas, wild and scenic rivers, or trails. If a study finds an area to be so suited, the Bureau recommends how the area could be used, developed, and administered for those purposes.

39. The Bureau provides technical support and information to Federal agencies with respect to their management of recreation lands and waters, and to State and local agencies for carrying out their outdoor recreation programs. As a national clearinghouse for technical assistance information, the Bureau provides services to all levels of government and to private interests active in outdoor recreation.

40. In cooperation with the General Services Administration and the President's Property Review Board, the Bureau transfers Federal surplus property to State and local governments at virtually no cost for use as public parks and recreation areas.

41. BOR administers the following Federal programs which are pertinent to this study:

• Outdoor Recreation-Acquisition Development and Planning (Land and Water Conservation Fund Grants).

Authorization: 16 U.S.C. 1-4 et seq. Land and Water Conservation Fund Act of 1965; Public Law 88-578; 78 Stat. 897; as amended by Public Law 90-401 (82 Stat. 354); Public Law 91-485 (84 Stat. 1084); Public Law 91-308 (84 Stat. 410); Public Law 92-347 (86 Stat. 460); and Public Law 93-81 (87 Stat. 178).

Objectives: To provide financial assistance to the States and their political subdivisions for the preparation of comprehensive statewide outdoor recreation plans and acquisition and development of outdoor recreation areas and facilities for the general public, to meet current and future needs.

Types of Assistance: Project Grants.

• Outdoor Recreation Technical Assistance.

Authorization: Bureau of Outdoor Recreation Organic Act; Public Law 88-29; 77 Stat. 49; 16 U.S.C. 1-3. Act of June 23, 1936 (49 Stat. 1894).

Objectives: To promote coordination of Federal programs providing technical assistance in outdoor recreation and to assist States, local governments, and private interests in the development and operation of effective programs to meet public need for outdoor recreation and related environmental quality.

Types of Assistance: Advisory Services and Counseling; Dissemination of Technical Information. This program enables BOR to participate in urban studies.

U. S. DEPARTMENT OF THE INTERIOR, U. S. FISH AND WILDLIFE SERVICE

42. The Fish and Wildlife Service was established by the Fish and Wildlife Act of 1956 (70 Stat. 1119) with two constituent Bureaus -

the Bureau of Sport Fisheries and Wildlife and the Bureau of Commercial Fisheries. The Bureau of Commercial Fisheries was transferred to the Department of Commerce, pursuant to Reorganization Plan No. 4 of 1970, and redesignated the National Marine Fisheries Service. The Bureau of Sport Fisheries and Wildlife was the surviving Bureau within the Department of the Interior and exercises the Federal responsibilities for wild birds, mammals (except whales, seals, and sea lions), and sport fisheries except ocean sport fisheries. In July 1974 the Bureau was renamed the U. S. Fish and Wildlife Service.

43. The objectives of Fish and Wildlife Service programs are to aid in conserving the Nation's fish and wildlife resources; and to develop a national program to provide public opportunities for understanding, appreciation, and use of these resources. This includes laboratory and field investigations and the application of new knowledge in developing, managing, and maintaining a national system of fish hatcheries for the propagation and distribution of sport fish; and a national system of wildlife refuges for the conservation of wildlife. Particular attention is given to managing migratory game birds and to protecting and preserving endangered native species of fish and wildlife. The national fish and wildlife conservation program is pursued through participation and cooperation at all levels of government, through grant-in-aid programs to States and universities, through cooperation with private organizations, and through independent actions.

44. The Fish and Wildlife Service is responsible for migratory bird resources, inland sport fisheries, international agreements, federal aid to States, wildlife enhancement and services, sport

fisheries services, development and management of the wildlife refuge system, and other programs including studies to recommend measures for the protection and improvement of these resources; and the conduct of a conservation education program designed to produce a better understanding and appreciation of the relationship of wildlife resources to man.

45. When a Regional Office is contacted by a project-planning agency for an expression as to what interest the Fish and Wildlife Service may have in a proposed project, the Supervisor of Ecological Services, or his representative, contacts the head of the State conservation department if it appears that fish and wildlife interests will be affected. He may suggest joint field examinations, exchange of data, an expression of the State's interest in the project, and correlation of the State's report or statement with that of the Service. When appropriate, the State may assist in the preparation of the Service's report. In all cases such a report is sent to the State for review and comment prior to its final processing.

46. The Service administers the following federal programs which are pertinent to this study:

- Farm Fish Pond Management (Farm Pond Stocking).

Authorization: Fish and Wildlife Coordination Act, as amended, Sections 1 and 6; Public Law 85-624; 16 U.S.C. 661-666c. Fish and Wildlife Act of 1956, as amended, Sections 2, 3(d)(2), and 11; 16 U.S.C. 742a-742j.

Objectives: To establish balanced fish populations that will be capable of reproducing and supporting recreational fishing

over a period of years; to serve as an impetus to pond construction and water conservation; to supply high-protein fish food.

Types of Assistance: Sale, Exchange, or Donation of Property and Goods.

- Fish Restoration (Dingell-Johnson Program or D-J Program).

Authorization: Federal Aid in Sport Fish Restoration Act of 1950; 64 Stat. 430; as amended 16 U.S.C. 777-777k.

Objectives: To support projects designed to restore and manage sport fish populations for the preservation and improvement of sport fishing and related uses of these fisheries resources.

Types of Assistance: Formula Grants.

- Pesticide Appraisal and Monitoring.

Authorization: Fish and Wildlife Act of 1956; 70 Stat. 1119; 16 U.S.C. 742a-742j; Fish and Wildlife Conservation Act of 1958; 72 Stat. 563; 16 U.S.C. 661-666c.

Objectives: To promulgate information and provide technical assistance on pesticide-fish-wildlife ecology to State and local governments, the pesticide industry, and to individuals.

Types of Assistance: Training, Advisory Services and Counseling; Dissemination of Technical Information.

- Sport Fish Management.

Authorization: Fish and Wildlife Coordination Act of 1934; 34 Stat. 401; as amended 16 U.S.C. 661-666c; Fish and Wildlife Act of 1956; 70 Stat. 1119; as amended 16 U.S.C. 742a-742j.

Objectives: To provide technical assistance to State conservation agencies and Indian tribes in management of waters for sport fishing.

Types of Assistance: Provision of Specialized Services.

• Wildlife Enhancement.

Authorization: Fish and Wildlife Coordination Act of 1934, as amended; 16 U.S.C. 661-661c; 48 Stat. 401.

Objectives: To provide information and technical assistance to Indian tribes, public agencies, and private organization to improve conditions for the management of wildlife resources.

Types of Assistance: Training; Advisory Services and Counseling; Dissemination of Technical Information.

• Wildlife Restoration (Pittman-Robertson Program or P-R Program).

Authorization: Federal Aid in Wildlife Restoration Act of 1937; 50 Stat. 917; as amended 16 U.S.C. 669-669b, 669c-669i.

Objectives: To support sound and substantial undertakings to (1) restore or manage wildlife populations and to preserve and improve hunting and related use of the resources, or (2) provide facilities and services for conducting a hunter safety program.

Types of Assistance: Formula Grants.

GEOLOGICAL SURVEY

47. The Geological Survey was established as an agency in the Department of the Interior by an Act of Congress in 1879. The Survey collects, interprets, and disseminates information on the mineral and water resources and physical features of the Nation, and prepares a variety of formal and informal reports on its research and investigations. Results of many investigations are published also by cooperating agencies, and in technical and scientific journals.

48. Through research the organization solves basic problems in hydrology, geology, geochemistry, and geophysics, and develops new techniques and methods for appraising and conserving minerals and water. The work of the Survey is divided among four operating Division - Conservation, Geologic, Topographic, and Water Resources.

• The Conservation Division examines and classifies Federal lands as to their value for leasable minerals or for reservoir and water-power sites. It supervises the extraction by private industry of minerals, oil, and gas from leased lands - including public domain, Indian lands, and the Outer Continental Shelves - to insure orderly development, the achievement of maximum recovery, and full compensation to the Federal Government.

• The Geologic Division conducts geologic surveys and investigations to determine and appraise the mineral and mineral fuels resources and to determine the geologic structure of the United States. It provides scientific and technical assistance in appropriate fields, domestically and abroad, to other Federal agencies. It also administers an exploration program for the discovery of domestic minerals by private industry with Federal assistance.

• The Topographic Division prepares, publishes, and revises maps of the National Topographic Map Series, covering the United States and its outlying areas. It conducts research in topographic surveying and mapping and associated instrumentation, including the component phases of control surveys, aerial photography, photogrammetry, and cartography.

• The Water Resources Division is responsible for the investigation and appraisal of the source, quantity, quality, distribution, movement, and availability of both surface and ground waters. This work includes investigations of floods and droughts, interpretive studies of existing or potential water problems, research in the field of hydrology and related sciences, and scientific and technical assistance in appropriate fields to other Federal agencies. It has responsibility for coordination of Federal activities in the acquisition of water data, including the design and operation of a national network. The Division is unique in the extent to which it shares with State and local agencies the responsibility for planning and financing water-resources investigations.

49. The regional office listed below can arrange for a review of the complete scope of survey activities.

Regional Hydrologist
U. S. Geological Survey
Denver Federal Center
Lakewood, Colorado 80225

50. There is a State office in Iowa and Nebraska. The addresses are listed at the end of this section.

U. S. ENVIRONMENTAL PROTECTION AGENCY

51. Evidence of water pollution can be found in virtually every large population center and, increasingly, in rural areas. The pollution comes from many sources and exists in many forms - from oil slicks and floating debris assailing the eyes to subtle changes in the aquatic environment that may affect the water's odor and taste.

52. Public concern about the condition of our Nation's waters has stimulated a broad and vigorous national effort to control and abate the pollution. Although Federal policies and programs provide direction to the effort, all levels of Government, industry, and the general public play major roles.

53. The Federal responsibilities are exercised primarily through the U. S. Environmental Protection Agency (EPA). They encompass a broad range of authorities, particularly since enactment of the Federal Water Pollution Control Act Amendments of 1972. On the one hand, these authorities encourage compliance through grants and other types of assistance. On the other, they require compliance through regulatory programs.

54. In 1970, EPA brought together the major Federal pollution control programs previously existing in four separate agencies and one interagency council. One of the agencies consolidated was the Federal Water Quality Administration (FWQA), formerly in the Department of the Interior. EPA has the responsibility for the administration of the Federal Water Pollution Control Act and under this authority cooperates with Federal, Interstate, and State agencies and with municipalities and industries in developing comprehensive programs to improve the quality of surface and ground waters. Other EPA activities inherited from FWQA include: (1) administration of Federal grants to State and Interstate water quality control and pollution agencies; (2) grants to municipalities for water quality planning and for waste treatment works construction; (3) grants for research, development, and water pollution control programs; (4) development and application of water quality control standards for interstate streams; (5) interstate pollution surveil-

lance (including pollution surveillance stations on the North Platte River at Henry, Nebraska; the Platte River at Plattsmouth, Nebraska; and the Missouri River at Omaha, Nebraska); (6) training of pollution control personnel and technical assistance to States and localities; (7) establishment of field and research laboratories to develop technicians and to train personnel in water quality control; (8) dissemination of public information on water quality and pollution control; (9) establishment of enforcement programs for implementation of the Federal Water Pollution Control Act; (10) control of pollution for Federal installation; and (11) control of oil pollution in navigable waters.

55. In addition to assuming the responsibilities of the FWQA, the new Environmental Protection Agency also acquired the following programs and authorities: (1) the National Air Pollution Control Administration, formerly in the Department of Health, Education, and Welfare; (2) parts of the Environmental Control Administration (Bureaus of Solid Waste Management, Water Hygiene and a portion of the Bureau of Radiological Health), also from HEW; (3) the pesticides research and standard-setting program of the Food and Drug Administration; (4) the pesticides registration authority of the Department of Agriculture; (5) the authority to perform general ecological research, from the Council of Environmental Quality; (6) certain pesticide research authorities of the Department of Interior; (7) the environmental radiation protection standard-setting functions of the Atomic Energy Commission; and (8) the functions of the Federal Radiation Council. The agency is also active in enforcing the River and Harbor Act of 1899.

56. Assistance Programs. EPA conducts several assistance programs. They include grants for wastewater treatment works, grants for program development, technical assistance, and manpower development.

57. The construction grants program is by far the largest, involving $2 billion to the Nation, in Federal funds in fiscal year 1973, $3 billion in 1974, and $4 billion in 1975. The level of assistance has gradually increased since the first permanent Federal pollution control legislation was enacted in 1956. Today, the Federal share is 75 percent of the project's costs. A variety of projects are eligible for funding including treatment plants and interceptor sewers. Table B-1 shows the amount of Federal funds allocated to Nebraska and Iowa for wastewater programs.

Table B-1
Federal Wastewater Construction Programs

State	Construction Grants FY-73 Municipal Wastewater Treatment Work	Construction Grants FY-74 Municipal Wastewater Treatment Work	Water Pollution Control Programs FY-73
Nebraska	$ 7,416,000	$ 11,124,000	$ 99,000
Iowa	23,114,000	34,671,000	185,000
Total Federal	2,000,000,000	3,000,000,000	66,200,000

58. EPA also provides program grants to help State and Interstate agencies expand and improve a variety of activities essential to the control of water pollution. The activities include water quality planning and standards setting, surveillance, enforcement, issuance of permits, executive management, and administration of

the construction grants program. The level of assistance varies from one activity to another, as well as from year to year. In fiscal year 1973, the States spent about $77 million on these activities, of which $20 million was in Federal assistance.

59. Technical assistance is another program receiving major EPA attention. Many pollution problems are too complex for States, communities, and industries to handle alone. EPA assists in such cases by providing services ranging from technical advice and consultation to extensive long-term field and laboratory studies. Within the limits of available resources, this assistance is provided on request, primarily to the States and municipalities.

60. The rapid expansion of pollution control activities has placed a strain upon the supply of trained manpower. In providing assistance, EPA pursues a number of approaches. These include providing short-term training by EPA staff to upgrade the skills of those already in the field, and employing a variety of ways to train sewage treatment plant operators.

61. Regulatory Programs. Effective and equitable regulatory programs are essential elements of the Nation's pollution control effort. Such programs are necessary not only to assure compliance, but to provide equity to those who have voluntarily assumed the often costly burden of control. From the start of the Federal control program in 1948, Congress recognized the basic role of the States in implementing and enforcing water pollution control requirements. Federal legislation, however, asserts Federal regulatory authority to supplement and back up the States. Over the years, this regulatory role has been expanded and strengthened.

62. Until 1972, water quality standards authorized by the 1965 Act were the keystone of a combined Federal-State regulatory program. These standards consisted of two parts: (1) criteria designed to protect present and future uses of interstate waters through establishment of quality levels, and (2) a plan of implementation and enforcement outlining the pollution abatement measures required to meet those criteria. All States established standards for their interstate waters. In turn, these were accepted as Federal standards subject, if necessary, to Federal enforcement.

63. The 1972 Act strengthened the Federal and State regulatory functions by requiring point source discharges - primarily municipal and industrial discharges - to achieve effluent limitations. Several types of effluent limitations are imposed:

- Existing industrial dischargers must use "best practicable" water pollution control technology by mid-1977 and "best available" by mid-1983.

- New industrial dischargers must use "best available demonstrated control technology".

- Industries that discharge into municipal systems pollutants not susceptible to treatment by the municipal plants must meet pretreatment effluent standards for these pollutants.

- Municipal treatment plants must provide a minimum of secondary treatment by mid-1977 and "best practicable" treatment by mid-1983.

- Dischargers must meet toxic pollutant effluent standards.

- All dischargers must apply more stringent effluent controls if needed to meet water quality standards.

64. To facilitate enforcement of the many new pollution control requirements, the 1972 Act replaced former enforcement authorities with new authorities and provided a new regulatory scheme. The scheme is based largely on the imposition of specific requirements through a system of permits and is termed the National Pollutant Discharge Elimination System (NPDES). Permit conditions and other requirements of the Act are enforceable through EPA compliance orders and civil suits. Violators are subject to heavy penalties. A state may assume the responsibility if it meets certain requirements - including the capability and authority to modify, suspend, or revoke a permit - and has the powers and procedures necessary for criminal penalties, injunctive relief, and other enforcement mechanisms.

65. The Act also requires Federal agencies to comply with Federal, State, interstate, and local pollution control and abatement requirements to the same extent as any person must comply. EPA's role stems from the Act and is amplified in Executive Order 11752. The role includes review of Federal facilities compliance with applicable standards, providing guidance to the Federal agencies for implementing provisions of the order, providing coordination of Federal agencies' compliance actions with State and local agencies, and providing technical advice on waste treatment technology.

THE STATE ROLE

66. Although the Federal Government has taken an increasingly greater hand in dealing with water pollution, the States continue to bear the major share of the responsibility. States inherently have broad powers to deal with water pollution. These powers, together with delegated Federal authorities, place the States in a strong position to regulate all sources of pollution. State powers and responsibilities under the Act are exercised through a broad range of activities including:

- Preparation of an annual strategy and program report which describes the interim goals to be achieved during the year, the State resources to be assigned in meeting the goals, and the method of assigning resources.

- Preparation of basin water quality management plans, as required by Section 303(e) of the 1972 Act. These plans are designed to be the central management tools of the States in administering their water quality programs.

- Preparation of areawide waste treatment management plans called for by Section 208 and prepared by local agencies.

- The administration of the construction grants program, including the responsibility for assigning priorities to projects eligible for Federal financial assistance. It is intended that certain Federal responsibilities such as review of plans and specifications be transferred to States as they are able to assume them. Some States provide funds to assist communities construct waste treatment works. Primary responsibility for monitoring municipal treat-

ment plants to see that they operate correctly also rests with the States.

- States have the basic responsibility for planning and implementing programs for control of nonpoint sources of pollution.

- Some States have assumed and others are in the process of assuming responsibility for the NPDES permit program. States that have received the responsibility have concurrently assumed extensive enforcement responsibilities associated with permit compliance.

- States and the Federal Government share responsibility for enforcement.

- States establish and implement water quality standards. Under the 1972 Act, such standards are extended to intrastate, as well as interstate, waters.

- States perform monitoring and surveillance functions to identify and assess existing and potential water pollution problems and to measure the effectiveness of the permit and construction grant programs.

67. EPA administers the following Federal programs which are pertinent to this study:

- Water Pollution Control-Area Waste Treatment Management Planning Grants.

Authorization: Federal Water Pollution Control Act Amendments of 1972, Section 208, Public Law 92-500; 33 U.S.C. 1288.

• Objectives: To encourage and facilitate the development and implementation of areawide waste treatment management plans in designated areas.

Types of Assistance: Project Grants.

Uses and Use Restrictions: Funds are provided to designated planning agencies for a period of up to 24 months to develop an initial areawide waste treatment management plan for the area.

• Pesticides Science and Technology-Technical Information (Technical Infomation Services).

Authorization: Public Health Service Act; Public Law 78-410, as amended; 42 U.S.C. 241-246.

Objectives: To provide access to the latest information available concerning exposure to, and the toxic effects of, pesticides and other chemicals introduced into man's environment.

Types of Assistance: Dissemination of Technical Information.

• Water Quality Control-Monitoring Assistance (STORET (STOrage and RETrieval) System).

Authorization: Section 104(b)(1) and 104(b)(6) of the Federal Water Pollution Control Act, as amended; Public Law 92-500, 33 U.S.C. 1254(b)(1) and 1254(b)(6).

Objectives: To assist Federal, State, interstate, or local authorities in control or prevention of water pollution through application of monitoring and data technology beyond the limitations of their own resources.

Types of Assistance: Advisory Services and Counseling; Dissemination of Technical Information; Provision of Specialized Services.

• Construction Grants for Wastewater Treatment Works.

Authorization: Title II of the Federal Water Pollution Control Act, as amended; Public Law 92-500; 33 U.S.C., 1281(g)(1).

Objectives: To assist and serve as an incentive in construction of municipal sewage treatment works which are required to meet State and Federal water quality standards.

Types of Assistance: Project Grants.

Uses and Use Restrictions: For construction of municipal wastewater treatment works. Such works may serve all or portions of individual communities, metropolitan areas, or regions. A project may include, but may not be limited to, treatment of industrial wastes. Grantee must require pretreatment of any industrial wastes that would otherwise be detrimental to efficient operation and maintenance, or grantee must prevent the entry of such waste into the treatment plant. The grantee must initiate an acceptable system of user charges and recover capital costs insofar as they are associated with the treatment of industrial wastes.

• Water Pollution Control-State and Interstate Program Grants (Section 106 Grants).

Authorization: Section 106 of the Federal Water Pollution Control Act, as amended; Public Law 92-500; 33 U.S.C. 1256.

Objectives: To assist State and interstate agencies in establishing and maintaining adequate measures for prevention and control of water pollution.

Types of Assistance: Formula Grants.

Uses and Use Restrictions: Broad support for the prevention and abatement of water pollution including issuance of permits, pollution control studies, planning, surveillance and enforcement; advice and assistance to local agencies; training, and public infor-

mation. Funds cannot be used for construction, operation, or maintenance of waste treatment plants, nor can they be used for projects financed by other Federal grants or by funds used for matching other Federal grants.

68. In all planning for water resources, EPA regulations and the provisions of the National Environmental Policy Act are prime considerations. Facilities must be designed to meet water quality standards or construction will not be funded by the Federal government.

69. On December 17, 1974 the President signed into law the "Safe Drinking Water Act", PL 93-523. The law enhances the safety of public drinking water supplies through the establishment and enforcement of national drinking water standards. The Environmental Protection Agency has the primary responsibility for establishing the national standards. The States have the primary responsibility for enforcing them and for otherwise ensuring the quality of drinking water. In some situations where the States fail to enforce the standards, the Federal government could. This law also enhances the ability of the Federal government to conduct research into the health effects of contaminants in drinking water.

70. This law will probably be implemented similarly to PL 92-500. EPA must establish standards, determine the capability of the States to enforce them, and report back to the Congress before final publication of drinking water standards.

Regional Interstate Institutions

71. Interstate agencies are pertinent to this study because the study area covers counties in Iowa and Nebraska. Two agencies have been selected for inclusion. The Missouri River Basin Commission and the Metropolitan Area Planning Agency.

MISSOURI RIVER BASIN COMMISSION

72. The Missouri River Basin Commission (MRBC) was established on March 22, 1972 under provisions of Title II of PL 89-80, the Water Resources Planning Act of 1965, and is comprised of ten states in the Missouri River Basin. MRBC is a planning agency only and has no operating or management responsibility. MRBC's primary planning effort, as mandated by law, is to prepare and keep up-to-date a comprehensive coordinated joint plan (CCJP) for Federal, State, Interstate, local, and nongovernmental development of water and related land resources of the basin. MRBC is also involved in a planning effort with the State of Nebraska on a Level-B study of the Platte River. In this effort, MRBC coordinates closely with other planning activities in the region to assure that the most up-to-date planning concepts are included in this study.

METROPOLITAN AREA PLANNING AGENCY (MAPA)

73. The Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) was organized in June 1967 to promote and preserve the public health, safety, and welfare of the citizens in the MAPA region.

The city of Omaha initiated to form the agency. The adopted functions of MAPA are:

- Prepare and adopt comprehensive and technical development and service plans, studies, and reports.

- Disseminate information.

- Provide technical and advisory services.

- Review proposed planning and development of service programs and projects.

- Provide a forum for encouraging coordination of actions.

73A. The geographical limits of MAPA, which may be expanded or contracted by two-thirds majority vote of the total membership were originally established as Douglas and Sarpy Counties in Nebraska and Pottawattamie County in Iowa. Since then, Washington County in Nebraska and Mills County in Iowa have been added. The geographical area is 2,367 square miles with a population of approximately 526,000.

74. The membership of MAPA currently consists of:

- Five counties (Douglas, Sarpy, Washington, Pottawattamie, and Mills).

- Seventeen cities, towns, and villages. (Nebraska - Bellevue, Bennington, Boys Town, Elkhorn, Gretna, LaVista, Omaha, Papillion, Ralston, Springfield and Valley. Iowa - Carter Lake, Council Bluffs,

Hancock, Macedonia, Minden, and Walnut).

- Four School Boards (Ralston, Millard, Bellevue, and Lewis Central).

- Papio Natural Resources District.

- Eppley Airport Authority.

75. MAPA has two official bodies: The Council of Officials and the Board of Directors.

- The Council of Officials consists of the principal elected official (or his duly appointed official representative) of the member organizations listed above, the President of the City Council of Omaha, the Chairmen of the planning boards of Omaha and Council Bluffs, the small cities and counties representative and one elected representative of the nine Iowa Counties in the Southwestern Iowa Planning Region. The Council annually elects a President and a Vice-President. The President appoints a Secretary. The Council meets at the pleasure of the President or upon written request of five members. Four scheduled meetings are held during the months of January, April, July, and October. Generally, the Council of Officials sets the policy for MAPA activities, conducts public hearings and adopts regional plans as developed.

- The Board of Directors is comprised of the Chairmen of the member county boards of commissioners or supervisors to those counties exceeding 50,000 population, Mayors of Omaha and Council Bluffs, Chairman of the Omaha Planning Board, Chairman of the

Council Bluffs Planning Commission; President of the Omaha City Council, and a small cities and counties representative. The Board annually elects a chairman, vice-chairman. The chairman appoints a secretary and treasurer of the board. The Board also appoints an Executive Director of the operating staff and a legal counsel. The Board has scheduled monthly meetings or special meetings called by the chairman or upon written request of five members. Generally, the Board is the executive body of the agency which adopts work programs and annual budgets, conducts the routine business of MAPA and recommends regional plans to the Council of Officials for adoption.

- The Board of Directors of MAPA has charged the Executive Director with the management of the operations of the agency. The Executive Director coordinates the actions of the Advisory Committees, Administrative Staff and three operating divisions; Comprehensive and Environmental planning, Transportation and Urban Affairs and the Riverfront Development. The administrative and operating divisions total 32 people. The Comprehensive and Environmental Planning Division concentrates on land use, housing, open space, solid waste management, water pollution control, and water supply facilities. The transportation and Urban Affairs Division is concerned with transportation, major street plans, and capital improvement programming and construction. The Riverfront Development Division is solely committed to the enhancement and development of housing recreation and commercial industry along the Missouri River corridor.

76. The Riverfront Development Program plays a key role in MAPA. A full description of the program can be found in one of the special appendices of this study.

77. Table B-2 shows the major programs accomplished by MAPA in the past eight years.

Table B-2
MAPA Major Program Achievements 1967-1974

Report Number	Report Title and Date
101	Metropolitan Area Comprehensive Plan, Phase One. November 1969
102	Solid Waste Disposal Plan. July 1970
103	Metropolitan Area Comprehensive Plan, Phase Two. "Housing Study and Economic Base Survey". June 1970
104	Sewerage Facilities Report. September 1971
105	Nebraska Law Enforcement Comprehensive Plan for Region One, 1972. June 1971
105-1	Nebraska Law Enforcement Comprehensive Plan for Region I 1973. August 1972
106	Open Space Plan and Program. October 1972
107	Comprehensive Water Pollution Control Plan. September 1972
107-1	Technical Report - Agricultural Waste. September 1972
107-2	Technical Report - Wastewater Collection and Treatment. June 1972
107-3	Technical Report - Water Quality Studies. June 1972
108-1P	COATS 1995 Interim Transportation Study. May 1973
108-2P	COATS 1995 Interim Transportation Study, "Transit Study". September 1973
110	1970 Housing Study. June 1972
112-1P	Housing Needs Study. June 1972

Table B-2 (Cont'd)
MAPA Major Program Achievements 1976-1974

Report Number	Report Title and Date
112-2P	Housing Goals and Objectives. Map 1973
112-3P	Housing Assistance Agencies. August 1972
112-4P	Manual of Housing Finance Programs and Technical Assistance. May 1973
112-5P	Innovative Housing Construction Techniques. May 1973
112-6P	Building Industry and Mortgage Institutions. May 1973
113P	A Proposed Environmental Resource Analysis Program. January 1973
112-4	Regional Housing Plan Technical Appendix, Volume Two. July 1974
113-1	MAPA ERA Program Activities, Fiscal Year 1973-1974. August 1974
	Integrated Grant Administration Annual Program Completion Report November 1, 1972 to October 31, 1973. March 1974

In addition to the above-referenced reports, the following reports have been prepared throughout the program years 1968-1974. These reports include:

Annual Report, 1968
Annual Report, 1970
Annual Report, 1971
Fiscal Year Annual Report 1971-1972
Fiscal Year Annual Report 1972-1973

Regional Directory, 1970
Regional Directory, 1971
Regional Directory, 1972
Regional Directory, 1973

MAPA Capsule (Newsletter, a quarterly publication)

78. MAPA operates on an annual budget of approximately $1 million which is derived from member government contributions, and from State and Federal funds.

79. MAPA plays a key role in regional planning through the development and adoption of regional plans. As the designated clearing house for Federal assistance programs, the agency provides valuable aid to the member governments. MAPA also provides a forum for the exchance of ideas and the discussion of differences which is extremely important in the area where there has been polarization of divergent interests.

Nebraska Institutions

THE STATE ROLE

80. Historically, the State of Nebraska's resource agencies have developed along lines similar to those experienced in other States. Through the years new agencies, departments, or commissions were established or new functions assigned as specific needs were realized. Thus, today the State's water resources are affected by the actions of one code department headed by a director, one code department headed by a board, one code department headed by both a director and a council, two independent commissions, and four divisions of the University of Nebraska. In addition to these nine entities, the Department of Economic Development and the Office of Planning

and Programming may, in the future, play significant roles in Nebraska's water and land resource development and use. Furthermore, the program of statistics gathering by the Department of Agriculture provides data used by other resource agencies; and the Department of Roads' construction programs affect water resource projects, while resource projects in turn affect highway features.

81. In 1968, then Governor Norbert T. Tiemann retained a consultant to analyze the State's resource agencies and to give recommendations concerning their reorganization. Frank J. Trelease, Dean of the University of Wyoming Law College, submitted his recommendations and reorganizations to the Governor on January 10, 1969. Many of Dean Trelease's recommendations were adopted.

DEPARTMENT OF WATER RESOURCES

82. The Department of Water Resources was established by legislative action in 1957 and was assigned all of the powers and duties formerly exercised by the Bureau of Irrigation, Water Power and Drainage, in the Department of Roads. Its history goes back to 1895 when the State Board of Irrigation was created with authority over water rights for irrigation, power and all other useful purposes.

83. The Department is a code agency created to aid the Governor in the execution and administration of the laws of the State and is headed by a director appointed by the Governor and subject to confirmation by the Legislature.

84. The Department has original jurisdiction over matters pertaining to rights to the use of water in all natural streams in the State for

irrigation, power, and other useful purposes. In addition to determining water rights, the Department must also regulate the use of water from natural streams in accordance with the rights which have been determined and made of record. Other duties and powers of the Department are:

- To approve all plans for proposed drainage districts before contracts for construction are let or work done, with authority to require changes in any such plans;

- To conduct public hearings concerning rights to the use of waters of the State. These hearings may be initiated by complaint, petition, or application in connection with such rights;

- To make surveys of streams showing the location of possible water power developments, irrigation, or drainage projects;

- To direct operators of interstate ditches to construct and maintain measuring devices on such ditches at or near the State's boundaries;

- To measure and record the quantity of water flowing in the streams of the State. To carry out this assignment, the Department employs from 10 to 15 full-time engineers and hydrographers. The stream-gauging program is conducted under a 50-50 matching agreement with the Water Resources Branch of the U.S. Geological Survey, the arrangements being essentially a matching of services. In addition to obtaining records of stream flow, the personnel of the Department also measure and record the amounts of water diverted from the streams through canals or pumps to be used for irrigation

or other useful purposes;

- To examine and approve plans of all proposed dams to be constructed for reservoir purposes or across the channels of natural streams, and the designs of headgates and measuring devices at the diversion point of irrigation and hydroelectric power canals;

- To approve the petitions for formation of proposed irrigation districts, reclamation districts; petitions for creation of proposed public power and/or irrigation districts; and petitions for any changes in the organization of any such districts; and

- To register, when data is submitted by well owners, all water wells in the State except those used for domestic purposes and to issue permits relative to the spacing of water wells when special application for the same are filed.

85. To aid the Department in the enforcement of water rights and in the proper distribution of water, the State is divided into water divisions which in turn are divided into water districts. In each division, the Department employs a division engineer, and in each water district, water commissioners are employed during the irrigation season to regulate the use of water under the supervision of the division engineer.

86. In 1963, a Nebraska Power Review Board was established within the Department of Water Resources. The Board consists of five members appointed by the Governor to staggered terms of four years each. It is composed of an engineer, an attorney, an accountant, and two lay persons.

87. The Board has the statutory power to authorize or deny the construction of transmission lines and related facilities outside of the corporate limits of cities and villages. It also has the authority to require public power districts, municipalities, and other retail power suppliers to enter into service area agreements and to enforce these agreements.

88. The Board also now possesses certain powers in the area of the interconnection of facilities among the various suppliers. The Board arbitrates disputes over the "wheeling" of electricity. (Generally, "wheeling" is a power industry term applied to the practice of transmitting power from one supplier to another over a third supplier's lines.)

89. The Director of the Department of Water Resources serves as the secretary for the Power Review Board and is also a member of the Nebraska Natural Resources Commission.

90. The Department of Water Resources publishes a biennial report to the Governor which contains statistical data concerning water appropriations, water supplies, and listings of public power and irrigation districts and reclamation districts.

NEBRASKA NATURAL RESOURCES COMMISSION

91. The Nebraska Natural Resources Commission was originally created by an act of the Legislature in 1937 as the Nebraska Soil and Water Conservation Commission and today serves as the official agency of the State in connection with soil and water conservation, flood prevention, watershed protection, flood plain regulation,

flood control and development of the Nebraska Water Plan. The Commission has been assigned the task of establishing a water and land resources data collection center for Nebraska. Also, in 1969 the Nebraska Legislature established a special Snagging and Clearing Fund to be administered by the Commission for allocating limited appropriations to cities, counties or other subdivisions of government to aid projects to clear watercourses.

92. The Commission is now composed of fourteen members including the Dean or director of the Conservation and Survey Division of the University of Nebraska; the Dean of the College of Agriculture, the Director of the State Agricultural Extension Service; the Director of Water Resources; three members appointed by the Governor, including one representing irrigation interests, one representing chambers of commerce and one representing municipal and industrial users; one natural resources district supervisor or past district supervisor from each of the twenty-four statutorily established districts; and one member of the Nebraska State Irrigation Association.

93. The Commission is the umbrella agency for the state's 24 Natural Resource Districts (NRD's) which were created to find local solutions to resource problems of a regional nature. The NRD's are granted statutory authority to levy a one mill tax annually and to perform a broad range of planning and management functions.

94. An Advisory Committee authorized by the Legislature works with the Commission in coordinating and planning programs and projects affecting water resources in the State. Representatives of the Department of Health, the Department of Environmental Control, the

Department of Economic Development, the Department of Roads, and the Game and Parks Commission are members of this Committee. In addition to these advisors, the Committee also includes representatives of the U.S. Department of Agriculture, the U.S. Army Corps of Engineers, the U.S. Department of the Interior, and the Governor.

95. In addition to the Advisory Committee, there are also two other committees which are established to review work on the Nebraska Water Plan. These are: (1) the Technical Advisory Committee, which provides technical guidance, information on Federal and State laws, regulations and policies, and coordinated inter-agency participation. The Committee consists of representatives of: the U.S. Departments of Agriculture, Defense, and Interior, the Nebraska State Departments of Economic Development, Health, Roads, Water Resources, and the Game and Parks Commission; the University of Nebraska's Conservation and Survey Division, the Bureau of Business Research, the College of Agriculture, the Agricultural Experiment Station, the Agricultural Extension Service, and the Water Resources Research Institute; the Nebraska Irrigation and Water Resources Association; the Office of the Governor; and the Commission itself. And (2) the Special Representatives Committee, which considers Nebraska Water Plan materials as they relate to the policies and programs of the organizations represented, disseminates information to the membership of those organizations and consists of representatives of Nebraska's League of Municipalities, League of Women Voters, State Irrigation Association, Association of Commerce and Industry, Farm Bureau Federation, Farmer's Union, State Grange, Petroleum Council, Press Association, Rural Electric Association, Power Industries Committee, Association of County Officials, Well Drillers Association, American Water Works Association, Nebraska Association

of Resource Districts, Nebraska Water Resources Association, Nebraska Recreation and Parks Association, Nebraska for Nebraska Soil and Water, National Farmers Organization, Riparians Association, Inc. and the Commission itself. From time to time, special work groups are also established to handle specific projects.

96. Heading the staff is an Executive Secretary who is appointed by the Commission to plan, administer, and coordinate business activities.

97. The Natural Resources Commission is comprised of three divisions: (1) the Planning Division, which is in charge of development of the Nebraska Water Plan, water quality planning, and the natural resources data bank; (2) the Operations Division, which is in charge of flood plain management, aid to local districts, watershed planning, and general office coordination; and (3) the Legal Division, which acts in a general advisory capacity to the other divisions, to the Executive Secretary, and to the Commission, and which has responsibility for selected items of the Nebraska Water Plan.

98. The Commission carries on numerous activities in the performance of its duties. Among these are the following duties and powers:

- To assist, as may be appropriate, the supervisors or directors of any subdivision of government with responsibilities in the area of natural resources in the carrying out of their programs;

- To keep the supervisors or directors of each such subdivision informed of the activities and experiences of other subdivisons, to coordinate the exchange of advice and experience, and to foster cooperation among them;

- To secure the cooperation and assistance of the United States and its agencies, and of other State agencies, in the work of such subdivisions;

- To disseminate information throughout the State, concerning the activities and programs of such subdivisions;

- To assist, encourage, and coordinate the programs of watershed organizations;

- To plan, develop, and encourage the implementing of a comprehensive Nebraska Water Plan for resource development, conservation, and use of the soil and water resources of the State in cooperation with other local, State, and Federal agencies and organizations;

- To help local governmental organizations secure, plan, and develop information on flood plains for the creation of regulations and ordinances on the use of the State's flood plains;

- To hold hearings on all watershed or flood control programs developed by responsible subdivisions of Nebraska government;

- To establish the number and the boundaries of natural resource districts;

- To initiate a comprehensive program of flood plain zoning along all of the watercourses and drainways in the State; and

- To allocate funds to local organizations to facilitate the acquisition of real property and easements needed to permit the

installation of upstream flood controls or watershed protection and flood prevention structures.

DEPARTMENT OF HEALTH

99. The original Department of Health was established in 1891 by enactment of the Board of Health Law. That Board was composed of the Governor, the Attorney General, and the Superintendent of Public Instruction.

100. The present Department of Health is governed by the State Board of Health created in 1953. The Board consists of fourteen members appointed by the Governor to staggered terms of three years. The Governor is an ex-officio member with the privilege of voting only in cases of a tie vote of the Board. Two members selected must be medical doctors, one each from the dental, optometric, veterinary medical, pharmaceutical, nursing, osteopathic, podiatry, chiropractic, physical therapy, and professional engineering professions, and two representing the lay public.

101. The Board appoints a Director of Health who serves as secretary of the Board and as the chief executive officer of the Department who administers the affairs of the Department.

102. The Department of Health has general supervision over matters of public health and sanitation. Major responsibilities of the Department include the maintenance of vital statistics, State health laboratory services, health education programs, communicable disease and tuberculosis control, dental health, maternal and child health, emergency health services, establishing standards for the construction

and maintenance of hospitals, nursing homes, and related medical facilities, and licensing the same; examination and licensing of members of the various health professions; public health nursing; and environmental sanitation programs. The Board of Health also maintains a continuing study of the health needs of the State.

DEPARTMENT OF ENVIRONMENTAL CONTROL

103. The Department of Environmental Control and the Environmental Control Council were established in 1971 by the State Environmental Protection Act, effective July 1, 1971. The basic purpose of the Act is to conserve, protect, and improve the quality of water and to achieve and maintain a degree of purity in the atmosphere and on the land to allow humans, plants, and animals **indigenous** to this State to flourish.

104. The Environmental Control Council is composed of sixteen members appointed by the Governor with the advice and consent of the Legislature; one each representing the food products manufacturing industry, the agricultural processing industry, the automotive or petroleum industry, the chemical industry, heavy industry, the power generating industry, the livestock industry, conservation, crop production, labor, county government, the public at large, a physician knowledgeable in health aspects of air, land, and water pollution; and a professional engineer experienced in the control of air and water pollution and solid wastes; and two representing municipal government. A Director is also appointed by the Governor from a list submitted by the Council and is responsible for administration of the Department and for recommendation of standards, rules, and regulations to carry out the purposes

of the Environmental Protection Act as well as the administration of all such standards, rules, and regulations as are adopted by the Council.

105. In June 1973, the Council issued its "Water Quality Standards Applicable to Nebraska Waters" and clearly articulated its overall policy as follows:

> "It is the policy of the Environmental Control Council to protect and enhance the quality of productivity of the waters. All domestic wastes shall receive at least secondary treatment and prescribed bacterial control, plus such additional treatment as is required to maintain Water Quality Criteria. All industrial wastes shall receive an equivalent degree of treatment consistent with waste characteristics, uses and quality of receiving waters."

106. The Department of Environmental Control replaced the Water Pollution Control Council and the Air Pollution Control Council. The Department has general supervision over the prevention, abatement, and control of all water, land, and air pollution, including agricultural wastes. More specific responsibilities of the Department are to: (1) enforce all rules and regulations adopted jointly by the Council and the director; (2) develop comprehensive programs; (3) cooperate with other State and Federal agencies; (4) administer grants and loans from the Federal government and other sources; (5) conduct studies and tests and take samples; (6) conduct educational programs; (7) assist in the adoption by the Council of air, water, and land pollution control standards; (8) issue, modify or

revoke orders; (9) administer state grants; (10) hold hearings; (11) require submission of plans and specifications relative to construction of disposal systems (12) issue permits; (13) require proper disposal systems; (14) require access to records as regards air contamination and water pollution; (15) obtain scientific services; (16) encourage voluntary cooperation, especially with local governmental units and individuals; (17) conduct consultations; (18) conduct inspections; (19) receive and initiate complaints; (20) delegate enforcement to local governmental subdivisions and the Attorney General of the State, and (21) enforce, in Nebraska, the National Pollutant Discharge Elimination System.

107. The Department is divided into three sections, with a Water Pollution Division, Air Pollution Division, and Solid Waste Division. Under the Water Pollution Division is an Agricultural Section which deals with agricultural waste disposal and possible pollution of Nebraska waters.

NEBRASKA GAME AND PARKS COMMISSION

108. In 1929, the Department of Agriculture was divested of its authority over game and fish and the University of Nebraska was divested of its authority over parks when the Legislature established the Game, Forestation and Parks Commission. This Commission remained basically the same until 1967 when a State Forester was created and the responsibility for that area was removed from the Commission. The Commission then became the Game and Parks Commission.

109. The Commission is composed of seven members, representing different areas of the State. The members are appointed to five

year terms by the Governor with the approval of a majority of the Legislature. The statutues require that at least two members of the Commission be engaged in agriculture and reside on a farm or ranch and that not more than four members be affiliated with any one political party.

110. The Commission offices are operated under the control of a Secretary appointed by the Commission. The Secretary acts as the director and chief conservation officer with supervision and control of all activities and functions of the Commission.

111. The Commission has "sole charge of State parks, game and fish, recreation grounds, and all things pertaining thereto." To carry out this task, the following powers and duties are provided by statute:

- Replenish and stock the State with game, and the public and private waters with fish;

- Establish, maintain, and operate hatcheries for game and fish necessary to fully supply the State;

- With the Governor's consent, purchase land to establish State parks, hatcheries, recreation grounds, game farms, game refuges, and public shooting grounds;

- Survey the State for areas suitable for the purposes in (3) above and take action to conserve them;

- Enact regulations governing uses which may and may not be

made of the areas either owned by, or under the control of, the Commission;

- Make agreements with States bordering on the Missouri River to provide for reciprocal recognition of licenses, permits and laws;

- Advertise and promote "Nebraskaland" with its scenic, historic, and outdoor recreation values;

- Register motor boats and promote safety for persons and property and uniformity of laws in the use of boats; and

- Administer the land and water conservation fund making grants to political subdivisons from monies available through Federal appropriation to the fund and from monies provided as State matching funds.

112. The Game and Parks Commission provides a number of Nebraskaland promotional publications including fishing and boating guides, small maps of some Nebraska lakes, a comprehensive outdoor recreation plan, and the NEBRASKAland Magazine.

DEPARTMENT OF ECONOMIC DEVELOPMENT

113. This Department was created in 1967 when the Legislature separated it from the Department of Agriculture where it existed as the Division of Nebraska Resources.

114. Its statutorily established duties include planning, promoting, and developing the State's economy; working for the fullest development of the human, natural, and physical resources; stimulating the growth of commerce, agriculture, industry, and job opportunities, promoting tourism, and coordinating the efforts of private and governmental agencies engaged in similar activities in Nebraska.

115. The Department is composed of four separate divisions to carry out these assigned tasks. A Division of Community Affairs is assigned the task of creating attractive communities for citizens and investors. This includes conducting annual community improvement programs. Also, this division is responsible for the administration of the federally sponsored Farmer's Home Administration's water and sewer planning program. A Division of Industrial Research and Information Services identifies the State's assets and liabilities as they relate to plant location criteria and developing new products and technologies. A Division of Industrial Development aids existing industry and procures new industry. A division of Tourism is responsible for advertising and promoting the scenic, historic, and outdoor recreational values and attractions of the State.

116. The Department is headed by a Director and is supplemented by an eleven member advisory committee which serves in an advisory capacity to the Department Director. The Committee members are appointed by the Governor to four-year terms.

117. In addition to other outlined duties, the Department administers the Nebraska Agricultural Products Research Program which has developed new, additional, or improved uses for agricultural products and is also administratively responsible for the Commission on Indian Affairs.

118. A bimonthly bulletin entitled Nebraska on the March and a biennial Directory of the Nebraska Manufacturers are published by the Department. Brochures containing data on the State's resources are available on request.

NEBRASKA STATE OFFICE OF PLANNING AND PROGRAMMING

119. The State Office of Planning and Programming, created by the 1969 Legislature, exists within the executive branch of the government. Originally a separate agency, it became a division of the Department of Administrative Services on July 1, 1971. The new office is composed of the Governor, a Director of Planning appointed by the Governor, and any other employees appointed by the director. The Governor may establish special or general advisory committees or councils to the office and may establish special or general advisory committees or councils to the office and may appoint members to them who may serve for stated times or at the Governor's direction.

120. The Governor is also authorized to appoint the Planning Director to serve as an ex-officio, nonvoting member of any committee, commission, council or other organization of any State agency, department, institution or group interested in planning, programming, or research.

121. The office has been given the principal duty of planning the comprehensive development of the social, economic, and physical resources of the State and coordinating the programs of the State and its subdivisions required to put such comprehensive development plans into effect. To aid in the compliance with these directives, the Governor may require any of the State's departments, agencies, or institutions to furnish the office with information, personnel, equipment, and services.

122. Other duties of the State Planning Office include:

- Formulation of long-range development policies and plans which may include areas of outdoor recreation, water resources transportation, and economic development;

- Preparation of special reports and furnishing of research results through publications, memoranda, briefings, and expert testimony;

- Coordination and consolidation of the collections of data in existing data banks and the approval of establishing new, separate data banks;

- Coordination of the planning activities of all the State's departments, agencies, and institutions and its political subdivisions;

- Participation in interstate planning;

- Application for and acceptance of advances, loans, grants, and contributions from all sources, public or private; and

- Arrangement for professional or consultant services in planning.

CONSERVATION AND SURVEY DIVISION, UNIVERSITY OF NEBRASKA

123. The Conservation and Survey Division was established by the Legislature in 1921 as a part of the University of Nebraska. By that act, the Board of Regents was given authority to appoint a director to coordinate the work of the Division.

124. The Division was created to survey the State's soils, water, and water power, geology, forests, road materials, and industry. To carry out its functions in these areas, the Division was given the following enumerated duties: (1) survey and describe the natural resources in the State; (2) study the climate, physical features, geology and mineral resources in the State; (3) study and describe the operations, production and importance of leading industries; (4) investigate and report on the State's conservation problems; (5) study water-bearing formations and assist in the location of water supplies; (6) secure and preserve logs and physical data of wells drilled; (7) prepare and present publicity and educational materials on the State's resources, industries, institutions and development; (8) investigate and report misrepresented or fraudulent sales and offers for sale of foreign realty, oil, mineral, and gas structures and leases or interest in them; and (9) provide an information Bureau to report on the State's resources, industries, and development.

125. With the approval of the Board of Regents, the Division may also enter into agreements with Federal agencies necessary to carry on cooperative surveys and investigations. Presently, soil surveys are being conducted in cooperation with the U.S. Department of Agriculture, and the water surveys are being conducted in cooperation with the U.S. Geological Survey.

126. An Information Bureau Service is also a major activity of the Division. Staff members participate in their specialty through publication and consultation with individuals and public and private organizations. This Service, in addition to publishing education leaflets, bulletins and displays, makes available to the public the knowledge gained from the University's research on Nebraska's resources.

AGRICULTURAL EXPERIMENT STATIONS, UNIVERSITY OF NEBRASKA

127. The Agricultural Experiment Station, in Nebraska as in many other states, was established under the authority of an act of the United States Congress in 1887. That act provided for the establishment of experiment facilities, under the authority of the several land grant colleges, to investigate and experiment with the principles and applications of agricultural science.

128. In 1903, the Nebraska Legislature further expanded this experiment program by establishing several regional experiment substations through the State. These substations are under the control and supervision of the Director of the Agricultural Experiment Station and the Board of Regents of the University of Nebraska.

129. In addition to the central station at Lincoln, the University today operates regional stations at North Platte, Clay Center, Concord, and Scottsbluff, the latter having satellite stations at Alliance and Sidney. These regional stations are administered from the station at Lincoln.

130. A field research laboratory is operated near Mead for the use of the scientists at Lincoln.

131. Operating under the Federal act, the Nebraska Agricultural Experiment Station conducts research and experiments on the physiology of plants and animals, diseases of plants and animals and their remedies, chemical compositions and patterns of growth of useful plants, production systems for plants and animals, capacity of new plants for acclimation, soil fertility, soil conservation and management, water development and use, chemical control of pests, adaption and value of grasses and forage plants, composition and digestibility of animal foods, marketing products, human nutrition, product processing, rural families and homes, and many other experiments bearing directly upon the agricultural industry and rural life.

132. Bulletins and reports of the activities and experiments conducted are published regularly and are provided to the public upon request, so far as possible.

AGRICULTURAL EXTENSION SERVICE, UNIVERSITY OF NEBRASKA

133. The Agricultural Extension Service was initiated by an act of the United States Congress in 1914, which act provided for a cooperative program between the U.S. Department of Agriculture and the several land grant colleges consisting of instruction and demonstration in agriculture and home economics to persons not attending land grant colleges.

134. The Agricultural Extension Service in Nebraska is a division of the University of Nebraska, Colleges of Agriculture and Home Economics,

and is headed by a Director. It is operated today as a cooperative service partnership including the Federal, State, and county governments, each of which share in financing, planning, and carrying out of extension education programs. These programs are intended to involve all members of the family. Thus, at least one-third of the programs involve 4-H Clubs and the work of young men and women.

135. In 1928, the United States Congress enacted further provisions for extension work. Along with increased financial support, it was then directed that a large part of that support be used to provide county agents to disseminate the information through personal contact. Today's Agricultural Extension Service thus consists primarily of county agents, area extension specialists, and State specialists.

136. Information provided through the program is obtained through research at the several State experiment stations, Federal U.S.D.A. laboratories, and observations by specialists in the field. It is disseminated through farm and home visits, public meetings, study workshops, demonstrations, radio, newspapers, television, circulars, and bulletins.

137. Local people work with the Extension Service of the University of Nebraska, Colleges of Agriculture and Home Economics, through a County Extension Board which cooperates in the employment of the county agents and serves as an advisory group in the development of the local county programs.

138. The Extension Service provides numerous bulletins and circulars many of which have special significance to the State's waters. Most Service publications are available in the local County Extension

office, and those that are not may be obtained from the University of Nebraska, Colleges of Agriculture and Home Economics, Department of Information, Lincoln, Nebraska.

WATER RESOURCES RESEARCH INSTITUTE, UNIVERSITY OF NEBRASKA

139. The Water Resources Research Institute, associated with the University of Nebraska, was established in 1965 to administer funding provided by an act of the United States Congress. The Institute is funded entirely under the Federal Water Resources Research Program which provides for assistance to each participating State in establishing and carrying on the work of a competent and qualified water resources research institute at a land grant college or university or some other institution designated by an act of the state's legislature.

140. In Nebraska, a Director is appointed by the Board of Regents to manage the affairs of the Institute. The Director also cooperates with the comptroller of the University in receiving and accounting for all funds made available under the Federal Act.

141. The purpose of the Institute is to stimulate, sponsor, provide for, and supplement research programs, investigations, and training of scientists in water and related resource areas. The establishing Act suggests that the broad scope of supported work include aspects of the hydrologic cycle, supply and demand for water, conservation and use of water, and economic, legal, social, engineering, recreational, biological, geographical, and ecological water problems.

142. The State of Nebraska has had a long history of enacting legislation to establish special purpose, limited authority districts and boards intended to solve natural resources related problems. Among the districts and boards which were established in response to individual problems were soil and water conservation districts, watershed districts, watershed conservancy districts, advisory watershed improvements boards, drainage districts, watershed planning boards and others. Each of these agencies served a very useful and worthwhile function in helping to solve specific problems.

Nebraska Regional Agencies

NATURAL RESOURCES DISTRICTS

143. The conservation of natural resources has become more complex as the interaction of individual projects was realized. The importance of conserving natural resources has also received increasing attention. The advent of greater participation with both funds and trained personnel at the Federal level called for the creation of an organization with broader geographical coverage and legal authority.

144. The natural resources district concept was the outgrowth of a detailed study and innumerable discussions on types of legislation that would meet the needs of the State of Nebraska in the development of land, water, and related resources. The results of that study indicated the need for a legal subdivision of government that could

sponsor Federally funded programs, initiate programs on its own, and provide the local leadership and guidance necessary for the wise development of our natural resources on a watershed basis.

145. The areas of operation the Legislature envisioned that natural resources districts might involve themselves in are enumerated in Section 2-3229 of the Revised Nebraska Statutes.

"The purposes of natural resources districts shall be to develop and execute, through the exercise of powers and authorities contained in this act, plans, facilities, works and programs relating to (1) erosion prevention and control, (2) prevention of damages from flood water and sediment, (3) flood prevention and control, (4) soil conservation, (5) water supply for any beneficial use, (6) development, management, utilization and conservation of ground water and surface water, (7) pollution control, (8) solid waste disposal and sanitary drainage, (9) drainage improvement and channel rectification, (10) development and management of fish and wildlife habitat, (11) development and management of recreational and park facilities, and (12) forestry and range management."

146. The previously cited section indicates that a Natural Resources District (NRD) is a planning and implementing organization. The District has the authority to plan and develop projects of a broad and comprehensive nature designed to meet the needs of the district. This can be done by the Board at the request of the people in the District or on its own initiative. The NRD has the authority to sponsor and provide local assurance necessary to implement projects of a Federal, State, or local nature.

147. A particularly significant power granted Natural Resources Districts by the legislature is the power to levy up to a one mill tax on the residents, which is used to maintain the staff and implement NRD programs.

PAPIO NATURAL RESOURCES DISTRICT

148. The Papio NRD Board readily accepted all of the obligations and commitments made by the organizations that were merged to form this NRD. The merged organizations included the Sarpy, Douglas, and Washington County Soil and Water Conservation Districts and the Papio Watershed Advisory Board.

149. The boundaries of the Papio Natural Resources District are coterminous with the boundaries of Washington, Douglas, and Sarpy Counties, as shown on the map on the next page.

150. Of the twelve areas of operation authorized by the NRD law, the Papio NRD adopted seven. Fiscal, monetary, and time restraints required the establishment of priorities for these program areas. Consideration was given in establishing priorities to the type of program area that is involved (example: a program that would be basically self-supporting versus a program that would require funding from the general tax funds; the benefit that the citizens of this district would derive from the program, and the need for programs of this type within the District). The following priorities have been adopted by the Papio Natural Resources District:

- Erosion prevention and control
- Flood prevention and control

- Pollution control
- Recreation and wildlife development
- Drainage
- Water supply
- Forestry and range management

151. The Papio NRD is embarked on numerous projects in the above program areas. A small watershed project under PL-566 has been completed on Turtle Creek in Sarpy County and another is under construction in the Papillion Creek Watershed in Washington and Douglas Counties. Many other soil conservation projects, of both construction and continuing types are underway. Responsibility for the operation and maintenance of four flood control levees have been assumed by the District. Several other services in this area of flood control and channel maintenance are in progress. The Papio NRD is active in pollution control and has projects completed or underway. The Board of Directors has resolved to investigate wastewater management on an area basis for small communities and for sanitary and improvement districts. This project will result in significant progress toward achieving Federal water pollution control standards. In recreation and wildlife, the NRD is active with plans for recreation along major streams, in connection with the Riverfront Program, and in cooperation with the Corps of Engineers at selected Papio flood control dams. The District cooperates on drainage projects with drainage districts. In water supply, the NRD participates with MAPA in regional water supply planning and in undertaking planning

for a water supply system for Southern Washington County. Forestry and range management is performed on a limited scale and is centered mostly around a continuing tree planting program.

152. The Papio NRD operating budget for FY 1974 totalled $900,000; a 0.35 mill levy yielded $500,000 and the remaining $400,000 came from contracts with various Federal Agencies and from income on rental property and equipment. A full 1.0 mill levy would produce approximately $1.5 million. In the future, the District plans to draw from the Resources Development Fund administered by the Nebraska Natural Resource Commission.

LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT

153. The Lower Platte South NRD encompasses most of Lancaster and Cass Counties and portions of Seward, Butler, Saunders, and Otoe Counties. Merged into the new NRD were the former Salt Valley, Northeast Cass, Rock Creek, Weeping Water, and North Oak Watershed Boards and portions of the soil and water conservation districts of the above counties. An outline map of the NRD is on the following page.

154. The District boasts numerous achievements for its residents in the two years since the enactment of the NRD law. The NRD has completed:

- A demonstration project of modern, practical land treatment practices, coupled with a wildlife enhancement program, a roadway seeding demonstration, and an agronomy information program sponsored by the University of Nebraska.

• Participation with the city of Lincoln in the construction of a storm sewer outlet to the Salt Creek at "O" Street.

• Acceleration of soil surveys in Cass, Lancaster, and Butler Counties.

• A cooperative inspection of 41 dams in Butler, Seward, and Lancaster Counties.

• Approval of a contract for engineering studies for nine flood control dams in the Rock Creek watershed in Saunders and Lancaster Counties.

• Contracting for bank stabilization of a portion of Dead Man's Run in Lincoln.

• An agreement to participate in the construction of a grade stabilization and flood control project near Ashland in Cass County.

• An agreement to maintain watershed structures in Plattsmouth.

• Publishing a booklet on land treatment practices.

• Bank stabilization and flood control work on Antelope Creek including construction of a four lane bridge.

• Ground breaking for the North Oak watershed project that will include 12 flood control dams, 4 grade stabiliation structures, conservation practices over 17,000 acres, and 3,500 surface acres of water with 350 acres of recreation land.

155. The Lower Platte South NRD adopted a 1975 budget of $1,416,000. A property tax of 0.80 mills will raise $498,602. Carry over funds from the 1974 budget plus pass-through Federal funds account for the rest.

SANITARY AND IMPROVEMENT DISTRICTS

156. Purpose. A Sanitary and Improvement District (SID) is a special purpose district somewhat unique in this country. It is formed as a "corporate political body" to facilitate the planning, financing, and construction of a residential, commercial, or industrial development. The boundaries of an SID may vary from a few acres to more than a square mile and are wholly outside the corporate limits of any municipality. Most Districts are formed or organized through the "District Court" Method as set out in Sections 31-727 to 31-762 of the Revised Statutes of Nebraska, 1943, as amended.

157. Formation. To form an SID, a majority of the owners having an interest in the real property within the limits of a proposed District prepare and sign articles of incorporation and submit a petition to the District Court setting out: (a) the name of the district; (b) that same shall have perpetual existence; (c) the limits of boundaries of the district; (d) the names and places of residence of the owners of the land in the proposed district (owners do not have to reside within the district); (e) the legal description of land owned by such owners who do not join in the organization of the district, but who will be benefited thereby; and (g) the purpose of the corporation. The articles must also state that the owners obligate themselves to pay the taxes levied against all the property in the district as well as special assessments which may be assessed against them for the cost of construction of

public facilities for the District. The Articles propose the names of five Trustees, who shall be owners of real estate located in the proposed District.

158. After the Articles and Petition to the District Court are signed, they are to be filed in the office of the Clerk of the District Court of the County in which the SID is located. Immediately after the articles have been filed, the Clerk of the District Court shall file a summons to all owners of real estate in the proposed district who have not signed the articles, but who may benefit from the improvements proposed, informing them that any objections to the proposed improvements or proposed Trustees must be filed in writing before a specified time. After hearing objections, the Court may declare the SID a public corporation of the State and declare the nomination of the five Trustees to be the Board of Trustees of the corporation to serve until their successors are elected and qualified. Further, at the conclusion of the hearing, the Court has the right to exclude real estate not benefited or approve other suitable Trustees who may be owners of land in the District.

159. Within twenty days after the Court has declared the district a public corporation, the Clerk shall file a certified copy of the proceedings to date with the Secretary of the State. The same record, together with a plat of the District, shall also be filed in the office of the County Clerk.

160. Governing Body. Each district is govered by a Board of Trustees, originally appointed as outlined above, but thereafter elected at a duly called election, not more than twelve months after the Court

creates the district, and each two years thereafter. Any person may cast one vote for each Trustee for each area of uplatted land or fraction thereof and one vote for each platted lot which may be owned in the district, either entirely in his own right or jointly with others. Corporations, executors, administrators, guardians, any person or official owning land or lot has a right to vote. Control thereafter, rests with the owner with the majority of platted lots. The Board of Trustees shall select one of their members as Chairman and one as Clerk. The Clerk may be paid a salary of not to exceed $600 a year; the Trustee may be paid three dollars for each Board Meeting he attends. In the event of a vacancy on the Board, the remaining Trustees shall appoint a successor until the next election. The Treasurer of the County is the ex-officio Treasurer of all districts within the county boundaries. All special assessments and all tax funds or other monies of the district are collected by and are the responsibility of the County Treasurer.

161. Powers. The Board of Trustees can only do what was stated in the Articles of Incorporation. The purpose can be limited, but most generally is not, and allows the following:

- The installation of a sewer system, both sanitary and storm. This includes, if necessary, the installation of a disposal plant, outfall sewer, and lift stations.

- The installation of a water system or to contract for the installation and operation of a water system with a utilities district, municipality, or corporation.

- The installation of a system of public roads, streets, and highways, within the boundaries of the District.

- To contract for water for fire protection and for resale to the residents of the District.

- To contract for electricity for street lighting.

- To install underground wiring.

- To acquire, improve, and operate public parks, playgrounds, and recreational facilities.

- To install and contract for natural gas.

162. The District has the right to acquire land from the owners for park purposes and may equip the park for practically any recreational purpose. The District has the right to construct a swimming pool, a golf course, artificial lake, tennis courts, even barbeque shelters. Park and Recreational improvements must have approval of the Parks and Planning Departments and City Council of the city which has jurisdiction of the area surrounding the city. These costs become a general obligation of the District but may be partially or entirely supported by fees. Occasionally, because of location and the type of development being contemplated, Districts have shared the cost of some improvements with an adjoining SID, the city, the county, or State governments. An example can be cited on West Dodge Road near the interstate exchange. SID No. 130 (Westroads) constructed the traffic underpass in cooperation with the city of Omaha.

163. Payment of Costs. The costs of SID improvements are paid in various ways. Part of the cost of sanitary sewers, the water distribution system, underground wiring, natural gas, and streets are assessed against the property within the District that is specifically benefited. The statutes provide that within ten days after the date of acceptance of the work that notice by publication and mailing shall be given to all owners of property subject to assessment and that said notice shall state time and place for filing of objections. Objections must be filed in writing within twenty days after first publication or shall be deemed to have been waived. The Board of Trustees shall sit as a Board of Equalization and have the power to adjust and equalize the benefits resulting from the improvements. In any event, the assessments cannot exceed the costs. Special assessments for the water distribution system are usually based on the actual costs per front foot. The basis for assessment on the sanitary sewer costs normally are on a front footage basis.

164. Special assessments for streets vary considerably. The most popular method calls for the costs of the first twenty-five feet width of paving to be assessed against the abutting property on a front footage basis. The cost of the excess width is declared of general benefit and is not assessed. The cost of paving on side streets is assessed according to various formulas. Most of the SID's provide for the cost of paving of the side lot of a corner lot to be a general obligation of the District at large. If there are not lots abutting on the side street, the entire cost of the side street paving is declared a general benefit. Another method used provides for all cost of paving, after the deduction of the interesection cost and storm sewer cost that might be part of the

paving project, to be equally divided among all lots in the area paved. The balance of the sewer, water, and paving costs become a general obligation of the District. Underground wiring and natural gas are usually 100 percent assessed. The storm sewers, the water mains, and public parks or parkways generally are considered totally a general obligation of the entire District. The cost of water and electricity, of course, is the responsibility of the user except for street lighting, street cleaning, the flushing or cleaning of sewers which costs are paid out of a general tax levy fund. The responsibility for the setting of this levy lies with the Trustees of the District.

165. Construction Procedures. The authority for construction of the various SID improvements is vested in the Board of Trustees, subject to approval by the owners of the property within the District, which approval is sought by the adoption of a "Resolution of Necessity." The "Resolution of Necessity" outlines the type of improvement proposed to be constructed, the engineer's estimate of cost, the location of the improvement, and the method by which the cost of the improvement is to be paid. Several "Resolutions of Necessity" are usually adopted by the SID so that construction may be done in sections. This is normally the most desirable procedure inasmuch as total and complete development of a District in a short period of time is almost impossible.

166. After approval of the "Resolution of Necessity" and after contracts for the improvements have been let and performance bond posted, it is necessary that the contractors and others be paid as the work progresses. To pay for construction, monthly estimates of

materials furnished and work completed are submitted by the contractor and approved by the consulting engineer employed by the District. Only 85 percent of the estimated costs are paid; 15 percent of all estimates are withheld until each contract is completed and acceptance is recommended by the engineer, in writing, to the Board of Trustees. The District does not have cash funds with which payments can be made. In lieu of cash, payment is made by the issuance of a "temporary warrant" or "progress warrant" payable to the order of the contractors or anyone else performing authorized work or furnishing necessary services. The lack of funds to pay the warrants makes it necessary that they be registered in the office of the County Treasurer so that they may be sold. From the date of registration until the date called for payment, the warrant shall bear interest at the rate designated on its face.

167. The warrants are outstanding from date of issue until they are funded into bonds, unless previously called and retired from funds derived from special assessments or other funds collected. The time involved depends entirely on the time taken for construction and the development of the District. Interest on warrants does not have to be paid until they are funded into bonds.

168. Upon completion and acceptance of the work called for in each "Resolution of Necessity", the 15 percent not paid during construction is paid and the engineers prepare a schedule and plat of assessments. The special assessment taxes are levied for the part of the costs that are of special benefit to the individual lots or parcels of land in the District. The remaining costs as previously indicated are to be considered of general benefit to all lots or parcels of land and a general tax is levied for the payment of these costs.

169. From the date of levy of special assessment taxes, 50 days are allowed for payment without interest of all of any part of the special levy made. If no payments are made, the special levy is made payable in equal annual installments over a ten-year period, with interest on the installaments at the rate of 7 percent, and at 9 percent if the installments become delinquent. Proceeds from collection of special assessment taxes collected in the 50-day period are applied towards redemption of outstanding warrants and interest on said warrants. After application of these funds towards the outstanding warrants and interest, the remainder of the warrants and interest thereon are funded into bonds of the District.

170. Bonds. It should be noted here that it is not mandatory that bonds be issued at the completion of construction, nor is it necessary that all improvements of the District be completed before bonds can be issued. The warrants, plus the interest thereon, are funded into bonds when the District's development, in the judgement of the underwriters, shows a financial picture acceptable to the buying public. The bonds may be, and usually are in a large development, issued in several series. It is extremely desirable to plan construction in sections so that orderly development can take place and that the debt of the District can be controlled.

171. The bonds are issued as General Obligation Bonds of the District. Assessment bonds are not issued but the payment of special assessment taxes support the payment of principal and interest on the bonds to the extent levied. The section following, entitled "Security" will more fully explain this meaning.

172. Security. Payment of interest and principal of the bond issue is secured by the special assessments and general taxes that may be

levied against all taxable property in the District. The following statement is taken from the bond resolution and attorney's approving legal opinion.

> "All moneys collected from the special assessments that have been levied on the real estate in the District will be set aside and constitute a Sinking Fund for the payment of the interest and principal of the bonds and the District has agreed that it will cause to be levied annually on all the taxable property in said District a tax which together with such sinking funds derived from special assessments, will be sufficient to meet the payment of interest and principal of said bonds as the same become due."
>
> "Under the existing laws, the interest on the bonds of this issue in the hands of the holders thereof is exempt from Federal Income Tax and from Nebraska State Income Tax."

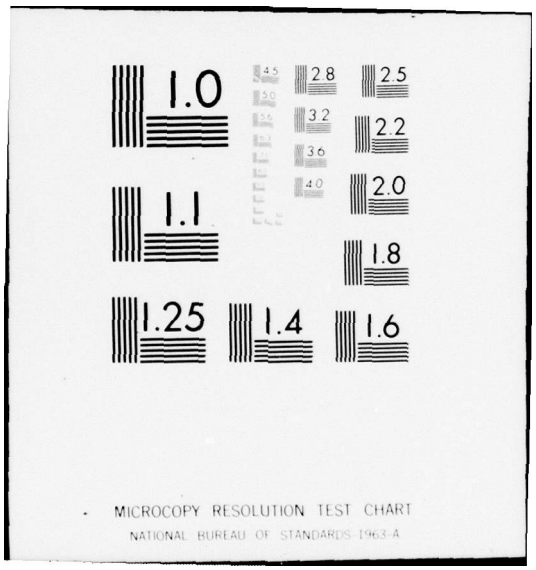
173. Costs Of A District. To recap, the District can and usually does pay for the following:

- The costs of an engineer, or firm of engineers.
- Attorney's fees.
- Investiment firm advisory fee.
- Part of the cost of grading for streets.

AD-A041 942 ARMY ENGINEER DISTRICT OMAHA NEBR F/G 8/6
WATER AND RELATED LAND RESOURCES MANAGEMENT STUDY. VOLUME VIII.--ETC(U)
JUN 75

UNCLASSIFIED NL

2 OF 2
ADA041942


1.0
1.1
1.25
1.4
1.6
1.8
2.0
2.2
2.5
2.8
3.2
3.6
4.0
4.5
5.0
MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

• Costs of publication of any resolution or notice which is required by law.

• All costs of sanitary, storm, and outfall sewers; disposal facilities or hookup costs to use someone else's facilities; water distribution system; public roads, streets, and highways; water or electricity for use by the District; and parks, playgrounds, and recreational facilities.

• Cost of bond printing and bond registration fee at office of the County Clerk.

• Warrant interest from date of registration until paid.

174. Analysis Of Development By The SID Method. The impact of Sanitary and Improvement Districts on growth of cities and counties in Nebraska has generated controversy. Lancaster County and the city of Lincoln, Nebraska have recently begun action to prevent the formulation of SID's citing urban sprawl problems. The SID laws have been in the books for over 20 years. Hundreds of developments have been completed and many have been annexed by Omaha and surrounding communities. Historically, the Planning Department of Omaha has favored the SID's. Figure B-1 shows the locations of SID's in Douglas and Sarpy Counties.

175. Advantages Of SID's. The Omaha City Planning Department has stated that SID's have definite advantages.

• The installation of improvements such as streets, sewers, water lines, power lines or cables, and telephone cables before

the buildings are constructed is less costly. This method eliminates the cost of temporary facilities such as septic tanks and gravel roads. Inconveniences of past development installation are eliminated.

• The SID method frees the developer from problems of accumulating large amounts of capital because improvements are financed by private investors through an SID bond issue. Since the SID has the power to levy taxes to retire the bonds, this permits the property owners to repay the cost of facility installation over a longer period of time and at lower interest rates than an individual could obtain himself.

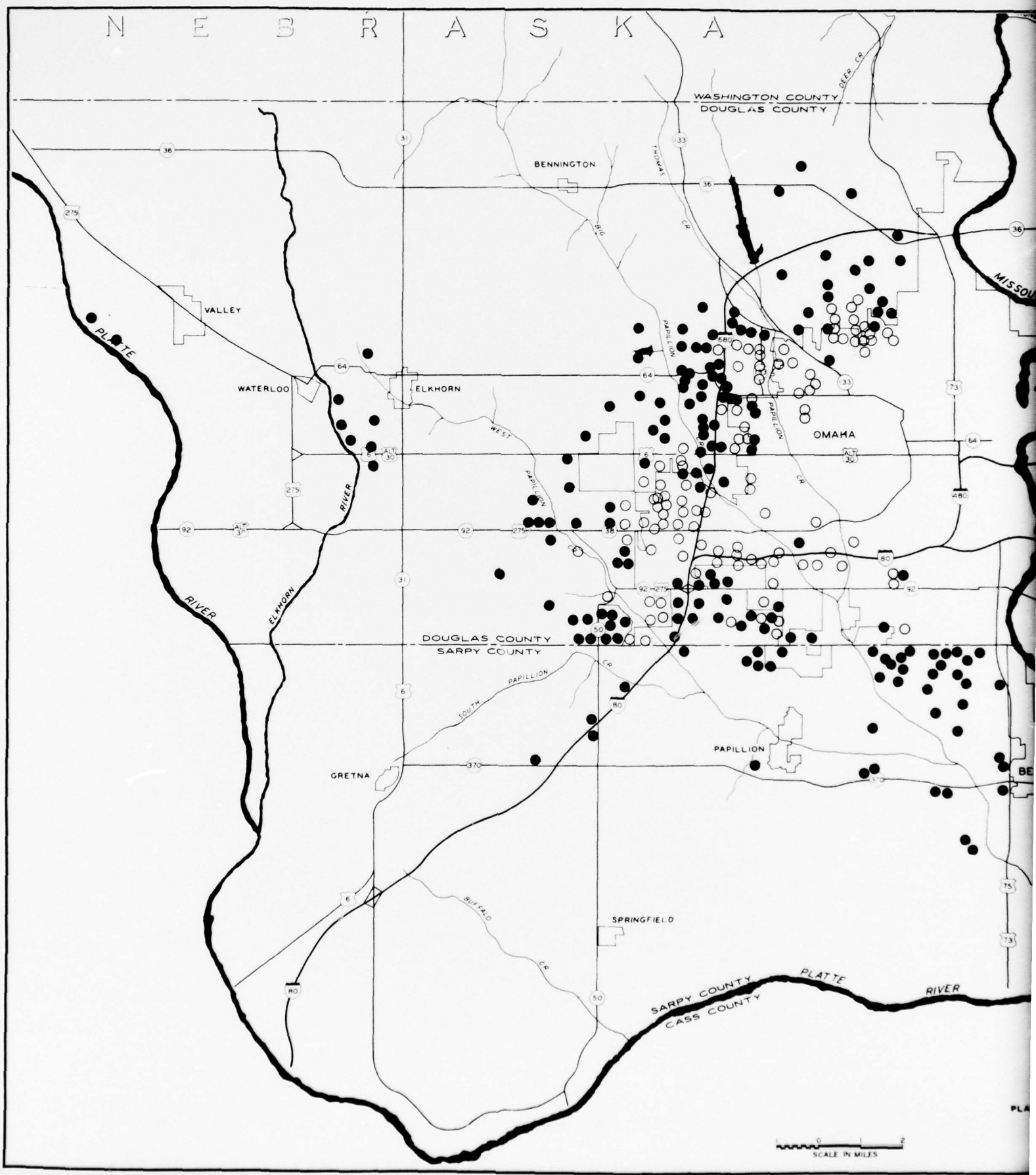
• SID's annexed by the city are fully developed before annexation. This relieves the city from the task of adding improvements to these areas. The city has acquired large recreation areas which benefited all of Omaha.

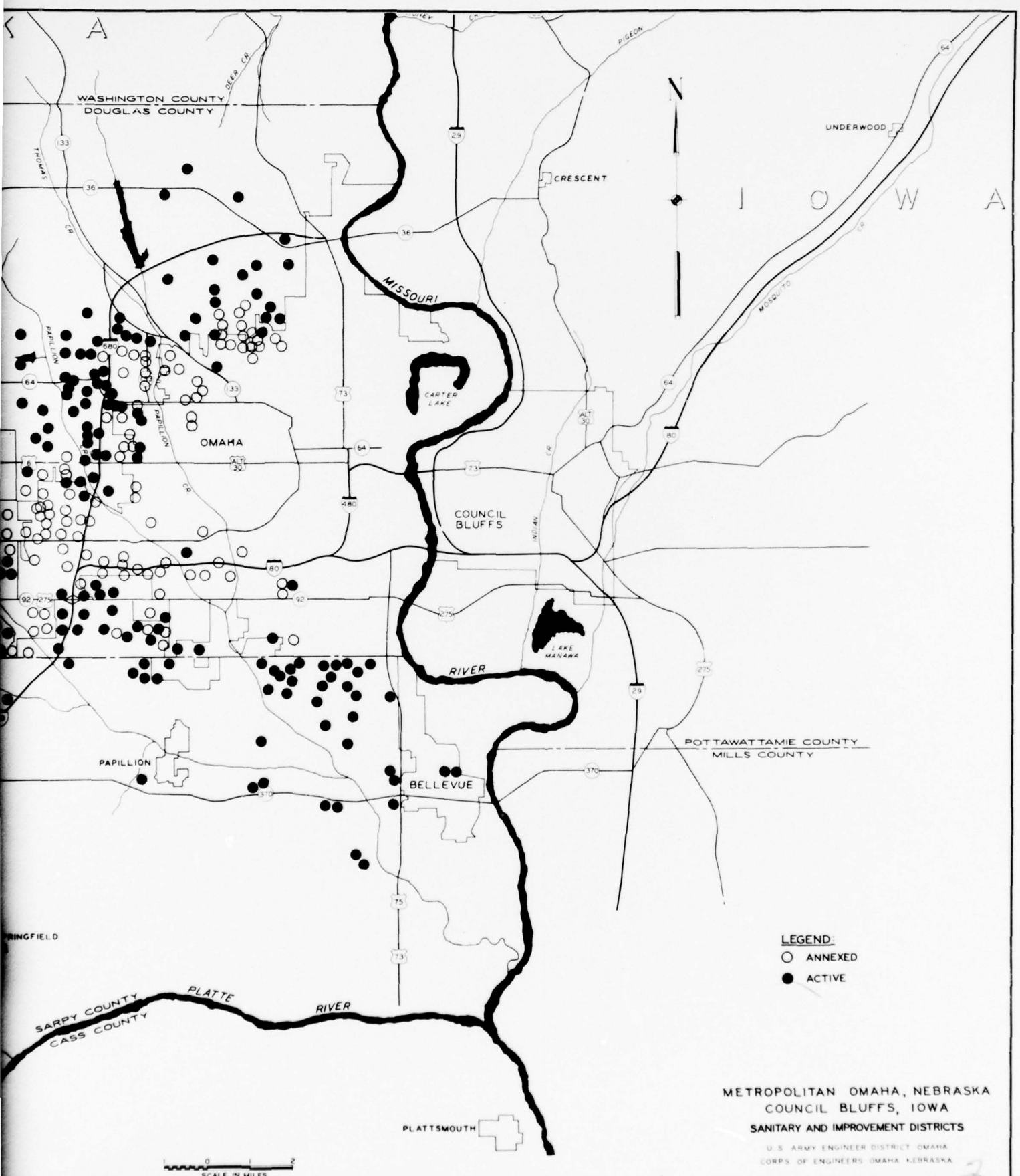
• Fully annexed areas have a higher assessed valuation which produces a higher tax revenue.

176. First Mid-America, Incorporated, an investment firm in Omaha, cites the following advantages of SID type financing:

• It reduces the amount of each outlay for necessary improvements.

• It enables the developer to sell his lots, parcels of land, and homes with part of the costs postponed to the purchaser. This means that lots could be sold subject to the assessments which would result in lower cash price if the purchaser did not plan on building


NEBRASKA
WASHINGTON COUNTY
DOUGLAS COUNTY
BENNINGTON
BEER CR
THOMAS CR
BIG
MISSOU
VALLEY
PLATTE
WATERLOO
ELKHORN
WEST PAPILLION CR
PAPILLION CR
OMAHA
RIVER
ELKHORN RIVER
DOUGLAS COUNTY
SARPY COUNTY
SOUTH PAPILLION CR
PAPILLION
GRETNA
BUFFALO CR
SPRINGFIELD
SARPY COUNTY
CASS COUNTY
PLATTE RIVER
SCALE IN MILES



METROPOLITAN OMAHA, NEBRASKA
COUNCIL BLUFFS, IOWA
SANITARY AND IMPROVEMENT DISTRICTS

U.S. ARMY ENGINEER DISTRICT OMAHA
CORPS OF ENGINEERS OMAHA NEBRASKA

for several years and wished to pay assessments in installments. This is discouraged because it delays development of the District. As a matter of practice, lots and parcels of land are sold with all special assessments paid.

• It makes it possible to immediately provide all important services and improvements, such as paved streets, storm sewers, sanitary sewers, street lighting, water, and natural gas.

• It provides a vehicle by which some desirable, but not necessarily needed improvements - a golf course, swimming pool, or playground, can be provided by a group of people with costs being amortized over a period of years.

• It enables a developer to provide all of the services and benefits of a municipality without the usual political problems.

• It enables the owners of the land to retain complete control during the development of the District.

177. Development Problems. Opponents of the SID method of development have blamed the enabling legislation for numerous problems. The complaints include urban sprawl, hodge podge annexations, rapid increases in mill levies, windfall profits in land sales, misunderstandings between cities and developers, large SID debts at annexation, overly plush recreational facilities, undemocratic procedures of SID meetings, a lack of information for homeowners concerning SID obligations and poor construction supervision.

178. There have been a number of unfortunate abuses of the SID law enacted in 1949. There have been legislative changes and State Attorney General rulings which have eliminated many of the major abuses. Legislative Bill 313 was introduced in January 1975; it is intended to clarify terms, but tighten controls on financial arrangements, and eliminate problems for the cities and counties.

179. The enabling legislation is comparatively progressive and has many good points. The advantages have been listed above. Many of the problems noted above are not attributable to the legislation but to ineffective enforcement of the provisions of the act. Cities and counties are neither deprived of their constitutional authority to control growth nor relieved of their mandated responsibility to protect their citizens. Land use planning and control are dictated by zoning. City and county officials can and must determine future growth policies, enact zoning laws to reflect adopted policies, publicize the laws and policies and enforce the laws.

180. All SID plans must be approved by the city or county. Construction quality must conform to adopted codes, thus any problems associated with plans and construction can only be attributed to the officials who are responsible for reviewing and approving plans or inspecting construction. Obviously if there are hundred of active SID's in Douglas and Sarpy Counties and more applications pending, the officials will find it most difficult to adequately accomplish the above functions. The options are to enlarge the staff or slow down development.

181. The Omaha World Herald has reported several incidents of recreational facilities that were developed in SID's without the

knowledge of the city. In some cases, the extra development occurred after the SID plans were approved. LB 313 would require the minutes of SID board meetings to be filed with the city or county clerk. This would permit the city or county officials to register objections to nonapproved actions.

182. According to city and county officials and the World Herald, many of the SID's are well organized, well financed and well run. The abuses are more widely publicized, however, and require action by the city and county.

183. Wastewater managemt in many SID's will not meet the increased standards of PL 92-500. This is discussed further in Section C. The sewage treatment plans of future SID's will require increased scrutiny from public works departments.

184. Future SID Development. The Mayor of Omaha placed a moritorium on annexation and has formed an SID project review committee to determine authorities, eliminate abuses, and establish policy on annexation. This action will probably slow the pace of the establishment of SID's but will not eliminate them. A review of the statutes indicates that abolition of SID's cannot be accomplished by a city or county provided that a developer meets all provisions of established procedures; abolition would require the Legislature to repeal the SID law.

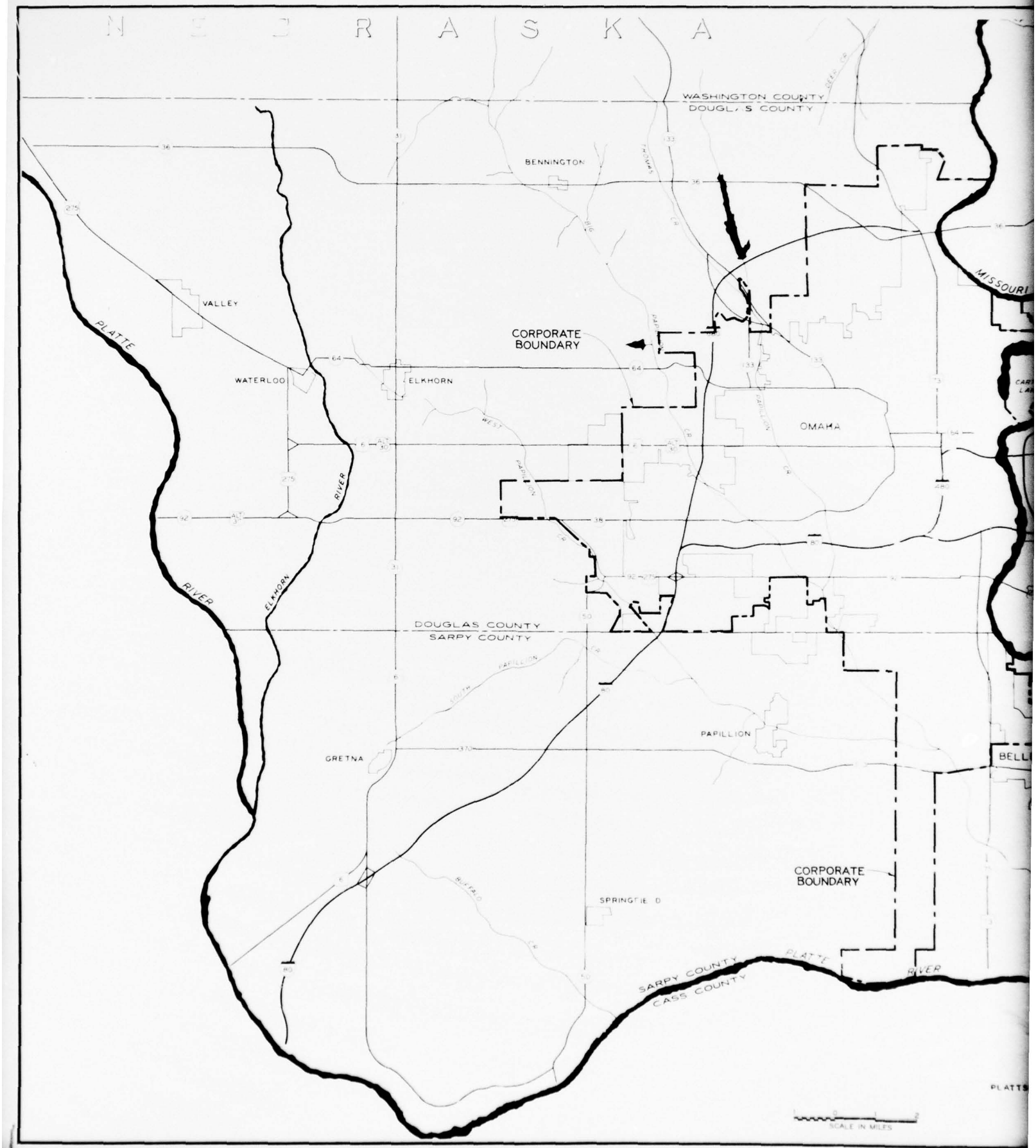
185. The Mayor's policy is intended to reverse the trend of unconstrained growth. The policy limits annexation to areas that are able to pay their own bonded indebtedness and the cost of city services that the area will inherit after annexation.

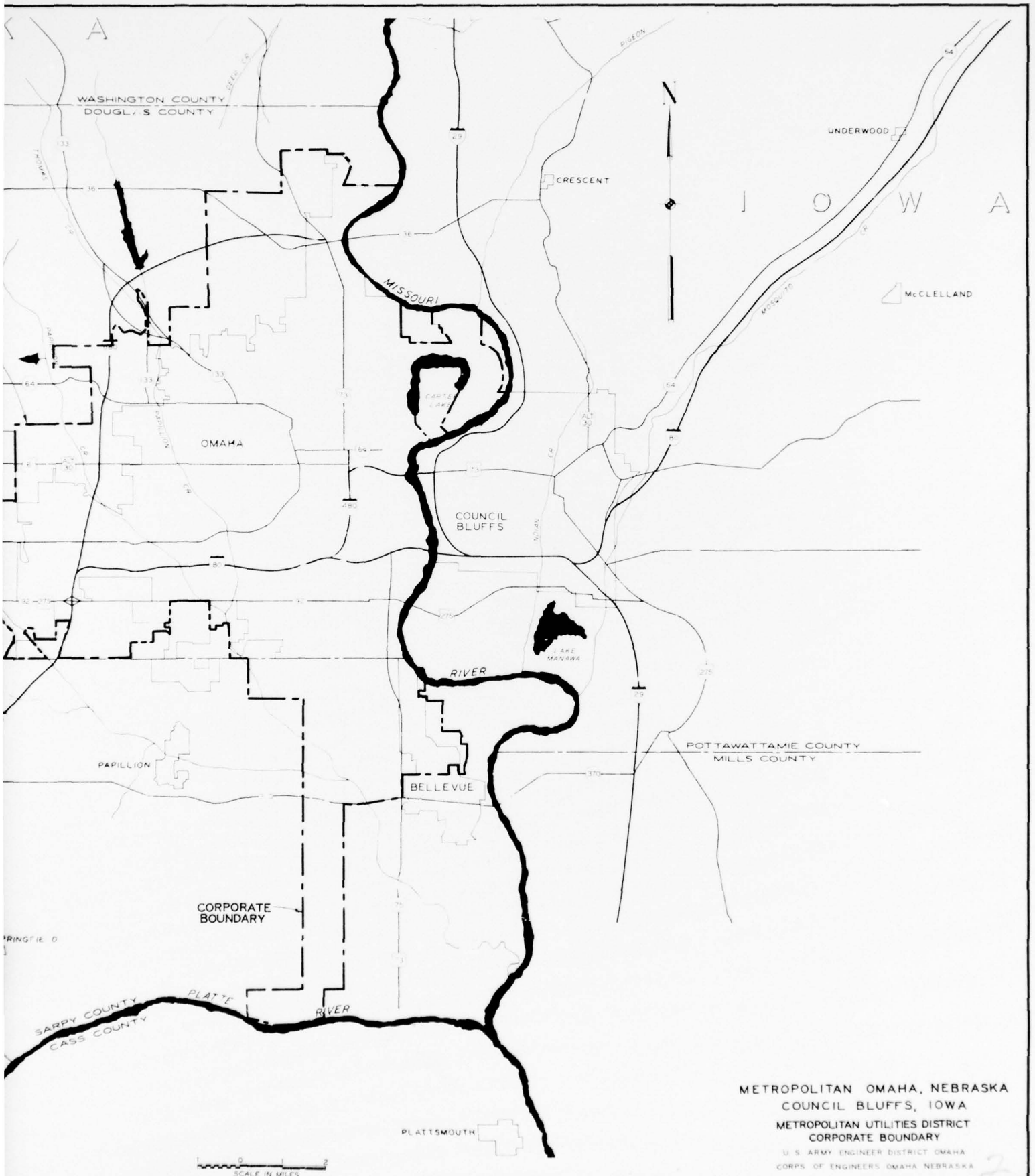
186. Sarpy County cities are adopting policies similar to the Omaha policy. The results of these policies will be limited approval, more controlled growth, better understanding, and more equitable taxes for all citizens.

METROPOLITAN UTILITIES DISTRICT (MUD)

187. Historically, water supply has played an important role in the growth of the Omaha area. The city was originally settled in 1854; however, it was not until 1879 that the first Omaha municipal water supply system was constructed. Businessmen organized a private company which laid the first mains and constructed the first pumping stations. In 1912, through the creation of a City Water Board, the private company was purchased, and a large expansion program was launched to construct water mains, pumping stations, and a treatment plant located near the Town of Florence. The first program required the issuance of $7 million in water bonds and the good will of 30,000 customers who were desirous of obtaining a safe and adequate water system. Omaha's abundant supply of water was a major factor in the rapid development of the meatpacking industry which contributed significantly to early growth.

188. In 1921, the Metropolitan Water District was formed by the authority of the State Legislature and was given the right to furnish water inside and outside the Omaha city limits. The District's name was changed to Metropolitan Utilities District in 1922. Figure B-2 shows the boundaries of MUD. Since then, the District has continued to keep pace with the ever-increasing public demands for adequate quantity and quality of water. In 1923, filter beds were added at the Florence Plant to further improve water quality. Water softening facilities were constructed in 1958. To meet the increased


NEBRASKA
WASHINGTON COUNTY
DOUGLAS COUNTY
BENNINGTON
VALLEY
PLATTE RIVER
WATERLOO
ELKHORN
ELKHORN RIVER
CORPORATE BOUNDARY
OMAHA
MISSOURI
DOUGLAS COUNTY
SARPY COUNTY
PAPILLION
GRETNA
SPRINGFIELD
CORPORATE BOUNDARY
SARPY COUNTY
CASS COUNTY
PLATTE RIVER
SCALE IN MILES



METROPOLITAN OMAHA, NEBRASKA
COUNCIL BLUFFS, IOWA
METROPOLITAN UTILITIES DISTRICT
CORPORATE BOUNDARY
U. S. ARMY ENGINEER DISTRICT, OMAHA
CORPS OF ENGINEERS, OMAHA, NEBRASKA

pumpage demands, a second water treatment plant was constructed south of the metropolitan area on the Platte River in 1967. In addition to the treatment improvements, a continuous building program of water mains, pumping facilities, and storage facilities has kept pace with the growing Omaha urban requirements.

189. In the present water system, water is obtained, treated, and pumped from Missouri River surface intakes and Platte River wells. Some customers are served directly from the treatment plant pump stations while others are served by ten repump stations located throughout the city. Over 1,400 miles of water mains, 23,000 hydrants, and 20,000 valves make up the distribution system. Major water storage is accomplished in concrete ground-storage tanks strategically located to pump peak demands. The Metropolitan Utilities District has expended $80,303,237 in its water facilities plant through 1970.

190. Today all water from the District's water treatment plants is treated by sedimentation, coagulation, hardness reduction, process chlorination, filtration, chlorination, and fluoridation. Water is of the highest quality meeting all U.S. Public Health Drinking Water Standards, is constantly monitored for bacteriological quality, and is furnished at satisfactory quantities and pressures to all 111,151 water customers. This factor has contributed greatly to the orderly continued growth of the Omaha urban area.

191. The District also provides natural gas to 115,704 customers in the Omaha area. Northern Natural Gas is the supplier for the District. The District maintains over $65 million in plant and equipment which includes more than 1,400 miles of gas mains.

192. The Utilities District is an operating company created by State law to operate the water and gas plants within the boundaries of the District. While the District is a political subdivision of the State of Nebraska and its records are open to the public, its business is conducted in the very same manner as that of any highly efficient, privately-owned company.

193. It has its Board of Directors, its General Manager, its department and division heads and subordinate employees. Policies are outlined by the Board of Directors and their orders are carried out by the General Manager through the department heads who supervise the distinct branches of the service.

194. In any corporation, the directors are chosen by vote of the stockholders. The Utilities Board of Directors is nothing more or less than a committee of six men chosen by the voters of Omaha for the sole purpose of supervising the utilities. Each director is chosen for a period of six years. The Board is non-partisan.

195. The District has complete authority to implement its programs, set rates, acquire property through purchase or condemnation, and extend district boundaries. The District enters into contracts with Sanitary and Improvement Districts to provide water and natural gas. The District operates under authorities in Nebraska Statutes and is not subject to review by city or county officials.

OMAHA PUBLIC POWER DISTRICT (OPPD)

196. On December 2, the Omaha Public Power District -- a political subdivision of the State of Nebraska -- acquired from the Omaha Electric Committee, Inc., the properties formerly operated by the

Nebraska Power Company in Nebraska. The Omaha Electric Committee had acquired the property in December, 1944.

197. On January 1, 1965 OPPD's service area doubled in size -- to 5,000 square miles. That was the historical date for the merger of OPPD and the Eastern Nebraska Public Power District. With the merger, four counties were added to OPPD's service area. The area now covers all or parts of 13 counties in southeastern Nebraska. The new customers and service area became the responsibility of OPPD's Rural Division, which has 14 area offices to service the electrical needs of customers outside of Omaha.

198. By December 1973, OPPD was serving 553,000 people (187,002 customers) including 49 towns and cities. In 1973, the District provided over 4.5 billion kilowatt hours over more than 11 thousand miles of lines. The District has over $500 million in plant and equipment including both conventional fossil fuel and nuclear-power-driven generating plants.

199. The Omaha Public Power District is a self-supporting institution. All revenue for operating expenses, routine improvements, and additions is acquired through the sale of electricity. OPPD owns and operates its own generation, transmission, and distribution facilities. Funds for major construction expenditures come from the sale of revenue bonds on the private bond market. OPPD receives no tax income and has no taxation power.

200. As a public utility, the District operates under laws established by the Nebraska Legislature. All corporate powers are vested in OPPS's seven-member Board of Directors. These directors are elected from geographical districts within OPPD's 13-county service

area to six-year terms and represent about 73,000 people each. Vacancies on the Board are filled by appointment by the Governor.

201. OPPD, like the Metropolitan Utilities District, has complete authority to operate independent of review by city and county governments. The District contracts with Sanitary and Improvement Districts to provide electric power and transmission facilities.

IRRIGATION DISTRICTS

202. Nebraska has 44 irrigation districts organized and operated under the provisions of Sections 46-101 and 46-1154 of the Nebraska Statutes. These districts have responsibilities in the areas of drainage, water supply, irrigation, and hydroelectric power.

203. Irrigation districts have been organized to finance water supplies, consolidate irrigation systems, construct irrigation systems, or provide for drainage or irrigated land. Districts may also be formed to provide for new development or to extend and improve existing irrigation systems and works.

204. A ballot is submitted to the electors on the question of whether the district shall be formed. This ballot also bears the names of those to be voted for to become the first board of directors of the district. The officers so elected hold their offices until the next general election for the district. Thereafter directors of the district are elected to staggered terms of three years each.

205. The board has the power and duty to manage and conduct the business affairs of the district; make all necessary contracts;

employ agents, officers, and employees as required; establish by-laws, rules, and regulations for distribution and use of the water supply; and generally perform all acts necessary to carry out the provisions and purposes of the State law governing irrigation districts.

206. The irrigation district, acting through its board of directors, has the power to condemn by eminent domain, to enter into contracts with the United States for construction, operation, and maintenance of irrigation works; to equalize and levy assessments within the district; to levy taxes; to issue bonds; to call special elections; to authorize special assessments; and to borrow additional funds if needed.

Nebraska Counties

THE COUNTY ROLE

207. A county is a basic political subdivision of the State designed to carry out specific functions. County government has long been an established feature of the American political system, although the functions performed by counties have evolved to meet changing conditions.

208. Each of the 93 counties in Nebraska has its own governmental organization. Most counties have similar governmental structures although there are exceptions in counties of larger population. In any event, the services performed by counties are those designated by Legislative enactment, and are designed to provide governmental services for all citizens living outside municipalities.

209. As is common in this country, counties in Nebraska are governmental subdivisions authorized by the Constitution of the State of Nebraska. The county exists entirely for the performance of State functions established by laws enacted by the Legislature. Counties are subject to some general limiting provisions in Section IX of the constitution that pertain to boundaries, elections, consolidation, and organization.

210. By action of the Legislature, each county in Nebraska is regarded as a body politic and corporate. In its own name and acting collectively, the county may "sue or be sued, plead and shall be impleaded, defend or be defended against", in any court having jurisdiction in that area. The Legislature has specified certain powers which all counties and the State may have. These include the power to:

- Purchase and hold property necessary for the use of the county;

- Purchase, lease, or acquire and hold for the benefit of the county, real estate sold by virtue of judicial proceedings in which the county is involved or interested;

• Hold all real estate conveyed by general warranty deed to trustees in which the county is a beneficiary;

• Sell, convey, exchange, or lease any real estate owned by the county;

• Enter into compacts with other counties to exercise powers conferred on each county separately;

• Make all contracts and to do all other acts necessary to the exercise of its corporate powers.

211. County governments in Nebraska are organized on a plural executive basis with the principal authority residing in a County Board comprised of several elected members. The Board has the principal administrative responsibility for carrying out the duties of the county which have been assigned to it by law. Other responsibilities have been assigned by law to other elected off cials of the county. In Nebraska, this Board may be one of two types depending upon the wishes of the voters in each of the counties. These two types are: (1) a Board of Commissioners in those counties having a commissioner form of organization; and (2) Board of Supervisors in those counties having a township-supervisor form of organization.

212. Under the commissioner system, counties with populations over 10,000 may choose either three or five-member boards. Currently, all commissioner counties have three-member boards, except four counties including Douglas and Sarpy, which have five-member boards. Each of the districts is subdivided into voting precincts, and each

district must consist of at least two precincts. Precincts must be organized to reflect as much as possible an equal division of the population of the county, and precinct lines may not be changed oftener than once in four years. The subdivision of the county into districts and into precincts is the responsibility of the Board of Commissioners. State laws, however, contain some restrictions regarding how this division is to take place.

213. Under the supervisor-township plan of county government, the County Board is composed of seven individuals. Any county under this plan is divided into seven districts, and one supervisor is nominated and elected by voters in each District. As with the commissioner plan, unless the County Board has organized the county into equal population districts, members of the Board of Supervisors shall be elected at large. For counties that have adopted the supervisory plan, the initial determination of districts is made by the county judge, county treasurer, and county clerk. From that time on, the responsibility for determining the division of the county into districts is placed in the hands of the Board of Supervisors. Districts must be divided to assure an equal division of population within the county. A city of village with a population of over 1,000 must have additional land area and population added to it to allow division into two districts. The districts may be reorganized after each State or Federal census if population inequities result from the census count.

214. Although the general functions of the Board of Commissioners and the Board of Supervisors are quite similar, there are some differences in the duties of the members of the two Boards. Under the law, a supervisor is given special responsibility for all money

voted from the county treasury for the construction of roads, bridges, and culverts within his district. Because the election is by districts within the county, and because the supervisor has special responsibility for overseeing the expenditure of money, the supervisor is more closely tied to the expressed wishes of people living in that district.

215. One of the major differences between commissioner and supervisor-township plans of county organization is the creation of a townshin government, which is an important part of the supervisor-township plan. Under this system, the Board of Supervisors has the responsibility for dividing the county into townships and for establishing a form of governmental organization for each township provided by law. A township may include areas which are rural, or those which are part of a village or other communities within the county. A township is a way of dividing the county and providing for a governmental structure to govern the affairs of the township. The Board of Supervisors also has the responsibility for giving each township a name.

216. Central to the township form of government is the town meeting, held annually for all voters residing in that township. This meeting must be held on the same date as that established for budget review. Special meetings may be called by the town clerk, town treasurer, or by these officials upon petition of any twelve landowners residing in the township.

217. As stated below, all counties in Nebraska follow a plural executive form of government, with the primary administration responsibility residing in a County Board. The distinction between

the two forms of county government is primarily one of name, since the County Boards under each system have precisely the same powers and tenure of office, and have the same general responsibility for administering the affairs of the county. Similarly, any county has the same group of elected officials as does any other county with the same population size.

218. The County Board is the agency which acts on officials matters for the county and on behalf of the county. It has the power to act as a body corporate or politic in those areas that have been designated as functions of the county, except those that have been specifically assigned to some other officer or person. In a very general sense, the County Board is the respresentative and guardian of the county. The County Board derives its function from the Legislature, and its powers are prescribed by statutes enacted by the Legislature. It should be emphasized that the Board has power only when it acts collectively, and the individual members of the Board have no power to act officially for the county except those powers which have been specifically given to them by the Board. The law stipulates when the Board shall meet, and specifies the number of commissioners or supervisors who must be present for the Board to take official action.

219. County Boards have been assigned a variety of responsibilities by State statute. To illustrate the range of activities that fall under the jurisdiction of a County Board, Nebraska law has prescribed the following powers:

- Take and have care of all real and personal property owned by the county;

- Management of county funds and businesses;

- Make all orders respecting property of county, to keep buildings insured, and to sell public grounds and business;

- Lay out, alter, or discontinue any road running through the county;

- Examine and settle all accounts against county and accounts concerning receipts and expenditures;

- Vacate any city or village plat not a part of an incorporated city or village within the county;

- Settle by compromise, or by accepting less than the face amount of any claim, judgment, or demand in favor of the county;

- Expend money for care and maintenance of abandoned cemeteries;

- Create a planning commission and a comprehensive development plan for the county;

- Appoint a county planning commission;

- Cooperate in the control and eradication of inserts, pests, and plant diseases;

- Levy and collect taxes for the county;

- Provide suitable courthouse, jail, and other public buildings;
- Provide fireproof safes for county clerk and treasurer;
- Carry out all other duties imposed by law.

220. Each of the counties in Nebraska has elected county officials who are responsible for carrying out specifically assigned duties. County officials found in all county governments are the clerk, treasurer, sheriff, attorney, judge, and superintendent of schools. In addition, counties with populations over 3,000 have an elected assessor; counties over 7,000 have a clerk of the district court; counties over 16,000 have a register of deeds. The post of comptroller is established for counties with populations over 200,000. County officials serve four-year terms.

221. The Constitution of Nebraska provides for the establishment of a Supreme Court, district courts, county courts, and such other courts as may be provided by law. Nebraska is divided into 21 districts. Cass and Sarpy counties are in District 2 with Otoe County. Washington County is in District 6 with Dodge, Burt, and Thurston Counties. Douglas County is District 4.

222. District courts have both original and appellate jurisdiction. Appeals may be heard from municipal courts, county courts, or from rulings of administrative agencies.

223. The four counties in the study area are compared in Table B-3.

Table B-3
Population of Nebraska Counties

County	1970 Population	County Seat	County Board
Cass	18,076	Plattsmouth	Commissioner
Sarpy	64,889	Papillion	Commissioner
Douglas	389,455	Omaha	Commissioner
Washington	13,310	Blair	Supervisor

DOUGLAS COUNTY, NEBRASKA

COUNTY DESCRIPTION AND ORGANIZATION

224. Douglas County is situated on the eastern border of Nebraska, has an area of 333 square miles or 213,120 acres, and had a population of 403,000 in 1972; 335,562 in incorporated areas, and 47,438 in unincorporated or rural areas. The terrain in the county is hilly in the eastern portion and is flat prairie west of the Elkhorn River, the largest interior stream. The other significant interior streams are the Big Papillion and Little Papillion Creeks. The loess soil, deposited in the glacial age, is high in porosity and fertility. The county is approximately 25 miles east-west by 14 miles north-south.

225. Douglas County has a five-member Board of Commissioners nominated and elected at large to staggered four-year terms. The chairman, elected by the board members, delegates special responsibilities to the various commissioners, such as finance chairman, highway chairman, welfare administration chairman, supervisor of the court, supervisor of the county garage, and many others.

226. The county has established two special function boards: (1) the Douglas County Board of Equalization that meets annually for the purpose of determining fairness of property valuations made within the county; and (2) the Douglas County Planning Commission.

FINANCES

227. Douglas County is the most populous county in Nebraska and therefore has the highest assessed valuation. The assessed valuation is used for tax purposes and is 35 percent of the actual evaluation of real estate and personal property. The total assessed valuation in Douglas-County is approximately $2.0 billion. This yields nearly $138 million in annual tax revenue. Of this, approximately $17 million is collected and expended by the county. Table B-4 shows the taxing subdivisions, assessed valuation, population, and mill levies for Douglas County.

Table B-4
Douglas County
Taxing Subdivisions and Consolidated Mill Levies
1973-74 Tax Year

Taxing Subdivision	Population	Tax Valuation at 35%	Mills on the Dollar
Douglas County (total)	403,000	$1,194,256,950	14.28
Omaha	347,380	1,014,353,590	25.60
Ralston	4,265	13,413,570	22.03
Valley	1,595	2,855,440	14.67
Elkhorn	1,184	3,174,330	17.75
Bennington	683	1,390,015	25.00
Waterloo	455	874,425	24.43
Rural Fire Districts	10 (districts)	(ave)	1.28
School Districts	19 (districts)	(ave)	40.58
Sanitary and Improvement Districts	120 (districts)	133,000,000(ave)	18.31

LAND USE PLANNING

228. The Douglas County Planning Commission was formed in 1963. In February, 1965, the County Board adopted a zoning ordinance, as permitted by State Statutes. This ordinance applies throughout the county except within incorporated municipalities and their zoning jurisdiction. This limit extends three miles beyond the Omaha city limits and one mile beyond the limits of other incor-

porated towns and villages. As required by State law, the Douglas County Planning Commission consists of nine members serving staggered three-year terms.

229. The Commission holds hearings and makes recommendations to the County Board, which has retained a professional planning consultant to assist the Commission.

230. The County Board has adopted plumbing, mechanical (heating and air conditioning), building, and electrical codes similar to those in effect in the city of Omaha. A subdivision regulation has been adopted. An Office of Permits and Inspections provides for enforcement of these codes. Personnel include a chief inspector, plumbing inspector, electrical inspector, and mechanical inspector.

231. The planning commission has resolved to update the comprehensive land use plan in 1975. It has been ten years since the original plan was adopted and many of the zoning regulations need revising.

CITY-COUNTY COOPERATION

232. Because the city of Omaha occupies 40 percent of the land area of Douglas County, there has been some consolidation of like services provided by the two governments. The Omaha-Douglas County Board of Health is composed of seven members chosen at a joint meeting of the Omaha City Council and the County Board of Commissioners. A new City-County building is being constructed in Omaha that will cost over $17 million. Civil defense is a cooperative effort as are systems and data processing. More consolidations are feasible and are under study.

SARPY COUNTY, NEBRASKA

COUNTY DESCRIPTION AND ORGANIZATION

233. Sarpy County is located on the eastern border of Nebraska. The county has an area of 239 square miles or 152,960 acres. According to the 1970 census, the county population was 63,696; the urban areas contained 53,769 residents and the rural areas contained 9,927. It is noteworthy that the county population doubled in the 1960's which made Sarpy the fastest growing county in the Nation. The county is bordered by the Missouri River on the east, the Platte River on the west and south, and is drained in the central portion by the Papillion Creek watershed. The soil is glacially deposited loess. The county is approximately 20 miles east-west by 12 miles north-south.

234. Sarpy County has a five-member Board of Commissioners nominated and elected at large to staggered four year terms.

COUNTY FINANCES

235. The total assessed valuation in the County is approximately $250 million which yields approximately $14.8 million in annual revenue. Of this, approximately $2.25 million is expended by the county. Table B-5 shows the breakdown of taxing subdivisions, population, mill levies, and assessed valuations for Sarpy County.

Table B-5
Sarpy County
Taxing Subdivisions and Consolidated Mill Levies
1973-74 Tax Year

Taxing Subdivision	Population	Tax Valuation at 35%		Mills on the Dollar
Sarpy County	63,696	$165,839,231		13.57
Bellevue	19,449	49,497,747		21.50
Papillion	5,600	14,482,451		23.00
Gretna	1,557	3,648,847		26.90
La Vista	4,807	15,208,346		26.40
Springfield	795	1,537,438		35.00
Rural Fire Districts	6 (districts)		(ave)	1.47
School Districts	9 (districts)		(ave)	48.00
Sanitary and Improvement Districts	97 (districts)		(ave)	26.18

LAND USE PLANNING

236. The Sarpy County Planning Commission has contracted with a planning firm in Omaha to complete an update of the comprehensive land use plan by mid-1975. The objectives of this update are to develop a growth plan and to develop proposed zoning regulations for the county that will be compatible with municipal ordinances.

CASS COUNTY, NEBRASKA

COUNTY DESCRIPTION AND ORGANIZATION

237. Cass County is located on the eastern border of Nebraska. The county has an area of 555 square miles or 355,200 acres. According to the 1970 census, the county population was 18,076; the urban areas contained 10,553 residents and the rural areas contained 7,523. The county is bordered on the east by the Missouri River, on the north by the Platte River and a portion of Saunders County, on the west by Lancaster County, and on the south by Otoe County. Cass County is in the loessial soil region of Nebraska. The county's topography is level to rolling, except for the hilly terrain along streams and rivers. The county is approximately 35 miles east-west by 17 miles north-south.

238. Cass County has a three-district Commission form of government with a commissioner elected from each district for a four year staggered term. The commissioners elect a chairman who presides for one year. The county seat is Plattsmouth, a city of the first class, which is governed by a mayor-council organization.

FINANCES

239. The total assessed valuation in the county is about $83 million which yields about $8 million in annual tax revenue. Of this, about $1.1 million is expended by the county. Table B-6 shows a breakdown of taxing subdivisions, population, assessed valuation, and mill levies for Cass County.

Table B-6
Cass County
Taxing Subdivisions and Consolidated Mill Levies
1973-74 Tax Year

Taxing Subdivision	Population	Tax Valuation at 35%	Mills on the Dollar
Cass County	18,076	$83,061,724	12.72
Plattsmouth		9,436,281	25.40
Union		386,402	20.80
Avoca		389,482	31.44
Weeping Water		2,069,459	19.74
Louisville		1,884,427	22.16
Cedar Creek		795,317	11.32
Murray		692,970	25.48
South Bend		78,622	-
Elmwood		47,204	18.79
Manley		268,888	12.00
Nehawka		702,512	28.21
Alvo		146,131	16.59
Eagle		1,077,097	21,36
Murdock		601,093	13.31
Greenwood		959,500	26.05
School Districts	24 (districts)	(ave)	41.63
Sanitary and Improvement Districts	10 (districts)	(ave)	10.40

LAND USE PLANNING

240. In September 1968, Cass County accepted from its consultant a report titled: "Comprehensive Plan-Cass County, Nebraska 1985". The county's objectives in developing the plan, as stated in the introduction to the plan, are:

> "To insure that the future development of Cass County and its municipalities takes place in an orderly and desirable manner, it is essential that a definite plan be prepared that will serve as a guide for the future physical development of the county and its communities".

241. The comprehensive plan is very thorough. It includes present and future land use plans; plans for community facilities, circulation, and central business district plans for three cities; a capital improvements plan; and an implementation plan including zoning proposals, codes, subdivision regulation proposals, and proposals for Federal assistance programs.

WASHINGTON COUNTY, NEBRASKA

COUNTY DESCRIPTION AND ORGANIZATION

242. Washington County is situated on the eastern border of Nebraska. The county has an area of 386 square miles or 247,040 acres. According to the 1970 census, the county population was 13,310; the urban areas contained 8,393 residents and the rural areas contained 4,917. The county is bordered by the Missouri River on the east, Burt County on the north, the Elkhorn River and Dodge County on the west, and Douglas County on the south. The topography of the county varies from Missouri River bottomlands on

the east to loessial hills in the center to Elkhorn River bottomlands on the west. The county is approximately 20 miles east-west by 20 miles north-south.

243. Washington County has a seven-member Board of County Supervisors.

FINANCES

244. The total assessed valuation in the county is approximately $65 million which yields approximately $4.4 million in combined annual revenue for all taxing subdivisions. Of this, approximately $560,000 is expended by the county. Table B-7 shows the breakdown of taxing subdivisions, population, mill levies, and assessed valuations for Washington County.

Table B-7
Washington County
Taxing Subdivisions and Consolidated Mill Levies
1973-74 Tax Year

Taxing Subdivision	Population	Tax Valuation at 35%	Mills on the Dollar
Washington County	13,310	$64,999,935	8.60
Blair	6,106	14,761,710	19.40
Arlington	910	2,232,465	29.10
Herman	323	574,220	24.67
Kennard	336	533,880	35.50
Fort Calhoun	642	1,508,990	17.93
Washington	89	159,400	3.00
Rural Fire Districts	10 (districts)		0.72
School Districts	12 (districts)		27.92

LAND USE PLANNING

245. In January 1970 the Washington County Planning Commission adopted a comprehensive development plan prepared with the assistance of a planning firm in Omaha.

246. The comprehensive development plan sets forth the objectives of the County Planning Commission and establishes requirements for further planning efforts as funds become available.

Nebraska Cities

THE ROLE OF THE CITY

247. The revised statutes of Nebraska, Chapters 14 through 18, prescribe the powers and organization of cities. By population, municipalities are assigned a classification: (1) metropolitan class, (2) primary class, (3) first class, and (4) second class and villages.

CITIES OF THE METROPOLITAN CLASS

248. Powers. A city of the metropolitan class is one which has a population of 300,000 inhabitants or more. Omaha is the only city in Nebraska within this definition. It has certain basic powers which are essentially common to cities of all sizes. It may: (1) sue and be sued; (2) purchase, lease, acquire by gift and hold real and personal property within or without the city limits; (3) sell, exchange, lease and convey any real or personal property owned by the city; (4) make all contracts and do all other acts necessary in the exercise of its corporate powers; and (5) carry out any other powers conferred by law.

249. Among its powers, a city of the metropolitan class may levy any tax or special assessment authorized by law. It may also appropriate money and provide for payment of debts and expenses of the city.

250. A metropolitan class city has the power to develop a comprehensive master plan to guide its growth and has the authority to enact zoning regulations to inforce the master plan. A metropolitan

class city is granted zoning authority to three miles outside its corporate limits. The authority is complete except in matters pertaining to construction on land used specifically for farming purposes.

251. The city council of a metropolitan class city has the authority to annex land adjacent to its corporate boundaries. The authority extends to cities of the first class with populations of 10,000 inhabitants or less, to cities of the second class, and villages. Annexation of cities of the first class, with populations over 10,000, requires a majority vote approval of the voters of the city to be annexed. Nebraska statutes do not permit cities in one county to annex land which is in another county. Moreover, a ruling of the State Supreme Court prevents annexation across county lines.

252. Financial Capabilities. The city council must annually appropriate funds to be set aside for designated requirements: (1) general fund, (2) bond sinking fund, and (3) other funds as required. City funds are obtained by the annual tax levy against the assessed valuation of the taxable property of the inhabitants of the city. The levy for the general fund is limited by current State law to 17.5 mills. The bond sinking fund is used to pay bond issues as they mature. There is no statutory limit on the city's power to levy for the bond sinking fund; the city normally levies the amount required. There is a statutory limit on the city's bonded indebtedness of 10 percent of the total assessed valuation of property. This indirectly limits the levy depending upon bond retirement schedules.

CITIES OF THE PRIMARY CLASS

253. Powers. All cities having more than 100,000 and less than 300,000 inhabitants are classified as cities of the primary class. Lincoln is the only primary class city. The general powers for a city of the primary class are basically the same as those for a city of the metropolitan class.

254. A primary class city has the power to regulate in the area which is within the city or within three miles of the city and outside the zoning jurisdiction of any city or village in order to secure the general health, and to provide for the prevention and abatement of nuisances including the pollution of water.

255. Financial Capabilities. A primary city may borrow money on the credit of the city. It may also issue general obligation bonds and revenue bonds. The power to levy taxes exists but is limited by a dollar amount prescribed in its home rule charter. No bond issued by the city for any purpose may draw interest at a greater rate than five percent per annum, nor may it be sold at less than par. And a tax levy for payment of bonds may only be in an amount sufficient to meet interest accruing on bonds until they mature. An additional levy of up to one mill may be made for the purpose of creating a fund out of which anti-pollution control measures may be financed.

CITIES OF THE FIRST CLASS

256. Powers. All cities having more than 5,000 and not more than 100,000 inhabitants are designated as cities of the first class. The general powers of such a city are basically as those of the cities discussed above. Belleveue, Papillion, Plattsmouth, and Blair are cities of the first class.

257. A city of the first class has the power to establish, alter, and change the channel of watercourses, and to wall and cover them over. No city is liable in damages on account of accumulations of surface waters which fall upon its site unless such accumulations are caused by the act of a city officer while employed in his official capacity with recorded authorization of the mayor and council.

258. Water and sewer districts may be created and regulated by a city of the first class. The city may also create a system of water purification for the city's waterworks system.

259. Those rights, powers, authority, and jurisdiction conferred on counties under the county flood control provisions are also conferred upon cities of the first class. Also, like powers under the County Flood Control Act of 1963, they are conferred on such city and may be exercised, in the absence of Federal participation or sponsorship, whenever any project of flood control outside the limits of such city directly affects the welfare of such city and involves a cost of not to exceed $500,000. In addition to these authorities, cities of the first class, commencing on August 26, 1971, are authorized, apparently without limitation, to develop, implement, amend, change or modify a general program of flood and stormwater control, drainage and disposal. Flood plain zoning responsibility and authority are also vested in these cities under the Flood Plain Regulation Act of 1967.

260. Cities of the first class are also empowered to enact and enforce other zoning regulations. They have the power to apply those regulations to the unincorporated areas two miles beyond and adjacent

to the corporate limits of the city. Cities of the first class also have the power to create a municipal planning commission which may adopt plans for the physical development and zoning of the city and the unincorporated areas over which it has control.

261. Financial Capabilities. A city of the first class may levy taxes for general revenue purposes in any one year, not exceeding twelve mills on the dollar upon the assessed value of all the taxable property in the limits of such city; however, this limitation does not affect the annual levys for all municipal purposes which is set at 25 mills on the dollar. In addition, water bonds may be issued to finance water improvement for periods of less than ten years at not more than six percent and sold at not less than par value.

262. Up to one mill may be levied as an additional tax to finance anti-pollution of water measures if undertaken by the city.

CITIES OF THE SECOND CLASS AND VILLAGES.

263. Powers. All cities, towns, and villages containing more than 1,000 and not more than 5,000 inhabitants shall be cities of the second class unless they adopt a village government. Any town or village containing not less than 100 nor more than 600 inhabitants, incorporated, or any second class city adopting a village government is classified as a village.

264. Second class cities and villages have specific powers to carry out their various functions which in toto are basically the same as those for cities of other classes. Among those particular powers affecting the water resources is use of and protection against flood and surface waters. Such cities and villages have the power:

(1) to establish and alter channels of watercourses, and to wall them or cover them over; (2) to establish and regulate wells and other water conveyors or storage facilities; (3) to fill the same; and (4) to erect and maintain a dike or dikes as protection against flood or surface waters. They are granted the power of eminent domain to acquire a right-of-way over land within or not more than two miles outside the corporate limits for the purpose of constructing a ditch and dike to prevent flooding by a watercourse. Such cities and villages may also cooperate with the Federal government in flood control projects. If the Federal government would acquire the entire site upon which a city of the second class or village is located under such flood control project, the city or village may be moved to another site and retain its corporate identify.

265. The power to contract for the erection of waterworks and water supply systems is granted subject to certain procedures. The city or village may take, hold, and condemn property necessary for this purpose, including land beyond its territorial limits.

266. As with other classes, cities of the second class and villages have the authority to zone for all the basic uses of land, including zoning under the Flood Plain Regulation Act of 1967. They may extend existing or future zoning ordinances to an area within one mile of the corporate limits. And the jurisdiction of a second class city and village, to prevent pollution or injury to the stream or source of water for supply of its waterworks, extends fifteen miles beyond its corporate limits.

267. Financial Capabilities. Cities of the second class and villages may levy taxes for general revenue purposes each year in an amount

which cannot exceed ten mills on the dollar of the assessed value of all taxable property. They may also levy any other tax or special assessment authorized by law.

268. For the purpose of paying for flood control projects, second class cities and villages may borrow money and issue bonds in an amount not to exceed five percent per annum. They may levy and collect a general tax to pay the interest and principal of bonds issued for flood control purposes. No money can be borrowed or bonds issued, however, unless authorized by a three-fifths vote of those voting for or against the proposition.

269. The total allowable tax levy or special assessments for all city or village purposes is set at thirty mills on the dollar upon the assessed value of all taxable property. An appropriation of up to three mills may be levied to establish a sinking fund or funds to defray general or incidental expenses of the municipalities. In addition to the thirty mill levy limitation, an additional levy of two mills on the dollar may be imposed when necessary for implementation of a sewage disposal system.

270. In the creation of a waterworks system, second class cities and villages may borrow money and issue bonds, in an amount not to exceed twelve percent of the actual valuation of all taxable property. They may levy and collect a general tax to create a water fund in an amount sufficient to pay the interest and principal of the bonds. The bonds issued can come due in no longer than twenty years, and they cannot exceed six percent in interest. No money may be borrowed or bonds issued, however, unless authorized by three-fifths of the legal votes cast for or against the proposition at a special election.

271. For the purpose of creating a fund out of which anti-pollution measures may be financed, such city or village may also make a special levy not exceeding one mill.

OMAHA, NEBRASKA

DESCRIPTION AND HISTORY

272. Omaha began as a Missouri River town in the mid-1800's. The narrow width of the river and stable banks in the Omaha vicinity made the area a good crossing site for pioneers moving west. In the 1840's, the Mormons came to the Omaha area and were largely responsible for the early growth in Florence. Other travelers, headed west, stopped in Omaha to outfit for the trip and provided economic impetus for early, rapid growth.

273. The coming of the railroad was the largest single economic boon to Omaha. Because of the good river crossing site, Omaha was selected for the Union Pacific Railroad bridge. The crossing of the Missouri River provided Omaha with expanded business opportunities, including the stockyards. The railroad was also responsible for the birth of many small settlements in this area; at one time there were nearly 30 small towns in Douglas County. Prominent among these towns were Dundee, Florence, Benson, South Omaha, and Millard.

274. From 1860 to 1910, Omaha annexed four areas; this increased the area of the city from 5.5 to 24 square miles and increased the population to 124,000. These annexations expanded the corporate limits to the boundaries of Benson, Florence, Dundee, and South Omaha. The growth of Omaha would have halted unless some agreement had been reached among the governments concerned. In 1915, Dundee

and South Omaha voters elected to be annexed by Omaha. In 1917, Benson and Florence followed this precedent. These annexations added another 10.6 square miles and 32,000 residents to Omaha. From 1917 to 1956, Omaha continued to annex areas to the south, west, and northwest, and the city grew in size to 45.6 square miles and 260,000 people.

275. From 1956 to the present, the city entered the era of Sanitary and Improvement District annexations. In 1971 Omaha also annexed the incorporated city of Millard. Since 1956 the city conducted over 200 separate annexations, ranging in size from single lots to tracts as large as 3.1 square miles.

CITY GOVERNMENT

276. Home Rule Charter. In 1956 the city of Omaha elected a 15-member charter convention for the purpose of studying and examining the government of the city and to propose such changes and alterations as they deemed desirable. The charter convention proposed a new home rule charter that abandoned the commission form of government, and it adopted a mayor-council system. The new charter retained appropriate sections of the home rule charter of 1922 and previously adopted ordinances until superseded by subsequent ordinances. The charter convention set forth the following objectives:

- To separate the executive and legislative functions;

- To clearly fix and identify executive and administrative responsibility and authority;

- To simplify the government structure so that the citizen may readily identify and locate responsibility;

- To bring tried and proven administrative organization procedures into city government; and

- To create a government that would be both responsive and responsible to the people.

277. The charter is an effective guide for city government. It provides explicit instructions for the mayor, the council, and the departments of the city. It also provides for the codification of city ordinances to implement the authorities granted in the charter.

278. The Mayor. The executive and administrative power of the city is vested in and exercised by the mayor, who is elected by the people on an at-large, nonpartisan basis and serves for a term of 4 years.

279. The mayor is responsible for the proper exercise of his executive and administrative powers, which extend to:

- Supervising the executive and administrative activities and providing for the coordination of such activities;

- Enforcing within the city the provisions of the charter, city ordinances, and all laws;

- Exercising powers granted to him in the charter and the laws of the State of Nebraska concerning the appointment and removal of certain administrative employees and members of boards, commissions, and authorities;

- Submitting annually to the council for its consideration an operating budget and a capital improvement program and budget; and

- Exercising such other powers and performing such other duties as may be prescribed by the charter, by ordinance or resolution, or by applicable laws of the State of Nebraska.

280. The mayor is the official appointing authority of all officers and employees in the executive branch, but he may delegate the actual authority to make appointments to department and division heads.

281. The Council. All legislative powers of the city are exclusively vested in the council. The council is composed of seven electors, at least 25 years of age, having 5 years residence in the city, and elected at-large on a nonpartisan ballot for 4 year terms. The council selects one of its members as president of the council and he presides at all council meetings and acts as mayor during the mayor's absence from the city or his incapacity. Legislative processes assure ample deliberation and public participation at required public hearings. Provision is made for the council to cope with emergencies. The mayor can veto ordinances, but a council vote of five overrides the veto. Codification of ordinances is called for, and the council has an annual, independent audit. Popular initiative and referendum are available for direct participation by the people in the legislative process.

282. In keeping with the concept of checks and balances, the council is given extensive restraining power upon the mayor. It approves and may change items in the budget, may investigate any operation of the executive branch, and may remove the mayor's department heads.

283. City Departments. The executive branch of the city is comprised of the office of the mayor and the functional departments. The heads of the departments are appointed by the mayor and are subject to removal by him. The following departments and department heads are established by the charter:

- Finance Department - Director
- Law Department - City Attorney
- Parks, Recreation, and Public Property Department - Director
- Personnel Department - Director
- Planning Department - Director
- Public Works Department - Director

284. After hearing the recommendations from the mayor, the council may, by ordinance, assign to existent departments any new functions or programs to be undertaken by the city, but to the extent that this is not practicable, it may create additional departments. Any such additional departments are, in all respects, subject to the provisions of the charter.

BOARDS, COMMISSIONS, AND AUTHORITIES

285. Except where a higher law or authority provides to the contrary, all governmental functions are brought into the regular framework of the government, and administrative boards and commissions are abolished. The Home Rule Charter (1) retained the Dock

Board, the Housing Authority, and the Library Board; and (2) created the Personnel Board, the Planning Board, the Human Relations Board, and the Parks and Recreation Board. Additional advisory or administrative boards, commissions, and authorities may be established by the council by ordinance when such are deemed necessary to undertake new city programs and functions; provided, no board, commission, or authority which is to be given responsibility for the control and management of property, personnel, equipment, facilities, or finances shall be established until such action shall have been approved by a majority vote of the electors.

CITY FINANCES

286. City Treasurer. The Douglas County Treasurer is the ex-officio city treasurer. As city treasurer he collects all real, personal, and special taxes or assessments due the city; he acts as official custodian for all city monies; he disperses funds on the basis of valid written authorization; and, in the administration of city functions, he complies with the provisions of the Home Rule Charter, the ordinances, other applicable laws, and the accounting rules of the city.

287. Finance Department. The finance department is responsible for accounting and internal auditing, budget formulation and execution under the mayor's supervision, purchasing and stores, collection of miscellaneous revenues, and such other duties not assigned to the city treasurer. The budget is prepared by the finance department, reviewed and approved by the mayor, and submitted to the council where it is brought to public hearings before adopted by the council. The annual budget is a complete financial plan for the ensuing year and consists of an operating budget and a capital budget. The fiscal year is January 1 to December 31.

288. After adopting the budget, the council establishes a single Omaha tax levy so that total anticipated revenues plus receipts from authorized borrowing will at least equal total proposed expenditures. The single Omaha tax levy certified in any one year shall not exceed 17.5 mills on the assessed valuation plus whatever number of mills is necessary to provide for principal and interest payments on the indebtedness of the city and for satisfaction of judgments and litigation expenses in connection therewith.

289. Debt. The Home Rule Charter establishes policy on incurrence of debt. The following excerpts from the charter cover the restrictions significant to this study.

- "Section 5.26. Power to Incur Indebtedness: The Council shall have the power to issue general obligation notes to temporarily provide cash from which to pay operating expenses authorized in the budget or from which to pay for expenditures ultimately to be financed from proceeds of bonds previously authorized and to be issued under this charter. General obligation bonds may be issued only for the purposes of acquiring real property, constructing capital improvements, purchasing equipment with a probably useful life of fifteen or more years, or refunding outstanding bonded indebtedness."

- "Section 5.27. Debt Limits: Debt limits relating to the various types of debt which the city is authorized to incur shall be as follows:

(1) The total amount of general obligation indebtedness outstanding at any time, which shall include bonds issued but

shall not exceed 10 percent of the total assessed value of taxable real and personal property in the city. For the purpose of computing the city's general obligation debt margin, the full amount of any sinking fund maintained for principal or interest payments on general obligation bonded debt shall be deducted from the outstanding indebtedness. Outstanding general obligation notes issued pursuant to this charter shall not be chargeable against the debt limit, nor shall the outstanding amount of any lease-purchase agreement executed by the City as vendee or as lessee be chargeable against the debt limit.

(2) Notes issued in anticipation of the receipt of revenue of the general fund or any special revenue fund shall not exceed 20 percent of the revenues officially estimated to be collected for that fund during the remainder of the fiscal year concerned.

(3) . . .

(4) . . ."

- "Section 5.28. Bond Issues Upon Which Referendum is Required: No general obligation bonds of the city except refunding bonds shall be issued until authorized by a majority of the electors voting on the question as to their issuance . . ."

- "Section 5.31. Revenue Bonds: Provisions concerning revenue bonds shall be as follows:

(1) The city may issue revenue bonds for the purpose of acquiring, extending, or improving any revenue-producing facil-

ity for public or private use within or without the city that it may legally acquire, improve, or operate under this charter and the Constitution of laws of the State of Nebraska.

(2) . . .

(3) . . .

(4) . . .

(5) Bonds issued pursuant to this section or notes issued pending permanent revenue bond financing shall not be a debt of the city within the meaning of any constitutional, statutory, or charter limitation upon the creation of general obligation indebtedness of the city, and the city shall not be liable for the payment thereof out of any funds of the city other than the revenues pledged to the payment thereof, and all bonds or notes issued pursuant to this section shall contain a recital to that effect . . .

(6) . . ."

290. Debt and Taxation. During the past 20 years the city of Omaha has grown in geographical size, in population, and in assessed valuation. The cause of the growth has primarily been the 200 annexation actions, predominantly SID's. The assessed valuation of the city has doubled while the bonded indebtedness has increased fourfold. The mill levy has increased by approximately 40 percent. The history of valuation versus taxation, bonded indebtedness, and the retirement schedule for outstanding bonded indebtedness are shown in tables B-8, B-9, and B-10, respectively.

Table B-8
City of Omaha
Property Valuation and Taxation
1956 to 1973

Year	Tangible Property Valuation at 35%	G.O. Bond Sinking Fund Mill Levy	G.O. Bond Sinking Fund Allocation	Omaha Total Mill Levy	Total Taxes Assessed
1956	399,658,865	5.00	2,178,922	17.90	7,153,893
1957	428,622,390	5.00	2,371,387	17.90	7,672,340
1958	435,768,710	5.00	2,436,216	17.90	7,800,259
1959	448,706,230	5.00	2,387,570	17.90	8,031,841
1960	457,901,560	5.00	2,652,358	17.90	8,196,437
1961	484,397,320	5.00	2,620,544	17.90	8,670,712
1962	499,194,270	6.00	3,251,053	19.90	9,933,965
1963	531,921,695	6.00	3,402,702	19.90	10,386,241
1964	540,450,035	6.00	3,535,611	19.90	10,754,955
1965	575,948,500	6.00	3,777,690	20.40	11,749.349
1966	592,425,250	6.00	4,231,071	21.40	12,677,405
1967	738,335,710	6.00	4,379,494	18.71	13,575,914
1968	634,883,680	7.00	4,932,879	23.00	14,602,324
1969	687,475,215	7.00	5,289,583	24.50	16,843,142
1970	732,220,875	8.00	6,375,542	25.60	18,744,854
1971	877,662,117	8.00	7,021,297	25.60	22,468.152
1972	943,330,174	8.00	7,546,413	24.10	22,733,571
1973	986,469,593	8.00	7,891,756	24.10	23,773,917
1974	1,014,353,590	9.50	9,636,359	25.60	25,773,917

These data were extracted from annual auditor's reports provided by the Finance Department, City of Omaha.

Table B-9
City of Omaha
General Obligation Bonded Indebtedness
1956-1974

Year	SID G.O. Bonds	SID G.O. Bond Interest	Total G.O. Bonds	Total Interest
1956	-	-	13,303,500	
1957	-	-	11,672,500	473,505.00
1958	127,000	20,320.00	11,457,000	477,825.00
1959	111,000	16,852.50	11,391,000	633,182.50
1960	566,187.51	187,181.27	14,989,187.51	3,642,171.27
1961	791,187.51	281,265.64	16,814,187.51	2,395,306.64
1962	Not available	291,367.00	27,229,000	5,329,934.00
1963	826,000	227,514.50	31,359,000	6,122,886.50
1964	Not available	1,072,078.75	33,831,000	6,925,667.75
1965	2,998,000	1,217,310.66	34,588,000	6,853,100.66
1966	2,514,000	931,476.94	35,224,000	6,709,306.95
1967	7,320,000	3,206,481.72	40,165,500	9,120,157.72
1968	7,595,500	3,035,281.25	41,125,500	9,568,466.25
1969	21,521,500	10,395,700.50	51,586,500	15,911,381.75
1970	30,831,500	13,909,112.50	76,781,500	29,949,790.00
1971	39,891,500	17,644,618.00	81,811,500	31,734,936.75
1972	40,375,500	16,586,570.00	78,265,500	28,877,775.00
1973	45,174,500	12,399,553.75	79,034,500	27,378,675.75
1974	42,272,500	14,350,243	72,202,500	23,471,358.00

These data were extracted from records supplied by the Finance Department, City of Omaha.

Table B-10
City of Omaha
Summary of Bonded Indebtedness by Maturities
December 31, 1973

	Year	Principal Maturing By Years	Interest Requirements By Years	Total
General Obligation Bonds	1974	$ 6,832,000.00	$ 3,907,317.75	$ 10,739,317.75
	1975	7,602,000.00	3,550,590.00	11,152,590.00
	1976	7,579,000.00	3,177,520.00	10,756,520.00
	1977	7,255,000.00	2,828,451.00	10,083,451.00
	1978	6,776,500.00	2,430,229.00	9,206,729.00
	1979	6,637,000.00	2,084,480.25	8,721,480.25
	1980	5,665,000.00	1,762,144.25	7,427,144.25
	1981	4,612,000.00	1,498,243.75	6,110,243.75
	1982	4,108,000.00	1,275,895.75	5,383,895.75
	1983	3,828,000.00	1,074,042.00	4,902,042.00
	1984	3,335,000.00	889,578.75	4,224,578.75
	1985	2,537,000.00	739,120.75	3,276,120.75
	1986	2,376,000.00	609,165.00	2,985,165.00
	1987	2,096,000.00	484,593.75	2,580,593.75
	1988	2,071,000.00	373,173.75	2,444,173.75
	1989	1,716,000.00	273,627.50	1,989,627.50
	1990	1,686,000.00	185,802.50	1,871,802.50
	1991	703,000.00	110,692.50	813,692.50
	1992	545,000.00	74,540.00	619,540.00
	1993	1,075,000.00	49,467.50	1,124,467.50
Total General Obligation Bonds		$ 79,034,500.00	$27,378,675.75	$106,413,175.75
Revenue Bonds				
Sewer Revenue Fund		25,834,000.00		
Municipal Dock Revenue Fund		72,000.00		
Special Gas Tax Fund		1,400,000.00		
Total Bonded Indebtedness		$106,340,500.00		

These data were extracted from the 1973 Audit Report provided by the Finance Department, City of Omaha.

CITY PLANNING

291. City planning for Omaha is accomplished through the efforts of the planning department, the planning board, the mayor, and the council. Citizen participation is encouraged by charter requirements for public hearings.

292. Planning Board. The five members of the planning board are appointed by the mayor and confirmed by the council for five-year terms. The board has the power and requirement to:

- Advise the mayor, council, and planning director on matters concerning the planning program;

- Review the master plan and modifications thereof developed and recommended by the planning director; conduct hearings thereon; approve or reject such plans in whole or in part and with or without modifications; and transmit such plans with recommendations through the mayor to the council for its consideration and legislative action;

- Review land subdivision and zoning ordinances and amendments thereto developed and recommended by the planning director; conduct hearings thereon; approve or reject such ordinances in whole or in part and with or without modifications; and transmit such ordinances with recommendations through the mayor to the council for its consideration and legislative action;

- Perform such other related duties as may be necessary to fulfill its responsibilities under this charter or as may be assigned by the mayor or council; and

- Establish its own rules or procedure, provided that three members shall constitute a quorum for the transaction of business and three affirmative votes shall be required for final action or any matter acted upon by the board.

Members of the board shall serve without pay, but may be reimbursed for expenses incurred in the performance of their assigned duties.

293. Planning Director. The planning director has the power and is required to:

- Administer the operation of the planning department;

- Prepare, make, extend, and add to a comprehensive general plan for the improvement and development of the city, to be known as the master plan, and to submit, with recommendations, to the planning board for approval;

- Review, prepare recommendations on, and return to the council all proposed ordinances and resolutions dealing with the acquisition, extension, widening, narrowing, removal, relocation, vacation, abandonment, sale, or change in the use of any public way, transportation route, ground, open space, building, or structure of the city and land within the zoning jurisdiction of the city;

- Review proposed capital improvement projects, determine conformance of the projects with the master plan, and submit to the planning board a consolidated schedule of projects; and

- Prepare platting and subdivision regulations and submit them to the council for approval.

294. Wastewater Management. The director of public works is responsible for: city engineering; traffic engineering, street construction, maintenance, and cleaning; sewers and sewage treatment; solid waste collection and disposal; and street lighting.

295. The present Omaha wastewater management system is complex and consists of several scattered treatment plants which provide only primary treatment. Omaha is constructing a new primary and secondary treatment plant at the mouth of the Papillion Creek on the Missouri River. This plant will partially consolidate the treatment of wastewater in the Papillion Creek watershed to include the city of Papillion, the city of La Vista, a portion of Bellevue, and that portion of Omaha in the Papillion Creek watershed. This consolidation presents organizational, financial, and political problems for the city of Omaha that will be discussed later.

296. Water Supply. Water supply for all of Omaha is provided by the Metropolitan Utilities District.

NEBRASKA CITIES AND VILLAGES SURROUNDING OMAHA

297. For the Nebraska cities, other than Omaha, and villages in the four-county area, a summary sheet has been prepared for each to display information necessary for further institutional analysis. Table B-11 explains the data categories selected. The summary sheets follow Table B-11 in alphabetical order by county.

Table B-11
Format for Summary Sheets

NEBRASKA CITIES AND VILLAGES SURROUNDING OMAHA

Political Subdivisions:	The name of the city or village, county in which it is located, and the statutory classification.
Area of Jurisdiction:	Land area inside of the corporate limits, population, and limits of extra-territorial jurisdiction.
Organization:	Form of government, number of elected officials, appointed officials, executive departments, and commissions or boards.
Enabling Legislation:	Chapters of the Nebraska Revised Statutes that pertain to the municipality and the presence of a charter or ordinances.
Interrelationships:	Relationships that exist with other agencies for the provision of services.
Financial Aspects:	Assessed valuation, mill levies, tax revenue, and bonded indebtedness.
Water Source and System:	Source of water and the facilities in the system.
Wastewater System:	Treatment level, general efficiency of the system, and plans to construct or expand systems.
Reports/Plans Available:	Comprehensive plans and dates, financial reports, and any surveys completed.
Miscellaneous:	Location of the municipality, growth potential, and population as extracted from the Nebraska Population Projections.

Political Subdivision:	ALVO, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	40 acres. Population: 151. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $146,131 Village mill levy: 16.59 Total levy: 72.07 Village tax revenue: $ 2,424 Bonded indebtedness: General Obligation $22,000
Water Source and System:	Municipal system has one well, a 25,000 gallon elevated tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility that is operating within its capacity.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Alvo is located 30 miles southwest of Plattsmouth. Nebraska population projection is 124 by year 2020.

Political Subdivision:	AVOCA, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	53 acres. Population: 229. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapter 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $389,482 Village mill levy 31.44 Total levy: 88.93 Village tax revenue: $ 12,245 Bonded indebtedness: General obligation $59,000
Water Source and System:	Municipal system has three wells, 28,040 gallon storage capacity, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility that is operating well within its capacity.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Avoca is located 20 miles southwest of Plattsmouth and one mile from the Otoe County line. Nebraska population projection is 280 by year 2020.

Political Subdivision:	EAGLE, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	77 acres. Population: 625. Planning jurisdiction extends one mile beyond corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,077,097 Village mill levy: 21.36 Total levy: 76.84 Village tax revenue: $ 28,006 Bonded indebtedness: General obligation - none recorded Revenue bonds - $18,000
Water Source and System:	Municipal system has two wells, a 30,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility which is operating poorly. A new plant is being designed.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Eagle is located 33 miles southwest of Plattsmouth in the southwest corner of the county. Nebraska population projection is 983 by year 2020.

Political Subdivision:	ELMWOOD, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	149 acres. Population: 550. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,197,479 Village mill levy: 18.79 Total levy: 75.33 Village tax revenue: $ 22,500 Bonded Indebtedness: None recorded.
Water Source and System:	Municipal system has three wells, a 30,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility which is overloaded.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Elmwood is located 25 miles southwest of Plattsmouth near the center of the county. Nebraska population projection is 902 by year 2020.

Political Subdivision:	GREENWOOD, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	125 acres. Population: 510. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $959,500 Village mill levy: 26.05 Total levy: 100.42 Village tax revenue: $ 24,994 Bonded indebtedness: General obligation - $5,000
Water Source and System:	Municipal system has two wells, a 50,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility with good performance and is operating within its design capacity.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Greenwood is located 30 miles west of Plattsmouth and one mile from Lancaster County. Nebraska population projection is 1,097 by year 2020.

Political Subdivision:	LOUISVILLE, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	207 acres. Population: 1,040. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,884,427 Village mill levy: 22.16 Total levy: 74.46 Village tax revenue: $ 41,758 Bonded indebtedness: General obligation - $717,000
Water Source and System:	Municipal system has two wells, a 60,000 gallon standpipe, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility.
Reports/Plans Available:	The Cass County comprehensive plan places special emphasis on Louisville.
Miscellaneous:	Louisville is located on the Platte River about 15 miles west of Plattsmouth. Nebraska population projection is 813 by year 2020.

Political Subdivision:	MANLEY, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	22 acres. Population: 150. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None
Financial Aspects: (1973)	Assessed valuation: $268,888 Village mill levy: 12.00 Total levy: 62.07 Village tax revenue: $ 3,226 Bonded indebtedness: General obligation - $30,000
Water Source and System:	Water is provided by private individual wells.
Wastewater System:	Municipal system has a primary treatment facility.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Manley is located 17 miles southwest of Plattsmouth in the center of the county. Nebraska population projection is 335 by year 2020.

Political Subdivision:	MURDOCK, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	70 acres. Population: 262. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $601,093 Village mill levy: 13.31 Total levy: 66.03 Village tax revenue: $ 8,000 Bonded indebtedness: None recorded.
Water Source and System:	Municipal system has two wells, a 20,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility that is operating within design limits.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Murdock is located 24 miles southwest of Plattsmouth and six miles from the Platte River. Nebraska population projection is 328 by year 2020.

Political Subdivision:	MURRAY, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	57 acres. Population: 286. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $692,970 Village mill levy: 25.48 Total levy: 85.06 Village tax revenue: $ 17,656 Bonded indebtedness: None recorded.
Water Source and System:	Municipal system has three wells, a 36,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Murray is located 7 miles south of Plattsmouth and five miles from the Missouri River. Nebraska population projection is 327 by year 2020.

Political Subdivision:	NEHAWKA, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	70 acres. Population: 298 Planning jurisdiction extends one mile beyond corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $702,512 Village mill levy: 28.21 Total levy: 84.04 Village tax revenue: $ 19,817 Bonded Indebtedness: General obligation - $85,000
Water Source and System:	Municipal system has two wells, a 42,000 gallon concrete surface reservoir, distribution facilities, and a water treatment facility with a 35 gpm capacity.
Wastewater System:	Municipal system has a primary treatment facility.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Nehawka is located 14 miles southwest of Plattsmouth and 8 miles from the Missouri River. Nebraska population projection is 444 by year 2020.

Political Subdivision:	PLATTSMOUTH, NEBRASKA; Cass County; City of the first class.
Area of Jurisdiction:	485 acres. Population: 6,900. Zoning jurisdiction extends 2 miles beyond the corporate limits.
Organization:	Mayor, 8 member Council, City Clerk/Treasurer, City Prosecutor, and City Attorney. City Departments; Roads, Park Board, Housing Authority, Board of Public Works, Cemetery Board, Library Board, Planning Commission, Inspection and Zoning Department, Civil Defense, Police, Volunteer Fire, and Community Development.
Enabling Legislation:	Chapters 16 and 18, Nebraska Revised Statutes.
Interrelationships:	Plattsmouth sells water to a rural water district which supplies the village of Union.
Financial Aspects: (1973)	Assessed valuation: $9,149,987 City mill levy: 26.71 Total levy: 112.71 City tax revenue: $ 244,396 Bonded indebtedness: General obligation - $451,000 Revenue bonds - $630,000
Water Source and System:	Municipal system has three wells, a 1,000,000 gallon elevated storage tank, a 290,000 gallon standpipe, distribution facilities, and a full treatment facility with a capacity of 3.0 MGD.
Wastewater System:	Municipal system has a primary treatment facility that is operating within its design capacity.
Reports/Plans Available:	The current Cass County comprehensive plan places special emphasis on Plattsmouth. Financial Report, 1974.

Political Subdivision: PLATTSMOUTH, NEBRASKA (Continued)

Miscellaneous: Plattsmouth is located 15 miles south of Omaha on the Missouri River at the mouth of the Platte River. Nebraska population projection is 8,057 by year 2020. Plattsmouth city officials expect a growth of 20,000 by year 2000.

Political Subdivision:	UNION, NEBRASKA; Cass County; Village.
Area of Jurisdiction:	67 acres. Population: 288. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	Union is buying water from a rural water district.
Financial Aspects: (1973)	Assessed valuation: $386,402 Village mill levy: 20.80 Total levy: 94.45 Village tax revenue: $ 8,037 Bonded indebtedness: General obligation - $21,000
Water Source and System:	Municipal system has three wells, a 50,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility.
Reports/Plans Available:	Planning is incorporated in the Cass County comprehensive plan.
Miscellaneous:	Union is located 15 miles south of Plattsmouth and 5 miles west of the Missouri River. Nebraska population projection is 223 by year 2020.

Political Subdivision:	WEEPING WATER, NEBRASKA; Cass County; City of the second class.
Area of Jurisdiction:	258 acres. Population: 1,143. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Mayor and five member council.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $2,069,459 City mill levy: 19.74 Total levy: 74.33 City tax revenue: $ 40,851 Bonded indebtedness: General obligation - $235,000
Water Source and System:	Municipal system has three wells, a 225,000 gallon reservoir, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility operating in excess of its design capacity.
Reports/Plans Available:	The Cass County comprehensive plan places special emphasis on Weeping Water.
Miscellaneous:	Weeping Water is located 17 miles southwest of Plattsmouth in the center of the county. Nebraska population projection is 1,446 by year 2020.

Political Subdivision:	BENNINGTON, NEBRASKA; Douglas County; Village.
Area of Jurisdiction:	150 acres (est). Population: 700. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,390,015 Village mill levy: 25.00 Total levy: 101.53 Village tax revenue $ 34,750 Bonded indebtedness: No data.
Water Source and System:	Municipal system has four wells, 280,000 gallon storage capacity, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility operating at less than design capacity.
Reports/Plans Available:	
Miscellaneous:	Bennington is located six miles from the northwest edge of Omaha. Geographical constraints on growth are minimal. Nebraska population projection is 3,144 by year 2020.

Political Subdivision:	ELKHORN, NEBRASKA; Douglas County; Second class city.
Area of Jurisdiction:	260 acres (est). Population: 1,200. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Mayor; four-member Council; City Clerk; Building Inspector; City Departments - Sewer, Water, Street, Park, and Police. Volunteer Fire Department. Planning Board and Library Board.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes. City ordinances.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $3,174,330 City mill levy 17.75 Total levy: 96.8 City tax revenue: $ 56,344 Bonded indebtedness: $ 514,000
Water Source and System:	Municipal system has four wells, 80,000 gallon storage capacity, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility operating in excess of design capacity.
Reports/Plans Available:	Financial report, December 1974.
Miscellaneous:	Elkhorn is located six miles from the west edge of Omaha. Geographical constraints on growth are minimal. Nebraska population projection is 3,819 by year 2020.

Political Subdivision:	RALSTON, NEBRASKA; Douglas County; Second class city.
Area of Jurisdiction:	1,400 acres (est). Population: 4,800. Zoning jurisdiction extends one mile beyond corporate limits.
Organization:	Mayor, four-member Council, City Clerk. City Departments; Parks, Utilities and Public Buildings, Streets and Storm Sewers, and Police and Fire. Planning Commission and Library Board.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes. City ordinances.
Interrelationships:	Ralston is tied to the Omaha wastewater system.
Financial Aspects: (1973)	Assessed valuation: $13,413,570 City mill levy: 22.03 Total levy: 98.25 City tax revenue: $ 295,000 Bonded indebtedness: $ 627,000
Water Source and System:	The municipal water distribution system is connected to the Metropolitan Utilities District.
Wastewater System:	All sewers are connected to the Omaha system.
Reports/Plans Available:	Comprehensive Plan, 1969. Financial report, 1974.
Miscellaneous:	Ralston is located seven miles from the Missouri River and is adjacent to the Sarpy County line. Ralston corporate limits are coterminous with the Sarpy County line on the south and with the corporate limits of Omaha in all other directions, thus the city cannot expand geographically. Nebraska population projection is 6,715 by year 2020.

Political Subdivision:	VALLEY, NEBRASKA: Douglas County; Second class city.
Area of Jurisdiction:	450 acres. Population: 1,600. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Mayor, four-member Council, City Clerk, Treasurer, and City Attorney. City Departments; Water, Sewer, Street, Police, and Fire. Library Board and Planning Board.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $2,855,440 City mill levy 14.67 Total levy: 114.98 City tax revenue: $ 41,890 Bonded indebtedness: $ 117,000
Water Source and System:	Municipal system has three wells, a 25,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility that will be replaced by a new primary and secondary treatment facility pending approval of a city request for Federal funds.
Reports/Plans Available:	Financial Report, July 1974.
Miscellaneous:	Valley is located 15 miles from the west edge of Omaha and two miles from the Platte River. The location of the city on the flood plain constrains growth somewhat. Nebraska population projection is 3,325 by year 2020.

Political Subdivision:	WATERLOO, NEBRASKA; Douglas County; Village.
Area of Jurisdiction:	135 acres (est). Population: 455. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members. The village has a one-man police force, a 25-man volunteer fire department, a planning commission, and a library board.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $874,000 Village mill levy: 24.43 Total levy: 102.35 Village tax revenue: $ 21,350 Bonded indebtedness: $171,000
Water Source and System:	Municipal system has four wells, a 40,000 gallon storage capability, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility that is operating at less than design capacity.
Reports/Plans Available:	University of Nebrasks Waterloo Reconnaissance Report, 1969. Financial Report, 1974.
Miscellaneous:	Waterloo is located 10 miles from the west edge of Omaha. The village is protected from flooding of the Elkhorn River by a levee around the corporate limits. Growth is somewhat constrained by the proximity of the river. Nebraska population projection is 800 by year 2020.

Political Subdivision:	BELLEVUE, NEBRASKA; Sarpy County; First class city.
Area of Jurisdiction:	4.25 square miles or 2,718 acres. Population: 21,953 (est). Zoning jurisdiction extends 2 miles beyond corporate limits.
Organization:	Mayor, 8-member Council, City Administrator, City Attorney, City Clerk, and Building Inspector. City Engineer, City Departments; Building, Engineering, Fire, Parks, Police, Street, Utilities, and Recreation. Planning Commission and Library Board.
Enabling Legislation:	Chapters 16 and 18, Nebraska Revised Statutes. City ordinances.
Interrelationships:	Bellevue planning is coordinated with the Office of the Base Civil Engineer at Offutt AFB.
Financial Aspects: (1973)	Assessed valuation: $49,797,747 City mill levy 21.50 Total levy: 87.07 City tax revenue: $ 1,070,652 Bonded indebtedness: $ 3,479,000
Water Source and System:	Municipal system has 6 wells, 1,642,200 gallon storage capacity, treatment plant, and distribution system. MUD distribution system supplies Bellevue users north of Jewell Road. MUD also wholesales water to meet Bellevue's peak demands.
Wastewater System:	Municipal system has two primary sewage treatment plants that are operating at less than design flow. City has requested Federal funds to add secondary treatment to one plant. Second plant will be abandoned when Omaha-Papillion Creek plant is completed.

Political Subdivision:	BELLEVUE, NEBRASKA (Continued)
Reports/Plans Available:	Comprehensive Plan, 1972. Financial Report, July 1974.
Miscellaneous:	City located directly south of Omaha along the Missouri River. Bellevue growth blocked to the north by Omaha; to the south by Offutt AFB, and to the east by Missouri River. Growth west difficult because of Papillion Creek Flood Plain. Northwest growth most likely. Nebraska population projection is 77,125 by year 2020.

Political Subdivision:	GRETNA, NEBRASKA; Sarpy County; Second class city.
Area of Jurisdiction:	300 acres. Population: 2,200. Zoning jurisdiction extends one mile beyond corporate limits.
Organization:	Mayor, 4-member Council, City Clerk, Sewer and Water Department, Police and Fire Department, Street Department, and Park Department.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $3,648,847 City mill levy: 26.90 Total levy: 107.98 City tax revenue: $ 98,154 Bonded indebtedness: $ 219,000
Water Source and System:	Municipal system has 2 wells, 56,000 gallon elevated tank storage, no treatment, and a distribution facility.
Wastewater System:	Municipal system has a primary treatment plant to be abandoned when Omaha Papillion Creek plant is completed.
Reports/Plans Available:	University of Nebraska Extension Division Gretna Reconnaissance Report, 1969. Comprehensive Plan, 1972. Financial Report, 1974.
Miscellaneous:	Gretna is located 20 miles west of Bellevue between Interstate 80 and the Platte River. Geographical constraints on growth are minimal. Nebraska population projection is 13,208 by year 2020.

Political Subdivision:	LA VISTA, NEBRASKA; Sarpy County; First class city.
Area of Jurisdiction:	690 acres. Population: 7,840. Zoning jurisdiction extends two miles beyond corporate limits.
Organization:	Mayor, 8-member Council, City Administrator, City Clerk/ Treasurer, Building Inspector, City Engineer, City Attorney, City Departments; Library, Public Works, Police, Volunteer Fire Department, Recreation, and Finance. Planning Commission.
Enabling Legislation:	Chapters 16 and 18, Nebraska Revised Statutes. City ordinances.
Interrelationships:	La Vista and Papillion have been cooperating on annexation in the area between the two cities.
Financial Aspects: (1973)	Assessed valuation: $15,208,346 City mill levy: 26.40 Total levy: 108.48 City tax revenue: $ 401,500 Bonded indebtedness: $ 2,718,000
Water Source and System:	All water distribution provided by Metropolitan Utilities District.
Wastewater System:	Municipal system has a primary treatment plant operating above design flow. Plant is to be abandoned when Omaha Papillion Creek plant is completed.
Reports/Plans Available:	Comprehensive Plan, 1970. Financial Report, 1974.
Miscellaneous:	La Vista is located 5 miles west of Bellevue and adjoins Ralston. northeast to the north. Growth to the north is blocked by the Douglas County line and to the south by Papillion. Growth to the east is constrained by flood plain. Growth to the west is geographically unconstrained Nebraska population projection is 17,714 by year 2020.

Political Subdivision:	PAPILLION, NEBRASKA; Sarpy County; First class city.
Area of Jurisdiction:	1.4 square miles or 900 acres. Population: 8,000 (est). Zoning jurisdiction extends two miles beyond corporate limits.
Organization:	Mayor, 8-member Council, City Clerk, and City Attorney. City Departments; Parks and Recreation, Streets, Sewer, Public Buildings, Fire, Zoning and Building Inspection, Finance, Industrial and Commercial Development, Police, and Fire. Planning Commission.
Enabling Legislation:	Chapters 16 and 18, Nebraska Revised Statutes. City ordinances and regulations.
Interrelationships:	Cooperates with La Vista on annexation of areas between the two cities.
Financial Aspects: (1973)	Assessed valuation: $14,482,451 City mill levy: 23.00 Total levy: 106.08 City tax revenue: $ 333,096 Bonded indebtedness: $ 1,269,000
Water Source and System:	The municipal system has 5 wells, a 500,000 gallon elevated storage tank, distribution mains, and no treatment. The city also purchases water from Metropolitan Utilities District. Contract is for maximum of 2,100 gpm; presently buying 800 gpm.
Wastewater System:	Municipal system has a primary treatment plant operating above design capacity. Plant is to be abandoned when Omaha Papillion Creek plant is completed.
Reports/Plans Available:	Comprehensive Plan, 1966. Financial Report, 1974.

Political Subdivision: PAPILLION, NEBRASKA (Continued)

Miscellaneous: Papillion is located 5 miles west of Bellevue in the center of Sarpy County. Growth to the north will eventually be blocked by La Vista corporate limits. Growth to the west is constrained by flood plains and will eventually be blocked by Bellevue corporate limits. Growth to the south and west are constrained only by the limits of the Papillion Watershed. Nebraska population projection is 23,318 by year 2020.

Political Subdivision:	SPRINGFIELD, NEBRASKA; Sarpy County, Village.
Area of Jurisdiction:	150 acres (est). Population: 800 (est). Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,537,438 Village mill levy: 35.00 Total levy: 103.84 Village tax revenue: $ 53,810 Bonded indebtedness: No data.
Water Source and System:	Municipal system has 3 wells, a 25,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment plant operating above design capacity.
Reports/Plans Available:	No data.
Miscellaneous:	Springfield is located 15 miles southwest of Bellevue and three miles from the Platte River. Geographical constraints on growth are minimal. Nebraska population projection is 7,093 by year 2020.

Political Subdivision:	ARLINGTON, NEBRASKA; Washington County; City of the second class.
Area of Jurisdiction:	360 acres. Population: 1,200. Zoning jurisdiction extends one mile beyond corporate limits.
Organization:	Mayor, five member council one of whom is elected president of the council by the members. City departments are under the supervision of the council members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $2,232,465 City mill levy: 29.10 Total levy: 86.37 City tax revenue: $ 64,964 Bonded indebtedness: General obligation - $85,000 Revenue bonds - none
Water Source and System:	Municipal system consists of three wells, a 40,000 gallon elevated storage tank, distribution facilities, and a treatment facility. The treatment plant treats water from two of the three wells. Water from the third well is untreated.
Wastewater System:	Municipal system has a primary treatment facility that is overloaded.
Reports/Plans Available:	Planning is incorporated in the Washington County comprehensive plan.
Miscellaneous:	Arlington is located 15 miles from Blair and one-half mile from the Elkhorn River. Nebraska population projection is 1,446 by year 2020.

Political Subdivision:	BLAIR, NEBRASKA; Washington County; City of the first class.
Area of Jurisdiction:	2,290 acres. Population: 6,500. Zoning jurisdiction extends two miles beyond the corporate limits.
Organization:	Mayor, eight member council, Clerk/Treasurer, Utilities Commissioner, and City Administrator. City Departments; Finance, Police, Street and Alley, Airport, Insurance, Real Estate, Judiciary, Fire, and Landfill. Library Board, Board of Public Works, Park Board, Dock Board, and Health Board.
Enabling Legislation:	Chapters 16 and 18, Nebraska Revised Statutes. City ordinances and regulations.
Interrelationships:	The city of Blair is coordinating with the MAPA Riverfront Development Division
Financial Aspects: (1973)	Assessed valuation: $14,761,710 City mill levy: 20.87 Total levy: 99.95 City tax revenue: $ 308,071 Bonded indebtedness: General obligation - $295,000 Revenue bonds - $1,115,000
Water Source and System:	Municipal system has 12 wells, three concrete covered reservoirs with a total storage capacity of 900,000 gallons, distribution facilities, and a treatment and softening plant with a capacity of 1,050 gpm. Blair officials have determined that the city wells are inadequate to supply and plan to construct a new treatment plant and obtain water from the Missouri River.

Political Subdivision:	BLAIR, NEBRASKA (Continued)
Wastewater System:	The current system is being replaced with a new treatment that will provide primary and secondary treatment.
Reports/Plans Available:	Comprehensive Plan, 1968. Washington County Comprehensive Plan, 1970. Financial Report, 1974.
Miscellaneous:	Blair is located 25 miles northwest of Omaha and two miles from the Missouri River. The city is growing and the geographical constraints on growth are minimal except to the east where growth is constrained by the Missouri River flood plain. Nebraska population projection is 10,393 by year 2020. Blair officials believe that the population will reach 10,000 by the year 2000.

Political Subdivision:	FORT CALHOUN, NEBRASKA; Washington County; City of the second class.
Area of Jurisdiction:	287 acres. Population 642. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Mayor and four member council.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	In cooperation with the Papio Natural Resources District the city is establishing a rural water district.
Financial Aspects: (1973)	Assessed valuation: $1,508,990 City mill levy: 17.93 Total levy: 92.56 City tax revenue: $ 27,056 Bonded indebtedness: General obligation - $39,000
Water Source and System:	Municipal system consists of five wells, a 250,000 gallon steel surface reservoir, distribution facilities, and a treatment facility with a capacity of 75 gpm. The city and the Papio Natural Resources District are trying to develop a plan to abandon the municipal system and purchase water from the Omaha Metropolitan Utilities District.
Wastewater System:	Municipal system has a treatment lagoon.
Reports/Plans Available:	Planning is incorporated in the Washington County comprehensive plan.
Miscellaneous:	Fort Calhoun is located nine miles southeast of Blair. Geographical constraints on growth are minimal. Nebraska population projection is 1,708 by year 2020.

Political Subdivision:	HERMAN, NEBRASKA; Washington County; Village.
Area of Jurisdiction:	72 acres. Population: 323. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $574,220 Village mill levy: 24.67 Total levy: 63.09 Village tax revenue: $ 14,166 Bonded indebtedness: General obligation - $12,000 Revenue bonds - none recorded
Water Source and System:	Municipal system consists of two wells, a 58,000 gallon standpipe, distribution facilities, and a treatment facility with a capacity of 150 gpm.
Wastewater System:	Municipal system has a treatment lagoon.
Reports/Plans Available:	Planning is incorporated in the Washington County comprehensive plan.
Miscellaneous:	Herman is located 10 miles northwest of Blair. Geographical constraints on growth are minimal. Nebraska population projection is 284 by year 2020.

Political Subdivision:	KENNARD, NEBRASKA; Washington County; Village.
Area of Jurisdiction:	174 acres. Population: 319. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $533,880 Village mill levy: 35.50 Total levy: 94.39 Village tax revenue: $ 18,952 Bonded indebtedness: General obligation - $28,000 Revenue bonds - $63,040
Water Source and System:	Private individual wells.
Wastewater System:	Municipal system has a treatment lagoon.
Reports/Plans Available:	Planning is incorporated in the Washington County comprehensive plan.
Miscellaneous:	Kennard is located six miles southwest of Blair. Geographical constraints on growth are minimal. Nebraska population projection is 311 by year 2020.

Political Subdivision:	WASHINGTON, NEBRASKA; Washington County; Village.
Area of Jurisdiction:	110 acres. Population: 124. Zoning jurisdiction extends one mile beyond the corporate limits.
Organization:	Village board; five elected members one of whom is elected chairman by the other members.
Enabling Legislation:	Chapters 17 and 18, Nebraska Revised Statutes.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $159,400 Village mill levy: 3.00 Total levy: 28.49 Village tax revenue: $ 478 Bonded indebtedness: None recorded.
Waster Source and System:	Water is supplied by individual private wells.
Wastewater System:	No data.
Reports/Plans Available:	Planning is incorporated in the Washington County comprehensive plan.
Miscellaneous:	Washington is located 11 miles southwest of Blair and on the Douglas County line. Geographical constraints on growth in all directions except south are minimal. Nebraska population projection is 189 by year 2020.

Iowa Institutions

THE STATE ROLE

STATE GOVERNMENT

298. The laws and governmental agencies of the State of Iowa are characterized by strong centralized control over natural resources and over the affairs of the counties and cities. There are many changes in government that have been made in the past few years and many more are in process.

299. State government is divided into three departments: the legislative department, the executive department, and the judicial department.

300. The legislative authority of the State is vested by the constitution in a general assembly that consists of a senate and a house of representatives. At present there are 50 senators elected to four year terms. The terms are arranged so that half of the senators are elected every two years. There are 100 representatives elected to two year terms. The general assembly has been subjected to major revisions. Beginning in 1969, the assembly began meeting every year instead of every two years. Other procedural changes were necessitated by the complexity of modern government. The meetings of the general assembly are divided into two sessions. The first session begins in January of the odd-numbered years. Among other things, the first session determines the state budget for the next two years. The second ses-

sion begins in January of the even-numbered years and continues the business of the general assembly carried over from the first session.

301. The executive department consists of the governor, lieutenant governor, other elected officers, officers appointed by the governor, and an executive council. The elected officers of the executive department serve four year terms.

302. The judicial department consists of a supreme court, the attorney general, judicial districts, inferior courts, and municipal courts. The attorney general is elected to office for a two year term. Supreme court judges are appointed by the governor.

LOCAL GOVERNMENT

303. State laws pertaining to county and city government have been revised in the past few years. The powers and duties of the counties have been extended by the addition of new special purpose districts such as sanitary districts and rural water districts. Until recently, cities had only the powers specifically granted to them by the laws enacted by the Legislature. In 1973, a home rule act was enacted for cities which established a basic list of powers denied to the cities. The act streamlined the laws pertaining to cities, but still maintained comparatively strong power at the state level. For example, cities may not annex areas outside their corporate limits without prior approval of a state-level city development board.

DEPARTMENTS OF THE STATE GOVERNMENT

304. The functional departments that control water and associated land resources have also experienced some major changes in number and assigned responsibilities. The department of Environmental Quality is a new department with a wide range of responsibilities, some newly created and some transferred from other departments. Within the framework of the existing departments, there has been a transfer of responsibilities and the development of additional requirements.

OFFICE FOR PLANNING AND PROGRAMMING

305. The Office for Planning and Programming (OPP) is directly attached to and is a part of the office of the governor. OPP was created by Executive Order Number Six, in November, 1966, as Iowa's statewide planning agency. Later, Executive Order Number Eight, issued in August, 1967, redefined the responsibilities of the office as a part of the office of the governor. The office gained statutory authority July 1, 1969, when the Sixty-Third General Assembly enacted Chapter 7A of the Code of Iowa, 1971.

306. The general responsibility of OPP set forth by the General Assembly is:

> "To coordinate the development of physical, economic, and human resource programs and to promote the efficient and economic utilization of Federal, State, local, and private resources".

307. The office attempts to meet this general objective by performing the tasks that constitute the comprehensive planning

process: (1) identifying the problems and potentials of the State; (2) formulating goals and objectives for the State; (3) assisting the governor and general assembly to establish priorities and design programs to better meet these goals; and (4) coordinating agency activity at all levels to try to maximize program effectiveness.

308. In addition to its comprehensive planning and program coordination work, the office meets other State planning agency responsibilities by providing planning and other technical assistance to local governments and planning agencies, by doing research and analysis, and by performing other tasks assigned by the governor and the general assembly.

309. The Director carries out overall responsibility while division directors and program staffs carry out direct program responsibility. The Director is advised and assisted in several program areas by governor-appointed advisory committees made up of private citizens, department and agency heads, and technical specialists from the several levels of government.

310. The office is divided into three divisions: Division of Administration and Programs; Division of Municipal Affairs; and Division of State Planning.

DIVISION OF ADMINISTRATION AND PROGRAMS

311. This division is responsible to the director for the internal administrative functions which include fiscal management, budgeting, purchasing, and development of systems and procedures for efficient administration of all units of the office. In addition, this division has responsibility for administering five special-purpose programs pertaining to personal services.

DIVISION OF MUNICIPAL AFFAIRS

312. This division performs several functions: as coordinator for other State agencies' services to local governments; as a clearinghouse of information and data for utilization in solving local problems; the study and recommendation of changes in law which strengthen local government operations; as an intermediary between local governments and Federal agencies; and administration of special programs that directly impact on local development.

313. The division is organized into six sections for task performance. These include housing, building code, community services, community development (model cities), community betterment, and the local government personnel service center.

DIVISION OF STATE PLANNING

314. This division is responsible for statewide comprehensive planning, policy analysis, and program development and coordination. The division concentrates on nine program areas; planning and management systems, economic policy, environmental planning and coorination, education planning and coordination, transportation analysis and planning, rural community development, manpower planning and development, comprehensive health planning, and Federal funds clearinghouse activities.

315. As prescribed in the Iowa Code, all State agencies and officers are required to provide OPP with any information it requests pertaining to its duties, assist the office in carrying out its duties, and provide the office with a copy of all official grant-in-aid applications, together with a copy of any program developed to meet Federal requirements prior to submission of such application to the Federal Government.

316. The Governor reviews, examines, and evaluates all plans and programs filed with the office of planning and programming and settles priority disputes. The Governor may study the feasibility and desirability of establishing and maintaining various central locations throughout the State where services and aid may be rendered to the political subdivisions and residents of the State. He must report to the general assembly the results of such studies and make recommendations thereto.

IOWA DEPARTMENT OF AGRICULTURE

317. The Iowa Department of Agriculture was established by the Fourteenth General Assembly in 1923, which consolidated several State divisions into one department. In January 1973, the Secretary of Agriculture restructured the department to create a more efficient and responsible governmental agency by establishing three operational units; administrative division, regulatory division, and laboratory division.

318. Although other departments of the State government are more directly involved in the control of and planning for water and associated land management, agricultural interests are socially and economically important to Iowa.

IOWA NATURAL RESOURCES COMMISSION

319. The Iowa Natural Resources Commission was created by the Fifty-Third General Assembly in 1949 to represent the State of Iowa in all matters pertaining to the following legislated statement of policy:

"It is hereby recognized that the protection of life and property from floods, the prevention of damage to lands therefrom and the orderly development, wise use, protection and conservation of the water resources of the state by the considered and proper use thereof is of paramount importance to the welfare and prosperity of the people of the state, and, to realize these objectives it is hereby declared to be the policy of the state to correlate and vest the powers of the state in a single agency, the Iowa Natural Resources Council, with the duty and authority to establish and enforce an appropriate comprehensive state-wide program for the control, utilization, and protection of the surface and ground water resources of the state. It is hereby declared that the general welfare of the people of the state of Iowa requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use, or unreasonable methods of use, of water be prevented, and that the conservation of such water be exercised with the view to the reasonable and beneficial use thereof in the interest of the people, and that the public and private funds for the promotion and expansion of the beneficial use of water resources shall be invested to the end that the best interests and welfare of the people are served.

Water occurring in any basin or in any watercourse, or other natural body of water of the state, is hereby declared to be public water and public wealth of the people of the state of Iowa and subject to use in accordance with the provisions of (the Code), and the control and development and use of water for all beneficial purposes shall be in the state, which, in the exercise of its police powers, shall take such measures as shall effectuate full utilization and protection of the water resources of the state of Iowa."

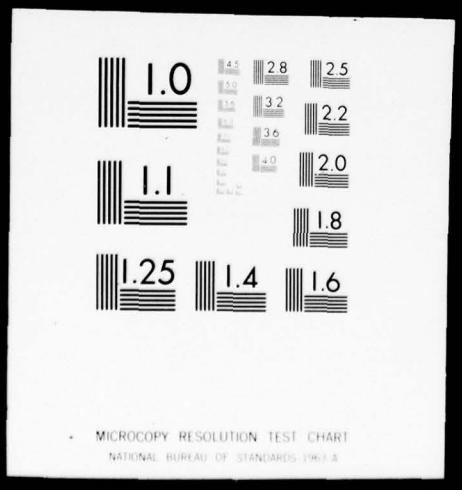
320. The council consists of nine members appointed by the governor and approved by the senate for overlapping terms of six years. The council selects a chairman, meets quarterly, adopts its own procedural rules, and carries out the powers and duties assigned to the Iowa Code.

AD-A041 942 ARMY ENGINEER DISTRICT OMAHA NEBR F/G 8/6
WATER AND RELATED LAND RESOURCES MANAGEMENT STUDY. VOLUME VIII.--ETC(U)
JUN 75

UNCLASSIFIED NL

3 OF 4
ADA041942

3 OF 4
DA041942



321. The council selects a director who must be qualified by training and experience and who may not be a member of the council. The director serves as the executive officer of the council and is responsible for the work of the council subject to its orders and directions.

322. The council selects water commissioners and one or more deputy commissioners who must be qualified by training and experience and who may not be members of the council. The water commissioner and deputies (acting in absence of the Commissioner) serve in a quasi-judicial capacity as the trier of fact questions in the processing of all applications for water appropriation permits. The commissioner conducts hearings on any applications for permits as provided by law and the rules and regulations of the council, and performs such other duties as the council may prescribe.

323. The council may request and receive from any agency of the State; public, governmental, or private, any data necessary to carry out its responsibilities. The council may enter upon any lands or waters in the state for the purpose of making any investigation or examination authorized by the Iowa Code. The council has the power of eminent domain.

FUNCTIONS AND DUTIES OF THE COUNCIL

324. The council is assigned the following functions and duties by the Iowa Code:

- Establish and enforce a comprehensive state-wide plan for the control, utilization and protection of the water resources of

of the state which includes all uses and developments of water resources and provides for the optimum control, protection, development, allocation, and utilization thereof;

- Represent the State of Iowa on all comprehensive water resources planning groups for which state participation is provided;

- Enter into negotiations and agreements with the Federal Government relative to the operation of, or the release of water from, any project that has been authorized or constructed by the Federal Government when required or appropriate;

- Procure and obtain flood control works and water resources projects from and through or by cooperation with the United States, by cooperation with and action of the cities and other subdivisions of the state as deemed necessary and appropriate; and

- Establish and enforce regulations pertaining to the diversion of water and construction in the flood plains of the state.

WATER PERMITS

325. The council enforces the Iowa Code relative to the granting of permits to divert, store, or withdraw waters from public waterways.

326. A permit is required for the following:

- Any municipal corporation, or person supplying a municipal corporation, which increases its water use in excess of 100,000

gallons, or three percent, whichever is greater, per day more than its highest per day beneficial use prior to May 16, 1957.

- Except for a nonregulated use, any person using in excess of 5,000 gallons of water per day, diverted, stored, or withdrawn from any source of supply except a municipal water system or any other specifically exempted source.

- Any person who diverts water or any material from the surface directly into an underground watercourse or basin. Such permits must also be approved by the Department of Environmental Quality.

- Industrial users of water having their own water supply, within the territorial boundaries of municipal corporations, must be regulated when such water use exceeds 3 percent more than the highest per day beneficial use prior to May 16, 1957.

327. Nothing in sections 455A.19 to 455A.32, inclusive, shall operate to deprive any person of the right to use diffused waters, or to drain land by use of tile, open ditch, or surface drainage, or to construct an impoundment on that person's property or across a stream that originates on that person's property so long as provision is made for safe construction and for continued established average minimum flow, if and when such flow is required to protect the rights of water users downstream.

328. No permit will be issued or continued that will impair the navigability of any navigable watercourse.

329. In the consideration of applications for permits, priority will be given to applications in the order in which they are received. The use of water for ordinary household purposes, for poultry, livestock, and domestic animals shall, however, have priority over other purposes. No use of water will be authorized that will impair the effect of pollution control laws of the state.

330. The council and the boards of the several conservancy districts coordinate their efforts in carrying out the code pertaining to water resources.

STATE COMPREHENSIVE WATER PLAN

331. Pursuant to the requirements in Chapter 455A.17 of the Iowa Code, the Natural Resources Council is in the process of developing a state water plan. Work on the plan has progressed well and it is scheduled to be completed in 1979. The council has appointed a technical coordinating committee comprised of a representative from each of the following:

- Department of Environmental Quality
- Department of Soil Conservation
- Iowa Conservation Commission
- Iowa Geological Survey
- Iowa Natural Resources Council
- Office for Planning and Programming

332. The objective of the plan is to provide a basis for the control, utilization, and protection of the state's water and related resources. The council wishes to develop a plan that will guide the many diverse resource agencies at the local, State, and Federal level so that their programs will complement each other and not work at cross-purposes.

DEPARTMENT OF ENVIRONMENTAL QUALITY

333. The Iowa Department of Environmental Quality was created by the Sixty-Fourth General Assembly and was given the responsibility for the protection of the State's environment. The effective date of the legislation is January 1, 1973. The department was created from previously existing divisions of the Department of Agriculture and the State Department of Health.

334. Policy for the department is vested in an executive committee comprised of the chairmen of the four commissions of the department; air quality commission, water quality commission, solid waste disposal commission, and chemical technology commission. Ex-officio non-voting members consist of the director or a designated representative of the state conservation commission, the administrative officer of the department of soil conservation, the director or representative of the bacteriology laboratory of the University of Iowa, the secretary of agriculture, the commissioner of public health, and the state geologist.

335. The chief administrative officer of the department is the executive director of environmental quality. The director is appointed by the Governor and approved by the senate. He is

chosen on the basis of his administrative abilities. The director is responsible for:

- Recommending rules to the executive committee for the administration of the department;

- Recommending, to commissioners, the adoption of rules to implement programs and services assigned to them;

- Directing and administering the programs and services of the department;

- Performing other duties assigned by the executive committee;

- Executing contracts for services with the approval of the executive committee;

- Preparing the department budget; and

- Conducting investigations of complaints in connection with violations of state pollution controls.

AIR QUALITY COMMISSION

336. The air quality commission is the agency of the state to prevent, abate, or control air pollution. The commission is assigned the responsibilities to: direct the development of a comprehensive plan for air quality; establish, modify, or repeal rules pertaining to air pollution; establish, modify, or repeal air quality standards; control emission standards; consider

complaints and recommend departmental investigations; hold public hearings; issue orders pertaining to air pollution control; order installation of control devices in new construction projects; review plans of political subdivisions of the state; represent the state in all matters pertaining to air quality; and encourage voluntary cooperation by residents of the state.

WATER QUALITY COMMISSION

337. The water quality commission is the agency of the state responsible for the prevention, abatement, and control of water pollution. The commission's duties are to develop comprehensive plans and programs; establish, modify, or repeal water quality standards; establish, modify, or repeal rules specifying the conditions under which the executive director shall issue, revoke, modify, or deny permits for the installation or operation of disposal systems, or for the discharge of sewage and other wastes; recognize or modify existing permits; establish rules for labeling detergents; cooperate with other state agencies in water quality matters; and conduct necessary public hearings.

338. It is unlawful to carry on any of the following activities without first securing a written permit from the executive director as required by the water quality commission:

- The construction, installation, or modification of any disposal system or part thereof or any extension or addition thereto;

- The construction or use of any new outlet for the discharge of any sewage or wastes directly into the water of the state.

However, no permit shall be required for any new disposal system that receives only domestic or sanitary sewage from a building that is housing or is occupied by 15 persons or less; or

- The operation of any waste disposal system or any part of or extension or addition to such system. This provision shall not apply to any pretreatment system, the effluent of which is to be discharged directly to another waste disposal system for final treatment and disposal. Plans and specifications for any waste disposal system must be submitted to the department before a permit may be issued.

339. Water Treatment. The water quality commission assists the executive director of the department with his duties that require him to classify all water treatment plants, water distribution systems, and wastewater treatment plants affecting the public welfare. Classifications are made according to the size, type, character of water and wastewater to be treated and other physical conditions affecting such treatment plants and distribution systems, and according to the skill, knowledge, and experience that an operator must have to supervise the operation of such facilities to protect the public health and prevent pollution. Also, the executive director certifies persons as to their qualifications to supervise the operation of such treatment plants and water distribution systems after considering the recommendations of the board of certification. The board is appointed by the water quality commission and consists of five members chosen for their experience and qualifications to rule on the applicants for certification. Applicants are required to have requisite skills and are subject to a written examination administered by the board of certification.

340. Sewage Works Construction. Chapter 455B.67 of the Iowa Code establishes a "sewage works construction fund". From this fund, the commission may make grants, as funds are available, to any municipality to assist such municipality in the construction of sewage treatment works. In allocating state grants, consideration is given to: public benefits from construction; ultimate cost of construction and maintenance; public interest and public necessity for the works; adequacy of provisions for assuring proper and efficient operation and maintenance of the proposed works; and the municipality's readiness to start construction.

341. The department has assembled a long list of applications for grants and has assigned priorities to the projects. The priorities for grant awards are dependent upon the applicant's ability to meet Federal and State requirements and regulations for compliance deadlines and for content of applications, including but not limited to: infiltration/inflow analysis and sewer system evaluation; facility cost effectiveness; environmental impact; and areawide and basin planning considerations. Generally, treatment plant applications have priority over applications for new collection systems.

SOLID WASTE DISPOSAL COMMISSION

342. In accordance with Chapter 455B.76 of the Iowa Code, every city and county of the state must provide for the establishment and operation of a sanitary disposal project for the final disposal of solid waste by its residents not later than 1 July 1975. The executive director of the department administers the above provision in cooperation with the local boards of health, to which he may delegate administrative duties of the department. The Iowa Code further establishes that, commencing 1 July 1975, it is

unlawful to dump solid waste at any place other than a sanitary disposal project approved by the executive director.

CHEMICAL TECHNOLOGY COMMISSION

343. The chemical technology commission is responsible for the control and use of chemicals including pesticides and fertilizers.

DEPARTMENT OF SOIL CONSERVATION

344. The department of soil conservation was created by the Forty-Eighth General Assembly in 1939. The department is responsible for the administration and supervision of the soil conservation districts in the state and the administration of conservancy districts created by Chapter 467D of the Iowa Code. The department is also responsible for surface mined land reclamation and the licensing of all strip and underground mines in the state. The law creating the department also enabled the creation of the soil conservation districts. The responsibilities of the department have increased since 1939. However, one of the main responsibilities continues to be the allocation and supervision of state funds made available to soil conservation districts and other program areas through appropriations by the general assembly. Soil conservation districts, conservancy districts, and the department of soil conservation do not have taxing powers. Therefore, all funds are derived from legislative appropriations.

345. In Iowa, soil conservation districts are governed by district commissioners who are elected by the qualified electors of the district for terms of 6 years. Iowa has 100 soil conservation districts. Each of the 99 counties is a soil conservation district except Pottawattamie County, which is divided into two districts.

In the original law, cities were excluded from the districts. Subsequent ammendments to the law included the cities, making their residents eligible for the services offered by the districts and eligible to vote for commissioners.

346. The state soil conservation committee is the governing body of the department. The eight-member committee consists of: six members engaged in actual farming operations, one from each of the six conservancy districts, one at-large member representing cities, and one representative of the state's mining industry. All members are appointed by the Governor and confirmed by the senate for 6-year terms. Other state agencies and departments are directed to appoint ex officio members to the committee.

STATE CONSERVATION COMMISSION

347. Various acts of the General Assembly of the state, dating back to 1906, form the authority for the state conservation commission. Chapter 107 of the Iowa Code provides for a commission made up of seven members consisting of Iowa citizens having an interest in, and a knowledge of, natural resource conservation in Iowa. Each commissioner is appointed by the Governor to a 6-year term. The commission appoints a director, who is a person trained in conservation administration.

348. The commission establishes departmental policy and regulations which provide for the wisest use of Iowa's natural resources. The director is responsible for implementing the regulations and policies set up by the commission. The director also hires a staff of trained personnel for specific job assignments. The commission

is made up of three divisions; fish and game division, lands and waters division, and an administration division. Each has a division chief responsible to the director.

349. The fish and game division is financed primarily through the sale of fishing and hunting licenses. Other sources of revenue include Federal excise taxes on hunting and fishing equipment sold in the State. The lands and waters division operates chiefly from legislative appropriations and Federal cooperative grant programs. Other revenue is derived from camping fees, boat and snow mobile registration fees, marine fuel tax, sale of timber, and other related receipts. The administration division is supported by cash transfers from the other two divisions.

350. The fish and game division is comprised of a fisheries section, a wildlife section, and a fish and game law enfor ement section. The lands and waters division is comprised of a parks section, a forestry section, and a waters section. The administration division is comprised of the following sections:

- The county conservation board activities section serves as a liaison between the individual county conservation boards and the commission, establishes new boards, and assist in planning conservation-recreation facilities, budgetary matters, and the application of laws.

- The engineering section provides engineering services to the commission and engineering assistance to the county boards.

- The grants-in-aid section is responsible for the administration of Federal grants including the Federal Land and Water Conservation Fund and the Pittman-Robertson and Dingell-Johnson Programs.

- The information and education section is the voice of the commission responsible for providing information to the outdoorsmen and the general public.

- The land acquisition section is responsible for the acquisition of land by the State for public parks.

- The land management section is responsible for the administration of land use activities on State conservation commission lands.

- The license section orders, distributes, and accounts for licenses, permits, and tags.

- The planning and coordination section is responsible for all planning including the preparation and updating of the comprehensive outdoor recreation plan for the State. The chief of the section coordinates planning with Federal agencies and other State agencies as requested by the commission director.

Iowa Regional Agencies

IOWA CONSERVANCY DISTRICTS

351. Conservancy districts were created by legislation enacted by the Sixty-Fourth General Assembly in 1971. The general policy underlying the above legislation is "to preserve and protect the public interest in the soil and water resources of this State for future generations". Chapter 467D of the Iowa Code establishes six conservancy districts in the State, the boundaries of which follow major watershed boundaries. Conservancy districts enhance and extend the activities of the soil conservation districts that are organized on a countywide basis.

352. The governing body of each conservancy district is the State conservation committee, the governing body of the State department of soil conservation. When officially conducting business of any conservancy district, the State soil conservation committee formally convenes as the board of that district and keeps minutes of the meeting. The chairman of the State soil conservation committee is chairman of the board of each conservancy district.

353. The board of each conservancy district has the following authorities and duties:

- Supervise the water resources of the district as necessary to achieve the objectives of the conservancy district act, including the supervision of water in the district, and to promulgate and

repeal, with approval of the Iowa natural resources council, and to enforce such rules and regulations except those water quality standards under authority of the department of environmental quality.

- Employ staff as needed.

- Encourage, foster, and promote establishing, enlargement, or consolidation of special purpose districts.

- Prepare, adopt, implement, review, and revise plans.

- Enter into binding agreements with others regarding matters within the jurisdiction of the district.

- Acquire property, real or personal, as needed to achieve the objectives of the district and to sell and convey property owned but no longer needed by the district.

- Acquire real property by condemnation proceedings.

- Construct, operate, maintain, repair, enlarge, and make improvements necessary to implement the district's overall plan.

- Sue and be sued in the name of the district and to bring action to abate soil erosion nuisances.

354. In essence, conservancy districts are regionally-oriented State-controlled organizations created to enforce soil conservation laws and assist soil conservation districts.

Iowa Counties

THE COUNTY ROLE

355. In Iowa, the county is a basic political subdivision of the State. The 99 counties in Iowa were created by the legislature and are subject to legislative control and change. A County is responsible for enforcing the laws of the State and for carrying out the duties assigned to them in the Iowa Code of 1946, Title XIV, Chapters 331 through 361, County and Township Government.

356. Under the Iowa Code, each county is a body corporate for civil and political purposes; may sue and be sued; must have a seal; may acquire and hold property and make all contracts necessary for the control, management, and improvement or disposition of such property; and do such other act and exercise such other powers as are authorized by law.

357. The County is further subdivided into townships, school districts, and special purpose districts. Townships have limited powers generally pertaining to taxation, control of public cemeteries, road maintenance, boundary disputes, fire protection, public recreation areas, libraries, and meeting halls for township meetings.

COUNTY GOVERNMENT

258. Form of Government. County government in Iowa is organized on a plural executive system with the principal authority residing in a County Board of Supervisors comprised of several elected mem-

bers. The board has the primary responsibility for carrying out the duties of the county assigned to it by law. Other responsibilities have been assigned by law to other elected officials of the county. The board of supervisors consists of three members unless that number has been increased to five by a vote of the county electors. In counties with three-member boards, one member is elected for 2 years and two members for 4 years. In counties with five-member boards, two members are elected for 2 years and three members for 4 years.

359. The board of supervisors elects a chairman at the first scheduled meeting each year. The board is required to hold five scheduled meetings and may hold additional meetings, as required, when called by the chairman or a majority of the board.

360. Duties of the Board of Supervisors. The board of supervisors at any regular meeting has the power to:

- Appoint an acting chairman and acting clerk;
- Make rules consistent with law for conduct of duties;
- Adjourn as required;
- Make orders concerning property;
- Settle fiscal matters and claims;
- Manage the business and property of this county;
- Manage the county school fund;

- Require sworn reports by any county officer pertaining to his duties;

- Remove county officers for neglect or malfeasance;

- Fix and provide for compensation of county and township officers;

- Provide for insurance of county buildings;

- Acquire property, fix county seat location, and site new buildings;

- Dispose of excess property;

- Provide for experimental crops (limit $300);

- Provide and maintain buildings for county use;

- Grant permits for use of land for monuments;

- Sell, lease, exchange, or grant county owned land or buildings in cooperation with State agencies to the United States for water resource projects;

- Provide for ownership and operation of vehicles for county purposes;

- Establish rules for use of county buildings and grounds;

- Purchase and pay premiums in liability and property damage insurance;

- Adopt a building code;

- Provide matching funds for Federal and State grants; and

- Appropriate matching funds for Federal and State grants.

361. The board of supervisors may establish public disposal ground and levy a tax of one-fourth mill, for acquisition and maintenance of the site.

362. County Auditor. The county auditor is an elected official assigned specific duties by State law. The auditor records proceedings of board meetings; makes full entries on decisions and resolutions pertaining to fiscal matters; records voting of board members; signs orders of board for payment of money; provides copies of his public records to requestors; has general custody of the courthouse; issues authorized warrants for payment of expenses; collects and receives all money due the county; prepares the annual financial report in July; and performs other duties as requested by the board.

363. County Treasurer. The county treasurer, an elected official, receives all money payable to the county; disburses money on warrants signed by the county auditor; keeps accounts of all receipts and disbursements; maintains a county seal; maintains tax accounts; prepares monthly statements of State funds in possession of the county; makes payments to State treasury; and is responsible to the board of supervisors for performance of his duties.

364. County Recorder. As an elected official, the county recorder maintains an office at the county seat and records all instruments delivered to him for record in a manner directed by law. Such instruments include records of military service, including death in service, of citizens; Federal tax liens; and deeds.

365. County Attorney. As an elected official, the county attorney enforces laws of the State; appears for the county or State in all required cases; appears and prosecutes hearings; enforces forfeited lands; prosecutes suits against public service corporations; provides legal advice to board of supervisor; and performs other duties required by law.

366. Sheriff. As an elected official, the county sheriff is responsible to the board of supervisors and the State for enforcement of laws and protection of the public safety in all areas outside the jurisdiction of incorporated cities.

SPECIAL PURPOSE DISTRICTS

367. The county board of supervisors has the power to authorize the establishment of special purpose, cooperative-type districts when requested by property owners of the county.

368. Benefitted Water District. The board of supervisors is authorized to grant a hearing to consider a petition from landowners of a proposed district. The petition outlines the need for a public water supply; the approximate area to be served; the approximate number of families to be served; the proposed source of supply; and the type of service desired, whether domestic only or for fire protection and other uses.

369. The proposed district may include part or all of any incorporated city or cities, together with surrounding territory including cemeteries and all publicly owned land.

370. A public hearing is properly announced and conducted by the county board where a decision on establishment may be made or deferred to a subsequent meeting. If a favorable decision is rendered, the county board appoints a disinterested engineer to study the proposal, make preliminary designs, develop an accurate cost estimate, evaluate the proposed source of water, and prepare and file a report and a dummy plat with the county auditor.

371. The county board announces and conducts a public hearing to rule on the engineer's report and dummy plat. If approved, the county board sets the date for election to approve the formation of the district and selection of trustees for the benefitted water district. If the district is approved, the board of supervisors instructs the engineer to complete plans and specifications, prepare an invitation to bid, and file same with the county auditor. If a favorable bid is received, the contract is awarded by the county board.

372. Funds for the construction may be appropriated by issuance of bonds. Bonds are repaid by tax levies against real property in the district based upon 25 percent of actual valuation.

373. After final acceptance of construction work by the board of supervisors, the management of the utility automatically goes to the three trustees appointed by the board of supervisors. The trustees have the power to levy an annual tax not to exceed 0.5

mills for maintenance of this system. The trustees are allowed expenses incurred in the discharge of their duties, but do not receive a salary. Trustees are authorized to buy and sell water, fix rates, make all contracts, and carry on operation and maintenance of the utility. The trustees may expand the boundaries of the district with the consent of the county board.

374. The board of supervisors may condemn land for right-of-way through private land. The const of condemnation shall be paid by special assessment.

375. Where a city is wholly or partly within a benefitted water district or the source of supply for such district is a municipal water system, the county board, at the request of the trustees may, by resolution, convey the utility to the city. This action abolishes the benefitted water district and the trustees and makes the utility, along with all funds and credits, the property of the city.

376. Rural Water Districts. State legislation, enacted in 1970, authorizes any county board of supervisors to permit the establishment of rural water districts. The action to organize a district is initiated by a petition to the county auditor, signed by owners of at least 50 percent of the land in a proposed district. The petition requests the county board to organize and incorporate a district encompassing an area not served by any other district or the water mains of any city for the purpose of providing water to rural residents who cannot feasibly obtain water from wells on their premises.

377. Rural water district legislation differs from benefitted water district legislation. A rural water district:

- May not include cities with, or areas served by, existing municipal water systems;

- Requires more accurate statement of boundaries in the initial petition;

- Requires that 50 percent of landowners in an area request establishment of the district;

- Has a board of directors elected from petitioning members;

- Board of directors must establish an operating agency to acquire land, construct facilities, collect water fees, borrow funds as required, and in general manage the affairs of the district on a non-profit basis;

- Submits plans and specifications to the county board for approval;

- Does not have the power to levy taxes; and

- May be operated and maintained by a non-profit corporation if approved by the county board and the voters.

378. Few rural water districts have been formed in Iowa because of the stringent controls and requirements in the enabling legislation.

379. Most areas in Iowa that desire to establish a cooperative water supply system seek to establish (1) a benefitted water district as described above or (2) establish a non-profit corporation under the provisions of Chapter 504A of the Iowa Code, the Iowa Non-Profit Corporation Act.

380. Benefitted Fire Districts. Benefitted fire districts are established to provide fire protection predominantly in rural townships. Establishment of the district and operating rules are along the same general lines of a benefitted water district. The trustees may levy up to 1.5 mills for operation and maintenance of the district.

381. Sanitary Districts. The purpose of a sanitary district is to provide entire wastewater management systems for the residents of any contiguous territory.

382. To initiate the establishment of a district, a petition by any 25 or more eligible electors residing within a proposed district is addressed to the board of supervisors of the county in which the proposed district, or major portion thereof, is to be located.

383. The formation, control thereof, powers, and operation are similar to those of the benefitted water district. In addition, the trustees of a sanitary district prepare ordinances for promulgation by the county board and may incur debt not to exceed 5 percent of the value of taxable property in the district.

COUNTY FINANCES

384. The boards of supervisors in Iowa counties are responsible for conducting the financial affairs of their county. The board supervises preparation of the county budget, appropriates funds, and allocates the funds to the county officers. The county auditor assists the board in budget preparation and collects taxes due the county. The county treasurer keeps the county books and makes payments due the State of Iowa.

385. The county board of supervisors is authorized to issue bonds to repay the indebtedness of the county. The county board levies an assessment to repaly the principle and interest on bond issues. The Iowa Code limits county indebtedness. General obligation indebtedness is limited to 1.5 percent of the actual value of the taxable property within the county. Total indebtedness is limited to 5 percent of the actual value of the property in the county.

HARRISON COUNTY, IOWA

386. Harrison County is situated on the western border of Iowa, has a land area of 649 square miles or 415,360 acres, and had a population in 1970 of 16,240; 3,519 in urban areas and 12,721 in the rural areas. The terrain in the county varies from Missouri River bottom land in the west, to steep bluffs in the west central, to rolling land in the eastern portion. All drainage channels in the county empty into the Missouri River.

387. Harrison County has a three-member board of supervisors and about 60 employees, most of whom are employed on a part-time basis.

In addition to the normal complement of county officials, there is a board of social welfare, a conservation board, a veterans' affairs commission, a local health board, an insanity board, and a board of review. There are 55 drainage districts in the county.

388. The county had a total assessed valuation of $54.3 million in 1973. Total taxes collected in 1973 was $4.3 million of which $1.5 million was collected for county purposes.

389. Harrison County has completed a comprehensive plan intended to provide development guidance for city and county officials over the next 10 to 15 years. The planning documents are extremely thorough and include all of the cities in the county.

MILLS COUNTY, IOWA

390. Mills County is located on the western border of Iowa, has a land area of 447 square miles or 286,080 acres, and had a population of 11,606 in 1970; 4,195 in urban areas and 7,411 in rural areas. The terrain in the county varies from Missouri River bottom land in the west, to steep bluffs in the west central portion, to rolling land in the eastern portion. All drainage channels empty into the Missouri River.

391. Mills County is governed by a three-member board of supervisors and employs about 45 people, most of whom work only part time. In addition to the authorized county officials, the county has a department of social welfare, a commission on insanity, and a board of review.

392. In 1973 the county had an assessed valuation of $47.4 million. Total taxes collected in 1973 was $5.4 million of which $1.6 million was collected for county purposes.

POTTAWATTAMIE COUNTY, IOWA

393. Pottawattamie County is located on the western border of Iowa, has a land area of 963 square miles or 327,420 acres, and had a population of 86,991 in 1970; 64,847 in urban areas and 22,144 in rural areas. The terrain in the county varies from Missouri River bottom land in the west, to steep bluffs in the west central, to rolling hills in the central and eastern portions. All drainage channels empty into the Missouri River.

COUNTY GOVERNMENT

394. Pottawattamie County is governed by a five-member board of supervisors, one of whom is selected chairman by the other members. In addition to the authorized county officials, the county has a county recorder and a civil defense director. The county conference board is composed of the mayors of the cities in the county, except Council Bluffs, the members of the county board of education, and the five members of the county board of supervisors. The duties of this board are to supervise the operation of the county assessor's office, appoint a county assessor every six years, approve appointment by the assessor of his office force and rural and city assessors, prepare the county assessor's annual budget, and to appoint the members of the board of review. The board of review meets in May of each year to review, correct, and adjust assessments and to hear objections to current assessments. The board also adds new properties to the tax rolls and makes other

corrections as are just and equitable. Other boards and commissions are; the board of education, the soldier's relief commission, the conservation board, the local health board, the agricultural extension board for both east and west Pottawattamie, and the county fair board for both east and west Pottawattamie.

COUNTY FINANCES

395. The 1973 assessed valuation in Pottawattamie County was $176,184,086. Total taxes collected amounted to about $20.1 million of which $4.8 million was collected for county purposes.

PLANNING FOR LAND USE

396. The Pottawattamie County board of supervisors retained the Iowa Center for Regional Progress, a special program of Midwest Research Institute, to study and update the comprehensive plan and implementing measures for the county. The first phase of the study provided a review and analysis of existing plans and was submitted to the county in September 1973. The second phase of the report was submitted to the county in July 1974 and provided; a land use plan supplement, a revised future land use plan map, a proposed zoning ordinance, proposed zoning district classification map, proposed subdivision regulations, and proposed platting procedures. The study was intended to supplement the comprehensive master plan dated March 1969. The planning commission and the county board of supervisors are revising the master plan at this time.

Iowa Cities

THE ROLE OF THE CITY

397. The powers and duties of cities are contained in Title XV of the Iowa Code. Most of the provisions of this title have undergone major revisions in the past two years. In 1972, the Sixty-Fourth General Assembly passed a home rule bill which made sweeping changes in the Code of Iowa.

HOME RULE

398. Passage of House File 574, the "Home Rule Bill", completed a critical step in a continuing effort to achieve more independence for municipal government in Iowa. The passage of a constitutional amendment by the voters in 1968 preceeded the home rule bill and reversed the long standing "Dillon Rule" which, in effect, stated that cities and towns could do only those things specifically authorized by legislative enactment. In other words, if the State law was silent on a subject area, a municipality could not act; if the law mentioned a subject, the municipality could do only what was specifically authorized or necessarily implied. The constitutional amendment said to cities that they have all powers and authority, not inconsistent with the laws of the State, to determine their own affairs and government, except in the area of taxation.

399. House File 574 is not a grant of authority to cities, rather it is 206 pages of restrictions and directions to cities which

limit their powers in areas where such limitation was deemed necessary or desirable. The major, overall value of House File 574 is that it condenses, coordinates, codifies, and simplifies the mass of restrictions placed piecemeal into the law over the years.

400. The bill as passed by both houses is basically the unanimous proposal of the Municipal Laws Review Study Committee, established by the 1969 session of the 63rd General Assembly. A general summary of the home rule law includes the following points significant to this study:

- Most municipal laws apply to all municipal corporations regardless of size or population.

- A State-level City Development Board is established to: provide a method for guiding and controlling the creation and growth of municipalities in order to prevent haphazard new incorporations or extensions to municipal boundaries; assure adequate quality and quantity of public services; and assure the financial integrity of units of local government. The board consists of three regular members, appointed by the governor for overlapping six-year terms, and is charged with making studies of the need for and feasibility of boundary adjustments.

- The law permits municipalities to choose any of the five previously authorized forms of government or to adopt a home rule charter.

- It is now necessary that a majority of all members of a council must vote in favor of approving any expenditure in excess

of $10,000 for any one project, or to accept public improvements or facilities upon completion. A change requires all cities to compile, at least once every five years, a city code containing all of the city ordinances in effect in that city, except grade ordinances vacating streets and alleys.

- The section of the law on city finances is the biggest section. In part 1, a single general fund is substituted for the previous seven functional funds. A voted capital improvements levy is authorized and all specific levies outside the 30-mill limit for the general fund are listed. The law requires cities to enact policies pertaining to general obligation and revenue bonds but does not limit the amount of either that may be issued.

- The law requires cities with a population over 2,000 to develop and adopt a tentative three-year operating budget and a five-year capital improvement budget.

401. The home rule law became effective 1 July 1974 and the cities in the study area are implementing the new procedures at this time.

COUNCIL BLUFFS, IOWA

GENERAL DESCRIPTION AND HISTORY

402. Council Bluffs is situated on the west boundary of Pottawattamie County in the southwestern part of Iowa. In 1804, the Lewis and Clark expedition passed through the area and held meetings with the local Indians. In 1837, a blockhouse was constructed for military purposes just each of the present central business district. In 1846, the Mormons arrived in the vicinity and settled in the

county and adjoining areas. In 1848, the settlement of about 5,000 became known as Miller's Hollow and later became Kanesville. In 1852, a large number of Mormons moved west leaving a population of 2,500 in Kanesville. In 1853, Kanesville became the incorporated City of Council Bluffs.

CITY GOVERNMENT

403. The government of Council Bluffs is vested in a five-member city council, the members of which are elected at-large for six-year terms. The council annually elects one of its members to be the mayor. The council appoints a city manager who is charged with the administration of the city.

404. Other appointed city officers and their general duties are as follows:

- The city attorney is the legal advisor to the city and the council on ordinances and on interpretation of the city code. He also serves as the city prosecutor.

- The city clerk is responsible for the council agenda, the council record, permits, licenses, voter registration, and for information to the public.

- The library board of trestees is responsible for city library services.

- The water works board of trustees is responsible for managing the water works and for providing water to the residents of the city.

405. The city appoints commissions to assist the council and the city manager. The commissions cover the following areas: anti-poverty; civil service; human relations; municipal airport; parks, recreation, and public property; planning; public welfare; and regional crime.

406. The city also appoints a number of boards to oversee specific regulatory functions. These functions are building appeals; electrical examiners; emergency operations; health; historical preservation; housing appeals; plumbing examiners; police and fire retirement system; tax review; and zoning adjustment.

407. The city has 10 departments, each with a director responsible to the city manager. The departments are:

- Building
- Finance
- Parks, recreation, and public property
- Police
- Fire
- Personnel
- Public Works
- Health

- Planning

- Urban Renewal

CITY DEBT AND TAXATION

408. Since 1965, Council Bluffs has experienced nominal geographical and financial growth. The taxable property valuation, assessed at 27 percent of actual valuation, has increased by $30 million while general obligation debt increased by $5 million and revenue bonds increased by $6 million. Table B-12 depicts the increase of assessed valuation and general obligation debt since 1965. Table B-13 lists total revenue and special assessment bonded debt since 1965.

PLANNING AND COMMUNITY DEVELOPMENT

409. City planning for Council Bluffs is accomplished through joint efforts of the planning department, the planning commission, and the city council. Citizen input comes primarily from the citizen's committee for community development (CCFCD).

410. City Planning Department. The planning department, headed by a director, is under the administrative control of the city manager and is responsive to the planning commission and the city council. The director is required to:

- Administer the operation of the planning department;

- Prepare the comprehensive plan and submit it to the planning commission for approval;

Table B-12
City of Council Bluffs
Property Evaluation, Taxation, and General
Obligation Bonded Indebtedness
(1965 to 1973)

Year	Assessed Valuation at 27%	City Mill Levy	Tax Revenue	General Obligation Bonded Debt As of 31 Dec	Debt Service Mill Levy
1965	$51,562,238	33,209	$1,39,866	$1,812,000	7,195
1966	59,595,771	33,193	2,006,684	2,689,000	6,230
1967	60,830,169	36,652	2,257,686	3,801,000	6.116
1968	65,577,542	38,623	2,575,697	4,320,000	6,505
1969	67,080,623	41,324	2,789,241	4,234,000	7,431
1970	78,183,168	40,152	3,171,688	4,767,000	6,735
1971	81,552,424	42,876	3,514,646	7,340,000	7,038
1972	84,455,753	43,900	3,621,819	6,987,000	7,692
1973	86,772,747	43,853	3,698,554	7,089,000	9,128

These data were extracted from annual audit reports provided by the Finance Director, City of Council Bluffs.

Table B-13
City of Council Bluffs
Revenue and Special Assessment
Bonded Indebtedness
(1965 to 1973)

Year	Revenue Bonded Debt As of 31 Dec	Special Assessment Bonded Debt	Urban Renewal Notes	Industrial Revenue Bonded Debt
1965	$1,130,000	$262,000	$	$
1966	1,050,000	262,000		
1967	960,000	339,000		
1968	872,000	403,000		
1969	1,030,000	354,000		
1970	913,000	243,000		
1971	580,000	246,000	6,481,000	216,000
1972	2,300,000	500,000	15,655,000	199,000
1973	2,300,000	671,000	5,720,000	5,328,123

These data were extracted from annual audit reports provided by the Finance Director, City of Council Bluffs.

- Review and forward all appeals of decisions of city building officials and requests for variances or conditional property use to the zoning board of adjustment;

- Attend planning commission meetings and act as recording secretary and technical advisor to the commission;

- Serve as technical advisor to the citizen's committee for community development;

- Review subdivision plans, zoning changes, and capital improvement plans; and

- Prepare platting and subdivision regulations and submit them to the planning commission for approval.

411. Planning Commission. The planning commission consists of 11 members selected by the mayor and approved by the council for terms of five years. The commission is responsible for preparing a comprehensive plan for the physical development of the city. The commission is required to:

- Review and make recommendations on the plans for the location and erection of statuary, memorials, and works of art in public places, public buildings, bridges, viaducts, street fixtures, of public structures;

- Review and make recommendations on all plans, plats, or replats of subdivision of land within the city's jurisdiction, and on the vacation of any street, alley, or public ground;

- Review and make recommendations on plans for any street, park, parkway, boulevard, traffic-way, riverfront, or other public improvement affecting the city plan; and

- Review and make recommendations on all requests for amending the zoning ordinance or the zoning map of the city.

412. Zoning Board of Adjustment. The board consists of five members appointed by the mayor and approved by the council for terms of four years. The purpose of the board is to conduct hearings and consider appeals on decisions of city building officials and to consider and render decisions on applications for variations and conditional uses of property in the city. No members of either the planning department or the planning commission are on the zoning board of appeals.

413. Citizen's Committee for Community Development. This committee consists of a minimum of 37 and a maximum of 103 voting members appointed by the mayor and approved by the city council. Each of the 33 neighborhoods of the city are entitled to a minimum of one and a maximum of three members. The three high schools and the community college are entitled to one member each.

414. The purpose of the committee is to serve as the formal means through which active citizen participation is provided to aid and support the development of the community. The use of the skills, knowledge, and experience of its members and any organizations or group that may be represented are to be used to keep the general public informed about community development programs and their progress; to serve as a listening board for the general public,

reflecting specific interests of the community; and to act as an intermediary between the public and the city council.

415. The city planning director is required to file the monthly recommendations from the CCFCD with the city clerk for placement on the agenda of the city council meetings.

416. Zoning Jurisdiction. The city has zoning jurisdiction only within the city corporate limits. Zoning outside the corporate limits is the responsibility of the county. The city is required to approve subdivision plans and has planning authority in the area within two miles of the city limits. The city and the county coordinate their actions when necessary.

WASTEWATER MANAGEMENT

417. The public works director is responsible for; permits and inspection, drafting and design, survey and construction, street maintenance, snow removal, flood control, traffic signal and sign maintenance, equipment maintenance, refuse collection, city hall maintenance, airport maintenance, advising the municipal airport advisory commission, sewer maintenance, treatment plant operation and maintenance, and water pollution control.

418. The present Council Bluffs wastewater system is comprised of collection facilities and a new primary and secondary treatment facility at the confluence of Mosquito Creek and the Missouri River. The city still has some combined sanitary/storm sewers in the older portions of the city, and plans to provide for sewer separation in that part of the system as Federal and state funds become available. The city is constructing a new main interceptor sewer along

Mosquito Creek to serve areas planned for expansion of the community. The construction is being financed by the city and is being accomplished in increments. The city has requested Federal and state assistance in funding the project; however, the project has a low priority on the list of projects published by the Iowa Department of Environmental Quality.

WATER SUPPLY

419. Water supply for Council Bluffs is furnished by the municipal system managed by the waterworks board of trustees. The sources of water are four large wells and a Missouri River intake. During most of the year, only the river intake is used for supply. Well-water is mixed with the river water during winter months to prevent freezing of plant units. The city has two reservoirs totalling 4,000,000 gallons and two 200,000 gallon elevated storage tanks. The treatment facility has a capacity of 17 MGD and provides full treatment and softening services.

IOWA CITIES SURROUNDING COUNCIL BLUFFS

420. For the Iowa cities in the three-county area other than Council Bluffs, a summary sheet has been prepared for each to display information necessary for further institutional analysis. The summary sheets follow this page in alphabetical order by county. **Table B-11 on page B-132 explains the data categories selected.**

Political Subdivision:	DUNLAP, IOWA; Harrison County.
Area of Jurisdiction:	No land area data. 1970 population was 1,292.
Organization:	Mayor, five member council, city clerk, city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,692,266 City mill levy: 29.047 Total levy: 83.157 City tax revenue: $ 49,155 Bonded Indebtedness: General Obligation - none Revenue Bonds - none
Water Source and System:	Municipal system has two wells, a 45,000 gallon standpipe, distribution facilities, and a treatment facility.
Wastewater System:	Municipal system has a primary treatment facility that is overloaded.
Reports/Plans Available:	Comprehensive Plan dated 1971.
Miscellaneous:	Dunlap is located in the northeast corner of the county approximately 18 miles northeast of Logan. The city has few geographical constraints on growth. The population projection is 1,511 by year 2020.

Political Subdivision:	LITTLE SIOUX, IOWA; Harrison County.
Area of Jurisdiction:	140 acres. 1970 Population was 239.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $176,843 City mill levy: 29.998 Total levy: 84.435 City tax revenue: $ 5,304 Bonded indebtedness: General Obligation - none Revenue Bonds - none
Water Source and System:	Municipal system has one well, a 67,000 gallon standpipe, distribution facilities, and a treatment facility with a 45 gpm capacity.
Wastewater System:	Individual septic tanks.
Reports/Plans Available:	Community Development Plan dated 1971.
Miscellaneous:	Little Sioux is located 16 miles northwest of Logan and 2 miles from the Missouri River. Geographical constraints on growth are the Missouri River to the west and the bluffs to the west. Population projection is 283 by year 2020.

Political Subdivision:	LOGAN, IOWA; Harrison County.
Area of Jurisdiction:	400 acres. 1970 population was 1,526.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,937,965 City mill levy: 27,375 Total levy: 86.647 City tax revenue: $ 53,051 Bonded indebtedness: General Obligation - $8,000 Revenue Bonds - none
Water Source and System:	Municipal system has four wells, a 120,000 gallon steel tank, distribution facilities, and a treatment facility with a capacity of 350 gpm.
Wastewater System:	Municipal system has a rpimary treatment facility that is to be replaced with a new plant under construction.
Reports/Plans Available:	Community D t Plan dated 1971.
Miscellaneous:	Logan is located in the center of the county and has minimum geographical constraints on growth. Population projection is 1,874 by year 2020.

Political Subdivision:	MAGNOLIA, IOWA; Harrison County.
Area or Jurisdiction:	440 acres. 1970 population was 206.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XI, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $135,486 City mill levy: 23.50 Total levy: 88.828 City tax revenue: $ 3,183 Bonded indebtedness: General Obligation - none Revenue Bonds - none
Water Source and System:	Municipal system has one well, a 14,000 gallon standpipe, distribution facilities, and a treatment facility with a capacity of 45 gpm.
Wastewater System:	Individual septic tanks.
Reports/Plans Available:	Community Development Plan dated 1971.
Miscellaneous:	Magnolia is located 5 miles northwest of Logan. Geographical constraints on growth are minimal. Population projection is 180 by year 2020.

Political Subdivision:	MISSOURI VALLEY, IOWA; Harrison County.
Area of Jurisdiction:	1,379 acres. 1970 population was 3,519.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $4,426,086 City mill levy: 29,429 Total levy: 101.070 City tax revenue: $ 130,255 Bonded indebtedness: General Obligation - $30,000 Revenue Bonds - $31,000
Water Source and System:	Municipal system has three wells, a 300,000 gallon open surface reservoir, distribution facilities, and a treatment facility with a capacity of 1.0 mgd.
Wastewater System:	Municipal system has a treatment lagoon.
Reports/Plans Available:	Comprehensive Plan dated 1969.
Miscellaneous:	Missouri Valley is located 7 miles southwest of Logan and 7 miles from the Missouri River. Growth to the south and west are somewhat constrained by flood plains. Growth to the northeast is geographically unconstrained. Population projection is 4,341 by year 2020.

Political Subdivision:	MODALE, IOWA; Harrison County.
Area of Jurisdiction:	440 acres. 1970 population was 297.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $351,721 City mill levy: 29,293 Total levy: 85.435 City tax revenue: $ 10,302 Bonded indebtedness: General Obligation - none Revenue Bonds - none
Water Source and System:	Municipal system has two wells, a 25,000 gallon elevated storage tank, distribution facilities, and a treatment facility with a capacity of 70 gpm.
Wastewater System:	Individual septic tanks.
Reports/Plans Available:	Planning incorporated in the Harrison County Comprehensive Plan.
Miscellaneous:	Modale is located 12 miles west of Logan and between Interstate 29 and the Missouri River. Construction on the Missouri River flood plain poses a growth constraint on the city. Population projection is 250 year year 2020.

Political Subdivision:	MONDAMIN, IOWA; Harrison County.
Area of Jurisdiction:	120 acres. 1970 population was 420.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $561,590 City mill levy: 32.716 Total levy: 88.333 City tax revenue: $ 18,372 Bonded indebtedness: General Obligation - $18,000 Revenue Bonds - none
Water Source and System:	Municipal system has two wells, a 65,000 gallon elevated storage tank, distribution facilities, and a treatment facility with a capacity of 300 gpm.
Wastewater System:	Municipal system has a primary treatment lagoon operating within design capacity.
Reports/Plans Available:	Community Development Plan dated 1971.
Miscellaneous:	Mondamin is located 15 miles northwest of Logan and three miles from the Missouri River. Soil conditions limit construction and growth. Population projection is 314 by year 2020.

Political Subdivision:	PERSIA, IOWA; Harrison County.
Area of Jurisdiction:	1970 population was 316.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $391,759 City mill levy: 23,793 Total levy: 93.880 City tax revenue: $ 9,321 Bonded indebtedness: General Obligation - none Revenue Bonds - none
Water Source and System:	Municipal system has three wells, a 77,000 gallon elevated storage tank, distribution facilities, and a treatment facility with a capacity of 300,000 gpd.
Wastewater system:	Individual septic tanks.
Reports/Plans Available:	Planning is incorporated in the Harrison County Comprehensive Plan.
Miscellaneous:	Persia is located 15 miles southeast of Logan and in the southeast corner of the county. Geographical constraints on growth are minimal. Population projection is 285 by year 2020.

Political Subdivision:	PISGAH, IOWA; Harrison County.
Area of Jurisdiction:	480 acres. 1970 population was 286.
Organization:	Mayor, five member council, city clerk, and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $344,265 City mill levy: 27.168 Total levy: 85.435 City tax revenue: $ 9,352 Bonded indebtedness: General Obligation - none Revenue Bonds - none
Water Source and System:	Municipal system has two wells, a 40,000 gallon concrete cistern on a hillside, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a waste stabilization lagoon.
Reports/Plans Available:	Community development Plan dated 1971.
Miscellaneous:	Pisgah is located 15 miles northwest of Logan and 8 miles from the Missouri River. Geographical constraints on growth are minimal. Population projection is 312 by year 2020.

Political Subdivision:	WOODBINE, IOWA; Harrison County.
Area of Jurisdiction:	400 acres. 1970 population was 1,349.
Organization:	Mayor, five member council, city clerk and city assessor.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects: (1973)	Assessed valuation: $1,768,910 City mill levy: 23.016 Total levy: 91.723 City tax revenue: $ 40,713 Bonded indebtedness: General Obligation - none Revenue Bonds - none
Water Source and System:	Municipal system has two wells, a 110,000 galon elevated storage tank, distribution facilities, and treats water by chlorination in one of the wells.
Wastewater System:	Municipal system has a two-cell waste stabilization lagoon that is within design capacity.
Reports/Plans Available:	Community Development Plan dated 1971.
Miscellaneous:	Woodbine is located 8 miles northeast of Logan. Geographical constraints on growth are minimal. Population projection is 1,848 by year 2020.

Political Subdivision:	AVOCA, IOWA; Pottawattamie County.
Area of Jurisdiction:	1,006 acres. 1970 population was 1,535.
Organization:	Mayor, five member council, city clerk, city treasurer, and city attorney.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $2,267,268 City mill levy: 32.51 Total levy: 102.66 City tax revenue: $ 73,708 Bonded indebtedness: General Obligation - $39,000 Revenue Bonds - None
Water Source and System:	Municipal system, governed by a board of trustees, has three wells, a 50,000 gallon underground storage reservoir, a 100,000 gallon elevated storage tank, distribution facilities, and a treatment facility with a capacity of 0.73 MGD.
Wastewater System:	Municipal system has a waste stabilization lagoon operation within design capacity.
Reports/Plans Available:	Planning is included in the Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and a Urban Area Plan dated 1969.
Miscellaneous:	Avoca is located 30 miles northeast of Council Bluffs on the northern border of the county. Geographical constraints on growth are minimal. The population projection is 1,387 by year 2020.

Political Subdivision:	CARSON, IOWA; Pottawattamie County.
Area of Jurisdiction:	260 acres. 1970 population was 756.
Organization:	Mayor, five member council, city clerk, city treasurer, and city attorney.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $834,849 City mill levy: 27,98 Total levy: 93.49 City tax revenue: $ 23,359 Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system, governed by the city council, has three wells, a 33,000 gallon elevated storage tank, distribution facilities, and a treatment facility with a capacity of 95 gpm.
Wastewater System:	Municipal system has a primary treatment facility operating within design capacity, and collection facilities.
Reports/Plans Available:	Planning is included in the Council Bluffs Metropolitan Area Planning Commission Comprehensive Regional and Urban Area Plan.
Miscellaneous:	Carson is located 20 miles east of Council Bluffs in the central portion of the county. Geographical constraints on growth are minimal. Population projection is 912 by year 2020.

Political Subdivision:	CARTER LAKE, IOWA; Pottawattamie County.
Area of Jurisdiction:	1,236 acres. 1970 population was 3,270.
Organization:	Mayor, five member council, city clerk, city treasurer, and building inspector.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	Carter Lake is on the Nebraska side of the Missouri River which requires close coordination with Omaha.
Financial Aspects:	Assessed valuation: $4,283,762 City mill levy: 30.00 Total levy: 122.72 City tax revenue: $ 128,512 Bonded indebtedness: General Obligation - $8,000 Revenue Bonds - $34,000
Water Source and System:	Carter Lake receives all its water from the Metropolitan Utilities District.
Wastewater System:	Carter Lake has a sewage collection system for parts of the city and individual septic tanks for the remainder. At present, the city directs all collected sewage to the Omaha system for treatment. The collection system is complicated by the fact that there is little contour to the land.
Reports/Plans Available:	Carter Lake Comprehensive Plan dated 1974.
Miscellaneous:	Carter Lake is located across the Missouri River from Council Bluffs. A redirection of the river channel cut off the old ox-bow in which Carter Lake is located. Geographical growth is limited to the present corporate boundaries. Population projection is 9.046 by year 2020.

Political Subdivision:	CRESCENT, IOWA; Pottawattamie County.
Area of Jurisdiction:	622 acres. 1970 population was 284.
Organization:	Mayor, five member council, city clerk, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $422,873 City mill levy: 4.72 Total levy: 97.44 City tax revenue: $ 1,995 Bonded indebtedness: General Obligation - None Revenue Bonds - None
Water Source and System:	Municipal system has one well, a 50,000 gallon steel reservoir, distribution facilities, and treatment consisting of disinfection.
Wastewater System:	Individual septic tanks.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Crescent is located 7 miles north of Council Bluffs. Geographical constraints on growth are minimal. Population projection is 811 by year 2020.

Political Subdivision:	MACEDONIA, IOWA; Pottawattamie County.
Area of Jurisdiction:	128 acres. 1970 population was 330.
Organization:	Mayor, five member council, city clerk, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $326,888 City mill levy: 32.85 Total levy: 98.35 City tax revenue: $ 10,738 Bonded indebtedness: General Obligation - $6,000 Revenue Bonds - $28,000
Water Source and System:	Municipal system has two wells, a 30,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment lagoon.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Macedonia is located 23 miles east of Council Bluffs. Geographical constraints on growth are minimal. Population projection is 470 by year 2020.

Political Subdivision:	McCLELLAND, IOWA; Pottawattamie County.
Area of Jurisdiction:	121 acres. 1970 population was 146.
Organization:	Mayor, five member council, city clerk, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $157,600 City mill levy: 30.00 Total levy: 109.31 City tax revenue: $ 4,728 Bonded indebtedness: General Obligation - None Revenue Bonds - None
Water Source and System:	Private individual wells.
Wastewater System:	Individual septic tanks.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	McClelland is located 10 miles northeast of Council Bluffs. Population projection is 156 by year 2020.

Political Subdivision:	MINDEN, IOWA; Pottawattamie County.
Area of Jurisdiction:	160 acres. 1970 population was 433.
Organization:	Mayor, five member council, city clerk, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $744,936 City mill levy: 30.00 Total levy: 98.69 City tax revenue: $ 22,348 Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and Systems:	Municipal system has eight wells, a 46,600 gallon standpipe, distribution facilities, and treatment with a capacity of 35 gpm.
Wastewater System:	The municipal system has a primary treatment lagoon.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Minden is located 20 miles northeast of Council Bluffs. Geographical constraints on growth are minimal. Population projection is 540 by year 2020.

Political Subdivision:	NEOLA, IOWA; Pottawattamie County.
Area of Jurisdiction:	321 acres. 1970 population was 968.
Organization:	Mayor, five member council, city clerk, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $967,868 City mill levy: 39.08 Total levy: 107.78 City tax revenue: $ 37,824 Bonded indebtedness: General Obligation - $25,000 Revenue Bonds - None
Water Source and System:	Municipal system has three wells, an 85,000 gallon elevated storage tank, distribution facilities, and treatment by chlorination.
Wastewater System:	Municipal system has a primary treatment facility operating within design capacity.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Leola is located 18 miles northeast of Council Bluffs. Geographical constraints on growth are minimal. Population projection is 1,395 by year 2020.

Political Subdivision:	OAKLAND, IOWA; Pottawattamie County.
Area of Jurisdiction:	799 acres. 1970 population was 1,603.
Organization:	Commission form og government with three commissioners, a city clerk, and a city treasurer.
Enabling Legislation:	Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $2,316,621 City mill levy: 41.19 Total levy: 102.29 City tax revenue: $ 95,421 Bonded indebtedness: General Obligation - $100,000 Revenue Bonds - None
Water Source and System:	Municipal system has five wells, a 160,000 gallon concrete ground reservoir, a 40,000 gallon elevated storage tank, distribution facilities, and treatment by chlorination.
Wastewater System:	Municipal system has a primary treatment lagoon.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Oakland is located 25 miles east of Council Bluffs. Geographical constraints on growth are minimal. Population projection is 2,060 by year 2020.

Political Subdivision:	TREYNOR, IOWA: Pottawattamie County.
Area of Jurisdiction:	222 acres. 1970 population was 472.
Organization:	Mayor, five member council, city clerk, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $948,173 City mill levy: 24.97 Total levy: 106.60 City tax revenue: $ 23,675 Bonded indebtedness: General Obligation - $94,000 Revenue Bonds - $29,000
Water Source and System:	Municipal system has two wells, a 20,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has two primary treatment lagoons.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Treynor is located 13 miles east of Council Bluffs. Geographical constraints on growth are minimal. Population projection is 1,900 by year 2020.

Political Subdivision:	UNDERWOOD, IOWA; Pottawattamie County.
Area of Jurisdiction:	320 acres. 1970 population was 424.
Organization:	Mayor, five member council, city clerk, city attorney, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $622,381 City mill levy: 31.50 Total levy: 19.605 City tax revenue: $ 19,605 Bonded indebtedness: General Obligation - None Revenue Bonds - None
Water Source and System:	Municipal system has two wells, a 30,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment lagoon.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Underwood is located 13 miles northeast of Council Bluffs. Geographical constaints on growth are minimal.

Political Subdivision:	WALNUT, IOWA; Pottawattamie County.
Area of Jurisdiction:	417 acres. 1970 population was 870.
Organization:	Mayor, five member council, city clerk, and city treasurer.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: $956,414 City mill levy: 31.66 Total levy: 102.69 City tax revenue: $ 30,280 Bonded indebtedness: General Obligation - $20,000 Revenue Bonds - None
Water Source and System;	Municipal system has two wells, a 50,000 gallon elevated storage tank, distribution facilities, and a treatment facility with a capacity of 175 gpm.
Wastewater System:	Municipal system has a primary treatment lagoon.
Reports/Plans Available:	Council Bluffs, Metropolitan Area Planning Commission, Comprehensive Regional and Urban Area Plan dated 1969.
Miscellaneous:	Walnut is located 35 miles northeast of Council Bluffs. Geographical constraints on growth are minimal. Population projection is 1,200 by year 2020.

Political Subdivision:	EMERSON, IOWA; Mills County.
Area of Jurisdiction:	1970 population was 484.
Organization:	Mayor, five member council, and city clerk.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 28.54 Total levy: 87.90 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system has two wells, a 50,000 gallon elevated storage tank, distribution facilities, and no treatment.
Wastewater System:	Municipal system has a primary treatment facility operating within design capacity.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Emerson is located 18 miles east of Glenwood, Iowa. Population projection is 620 by year 2020.

Political Subdivision:	GLENWOOD, IOWA; Mills County.
Area of Jurisdiction:	1970 population was 4,421.
Organization:	Mayor, five member council, and city clerk.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 32.35 Total levy: 92.06 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system has a surface supply from Keg Creek, three wells, storage facilities totaling 2,150,000 gallons, distribution facilities, and two treatment plants. The Keg Creek plant has a capacity of 1.0 MGD and the well field plant has a capacity of 0.72 MGD.
Wastewater System:	Municipal system has a rpimary treatment facility plant.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Glenwood is located 12 miles south of Council Bluffs, Iowa. Population projection is 3,623 by year 2020.

Political Subdivision:	HASTINGS, IOWA; Mills County.
Area of Jurisdiction:	1970 population was 229.
Organization:	Mayor, five member council and city clerk.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 34.01 Total levy: 93.97 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system has one well, a 30,000 gallon standpipe, distribution facilities, and treatment facilities.
Wastewater System:	No data.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Hastings is located 13 miles east of Glenwood, Iowa. Population projection is 85 by year 2020.

Political Subdivision:	HENDERSON, IOWA; Mills County.
Area of Jurisdiction:	1970 population was 211.
Organization:	Mayor, five member council and city clerk.
Enabling Legislation:	Chapter 363A, TitleXV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 30.02 Total levy: 89.82 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system has one well, a 30,000 gallon standpipe, distribution facilities, and no treatment.
Wastewater System:	No data.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Henderson is located 17 miles northeast of Glenwood, Iowa. Population projection is 170 by year 2020.

Political Subdivision:	MALVERN, IOWA: Mills County.
Area of Jurisdiction:	1970 population was 1,158.
Organization:	Mayor, five member council, and city clerk.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 38.32 Total levy: 94.84 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system has eight wells, a 65,000 gallon elevated storage tank, distribution facilities, and a treatment facility with a capacity of 175 gpm.
Wastewater System:	No data.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Malvern is located 10 miles southeast of Glenwood, Iowa. Population projection is 896 by year 2020.

Political Subdivision:	PACIFIC JUNCTION, IOWA; Mills County.
Area of Jurisdiction:	1970 population was 505.
Organization:	Mayor, five member council, and city clerk.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 29.17 Total levy: 89.32 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Private.
Wastewater System:	Private.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Pacific Junction is located 3 miles west of Glenwood, Iowa. Population projection is 393 by year 2020.

Political Subdivision:	SILVER CITY, IOWA; Mills County.
Area of Jurisdiction:	1970 population was 272.
Organization:	Mayor, five member council, and city clerk.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 30.00 Total levy: 92.10 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system has two wells, a 25,000 gallon standpipe, distribution facilities, and treatment facilities.
Wastewater System:	No data.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Silver City is located 7 miles northeast of Glenwood, Iowa. Population projection is 174 by year 2020.

Political Subdivision:	TABOR, IOWA; Mills and Fremont County.
Area of Jurisdiction:	1970 population was 957.
Organization:	Mayor, five member council, and city clerk.
Enabling Legislation:	Chapter 363A, Title XV, Iowa Code.
Interrelationships:	None.
Financial Aspects:	Assessed valuation: No data City mill levy: 29.99 Total levy: 90.15 City tax revenue: No data Bonded indebtedness: General Obligation - No data Revenue Bonds - No data
Water Source and System:	Municipal system has two wells, storage facilities totaling 114,000 gallons, distribution facilities, and disinfection by chlorination.
Wastewater System:	The system is located in Freemont County.
Reports/Plans Available:	Mills County Financial Report, 1973.
Miscellaneous:	Tabor is located 10 miles south of Glenwood, Iowa. Population projection is 1,117 by year 2020.

Special Interest Groups

THE ROLE OF SPECIAL INTEREST GROUPS

421. Citizen groups and other non-governmental special interest groups play an important role in the development and control of communities and other political subdivisions. These mostly volunteer organizations act as a sounding board for governmental agencies, as overseers of governmental activities, and as information agencies for the people. Their members are normally well versed in specific public laws pertaining to their special interest areas. Their members attend public meetings, comment on proposals, enter formal statements into the records of proceedings, and participate in joint meetings with governmental agencies.

422. The known organizations, active in the metropolitan Omaha-Council Bluffs area are:

- Metropolitan Area Planning Agency, Citizens Advisory Board
- Omaha League of Women Voters
- Council Bluffs Citizen's Committee for Community Development
- Association of University Women
- Sierra Club
- Papio Valley Preservation Association

Glossary of Persons Interviewed

423. The Corps of Engineers gratefully acknowledges the assistance of numerous individuals who, representing Federal, State, regional, county, and local interests, graciously gave of their time to provide the background information used in this institutional analysis.

FEDERAL AGENCIES

Mr. Leonard T. Hanks, County Supervisor
Farmers Home Administration

Mr. Derrel K. Cook, Engineer Technician
Federal Insurance Administration

Mr. Derrell P. Thompson, Regional Director
Bureau of Outdoor Recreation

Mr. Jack E. Hemphill, Regional Director
U. S. Fish and Wildlife Service

Mr. Sulo W. Wiitala, District Chief
U. S. Geological Survey, Iowa City, Iowa

Mr. Kenneth MacKichan, District Chief
U. S. Geological Survey, Lincoln, Nebraska

Mr. Jerome H. Svore, Regional Administrator
Region VII Environmental Protection Agency

Mr. N. L. Barbarossa, Director
Planning and Technical Services
Missouri River Basin Commission

REGIONAL AGENCIES

METROPOLITAN AREA PLANNING AGENCY

Mr. James Harvell, Executive Director

Mr. B. P. Pendergrass, Director
Riverfront Development Division

Mr. Roger E. Corbin, Planner

Mr. Harry Andersen, Chairman, Citizens Advisory Board

Mr. Robert Stephen, Chairman, Growth Policy Subcommittee

Mrs. Mary Jean Lyon, Committeewoman
Growth Policy Subcommittee

PAPIO NATURAL RESOURCES DISTRICT

Mr. Jerry R. Wehrspaan, Director
Project Planning and Engineering

LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT

Mr. Donald Berquist, Jr., General Manager

NEBRASKA STATE AGENCIES

Mr. Marion F. Ball, Director
Nebraska Department of Water Resources

Mr. Gayle Lewis, Director, Planning Division
Nebraska Natural Resources Commission

Mr. Jim Peters, Director
Department of Health

Mr. Ray Hartung, Chief, Water Quality Planning
Department of Environmental Control

Mr. Gerald Chaffin, Director
Nebraska Game and Parks Commission

Mr. Stu Miller, Director
Department of Economic Development

Mr. W. Don Nelson, Director of Planning
State Office of Planning and Programming

Mr. Jim Barr, Natural Resource Coordinator
State Office of Planning and Programming

NEBRASKA COUNTIES

Mr. Emmett Rogert, Chairman
Washington County Board of Supervisors

Mr. George J. Buglewicz, Chairman
Douglas County Board of Commissioners

Mr. William V. Brooks, Commissioner
Sarpy County Board of Commissioners

Mr. Martin A. Zoz, Chairman
Cass County Board of Commissioners

NEBRASKA CITIES

Mr. Alden Aust, Planning Director, City of Omaha
Omaha, Nebraska

Mr. Terrence E. Pesek, Director
Department of Public Works, City of Omaha
Omaha, Nebraska

Mr. William Kranda, Administrative Assistant
Office of the Mayor, City of Omaha
Omaha, Nebraska

Mr. George Richardson, Finance Director, City of Omaha
Omaha, Nebraska

Mr. Terry Leaders, Finance Accountant, City of Omaha
Omaha, Nebraska

Mr. Clarence E. Shafer, Director
Park and Recreation Department, City of Omaha
Omaha, Nebraska

Mr. C. Loyd Castner, City Administrator, City of Bellevue
Bellevue, Nebraska

Mrs. Sally A. Hileman, City Clerk, City of Gretna
Gretna, Nebraska

Mrs. Donna J. Klebe, City Clerk, City of Elkhorn
Elkhorn, Nebraska

NEBRASKA PUBLIC UTILITIES DISTRICTS

Gen. James B. Knapp (Ret.), Planning Director
Metropolitan Utilities District

Mr. Robert H. Ballard, Division Manager, Planning
Omaha Public Power District

IOWA STATE AGENCIES

Mr. Robert H. Lounsberry, Secretary
Iowa Department of Agriculture

Mr. Fred A. Priewert, Director
Iowa State Conservation Commission

Mr. Larry E. Crane, Director
Iowa State Department of Environmental Quality

Mr. Joseph E. Obr, Director
Water Quality Management Division

Mr. Othie R. McMurry, Director
Iowa Natural Resources Council

Mr. Robert T. Tyson, Director
State Office for Planning and Programming

Mr. Norman Pawlewski, Commissioner
State Department of Public Health

Mr. Del Van Horn, Director
Iowa Development Commission

Mr. William H. Grainer, Director
Iowa State Department of Soil Conservation

IOWA COUNTIES

Mr. William H. Wohlers, Chairman
Harrison County Board of Supervisors

Mr. Emmett R. Ryan, Chairman
Pottawattamie County Board of Supervisors

Mr. Henry W. Washburn, Chairman
Mills County Board of Supervisors

IOWA CITIES

Mr. Rod Phipps, Planning Director, City of Council Bluffs
Council Bluffs, Iowa

Mr. Maurice R. Pearce, Director
Department of Public Works, City of Council Bluffs
Council Bluffs, Iowa

Mr. James H. Peters, General Manager
Water Works Department, City of Council Bluffs
Council Bluffs, Iowa

Mrs. Shirley Runte, Finance Director, City of Council Bluffs
Council Bluffs, Iowa

Mr. Hugh P. Finerty, City Attorney, City of Council Bluffs
Council Bluffs, Iowa

Mr. Gordon Abel, Assistant City Attorney
City of Council Bluffs
Council Bluffs, Iowa

Mr. John Butler, Chief of Police, City of Treynor
Treynor, Iowa

Mrs. Beverly Johnson, City Clerk, City of Carter Lake
Carter Lake, Iowa

Mr. Vernon C. Spilker, City Clerk, City of Missouri Valley
Missouri Valley, Iowa

Mr. Jon F. Kemp, Mayor, City of Malvern
Malvern, Iowa

Mrs. Pauline Harshbarger, City Clerk, City of Malvern
Malvern, Iowa

Mr. Tim Markel, Mayor, City of Silver City
Silver City, Iowa

SECTION C

SUMMARY OF EXISTING INSTITUTIONAL CAPABILITIES IN THE STUDY AREA

SUMMARY OF EXISTING INSTITUTIONAL CAPABILITIES IN THE STUDY AREA

TABLE OF CONTENTS

Item	Page
INTRODUCTION	C-1
SUMMARY OF INSTITUTIONAL RESPONSIBILITIES	C-2
ALTERNATE GROWTH CONCEPTS	C-3
THE PROBLEMS OF GROWTH	C-3
REALIZING GROWTH POTENTIALS	C-3
WATER QUALITY	C-4
PLANNING FOR WATER QUALITY	C-4
THE NEED FOR COMPREHENSIVE AREAWIDE PLANNING	C-5
WATER SUPPLY	C-7
AVAILABLE WATER	C-7
WATER QUALITY	C-7
RECREATION	C-9
REGIONAL PLANNING	C-9
FLOOD CONTROL - FLOOD PLAIN MANAGEMENT	C-9
INTRODUCTION	C-9
STRUCTURAL SOLUTIONS TO FLOOD PROBLEMS	C-10
NON-STRUCTURAL SOLUTIONS TO FLOOD PROBLEMS	C-11
FINANCIAL CAPABILITIES	C-12

SUMMARY OF EXISTING INSTITUTIONAL
CAPABILITIES IN THE STUDY AREA

TABLE OF CONTENTS (Cont'd)

LIST OF FIGURES

No.	Titles	Follows Page
C-1	INSTITUTIONAL RESPONSIBILITIES	C-2

SECTION C

SUMMARY OF EXISTING INSTITUTIONAL CAPABILITIES IN THE STUDY AREA

Introduction

1. The purpose of this section is to summarize the organizational, legal, financial, and political setting in the urban study area.

2. Section A contains the purpose, goals, and objectives of institutional analysis and outlines the procedure used to complete the analysis. Section B contains the description and capabilities of the Federal, State, and local institutions involved in water and associated land management. Section B provides the background data used to complete institutional analysis.

3. In this section, the institutional setting, capabilities, and responsibilities are shown in relation to the five major topical areas of the urban study:

- Alternative growth concepts
- Wastewater management
- Water supply
- Recreation
- Flood control and flood plain management

4. Institutional conclusions and the recommendations for implementation of technical alternatives are presented in Volume III, Plan Formulation, and in the appendices supporting Volume III.

SUMMARY OF INSTITUTIONAL RESPONSIBILITIES

5. In order to facilitate understanding of the institutional setting in the study area and to provide a quick reference to the background data in Section B, Figure C-1 was developed. Figure C-1 shows, in tabular form, the major responsibilities of the existing agencies in the five topical areas listed in paragraph 3 above and provides a cross reference to Section B.

6. The remainder of this section discusses institutional considerations leading to the conclusions and recommendations contained in Volume III, Plan Formulation.

Figure C-1
Metropolitan Omaha, Nebraska - Council E
Institutional Responsibilitie

Institution (Cross Reference to Section B)	Alternative Growth Futures	Wastewater Management	
FEDERAL AGENCIES			
CORPS OF ENGINEERS (Paragraph 4) Provide planning assistance in all areas through Urban Studies	None	Provide technical assistance to states and local agencies in wastewater management planning.	Regulate water fro waterways
FARMERS HOME ADMINISTRATION (Paragraph 16)	Administer business and industrial development loans and grants.	Guarantee loans for wastewater facilities in rural communities.	Provide guarantee supply fa rural com
SOIL CONSERVATION SERVICE (Paragraph 21)	None	Provide technical assistance in prevention of stream pollution from agricultural runoff.	None
FEDERAL INSURANCE ADMINISTRATION (Paragraph 28)	None	None	None
BUREAU OF OUTDOOR RECREATION (Paragraph 32)	None	None	None
U.S. FISH AND WILDLIFE SERVICE (Paragraph 42)	None	None	None

Figure C-1
Omaha, Nebraska - Council Bluffs, Iowa
nstitutional Responsibilities

ater ement	Water Supply	Recreation	Flood Control And Flood Plain Management
nical assist- es and local astewater lanning.	Regulate withdrawal of water from navigable waterways.	Plan for, construct and, in some cases, manage facilities on Corps' projects.	Plan for, construct and maintain projects authorized by Congress. Recommend flood plain management measures to be instituted by state and local jurisdictions. Provide flood plain information.
ns for waste- ties in rural	Provide grants and guarantee loans for water supply facilities in rural communities.	Provide grants and guarantee loans for construction of recreational facilities on farms.	Provide grants or guarantee loans for small flood prevention projects.
nical assist- ntion of tion from runoff.	None	Provide project grants, advisory services, and counseling.	Provide technical assistance and grants for small watershed flood prevention projects.
	None	None	Administer federally subsidized flood insurance. Develop flood hazard maps.
	None	Provide technical assistance and provide grants for land acquisition and recreation facility construction.	None
	None	Provide technical assistance and grants to protect fish and wildlife.	None

Figure C-1 (Cont
Metropolitan Omaha, Nebraska - Cou
Institutional Responsib

Institution (Cross Reference to Section B)	Alternative Growth Futures	Wastewater Management	
GEOLOGICAL SURVEY (Paragraph 47)	None	Monitor stream quality.	Inv qua sur
ENVIRONMENTAL PROTECTION AGENCY (Paragraph 51)	Monitor land use requirements of Federal pollution control laws.	Establish and oversee enforcement of water quality standards (PL 92-500).	Est for wat
		Administer Federal planning and construction grants.	
		Administer research, development, and training grants.	
REGIONAL AGENCIES			
METROPOLITAN AREA PLANNING AGENCY (Omaha-Council Bluffs A-95 review authority) (Paragraph 73) Conduct planning in all areas.	Conduct studies and recommend alternative growth plans.	Develop and adopt areawide wastewater management plans.	Pla
	Develop housing plans.		
NEBRASKA STATE AGENCIES			
DEPARTMENT OF WATER RESOURCES (Paragraph 82)	None	None	Adm
			Adm irr pro
NATURAL RESOURCES COMMISSION (Paragraph 91)	None	Oversee natural resources districts in projects in this area.	
		Prepare PL 92-500, Sec. 303e plan.	Dev

Figure C-1 (Cont)
aha, Nebraska - Council Bluffs, Iowa
itutional Responsibilities

er nt	Water Supply	Recreation	Flood Control And Flood Plain Management
quality.	Investigate quantity and quality of ground and surface water.	None	Investigate and appraise quantity and quality of surface of ground water.
versee en- ter quality 2-500).	Establish and oversee enforcement of safe drinking water standards (PL 93-523).	None	None
ral planning n grants.			
arch, develop- ing grants.			
pt areawide gement plans.	Planning	Develop areawide open space plans.	Planning
	Administers water rights. Administers requests for irrigation districts and projects.	None	Administer water supply dam controls.
resources ojects in			
00, Sec. 303e	Develop state water plan	Administer resources development fund.	Develop flood plain regulation and zoning guidance. Administer state portion of small flood control projects.

Figure C-1 (Cont)
Metropolitan Omaha, Nebraska - Council E
Institutional Responsibilitie

Institution (Cross Reference to Section B)	Alternative Growth Futures	Wastewater Management	
NEBRASKA STATE AGENCIES (Cont)			
DEPARTMENT OF ENVIRONMENTAL CONTROL (Paragraph 103)	None	Enforce Federal water pollution control laws. Assign priorities for facilities construction. Administer Federal and State grants. Train and certify plant operators. Prepare plans under Sec. 106, PL 92-500.	Enforce F drinking
GAME AND PARKS COMMISSION (Paragraph 108)	None	None	None
OFFICE OF PLANNING AND PROGRAMMING (Paragraph 119)	In all areas: Long range planning Coordinate programs with Federal agencies Prepare special reports. Coordinate between agencies. Interstate planning. Exercise A-95 review authority for Nebraska.		

Figure C-1 (Cont)
Omaha, Nebraska - Council Bluffs, Iowa
stitutional Responsibilities

ater ment	Water Supply	Recreation	Flood Control And Flood Plain Management
al water trol laws. ties for nstruction. deral and tify plant under Sec. 0.	Enforce Federal safe drinking water laws.	None	None
	None	Develop state outdoor recreation plan. Administer land and water conservation funds. Establish, operate, and maintain state parks.	None

Figure C-1 (Cont)
Metropolitan Omaha, Nebraska - Council
Institutional Responsibiliti

Institution (Cross Reference to Section B)	Alternative Growth Futures	Wastewater Management	
NEBRASKA STATE AGENCIES (Cont)			
UNIVERSITY OF NEBRASKA (Paragraph 123)	None	None	Water re institut Conserva division of water
INTRASTATE REGIONAL AGENCIES			
NATURAL RESOURCES DISTRICTS (Paragraph 143)	None	Authorized to assist residents with cooperative programs for operation of treatment plants.	Authoriz dents wi water su any bene
SANITARY AND IMPROVEMENT DISTRICTS (Paragraph 156)	Establish, finance, and construct industrial, commercial, and residential developments in areas zoned as such.	Construct and operate treatment facilities and collection systems.	Construc systems.
METROPOLITAN UTILITIES DISTRICT (Paragraph 187)	Coordinate with municipalities in the district.	Collect sewer use fees.	Plan for, operate, a water for all district.
OMAHA PUBLIC POWER DISTRICT (Paragraph 196)	Coordinate with municipalities in the district.	None	None
NEBRASKA COUNTIES (Paragraph 207)	Development of county land use plans and zoning regulations. Approve subdivision plans.	Enforce state water quality laws.	None

Figure C-1 (Cont)
ha, Nebraska - Council Bluffs, Iowa
tutional Responsibilities

r t	Water Supply	Recreation	Flood Control And Flood Plain Management
	Water resources research institute.		
	Conservation and survey division assist department of water resources.	None	None
sist resi- rative pro- lon of	Authorized to assist residents with development of water supply systems for any beneficial use.	Finance, develop, operate, and manage facilities.	Finance, develop, construct, and maintain levees and small flood control projects. Advise cities and counties on development of flood plain regulations.
erate treat- and collec-	Construct and operate systems.	Construct and maintain facilities.	May construct and maintain private levees if approved by the State.
fees.	Plan for, construct, operate, and maintain a water supply system for all residents of the district.	None	None
	None	None	None
er	None	Operate and maintain county sponsored facilities.	Enforce state flood plain regulations by adopting flood plain zoning regulations.

Figure C-1 (Cont)
Metropolitan Omaha, Nebraska - Council
Institutional Responsibilit

Institution (Cross Reference to Section B)	Alternative Growth Futures	Wastewater Management	
NEBRASKA CITIES (Paragraph 247)	Develop and maintain municipal comprehensive land use plans and zoning regulations. Approve subdivision plans within area of extra-territorial jurisdiction. Establish growth policies.	Plan for, construct, operate, and maintain publicly owned waste treatment works and collection systems. Develop ordinances controlling discharges. Enforce state water quality laws. Participate in regional planning and implementation.	Plan fo ate, an water s
IOWA STATE AGENCIES			
OFFICE FOR PLANNING AND PROGRAMMING (Paragraph 305)	In all areas: Conduct statewide planning. Assist communities. Coordinate between agencies. Coordinate with Federal agencies. Exercise A-95 review authority.		
NATURAL RESOURCES COUNCIL (Paragraph 319)	None	None	Develop state w Adminis for wat

Figure C-1 (Cont)
maha, Nebraska - Council Bluffs, Iowa
titutional Responsibilities

ter ent	Water Supply	Recreation	Flood Control And Flood Plain Management
truct, oper- ain publicly eatment works systems. nces con- harges. water quality regional implementation.	Plan for, construct, operate, and maintain municipal water supply systems.	Plan for, construct, operate, and maintain municipal facilities.	Comply with state flood plain regulations by adopting flood plain zoning regulations.
	Develop and enforce state water plan. Administer permit system for water rights.	Coordinate development of water related recreation with conservation commission.	Establish flood plain regulations. Control development and construction along all streams.

Figure C-1 (Cont)
Metropolitan Omaha, Nebraska - Coun
Institutional Responsibi

Institution (Cross Reference to Section B)	Alternative Growth Futures	Wastewater Management	
IOWA STATE AGENCIES (Cont)			
DEPARTMENT OF ENVIRONMENTAL QUALITY (Paragraph 333)	None	Enforce Federal water pollution control laws. Assign priorities for facilities construction. Administer Federal and State grant programs. Train and certify plant operators.	Enfo drin Clas Trai oper
DEPARTMENT OF SOIL CONSERVATION (Paragraph 344)	None	None	None
STATE CONSERVATION COMMISSION (Paragraph 347)	None	None	None
IOWA REGIONAL AGENCIES			
CONSERVANCY DISTRICTS (Paragraph 351)	None	None	None
IOWA COUNTIES (Paragraph 355)	Develop county comprehensive land use plans and zoning regulations. Coordinate zoning with cities.	Enforce state water quality laws. Approve establishment of sanitary districts.	Enfo ing Appr wate

Figure C-1 (Cont)
ha, Nebraska - Council Bluffs, Iowa
tutional Responsibilities

r t	Water Supply	Recreation	Flood Control And Flood Plain Management
ater l laws. for ruction. l and rams. plant	Enforce Federal safe drinking water laws. Classify treatment facilities. Train and certify operators.	None	None
	None	None	Administer small flood control projects.
	None	Develop and implement the state comprehensive recreation plan. Administer land and conservation fund. Plan for, construct, operate, and maintain state recreational facilities. Administer fish and wildlife programs.	None
	None	None	Implement programs of the department of soil conservati
er ment of s.	Enforce state safe drinking water laws. Approve establishment of water supply districts.	Participate with the state in development of county recreation facilities.	Enforce state flood plain regulations.

AD-A041 942 ARMY ENGINEER DISTRICT OMAHA NEBR F/G 8/6
WATER AND RELATED LAND RESOURCES MANAGEMENT STUDY. VOLUME VIII.--ETC(U)
JUN 75

UNCLASSIFIED NL

4 OF 4
ADA041942

END

DATE
FILMED
8-77

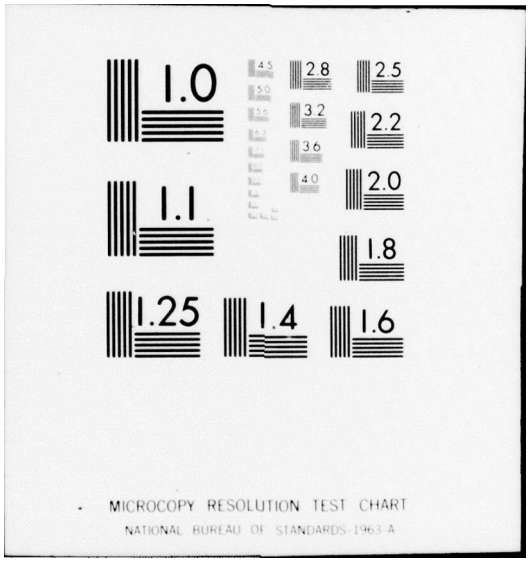

1.0
1.1
1.25
1.4
1.6
1.8
2.0
2.2
2.5
2.8
3.2
3.6
4.0
4.5
5.0
5.6
MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Figure C-1 (Cont)
Metropolitan Omaha, Nebraska - Council Bluffs
Institutional Responsibilities

Institution (Cross Reference to Section B)	Alternative Growth Futures	Wastewater Management	Wate Suppl
IOWA CITIES (Paragraph 397)	Develop and maintain municipal comprehensive land use plans and zoning regulations. Approve subdivision plans. Establish growth policies.	Plan for, construct, operate, and maintain publicly owned waste treatment works and collection facilities. Develop ordinances controlling discharges. Enforce state water quality laws. Participate in regional planning and implementation.	Plan for, cons operate, and m municipal wate systems.
SPECIAL INTEREST GROUPS	In all areas: Provide public input to governmental agencies. Interpret policy and provide information to interested publics. Attend public meetings. Adopt positions on public policy.		

Figure C-1 (Cont)
ıha, Nebraska - Council Bluffs, Iowa
ıtutional Responsibilities

ır ıt	Water Supply	Recreation	Flood Control And Flood Plain Management
ruct, ıntain aste treat- ollection	Plan for, construct, operate, and maintain municipal water supply systems.	Plan for, construct, operate, and maintain municipal facilities.	Comply with state flood plain regulations by adopting local ordinances.
es control-			
ıter quality			
egional lementation.			

Alternative Growth Futures

THE PROBLEMS OF GROWTH

7. The major problems facing decision makers concerning the growth of communities are how much growth is desired and where growth should occur. The normal tool used to guide decisions concerning growth futures is the master plan. This document contains information concerning growth opportunities, physical and economic constraints, and the desires of the people in the community. These data are usually easy to determine. The difficulties encountered in developing a master plan are the projection of future land use and the measures required to achieve the projection. Most municipal officials want to maintain an orderly growth, assure compatible land uses, provide for essential services, satisfy the desires of the people, and still take advantage of opportunities to increase the tax base of the city, especially with new industry that may want to come into the city.

REALIZING GROWTH POTENTIALS

8. In Nebraska municipalities, the realization of growth potential is facilitated by a number of statutory powers granted to the cities and to the sanitary and improvement districts (SID's). The Nebraska Statutes grant extra-territorial zoning jurisdiction to incorporated villages and cities to varying distances depending upon population of the municipality. This means that full power to determine outward growth is given to the village and city offi-

cials. The SID laws provide the financial and political instrument to permit developers to respond to the growth potential of the municipality.

9. In Iowa, municipal growth is more constrained than growth in Nebraska. Zoning jurisdiction outside city corporate limits is the responsibility of the county board of supervisors. In the State home rule laws, a State-level community development board will be charged with review of annexation proposals.

10. In Nebraska, village and city officials must exercise care to prevent too rapid growth. In Iowa, city officials must coordinate growth desires with State and county officials which tends to constrain rapid growth. In both States, there are fiscal limitations on the rate of growth. Most cities are faced with general obligation debts approaching the limits of their capability to incur debt.

Water Quality

PLANNING FOR WATER QUALITY

11. Plans for meeting water quality objectives in the study area consist of the MAPA Comprehensive Water Pollution Control Plan of 1972, the Corps of Engineers' Urban Study, State basin plans in Iowa and Nebraska, and a number of municipal plans to construct water treatment facilities.

12. The MAPA plan recommended consolidation of urban wastewater treatment into three main plants; the Omaha-Missouri River plant, the Papillion Creek plant, and the Council Bluffs' Mosquito Creek plant. The MAPA plan also identified rural pollution problems and recommended that an areawide water-sampling program be continued with expanded roles for Nebraska Natural Resources Districts and Iowa Conservancy Districts.

13. The water quality portion of the Corps of Engineers' urban study expands upon the MAPA plan by addressing stormwater runoff pollution control, alternatives for solving combined sewer overflow pollution, and the costs of pollution control for alternate growth futures. The Corps' study considered seven counties, whereas the MAPA study includes three counties.

14. The MAPA plan for urban wastewater treatment is being implemented except for the city of Bellevue which is attempting to expand one of its two plants to secondary treatment.

THE NEED FOR COMPREHENSIVE AREAWIDE PLANNING

15. To meet the goals of PL 92-500 (the Federal Water Pollution Control Act Amendments of 1972), the Omaha-Council Bluffs metropolitan area must engage in a more comprehensive planning effort to solve technical and institutional problems. The structural and nonstructural measures to control urban stormwater and rural agricultural runoff must be identified. Land use controls to prevent future obsolescence of current and planned facilities must be developed. A schedule of construction and financing must be prepared to show priorities for use of Federal and State grants. Finally, the

political arrangements must be addressed and solved to insure that all jurisdictions in the area will adopt an areawide plan.

SECTION 208 PLANNING

16. Planning for areawide wastewater management under Section 208 of PL 92-500 would provide for the necessary comprehensive approach to the metropolitan water quality problems. Local officials are reluctant to proceed with Section 208 planning. It is evident that there are fears that the adoption of a Section 208 planning process will prevent future flexibility and will lead to the creation of a super agency that will dictate growth policies to the cities.

17. A review by Corps planners of the language and intent of PL 92-500 indicates that Section 208 planning offers the opportunity and funding assistance to plan for the solution of all water pollution and that a Section 208 plan does allow for flexibility. Further, Corps planners feel that the 208 process requires that the desires of separate jurisdictions be incorporated in the plans.

18. Section 208 planning is discussed in more detail in Volume III (Plan Formulation), and in the appendices supporting Volume III.

Water Supply

AVAILABLE WATER

19. The Omaha-Council Bluffs metropolitan area has been fortunate to have an abundant supply of good quality water. The Nebraska portion of the study area is supplied by: one major treatment and distribution agency, the Metropolitan Utilities District; by a number of municipal systems; and by individual wells. The Iowa portion of the study area is supplied by municipal systems and by individual wells. There are no interstate water supply agencies operating across the Missouri River.

20. Analysis of future water demand in the study area for irrigation and domestic purposes indicates there is a limit to available water.

WATER QUALITY

21. Standards for domestic water quality prior to December 1974 posed few problems for water suppliers in the study area. Since then, Public Law 93-523, the Federal Safe Drinking Water Act enacted in December 1974, imposes on the States a more stringent set of standards for the quality of drinking water.

22. The Administrator of the Environmental Protection Agency published Interim Primary Drinking Water Standards in the Federal Register dated 14 March 1975. A review of the interim standards

indicates that many of the communities in the study area will eventually be required to construct treatment facilities or enter into agreements with major suppliers to obtain water which will meet new standards. Many of the communities in the study area do not provide treatment for their water supply.

23. The new law gives the responsibility of enforcement to the States. Both Iowa and Nebraska will be faced with increased requirements for establishing new statutes and enforcement procedures. Local jurisdictions will be required to construct facilities, establish new controls over the quality of water being treated, and adjust financial planning to include capital improvements required to meet the new requirements.

24. The Corps' study indicates a need to consider intra-regional connection of water distribution to provide for better reliability and for increased needs of growing communities. The Corps' study also indicates a need for measures to decrease consumption rates to meet future demands.

25. Water quality requirements, regional interconnections, and controls on consumption will require new structural and nonstructural measures and the creation of new inter-governmental agreements. Volume III addresses specific implementation procedures.

Recreation

REGIONAL PLANNING

26. The development of recreation facilities in the study area is primarily provided for in State, county, and municipal plans. Limited funds will preclude implementation of all the plans. Some system of priorities will have to be established which will provide for recreational desires, preserve farmland, and control flood plains destined for outdoor recreation.

27. The significant institutional consideration is the need to coordinate the diverse planning in the area to develop recreation for all the people of the region within the constraints of limited funds.

Flood Control and Flood Plain Management

INTRODUCTION

28. The problem of what to do about flooding of waterways is essentially one of what to do about prevention of damage to structures or croplands in the area subject to inundation by flooding. The flooding of undeveloped land is not a problem; the problem arises

when man-made development occurs in such areas. The flooding of developed land is a problem that can be solved by building protective structures to prevent inundation and the associated damage and loss of life. The building of such structures can be accomplished provided the benefits realized equal or exceed the cost of the structures.

29. When structural measures are not cost-effective from the benefit/cost standpoint or are not possible for environmental reasons, they are not available to solve the flooding problem. Then the problem must be solved by nonstructural means. In most cases, this means undeveloped land should not be developed or the land must be used for purposes not permanently affected by flooding. Such uses are parks, certain agricultural practices, or structures not substantially harmed by flooding. Most states are actively engaged in studying problems associated with land use in areas subject to flooding; i.e., the flood plains. Nebraska has developed flood plain regulations and Iowa is revising its regulations.

30. The Federal Insurance Administration is developing flood plain hazard maps which will be used as the basis for land use regulations. Regulation of construction in flood plains is a prerequisite for Federally subsidized flood insurance.

STRUCTURAL SOLUTIONS TO FLOOD PROBLEMS

31. Flood control projects can be constructed by Federal, State, and local agencies; projects are underway in both States.

CORPS OF ENGINEERS

32. The Corps of Engineers is constructing flood control dams in the Papillion Creek basin. The Corps has constructed channelization and levee projects in the Iowa and Nebraska segments of the study area.

SOIL CONSERVATION SERVICE

33. The Soil Conservation Service has participated in the construction of many small flood control projects in the study area.

NEBRASKA NATURAL RESOURCES DISTRICTS

34. The NRD's are engaged in or are planning many projects to reduce flooding on the smaller streams in the Nebraska counties of the study area.

IOWA SOIL CONSERVATION DISTRICTS AND CONSERVANCY DISTRICTS

35. The Iowa Soil Conservation Districts have a continuing program to control soil loss and to prevent flooding. The conservancy districts are developing plans for regionally-oriented flood control programs.

NEBRASKA SANITARY AND IMPROVEMENT DISTRICTS

36. The Nebraska SIS's have the authority to construct local flood control structures and at least one SID. Bucanneer Bay in Cass County has a levee project underway.

NON-STRUCTURAL SOLUTIONS TO FLOOD PROBLEMS

37. Non-structural measures to solve flood problems seek to: (1) prevent the development of structures in the flood plain that

will be subject to flood damage or loss; or (2) prevent the development of structures in the flood plain that could cause increased flooding in other parts of the flood plain. Non-structural measures are provided for by Federal laws, State laws and regulations, and by local regulations and ordinances.

38. Navigable waterways are protected by Federal laws. The 1899 River and Harbor Act requires the Corps of Engineers to approve construction in the flood plains of navigable waterways.

39. In Iowa, the natural resources commission is the approval authority for all construction in the flood plains of State waterways.

40. In Nebraska, the flood plain regulations require the counties and municipalities to adopt ordinances to prevent unauthorized encroachments on the flood plains.

FINANCIAL CAPABILITIES

41. The financial capabilities of the Federal, State, and local institutions to solve flood problems are discussed in Volume III, Plan Formulation.