

# NEBRASKA NATURAL RESOURCES COMMISSION

## MEETING MINUTES - MARCH 25, 2010

Those in attendance were:

Keith Rexroth, Chair		John Miyoshi, LPNNRD
Dan Watermeier, Vice-Chair	Dick Hadenfeldt, Member	Mike Murren, LPNNRD
Dave Deines, Member	Vince Kramper, Member	Paul Zillig, LPSNRD
David Kadlecek, Member	Joseph Hergott, Member	Dave Clabaugh, BBNRD
Dick Mercer, Member	Garry Anderson, Member	Jill Richters, NDNR
Clint Johannes, Member	Steve Chick, NRCS	Rex Gittins, NDNR
Ladd Reeves, Member	Lori Benson, UNL	Kent Zimmerman, NDNR

### CALL TO ORDER & ROLL CALL

The meeting was called to order by Commission Chairman Rexroth at 8:45 a.m. at the Lower Platte South Natural Resources District office in Lincoln, Nebraska. The following members were absent: Beverly Donaldson, Larry Moore, Dan Nelsen and Jim Van Marter. The position appointed by the Governor to represent Surface Water user's interests is vacant.

### NOTICE OF THE MEETING

Notice of the meeting was published on the Department's web site at [www.dnr.ne.gov](http://www.dnr.ne.gov) and a copy of the public meeting statutes was posted in the room.

### INFORMATIONAL MATERIAL

The following 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. Selected Agenda Topics Explanation Paper
3. NRC Committee Roster – Revised March 2010
4. Program Expenditures – January & February 2010
5. NRCS Report to the NRC dated March 2010
6. Benson Handouts (Spring Water Seminar poster & Climate Change flyer)
7. DNR Summary of Legislative Bills of Interest
8. NRC Programs Status and Related Reports
9. Interrelated Water Review Board Nominations Process Policy Statement
10. NRDF Project Sponsor Update Reports Handouts
  - Pigeon/Jones Creek
  - Western Sarpy/Clear Creek
  - Maple Creek Recreation Area
  - Little Sandy Creek
11. CNPP&ID Pumpkin Creek Watershed graph (presented after meeting)

## **MINUTES**

Minutes of the January 26-27, 2010, Commission and Committee meetings were approved. *Kramper moved and Hadenfeldt seconded to approve minutes of the January 2010 meetings of the Legislative & Budget committee, Program Committee, Executive Committee, and Natural Resources Commission.*

Motion Passed.

Aye: Hadenfeldt, Kadlecek, Deines, Hergott, Kramper, Reeves, Watermeier, Anderson, Johannes, Rexroth & Mercer

Nay: None

Abstain: None

Not Present: Donaldson, Moore, Nelsen and Van Marter

## **EXPENDITURES REPORT**

Fund expenditures reports showing fund balances for the months of January & February, 2010 were distributed. Gittins stated that there were no unusual expenditures during that period, but noted that cash fund transfers from Commission programs to the State General Fund as required by Legislative Special Session LB 1 had started in January. Transfers at that time were for about half of the totals to be taken in Fiscal Year 2010 and the rest will be transferred out in June.

## **ADVISOR REPORTS**

### **Natural Resources Conservation Service (NRCS)**

Steve Chick stated NRCS has recommitted the EQIP CCPI program which brings \$1.5 million to Nebraska's fully/over appropriated basins to help fight invasive species such as phragmites. This program was a joint venture with the Department of Agriculture and local weed management boards last year and with the Environmental Trust this year. Chick also distributed a report titled "Natural Resources Conservation Service Report to the Nebraska Natural Resources Commission dated March 2010". Chick reviewed the highlights of the report.

### **UNL Water Center**

Lori Benson reported the following:

- The Summer Water Tour Planning group has identified more places to visit than time permits. The tour will depart from Kearney on July 12<sup>th</sup>, travel up the South Platte, and then return down the North Platte through Scottsbluff to Kearney on July 15<sup>th</sup>.
- The Water for Food Conference on May 2 through 5 will host a variety of international speakers.
- The Greater Platte River Symposium on October 6 & 7 will focus on science and integrative programming on the Niobrara, Platte and Republican basins.
- Water and Natural Resources Seminars are offered free to the public on Wednesday afternoon at 3:30 p.m. in UNL's Hardin Hall.

### **Nebraska Environmental Trust**

Vince Kramper reported that the Trust received 132 applications for grants totaling \$55 million. A preliminary allocation recommendation has been made approving 32 grant applications with \$5 million of continued funding to multi-year projects, and \$10 million to 55 new projects. Final allocation determination is scheduled for the week of March 29<sup>th</sup>. Kramper also noted the Trust receives \$0.09 from every dollar of Nebraska Lottery Tickets sold which usually totals about \$15 to \$16 million for disbursement by the Trust each year.

### **DNR UPDATE**

Director Dunnigan was unable to attend due to schedule conflicts. Gittins distributed a list of bills the Department considers to be of interest to the Department and Commission. He also noted that LB 935, the appropriation/budget bill, includes a 2% across the board reduction in General Fund appropriations. This is in addition to the 5% reduction from LB 1. The three Commission programs impacted by the further reduction are IWMPP, RDF and SWCPF.

### **PROGRAM COMMITTEE**

Program Committee Chair Johannes reported that the Committee met at 3:00 p.m. on March 24<sup>th</sup> and brought the following updates and motions forward.

#### **Nebraska Resources Development Fund**

Financial Status & Quarterly Reports showed no unusual activity. Project updates were given by sponsors during the Program Committee meeting on March 24<sup>th</sup>. Staff will be meeting with and discussing project sponsor's financial needs for the next fiscal year and will present a recommendation at the June Commission meeting for Commission action to obligate the FY 2011 funds effective July 1, 2010.

It was noted that a number of project sponsors have borrowed funds to continue development at an effective and efficient pace. With this and Special Session cuts in reappropriated funding in mind, Committee members stated that any unspent appropriations at fiscal year end should be as low as possible, and the following motion was recommended by the Committee.

*Johannes moved and Anderson seconded to:*

- Decrease funds obligated from the Resources Development Fund to each applicable project by an amount sufficient to reduce its obligated balance to zero after processing any reimbursement requests received as of June 1, 2010;
- Re-obligate the total amount available for obligation to the Sand Creek Environmental Restoration (Lake Wanahoo) Project; and
- In July 2010, restore funding obligation to each project thus affected an amount equal to the decrease in June 2010 from FY 2011 funds obligated to the Lake Wanahoo Project.

Motion Passed.

Aye: Kramper, Kadlecek, Anderson, Watermeier, Reeves, Hergott, Deines, Mercer, Hadenfeldt, Rexroth and Johannes

Nay: None

Abstain: None

Not Present: Donaldson, Moore, Nelsen and Van Marter

A discussion was held during the Program Committee to look at alternative funding options to deal with the restricted budget. Staff will research options reviewed in the past and distribute these to Commission members for discussion and possible action at the June Commission meeting.

#### **Small Watersheds Flood Control Fund Status Report**

No unusual activity was reported.

**Soil & Water Conservation Program Fund**

Normal activity reported.

**Natural Resources Water Quality Fund**

Normal activity reported.

**Water Well Decommissioning Fund**

Normal activity reported.

**Interrelated Water Management Plan Program**

The status report showed normal activity. The expected appropriation for FY 2011 is about equal to projected funding needed to continue previously funded projects and to fund all new applications if the Commission so chooses. The Commission will take action in June to approve new applications and obligate additional money to ongoing projects.

**OTHER**

Gittins stated that Commission policies 1 through IV are obsolete as they reflect Commission authorities and responsibilities removed when the Department of Water Resources and Natural Resources Commission merged in 2000. Gittins offered to review and draft changes for the Commission's review in June.

Discussion on draft Policy XIII - Community Based Watershed Planning ended with staff agreeing to research the subject and report back to the Commission in June. Rexroth asked that all policy drafts be discussed in a joint Executive Committee and the Comprehensive Planning Committee meeting in June.

*Reeves moved, and Hadenfeldt seconded a request for staff to review, revise and draft updates to all Commission Policies prior to the June Commission meeting.*

Motion Passed.

Aye: Rexroth, Kramper, Kadlecek, Watermeier, Hergott, Hadenfeldt, Mercer, Deines, Anderson, Johannes and Reeves

Nay: None

Abstain: None

Not Present: Donaldson, Moore, Nelsen and Van Marter

Rexroth reviewed the Interrelated Water Review Board Process for the purpose of keeping the Commission prepared to respond if called upon by an NRD.

**ANOUNCEMENTS**

Gittins reported that Roger Korell had announced his resignation from the Commission effective March 15<sup>th</sup>. A certificate of appreciation signed by Chairman Rexroth and Director Dunnigan will be sent to Korell. Korell has represented the Surface Water Irrigation interests on the Commission since March 1999 and stated he had enjoyed working with everyone and the opportunity to serve on the Commission.

Kramper moved, and Anderson seconded to pass a unanimous resolution thanking Roger Korell for over ten years of dedicated service on the Commission.

Motion Passed.

Aye: Kramper, Anderson, Mercer, Hergott, Watermeier, Reeves, Kadlecek, Deines, Hadenfeldt, Rexroth and Johannes

Nay: None

Abstain: None

Not Present: Donaldson, Moore, Nelsen and Van Marter

The June Commission meeting will be hosted by the Lower Elkhorn NRD in Norfolk on June 16<sup>th</sup> & 17<sup>th</sup>. Possible tour stops include Leigh Dam and Maskenthine Lake.

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Meeting adjourned at 10:00 a.m.

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Keith Rexroth, NRC Chair

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Brian P. Dunnigan, Director - DNR