

Memorandum

To: Pappio-Missouri River Natural Resources District Programs Projects and Operations Subcommittee
From: Philip Paitz, Groundwater Management Engineer
Date: December 4, 2024
Re: Amendment to Lower Platte River Drought Consortium Interlocal Agreement

In August 2016, the District entered an Interlocal Agreement amongst the Lower Platte South NRD, Lower Platte North NRD, City of Lincoln, Metropolitan Utilities District, and Nebraska Department of Natural Resources to form the Lower Platte River Consortium. The purpose of the Consortium is to study the long-term water supplies available to the lower Platte River sub-basin to enhance stream flows or aquifer storage during times of drought.

The study conducted by the Consortium has led to the development and adoption of the Drought Contingency Plan at the end of 2019. The Consortium continues to implement the Drought Contingency Plan and provide a framework for coordination and communication addressing drought situations. The Lower Platte South NRD serves as the Administrator. There is no budget associated with this interlocal agreement, and a budget will be presented to each party prior to any proposed projects or expenditures.

The District amended the original agreement four times to grant extensions through December 2024. After last year's amendment, there was a strong desire by all participants to lengthen the agreement extensions to a term longer than one year to provide greater stability in the planning process and to cut down the administrative overhead required by the shorter one-year extensions.

An additional change to the interlocal with this agreement is the name. The ILA's current name does not reflect its mission. Since the Consortium's primary purpose is to coordinate efforts during times of and in preparation for drought, the decision was made to re-name the Consortium to the "Lower Platte River Drought Consortium."

In summary, the purpose of the attached Lower Platte River Consortium Interlocal Cooperation Agreement is to extend the duration of the agreement for five (5) additional years and to change the name of the group to the "Lower Platte River Drought Consortium".

Management recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Lower Platte River Consortium Interlocal Cooperation Agreement with the Lower Platte South NRD, Lower Platte North NRD, City of Lincoln, Metropolitan Utilities District, and Nebraska Department of Natural Resources, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

**SECOND AMENDMENT OF
LOWER PLATTE RIVER CONSORTIUM
INTERLOCAL COOPERATION AGREEMENT**

WHEREAS, the Nebraska Department of Natural Resources (“Department”), Lower Platte South Natural Resources District (“LPSNRD”), Lower Platte North Natural Resources District (“LPNNRD”), Pappio-Missouri River Natural Resources District (“PMRNRD”), Lincoln Water System (“LWS”), and Metropolitan Utilities District (“MUD”), all of which are agencies or political subdivisions of the State of Nebraska, and are parties (“Parties”) to the Lower Platte River Consortium Interlocal Cooperation Agreement (“Agreement”) that was entered on December 5, 2022; and

WHEREAS, pursuant to Section 10.05 of the Agreement, the Agreement may be amended in a writing duly executed by all of the Parties; and

WHEREAS, on December 2, 2023, the Parties executed the First Amendment to the Agreement, which extended the Agreement term to December 4, 2024; and

WHEREAS, the Parties now desire to extend the Agreement and to change the title of the interlocal cooperation agreement in this Second Amendment.

NOW THEREFORE, the Parties hereby mutually agree to the following amendments to the Agreement:

1. The Parties agree to extend the Agreement for an additional period of five (5) years from the final execution date of this Second Amendment, to end on December 4, 2029.
2. The Parties agree to change the name of the consortium in Section 3 and the title of the interlocal cooperation agreement from “Lower Platte River Consortium” to “Lower Platte River Drought Consortium” to better describe the purpose of the Agreement.

Except as expressly set forth herein, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties have signed and executed this Second Amendment on the dates shown next to their respective signatures.

NEBRASKA DEPARTMENT OF NATURAL RESOURCES

BY: _____ DATE: _____

LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT

BY: _____ DATE: _____

LOWER PLATTE NORTH NATURAL RESOURCES DISTRICT

BY: _____ DATE: _____

PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT

BY: _____ DATE: _____

LINCOLN WATER SYSTEM

BY: _____ DATE: _____

METROPOLITAN UTILITIES DISTRICT

BY: _____ DATE: _____