

**MINUTES OF THE
NEBRASKA NATURAL RESOURCES COMMISSION MEETING
Lower Loup NRD Office - Ord, Nebraska
July 17, 2008**

Those in attendance were:

Clint Johannes, Chair	Joseph Hergott, Member	Dave Clabaugh, LBBNRD
Ladd Reeves, Member	John Burkholder, Member	Rex Gittins, NDNR
Jim Van Marter, Member	Garry Anderson, Member	Kent Zimmerman, NDNR
Beverly Donaldson, Member	Tim Schaaf, NRCS	Ron Theis, NDNR
Vince Kramper, Member	Duane Filsinger, LNNRD	Jill Richters, NDNR
David Kadlecek, Member	Mike Murren, LPNNRD	Steve Gaul, NDNR

CALL TO ORDER

The meeting was called to order by Commission Chairman Clint Johannes in the Lower Loup NRD Conference Room, Ord, Nebraska, at 8:30 a.m.

NOTICE OF THE MEETING

Notice of the meeting was published in the *LINCOLN JOURNAL STAR* on July 6, and in the *ORD QUIZ* on July 9, 2008. Public meeting statutes were available for review at the back of the room.

INFORMATIONAL MATERIAL

The following items of informational materials were distributed either prior to or during the course of the meeting and a copy of each is attached to the file copy of the minutes:

1. Commission Meeting Agenda
2. DNR Fund Expenditures for May & June, 2008
3. NRCS July 2008 Report to the NRC/NARD; NRCS Weekly Update
4. Nebraska Resources Development Fund (NRDF):
 - Status Reports as of June 30, and July 1, 2008
 - Rules Title 256, Chapter 4
5. Small Watersheds Flood Control Fund (SWFCF):
 - Status Reports as of June 30, and July 1, 2008
 - Project Funding Request Summary
 - Heidemann Tract Overview
6. Soil & Water Conservation Fund Status Report
7. Interrelated Water Management Plan Program Fund
 - Status Report
 - FY 08-09 Funding Request & Obligation Summary
8. Information on Selected Agenda Items (previously mailed to Commission Members)
9. Annual Report and Plan of Work for the Nebraska State Water Planning & Review Process
10. Commission Roster List & Richard Mercer Information

MINUTES

Motion was made by Kramper and seconded by Van Marter:

To approve the minutes of the May 14, 2008, Special Commission Meeting; Program Committee Meeting; and the May 15, 2008, Natural Resources Commission Meeting.

No discussion. Motion carried.

Aye: Donaldson, Kadlecek, Hergott, Kramper, Reeves, Burkholder, Anderson, Johannes and Van Marter

Nay: None

Abstain: None

Not Present: Hadenfeldt, Lembke, Moore, Watermeier, Rexroth and Korell

EXPENDITURES REPORT

The expenditures report for the various funds for the months of May & June 2008 had been distributed to Commission members. Extra copies were available. Gittins reported there were no unusual expenditures, but noted that Water Well Decommissioning Fund receipts reflected a correction by the Treasurer's office. Gittins reminded Commissioners that the budget does not reflect the amount available to spend for some funds.

ADVISORS REPORTS

UNL Water Center

Lorrie Benson, Deputy Program Manager, Water Resources Research Initiative, was unable to attend. However, she sent word that the annual Fall Water Colloquium which was scheduled to be held on Thursday, October 9, 2008 in Harding Hall was being rescheduled and the likely date would be October 16 in the same location. David Wedin, Associate Professor, School of Natural Resources, UNL, gave a presentation prior to the Commission meeting dealing with dune stability and historical movement in the Nebraska Sandhills as the result of prior climate changes. The talk was quite informative and well received by Commissioners.

NRCS

Tim Schaaf, NRCS, distributed and reviewed a summary for July 2008, entitled, "*Natural Resources Conservation Service Report to the Nebraska Natural Resources Commission and Nebraska Association of Resources Districts*" which is attached to the official copy of these Minutes and available for review in the Department. Schaaf also handed out Steve Chick's NRCS weekly update. Commissioners interested in receiving a weekly report of NRCS activities should contact the NRCS office to get on their email distribution list.

DIRECTOR'S REPORT & UPDATE ON PLATTE/REPUBLICAN ACTIVITIES

Brian Dunnigan was unable to attend due to Republican River Coalition activities. At Dunnigan's request, Gittins introduced Steve Gaul who reviewed the Annual Report and Plan of Work for the Nebraska State Water Planning and Review Process. Gaul noted that suggestions for changes should be provided to him by August 15. Van Marter recommended that Gaul send the plan to NRD managers for comment.

Gittins then introduced Ron Theis who reviewed the results of the first legislative hearing that was held in June regarding the organization and mission of the Department of Natural Resources.

This stated that the Legislative and Budget Committee meeting scheduled for July 16 was cancelled, but Chair Rexroth had requested an update on LR 377. This outlined LR 377 which included the following discussion topics:

- To review the structure and responsibilities of the Department of Natural Resources.
- To consider the authorities of and qualification for the Director of DNR.
- To explore the processes by which decisions that affect the state's water and other natural resources are made.
- To identify funding and resource needs consistent with the responsibilities of the Department.

This reported that testimony was evenly split between those testifying for NRDs wanting to remove the requirement that the Director be a licensed Professional Engineer to expand the pool of qualified candidates; and those testifying for Irrigation Districts wanting to retain the Professional Engineer requirement to help assure decisions be based upon sound science. Testimony also included the need for:

- A permanent Director soon.
- A nation-wide search.
- Resources Development Fund & Small Watersheds Fund increases because they are under-funded.
- Continuation of the IWMPPF and to incorporate that language into a bill because the Fund expires.
- Additional funding and staff for DNR for integrated management planning activities, field office inspections and investigations, stream gauging, permitting and studies were the areas of greatest need.

Several Commissioners requested to be kept informed via e-mail of legislative hearings such as this and other legislative proceedings. This agreed to send a list of legislative related material to Commissioners.

ENVIRONMENTAL TRUST

Kramper reported there has been no new business since the last Commission meeting. He is exploring whether or not the Nebraska Resources Development Fund would qualify for a Trust grant. The big issue is that the Trust allocates to specific projects and not to other state funds.

PROGRAM COMMITTEE

Nebraska Resources Development Fund (NRDF)

Vice-Chair Anderson reported that the Program Committee met at 2:07 p.m. July 16, 2008. Anderson reported that financial status reports for the funds included no unusual activity, and then brought forward the following motions for recommended action by the Commission.

Motion was made by Anderson and seconded by Van Marter:

To establish the Revolving Fund Base for the Small Watersheds Flood Control Fund at \$450,000 for Fiscal Year 2009.

There was no discussion. Motion carried.

Aye: Hergott, Kadlecck, Reeves, Kramper, Burkholder, Anderson, Johannes, Donaldson and Van Marter

Nay: None

Abstain: None

Not Present: Rexroth, Lembke, Moore, Watermeier, Hadenfeldt and Korell

Motion by Anderson, seconded by Kramper:

To approve the Little Blue NRD’s request to proceed with obtaining an access easement without obtaining an appraisal for a land locked tract of ground within Site 40. Terms of the easement as well as the purchase price are subject to approval of the Department.

There was no discussion. Motion carried.

Aye: Van Marter, Reeves, Burkholder, Kramper, Anderson, Kadlecek, Johannes, and Donaldson

Nay: None

Abstain: Hergott

Absent: Rexroth, Lembke, Moore, Watermeier, Hadenfeldt and Korell

OTHER BUSINESS

Johannes reported that the Executive Committee met on July 16 at 8:00 a.m. to discuss NRDF challenges regarding project funding needs compared to appropriations and consider ways to manage this issue. The Committee reviewed a list of ideas raised in prior Commission and committee meetings. A short-list of suggestions was selected for submission to the Program Committee for discussion at their September meeting.

Kramper commented that the Sandhills presentation prior to the Commission meeting was excellent.

Gittins announced that Richard Mercer had been appointed by Governor Heineman to serve as the Commissioner representing the interests of groundwater irrigators. Due to the short notice and prior commitments, Mercer was unable to attend this meeting.

A resolution directing staff to extend the Commission’s thanks to: Ron Wolf, Twin Loups Irrigation District, for the presentation and tour at the lift station; Butch Koehlmoos and staff at the Lower Loup NRD for hosting the meeting; and Dick Hadenfeldt for providing dinner at the Sandstone Grill in Burwell.

ANNOUNCEMENTS, FUTURE MEETINGS, AGENDA ITEMS

<u>Meeting Dates</u>	<u>Location</u>	
September 29-30	Kearney	NARD Annual Conference.
November 19-20	Lincoln	Commissioners’ Christmas Party
January 27-28, 2009	Lincoln	NARD Legislative Conference

ADJOURNMENT

The meeting was adjourned at approximately 9:45 a.m.

Natural Resources Commission Chair

Director of Natural Resources