

PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on **Tuesday, May 12, 2015** at the South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, at **5:00 p.m.** An agenda of the matters to be considered at such date, time and place is kept continually current and is available for public inspection during normal business hours at the South Platte NRD Office, 551 Parkland Drive, Sidney. Any person with disabilities who needs help in participating in the meeting should contact the District office (308) 254-2377, before the meeting.

TENTATIVE AGENDA

1. Call to Order - Keith Rexroth, Chair
 - A. Nebraska Open Meetings Act
 - B. Legal Notices
 - C. Approval of Expenditures
 1. *Possible June 2015 Committee Meeting Expenditures for Meals
2. Minutes
 - A. Minutes of the April 14, 2015 South Platte Natural Resources District (SPNRD) Board of Directors Meeting
 - B. Minutes of the April 14, 2015 Joint Meeting of the SPNRD Board of Directors and the City of Sidney Council
 - C. Minutes of the April 14, 2015 SPNRD District Operations Committee Meeting
 - D. Minutes of the April 14, 2015 SPNRD Natural Resources/Projects and Programs Committee Meeting
 - E. Minutes of the April 28, 2015 SPNRD Special Board of Directors Meeting
3. *Treasurer's Report for April 2015 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. Overview of the Western Water Use Management (WWUM) Model and Analysis Review - Thad Kuntz, Principal Hydrogeologist/Modeler, Adaptive Resources, Inc.
6. Director and Staff Reports
7. Agency Reports
 - A. USDA Natural Resources Conservation Service (NRCS)
 1. NRCS Report - Kristin Miller, DC-NRCS
 - B. Nebraska Association of Resources Districts (NARD)
 1. NARD Report - Johnson
 2. NRD/NARD Employee Benefits Committee and NARD IRMP Association Loss Control Committee Reports - Johnson/Horn
 - C. Nebraska Department of Natural Resources (NDNR)
 1. NDNR Natural Resources Commission Report - Rexroth
8. Discussion regarding Nebraska Educational TV Natural Resources District History Project - Johnson/Horn

9. Requests Regarding Clean Harbors Citizens Monitoring Committee (CMC) recommendation to hire a Consulting Firm

- A. *Discussion and Ratification of the CMC request to hire Southwest Environmental Engineering
- B. *Ratification of the Contract between SPNRD and Southwest Environmental Engineering

10. Committee Report

A. Natural Resources/Projects and Programs Committee - Maas, Chair

- 1. Discussion concerning the Johnson/Smith Variance Request and Transfer Application as Requested by Pine Bluffs Gravel and Excavating, Inc.
 - a. *Action on Variance Request
 - b. *Action on Transfer Application
- 2. *Discussion and possible Action on the City of Sidney's request to move 87.4 Certified Irrigated Acres to the SPNRD's Water Bank to be used as future offsets for the City of Sidney through the SPNRD Administrative Process

11. Correspondence

12. Upcoming Dates

- A. May 25, 2015, SPNRD Offices Closed, Memorial Day
- B. June 9, 2015, SPNRD Board of Directors Meeting
- C. July 3, 2015, SPNRD Offices Closed, Independence Day
- D. 2015 County Fairs
 - July 21-26 Cheyenne County
 - August 5-10 Kimball County
 - August 5-8 Deuel County
- E. August 28-September 7, 2015, Nebraska State Fair
- F. September 7, 2015, SPNRD Offices Closed, Labor Day
- G. September 15-17, 2015, Husker Harvest Days
- H. September 27-29, 2015, NARD Annual Conference

13. Adjourn

*Denotes Action Item

MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday, May 12, 2015, at the South Platte NRD Conference Room, 551 Parkland Drive, Sidney, NE at 5:00 p.m. The public notices were published in the Sidney, Chappell and Kimball newspapers. The agenda was compiled and each member of the Board of Directors and other interested and affected persons were notified of the meeting date within the deadline.

Board Members Present

Keith Rexroth, Chair
Bill Halligan, Vice-Chair
Jim Johnson, Secretary
Tim Maas

Kathy Narjes
Phil Grabowski
Larry Rutt

Others Present

Kristin Miller, D.C.NRCS/USDA
Thad Kuntz, ARI

Board Members Absent

None

NRD Staff Present

Rod L. Horn, General Manager
Ryan Reisdorff, Water Resources Specialist
Linda Suhr, Administrative Manager
Don Ogle, Information and Education Coordinator

Galen Wittrock, Assistant Manager
Tyler Sanders, Water Resources Technician
Travis Glanz, Water Resources Coordinator

Information Material

The following information was provided prior to the meeting or provided during the meeting:

1. Tentative Agenda - Board of Directors meeting, May 12, 2015
 2. Tentative Agenda - Natural Resources/Projects and Programs Committee meeting, May 12, 2015
 3. April 14, 2015 Minutes of the SPNRD Board of Directors meeting
 4. April 14, 2015 Minutes of the Joint Meeting of the SPNRD Board of Directors and the City of Sidney Council
 5. April 14, 2015 Minutes of the SPNRD District Operations Committee meeting
 6. April 14, 2015 Minutes of the SPNRD Natural Resources/Projects and Programs Committee meeting
 7. April 28, 2015 Minutes of the SPNRD Special Board of Directors Meeting
 8. April Treasurer's Report and Accounts Payable
 9. May 1, 2015 Administrative Manager's Memo with board packet
 10. May 12, 2015 Manager's Report
 11. April 30, 2015 Administrative Manager's Report
 12. Draft CMC Minutes, April
 13. Nebraska Educational TV Natural Resources District History Project
 14. Natural Resources/Projects and Programs Committee
 - o Johnson/Smith Variance Request and Pine Bluffs Gravel and Excavating Transfer Application
 - o City of Sidney request to move 87.4 CIA to SPNRD Water Bank
 15. Per Diem and Expense Form
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14. Call to Order

Chair Rexroth called the meeting to order at 5:01 p.m.

D. Nebraska Open Meetings Act

Chair Rexroth acknowledged that this meeting is subject to the Nebraska Open Meetings Act. A copy of the act is posted in the conference room.

E. Legal Notices

Chair Rexroth acknowledged that the notice of this meeting was published in the area newspapers and the Affidavits/Proofs of Publication are included with these minutes.

F. Approval of Expenditures

1. *Possible June 2015 Committee Meeting Expenditures for Meals

Motion by Rutt and second by Halligan to approve possible June 2015 committee meeting expenditures for meals. With no discussion, a roll call vote was taken.

Aye: Halligan, Johnson, Maas, Grabowski, Rexroth, Narjes, Rutt

Nay: None

Absent: None

Motion carried.

15. Minutes

A. Minutes of the April 14, 2015 South Platte Natural Resources District (SPNRD) Board of Directors Meeting

These minutes were approved as distributed.

B. Minutes of the April 14, 2015 Joint Meeting of the SPNRD Board of Directors and the City of Sidney Council

These minutes were approved as distributed.

C. Minutes of the April 14, 2015 SPNRD District Operations Committee Meeting

These minutes were approved as distributed.

D. Minutes of the April 14, 2015 SPNRD Natural Resources/Projects and Programs Committee Meeting

These minutes were approved as distributed.

E. Minutes of the April 28, 2015 SPNRD Special Board of Directors Meeting

These minutes were approved as distributed.

16. *Treasurer's Report for April 2015 and Accounts Payable

Horn reviewed the account balances listed on the Treasurer's Report as follows:

<u>Account Description</u>	<u>April 1, 2015</u>	<u>April 30, 2015</u>
SPNRD Checking/Repurchase	\$465,395.42	\$474,842.15
SPNRD Building/Property	\$ 22,980.18	\$ 22,982.01
SPNRD Vehicle/Equipment	\$ 60,751.25	\$ 60,756.23
SPNRD ORRA Infrastructure	\$ 0.00	\$ 65,008.85

SPNRD ORRA Checking PWCB	\$ 3,554.48	\$ 3,554.48
SPNRD CD-closed into checking	\$117,041.66	\$ 0.00
Citizens' Monitoring Committee	\$ 70,564.72	\$ 70,570.52
Citizens' Monitoring CDs	\$ 45,116.11	\$ 45,116.11
SPRCC NPAIT Account	\$213,580.69	\$191,372.37

Horn reviewed various items listed in the accounts payable. He encouraged the board members to come to the SPNRD office at any time to review the receipts and/or disbursements or ask any questions. The total amount of accounts payable is \$85,064.53. Horn mentioned that the Sixty Month CD with Security First Bank was closed into the SPNRD checking account. After discussion, Halligan moved to approve the Treasurer's Report and authorize payment of the accounts payable in the amount of \$85,064.53. A second was made by Narjes and with no further discussion a roll call vote was taken.

Aye: Johnson, Maas, Grabowski, Rexroth, Narjes, Rutt, Halligan

Nay: None

Absent: None

Motion carried.

17. Public Questions, Comments and/or Concerns

None.

18. Overview of the Western Water Use Management (WWUM) Model and Analysis Review

The board requested Kuntz provided the aquifer life analysis for the last five years of the model. He ran three (3) pumping scenarios; 14 acre-inches/acre; 16.5 acre-inches/acre and average actual pumping from 2009 through 2013. He ran the model producing scenarios from 10 years through 500 years. He discussed adjustments he made for drawdowns in the Albin, Wyoming area. Discussion followed. Halligan asked why some of the scenarios showed increases in the water table (to make sure errors weren't made). He also requested using 5' grid (contours) instead of 25'. Kuntz addressed his request. Discussion was held that the model data indicates that allocations have worked. Halligan asked if actual pumping data is lower than the allocation; maybe the allocation should be lowered. The board requested a 10-acre-inches/acre model run that repeats the last 5-years of model recharge, 5 foot contour and cropping data (Glanz will supply Kuntz with the crop data). Discussion followed. Kuntz discussed using 2/3 saturated thickness verses actual depth to water. Kuntz plans to present the requested analyses during the June board meeting. South Platte River valley targets under the IMP were discussed. The model data will be used by the District's Ground Water Advisory Committees to determine allocation recommendations for the upcoming allocation period.

19. Director and Staff Reports

Glanz worked on a replacement well south of Chappell. He and Reisdorff prepared the Basin-wide report, attended WWUM model meetings, planted trees on the lot and assisted with lot cleanup. He told the board that the GIS mobile app is being tested by collecting industrial flow meter data. He worked on the District's water usage report and ownership changes. He reported that the water recharge west pit is filling from the South Platte River on that permit that expires at the end of May 2015. He attended a well decommissioning and assisted with the Western Nebraska Children's Ground Water Festival (GW Festival).

Reisdorff-submitted the rough draft of the Basin-wide report. The Potter Wellhead Protection Area (WHPA) Plan was approved by NDEQ. The Village of Gurley board approved their WHPA Plan. He attended WWUM model, Platte Overappropriated Basin meetings and the Nebraska Floodplain and Stormwater Managers Association meetings. He prepared and participated in the LandscapeWise Urban BMP workshop which had the largest attendance since the workshops began. He participated in the GW Festival, assisted with SPNRD lot cleanup and tree planting.

Wittrock-regarding the Conservation Tree Program, rain has pushed back tree planting so the cooler will be running for several weeks. Kent Matsutani and Randy Gunn were hired for seasonal employment at the ORRA. The reservoir should be covered each day of the week between the two employees. Picnic tables will be put out on May 15. Prestige Manufacturing is in the process of installing ten fire pit grills. He reported that the Lodgepole Creek wasn't flowing upstream of the reservoir; however, the reservoir level is up. Regarding the East Sidney Watershed Project, he discussed that the JESWA meeting will be held this week. The next step will be to agree to move forward with the design engineering phase of the project. State Historical Society requested an archeologist evaluate the watershed project. He participated in the GW Festival.

Ogle-participated in the Sidney Tree giveaway, prepared for and participated in the LandscapeWise Workshop and the GW Festival. He reported that 152 students participated. He performed website updates. The computer he was using crashed and a new computer was purchased.

Sanders-prepared flow meter maintenance cost-share, inspected new flow meters, read industrial flow meters, ultrasoniced at Sandpoint power records for Michael Reuter and assisted at the GW Festival.

Suhr and Horn submitted written reports.

20. Agency Reports

A. USDA Natural Resources Conservation Service (NRCS)

1. NRCS Report

Kristin highlighted portions of her May written report. She also enclosed a fact sheet regarding the 2014 Farm Bill crop insurance premium subsidies. Current Sidney Field Office Secretary, Jane Joyce submitted her resignation and will be moving to Lincoln in June. Miller and Suhr will be conducting interviews later this week to fill the vacancy. Miller discussed filling NRCS vacancies.

B. Nebraska Association of Resources Districts (NARD)

1. NARD Report

Johnson attended the last NARD meeting held in April. He participated in the Nebraska State Envirothon on April 29, 2015 south of Cozad. Eleven teams participated. Sidney won second place. The next meeting will be held in Gothenburg during the annual basin tour.

2. NRD/NARD Employee Benefits Committee and NARD IRMP Association Loss Control Committee Reports

Johnson and Horn attended the meetings that were held April 22, 2105. Horn discussed progress of the committees and the insurance standing.

C. Nebraska Department of Natural Resources (NDNR)

1. NDNR Report

Rexroth plans to attend the next meeting in June. A rules committee will meet at the end of May.

21. Discussion Regarding Nebraska Education TV Natural Resources District History Project

This is an information item only. NARD is considering action during their June NARD Board meeting on a Nebraska Education TV proposal to produce a one-hour Natural Resources District history project at a cost of about \$70,000. An email string from Dean Edson was included with the handout information. Edson is requesting whether the natural resources districts are interested in pursuing this and whether they would be willing to contribute funding. A firm budget has not been made at this time; however, Edson is proposing contributions of \$3,000 per NRD. The board was in agreement to move forward with the project pending the final agreement and review by the board.

22. Requests Regarding Clean Harbors Citizens Monitoring Committee (CMC) recommendation to hire a Consulting Firm

A. *Discussion and Ratification of the CMC request to hire Southwest Environmental Engineering

The District has a Cooperative Agreement with Clean Harbors Environmental Services, Inc. (CHESI) which became effective January 26, 1996. The agreement allows the District to monitor the environmental impact of the Kimball CHESI facility and provide for a monitoring committee (Citizens Monitoring Committee or CMC).

Discussion was held that CMC had most recently employed the services of MILCO Environmental Services, Inc. (MILCO), Jacque Reiner, P.E. until MILCO replaced her with a consultant who did not perform satisfactorily or in a timely manner. However, during the February 16, 2015 CMC committee meeting the committee voted to recommend termination of the agreement with MILCO and the SPNRD Board acted to ratify their action on March 10, 2015. Request for Proposals were prepared and two consulting firms were chosen from the applicants for interviews. After interviewing Tetra Tech, Inc, and Southwest Environmental Engineering the Citizens Monitoring Committee met on April 16 and again via conference call on April 23, 2015 to discuss and take action to recommend hiring Southwest Environmental Engineering to serve as their environmental consultant for the CHESI facility in Kimball. The CMC committee requested Southwest Environmental Engineering to provide a contingency plan because their office was small and staffed with only one professional engineer. During the CMC meeting on April 23, 2015 the committee reviewed the Southwest Environmental Engineering contingency plan and voted to move forward to hire Southwest Environmental Engineering and prepare a contract.

Motion by Halligan to ratify the request of the Citizens Monitoring Committee to hire Southwest Environmental Engineering as discussed. Second by Maas.

After discussion, a roll call vote was taken.

Aye: Maas, Grabowski, Rexroth, Narjes, Rutt, Halligan, Johnson

Nay: None

Absent: None

Motion carried.

B. *Ratification of the Contract between SPNRD and Southwest Environmental Engineering

The contract, prepared by SPNRD legal counsel was included in the handout information. The agreement for professional consulting services is between the SPNRD and Southwest Environmental Engineering. The Scope of Work, Exhibit B and Exhibit C - Fee Schedule and Not-To-Exceed Values based on the South Platte Natural Resources District's July 1 through June 30 Fiscal Years were discussed. Horn discussed increase of the fees by adding "not to exceed". CHESI provides a quarterly payment to maintain the Citizens Monitoring Committee.

Motion by Halligan to ratify the contract between the SPNRD and Southwest Environmental Engineering with Rod L. Horn, General Manager as signatory and designated representative for the District to direct all affairs with respect to the agreement with Southwest Environmental Engineering. Second by Narjes. A roll call vote was taken.

Aye: Grabowski, Rexroth, Narjes, Rutt, Halligan, Johnson, Maas
Nay: None
Absent: None
Motion carried.

23. Committee Report

A. Natural Resources/Projects and Programs Committee

1. Discussion concerning the Johnson/Smith Variance Request and Transfer Application as Requested by Pine Bluffs Gravel and Excavating, Inc.

a. *Action on Variance Request

No members of the public attended the meeting regarding the variance request and transfer. A variance is necessary to transfer an irrigation allocation across subarea boundaries. The Johnson Brothers well is located at the SW¹/₄ of Section 24, Township 12 North, Range 43 West, in the South Platte Valley subarea. 51.6 Certified Irrigated Acres (CIA) are associated with the Johnson Brothers well G-021605. The Michael R. and Jo Ellen Smith commercial industrial well is located at the SW¹/₄ of the NE¹/₄ of Section 1, Township 12 North, Range 44 West, in the fully appropriated subarea; both in Deuel County. Pine Bluffs Gravel and Excavating, Inc. requests to wash aggregate using the Smith well, G-074242. The Smith well has an industrial flow meter but does not have an industrial baseline; necessitating an offset. Similar variances have been approved in the past.

On behalf of the committee, Maas made a motion to approve the variance requested by Johnson Brothers to transfer their allocation from the South Platte Valley over-appropriated subarea to Michael Smith's industrial well in the Deuel County fully appropriated subarea. A second was made by Rutt. After discussion, a roll call vote was taken.

Aye: Rexroth, Narjes, Rutt, Halligan, Johnson, Maas, Grabowski
Nay: None
Absent: None
Motion carried.

b. *Action on Transfer Application

On behalf of the committee, Maas moved to approve the transfer request between Johnson Brothers and Michael Smith as requested with the following conditions:

- The industrial flow meter needs to be inspected by SPNRD staff before any water is pumped; and
- No water shall be pumped until a title search and any necessary lienholder's consents are received.

A second was made by Rutt. After discussion, a roll call vote was taken.

Aye: Narjes, Rutt, Halligan, Johnson, Maas, Grabowski, Rexroth
Nay: None
Absent: None
Motion carried.

2. Discuss the City of Sidney's request to move 87.4 Certificated Irrigated Acres to the SPNRD's Water Bank to be used as future offsets for the City of Sidney through the SPNRD Administrative Process

Reisdorff explained the process and reasoning behind the request. The City of Sidney owns 87.4 CIA located in Section 33, Township 14 North, Range 49 West, Cheyenne County, in the Industrial Park east of Link 17J north of 21st Century Equipment. Gary Person was present during the Committee meeting and provided input. The City requests the acres be used to offset future municipal water use for the City of Sidney through the NRD administrative process.

On behalf of the committee, Maas moved to allow the City of Sidney to place 87.4 certified irrigated acres into the SPNRD water bank, which could be used in the future to offset municipal growth. A second was made by Rutt. After discussion, a roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Maas, Grabowski, Rexroth, Narjes
Nay: None
Absent: None
Motion carried.

24. Correspondence

Horn urged the board to read correspondence provided.

25. Upcoming Dates

May 20, 2015, SPNRD Special Meeting, beginning at 5:00 p.m. with Jim Schneider and Jesse Bradley regarding Water-Rights Market Concept
May 25, 2015, SPNRD Offices Closed, Memorial Day
June 9, 2015, SPNRD Board of Directors Meeting
July 3, 2015, SPNRD Offices Closed, Independence Day
2015 County Fairs
July 21-26 Cheyenne County
August 5-10 Kimball County
August 5-8 Deuel County
August 28-September 7, 2015, Nebraska State Fair
September 7, 2015, SPNRD Offices Closed, Labor Day
September 15-17, 2015, Husker Harvest Days
September 27-29, 2015, NARD Annual Conference

26. Adjourn

With no further business, the meeting adjourned at 7:06 p.m.

Linda L. Suhr, Recording Secretary

* Denotes Action Item