

MINUTES OF THE  
NEBRASKA NATURAL RESOURCES COMMISSION MEETING  
AUGUST 15, 1996

Those in attendance were:

Robert Bell, Chair	Jason Kennedy
Vince Kramper, Member	Paul Rohrbaugh
Don Larson, Member	Gary Dorshorst
Glen Kroese, Member	Rob Glidden
Joseph Hergott, Member	Mike Pavel
Richard Jiskra, Member	Ron Daniels
Wilbur Nelson, Member	Norma Sitzman
Richard Mercer, Member	Larry Swanson
Donald Roberts, Member	Ed Albert
Clifford Welsh, Member	Dayle Williamson, Director
Robert Gifford, Member	Jim Cook, Staff
Roy Stewart, Member	Terry Kubicek, Staff
Frank Bartak, Member	Steve Gaul, Staff
Wayne Davis, Member	Tom Pesek, Staff
Jerry Vap	Gayle Starr, Staff
Wayne Heathers	

CALL TO ORDER

The meeting was called to order by Chair Robert Bell at 8:30 a.m. in the meeting room of the Country Kitchen Cafe in McCook, Nebraska.

Chair Bell thanked Commission member Don Roberts for hosting the Commission and making arrangements for the tour of the Republican River Basin on Wednesday. He added the tour had given him a much better appreciation of water conservation and irrigation projects in the Republican River Valley. He expressed the Commission's appreciation for everybody that was involved.

Bell noted that he had received a letter from the Mayor of Scribner and asked Williamson to read the letter as follows:

"Dear Bob:

This is the fourth time the City of Scribner has had to put in the flood gates on our dikes. The Lord only knows how much damage we would have had in town if it would not have been for the dike.

Also I would like to add that several of the farmers that were against the dike have told me that while they might be getting more water on their land, the water drains off so much faster that they are also receiving benefits from the dike. In closing I would again like to thank the Natural Resources Commission for their support of the Scribner Levee Project.

Sincerely,

Dennis W. Baumert, Mayor  
City of Scribner"

## NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL & STAR and the MCCOOK GAZETTE on August 8, 1996, notifying the public of the meeting.

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## INFORMATIONAL MATERIAL

The following items of informational material were distributed during the course of the meeting and a copy of each is attached to the file copy of the minutes.

1. Director's Report.
2. Nebraska Water Well Decommissioning Fund Report.
3. Soil and Water Conservation Fund Report.
4. Nebraska Resources Development Fund Present Financial Status.
5. Status of Small Watersheds Flood Control Fund.
6. Nebraska State Water Planning and Review Process-Percent of Total Budget by Work Item.
7. NRCS Report.

## MINUTES

Motion was made by Kramper and seconded by Gifford to approve the minutes of the June 13 and 14, 1996 Commission meetings as distributed. Motion carried.

Aye: Davis, Bartak, Kramper, Kroese, Stewart, Larson, Roberts, Hergott, Jiskra, Nelson, Mercer, Welsh, Gifford, Bell

Nay: None

Not Present: Shaughnessy, Watermeier

## EXPENDITURES

Motion was made by Larson and seconded by Davis to approve the expenditure report for May and June, 1996, as distributed. Motion carried.

Aye: Bartak, Kramper, Kroese, Stewart, Larson, Roberts, Hergott, Jiskra, Nelson, Mercer, Welsh, Gifford, Davis, Bell

Nay: None

Not Present: Shaughnessy, Watermeier

## DIRECTOR'S REPORT

Dayle Williamson noted that his report had been distributed to Commission members and noted that if members had any questions they could visit with him.

Williamson introduced Jerry Vap, the President of the National Association of Conservation Districts. Vap updated Commission members on the current status of implementation of the 1996 Farm Bill and responded to a number of questions about that legislation.

#### ADVISOR'S REPORT

Rob Glidden, NRCS Conservationist from Trenton, noted that he was filling in for State Conservationist, Steve Chick, who could not be in attendance today. He noted that a written report from Steve Chick was being distributed to Commission members. He then briefly updated Commission members on NRCS's implementation of the conservation provisions of the 1996 Farm Bill by NRCS.

#### ENVIRONMENTAL TRUST

Vince Kramper explained that a committee of the Trust Board is reviewing applications and that the Board will be meeting on October 22 to approve awards. He indicated that about five million dollars is available for awards. He added that the Board has taken action to provide that the application and award process will be earlier next year.

#### COMMISSION GOALS AND FUTURE ACTIVITIES

Williamson noted that he did not plan to take much time at this Commission meeting to work on this topic but noted that Commission members need to become involved in the implementation of the 1996 Farm Bill and particularly the conservation provisions of that act.

#### LB 1085 STUDIES

Gayle Starr reminded Commission members of the Commission's responsibility for two studies under that legislation. He noted that he had visited with some consultants about doing the second study called for by LB 1085 but that it appears the cost might be more than the Commission budget could handle.

#### COMPREHENSIVE PLANNING

Terry Kubicek and Steve Gaul described the Planning and Review Process annual report, budget and plan of work and responded to several questions about that report. Motion was made by Gifford

and seconded by Kramper to approve the annual report as distributed to Commission members. Motion carried.

Aye: Kramper, Kroese, Stewart, Larson, Roberts, Hergott, Jiskra, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Bell

Nay: None

Not Present: Shaughnessy, Watermeier

Bob Gifford stated that Commission members need to familiarize themselves with this report in order to be better informed about comprehensive planning activities and the work of the staff.

## PROGRAM COMMITTEE

Tom Pesek distributed the Resources Development Fund status report and briefly reviewed that report.

Norma Sitzman noted that Commission members had an opportunity on Wednesday to view the Enders Dam and hear the Bureau of Reclamation representatives describe the repair work that needed to be done in order for the dam to meet the requirements of the Federal Dam Safety Act. She indicated that the irrigation district would appreciate Commission support for their Resources Development Fund application to assist them in funding their portion of the repair work. That application will be considered by the Commission at a future date.

Tom Pesek noted that Commission members had received a copy of the Director's comments on the Wakefield Flood Control Levee Project proposal. Motion was made by Stewart and seconded by Gifford to advise the City of Wakefield that it may proceed with an application and feasibility report for the Wakefield Levee Project and that it is to address the comments and questions contained in the letter from the Director of Natural Resources. Motion carried.

Aye: Kroese, Stewart, Larson, Roberts, Hergott, Jiskra, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Kramper, Bell

Nay: None

Not Present: Shaughnessy, Watermeier

Bell noted that Commission members were interested in trying to secure increases in several Commission funds and that he felt it would be appropriate for the Commission to develop a comprehensive strategy on how they might work with the Governor and the Legislature in securing increases. He suggested that a two member committee to be chaired by Vince Kramper, with the second member selected by Kramper, could work with other Commission members to develop a budget strategy for the Commission. After some discussion a motion was made by Davis and seconded by Larson to authorize the Chair to appoint a two member committee to recommend a budget strategy for the Commission. Motion carried.

Aye: Stewart, Larson, Roberts, Hergott, Jiskra, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Kramper, Kroese, Bell

Nay: None

Not Present: Shaughnessy, Watermeier

Bell stated that Kramper would chair the committee and select the second member. He called on Commission members to provide Kramper with any information and ideas they might have.

Pesek distributed the Small Watersheds Flood Control Fund status report and noted that only approximately \$55,000 was available for additional commitments and that the Commission would be receiving requests yet this year that will far exceed that amount. Pesek noted that Commission members had been provided a memo that describes some alternatives that could be taken to help with that problem. Motion was made by Bartak and seconded by Gifford to provide assistance for both easements and fee title acquisitions at 50 percent of the appraisals and to consider fund requests in the order received. Motion failed.

Aye: Roberts, Hergott, Nelson, Mercer, Gifford, Bartak, Stewart

Nay: Larson, Jiskra, Welsh, Davis, Kramper, Kroese, Bell

Not Present: Shaughnessy, Watermeier

Motion was made by Bartak and seconded by Davis to provide assistance for easements and fee title acquisitions at 50% of the requested amounts and to consider requests on a priority basis. Motion carried.

Aye: Roberts, Hergott, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Kramper, Stewart, Bell

Nay: Jiskra, Kroese, Larson

Not Present: Shaughnessy, Watermeier

Paul Rohrbaugh, Manager of the Nemaha NRD, described several easement appraisals at Upper Little Nemaha, Site 5. Motion was made by Larson and seconded by Jiskra to approve the easement appraisals on (1) the Vernon Latrom property (52.3A) at \$60,738; (2) the Howard Rudolph property (42.9A) at \$29,988; (3) the Jeff Earl property (29.4A) at \$11,399; and approve the cost of raising Van Dorn Street in Cass County at a cost of \$37,626.85, all properties associated with Site 5 of the Upper Little Nemaha Watershed Project and commit 50 percent of each of the three easement appraisals and 50 percent of the cost of raising the Cass County Road. Motion carried.

Aye: Hergott, Jiskra, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Kramper, Kroese, Stewart, Larson, Roberts, Bell

Nay: None

Not Present: Shaughnessy, Watermeier

Tom Pesek noted that the Lamb tract at Upper Little Nemaha Site 34 is now scheduled for sale in January of 1997 but that the property is not in a condition that it would be most saleable and the recommendation of the staff and the NRD is that the Lamb tract at Upper Little Nemaha Watershed Site 34 be deleted from the 1997 sale schedule. Motion was made by Davis and seconded by Kramper to delete the Lamb Tract (80 acres) at Upper Little Nemaha Watershed Site 34 from the fiscal year 1997 sale schedule. Motion carried.

Aye: Jiskra, Nelson, Mercer, Welsh, Gifford, Davis, Bartak,  
Kramper, Kroese, Stewart, Larson, Roberts, Hergott, Bell  
Nay: None  
Not Present: Shaughnessy, Watermeier774

Gayle Starr noted that the Soil & Water Conservation Fund status report had been distributed to Commission members.

He added that in approving an amendment to the irrigation water management practice of the Soil and Water Conservation fund at the last meeting, the approval of buried pipeline to convert a gravity system to a center pivot system contained the provision that 70 percent of the land to be irrigated under the new pivot must have been irrigated under the previous gravity system but that the figure should have been 90 percent to be consistent with NRCS and CFSA guidelines. Motion was made by Nelson and seconded by Kramper to change the requirement from 70 percent to 90 percent. Motion carried.

Aye: Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Kramper,  
Kroese, Stewart, Larson, Roberts, Bell  
Nay: Hergott, Jiskra  
Not Present: Shaughnessy, Watermeier

Gayle Starr noted that the Water Well Decommissioning funds had been distributed to the 19 participating NRDs and that 902 wells had been decommissioned last year as compared to 907 the previous year.

#### NEXT MEETING

The next meeting of the Commission will be September 24 and 25 in Kearney.

#### ADJOURNMENT

The meeting was adjourned at approximately 11:00 a.m.

Chairman

Director of Natural Resources