

Draft Notes
Meeting to Provide Input to Nebraska Representation
Missouri River Association of States and Tribes
November 3, 2008
Board Room, Papio – Missouri River NRD offices

Attendance

Rocky Plettner, NPPD	Jason Skold, The Nature Conservancy
Brian Barel, NPPD	Jay Rempe, Nebraska Farm Bureau
Joel Christensen, MUD	Jim Shields, MUD
Gordon Anderson, City of Omaha	Chuck Sprinkel, City of Omaha
Bob Hilske, Nemaha NRD	Tom Moser, Lewis and Clark NRD
John Winkler, Papio Missouri River NRD	Marlin Petermann, PMRNRD
Jim Becic, Papio Missouri River NRD	Mary Roth, US Army Corps of Engineers
Scott Barick, City of NE City Dock Board	Pat Haverty, RCEDC, City of NE City
Justin Lavene, NE Attorney General's Office	Gene Zuerlein, NE Game & Parks Comm,
Pat Rice, NE Dept. of Environmental Quality	John Bender, NE Dept. of Environmental Quality
Russ Baker, Omaha Public Power Dist.	Steve Gaul, NE Dept. of Natural Resources
Brian Dunnigan, NE Dept. of Natural Resources	

Meeting Call to Order/Introduction

Brian Dunnigan, Nebraska Department of Natural Resources called the meeting to order at 8:30 a.m. and indicated its purpose was both to inform Missouri River Stakeholders about river activities and to gather their input for use in interaction with the Missouri River Association of Stakes and Tribes (MORAST). He noted that the intent was to gather input from a spectrum of Nebraska interests and that others could be invited as well. He reported that a smaller group had met a few years ago and its attendance was used to help compile a mailing list.

Mary Roth, Missouri River Management Division of the U.S. Army Corps of Engineers, made presentations on the Missouri River Annual Operating Plan (MRRIC), and the Missouri River Ecosystem Restoration Plan (MRERP). She also distributed fact sheets on both MRRIC and MRERP (attached). There were questions concerning representation on MRERP. Dunnigan pointed out that the Governor would be appointing the MRERP representative and that he expected a decision in the coming weeks. Lavene noted that while the Governor would appoint one point of contact, that person would help involve others in the technical committees and would effectively serve as the leader of the Nebraska effort.

Agency/Organization Reports/Issues

Dunnigan asked attendees to present perspectives on any Missouri River issues of concern to their organization.

John Bender, Nebraska Department of Environmental Quality, reported that issues of concern to his agency include: 1) discharge permits, 2) the Omaha combined sewer project, 3) nutrient water quality criteria, 4) power plan operation/entrainment, and 5) sedimentation in the upper end of Lewis

& Clark Lake. He indicated that the Omaha combined sewer project should help the city meet bacteria criteria but would cost an estimated \$1.5 billion dollars by completion. Mary Roth noted in regard to the Lewis and Clark sedimentation that the CNPS has funded a Natural Resources Council study on sedimentation throughout the basin. She noted that sediment generally drops out upstream, not at the dam itself. Barel indicated that a unique and valuable eco-system has developed at the Upper end of Gavins Point.

Jim Becic, Papio-Missouri River NRD reported that Natural Resources District efforts in restoring habitat along the Missouri River had resulted in very significant improvements and that he was excited about what has been happening in the last 15 to 20 years. He mentioned a number of individual restoration projects and noted that natural resources districts had partnered with the Environmental Trust and the Nature Conservancy. He indicated that the Back to the River program had been instrumental in development and cleanup of the river in his area and that the recently completed pedestrian bridge should also help draw people to the river.

Marlin Peterman, Papio-Missouri River NRD, reported that there had been major flood control efforts in the Platte River confluence area. He said that as floodplain mapping is updated there will need to be recertification of levees to make sure they still meet the floodplain protection criteria they were established for. Petermann also noted that their NRD is involved with recreation and that marina owners have concerns on water levels.

Russ Baker, Omaha Public Power District, indicated that he was awaiting a Supreme Court ruling and rules promulgation concerning 315 E. intakes. He reported that in 2008 they had received flows that were less than optimum due to flooding downstream. However, that meant warmer water, which affected their thermal limits.

Gene Zuerlein, Nebraska Game and Parks Commission, reported that his agency has 20 or more people working on pallid sturgeon issues. He said that in the Sioux City to St. Louis reach, around 500,000 acres of habitat had been lost. However, the willing seller program for habitat acquisition was achieving major success. Zuerlein also reported that a professor from Holyoke College had found that U.S. wetlands have a 900 billion dollar value.

Jason Skold, the Nature Conservancy, said the Conservancy was examining different model scenarios and that bed aggradation and floodplain aggradation may be contributing to increased flood damages in some places.

Tom Moser, Lewis & Clark NRD, reported that sandbar construction had been associated with increased organic matter and lower water quality in some areas. He indicated that the Corps is now doing a study of the issue.

Joel Christensen reported that there are sometimes concerns related to Omaha water supply during wintertime low follows caused by freezes.

Issue Facing Missouri River Association of States and Tribes

Dunnigan distributed the minutes of the last MORAST meeting and the agenda for the next meeting. He noted that he and Kirk Nelson of the Nebraska Game & Parks Commission were the two Nebraska representatives on the organization. He said that many of the issues the organization deals with sometimes set up as upstream water users versus downstream water users. He indicated that

Missouri is not a member of the organization. One issue that will be examined in the upcoming December 1-2 meeting will be a proposal to change from a ¾ majority to a 2/3 majority. There will also be discussion of tribal participation and voting. He reported that there are currently 28 tribes in the basin. There are not votes for each tribe and there are concerns on how tribes can act on behalf of other tribes.

Dunnigan also reported that MORAST had developed a draft white paper to re-examine aspects of the 1944 Flood Control Act. Zuerlein said the original act had economic priorities as a focus but that in the current era many are more concerned on sustainability. Barels noted that Senator Dorgan of North Dakota was proposing a \$25 million study of the Flood Control Act.

Dunnigan reported that MORAST has a website that can be found at 222.mo-rast.org. He indicated that the organization is broader than the studies discussed and not necessarily directed just at the Water Resources Development Act or a federal emphasis. Zuerlein said the organization can pick and choose what it addresses. Dunnigan asked if those attending would like to meet again on a periodic basis in order to provide input to Nebraska's MORAST representatives and receive updates on Missouri River activities. There was discussion of meeting once or twice per year.

The meeting adjourned at 11:30 a.m.