

PREPARED BY: Clinton Verner
DATE PREPARED: January 30, 2025
PHONE: 402-471-0056

LB 695

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB695 declares findings of the Legislature, makes a declaration of the finding and requires the following of the Lower Elkhorn Natural Resources District (LENRD):

- Construction of a dam and describes the dam;
- Seek local, state, and federal funds to construct such dam;
- Secure funding in such a way as to not raise the LENRD's levy.

The Lower Elkhorn Natural Resources District has provided an estimate of costs assuming they would be required to construct a dam as described by the legislative findings. No basis to disagree with their estimates. LENRD is a political subdivision of the state and cannot receive direct appropriations. No fiscal impact to the state.

Technical note: The text of LB695 is contained within one section, a declaration of findings. Declaration of findings are non-binding; it is unclear whether this would affect the entire text of the bill as it is all contained within the first section.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 695 (updated)	AM:	AGENCY/POLT. SUB: Lower Elkhorn Natural Resources District
REVIEWED BY: Joe Massey	DATE: 1/31/2025	PHONE: (402) 471-4181
COMMENTS: No basis to disagree with the Lower Elkhorn Natural Resources District assessment of fiscal impact from LB 695 (updated)		

Please complete ALL (5) blanks in the first three lines.

2025

LB⁽¹⁾ 695

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lower Elkhorn Natural Resources District

Prepared by: ⁽³⁾ Brian Bruckner Date Prepared: ⁽⁴⁾ 1/30/2025 Phone: ⁽⁵⁾ 402-371-7313

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	<u>\$8,840,780</u>	_____	<u>\$27,570,330</u>	_____
TOTAL FUNDS	<u>\$8,840,780</u>	_____	<u>\$27,570,330</u>	_____

Explanation of Estimate:

If enacted into law, LB 695 would mandate the construction of a flood control dam upstream of the City of Battle Creek, NE. It is our understanding of the legislation that no additional state funding is suggested to be appropriated, and that the project sponsor would be required to use currently planned funding streams to cover project costs.

The Lower Elkhorn Natural Resources District (LENRD) is currently engaged in an evaluation of the drainage watershed, using resources provided by the Natural Resources Conservation Service (NRCS) under the Watershed Protection and Flood Prevention Operations (WFPO) program. The evaluation will reach a conclusion during CY 2025 when a final plan will be presented for the LENRD's consideration and approval. The alternative that is being brought forward as part of the final plan contains a proposed dam to provide reservoir storage, and a small levee adjacent to the community to protect private property during flood events. As the local sponsor, the LENRD is utilizing this federal program to identify a flood protection alternative that meets eligibility for funding from the federal government, especially for the cost of design, engineering, and construction. Receipt of those federal funds will depend upon their availability and are subject to change with a new administration now in place. Currently, the total project cost is estimated at \$58,030,100, over a period of five years.

Other significant costs would be encountered, especially as it pertains to acquisition of property rights or ineligible expenses associated with this type of project, and those occur in subsequent budget cycles.

The expenses that occur within the first two budget cycles with a project of this magnitude will primarily be generated from design and engineering activities, with the most significant costs occurring later in time when property acquisition and construction activities begin.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____

Capital outlay.....		
Aid.....		
Capital improvements.....		
TOTAL.....	\$8,840,780	\$27,570,330