

**MINUTES OF THE
NEBRASKA NATURAL RESOURCES COMMISSION MEETING
STATE OFFICE BUILDING
301 Centennial Mall South - Lincoln Nebraska
July 9, 2009**

Those in attendance were:

Dick Hadenfeldt, Chair	Dean Edson, NARD	Rex Gittins, NDNR
Myron Lembke, Member	Dave Clabaugh, LBBNRD	Kent Zimmerman, NDNR
Clinton Johannes, Member	Lynn Webster, UNWNRD	Jill Richters, NDNR
Jim Van Marter, Member	Lyndon Vogt, UNWNRD	
Roger Korell, Member	Robin Foulk, NRCS	
Dave Kadlecek, Member		
Ladd Reeves, Member		
Vince Kramper, Member		
Beverly Donaldson, Member		
Joseph Hergott, Member		
Garry Anderson, Member		
Keith Rexroth, Member		
Dick Mercer, Member		
Larry Moore, Member		

CALL TO ORDER & ROLL CALL

The meeting was called to order by Commission Chairman Hadenfeldt in the Bordeaux Room, Chadron State College, Chadron, Nebraska, at 8:00 a.m. The following two members were absent: Nelsen and Watermeier.

NOTICE OF THE MEETING

Notice of the meeting was published on the Department's web site at www.dnr.ne.gov and a copy of the public meeting statutes was available for review in the room.

INFORMATIONAL MATERIAL

The following informational materials were distributed either prior to or during the course of the meeting, and a copy of each is attached to the file copy of the minutes.

1. Commission Meeting Agenda
2. Explanation Paper
3. Program Committee Working Agenda
4. DNR Fund Expenditures for May and June 2009
5. NRCS Report to the NRC July 2009
6. Nebraska Resources Development Fund Status Report(s)
7. Small Watersheds Flood Control Fund Status Report(s)
8. Soil & Water Conservation Fund Status Report
9. Natural Resources Water Quality Fund Status Report

10. Water Well Decommissioning Fund Status Report
11. NSWCP Fund Distribution Report
12. Interrelated Water Management Plan Program Report
13. Packet of Selected Legislative Resolutions
14. Annual Report & Plan of Work for the Nebraska Water Planning & Review Process
15. DNR brochure – Small Watersheds Flood Control Fund
16. DNR Brochure – Six State Funds...Nebraska's Natural Resources
17. UNWNRD Tour Agenda & Map
18. UNWNRD - Know Your NRD Brochure
19. NFS – Forest Fuels Conditions & Implications for Destructive Wildfires
20. NFS – Wood Energy Steam Plant
21. NFS – Forest Fuels Treatment Program

MINUTES

Minutes of the May 13-14, 2009, Commission and Committee meetings were approved.

Motion by Van Marter, seconded by Rexroth:

To approve the Minutes of the May 13, 2009, Program Committee meeting and Legislative & Budget Committee meeting; and the May 14, 2009 Natural Resources Commission meeting.
Motion Passed.

Aye: Kadlecek, Lembke, Reeves, Anderson, Mercer, Moore, Johannes, Hadenfeldt, Rexroth, Hergott, Van Marter Donaldson, Korell & Kramper
Nay: None
Abstain: None
Not Present: Nelsen and Watermeier

EXPENDITURES REPORT

Fund expenditures reports for the months of May & June, 2009, were distributed.

ADVISOR REPORTS

Natural Resources Conservation Service (NRCS)

Robin Foulk, NRCS District Conservationist, distributed a report dated July 2009, entitled "Natural Resource Conservation Service Report to the Nebraska Natural Resources Commission." Foulk reviewed highlights of the report.

- Most NRCS offices are working very hard at getting applications funded based on the allocations each District received. Contracts must be signed and the money obligated by August 3rd.
- There is a very active no-till organization NRCS & UNWNRD are involved with in Foulk's District.
- NRCS is funding two firms in the evaluation analysis of how effective the wetland restoration programs are.
- Two statewide Rangeland Technicians positions have been funded to help with range evaluations.

Nebraska Environmental Trust

Vince Kramper gave the following update.

- Project categories eligible for funding are reviewed every 5 years. The current list of categories was examined June 26th in Kearney, 108 citizens attended. The results of this meeting will be compiled at the July Environmental Trust meeting. The results will then be taken to District meetings for review.
- Next meeting will be July 30 & 31, 2009, at Ponca Park near South Sioux City.
- The Trust receives \$0.09 for every dollar sold which equates to about \$15 million a year available to the Trust.

University of Nebraska at Lincoln Water Center

Gary Stone, Extension Educator, Panhandle Research & Extension Center, gave a presentation during the cookout hosted by the Upper Niobrara – White NRD on July 8th at the Chadron State Park. No additional report was given at the Commission meeting.

DNR UPDATE

Director Dunnigan gave an update highlighting activities related to the recent Special Master's decision on the Republican River Arbitration at the cookout on July 8th. No additional report was given.

LEGISLATIVE & BUDGET UPDATE

Discussion focused on Legislative Resolution 181 for an interim study resolution to examine the feasibility and benefits of restructuring natural resources districts. Hearings held by the Natural Resources Committee of the Legislature held later this year may address this issue. Dean Edson, Executive Director of the Nebraska Association of Resources Districts, commented that the NRD managers intend to supply information to senators when the issue comes up. This should present an opportunity to showcase what the NRDs do, how efficient and effective NRDs are with the tools and financing available to them. Edson noted that national lawmakers have routinely complimented the Nebraska NRD structure for its effectiveness and efficiency in partnering with federal programs and getting local people involved in various projects. Although this may have been raised as a possible way to reduce property tax levels, Edson stated tax relief would be minimal since NRDs account for only two percent of the property taxes collected under the present structure. It was agreed that the Commission should offer written and verbal testimony in support of retaining the present NRD structure.

Motion by Moore, seconded by Johannes:

To authorize Commission members to present testimony/communicate the Commission's position supporting the current NRD structure.

Motion Passed.

Aye: Kadlecek, Lembke, Reeves, Anderson, Mercer, Moore, Johannes, Hadenfeldt, Rexroth, Hergott, Van Marter Donaldson, Korell & Kramper
Nay: None
Abstain: None
Not Present: Nelsen and Watermeier

PROGRAM COMMITTEE

Program Committee Chair Hergott reported the following comments and brought forward the following motions.

Nebraska Resources Development Fund

- Two Projects, Stevens Creek and Winslow levee were closed-out with the remaining unused project obligations being returned to available status.
- The balance available to obligate stands at \$73,341.52.
- The amount available for allocation stands at \$879,220.50.

Small Watersheds Flood Control Fund Status Report

- Interest of \$3,557.88 was received since the last meeting.
- Commissioners adopted a schedule to sell the west 80 acres of the Heidemann tract, while holding the remaining 320 acres for another year to allow for completion of an access route to a landlocked tract and of conservation work including grass buffer strips and tree plantings.
- *Hergott moved, Kramper seconded to establish the Revolving Fund Base for the Small Watersheds Flood Control Fund at \$498,654.39 for Fiscal Year 2010. Motion Passed.*

Aye: Kadlecek, Lembke, Reeves, Anderson, Mercer, Moore, Johannes, Hadenfeldt, Rexroth, Hergott, Van Marter Donaldson, Korell & Kramper

Nay: None

Abstain: None

Not Present: Nelsen and Watermeier

Soil & Water Conservation Program Fund

- The Department received a request from the State Forester to initiate action that would allow state funds to be used to supplement federal cost share on a special NRCS forestry program initiative. Because this request is similar to one rejected by the Administration less than two years ago, staff is reviewing with the Governor's Policy Research Office to assess whether or not Commission action to oblige this request would be likely to succeed. Normal activity reported. Fiscal Year 2010 allocations will include prior year allocations returned and forfeitures resulting from the unexpended fund balance exceeding \$1 million.

Natural Resources Water Quality Fund

- Normal activity reported.

Water Well Decommissioning Fund

- Normal activity reported. Allocations for Fiscal Year 2010 will be reduced due to lower activity (and associated fees) for new well registrations.

Interrelated Water Management Plan Program

- Project expenditures report distributed, normal activity reported.
- Contracts will be mailed to project sponsors at the end on July.

OTHER MATTERS

On July 8th, Commission members, staff and guests toured Cameco Resources – Crow Butte Uranium Mine Operation; Chadron State College’s Boiler House; and the Pine Ridge Forest Eco-system Restoration Project. The Upper Niobrara – White NRD arranged the tours and also hosted lunch and an evening cookout at Chadron State Park. All activities were well planned and coordinated.

Rexroth made a motion, seconded by Van Marter, to pass a resolution thanking Lyndon Vogt and his staff for hosting the Commission meeting, providing an excellent tour, all of the hospitality and good food.

Motion passed unanimously by voice vote of those present.

The *Annual Report and Plan of Work for the Nebraska State Water Planning and Review Process* was distributed for review and comment. Commissioners were asked to submit comments to Steve Gaul by August 15.

Terry Cartwright prepared two brochures, one on the Small Watersheds Flood Control Fund and another on all of the funds the Commission oversees, to help increase public awareness of how the funds are used and related benefits to the State. Additional brochures are available from the Department and on the DNR web site at www.dnr.ne.gov.

ANNOUNCEMENTS

- Anderson announced that the LENRD would like to host the July 2010 Commission meeting in Norfolk. Commissioners will set that meeting during the January Commission meeting.

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Meeting adjourned at 9:00 a.m.


N. Richard Hadenfeldt, NRC Chair


Brian P. Dunnigan, Director - DNR