




LOWER PLATTE SOUTH natural resources district

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Agenda Item #10

Memorandum

Date: November 10, 2021
To: Each Director
From: Paul D. Zillig, General Manager 
RE: Water Resources Subcommittee Meeting Minutes.

The Water Resources Subcommittee met at 5:30 p.m. on Tuesday, November 9, 2021 in the NRD Office in Lincoln. Subcommittee members participating included Larry Ruth, Chelsea Johnson, John Yoakum, Vern Barrett, Ken Vogel, and Gary Hellerich. Other Directors participating included Deborah Eagan. And others participating included Steve Seglin, Corey Wasserburger, Dick Ehrman, David Potter, Tracy Zayac, Chris Witthuhn, Mike Murren, Steve Herdzina, and myself.

Chair Ruth opened the meeting and welcomed those in attendance. The first item on the agenda was to have an overview of the Groundwater Management Plan approved in 1995 (GWMP) and the Groundwater Rules and Regulations (GW R&R). Ehrman reviewed the GWMP portion of the attached handout and answered questions from the Subcommittee. The Subcommittee didn't have any concerns at this time, they may wish to discuss it further at a future meeting.

Chair Ruth then asked Ehrman to review the GW R&R portion of the attached handout. The review moved quickly to Section C (Well Permits) and good discussion followed concerning the well permitting process experience with Monolith. The Subcommittee members had several observations and suggestions that need to be discussed further concerning the steps for the well permitting process, the State Statute requirements and how we coordinate the Statute requirements with our permitting process, several observations on the legal process as we determine when a permit application is complete, administrative findings, who should be responsible for the required tests/studies, impacts on future users, improvements on timing of submittals, adding an additional "Class" of wells for large water users, and additional definitions for "adverse", "detrimental", "significant", etc. The Subcommittee will pick up on this topic at a future meeting and complete their review of the GW R&R.

The final agenda item was to consider closing out the Oak-Middle 82-B Watershed Rehabilitation Project. I reviewed with the Subcommittee the attached handout summarizing the project (funding, contractor, costs, etc). It was moved by Vogel, seconded by Yoakum, and unanimously approved by the Subcommittee to go into closed session to protect the public interest concerning potential litigation due to certain actions

related to enforcing provisions in the Oak-Middle 82-B construction contract. Ruth reminded the Subcommittee of the limitations of the subject matter while in closed session.

It was moved by Vogel, seconded by Yoakum to return to open session. This motion was unanimously approved.

It was moved by Vogel, seconded by Barrett to **recommend the Board of Directors follow NRD Legal Counsel's recommended negotiations for the final payment for construction of the Oak-Middle 82-B Watershed Rehabilitation Project.**

There being no additional business the meeting adjourned at 7:20 pm.

PDZ/pz

cc: Steve Seglin & Corey Wasserburger