

# NEBRASKA NATURAL RESOURCES COMMISSION

## DRAFT MEETING MINUTES – February 19, 2020

### Roll Call:

Commissioners		Absent	Present	Commissioners		Absent	Present
Amen	Karen	X		Kraus	Don	X	
Anderson	Garry	X		McDonald	Mike		X
Barels	Brian		X	Miller	John		X
Batie	Donald		X	Reynolds	Michael (Mick)		X
Bradley	Lawrence	X		Schroer	Lyle		X
Clouse	Stan	X		Shields	Jim		X
Czaplewski	Mark		X	Smathers	Scott	X	
Deines	Dave	X		Steffen	Jeff		X
Dunbar	Brad		X	Strauch	Walter Dennis		X
Fornoff	Kevin		X	Taylor	Loren		X
Hadenfeldt	N. Richard		X	Wilke	Greg		X
Halligan	Bill		X	Wright	Chad	X	
Heaston	John		X	(Livestock)	Vacant		
Knutson	Thomas	X					

### DNR staff in attendance:

Tim Freed, Kent Zimmerman, Emily Rose, and Jill Richters.

### Others in attendance were:

Mark Burbach, UNL

### CALL TO ORDER, ROLL CALL

Vice Chairman Steffen called the meeting to order at 1:30 p.m. in the Holiday Inn and Convention Center, Kearney, Nebraska, and asked Zimmerman to call the roll.

### NOTICE OF THE MEETING

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

### MINUTES

**Taylor moved and Batie seconded the motion to approve the minutes of the December 18<sup>th</sup>, 2019 Commission meeting.**

**Motion Passed.**

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen				X	Kraus				X
Anderson				X	McDonald	X			
Barels	X				Miller	X			
Batie	X				Reynolds	X			
Bradley				X	Schroer	X			
Clouse				X	Shields	X			
Czaplewski	X				Smathers				X
Deines				X	Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Taylor	X			
Hadenfeldt	X				Wilke	X			
Halligan	X				Wright				X
Heaston	X				(Vacant)				
Knutson				X	<b>TOTALS</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>9</b>

### **PUBLIC COMMENTS**

Vice Chairman Steffen opened the floor for public comments. Mark Burbach, University of Nebraska – Lincoln, distributed an information packet (attached) and discussed key aspects of the Nebraska Water Leaders Academy. Burbach noted some Commission members are past graduates of the Academy and invited others to consider applying for enrollment. Heaston raised the possibility that someone applying for a Water Sustainability Fund grant application could approach the Water Leaders Academy with the intent the current cohort could use the WSF application process as a project with the intent of improving the quality and completeness of the application.

### **DNR UPDATE & EXPENDITURES REPORT**

Freed stated Director Fassett is retiring, and a reception was scheduled for the afternoon of February 28<sup>th</sup> in the Lower Level of the State Office Building, everyone is invited. Freed also noted the Commission Fund Expenditures and Cash Funds Balance reports had been distributed prior to the meeting and asked if anyone had questions.

Commissioner Batie questioned how some of the fund balances were being reported and why there were discrepancies between the individual fund reports. Freed offered to look into that and report back. Batie also noted the interest reported within the Water Sustainability Fund and questioned if that money was available for distribution. Freed noted that current pending legislation proposes to transfer some of that interest out of this fund. Any remaining interest could then be used to fund projects when funding authority exceeded the cash balance.

### **PROGRAM COMMITTEE**

Because the Program Committee did not meet, staff led the discussion on agenda topics pertaining to program activities. No unusual activity was reported during review of status reports for the following funds. Vice Chair Steffen mentioned that Commissioners who are relatively new to the Commission may want to review the information for each fund that is available on the Commission's website.

#### **Resources Development Fund**

The status report showed business as usual.

#### **Small Watersheds Flood Control Fund**

This is currently an unfunded program.

#### **Soil & Water Conservation Program Fund**

The status report showed business as usual.

#### **Natural Resources Water Quality Fund**

A semi-annual funds distribution of \$640,000 will be made at the end of February 2020.

#### **Water Well Decommissioning Fund**

The status report showed business as usual.

#### **Water Sustainability Fund**

- The status report and closed out projects report showed business as usual.
- Batie noted the closed out projects were still listed on the active report. Staff will look into this and correct the report programing.

### **EXECUTIVE COMMITTEE**

Vice Chairman Steffen stated the Executive Committee met earlier on February 19<sup>th</sup>, and recommended holding Commission meetings on the following dates:

- May 6<sup>th</sup> in Kearney
- August 12<sup>th</sup> in Gering (with a project tour)

- November 30<sup>th</sup> in Gothenburg
- February 24<sup>th</sup> (2021) in Kearney

Vice Chair Steffen asked Commissioners to indicate their willingness to serve on committees in 2020 and if they are willing to serve as chair. This information will be forwarded to Chairman Smathers to review and make appointments.

The Executive Committee also discussed tasking the Program Committee with review of some of the WSF projects that appeared to be lagging behind.

McDonald suggested holding a mock instructional scoring session for a mock WSF application to assist new Commissioners and help them know what to look for and how to proceed. It was recommended this be an orientation/training type of meeting held separate from a Commission business meeting and to hold it near the time when the WSF applications are forwarded to Commissioners.

### **COMPREHENSIVE PLANNING COMMITTEE**

Committee Chairman Barels announced that the committee has not met since the December Commission meeting.

Rose announced that additional draft changes to the Commission's rules Titles 257, 259, 260, 262 and 263 had been distributed prior to the meeting and were available if anyone had not reviewed the changes. Rose requested the Commission take action to proceed with informal public comment, and barring any substantive comments, conduct the formal rulemaking process hearing. If any substantive public input was received, the Comprehensive Planning Committee would review those comments prior to moving forward with the formal rulemaking process.

Barels described each step, in the order that process must flow, with regard to advancing the changes into formal rules, and made the following motion.

**Barels moved and Miller seconded the motion to proceed with the rules revision and approval process for Titles 257, 259, 260, 262 and 263.**

**Motion Passed.**

Commissioner	Aye	Nay	Abstain	Absent	Commissioner	Aye	Nay	Abstain	Absent
Amen				X	Kraus				X
Anderson				X	McDonald	X			
Barels	X				Miller	X			
Batie	X				Reynolds	X			
Bradley				X	Schroer	X			
Clouse				X	Shields	X			
Czaplewski	X				Smathers				X
Deines				X	Steffen	X			
Dunbar	X				Strauch	X			
Fornoff	X				Taylor	X			
Hadenfeldt	X				Wilke	X			
Halligan	X				Wright				X
Heaston	X				(Vacant)				
Knutson				X	<b>TOTALS</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>9</b>

### LEGISLATIVE COMMITTEE

No report was given.

### GOVERNOR APPOINTEES' TERM EXPIRATION

Commissioners whose terms expire this spring were encouraged to reapply via an application on the Governor's website.

### OTHER BUSINESS

Richters reminded Commissioners to complete and submit Conflict of Interest Statements even if they are not seeking reappointment as the forms are for the previous year. The forms are due March 2, 2020.

Commissioners were updated on issues related to the Winslow RDF project and the potential for that village to come to the Commission with a request once the village decides whether they want to move.

Strauch gave an update on the Gering Ft-Laramie Tunnel Collapse and it was discussed as an option for the tour in August.

**ADJOURNMENT**

The meeting was adjourned at 3:09 p.m.

Attachments

UNL packet regarding Water Leaders Academy and Information

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DRAFT