

NEBRASKA NATURAL RESOURCES COMMISSION

MEETING MINUTES – JUNE 20, 2017

Roll Call:

Commissioners		Absent	Present	Commissioners		Absent	Present
Amen	Karen		X	Rains	Darrell M.	X	
Anderson	Garry		X *	Reynolds	Michael (Mick)		X
Barels	Brian		X	Schroer	Lyle		X
Batie	Donald		X	Shields	James		X
Clouse	Stan		X	Smathers	Scott		X
Czaplewski	Mark		X	Smith	Lindsey		X
Deines	Dave		X	Steffen	Jeff		X
Dunbar	Brad		X	Strauch	Walter Dennis		X
Fornoff	Kevin		X	Sugden	Steven		X
Hadenfeldt	N. Richard		X	Taylor	Loren		X
Halligan	Bill		X	Thompson	Jim		X
Knutson	Thomas		X	Wilke	Greg		X
Kraus	Don		X	Wright	Chad	X	
Palm	Owen	X					

* Garry Anderson arrived at approximately 1:05 p.m.

DNR staff in attendance:

Rex Gittins, Kent Zimmerman, LeRoy Sievers, Tim Freed and Jill Richters

Others in attendance were:

Dustin Wilcox, NARD; John Miyoshi, LPNNRD; Katie Cameron, ENWRA; Jim Cannia, AGF; & Eric Connor, DNR Intern.

CALL TO ORDER, ROLL CALL

Chairman Strauch called the meeting to order at 1:00 p.m. in the Holiday Inn & Convention Center, Kearney, Nebraska, and asked Zimmerman to call the roll. Chair Strauch next introduced the new Commissioner members: Mark Czaplewski, Bill Halligan, Jim Shields and Greg Wilke.

NOTICE OF THE MEETING

Notice of the meeting was published on the State Public Meetings Calendar and on the Natural Resources Commission web site at <https://nrc.nebraska.gov>. A copy of Nebraska's public meeting statutes was available in the room.

MINUTES

Kraus moved and Smathers seconded the motion to approve the minutes of the February 22nd, 2017 Commission meeting.

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen			X		Rains				X
Anderson				X	Reynolds	X			
Barels	X				Schroer	X			
Batie	X				Shields			X	
Clouse	X				Smathers	X			
Czaplewski			X		Smith	X			
Deines	X				Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor	X			
Halligan			X		Thompson	X			
Knutson			X		Wilke			X	
Kraus	X				Wright				X
Palm				X	TOTALS	17	0	6	4

PUBLIC COMMENTS

None offered.

DNR UPDATE & EXPENDITURES REPORT

Gittins handed out a summary of appropriation actions for the program funds the NRC oversees. He pointed out the Legislature’s Fiscal Year 2017 reductions and appropriations for the biennium beginning on July 1, 2017. The Expenses Report and Fund Balances were not discussed. Gittins stated he would be happy to further discuss the reports and answer any questions after the meeting or by phone.

NRD EROSION & SEDIMENT CONTROL PROGRAM

Middle Niobrara NRD staff submitted an amended Erosion and Sediment Control Program for Commission review and Director Fassett’s approval. The amendments were based upon the template that the Commission reviewed in 2016 and the amendments were similar to those previously reviewed and approved from other NRDs.

Barels moved and Fornoff seconded the motion to recommend the Director approve the Middle Niobrara NRD’s amended Erosion & Sediment Control Program.

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen	X				Rains				X
Anderson	X				Reynolds	X			
Barels	X				Schroer	X			
Batie	X				Shields	X			
Clouse	X				Smathers	X			
Czaplewski	X				Smith	X			
Deines	X				Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor	X			
Halligan	X				Thompson	X			
Knutson	X				Wilke	X			
Kraus	X				Wright				X
Palm				X	TOTALS	24	0	0	3

PROGRAM COMMITTEE

A separate Program Committee meeting was not held, so staff led the discussion on agenda topics pertaining to program activities. No unusual activity was reported during discussion of status reports for the following funds.

Resources Development Fund

- The status report showed no unusual activity.
- Staff reported transferring funds within component balances under Title 256, Chapter 4, Number 12, as follows: \$0.14 from component #4 Construction into component #3 Land Rights for the Lower Turkey Creek project; and \$0.50 from component #1 Land Rights into component #2 Recreation for the Buck & Duck Creek project.
- Staff requested the Commission Modify project components as necessary to Obligate FY 18 funds and to allow staff to work with project sponsors and report component level obligations in the minutes.

Smathers moved and Batie seconded the motion to authorize staff to modify project components as necessary for obligation of FY 18 funds.

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen	X				Rains				X
Anderson	X				Reynolds	X			
Barels	X				Schroer	X			
Batie	X				Shields	X			
Clouse	X				Smathers	X			
Czaplewski			X		Smith	X			
Deines	X				Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor	X			
Halligan	X				Thompson	X			
Knutson	X				Wilke	X			
Kraus	X				Wright				X
Palm				X	TOTALS	23	0	1	3

A summary titled “Resources Development Fund FY 17-18 Allocation & Obligation” was reviewed and discussed. The key components along with a report of the project sponsor’s component level obligations are as follows:

NRDF FY 2018 ALLOCATION & OBLIGATION				
PROJECTS	ALLOCATION	OBLIGATION	Component	Amount
Buck & Duck Watershed	186,991.35	186,991.35	#2 Recreation	186,991.35
Lower Turkey Cr. Watershed	116,689.41	116,689.41	#3 Land	77,917.35
			#4 Construction	38,772.06
Pigeon/Jones Creek	912,375.93	912,375.93	#2 Construction	912,375.93
Upper Prairie/Silver/Moores	1,608,214.61	1,608,214.61	#3 Engineering	324,782.31
			#4 Construction	1,283,432.30
Lake Wanahoo	0.00	153,319.63	#5 Land - Pre Aprvl	153,319.63
Western Sarpy/Clear Creek	37,121.06	162,734.06	#4 Construction	162,734.06
TOTAL	2,861,392.36	3,140,324.99		\$3,140,324.99

Knutson moved and Clouse seconded the motion to Allocate & Obligate FY 2018 funds as described on the “Resources Development Fund FY 17-18 Allocation & Obligation” sheet (dollar amounts reported above).

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen	X				Rains				X
Anderson	X				Reynolds	X			
Barels	X				Schroer	X			
Batie	X				Shields	X			
Clouse	X				Smathers	X			
Czaplewski			X		Smith	X			
Deines	X				Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor	X			
Halligan	X				Thompson	X			
Knutson	X				Wilke	X			
Kraus	X				Wright				X
Palm				X	TOTALS	23	0	1	3

Small Watersheds Flood Control Fund

- Staff reported no activity in this fund since the February meeting. With the addition of accrued interest, the current balance is \$726,404.19.
- Because there are no tracts in inventory, it was unnecessary to schedule land sales for 2018.

Smathers moved and Anderson seconded the motion to set the Revolving Fund Base for the Small Watershed Flood Control Fund at \$726,404.19.

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen	X				Rains				X
Anderson	X				Reynolds	X			
Barels	X				Schroer	X			
Batie	X				Shields	X			
Clouse	X				Smathers	X			
Czaplewski	X				Smith	X			
Deines	X				Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor	X			
Halligan	X				Thompson	X			
Knutson	X				Wilke	X			
Kraus	X				Wright				X
Palm				X	TOTALS	24	0	0	3

Soil and Water Conservation Fund Program

- Status report showed normal activity since the last report.

Natural Resources Water Quality Fund

- Business as usual reported.

Water Well Decommissioning Fund

- Business as usual reported.

Water Sustainability Fund (WSF)

- A status report was distributed showing for each project the approved grant, cumulative reimbursement totals and remaining unclaimed balances.
- John Miyoshi, General Manager of the Lower Platte North Natural Resources District, submitted a written request for a scope change to their Water Sustainability Fund project

#4135 dated April 13, 2017, asking the Commission to expand the boundary for eligible flow meter cost share in SQS #2 by 2 miles from the SQS #2 boundary and to allow cost share to all producers in the district to change the register within meters from gallons to acre-inches. Miyoshi described the reasons for the request and fielded questions.

Knutson moved and Smathers seconded the motion to extend the area eligible for cost share (WSF #4135) on meters, two miles beyond the SQS #2 boundary.

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen	X				Rains				X
Anderson	X				Reynolds	X			
Barels	X				Schroer	X			
Batie	X				Shields	X			
Clouse	X				Smathers	X			
Czaplewski	X				Smith	X			
Deines	X				Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor	X			
Halligan	X				Thompson	X			
Knutson	X				Wilke	X			
Kraus	X				Wright				X
Palm				X	TOTALS	24	0	0	3

Reynolds moved and Deines seconded the motion to authorize cost share (under WSF #4135) for LPNDRD producers to change the register from gallons to acre-inches as described in Miyoshi's request.

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen	X				Rains				X
Anderson	X				Reynolds	X			
Barels		X			Schroer		X		
Batie		X			Shields	X			
Clouse	X				Smathers	X			
Czaplewski	X				Smith	X			
Deines	X				Steffen	X			
Dunbar		X			Strauch		X		
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor		X		
Halligan	X				Thompson	X			
Knutson			X		Wilke	X			
Kraus	X				Wright				X
Palm				X	TOTALS	17	6	1	3

- No documentation was filed to obtain pre-approval for work-in-kind therefore no action was taken.
- The December Water Sustainability Fund application scoring list and funds available to commit were reviewed. No additional projects were approved and funded.

COMPREHENSIVE PLANNING COMMITTEE

Committee Chairman Barels reviewed the major changes by topic to the proposed changes and those proposed not to be changed, as well as additional proposed Guideline updates. Barels asked for feedback as he reviewed those items. He stated that the Committee has been unable to land on decisions for some of the items discussed like obtaining permits prior to making application and wants Commissioner and public input before drafting final recommendations.

The Commission authorized the Committee and the Department to proceed with the process of publishing the draft of proposed changes to the Water Sustainability Fund Rules (Title 261) and to schedule meetings to discuss and to listen to stakeholder input prior to the August Commission meeting with the following motion.

Knutson moved and Kraus seconded the motion to authorize staff to move forward with the rules change process and to schedule informal stakeholder information meetings across the state to discuss and obtain input on the changes being proposed as well as any others to Title 261.

Motion Passed.

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen	X				Rains				X
Anderson	X				Reynolds	X			
Barels	X				Schroer	X			
Batie	X				Shields	X			
Clouse	X				Smathers	X			
Czaplewski	X				Smith	X			
Deines	X				Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Sugden	X			
Hadenfeldt	X				Taylor	X			
Halligan	X				Thompson	X			
Knutson	X				Wilke	X			
Kraus	X				Wright				X
Palm				X	TOTALS	24	0	0	3

LEGISLATIVE COMMITTEE

Committee Chairman Dunbar encouraged Commissioners to talk to their legislative representatives about the work this body has done and the good projects that have been funded. Strauch also thanked everyone who had help promote the fund with their legislators this past year stating that their hard work paid off.

OTHER BUSINESS

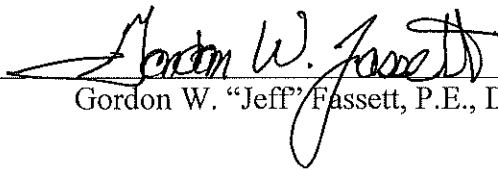
The Executive Committee met earlier today and is in the process of staffing the Scoring Committee for the next round of Water Sustainability Fund applications. The members of that committee will be announced at the August Commission meeting.

The next three meeting dates are August 30th & November 28, 2017, & February 21, 2018, in Kearney.

ADJOURNMENT

The meeting was adjourned at 3:42 p.m.


Dennis Strauch, Chairman


Gordon W. "Jeff" Fasset, P.E., Director