

North Platte Natural Resources District
Board of Directors Regular Monthly Meeting
100547 Airport Road, Scottsbluff, Nebraska
June 9, 2022

1. Call Meeting to Order

This meeting was called to order at 3:03 p.m. by Roger Eirich. Notice of the meeting was given to the public by publishing a legal notice on June 2, 2022, in the Scottsbluff Star Herald.

2. Inform Public of Open Meetings Act

Eirich informed the meeting attendees that this meeting would be conducted in accordance with the Open Meetings Act, which is posted by the door for public inspection.

Attendance

Board of Directors Present: Kent Andreas, Ryan Reuter, Roger Eirich, Mark Westphal, Dave Deines

Board of Directors Absent: Gary Darnall, Dan Weinreis, Chuck Henkel, Pete Lapaseotes

Eirich called for a motion to excuse the absences.

A motion was made by Andreas, seconded by Westphal, to excuse the absences of Darnall, Weinreis, Henkel and Lapaseotes. Motion passed.

Aye: Andreas, Deines, Eirich, Reuter, Westphal

Nay: None

Abstain: None

Absent: Darnall, Weinreis, Henkel, Lapaseotes

Others Present:

North Platte NRD Staff: Scott Schaneman, Danielle Schafer, Craig Uhrig, Kyle Ann Hopkins, Lydia Hendrickson, Lynn Okicki, Keelie Williamson, Dave Christian, Ethan Woehrle

JG Elliott: Lex Larson

Simmons Olsen Law Firm: Megan Dockery

Adaptive Resources, Inc. (ARI): Thad Kuntz

Documentation Provided

The following documents were made available at the meeting for the Board of Directors and public review:

1. Meeting Notice

2. Agenda
3. Minutes of the May 12, 2022, Board of Directors Meeting
4. Treasurer's Report
5. Manager's Report
6. Presentation on 2022 Static Water Levels
7. Draft Timeline for Nitrogen Management Implementation
8. State of Nebraska, Department of Natural Resources, Order Granting Permit TA-55 to Transfer Ground Water to Adjoining State
9. Resolution and Participation Agreement for NARD 414(h) Plan
10. Resolution and Participation Agreement for NARD 457 Deferred Compensation Plan

3. Approval of Minutes of Previous Meeting

The Board reviewed the minutes of the May 12, 2022, regular monthly meeting.

A motion was made by Andreas, seconded by Reuter, to approve the minutes of the May 12, 2022, regular monthly meeting. Motion failed.

Aye: Andreas, Eirich, Reuter, Westphal

Nay: None

Abstain: Deines

Absent: Darnall, Weinreis, Henkel, Lapaseotes

4. Treasurer's Report and Accounts Payable

Reuter reviewed the monthly expenses from the Treasurer's Report with the Board.

A motion was made by Deines, seconded by Westphal, to accept the Treasurer's Report and pay the bills as listed. Motion passed.

Aye: Andreas, Deines, Eirich, Reuter, Westphal

Nay: None

Abstain: None

Absent: Darnall, Weinreis, Henkel, Lapaseotes

5. Comments from the Public

None.

6. Manager's Report

Scott Schaneman highlighted the following items from his Manager's Report for the Board:

Scott recently attended the Manager's Meeting in Norfolk, where rising nitrate levels across the State was a large portion of discussion. Some NRD Boards are looking at mandatory chemigation for both surface water and ground water and water allocations.

NRD staff participated in a group tour sponsored by the NARD and we were able to show off some of our projects. The tour group was able to see our Enterprise Project, the Minatare Canal Project, and the rehabilitation work that was completed on Nine Mile Creek.

Dave Christian recently led a group from the State NRCS office on a tour of the Gering Valley Flood Control project and looking at some of the problem areas in the system. The NPNRD and the Gering Valley Flood Control Permanent Maintenance Committee made it through the first round of the grant application approval process for a grant sponsored by NRCS. This grant would allow for complete rehabilitation of the system.

The Greenhouse has wrapped up their annual plant sale. This year, over \$3,000 was made, which is more than double from last year.

The Transfer Order has been received from the Department of Natural Resources for the transfer of water into the Enterprise Recharge Facility. Seth Popp and Ethan Woehrle finished installing the discharge flow meters and the headgate has been opened and the pits are beginning to fill. The pits are working great.

At the upcoming Platte Basin Coalition meeting on June 16th, the NPNRD will be asking for reimbursement on the ground water lease we signed with the Nebraska Joint Water Board.

This year's Water Expo will be held on July 16th from 9 am to 2 pm. This is earlier than in years past because this year, it will line up with the NRD's 50th Anniversary Week.

Final edits are being made to the mid-year newsletter, which should be going out to the public shortly. The NRD plans to continue sending a newsletter in January and end of June every year.

NSWCP signups will begin on July 1st with an end date of February 2023. We did pause signups this year for a few months while we reviewed our operations and scoring of the program with NRD staff and the Department of Natural Resources. The NRD will be holding a program informational meeting with our staff and NRCS staff to review the procedures and discuss any feedback on meeting the needs of our producers and promotion of the program.

7. Spring Level Presentation

Lynn Okicki of the District's Water Department presented to the Board on the most recent results of the levels tests performed. The District has 719 active monitoring wells that are used for

measuring levels. In the last year, 495 wells (82% of the 601 wells tested) have shown a decrease in levels and 104 wells (17% of the 601 wells tested) have shown an increase. Over the course of the last five years, 158 wells have shown an increase and 439 wells have shown a decrease out of 602 wells measured. It was 15 years ago when wells showed a higher number of increases than decreases with 73% of wells measured showing an increase.

From October 2021 to March 2022, the measurements taken across the District reflect a drastic decrease in levels along the rivers and canals of the District. However, in Pumpkin Creek, the one-year change showed relatively no change and the five-year change showed the majority of levels have remained the same with a handful showing an increase of more than 10-30 feet. Three areas in Pumpkin Creek have shown a decrease of over 5-15 feet in the last five years.

The collection and compilation of our data shows that in the last year, there have been relatively small changes of less than one-foot to the levels in the aquifers in the District. A couple aquifers show a small increase in levels of less than one foot, while the majority show a small decrease in levels of less than one foot.

8. Discussion of Nutrient Management Timeline

Scott Schaneman reviewed the draft timeline for implementing the District's nitrogen management with the Board noting this was the staff's proposed plan for roughly the next twelve months. The implementation of the District's rules regarding this matter have been postponed in order to allow time for collecting and analyzing additional data which will allow for better decision-making. Staff has been collecting samples as part of the study and will compile that information in the near future and report back to the Board on the results.

June

1. Inquiries to staff, Thad, and Megan should be coming back by July 1st
 - a. Laws
 - b. Hydrology
 - c. Data
 - d. Etc.
2. Newsletter \$13,000
3. Radio spots on Nutrient management
4. Applying for Grants (NRCS) \$360k with an NRD match of \$185,398.86 (which is not required) - total of \$545k over 3 years
5. Coordinate with Don Snow on isotope testing

6. Database work- 1st version out by June 30th, cost: \$3500
7. Develop cost-share program for nutrient management. Show WRC new plan for approval

July

1. Pesticide Sampling
2. Continuation of GWMP rough draft
3. Sitzman Project summer sampling
4. Community well head protection plans for each municipality
5. Board approval of new cost-share plan

Aug

1. Sign up for cost-share if the program is approved by the board
2. Isotope testing
3. Sampling of district wells
4. Completion of GWMP rough draft (without sub-areas)
5. Info back from NRCS on grant application

Sept

1. Discuss GWMP with WRC changes to plan minus sub-area creation (will be waiting on sampling data)
2. Compile data from sampling
3. Mapping/discussion of nitrate data for October meeting
4. Cover crop fall planting (Promotion and assistance by staff)
5. NET grant due

Oct

1. Present maps & data to committee for discussion on new sub-area creation
2. Staff time to spot check cover crops for compliance
3. Database & mapping of proposed new sub-areas
4. Fall sampling on Sitzman project
5. Promote & assist with soil sampling for cost-share
6. Information included with water reports regarding nutrient management

Nov

1. Board approve GWMP with sub-areas and allow public comment
2. Submit GWMP to DNR

3. Approve District Master Plan (WRC)

Dec

1. Board approval of Master Plan
2. Newsletter

Jan-Mar 2023

1. DNR approval of GWMP
2. Hearing for GWMP

April-May 2023

1. Implement GWMP
2. Notify Landowners

Eirich asked whether or not the District has had communications with any fertilizer companies. Scott advised that we have not, but would hope that these companies would be willing to cooperate with us when we do reach out.

9. Discussion and Consideration of the Nebraska Department of Natural Resources

Transfer Order for the Box A Ranch

Scott Schaneman reviewed the Box A Ranch matter with the Board and advised them that based on the advice of legal counsel, the District should decertify any acres we currently have certified in Wyoming. Box A Ranch will not be receiving any additional water from Nebraska under this Transfer Order and when we account for usage in Wyoming, the District will subtract a full use from the allowance and the remainder shall be what we consider used in the State of Nebraska.

A motion was made by Deines, seconded by Reuter, to approve the State of Nebraska, Department of Natural Resources, Order Granting Permit TA-55 to Transfer Ground Water to Adjoining State. Motion passed.

Aye: Andreas, Deines, Eirich, Reuter, Westphal

Nay: None

Abstain: None

Absent: Darnall, Weinreis, Henkel, Lapaseotes

10. Discussion and Consideration of NARD Retirement Plan Resolutions

Scott explained to the Board that the employee retirement plans were required to be updated to a more modernized platform per NARD. Therefore, the Board will need to act on and restate the 414(h) and 457 Deferred Compensation Plans. The Plan details and design have not changed.

A motion was made by Reuter, seconded by Deines, to approve and restate the 414(h) Plan. As such, the Resolution and Participating Agreement for the 414(h) Plan shall be executed. Motion passed

Aye: Andreas, Deines, Eirich, Reuter, Westphal

Nay: None

Abstain: None

Absent: Darnall, Weinreis, Henkel, Lapaseotes

A motion was made by Westphal, seconded by Reuter, to approve and restate the 457 Deferred Compensation Plan. As such, the Resolution and Participating Agreement for the 457 Deferred Compensation Plan shall be executed. Motion passed

Aye: Andreas, Deines, Eirich, Reuter, Westphal

Nay: None

Abstain: None

Absent: Darnall, Weinreis, Henkel, Lapaseotes

11. Adjourn

There being no further business, Eirich called for a motion to adjourn.

A motion was made by Andreas, seconded by Westphal to adjourn at 4:00 p.m. Motion passed.

Aye: Andreas, Deines, Eirich, Reuter, Westphal

Nay: None

Abstain: None

Absent: Darnall, Weinreis, Henkel, Lapaseotes