

Regular Board of Directors Meeting
Monday, October 9, 2017 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.B. Director Resignation

Attached to the Executive Committee Agenda is Director Gibney's letter of resignation.

4.C. Director Vacancy Sub-Committee Report

4.D. NRCS Report

No report this month.

4.E. NARD Report

4.F. NRC Report

4.G. Managers Report

4.H. Education Program

5. Approval of Minutes

6. Report of Standing Committees

7. Executive Committee - Action as Required

8. UNFINISHED BUSINESS

8.A. Off Site Water Table Concerns Near Sand Creek

8.B. Ourada Lawsuit

9. MEETINGS

9.A. Pending

9.A.1. UNL Annual Water Symposium

Attached is the agenda to the UNL Annual Water Symposium October 26-27. Please let Breunig know if you are interested in attending.

9.B. Reports

9.B.1. NARD Fall Conference

9.B.2. National Watershed Coalition

10. MANAGEMENT ITEMS

10.A. Directors Absence

Attached find Director Gibney's Excuse of absence from the September Board Meeting.

10.B. Monthly Education Program

Jim Cannia will be present to give a presentation on the AEM flights.

10.C. Water Strategies Report

10.D. Paul Gifford Global Settlement Agreement and Release

City of Fremont's attorney is reviewing the agreement and making recommendations to the City. Jovan is in communication with Fremont and will be making any needed recommendations to us.

10.E. LARM Insurance Payment

Attached find LARM's Bill for our Commerical Property Insurance.

10.F. Director Per Diem and Expense Approval

All voting board members declare that they have a conflict of interest with respect to payments made to them by the District as part of the underlying motion and therefore abstain from approval of their payment only. All board members have filed NADC Form C-2

statements with the Nebraska Accountability and Disclosure Commission pertaining to these on-going conflicts of interest.

11. EQUIPMENT

12. PERSONNEL

12.A. Discussion on Banking Hours

Attached to the Executive Committee Agenda is proposed procedure to allow permanent full time employees to request and utilized a banked hours program

12.B. Miyoshi Annual Leave and Sick Leave Payout

Attached to the Executive Committee Agenda is Miyoshi's Annual and Sick Leave payout calculations.

12.C. Miyoshi as Contract Employee

13. FINANCE

13.A. Fiscal Year 2017 Audit

Attached find the Draft Annual Audit. Kyle Overturf will be available at 9:45 a.m. to conference call and discuss the Annual Audit.

A motion will be needed at Board Meeting to accept the Annual Audit.

13.B. Approval of Financial Reports

Attached find the Draft July Financial Statement. Grant will be available at 10:30 a.m. to review the July Financial Statements with the Executive Committee.

13.C. Approval of Managers Time and Expense Sheets

Attached find Gottschalk's time and expense sheets.

13.D. Accounts over 90 Days

14. Education, Operations & Rural Water Systems Committee - Action as Required

15. UNFINISHED BUSINESS

Tabled motion from September 11 board meeting. To have FYRA Engineering continue with a weather modeling policy/procedures in operating the current gate system on the Wanahoo Dam.

16. WILD NE/CREP REPORT

To pay on a CREP contract for Mohrman Farms in Platte County, 6.1 acres. The annual payment is \$111.58. The 2016 payment was lost so this payment will be \$223.16. This is the final payment as this contract expires.

17. OPERATION & MAINTENANCE & OTHER ITEMS

The O & M staff will finish shredding the Clear Creek levee. We are cutting volunteer trees on the Wanahoo areas and finished spraying Black Locust at Czechland. Replaced the west buoy line on Lake Wanahoo and the retaining wall at the kiosk was also finished. Moved the remaining dirt piles at the dump station and filled erosion areas.

17.A. Lake Wanahoo Lake Level

The Lake Level Committee met at 7:30 a.m. on September 27th at the Lower Platte North NRD office. The agenda and last months minutes are attached. The Lake Level Committee recommended to take the tabled FRYA motion off the table and take it back to the Board. FYRA Engineering submitted an invoice of \$19,250.66 for the work they have completed on the Reservoir/Gate Operation Policy (attached). This contract was previously Board approved and the invoice will be paid. The remaining amount on the contract is \$2,719.34.

17.B. Lake Wanahoo SRA

Attached are the most current revenue and expense reports from Game & Parks for the Wanahoo Recreation area.

Heimann met with Eagle Scout Josh Varner on site to discuss the Monofilament container locations. Josh has collected most of his sponsors for each container. The installation date is set for October 28th.

The five director subcommittee met with Game & Parks Administration (Jim, Bob, Bill) on Monday, September 25th to review the Lake Wanahoo SRA Inter-local agreement. Some discussion items were, clarification on the timing of staffing the park, revenue and expense differences, add camping sites and upgrading to all 50 amp service, raise camping rates (proposed for 2019) and vendor concessions.

17.C. Lake Wanahoo Wildlife Areas

Heimann met with Scott Luedtke of Game & Parks, Brian Teeter and Rob Gray of Pheasant Forever to discuss the O & M of the entire Wanahoo Wildlife Areas (PATH Program Areas). There is much concern in controlling invasive volunteer trees on areas such as CS-15, 12, 14 and WD-5 (see attached map). Haying has helped and burning just puts back the growing points of the trees. Suggested tree control efforts in: CS-15 and northern 2/3 of WD-5 (most planting area) Pheasants Forever would organize a volunteer day to walk CS-15 and WD-5 to wick herbicide on to the bark. On CS-14 and 12 the District is using it's Bobcat turbo saw to cut and treat stumps. On the southern 1/3 of WD-5 we need a dozer for a forest of Elm (roughly 4 acres). If all these are accomplished we would prescribe burn these areas in 2018. We would like to utilize monies generated from hay sales to clear this patch of Elm. In 2016 hay sales generated over \$14,000 and in 2015 it was greater. We have not received hay payment for the 2017 season. We will attempt to get a bid estimate on dozer work by Board meeting.

Did you know, there are 3 Sandhill Cranes occupying the area this summer.

17.D. Fremont GI Study

We will have a new COE Project Manager on the Fremont Study, his name is Chris Fassero. Otherwise there is nothing new to report since last month.

17.E. Rawhide Land Partnership - Paul Gifford

Lausterer put together a global agreement between the NRD, City of Fremont and Paul Gifford to pay Mr. Gifford \$73,800 for a proposed box culvert. The City would reimburse the District \$18,400 for what was proposed by Mr. Gifford as engineering services. The City Attorney (Paul Payne) is taking a hard stance against the amount of \$18,400. At one point we had an estimate to construct a box culvert for \$65,800, 15% of that for engineering is \$9,870. On Tuesday, September 26, Lausterer had discussion with Brian Newton, Paul Payne and Brad Holtorf. Brad is going to produce various records to Paul Payne identifying that liability acknowledged verbally or otherwise by the City to Paul Gifford. Paul Payne questions the liability the City has to Paul Gifford. Lausterer advised everyone that our position is established that we either need a direct agreement with Gifford for \$55,400 or a global settlement with all for \$73,800 with the City paying \$18,400 of that. It may just come down to building the box culvert.

17.F. Dump Trailer Replacement

The District's current dump trailer (purchased in 2012) is at capacity when hauling the Bobcat and attachments, 14,000 lbs and 14' in length. We have had issues with the brakes, springs and bearings the past couple years. We have budgeted \$9,000 for a triple axle dump trailer that would be rated for 21,000 lbs and 16' in length to better accommodate hauling the backhoe attachment. Mitch O'Reilly has put together specs and a list of potential trailer dealers. Staff would like to advertise for a new trailer and sell the current trailer after the purchase. It's estimated that the old trailer could sell for around \$5,000.

17.G. Wanahoo Dirt/Sand Sales

M.E. Collins submitted a payment of \$1,480 Sept. 18th. The total since June, 2012 is \$218,994.

18. ROCK AND JETTY

New application from Sharon Cody on the Platte River in Saunders County for river bank repair.

19. EROSION & SEDIMENT RULES & REGULATIONS

20. INFORMATION AND EDUCATION

20.A. Information

20.A.1. Radio & eAds

The KTIC Radio ad and the Wahoo Newspaper eAd promoted the LPNNRD recreation areas from September 16th-30th. In October, the ads will promote grass drill rentals. The September ads are attached.

20.A.2. Website RFP

We would like to re-design our website to offer an updated look, easier navigation, and a different option for staff to make changes and updates. We currently host the site from our office and wish to have it hosted by an outside source.

TePoel has visited with other NRDs who have recently updated their websites and has reached out to recommended companies. We would like to begin advertising and sending out RFPs on Thursday, September 28th. The suggested deadline for proposals is October 27th and a final decision will be made during the Board of Directors meeting on November 13th.

The RFP is attached.

20.A.3. FY2017 Long Range Plan

Staff are currently making updates and providing additions for the FY2017 Long Range Plan.

20.B. Education

20.B.1. Wonderful World of Water

On Wednesday, September 20th TePoel attended the Wonderful World of Water hosted by the Upper Elkhorn NRD and Lower Elkhorn NRD. Approximately 65 students participated in Wildlife CSI during TePoel's sessions.

20.C. Computer

21. RURAL WATER SYSTEMS

New Rural Water manager introduction/report.

21.A. Colon System

Bills to go out this week.

Meters will be read, samples to be tested later this week.

RW dept was notified of small leak on Spruce St., we will investigate ASAP.

21.B. Bruno System

Bills to go out this week.

Water testing and meters to be read later this week.

21.C. Other

22. Water Committee - Action as Required

23. UNFINISHED BUSINESS

From the August 30 Water Committee and September 11 Board Meeting:

To table the variance request from Sandra Muhle for 115 acres until the 2016 AEM data can be analyzed. This motion, made by Larry Feala and seconded by Dave Saalfeld, Passed.

To table the variance request from Duane Ohlrich for 66 acres until the 2016 AEM data can be analyzed. This motion, made by Dave Saalfeld and seconded by Frank Pollard, Passed.

24. REGULATORY

24.A. GROUND WATER MANAGEMENT AREA

24.A.1. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

As the IMP process keeps moving forward the management of water will be calculated by Acre Feet of Water Use. Table 4.1 on page 27 the Lower Platte Sub-Basins is allowed 4,138 AF allowable depletion for a 5-year increment during the peak season. This number will be used for the hydrologically connected areas and divided among the 3 NRDs in the Lower Platte Basin. Table 4.2 on page 29 will be discussed at a meeting with Papio, LPS and LPN on October 5 at Mahoney State Park starting at 6 pm.

30 percent of the water is above the North Bend Stream Gauge - 1241.4 AF, 70 percent is from North Bend to Louisville - 2896.6 AF.

Another thing to consider is the banking of water for future uses. If the NRD doesn't use all of its allotted of water in the first 5 years that could carry over to next 5 year allotment.

View this as the management of water not the management of acres. A 27 inch rolling allocation is 2.25 acre feet of water. So if the NRD gives 2.25 acre feet per well or irrigation system the amount of water used could be the same no matter how many acres is being irrigated, it would depend on the management of the producer how he would like to distribute the water. This type of management can work as the NRD has completed certifying all of the irrigated acres.

24.A.2. Irrigated Acres for 2018 in the HCA and NHCA

24.A.3. Variance Request in the Hydrologically Connected Area (Limited Development Area)

The deadline for new applications was September 15th. Attached is the spreadsheet of applications, sorted by ranking score, and divided by the 2500 acre threshold. Included on the spreadsheet for this year is the stream depletion factor for each application as well as the estimated peak season acre-feet depletion. The Board may approve up to 2500 acres of new development each year per Section M, Rule 2, of the LPNNRD Groundwater Management Area Rules and Regulation.

Also, Larry Mohrman submitted two applications after the deadline. He would like to be considered for the 2018 acres. The two applications total 22 acres.

24.A.4. Variance Requests in the Non-Hydrologically Connected Area (Normal Development Area)

Last month the Board Approved two applications in the Non-Hydrologically Connected Area totaling 106 acres. There are 5 more applications up for review for this month totaling 400 acres. Attached is updated spreadsheet as well as a map showing the location of the applications.

24.A.5. Variance Requests in the Restricted Development Areas

Five RDA applications were removed from the HCA variance list. Staff is seeking direction on how to proceed with these applications. Attached is the list of those applications that were removed.

24.A.6. Well Permit Program

24.A.6.a. Well Permits Approved

Wells Permits Approved: 6

Landowner	Number of Wells	Number of New Irrigated Acres	Type of Well	County	Subarea
Village of Mead	2	0	Public Water Supply	Saunders	Todd Valley
City of Fremont	4	0	Dewatering Well (Over 90 Days)	Dodge	Fremont

The total number of approved permits for 2017 is 22

Location of Approved Well Permits for 2017: Correct as of 9/27/2017

County	Irrigation - New	Irrigation - Replacement	Stock	Commercial	Municipal	Other	Total
Butler	1	3	0	0	0	0	4
Colfax	0	1	0	0	0	0	1
Dodge	0	0	0	0	0	5	5
Boone	0	0	0	0	0	0	0
Madison	0	0	0	0	0	0	0
Platte	2	0	0	0	1	0	3
Saunders	5	0	0	0	2	0	9
Total	8	4	0	0	3	5	22

24.B. Irrigation Runoff Policy

Attached for Committee discussion is a draft policy on handling irrigation endguns.

24.C. Chemigation Violation Policy

Attached for Committee discussion is a draft policy on handling Chemigation Violations.

24.D. Cost Share Programs

24.D.1. Flow Meter Cost Share in SQS #2

As of September 27, 2017 we have received a total of 187 applications. Three applications have been received since increasing the boundary 2 miles beyond the SQS #2 boundary. Therefore, for the October 8, 2017 Board Meeting, we will have a total of 3 cost-share application to approve.

At the June 28, 2017 Water Committee, motion (1) offer cost-share for flow meters to producers within 2 miles of the SQS #2 Boundary with-in LPNNRD and (2)to offer cost-share within the SQS #2 area to convert gallons reading registers to acre-inches. Cost-share for registers conversion will be \$225 with producer paying the labor cost. Deadline for invoices will be by March 1.

At the November 30, 2016 Water Committee, motion was made to fund GWEL cooperator wells at \$1,000 per 8 inch meters (\$770 from WSF and \$230 from LPNNRD = \$1,000) and at \$749 per 6 inch meters (\$577 from WSF and \$172 from LPNNRD = \$749)

Water Sustainability Fund (WSF)	
8 inch meters	3 x 8" meters or 1 x \$770 = \$2310
6 inch meters	XX x 6" meters or XX x \$577 = \$0
WSF Total	\$1386
	So Remaining Total of Flow Meter Cost-Share (90,000 Budget) = \$87,690
	So Running Total WSF Grant = \$118,539 of \$200,000 grant

LPNNRD For GWEL Cooperators	
8 inch meter	0 x 8" meters or 1 x \$230 = \$0
6 inch meter	0 x 6" meters or 0 x \$172 = \$0
Carry over (8 inch meter)	0 x 8" meter or 0 x \$230= \$0

LPNNRD Total	\$0
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Total For Flow Meter Cost Share Program	
WSF & LPNNRD	For approval at October 8, 2017 Board Meeting = \$2310.00

24.D.2. Irrigation Well Sample Kits

349 irrigation kits have been mailed out so far in 2017 (24 of these since Labor Day). 351 water samples have been returned. All results received so far have been sent to producers (22 of these were mailed today). Twenty-one kits requested by producers are still outstanding.

24.E. Bellwood Phase 2 Area

2017 is the fifteenth 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
2004	0 to 25 ppm	46.3% (44 of 95)	8.4% (8 of 95)	45.3% (43 of 95)
2005	0 to 25 ppm	47% (44 of 94)	15% (14 of 94)	38% (36 of 94)
2006	0 to 24 ppm	41% (29 of 71)	14% (10 of 71)	45% (32 of 71)
2007	0 to 31 ppm	48% (48 of 100)	9% (9 of 100)	43% (43 of 100)
2008	0 to 28 ppm	53.75% (43 of 80)	7.5% (6 of 80)	38.75% (31 of 80)
2009	0 to 22 ppm	45.5% (41 of 90)	15.5% (14 of 90)	39% (35 of 90)
2010	0 to 35.7 ppm	48.65% (54 of 111)	11.71% (13 of 111)	39.64% (44 of 111)
2011	0 to 26.6 ppm	51% (56 of 110)	6% (7 of 110)	43% (47 of 110)
2012	0 to 28.9 ppm	57% (61 of 107)	9% (10 of 107)	34% (36 of 107)
2013	0 to 25.8 ppm	50% (53 of 107)	9% (10 of 107)	41% (44 of 107)
2014	0 to 22.3 ppm	51% (55 of 108)	13% (14 of 108)	36% (39 of 108)
2015	0 to 32.3 ppm	43% (31 of 72)	8% (6 of 72)	49% (35 of 72)
2016	0 to 35.1 ppm	34% (25 of 74)	11% (8 of 74)	55% (41 of 74)
2017	0 to 23.5 ppm	37% (26 of 70)	14% (10 of 70)	49% (34 of 70)

24.F. Richland - Schuyler Phase 2 Area

2017 is the second 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	1.47 to 41.8 ppm	29% (10 of 34)	9% (3 of 34)	62% (21 of 34)
2017	2.44 to 23.6 ppm	20% (6 of 30)	(0 of 30)	80% (24 of 30)

24.G. Richland - Schuyler Phase 3 Area

2017 is the second 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
2004	0 to 47 ppm	30% (42 of 139)	10% (14 of 139)	60% (83 of 139)
2005	0 to 120 ppm	31.3% (74 of 236)	10.2% (24 of 236)	58.5% (138 of 236)
2006	0 to 53 ppm	28% (50 of 181)	14% (26 of 181)	58% (105 of 181)
2007	0 to 99 ppm	32% (75 of 231)	10% (22 of 231)	58% (134 of 227)
2008	0 to 46 ppm	28% (53 of 190)	12% (23 of 190)	60% (114 of 190)
2009	0 to 57 ppm	33% (72 of 216)	6% (13 of 216)	61% (131 of 216)
2010	0 to 57.5 ppm	31% (70 of 229)	7% (15 of 229)	62% (142 of 229)
2011	0 to 65.8 ppm	28% (67 of 241)	9% (21 of 241)	63% (153 of 241)
2012	0 to 52.6 ppm	29% (70 of 241)	9% (21 of 241)	62% (150 of 241)
2013	0 to 94.0 ppm	25% (63 of 252)	9% (23 of 252)	66% (166 of 252)
2014	0 to 101.0 ppm	27% (68 of 251)	9% (22 of 251)	64% (161 of 251)
2015	0 to 53.3 ppm	23% (55 of 238)	12% (29 of 238)	65% (154 of 238)
2016	0 to 50.5 ppm	25% (58 of 228)	10% (22 of 228)	65% (148 of 228)
2017	0 to 53.4 ppm	24% (53 of 221)	6% (14 of 221)	70% (154 of 221)

24.H. LPNNRD Operator Certification

No online test requests have been received in September.

24.H.1. 2018 LPNNRD Certification Classes for Nitrogen and Water Management
(preliminary)

Class	Date & time	Location
# 1	Thursday, January 4th @ 3:30 p.m. (after Corn Expo)	Fremont - Extension Office
# 2	Pending	Schuyler or North Bend
# 3	Wednesday, January 17th @ 7:00 p.m. [Dryland focus/emphasis]	ENREC (formerly known as ARDC)
# 4	Tuesday, January 30th @ 9:30 a.m. *Special class at 1:00 p.m. AEM	Columbus - Ag Park
# 5	Thursday, February 5th @ 1:00 p.m. [Dryland focus/emphasis]	Butler County Events Center
# 6	Thursday, February 8th @ 9:30 a.m.	Lindsay - Village Office
# 7	Pending	Schuyler
# 8	Tuesday, February 27th @ 9:30 p.m.	Columbus - Pinnacle Bank
# 9	Wednesday, March 7th @ 9:00 a.m.	Fremont - Extension Office
# 10	Tuesday, March 13th @ 9:30 a.m.	Butler County Events Center
# 11	Tuesday, March 20th @ 7:00 p.m.	ENREC (ARDC)
# 12	Thursday, March 22nd @ 7:00 p.m. *Special class afternoon. AEM	Columbus - Ag Park

*AEM class for SQS producers pending AEM experts availability

25. GROUND WATER PROGRAMS

25.A. DECOMMISSIONED WELL PROGRAM

25.A.1. Well Estimates

new wells has been reviewed and approved for decommissioning since the last Committee meeting.

Well Owner	Type of Well	Cost Share Estimate	County
Cara Ahrens- Emerson	Hand-dug	\$530.25	Colfax

25.A.2. Plugged Wells

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

Well Owner	Type of Well	Cost Share Estimate	County
Westlake Inc.	Irrigation	\$720.47	Dodge

25.B. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

25.B.1. GW ELEVATION WANN BASIN

GW Elevation WANN Basin Study is a \$10,000 budget item for FY2018. The purpose of the study is to determine the scenario in which drawdown from area wells would effect the contaminant plume and move the Mead Cleanup towards MUD well fields or potentially lose containment. The plan is to develop a RFP to send out to firms in October, so proposals can be reviewed at the November Water Committee Meeting.

This study will also be beneficial for the NRD in showing how water movement can change in a extreme drought situation.

25.C. NEW MONITORING WELLS

Attached is a draft Amendment #2 from UNL to the original agreement dated June 24, 2015 (scope and purpose is the same and original Section 9 allows for amendments). This amendment is a 3 year time frame, but specified only year one budget and FY18 costs, Katie Cameron says this is a huge help in not starting a new agreement with UNL and just continuing amendments just in case plans change, so we have flexibility in the future. Part of discussion with UNL was a crop payout in which UNL cannot do, the NRD will need to pay for the potential reseeding, so \$3,300 came off the bid amount (\$131,030) with a new total of \$136,700. Through the bid process we will find out how the contractor plans to deal with pits/space but most likely if we are drilling in ROW we will need more space and affect crops in some way. However, it would be nice to be able to use all the money on the test-hole/well effort if it is available and we don't end up needing to pay out for crops. Katie commented that this could easily be a "re-budget" with UNL later to add all or part of the \$3,300 back by an email, like Larry did on the Malmo and Fremont amendment 1 increase.

25.D. GROUND WATER QUALITY SAMPLING

25.E. Conversion of Irrigation Well to Livestock Well

A producer irrigates a 80 acre tract, then transfers the water and irrigates an additional 80 acres across the road and another 40 acres south of the 80 acres from the same irrigation well. All the acres have been certified as irrigated acres and the well is located in LPN white area (non-hydrologically connected area). He would like to drill an irrigation well across the road on the other 80 acres and then convert the original irrigation well to a stock well. The stock well will then be used to supply water to chicken broilers. He is planning on reducing the amount of irrigated land. This is only preliminary and was just asking if the NRD would approve a new irrigation well.

26. SURFACE WATER PROGRAMS

No Lakes are on the list for Lower Platte North.

Week of Sept. 18th, 2017

This week's beach Bacteria and Harmful Algal Bloom results are now posted on the NDEQ web page (<http://deq.ne.gov>).

Kirkman's Cove Lake is below the established limit of 20ppb but will need one more sample less than 20ppb before it is removed from the Health Alert List.

The weather is hot again... of course it's Nebraska... Get out and enjoy the lakes before the snow flies in October.... because of course it's Nebraska.

Harmful Algal Blooms

ONE Lake will be on "Health Alert" this week. NDEQ in conjunction with numerous collaborators monitor public beaches and sample for microcystin, a toxin produced as a result of a Harmful Algal Bloom. A lake that exceeds 20 ppb of microcystin will be placed on "Health Alert". That lake will remain under "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.

Lake Name	County	Current algae
Kirkman's Cove Lake	Richardson	2.35

Bacteria

Lakes that tested high for *E. coli* bacteria this week are listed below. *E. coli* bacteria 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 we want people to be aware and use their own judgment on their use.

Lakes with High *E. coli* Bacteria Levels

Lake Name	County	E.coli Bacteria
Carter Lake (Omaha)	Douglas	>2420

Lake Name	County	E.coli Bacteria
Holmes Lake	Lancaster	387
Maple Creek Recreation Area Lake	Colfax	1986

This information is updated weekly on our web site, <http://deq.ne.gov/NDEQProg.nsf/Beaches2017.xsp> . We hope you find this interesting and useful.

27. OTHER

Jim Cannia from Aqua Geo Frameworks will be at the October 9 Board Meeting to present on the information obtained from the AEM flights conducted in 2016. The final report is attached for your review.

The staff of the Water Department attended the NARD Fall Conference in Kearney.

27.A. GMDA ANNUAL CONFERENCE

The Annual Conference will be at the Hilton Capitol Center in downtown Baton Rouge, Louisiana, January 16-19, 2018.

The Conference will begin the morning of the 16th with a few presentations then a field trip to view the Old River Control Structure, arriving back in time for the welcoming reception. There will have technical sessions on Thursday with our board meeting Thursday afternoon. There will be a spouses tour on Thursday to Magnolia Mound Plantation and the Louisiana Rural Life Museum with a stop for lunch.

Any Board Member wishing to go, please let staff know.

27.B. Phoenix Webgroup

An invoice for \$18,000 for final payment to Phoenix Webgroup for Field Apps as per contract approved at August Board Meeting.

27.C. COMMENTS FROM THE PUBLIC

28. Projects Committee - Action as Required

29. UNFINISHED BUSINESS

No unfinished business to address.

30. SWCP

30.A. SWCP Application Approvals

17-D-12 - PAUL TANK - STREAM CROSSING - \$2168.60 APPROVED
REQUESTING ADD'L \$2143.00 - \$4311.60 TOTAL

PASEKA FAMILY REVOCABLE TRUST - CROPLAND DIVERSION
\$938.38

378CY -

30.B. SWCP Payments

NSWCP STATE COST SHARE -

17-S-8 - ERIC NELSON - TERRACE W/ TILE OUTLET \$10,000
17-S-5 - LYLE HAMMOND - TERRACE, WASCOB W/ TILE OUT \$9064.59
17-S-9 - GLENN NELSON - TERRACE W/ TILE OUTLET \$10,000
STEVENS-SMID PROJECT "100% NRD COST" - \$2521.20

30.C. SWCP Cancellations

30.D. Wahoo Creek Cost Share Approvals

31. WATERSHEDS

31.A. Shell Creek

31.A.1. Kramer/Colfax County Shell Creek Bank Stabilization Project Bid Opening

As authorized by the Board, the Kramer Shell Creek Bank Stabilization Project Bid opening was held on September 21, 2017. There were nine bids ranging from \$214,548.45 to \$337,845.50. After review of the bidders qualifications and their identified construction timelines, The Shell Creek Improvement Group (SCWIG) Advisory Committee recommended to award bid to the second lowest bidder, Kohl Construction, based on the early starting time offered (October 9th) and their strong local reputation for doing good reliable work. The engineers estimate was \$361,948.

As authorized by the Board, Chair Birkel and/or Projects Chair Sobota were given authority to approve a bid following the opening. Taking considering the SCWIG committee members recommendation, Chair Birkel awarded the bid to Kohl construction. Engineer Mark Mainelli will work with Kohl to complete a construction contract. The committee is asked to recommend ratification of Chair bid award t Kohl and enter into a construction construct with them.

31.A.2. Platte County/Luchsinger Project Invoice

We have received a payment request for the completion of the Platte County/Luchsinger grade stabilization project. The project came \$1,075.30 under budget, so the \$7,924.70 requested for materials is \$1,075.30 less than the \$9,000 maximum LPNNRD approved last year. The committee is asked for a recommendation to pay Platte County \$7,924.70 toward the completed Platte Coutny/Luchsinger Grade Stabilization Project.

31.A.3. Shell Creek Environmental Enhancement Plan Approvals/ Payments

Attached is an application from Rick Hellbusch for a septic tank upgrade in the Shell Creek Watershed. Our policy is to approve 50% of the upgrade cost up to \$3,000 assistance and 100% of the inspection cost up to \$300 assistance.

We also recieved a \$69.04 invoice from Penne Screen Printing & Signs for student t-shirts that are involved with the Shell Creek sampling.

31.B. Wahoo Creek Watershed

31.B.1. Wahoo Creek RCPP/WSF FYRA Invoices

Attached are two invoices being paid to FYRA Engineering for contract work for our approved Regional Conservation Partnership Program (RCPP) funds from NRCS and completed work on our Water Sustainability Fund application to NDNR. The July 6, 2017, invoice totals \$34,135.84 and the August 2, 2017, invoice totals \$15,860.58. After these payments, there will be \$62,161.57 remaining on our \$135,790 contract.

31.B.2. Wahoo Creek Site 26 & 27 RCPP Update

On September 29th, Mountford met with NRCS in Lincoln to discuss the federal process for moving forward with the next phase of our approved RCPP application for Wahoo Creek dam sites 26 & 27. The committee is asked to discuss how we wish to proceed with hiring an engineering firm to design and permit the structures. We have hired FYRA Engineering to help prepare our RCPP and WSF applications and update the watershed plans for sites 26 & 27 which will be completed later this fall. FYRA has done a great job with the application and watershed planning phase and would like the opportunity to continue with the design and permit phase.

NRCS personnel initially said that they have no specific federal requirements on who or how we secure engineering for the project, but have later suggested going through an open RFP process to avoid any potential conflicts. While there are no statutory requirements on how we secure engineering for projects, our attorney Jovan Lausterer also suggests that it would be good to advertise and review proposals from other firms since a sizable amount of public funds will be expended for this service.

32. LOWER PLATTE RIVER CORRIDOR ALLIANCE

No new information to report.

33. OTHER

33.A. Nebraska Buffer Strip Payments

Our annual Nebraska Buffer Strip payments will be presented at the November 2 Projects Committee for payment recommendation.

33.B. Review of Projects Financial Statement

34. Additional Action Items

34.A. Shell Creek Environmental Enhancement Plan Approval

35. Approval of Bills Pending

36. Consent Agenda Adoption

37. Comments from Directors/Guests

38. 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.