



## LOWER PLATTE SOUTH natural resources district

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### Memorandum

**Date:** February 4, 2021  
**To:** Each Director  
**From:** Paul D. Zillig, General Manager  
**Subject:** Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at 3:00 pm on Wednesday, February 3, 2021 via video/teleconference. Directors participating were Deborah Eagan, David Landis, Bob Andersen, Chelsea Johnson, Luke Peterson, and Larry Ruth. Others participating included Corey Wasserburger, Steve Seglin, David Potter, Donna Reid, Kathy Hauschild and myself.

Chair Eagan called the meeting to order, welcomed those in attendance and asked Wasserburger to give an update on the SCI "Beals Slough Tie-back levee" (just north of 6<sup>th</sup> & Pioneers Blvd.) and the PHW/E&A etal "Tommy's Car Wash" (just northeast of 70<sup>th</sup> & O) lawsuits.

Wasserburger reviewed the cases and reported that SCI members interested in a lawsuit are no longer involved and they are now interested in options not involving going to trial. They have agreed to a Consent Decree that resolves all matters in the controversy regarding the legality of our easement. It was moved by Landis, seconded by Andersen, and unanimously approved by the Subcommittee to direct legal counsel to sign the Consent Decree for the lawsuit with SCI Development, LLC.

Wasserburger then reported Potter worked with NRD staff and that we have submitted responses to the requests for information from PHW/E&A etal /Tommy's concerning our involvement with the operation and maintenance of Deadman's Run and the gabion stability problem. This case continues.

I then reported that the Subdistrict #10 vacancy has been announced and advertised and we are accepting applications from interested individuals thru noon on Friday, February 19<sup>th</sup>. At that point the Executive Subcommittee will review the applications and determine a schedule to move forward with interviews and presenting a recommendation to the Board at the March Board Meeting.

The next item was a review of Legislation and consider establishing tentative positions and recommended positions for LPSNRD to approve. Attached is the updated list of 2021 Bills and the LPSNRD recommended positions. **The Executive Subcommittee was in favor of these**

**positions and will recommend the Board approve the proposed positions on LB 112, 148, 190, 406, 408, 414, 483, 5007, 576, 589, 591, 650, and LR 23.**

The Subcommittee then discussed the upcoming review and schedule for action on the Monolith well permit. Depending on the timing of the final submittal, the Subcommittee would prefer a presentation to the Board by LRE/Water at the February Board Meeting, a public meeting/input zoom session in early March, and Board action at a Board Meeting in March.

The final agenda item was a report by Potter that the NRD will again apply for an NACD Technical Assistance Grant, if recommended for approval, the Board will then need to enter into a contract with NACD.

There being no further business the meeting adjourned at 4:55 pm.

PDZ/pz

pc: Steve Seglin  
Corey Wasserburger

**Nebraska's 107th Legislature  
(NRD Issue Related Bills)**

BILL	INTRODUCER	DESCRIPTION	COMMITTEE	HEARING	ACTION	POSITION	
						NRD	NARD
<b>2021 BILLS</b>							
83	Flood	Change the Open Meetings Act to provide for virtual conferencing	GM	1/27/2021		<b>S</b>	<b>S</b>
112	Albrecht	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act	GM	1/27/2021		<b>M</b>	<b>O</b>
148	<u>Bostelman</u>	Transfer certain environmental safety programs to the Department of Environment	NR	1/27/2021		<b>S</b>	<b>S</b>
190	Hughes	Change provisions relating to use of the Water Sustainability Fund	NR	1/27/2021		<b>S</b>	<b>S</b>
406	McDonnell	Create the Lower Platte River Infrastructure Task Force and provide funding	NR	1/28/2021		<b>M</b>	<b>S</b> w/ alternate fund sources or application to WSF
408	Briese	Adopt the Property Tax Request Act	RV	1/27/2021		<b>M</b>	<b>M</b> - Work with Legislature on Tax Reform
414	<u>Wishart</u>	Change provisions of the Political Subdivisions Construction Alternatives Act	GM	2/4/2021		<b>S</b> w/ amendment to define water construction	<b>S</b>
483	Cavanaugh, J.	Provide for a climate change study and action plan	NR			<b>S</b>	<b>O</b>
507	<u>Bostelman</u>	Prohibit the use of treated seed corn in the production of agricultural ethyl alcohol in certain circumstances	NR	2/3/2021		<b>S</b>	
576	<u>Bostar</u>	Appropriate funds to the University of Nebraska (research on climate change & update report)	AP			<b>S</b>	<b>O</b>
589	Groene	Change requirements for integrated management plans by natural resources districts	NR	2/4/2021		<b>O</b>	<b>O</b>
591	Groene	Require a permit for any natural resources districts water augmentation project	NR	2/10/2021		<b>O</b>	<b>O</b>
650	Flood	Adopt the Nebraska Geologic Storage of Carbon Dioxide Act	NR			<b>M</b>	
<b>2022 BILLS</b>							
		NONE					
<b>LEGISLATIVE RESOLUTIONS</b>							
5	Gragert	Accept the findings and recommendations of the Healthy Soils Task Force submitted to the Governor and the Agriculture Committee	AG	2/2/2021			<b>M</b>
11CA	Erdman	Constitutional amendment to require enactment of a consumption tax and prohibit certain other forms of taxation	RV	2/3/2021			<b>O</b>
22CA	Linehan	Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions	RV	1/27/2021			<b>M</b> - Work with Legislature on Tax Reform

23	Erdman	Interim study to examine the progress of natural resources districts in fulfilling their originally intended purpose	EX			M - LPSNRD supports the current responsibilities of NRDs	S - offer assistance to gather information & offer NRD offices for Interim Study
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### WATCH LIST

9	Blood	Change annexation requirements and property tax special valuation
26	Wayne	Provide a sales tax exemption for residential water service
29	Wayne	Replace Arbor Day with Juneteenth as a state holiday
52	Lathrop	Provide for immunity for injury or death from COVID-19 exposure
54	Lathrop	Change immunity for intentional torts under the Political Subdivision Tort Claims Act and the State Tort Claims Act
65	Williams	Change contractual conflict of interest provisions under the Nebraska Accountability and Disclosure Act
71	Wayne	Change provisions relating to intentional tort claims under the Political Subdivisions Tort Claims Act and the State Tort Claims Act
90	Halloran	Change fee provisions under the Pesticide Act and the Nebraska Commercial Fertilizer and Soil Conditioner Act
91	Brandt	Change germination seed testing provisions under the Nebraska Seed Law
133	Erdman	Adopt the Nebraska EPIC Consumption Tax Act and eliminate certain other taxes
139	Briese	Adopt the COVID-19 Liability Protection Act
166	Geist	Provide for Josh the Otter-Be Safe Around Water Plates, create a fund and provide powers and duties for Game and Parks
176	Lindstrom	Provide an income tax credit for certain agricultural producers
178	Lindstrom	Adopt an Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue
189	Halloran	Change provisions relating to property tax refunds
209	McDonnell	Change provisions relating to treatment of deferred compensation by certain political subdivisions, state agencies and the Public Employees Retirement Board
212	M. Cavanaugh	Prohibit charging members of the Legislature fees for public records requests
213	Briese	Provide for an efficiency review of state agencies
242	Brandt	Provide for county bridges under the Political Subdivisions Construction Alternatives Act
314	Pahls	Change provisions related to insurance coverage for telehealth
368	Sanders	Provide the Auditor of Public Accounts enforcement powers for failure of political subdivisions to file reports
369	Sanders	Provide the Auditor of Public Accounts access to working papers and audit files
370	Sanders	Adopt the Personal Privacy Protection Act
379	Hilgers	Provide, change and eliminate provisions relating to appropriations
380	Hilgers	Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2023
383	Hilgers	Appropriate funds for capital construction
384	Hilgers	Provide for transfers of funds and change permitted use of funds
399	Bostelman	Change provisions relating to rural water districts
449	Wishart	Appropriate funds to the Department of Environmental and Energy
501	Flood	Adopt the Uniform Easement Relocation Act
605	Wishart	Create the Outdoor Recreation and Education Study Committee of the Legislature
622	Friesen	Limit the growth of real property valuations and provide for adjustment to assessed values
644	B. Hansen	Adopt the Property Tax Request Act