




LOWER PLATTE SOUTH natural resources district

3125 Portia Street | P.O. Box 83581 • Lincoln, Nebraska 68501-3581
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Agenda Item #11

Memorandum

Date: April 21, 2021
To: Each Director
From: Paul D. Zillig, General Manager 
RE: Water Resources Subcommittee Meeting Minutes.

The Water Resources Subcommittee met via video/teleconference at 5:30 p.m. on Tuesday, April 20, 2021. Subcommittee members participating included Larry Ruth, Chelsea Johnson, John Yoakum, Vern Barrett, Ken Vogel, and Gary Hellerich. Other Directors participating included Deborah Eagan. And others participating included Amy Ostermeyer and Dan Levy of Monolith, Don Blankenau of BWJ, Brian Dunnigan and Jim Schneider of Olsson, Dave Hume of LRE Water, Corey Wasserburger, Steve Seglin, David Potter, Tracy Zayac, Chris Witthuhn, Steve Herdzina, Maclane Scott, Dick Ehrman, Dan Schulz, and myself.

Chair Ruth opened the meeting and introduced those in attendance. The first item on the agenda was for Wasserburger to outline the purpose of today's meeting. Wasserburger reported on our meetings to better coordinate, for everyone involved, the proposed actions required for the Monolith well permits. Wasserburger reported that today the Subcommittee will consider a recommendation on a Variance Request for certain tests required for the two additional wells.

Ruth then called on Maclane Scott, NRD Water Resources Technician, to report on the two additional Monolith well applications (see my April 16th memo for all additional background information on these Variance Requests, including copies of the well permit applications). Scott reported that he inspected the wells last Friday and checked the required well spacing from neighboring wells. An updated map of the well locations is attached (includes OC2 Wells 1, 2 & 3).

Chair Ruth then called on Steve Herdzina, NRD Water Resources Compliance Specialist, to report on the Variance Requests. Herdzina reported that Monolith submitted the Variance Requests (see April 16 memo) for the two additional wells. He reviewed his attached memo.

Ehrman and Hume reviewed their recommendations on the Variance Request as outlined in the attached memo. The Subcommittee had a few questions and discussed the variance

request. The Subcommittee also discussed the current wellfield plan and pumping plans. It was moved by Vogel, and seconded by Yoakum, to **recommend the Board of Directors grant a variance to Monolith Nebraska LLC for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(3) (“aquifer test”), and Section C, Rule 2 (c)(i)(A)(5) (“hydrogeologic analysis report”), and deny the variance request for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(2) (“accurate static water level measurement”), and Section C, Rule 2 (c)(i)(A)(4) (“water quality samples”).**

Ostermeyer reported on the efforts to work together on the permitting for this project. The recommendation wasn't exactly what she hoped for but stated it was reasonable and requested a written list of steps remaining, as we move forward. Staff will prepare and provide that to Ostermeyer and the Board.

The Subcommittee had additional questions and discussion on how other applications were handled in other parts of the NRD and the potential for variance requests.

The Subcommittee voted on the motion that was on the floor. **The motion passed on a vote of 5 “yes” (Barrett, C. Johnson, Ruth, Vogel, Yoakum) and 1 “no” (Hellerich).**

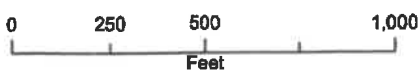
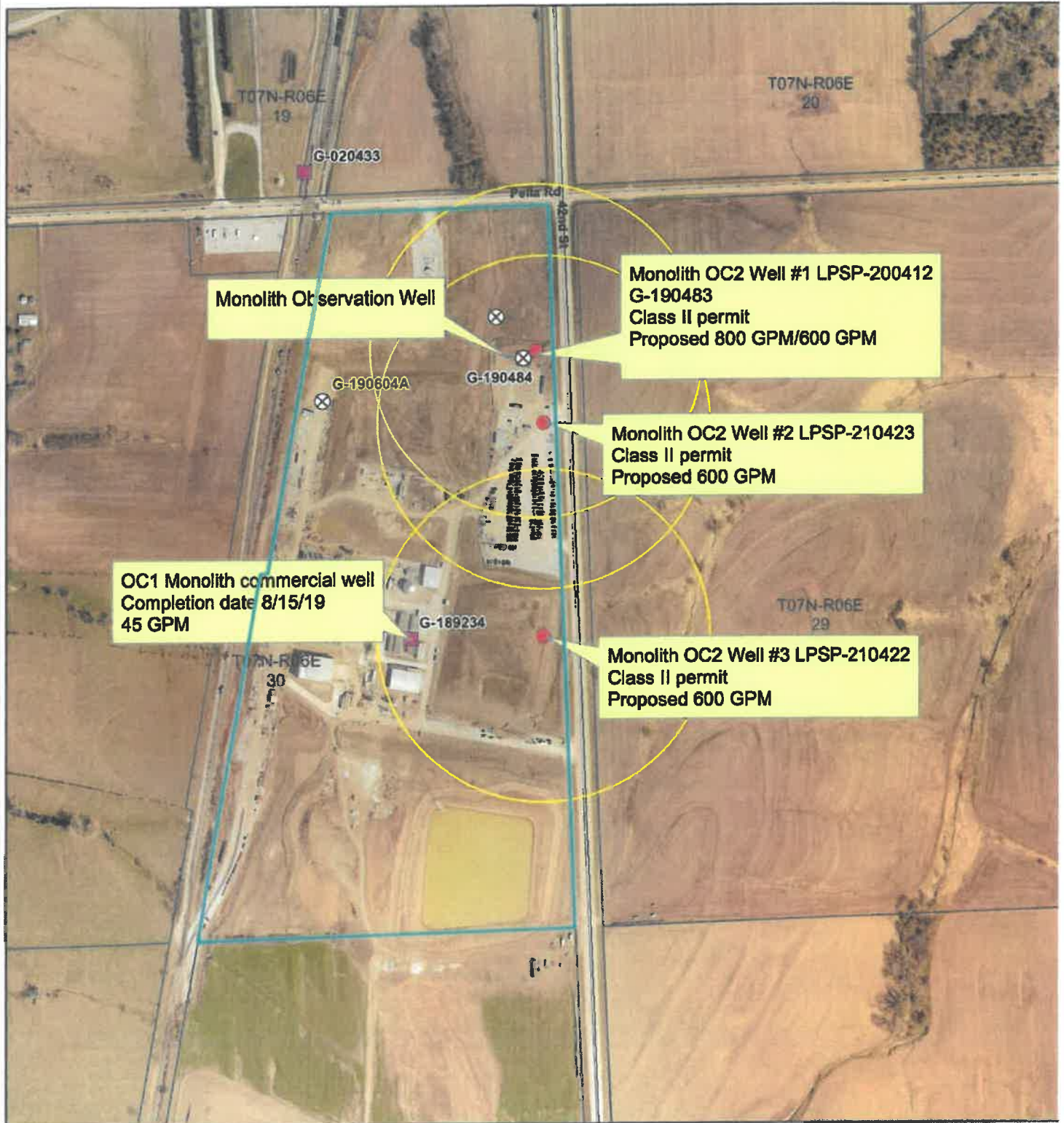
There being no additional business the meeting adjourned at 6:40 pm.

PDZ/pz

cc: Steve Seglin & Corey Wasserburger



Lower Platte South Natural Resource District Monolith Well Construction Permit Review



● Proposed Well Locations



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Memorandum

Date: April 19, 2021
To: Water Resources Subcommittee
From: Steve Herdzina, Water Resources Compliance Specialist
Subject: Variance Request #014 and #015

The District has received two variance request applications from Monolith Nebraska LLC. The information attached for the variance requests includes:

- Staff Summary of Variance Request #014 and #015
- Adjoining landowners map
- Professional Engineer Statement
- Memo from Dick Ehrman regarding staff recommendation

Staff will explain the variance with a summary and will provide an explanation of the rule for which the applicant is requesting a variance.

Staff recommends that the Water Resources Subcommittee recommend the Board of Directors grant a variance to Monolith Nebraska LLC for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(3) (“aquifer test”), and Section C, Rule 2 (c)(i)(A)(5) (“hydrogeologic analysis report”), and deny the variance request for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(2) (“accurate static water level measurement”), and Section C, Rule 2 (c)(i)(A)(4) (“water quality samples”).

Enc.

Lower Platte South NRD Variance Requests #014 and #015 Summary

Date Received: 4/14/2021

Applicant Name: Monolith Nebraska LLC

Location: NE ¼ of NE ¼ 30-7-6 (CPA)

Rule: C.2.c.i.A.2,3,4,5

LPSNRD Staff Summary: On April 14, 2021, the Lower Platte South NRD received two Class II well permit applications from Monolith Nebraska LLC (Monolith). The requirements for a Class II well permit include obtaining an estimate of the saturated thickness of the aquifer, an aquifer test including all necessary drawdown and pumping data as required by the District, water samples collected after a 24-hour pump test, and a hydrologic analysis report. A complete list of the requirements can be found below in the Ground Water Rules and Regulations section. The District received two variance requests on April 14, 2021 proposing that the requirements of the Class II well permit be set aside in this instance stating that the geology of the two newly proposed wells is substantially similar to that of the first well permit received by the District June 12, 2020. The requirements for the first well permit received were complete and Monolith feels that given the location and substantially similar geology of the additional well permits, these requirements would merely duplicate already provided information. Monolith has provided a letter from a professional engineer indicating that this information is accurate.

Ground Water Rules and Regulations:

Section C Water Well Permits

Rule 2 Classes of Well Permits and Required Hydrogeologic and Water Quality Information

(c) Class 2 Permit:

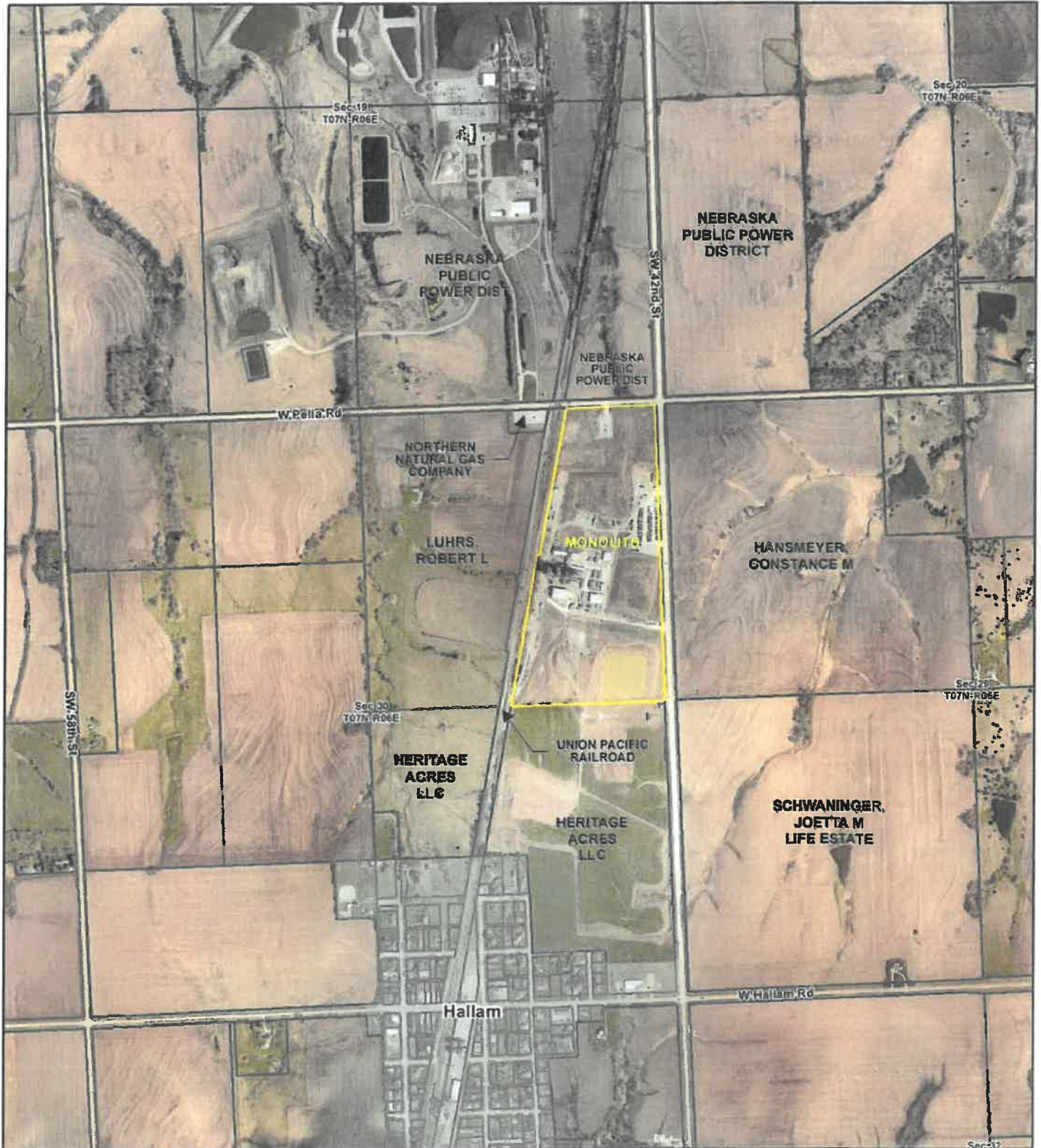
- (i) Applies to any proposed well to be located in a Ground Water Reservoir designed and constructed to pump 1000 gallons per minute or more, or pump 250 acre-feet or more water per year;
 - (A) The requirements for a Class 2 permit shall be as follows and shall be included with the application:
 - (1) A copy of the well log to determine geologic formation;
 - (2) An accurate static water level measurement to estimate saturated thickness of the aquifer;
 - (3) An aquifer test including all necessary drawdown and pumping data as required by the District. The aquifer test must be designed and supervised by a licensed professional geologist or engineer with experience in such analysis;
 - (4) Water quality samples to be collected at the end of a 24-hour pump test. Any well must be pumped at

100% of its designed rate. The samples shall be submitted to a qualified laboratory for analysis of sodium, chloride and total dissolved solids; and

- (5) A hydrogeologic analysis report considering the impact of the proposed withdrawal on current ground water users and a minimum twenty (20) year impact on the aquifer for potential future users shall be submitted by the Applicant. The report must be prepared by a licensed professional geologist or engineer with experience in such analysis.



Review - Monolith (NE Sec 30, T7N-R6E, Lancaster), Adjacent Landowners



Map By: LPSNRD, sdr - April 2021





April 12, 2021

Amy Ostermeyer
Vice President of Human Resources
Monolith Materials, Inc.
134 South 13th Street
Suite 700
Lincoln, NE 68508

Dear Ms. Ostermeyer:

The Olsson team has reviewed the well log information provided by Sargent Drilling (attached) for the wells identified as OC2 Well 2 and OC2 Well 3 and has compared this information to the well log information for OC2 Well 1 (originally referred to as Test Well 1R, also attached). The attached figure provides a generalized comparison of the geologic conditions encountered in the three test borings that have been conducted on the Monolith property (as well as the Observation Well).

Based on the comparison of the well logs for OC2 Well 2 and OC2 Well 3 to the well log for OC2 Well 1, it can be concluded that the underlying geology at each of the well locations is substantially similar and therefore, the hydrogeologic characteristics for all three wells will be substantially similar. For this reason, the information required under Section C, Rule 2 (c)(i)(A)(2) – (5) that has already been submitted for OC2 Well 1 can be used to evaluate the well applications for OC2 Well 2 and OC2 Well 3.

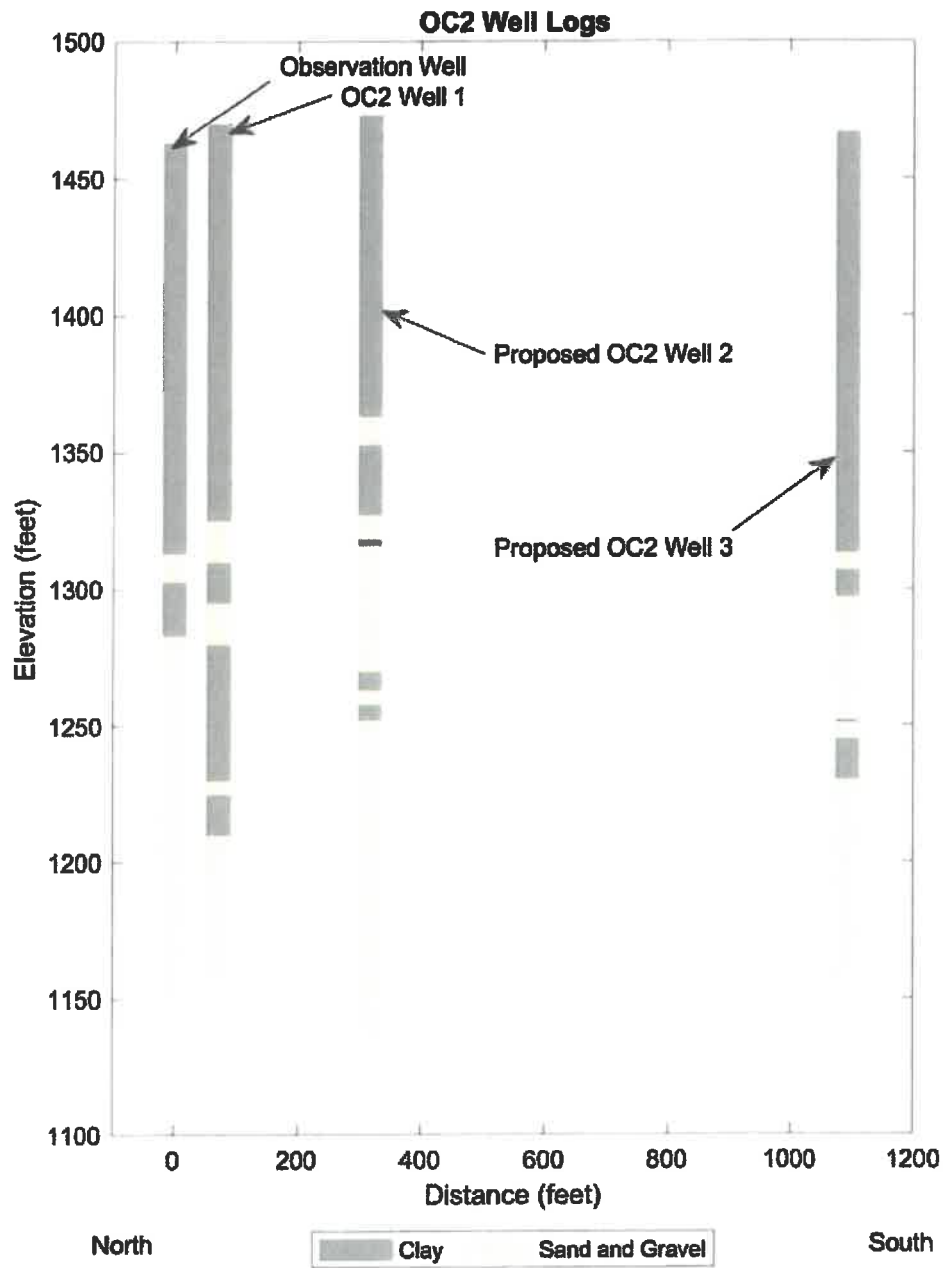
An additional groundwater flow model run was also completed to reflect the pumping associated with the three-well configuration as described in the Monolith Well Field Description (attached). This model run is documented in an Addendum to the Hydrogeologic Analysis Report that will be submitted pursuant to the rule noted above for the applications. Therefore, the results presented in the Monolith Hydrogeologic Analysis Report and associated Addendum are valid for the evaluation of OC2 Well 2 and OC2 Well 3 and the three-well configuration.

Sincerely,

A handwritten signature in blue ink that reads "Brian P. Dunnigan". The signature is fluid and cursive, with a large initial "B" and "D".

Brian P. Dunnigan, PE

Encls.



MEMO

TO: LPSNRD Board of Directors
FROM: Dick Ehrman, Water Resources Specialist
DATE: April 16, 2021
RE: Monolith Variance Request

Dave Hume of LRE Water and I have reviewed the existing geologic information for the Monolith site, including the logs of the additional test holes for the 2nd and 3rd proposed wells submitted in the past weeks. It is our opinion that the geology and groundwater resources of the Monolith site are reasonably uniform, and therefore certain additional testing and analysis would not provide any information significantly different than what has already been submitted in connection with the application for the 1st proposed well.

It is therefore our recommendation that Monolith be granted a variance with respect to its applications for the 2nd and 3rd proposed wells from certain LPSNRD Regulations, specifically Section C, Rule 2(c)(i)(A)(3) ("aquifer test"), and Section C, Rule 2(c)(i)(A)(5) ("hydrogeologic analysis report"). Specifically, the variance would allow the aquifer testing and hydrogeologic analysis report submitted with Monolith's well permit application for the 1st proposed well to also be submitted for the purposes of Monolith's well applications for the 2nd and 3rd proposed wells.

Further, it is our recommendation that all other variance requests with respect to Monolith's applications for the 2nd and 3rd proposed wells be denied, including the variance requests relating to Section C, Rule 2(c)(i)(A)(2) ("accurate static water level measurement"), and Section C, Rule 2(c)(i)(A)(4) ("water quality samples"). This information is readily obtainable and would help establish baseline conditions on the site.