

MINUTES OF THE NEBRASKA NATURAL RESOURCES COMMISSION

DECEMBER 10, 1998

Those in attendance were:

Vince Kramper, Chair	Marlin Petermann
Beverly Donaldson, Member	Ben Higgins
Dale Watermeier, Member	Tom Mountford
Don Larson, Member	Kathy Vasa
Glen Kroese, Member	Jim McDermott
Richard Jiskra, Member	Glenn Johnson
Joseph Hergott, Member	Dayle Williamson, Director
Donald Roberts, Member	Jim Cook, Staff
Clifford Welsh, Member	Tom Pesek, Staff
Frank Bartak, Member	Gayle Starr, Staff
LeRoy Pieper, Member	
Wayne Davis, Member	
Roy Stewart, Member	
Richard Mercer, Member	
Ron Nelson, Member	

CALL TO ORDER

The meeting was called to order in Lower Level, Conference Room C in the Nebraska State Office Building in Lincoln, Nebraska, by Commission Chair, Vince Kramper, at approximately 10:00 a.m.

PUBLIC NOTICE

Notice of the meeting was placed in the LINCOLN JOURNAL STAR on December 2, 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. Natural Resources Conservation Service Report to the Nebraska Natural Resources Commission and Nebraska Association of Resources Districts, October 1998.
2. Soil & Water Conservation Fund Report.
3. Nebraska Resources Development Fund Present Financial Status Report.
4. Small Watersheds Flood Control Fund, Status of Fund Report.
5. Natural Resources Enhancement Fund Receipts.
6. Caucus Schedule and Agenda.
7. Comprehensive Planning Committee Minutes.
8. Minutes of the Program Committee Meeting.
9. Nebraska Resources Development Fund Project Proposal – Floodway Purchase Program – Pilot Project, prepared

by Papio-Missouri River NRD, Nov. 1998

MINUTES

Motion was made by Roberts and seconded by Jiskra to approve the minutes of the October 29, 1998, Commission meeting as distributed. Motion carried.

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

Nay: None

Not Present: Shaughnessy

EXPENDITURES

Motion was made by Stewart and seconded by Roberts to approve the expenditure report for October and November, 1998, as distributed Motion carried.

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

Nay: None

Not Present: Shaughnessy

ADVISOR'S COMMENTS

NRCS state conservationist, Steve Chick, distributed a report to the Commission highlighting a number of NRCS activities and briefly commented on the CRP sign-up and the views of the State Technical Committee on animal feeding operations technical assistance. He also distributed a workload analysis which briefly summarized the various activities that the NRCS staff is involved with.

ENVIRONMENTAL TRUST

Richard Mercer reported that the application ranking process is proceeding and that the Trust Board will have approximately \$13 million to distribute early next year.

PLATTE & REPUBLICAN RIVER ACTIVITIES

Dayle Williamson reported that there was not a lot to report on either issue but the work activities of the various participants are proceeding. He added that the Land Committee involved with the Platte River issue is struggling to get organized and develop a mission.

NATURAL RESOURCES COMMITTEE HEARING

Vince Kramper reported that he had testified at the Legislative Natural Resources Committee hearing on the LB 1085 report on November 21 in York. He added that the hearing went well and that committee members seemed to be interested in pursuing some of the recommendations of the Commission included in the LB 1085 report. He added that the Natural Resources Enhancement Fund had also been the subject of a part of the hearing and that the committee was interested in testimony from the NRDs as to how they were utilizing these funds.

LEGISLATIVE ISSUES

Jim Cook indicated that he was aware of only two legislative issues that will likely come up during the next session. He noted that NARD had adopted a resolution proposing legislation that would allow NRDs to regulate groundwater wells with a capacity of less than 50 gallons per minute. He added that as a result of some interim legislative work there will likely be some legislation proposed regarding water marketing. Dick Mercer added that he was aware that there will likely be legislation introduced limiting NRD authority on recreation.

PROGRAM COMMITTEE

Commission Chair, Richard Jiskra, noted that the committee had met Wednesday afternoon. The first item of business was a review of the Resources Development Fund Financial Status Report.

Jiskra called on Marlin Petermann, representing the Papio-Missouri River NRD, who along with Ben Higgins of the NRD staff, briefed the Commission on the NRD's floodway purchase project that has been submitted for Resources Development Fund consideration.

Tom Mountford, representing the Lower Platte North NRD, briefed the Committee on the Skull Creek Project and noted that land treatment completed above structure 55 of that project has now reached the required 75 percent minimum and that they will therefore be requesting funding for that project for the next fiscal year.

Jiskra indicated that the hearing on the Resources Development Fund rule and regulation amendments had been held on Wednesday afternoon but that no testimony had been presented. Motion was made by Jiskra and seconded by Larson to adopt the proposed amendments to the Resources Development Fund Rules and Regulations. Motion carried.

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

Jiskra stated that Tom Pesek had reviewed the Small Watersheds Flood Control Fund status report with the committee and also had briefed the committee on the two land sales scheduled for January 13, 1999.

Jiskra explained that Tom Pesek and Paul Rohrbaugh had explained the Nemaha NRD's request to modify the Small Watersheds Flood Control Fund agreement involving Structure Sites 34 and 36 of the Upper Little Nemaha Watershed and had briefed the committee on an easement appraisal and fee title appraisal on two properties at Upper Little Nemaha Site 36. Motion was made by Jiskra and seconded by Larson to approve the amended agreement of the Nemaha NRD for use of the Small Watersheds Flood Control Fund at sites 34 and 36 of the Upper Little Nemaha Watershed and authorize the Director of Natural Resources to sign the agreement. Motion carried.

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

Motion was made by Jiskra and seconded by Larson to approve the appraisal on (1) the Paul and Mary Stedman tract (55.5 acres) and commit 50 percent of \$41,120, or \$20,560 for easement, and (2) the Eileen Lamb tract (80 acres) and commit 100 percent of \$108,400 for fee title, both tracts at Upper Little Nemaha Site 36. Motion carried.

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

Not Present: Shaughnessy

Jiskra added that the Natural Resources Enhancement Fund receipts report and the Soil and Water Conservation Fund Status Report had been distributed to committee members and briefly discussed. He added that the committee had also had some discussion on related activities involving tree planting, recreation, and alternate funding for flood control projects.

SOIL & WATER CONSERVATION FUND SPECIAL COMMITTEE

Frank Bartak reported that the committee had discussed a number of issues, including a survey of NRD managers that Ron Fleecs had conducted and some additional information on distribution of funds prepared by Dennis Schueth but that the committee had not arrived at any recommendations. He added that the committee would meet again in January.

COMPREHENSIVE PLANNING COMMITTEE

Committee Vice Chair, Beverly Donaldson, reported that Steve Gaul had reported on the progress of a number of Comprehensive Planning activities including the Lower Platte River and Tributaries Feasibility Study, the Lower Platte Alliance, the Floodplain Mapping Program being developed and the Bureau of Reclamation Water Supply Study. She also noted that Rich Kern had reported on work on the Platte River Cooperative Agreement regarding groundwater and that Steve McMaster had briefed the committee on the Flood Mitigation Assistance Program. She also indicated that Mahendra Bansal had updated the committee on a number of Data Bank activities.

COMMISSION MEMBER SELECTION CAUCUSES

Gayle Starr explained that the terms of seven of the Basin representatives on the Commission would expire in January and that caucuses would need to be held to select Commission members representing those basins. He distributed a proposed schedule, agenda, and guidelines for the caucuses. Motion was made by Watermeier and seconded by Larson to approve the proposed schedule, guidelines, and agenda for the Commission member selection caucuses. Motion carried.

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

Nay: None

Not Present: Shaughnessy

NEXT MEETING

Commission Chair, Kramper, noted that the next meeting would be in connection with the NARD Legislative Conference and he indicated that the staff would try to schedule all necessary committee meetings and the Commission meeting for the afternoon of January 27, 1999, in Lincoln. There were no objections and he asked that the staff try to schedule the meetings for January 27.

Jim Cook noted that there would likely be a need to spend some time discussing the various legislative bills that would be introduced by that time.

ADJOURNMENT

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

Chairman

Director of Natural Resources