

## **CENTRAL PLATTE NRD**

### **Board Meeting Minutes**

September 26, 2019

**CALL TO ORDER:** Chairman Jim Bendfeldt called the meeting to order at 2:00 p.m. He reported that the NRD abides by the Open Meetings Act in conducting business and said that a copy of the Open Meetings Act was displayed on the south wall of the conference room, that the Board reserves the right to change the order of an item on the agenda, and some items on the agenda are subject to closed session.

**ATTENDANCE:** Board members present were:

LeRoy Arends	Charles Maser	Marvion Reichert
Jim Bendfeldt	Jerry Milner	Mick Reynolds
Alicia Haussler	Barry Obermiller	Jay Richeson
Ed Kyes	Keith Ostermeier	Steve Sheen
Dwayne Margritz	Doug Reeves	Deborah VanMatre

Staff present: Lyndon Vogt – General Manager, Jesse Mintken – Assistant Manager, Dianne Miller – Administrative Director, Brandi Flyr – District Hydrologist, Mark Czaplewski – District Biologist, Marcia Lee – Information/Education Specialist, Kelly Cole – Programs Coordinator, Luke Zakrzewski – GIS Image Analyst, Sandy Noecker – Data Compliance Officer, Angie Warner – GIS Programs Coordinator, Courtney Widup – Water Resources Technician, Tricia Dudley – Resources Conservationist, Bill Hiatt – Resources Conservationist.

Others present – Joe Krolilowski–NRCS Liaison District Conservationist, Heath Schake.

**MEETING NOTICES:** Chairman Jim Bendfeldt reported that the notices of the meeting had been published in the Grand Island Independent and the news release was provided to other media outlets in the District.

**MEETING MINUTES:** Marvion Reichert made the motion to approve the August board meeting minutes. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

### **ANNOUNCEMENTS & OTHER BUSINESS FOR FUTURE MEETINGS:**

Chairman Bendfeldt asked if there were any announcements or suggestions for future meetings. There were none.

**PUBLIC FORUM:** Chairman Bendfeldt asked if anyone wanted to address the board on any item not included on the agenda. No one requested time to speak.

**NRCS REPORT:** Joe Krolkowski, NRCS Liaison District Conservationist, reported on a summary of Fiscal Year 2019 Environmental Quality Incentives Program activity in Central Platte NRD (see enclosed report).

**EXCUSED ABSENCES:** Chairman Jim Bendfeldt reported that Lon Bohn, Chris Henry, Brian Keiser, Keith Stafford, Ed Stoltenberg and Jerry Wiese had requested to be excused from the board meeting.

Marvion Reichert made the motion to approve the absences as requested. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

**VARIANCE/APPEALS FROM BUFFALO COUNTY:** Chairman Bendfeldt reported that the Variance/Appeals Subcommittee met earlier that day and heard an appeal on behalf of Marian Schake. The appeal was for approval to drill an irrigation well to cover 67.4 acres of currently certified irrigated acres in Buffalo County. A change of tenant caused the landowner to lose access to the well that formerly had irrigated those acres.

Chairman Bendfeldt said the Variance/Appeals Subcommittee is recommending, and he made the motion, that the appeal from Marian Schake to drill a well to continue to irrigate 67.4 acres in Buffalo County be approved because the acres are certified as irrigated, no new acres will be added, it will not cause any new depletions, taxes have been paid based on the irrigated rate, and they are in the same ownership today as they were when certified. Marvion Reichert seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

**EASTERN PROJECTS COMMITTEE:** Mick Reynolds reported on the committee's meeting held earlier that day.

**Platte Valley Industrial Park Drainage Request** – Mick said the Eastern Projects Committee is recommending, and he made the motion, that Central Platte NRD move forward with an agreement with the City of Grand Island and the Economic Development Corporation to allow drainage water from the Industrial Park to utilize the southside drainage ditch along the Wood River Diversion. Keith Ostermeier seconded the motion.

Marvion Reichert asked what the cost would be. Mick said there would be no cost to Central Platte NRD at this time.

The motion was voted on. All board members present, voting by roll call vote, were in favor. Motion carried.

**Future Programs Discussion** – Mick said the committee is continuing their discussions of possible programs to address future flooding issues.

**NRCS EWP (Emergency Watershed Protection Program) Drop Structure Repair** – Mick said the Eastern Projects Committee is recommending, and he made the motion, to approve a contract with JEO Consulting Group at a cost of \$43,500.00 for survey, design, permitting, bidding and construction for the repair of the Prairie/Silver/Moores Creek project's Silver Creek drop structure. Doug Reeves seconded the motion.

Mick reported Central Platte NRD is applying for up to 75 percent cost share from the NRCS EWP program to replace the drop structure that was destroyed during the March flood. The cost share would include costs for survey, design, permitting, bidding, and construction

The motion was voted on. All board members present, voting by roll call vote, were in favor. Motion carried.

**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM UPDATE:** Mark Czaplewski, District Biologist, reported that the Program's Governance Committee met on September 10-11 in Kearney. Highlights from the meeting included an update of the process to extend the Program's First Increment. With all the basin states' Governors on board, as well as the basin States' House Representatives and Senators (except for Sen. Sasse), the next steps are to shepherd the proposed extension through the federal legislative process. Wyoming Republican Senator Barrasso and Colorado Democratic Representative Neguse have introduced authorization bills that have already gone through hearings. These two stand-alone bills may well be attached to some other legislation if it helps with working its way through the federal process. With this bipartisan support, the hope is to get the legislation passed yet this year. The Program signatories (which includes the basin states' Governors and the Secretary of the Interior) are also working to execute another program agreement document.

Mark said separate but very similar water service agreements with Central Platte NRD, NPPD and Central NPP&ID were approved. The agreements are similar in their term and payment rates for recharge water. The Central Platte NRD agreement for groundwater recharge runs through the end of 2024 and starts with a 2020 price per acre-foot of water at \$32.87 and escalates by 3% per year with a cap of 5,000 acre-feet.

He also reported that Kent Miller, General Manager for the Twin Platte NRD, was re-elected for a three-year appointment to the Governance Committee at the Platte River Basin meeting at the NARD fall conference.

**MANAGER'S REPORT:** General Manager Lyndon Vogt reported that at the October board meeting a report on the Nebraska Emergency Management buy-out program will be on the agenda. Katie Ringland with the NE Department of Natural Resources will present information on the program. He said Congressman Arian Smith will have an infrastructure seminar October 3<sup>rd</sup> in Hastings from 8:00 a.m. to 3:00 p.m. at the Hastings Community College. Several speakers have been lined up to present information.

General Manager Vogt said we hope to receive information by mid-October on whether we will be approved for grants from the NRCS Watershed Flood Protection Program. Applications for two grants were submitted a couple of months ago, one for the lower 250,000 acres in the Wood River watershed and the other for the Buffalo Creek/Spring Creek area in the western part of our NRD.

One grant was for \$625,000.00 and one was for \$725,000.00. The purpose would be to look at the entire watersheds and what can be done to alleviate flooding. If the grants are approved they could include payment for 30 percent of design on recommended structures. It would also make us eligible for the next round of grants that would pay for engineering and construction but would not include costs for land rights.

He also reported that information from Water Strategies had been put on drop box concerning the fact that the 2015 WOTUS (Waters of the U.S.) rule was repealed back to the 2008 version, which is quite a bit less restrictive.

**NE NATURAL RESOURCES COMMISSION REPORT:** Mick Reynolds, Middle Platte Basin Commission member, reported that he and Mark Czaplewski are on the scoring committee for the Water Sustainability Fund applications and said they will begin the scoring process sometime in October or early November.

**NE ASSOCIATION OF RESOURCES DISTRICTS REPORT:** Jim Bendfeldt, CPNRD's NARD representative, said they had their board meeting following the NARD September Fall Conference that had been held in Kearney earlier that week. He said there were several discussions on the destruction across the State due to the March flooding.

**COST SHARE PROGRAMS: Request for Transfer of Funds –** Kelly Cole, Programs Coordinator, said we have received more requests for the Cover Crop Program than funds are available. She requested a transfer of \$500.00 from the Grazing Deferment Program to the Cover Crop Program.

Alicia Haussler made the motion to transfer \$500.00 from the Grazing Deferment Program to the Cover Crop Program. Marvion Reichert seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

**Applications –** Kelly reported that we have received a cost share application for the Cover Crop Program (see enclosed). She said the applicant is in compliance with the District's rules and regulations, funds are available, and she recommended it be approved.

Marvion Reichert made the motion to approve the cost share application as reported. Deborah VanMatre seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

**FINANCIAL REPORT:** Marvion Reichert made the motion to accept the September financial report as presented. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

**UPCOMING EVENTS:** Review of upcoming events included CPNRD/NRCS hosting

the Land Judging Contest on October 9<sup>th</sup> at the Wood River Community Center.

Mick Reynolds reported that the Eastern Projects Committee will have a meeting at 7:30 p.m. October 1<sup>st</sup> at the NRD office to discuss some of the bank erosion issues along the Wood River. The Mayor of Wood River and several area landowners were invited to provide input.

**OTHER BUSINESS: Next Board Meeting** – Scheduled for the afternoon of Thursday, October 24<sup>th</sup>. Details to follow.

**SERVICE AWARD PRESENTATION:** General Manager Vogt presented Sandy Noecker, Central Platte NRD's Data Compliance Officer, with a service award in recognition of 40 years of employment with Central Platte NRD. Sandy began her career with the District as a secretary/receptionist in 1979 and through the years took on additional responsibilities and duties, particularly working with the District's chemigation and ground water management programs. Sandy's retirement date is September 30<sup>th</sup>. She said "These last 40 years have been absolutely fantastic. I never realized when I applied for this job just how great it was going to be". She thanked the board and staff for being so dedicated and great people to work with. A retirement reception followed the board meeting.

**ADJOURN:** Chairman Bendfeldt adjourned the board meeting at 2:40 p.m.

United States Department Of Agriculture

  
Natural Resources Conservation Service  
Grand Island Field Office  
2550 N. Diers Ave., Suite L  
Grand Island, NE 68803  
Phone (308) 395-8586 (Ext. 3)

<http://www.ne.nrcs.usda.gov>

September 25, 2019

Central Platte NRD  
215 North Kaufman Avenue  
Grand Island, NE 68803

September Report to CPNRD

Attached is a summary of FY 2019 Environmental Quality Incentives Program (EQIP) activity in the Central Platte NRD (CPNRD), timelines for FY 2020, and a copy of the application to be completed by an applicant before the deadline. The FY2020 application deadline has not been announced yet, it is typically in mid-November. We will be completing outreach efforts to promote the Environmental Quality Incentive Program and to help emphasize the benefits to conservation after implementation of these conservation practices across the Central Platte.

Respectfully Submitted,

*/s/ Joe Krolikowski*

Joe Krolikowski  
District Conservationist

Attachment: CPNRD FY 2019 EQIP Contract Summary and FY 2020 Application

*Helping People Help the Land*

An Equal Opportunity Provider and Employer



# FY 2019 EQIP Contract Summary-CPNRD

Water Conservation: \$1,080,287.53 (43 contracts/4,383.6 acres)

- 9 Pipeline/Pivot/Pumping Plant/Dryland/FM/IWM
- 3 SDI/Pumping Plant/Dryland/FM/IWM
- 11 Dryland Only
- 20 IWM/FM

Grazing Lands: \$164,253 (9 contracts/3,026.8 acres)

- Brush Mgt/Prescribed Burn/Water Supply/X-Fence/PGS

Soil Health: \$823,329 (144 contracts/30,727.9 acres)

- Cover Crop (Ephemeral Gully Initiative)/No-Till

Forestry: \$61,696 (2 contracts/1,204.4 acres)

- Windbreak establishment/Windbreak Renovation

CPNRD Board Meeting Report

9/26/2019

# FY 2019 EQIP Contract Summary Totals - CPNRD

## Field Office Summary

Central City – 114 contracts - \$640,274 – 22,832.7 acres

Grand Island – 35 contracts - \$313,969.59 – 3,946.8 acres

Kearney – 15 contracts - \$375,729.89 – 3,956.4 acres

Lexington – 34 contracts - \$816,820.05 – 8,660.6 acres

Totals – 198 contracts - \$2,146,793.53 – 39,396.5 acres

# FY 2020 EQIP Timeline

Continuous Signup with Ranking Cutoff Dates

First Ranking Cutoff Date: November/2020 TBD

Second Ranking Cutoff Date: To Be Determined

Application Ranking Deadline: February/2020 TBD

# Carryover CPNRD EQIP Applications:

Water Conservation: 124 - \$5.8 million

Grazing Lands: 10 - \$240,778

Soil Health: 4 - \$37,747

Total Applications: 138 - \$6 million

## CONSERVATION PROGRAM APPLICATION

<b>Name:</b>	<b>Application Number:</b>
<b>Address:</b>	<b>Application Date:</b>
	<b>County and State:</b>
<b>Email:</b>	
<b>Telephone:</b>	<b>Watershed:</b>
	<b>Subaccount:</b>
<b>Location (Legal Description or Farm and Tract Number):</b>	

1. ☐ **Yes**   ☐ **No**   Do you have farm records established with the appropriate USDA Service Center Agency?

*If no, you must establish them with the appropriate USDA Service Center Agency prior to submitting this application.*

2. This is an application to participate in the:

<input type="checkbox"/> <b>Agricultural Management Assistance (AMA)</b>	<input checked="" type="checkbox"/> <b>Environmental Quality Incentives Program (EQIP)</b>
<input type="checkbox"/> <b>Conservation Stewardship Program (CSP)</b> <input type="checkbox"/> <b>CSP Renewal</b>	<b>Agriculture Conservation Easement Program (ACEP) - Wetland Reserve Easements (WRE)</b>
<input type="checkbox"/> <b>Regional Conservation Partnership Program (RCPP)</b> <input type="checkbox"/> <b>EQIP</b> <input type="checkbox"/> <b>CSP</b>	<input type="checkbox"/> <b>Regional Conservation Partnership Program (RCPP)</b> <input type="checkbox"/> <b>ACEP- (WRE)</b> <input type="checkbox"/> <b>Healthy Forest Reserve Program (HFRP)</b>

3. Are you applying to participate in a conservation program as an (check one of the following):

☐ **Individual**

- a) Please enter your legal name and tax identification number:

**Name:**

**Tax Number:**

☐ **Entity** (Corporation, Limited Partnership, Trust, Estate, etc.)

- a) Please enter entity legal name and tax identification number:

**Name:**

**Tax Number:**

- b) ☐ **Yes**   ☐ **No**   Do you have appropriate documents including proof to sign for the entity?

☐ **Joint Operation** (General Partnership, Joint Venture)

- a) Please enter joint operation legal name and tax identification number:

**Name:**

**Tax Number:**

- b) ☐ **Yes**   ☐ **No**   Do you have appropriate documents including proof to sign for the joint operation?

**4. Is the land being offered for enrollment used for crop (including forest-related) or livestock production?**

- ☐ **Crop Production**                      **Crop Type:**  
☐ **Livestock Production**                      **Livestock Type:**

**5. The land offered under this application is (check all that apply):**

- ☐ **Private Land**  
☐ **Public Land (Federal, State, or Local Government)**  
☐ **Tribal, Allotted, Ceded or Indian Land**

**6. You certify that Certification of control of the land offered under the application is evidenced by:**

- ☐ **Deed or other evidence of land ownership (required for all ACEP-WRE applications)**  
☐ **Written lease agreement**  
Years of control are      through  
☐ **Other agreement or legal conveyance (describe):**  
Years of control are      through      or,  
Evidence of historical control of land since: \_\_\_\_\_

**7. ☐ Yes ☐ No Is the land offered under this application enrolled in any other conservation program?**

**8. Do you meet the criteria for any of the following categories? (mark all that apply)**

- ☐ **Limited Resource Farmer or Rancher**  
☐ **Beginning Farmer or Rancher**  
☐ **Socially Disadvantaged Farmer or Rancher**  
☐ **Veteran Farmer or Rancher**  
☐ **Not Applicable**

*If you wish to apply in any of these categories, you must meet the self certification requirements. Definitions are provided below. For more information please go to this website:*

<https://lrftool.sc.egov.usda.gov/>

**Limited Resource Farmer or Rancher** – The term “Limited Resource Farmer or Rancher” means a participant:

- With direct or indirect gross farm sales not more than the current indexed value in each of the previous two years, and
- Who has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income in each of the previous two years.

A legal entity or joint operation can be a Limited Resource Farmer or Rancher only if all individual members independently qualify. A Self-Determination Tool is available to the public and may be completed on-line or printed and completed hardcopy at: <https://lrftool.sc.egov.usda.gov/>

**Beginning Farmer or Rancher** – The term “Beginning Farmer or Rancher” means a participant who:

- Has not operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years. This requirement applies to all members of a legal entity, and who
- Will materially and substantially participate in the operation of the farm or ranch.

In the case of a contract with an individual, individually or with the immediate family, material and

substantial participation requires that the individual provide substantial day-to-day labor and management of the farm or ranch, consistent with the practices in the county or State where the farm is located.

In the case of a contract made with a legal entity, all members must materially and substantially participate in the operation of the farm or ranch. Material and substantial participation requires that the members provide some amount of the management, or labor and management necessary for day-to-day activities, such that if the members did not provide these inputs, operation of the farm or ranch would be seriously impaired.

**Socially Disadvantaged Farmer or Rancher** – The term "Socially Disadvantaged" means an individual or entity who is a member of a socially disadvantaged group. For an entity, at least 50 percent ownership in the farm business must be held by socially disadvantaged individuals. A socially disadvantaged group is a group whose members have been subject to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.

These groups consist of the following:

- American Indians or Alaskan Natives
- Asians
- Blacks or African Americans
- Native Hawaiians or other Pacific Islanders
- Hispanics.

Note: Gender alone is not a covered group for the purposes of NRCS conservation programs. The term entities reflect a broad interpretation to include partnerships, couples, legal entities, etc.

**Veteran Farmer or Rancher** – The term "Veteran Farmer or Rancher" means a producer who served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, including the reserve component thereof; was released from service under conditions other than dishonorable; and:

- has not operated a farm or ranch, or has operated a farm or ranch for not more than 10 years; or
- who first obtained status as a veteran during the most recent 10-year period.

A legal entity or joint operation can be a Veteran Farmer or Rancher only if all individual members independently qualify.

**9. Is any of the land offered for enrollment under this application:**

- ☐ **Certified Organic by the National Organic Program (NOP)**
- ☐ **Transitioning to become Certified Organic by the NOP**
- ☐ **Exempt from Organic Certification as defined by the NOP**
- ☐ **Not Applicable**

*Certification in any of these categories is to assist with planning and will not automatically result in the application being considered in any initiatives made available for organic-related production. Applicants must specifically request to participate in an organic initiative. Note that the EQIP Organic Initiative has a lower payment limitation (\$140,000 over the period of fiscal years 2019-2023 per person or legal entity) than payments made to a person or legal entity under General EQIP.*

On the farm(s) identified above, the Applicant agrees to participate in the identified program if the offer is accepted by the NRCS. The undersigned shall hereafter be referred to as the "Participant." The participant understands that starting a practice prior to contract approval causes the practice to be ineligible for program financial assistance. The participant will provide written authorization to

install structural or vegetative practices. The Participant agrees not to start any financially assisted practice or activity or engage the reimbursable services of a certified Technical Service Provider before a Contract is executed by CCC. The Participant may request, in writing, a waiver of this requirement for financially assisted practices by the NRCS State Conservationist.

All participants that certify land control or certify eligibility as Limited Resource Farmer or Rancher, Beginning Farmer or Rancher, or Veteran Farmer or Rancher, will provide all records necessary to justify their claim as requested by a NRCS representative. It is the responsibility of the Participant to provide accurate information to support all items addressed in this application at the request of NRCS. False certifications are subject to criminal and civil fraud statutes.

The Participant acknowledges that highly erodible land conservation/wetland conservation, adjusted gross income certifications, and member information for entities and joint operations are on file with the FSA.

10. ☐ Yes ☐ No I have received a copy of the applicable conservation program contract appendix.

<b>Applicant Signature</b>	<b>Date</b>

#### NON-DISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

USDA is an equal opportunity provider, employer, and lender.

**Transfer \$500 from Grazing Deferment to Cover Crop**

**CENTRAL PLATTE NRD  
Cost Share  
September 26, 2019**

<b>COVER CROP COST SHARE PROGRAM .....</b>	<b>\$</b>	<b>500.00</b>
Butler Farms Inc. – Dawson	\$ 500.00	
<b>Total .....</b>	<b>\$</b>	<b>500.00</b>