

# MINUTES OF THE NEBRASKA NATURAL RESOURCES COMMISSION MEETING

SEPTEMBER 28, 2004

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Those in attendance were:

Beverly Donaldson, Chair  
Dan Watermeier, Member  
Vince Kramper, Member  
Clint Johannes, Member  
Dick Jiskra, Member  
Joe Hergott, Member  
Jim Van Marter, Member  
Wayne Madsen, Member  
Roger Korell, Member  
Don Roberts, Member  
Keith Rexroth, Member  
LeRoy Pieper, Member

Wayne Davis, Member  
Garry Anderson, Member  
Richard Hadenfeldt, Member  
Arlond Garratt, Member  
Steve Chick  
Marlin Petermann  
Ken Berney  
Milton Moravek  
Roger Patterson, Director  
Jim Cook, Staff  
Tom Pesek, Staff  
Gayle Starr, Staff

## CALL TO ORDER

The meeting was called to order by Commission Chair, Beverly Donaldson, in the board room of the Holiday Inn in Kearney, Nebraska, at approximately 2:15 p.m.

## NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL & STAR and the KEARNEY HUB on September 21, 2004, 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. Status of Small Watersheds Flood Control Fund
4. Soil & Water Conservation Fund – Expenditures by Month, 1995-2004.
5. Republican Basin Water Meter Program status report.
6. Natural Resources Water Quality Fund Distributions
7. Fiscal Year 2003-2004 Water Well Decommissioning Fund Distributions by NRD.
8. Director's Recommendation on the Upper Prairie/Silver/Moores Creek Flood Control Project, CPNRD.
9. DNR Fund Expenditures for July & August, 2004.
10. NRCS Report to the NNRC and NARD.

## MINUTES

Motion was made by Kramper and seconded by Korell to approve the minutes of the July 21, 2004, Commission meeting as distributed. Motion carried.

Aye: Kramper, Pieper, Davis, Hadenfeldt, Jiskra, Korell, Rexroth, Van Marter, Donaldson

Nay: None

Not Present: Roberts, Johannes, Anderson, Hergott, Watermeier, Madsen

Abstain: Garratt

### EXPENDITURES

It was noted that the expenditure report for July and August 2004 had been distributed to Commission members.

### PROGRAM COMMITTEE

Tom Pesek distributed the Resources Development Fund financial status report and reviewed the information in the report.

Pesek distributed the recommendation of the Director of Natural Resources on the Upper Prairie/Silver/Moores Creek Resources Development Fund project. It was noted that the Director's recommendation was that the cost-share rate for the Resources Development Fund be 60 percent. There was significant discussion about the cost-share rate and the contributions to the project to be made by the NRD, the City of Grand Island, Hall County, and Merrick County. Milton Moravek, representing Central Platte NRD, briefly reviewed the project and discussed the cost-share arrangements that had been made with various local entities. It was noted that action on this item would be on the agenda for the next Commission meeting.

### DIRECTOR'S REPORT

Roger Patterson noted that he and Ann Bleed had prepared an article that was published in the Omaha-World Herald last week describing the inter-action of ground water and surface water. He added that he had received considerable favorable comment on the article and it might appear in some additional newspapers in the state.

Patterson also explained the activities involved with the implementation of LB 962 and the fully appropriated and over-appropriated designations that have been made and the activities of the staff on further implementation of that law and working with various Natural Resources Districts on ground water management plans.

Patterson also noted that the state had submitted a CREP application to USDA for portions of the Platte and Republican River Basins for 100,000 acres equally divided among the two basins. He explained that this would require land to be converted from irrigation to grassland or other wildlife habitat in exchange for an annual payment over 10 or 15 years. He added that the state was hopeful of receiving approval before too many months.

### ENVIRONMENTAL TRUST

Vince Kramper noted the Trust had recently approved about nine million dollars for new and on-going grants and that 108 applications have been received for 2005 funding. Kramper also noted that a proposal would be on the General election ballot this fall that would provide that ten percent of lottery proceeds would go to operation of the Nebraska State Fair.

### PROGRAM COMMITTEE (CONTINUED)

Tom Pesek briefly reviewed the status of the Small Watersheds Flood Control Fund. He then distributed summary information on two bids that had been received for auctioneer services for the sale of the 149.8 acre tract at Middle Big Nemaha Site 88. It was noted that the bids were virtually identical. Pesek and Starr explained the services that each auctioneer was proposing and the staff recommended that the Commission approve the bid of Bernard Auctioneers of Auburn. Motion was made by Jiskra and seconded by Davis to approve Bernard Auctioneers of Auburn to provide the auctioneer services for the sale of the 149.8 acre tract at Middle Big Nemaha Site 88 next January. Motion carried.

Aye: Madsen, Kramper, Pieper, Roberts, Davis, Garratt, Johannes, Hadenfeldt, Anderson, Hergott, Jiskra, Korell, Rexroth, Donaldson

Nay: None

Not Present: Watermeier

Tom Pesek and Marlin Petermann, Assistant Manager of the Papio-Missouri River NRD, reviewed the request of the NRD to retain seven tracts along Big Papillion Creek. Petermann described the project and noted that the tracts acquired were small in nature and would be primarily used to accommodate a hiking-biking trail to be constructed. It was noted that the parcels had been appraised at \$32,525 and because the Commission participated in 50 percent of the cost of acquisition the Commission would receive \$16,262.50 from the NRD. Motion was made by Jiskra and seconded by Van Marter to approve the request of the Papio-Missouri River NRD to retain seven tracts totaling 11.55 acres associated with the Big Papio Channel at 50% of the appraised value of \$32,525 or \$16,262.50 and to authorize the Director to enter into an agreement with the NRD regarding the public use of the facts. Motion carried.

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

Nay: None

Not Present: None

Gayle Starr noted that status reports for the Soil & Water Conservation fund, Natural Resources Water Quality Fund, and Water Well Decommission Fund had been distributed to Commission members. He briefly reviewed the reports and responded to questions concerning the three funds.

### LEGISLATIVE & BUDGET COMMITTEE

Jim Cook noted that he was aware of only one piece of legislation that would directly affect the Commission. He explained that would involve legislation that would be as a result of the passage of a resolution by NARD that would provide for the distribution of water well decommissioning funds based on three years of history rather than one year of history, as is the case now. Cook added that the department would be preparing legislation on two specific topics that they would ask to be introduced. He explained that they involved some improvements and clarifications in the state's dam safety law and some relatively minor clean-up legislation related to LB 962 passed in the last session of the Legislature.

### ADVISOR'S COMMENTS

Steve Chick, Natural Resources Conservation Service State Conservationist, handed out a brief report and commented about the wetland reserve program, the EQUIP program in which Nebraska had received two amounts of additional funds this last fiscal year, the Conservation Security Program in the Lower Little Blue Basin and the work that NRCS will be doing regarding Confined Animal Feeding Operations within the State of Nebraska. He noted that a number of feed lot operations will need to be in compliance with EPA requirements by early 2005 and as a result NRCS will likely not be able to assist all of those operators that will be requesting assistance.

### NEXT MEETING

The next meeting of the Commission will be November 17 & 18 at the Lower Platte South NRD in Lincoln.

### ADJOURNMENT

The meeting was adjourned at approximately 4:00.m.

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Chair

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Director of Natural Resources