



# Flatwater Examiner

Volume XXIX, Number 2

April 2, 2001

## President's Report

This will be more of a note rather than a report. Since the meeting I have been facilitating the transition of our newsletter to our new editor (Mark Staab) and working on Chapter business such as the Chapter's report to the Governing Board (page 5).

Plans are underway for this summer's tour of Missouri River restoration sites and next year's Annual Meeting with the Dakota Chapter. More information will be included in the next newsletter.

This is the new look for our newsletter. Due to an abundance of materials for this edition, several regular sections were not included, but will return. As always, we welcome suggestions on how to make the newsletter better serve you, the members.

Gerald Mestl

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## Bob Thomas 1926 - 2001

Nebraska recently lost one of its more dedicated and professional fishery resource scientists. Bob Thomas will be remembered for many things pertaining to the management of our sport fishing resources, which spanned a half of a century. He began his career in the sandhills district as an area fisheries management biologist over fifty years ago and soon transferred to the area supervisor of the Southwest district, a post he held until 1965. Departmental reorganization at that time provided for Bob to assume the role of statewide management supervisor until he became the second Fisheries Division Chief of Nebraska when Glen Foster retired.

Many of us will remember being a part of the fisheries division during Bob's tenure as our co-worker and/or our ever gentlemanly leader. I can tell you that Bob never had a disparaging word for or with any of the fisheries professionals during his tenure in the Nebraska Game and Parks Department. He was equally supportive of every member of the team whether they were the temporary creel clerks, hatchery culturists, or the senior



**Nebraska Chapter President Bob Thomas presenting chapter award to Gerald Mestl at 2000 Annual Meeting in Council Bluffs**

research biologist. He was just a good guy and most important to providing the basis of the great resources which we enjoy today. His quiet ways could never be construed to be easy going, but rather he possessed a demeanor, which conveyed the pursuit of excellence from each member of his staff. He expected the very best from each of our individual abilities. His stewardship ethic may be equaled but will not be exceeded.

*(Continued on page 3)*

## 2001 Legislative Update - Larry Hutchinson

The following legislative bills are considered important in their potential to affect appropriate stewardship of Nebraska's fishery resources. They are listed in order of their LB number, followed by a short description of the legislation intent, its status in the legislative process, and the recommendation for support or opposition by the NAFS Chapter membership. If the LB number is underlined it is considered a very important bill.

Bear in mind that this years legislative ses-

sion is the first year of the biennial session. This means that legislation that is not killed or withdrawn can be carried over for action, including new amendments next year without having to be reintroduced.

Legislative actions and bills can be read and tracked on the Unicameral's web site at

[www.unicam.state.ne.us/index.html](http://www.unicam.state.ne.us/index.html)

*(Continued on page 3)*

## 2002 Meeting with the Dakota Chapter

Planning for a joint meeting with the Dakota Chapter in 2002 is currently underway. Reservations have been made at the Cedar Shores Resort in Chamberlain, South Dakota for Feb. 25—27. We think, with everyone's help, this has the potential to be a tremendous meeting. Program arrangements will start later this year. The Nebraska contact is our President Elect, Mark Porath (mporath@ngpc.state.ne.us) and the South Dakota contact is Wayne Nelson-Stastny (Wayne.Nelson-Stastny@state.sd.us).

### Auction Items

It is Never too Early to Start Thinking About Auction Items for the 2002 Annual Joint Meeting with the Dakota Chapter

## Nebraska Chapter Presents "Outstanding Aquatic Resources Conservation Award"

The Nebraska Chapter of the American Fisheries Society held its 32nd annual meeting on February 13 and 14 at AKSAR-BEN Aquarium, Gretna, NE. The Chapter is a professional society representing fisheries scientists dedicated to promoting scientific research and enlightened management of Nebraska's aquatic resources for optimum use and enjoyment by the public.

During the business meeting the Chapter presented the "Outstanding Aquatic Resources Conservation Award" to the Lower Platte South Natural Resources District. Accepting the award on behalf on the NRD were Paul Zillig, Assistant Man-

ager and Dan Shulz, Resource Conservationist.

Lower Platte South has been one of the predominant NRD's in Nebraska in undertaking major watershed treatment projects

During the early 1990's the Lower Platte South was one of the first NRD's to become involved in EPA's Clean Lakes Program. They have been one of the predominant NRDs in Nebraska in undertaking major watershed treatment projects, having done so above Wildwood, Olive Creek, Wagon Train and Holmes lakes, the latter three being official projects under the Nebraska Game and Parks Commission's Aquatic Habitat Rehabilitation

Program. In addition, they have initiated land treatment ef-

*(Continued on page 5)*

## Summer tour of Missouri River Restoration Sites

All Nebraska Chapter Members are invited along on a boat tour with informational descriptions of selected Missouri River restoration sites.

Tentative Schedule:

- Date: Thursday, July 26, 2001
- Meet at Aksarben Aquarium at 8:30 am
- Launch at 9:00 am at Bellevue
- Shore lunch - cost \$5.00 (this will cover lunch, beverages and snacks for the day)
- Conclude tour by 3:30 pm
- Back to Aksarben Aquarium by 4:30 pm

(Final arrangements and additional information will be included in the next newsletter)



# Bob Thomas

*(Continued from page 1)*

Bob's love of the fisheries resource and professionalism was very evident by his continuing participation in our AFS chapter actions. Most recently he served as the chapter president and could always be counted on to express the most informed views of the society in the political issues of the day. We all could profit by following in the ways and actions of Bob's approach to the aquatic resources of our state and country.

I never had a better teacher. -----Wes

## Bob Thomas—Chapter Service

- 1970—Charter member of Nebraska Chapter
- 1978-1979—Secretary Treasurer of the Fisheries Administrators Section
- 1979-1980—President-Elect of the Fisheries Administrators Section
- 1980-1981—President of the Fisheries Administrators Section
- 1998-1999—President-Elect of the Nebraska Chapter
- 1999-2000—President of the Nebraska Chapter
- 2000-2001—Past President of the Nebraska Chapter

## Bob Thomas—Professional Highlights

- 1948-1950 Attended South Dakota State University
- 1954-1956 Attended Colorado State University
- B.S. June 1956 Colorado State University
- June 1956 hired as a Fisheries Biologist by Nebraska Commission of Game, Forestation and Parks
- July 1956 moved to North Platte
- June 1960 promoted to Assistant Project Leader
- February 1961 reclassified to Senior Area Fisheries Manager for Districts 1, 2 and 4
- July 1965 promoted to Section Chief in Lincoln
- June 1967 promoted to Assistant Chief
- December 1971 promoted to Division Chief of Aquatic Wildlife
- July 1975 promoted to Division Chief of the Fisheries Division
- August 1986 retired from the Nebraska Game and Parks Commission

## 2001 Legislative Update Continued...

*(Continued from page 1)*

**LB 218** - The purpose is to make any dishonorably discharged veteran of the armed forces of the United States, regardless of the dates served, if he is age 65 or older, a legal resident of Nebraska, and meets the other requirements of Section 37-420, eligible for free fishing and hunting permits, and free wildlife and aquatic habitat stamps. This does not apply to big game permits, commercial fishing permits, trapping permits, or other limited number permits. This legislation would cause a direct loss of revenue to the Nebraska Game and Parks Commission for fish and wildlife management activities through loss of permit fees, and through loss of federal aid apportionments from the federal PR fund and the W-B fund.

STATUS - Held in the Natural Resource Committee; indefinitely postponed as of March 13.

RECOMMENDATION: OPPOSE

**LB 404** - The purpose is for the Governor to appoint a task force representing Nebraska Water interests to conduct a study of Nebraska surface water and ground water statutes and develop a comprehensive water plan. Water interests

represented on the task force would be; a) surface water irrigation, b) ground water irrigation, c) municipal water users, d) industrial water users, e) natural resource districts, f) fish, wildlife and recreational users. The task force would be directed to consult with UNL's Conservation and Survey Division, DEQ, DNR, and such other state and federal agencies the task force deems necessary. Among other topics and uses to be examined would be "fish, wildlife, and recreational ground water and surface water uses, supplies, and management concerns, water quality monitoring requirements, conjunctive uses statutes, the ground water and surface water preference systems," and funding for water management activities. NOTE: The bill does not specify an agency to administratively house the task force activities, and does not specify a date for completion of the task force activities. STATUS - Placed on General File for first round debate. It may be revised to provide for an interim study with various stakeholders involved.

RECOMMENDATIONS: 1. The bill needs to be amended to fairly balance the diversity of water interests on the task force so that fishery interests, wildlife interests, and recreational

*(Continued on page 4)*

## 2001 Legislative Update Continued...

*(Continued from page 3)*

interests are each represented. 2. The bill needs to be amended to name the Game and Parks Commission as an agency the task force must consult with.

**LB 628** - This bill is proposed in response to the recent U.S. Supreme Court decision which limited the federal government's authority to regulate dredge and fish in "isolated" wetlands. This affects approximately 700,000 acres of Nebraska wetlands (e.g. rain basin and sandhills wetlands). This bill would allow the DEQ to adopt regulations and assume the role previously performed by the Army Corps of Engineers under the Clean Water Act in regulating dredge and fill into isolated wetlands.

STATUS - Natural Resource Committee hearing held March 1; Remains in Committee. It may be revised to provide for an interim study.

RECOMMENDATION: SUPPORT

LB 636 - The purpose is to create a Natural Heritage License Plate to generate additional funds for the Nongame and Endangered Species Conservation Fund (NESCF). Natural Heritage message" plates would cost \$70 and "numbered" plates would cost \$40. \$30 from each type of plate would be credited to the NESCF.

STATUS - Hearing held February 5; bill still in the Transportation and Telecommunications Committee.

RECOMMENDATION: SUPPORT

**LB 777** - This is one of two bills introduced at the request of the Nebraska Farm Bureau and others to amend the Nebraska Non-game and Endangered Species Conservation Act. The NGPC opposed LB 777 as originally introduced, however it has now been amended to the satisfaction of NGPC. The amended version deleted a requirement for NGPC to do an economic impact study of proposals to list new species; deleted a requirement for preparation of a conservation program for a species before adding it to a list of threatened and endangered species, but requires preparation of an outline of potential requirements or regulations that might affect private landowners or state-recognized property rights (e.g. water rights); revised a requirements for public notices in each region (rather than each county) in the range of species proposed for listing; retained requirements for notification to each NRD and county in the species range, to the Governor and all state agencies of proposed listings and invite their comments; and requires that evidence used as the basis for listing be peer reviewed by scientists or experts outside and independent of the Commission before adding new species to the T & E list.

STATUS: This bill is out of committee and is on general file. The best information is that it will not progress this year.

NOTE: If this bill does not advance this year, it can still be acted on next year. Be aware this legislation can be amended with new provisions during debate by the full legislature without need of another hearing

RECOMMENDATION: Oppose if new amendments create more restrictions or impediments to processes for listing new species as threatened or endangered.

**LB 778** - This is the 2nd bill introduced at the request of the Nebraska Farm Bureau and the Nebraska Cattle Association to amend NESCA. This bill would amend the NESCA to require NGPC to keep information strictly confidential about the location, land ownership, and data collected on species being considered for listing or species currently listed if such information was collected from private land, with the following exceptions: a) such information can be released to the landowner; other persons if the owner consents in writing to full or specified partial disclosure; c) another state agency as necessary under NESCA consultations with such agencies after notification of the private landowner. The NGPC can disclose information in a manner that prevents identification of a particular tract of land, the landowners name or his designee.

Attempts to reached agreements on amending this proposed legislation failed. The legislation is opposed by NGPC, Nebraska Division of the Isaak Walton League, Nebraska Wildlife Federations, Nebraska Sierra Club, and the Nebraska Council of Sportsmen.

STATUS - This bill is out of committee and is on general file. The best information is that it will not progress this year. NOTE: If this bill does not advance this year, it can still be acted on next year. Be aware this legislation can be amended with new provisions or be attached to another bill (e.g.LB777) during debate by the full legislature without need of another hearing.

RECOMMENDATION: OPPOSE.

**LB 790** - This bill would have required sales tax on pop with proceeds for environmental purposes (e.g. NRD water quality programs) and to replace NGPC funds generated from sale of Park Permits. The Park Permits would have been eliminated.

STATUS - This bill was indefinitely postponed (killed) by the legislature.

## Conservation Award

*(Continued from page 2)*

forts in the Yankee Hill and Branched Oak watersheds. Both of these reservoirs are also part of the Nebraska Aquatic Habitat Plan and will be rehabilitated in the near future.

The Lower Platte South NRD has also carried out a major restoration project of their own at Meadowlark Reservoir, in the process having constructed the first in-lake sediment/nutrient dike in public Nebraska waters. They are currently spearheading restoration of Wildwood Reservoir, another public fishing reservoir under their ownership.

The district has been intimately involved in the Lower Platte Corridor Alliance, a consortium of three natural resources districts and seven state agencies joined together in an effort to address natural resources management issues in the Lower Platte River area. In this capacity they help increase understanding of the Platte River's resources, support local efforts to achieve comprehensive and coordinated land use to protect the long-term vitality of the river and promote cooperation among the many varied users in the corridor.

Education, such as is incorporated in the Alliance, has frequently been a focus of the District's projects. They have hosted several workshops and field tours displaying demonstration projects dealing with rehabilitation techniques and best management practices on land and water resources in their district.

Each of these conservation efforts were significant to the Awards Committee in their decision to choose the Lower Platte South NRD for this award.

## REPORT TO THE GOVERNING BOARD

TO: Carl V. Burger, President, AFS

FROM: Gerald Mestl, President,  
Nebraska Chapter

DATE: February 16, 2001

### I. Action

Action Requested: None

Recommended Motion: None

Minority View: None

Background for Motion: Not Applicable

### II. Outcome or Accomplishments in Relation to the Society's Strategic Plan

Charge or Annual Program of Work:  
No Charge or Program of Work Defined

#### Information Transfer and Outreach:

ITO 2.2 The Nebraska Chapter presented testimony against the construction of a large dairy facility proposed upstream of an important trout stream and trout rearing facility.

#### Member Services:

MS 1.1 The Nebraska Chapter provided continuing education opportunities for its members by offering a workshop at its annual meeting in Gretna in February on AFS Resource Policies.

MS 1.5 The Nebraska Chapter is working with the family of Robert Thomas (who was killed recently in a traffic accident and was serving as the chapter's Past President) to establish an endowed education fund to provide financial assistance for fisheries students.

MS 2.1 The program and the poster session at the annual meeting in Gretna also provided continuing education opportunities for Nebraska Chapter members.

MS 2.4 The Nebraska Chapter actively participates in Technical Committees of the North Central Division and encourages information transfer to the members through our newsletter and at our annual meeting.

MS 3.1 The Nebraska Chapter has developed a web page during the year. The web site includes current chapter activities, a chapter email directory, current and past newsletters, meeting information and chapter history.

MS 4.4 The Nebraska Chapter created a nominating committee at its annual meeting to identify candidates to run for office.

#### Aquatic Stewardship:

AS 1.3 Presented an "Outstanding Aquatic Resources Conservation Award" to the Lower Platte South Natural Resources District in recognition of their work with watershed treatment projects, the Lower Platte River Corridor Alliance and other conservation efforts.

# Minutes of the 32nd Annual Meeting of the Nebraska Chapter of the American Fisheries Society

American Fisheries Society  
Nebraska State Chapter Meeting

Gretna, NE  
February 13, 2001

## I. Call to Order

The 32nd annual meeting of the Nebraska Chapter of the American Fisheries Society was held at the Aksarben Aquarium in Gretna, NE on February 13, 2001. The meeting commenced at 4:00 p.m. with a call to order by President Gerald Mestl.

## II. Approval of Agenda

Steve Satra motioned that the agenda presented by Gerald Mestl be approved as written. Gene Zuerlein seconded and the motion was approved by voice vote.

## III. Committee Reports

- A. Legislative - Larry Hutchinson reported on several bills before the Nebraska Legislature. Bills that may have concerns relevant to the chapter include: The Niobrara River Bill, a bill to provide free permits to any veteran of the armed services, changes to dredge and fill permitting, changes to the Threatened and Endangered Species laws which the chapter should oppose unless revisions are made, and a bill for personalized license plates which could help generate revenue for conservation work. Larry also informed the chapter of an upcoming review of the State Water Policy and suggested that the NAFS draft a letter to recommend that the NGPC have a representative on the review committee.
- B. Current Affairs - Gene Zuerlein presented an overview of the Verdigrée Creek dairy expansion issue and updated the chapter on the ruling by the district judge that has allowed the expansion. Copies of position letters from the NAFS that were sent in opposition to the expansion are attached to these minutes.
- C. Scholarship - No scholarship was given in 2000. Rick Holland notified the chapter that he is stepping down as co-chairman of this committee. No replacements were named.
- D. Membership - Rick Holland notified the chapter that he is stepping down as co-chairman of this committee.

No replacements were named.

- E. Newsletter - Gerald Mestl reported that Becky Latka wishes to be replaced as newsletter editor as she no longer has sufficient time to devote to the task. Mark Staab volunteered to act as newsletter editor for a period of 4 years provided that he can have access to a computer. Software was recently purchased by the NAFS to make the creation of the newsletter a less painful task.
- F. Web page - Gerald Mestl urged everyone to check their email address as it is listed on the website and inform him of any incorrect addresses. The chapter is close to having an electronic version of the newsletter and will likely be offering this as an alternative to the paper format in the near future. Gerald also mentioned that he is looking into a 'forum' setup for the NAFS website.
- G. Technical - These Committees are the Walleye, Esocid, Centrarchid, Rivers and Streams, and Reservoirs. Technical committee reports were abbreviated due to time constraints on the business meeting.
1. Walleye - Daryl Bauer reported the committee held its annual midyear meeting in Dubuque, IA and then held a Walleye Symposium at the Midwest Fish and Wildlife Conference. A summary of the symposium can be found in the Walleye Guide.
  2. Esocid - Joel Klammer reported that the esocid committee also had a symposium at the Midwest Fish and Wildlife Conference and that the results are planned to be published as a module in one of the AFS journals.
  3. Centrarchid - Dave Tunink reported that the Centrarchid Committee had its summer meeting in Wisconsin and is planning a Lepomis symposium for the 2001 Midwest Fish and Wildlife Conference in Des Moines, IA. Papers are still being sought for the symposium.

## IV. Treasurer's Report

Keith Hurley distributed the Treasurer's Report which can be found attached to these minutes. The Pinnacle checking account contains \$246.46. The Pinnacle savings account contains \$5281.32. An additional \$250 resides in the chap-

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ter's savings account, dedicated to the chapter scholarship fund. Categorized and itemized listings of the chapter's transactions for 2000 were presented. Spending was below budgeted levels due to a decrease in newsletter publications. A proposed budget was presented to the members for 2001.

#### V. Awards

Steve Satra presented the NAFS Outstanding Aquatic Resources Conservation Award to the Lower Platte South Natural Resource District. The award was accepted on behalf of the NRD by Paul Zillig and Dan Schulz.

#### VI. Old Business

Dave Tunink reminded members that chapter T-shirts and sweatshirts are still available.

#### VII. New Business

##### A. Nomination of officers

1. Current President Elect - No president-elect was ever elected during 2000. Nominees for the office during the 2000 NAFS meeting were George Cunningham and Mark Porath. The elected candidate will become the current president-elect whose term will start immediately and who will take over the presidency in September. Mark Porath was elected by secret ballot.

2. President-Elect - Joel Klammer and Rob Hofpar were nominated for President-Elect, who will begin his term in September, 2001 and take over the presidency in September, 2002. Rick Eades motioned to close nominations. Doug Kapke seconded the motion. Rob Hofpar was elected by secret ballot.

3. Secretary-Treasurer - Doug Kapke and Rick Eades were nominated for the office of Secretary Treasurer. The elected individual will take office in September, 2001 and serve a two-year term. Joel Klammer motioned to close nominations and Rick Holland seconded the motion. Rick Eades was elected by secret ballot.

B. Gerald Mestl announced the Parent's Society Request for Resolutions to be presented at the 2001 AFS Meeting.

C. Discussion was heard on creating a nominations committee for the NAFS to solicit officer nominations prior to the annual business meeting. Rick Holland motioned that such a committee be created and consist

of the 3 most immediate past-presidents and the current secretary-treasurer. Open nominations would still be held at the business meeting for other willing candidates. The motion was seconded by Joel Klammer and passed by voice vote.

D. Larry Hutchinson motioned to give \$100 to the Bob Thomas memorial. Bob Thomas was recently killed in an automobile accident and was the sitting Past-President. The motion was amended by Joel Klammer to \$250, and gave the executive committee the discretion to choose the most appropriate way to support Bob's memory. The motion was seconded by Don Gabelhouse and passed unanimously.

E. The 2002 NAFS Annual Meeting will be held jointly with the Dakota Chapter of the AFS. Meeting planning is already underway and NGPC agency personnel have been cleared to travel to this meeting. Likely dates include the last weekend of February or the first weekend of March.

F. Gerald Mestl offered the possibility of a summer NAFS field trip to tour the mitigation sites on the Missouri River. Discussion was heard on whether to make this a weekday or weekend event and whether or not to include spouses and family members. Gerald will firm up the trip with the Executive Committee and send out details in the newsletter.

G. Jeff Schuckman notified the chapter that the Great Plains meeting will be hosted by Nebraska next year and welcomed all present to attend, help, and present papers at the meeting.

H. Keith Hurley raised the possibility of the chapter providing parent society memberships to the NAFS officers (a requirement of the parent society to be a chapter officer) in order to encourage the active participation of all chapter members. The idea was briefly discussed and no motions were made.

I. Joel Klammer raised the possibility of the chapter providing a donation to the memorial Stump Slough in South Dakota. No motions were made.

#### VIII. Adjournment

A motion was made to adjourn the meeting. The motion was seconded and passed. The 2001 business meeting of the NAFS chapter was adjourned at 5:53 pm.

Respectfully submitted,

Keith Hurley, NAFS Secretary-Treasurer  
February 13, 2001

Email: [nafs@4w.com](mailto:nafs@4w.com)

<http://www.4w.com/nebraskaAFS/>

Check us out at <http://www.4w.com/nebraskaAFS/>

Were On The WEB!

## The Nebraska Chapter of the American Fisheries Society

### Chapter Officers

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### Committee Chairpersons

Legislative: Larry Hutchinson  
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Endangered Species: Richard Stasiak  
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402/554-2295

Membership: Vacant

Scholarship: Ed Peters  
[EPETERS1@unl.edu](mailto:EPETERS1@unl.edu)  
402/472-6824  
FAX 402/472-2964

## Calendar of Upcoming Events

### 5th Annual Missouri River Natural Resources Conference

2001: A Missouri River Odyssey

June 24-27, 2001

Best Western Heritage Inn

Great Falls, Montana

<http://infolink.cr.usgs.gov/events/01.htm>

Chris Hunter - Conference Chairman

Montana Dept. of Fish, Wildlife and Parks

406-444-3183

[chunter@state.mt.us](mailto:chunter@state.mt.us)

### 4th International Symposium on Sturgeon

July 8-13, 2001 Oshkosh, Wisconsin

for further information:

<http://www.sturgeonsymposium.org>

[bruchr@dnr.state.wi.us](mailto:bruchr@dnr.state.wi.us)

tel: 1-920-424-3509

fax: 1-920-424-4404

### 131st American Fisheries Society Annual Meeting

August 19-23, 2001

Crowne Plaza Hotel and Phoenix Convention Center

Phoenix, Arizona

Contact Betsy Fritz

301-897-8616 ext 212

[bfritz@fisheries.org](mailto:bfritz@fisheries.org)

<http://www.fisheries.org/aznm/annual2001/default.htm>

## !!! WANTED !!!

### Items for Chapter Newsletter

Including but not limited to:

- ⇒ Fisheries issues of local, state or national importance
- ⇒ What are our members involved with—publications, projects, etc.
- ⇒ Student projects
- ⇒ Upcoming meetings
- ⇒ Any other items that you think would interest our members

### !!! Committee Chairperson Needed !!!

The Chapter is currently seeking a member to chair the Membership Committee.

Don't want to be a chair but are willing to help out?  
Contact any of the chairpersons and offer your assistance.