

City of Scottsbluff, Nebraska

Tuesday, September 4, 2018

Regular Meeting

Item Reports5

Council to consider approval of an agreement with the North Platte NRD and Minatare Mutual Canal & Irrigation Company that mitigates water use associated with the installation of a small water well for the Wastewater Treatment Plant process and authorize the Mayor to execute the agreement.

Staff Contact: Nathan Johnson, City Manager

Agenda Statement

Meeting Date: September 4, 2018

AGENDA TITLE: Council to consider approval of an Agreement with the North Platte NRD and Minatare Mutual Canal & Irrigation Company that mitigates water use associated with the installation of a small water well for the Wastewater Treatment Plant process.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Public Works

PRESENTATION BY: Nathan Johnson, City Manager

SUMMARY EXPLANATION: The City received a directive from the State of NE Department of Health and Human Services to correct what they deem to be a cross-connection between the potable water supply and the return activated sludge pumps at the Wastewater Treatment Plant. The most cost effective way to correct this is to install a small non-potable water well that will provide water for the entire treatment process. Preliminary estimates for this well are \$10,575 which would be paid out of the Wastewater Fund.

To permit the well with the NPNRD, the effect of changing where the current water source is drawn (City's current Water Transfer Permit for our public water supply) to this new location has to be considered – and would require another Water Transfer Permit. However, the potential impacts of the new well and location have been determined to be insignificant under the circumstances. This proposed Agreement is acceptable to all parties involved and will allow the City to avoid the requirement of obtaining a Water Transfer Permit.

The Engineer and Legal have worked with the NPNRD on the proposed Agreement that addresses the needs of all parties involved.

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: For Council to approve the Agreement and thereby allow the Mayor to execute it on behalf of the City.

EXHIBITS

Resolution ☐

Ordinance ☐

Contract ☒

Minutes ☐

Plan/Map ☐

Please provide all visual presentation materials.

Other (specify) ☒ Agreement

NOTIFICATION LIST: Yes ☐ No ☐ Further Instructions ☐

City of Scottsbluff
Office of the City Manager

Effective date: January 20, 2017

AGREEMENT

This Agreement is entered into effective this ____ day of September, 2018, by and between the City of Scottsbluff, Nebraska (hereinafter “City”), the Minatare Mutual Canal and Irrigation Company (hereinafter “Minatare Mutual”), the North Platte Natural Resources District (hereinafter “NPNRD”).

WHEREAS, the City has received an emergency order from Nebraska Department of Health and Human Services to mitigate an issue at its waste water treatment facility. To address that issue, the City has proposed installing a new 120 gallon per minute well at the waste water treatment site to provide a replacement source of water that could be used to wash the facility press with waste water returning from the valves through the waste water lagoons to the river after it goes through the system. The amount of water that would be pumped from the well is about 30 million gallons per year with minimal loss to evaporation.

WHEREAS, Minatare Mutual owns and operates an irrigation canal and delivery system, the diversion point of which is on the North Platte River near the proposed site for the new well.

WHEREAS, the NPNRD is the entity charged with administration and regulation of ground water wells including the approval of municipal transfer permits and has certain obligations to offset certain municipal uses.

WHEREAS, all parties believe that the potential impacts of the proposed new well operations would be insignificant and that under the circumstances, no further analysis or municipal transfer permit should be required.

IT IS THEREFORE AGREED AS FOLLOWS:

1. In order to avoid costs of repairs and modifications to the City for adjustments to the waste water treatment facility and water supply, and a costly hydrological analysis by the NPNRD, Minatare Mutual is willing to consent to this project based upon the estimates and understanding that Minatare Mutual’s diversion would be affected by less than one acre foot of water per year. Minatare Mutual hereby notifies the Nebraska Department of Natural Resources that it has no objection to the proposed new well operations.

2. Inasmuch as this consent allows the City and the NPNRD to avoid substantial expenses with no direct benefit to Minatare Mutual, the City and the NPNRD agree that they will cooperate and coordinate for Minatare Mutual’s benefit, their future water use, discharge and

regulatory activities when and where practical and appropriate.

DATED: _____

CITY OF SCOTTSBLUFF,

By _____
Randy Meininger, Mayor

ATTEST:

Clerk

DATED: _____

MINATARE MUTUAL CANAL AND
IRRIGATION COMPANY,

By _____
Gary Lofing, Manager-President

DATED: _____

NORTH PLATTE NATURAL
RESOURCES DISTRICT,

By _____
John Berge, General Manager