



LOWER PLATTE SOUTH natural resources district

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Memorandum

Date: October 14, 2022
To: Board of Directors
From: David Potter, Assistant General Manager *DP*
RE: Land Resources Subcommittee Meeting Minutes

The Land Resources Subcommittee met Thursday, October 13, 2022 via Zoom. Subcommittee members attending the meeting were Gary Hellerich, Gary Aldridge, Vern Barrett, Bruce Johnson, Anthony Schutz, Mark Spangler, and Ken Vogel. Members absent were Ron Nolte. Others in attendance were Paul Zillig, David Potter, Donna Reid, Cory Schmidt, and Cole Johnson. The meeting was called to order by Chair Hellerich at 5:30 p.m. and Potter was asked to provide a background on the agenda items.

The first agenda item was consideration of an Inter-Governmental Agreement Amendment between NeDEE and LPSNRD regarding the Twin Lakes Watershed Target Area Implementation Project. Potter informed the subcommittee the District has received two additional cost-share applications in the Twin Lakes Watershed totaling \$83,945. Based on committed funds, these two applications would put the project cost over the federal funds by \$36,190. Since the Agreement was approved on July 1, 2021, LPSNRD has been promoting and implementing the best management practices (BMPs) identified in the Project Implementation Plan (PIP). Eligible cost-share projects are approved by the LPSNRD Board of Directors based on estimated construction costs, the PIP, our fiscal year budget and the Agreement. To date, LPSNRD has committed a total of \$252,245 of federal funds on recommended BMPs. Most of these BMPs are to be constructed this fall and next spring.

Due to the interest of the landowners to complete water quality BMPs in the Twin Lakes Watershed and with over 1.5 years left in the Project, LPSNRD requested an amendment to Nebraska Department of Environment and Energy (NeDEE) to the Inter-Governmental Agreement for an additional \$60,000 in Section 319 grant funds. This would increase the budget to \$360,000 federal funds and \$240,000 in LPSNRD matching funds for BMPs, or a total up to \$317,000 in nonfederal match as cash and /or services in-kind. The scope of the Project will not change. This is an opportunity to complete more water quality BMPs for the Project.

Potter stated the District received verification from NeDEE on October 11th that they are in agreement to the proposed amendment and commend us on the successful effort to get water quality practices implemented in the watershed. A copy of the draft Agreement Amendment, letter of request, approved Project PIP budget sheet and amended/proposed budget are attached.

It was moved by Vogel, seconded by Barrett, and unanimously approved, with Schutz not present, to recommend the Board of Directors approve the Inter-Governmental Agreement Amendment between NDEE and LPSNRD regarding the Twin Lakes Watershed Target Area Implementation project, subject to legal counsel review.

Prior to taking up the second item. NRCS District Conservationist Cory Schmidt provided a status report on conservation work being done in the District. Due to dry conditions and lack of soil moisture, most land treatment projects are on hold. Project fields are evaluated on a site-by-site basis. Fields with corn stalks are worse than those after beans and wheat. It's estimated that another 1-2 inches of rain will be needed before some work can be allowed.

The second item on the agenda was consideration of the surface water quality applications. Potter stated the District received a total of 10 additional fall Cost-Share Assistance applications for conservation work and FY'23 NRD funds. Applications were divided into the Eastern and Western portions and submitted to those appropriate Review Groups for review and consideration.

The Western NSWCP Cost-Share Review Group reviewed four additional applications in the District's western portion for NRD cost-share assistance, totaling \$48,562. One application is located in a Targeted Watershed (Stevens Creek), qualifying for a 75% cost-share rate. The District still has FY23 funds available for conservation practices District-wide and in the Stevens Creek Targeted Watersheds and are accepting late applications (beyond July 1st deadline). Review group members include Gary Hellerich, Gary Aldridge, Vern Barrett, Anthony Schutz, and Bob Andersen. There were no objections from the review group on the submitted applications.

Potter explained that since the review of those four applications, the District received a response from NeDEE that they would approve an amendment to the Inter-Governmental Agreement to the Twin Lakes 319 Project and provide additional Federal funds. Two applications were recently received from Seward County NRCS Field Office for fall cost-share work in the Twin Lakes Watershed and were placed on hold. With the Agreement Amendment, these two applications for terraces are now being considered for the maximum incentive through the grant. The applications for Carol A. Schildt Revocable Trust and Wilma Mook total \$139,908. The attached spreadsheet and map provide information and location of all six applications in the Western Portion of the District, totaling \$188,470.

The Eastern NSWCP Cost-Share Review Group reviewed four applications in the District's eastern portion for NRD cost-share assistance, totaling \$47,794. Staff noted the District still has FY23 funds available for conservation practices District-wide and are accepting late applications (beyond July 1st deadline).

It was also noted that one application is not signed by the technician and has notes included on it indicating the technician felt there are no resource or erosion concerns at this time. The technicians are to determine if a field has a resource concern that needs to be addressed with a conservation practice after a site visit or referencing a Lidar map. If there is a resource concern present in the field, the technician should fill out and send in the NSWCP-3 form and associated paperwork to the NRD as normal. As per guidance from the General Manager and our District Conservationist, if there is **NOT** a resource concern in the field, the technician should complete the following steps:

- *Have a conversation with the producer regarding the existing functional practices and recommendations to maintain them.*
- *If the producer wants to submit an application, fill out the NSWCP-3 form and associated paperwork as normal, but do not sign the box on the NSWCP form that states "Practices and Quantities are needed and practical and will be planned in accordance with NRCS specifications."*
- *Send the paperwork to the NRD with a statement as to why the practices are not needed and practical. For example, "A storage terrace system is not needed due to the presence of a functional gradient terrace system that is currently controlling erosion to tolerable levels." The statement doesn't need to be a novel but needs to contain enough information for*

staff/administration, the review groups, Land Resources Subcommittee, and/or the Board of Directors to understand why the technician is not signing the needs section of the NSWCP form.

The attached spreadsheet and map provide information and location of the applications in the Eastern Portion of the District. Eastern Review Group members include Mark Spangler, Dave Landis, Ron Nolte, Bruce Johnson and Ken Vogel. There were recommendations from a few members of the Eastern Review Group to deny the application identified as not having a resource concern (Tom Ahrens).

Cory Schmidt explained the procedures followed by NRCS regarding cost-share applications and LPSNRD Resources Technician Cole Johnson shared specific information on the application noted not having current resource concerns.

The subcommittee discussed, and a majority of the members agreed, to not approve the one identified application lacking current resource concerns. **It was moved by Spangler, seconded by Vogel, and unanimously approved to recommend the Board of Directors approve the nine identified fall cost-share applications as listed on the attached tables, totaling an amount of \$223,764.**

The third agenda item was an update of the District's Cover Crop Program. Potter stated the District has approved 51 applications totaling \$91,603. The application deadline was October 1st. A press release providing information on the Program was sent to all the local newspapers and the District mailed out information directly to property owners again this year, this time to all the CWSPAs, Pawnee Lake Watershed, Red Cedar Watershed, and Olive Creek Watershed. Potter also provided an update on the University of Nebraska Extension Highboy Cover Crop Project partially funded by Section 319 funds. The project provided cover crop seed and application on approximately 3,000 acres in LPSNRD, LPNNRD and UBBNRD. Four fields in northern Lancaster County were inter-seeded with cover crops using a highboy machine the week of August 15th. A couple NRD staff and a Nebraska Extension specialist completed a "stand count" on the four fields (3 dryland and 1 subsurface irrigated) on October 12th. The results are not yet calculated but the cover crop is coming up, although somewhat sparse. More rains will hopefully germinate the remaining viable seeds. Another stand count will be conducted in the spring.

With no further business or discussion, the meeting was adjourned at 6:12 p.m.

INTER-GOVERNMENTAL AGREEMENT AMENDMENT

This is an amendment to the Section 319 Inter-Governmental Agreement between the

NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY
and the
LOWER PLATTE SOUTH NRD

For the following project:

Grant Number: **56-2082**
Project Name: **Twin Lakes Watershed Target Area Implementation**
Reference Number: **2021-112050113**

Pursuant to Section IV, subsection C, part 1 of the above referenced Inter-Governmental Agreement, the following amendment is being made to the Inter-Governmental Agreement:

III. FINANCIAL REQUIREMENTS – SECTION A

The amount of 319 funds awarded shall be increased by \$60,000.00 from \$300,000.00 to \$360,000.00.

III. FINANCIAL REQUIREMENTS – SECTION B

The amount of the required nonfederal match shall be increased by \$40,000.00 from \$200,000.00 to \$240,000.00.

IN WITNESS THEREOF, the parties here to have executed this amendment.

NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY

BY: _____ DATE: _____
Kevin Stoner, Deputy Director

LOWER PLATTE SOUTH NRD

BY: _____ DATE: _____
Paul Zillig, General Manager

Generated: 10/11/2022



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natural resources district

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October 4, 2022

Brandon Beethe
319 State Coordinator, Nonpoint Source Program
Nebraska Department of Environment and Energy
P.O. Box 98922
245 Fallbrook Blvd, Suite #100
Lincoln, NE 68521

RE: Twin Lakes Watershed Target Area Implementation – Section 319 Grant Amendment
NDEE Reference Number: 2021-112050113

Dear Brandon:

Lower Platte South Natural Resources District (LPSNRD) applied for and was awarded a Section 319 Grant for the Twin Lakes Watershed Project (Project). The Inter-Governmental Agreement (Agreement) between the Nebraska Department of Environment and Energy (NDEE) and LPSNRD began on July 1, 2021. According to the Agreement the project shall complete objectives and work items as described in the Project Implementation Plan (PIP). Furthermore, Section III of the Agreement identifies the financial requirements of the project. The grant funds for the project are \$300,00 and LPSNRD agrees to contribute 40% of grant funds spent up to \$277,000 in nonfederal match as cash and /or services in-kind for implementation of project activities.

Since the Agreement was approved, LPSNRD has been promoting and implementing the best management practices (BMPs) identified in the PIP. Eligible cost-share projects are approved by the LPSNRD Board of Directors based on estimated construction costs, the PIP, our fiscal year budget and the Agreement. To date LPSNRD has committed a total of \$252,245 of federal funds on recommended BMPs. Most of these BMPs are to be constructed this fall and next spring. LPSNRD has recently received additional applications totaling \$83,945 in federal funds, putting the Project cost over the federal funds budget of approximately \$36,190.

Due to the interest of the landowners to complete water quality BMPs in the Twin Lakes Watershed and with over 1.5 years left in the Project, LPSNRD is requesting an amendment to the Agreement for an additional \$60,000 in Section 319 grant funds. This would

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Brandon Beethe
October 4, 2022
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increase the budget to \$360,000 federal funds and \$240,000 in LPSNRD matching funds for BMPs, or a total up to \$317,000 in nonfederal match as cash and /or services in-kind. The scope of the Project will not change. This is an opportunity to complete more water quality BMPs for the Project. A copy of the approved Project PIP budget sheet and amended/proposed budget are attached.

Sincerely,



David Potter
Assistant General Manager

Encl. 2

Cc: Paul Zillig, LPSNRD General Manager

Budget

The total cost of this project is estimated to be \$647,600 over three years, and a detailed breakdown in federal and non-federal contributions are shown in Table 10. Cost estimates were based upon those provided in the WQMP and proposed cost-share rates; however, final costs of BMPs will be determined when they are sited. The project will be accomplished through funding from Section 319, LPSNRD land treatment programs, and landowner contributions. The project strategy relies on enhancing the cost-share of existing BMP programs from LPSNRD; the Appendix contains anticipated unit costs per BMP. Additional funding from existing USDA, NRCS, or FSA financial assistance programs, such as EQIP, will be utilized, where possible, to achieve the maximum levels of BMP adoption or construction; these federal funds, however, are not eligible as match towards Section 319 funds, and the LPSNRD does not assume a defined level of participation from these programs.

Section 319 funds are being matched by non-federal funds (percentages approximate):

- Section 319: 45%
- Non-federal: 55%

The non-federal share includes landowner contributions toward BMP implementation, which vary according to practice. LPSNRD will budget additional funds toward, e.g., education and monitoring, to accomplish project goals, but LPSNRD is not seeking Section 319 match for these costs.

Table 10: Project Budget

Activity	Section 319 (federal funds)	LPSNRD (non-federal match)	Landowner (non-federal match)	NDEE (other federal funds)	USDA, NRCS, FSA (other federal funds)*	Total
Twin Lakes Project BMP Implementation						
BMP cost-share	\$ 300,000.00	\$ 200,000.00	\$ 60,000.00			\$ 560,000.00
Other NRD funds						
Personnel						
Salary & benefits		\$ 40,000.00				\$ 40,000.00
Education						
Watershed education		\$ 15,000.00				\$ 15,000.00
Water quality test kits**		\$ 3,000.00				\$ 3,000.00
Supplies						
Printing, mailing, etc.		\$ 1,000.00				\$ 1,000.00
Watershed & BMP educational signage		\$ 6,000.00				\$ 6,000.00
Monitoring						
2021 baseline sampling		\$ 2,000.00		\$ 5,600.00		\$ 7,600.00
Additional project sampling		\$ 10,000.00		\$ 5,000.00		\$ 15,000.00
Contractual***						
Total	\$ 300,000.00	\$ 277,000.00	\$ 60,000.00	\$ 10,600.00	\$ -	\$ 647,600.00

* LPSNRD acknowledges that EQIP funding may be available for certain BMPs and will work with successful applicants to that program.

EQIP cost-share is not included in the project budget at this time.

** Water quality test kits to be used for citizen science/public education & outreach purposes only

***Additional contractual costs may accrue in the course of project implementation. LPSNRD has not developed an estimate for these costs at this time.

Budget

The total cost of this project is estimated to be **\$747,600** over three years, and a detailed breakdown in federal and non-federal contributions are shown in Table 10. Cost estimates were based upon those provided in the WQMP and proposed cost-share rates; however, final costs of BMPs will be determined when they are sited. The project will be accomplished through funding from Section 319, LPSNRD land treatment programs, and landowner contributions. The project strategy relies on enhancing the cost-share of existing BMP programs from LPSNRD; the Appendix contains anticipated unit costs per BMP. Additional funding from existing USDA, NRCS, or FSA financial assistance programs, such as EQIP, will be utilized, where possible, to achieve the maximum levels of BMP adoption or construction; these federal funds, however, are not eligible as match towards Section 319 funds, and the LPSNRD does not assume a defined level of participation from these programs.

Section 319 funds are being matched by non-federal funds (percentages approximate):

- Section 319: 45%
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The non-federal share includes landowner contributions toward BMP implementation, which vary according to practice. LPSNRD will budget additional funds toward, e.g., education and monitoring, to accomplish project goals, but LPSNRD is not seeking Section 319 match for these costs.

Table 10: Project Budget

Activity	Section 319 (federal funds)	LPSNRD (non-federal match)	Landowner (non-federal match)	NDEE (other federal funds)	USDA, NRCS, FSA (other federal funds)*	Total
Twin Lakes Project BMP Implementation						
BMP cost-share	\$360,000.00	\$240,000.00	\$60,000.00			\$660,000.00
Other NRD funds						
Personnel						
Salary & benefits		\$40,000.00				\$40,000.00
Education						
Watershed education		\$15,000.00				\$15,000.00
Water quality test kits **		\$3,000.00				\$3,000.00
Supplies						
Printing, mailing, etc.		\$1,000.00				\$1,000.00
Watershed & BMP education signage		\$6,000.00				\$6,000.00
Monitoring						
2021 baseline sampling		\$2,000.00		\$5,600.00		\$7,600.00
Additional project sampling		\$10,000.00		\$5,000.00		\$15,000.00
Contractual***						
Total	\$360,000.00	\$317,000.00	\$60,000.00	\$10,600.00		\$747,600.00

*LPSNRD acknowledges toe EQIP funding may be available for certain BMPs and will work with successful applications to that program.

EQIP cost-share is not included in the project budget at this time.

**Water quality test kits to be used for citizen science/public education & outreach purposes only

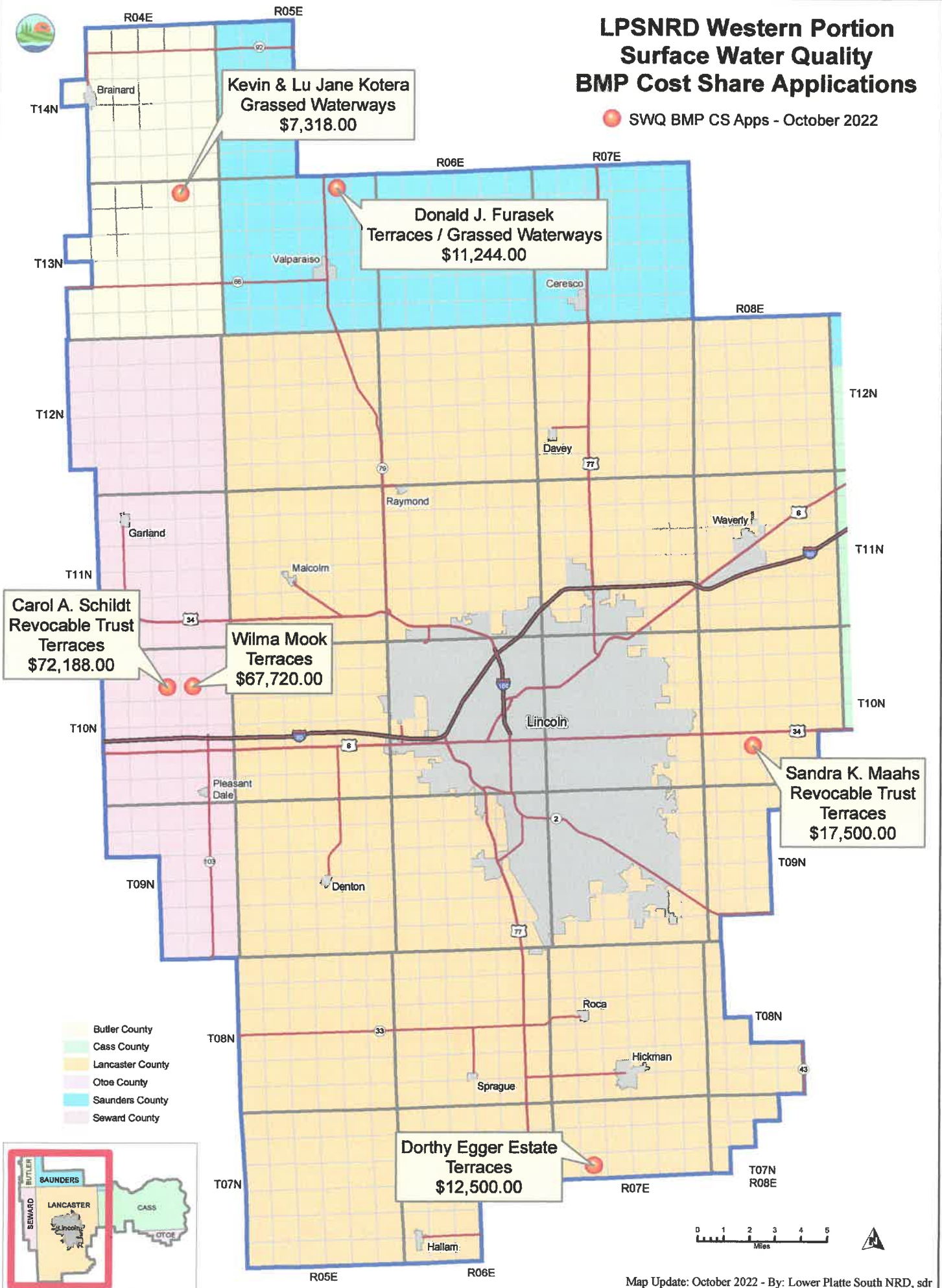
***Additional contractual costs may accrue in the course of project implementation. LPSNRD has not developed an estimate for these costs at this time

Western Portion

Applicant Name	County	Project	SEC	TWN	RNG	Amount Requested	Notes
Kevin & Lu Jane Kotera	Butler	Grassed Waterways	2	13	4	\$7,318	
Dorothy Egger Estate	Lancaster	Terraces	17	7	7	\$12,500	
Sandra K. Maahs Revocable Trust	Lancaster	Terraces	28	10	8	\$17,500	Stevens Creek
Donald J. Furasek	Saunders	Terraces / Grassed Waterways	2	13	5	\$11,244	
Wilma Mook	Seward	Terraces	11	10	4	\$67,720	Twin Lakes
Carol A. Schildt Revocable Trust	Seward	Terraces	10	10	4	\$72,188	Twin Lakes
					WEST TOTAL	\$188,470	

LPSNRD Western Portion Surface Water Quality BMP Cost Share Applications

● SWQ BMP CS Apps - October 2022

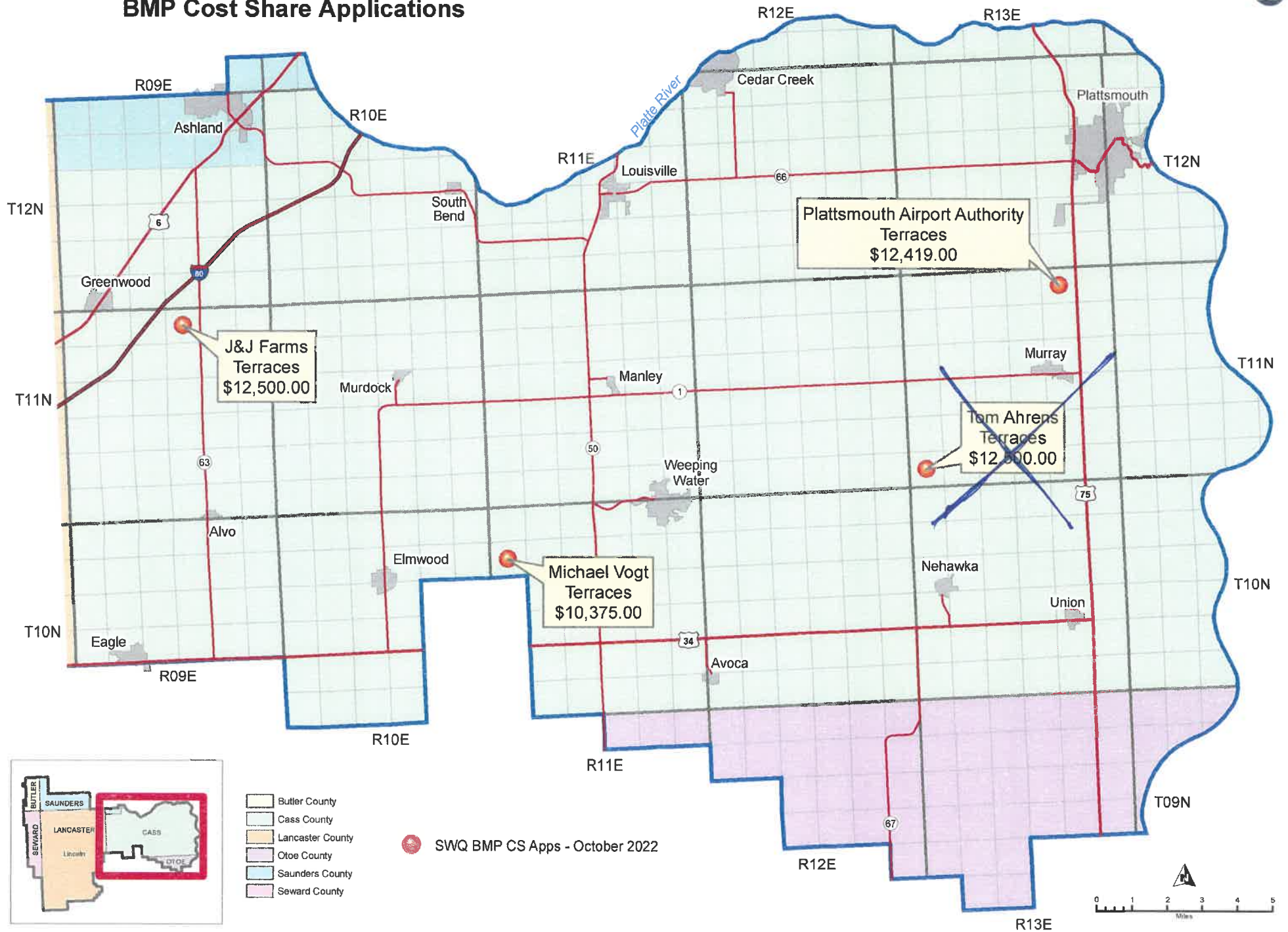


Map Update: October 2022 - By: Lower Platte South NRD, sdr
Sources: Lower Platte South Natural Resources District; Nebraska Department of Natural Resources; Nebraska Department of Roads

Eastern Portion

Applicant Name	County	Project	SEC	TWN	RNG	Amount Requested	Notes
Michael Vogt	Cass	Terraces	7	10	11	\$10,375	
Plattsmouth Airport Authority	Cass	Terraces	2	11	13	\$12,419	
J&J Farms	Cass	Terraces	3	11	9	\$12,500	
				EAST TOTAL		\$35,294	

LPSNRD Eastern Portion - Surface Water Quality BMP Cost Share Applications



Sources: Lower Platte South Natural Resources District; Nebraska Department of Natural Resources; Nebraska Department of Roads

Map Updated: October 2022 - By: Lower Platte South NRD, sdr