

MINUTES OF THE NEBRASKA NATURAL RESOURCES COMMISSION MEETING

JUNE 17, 1999

Those in attendance were:

Wayne Davis, Chair	Dan Wiley
Don Roberts, Member	Steve Chick
Dale Watermeier, Member	Steve Oltmans
Don Larson, Member	Milton Moravek
Richard Jiskra, Member	Dayle Williamson, Director
Joseph Hergott, Member	Jim Cook, Staff
Wayne Madsen, Member	Tom Pesek, Staff
Roger Korell, Member	Gayle Starr, Staff
Jim Van Marter, Member	
Robert Hahn, Member	
LeRoy Pieper, Member	
Vince Kramper, Member	
Richard Mercer, Member	
Frank Bartak, Member	

CALL TO ORDER

The meeting was called to order by Commission Chair Wayne Davis in the conference room of the Papio-Missouri River Natural Resources District office in Omaha.

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PUBLIC NOTICE

Notice of the meeting was placed in the LINCOLN JOURNAL STAR on June 9, 1999, 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, May, 1999.
2. Soil & Water Conservation Fund Report.
3. Nebraska Resources Development Fund Present Financial Status Report.
4. NRDF Quarterly Report – Project Listing Update.
5. Small Watersheds Flood Control Fund, Status of Fund Report.
6. SWFCF, Inventory of Fee Title Lands.

7. NE Soil & Water Conservation Fund Republican Basin Water Meter Program Summary.
8. NSWCP – NRD Responses to Request for a Summary of Their NSWCP Applications for a One-Year Period.
9. NSWCP Fund Distribution 1999-2000, Proposed.
10. Natural Resources Enhancement Fund Receipts.

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MINUTES

Motion was made by Kramper and seconded by Jiskra to approve the minutes of the May 5 & 6, 1999, Commission meetings as distributed. Motion carried.

Aye: Kramper, Korell, Madsen, Van Marter, Roberts, Hahn, Hergott, Jiskra, Watermeier, Mercer, Pieper, Bartak, Larson, Davis

Nay: None

Not Present: Donaldson, Stewart

EXPENDITURES

Motion was made by Roberts and seconded by Korell to approve the expenditure report for April and May 1999, as distributed. Motion carried.

Aye: Korell, Madsen, Van Marter, Roberts, Hahn, Hergott, Jiskra, Watermeier, Mercer, Pieper, Bartak, Larson, Kramper, Davis

Nay: None

Not Present: Donaldson, Stewart

ADVISOR'S COMMENTS

Steve Chick distributed some informational material and commented briefly on the progress of digitizing soil survey information, some watershed brochures, and proposed federal legislation to authorize and fund rehabilitation of older watershed structures.

DIRECTOR'S REPORT

Dayle Williamson commented that the resignations of Brian Dunnigan and Roger Dufresne left two significant vacancies and the Commission would be trying to replace them in the near future. He noted that the agency was hosting an open house to celebrate the completion of the DEM/DOQ project this afternoon in the office in Lincoln. Williamson added that he had attended the Northern Plains NACD meeting last week in Manhattan, Kansas and had visited with Kansas representatives about the possibility of a coordinated Nebraska-Kansas Study relating to water quality in the Blue River Basins. Dale Watermeier also briefly commented on the NACD meeting in Manhattan, Kansas that he had

also attended.

ENVIRONMENTAL TRUST

Richard Mercer noted that the funding grants approved by the Environmental Trust Board earlier this year were now being dispersed to the various sponsors across the state. He added that a series of meetings was being held by the Board to obtain input on the activities of the Trust.

PLATTE RIVER ACTIVITIES

Dayle Williamson commented briefly on the activities of the Governance Committee and noted that Governor Johanns was appointing a 23 member advisory committee relating to the Platte River Basin. Williamson added that the Nebraska Foundation would be handling some of the financial matters for the Platte River Cooperative Agreement. Jim Cook noted that the special master's memorandum on the Nebraska versus Wyoming case had recently been released but that he felt the memorandum was relatively vague in its findings.

REPUBLICAN RIVER ACTIVITIES.

Cook explained the various suits, countersuits, and responses to them that had been filed in this case. He added that he expected a special master to be named in the near future.

COMPREHENSIVE PLANNING COMMITTEE

Don Roberts noted that Steve Gaul had briefed the committee on the Lower Platte Feasibility Study, SSURGO soils mapping, the Bureau of Reclamation water quality study, and providing some assistance to the Western Governors' Association. He added that Steve Gaul had advised the committee that the Annual Report and Plan of Work would be sent to the Commission for review and approval at the August meeting. Roberts added that Steve McMaster had briefed the committee on flood mitigation planning and had described some federal funding available for some communities for planning and buy-outs.

LEGISLATIVE COMMITTEE

Jim Cook distributed his final legislative report and responded to several questions. He also noted some legislative resolutions involving the Commission and specifically described L.R.108, relating to the merger of natural resources agencies, L.R. 224, relating to the fertilizer fee and L.R. 233, relating to the Commission's planning and review process program.

PROGRAM COMMITTEE

LeRoy Pieper explained that Tom Pesek had reviewed the Resources Development Fund Financial Status report and the quarterly report for the committee. He added that Tom and Don Meisner had reviewed the Wakefield Project and noted that the Director was recommending the cost-share rate on the Wakefield Project be reduced from 70 percent to 60 percent because they have been approved for a FEMA grant of \$760,050. He added that this recommended change would put this project in line with several other similar projects in recent years that have also received federal funds.

Motion was made by Pieper and seconded by Korell to recommend that the Commission reduce the allocation and cost-share rate for the Wakefield Levee Project to \$317,432.40 not to exceed 60% of the eligible non-federal eligible project costs (\$459,950) and the feasibility study costs (\$691,104) which total \$529,054.

Aye: Madsen, Van Marter, Roberts, Hahn, Hergott, Jiskra, Watermeier, Mercer, Pieper, Bartak, Larson, Kramper, Korell, Davis

Nay: None

Not Present: Donaldson, Stewart

Pieper explained that the Commission would need to make two separate motions relating to the obligation of Resources Development Funds for the next year. He added the first action would be to establish project components and the second would be to make the obligations to each project. Motion was made by Pieper and seconded by Kramper to recommend that the Commission establish the following components:

Project	Project Component	Request for FY 2000	
Weeping Water	15. Land Rights for Dam 7g	\$590,499.00	
Wakefield Levee	1. Feasibility Study	51,600.00	
	2. Final Design	37,800.00	
	3. R-O-W Acquisition (Partial)	49,500.00	
Lower Wood River/ Upper Warm Slough	1b. Land and Easements	764,240.00	
	3a. Bridges and Culverts	638,985.00	
Upper Little Nemaha	6. Design of Sites 23, 36, and 59	39,642.20	
	7a. Construction of Site 26	57,549.24	
	12. Construction of Sites 42, 50, and 63	159,720.94	

Skull Creek, Site #55	1. Feasibility Study	5,548.00	
	2. Design of Dam and Recreation Facilities	38,280.00	
	3. Land Rights Acquisition	137,660.00	
Gering Canal, Phase III	1. Engineering and Construction	197,717.00	
TOTAL:			

Motion carried.

Aye: Madsen, Van Marter, Roberts, Hahn, Hergott, Jiskra, Watermeier, Mercer, Pieper, Bartak, Larson, Kramper, Korell, Davis

Nay: None

Not Present: Donaldson, Stewart

Motion was made by Pieper and seconded by Watermeier to recommend that the Commission obligate FY 2000 funds as follows:

Project	Project Component	Request for FY 2000		Total Cost
Weeping Water	15. Land Rights for Dam 7g	\$590,499.00		
				\$787,332.00
Wakefield Levee	1. Feasibility Study	51,600.00		
	2. Final Design	37,800.00		
	3. R-O-W Acquisition (Partial)	49,500.00		
				231,500.00
Lower Wood River/ Upper Warm Slough	1b. Land and Easements	764,240.00		
	3a. Bridges and Culverts	638,985.00		

				\$2,338,708.33
Upper Little Nemaha	6. Design of Sites 23, 36, and 59	39,642.20		
	7a. Construction of Site 26	57,549.24		
	12. Construction of Sites 42, 50, and 63	159,720.94		
				\$342,549.84
Skull Creek, Site #55	1. Feasibility Study	5,548.00		
	2. Design of Dam and Recreation Facilities	38,280.00		
	3. Land Rights Acquisition	137,660.00		
				\$241,984.00
Gering Canal, Phase III	1. Engineering and Construction	197,717.00		
				\$418,702.00
TOTAL:				

Motion carried.

Aye: Van Marter, Roberts, Hahn, Hergott, Jiskra, Watermeier, Mercer, Pieper, Bartak, Larson, Kramper, Korell, Madsen, Davis

Nay: None

Not Present: Donaldson, Stewart

Pieper explained that the next item of committee action was to establish a revolving fund base for the Small Watersheds Flood Control Fund. Motion was made by Pieper and seconded by Jiskra to recommend that the Commission establish the revolving fund base for the Small Watersheds Flood Control Fund at \$700,000 for FY 1999-2000.

Aye: Roberts, Hahn, Hergott, Jiskra, Watermeier, Mercer, Pieper, Bartak, Larson, Kramper, Korell, Madsen, Van Marter, Davis

Nay: None

Not Present: Donaldson, Stewart

Pieper explained that the committee had reviewed the status of fee title lands purchased with the Small Watersheds

Flood Control Fund. Motion was made by Pieper and seconded by Kramper to recommend that the Commission schedule the sale of the Deke tract (160 acres) at Swan Creek Site 31 and the Homolka tract (154.4 acres) at Swan Creek Site 9 in FY 2001.

Aye: Hahn, Hergott, Jiskra, Watermeier, Mercer, Pieper, Bartak, Larson, Kramper, Korell, Madsen, Van Marter, Roberts, Davis

Nay: Nay

Not Present: Donaldson, Stewart

Pieper noted that Gayle Starr had distributed the Soil and Water Conservation status report and a report of the status of payments for well meters in the Republican Basin as well as a proposed allocation of Soil & Water Conservation funds for the coming year. He explained that the proposed distribution was done the same as in recent years with the exception that \$2400 was included in the Little Blue NRD allocation for payments on a small number of water meters in the Republican Basin that are actually in the Little Blue NRD. Motion was made by Pieper and seconded by Hergott to approve the Soil and Water Conservation's fund allocation for the next fiscal year as recommended:

- a. One million dollars divided equally among the 23 NRDs.
- b. \$2,400 reserved for Republican Basin water meters for the Little Blue NRD.
- c. All other available funds distributed to the NRDs based on the NRI formula.

Motion carried.

Aye: Jiskra, Watermeier, Mercer, Pieper, Bartak, Kramper, Korrell, Madsen, Van Marter, Hahn, Larson, Roberts, Hergott, Davis

Nay: None

Not Present: Donaldson, Stewart

Pieper added that the committee had also reviewed the status of the Natural Resources Enhancement Fund and the Water Well Decommissioning Fund. He noted that since the Water Well Decommissioning Fund would now be funded from a portion of the money from well registrations, that a different method of distribution of those funds would be needed in the future.

He also noted that information relating to questions asked of NRDs regarding soil and water conservation fund applications and cost-share programs with district funds by each NRD were also distributed.

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THANKS TO THE PAPIO NRD

Commission Chair Wayne Davis and other Commission members expressed their appreciation to the Papio-Missouri River NRD for their hospitality in hosting the Commission for this meeting and providing the Commission members with a tour of some of the NRD's facilities.

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NEXT MEETING

The next meeting of the Commission will be August 11 & 12 at the Lower Platte South NRD office in Lincoln.

ADJOURNMENT

The meeting was adjourned at approximately 11:05 a.m.

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Chairman

Director of Natural Resources