

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
February 13, 2003

The Twin Platte Natural Resources District Board of Directors meeting was held at the United Nebraska Bank Center Meeting Room, Second Floor, West Wing, 111 South Dewey Street, North Platte, Nebraska on February 13, 2003. Mr. Rubenthaler called the meeting to order at 3:06 p.m. CST (2:06 p.m. MST). A legal notice of the meeting was published in the NORTH PLATTE TELEGRAPH. A news release containing the agenda for the meeting and including the time and place was sent to the news media in the District.

BOARD MEMBERS PRESENT

Jeff Baldridge
Eric Hansen
Todd Kramer
James Meisner
Robert Petersen
Jim Rubenthaler
Douglas Stack
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Dennis Schilz

OTHERS PRESENT

Mike Wheeler – Sargent Irrigation

NRCS PERSONNEL PRESENT

Kristen Miller, Range Management Specialist
Mary Reece, District Conservationist

STAFF PRESENT

Amy Mapes, Administrative Assistant
Kent O Miller, General Manager

ANNOUNCEMENTS

Report of Directors Excused – Mr. Rubenthaler reported that Mr. Schilz was excused.

DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

Directors Notebooks Containing Information Items Available for Handout - Mr. Rubenthaler reported that each Director has a notebook containing information items that are available for handouts for others attending the meeting.

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Other Items - Mr. Rubenthaler reported that notebooks containing the USDA Natural Resources Conservation Service Conservation Plans signed by the General Manager as the Twin Platte Natural Resources District representative were available for information and that the notebooks would be passed around the Board table for review by each member of the Board of Directors present. Mr. Rubenthaler reported that a notebook containing the Cooperative Agreements between the Nebraska Board of Education Lands and Funds and Lessees that were signed by the General Manager as the Twin Platte Natural Resources District representative for the District to assist in the development and the application of a complete resources conservation plan was available for information and that the notebook would be passed around the Board table for review by each member of the Board of Directors present.

PUBLIC FORUM

The Public Forum of the meeting was opened. There were no comments, and the Public Forum was closed.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MEETINGS

Minutes for January 9, 2003 Meeting - Mr. Rubenthaler reported that the Minutes for the January 9, 2003 Board of Directors meeting were in the Directors' packet and he asked if there were corrections or additions to the Minutes.

Mr. Petersen moved that the Minutes of the January 9, 2003 Board of Directors meeting be approved. Mr. Meismer seconded the motion, and it carried. (Motion #1)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Stack, Wahlgren,
Weaver, Wiseman

NAY: None

ABSENT: Baldrige, Schilz

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service – Mrs. Reece distributed and reviewed a written report. Mrs. Reece distributed information for the new EPA rules for Confined Livestock and Poultry Operations and a Summary of Proposed Rules for the Environmental Quality Incentives Program (EQIP). Mrs. Reece reported that the EQIP Local Work needed to meet. Mr. Rubenthaler reported that the Twin Platte Natural Resources District representatives on the Local Work Group are Mr. Meismer, Mr. Petersen, Mr. Baldrige and Mr. Kramer. The Twin Platte Natural Resources District

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members of the Local Work Group agreed that a meeting of the Local Work Group could be held on March 26, 2003 at 2:00 p.m. CST in Sutherland, NE.

Other Agencies - No report presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for January 2003 was in the Directors' notebook and available as a handout for information.

Accounts Payable - Mr. Meisner reported that the Accounts Payable report was in the Directors' notebook and available as a handout and that he had reviewed the Accounts Payable and found the report to be in order.

Mr. Meisner moved that the Financial Statement for January 2003 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on February 13, 2003 in the amount of \$21,336.31. Mr. Stack seconded the motion, and it carried. (Motion #2)

AYE: Baldridge, Hansen, Kramer, Meisner, Petersen, Rubenthaler, Stack,
Wahlgren, Weaver, Wiseman

NAY: None

ABSENT: Schilz

Budget Status – Mr. Meisner reported that the Budget Status report was in the Directors' notebook and available as a handout.

Bids/Proposals – None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the March 13, 2003

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Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the March 13, 2003 Board of Directors meeting.

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Water Policy Task Force – Mr. Meisner reported on recent activities of the Water Policy Task Force.

Nebraska Association of Resources Districts – Legislative Conference – Mr. Meisner reported that the Nebraska Association of Resources Districts annual Legislative Conference was held January 28-29, 2003 in Lincoln, NE. Mr. Meisner reported that in the Directors' packet for information was a Legislative Bill Summary and the Nebraska Association of Resources Districts position. Mr. Meisner reported that Mr. Rubenthaler, Mr. Wahlgren, Mr. Miller and he attended the Conference. Mr. Meisner reported that Senator Pederson had a private dinner with the representatives of the Twin Platte Natural Resources District attending the conference on Tuesday evening, January 28, 2003 following the reception. Mr. Meisner reported that the panhandle Natural Resources Districts have a formal dinner, which Senator Erdman participates and the Loup River Basin Natural Resources Districts have a formal dinner, which Senator Jones participates.

Nebraska Association of Resources Districts – Board of Directors Meeting – Mr. Meisner reported on the Board of Directors meeting held on January 29, 2003.

Central Nebraska Public Power & Irrigation District Water Conservation Task Force - No report presented.

Platte River Citizens Advisory Council – No report presented.

Sandhills Resources, Conservation & Development Council - Mr. Hansen reported on recent activities of the Sandhills Resources, Conservation & Development Council.

Requests for Authorization to Travel - No requests were presented.

DISTRICT REPORT

Requests for Assistance – No requests for assistance were presented.

Cost-Share Programs - Nebraska Soil & Water Conservation Program – Mr. Miller reported that in the Directors' notebook and available as a handout was the monthly report. Mr. Miller reported that District guidelines provide that from January 31 – June 30, the funds from each reserved category shall be merged and applications on file shall be considered for funding in the order they are signed by the producer and only one application may be approved for partial funding at any time. Mr. Miller reported that \$18,626.14 was available for funding additional contracts. Mr. Miller reported that any un-obligated funds on March 1, 2002 are required to be returned to the Nebraska

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Department of Natural Resources for re-distribution to Natural Resources Districts.

Mr. Meismer moved to approve the January 2003 report as presented and to approve the following new contracts:

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt To Fund</u>
PROPOSED NEW CONTRACTS:				
03-054	NC-12	Trees	\$ 99.00	\$ 99.00
03-055	NC-12	Trees	\$ 779.00	\$ 779.00
03-056	NC-12	Trees	\$ 766.62	\$ 766.62
03-057	NC-12	Trees	\$ 421.02	\$ 421.02
03-058	NC-12	Trees	\$ 618.25	\$ 618.25
03-059	NC-12	Trees	\$ 779.00	\$ 779.00
03-060	NC-12	Trees	\$ 253.00	\$ 253.00
03-061	NC-12	Trees	\$ 496.45	\$ 496.45
03-062	NC-12	Trees	\$ 550.25	\$ 550.25
03-063	NC-12	Trees	\$ 779.00	\$ 779.00
03-064	NC-12	Trees	\$ 779.00	\$ 779.00
03-065	NC-12	Trees	\$ 779.00	\$ 779.00
03-066	NC-12	Trees	\$ 253.00	\$ 253.00
03-067	NC-12	Trees	\$ 779.00	\$ 779.00
03-068	NC-12	Trees	\$ 779.00	\$ 779.00
03-069	NC-12	Trees	\$ 99.00	\$ 99.00
03-070	NC-12	Trees	\$ 779.00	\$ 779.00
03-071	NC-12	Trees	\$ 779.00	\$ 779.00
03-020	NC-1	Irrigation Water Management	\$ 1,780.00	\$ 1,780.00
03-021	NC-1	Irrigation Water Management	\$ 2,225.00	\$ 2,225.00
03-022	NC-1	Irrigation Water Management	\$ 2,225.00	\$ 2,225.00
03-023	NC-1	Irrigation Water Management	\$ 2,225.00	\$ 1,828.55
Total Amount Of New Contracts				\$ 0.00
FUNDS AVAILABLE:				\$ 0.00

and for application 03-023, to authorize additional funds up to the application amount available prior to March 1, 2003. Mr. Kramer seconded the motion, and it carried. (Motion #3)

AYE: Baldridge, Hansen, Kramer, Meismer, Petersen, Rubenthaler, Stack, Weaver, Wiseman

NAY: None

ABSTAIN: Wahlgren

ABSENT: Schilz

Cost-Share Programs - District Conservation Program – Sealing Abandoned Wells – No report presented.

Cost-Share Programs – NE Buffer Strip Program - No report presented.

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Tree Program – No report presented.

Range Programs – Mr. Miller reported that on January 23, 2003, the District coordinated a livestock producer's workshop that was held in Ringgold, NE. Mr. Miller reported that in the Directors' notebook and available as a handout was an attendance listing for the workshop.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs - No report presented.

Water Programs – Ground Water Program – District Programs – Mr. Miller reported that the District has scheduled an open house on February 25, 2003 in Brule, Nebraska for producers within the target areas designated by the District in southwestern Keith County. Mr. Miller reported that in the Directors' notebook and available as a handout for information was a copy of the letter sent to each producer within the target areas designated by the District in southwestern Keith County inviting them to the open house. Mr. Miller reported that the open house was to assist producers with completing their nitrogen management forms.

Water Programs – Ground Water Program – 319 Project – Mr. Miller distributed the District's Winter 2003 Newsletter for information.

Water Programs – Ground Water Program – Ground Water Coalition – No report presented.

Water Programs – Ground Water Program – Transfers – Mr. Miller reported that a Colorado Company is seeking to pump ground water in Grant County and ship the water by railroad to Colorado. Mr. Miller reported that during the January 9, 2003 Board meeting, the Board members agreed they would not support proposals imposing a fee for transfers of ground water, as Nebraska would be demonstrating that it is willing to sell its ground water. Mr. Miller reported that Legislative Bills 123, 183 and 527 were introduced in the Nebraska Legislature to address the concerns with ground water transfers and that the Legislature's Natural Resources Committee Hearing for Legislative Bills 123, 183 and 527 was held on January 31, 2003. Mr. Miller reported that LB 123 adds to the criteria for the Director of Natural Resources to grant or deny permits for ground water transfers to another state. Mr. Miller reported that at the request of the Nebraska Association of Resources District, he had provided supporting testimony on behalf of Nebraska's Natural Resources Districts. Mr. Miller reported that testifying in support were the Nebraska Cattlemen, Nebraska Farm Bureau, Nebraska Audubon, Nebraska Department of Natural Resources, and the Nebraska Association of Resources Districts. Mr. Miller reported that there were no opponents and no neutral testimony. Mr. Miller reported that LB 183 and LB 527 establishes a 25 cent/gallon fee on ground water transferred 55 miles or more. Mr. Miller reported that at the request of the Nebraska Association of Resources District, he had provided opposing testimony on behalf of

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Nebraska's Natural Resources Districts. Mr. Miller reported that the Nebraska Association of Resources District opposed the legislation because by imposing a fee Nebraska demonstrates that it is willing to sell its ground water. Mr. Miller reported that testifying in support was the Nebraska First organization. Mr. Miller reported that testifying in opposition were the Nebraska Farm Bureau, the Nebraska Department of Health and Human Services and the Nebraska Association of Resources Districts. Mr. Miller reported that neutral testimony was presented by the Metropolitan Utilities District (Omaha) and the Nebraska Cattlemen. Mr. Miller reported that in the Directors' packet for information was his testimony for LB 123, LB 183 and LB 527 and copies of LB 123, LB 183 and LB 527.

Water Programs – Watershed Program – No report presented.

Water Programs – Platte River Activities - Cooperative Agreement – Mr. Miller reported on the status of the Cooperative Agreement. Mr. Miller reported that he attends meetings of the Governance Committee and the Water Management Committee as his schedule allows with a priority for attending meetings of the Water Management Committee, which he is a member. Mr. Miller reported that he is participating in meetings in Nebraska about the issues within Nebraska.

Mr. Miller reported that a Natural Resources Districts Platte River Basin Meeting in regard to the Cooperative Agreement was held February 13, 2003 in North Platte. Mr. Miller reported that the Twin Platte Natural Resources District representatives selected to participate in these Basin Meetings for discussions of the Cooperative Agreement are Mr. Meismer, Mr. Rubenthaler, Mr. Schilz, Mr. Wahlgren and Mr. Miller.

Water Programs – Platte River Activities - Cooperative Hydrology Study – Mr. Miller reported on the status of the Cooperative Hydrology Study. Mr. Miller reported that he participates in the meetings of the sponsors as the representative for the District.

Water Programs – Platte River Activities – Nebraska Habitat Conservation Coalition – No report presented.

Water Programs – Platte River Activities – Economic Coalition – Mr. Miller reported that in the Directors' notebook and available as a handout was correspondence from the District's legal counsel, Jess Nielsen, in which he recommended that the following language be added in the Interlocal Cooperation Agreement. "The purpose of this Coalition, nevertheless, shall be limited to conducting the study and evaluation described above and shall exist for no other purpose." Mr. Miller reported that the language would be added to the Interlocal Cooperation Agreement.

Water Programs – Platte River Activities – North Platte River – Mr. Miller reported that on September 9, 2002, the National Weather Service lowered the flood stage on the North Platte River at the City of North Platte from 6.0 feet to 5.7 feet due to flooding. Mr. Miller reported that the flow rate at 6.0 feet in 1994 was rated at 3,804 cfs and

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currently is rated at 2,584 cfs and the flow rate at 5.7 feet is currently rated at 1,980 cfs. Mr. Miller reported that the landowners along the North Platte River at the City of North Platte have several times over the past years inquired if the Twin Platte Natural Resources District could do anything to prevent flooding around their homes. Mr. Miller reported that the Central Nebraska Public Power and Irrigation District over the last two years has been facilitating discussions with local, state and federal agencies and landowners in an attempt to determine the cause for the flooding and that it has been hoped that the U.S. Army Corp of Engineers would provide assistance in determining the cause for the flooding, but the assistance has not been available. Mr. Miller reported that the Central Nebraska Public Power and Irrigation District hired Parsons Engineering to perform a field inspection and initial assessment of causes and potential remedies for the flooding along the North Platte River at the City of North Platte. Mr. Miller distributed for information the report prepared by Parsons Engineering. Mr. Miller reported that he was a member of the Platte River Cooperative Agreement Governance Committee's Water Management Committee, which was February 14th in Denver during which the Water Management Committee would be discussing the flow restrictions on the North Platte River at North Platte. Mr. Miller reported that he would be participating in the meeting tomorrow in Denver and the Governance Committee meeting on February 18th in Denver.

Water Programs – Platte River Activities – South Platte River – Mr. Miller reported on meetings and discussions in regard to the South Platte River Compact.

Water Programs – Irrigation Districts – Western Irrigation District – Mr. Miller reported that in the Directors' packet for information was the Construction Agreement, the Performance Bond, the Safety Dam Agreement and the Pre-Construction Meeting Minutes for the Western Irrigation District Emergency Watershed Protection Project.

Regulatory Programs – No report presented.

Information & Education Programs – No report presented.

Requests for Authorization to Travel – No requests were presented.

Legislation – No report presented.

Meetings and Dates of Interest – Mr. Miller reported that various items of information were in the Directors' packet and in the Directors' notebook and available as a handout.

Miscellaneous Information – Mr. Miller reported that various items of information were in the Directors' packet and in the Directors' notebook and available as a handout.

OTHER BUSINESS

There was no other business.

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ADJOURNMENT

The meeting adjourned at 4:40 p.m. CST (3:40 p.m. MST).

Jerry Weaver, Secretary

KOM:Minutes:Bmin0203