

# PLATTE RIVER BASIN COALITION (PBC) COMMITTEE MEETING

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Thursday, April 6, 2023, 1 p.m. Central Time  
Twin Platte Natural Resources District  
111 S Dewey St. North Platte, NE 69101

## MEETING MINUTES

1. **Called to Order**, by Kent Miller (TPNRD), chair, at approximately 1:00 pm CDT. *As directed by state statute, the Open Meetings Act was displayed during the meeting.*

2. **Roll Call of the PBC ILCA Representatives**

Kent Miller*, TPNRD	Jennifer Schellpeper*, NeDNR
Galen Wittrock*, SPNRD	Lyndon Vogt*, CPNRD
John Thorburn*, TBNRD	Scott Schaneman*, NPNRD

\* PBC ILCA voting representatives

### Others in Attendance

Avery Dresser, NeDNR	Ann Dimmit, TPNRD
Caitlin Kingsley, NeDNR	Brandi Flyr, CPNRD
Ryan Reisdorff, SPNRD	Shelly Julian, NeDNR
Connor Nichols, NeDNR	Arik Vossler, NeDNR
Thad Kuntz, ARI	Isaac Mortensen, TFG
Samantha Dowler, TFG	

*Shaded areas indicate online attendees.*

3. **Publication of Meeting Notices** ([Attachment 3](#))

- North Platte Telegraph: March 16, 2023
- Sidney Sun-Telegraph: March 23, 2023
- Grand Island Independent: March 24, 2023
- Kearney Hub: March 23, 2023
- Scottsbluff Star Herald: Sent for publication, confirmation not yet received

4. **Agenda approval** ([Attachment 4](#))

**MOTION:** To approve the April 6, 2023, agenda.

Move: Lyndon Vogt (CPNRD)

Second: Galen Wittrock (SPNRD)

Discussion: None

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Motion approved

## 5. Approval of the December 15, 2022, Minutes (*Attachment 5*)

**MOTION:** To approve the December 15, 2022, minutes.

**Move:** Scott Schaneman (NPNRD)

**Second:** John Thorburn (TBNRD)

**Discussion:** None

Motion approved

NeDNR will distribute the approved December 15, 2022, minutes and post on the DNR website.

## 6. Contract #1377 PBC Drought Contingency Plan (*Attachment 6*)

- A. NeDNR presented Contract #1377 which memorializes the cost-share agreement between NeDNR and the PBC for paying of HDR's services to complete the Upper Platte River Basin Drought Contingency Plan (UPRBDCP) as per NeDNR contract #1287.

**MOTION:** To approve NeDNR Contract #1377.

**Move:** John Thorburn (TBNRD)

**Second:** Lyndon Vogt (CPNRD)

**Discussion:** None

Motion approved

Kent Miller will sign Contract #1377 on behalf of the PBC. NeDNR will present the contract to the Department's Director (Tom Riley) for final signature and distribute the final contract.

## 7. Budget Update (NeDNR)

### A. General Updates

#### i. Years 7-9 (*Attachment 7Ai*)

- a. NeDNR to present memos (attachments 7Di, 7Dii, 7Diia, and 7Diii) in addition to the usual budget sheets (attachments 7Ai, 7Aii, and 7Aiii) because the annual budget is typically approved at the April PBC meeting.
- b. No significant changes for years 7-9 budget. NeDNR requested funds allocated for the highlighted (active/funds remaining) projects be spent before June 30 if possible to meet the original deadline for the Nebraska Environmental Trust (NET) grants. NeDNR was able to work with the NET to change some terms in the original agreements such that funds not spent by the original deadline should be retained, but it is still preferable to

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meet the June 30 deadline to avoid on-going annual reporting requirements. For that reason, funds will be spent on Upper Platte, Republican, and possibly Upper Niobrara-White Basin projects as previously discussed and approved. Remaining funds will be distributed on a first-come, first-serve basis.

- c. NeDNR confirmed they are not waiting on any additional supporting information from CPNRD for their decertification project. NeDNR legal staff are in the process of reviewing the project materials.
- d. NPNRD are moving forward on their project for retirements without approval of NeDNR's request to waive the executive order regarding easements.
  - i. NeDNR is still awaiting review of the waiver request.
- ii. Years 10-12 (*Attachment 7Aii*)
  - a. Not many of the funds have been spent for this period. The current year is year 12, NeDNR requested that eligible projects be brought forward in a timely fashion to assist NRDs in meeting their IMP goals.
- iii. Studies (*Attachment 7Aiii*)
  - a. NeDNR has been working to remove closed projects. The most recently closed project was Conservation Study Phase III, which will be removed going forward. Had discussed not hiring anyone to do groundwater modeling for COHYST at the last (December 15) meeting. Confirmed the plan is to collaborate between NeDNR and NRD technical staff to complete.

### B. Invoices

- i. HDR Drought Contingency Plan Inv. #1200441673 (*Attachment 7Bi*)
- ii. HDR Drought Contingency Plan Inv. #1200448002 (*Attachment 7Bii*)
- iii. HDR Drought Contingency Plan Inv. #1200493541 (*Attachment 7Biii*)
  - a. Committee seeking action on invoice for services under NeDNR Contract #1287 through December 31, 2023.
  - b. **MOTION:** *To accept the three invoices for services rendered by HDR between May 15, 2022, and December 31, 2022, in the amounts of \$3,256.48, \$12,710.54, and \$21,695.42.*  
*Move:* Jennifer Schellpeper (NeDNR)  
*Second:* John Thorburn (TBNRD)  
*Discussion:* None  
*Motion approved*

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- c. NeDNR will send the invoices to NRDs for payment.
- iv. TFG Conservation Study Phase IV Inv. #23-3130 (*Attachment 7Biv*)
- v. TFG Conservation Study Phase IV Inv. #23-3156 (*Attachment 7Bv*)
  - a. Committee seeking action on invoice for services under NeDNR Contract #571A Amendment #1 through January 30, 2023.
  - b. **MOTION:** *To accept the two invoices for services rendered by TFG between January 30, 2022, and March 31, 2023, in the amounts of \$34,072.50 and \$58,875.00.*  
Move: Scott Schaneman (NPNRD)  
Second: Galen Wittrock (SPNRD)  
Discussion: None  
Motion approved
  - c. NeDNR will send the invoices to NRDs for payment.

## C. New Budget Requests

- i. #1378 TPNRD & PVID (*Attachment 7Ci*)
- ii. #1379 TPNRD & SID (*Attachment 7Cii*)
- iii. #1380 TPNRD & KLCID (*Attachment 7Ciii*)
- iv. #1381 TPNRD & PHWC (*Attachment 7Civ*)
- v. #1010 Amendment (*Attachment 7Cv*)
  - a. Committee seeking action on 5 project proposals (attachments 7Ci – 7Cv) for renewals of prior recharge projects for additional 5-year terms.
  - b. **MOTION:** *To accept the 5 project proposals to renew the recharge projects detailed therein for an additional 5 years. Total costs of these projects are \$50,000, \$50,000, \$50,000, \$50,000 and \$695,706.73, respectively.*  
Move: John Thorburn (TBNRD)  
Second: Jennifer Schellpeper (NeDNR)  
Discussion: None  
Motion approved
  - c. NeDNR will get final signatures from the Director and return executed copies to the NRDs.
- vi. TFG Robust Review Scope of Work (*Attachment 7Cvi*)
  - a. TFG Robust Review Contract (*Attachment 7Cvia*)
    - 1. Committee seeking action on approval of a draft

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Contract (NeDNR Contract #571-C) with TFG to complete the Watershed Model for the 2023 Robust Review.

2. **MOTION:** *To accept the draft contract with TFG for services detail in the Scope of Work amounting to a total of \$96,040.*

*Move:* John Thorubrn (TBNRD)

*Second:* Jennifer Schellpeper (NeDNR)

*Discussion:* None

Motion approved

Kent Miller will sign NeDNR Contract #571-C on behalf of the PBC. NeDNR will send the contract to Marc Groff (TFG) for final signature and distribute the final contract.

## D. Budget Presentation and Approval

### i. Years 7-12 (*Attachment 7Di*)

- a. **MOTION:** *To accept the Years 7-9 budget of \$11,312,503.06 and the Years 10-12 budget of \$16,500,000.00 as presented in the referenced memo.*

*Move:* Lyndon Vogt (CPNRD)

*Second:* Scott Schaneman (NPNRD)

*Discussion:* None

Motion approved

### ii. Operations Year 12 (*Attachment 7Dii*)

#### a. Plummer Insurance Invoice (*Attachment 7Diia*)

1. **MOTION:** *To accept the Year 12 Operations budget of \$4,372.00 as presented in the referenced memo, which consists of the payment for the Plummer Insurance Invoice.*

*Move:* John Thorburn (TBNRD)

*Second:* Jennifer Schellpeper (NeDNR)

*Discussion:* None

Motion approved

NeDNR will send the invoice to the NRDs for payment.

### iii. Studies (*Attachment 7Diii*)

- a. **MOTION:** *To accept the Studies budget of \$649,960 as presented in the referenced memo.*

*Move:* Galen Wittrock (SPNRD)

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*Second:* Scott Schaneman (NPNRD)

*Discussion:* None

Motion approved

## **8. Ongoing Project Activities/Operations—Obligated and Remaining Expenditures**

### A. CPNRD

- i. No current projects. Have been working with NeDNR on new retirements. Angie was to send NeDNR one additional retirement project - Lyndon will follow up.

### B. TBNRD

- i. Started the augmentation wells at Cottonwood Ranch augmentation project last week. Will likely run through this month and into May unless there is a large influx of water. Consists of 8 wells ranging from 400-800 gallons per minute. There are 2 clusters of 3 wells and 2 separate wells that feed into ditches. There is between 7-8,000 feet of 16-inch pipe that connects the 2 clustered sets of wells to the river.

### C. TPNRD

- i. Just started pumping NCORPE this week. In past years have pumped year-round, this year will only pump 6 months. Nebraska Public Power District (NPPD) is not moving water through the system at this point. Will not drain Lake Maloney again. Will be off again later in the year. NPPD is in draft mode – not moving any water through North Platte hydroplant. Possibility this winter they will have to pump south to the Republican Basin.

### D. NPNRD

- i. A couple of contract renewals in the works with landowners.

### E. SPNRD

- i. No new projects. Hoping for excess flows this spring.

### F. NeDNR

- i. No excess flows yet as of Jeremy Gehle's (NeDNR) last update. Have all of J-2 redone – contract with CPNRD, TBNRD, NeDNR, CNPPID for excess flows. Will be discussing priorities for where diversion water will be preferably put and putting that into operating plans.

## **9. Other Priority Items**

- A. Contract #571 discussion ([Attachment 9a](#))

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- i. The current ILCA expires June 30, 2023. Will either need an amendment to account for more money in WRCF, or something to keep PBC operational to spend already-allocated funds. Draft version created by legal presented to other PBC members. All managers will have to sign.
    1. John Thorburn (TBNRD) indicated the longer the better in terms of contract length.
    2. Shelly Julian (NeDNR) indicated the 2-year term is based on how it was done in the past but could be any desired length.
  - ii. NeDNR will finalize the draft contract and present to the other PBC members for signature at the June 15, 2023 meeting.
- B. Let NeDNR know about your projects
- i. NeDNR reiterated there are a lot of funds to be spent.
  - ii. Scott Schaneman (NPNRD) indicated Travis Preston (NPNRD) is working on leases for Enterprise and Hooper Canals.

## 10. Public Comment

None

## 11. 2023 Scheduled Meetings:

- June 15, 2023
- August 3, 2023
- October 5, 2023
- December 7, 2023

## 12. Wrap-up, questions, action items, next steps

None

## 13. Adjourn at approximately 1:29 pm CDT.

### Action Items (highlighted above):

- NeDNR will distribute the approved December 15, 2022, minutes and post on the DNR website.
- Kent Miller will sign Contract #1377 on behalf of the PBC.
  - NeDNR will present the contract to the Department's Director (Tom Riley) for final signature and distribute the final contract.
- NRDs to expend funds allocated for the highlighted (active/funds remaining) projects in the Years 7-9 budget before June 30 if possible.
- NeDNR legal staff to complete review of the CPNRD decertification project.

*Minutes*

*PBC April 6, 2023*

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- NRDs to bring forward eligible Years 10-12 projects in a timely fashion to assist in meeting their IMP goals.
- NeDNR and NRD technical staff will collaborate on completion of the groundwater modeling for the 2023 Robust Review.
- NeDNR to send the 3 approved HDR invoices (total costs of \$3,256.48, \$12,710.54, and \$21,695.42) to the NRDs for payment.
- NeDNR to send the 2 approved TFG invoices (total costs of \$34,072.50 and \$58,875.00) to the NRDs for payment.
- NeDNR will get final signatures from the Director and return executed copies to the NRDs for 5-year extensions on existing recharge projects (total project costs of \$50,000, \$50,000, \$50,000, \$50,000 and \$695,706.73).
- Kent Miller will sign NeDNR Contract #571-C (for a total cost of \$96,040) on behalf of the PBC.
  - NeDNR will send the contract to Marc Groff (TFG) for final signature and distribute the final contract.
- NeDNR will send the approved Plummer Insurance invoice (total cost of \$4,372.00) to the NRDs for payment.
- Lyndon Vogt (CPNRD) will follow up on sending an additional decertification project to NeDNR for review.
- NeDNR will finalize the draft contract (amendment to Contract #571 or new contract to replace) and present to the other PBC members for signature at the June 15, 2023, meeting.