

## MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Wednesday, March 13, 2024, at the South Platte Natural Resources District, 551 Parkland Drive Sidney, NE at 5:00 p.m. The public notices were published in the area newspapers. The agenda was compiled, and each member of the Board of Directors and other interested and affected persons were notified of the meeting date within the deadline.

### Board Members Present

Kathy Narjes, Chair  
Chris Meyer, Vice-Chair  
Jim Johnson, Secretary

Bill Halligan  
Larry Rutt

### Others Present

Kristin Dickinson, NRCS  
Thad Kuntz, ARI  
Jennifer Schellpeper, NeDNR  
Ryan Kelly, NeDNR  
Avery Presser, NeDNR  
Margeaux Carter, NeDNR  
Brooke Mott, NeDNR  
Kevin Derry  
Jared Derry  
Karen Reynolds  
Don Story  
Sheila Story

### Board Members Absent

Tim Maas

### NRD Staff Present

Galen Wittrock, General Manager  
Donald Davis, Administrative Manager  
Chris Kaiser, Natural Resources Conservationist  
Yolanda Hruska, I&E Coordinator

Ryan Reisdorff, Assistant Manager  
Travis Glanz, Water Resources Specialist  
Tyler Sanders, Water Resources Coordinator

### Information Material

The following information was provided electronically prior to or during the meeting and a copy of each is attached to the file copy of these minutes:

1. Tentative Agenda - Board of Directors, March 13, 2024
2. Tentative Agenda - District Operations Committee Meeting, March 13, 2024
3. Tentative Agenda - Natural Resources/Projects and Programs Committee Meeting, March 13, 2024
4. February 13, 2024 Minutes of the South Platte NRD (SPNRD) Board of Directors meeting
5. February 13, 2024 Minutes of the SPNRD Projects & Programs Committee Meeting
6. February Treasurer's Report and Accounts Payable
7. Kaiser Staff Report dated March 13, 2024
8. Davis Staff Report dated March 13, 2024
9. Keller Staff Report dated March 7, 2024
10. Reisdorff Staff Report dated March 11, 2024
11. Glanz Staff Report dated March 11, 2024
12. Hruska Staff Report dated February 29, 2024
13. USDA NRCS Update dated March 2024

14. Wittrock Memo "Discussion Concerning Subdistrict #4 Director Vacancy
  15. Draft 2023 Water Usage Report
  16. District Operations Committee
    - o Conservation Scholarship Application
    - o Natural Resources Camp Scholarship Application
    - o 2023 Youth Range Camp Brochure
    - o Hruska Memo "Scholarship Programs" dated March 13, 2024
    - o Wittrock "Seeking Proposals from Law Firms for Information"
  17. Natural Resources/Projects and Programs Committee
    - o Modification of Pooling Agreement
    - o Redlined Draft Amended and Restated Districtwide Ground Water Management Area Rules and Regulations
    - o Draft Timeline for Modifying the Districtwide Ground Water Management Area Rules and Regulations Dated March 1, 2024
    - o County Wide Advisory Group Meetings Tentative Agenda
  18. Per Diem Worksheet
- 

1. Call to Order

Chair Narjes called the meeting to order at 5:00 p.m. noting that Tim Maas was absent and excused.

A. Nebraska Open Meetings Act

Chair Narjes stated that this meeting is subject to the Nebraska Open Meetings Act. A copy of the Act is posted in the meeting room.

B. Legal Notices

Chair Narjes acknowledged that the notice of this meeting was published in the District's newspapers and the Affidavits/Proofs of Publication are included with these minutes.

2. Pledge of Allegiance

Chair Narjes led those in attendance in the Pledge of Allegiance of the United States.

3. Minutes

A. \*Minutes of the February 13, 2024 South Platte Natural Resources District (SPNRD) Board of Directors Meeting

With no corrections or additions, moved by Halligan, second by Rutt to approve the February 13, 2024 minutes as distributed. A roll call vote was taken.

Aye: Johnson, Meyer, Narjes, Rutt, Halligan

Nay:

Absent: Maas

Motion carried.

B. Minutes of the February 13, 2024, SPNRD Projects and Programs Committee Meeting

These minutes were approved as presented.

4. \*Treasurer’s Report for February 2024 and Accounts Payable

Wittrock reviewed the account balances listed on the Treasurer’s Report as follows:

<u>Account Description</u>	<u>February 1, 2024</u>	<u>February 29, 2024</u>
SPNRD Checking	\$350,210.40	\$360,354.70
SPNRD Building/Property	\$ 64,063.10	\$ 64,096.18
SPNRD Vehicle/Equipment	\$ 82,940.31	\$ 82,983.14
SPNRD ORRA Infrastructure	\$ 62,164.07	\$ 62,196.18
SPNRD Machinery & Equipment	\$ 10,072.01	\$ 10,077.21
SPNRD Computer/Server	\$ 25,262.91	\$ 25,275.96
SPNRD FA/OA Project	\$165,741.03	\$165,826.62
Citizens’ Monitoring PWCB	\$ 73,681.11	\$ 73,725.02
Citizens’ Monitoring CD FirsTier	\$ 85,591.99	\$ 85,591.99
SPRCC NPAIT Account	\$ 49,432.74	\$ 49,642.36

Wittrock reviewed various items listed in the accounts payable. He encouraged the board members to come to the SPNRD office at any time to review the receipts and/or disbursements or ask any questions. The total amount of accounts payable is \$51,332.24. After discussion, Halligan moved to approve the Treasurer’s Report and authorize payment of the accounts payable in the amount of \$51,332.24. A second was made by Rutt and with no further discussion, a roll call vote was taken.

Aye: Meyer, Narjes, Rutt, Halligan, Johnson

Nay:

Absent: Maas

Motion carried.

5. Public Questions, Comments and Concerns

Don Story brought forth a concern about the boats docks at Oliver Reservoir Recreation Area stating that in his opinion both of the boat docks are in need of repair, giving examples of what he sees as damaged or broken, and he would like to encourage the District to put forth effort to get them fixed.

6. Director and Staff Reports

Wittrock stated that director Macy of NDEE is retiring in April, he attended the NARD Managers meeting the week before.

7. Joint Integrated Management Plan 2023 Robust Review Update

Schellpeper reviewed the Joint Integrated Management Plan 2023 Robust Review starting with which state statutes are related to Integrated Water Management created by LB962 including § 46-713(4) which defines overappropriated status and § 46-715(5) which explains the IMP process. She also discussed § 46-715(1)(a) giving NeDNR and the NRDs the authority to develop IMPs and § 46-719 which created the Integrated Water Review Board for resolving disputes between the NeDNR and NRDs. § 46-715(2)(a) lists the goals and objectives of BWPs & IMPs and Schellpeper also discussed Interstate Compliance obligations which include the Platte River Recovery Implementation Program and Nebraska New Depletions Plan. She then reviewed who should be included in the planning process or stakeholders and reiterated the overappropriated and fullyappropriated status. Schellpeper then described the IMP process and goal of the IMP for maintaining current targets and reaching fullyappropriated status over time; however, fullyappropriated has not been defined. The 2023 Robust Review will be repeated in 2027 with more items reviewed and the 2<sup>nd</sup> increment of the IMP will end in 2029. Schellpeper then reviewed the 2023 Robust Review pointing out the data that was used to create the robust review and the differences between this Robust Review and the 2019 Robust Review. In conclusion, Schellpeper stated that the

District is currently meeting its 2<sup>nd</sup> increment IMP goals and no changes are necessary, but the District needs to maintain the targets currently listed in the IMP. These targets will be checked again in the 2027 Robust Review. Schellpeper reviewed the path forward which includes finishing documentation of models and analyses and several presentations of the robust review, continued preparation for the 2027 Robust Review and develop basin wide and NRD drought plans. Discussion followed.

8. Agency Reports

A. USDA Natural Resources Conservation Service (NRCS)

1. NRCS Report

Dickinson stated that the local workgroup meeting will be held on March 19<sup>th</sup> at 10:00 a.m. at the District conference room. She encouraged those in attendance to attend. Pat Welch moved from the Sidney office to the Kimball office with a promotion. NRCS Sidney office will be advertising for a technician soon. General CRP signups started a week ago Monday and goes through to the end of the month. CRP grassland signups will start April 29<sup>th</sup> for three weeks.

B. Nebraska Association of Resources Districts

1. NARD Report

Johnson stated that the new NARD president has appointed new members to the committee.

2. NARD Legislative Session

Wittrock stated that LB1414 is still in the revenue committee. This bill concerns property taxing authority for political subdivisions in the state.

C. Nebraska Department of Natural Resources (NeDNR)

1. NeDNR Report Natural Resources Commission Report

No report.

9. Discussion concerning SPNRD Sub-District #4 Vacancy

Wittrock reviewed the vacancy in Sub-District #4 created by Marc Sprenger moving out of the Sub-District. He then reviewed the area that the Sub-District covers and the process for finding a replacement. Applications for the position are due April 1 with interviews to be held at the April 9 board meeting. The Sub-District will be re-elected in November 2024 for a two-year term.

10. General Reports

A. 2023 SPNRD Water Usage Report

Glanz gave the 2023 SPNRD Water Usage Report, pointing out that this version is a draft only due to receiving the report late and not having time to correct wrong information. He stated that corn was the highest use crop with 10.22 average inches and 50% of the crop. The districtwide total acre-inches pumped by total acres 8.19 inches. Glanz then reviewed each sub-area.

11. Committee Reports

A. District Operations Committee

1. \*Discussion and Action as Desired Regarding Establishing Fees for Camping at Oliver Reservoir

Halligan stated that there was discussion about changing to a fee system for camping at Oliver Reservoir Recreation Area. Kaiser reviewed some of the options for charging for camping such as a credit card kiosk, which he thinks would be the best option. Reynolds, the camp host at the recreation area, discussed how she tracks those who are staying at the campground and that she has had several campers state to her that they would prefer a 7-day camping period. Kaiser stated that these concerns were brought up at the Oliver Reservoir Recreation Area public meeting last month. Halligan moved on behalf of the committee to authorize staff to research

information guidelines and rules to consider establishing a camping fee at Oliver Reservoir Recreation Area. A second was made by Meyer and with no further discussion a roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Meyer, Narjes

Nay:

Absent: Maas

Motion carried.

2. \*Consideration to Approve Funding Scholarships

A. Range Youth Camp

B. ACE Camp (Adventure Camp -- Environment)

C. SPNRD Conservation Scholarship

Halligan stated that the committee discussed the scholarships for the camps and the Conservation Scholarship. This program has been in place for several years. Halligan moved on behalf of the committee to approve for the funding SPNRD Scholarship Programs and allow staff to award scholarships where needed not to exceed the budgeted amount of \$2,1080. A second was made by Johnson and with no further discussion a roll call vote was taken.

Aye: Meyer, Narjes, Rutt, Halligan, Johnson

Nay:

Absent: Maas

Motion carried.

3. \*Discussion and Action as Desired Authorizing the General Manager to Seek Proposals from Law Firms for Consideration Regarding Professional Services Options

Halligan stated that there is a need for the District to look into receiving proposals for legal counsel due to changes at the current firm. Halligan moved on behalf of the committee to authorize the General Manager to pursue compiling a list of potential law firm candidates and to seek proposals from these law firms for consideration. A second was made by Johnson and with no further discussion a roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Meyer, Narjes

Nay:

Absent: Maas

Motion carried.

B. Natural Resources/Projects and Programs Committee

1. \*Discussion and Action on Modification of Pooling Arrangement

Glanz gave a review of the modification of a pooling arrangement between Josh Leachman and Steve Paulser, I M Paulser Farms, Inc. where Leachman, who purchased land already in the pooling arrangement, wanted to leave the pooling arrangement. All parties agreed and all of the paperwork was signed which will leave a prorated allocation of 29.7 inches for all parties involved. Meyer moved to approve the modification of the pooling arrangement. A second was made by Rutt and with no further discussion a roll call vote was taken.

Aye: Halligan, Johnson, Meyer, Narjes, Rutt

Nay:

Absent: Maas

Motion carried.

2. Discussion Regarding Possible Changes to the SPNRD GWMA Rules & Regulations and Integrated Management Plan & Process Timeline

Reisdorff stated that there haven't been any changes to the red line version of the rules and regulations since the last meeting. The countywide meetings will be held next week and then the public hearing in May before the May board meeting. Wittrock encouraged the Directors to attend as many of the county wide meetings as they can. He then gave an overview of how the countywide meetings will be conducted.

3. \*Discussion and Possible Action Establishing a Public Hearing Date for Amending the Districtwide Ground Water Management Areas Rules and Regulations

Wittrock reviewed the outline draft of the timeline pointing out that the proposed public hearing date is set for Monday, May 13 at the District offices. Meyer moved on behalf of the committee to schedule a public hearing for Monday, May 13, 2024 beginning at 5:00 p.m., or 30 minutes following the end of the information session, whichever is later, for the purpose of receiving testimony on the proposed amendments to the SPNRD Districtwide Ground Water Management Area Rules and Regulations. The public hearing will be held at the South Platte NRD offices, 551 Parkland Drive, Sidney, NE. A second was made by Rutt and with no further discussion a roll call vote was taken.

Aye: Narjes, Rutt, Halligan, Johnson, Meyer

Nay:

Absent: Maas

Motion carried.

10. Correspondence

Narjes encouraged the board members to review the items in the correspondence section.

11. Upcoming Dates

March 20, 2024, Deuel, and Cheyenne County Ground Water Advisory Committee Meetings

March 21, 2024, Kimball County Ground Water Advisory Committee Meeting

April 9, 2024, SPNRD Board of Directors Meeting

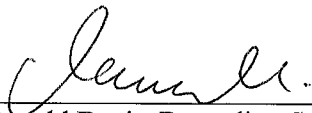
May 6, 2024, SPNRD Natural Resources Day for area 4<sup>th</sup> Graders

May 27, 2024, SPNRD Offices Closed, Memorial Day

July 4, 2024, SPNRD Offices Closed, Independence Day

12. Adjourn

With no further business, the meeting adjourned at 7:08 p.m.



Donald Davis, Recording Secretary

\* Denotes Action Item