

MINUTES OF THE SPECIAL NEBRASKA NATURAL RESOURCES COMMISSION MEETING

MARCH 8, 2001

Those in attendance were:

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| LeRoy Pieper, Chair | Ron Bishop |
| Wayne Davis, Member | Glenn Johnson |
| Roger Korell, Member | Steve Oltmans |
| Wayne Madsen, Member | Marlin Petermann |
| Jim Van Marter, Member | Ralph Rosa |
| Frank Bartak, Member | Nelson Carpenter |
| Garry Anderson, Member | Roger Patterson, Director |
| Vince Kramper, Member | Dayle Williamson, Staff |
| Don Larson, Member | Jim Cook, Staff |
| Clinton Johannes, Member | Tom Pesek, Staff |
| Richard Jiskra, Member | Gayle Starr, Staff |
| Joe Hergott, Member | |
| Arlond Garratt, Member | |

CALL TO ORDER

The meeting was called to order by Commission Chair, LeRoy Pieper, in the conference room of the Lower Platte South NRD in Lincoln, Nebraska, at approximately 9:30 a.m.

NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL STAR on February 28, 2001, 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.

Soil & Water Conservation Fund – Expenditures by Month 1993-2001.

Comprehensive Planning Committee Minutes.

NRCS Report to the NRC and NARD.

Nebraska Resources Development Fund Present Financial Status, March 5, 2001.

Nebraska Resources Development Fund Quarterly Report, January

Status of Small Watersheds Flood Control Fund.

Copy of letter to Tom Pesek from Papio-Missouri River NRD. RE: Small Watershed Flood Control (LB71) Fund Request – Big Papio Flood Control Channel Project.

Status Report on Natural Resources Enhancement Fund.

Status Report on Carbon Sequestration Fund.

Status Report on Republican Basin Water Meter Fund.

MINUTES

Wayne Madsen noted that the first two actions at the January 24 meeting indicated that he was present and voting aye and in fact he was not present. He also noted that on the first action Don Larson was shown as present and voting and also absent and it should be corrected that he was absent. Motion was made by Jiskra and seconded by Kramper to approve the minutes of the January 24, 2001, Commission meeting with the corrections noted above. Motion carried.

Aye: Bartak, Anderson, Garratt, Larson, Kramper, Korell, Madsen, Van Marter, Johannes, Hergott, Davis, Jiskra, Pieper

Nay: None

Not Present: Hahn, Roberts, Donaldson

LeRoy Pieper noted that a proposed committee assignment roster had been distributed and that if there were no requests for change that they would be the final committee assignments. Pieper noted that the fund expenditures for January 2001 had been provided to Commission members and that they would be put on file.

ADVISOR'S COMMENTS

Steve Chick, representing the Natural Resources Conservation Service, briefly commented on a recent Nebraska State Technical Committee meeting held in Kearney, the Wetlands Reserve Program, Conservation Reserve Program, changes in the wetland regulations, Wildlife Habitat Incentive Program, and watershed activity including the new Small Watershed Rehabilitation Program. He also distributed a summary sheet depicting the expansion of the NRCS workload in Nebraska since 1988 and the number of programs that his staff has been assigned. He also noted that the summary sheet indicated that the NRCS staff in Nebraska has decreased from 441 employees in 1988 to 317 at present.

DIRECTOR'S REPORT

Roger Patterson noted that the agency hearing before the Legislature's Appropriations Committee was on February 26 and he felt it was a good hearing. He added that John Miyoshi, Steve Oltmans, and Glenn Johnson had all appeared at the hearing requesting additional development funds for projects in their NRDs.

Patterson explained that despite good winter moisture in most of the state, the state's reservoirs were all generally quite low and mostly below their levels of a year ago. He also noted that the mountain snow pack was estimated at 81 percent of normal with the runoff estimated at only 66 percent of normal. He did indicate that storage levels in the Wyoming reservoirs in the North Platte Basin were generally good and that it is expected that North Platte water users will receive their full allocations this year. He also explained that storage in the Missouri River mainstem reservoirs was also quite low.

Dayle Williamson explained that progress was being made on the carbon sequestration issue and that he will continue on that committee after his retirement. He noted that a proposed change in state law would make it possible for the carbon sequestration effort to receive some funding from the Environmental Trust.

ENVIRONMENTAL TRUST

Vince Kramper noted that the Environmental Trust received 144 applications for approximately \$41,000,000 and was tentatively recommending approval of 65 applications for a total of about \$9,000,000. He added that a public hearing on this recommendation would be held at their next meeting. He added that the staff and Board were spending a great deal of time getting the endowment fund established. Roger Patterson added that he had served on the Evaluation Committee and had taken a great deal of time reviewing a large number of applications.

PLATTE AND REPUBLICAN RIVER ISSUES

Roger Patterson noted that they were nearing a decision on the Nebraska v. Wyoming Issue and that by March 13 it should be known if a settlement could be reached. He added that it had been difficult meeting with and informing all of the stakeholders about the proposed settlement since the special master had determined that the details of the proposed settlement could not be released.

With regard to the Republican River, he noted that a status conference before the Special Master is scheduled for May 30 and noted that the Special Master had made some preliminary findings.

COMPREHENSIVE PLANNING COMMITTEE

Wayne Madsen noted that minutes of the Comprehensive Planning Committee had been distributed to Commission members and that since all Commission members were present at the meeting he would not further discuss them unless there were questions.

PROGRAM COMMITTEE

Wayne Davis noted that the Resources Development Fund status report and quarterly report had both been reviewed at the committee meeting. He added that the committee was recommending action on the Antelope Creek Flood Control Project proposal and the Platte River Flow Enhancement project proposal. Motion was made by Davis and seconded by Johannes to advise the Lower Platte South NRD that it may proceed with an application feasibility report of the Antelope Creek flood control project and that it is to address the comments and questions contained in the letter from the Director of Natural Resources. Motion carried.

Aye: Bartak, Anderson, Garratt, Larson, Kramper, Korell, Madsen, Van Marter, Johannes, Hergott, Davis, Jiskra, Pieper

Nay: None

Not Present: Hahn, Roberts, Donaldson

Motion was made by Davis and seconded by Kramper to advise the Central Platte NRD not to proceed with an application and feasibility report for the Platte River Flow Enhancement project at this time due to the need to first complete the CoHyst Study and the Platte River Cooperative Agreement as explained in the letter from the Director of Natural Resources. Motion carried.

Aye: Anderson, Garratt, Larson, Kramper, Korell, Madsen, Van Marter, Johannes, Hergott, Davis, Jiskra, Bartak, Pieper

Nay: None

Not Present: Hahn, Roberts, Donaldson

Davis called on Steve Oltmans, Manager of the Papio-Missouri River NRD who provided the committee with a briefing on the Western Sarpy/Clear Creek Flood Reduction Project proposal.

Davis explained that the Small Watersheds Flood Control Fund status report had been provided to Commission members. He added that the committee had discussed a series of eight appraisals of tracts involving the Big Papio Flood Control Channel Project in the Papio-Missouri River NRD. He added that the NRD was requesting assistance from the Small Watersheds Flood Control Fund on these eight separate tracts, seven of which are fee title and one for an easement. Motion was made by Davis and seconded by Kramper to approve the appraisals involving the Big Papio Flood Control Project (Center to Blondo Streets) as follows:

(1) Tract 7, Sunset Valley Golf Course, and commit 50% of \$180,251 or \$90,125.50 for easement;

(2) Tract 24, Daub, and commit 50% of \$15,860 or \$7,930 for fee title;

Tract 26, Sweetbriar, and commit 50% of \$34,000 or \$17,000 for fee title;

Tract 34, Regency Apartments, and commit 50% of \$81,000 or \$40,500 for fee title;

Tract 38, Yin, and commit 50% of \$28,450 or \$14,225 for fee title;

Tract 42, Nooney, and commit 50% of \$25,800 or \$12,900 for fee title;

Tract 43, Stonebrook, and commit 50% of \$32,800 or \$16,400 for fee title;

Tract 51A, VRB Co., and commit 50% of \$26,325 or \$13,162.50 for fee title.

Motion carried.

Aye: Garratt, Larson, Kramper, Korell, Madsen, Van Marter, Johannes, Hergott, Davis, Jiskra, Bartak, Anderson, Pieper

Nay: None

Not Present: Hahn, Roberts, Donaldson

Davis noted that the status reports of the Soil & Water Conservation Fund, Natural Resources Enhancement Fund, Water Well Commissioning Fund, and Carbon Sequestration Fund had been provided to Commission members.

LEGISLATION

Jim Cook reviewed a series of proposed legislative bills and responded to a number of questions concerning those bills.

MAY COMMISSION MEETING

Motion was made by Davis and seconded by Bartak to change the date of the May Commission meeting to May 22 and 23. Motion carried.

Aye: Larson, Kramper, Korell, Madsen, Van Marter, Johannes, Hergott, Davis, Jiskra, Bartak, Anderson, Garratt, Pieper

Nay: None

Not Present: Hahn, Roberts, Donaldson

NEXT MEETING

The next meeting of the Commission will be May 22 and 23, 2001 in Lincoln. It was noted that the plan is that the July Commission meeting will be in Gering.

ADJOURNMENT

The meeting was adjourned at approximately 11:50 a.m.

Chairman

Director of Natural Resources

