

Regular Board of Directors Meeting  
Monday, January 11, 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. Report from Nominating Sub-Committee

4.C. NRCS Report

4.D. NARD Report

4.E. NRC Report

#### 4.F. Managers Report

#### 4.G. Education Program

### 5. Approval of Minutes

Are there any additions or corrections to the Minutes? If no 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.a.1. NARD Legislative Conference

See attached memo from Dean Edson about the 2021 Legislative Conference.

###### 6.A.2.a.2. NACD Virtual Meeting

The 75th NACD Annual Meeting will be held online from February 1-10, 2021 through NACD's virtual hub.

The first week will consist of business meetings, while the second will feature informative breakout sessions. Registration for the 2021 Annual Meeting will be \$50.00

The following Directors are registered: Birkel, Meyer and Saeger.

Please let Breunig know if you would like to be registered.

###### 6.A.2.b. Reports

##### 6.A.3. MANAGEMENT ITEMS

###### 6.A.3.a. Directors Absence

#### 6.A.3.b. Monthly Education Program

#### 6.A.3.c. Report of Nominating Sub-Committee

I spoke with Joe Birkel on Tuesday and he reported the committee will meet either in person or on the phone and have a report and nominations ready for January's board meeting.

#### 6.A.4. EQUIPMENT

#### 6.A.5. PERSONNEL

As mentioned at the December board meeting, Sydney Abbott is the new Education Coordinator and is jumping right in with both feet and doing a great job making connections with schools and planning educational opportunities for our district. Now with Lacey out on maternity leave Sydney will be picking up the slack and helping out with the information coordinator duties until Lacey returns.

##### 6.A.5.a. NEW ARRIVAL!!

On Sunday morning at 5:28 Lacey and her husband TJ welcomed Rory James into their lives. Rory weighed in at 6 lbs 15 oz. and is 21 inches long.

Congratulations to the new parents and we all are looking forward to meeting Rory sometime soon!

(I have attached a photo below)

##### 6.A.5.b. Sydney Abbott - Education Coordinator

As mentioned at the December board meeting, Sydney Abbott is the new Education Coordinator and is jumping right in with both feet and doing a great job making connections with schools and planning educational opportunities for our district. Now with Lacey out on maternity leave Sydney will be picking up the slack and helping out with the information coordinator duties until Lacey returns.

#### 6.A.6. FINANCE

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

Grant will be available to update the Executive Committee on the November Financial Statement.

##### 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. UNFINISHED BUSINESS

There isn't any unfinished business to consider.

### 6.B.2. WILD NE AND OTHER PROGRAMS

We may schedule an annual meeting in January with Game & Parks and Pheasants Forever Biologist on management items for the Wanahoo Wildlife Property.

### 6.B.3. OPERATION & MAINTENANCE & OTHER ITEMS

The O & M Crew finished the shoreline protection on the east side of Wanahoo, winterized the water hydrants at Czechland & Homestead, moved brush piles and burned, cut & treated trees at Czechland.

#### 6.B.3.a. Clear Creek Levee Repairs by Corps of Engineers

We have not heard if the Corps of Engineers has closed out the contract with the contractor. The COE is waiting on "As-Builts" and Survey from the contractor.

#### 6.B.3.b. Wanahoo Stilling Basin - (FEMA)

Wanahoo Stilling Basin work by Valley Corp.- mobilized equipment, rip-rap and material for filter #1 and installed a silt curtain downstream of the area. Olsson installed piezometers on both sides of the basin.

Find attached the most current FYRA Invoice for Engineering.

#### 6.B.3.c. Western Sarpy Clear Creek O & M Manuals

The Districts have signed the easement for within the National Guard Camp, with the Corps of Engineers/Army. We have also signed the O & M Addendum with the NRD's and National Guard. The National Guard has not yet signed, they are reviewing. The O & M Manual for the Western Sarpy side of the river is out for review. The O & M Manual for the Saunders County side will be out in early 2021.

#### 6.B.3.d. Cottonwood 21-A Emergency Spillway

Nothing new to report. The NRCS Dam Assessment application is being processed through NRCS.

#### 6.B.3.e. Fremont Non-Structural 205 Study

As reported last month, the COE has sent out a Feasibility Report & Environmental Assessment for the Non-Structural 205 Study within the City of Fremont for our review. The review period is Dec. 14 - January 25, 2021. A public meeting is scheduled for Jan. 13, 2021 from 7:00 p.m. to 10:00 p.m. The meeting will in open to the public and via Zoom.

If you have any comments regarding the Study, please forward them to Bob Heimann and he will forward to the Corps.

6.B.3.f. Platte Valley Drainage District - Request

In April, 2020 the District committed up to \$65,000 to assist the Platte Valley Drainage District in repairs to their levee. This levee is just north of Yutan and runs essentially to Hwy 64, approx. 4.5 miles. To date repair cost are for two breach holes, Sites 1 & 2, which was emergency repair, and river bank stabilization and levee repair in an area that threatened the levee (Sites 6 & 7), plus engineering cost by JEO. To date their cost is \$166,040.51. They are asking 20% reimbursement or \$33,208.10. Our reimbursement along with FEMA/NEMA funds will generate cash flow so they can pursue the last phase of repair (Site 8). The Site 8 repair is a stretch of levee that was totally washed away and is at 90% design. Platte Valley is also going to seek interim financing from a local bank to assist with cash flow. (Two Pictures attached).

6.B.4. ROCK AND JETTY

We have nothing to consider.

6.B.5. LAKE WANAHOO

6.B.5.a. Wanahoo Year end financials

The 2020 Wanahoo camping season turned out to be an amazing year. Record permit sales and camping revenue capped off a remarkable season which dealt with many unique issues. While COVID-19 created difficulties we were able to keep Wanahoo open to the public and offer outdoor recreation opportunities to the general public while maintaining social distancing and other imposed restrictions. Thanks to the hard work of our amazing and dedicated staff, Wanahoo continues to grow and provide a variety of outdoor activities to the patrons of our district and the entire Midwest.

In April we began building six 10'x12' cabins that were completed in early July. These heated and cooled cabins have been very popular and we see them as a big draw as we head into the 2021 season.

I have attached the year end net revenue spreadsheet for the committee's review.

6.B.5.b. Lake Wanahoo Permit Sales

As of 12/28/202, the District received \$4,427.50 in 2021 annual park permit sales for the month of December.

<b>Calender Year</b>	<b>Permits Sold</b>	<b>Monthly Sales</b>	<b>YTD Toals</b>
2021	305	\$4,427.50	\$4,427.50
2020	301	\$4,470.00	\$4,470.00
2019	304	\$4,585.00	\$4,585.00

6.B.5.c. Lake Wanahoo Camping Revenue

The District has received \$445 in walk up camping fees, and \$1,120.50 in online reservations for the month of December.

(as of 12/29/2020)

#### 6.B.5.d. Lake Wanahoo Education Building

Rentals have slowed the past month or so due to cancelations relating to the increase in COVID-19 cases in the area. January and February rentals are beginning to pick up as are graduation rentals for April and May.

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

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

##### 6.B.6.a.1. New Arrival!!

On Sunday morning at 5:28 Lacey and her husband TJ welcomed Rory James into their lives. Rory weighed in at 6 lbs 15 oz. and is 21 inches long. Congratulations to the new parents and we all are looking forward to meeting Rory sometime soon!  
(I have attached a photo below)

##### 6.B.6.a.2. Radio & eAds

#### **KTIC Radio ads for December featured Nitrogen class information:**

Producers in the Lower Platte North Natural Resources District who need Nitrogen Certification and highly encouraged to request an online test at [www.lpnrd.org](http://www.lpnrd.org).

Certification is valid for four years, after which recertification is required. Nitrogen and Water Management Certification classes have been scheduled for January, but may change due to local directed health measures. For more information, or to request an online test, please visit [www.lpnrd.org](http://www.lpnrd.org) or call 402-443-4675.

#### **Wahoo Newspaper E-ads encouraging online testing option is attached**

##### 6.B.6.a.3. Analytics

##### 6.B.6.a.4. Operations & Maintenance Video and Projects Video

The 30 second video may be attached.

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

6.B.6.b.1. Survival Club

6.B.7. RURAL WATER SYSTEMS

6.B.7.a. Colon System

Attached is the 2021 rate schedule for the Colon Rural Water system. The schedule includes a 23% increase to the per 1000gallon water rate fee. This increase does not affect the monthly service fee (meter charge) and it also takes into account the increase the system incurred from the Wahoo Water system fee increase.

Elliott completed annual reporting to USDA-RD.

Monthly sampling completed, meters read and bills mailed out 12/29.

6.B.7.b. Bruno System

Routine monthly sampling completed, meters read and bills mailed out 12/29.

6.B.7.c. Other

6.C. Water Committee - Action as Required

6.C.1. UNFINISHED BUSINESS

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

6.C.2. REGULATORY

6.C.2.a. GROUND WATER MANAGEMENT AREA

6.C.2.a.1. Well Permit Program

6.C.2.a.2. Nitrate Tool Development

Invoice is attached for \$14,500.25 per contract.

Activities included:

- Finalizing the tool input layers and incorporating the SWB model outputs; and,

Continued developed and refinement draft tool for upcoming demo to LPN water resource staff

6.C.2.a.3. Cost Share Programs

6.C.2.a.3.A. Irrigation Well Sample Kits

327 kits were sent out in 2020.

6.C.2.a.4. Bellwood Phase 2 Area

2020 is the eighteenth year for this Phase 2 Area.

<b>Year</b>	<b>Nitrate-nitrogen Range</b>	<b>Percent Nitrate-nitrogen 0 to 8.0 ppm</b>	<b>Percent Nitrate-nitrogen 8.01 to 10.00 ppm</b>	<b>Percent Nitrate-nitrogen 10.01 to 15 ppm</b>	<b>Percent Nitrate-nitrogen greater than 15 ppm</b>
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)	14% (44 of 107)	26%
2014	0 to 22.3 ppm	51% (55 of 108)	13% (14 of 108)	18% (39 of 108)	20%
2015	0 to 32.3 ppm	43% (31 of 72)	8% (6 of 72)	14% (35 of 72)	33%
2016	0 to 35.1 ppm	34% (25 of 74)	11% (8 of 74)	26% (41 of 74)	26%
2017	0 to 23.5 ppm	36% (27 of 74)	15% (11 of 74)	19% (36 of 74)	22%
2018	0 to 30.9 ppm	40% (25 of 63)	11% (7 of 63)	22% (31 of 63)	28%
2019	0 to 24.5 ppm	46% (22 of 48)	10% (5 of 48)	28% (21 of 48)	22%
2020	0. to 20.5 ppm	34% (20 of 60)	13% (8 of 60)	35% (21 of 60)	18% (11 of 60)

All sample results from Lab have been received and sent to producer. The final two (Nick Schmit) were this week.

6.C.2.a.5. Richland - Schuyler Phase 3 Area

2020 is the fifth year of this Phase 3 Area. Attached is NRCS guidance on irrigation management cost-sharing. Mark Walkenhorst attended the Committee meeting to

explain the planning guidance along with answering questions. Mark thought that a grant through NRCS funding could be available in 2021 to do Best Management Practices in an identified area like the Phase Areas. The Committee thought the District should follow-up with Mark and look into this option for a joint project.

The LPN contracted for \$4,300 with EA Engineering, July 2020, on conducting additional vadose soil sampling on the demonstrations fields in the Phase Areas. The samples were collected and sent to the UNL Water Center in November 2020. An invoice is attached that was received on December 31, 2020.

<b>Year</b>	<b>Nitrate-nitrogen Range</b>	<b>Percent Nitrate-nitrogen 0 to 8.0 ppm</b>	<b>Percent Nitrate-nitrogen 8.01 to 10.00 ppm</b>	<b>Percent Nitrate-nitrogen 10.01 to 15 ppm</b>	<b>Percent Nitrate-nitrogen greater than 15 ppm</b>
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)	30% (150 of 241)	31%
2013	0 to 94.0 ppm	25% (63 of 252)	9% (23 of 252)	31% (166 of 252)	36%
2014	0 to 101.0 ppm	27% (68 of 251)	9% (22 of 251)	27% (161 of 251)	37%
2015	0 to 53.3 ppm	23% (55 of 238)	12% (29 of 238)	25% (154 of 238)	41%
2016	0 to 50.5 ppm	25% (58 of 228)	10% (22 of 228)	26% (148 of 228)	40%
2017	0 to 53.4 ppm	25% (60 of 238)	6% (14 of 238)	29% (164 of 238)	41%
2018	0 to 56.9 ppm	26.5% (50 of 189)	6.3% (12 of 189)	25% (127 of 189)	42%
2019	0 to 39.4 ppm	25% (53 of 209)	11% (22 of 209)	23% (134 of 209)	42%
2020	0 to 50.8 ppm	26% (69 of 261)	6% (15 of 261)	26% (67 of 261)	42% (110 of 261)

All sample results from Lab have been received and sent to producers. The four Horejsi water samples were received in mid-December

#### 6.C.2.a.6. LPNNRD Operator Certification

First event will be January 12 in David City and then a virtual presentation on January

28 starting at 6:30 pm, Topics for the meeting on the 28th will discuss split application of nitrogen, cover crops, manure management and UNL-NRD updates. Committee wants to make sure that UNL manure recommendations are in step with NRD regulations. Staff needs to keep the communication open with UNL.

6.C.2.b. GROUND WATER ENERGY LEVELS

Attached is Summary Table along with comparison maps. The only well to not be in the "Decreased" column was the Hanson monitoring well which had a decrease of 0.22' so it was in the 'Unchanged' column.

A couple of factors to consider regarding these water levels:

- Winter Storm Ulmer (Bomb Cyclone) in March 2019 - some fields not farmable due to the flooding, remained too wet, debris and sand to be removed, so well not used.
- Lack of precipitation during the growing season in 2020, particularly in August, early September, so 'last irrigation' went longer.

6.C.3. GROUND WATER PROGRAMS

6.C.3.a. DECOMMISSIONED WELL PROGRAM

6.C.3.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

6.C.3.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

## 6.C.3.b. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

### 6.C.3.b.1. Eastern Nebraska Water Resources Assessment (ENWRA)

Katie Cameron gave a report to the Water Committee, which is shown below. Attached are the invoices for the \$30,000 yearly dues and Geo-Cloud \$3,400 per contract.

Katie sent this information about ENWRA Activities.

#### 2020 Eastern Nebraska Water Resources Assessment (ENWRA) Activities Update:

- Coordination: routine administration, financial budget through Lower Platte South NRD, spring technical meeting, and website updates/Dropbox management (includes new 2020 AEM tab, video tutorials, new project info)
- Assisted NRDs with prep and coordination of information for summer 2020 AEM flights in Nemaha and Pappio-Missouri River NRDs (included contacting local clerks with maps and dates, processing several sets of 2019 test hole logs into lithology summarized geophysical log scans w/ preliminary top/bottom of main aquifer units or Dakota calls). Also assisted NeDNR with the upcoming AEM spotlight for the WSF storyboard for the Natural Resources Commission website
- Answered over 20 public inquiries on the AEM datasets, NDEE and NeDNR interagency inquiries, private landowner inquiries on AEM, and several consultant inquiries/requests on AEM data coordinated through the NRDs.
- ENWRA pilot site maintenance, transducer downloads, and sampling fieldwork for 78 pilot site wells. The Ashland pilot site has new replacement monitoring wells with transducers and dedicated pumps southwest of the former ASH01 location taken away by May 2019 flooding. Several older deep well pumps went bad at all three sites, possibly due to sedimentation or fouling of screens. Several new metals parameters were added to ENWRA's routing sampling list in 2020 as a one time recon effort. Compilation, graphing and evaluating of lab and transducer data for the ENWRA website (linked to our Dropbox: [https://www.dropbox.com/sh/kuq64jl1eqk27gh/AAB3PVFTBsK9\\_iLZ2\\_8Z-KZCa?dl=0](https://www.dropbox.com/sh/kuq64jl1eqk27gh/AAB3PVFTBsK9_iLZ2_8Z-KZCa?dl=0)). Nitrate sampling was conducted at the Firth shallow well for lab comparison to Aqua Troll 600 readings of nitrates every 8 hours (weekly lab samples collected in July and August 2020 to compare with Troll readings). Nitrate sensors appear to only last 6 months from shipment according to discussions with in-situ and based on our graphed data, after a second round with a new instrument sensor, the aqua Troll study will conclude in July 2021 and it will be available to NRDs for future localized short term uses. Pilot site sampling results

for ASH Vadose Upland Site (monitoring well 55 feet deep) and the Mead area weather station specific to Lower Platte North is attached. Nitrate levels have dropped at the ASH Upland Vadose monitoring well location, the heat dissipation and aqua spy probe control box installed with it in 2008 was irreparably damaged by mice and will be decommissioned. Of the nine added parameters collected at the Ashland Vadose Upland site in 2020, Barium was detected at 0.263 mg/L (naturally occurring, 2 is the MCL) and Selenium and Uranium were reported at low concentrations.

- Water Sustainability Fund (WSF) Natural Resources Commission (NRC) Projects - Status reports due March 2021:
  - Award #4125 - Secondary Bedrock Sampling and Age Dating: Chris Hobza of the USGS provided the results of this project to the group on December 9, 2020 via recorded Zoom [https://www.dropbox.com/s/2qjklilixy3we6n/SecondaryBedrock\\_Dec\\_9\\_2020\\_Zoom.mp4?dl=0](https://www.dropbox.com/s/2qjklilixy3we6n/SecondaryBedrock_Dec_9_2020_Zoom.mp4?dl=0)

The accompanying manuscript is in final review at USGS and will be posted on the ENWRA website. The sampling and Age-dating laboratory results are currently available on the <https://waterdata.usgs.gov/nwis> database. This project will be closed out with a final status report to the WSF in March 2021.

- Award #4164- the Nebraska GeoCloud (NGC): Jesse Korus debued the guidelines and standards for the online platform on July 1, 2020 (<https://youtu.be/8YrPwk6llm8> ). Additional to the several training sessions for groundwater professionals on the NGC and GeoScene3D held over the years, a "how to" webinar was provided on August 27, 2020 (<https://youtu.be/xk09q4wJX3k>). A small advisory group made up of project partners was formed to steer the continued use and further development of the NGC along with a two-year extension to the interlocal agreement for sustaining the NGC online platform through the 10 participating NRDs. This Project and its benefit to constituents is expected to continue well past the final WSF close-out report anticipated on or before March 31, 2021.
- Downloaded and tested many datasets from NGC, created several AEM data Geoscene3D project files for each of the ENWRA NRDs including the Lower Platte North for use with the Nebraska Viewer Geoscene3D license to observe resistivity data along profiles without limitation of scales and perspectives like PDFs in reports. Made headway in creating master shapefiles and maps of the AEM flight lines for use with NGC and for the individual NRDs GIS mapping needs.
- Upcoming: ENWRA updates to each of the NRD boards not caught-up in 2020, Coordinator will schedule meetings with water staff at each ENWRA NRD in January to discuss how ENWRA plans fit in and potential ENWRA grant applications for submittal in 2021.

### 6.C.3.c. Pipeline Information

Tom,

A few comments.

We will not look further at possibly using the Bellwood 5 H reservoir.

It is unlikely that we will look further at using the Bellwood 2 C reservoir. If we are able to firm this up prior to the 12/30/20 committee meeting, I will let you know.

In regard to the irrigation well that we plan to use, it would be a primary source, not a backup source, as far as using the water for dust control. The well is not in a special quantity area.

**Steve**  
**Steven P. Case**  
Attorney

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**McGrath | North** First National Tower | Suite 3700 | 1601 Dodge St. | Omaha, NE 68102

Steve,

As we discussed yesterday, on Monday, the LPNNRD Board did have some continued discussion regarding Keystone XL Pipeline's request for pumping water (10.7 million gallons) from a Bellwood Watershed floodwater dam reservoir, for pipeline leak testing and dust control in 2021. This discussion also included the possibility of Keystone negotiating with a private landowner to pump approximately 8.3 million gallons of water from an irrigation well near the project area. While no formal decision was made, some concerns and questions were presented. We are of the understanding that these water uses being considered are for backup purposes only, as Keystone is applying for a temporary pumping permit from the Platte River as the primary project water source. This permit is being handled by the Nebraska Department of Natural Resources (NDNR). To help sum things up at this point, below is a recap of what has been previously discussed and what future information will be helpful to LPNNRD.

#### **Pumping from Bellwood Watershed Floodwater Retarding Dam Reservoirs**

With regard to pumping from a Bellwood floodwater dam reservoir, most of these 13 structures in Butler County have reached or are nearing their estimated 50-year sediment storage life. This means the availability of surface water is greatly diminished as silt has replaced much of the originally designed permanent water pool in some instances. As mentioned earlier, this is especially true for the 50-year old Bellwood Structure 5 H, which is located about 2 miles north and 3 miles west of David City. LPNNRD holds landowner easements for operation and maintenance for the 13 dams, which includes holding the related impounded water rights. In the past, we have not been involved with allowing third party water pumping from our dams and reserved these rights, on a limited basis, for landowner irrigation purposes who have permanent water located on their property. As an example, in the 1970's, LPNNRD did allow one of the original landowners at structure 5H permission to pump limited irrigation water for crops. However, it appears that this activity has not occurred for several years. It was mentioned

at the Board meeting that silt would likely need to be dredged from 5H before pumping could be considered, but dredging is a very involved and expensive process that the LPNNRD hasn't done previously.

Another structure discussed was Bellwood Flood Retarding Dam 2-C. Structure 2-C is located approximately 2 miles south and 1 mile west of the town of Bellwood. Structure 2-C's embankment is located in Section 36, Township 16 North, Range 1 East, but the majority of the permanent water is located to south in Section 1, Township 15 North, Range 1 East. The structure was built in 1993 with a total estimated permanent water storage capacity of 391.5 acre feet when new. If I calculated correctly, there would have been an estimated 127,570,666 million gallons of potential maximum permanent water capacity when constructed. Now being 27 years old, it is expected that about half of the original permanent water storage capacity has been replaced by sediment. Even for landowner irrigation, permits have been granted on a very limited basis and there are no active permits on any of our district structures that we are aware. We are aware that many landowners use or enjoy the reservoirs for livestock water, recreation and aesthetic purposes. That being said, LPNNRD is very sensitive on maintaining good public relations with landowners associated with these dams and they would need to be agreeable to any outside use being considered. They would also need to provide any ingress/egress on their property.

My understanding from the Nebraska Department of Natural Resources (NDNR) is that your client's request would be for a one year temporary permit. Should the Board consider applying for such permit, it would be contingent on any NDNR and LPNNRD requirements and of course landowner concurrence.

#### **Pumping Irrigation Water from a Private Landowner Irrigation Well**

Considering the issues associated with pumping from one of the Bellwood dams, it appears using a private irrigation well for backup project use appears more probable. In this case, Keystone would work directly with a private landowner to negotiate using water from their irrigation well. LPNNRD would be less directly involved, but depending on where the well is located (i.e. a Special Water Quantity Area), we may need to work closely with the landowner and NDNR on the amount of water being used for this purpose.

**We are planning for you and any other representatives to join our upcoming committee meetings to discuss the Keystone Pipeline Project plans and water needs. The Projects committee will discuss the water use request for our dams and the Water committee will discuss the water use from an irrigation well. Both committee meetings start at 7:30 a.m., Wednesday, December 30, 2020. We will coordinate with you about Zooming in to both meetings at different times. The full LPNNRD Board would then discuss the topic at their January 11, 2020 Board Meeting.**

A few of the Board/staff questions or comments thus far are:

1. More detailed information is desired about the entire project scope (miles of pipeline, location, schedule etc.) .
2. In the past, how has Keystone previously tested for pipeline leaks and controlled dust on other portions of the project?

3. Would the planned water use be in the vicinity of the project area, all within LPNRRD boundaries, or would water be pumped several miles away? This might be an issue if pumping water occurs from one watershed basin into another.
4. Is a water flowmeter planned to be used to track the amount of water usage?
5. How would water be returned to a reservoir after pipe testing and what amount or percent would not be returned (i.e. normal loss for testing and amount loss for dust control). It would be murky water for the testing so how would this affect your testing? Returning it to the pond could change the water temperature which would be detrimental to fish populations. Also, would there be any residues in the pipe that might cause water quality issues?
6. With regard to water used from an irrigation well, how would that water be dispersed after use? Our assumption would be that the irrigation well water would be discharged over the surrounding land or to a tributary. So how does that work and what precautions are taken not to cause erosion, water runoff and environmental impacts to other property in the area?
7. What happens if we experience a severe drought in 2021 and the pumping severely depletes available reservoir water? In the case of an irrigation well, what happens if such pumping has an adverse effect on surrounding domestic or irrigation wells in the area?
8. Would it be possible or needed to meet with Keystone representatives to tour the subject area in our District, to obtain a better mutual understanding of the proposed project? Granted, that might be somewhat challenging this time of time of year and with parties dealing with virus issues.

We will keep in touch and please let me know if have any questions.

Sincerely,

Tom Mountford

Please let me know if you have any questions.

#### 6.C.4. SURFACE WATER PROGRAMS

##### 6.C.4.a. USGS STREAM FLOW GAUGING SITES

An agreement from USGS to continue partnering on 2 stream gauge sites at Shell Creek - Columbus and Wahoo Creek - Ashland, along with a dedicated monitoring well at Mead. LPN share is \$17,340. These gauges are valuable in assisting LPN in flooding situations and during a drought.

##### 6.C.5. OTHER

6.C.5.a. COMMENTS FROM THE PUBLIC

6.D. Projects Committee - Action as Required

6.D.1. UNFINISHED BUSINESS

There is no unfinished business to address.

6.D.2. SWCP

6.D.2.a. SWCP Application Approvals

None.

6.D.2.b. SWCP Payments

We received two SWCP projects completed, and certified, in Butler county.

20	-	\$		
	B- Joseph	12,13	WASCOB w/	
	1 Hanis	1.94	TO	
20	-	\$		
	B- Dwayne	12,50	TOT/WASCO	
	2 Lanc	0.00	B w/TO	

Diers Family Farm in Dodge county submitted paperwork for their new well, pump, and tank. As a reminder, this project was approved through our SWCP program and is in conjunction with our Rawhide ditch agreement: In the easement that the NRD and adjoining landowners entered into there is a clause that requires the NRD to supply livestock water is we disallow livestock entering the ditch. Due to the maintenance issues on the banks over the years caused by cattle entering/leaving the ditch our Operations Department decided to fence off the ditch and would like to provide a well for Diers. Through the DNR SWCP program we can submit up to 75% cost-share with the remaining 25% covered by NRD local funds.

The total cost of the project was \$17,725.40. Therefore, their 75% DNR SWCP reimbursement would come to \$13,294.05 and the NRD's local match would equal \$4,431.35

20	-	Diers	\$	Livestoc
	D-	Family	13,29	k well
	1	Farm	4.05	(solar)

6.D.2.c. SWCP Cancellations

None.

6.D.2.d. Wahoo Creek Cost Share Approvals

None.

### 6.D.3. WATERSHEDS

#### 6.D.3.a. Shell Creek

The Shell Creek Watershed Improvement Group (SCWIG) met on December 22, 2020, to mainly discuss the need for conducting a survey to get a better understanding of conservation issues, practices used and desired. Other current and future projects were also discussed. Minutes of the December 8, 2020 meeting were reviewed and are attached. The next scheduled meeting is scheduled for 2:00 p.m., Tuesday, January 12, 2021.

#### 6.D.3.a.1. Shell Creek Environmental Enhancement Plan Implementation

##### 6.D.3.a.1.A. Shell Creek Channel Improvement/Benching Project Payment Request

Attached is Colfax County payment request in the amount of \$171,863.82 toward the channel improvement/benching project north of the Union Pacific Railroad bridge. Pruss Excavation will now start work on the south side of the tracks. LPNNRD has agreed to pay the project construction costs and Colfax County has agreed to provide all engineering services and land rights which amounts to \$72,919.18 at the present time.

LPNNRD will be reimbursed for 100% of our payment from available grant funding awarded for the Shell Creek Watershed.

##### 6.D.3.a.1.B. Tom Sprunk Bank Stabilization/Wetlands Project

Bill Bos reported that the Tom Sprunk Project was completed and seeded on Dec. 28, 2020. Perfect timing before the snow. Bill has pictures of before, during and after the construction. A meeting between the Eng. Jim Reedy, NRD, Shell Creek and Tom Sprunk is scheduled for 9:00 a.m., January 12, 2021, at the project site for final project inspection.

We have received the final project invoices, as attached, totaling \$44,813.75 (Wemhoff Construction = \$44,470.77 & landowner seeding = \$342.98). Wemhoff's invoice is \$1,700 under his approved bid (attached). The Board has previously approved 75% cost share assistance on this project which totals \$33,610.31. LPNNRD's \$33,610.31 cost share payment will be 100% reimbursed from our approved NDEE/EPA 319 Shell Creek grant. The landowner portion is \$11,203.44 which will be used for matching funds on the grant.

**At the January 11th Board Meeting, a motion to pay Tom Sprunk \$33,610.31 (75% x \$44,813.75) toward his completed Shell Creek Bank Stabilization/Wetlands Enhancement Project, as attached to the Projects Committee Minutes, will be requested.**

##### 6.D.3.a.1.C. Shell Creek Grant Funding Update

#### 6.D.3.a.2. Wolfe Jetty Project - Colfax County

Over the past 1 1/2 years, LPNNRD has been in communication with Colfax County, Schuyler and the local landowners about pursuing the replacement of the Wolfe Jetty Project that was destroyed by the 2019 floods. In 1994, LPNNRD originally sponsored completion of the eight jetty project in partnership with Colfax County and the local landowner. After the 2019 flooding, there was much discussion with Colfax County about taking the lead to replace the project to protect county roads. The project also to help keep the Platte River from breaching its banks, flowing north into Lost Creek and Schuyler. Initially there was local interest to replace this project, but this dissolved over time. Director Matt Bailey and County representatives had several contacts and attended meetings with Schuyler to obtain their interest and partnership, but in the end Schuyler decided to not participate. The remaining options were for Colfax County and LPNNRD to partner with the Wolfe family, but in the end, Colfax County and the landowners decided it is not to pursue a replacement project at this time. We had planned to work with FEMA to hopefully use \$800,000 of uncommitted FEMA funding for this project if other local partners participated. Attached are emails from Colfax County.

North Bend has indicated an interest in possibility using the available funding for their levee, or another project. We anticipate more information at the Projects Committee Meeting.

#### 6.D.3.b. Wahoo Creek Watershed

##### 6.D.3.b.1. Wahoo Creek Dam Site Planning Update & FYRA Invoices

Attached is FYRA's December 29th invoice totaling \$13,008 for work completed from November 21 through December 25, 2020. After this payment, \$60,333.75 will remain under their \$95,469 contract addendum. This invoice will be reimbursed 100% by NRCS.

During this invoicing period, Janel Kaufman, FYRA, reported that they have been running the HEC-RAS models to determine inundation depths and using that information in their ArcMap tool to determine damages/benefits along the streams. They also have been iterating and checking the results. They will be able to present some preliminary results within the next month.

##### 6.D.3.b.2. Wahoo Creek Watershed Water Quality Plan Phase II

##### 6.D.3.b.3. Olsson Design Update and Invoice

No new information or invoice.

#### 6.D.4. JOINT WATER MANAGEMENT ADVISORY BOARD

Dodge County Emergency Manager, Tom Smith, joined by Zoom to give an update on all project activities in our portion of Dodge County. Attached is Dodge County's 2021 Mitigation Strategy.

#### 6.D.5. HAZARD MITIGATION PLAN UPDATE

The final task on for our approved Hazard Mitigation Plan is obtaining resolutions from the participating entities. We have about eight months to complete this task, but most have been received to date. The current list is attached showing 44 have approved their resolution.

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

#### 6.D.7. OTHER

##### 6.D.7.a. Woodcliff (SID No.8) Project Assistance Request - 8:30 a.m.

As discussed last Projects Committee and Board meetings, Sanitary & Improvement District No.8 (Woodcliff) has submitted assistance requests for project repair of their existing bank stabilization project and roadway, and also for a new road raise project at the same location (letter attached). LPNNRD first learned of these projects last month and that construction was nearing completion on portions of the projects. LPNNRD policy requires that assistance requests need approval prior to work being completed.

SID. No. 8's first request is for assistance on the local share for repairing 2019 flood damages to their bank stabilization project. Their letter stated that they are working with FEMA/NEMA to receive up to 87.5% federal/state cost share assistance for damage repairs on the bank stabilization and roadway. Also included in this portion of this effort is additional road protection along an area by their lagoons and emergency protective measures. FEMA/NEMA's estimated contribution is \$822,194 toward the repair, with the SID's estimated local 12.5% stated as \$137,032. Of these project efforts, it appears \$692,657 (84%) of project components have not been started. The SID is asking 50% assistance on the estimated \$137,032 local cost.

The S.I.D.'s second request is for 50% (\$370,144) of a road raise flood risk reduction project (engineering and construction) which has an adjusted total cost of \$740,288. This project is not receiving FEMA/NEMA funding. It has been noted that about 75% of this project is complete and scheduled to be finished in the Spring 2021. Based on the total \$740,288 project cost, 25% (\$185,072) has not been completed. Project plans, specifications and bid tabulation can be observed at <https://we.tl/t-cwSnCoLVuk>.

Jake Miriovsky, JEO project engineer, and Lonnie Mart, S.I.D. representative, joined the Projects Committee meeting (Zoom) to answer questions and provide any additional project details. JEO's pdf presentation is attached for review.

The committee reviewed the \$740,288 Road Raise Flood Risk Reduction Project that

is 75% complete. Keeping in mind LPNNRD policy of not cost sharing on completed project work prior to District approval, the committee focused on potential assistance on the 25% of the uncompleted portion of project work remaining, which totals \$185,072.

The committee also reviewed the FEMA PA/406 Mitigation Project which is partially completed. FEMA/NEMA has approved 87.5% assistance on this project. The total estimated repair and protective measures completed totals \$306,511. The Bank Stabilization project portion near the Lagoon with an estimated \$692,657 cost is not yet started.

#### 6.D.7.b. LPNNRD Dam Reservoir Water Pumping Request

As discussed last meeting, Steven Case, attorney who represents Keystone XL pipeline, was exploring water sources for the pipeline establishment through Butler County in 2021. One water source they were looking was from one of our Bellwood Watershed Flood Reduction dams and another from an irrigation well in the area.

After further discussions (e-mails attached), Mr. Case has indicated that Keystone is likely no longer interested in pursuing a request to pump from one of our reservoirs but will continue to pursue working with a landowner to use water from an irrigation well.

#### 6.D.7.c. North Bend Project Discussion/Request - 8:00 a.m.

As mentioned under Shell Creek discussion, with the Wolfe Jetty Project not moving forward at this time, North Bend has indicated an interest to possibly request all or at least a portion of the \$792,000 of available FEMA funding for Platte River Projects. JEO representatives Kevin Kruse, Lalt Jha and Dodge County Emergency Manager Tom Smith joined (Zoom) the Projects Committee to discuss their future project request.

#### **Below is information that Kevin Kruse, JEO, provided in an email with an attachment:**

"I did have an opportunity to visit the North Bend Levee yesterday in preparation for the NRD committee meeting tomorrow. I had a chance to walk quite a bit of the levee that I had not previously. I did identify a handful of locations that could use some additional reinforcement to make the system more resilient and to protect North Bend and the area of Dodge County north of the river from future flood events."

"These proposed projects are still quite conceptual but they do give us a decent idea of what the system's needs are and how we might be able to utilize the available FEMA funding. I tried to keep them separate for the time being as we put together a final application packet. Overall there are 4 sites that I feel could use some attention. I have presented them below in a prioritized order of importance. They start at the upstream end of the system where it ties into the east bank of the North Bend Cutoff Ditch. As we discussed, there are also some necessary fixes for the Cutoff Ditch but there are some other funding items in the works on that so I have

utilized that tie-in as our furthest upstream point. I have attached a brief map and cost opinions for consideration and discussion."

"I will have these documents ready for tomorrow's meeting and able to share if that is possible, but I wanted to provide in advance of the discussion for those that may not have the ability to view a shared screen etc."

Project Name	Description
GROUP A - EMBANKMENT PROTECTION AT NB DRAINAGE DISTRICT TIE-IN (SITE 1)	Bank shaping and rock-rip rap armoring at tie-Ditch. (Approximately 750 LF)
GROUP B - CULVERT PIPE REPLACEMENT	Removal and Replacement of an existing CMP an RCP and flapgate
GROUP C - EMBANKMENT PROTECTION AT RIVERVIEW (SITE 2)	Bank shaping and rock-rip rap armoring at eas (Approximately 700 LF)
GROUP D - EMBANKMENT PROTECTION AT HIGHWAY 15 BRIDGE (SITE 3)	Bank shaping and rock-rip rap armoring at terr Highway 79

#### 6.D.7.d. LPNNRD Local Working Group Meeting-February 18, 2021

The LPNNRD Local Working Group Meeting is scheduled 1:00 to 4:00 p.m. on February 18, 2021. The location will be at the Lake Wanahoo Education Building. The agenda is attached.

### 7. Additional Action Items

#### 7.A. Wahoo Creek Environmental Enhancement Plan

During construction of the Chvatal dam there were 2 acres of crop loss and with our 2020 LFC amount of \$198/acre we would owe Mike Chvatal \$396 to be reimbursed by the grant.

The NRD needs to reimburse Mike Chvatal \$500 for his dam deposit since the dam completed.

**Motion needed to reimburse Mike Chvatal \$396 for 2 acres of crop loss during construction to be reimbursed by the Wahoo Creek grant. It is further recommended to reimburse Mike Chvatal his \$500 dam deposit since the dam is complete.**

#### 7.B. Potential Conflict of Interest Discussion with Legal Counsel

### 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.**