

**MINUTES OF THE
NEBRASKA NATURAL RESOURCES COMMISSION MEETING
Holliday Inn Hotel & Convention Center - Kearney, Nebraska
September 30, 2008**

Those in attendance were:

Clint Johannes, Chair	Kent O. Miller, TPNRD	Rex Gittins, NDNR
Dick Hadenfeldt, Member	Kent Berney, LENRD	Kent Zimmerman, NDNR
Jim Van Marter, Member	Mike Onnen, LBNRD	Ron Theis, NDNR
Beverly Donaldson, Member	Daryl Andersen, LBNRD	
Vince Kramper, Member	John Miyoshi, LPNNRD	
David Kadlecek, Member	Mike Murren, LPNNRD	
Larry Moore, Member	Dave Clabaugh, LBBNRD	
Joseph Hergott, Member	Marlin Petermann, P-MRNRD	
Dan Watermeier, Member	John Turnbull, UBBNRD	
Garry Anderson, Member	Steve Chick, NRCS	
Keith Rexroth, Member		
Roger Korell, Member		
Myron Lembke, Member		
Dick Mercer, Member		

CALL TO ORDER

The meeting was called to order by Commission Chairman Clint Johannes in the Executive Conference Room at the Holiday Inn in Kearney, Nebraska, at 2:00 p.m.

NOTICE OF THE MEETING

Notice of the meeting was published in the *Lincoln Journal Star* and the *Kearney Hub* on September 17, 2008. Public meeting statutes were available for review near the room entrance.

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 July & August, 2008
3. Nebraska NRCS 2008 Commitment to Conservation Report
4. Nebraska Resources Development Fund (NRDF):
 - Status Report as of September 19, 2008
 - Quarterly Report – July 31, 2008
 - LPNNRD letter – September 12, 2008 – Request for Allocation Increase
 - LBBNRD letter – September 26, 2008 – Request for Allocation Increase
 - Letter from Gov. Heineman to Col. Press, Corps of Engineers – September 15, 2008 – Request for Meeting on the 404 Permit Process
 - Executive Committee Discussion Items on Dealing with Funding Constraints
5. Small Watersheds Flood Control Fund Status Report as of September 26, 2008
6. Soil & Water Conservation Fund Status Report
7. Information on Selected Agenda Items (previously mailed to Commission Members)

MINUTES

Motion was made by Kramper and seconded by Van Marter:

To approve the minutes of the July, 2008, Program Committee Meeting and Natural Resources Commission Meeting.

No discussion. Motion carried.

Aye: Mercer, Donaldson, Kadlecek, Hergott, Kramper, Anderson, Johannes, Van Marter, Hadenfeldt, Lembke, Moore, Watermeier, Rexroth and Korell

Nay: None

Abstain: None

Not Present: Reeves, Burkholder

EXPENDITURES REPORT

The expenditures report for the various programs for the months of July & August 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 also reminded Commissioners that the budget shown for some programs does not reflect the actual amount available.

ADVISORS REPORT

NRCS

Steve Chick, Nebraska NRCS State Conservationist, distributed and reviewed a report entitled, "*Commitment to Conservation*" which is attached to the official copy of these minutes and available for review in the Department.

DIRECTOR'S REPORT

A report of Department initiatives, priorities, and activities was presented as a breakout topic during the NARD Conference.

ENVIRONMENTAL TRUST

Kramper reported that the Trust is exploring options for administering large grants. He noted that he has continued to explore the possibility of a grant from the Trust to supplement the Resources Development Fund. However, several issues may prevent a grant of this nature including a general desire to avoid association with potentially confrontational situations such as eminent domain proceedings. Kramper also announced that he has been elected Board Chair for the current fiscal year.

LEGISLATIVE COMMITTEE

Rexroth reported that the Legislative Committee met just prior to the Commission meeting and passed one action item which he was bringing forward.

Motion was made by Rexroth, seconded by Watermeier:

To proceed with Administration and Legislator contacts to encourage increased funding for programs the Natural Resources Commission oversees.

There was no discussion. Motion carried.

Aye: Hergott, Kadlecck, Kramper, Anderson, Johannes, Donaldson, Van Marter, Rexroth, Lembke, Moore, Watermeier, Hadenfeldt and Korell

Nay: None

Abstain: None

Not Present: Burkholder and Reeves

PROGRAM COMMITTEE

Nebraska Resources Development Fund (NRDF)

Watermeier reported that the Program Committee met on September 29, 2008, and noted that financial status reports for the programs included no unusual activity. He then brought forward the following motions which reflected the Committee's recommendations for action by the full Commission on Nebraska Resources Development Fund matters.

Motion was made by Watermeier and seconded by Korell:

To approve the Lower Big Blue NRD's request for an increased allocation to the Lower Turkey Creek Watershed Project of \$287,569; increasing the total project allocation from \$4,124,167.11 to \$4,411,736.11.

There was no discussion. Motion carried.

Aye: Rexroth, Hergott, Kadlecck, Kramper, Mercer, Anderson, Johannes, Donaldson, Van Marter, Lembke, Moore, Watermeier, Hadenfeldt and Korell

Nay: None

Abstain: None

Not Present: Reeves and Burkholder

Motion by Watermeier, seconded by Van Marter:

To approve the Lower Platte North NRD's request for an increased allocation to the Sand Creek Watershed Environmental Restoration (Lake Wanahoo) Project in the amount of \$2,807,700, increasing the total project allocation from \$9,204,000 to \$12,011,700.

There was no discussion. Motion carried.

Aye: Van Marter, Watermeier, Moore, Kramper, Anderson, Kadlecck, Rexroth, Lembke, Mercer, Hadenfeldt, Korell, Hergott, and Donaldson

Nay: None

Abstain: Johannes

Not Present: Reeves and Burkholder

Watermeier reported that the Program Committee briefly discussed considerations for managing limited Resource Development Fund monies presented by the Executive Committee, and noted that no recommendation was made for full Commission action. Johannes added that staff was directed to forward the document to Dean Edson for distribution to NRD managers for their review and comment. Edson will be asked to summarize managers' input and provide results to staff in time to distribute to Commissioners prior to the November Commission meeting. In response to a question by Kramper, Johannes confirmed that the list would be submitted to all NRD Managers.

Interrelated Water Management Planning Program (IWMPP)

Watermeier then brought forward the following motions which reflected the Committee's recommendations for action by the full Commission on IWMPP Fund matters.

Motion by Watermeier, seconded by Hadenfeldt:

To approve the request for increased funding of contract number 06-01-001 by \$10,502.83 (80% of total additional costs) for additional work performed on the UBBNRD groundwater model.

There was no discussion. Motion carried.

Aye: Korell, Watermeier, Kadlecek, Van Marter, Johannes, Kramper, Anderson, Rexroth, Lembke, Mercer, Hadenfeldt, Hergott, and Donaldson

Nay: None

Abstain: Moore

Not Present: Reeves and Burkholder

Motion by Watermeier, seconded by Anderson:

To approve the request to reissue contract number 07-02-012 including expanding the scope of review for the South Platte River Compact Water Project.

There was no discussion. Motion carried.

Aye: Donaldson, Korell, Watermeier, Kadlecek, Van Marter, Johannes, Kramper, Anderson, Moore, Lembke, Mercer, Hadenfeldt and Hergott

Nay: None

Abstain: Rexroth

Not Present: Reeves and Burkholder

Motion by Watermeier, seconded by Lembke:

To approve staff's request to use its discretion on a case-by-case basis to roll all or a portion of money unclaimed from previous contracts, forward to new contracts.

There was no discussion. Motion carried.

Aye: Kadlecek, Mercer, Korell, Watermeier, Van Marter, Rexroth, Donaldson, Johannes, Kramper, Anderson, Moore, Lembke, Hadenfeldt and Hergott

Nay: None

Abstain: None

Not Present: Reeves and Burkholder

Motion by Watermeier, seconded by Kramper:

To approve the request to reissue contract number 07-02-005 for the remainder of the unclaimed money to provide for completing project work which will include the additional scope of surveying test well elevations for the Tri-Basin NRD's Ground Water Mound Geology & Water Level Data Collection Project.

There was no discussion. Motion carried.

Aye: Moore, Mercer, Johannes, Korell, Watermeier, Van Marter, Rexroth, Donaldson, Kramper, Anderson, Lembke, Kadlecek, Hadenfeldt and Hergott

Nay: None

Abstain: None

Not Present: Reeves and Burkholder

OTHER BUSINESS

Johannes reported:

- The Water Policy Task Force is scheduled to meet at 10:00 a.m. on October 15, 2008, in Kearney.
- The next Commission meeting will be November 19th & 20th in Lincoln.
- There will be a holiday dinner the evening of November 19th.

Rexroth mentioned the Legislative Committee and the Executive Committee will try to schedule a meeting with the Director and the Governor prior to Christmas.

ANNOUNCEMENTS, FUTURE MEETINGS, AGENDA ITEMS

<u>Meeting Dates</u>	<u>Location</u>	<u>Highlights</u>
November 19-20	Lincoln	Commissioners' Christmas Party
January 27-28, 2009	Lincoln	NARD Legislative Conference

ADJOURNMENT

The meeting was adjourned at approximately 2:25 p.m.

Natural Resources Commission Chair

Acting Director of Natural Resources