

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
June 9, 2016 at 7 pm

Board of Directors Meeting

A notice of the meeting was published in the local newspapers within the District and on the District Website at www.lnrnd.org.

Informational Material Mailed out Prior to the Meeting

1. Agenda, 6/16
2. Minutes, Variance Minutes, Index of Decision, 5/16
3. LRNRD/RWP Treasurer's Report, 5/16
4. NRCS and Staff Reports
5. Rules and Regulations Summary

Materials Handed out at the Meeting:

1. Agenda, 6/16
2. Scope of Services, Olsson and Associates
3. Groundwater Rules & Regulation

Vice Chairperson Nelson Trambly called the meeting of the Lower Republican NRD Board of Directors to order at 7:03 p.m. Nelson Trambly noted that guests should sign the attendance roster and noted the location of a current copy of the statutes dealing with public meetings laws.

Directors present: Clark Andrews, Dave Bartels, Matt Harrison, Tim Kahrs, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf.

Absent: Bill Bose, Terry Hoit, Marlin Murdoch.

Others present: Nolan Little, TBNRD, Troy Fletcher, Oxford, Brian Dunnigan, Olsson Associates, Lincoln. Staff present: Mike Clements, Scott Dicke, and Shirlee Poysler.

Motion #1 by Brad Wulf seconded by Tim Kahrs to approve the board minutes, variance minutes from the May board meeting. Motion carried.

Motion #2 by Matt Harrison seconded by Toby tenBensel to approve the LRNRD/RWP Treasurer's Report as presented. Motion carried.

Brian Dunnigan, Olsson and Associates presented the Scope of Service Letter of Agreement for Professional Service to the board. The purpose of this project is to provide the LRNRD with the ability to evaluate potential MAOs that may be available to assist the LRNRD with meeting the requirements of its Integrated Management Plan (IMP). The potential MAOs can be policy or project oriented management alternatives. The project will allow the NRD to pursue the management actions that will maximize reductions of the forecasted Computed Beneficial Consumptive Use of groundwater and/or increase the NRDs allowable groundwater depletions as identified by the forecast in the LRNRDs IMP.

Motion #3 by Matt Harrison seconded by Toby tenBensel to enter into an agreement between the LRNRD and Olsson Associates providing Professional Services. Contingent upon Board approval of cost. Olsson's Scope of Services. Motion carried.

NRCS report was mailed out prior to the meeting.

Mike Clements reported that Harlan County Lake is at 1940.49. Reservoir storage is 247,635AF up 15,111AF from last month. Mike was asked to speak at the 2016 Symposium at Nebraska Innovative Campus in Lincoln in October. CREP Steering Committee met to establish a process for re-enrollment into the program. Presently, 46,000 acres are enrolled in the program and 7,239 acres are expiring this year. TVWMA has been approved for a \$125,000 Environmental Trust Grant to clean Spring Creek by Deshler and to do maintenance spraying.

Scott Dicke's Assistant Manager's report informed the board on the Platte River Diversion Project, Water quantity and Water quality updates:

Platte River Diversion Project update:

- Turkey Creek Flooding - On May 28th, 2016, Turkey Creek flooded and experienced a flow of over 1,000 cfs at the Gosper/Furnas County line. Our staff went out and took pictures after the flood and while there was still 55 cfs flowing in the stream. As a reminder, our project has targeted 40 cfs.
- Turkey Creek Component – The Platte River Diversion Interlocal is waiting on Tri-Basin to finalize the contract.
- CNPPID/Water Services Agreement – The draft agreement is entering a second round of the review process CNPPID.

Water quantity updates:

- NOAA Climate prediction center continues to indicate above average precipitation conditions for June and above average for June/July/Aug.
- Harlan County Reservoir – is currently at 80% full and is 5 feet higher than it was last year. The average flow into Harlan during May was 260 cfs and the lake received 6.4 inches of precipitation. All June flows into Harlan will be natural as N-CORPE has stopped pumping. The BOR numbers indicate that Harlan is storing nearly 54,848 acre feet more than it was at this time last year.

Other Programs/Outreach/Wildlife/Efforts:

- *Tree planting is completed with over 30,000 trees sold by the NRD.*
- *The NGPC has extended its Stubble Grant program enrollment until June 15th.*
- *Concrete was poured to eliminate the rock paths for the Outdoor classroom which makes it better for handicap and wheelchair individuals.*
- *Upcoming events include the State Fair and Husker Harvest Days. Also, the LRNRD will be hosting the range judging this year.*
- *Managers will have several meetings in June including NARD, N-CORPE, PRDP, and Basin Planning.*

Every year the board is asked to review the priority ranking for the NSWCP. The current ranking is Water, Range and Erosion.

Motion #4 by Tim Kahrs seconded by Dave Bartels to approve NSWCP ranking 1.) Water 2.) Range, 3.) Erosion. Motion carried.

The Groundwater Rules and Regulations clarification was tabled until the July board meeting.

Kern Porter's Order to Cease and Desist was presented to the board. Kern Porter must immediately CEASE and DESIST the pumping of groundwater from well G-004032 located in the NWNW of 21-2-19 in Harlan County for the remainder of the 2016 and 2017 irrigation season. Any continued pumping of groundwater will constitute a violation of the Nebraska Ground Water Management and Protection Act and the Rules and Regulations of the Lower Republican Natural Resources District. Failure to comply with this CEASE and DESIST ORDER will result in further proceedings or penalties as described in Neb. Rev. Stat. § 46-707 and District Rule 2-2.

Motion #5 by Tim Kahrs seconded by Toby tenBensel to approve the Order to Cease and Desist the pumping of groundwater from well G-004032 for Kern Porter. Motion carried.

Nebraska Open Meetings Act, requires notice by newspaper publication for all meetings, including regularly-scheduled Board meetings. To change this requirement, and meet the Nebraska Open Meetings Act requirements, the board is required to make this reference at three consecutive meetings that notification of board meetings will now be publicized on the www.lrnrd.org website.

Motion #6 by Toby tenBensel seconded by Roger Nelson to move that the LRNRD official notification of future meetings including Board Meetings be through the LRNRD website at www.lrnrd.org and not the newspaper. The first Board Meeting to be noticed by this motion will be Thursday, August 11, 2016. This motion does not include public hearings. Motion carried.

NCORPE update: Wells have been shut down since May 31st. The next meeting is Wednesday, June 15th in Curtis.

Motion #7 by Clark Andrews seconded by Tim Kahrs to move that the Board go into Executive session at 7:52 p.m. to discuss personnel. Motion carried. Chairman admonished the board that this is the only subject that can be discussed in closed session.

Motion #8 by Brad Wulf seconded by Matt Harrison to move that the Board come out of Executive Session at 8:37 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried.

Motion #9 by Brad Wulf seconded by Roger Nelson to approve FY17 Salaries as presented for the staff. Executive Committee will work with management to come up with a different approach for medical insurance in the future. Motion carried.

There were no comments from the public.

The meeting was adjourned at 8:40PM.

The next regularly scheduled board meeting will be July 14th, 2016 starting at 7:00PM.

Secretary

Date