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NO. 27

R-Project On Hold *Federal judge vacates key permit*



MARCIA HORA - THE STAPLETON ENTERPRISE

Work has been suspended on the R-Project. NPPD is seeking to store and secure construction supplies at depots set up under an agreement between both sides in the lawsuit. Preparations will be made to upgrade substations at Thedford and Clearwater and clear vegetation and do other site preparation along the route. Pictured above is the supply station located south of Stapleton on U.S. Highway 83. Forbes Brothers Timberline Construction, Inc. of Rapid City, South Dakota, was awarded the construction contract at a base bid of \$264,999,990 for the transmission line that would begin at Gerald Gentleman Station near Sutherland, head north to Thedford where it would connect at an existing substation, then move east to Holt County and connect with a newly constructed substation. The line would cover approximately 225 miles.

MARCIA HORA

U.S. District Judge William Martinez of Colorado has issued a 116-page order affirming in part and vacating in part a June 2019 U.S. Fish and Wildlife Service environmental permit for the R-Project. The ruling was handed down Wednesday, June 17.

"This is an unusually complicated case," Judge Martinez wrote in the court document. "The R-Project has been in various planning stages for eight years, and the administrative record is correspondingly enormous. The record is oddly organized and difficult to navigate. More frustrating, however, are the parties' arguments. Many are underdeveloped, 'see what sticks' variety; many are inexcusably belated (i.e., arguments Petitions make for the first time in their reply brief); and there are a surprising number of seemingly relevant arguments not made."

Oregon-California Trails Association and Western Nebraska Resources, both nonprofit corporations, and Hanging H East, L.L.C. and Whitetail Farms East, L.L.C., both limited liability corporations, brought the civil action against U.S. Fish and Wildlife Service, the Secretary of the U.S. Department of the Interior, and

Nebraska Public Power District as intervenor-respondent.

The court found a large number of challenges were without merit, but the court agreed with petitioners in the following:

- The Service inadequately considered the effects of the R-Project on the O'Fallon's Bluff segment of the Oregon and California Trail;
- The Service unlawfully excluded potential wind turbine development in Antelope County, Nebraska from its analysis (an error which infects various other analyses under the ESA, NEPA, and the NHPA); and
- One portion of a "programmatic agreement" entered into to address NHPA matters is arbitrary and capricious, at least on this record.

The court set aside the Service's decision to grant the June 12, 2019 incidental take permit, meaning said permit will be vacated.

Judge Martinez stated in his findings, prior to the issuance of any license, federal agencies shall take into account the effect of the undertaking on any historic property.

As early as March 2016, the Service received from the National Park Service a letter stating that the R-Project would cross the Mormon Pioneer, California, Oregon, and Pony Express National Historic Trails (NHTs) at a particu-

larly sensitive location, and encouraged an alternate route within the approved routing corridor that would cross the trail corridor in places where the trail and its setting already have been compromised or destroyed.

The Final EIS straightforwardly acknowledged that the R-Project would have a "long-term, high intensity indirect (visual, auditory, and atmospheric) effect" on an area known as O'Fallon's Bluff, which "exhibit(s) some of the most clearly defined and preserved segments of the Oregon-California Trails."

The R-Project's transmission towers and overhead lines "would become the most dominant feature of the landscape, contrasting sharply with the rural feel of the area." The transmission towers would also create a constant hum.

Tom Kent, Nebraska Public Power District's CEO and President said, "NPPD will continue to review the decision and will discuss the next steps with the Board of Directors and the wholesale customers whose facilities are directly impacted by the project. This project is still needed for electric reliability in the state. We have a high level of confidence in the Habitat Conservation Plan. The court agreed with the majority of the analysis by the U.S. Fish and Wildlife Service

and the three items with which the court disagreed are relatively narrow."

The Court documents state in January 2012, a quasi-governmental entity known as the Southwest Power Pool (a regional electric reliability council under the supervision of the Federal Energy Regulatory Commission concluded Nebraska needed a new east-west 345 kV electrical transmission line "chiefly to provide access for wind development in Cherry County, in north-central Nebraska), but this line also would provide parallel paths for key contingencies in Nebraska for west to east flows, relieve congestion, increase transfer capability, and mitigate reliability concerns.

In April of 2012, the Southwest Power Pool directed the relevant regional utility - in this case, the Power District - to plan and construct the new transmission line and associated infrastructure. These tasks comprise the R-Project.

Later, the Southwest Power Pool and the Power District dropped the idea of a new substation in Cherry County in favor of expanding an existing substation near Thedford, Nebraska in Thomas County.

Over the summer of

See *R Project*
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Arendsdorf Farm slated to receive 'Pioneer Award'

Lila Arendsdorf of Arendsdorf Family Farm, established 1919, is among the 122 honorees slated to receive the Aksarben Pioneer Farm (100 years) and Aksarben Heritage Farm Award (150 years) in 2020.

Each year, Aksarben pays homage to the dedicated and hard-working Nebraskan families who have met the incredible milestone of owning at least forty-acres of farmland within one family for one-hundred or one-hundred and fifty years, respectively.

Aksarben began awarding the Pioneer Award in 1956, and since that time, nearly 10,000 farm families have received the award statewide. The Heritage Award was established in 2014, and has been awarded to nearly 100 farm families.

"We're proud to recognize these Nebraska farm families each year. The dedication and perseverance demonstrated by these families is a testament to the strong Nebraska values that set our state apart and have been making Aksarben proud, for over 120 years," said Sandra Reding, Aksarben Foundation President.

Due to COVID-19 many

County Fairs are still questioning whether to have the fair this year. Instead of handing out the awards at County Fairs, we are working with both Nebraska Farm Bureau and the County Fair managers to get these awards out to our recipients across the state.

"Nebraska Farm Bureau will work with our regional managers, our county Farm Bureau leaders and county fair managers to set up times to deliver these prestigious honors. Nebraska Farm Bureau is proud to help sponsor these farm family awards and are happy to share in this tribute. Nebraska Farm Bureau's heritage and continuous mission is to serve Nebraska farm and ranch families, and these awards recognize the commitment to preserve and build Nebraska agriculture for future generations," said Nebraska Farm Bureau President Steve Nelson.

To commemorate this milestone, each of family will receive an engraved plaque and gatepost marker at the county fair in the county where their farm is located.

33rd Annual Stapleton Junior Rodeo is a go on July 11

The 33rd annual Stapleton Junior Rodeo will go on as planned, Saturday, July 11, beginning at 9:00 a.m. CT at the Logan County Fairgrounds.

Entries will close Saturday, July 4, or when the 175th entry is received. A text-email will be sent to notify you if you did not get entered.

Entry information may be found at www.youthrodeo-ne.com.

All-around buckles will be given in 0-6, 7-10 and

11-14 age division. There will be reserve through fourth all-around prizes.

Admission is \$2.00 for adults, \$1.00 for those 18 and under, or \$5.00 per car. Kids five and under will be admitted free.

For more information contact Jennifer Johnston at 308-645-9432.

Concessions, ice cream and snow cones will be available.

The Stapleton Junior Rodeo is a long-standing Logan County tradition.

Red Hot Romance Special Section Coming in July

Creative Printers will be saluting "Red Hot Romance" in a special section in July.

If you have been married 50 or more years, please submit your wedding picture or a current picture for this feature. You may email pictures and include your names, wedding date, and where you were married, to creativeprinters@gpcom.net. Submissions will also be taken via USPS by mailing them to Creative Printers, P.O. Box 98, Stapleton, NE 69163. There are special couples in our area and we want to feature them!

-- News Briefs --

Swim Lessons Available At Arnold Pool

Swim lessons will be held the week of July 6-10 at the Arnold Pool. Lessons are certified through the American Red Cross.

The fee is \$15.00 for one session. The Village of Arnold received a \$500.00 donation from the Custer County branch of the Salvation Army and this donation helps keep the cost of swimming lessons low. To sign up - come to the Arnold pool. For more information call or text Shavonne Schacher at 308-636-6017.

Lone Valley Club will meet July 5

Lone Valley Club will be meeting Sunday, July 5, in the Senior Friendship Room of the Stapleton Community Center for a noon meal, followed by a meeting hosted by Jacque Trumbull and Janell Woracek. It was reported last week the meeting would be July 4.

Chamber Today

The Stapleton Area Chamber of Commerce will meet today, Thursday, July 2, at noon at the Stapleton Community Center.

McPherson Co. News



- Over The Hills
- Graphic Files
- Winners Announced
- Do & Don't Do Poem

Notices

- Notice of Incorporation of Stapleton Educational Facilities Leasing Corp.
- Logan County Library Public Notice
- Logan County Board of Equalization Public Notice
- Village of Gandy Notice of Meeting
- Village of Stapleton Notice of Meeting
- Stapleton Rural Fire Protection Dt. Notice of Meeting
- McPherson County Board of Equalization Public Notice
- Filing Deadline Notice For Village Boards

Weather



DATE	HI	LOW	MT
16	91	64	0
17	91	66	0
18	93	60	0
19	75	55	.02
20	70	55	.02
21	82	57	.01
22	83	55	.21

Wind was measured at 37 MPH on June 16 at 2:40 p.m. and the temperature was 77 degrees at 10:00 p.m. The temperature was 84 degrees at 8:40 p.m. on June 17. Thunder was recorded on June 19, 20 & 21 and fog was also recorded on June 20.

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