

**MINUTES OF THE
NEBRASKA NATURAL RESOURCES COMMISSION MEETING
SEPTEMBER 23, 2003**

Those in attendance were:

Roger Korell, Chair	Richard Hadenfeldt, Member
Jim Van Marter, Member	Wayne Madsen, Member
Beverly Donaldson, Member	Steve Chick
Vince Kramper, Member	Milton Moravek
Garry Anderson, Member	Jerry Sandeen
LeRoy Pieper, Member	Chrystal Sandeen
Robert Hahn, Member	Lalit Jha
Arlond Garratt, Member	Steve Oltmans
Richard Jiskra, Member	Roger Patterson, Director
Joseph Hergott, Member	Jim Cook, Staff
Dan Watermeier, Member	Tom Pesek, Staff
Clint Johannes, Member	Gayle Starr, Staff

CALL TO ORDER

The meeting was called to order by Commission Chair, Roger Korell, in a conference room of the Holiday Inn in Kearney, Nebraska, at approximately 2:40 p.m.

NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL & STAR and the KEARNEY HUB on September 16, 2003, 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. Water Well Decommissioning Cash Fund Summary.
2. Nebraska Resources Development Fund Present Financial Status.
3. Letter from Tom Moser on Status of Powder Creek Project
4. Letter from Barbara Wohlers on Cass County Board Action on Weeping Water Site 7g
5. Status of Small Watersheds Flood Control Fund
6. Soil & Water Conservation Fund – Expenditures by Month, 1995-2003.
7. Republican Basin Water Meter Program status report.
8. Natural Resources Water Quality Fund Distributions
9. Fiscal Year 2002-2003 Distributions by NRD.
10. DNR Fund Expenditures for July & August, 2003.
11. Status of Selected Projects – Planning and Assistance Division.
12. NRCS Report to the NNRC and NARD.

MINUTES

Motion was made by Jiskra and seconded by Van Marter to approve the minutes of the July 9, 2003, Commission meeting as distributed. Motion carried unanimously.

Aye: Kramper, Donaldson, Pieper, Hahn, Garratt, Johannes, Hadenfeldt, Anderson, Hergott, Jiskra, Watermeier, Van Marter, Madsen, Korell

Nay: None

Not Present: Roberts, Davis

EXPENDITURES

It was indicated that the expenditure report for the various funds for July and August 2003 was being made available to Commission members for their information.

ADVISOR'S COMMENTS

Steve Chick, NRCS State Conservationist, distributed a report and reviewed the status of funding for the various Farm Bill programs, noted that the Sandhills RC&D has now been authorized and with that authorization the entire state is covered by RC&D areas, the competitive sourcing study schedule for this fiscal year has been completed and that all of the functions studied will remain in-house with NRCS, a watershed plan for Buck and Duck Creek in Nemaha County has been completed, that a watershed rehabilitation plan for Upper Salt Creek 10A in Lancaster County has been completed, that the final two structures in Middle Big Nemaha Watershed located in Johnson County have just been completed, and that Aowa Creek, Site 31-20A in Dixon County is nearing completion which will be the last structure in that watershed.

DIRECTOR'S REPORT

Roger Patterson reported that the Water Policy Task Force is moving ahead with finalizing some recommended legislative changes and that he expects the Task Force to complete their work by the end of the calendar year. With regard to the Platte River Cooperative Agreement, Patterson indicated that he and Jim Cook would be meeting with the various parties later this week and that he was hopeful that some significant issues could be resolved so that the process could move forward. He added that the drought situation this year had made water administration difficult and that in terms of water storage the situation is worse than last year. Patterson reported that Governor Johanns and the other Missouri River Basin governors would be meeting on Wednesday of this week in an attempt to further discussions on resolving the various issues regarding operation of the Missouri River mainstem system.

ENVIRONMENTAL TRUST

Vince Kramper reported that this is the 11th year of the operation of the trust and that 107 applications had been received for funding for this funding cycle requesting a total of about \$30 million dollars. He added that of the 107 applications, 21 of them were for second or third year funding of an ongoing project.

REPUBLICAN RIVER ACTIVITIES

Patterson reported that the staff was working with the four NRDs involved and that agreements had been signed with those four NRDs to finance part of the NRD's participation in the settlement process. He added that the drought situation in the Republican Basin was very severe this year with several of the districts or portions of the districts receiving no water at all. He added that Swanson and Enders Reservoir had very little storage left in them.

PROGRAM COMMITTEE

Tom Pesek briefly reviewed the financial status report for the Resources Development Fund. Pesek distributed the Director's recommendation on the Winslow Levee Project and called upon Jerry Sandeen and Lalit Jha to brief the Commission on the project. Sandeen and Jha reviewed the project and the necessary local funding for the project and responded to a number of questions about the project. It was noted that action on funding of this project would be on the agenda for the next Commission meeting and that a delegation of Commission members is to visit the project area prior to that time. Tom Pesek noted that the project visit could probably be scheduled immediately before the November Commission meeting and that he would be contacting Commission members in that regard.

Milton Moravek, representing the Central Platte NRD, explained their request regarding purchase of a tract of land associated

with the proposed Upper Prairie/Silver/Moores Creek Project. He noted that the property in question is a 91-acre tract currently owned by the federal government as part of the Cornhusker ordinance plan. He explained that the federal government has agreed that the Central Platte NRD is the preferred purchaser of that 91 acres plus an additional portion of the property. He explained that most of the 91 acre-tract would be utilized as a detention/retention facility for the proposed project. He noted that the request was to obtain the Commission's permission that if and when the project is approved by the Commission, the purchase cost of the 91-acre tract could be utilized as a part of the project costs. He indicated that the purchase is to be at the appraised value of \$403 per acre for the

91 acres. Motion was made by Kramper and seconded by Garratt to approve the request of the Central Platte NRD to purchase 91 acres for the proposed Upper Prairie/Silver/Moores Project with the understanding that the NRD is doing so at its own risk and that any reimbursements from the Resources Development Fund or credit as a sponsor cost-share is contingent upon approval of the project for NRDF assistance. Motion carried unanimously.

Aye: Donaldson, Pieper, Hahn, Garratt, Johannes, Hadenfeldt, Anderson, Hergott, Jiskra, Watermeier, Van Marter, Madsen, Kramper, Korell

Nay: None

Not Present: Roberts, Davis

Moravek provided a brief update on the Lower Wood River/Upper Warm Slough Resources Development Fund project. Unless there are complications they will be completed by Thanksgiving of this year.

Gayle Starr reviewed the status of the Soil & Water Conservation Fund, Natural Resources Water Quality Fund, and Water Well Decommissioning Fund.

LEGISLATIVE & BUDGET COMMITTEE

Jim Cook explained the various legislative proposals that are in final consideration by the Water Policy Task Force, including surface water transfers, temporary transfers between preferences, surface water adjudications and a dedicated source of funding for resources projects. The current proposal being considered for that dedicated source is five-hundredths or 1/20 of one cent of the sales tax. He added that this is being proposed as a portion of existing sales tax, not an additional tax. Cook also explained that the department is working on some relatively minor legislation including how to deal with early water rights where no water rights maps exist and conflicts that develop on well spacing requirements when the use of the water from a well might change.

COMPREHENSIVE PLANNING COMMITTEE

Steve Gaul provided a brief summary of comprehensive Planning and Assistance Division activities. He noted that Paul Koester has been hired as the Republican River modeler to provide assistance on working with the Republican River model that has been approved by the three states involved. Gaul also commented on water rights mapping, the national hydrography data set, streamgaging, soil survey digitization, carbon sequestration and flood prone area mapping.

NEXT MEETING

The next meeting of the Commission will be November 20 at the Lower Platte South NRD in Lincoln.

ADJOURNMENT

The meeting was adjourned at approximately 4:45 p.m.

Chair

Director of Natural Resources

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