



## LOWER PLATTE SOUTH natural resources district

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### Memorandum

**Date:** April 12, 2024  
**To:** Board of Directors  
**From:** David Potter, Assistant General Manager *DP*  
**RE:** Platte River Subcommittee – April 11, 2024, Meeting Minutes.

The Platte River Subcommittee met at the NRD office on Thursday, April 11, 2024. Subcommittee members in attendance included Ken Vogel, Seth Hawkins, Gary Hellerich, Don Jacobson, Luke Peterson, and Susan Seacrest. Directors absent included Gary Aldridge and Christine Lamberty. Others in attendance included Bryce Jensen and David Potter with staff and Matt Moser with USGS. The meeting was called to order by Chair Vogel at 5:30 p.m. and the agenda was reviewed. The one action item on the agenda for consideration was **an amendment to the Second Amended Interlocal Cooperation Act Agreement for the Lower Platte River Phragmites Management Program.**

Potter stated that the Lower Platte South NRD entered into an agreement in 2009 with Lower Platte North NRD and Papio-Missouri River NRD (PMRNRD) to establish a fund and cost-share program to help control phragmites and other invasive vegetation in the floodplains of the Platte and Elkhorn Rivers and Shell and Salt Creeks. Subsequent amendments to the agreement were executed in 2014 and 2016. Amendments expanded the program to include the survey and control of “targeted vegetation” along tributaries of the Platte and Elkhorn Rivers and Shell and Salt Creeks. The amended agreement set the annual cost share from each NRD at \$30,000, providing an annual funding of \$90,000 to complete the work needed under the agreement. This work includes ground and aerial survey to best identify areas of phragmites and other invasive vegetation and aerial spraying of herbicide on target areas by helicopter. The Second Amended Interlocal Agreement for the Lower Platte River Phragmites Management Program that is currently in place superseded the other previous agreements.

This program has been effective and works in conjunction with the Lower Platte Weed Management Area Association (LPWMA) to reduce areas of phragmites in the Lower Platte. At the same time, the annual spraying has also helped control other noxious weeds and some invasive woody vegetation. This overgrowth of vegetation in river channels has adverse effects on habitat, river flows, and recreational use as well as causing obstructions for flood flows and ice break up.

PMRNRD maintains this fund while coordinating with the LPWMA to utilize state grant funds before the interlocal funds are expended. This Amendment to the Second Amended Interlocal Agreement (provided to subcommittee and attached) revises the current agreement to allow the use of Unmanned Aerial Systems (UAS) or drones to spray additional areas where a helicopter is not suited. All other sections of the Second Amended Interlocal Cooperation Act Agreement will remain effective. PMRNRD will keep a selected qualified bidders list to have competitive bids and qualified bidders ready for the 2024 season.

Bryce Jensen explained participation in the Lower Platte Weed Management Association and the benefits of the Program. Jensen identified different herbicides that have been used in the past and answered questions of the subcommittee.

**It was moved by Jacobson, seconded by Seacrest, and unanimously approved to recommend the Board of Directors approve and authorize the General Manager to sign the Amendment to the Second Amended Interlocal Agreement with Papio-Missouri River NRD and Lower Platte North NRD for the Lower Platte River Phragmites Management Program.**

The next item was presentation of updated information and discussion on the **LPRCA - USGS Trend Analysis on Continuous Water Quality in the Lower Platte River**. Potter stated the Platte River Subcommittee and the Board have discussed a possible USGS trend analysis of one or more of the Platte River streamgages last year. The District discussed sponsoring the project ourselves even if other members of the Lower Platte River Corridor Alliance (LPRCA) were not interested. An action item and funds were placed in the FY24 Long Range Implementation Plan (LRIP) and Budget for a trend analysis on the most downstream streamgage at Louisville.

Since the adoption FY 24 Budget, more discussion has been had with the LPRCA and a proposed detailed trend analysis on all the continuous water quality monitoring streamgages has taken place. Information from USGS on the trend analysis and streamgages was presented to the subcommittee. The proposed trend analysis is estimated at \$148,100 and would take two years to complete. The cost would be split between USGS and LPRCA members electing to participate in the trend analysis. Of the total cost, the USGS will be contributing \$48,300 and the LPRCA members contributing \$99,800. The proposed project was discussed in detail at the last LPRCA meeting in October and is expected to be acted on at the next Alliance meeting in May. Potter stated that so far, we have interest/commitments from NeDNR, MUD, Lincoln Water, Nebraska Game & Parks, LPSNRD, PMRNRD, and LPNNRD, and DEE is proposing 319 grant funding (\$15K). Matt Moser with USGS further explained the benefits of the trend analysis and the streamgages and answered questions of the subcommittee. Potter and Moser identified the cost breakdown with participating agencies. Staff continue to work out the details, but it appears we have good participation to keep the cost down. Without DEE's 319, the current cost break-down is \$14,257 for each of the 7 participating agencies for the two years. Obviously, a couple more participants and working out the details with DEE will reduce that amount and get us closer to the \$9,980 per agency the Alliance was originally hoping for, or LPSNRD could possibly provide additional funding. Joint funding agreements are proposed between each agency and the LPRCA, of which LPSNRD is the representing and acting agency through an interlocal agreement. These agreements and one with USGS will likely be considered by the subcommittee and Board of Directors in the next few months. The subcommittee agreed that LPSNRD could provide additional funding for the project if needed and/or if the proposed Section 319 grant becomes more work than the funding benefit.

The last item was discussion on **proposed dates for the next subcommittee meeting pertaining to the FY25 Long Range Implementation Plan and Budget**. The subcommittee set LRIP meeting for Thursday, April 25<sup>th</sup> at 5:30 p.m.

With no further business or discussion, the meeting was adjourned at 6:06 p.m.

Attachment: 1

Pc: file

LOWER PLATTE NORTH NATURAL RESOURCES DISTRICT  
LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT  
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT

**AMENDMENT TO THE SECOND AMENDED INTERLOCAL COOPERATION ACT  
AGREEMENT  
LOWER PLATTE RIVER PHRAGMITES MANAGEMENT PROGRAM**

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**THIS AMENDMENT** (hereinafter referred to as "this **AMENDMENT**") is entered into by and between the **LOWER PLATTE NORTH NATURAL RESOURCES DISTRICT**, the **LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT**, and the **PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT** (referred collectively as the "CONTRACTING NRDS") the pursuant to the authority provided in the Nebraska Interlocal Cooperation Act (§§13-801, R.R.S., 1943, et seq.)

**RECITALS:**

**WHEREAS** the CONTRACTING NRDS entered into an Interlocal Cooperation Act that was executed in September and October of 2009 by the CONTRACTING NRDS which outlined the various tasks and obligations of the CONTRACTING NRDS in order to implement a Phragmites Management Program on the Lower Platte River;

**WHEREAS** the CONTRACTING NRDS entered into an Amended Agreement that was executed in July of 2014 which outlined changes to the various tasks and obligations of the CONTRACTING NRDS in order to implement a Phragmites Management Program on the Lower Platte River;

**WHEREAS**, the CONTRACTING NRDS entered into a Second Amended Agreement that was executed in 2016 which clarified the process of how contracts were to be awarded and increased cost-sharing contributions among the CONTRACTING NRDS, among other things, for the Phragmites Management Program on the Lower Platte River; and

**WHEREAS**, the CONTRACTING NRDS desire to amend the Second Amended Agreement to incorporate the utilization of technology for the application of herbicide meeting the criteria set forth in the Second Amended Agreement through this **AMENDMENT**.

**NOW THEREFORE**, in consideration of the foregoing recitals and their mutual covenants hereinafter expressed, the CONTRACTING NRDS agree to amend the Second Amended Agreement as follows:

1) The paragraph (c) under Program Plan titled **AERIAL APPLICATION AND MECHANICAL REMOVAL** shall be deleted in its entirety and replaced with the following:

(C)Aerial Application and Mechanical Removal: Upon receipt of such designations, and using written plans and specifications and other contract documents prepared by the P-MRNRD (collectively, the "**CONTRACT DOCUMENTS**"), the P-MRNRD shall i) advertise for sealed bids for a contractor (the "**PROGRAM APPLICATOR**") to provide helicopter application and/or Unmanned Aerial Systems (UAS) application (the "**AERIAL APPLICATION**") of the herbicide designated by the trade name of "Habitat" or approved equal or other approved effective herbicide upon TARGET VEGETATION on lands in the FLOOD CHANNELS within the respective AFFECTED COUNTIES that CONTRACTING NRDS have approved for the AERIAL APPLICATION or ii) advertise for sealed bids for a contractor (the "PROGRAM MECHANICAL CONTRACTOR") to provide mechanical removal of TARGET VEGETATION in the FLOOD CHANNELS within the AFFECTED COUNTIES that CONTRACTING NRDS have approved for mechanical clearing.

Except as modified by this AMENDMENT, the Second Amended Agreement is ratified and confirmed in all respects.

[SIGNATURE PAGE TO FOLLOW]

THIS AMENDMENT is executed by the Lower Platte North Natural Resources District on this \_\_\_\_ day of \_\_\_\_\_, 2024 pursuant to resolution duly adopted by its Board of Directors.

**LOWER PLATTE NORTH NATURAL RESOURCES DISTRICT**

By \_\_\_\_\_  
General Manager

THIS AMENDMENT is executed by the Lower Platte South Natural Resources District on this \_\_\_\_ day of \_\_\_\_\_, 2024 pursuant to resolution duly adopted by its Board of Directors.

**LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT**

By \_\_\_\_\_  
General Manager

THIS AMENDMENT is executed by the Papio-Missouri River Natural Resources District on this \_\_\_\_ day of \_\_\_\_\_, 2024 pursuant to resolution duly adopted by its Board of Directors.

**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT**

By \_\_\_\_\_  
General Manager