

MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee

FROM: Justin Novak, Field Representative

SUBJECT: Conservation Agreement E&S Complaint (Todd Cornwell)

DATE: December 27, 2019

The Papio-Missouri River NRD, NRCS and Todd Cornwell have been working towards solutions that gets Mr. Cornwell's farm below the allowable soil loss that's required by the District's Erosion & Sediment Policy. The plan includes the rebuilding of existing terraces, additional terraces below, and new underground outlets. Mr. Cornwell has chosen to use our Lands for Conservation summer construction program that pays him (\$100/acre) to plant a small grain (oats), prior to construction. Post construction a cover crop (annual rye) will be planted to help with reestablishing cover and soil health. Construction will begin sometime around July 1, 2020 after the oats are harvested and will be completed by September 1, 2020.

The District and Mr. Cornwell have signed the Conservation Agreement and Conservation Plan for Completion as stated above on December 27, 2019.

It is the staff's recommendation that the Subcommittee review and recommend to the Board that the Conservation Agreement and Conservation Plan for Completion proposed for Todd Cornwell's property be approved, and upon completion of the Conservation Plan, Mr. Cornwell will be in compliance with the District's Erosion and Sediment Rules and Regulations.

Papio-Missouri River NRD Erosion & Sediment Control Program

CONSERVATION AGREEMENT

COMPLAINT NO. W-1-19DATE: 12/27/19NAME: Todd Cornwell ADDRESS: 11259 Morgan Circle Blair, NELEGAL: S30-T17N-R12E COUNTY: Washington

This agreement is made and entered into this 27 day of December, 2019, by and between the Papio-Missouri River Natural Resources District, herein called DISTRICT, and Todd Cornwell, herein called COOPERATOR; and is executed to satisfy the requirements of Nebraska Revised Statute Section 2-4603(2) and should be interpreted and performed in a manner which promotes the policies of the Nebraska Erosion and Sediment Control Act, Nebraska Revised Statutes Sections 2-4601 to 2-4613.

WITNESSETH:

COOPERATOR agrees to implement the farm unit conservation plan (or a portion of the farm unit conservation plan), or in the case of nonagricultural land-disturbing activities, an erosion and sediment control plan, attached to this agreement according to the Schedule for Completion accompanying the plan. Both the plan and schedule are incorporated herein by reference.

DISTRICT agrees to provide assistance to COOPERATOR in applying the plan to COOPERATOR'S farm and furnish, as available, technical and financial assistance, equipment, and materials to COOPERATOR at rates established by DISTRICT.

DISTRICT AND COOPERATOR mutually agree that:

1. Compliance with this agreement shall be deemed compliance with the requirements of the Nebraska Erosion and Sediment Control Act and the erosion and sediment control program approved by the District.
2. Cost-share for erosion and sediment control practices may be available from the DISTRICT. However, lack of available cost-share assistance does not offset the requirement that the COOPERATOR implement this farm unit conservation plan in the time prescribed.
3. Neither DISTRICT nor COOPERATOR shall be liable for damages to the other in connection with the performance of this agreement unless such damages are caused by negligence or misconduct.

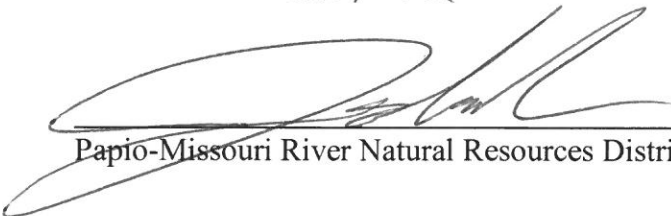
4. This agreement may be amended upon thirty days notice.

This agreement shall be in effect when signed by both parties and remain in effect unless it is terminated by either party by giving sixty days notice in writing to the other party.

Todd Cornwell
Owner/Operator

Date: 12-27-19

11259 Morgan Cir
Address Blair Ne


Papio-Missouri River Natural Resources District

Date: 12/27/19

Papio-Missouri River NRD Erosion & Sediment Control Program

CONSERVATION PLAN FOR COMPLETION
AND
COOPERATOR'S RECORD OF COMPLIANCE

COMPLAINT NO. W-1-19

DATE: 12/27/19

NAME: Todd Cornwell ADDRESS: 11259 Morgan Circle Blair, NE

LEGAL: S30-T17N-R12E COUNTY: Washington

Attach photograph, map, or diagram designating fields or tracts involved by number.


A. Planned

1. Record land use planned by field or tracts listing conservation practice(s) and/or resource management systems to be applied. Describe briefly, what will be done and how it will be done.
2. Indicate the amount of conservation practices planned and completion date(s).

B. Practice(s) Completion

1. Indicate conservation practice(s) completed and completion date(s). See plan maps
Terraces, Underground Outlets, Seeding - Summer Work
Completed by September 1, 2020

Cooperator: Todd Cornwell Date: 12-27-19

Preparer:  Date: 12/27/19

Terrace Map

Customer: Cornwell, Todd
District: Papio-Missouri River
Approximate Acres:
Legal: 30-17-12

Field Office: Blair Service Center
Agency: Papio-Missouri River NRD
Assisted By: Justin Novak
State and County: NE, Washington
Date: 12/27/19



0 125 250 500 750 1,000 Feet