

Regular Board of Directors Meeting  
Monday, September 12, 2016 6:00 PM  
Lower Platte North NRD Office  
P.O. Box 126  
Wahoo, NE 68066

1. Call to Order

**NOTE: The agenda is on file at the LPNNRD office and may be changed up to 24 hours prior to the meeting as scheduled.**

1.A. Meeting Notice

1.B. Inform Public on Location of Copy of "Open Meeting Act"

1.C. Pledge of Allegiance

2. Roll Call

2.A. Introductions

3. Approval of Agenda

4. Comments - Advisors/Guests

4.A. Guest Comments

4.A.1. Landowner Discussion on Lake Level

4.B. NRCS Report

4.C. NARD Report

4.D. NRC Report

4.E. Managers Report

4.F. Education Program

5. Approval of Minutes

6. Report of Standing Committees

6.A. Executive Committee - Action as Required

6.A.1. MEETINGS

6.A.1.a. Pending

#### 6.A.1.a.1. Nebraska Water Symposium and Water Law Conference

The Nebraska Water Symposium will be Thursday, October 20th and the Nebraska Water Law Conference will be held Friday, October 21st both will be held at the Nebraska Innovation Campus Lincoln. Please let Breunig know if you are interested in attending.

#### 6.A.1.a.2. NARD Fall Conference

Attached find Directors who are registered for the Fall Conference September 25-27 in Kearney.

#### 6.A.1.b. Reports

Director Ruzicka reported that he and directors Clausen, Olson, Pollard and Saalfeld met with representatives from Lincoln Poultry for a presentation on the processing plant, hatchery and feed mill. An update can be given at board meeting.

### 6.A.2. MANAGEMENT ITEMS

#### 6.A.2.a. Directors Absence

#### 6.A.2.b. Monthly Education Program

We plan on two education programs this month.

Prior to board meeting, beginning at 5:30 p.m. George Cunningham will give a presentation on concerns he has with the Costco poultry plant and plan for raising chickens.

During board meeting a short presentation will be given by Steve Wolf from JEO concerning Board Vision Planning.

#### 6.A.2.c. Ourada Claim

At the May Board Meeting a claim from Larry and Cindy Ourada was presented concerning the easement area LPNNRD holds on their property. Repeated attempts have been made to their attorney by Lausterer to find exactly what they want, with no answer being provided. It is Lausterer's recommendation that the Ourada Claim be denied.

#### 6.A.2.d. Accounting Presentation

Last month we received a proposal from HBE to perform our accounting needs. This month Brock Herley from Krause, Schumaker, Smejkal & Brockhaus will give a similar proposal.

Staff visited with Brock and two additional staff members on August 23 in preparation for a presentation at Executive Committee. Hannah informed the committee that Krause, Schumaker, Smejkal & Brockhaus had contacted him and would not be presenting a proposal for accounting services.

#### 6.A.2.e. LARM Insurance Renewal Invoice

Attached find our 2016-17 renewal invoice based on the resolution that was approved last month and provided to LARM.

#### 6.A.2.f. NARD Resolutions

We have received two proposed to resolutions from NARD for consideration at the Fall Conference in September that are attached to the Executive Committee Minutes.

Resolution #1 is to streamline the licensing process for Water Well Professionals. The current system has six separate licenses at a cost of \$1,000 each. Most other professional licenses have a single license with endorsements in each specific category. The proposed change would make the process for Water Well Professionals license similar to other professional licenses.

Resolution #2 corrects a change that occurred in 2008 that defines who is eligible for loans and grants from the State Revolving Fund. The new statute reads ...to public water systems operated by political subdivisions with populations of ten thousand inhabitants or less... This language would exempt NRDs from using the SRF. The proposed change would add two comas and read ...to public water systems, operated by political subdivisions, with populations of ten thousand inhabitants or less... Currently DEQ and HHS are allowing NRD to use the SRF, but are asking that we pursue a statute update.

#### 6.A.3. EQUIPMENT

#### 6.A.4. PERSONNEL

Personnel Sub-Committee will meet immediately after Executive Committee Meeting. Their agenda includes:

- General Managers Review
- Review Civil Engineer draft job description

##### 6.A.4.a. Dodge County Field Assistant

The job announcement for the Dodge County Field Assistant was advertised in the Fremont Tribune on August 13, 20 and 27. Resumes are due at the NRD Office September 6th with interview scheduled after that.

##### 6.A.4.b. Letter from American Council of Engineering Companies

Attached find a letter received from the American Council of Engineering Companies concerning our discussions on hiring an engineer. Discussion on this letter will take place at next months committee meetings.

#### 6.A.5. FINANCE

##### 6.A.5.a. Approval of Financial Reports

##### 6.A.5.b. Approval of Managers Time and Expense Sheets

##### 6.A.5.c. Accounts over 90 Days

##### 6.A.5.d. Budget - Set Property Tax Rate

Last month the board approved our Fiscal Year 2017 Budget that includes \$6,632,439 of expenditures, \$7,471,399 of income and available cash, with a property tax request of \$3,480,715. We have received valuations from our 7 counties that came in slightly more than was estimated.

With the revised valuations our property tax request for FY17 will decrease by 10.4% and our property tax rate will decrease by 14.5%

A final copy of the Valuations, Budget Summary and State Budget are attached with a motion needed to approve setting the FY Budget Tax levee at .038278 cents per one hundred dollars of valuation.

#### 6.A.5.e. Budget Hearings

#### 6.A.5.f. Dodge County Tax Refund

A large packet of information was received from the Dodge County Treasurer to inform us that a tax refund to Dodge County is needed. Earlier this summer the State TERC Board made a ruling for correction of 12 properties owned by Hormel Foods Corporation (\$6,364.91) and one smaller correction for Lyman Richey Corporation (\$157.01). Attached find a copy of the letter and the supporting statutes. If any director wishes to have a copy of the supporting paperwork please let Miyoshi know and it can be sent to you in a separate email.

### 6.B. Education, Operations & Rural Water Systems Committee - Action as Required

#### 6.B.1. WILD NE/CREP REPORT

We are preparing for the Grassland Renovations at Homestead and Czechland Lakes. Homestead has been hayed and will be sprayed after the first freeze then inter-seeded in the spring. At Czechland we are proposing to start tree removal on the 100 acre tract this fall/winter. We need to advertise and solicit bids for this tree removal. Bids would be opened prior to the October Board meeting to then be approved.

The following year we will then spray the grassland and inter-seed in the spring of 2018.

#### 6.B.2. OPERATION & MAINTENANCE & OTHER ITEMS

##### 6.B.2.a. O & M Crew

We have started our mowing circuit and completed Clear Creek Levee, Rawhide Ditch. Ames and Cottrell Levees. Czechland and Homestead will follow. Maintaining equipment as needed.

##### 6.B.2.b. Haying Recreation Areas

Meduna Family Farms hayed the Wanahoo property and took 231 bales which was 160 tons. The District received payment of \$7,229.70. The next fields to be hayed will be after September 1.

Chuck Andel hayed Homestead Lake and took 133 bales which was 96.7 tons. The District received \$3,967.

Dan Ourada has not completed the haying at Czechland Lake.

#### 6.B.2.c. Grass Drill Revenue

The District received payment from Schuyler Co-op for grass drill rental for the first half of the year at \$1,678. Schuyler Co-op has never deducted any cost for repairs.

Rosendahl Farms Seed & Feed in Platte County sent a report of income at \$1,496 with expenses of parts and repair of \$1,476.48. The District owes Rosendahl \$728.48 for those parts and repairs. The previous rental cooperater Mueller Sod Farms did very little repair to the grass drill during their time of renting the drill which explains why Rosendahl put many repairs into the drill.

A comparison report of the grass drills in Colfax and Platte Counties is attached.

#### 6.B.2.d. Bessey Nursery Tree Prices

The U.S. Forest Service at Bessey Nursery has increased their tree seedling prices. For 2 year conifer and hardwood seedlings the price has increased from \$0.63 to \$0.70 and for 1 year hardwood seedlings from \$0.58 to \$0.65. The District currently charges \$0.75 for seedlings and \$1.35 for the seedling, planting and herbicide. Is there consideration for increasing our prices?

#### 6.B.2.e. Rawhide Ditch Repair

Heimann contacted Thompson Construction for an estimate to repair Rawhide Ditch (attached). Thompson did the previous work putting in sheet pile at this location. Thompson's estimate to put in 12 sheet pile, we have on hand, is \$3,700 with some finish grading. To repair the low water crossing opposite the sheet pile is \$6,800 but, there is some unknown until it is cleaned out. This part of the project could be less than quoted. The total for both is \$10,500. Work would start after harvest. Budgeted for Rawhide Channel repair is \$15,000.

Heimann is also working with Fresno Valves to replace one of four gate valves that is frozen on one of the storage cells along Rawhide Ditch.

Staff will be meeting with Fyra Engineering on Friday, September 2 at 8:30 to discussion what can be done regarding mitigation of the flood water storage cell in which the new highway 30 expressway will occupy.

#### 6.B.2.f. Wanahoo SRA

The Family of Eldon Miller in his memory purchased and established the flag pole in the camp ground of Lake Wanahoo. We are having difficulty lighting the flag properly. We received an estimate from Power D Inc. The estimate depends on the number of lights used, the lights mount on their own pedestal in the ground. If two lights are used the estimated price would be \$1,550, if three are used \$1,865. The District would assist in trenching in the wire and pouring concrete bases for the lights.

We also have an estimate from SECO Electric INC., Scott Rounph for \$1,100.

RV Dump Station professional services contract with JEO is \$25,920. We have spent \$20,579.25 of that contract.

Revenue comparison at this time, 2015 Camping & Shower Income was \$25,379 - 2016 Camping & Shower is \$36,459.18.

#### 6.B.2.g. Fremont GI Study

The Corps of Engineers will organize with the City of Fremont a public meeting for the Fremont GI Study on Tuesday, October 18 starting at 5:30 or 6:00 pm possibly at the Fremont Middle School.

#### 6.B.2.h. Platte River Aerial Spraying

The aerial spraying of noxious and invasive weeds on the Platte River will tentatively occur the week of September 5. Provine Helicopters will also spray areas of Wanahoo as discussed last meeting.

#### 6.B.2.i. NRD Recreation Areas

To date the Czechland Lake RV camping revenue is at \$5,624.70. Department of Roads has placed brown directional recreation signs on the Bruno Highway spur for Homestead Lake. This topic was brought to our attention from Director Saalfeld.

#### 6.B.2.j. O & M Technician Position

As a request of Director McDermott, in the past our NRD had two O & M Technicians, a few years ago this was reduced to one person. With the addition of the Sand/Duck Creek and Western Sarpy-Clear Creek projects and losing the assistance of Mike Murren more O & M staffing is needed.

### 6.B.3. ROCK AND JETTY

### 6.B.4. EROSION & SEDIMENT RULES & REGULATIONS

The Legislature required changes to the Erosion and Sediment Control Act. Mike Onnen, General Manager of Little Blue NRD took the lead with help from a few others in making the required changes to the Act and developed a template for all District's to follow. Find attached a revised Erosion & Sediment Control Rules & Regulations policy for our District for your review. In approving the draft, we can then send it on to the Natural Resources Commission for their approval.

We also need to have a public hearing for the new regulations. A public hearing can occur before and during our next committee meeting, Wednesday, September 28th. The hearing will start at 8:15 a.m.

### 6.B.5. INFORMATION AND EDUCATION

#### 6.B.5.a. Information

##### 6.B.5.a.1. Radio & eAds

##### 6.B.5.a.2. WasteCap Nebraska Donation Request

WasteCap Nebraska has sent a sponsorship request for their Annual Awards Luncheon & Workshops. The sponsorship levels are attached.

WasteCap Nebraska is a 501©3 whose mission is “To partner with business and community leaders to eliminate waste in Nebraska using strategies that improve profitability, community goodwill and employee pride”.

#### 6.B.5.b. Education

##### 6.B.5.b.1. Land Judging Contest

The East Central Region Land Judging Contest is hosted by Lower Platte North every other year with Lower Platte South. The last 3 times that Lower Platte South has hosted the event they have paid the registration costs for students. This has been around \$600. Lower Platte North will host the 2016 contest on October 12<sup>th</sup>. Registration fees are \$2.00 per student and typically there are around 200 registered students.

##### 6.B.5.b.2. Scholarship Opportunity Request

The LPNNRD received a request for a scholarship opportunity for a sophomore in college that is considering a Water Science degree. Currently, our scholarship program includes two \$1,000 scholarships for high school seniors from Schuyler Central High School or Newman Grove High School involved with the Shell Creek Watershed Monitoring Program.

##### 6.B.5.b.3. Test Your Well Night

The first Test Your Well Night has been scheduled for September 29<sup>th</sup> from 6-8 pm at David City High School. Students from the natural resources class will use colorimeters to test the nitrate levels of well samples from the public.

##### 6.B.5.b.4. Nature Education Trail/Disc Golf Course

There are 8 confirmed hole sponsors in support of the Nature Education Trail/Disc Golf Course at Lake Wanahoo SRA. These sponsors have pledged funding in support of the development of the project. The costs for the project have been estimated at:

<b>Total Project Expenses</b>	\$12,312.32	
Not grant eligible costs	<u>- \$400.00</u>	
Project Expenses Grant Eligible	<u>\$11,912.32</u>	
Cost Share (40/60)	\$4,764.93 <sub>(NRD)</sub>	\$7,147.39 <sub>(NRDF)</sub>
Not grant eligible costs	<u>+ \$400.00</u>	
<b>Total LPNNRD Expenses</b>	\$5,164.93	
<b>Sponsorship Pledges</b>	<u>\$5,400.00</u>	
<b>Project Balance</b>	<b>\$235.07</b>	

##### 6.B.5.c. Computer

##### 6.B.6. RURAL WATER SYSTEMS

We are continuing to work with Phoenix Group to integrate a new meter reading radio system. They have established the needed file

format and will be meeting with us in the near future with a proposal.

Cross connection surveys have been sent to all customers. These forms are collected and kept on file per state requirement.

##### 6.B.6.a. Colon System

Bills were sent out this week for August usage. Monthly samples were collected and submitted to the State. We will be conducting our scheduled Lead and Copper testing in the next week at the five, predetermined sites in Colon.

I have met with Colon VFD regarding potential site for new Firehouse and the availability of needed flow rates for building fire sprinkler system.

Wahoo Utilities contacted me yesterday informing us of successive coliform hits during the month of August. Because of these hits our Colon line will be chlorinated for the duration of this week and possibly through the upcoming weekend. Wahoo chlorinates annually this time of year and this will fulfill the scheduled chlorination for the 2016.

#### 6.B.6.b. Bruno System

Bills were sent out this week for August usage. Monthly samples were collected and submitted to the State.

#### 6.B.6.c. Other

### 6.C. Water Committee - Action as Required

#### 6.C.1. REGULATORY

##### 6.C.1.a. GROUND WATER MANAGEMENT AREA

###### 6.C.1.a.1. Variance Request in the Hydrologically Connected Area (Limited Development Area)

At a recent meeting with DNR it was reported that instead of issuing irrigation surface water permits as a percent of ground water irrigation acres issued by the NRD, DNR may go to a 1 for 1 basis.

This would apply to every area the LPNNRD is restricting further ground water development, such as our Hydrologically Connected, Restricted Development, and SQS areas.

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The District received 5 applications for 187.67 acres bringing the total to 6,406.78 acres. Applications are due by September 15th and will be reviewed at the September 28, 2016 Water Committee meeting with potential approval at the October Board Meeting.

###### 6.C.1.a.1.A. Thomas Fichtl Variance Application

Thomas Fichtl and Robert Kluck addressed the Committee regarding Mr. Fichtl's variance application for 21 acres in the NW 1/4 of Section 12-17-2E Colfax county. This application has been held back from the time of submittal due to land class issues. Mr. Fichtl would now like to complete an in field transfer of his 96 certified irrigated acres to the areas most affected by poor land class and modify his variance

to reflect the changes made. The committee was in agreeance with the proposed plan however no motion was necessary.

Attached is an aerial photo of the field. The current certified irrigated acre boundary is the blue line. The original variance application is the orange line, and the Class 6+ ground that is holding the application back is the red filled portion of the map.

6.C.1.a.2. Variance Requests in the Non-Hydrologically Connected Area (Normal Development Area)

**Schmit Land Company Variance Request**

As directed by the Board the motion read: "To allow this variance application by Schmit Land Company in Section 11, T15N, R1E to be added into the ranking criteria for the non-hydrologically connected area subject to a reclassification of land by NRCS reducing the amount of class 6, 7, or 8 due to slope to less than 20% of the total 120 acres and the filing and approval of an NRCS farm plan that goes over and above normal conservation practices required by NRCS"

NRCS does not reclassify the land due to land leveling.

In a previous variance application by Steven Osantowski the Board allowed only 20% of the land under the wetted area of the pivot to be up to 20% class 6,7, or 8 highly erodible ground due to slope (see attached map and letter listing the conditions of this variance).

Applications were due by August 15 in order to be considered for new irrigated acres in 2017. The District has 24 applications for a total of 2073.54 acres. However, 1220.54 of these acres are within the two Special Quantity Subareas, and 175 acres have been excluded from the list due to land class issues leaving 678 acres available for approval. The Board can approve up to 1000 acres in the Non-Hydrologically Connected Area although, since the creation of the SQS areas the board has approved 358.68 and 415.2 acres in 2015 and 2014 respectively.

Attached is the spread sheet of all applications on file.

6.C.1.a.3. Variance Requests in the Restricted Development Areas

No updates

6.C.1.a.4. Well Permit Program

6.C.1.a.4.A. Well Permits Approved

2 new permits were approved since the last Committee meeting.

Landowner	Number Of Wells	Number Of New Irrigated Acres	Type Of Well	County	Subarea
Fremont Family YMCA	1	0	Dewatering (Permanent)	Dodge	Fremont

Fremont Family YMCA	1	0	Dewatering (Permanent)	Dodge	Fremont
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The total number of approved permits for 2016 is 12.

The Fremont YMCA has requested a total of 4 de-watering well permits.

Location of Approved Well Permits for 2016: Correct as of 8/312016

County	Irrigation - New	Irrigation - Replacement	Stock	Commercial	Municipal	Other	Total
Butler	0	0	0	0	0	0	0
Colfax	0	1	0	0	0	0	1
Dodge	0	3	0	0	0	4	7
Boone	1	1	0	0	0	0	2
Madison	0	0	0	0	0	0	0
Platte	0	0	0	0	0	0	0
Saunders	1	0	0	0	0	1	2
Total	2	5	0	0	0	5	12

#### 6.C.1.a.5. Potential Violation of Expanded Irrigation

It has been brought to the Staff's attention that a field in the SW 1/4 of Section 25-18-4E Colfax County, North Bend Subarea, has 37.91 irrigated acres more than what is currently certified. Parcel data indicates the field is owned by Ralph Snover, but a variance application has been submitted under John Snover for 81.15 acres. Attached are aerial photos showing the currently certified acres, the total swing of the pivot, and the unauthorized portion of the pivot swing.

Staff is recommending one or more of the following options concerning the unauthorized irrigation.

1) Invite the Snover's to the next Water Committee Meeting. This allows them the opportunity to provide testimony on their side of the case before action is taken.

- 2) Immediately issue a notice of a cease and desist order against further irrigation until approved by LPNNRD.
- 3) That the variance application not be considered for new acres for one or more years at the upcoming 2017 allocation.

6.C.1.a.6. Special Quantity Subareas

**SQS #2 (Platte-Colfax SQS)**

Staff has continued checking flow meters and measuring water levels. Good precipitation this summer has allowed for some producers to irrigate very little and in a few instances, not at all.

6.C.1.a.7. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

At a recent Managers Meeting of the LPRBC (August 22nd) it was discussed that in the future, new groundwater irrigation development may be based on affects to Platte River flow and look at net irrigation requirement and stream depletion factor rather than the number of acres.

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The next Lower Platte River Basin Coalition Board of Directors meeting is scheduled for October 17, 2016 from 11:00 a.m. to 2:00 p.m. at the Lower Loup NRD in Ord. Hilger and McDermott should plan to attend along with Miyoshi and Angle. Hilger is the Chairperson of the LPRBC Board.

6.C.1.a.8. Voluntary Integrated Water Management Plan - LENRD and LPNNRD

Angle met with Amy Zoller of DNR on August 10, 2016 to discuss changes to the goals and objectives that expanded DNR role in several of the V-IMP action items. She said DNR would discuss these changes and get back with us. Those changes are attached.

Angle is hoping to have the next Stakeholders meeting in mid to late September. The Water Committee reviewed the latest Goals and Objectives approved by DNR. These should be reviewed by the Board before we move to the Stakeholders meeting.

Steps for approval of LPNNRD V-IMP

Water Comm. and Board approval of Goals, Objectives, and Action Items (G,O,AI of V-IMP)	Done
Submit to Olsson Assoc. and DNR of revised G,O,AI of V-IMP as well as edited Plan.	Done
Review and final comments by Stakeholders Comm.	Pending
Review and approval of Water Comm. and Board of entire V-IMP	
Submit to DNR for their final review	
Hold public hearings	

### 6.C.1.a.9. Cost Share Programs

#### 6.C.1.a.9.A. Irrigation Well Sample Kits

Requests for 306 irrigation kits have been received (24 during this week of August) and 252 water samples have been returned to the NRD. So far for the last week of August, 58 water samples have been returned, including 19 on the day of the Water Committee (Wednesday August 31st).

#### 6.C.1.a.9.B. Domestic Well Sample Kits

No new update.

#### 6.C.1.a.9.C. Nebraska Agricultural Water Management Network (NAWMN)

Equipment has been delivered to 18 producers, invoices sent to them and payment has been received.

#### 6.C.1.a.9.D. Flow Meter Cost Share in SQS#2

The flow meter cost share application has been finished and will be mailed to tenants and landowners in the SQS #2 area later this week (see attached). The deadline to return the applications is March 1, 2017.

With the \$200,000 in WSF grant funds we should be able to cost share on approximately 260 meters at \$770 per 8 inch meter. If funds should become limiting, cost share will be awarded on a 'first come – first serve' basis with priority awarded to meters purchased between October 1, 2015 to May 1, 2016.

If we have funds available and want to extend this to landowners in the Butler - Saunders SQS we will need to go to the Natural Resources Commission for their approval to modify the grant.

### 6.C.1.a.10. Bellwood Phase 2 Area

2016 is the fourteenth year for this Phase 2 Area. Phase 2 information packets with order were mailed to producers in June, before the start of irrigation.

This area was reduced from 32 sections to 21 sections in 2015.

Year	Nitrate-nitrogen Range	Percent Nitrate-nitrogen 0 to 8.0 ppm	Percent Nitrate-nitrogen 8.01 to 10.00 ppm	Percent Nitrate-nitrogen greater than 10 ppm
2015	0 to 32.3 ppm	43% (31 of 72)	8% (6 of 72)	49% (35 of 72)
2016	0.55 to 93.6 ppm	39% (16 of 41)	12% (5 of 41)	49% (20 of 41)

Oaklund contacted Tommy Hough of Hough Farms after receiving the **93.6 ppm** result for G-065461. Tommy Hough related that hired hand collected sample from small (west) pivot when they were chemigating. After installing a faucet at the well Oaklund collected a sample last week. Results of this sample haven't yet been received. History of G-065461 irrigation sample results – Hough Farms, is attached.

6.C.1.a.11. Richland - Schuyler Phase 2 Area

2016 is the first year of this Phase 2 Area. There are 45 registered active irrigation wells in the ten sections of this new area.

Year	Nitrate-nitrogen Range	Percent Nitrate-nitrogen 0 to 8.0 ppm	Percent Nitrate-nitrogen 8.01 to 10.00 ppm	Percent Nitrate-nitrogen greater than 10 ppm
2016	3.78 to 15.3 ppm	40% (2 of 5)	- - -	60% (3 of 5)

6.C.1.a.12. Richland - Schuyler Phase 3 Area

2016 is the first year of this Phase 3 Area. This Phase 3 area went into effect September 1, 2015. The 55 sections of this area first went into a Phase 2 Area in 2004.

Year	Nitrate-nitrogen Range	Percent Nitrate-nitrogen 0 to 8.0 ppm	Percent Nitrate-nitrogen 8.01 to 10.00 ppm	Percent Nitrate-nitrogen greater than 10 ppm
2015	0 to 53.3 ppm	23% (55 of 238)	12% (29 of 238)	65% (154 of 238)
2016	0.14 to 75.1 ppm	15% (11 of 73)	11% (8 of 73)	74% (54 of 73)

Oaklund contacted Larry Ruzicka [RBS Farms] after receiving the **75.1 ppm** result for G-026330. The history for the irrigation sample results of this well is attached. This well has a history of high nitrates and seems to be increasing.

6.C.1.a.13. LPNNRD Operator Certification

6.C.1.a.13.A. LPNNRD Operator Certification Classes

One

online test request was made in August 2016.

Cert. #	Cert. Date	Name	Re-Cert.	Comments
6724	8/30/2016	Kevin Rasmussen	Yes	Needed for Variance

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#### 6.C.1.a.14. Certifying Acres in Saunders and Dodge Counties

Chris Poole is currently focusing on Dodge County. It appears one producer may have added acres to his operation in the last couple of years, without LPNNRD approval. This is the same producer mentioned above in Bret Schomer's report, however this field is still under review since it is in Dodge County.

#### 6.C.1.b. CHEMIGATION

For 2016 we have 478 renewals and 98 new permit applications for a current total of 576. Inspections for 134 renewal permits and 95 new permit applications have been completed.

The breakdown by County of the 478 renewal inspections:

County	Number of Renewals
Boone	50
Butler	64
Colfax	23
Dodge	86
Madison	6
Platte	81
Saunders	168

The breakdown by County of the 134 renewal inspections:

County	Number of Renewals Inspected
Boone	15
Butler	19
Colfax	5
Dodge	21
Madison	1
Platte	28
Saunders	45

Of the initial 98 new chemigation permit applications for 2016, 95 have been completed and the other three have cancelled. The breakdown, by county for the 95 new chemigation permit applications, are listed below:

County	New Chemigation Applications
Boone	5
Butler	14
Colfax	11
Dodge	13

Madison	0
Platte	12
Saunders	40

County	Number Of Renewals
Boone	
Butler	
Colfax	
Dodge	
Madison	
Platte	
Saunders	

County	Number Of Renewals
Boone	
Butler	
Colfax	
Dodge	
Madison	
Platte	
Saunders	

County	Number Of Renewals
Boone	
Butler	
Colfax	
Dodge	
Madison	
Pla	

Of the scheduled 138 renewal inspections for 2016, a total of 134 have been completed.

County	Number Of Renewals
Boone	
Butler	
Colfax	
Dodge	

Madison	
Platte	
Saunders	

Of the scheduled 138 renewal inspections for 2016, a total of 134 have been completed.

County	Number Of Renewals
Boone	
Butler	
Colfax	
Dodge	
Madison	
Platte	
Saunders	

Of the scheduled 138 renewal inspections for 2016, a total of 134 have been completed.

County	Number Of Renewals
Boone	
Butler	
Colfax	
Dodge	
Madison	
Platte	
Saunders	

#### 6.C.1.c. LIVESTOCK WASTE PERMITS

No new livestock permit applications from DEQ since the last Water Committee meeting.

#### 6.C.2. GROUND WATER PROGRAMS

##### 6.C.2.a. DECOMMISSIONED WELL PROGRAM

###### 6.C.2.a.1. Well Estimates

No new wells has been reviewed and approved by Gottschalk for decommissioning since the last Committee meeting.

###### 6.C.2.a.2. Plugged Wells

No wells have been plugged, reviewed, or ready for cost share payment approval this month.

#### 6.C.2.b. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

##### 6.C.2.b.1. AEM Flights in SQS Areas

AEM flights were completed in July and we have received the second invoice from AGF for \$208,333.00 (see attached invoice). This invoice is for the data inversion work, which correlates (or ground truths) the airborne data with the test hole information.

We recently received the new reimbursement request from DNR for the Water Sustainability Fund (WSF) grants. Once this invoice is paid by the LPNNRD, we can send in the reimbursement request to the WSF.

Total Contract	\$416,667
Total work to date	125,000
This Invoice	208,333
Remaining Contract Amount	83,334

##### 6.C.2.b.2. Lower Platte River Consortium

Attached is the draft Cooperative Agreement for the Lower Platte River Consortium (formerly called the Drought Contingency Study).

#### 6.C.2.c. NEW MONITORING WELLS

Of the eight (older) loggers from 2006 and 2007, four have been replaced. These loggers were expected to function for 7-8 years and have exceeded this time. The old loggers still in the field are in wells near the office.

#### 6.C.2.d. GROUND WATER ENERGY LEVELS

August has been a busy month for measuring ground water energy levels. Early August staff focused on the SQS areas and GWEL network wells just outside of both SQS areas. On August 25, 2016 staff measured the monitoring wells that are part of the Multi-Agency network of the area north of Ashland and the Former Ordnance Plant near Mead. Results will be presented at the next Water Committee.

#### 6.C.2.e. AURORA COOPERATIVE FERTILIZER/HERBICIDE SPILL

Oaklund coordinated with the two landowners, Galen Jambor and Jim Kubik, to collect follow-up water samples from their wells in August. The nitrate-nitrogen level in this second set of samples were also low:

Jambor's domestic well (house) 0.17 ppm;

Jambor stock well 0.38 ppm;

Kubik domestic well (G-175517) 0.38 ppm.

Of these follow-up samples, only Kubik's was higher (0.28 to 0.38 ppm).

#### 6.C.2.f. FORMER ORDNANCE PLANT NEAR MEAD

The Army Corps of Engineers has started drilling deeper into the Dakota aquifer to further locate possible contamination from TCE or RDX. Last year at three pilot sites these contaminants were detected in the bedrock. ENWRA was allowed to split samples with the COE and general water quality parameters such as pH, conductivity, chloride, and other ions looked favorable at that time.

This time the COE is sampling 13 sites and ENWRA will split samples at 3 of those locations.

#### 6.C.3. SURFACE WATER PROGRAMS

##### 6.C.3.a. STATE LAKES, FOR THE WEEK OF AUGUST 22ND

###### 6.C.3.a.1. Bacteria Sampling

###### Week of August 22nd, 2016

**Lakes that tested high for *E. coli* bacteria** this week. *E. coli* levels measured above 235 colonies/100 ml of sample are considered a higher risk for illness when swimming. Considering the more rapid changes in bacteria conditions, signs are not posted with these higher levels although DEQ wants people to be aware and use their own judgment on their use.

###### Lakes with High *E. coli* Bacteria Levels

- Maple Creek Rec Area Lake in Colfax County

This information is updated weekly on the DEQ web site,

###### 6.C.3.a.2. Toxic Algae

###### Week of August 22nd, 2016

**Lakes that will be on “Health Alert”** this week. While no lakes tested above 20 ppb this week, it is DEQ policy that any lake that has microcystin levels over the established criterion of 20 ppb will be placed on “Health Alert” Status until such time that it has tested below 20 ppb for two continuous weeks. If a lake is under a Health Alert, signs will be posted recommending people avoid full body contact activities such as swimming, wading, skiing, jet skiing, etc. Non-contact activities such as boating, fishing, and camping are OK.

###### Lakes with High Microcystin Levels

- Iron Horse Trail Lake in Pawnee County
- Pawnee Lake in Lancaster County
- Willow Creek Lake in Pierce County

This information is updated weekly on the DEQ web site,

#### 6.C.4. OTHER

##### 6.C.4.a. TEST YOUR WELL NIGHT

The first 'Test Your Well Night' has been scheduled for September 29th from 6-8 pm at David City High School. Students from the natural resources class will use colorimeters to test the nitrate levels of well samples from the public.

##### 6.C.4.b. GMDA ANNUAL CONFERENCE

The Annual Conference for GMDA has been scheduled for January 9-11, 2017 in Fort Worth, Texas (see attached brochure).

##### 6.C.4.c. 2016 SUMMER INTERNS

The three summer interns are now back at school for the fall semester of classes: two at UNL; the other at Doane University.

##### 6.C.4.d. COMMENTS FROM THE PUBLIC

Three members of the general public attended the Water Committee meeting. Tom Lichtl and Robert Kluck Jr. attended and discussed about transferring certified acres (gravity to pivot) within the same parcel. Mary Wotipka attended about increasing irrigated acres in the restricted development area.

#### 6.D. Projects Committee - Action as Required

##### 6.D.1. SWCP

##### 6.D.1.a. SWCP Application Approvals

##### Above Czechland Lake:

<b>Edward Kratky</b>	<b>Terraces/Basins/Tile</b>	<b>\$ 12,500.00</b>
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##### Wahoo Creek:

<b>Bob, Rich &amp; Tim Bartek, JV</b>	<b>Terraces/Basins/Tile</b>	<b>\$ 12,379.13 (Miller Branch)</b>
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##### Above Platte River:

<b>Vering Feedyard, LLC</b>	<b>Terraces/Basins/Tile</b>	<b>\$ 12,500.00</b>
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<b>Paseka Family Rev. Trust</b>	<b>Diverision</b>	<b>\$ 1,748.25</b>
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##### Butler County - Skull & Bone Creek:

<b>Kirk Marushak</b>	<b>W/S Basins &amp; Tile</b>	<b>\$ 11,576.49</b>
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<b>Bonita Jisa</b>	<b>Terraces/Tile</b>	<b>\$ 12,500.00</b>
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<b>Laverne Kucera</b>	<b>Terraces/Basins/Tile</b>	<b>\$ 12,500.00</b>
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<b>Richard Voboril</b>	<b>Terraces/Basins/Tile</b>	<b><u>\$ 12,500.00</u></b>
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		<b>\$ 88,203.87</b>
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6.D.1.b. SWCP Payments

**15-S-21 James Fujan Rev. Living Trust \$ 6,454.92**  
**TOTAL: \$ 6,454.92**

6.D.1.c. SWCP Cancellations

14-B-48	Robert Schmit Family Tr	\$ 340.83
14-B-54	Herman Ostry	\$ 13,207.44
15-S-3	Edward Kratky Jr.	\$ 7,046.25
15-B-5	Bill Perk	\$ 12,500.00
15-C-6	Randy Brabec	\$ 1,006.08
15-D-7	Vering Feedyard, llc	\$ 12,500.00
15-B-9	Elizabeth Meysenburg	\$ 751.33
	Randy Streblow	\$ 5,000.00
12-P-16	Louis Welch	\$ 7,915.31
15-P-13	John Wiese	\$ 8,250.00
<b>TOTAL CANCELLATIONS:</b>		<b>\$</b>
<b>68,517.24</b>		

6.D.1.d. Wahoo Creek 319 Grant Payments

**CONSERVATION WORK 25%:**

Deborah Machovec	Terraces/Tile	\$ 4,075.32
Gary Mach	Terraces/Tile	\$ 3,093.63

**LANDS FOR CONSERVATION PAYMENT:**

Steven Vasa	Terraces/Tile	<u>\$ 4,416.00</u>
<b>TOTAL:</b>		<b>\$ 11,584.95</b>

6.D.2. WATERSHEDS

6.D.2.a. Shell Creek Watershed

6.D.2.a.1. Shell Creek Landowner Payments

We have received incentive payment requests from Jeff Brandl (\$1,470), Andrew Klug (\$619.20) and Ryan Siefken (\$788). These were contract obligations that we took over from the Shell Creek Improvement Group a year ago. These payments will be taken from banked grant funding previously received from NET.

6.D.2.a.2. Platte County/Mark Luchsinger Project Proposal @ 9:00 a.m.

We have been working with landowner Mark Luchsinger for some time now evaluating a potential grade stabilization project to control gully erosion problem on his property (SE1/4 Section 1, T18N, R3W). Platte County was also a partner with a portion of the project that would involve some county right-of-way. A few months ago, LPNNRD committed up to \$5,000 toward some kind of solution if a project proposal was brought forward. Discussion was that LPNNRD would consider additional assistance at that time. Platte County Engineer Mark Mainelli submitted a project estimate of \$20,800, as attached, to build a drop inlet structure near the county road.

Mark Luchsinger, Mark Mainelli, Platte County Engineer, Terry Wick, Platte County Road Superintendent, were present to discuss our potential partnership to complete this project. Platte County has indicated that they will contribute the labor and equipment for the project which is estimated at \$8,800. The landowner indicated that he is agreeable to donate the land rights and \$3,000 cash toward the project.

#### 6.D.2.b. Wahoo Creek Watershed

##### 6.D.2.b.1. Wahoo Creek RCPP Application Update

On August 11 and 22 Mountford met with NRCS State office to review a draft Regional Conservation Partnership Program (RCPP) grant application for Floodwater Structures 26 & 27 in the Wahoo Creek Watershed. Attached in a draft narrative that will be further edited and eventually attached to the on-line application. We have been working with Mike Sotak, FYRA Engineering, to update the project economics as outlined by NRCS guidelines.

##### 6.D.2.b.2. Wahoo Creek Watershed Water Quality Plan - Phase I

We have \$136,000 of NDEQ/EPA 319 grant funds remaining from the Wahoo Creek Phase I grant that we plan to use for landowner conservation work this fall.

On August 18th, we met with Steve Mika, Saunders County Road Superintendent, and JEO representatives Adam Rupe and John Peterson to inspect priority road dam sites for design. We have grant design funds within the Wahoo Creek Water Quality Plan Phase II project that will be available early next year. The plan is to work with Saunders County to design two multi-benefit road dams that will be part of future grant applications.

We also met with Saunders County Committee Members to discuss on August 30 to discuss these and other projects that LPNNRD and the county could partner on in the future. We have been asked to meet with Saunders County again on September 13 to discuss this effort with the entire Board of Supervisors.

#### 6.D.3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

##### 6.D.3.a. LPRCA Monthly Report

Director Olson attended the August 9th LPRCA meeting and will give an update.

#### 6.D.4. OTHER

#### 6.D.4.a. Army COE 205 Projects

##### 6.D.4.a.1. Fremont 205

The Corps of Engineers will organize with the City of Fremont a public meeting for the Fremont GI Study on Tuesday, October 18 starting at 5:30 or 6:00 pm possibly at the Fremont Middle School.

##### 6.D.4.a.2. Schuyler 205

No new information.

#### 6.D.4.b. Shell Creek Landowner Levee Project Update

Director Bailey has learned that a certificate of no-rise will be approved for the project.

#### 6.D.4.c. Review of Projects Financial Statement

#### 6.D.4.d. Off-site Water Table Concerns near Sand Creek Wetland - 8:00 a.m.

We have received the attached requests from Andy Murren and Christine Gaughen to mitigate previous damages and correct the increasing water table issues on his farm from the Sand Creek Wetland. Landowner Mary Kay Stoeber and her tenant John Divis were present at the meeting to present their water table issues near the Sand Creek Wetland. The Projects Committee reviewed the letters and discussed this issue with the landowner present. This topic will be presented to the full Board for discussion on September 12th.

This issue was discussed by the committee and board earlier this year, as for three years we have received comments on impacts to neighbors next to the Sand Creek Wetland. A brief history of past Board action on this issue is as follows:

At the November 15, 2015 Board Meeting the following motion was passed: **Bailey made the motion, seconded by Seier, to have staff prepare proposals from professional firms for making an independent assessment of off-site landowner impact as a result of the raised water table from the Sand Creek Wetland for the next Projects Committee. Motion carried.**

After this was done, the committee reviewed two proposals. It appeared that the cost to hire a consultant may approach 50% of the cost for a solution. The committee felt that we should return to our first approach to this problem and meet with the individual landowners and ask what they felt it would take to make them whole, including the number of acres effected and the best solution.

At the January 10, 2016 Board Meeting the following motion was passed: **Pollard made the motion, seconded by Gibney, to table a decision on the off site water table problems near the Sand Creek Wetland until more specific details are obtained to include total acres affected and costs to correct the situation. Motion carried all members present voting aye.** A \$40,000 cost estimate for tiling the affected landowner property was obtained at that time.

The following motion was made and then tabled at the March 10, 2016 meeting: **To offer tiling and Wetland Reserve Program options to landowners impacted by the**

**Wanahoo Wetland contingent on receiving a hold harmless agreement before exploring other options. Kavan made the motion, seconded by Meduna to table the motion. Motion carried all members present voting aye.**

6.D.5. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

No new information.

7. Additional Action Items

7.A. Lower Platte Weed Management Area Interlocal Agreement Payment

7.B. Mike Murren Leave Payout

Mike Murren's last day on the job was September 9 with his annual leave balance at 240 hours and his sick leave balance at 464.5 (104.5 hours payable).

7.C. Water Strategies Contract

Attached, find a contract with Water Strategies to represent the three Lower Platte NRDs (LPNNRD, LPSNRD & Papio NRD). As you can see the monthly retainer has changed, but with the amount escalating for the first three years. The three NRDs have made changes to the contract with Lausterer adding several items to tighten up the agreement.

8. Approval of Bills Pending

9. Consent Agenda Adoption

10. Comments from Directors/Guests

11. Meeting Establishment/Adjournment

**NOTE: The agenda is on file at the LPNNRD office and may be changed up to 24 hours prior to the meeting as scheduled.**