

MINUTES OF THE NEBRASKA NATURAL RESOURCES COMMISSION

AUGUST 20, 1998

Those in attendance were:

Vince Kramper, Chair	Leroy Pieper, Member
Donald Roberts, Member	Mike Shaughnessy, Member
Joseph Hergott, Member	Clifford Welsh, Member
Richard Jiskra, Member	Ron Fleecs
Don Larson, Member	Randy Lee
Glen Kroese, Member	John Fauzy
Dale Waterier, Member	Terry Kubicek
Beverly Donaldson, Member	Alexandra Kubicek
Frank Bartak, Member	Dayle Williamson, Director
Roy Stewart, Member	Tom Pesek, Staff
Wayne Davis, Member	Gayle Starr, Staff
Richard Mercer, Member	Steve Gaul, Staff
LeRoy Pieper, Member	

CALL TO ORDER

The meeting was called to order by Commission Chair Vince Kramper in the meeting room of the Beatrice Inn in Beatrice, Nebraska at approximately 10:00 a.m.

NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL STAR and the BEATRICE SUN on August 12, 1998, notifying the public of the meeting.

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. Soil & Water Conservation Fund Expenditures.
2. Estimated Natural Resources Enhancement Fund Distribution - FY 1999.
3. Soil and Water Conservation Fund Report, July 2, 1998.
4. Copy of letter from Papio-Missouri River NRD requesting authorization to purchase tracts of land.
5. NRCS Report to NRCS and NARD

MINUTES

Motion was made by Davis and seconded by Roberts to approve the minutes of the June 25, 1998, Commission meeting as distributed. Motion carried.

Aye: Larson, Shaughnessy, Stewart, Kroese, Roberts, Hergott, Jiskra, Watermeier, Mercer, Welsh, Davis, Donaldson, Pieper, Bartak, Kramper
Nay: None

EXPENDITURES

Motion was made by Roberts and seconded by Stewart to approve the expenditures for June, 1998, as distributed. Motion carried.

Aye: Shaughnessy, Stewart, Kroese, Roberts, Hergott, Jiskra, Watermeier, Mercer, Welsh, Davis, Donaldson, Pieper, Bartek, Larson, Kramper
Nay: None

ENVIRONMENTAL TRUST

Richard Mercer reported the Environmental Trust Board had just held their annual retreat at Niobrara State Park and among other things had discussed the follow-up on previously approved projects and management of current projects. He added that because of increased interest in the lottery and the increase in the percentage of lottery proceeds received by the Environmental Trust, the Trust may have as much as 12 million dollars to distribute this year. Vince Kramper noted that applications are to be received by September 8.

PLATTE RIVER ACTIVITIES

Dayle Williamson commented on the water tour sponsored by the Kearney Chamber of Commerce that had included areas in Colorado and Kansas in the Arkansas and Republican River Basins and had focused on the lawsuits involving those two river basins. He noted that it was a good tour and provided some tour participants with additional information about the Republican Basin lawsuit which they had not previously known.

LB 1085 REPORT

Kramper reviewed the highlights of the draft report provided to Commission members and Steve Gaul and Gayle Starr noted some minor changes that they suggested should be made in their report. Motion was made by Davis and seconded by Jiskra to approve the report to include the changes discussed which do not change the intent of the report in any way. Motion carried.

Aye: Stewart, Kroese, Roberts, Hergott, Jiskra, Watermeier, Mercer, Welsh, Davis, Donaldson, Pieper, Bartak, Larson, Shaughnessy, Kramper
Nay: None

PROGRAM COMMITTEE

Gayle Starr distributed the Soil and Water Conservation Status Report and briefly reviewed it.

Starr noted that the Attorney General has approved the Rules and Regulations for the Republican River Basin water meter program and that the Lower Republican and Tri-Basin NRDs are making progress on their rules and regulations but have not yet approved them. Starr discussed the need for the Commission to establish costs used for purposes of the Republican River Basin water meter program. He added that the staff recommendation was that the NRCS average cost serve as the cost "cap" for reimbursement purposes for the price of the meter only and that actual and reasonable installation costs also be authorized for payment. He added that NRDs would need to provide some oversight to be sure that the installation costs claimed are in fact reasonable and proper. Motion was made by Roberts and seconded by Bartak to utilize NRCS average costs along with reasonable installation costs as the basis for determining reimbursement rates for the Republican River Basin water meter program. Motion carried.

Aye: Kroese, Roberts, Hergott, Jiskra, Watermeier, Mercer, Welsh, Davis, Pieper, Bartak, Shaughnessy, Stewart, Kramper
 Nay: Larson, Donaldson

Tom Pesek discussed both the Resources Development Fund Status Report and Quarterly Report. He also noted that as a result of Commission action in June to eliminate the staff rating process in the annual Resources Development Fund priority process, draft amendments to the rules and regulations have been made to carry out that change. He added that the staff was proposing that unless there were Commission objections, these rules and regulations would be forwarded to NRDs and other sponsors for their review and that a hearing will be scheduled at a later Commission meeting. No objections were voiced.

Pesek discussed the Small Watersheds Flood Control Fund Status Report. Pesek noted that the Papio-Missouri River NRD had submitted a request to purchase ten tracts of land totalling 49.89 acres that had been purchased with Small Watersheds Flood Control funds. He added that the tracts had been appraised at a total value of \$46,520 and the NRD has agreed to reimburse the Commission for that appraised value. Randy Lee, representing the Papio Missouri River NRD, briefly explained uses which the NRD would make of these tracts. He explained that they were all extremely small tracts and would generally be of limited use and used only as part of the operation of the projects. Motion was made by Jiskra and seconded by Watermeier to approve the request of the Papio-Missouri River NRD to purchase the ten tracts of land purchased with the Small Watersheds Flood Control fund at an appraised value for the ten tracts of \$46,520.

Motion carried.

Aye: Roberts, Hergott, Jiskra, Watermeier, Welsh, Davis, Donaldson, Pieper, Bartak, Larson, Shaughnessy, Stewart, Kroese, Kramper
 Nay: None
 Not Present: Mercer

Gayle Starr briefly reviewed the status report for the Water Well Decommissioning Fund and the Water Resources Enhancement Fund.

COMPREHENSIVE PLANNING COMMITTEE

Cliff Welsh noted that all Commission members had been present for the Comprehensive Planning Committee held earlier and that the only item of action from the committee was approval of the Annual Report and Plan of Work for the State Water Planning and Review Process. Motion was made by Welsh and seconded by Roberts to approve the annual report and Plan of Work for the State Water Planning and Review Process. Motion carried.

Aye: Hergott, Jiskra, Watermeier, Mercer, Welsh, Davis, Donaldson, Pieper, Bartak, Larson, Shaughnessy, Stewart, Kroese, Roberts, Kramper
 Nay: None

REQUESTED AGENDA ITEMS

Clifford Welsh noted that the Comprehensive Planning Committee had discussed the possibility of updating the Policy Issue Studies done by the Commission a number of years ago. He asked that discussion of updating those policy issue studies be included on the agenda for the next Commission meeting.

Dale Watermeier asked that an item be on the Commission agenda for the next meeting to discuss a possible retreat for the Commission to discuss future activities of the Commission.

Commission Chair, Vince Kramper noted that at the last meeting action was taken to discuss possible changes to the distribution formula for the Soil and Water Conservation Fund. He indicated that he was appointing a committee to be chaired by Clifford Welsh that would include Commission members Frank Bartak and Don Larson. He added that Commission staff members and NRCS staff members would be providing assistance to the committee and that he would be visiting with the Chair of the NRD Managers Committee, John Miyoshi, about possible participation by NRD managers.

COMMENTS BY TERRY KUBICEK

Terry Kubicek, former Deputy Director of the Commission, asked to speak to the Commission at the conclusion of the meeting. He noted he had been relieved of his duties over a disagreement on the proposed Western Sarpy County Levee Improvement Project. He suggested if the levee goes in as proposed, the Lincoln well field, Camp Ashland, and Thomas Lakes will flood and there is always a potential of death from such floods. He encouraged the Commission to look into the project and recommended stopping the levee as currently proposed. He asked that the Commission consider a letter to the Corps of Engineers to ask them for a very honest and straight-forward evaluation of the flooding potential on both sides of the river with and without the proposed Western Sarpy County Levee in place. He also suggested a letter to the Governor pointing out these concerns. He concluded by noting that he had very much enjoyed working with the Commission.

NEXT MEETING

The next meeting of the Commission will be the afternoon of September 29 in Kearney in conjunction with the NARD conference.

ADJOURNMENT

The meeting was adjourned at approximately 11:30 a.m.

Chairman

Director of Natural Resources