



LOWER PLATTE SOUTH natural resources district

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Agenda Item #7

Memorandum

Date: February 11, 2022
To: Each Director
From: Paul D. Zillig, General Manager
Subject: Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at 12:30 pm on Thursday, February 10, 2022 via zoom/teleconference. Directors participating were Deborah Eagan, David Landis, Chelsea Johnson, Bob Andersen, Larry Ruth, and Luke Peterson. Others participating included Steve Seglin, Corey Wasserburger, Kristin Buntmeyer, David Potter, and myself.

Chair Eagan called the meeting to order, welcomed those participating and requested I report on the any additional consideration of Legislative Bills introduced that are of interest to LPSNRD. I reported that late last month the Subcommittee reviewed the list of bills with a brief explanation and “bullets” explaining what the bill does. The Subcommittee took positions on each bill, these bills were then further reviewed and discussed at the NARD Legislative Conference, and then a letter was then submitted to the LPSNRD State Senators informing them of the NRD’s position.

I reported that the Subcommittee now needs to consider if any additional bills need to be considered or current positions modified before presenting the Subcommittee recommendation to the full Board at the February Board Meeting. Chelsea Johnson moved and Landis seconded the recommendation that the Subcommittee add a position of Support to LB 1048 and it was moved by Andersen, seconded by Landis to add a position of Support to LB 953 and 1102, both motions were unanimously approved. An updated list of bills, brief explanation, and position is attached.

The Executive Subcommittee’s recommendation to the Board was to **recommend the Board of Directors approve the following positions on these Legislative Bills –**

SUPPORT - LB 746, 761, 805, 813, 925, 953, 978, 981, 1048, 1081, 1096, 1102, 1160, 1248, and 1255;

OPPOSE – LB 743, 787, 1135, and 1146; and

MONITOR – LB 775, 778, 806, 809, 820, 840, 908, 965, 1011-1015, 1023, and 1277.

The Subcommittee then discussed LB 1135 and their opposition to this Bill that would reduce the ability to protect unique natural resources such as native prairies and wetlands with conservation easements. The Subcommittee supported Chair Eagan’s decision to ask Larry Ruth to testify in

opposition to LB 1135 on behalf of the NRD. Ruth reported on the extent of his testimony and others expected to also testify in opposition.

There being no further business the meeting adjourned at 1:00 pm.

PDZ/pz

pc: Steve Seglin
Corey Wasserburger

Nebraska's 107th Legislature (2021 & 2022)
(NRD Issue Related Bills)

BILL	INTRODUCER	DESCRIPTION (• PDZ's Summary of Changes)	POSITION
2022 BILLS (OF INTEREST)			
743	Erdman	Change provisions relating to when closed sessions may be held under the Open Meetings Act <ul style="list-style-type: none"> • Provides 6 reasons subcommittees can go into closed session 	Oppose
746	Friesen	Eliminate the requirement that the Director of Natural Resources be a professional engineer <ul style="list-style-type: none"> • Self-explanatory 	Support
761	<u>Dorn</u>	Adopt the Precision Agriculture Infrastructure Grant Act and state intent regarding appropriation of federal funds <ul style="list-style-type: none"> • \$10M in Federal Coronavirus funds for grants from Department of Economic Development 	Support
775	Brewer	Prohibit land disposal of wind turbine blades and their component parts <ul style="list-style-type: none"> • Self-explanatory 	Monitor
778	Brewer	Adopt the Government Neutrality in Contracting Act <ul style="list-style-type: none"> • Provide for the efficient procurement of goods & services 	Monitor
787	Groene	Redefine a term and change applicability provisions under the Nebraska Budget Act <ul style="list-style-type: none"> • Joint entities that receive tax funds from members are subject to the Budget Act 	Oppose
805	Hughes	Change provisions relating to prioritization of application and intent to appropriate funds under the Noxious Weed Control Act <ul style="list-style-type: none"> • Increase from \$1M to \$3M annually, add "floodplain" 	Support
806	<u>Bostelman</u>	Change provisions relating to drainage of land by landowner <ul style="list-style-type: none"> • Change drainage law and liability if damage occurs 	Monitor
809	Moser	Change provisions and duties of the Department of Environment and Energy and provisions relating to the use of certain funds relating to water <ul style="list-style-type: none"> • Increase NDEE loans from 50% to 75% for smaller towns (0 – 10,000), adds loan forgiveness 	Monitor
813	Hilkemann	State intent regarding funding for development and improvements along the national rail-trail route <ul style="list-style-type: none"> • \$ to NG&P for trail development & improvements along national rail-trail routes 	Support
820	<u>Hansen, M</u>	Change population thresholds for cities of the metropolitan class and cities of the primary class (100,000 – 300,000) <ul style="list-style-type: none"> • Increase from 300,000 to 400,000 (Lincoln) 	Monitor
840	Brewer	Change provisions relating to publication and rates for legal notices <ul style="list-style-type: none"> • Simplifies, mostly 48¢ or 50¢ / line • Add Website notice 	Monitor
908	McDonnell	Provide additional requirements for virtual conferencing under the Open Meetings Act <ul style="list-style-type: none"> • Public body can meet virtually to discuss items to be acted on at a non-virtual meeting or if not taking action 	Monitor
925	Gragert	Adopt the Resilient Soils and Water Quality Act and state intent regarding appropriations <ul style="list-style-type: none"> • NDNR hire a facilitator, may contract, \$250K, FY 22/23 – 26/27, annual reports 	Support
953	Cavanaugh, J.	Change provisions relating to open burning permits and provide limitations on liability and nuisance relating to land-management burning <ul style="list-style-type: none"> • oks electronic permits, reduces liability 	Support
965	<u>Bostar</u>	Change the day the state observes Arbor Day <ul style="list-style-type: none"> • Odd years last Friday in April, even years 1st Tuesday following the 1st Monday in November • Voting holiday 	Monitor
978	Hughes	Provide powers and duties relating to the treatment of dredged and fill material under the Environmental Protection Act <ul style="list-style-type: none"> • Prohibits discharge of dredged or fill materials into waters of the U.S. 	Support
981	Hilkemann	Revive the Trail Development Assistance Act and state intent to transfer funds <ul style="list-style-type: none"> • Revive intent of Legislature, \$15M to Trail Develop. Assistance Fund, use \$750K annually for trail O&M • Funds from General Fund to NG&P 	Support
1011	<u>Hilgers</u>	Provide, change, and eliminate provisions relating to appropriations <ul style="list-style-type: none"> • State Budget – Nebr. Department of Natural Resources 	Monitor
1012	<u>Hilgers</u>	Provide for funds transfers, create funds, and change and eliminate provisions regarding a fund and reimbursement provisions <ul style="list-style-type: none"> • State Treasurer funds for STARWARS, Perkins County Canal & etc. 	Monitor
1013	<u>Hilgers</u>	Change provisions relating to the Cash Reserve Fund <ul style="list-style-type: none"> • Funds for Perkins Co. Canal & Capital construction 	Monitor

BILL	INTRODUCER	DESCRIPTION (• PDZ's Summary of Changes)	POSITION
1014	<u>Hilgers</u>	Appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021 <ul style="list-style-type: none"> • Appropriate funds from Coronavirus State Fiscal Recovery Fund 	Monitor
1015	<u>Hilgers</u>	Adopt the Perkins County Canal Project Act <ul style="list-style-type: none"> • Direct DNR to do it 	Monitor
1023	<u>Hilgers</u>	Adopt the Lake Development Act and the Water Recreation Enhancement Act <ul style="list-style-type: none"> • Combined reservoir approx. 3,600 acres in or near Sarpy County • NDNR to do it • \$ for Wahoo Watershed and Schuyler Levee • Agreements with NRDs • Private sector contributions • State funds of XX to match private • Enhancement \$ to NG&P for Big Mac, Niobrara, Lewis & Clark 	Monitor
1048	Blood	Appropriate federal funds to University of Nebraska to evaluate the chemicals released and pollution caused by ethanol production facilities.	Support
1081	<u>Bostar</u>	Provide for a grant program for the design, construction, and implementation of water transport infrastructure under the Department of Natural Resources and state intent to appropriate federal funds <ul style="list-style-type: none"> • \$200M Coronavirus funds, DNR grants for municipalities using at least 30M gal/day and pumping water at least 25 miles (Lincoln) 	Support
1096	Halloran	Provide for participation in trusts and investment pools by certain governmental entities <ul style="list-style-type: none"> • NRDs can participate in Trust or Investment Pool with State Treasurer 	Support
1102	<u>Bostelman</u>	Adopt the Nebraska Environmental Response Act and change provisions relating to enforcement of environmental protection <ul style="list-style-type: none"> • Creates a fund, issue orders, adopt rules & regulations, polluter pays, assess penalties, and cease & desist authority 	Support
1135	Murman	Change provision relating to conservation or preservation easements and property tax exemptions relating to such easements <ul style="list-style-type: none"> • Governing body must approve before recording easement • 90 days for comments or denied • Adds due process on action, protests and adds County Board of Equalization • Adds ability to release Conservation Easement • Term can't exceed 99 years, remove "perpetual" • If land condemned Conservation Easement terminates 	Oppose
1146	Friesen	Change provisions relating to the Interlocal Cooperation Act <ul style="list-style-type: none"> • If forming a new entity may only include members of the governing bodies • Forming a joint entity or bonds must be voted on in a general election 	Oppose
1160	<u>Wishart</u>	Appropriate federal funds to the Department of Environment and Energy for reverse osmosis systems <ul style="list-style-type: none"> • \$10M of Coronavirus funds for reverse osmosis • Small & rural communities are eligible • Nitrates must exceed 10 parts per million 	Support
1248	Hansen, B.	Appropriate federal funds to the Department of Environment and Energy for a municipal water treatment plant <ul style="list-style-type: none"> • Appropriate \$30M in Coronavirus funds to NDEE to expand a municipal water treatment plant, land acquisitions, and . . . 	Support
1255	<u>Bostar</u>	Appropriate federal funds to the University of Nebraska for an updated climate change report <ul style="list-style-type: none"> • Provides \$150,000 in Coronavirus funding • University of Nebraska Institute of Ag and Natural Resources update 2014 Assessing Climate Change Report, and • UNIANR contract for specific prescriptive measures to be taken by the State related to the Climate Change Report 	Support
1277	<u>Clements</u>	Appropriate federal funds to the Department of Economic Development to provide funds to a county agricultural society with facilities within a city of the primary class <ul style="list-style-type: none"> • \$7M in Coronavirus funding to NDED for county agricultural society with facilities in a city of the primary class (Lincoln) 	Monitor