

## PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on **Monday** May 10, 2010 at the South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, at **7:00 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.

### **FINAL AGENDA**

1. Call to Order - Keith Rexroth, Chair
  - A. Nebraska Open Meetings Act
  - B. Legal Notice
  - C. Approval of Expenditures
    1. \*Possible June 2010 Committee Meeting Expenditures for Meals
2. Minutes
  - A. Minutes of the April 13, 2010 meeting of the Board of Directors
  - B. Minutes of the April 13, 2010 meeting of the District Operations Committee
  - C. Minutes of the April 12, 2010 meeting of the Natural Resources/Projects and Programs Committee
3. \*Treasurer's Report for April 2010 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. Director and Staff Reports
6. Agency Reports
  - A. USDA-Natural Resources Conservation Service (NRCS)
    1. NRCS Report - Kristin Miller, DC-NRCS
    2. Preserving CRP Grassland Program Report - Jerry Spiker, Farm Bill Technician
  - B. Nebraska Association of Resources Districts (NARD)
    1. NARD Board of Directors Meeting Report - Johnson
    2. Report on Benefits and Risk Management Pool Committees - Johnson
  - C. Panhandle Resource Conservation and Development (PRC&D)
    1. PRC&D Report - Burkhart-Kriesel
  - D. Nebraska Department of Natural Resources (NDNR)
    1. NDNR Report - Rexroth
7. \*Review and Action on Commercial/Industrial Ground water Use Accounting Protocol with Attached Guidelines for Commercial/Industrial Replacement and Dual Use Wells Document - Horn/Liebig/Reisdorff
8. \*Action on Establishing Deadline for Installing Commercial/Industrial Flow Meters, and Determinations of Commercial/Industrial Water Accounting Baselines - Reisdorff/Liebig
9. GIS Water Accounting Program Update - Liebig

10. Sidney Wellhead Protection Plan and Progress Review - Reisdorff

11. Update on Ground Water Quality Management Compliance Issues - Kaiser

12. Report on the Western Nebraska Children's Ground Water Festival - Ogle

13. Committee Report

A. District Operations Committee - Halligan, Chair

1. \*Action on Interlocal Cooperation Agreement for the WILD Nebraska Program between the South Platte Natural Resources District and Nebraska Game and Parks Commission
2. \*Action on Interlocal Cooperation Agreement for Preserving CRP Grassland Benefits in Western Nebraska among the South Platte Natural Resources District, the North Platte Natural Resources District, the Upper Niobrara-White Natural Resources District, Natural Resources Conservation Service and Nebraska Game and Parks Commission
3. \*Action on Contract among the South Platte Natural Resources District, the North Platte Natural Resources District and High Plains Hydrology, LLC (Dick Luckey)
4. \*Discussion and Action to Approve Request for Proposals for the NETF Groundwater Monitoring Well Construction Project - Kaiser
5. \*Ratify the Agricultural Water Enhancement Program (AWEP) Proposal for the "Ogallala/Platte River Recovery AWEP"

14. Correspondence

15. Upcoming Dates

- A. May 1, 2010 - State Envirothon - Alda Nature Center
- B. May 18, 2010 - VAG Meeting, 7:00 p.m.
- C. May 31, 2010 - SPNRD Closed, Memorial Day
- D. June 7 - 11, 2010 - Range Youth Camp, Halsey
- E. June 8, 2010 - SPNRD Board of Directors' Meeting
- F. June 20-23, 2010 - ACE Camp, Halsey
- G. June 22-23, 2010 - Panhandle No-till Tour
- H. July 5, 2010 - SPNRD Closed, 4th of July Holiday
- I. July 8-9, 2010 - Teachers' Conservation Education Workshop, SPNRD
- J. County Fairs: Cheyenne County, July 24-August 1, 2010  
Kimball County, August 4-8, 2010  
Deuel County, August 12-14, 2010

16. Adjourn

\*Denotes Possible Action Items

## MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Monday, May 10, 2010, at the South Platte NRD Conference Room, 551 Parkland Drive, Sidney, NE, at 7:00 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
Cheryl Burkhart-Kriesel, Vice Chair (7:01 p.m.)	Paul Hutchison
Tom Biggs, Secretary	Larry Rutt

### Board Members Absent

Jim Johnson (excused)

### Others Present

Kristin Miller, D.C., NRCS/USDA; Jerry Spiker, Farm Bill Technician

### NRD Staff Present

Rod L. Horn, General Manager	Linda L. Suhr, Administrative Manager
Galen Wittrock, Assistant Manager	Kyle Liebig, Water Resources Coordinator
Ryan Reisdorff, Water Res. Programs Specialist	Don Ogle, I & E Coordinator
Chris Kaiser, Natural Resources Coordinator	Travis Glanz, Water Resources Technician

## Information Material

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

1. May 10, 2010 Tentative and Final Agenda, meeting of the SPNRD Board of Directors
2. May 10, 2010 Tentative and Final Agenda, meeting of the District Operations Committee
3. April 13, 2010 Minutes, SPNRD Board of Directors meeting
4. April 13, 2010 Minutes, District Operations Committee meeting
5. April 12, 2010 Minutes, Natural Resources/Projects and Programs Committee meeting
6. April 2010 Treasurer's Report
7. April 30, 2010 Manager's Letter; and April 30, 2010 Administrative Manager's Report and District Secretary's Report
8. May 2010 NRCS Monthly Report to the SPNRD
9. SPNRD Commercial/Industrial Ground Water Use Accounting Protocol - April 28, 2010
10. Agreement Under the Interlocal Cooperation Act Sections 13-801 through 13-827 RRS 1997 WILD Nebraska Program
11. Preserving CRP Grassland Benefits in Western Nebraska Interlocal Cooperation Agreement among the NPNRD, SPNRD, UNWNRD, NE Game and Parks Commission and the USDA-NRCS
12. Contract among the NPNRD, SPNRD and High Plains Hydrology LLC
13. SPNRD Request for Proposals, Groundwater Monitoring Well Construction Project, Expanding the Hydrogeological Framework for Selected Areas of the SPNRD
14. AWEP Partnership Agreement Proposal "Ogallala/Platte River Recovery AWEP"
15. Example of correspondence between Chris Kaiser and DCGWMA nitrogen non-compliance cooperator

16. 2010 Western Nebraska Children's Groundwater Festival Final Report
17. Notice of Appeal and other documents re: Central vs. South Platte NRD, Case No. CI 09-199
18. Articles of Interest, NARD Public Relations/Communications Director, Alyssa J. Smola
19. Per Diem/Expense form

## Meeting

### 1. Call to Order

Chair Rexroth called the meeting to order at 7:00 p.m., stating that Johnson is absent and excused.

#### A. Nebraska Open Meetings Act

Rexroth stated for the record that a copy of the Nebraska Open Meetings Law is posted in the meeting room.

#### B. Legal Notices

Rexroth stated for the record that the meeting affidavits of publication are included with these minutes.

#### C. Approval of Expenditures

##### 1. \*Possible June 2010 Committee Meeting Expenditures for Meals

Motion by Rutt, second by Halligan to approve the June 2010 committee expenses for meals as discussed. A roll call vote was taken.

Aye: Halligan, Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt

Nay: None

Absent: Johnson

Motion Carried.

### 2. Minutes

#### A. Minutes of the April 13, 2010 meeting of the SPNRD Board of Directors

These minutes were approved as presented.

#### B. Minutes of the April 13, 2010 meeting of the SPNRD District Operations Committee

These minutes were approved as presented.

#### C. Minutes of the April 12, 2010 meeting of the SPNRD Natural Resources/Projects and Programs Committee

These minutes were approved as presented.

### 3. \*Treasurer's Report for April 2010 and Accounts Payable

Horn reviewed account balances as follows:

<u>Account</u>	<u>April 1, 2010</u>	<u>April 30, 2010</u>
SPNRD Checking/Repurchase	\$ 292,988.80	\$ 253,737.86
Citizens' Monitoring Committee (combined)	\$ 31,685.60	\$ 33,697.67
LPCSI-EQIP NPAIT	\$ 1.12	\$ 1.12
LPCSI-EQIP Security First Bank CDs	\$ 298,799.72	\$ 300,242.50
SPRCC Combined Funds	\$ 94,154.03	\$ 94,155.08

Horn reviewed the accounts payable, pointing out various items throughout the report. Horn urged the board to ask questions or come at any time to the office and review receipts/invoices. Motion by Halligan, second by Burkhart-Kriesel to approve the Treasurer's Report and pay the accounts payable in the amount of \$50,650.61. A roll call vote was taken.

Aye: Burkhardt-Kriesel, Hutchison, Rexroth, Biggs, Rutt, Halligan  
Nay: None  
Absent: Johnson  
Motion Carried.

4. Public Questions, Comments and/or Concerns

None.

5. Director and Staff Reports

Glanz, Reisdorff, Wittrock, Liebig, Kaiser, Ogle and Horn gave oral reports. Suhr and Livingstone submitted written reports.

- Glanz reported about work he did since the last board meeting with the flow meter program. He inspected flow meter repairs and replacements and worked on cost-share. He assisted with the Conservation Tree Program, assembled equipment for the NRCS burns, worked with grass drill cooperators and assisted with the Children's Groundwater Festival. He and Liebig obtained surface water right information from NDNR in Bridgeport.
- Reisdorff worked with Liebig and Horn and SPNRD legal counsel to prepare the SPNRD Commercial/Industrial Ground Water Use Accounting Protocol. He assisted with the Children's Groundwater Festival and the Conservation Tree Program. He set up his new computer. He also gave a brief report of his activities in conjunction with the Section 319 grant, including the Sidney Wellhead Protection Plan and the Cash for Grass (CFG) program. He rototilled the two CFG demonstration sites in Kimball at the Kimball Arboretum and the Kimball Historical Society. He made a presentation about wellhead protection to the Cheyenne County Planning and Zoning Committee. He has also begun preliminary work on the Kimball WHPA.
- Wittrock reported that the Conservation Tree Program is winding down. He has been bundling trees, rototilling and flagging tree sites. He and Kaiser assisted with the NRCS burn on Highby's land near Sunol. He discussed the landscape trees that staff planted on the new lots. The Truax grass drill will need extensive repairs which he estimates will cost about \$400. He worked on the Interlocal Cooperation Agreement for Preserving CRP Grassland Benefits in Western Nebraska among the South Platte Natural Resources District, the North Platte Natural Resources District, the Upper Niobrara-White Natural Resources District, Natural Resources Conservation Service and Nebraska Game and Parks Commission.
- Liebig assisted with the Children's Groundwater Festival, reviewed and ranked some grants with NDNR's Interrelated Water Management Program fund. He installed programs on the new computers. He worked with Kaiser to determine locations for the proposed monitoring wells in conjunction with the NETF Groundwater Monitoring Well Construction Project. He worked with a replacement well application, attended a PBHEP Administrator's meeting and several water tracking subcommittee meetings. He sent out variance approval letters. He assisted Reisdorff with the Kimball WHPA GIS project in conjunction with the Section 319 grant. He and Horn, with assistance from Sheila Newell, prepared RFPs for the South Platte Valley appraisals, due May 28, 2010. He worked on some CALMIT ground truthing protocols for the Platte Basin NRDs (PBHEP). He will begin digitizing surface water from the data he and Glanz received from NDNR. He worked with modelers and Dr. Eric Thompson (UNL) regarding their needs for the District's water usage reports. He, Horn and Kuntz met with Jesse Bradley and Jim Schneider, NDNR, and started initial discussions on options for the SPNRD to make up the depletions to the North Platte River. He held a workshop for the Upper and Middle Republican NRDs regarding water accounting GIS. He also compiled a list of industrial and commercial well users.
- Kaiser assisted with the Children's Groundwater Festival, worked on the nitrogen management issues, including assisting cooperators with their reports. He prepared nitrogen

compliance letters, sent correspondence to NeRAIN cooperators, assisted with the NRCS prescribed burn, pumped monitoring wells, took recorder well levels and surface water sampled. He prepared RFPs for Groundwater Monitoring Well Construction Project, for the NETF Grant, Expanding the Hydrogeological Framework for Selected Areas of the SPNRD. He serviced SPNRD vehicles and worked with the Conservation Tree Program, bundling trees and assisting cooperators.

○ Ogle reported that the Children's Groundwater Festival was held the day following the last board meeting. He assisted cooperators with tree and Cash for Grass questions, worked on the NARD tree booklet, got the Pipeline to the printer, received ACE camp applications and a Range Camp application. He made presentations during the Wheat Belt Safety Fair for fourth and fifth graders. He made website updates and worked on the upcoming Southern Panhandle No-till Tour.

○ Horn and Ogle participated in a conference call concerning the Southern Panhandle No-till Tour. The SPNRD will act as the conduit for registration funds entering and expenses being expended for the tour. Reimbursements will be received from the Panhandle RC&D and registration fees.

○ Rexroth reported about the meeting he and Doug Schmale attended in Lincoln concerning CSP. He met with Steve Chick and Drew Lyon. While in that meeting, Rexroth also requested that Chick look into the Sidney water drainage issue regarding when the NRCS engineer would be able to begin the project. Burkhart-Kriesel asked for a monthly update on the progress so that it continues to move forward.

## 6. Agency Reports

### A. USDA-Natural Resources Conservation Service (NRCS)

#### 1. NRCS Report

Kristin Miller, District Conservationist, distributed the NRCS month report to the SPNRD for May 2010. She gave a brief summary of the report. She also gave a brief synopsis of events during the Southern Panhandle No-till Tour. Kristin Miller was presented with the NRCS 2009 Quality Assurance Award.

#### 2. Preserving CRP Grassland Program Report

Jerry Spiker, Farm Bill Technician, was hired April 26, 2010. He reviewed his primary duties working with the CRP Grassland program grant. He discussed some of his recent activities and the upcoming trainings he will be attending.

### B. Nebraska Association of Resources Districts (NARD)

#### 1. NARD Board of Directors Meeting Report

Johnson was not present. Horn has available the proposed NARD budget information.

#### 2. Report on Benefits and Risk Management Pool Committees

Johnson was not present.

### C. Panhandle Resource Conservation and Development (PRC&D)

#### 1. PRC&D Report

Cheryl Burkhart-Kriesel said the PRC&D meeting was postponed to next week, and she was out of town for the previous meeting.

### D. Nebraska Department of Natural Resources (NDNR)

#### 1. NDNR Report

Keith Rexroth will be attending the June meeting in Norfolk.

7. \*Review and Action on Commercial/Industrial Ground Water Use Accounting Protocol with attached Guidelines for Commercial/Industrial Replacement and Dual Use Wells Document  
Horn, Liebig and Reisdorff, acting on the April 13, 2010 board request to move forward with the document, worked with legal counsel to refine the document which attempts to meld the Integrated Management Plan with the Districtwide Rules and Regulations. The Protocol was provided for the board's review. Discussion was held. Motion by Hutchison, second by Burkhart-Kriesel to approve the Commercial/Industrial Ground Water Use Accounting Protocol with attached Guidelines for Commercial/Industrial Replacement and Dual Use Wells Document. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Halligan, Burkhart-Kriesel

Nay: None

Absent: Johnson

Motion Carried.

8. \*Action on Establishing Deadline for Installing Commercial/Industrial Flow Meters, and Determinations of Commercial/Industrial Water Accounting Baselines

Reisdorff, Horn and Liebig worked on a proposed deadline for establishing water accounting baselines and flow meter installation. Their recommendation was November 12, 2010. Discussion followed. Motion by Hutchison, second by Rutt to establish a deadline of November 12, 2010 for installing the commercial/industrial flow meters, and determining commercial/industrial water accounting baselines. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Halligan, Burkhart-Kriesel, Hutchison

Nay: None

Absent: Johnson

Motion Carried.

9. GIS Water Accounting Program Update

Liebig gave a demonstration of the types of information that can be extracted from data using the GIS water accounting program. He asked the board to let him know what they would like to see in annual water usage reports.

It was requested that an agenda item be included at a future board meeting to discuss what type of information should/could be made available online, concerning water usage.

10. Sidney Wellhead Protection Plan and Progress Review

Reisdorff gave a brief update on his work with the Sidney WHPA plan, through the Section 319 grant. At this point, the 211 page Sidney WHPA document has been preliminarily reviewed by NDEQ, changes have been made and the document updated and is proposed as an agenda item during the May 25 City of Sidney Council meeting.

He has also begun preliminary work on the Kimball WHPA.

11. Update on Ground Water Quality Management Compliance Issues

Kaiser gave an update on the Deuel County GW quality compliance issues. There is one new producer in Deuel County which Kaiser contacted for nitrogen management information. He also provided the board with a copy of the letter he sent to a Deuel County producer who has provided no information.

12. Report on the Western Nebraska Children's Ground Water Festival

Ogle distributed his final report for the Western Nebraska Children's Ground Water Festival held in April, 2010. One hundred ninety-three fourth and fifth grade students from Sidney, Potter-Dix, Leyton, South Platte, Creek valley and Garden County schools attend this year's activities. Volunteers and presenters numbered about 40. Ogle reported that this year's festival was especially meaningful. The Fantastic Fun River Run from the Upper Big Blue NRD was a big hit. Section 319 grant funds will reimburse the SPNRD for supplies, displays and the Water Wise program. Expenses totaled \$8,781.97 and reimbursements will be requested in the amount of \$8,496.00.

### 13. Committee Reports

#### A. District Operations Committee

1. \*Action on Interlocal Cooperation Agreement for the WILD Nebraska Program between the South Platte Natural Resources District and Nebraska Game and Parks Commission

This interlocal agreement is a ten-year renewal of an ongoing agreement between the SPNRD and NGPC. There were no changes from the prior ten-year agreement. Motion by Halligan, second by Burkhart-Kriesel to approve the Interlocal Cooperation Agreement for the WILD Nebraska Program between the South Platte Natural Resources District and Nebraska Game and Parks Commission. A roll call vote was taken.

Aye: Biggs, Rutt, Halligan, Burkhart-Kriesel, Hutchison, Rexroth

Nay: None

Absent: Johnson

Motion Carried.

2. \*Action on Interlocal Cooperation Agreement for Preserving CRP Grassland Benefits in Western Nebraska among the South Platte Natural Resources District, the North Platte Natural Resources District, the Upper Niobrara-White Natural Resources District, Natural Resources Conservation Service and Nebraska Game and Parks Commission

This three-year interlocal agreement is in conjunction with the Environmental Trust Fund Grant, Preserving CRP Grassland Benefits in Western Nebraska. The committee recommended approval of the agreement, contingent that when the NGPC attorney reviews the document at the end of this month, there are non-substantive changes. Motion by Halligan, second by Burkhart-Kriesel to approve the Interlocal Cooperation Agreement for Preserving CRP Grassland Benefits in Western Nebraska among the South Platte Natural Resources District, the North Platte Natural Resources District, the Upper Niobrara-White Natural Resources District, Natural Resources Conservation Service and Nebraska Game and Parks Commission, contingent on non-substantive changes after NGPC attorney reviews the agreement. A roll call vote was taken.

Aye: Rutt, Halligan, Burkhart-Kriesel, Hutchison, Rexroth, Biggs

Nay: None

Absent: Johnson

Motion Carried.

3. \*Action on Contract among the South Platte Natural Resources District, the North Platte Natural Resources District and High Plains Hydrology, LLC (Dick Luckey)

Presently Dick Luckey works with Thad Kuntz, Western Water Use Management modeler, to provide information to the SPNRD and NPNRD. This contract is a continuation of the type of work Luckey does for the SPNRD and NPNRD. The committee recommended

approval of the agreement. Motion by Halligan, second by Burkhart-Kriesel to approve the contract among the South Platte Natural Resources District, the North Platte Natural Resources District and High Plains Hydrology, LLC (Dick Luckey). A roll call vote was taken.

Aye: Halligan, Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt

Nay: None

Absent: Johnson

Motion Carried.

4. \*Discussion and Action to Approve Request for Proposals (RFP) for the NETF Groundwater Monitoring Well Construction Project

The RFP is proposed in order to move forward with drilling monitoring wells within the Nebraska Environmental Trust Fund grant, Expanding the Hydrogeological Framework for Selected Areas of the SPNRD. The RFP will be public noticed for two weeks in area newspapers. The committee recommended approval of the RFP. Motion by Halligan, second by Burkhart-Kriesel to approve the request for proposals for the NETF Groundwater Monitoring Well Construction Project. The deadline for the proposals is June 4, 2010 at 4:00 p.m. MDT. A roll call vote was taken.

Aye: Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt, Halligan

Nay: None

Absent: Johnson

Motion Carried.

5. \*Ratify the Agricultural Water Enhancement Program (AWEP) Proposal for the "Ogallala/Platte River Recovery AWEP"

Ratification is requested due to the acceptance date timeline and letters of support necessary. The committee recommended approval of the proposal. Motion by Halligan, second by Burkhart-Kriesel to ratify the Agricultural Water Enhancement Program (AWEP) Proposal for the "Ogallala/Platte River Recovery AWEP". A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Halligan, Burkhart-Kriesel

Nay: None

Absent: Johnson

Motion Carried.

14. Correspondence

Various items were provided to the board either by email or in the handout material.

15. Upcoming Dates

- A. May 18, 2010 - VAG Meeting, 7:00 p.m.
- B. May 31, 2010 - SPNRD Closed, Memorial Day
- C. June 7 - 11, 2010 - Range Youth Camp, Halsey
- D. June 8, 2010 - SPNRD Board of Directors' Meeting
- E. June 20-23, 2010 - ACE Camp, Halsey
- F. June 22-23, 2010 - Southern Panhandle No-till Tour
- G. June 30, 2010 - No-till on the Plains Whirlwind Tour, Sidney
- H. July 5, 2010 - SPNRD Closed, 4th of July Holiday
- I. July 8-9, 2010 - Teachers' Conservation Education Workshop, SPNRD
- J. County Fairs: Cheyenne County, July 24-August 1, 2010

"over"

Kimball County, August 4-8, 2010  
Deuel County, August 12-14, 2010

16. Adjourn

With no further business the meeting adjourned at 9:26 p.m.

*Linda L. Suhr*

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Linda L. Suhr, Recording Secretary

\*Denotes Action Items