

Regular Board of Directors Meeting
Monday, February 8, 2021 1:30 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

Are there any additions or corrections to the agenda?

4. Comments - Advisors/Guests

4.A. Guest Comments

4.B. NRCS Report

4.C. NARD Report

4.D. NRC Report

4.E. Managers Report

4.F. Education Program

5. Approval of Minutes

Are there any additions or corrections to the minutes. If not they will be approved on the consent agenda.

6. Report of Standing Committees

6.A. Executive Committee - Action as Required

6.A.1. UNFINISHED BUSINESS

6.A.2. MEETINGS

6.A.2.a. Pending

6.A.2.b. Reports

6.A.2.b.1. NARD Legislative Conference

The Annual Legislative Conference was held earlier this week. An update on the legislative bills will be given.

6.A.3. MANAGEMENT ITEMS

6.A.3.a. Directors Absence

Attached find Directors absences
Yosten from October - Harvesting
Saalfeld from December - Back injury
Olson - January - Work comittment

6.A.3.b. Monthly Education Program

6.A.3.c. District Insurance - Commercial Package

Gottschalk is making contact with LARM regarding our Commercial Package and renewal options. We have received word there is a potential we will not be required to leave LARM so we will be discussing this option with them. In the event we are allowed to stay with LARM as our carrier, it appears this would be our best option and would not need to go to bid for our District's property and liability coverages.

Gottschalk was instructed to contact neighboring NRD's to see what Insurance Company's are being used and type of coverage.

6.A.3.d. Director iPads/Computer Stipend

With two new Directors starting this month staff felt it was time to review our Director iPads and Director Computer Stipends. We currently spend \$1,680/year on computer stipends for Directors and \$1,267.74/year on cell service for Director iPads.

Current Motion - 1/11/16

Hilger made the motion, seconded by Pollard, to allow directors to continue to use their personal computer instead of a district provided iPad and beginning July 1, 2016 lower the monthly reimbursement to \$20 per month. Motion carried all members present voting aye.

6.A.3.e. Wanahoo Stilling Basin Update

We have encountered construction issues in developing & constructing the Wanahoo Stilling Basin. The sheet pile wall can not be driven immediately adjacent to the basin floor/sill wall because of spillover RCC when the basin floor was put in. This forces the design for the sheet pile wall to be established approximately 66" away from the basin floor creating a void between the floor and sheet pile. This would need to be filled with aggregate and concrete. This alternative #1 would cost an estimated \$177,782. The other alternatives, jackhammer excess spillover and sawing excess spillover seem a bit risky. We do have DNR Dam Safety's approval with Alternative #1.

The change order is significant enough that we are being told by NEMA that FEMA should evaluate it. This can prolong the restart of construction 4-8 weeks. It does cost the District additional funds to have the contractor sitting idle. We would like to proceed and ask for FEMA's blessing later. Valley Corp. has informed FYRA we could be facing up to \$15,000 per week in delay costs as well as remobilization charges if we continue to delay their progress.

Eric is speaking with Mike Sotak from FYRA late on Wednesday and will update the committee on Mike's negotiations with Valley Corp. as it relates to delay charges and finalizing the change order. General Manager will be requesting direction from the committee on how to proceed.

6.A.4. EQUIPMENT

6.A.5. PERSONNEL

6.A.6. FINANCE

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

Grant reviewed the Financial Report with the Executive Committee.

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

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

6.B. Operations Committee - Action as Required

6.B.1. Committee Chair and Vice Chair

Meyer nominated Saeger for Chair & Ruzicka seconded.
Meyer nominated Seier for Vice Chair & Ruzicka seconded.
With no more nominations, nominations ceased.

6.B.2. UNFINISHED BUSINESS

There isn't any unfinished business to address.

6.B.3. WILD NE AND OTHER PROGRAMS

We have scheduled a meeting with Scott Luedtke, Game & Parks and Jake Koenig, Pheasant Forever/NRCS Biologist for Friday, January 29th at 9:00. We will review the needed O & M for the wildlife areas on the Wanahoo property, such as haying, burning, tree removal, etc.

6.B.4. OPERATION & MAINTENANCE & OTHER ITEMS

The O & M crew has been cutting trees and brush at Czechland and the Trouble Creek Dam emergency spillway. Attempted to burn some tree piles. Any other maintenance items that come up.

6.B.4.a. Clear Creek Levee Repairs by Corps of Engineers

Same message as last month, Corps of Engineers is still working on closing out the project with the contractor.

6.B.4.b. Wanahoo Stilling Basin - (FEMA)

We have encountered construction problems in developing & constructing the Wanahoo Stilling Basin. The sheet pile wall can not be driven immediately adjacent to the basin floor/sill wall because of spillover RCC when the basin floor was put in. This forces the design for the sheet pile wall to be established approximately 66" away from the basin floor creating a void between the floor and sheet pile. This would need to be filled with aggregate and concrete. This alternative #1 would cost an estimated \$177,782. The other alternatives, jackhammer excess spillover and sawing excess spillover seem a bit risky. We do have DNR Dam Safety's approval with Alternative #1.

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should evaluate it. This can prolong the restart of construction 4-8 weeks. It does cost the District additional funds to have the contractor sitting idle. We would like to proceed and ask for FEMA's blessing later. Valley Corp. has informed FYRA we could be facing up to \$15,000 per week in delay costs as well as remobilization charges if we continue to delay their progress.

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6.B.4.c. Western Sarpy Clear Creek O & M Manuals

We are still waiting on a signature from the National Guard on the O & M Addendum between the NRD's and the Guard. This O & M Addendum covers the Clear Creek Levee within the National Guard Camp.

The O & M Manual for the entire Clear Creek Levee will be out in draft form by late February.

6.B.4.d. Fremont Non-Structural 205 Study

The review period for the Feasibility Report & Environmental Assessment for the Study has ended. A public virtual meeting was held on Wednesday, January 13th, at 7:00 pm to cover and review the study. Many agencies were online and maybe one person from the public.

Now the Corps of Engineers will confer with the non-Federal partners, especially the City of Fremont on how to proceed. All the structures, 127 homes & businesses, that have been identified as potentially being at risk of flood damage will need to be contacted individually. Home and business owners can then determine if they want to apply for assistance to flood proof their home or business. The cost-share rate is 65% federal and some or all of the local share (35%) can be covered by the non-federal sponsors and home/business owners.

6.B.4.e. Grass Drill Rental Revenue

We received No-till grass drill rental revenues for the second half of 2020 from Rezac Seed, \$882.84 and from Rosendahl Farms Seed & Feed, \$648.60.

We will have to call Schuyler CO-OP again for their report.

6.B.4.f. Conservation Tree Program

Currently the District has ordered 6,000 trees and shrubs for this Spring. Of those 6,000, just over 2,000 are obligated to machine plantings. We will take orders from the public into April.

6.B.4.g. Hazard Mitigation Grant - Ice & Water Level Monitoring

As a reminder, Dodge County Emergency Management has submitted a Hazard

Mitigation Grant titled "Platte River Gauge Monitoring". FEMA has finally started their review of the grant, of which they are well beyond their 90 days. The grant is asking for 75% of \$27,365 which would establish up to 8 cameras and 2-3 water level sensors on Highway bridges. Phase I is to establish cameras on Hwy 64, 77, 79 and one on land in Platte County and one water level sensor at Hwy 77. The cameras and water sensors are for monitoring ice conditions and water levels during ice out on the Platte River. We are hoping it helps emergency personnel, weather service, etc. in responding to potential ice jams and flooding. To date we have one camera operating on Hwy 64. We can not proceed with any others until we hear from FEMA/NEMA on a successful grant.

6.B.5. ROCK AND JETTY

We have not had any new applications or request for payment.

6.B.6. LAKE WANAHOO

6.B.6.a. Lake Wanahoo Permit Sales

For the month of January, the District has received \$10,387.50 in Annual Park Permit sales. See year by year comparison table below.

Calender Year	Permits Sold	Monthly Sales	YTD Toals
2021	618	\$10,387.50	\$15,112.50
2020	677	\$11,645.00	\$16.115.00
2019	609	\$10,372.50	\$14,957.50

6.B.6.b. Lake Wanahoo Camping Revenue

For the month of January, the District received \$7,115.70 in online camping revenue.

6.B.6.c. Lake Wanahoo Education Building

Staff is gathering all information to submit our final request to NRDF for cost-share reimbursement on our Education building and Pork Chop Island. Once submitted, we will review remaining available funds and consider a request for future developments. Now that we are close to our final closeout on the entire Sand Creek Enviromental Restoration, the window on future funing will soon be closing.

6.B.6.d. 2021 Wanahoo Recreation Area improvements

Staff is working towards developing over four miles of new hiking trails on the Wanahoo property. These plans include creating primitive hiking trails for two miles north of the breakwater on the east and west sides of the lake and creek. Along these mowed trails we are planning 4-6 primitive camp sites that will be offered on a first-come, first-serve basis. The creation of these primitive trails will more than double our total Wanahoo trail system and offer outdoor recreation opportunities to park goers, campers, hikers and bikers while also providing the ability for individuals to hike/bike from Wahoo to Wanahoo and points north and camp along the way. Our goal is to have the new trails

open and operational in time for a grand opening on Friday June 4th, the day before National Trails Day 2021.

6.B.7. INFORMATION AND EDUCATION

6.B.7.a. Information

6.B.7.a.1. Radio & eAds

KTIC Radio ad:

Producers in the Lower Platte North NRD are encouraged to participate in an interactive Zoom webinar on Thursday, January 28, 2021. Starting at 6:30 p.m., Lower Platte North NRD staff along with UNL staff and guest speakers will discuss Nitrogen Applications, Manure Management and Recommendations, and Cover Crops. Registration is required. Please call 402-443-4675 to reserve your spot now!

Wahoo Newspaper eAd attached - encouraging online test option for LPNNRD producers needing to take Nitrogen certification

6.B.7.a.2. Analytics

6.B.7.b. Education

6.B.7.b.1. Shell Creek Watershed Scholarship

We have decided to adjust the date for the Shell Creek Watershed Scholarship Application deadline to March 15 each year. This will allow time to bring applications to the committee meeting and have a final board decision at the April board meeting. Also, scholarship recipients can be notified prior to graduation.

6.B.7.b.2. Month in review.

6.B.8. RURAL WATER SYSTEMS

6.B.8.a. Colon System

Meters will be read and bills will go out 2/1. Routine monthly sampling also completed. Emergency contact info and disaster plan was updated and sent to DHHS.

6.B.8.b. Bruno System

Meters will be read and bills will go out 2/1. Routine monthly sampling also completed.

6.B.8.c. Other

6.C. Water Committee - Action as Required

6.C.1. Election of Chairman and Vice-Chairman

Dave Saalfeld has been chairman for 2 years and normally a person that is already on Executive Committee, is not elected as chairman.

Joe Birkel was selected as chairman

Alex Kavan was selected as vice-chairman

6.C.2. UNFINISHED BUSINESS

To table flow meter discussion until February Water Committee, so Committee could know if grant funding would be available.

Update: January 22, 2021

The NET Grant submitted by LPN didn't score high enough for it to be on the recommended funding list for 2021.

6.C.3. REGULATORY

6.C.3.a. GROUND WATER MANAGEMENT AREA

6.C.3.a.1. Variance Requests in the Non-Hydrologically Connected Area (Normal Development Area)

Douglas Ritthaler contacted the office regarding his application for an expansion of 20 acres from well G-049210 in the SW 1/4 of S32-T17N-R8E in Saunders County. Staff was able to locate the check, cashed on 4/27/2020, but could not find the submitted application. Mr. Ritthaler has since submitted a copy of the original application and would like the Board to consider it for approval. The application ranked 365 points. See attached map and ranking form.

6.C.3.a.2. Transfer of Irrigated Acres

Goedeken Farms is requesting a transfer of 47 acres to the NE1/4 21-18N-1W. They will be transferring 37 acres from SE1/4 23-18N-1W and 10 acres from SE1/4 21-18N-1W. Map and applications are attached.

6.C.3.a.3. Well Permitting Policy

Staff showed the Committee pictures of the fire protection well drilled in 2000. They was wondering who is in charge of the maintenance. It was commented that fire departments now are using a "foam" system to make the water go farther. If more housing developments are developed, more fire protection wells might be needed. The NRD can't guarantee what a well can pump because of geology, time of year or well condition. Stipulations need be considered for approving a well permit in restricted areas. The Committee would like staff to start a dialogue/conversation with local agencies to share data on groundwater geology and well construction.

A draft well permitting policy is attached for Committee discussion. Other attachments are the LPNNRD Groundwater Rules and Regulations, well permits and RDA rules.

The picture attached "fire protection well" is Well Registration # G-107434. LPNNRD Well permit LPN-000-205. Location NW¼NW¼, section 30, T14N-R10E; County Road H, just east of County Road 3, Saunders County. Well permit LPN-000-205 was approved 9/15/00. Hand-written on permit "work on Saunders County Roads in Saunders County". Well was registered with State 10-17-2000. Purpose of well is identified as Industrial (on DNR's database it is listed as C ← "Commercial") and pumps 160 GPM. Well modification filed with DNR 5-18-2001 by Grant A Porter, Deputy County Attorney (Saunders Co)

Also attached is some information received on registering wells from:

David L. Miesbach, P.G.
 GROUNDWATER SECTION SUPERVISOR/
 WATER WELL STANDARDS
Nebraska Department of Environment and Energy
 P.O. Box 98922
 Lincoln, Nebraska 68509-8922
 DIRECT (402) 471-4982 / MAIN OFFICE (402) 471-2186
 FAX (402) 471-2909
david.miesbach@nebraska.gov
<http://dee.ne.gov>

6.C.3.a.4. Well Permit Program

6.C.3.a.4.A. Well Permits Approved

Wells Permits Approved: 29

Landowner	Number of Wells	Number of New Irrigated Acres	Type of Well	County	Subarea

The total number of approved permits for 2020 is #

Location of Approved Well Permits for 2020: Correct as of 1/1/2021

County	Irrigation - New	Irrigation - Replacement	Stock	Commercial	Municipal	Other	Total
Butler	1	5		1			7
Colfax	1	2					3
Dodge		2				1	3
Boone	2	1					3
Madison							0
Platte	1	1			1		3
Saunders	3	6			1		10
Total	8	17		1	2	1	29

6.C.3.a.5. Water Flow Meters Violations

Committee discussed the Rules and Regulations on no flow meters. They recommended that staff should sent the letters explaining the rules.

Staff has been working diligently on getting producers into compliance on the required flow meter rule. The list was close to 40 violations initially and now the NRD has it down to 5. The following locations staff has identified as violations: (Attached is more details on each violation) Three other situations are shown on attachment for Committee/Board information.

- LPN-2012-1261; G-162915; 2012 well permit - Daniel R & Peggy L Schroeter
- LPN-V-014-0396; G-115338; Section 9-15N-1E; 2014 variance for 18 acres - Gaylen Kamrath

- LPN-V-013-0319; G-151389; SE¼ of SE¼ Section 5-15N-8E; 2013 variance for 33 acres - Jim Lamprecht
- LPN-V-015-0409; G-047732; Section 31-17N-7E; 2015 variance for 18.69 acres - Jay D and Vicki L Nitz Family Tr (Jack Nitz applied for variance)
- LPN-014-1506; G-021014; SE SW Section 33-20N-3E; 2014 replacement well permit - James G & Cindy A Klassen

Good reasons are shown here to change procedures. More signatures will be needed, like landowners only. A more exact expiration date like January 1, 2022 for all expansion of acre variances approved in 2020. New well variances, approve the well and acres separately? No transfer of acres approved by variance is allowed, if land changes hand. Other ideas?

Are these permits or variances too old to pursue? Statute of limitations?

The letter gives violators the option to come into compliance by March 26, 2021 with the Water Committee considering actions at the April 1 Committee Meeting.

6.C.3.a.6. Cost Share Programs

6.C.3.a.6.A. Flow Meter Maintenance Program

TRI CITY METERS

Tri city has completed their first round of meter maintenance in Zone 1- Platte Valley area (Richland/Schuyler & Bellwood/Octavia/Linwood). Approximately 280 meters were maintained this year. They will contact staff with the meters that need to be fixed and then staff will reach out to the producers or owners about the issue with their meter. They plan on coming back and fixing the meters with issues in the field once staff contacts the owner/producer. We will give the owner/producer the option of having Tri City fix them in the field or have it fixed by someone on their own. Either way the meter needs to be operational by irrigation season. Tri city will give a detailed description and the cost of fixing each meter and we will in turn bill the producer if they choose to have Tri City fix the meter. The producer is responsible for the price of batteries if the meter is battery powered and the producer is also responsible for the labor and parts if a meter need's repaired. The initial labor and regular servicing of each meter is covered by the district.

6.C.3.a.7. LPNNRD Operator Certification

A Zoom Meeting was held on January 28 starting at 6:30 pm with 14 in attendance. Another meeting for testing only is planned for February 9th in Schuyler.

6.C.3.a.8. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

NRD Managers within the Coalition and NeDNR will meet on a Zoom meeting on February 3rd. They will be discussing the recommendations from the technical

group. These recommendations then go forward to the members of the Coalition Group. Bob Hilger is the representative for LPN and assuming he is willing to continue in this role. Larry Feala was the alternate, so another director needs to be selected. Items that will be discussed is the next steps and water allotments for the next 5 years starting in 2022.

Bob Hilger will continue to be the voting member with Dave Saalfield agreeing to become the alternate for the Coalition.

6.C.3.b. GROUND WATER ENERGY LEVELS

Informational graph and location of GWEL wells.

The Committee was wondering if the NRD is using the correct GWEL water level numbers. Graphing spring and fall levels on the same graph might not be showing the true picture, especially when Rules and Regulation manages off of spring levels. They would like staff to look at spring levels when developing the graphs and to look at averages for periods of measurements. Water levels and groundwater energy levels are not the same thing, when the well is under pressure.

6.C.4. GROUND WATER PROGRAMS

6.C.4.a. DECOMMISSIONED WELL PROGRAM

6.C.4.a.1. Plugged Wells

2 wells have been plugged, reviewed, and ready for cost share payment approval this month.

Well Owner	Type of Well	Cost Share Estimate	County
GDR Farms	Irrigation	\$788.45	Butler
Hollst Brothers	Irrigation	\$1,000.00	Saunders

6.C.4.b. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

6.C.4.b.1. Phase Area Update

Attached is an UNL invoice for \$1072.78 per contract for water and soil samples

analysis in the phase areas through the NET grant. UNL should be completing a report on results by the end of January.

LRE/JEO continues the development of the nitrate assessment tool. Activities for January include:

- Continued developed and refinement of draft tool; and,
- Preparation for the demo to LPNNRD.

An invoice is attached for \$4,462.50. The contract for this project was for \$56,000 with \$53,862.50 being spent, which includes this month's invoice.

6.C.4.b.2. Lower Platte River Consortium

This group will be meeting on a Zoom meeting on February 12. Discussion will involve a desktop exercise and potential drought conditions for 2021. If anyone is interested in participating in this public meeting, please let staff know.

6.C.4.c. GROUNDWATER COMMITTEE DISCUSSION

The Committee would like set the Water Committee meeting for Wednesday at 7 pm. The Committee thought an informational meeting would be beneficial with discussion on wells and groundwater availability data with zoning, fire departments and other interested people. The Committee has asked for more discussion with water operators, health professionals and City of Hastings on nitrate issues.

Water Committee date and time for the upcoming year?

Water Committee Agenda - add or subtract items?

Would the Water Committee consider a retreat to discuss water issues in more details? Items to consider for the retreat.

- Phase Areas on nitrogen management to curb the problem
 - Communities involved
 - Health issues
- Water Flow Meters
- Rules and Regulations or Policies
- Phoenix Database and Online Reporting
- Remote reads on water levels
- Goals and Priorities
- Other suggestions?

6.C.5. AltEn Facility Information

Update for the LPNNRD Board on what is happening at the AltEn facility at Mead:

Attachment included along with the following information.

Daryl,

Your email has been forwarded to me for response. Attached is a list of actions taken by NDEE at the AltEn facility. The documents in this list have been imaged into the State of Nebraska's Enterprise Content Management System (ECM). Documents that have been scanned into the ECM are available to review from NDEE's website under [Public Records Search](#). Please see the link below. The facility number in the attached list will need to be entered to review the documents.

<https://ecmp.nebraska.gov/publicaccess/viewer.aspx?&MyQueryID=340>

NDEE continues to undertake frequent inspections and review of operations and activities at the facility to ensure compliance under our statutory and regulatory authorities and will use all tools necessary in protecting air, land and water of the State. NDEE does not comment on possible actions that may occur as a result of on-going investigations

The April 2019 Consent Order issued by NDEE to AltEn requires AltEn to submit and implement a groundwater monitoring plan under NDEE's oversight. AltEn's plan includes monitoring well installation and sampling for pesticides. NDEE approved AltEn's plan in April 2020. The monitoring wells were installed September 2020. Monitoring results were due December 31, 2020, and will be added to the public file when received. In the event groundwater contamination is detected, NDEE would require AltEn to conduct a detailed site assessment to define the full nature and extent of the contamination. Based on the results of this assessment, remedial action may be required to clean up the groundwater contamination before it could impact drinking water supplies.

NDEE has determined from analysis of the wetcake/dry distiller grain waste at this time that it does not meet the criteria for identification as a hazardous waste under Title 128 - Nebraska Hazardous Waste Regulations. NDEE has also determined that the wastes do not meet the requirements for one time or repeated land application as a special waste under Title 132 - Integrated Solid Waste Management Regulations. Therefore, the wastes can only be disposed as a solid waste at a permitted, lined municipal landfill under the Title 132 regulations. AltEn has disposed of some of the wastes at Butler County Landfill, Inc near David City with NDEE's approval.

NDEE has also required AltEn to cease land application of the wastewater in any of the lagoons until a complete Best Management Practice (BMP) plan is reviewed and approved by NDEE.

Please share this information with the Lower Platte NRD Board. Thanks

Mike Felix

Acting Division Administrator

Inspection and Compliance Division

Nebraska Department of Environment and Energy

P.O. Box 98922

Lincoln, Nebraska 68509-8922

DIRECT: (402) 471-2938 / MAIN OFFICE (402) 471-2186

<http://dee.ne.gov>

Staff updates:

The LPNNRD reached out to NDEE to report this issue for a second time on May 11, 2020. A phone call was made in 2019.

The LPNNRD deals with non-point contamination and NDEE with point source pollution of the groundwater.

Some state statutes:

Non-point source pollution shall mean a source of contamination in which the contaminant enters the receiving water in an intermittent and/or diffuse manner where a point source cannot be identified;

Point source shall mean (a) any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, vessel, other floating craft, or other conveyance, over which the Department of Environment and Energy has regulatory authority and from which a substance which can cause or contribute to contamination of groundwater is or may be discharged, (b) point source groundwater users such as commercial/industrial, public water supply, and / or recovery well(s) that seek to collectively supply groundwater equal to or greater than 300 acre feet per year to a single facility or operation;

Nebraska State Statue 46-706

(14) Point source means any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, vessel, other floating craft, or other conveyance, over which the Department of Environment and Energy has regulatory authority and from which a substance which can cause or contribute to contamination of ground water is or may be discharged;

Nebraska State Statue 46-707

1-(g) Report to and consult with the Department of Environment and Energy on all matters concerning the entry of contamination or contaminating materials into ground water supplies; and

6.C.6. OTHER

6.C.6.a. COMMENTS FROM THE PUBLIC

Ron Morrisey talked to the Committee about water flow meters. Ron commented that government agencies were piling on more regulations and potential taxing revenues. He question the need for flow meters, as information could be collected from NeDNR well registration site.

6.D. Projects Committee - Action as Required

6.D.1. Elect Projects Chair and Vice-Chair

At the beginning of each year, committee's appoint their chair and vice-chair. These

appointments are for members who are not elected Board officers. Director Thompson is completing his 2 year consecutive term as Projects Chair and has also been selected as Board Secretary. Projects Committee Vice Chair Joe Birkel has moved to the Water Committee. Directors Olson, Sabatka, Bailey, Johnson and Yosten are eligible for section. The selected Project Committee Chair will also be a member of the Executive Committee and the Vice Chairman filling in when needed.

6.D.2. UNFINISHED BUSINESS

There is no unfinished business to address.

6.D.3. SWCP

6.D.3.a. SWCP Application Approvals

None

6.D.3.b. SWCP Payments

Diers Family Farm - at last month's Projects it was approved to pay the Diers family for a livestock well/pump/tank project, total cost \$17,725.40. This project is part of a cooperative easement along Rawhide Ditch; as part of the easement the NRD is to allow access to the ditch for livestock water, if the NRD relinquishes this access then the NRD is required to provide an alternative source.

The initial plan was to have the state (DNR) reimburse Diers' for 75% of the project cost and then the NRD would cover the remaining 25%. The original payment breakdown was:

\$13,294.05 - DNR reimbursement

\$4,431.36 - NRD local reimbursement

DNR's policy for the SWCP program allows for up to 75% cost reimbursement on certified practices at their approved cost-rate or constructed cost, whichever is less. In breaking down the bill and applying to the State's payment schedule it became apparent that the percent breakdown wasn't going to be 75/25. The current breakdown is:

\$7,122.65 - DNR

\$10,602.75 - NRD local

Dan Mensik - Terrace with tile outlet - \$10,679.00

This project was approved under high priority status in 2017 as it is above one of our Sand/Duck Creek sites. Construction started as planned in the fall of 2017, but due to a variety of factors wasn't completed by our established deadline. The initial phase completion included the underground tile outlet and ~2/3 of the terrace construction.

6.D.3.c. SWCP Cancellations

None

6.D.3.d. Wahoo Creek Cost Share Approvals

None

6.D.3.e. 2021 LPNNRD Lands for Conservation

Attached is the proposed 2021 LPNNRD Lands for Conservation (LFC) payment. Proposed changes requested by local NRCS is to open up the LFC program to the entire NRD, not just our high priority watersheds (Wahoo Creek, Shell Creek). This program has been very beneficial to local field office staff by, in effect, lengthening the fall construction season through the summer.

Of note, the proposed 2021 LFC payment for high priority watersheds (Wahoo/Shell) is \$205/acre. The proposed 2021 LFC payment for all other areas is \$165/acre.

While the Committee made a recommendation as shown on the \$205 LFC payments in high priority watersheds Wahoo and Shell Creek, they requested that discussion and possible action occur at the February 8th Board meeting, regarding offering \$165/acre for completion of summer conservation work in non-high priority watersheds.

**2/5 - NRCS provided staff with their estimate for participants and acres they foresee for the 2021 LFC (table below). Currently there are 105 acres contracted through EQIP that fall outside of the priority (NWQI) watershed.

	OUTSIDE	
TOTAL ACRES	NWQI:200ac	NWQI:252ac

NWQI @\$205 \$41,000.00

Non-NWQI	
@\$165	\$41,580.00

Non-NWQI	
@\$205	\$51,660.00

6.D.4. WATERSHEDS

6.D.4.a. Shell Creek

6.D.4.a.1. Shell Creek Environmental Enhancement Plan Implementation

6.D.4.a.1.A. Tom Sprunk Bank Stabilization/Wetlands Project

Last month, the Board approved a 75% cost share payment to Tom Sprunk for his

completed Wetland/Bank Stabilization Project in the Shell Creek Watershed. At the time we were of the understanding that everything was included from Wemhoff Construction, but an additional \$675 invoice from the Wemhoff's subcontractor has since been submitted for loading and hauling waste material from the construction site. Bill Bos has verified this expense with the contractor. With Board approval, the landowner is eligible to receive 75% cost share on this expense (\$506.25). This payment will be reimbursable from our approved EPA 319 NDEE grant.

6.D.4.a.1.B. Shell Creek Grant Funding Update

We presently have used approximately \$200,000 of our approved NDEE/EPA 319 Shell Creek grant that totaled \$365,000. In addition, there is about \$23,000 remaining of our approved Nebraska Environmental Trust grant that totaled \$104,688. It is anticipated that the remaining grant funds will be expended by this spring/summer. Mountford has requested NDEE to approve another \$125,000 of 319 funds for use in 2021 and another \$125,000 for use in 2022.

As part of this grant phase, we need to update our Shell Creek Water Quality Management Plan with NDEE/EPA to remain eligible for future grant funding in that watershed. As also discussed in the Wahoo Creek portion of the agenda, we also need to update our Wahoo Creek Water Quality Management Plan. Since we need to move forward very soon, there has been discussion with NDEE and JEO about remodeling the pollutant loads for Shell Creek and Wahoo Creek. Attached is Elbert Traylor's, NDEE, concept of what is needed to revise both the Shell Creek and Wahoo Creek Water Quality Management plans at the same time. We have grant funds in the Wahoo grant for that plan update and NDEE will add additional funds to Shell Creek grant to complete that plan update. LPNNRD will have to do the contracting and be reimbursed by NDEE.

6.D.4.a.2. Shell Creek Environmental Enhancement Plan Project Payment

Keith Runge - Livestock well w/ pump - \$5,622.35

6.D.4.a.3. Newman Grove School Water Testing Supply Assistance Request

The Newman Grove Public School is requesting \$515.20 for water testing supplies from Forest Suppliers (attached). These supplies are for the school's continued water testing efforts of Shell Creek. After payment, this expense will be submitted to NDEE for grant reimbursement.

6.D.4.b. Wahoo Creek Watershed

6.D.4.b.1. Wahoo Creek Dam Site Planning Update & FYRA Invoices

Janel Kaufman, FYRA, reported that they are in the process of completing the final model runs on the Wahoo Creek Watershed economics. They have the agricultural and urban benefit portions completed and are now focusing on the road and bridge benefits. The final assessment of the cost/benefit ratio should be ready for discussion by the February 25th Projects Committee meeting. At this time, it appears that the final cost/benefit ratio outcome will be very close to the 1:1 ratio requirement needed for NRCS approval of the 13 Dam Watershed Plan. There is still the cultural resource issue at Dam Site 83 and questions about what effect it will have on the final plan outcome, should that structure need to be removed from plan.

FYRA's invoice totaling \$17,986.25 is attached for review. After this payment, \$42,347.50 will remain on our \$95,469 contract addendum. NRCS will reimburse LPNNRD for this expense.

Mountford talked with NRCS Nebraska Engineer Allen Gerhing who will join the February 25th Projects Committee Meeting to discuss the outlook for completing the Wahoo Creek Watershed Plan.

6.D.4.b.2. Olsson Design Update and Invoice

We do not anticipate an invoice from Olsson, since they have been basically put on hold from completing any dam design activities until NRCS approves the Wahoo Creek Watershed Plan. We have also been informed that the designated Wahoo Creek Project engineer from Olsson, Mike Plake, has left to join JEO. Andrew Philips is taking over as lead engineer and is our point of contact at Olsson on the Wahoo Creek dam designs.

6.D.4.b.3. Wahoo Creek Watershed Water Quality Plan Phase II

We are continuing to look for eligible water quality conservation projects in the Wahoo Creek Watershed for use of our available NDEE/EPA 319 and NET grant funds.

As of this grant phase, we need to update our Wahoo Creek Water Quality Management Plan and with NDEE/EPA to remain eligible for future grant funding in that watershed. As also discussed in the Shell Creek portion of the agenda, we also need to update our Shell Creek Water Quality Management Plan. Since we need to move forward very soon, there has been discussion with NDEE and JEO about remodeling the pollutant loads for Wahoo Creek and Shell Creek. JEO completed our original Wahoo Creek plan. Attached is Elbert Traylor's, NDEE, concept of what is needed to revise both Management plans at the same time. We have grant funds in the Wahoo grant for that plan update and NDEE will add additional funds to Shell Creek grant to complete that plan update. LPNNRD will have to do the contracting and be reimbursed by NDEE.

6.D.5. JOINT WATER MANAGEMENT ADVISORY BOARD (JWMAB) 8:00 a.m.

Tom Smith, Dodge County Emergency Manager, joined the Projects Committee to give updates on current projects and discuss two new project requests as shown below. Dodge County's Mitigation Strategy is attached.

6.D.5.a. Elkhorn Township/East Fremont Mitigation Project Request

We have received two new project requests from Dodge County, found under the Joint Water Management Advisory Group agenda item. We have been aware that these two project requests could come forward at some point if FEMA funding was approved. The first, Elkhorn Township Drainage Project, (attachments) as described by Tom Smith, Dodge County Emergency Manager. This effort is to look for a project to improve the estimated 40-50 mile drainage ditch system east of Fremont. Improving this drainage system has been a major focus for decades and was one initial reason the JWMAG desired to come together to address this issue. The estimated \$800,000 Phase I effort will receive \$600,000 (75%) from FEMA, with an estimated \$200,000 (25%) being proposed to be shared by Dodge County, City of Fremont, and LPNNRD, as attached and shown below. After consideration and partner commitments, the next step will be to complete an Interlocal Agreement between the parties.

Federal Share HMGP:		\$	600,000.00	75%
Non-Federal:	Dodge County	\$	67,000.00	9%
Non-Federal:	City of Fremont	\$	66,500.00	8%
Non-Federal:	Lower Platte North Natural Resource District	\$	66,500.00	8%

Committee discussion on a potential recommendation was requested.

6.D.5.b. Platte Township/West Fremont Mitigation Project Request

This is the second new project request from Dodge County (attachments). This effort focuses on potential flood reduction/drainage improvement in the Platte Township and West Fremont. The estimated Phase I effort totaling \$200,000, will receive \$187,500 (75%) assistance from FEMA/NEMA, with a total estimated \$62,500 (25%) being proposed to be shared by Dodge County, City of Fremont, and LPNNRD, as shown below and attached. After partner commitments, the next step will be to complete an Interlocal Agreement between the parties.

Federal Share HMGP:		\$	187,500.00	75%
Non-Federal:	Dodge County	\$	22,500.00	9%
Non-Federal:	City of Fremont	\$	20,000.00	8%
Non-Federal:	Lower Platte North Natural Resource District	\$	20,000.00	8%

Committee discussion on a potential recommendation was requested.

6.D.5.c. Platte River (Rod & Gun Club) Breach Repair Project

On January 21st, JEO held a TEAM meeting with representatives from Fremont, Dodge County, Fremont Rod & Gun Club and LPNNRD (meeting notes attached). LPNNRD Board members, who are also our appointed Joint Water Management Advisory Board members, included Frank Pollard, Bill Saeger and Kelly Thompson. The meeting was to discuss and give input to project design, cost estimates, bidding, and construction (see attachments). Many things were discussed, but one thing

that is being considered is looking at a mid summer construction period opposed to spring. This may help obtain more competitive contractor bids.

LPNNRD has approved up to \$50,000 toward this portion of project which includes building berm repairs and berm toe protection.

6.D.5.d. North Bend Drainage District Project

As you recall, the North Bend Drainage District Project has been broken into two phases. The first phase is to provide preliminary project engineering, assessment and cost benefit analysis. As attached, the first phase cost totals \$150,000 with LPNNRD portion being \$9,000 (6%). By taking a phased approach, it allows the local partners to obtain 75% cost share toward the first phase expenses, regardless if the project is determined feasible by FEMA to move into the project construction phase. FYRA Engineering is the hired project consultant. LPNNRD has committed up to \$100,000 toward the entire project, estimated at a total cost of just under \$1.7 million.

6.D.5.e. Dodge County/ Rawhide Creek Watershed Planning Grant Update

Tom Smith, Dodge County Emergency Manager, reported that the NRCS grant agreement documentation has been signed and returned to Alan Gehring, USDA_NRCS State Conservation Engineer. Attached is the project's scope of work. Next milestone is to have the project kick-off meeting in March-April.

The NRCS grant is for completing a Watershed Plan/Environmental Assessment for the Rawhide Creek Watershed. The hope is that additional feasible flood reduction measures are identified through this assessment. The Merlin England Flood Control Project operated and maintained by LPNNRD (Includes the Trouble Creek Floodwater Reduction Dam & an 8 mile Ditch System) was completed in the 1980's -1990's. Dodge County is the lead administrative entity for completing the watershed assessment. All the assessment costs will be reimbursed to Dodge County from NRCS. LPNNRD has no financial commitment toward the assessment.

6.D.6. HAZARD MITIGATION PLAN UPDATE

No new information. JEO continues to receive adopted resolutions from participating entities.

6.D.7. EROSION AND SEDIMENT RULES AND REGULATIONS

No new information.

6.D.8. OTHER

6.D.8.a. LPRCA Meeting Minutes (attachment)

While LPNNRD no longer a participating member with the Lower Platte River Corridor Alliance (LPRCA), we continue to be invited to join in meetings to give updates on joint projects that we are involved with LPSNRD and PMRNRD. Attached are the December 3, 2020, quarterly meeting minutes and participating spreadsheet for your information about what Platte River topics werer discussed.

6.D.8.b. 2021 Local Work Group

As a reminder, NRCS will be holding its annual Local Work Group (LWG) meeting at the Lake Wanahoo Education Center (w/ Zoom option) on February 18th, 1:00-4:00 p.m.. This meeting will act as a guidance for local NRCS as to how they should focus their efforts in local resource conservation. Director's are encouraged to attend.

7. Additional Action Items - None

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.