

# MINUTES OF THE NEBRASKA NATURAL RESOURCES COMMISSION

OCTOBER 29, 1998

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## Those in attendance were:

Vince Kramper, Chair  
Beverly Donaldson, Member  
Glen Kroese, Member  
Richard Jiskra, Member  
Joseph Hergott, Member  
Donald Roberts, Member  
Richard Mercer, Member  
Clifford Welsh, Member  
LeRoy Pieper, Member  
Frank Bartak, Member  
Ron Nelson, Member  
Mike Shaughnessy, Member  
Roy Stewart, Member  
Wayne Davis, Member  
Dale Watermeier, Member

Rod Horn  
Dennis Schueth  
Harold Klage  
Ron Fleecs  
Paul Zillig  
Eugene Glock  
Milton Moravek  
Ed Haffke  
Dean Edson  
Dayle Williamson, Director  
Steve Gaul, Staff  
Jim Cook, Staff  
Tom Pesek, Staff  
Gayle Starr, Staff

## CALL TO ORDER

The meeting was called to order at approximately 10:15 a.m. by Commission Chair, Vince Kramper, in the meeting room of the Lower Platte South NRD at Lincoln, Nebraska.

## PUBLIC NOTICE

Notice of the meeting was placed in the LINCOLN JOURNAL STAR on October 21, 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 District Water Quality Expenditures.
6. Semi-Annual Review of NRDF Projects, Oct. 28, 1998.
7. Summary of Auctioneer Bids for FY 99 Sale.
8. Comprehensive Planning Committee Minutes.
9. Minutes of the Special Committee on NSWCP Allocation Formula.
10. Minutes of the Program Committee Meeting.
11. Natural Resources Enhancement Fund Distribution - September 1998.

## **MINUTES**

Motion was made by Stewart and seconded by Pieper to approve the minutes of the September 29, 1998, Commission meeting as distributed. Motion carried.

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

Nay: None

Not Present: Larson

## **EXPENDITURES**

Motion was made by Roberts and seconded by Jiskra to approve the expenditure report for September, 1998, as distributed Motion carried.

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

Nay: None

Not Present: Larson

## **ADVISOR'S COMMENTS**

Harold Klaege, representing NRCS, distributed a report and made some brief comments concerning the Conservation Reserve Program, the Environmental Quality Incentive Program, animal feeding operations, and comments made at a recent Roundtable session held in Kearney.

## **ENVIRONMENTAL TRUST**

Richard Mercer reported that the Environmental Trust had received about 150 applications totaling about \$50,000,000 in the last round of applications. He added that the Trust has about \$13,000,000 to allocate at this time. He indicated that he and Dayle Williamson were both serving on a committee to review the applications and make recommendations to the full Board.

## **PLATTE & REPUBLICAN RIVER ACTIVITIES**

Jim Cook made some brief comments regarding activities on the Platte and Republican Rivers issues indicating the work of the various committees involved in the Platte River Cooperative Agreement was proceeding and that a decision as to whether the U.S. Supreme Court would accept the lawsuit filed by Kansas against Nebraska regarding the Republican River would probably not be made until sometime next year.

## **LEGISLATIVE ISSUES**

Jim Cook distributed a schedule of legislative committee hearings on interim studies and indicated that the Commission needs to be represented at the Natural Resources Committee hearing in York regarding the LB 1085 report. Cook added that Dale Watermeier had requested an agenda item regarding amendment 413 on the November 3 election ballot. He added that the Commission members had been provided a UNL Extension Service summary of all of the amendments on the ballot, including 413. He also distributed a full text of Amendment 413 to Commission members. Dale Watermeier indicated that he had asked for this item on the agenda so that Commission members could be fully informed and that he felt it was an important issue but that he didn't feel it was necessary for the Commission to take any action in that regard.

## **PROGRAM COMMITTEE**

Commission Chair, Richard Jiskra, indicated that Tom Pesek had reviewed the Resources Development Fund Financial Status Report and quarterly report with the committee. He added that in the semi-annual review of projects, Pesek had explained that the Lower Wood River/Upper Warm Slough Flood Control Project had not been reauthorized by Congress and in accordance with previous Commission action, the funds obligated for that project are automatically rescinded.

Milton Moravek of the Central Platte NRD indicated that funds had been appropriated for the project but that the reauthorization had not taken place because of questions regarding another part of the Water Resources Development Act. Moravek indicated that it was likely that the Senate would pass the authorization bill early in the

next session.

Gene Glock, representing Senator Kerrey, indicated that it appeared as though the Senate would approve the Water Resources Development Act early in the next session but that he could not speak for the House of Representatives. Moravek asked that the Commission hold the funds obligated for the Wood River/Warm Slough Project until April of 1999.

No Commission action was taken but it was the consensus of the Commission that the funds previously obligated to the Wood River/Warm Slough Project should be held until April of 1999 to allow time for Congressional reauthorization.

Jiskra explained that Pesek had reviewed the Small Watersheds Flood Control Fund status report and the bids received for auctioneering services for the two properties to be sold in January of 1999.

Motion was made by Jiskra and seconded by Davis to accept the bid of Don Vrana (2.0 percent of the sale price if the high bid is accepted and 0 dollars if the high bid is rejected) for the auction of the Scheerer tract (5.52 acres) at Upper Little Nemaha Site 26 and the Lamb tract (80 acres) at Upper Little Nemaha Site 34. Motion carried.  
Aye: Watermeier, Mercer, Welsh, Davis, Donaldson, Pieper, Bartak, Shaughnessy, Stewart, Kroese, Roberts, Nelson, Hergott, Jiskra, Kramper  
Nay: None  
Not Present: Larson

Jiskra indicated that status reports of the Nebraska Natural Resources Enhancement Fund and the Soil and Water Conservation Fund had been distributed at the committee meeting and briefly reviewed.

He indicated that requests had been received from the Tri-Basin and Nemaha NRDs for survey and mapping assistance on projects in their respective NRDs.

Motion was made by Jiskra and seconded by Bartak to approve the request of the Tri-Basin NRD for survey assistance in the Sacramento Watershed and to establish the cost estimate of \$22,830 as a basis for reimbursement by the NRD of 50 percent of the estimated cost or 50 percent of the actual cost, whichever is less. Motion carried.  
Aye: Mercer, Welsh, Davis, Donaldson, Pieper, Bartak, Shaughnessy, Stewart, Roberts, Nelson, Hergott, Jiskra, Watermeier, Kramper  
Nay: None  
Not Present: Larson

Motion was made by Jiskra and seconded by Hergott to approve the request of the Nemaha NRD for survey and mapping assistance on two structure sites on Buck and Duck Creeks and to establish the cost-estimate of \$7,372.35 as a basis for reimbursement by the NRD of 50 percent of the estimated cost or 50 percent of the actual costs, whichever is less. Motion carried.  
Aye: Welsh, Davis, Donaldson, Pieper, Bartak, Shaughnessy, Stewart, Kroese, Roberts, Nelson, Hergott, Jiskra, Watermeier, Mercer, Kramper  
Nay: None  
Not Present: Larson

Jiskra explained that Commission members had been provided hearing testimony concerning the merger of Drainage District No. 5 in Dakota County with the Papio-Missouri River NRD. Motion was made by Jiskra and seconded by Roberts to adopt the order approving the proposed merger of Drainage District No. 5 in Dakota County with the Papio-Missouri River NRD. Motion carried.  
Aye: Davis, Donaldson, Pieper, Bartak, Shaughnessy, Stewart, Kroese, Roberts, Nelson, Hergott, Jiskra, Watermeier, Mercer, Welsh, Kramper  
Nay: None  
Not Present: Larson

## **SOIL & WATER CONSERVATION FUND SPECIAL COMMITTEE**

Clifford Welsh indicated that the committee had met earlier this morning and had discussed a number of topics and would be meeting again in December. He added that Ron Fleecs, representing the NRDs, had distributed a questionnaire to the NRDs regarding the operation of the fund and when that information is available it will be shared with Commission members.

#### **COMPREHENSIVE PLANNING COMMITTEE**

Committee Chair, Cliff Welsh, explained that Rich Kern had provided a report to the committee on the Platte River Cooperative Hydrology Study which will provide physical information on groundwater and surface water relationships in the Platte Basin above Columbus. The study is to provide information to help Nebraska meet its obligations under the Cooperative Agreement.

He added that Steve Gaul had provided the committee with a progress report on the Lower Platte River Tributaries Study and the operation and activities of the Platte River Alliance.

Welsh stated that Mahendra Bansal had updated the committee on Data Bank activities, including progress of digitizing soil surveys to SSURGO standards and the status of DOQs.

#### **ANNOUNCEMENTS, FUTURE MEETINGS AND REQUESTS FOR AGENDA ITEMS**

It was suggested that after the election in November it would be appropriate for a delegation of Commission members to visit with the Governor-elect or his representatives to discuss Commission appropriations and other areas of interest.

#### **NEXT MEETING**

The next meeting of the Commission will be December 9 and 10, 1998, in Lincoln.

#### **ADJOURNMENT**

The meeting was adjourned at approximately 11:40 a.m.

Chairman Director of Natural Resources