

# Water Funding Task Force Meeting Minutes

November 14, 2013 | Grand Manse; Lincoln, Nebraska

## CALL TO ORDER AND ROLL CALL

The meeting was called to order at 8:00 a.m. at the Grand Manse, 129 North 10<sup>th</sup>, Lincoln, NE. Roll call was taken.

## Task Force members in attendance were:

### **Voting Members:**

Clint Johannes, **Chairman**, *NRC*  
Garry Anderson, *NRC*  
Joel Christensen, *MUD*  
Beverly Donaldson, *NRC*  
Richard Hadenfeldt, *NRC*  
D. Chandler Mazour, *Agribusiness*  
Thomas Knutson, *NRC*  
Dick Mercer, *NRC*  
Darrell Rains, *NRC*  
Gerry Dale Sheets, *Public Power & Irrigation Districts*  
Jeff Steffen, *NRC*  
Lennie Adams, *Manufacturing*  
Keith Rexroth, *NRC*

Roric Paulman, **Co-Chairman**, *Agriculture*  
Brian Barel, *Public Power*  
Stan Clouse, *NRC*  
Kevin Fornoff, *NRC*  
John Heaston, *Wildlife Conservation*  
David Kadlecek, *NRC*  
Tim Luchsinger, *Municipalities*  
Rex Peterson, *Livestock Producers*  
Michael Reynolds, *NRC*  
Scott Smathers, *Outdoor Recreation Users*  
Dennis Strauch, *Irrigation Districts*  
Dave Deines, *NRC*

### **Non-Voting Members:**

Senator Tom Carlson  
Senator Al Davis  
Senator Dan Watermeier

Senator Ken Schilz  
Senator Rick Kolowski  
Brian Dunnigan

The following members were absent: Steven Sugden, Senator Mark Christiansen.

## NOTICE OF THE MEETING

Notice of the meeting was published on the Department of Natural Resources web site ([www.dnr.ne.gov/lb517](http://www.dnr.ne.gov/lb517)).

## INFORMATIONAL MATERIALS

The following informational materials were distributed for the Thursday, November 14<sup>th</sup> session:

- Agenda
- Draft minutes for November 7/8 meeting.
- LB517 Funding/Local Cost Share Presentation
- NRDF and LB517 Funds Presentation
- LB517 Commission Representation Presentation
- Public Comment from Rachelle Mallett - Handout

## WELCOME AND INTRODUCTION

Clint Johannes stated that notice of the meeting was published on the Department of Natural Resources web site ([www.dnr.ne.gov/lb517](http://www.dnr.ne.gov/lb517)). A copy of Nebraska's public meeting statutes was available in the room.

Mr. Johannes requested that anyone wishing to provide public comment at today's meeting please sign the "Speaker" sign-in sheet at the sign-in table.

## MEETING MINUTES

The minutes of the November 7 & 8, 2013 meeting were presented.

Scott Smathers moved and Dennis Strauch seconded the motion to approve the November 7 & 8, 2013 Task Force meeting minutes. The motion passed unanimously by roll call vote.

### TASK FORCE WORKING SESSION: Funding Recommendation

**Mike Sotak, Fyra Engineering**, presented information requested at the last meeting related to the funding level recommendation, specifically regarding the Task Force question on Local Match. The presentation is available on the DNR website ([www.dnr.ne.gov/lb517](http://www.dnr.ne.gov/lb517)).

**Karen Griffin, Project Manager with Olsson Associates**, presented information on DNR Fund future. Two options were presented for how the funds currently administered by DNR would be handled with the advent of new funding through LB517. The presentation is available on the DNR website ([www.dnr.ne.gov/lb517](http://www.dnr.ne.gov/lb517)).

**The Task Force reached consensus** on Option 2 which provides for funding to continue to flow to NRDF in the short-term in order to finish out existing, approved projects. In the long-term, NRDF would be retired and new funds will flow through the new LB517 Fund. Other DNR Funds such as the Water Resources Cash Fund and IWMPP would remain as they are today.

### Break

### TASK FORCE WORKING SESSION: Water Funding Program Administration

**Karen Griffin, Project Manager with Olsson Associates**, presented information on Fund Administration and Commission Representation. The presentation is available on the DNR website ([www.dnr.ne.gov/lb517](http://www.dnr.ne.gov/lb517)).

**The Task Force reached consensus** on a recommendation for the permanent structure and representation on the Commission for program administration.

- The board structure will include 13 elected and 14 appointed members
- The elected members will represent the 13 watersheds currently defined by the Department of Natural Resources and represented on the Natural Resource Commission today.
- The appointed members will represent the following, mirroring the Water Funding Task Force Composition with the exception that the “livestock representative” will change to a “range representative”. Governor appointed representatives will include:
  1. Agribusiness
  2. Agriculture
  3. Groundwater
  4. Irrigation Districts
  5. Manufacturing
  6. Metropolitan Utilities district
  7. Municipalities (Large)
  8. Municipalities (Small)
  9. Outdoor Recreation Users
  10. Public Power
  11. Public Power and Irrigation Districts
  12. Range
  13. Surface Water
  14. Wildlife Conservation

An important consideration making this recommendation was that the commission fairly represent water users across the state. The Task Force agreed that this representation did fairly represent water users geographically, by water user group including both groundwater and surface water users.

## Lunch

### TASK FORCE WORKING SESSION: Structure and Administration

**The Task Force arrived at consensus** that any decision of the new Commission would take 75% approval of those in attendance to be enacted.

**The Task Force reached consensus** on a recommendation for funding of existing, approved NRDF projects. The Task Force recommends that the existing, approved NRDF projects be funded through the NRDF program through funding allocated to the NRDF. No new projects would be reviewed or funded through the NRDF. Additionally, should the existing, approved NRDF projects want to apply for funds through LB517, the projects would be reviewed against the new LB517 criteria. Those that meet the objectives of LB517 will be eligible to be funded under the new program, those that do not will receive funding under a continued allocation to NRDF until they are completed.

**The Task Force reached consensus** that the project ranking criteria should be weighted. They did not reach consensus on how. Two options for criteria weighting will be presented in the draft report for discussion and recommendation by the Task Force at the December 5<sup>th</sup> meeting in Kearney.

### PUBLIC COMMENT

- Rachelle Mallett, *Nebraska Beverage Association*
- Scott Japp, *Omaha*

Individuals from the community present during the meeting included:

- Marlin Petermann, *PNRBRD*
- Jeff Buettner, *CNPPID*
- Mick Mines, *Corn Growers*
- Jason Skold, *Nature Conservancy*
- Butch Kochlmoor, *Lower Loup NRD*
- Thomas Riley, *Upper Elkhorn NRD*
- Dennis Schueth, *UENRD*
- Dustin Wilcox, *NARD*
- Dean Edson, *NARD*
- Rachael Herpel, *University of Nebraska*
- Jennifer Swanson, *NARD*
- Rex Gittins, *DNR*
- Lynn Webster, *UNWNRD*
- Bryan Shank, *Union Bank*
- Don Adams, *Nebraska First*
- Lash Cleather, *League of NE Municipalities*
- Kathy Siefken, *NE Grocery Industry*
- Chris Langemeier
- Joe Neuhaus, *Nebraska Legislature*

**Meeting recessed for the day at 3:00 PM**

## The Water Funding Task Force reconvened at 8:00 AM on Friday, November 15, 2013 at the Grand Manse; Lincoln, Nebraska.

### CALL TO ORDER AND ROLL CALL

The meeting was called to order at 8:00 a.m. Roll call was taken.

#### Task Force members in attendance were:

##### **Voting Members:**

Clint Johannes, **Chairman**, *NRC*

Brian Barels, *Public Power*

Stan Clouse, *NRC*

Kevin Fornoff, *NRC*

John Heaston, *Wildlife Conservation*

David Kadlecek, *NRC*

Rex Peterson, *Livestock Producers*

Michael Reynolds, *NRC*

Jeff Steffen, *NRC*

Lennie Adams, *Manufacturing*

Dave Deines, *NRC*

D. Chandler Mazour, *Agribusiness*

Roric Paulman, **Co-Chairman**, *Agriculture*

Joel Christensen, *MUD*

Beverly Donaldson, *NRC*

Richard Hadenfeldt, *NRC*

Joseph Hergott, *NRC*

Thomas Knutson, *NRC*

Darrell Rains, *NRC*

Scott Smathers, *Outdoor Recreation Users*

Dennis Strauch, *Irrigation Districts*

Garry Anderson, *NRC*

Tim Luchsinger, *Municipalities*

Keith Rexroth, *NRC*

##### **Non-Voting Members:**

Senator Tom Carlson

Senator Al Davis

Senator Dan Watermeier

Senator Ken Schilz

Senator Rick Kolowski

Brian Dunnigan

The following members were absent: Dick Mercer, Gerry Dale Sheets, Steven Sugden, and Senator Mark Christiansen.

### TASK FORCE WORKING SESSION – Criteria Discussion

Task Force members discussed the priority of the previously approved project ranking criteria.

The Task Force reached consensus on three issues. First, the criteria L2 from the previous day's discussion would be moved to high priority. Second, the criteria M1 on water quality would be moved to high priority. Third the water quality criteria would be changed to add the word "improve" in addition to "maintain".

### EDUCATION SESSION

- Darrell Martin, University of Nebraska, presentation. The presentation is available on the DNR website ([www.dnr.ne.gov/lb517](http://www.dnr.ne.gov/lb517)).
- Joe Luck, University of Nebraska, presentation on Ag Technology. The presentation is available on the DNR website ([www.dnr.ne.gov/lb517](http://www.dnr.ne.gov/lb517)).

**PUBLIC COMMENT** - No one signed up to make Public Comment nor did anyone come forward as Clint Johannes made the invitation for the public to speak.

Individuals from the community present during the meeting included:

- Marlin Petermann, *PNRBRD*
- Jeff Buettner, *CNPPID*
- Butch Kochlmoor, *Lower Loup NRD*
- Thomas Riley, *Upper Elkhorn NRD*

- Dennis Schueth, *UENRD*
- Rachael Herpel, *University of Nebraska*
- Jennifer Swanson, *NARD*
- Rachelle Mallett, *NE Grocery Industry*
- Jim Meisner, *TPNRD*
- Mike Delka, *Bostwick I.D.*
- Robert Anderson, *Nebraska Cooperative Council*
- Lori Luebbe, *NE Soybean Association*
- Katie Pekaek, *UNL Extension*
- Frank Kwapnioski, *H2Options LLC*
- Don Wesely, *O'Hare Lindsey*
- Scott Merritt, *NEGA*

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**Meeting adjourned at 10:00 a.m.**