

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

April 28, 2022

Ord, Nebraska

The April meeting of the Board of Directors of the Lower Loup Natural Resources District was held at the Headquarters Office, 2620 Airport Drive, Ord, Nebraska, on April 28, 2022. Chairman Citta called the meeting to order at 5:01 p.m.

CALL TO ORDER

Directors in attendance:

James C. Adams
Darwin B. Anderson
Beth Boesch
John Coffey
N. Richard Hadenfeldt
Matt Lukasiewicz
Alan D. Petersen
Dean G. Thede
Rick Vlach

Rollie D. Amsberry, Treasurer
Robert L. Bauer
Joseph L. Citta, Chairman
James Eschliman, Vice Chairman
Gary A. Kruse
Todd Nitsch
Gerald Smith
Henry J. Thoene, Secretary

Directors absent:

Timothy E. Bartak
Larry Mohrman

Randy Kauk
Chad J. Podolak

Staff in attendance:

Russell G. Callan, General Manager
Kim A. Lyons, Financial Secretary
Larry D. Schultz, I&E Coordinator
Alan Bartels, Information Specialist
Richard L. Woollen, District Forester
Jason Moudry, Water Programs Spec.

Tylr Naprstek, Asst. General Manager
Irene F. Kreifels, Administrative Assistant
Cameron Conrad, Water Modeling Coord.
V. Anne Freeman, Water Programs Sec.
Dell Harris, Water Resources Specialist
Brian Kolar, Projects Technician

Guests in attendance:

Bryce Bauer, LDC, NRCS, Ord
Jim Nelson, Cairo

Dennis Derner, Bartlett

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Citta asked for verification of the meeting notice. General Manager Russell Callan stated that the agenda was current, and that the meeting notices were properly published in all newspapers, posted at the NRD Headquarters office in Ord, on the NRD website, and in the eight field office locations.

ROLL CALL

Roll Call was conducted. Directors present: Amsberry, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kruse, Lukasiewicz, Nitsch, Petersen, Smith, Thede Thoene, Vlach. Directors Absent: Adams, Bartak, Kauk, Mohrman, Podolak.

EXCUSED ABSENCES

Citta stated that Directors Bartak, Kauk, Mohrman, and Podolak had asked to be excused.

Smith motioned, seconded by Eschliman, to excuse Directors Bartak, Kauk, Mohrman, and Podolak. Motion carried by electronic vote, all present voting yes.

MINUTES

Chairman Citta asked for corrections and/or additions to the March 24, 2022, Board meeting minutes. Anderson stated he thought he had a change; however, was unable to locate it. Citta announced that the change could be made once found.

Boesch motioned, seconded by Anderson, to approve the March 24, 2022, Board meeting minutes as presented. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Kruse, Lukasiewicz, Nitsch, Petersen, Smith, Thede, Thoene, Vlach. Directors absent: Adams, Bartak, Kauk, Mohrman, Podolak. Director abstaining: Hadenfeldt.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$1,500.00 to Transit Works for the survey grade GPS system used by staff and \$8,864.00 to USGS for operation of stream gauges. He also highlighted expenditures of \$44,010.06 to JEO Consulting Group for work on the WFPO projects and \$7,215.97 to JEO for work on the FEMA Hazard Mitigation Plan.

Kruse motioned, seconded by Petersen, to approve the April 28, 2022, Treasurer's Report. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bauer, Boesch, Citta, Eschliman, Hadenfeldt, Kruse, Lukasiewicz, Nitsch, Petersen, Smith, Thede, Thoene, Vlach. Directors absent: Adams, Bartak, Kauk, Mohrman, Podolak. Director abstaining: Coffey.

The Treasurer's Report Approval Policy states that the approved expenditures are to be published and each director who has per diem and/or reimbursement of expenses included in such financial reports, abstains from voting for the approval of his or her own per diem and/or expense reimbursement.

PUBLIC COMMENTS

Dennis Derner, Bartlett resident, expressed concern about pivot use in his area. He stated that there should be a limit on the amount of water used. He stated there was a pivot $\frac{3}{4}$ mile from his house that is used constantly and that it is a waste of water. He said he has heard in Colorado there are limits to eight inches of water.

Adams arrived at 5:09 p.m.

Derner stated that water had been testing .2 to .3 for nitrogen and he thought that 8-10" of water was plenty to raise a crop or that producers should be taxed for more use. He also reported that he had heard of people putting on more fertilizer than what was needed.

FORESTER'S REPORT

Richard Woollen, District Forester, reported that staff had started planting machine plant trees and that most of the hand plants had been distributed. He also reported that he went up to Niobrara and they were getting some Ponderosa pines planted.

NRCS REPORT

Bryce Bauer, NRCS, Ord, reported that Chelsea Clark was the new RC in Albion, and that Chelsea Kirchman had been hired as the new soil conservationist in Broken Bow. He also reported that staff was still working on EQIP contracts and CSP rankings and that HEL compliance letters would be mailed. Bauer stated that, starting Monday, their offices would be open 100% with all staff back in the offices.

Callan reported that with the lack of a technician and tree planter in Broken Bow, NRCS, had been helping to make sure tree planting sites were ready.

INFORMATION & EDUCATION REPORT

Bluebirds Across Nebraska Conference

Alan Bartels, Information Specialist, reported that last Saturday the Bluebirds Across Nebraska Conference was held in Unadilla and that 75-80 people attended. He reported that he spoke about the Lower Loup NRD activities as well as the 50th anniversary of NRDs. He said Nemaha NRD spoke about their recreation areas. He stated that there had been discussion about putting bluebird boxes at Davis Creek.

Nebraska State Envirothon

Bartels reported that the State Envirothon contest was held yesterday. Bartels said that he served as a team guide, and Larry Schultz, I & E Coordinator, helped score the contest. Photos were shown of the contest. He reported that the St. Paul team received first in Forestry, Loup City won in Policy, Burwell in Range, and St. Paul also tied in Soils.

Nebraska Children's Groundwater Festival

Schultz reported that he and Bartels would attend the Groundwater Festival on May 17th and would be doing the *Water Drop Relay*.

"In the Loup" Newsletter

It was reported that the newsletter was at the printers and should be mailed next week.

Arbor Day

It was reported that Schultz, Bartels, and Woollen attended an Arbor Day presentation at the golf course. Schultz reported that this was the 25th year for Ord to be named Tree City.

Hazard Mitigation Plan Resolution FY2022-009

Schultz reported that JEO had requested to change the procedure to streamline the Hazard Mitigation Plan review by FEMA and NEMA.

Callan introduced Resolution FY2022-009:

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by the Lower Loup Natural Resources District, and,

WHEREAS, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the Natural Resources Districts and participating jurisdictions located within the planning boundary by identifying the hazards that affect the Lower Loup Natural Resources District and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, the Nebraska Emergency Management Agency and FEMA reviewed and approved the Lower Loup Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update as of April, 2022, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the Lower Loup Natural Resources District in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of the Lower Loup Natural Resources District does herewith adopt the FEMA approved Lower Loup Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety; and

PASSED AND APPROVED this 28th day of April, 2022

Smith motioned, seconded by Boesch, to adopt Resolution FY2022-009. Motion carried by electronic vote, all present voting yes.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek

Tylr Naprstek, Assistant General Manager, reported that the shower house, RV dump, and fish cleaning station were open. He also reported that the lake was at about 78% full capacity and the docks were deployed. He said the first camp host would be in the second week of May. He also reported that Callan had put in effect a burn ban to match Nebraska Game and Parks Commission.

Cover Crop Study

Naprstek reported that equipment would be temporarily pulled next week and redeployed after the planting season. He reported that this would be the last year for data collection and that by June of next year, the NRD should have the final report.

Pibel Lake

Naprstek reported that staff and the Nebraska Game and Parks Commission had taken care of the goose eggs. Pictures were shown indicating the location of nests. He reported that no eggs had hatched yet. Naprstek also showed a map of the band recoveries in 7 states and 2 Canadian provinces recorded by Game and Parks.

Naprstek reported that in May staff would start sampling for blue-green algae.

WATER RESOURCES COMMITTEE

Nitrate Management – Rules & Regulations

Naprstek reported that a meeting was scheduled for May 10th with crop consultants to update them on application rates and types of fertilizer being used. He stated the meeting would have a questionnaire like the one used during drought management meetings. He stated that the

NRD was investigating rising nitrates levels in irrigation water. He stated at the meeting that staff would highlight the rules and regulations currently in place.

LLNRD Drought Plan

Naprstek showed the various drought zones in the District. Cam Conrad, Water Modeling Coordinator, explained the 17 zones and the factors that determine each zone, including sandy soils, rainfall, topography, etc. Water level maps from 2013 and from 2022 were discussed. Conrad explained that according to short-term drought indicators, most of the District was currently in extreme drought. The long-term drought indicators, which take into consideration 25 years of static water levels, show that most of the district was in the monitor and watch phases, with one zone in the moderate level.

Current restrictions in drought areas were discussed, ranging from education and outreach in watch areas to limitations on new acres, transfers, and supplemental wells in areas of higher concern.

The drought protocols were reviewed. Differences between monitor, watch, moderate, severe, and extreme areas were discussed. Conrad reported that this had been discussed at the stakeholders meetings. Naprstek added that the stakeholders group would make recommendations to the Board of Directors and that letters and online information would be provided to the public.

Bauer asked if clarification was needed that transfers were allowed out but not into the drought areas. Naprstek stated that a variance could be brought to the Board for transfers. Callan stated that the protocol would go into the draft plan.

Lukasiewicz asked if the zones were set or if work was still being done. Callan stated some may need to be adjusted. Conrad said it would be beneficial if these zone boundaries replaced our current groundwater quantity management areas.

Boone County – Well Drawdown Area

Naprstek reported that the drawdown was discussed as well as a need for meters in the area. He stated that staff was still receiving landowner complaints. He also reported that on May 23rd, Sue Lackey would be putting in test holes to evaluate and that monitoring wells would be put in these locations.

Lower Platte River Basin Coalition

Naprstek stated that the first 5-year report had been reviewed and showed a summary of the remaining allowable depletion. It was stated that the LLNRD was one of a few districts that was putting water back in through various processes, and that the NRD still had 5,267.21 acre-feet of allotment to be added into the next 5-year increment.

Smith motioned, seconded by Adams, to approve the Lower Platte River Basin Coalition report as presented. Motion carried by electronic vote, all present voting yes.

Smith motioned, seconded by Coffey, to approve authorization for Callan to sign the new Lower Platte River Basin Coalition interlocal agreement on behalf of the District. Motion carried by electronic vote, all present voting yes.

Callan explained that the new interlocal agreement would not have to be redone every five years. It will be ongoing and participants have the option of opting out when they want.

GWQMA Pre-complaint & Violations Update

Naprstek stated there were repeat violators in Area 28 and Area 29 that were not in compliance. He reported that they would be getting a pre-complaint letter, which means that they have been out of compliance for one year. But most should be a quick fix. Naprstek reported that he and Callan had visited with the Bruning Law Group to go over choices available to producers in non-compliance. He stated that Bruning was working on it and would hopefully have things ready by the next Committee meeting.

Static Water Level Report

Naprstek explained that trends were down for the majority of the District. Areas of decrease were highlighted, but he stated that, overall, the levels were not bad. A map was shown indicating levels from the last ten years. The five-year average was also shown as well as the overall analysis comparing 1982 levels and data trends.

Smith motioned, seconded by Anderson, to approve the Static Water Level & Transducer Report. Motion carried by electronic vote, all present voting yes.

Columbus Recharge Project

Callan reported that the pitless adaptor was in and that the electricians were working on getting things hooked up. He reported that the monitoring equipment was being installed.

PROGRAMS/PROJECTS COMMITTEE

FEMA Buyout Project

Kruse reported that some directors went on a tour of the property and that an appraised amount had been received. Callan stated that the appraisals would be submitted to the property owners and they would have 30 days to review.

Mud Creek Project

Kruse reported that one of the three proposed dams did not meet the required cost benefit ratio needed for the project. Naprstek stated that they looked at each dam individually and then

assessed the whole project. He said it would not hurt anything to remove the dam that did not meet the requirements. A map was shown of the proposed dam locations. Callan stated that the Board would decide what to do after reviews and cost benefit ratios were finalized.

Mira Creek Project

Kruse reported that Mike Placke of JEO was present at the Committee meeting to discuss the project. Callan stated there was talk of widening the channel on the edge of town and cleaning out the rest of it. Also, a bypass for the creek and a levee/berm on the north side of North Loup were still being considered.

Sargent Flood Project

Kruse reported that Sargent had applied for their grant. Callan stated that the CDBG grant may not work for this project.

Davis Creek Paving Project

Naprstek reported that Nik Johanson, Bureau of Reclamation, had contacted him regarding a Federal Lands Access Program (FLAP) grant that had 100% funding available with no match for public funds and that this could be used to finish adding concrete to the rest of the road. Smith asked how much of the road would be done. Naprstek stated that it could be resurfaced to the docks.

Kruse motioned, seconded by Adams, to approve application to the Federal Lands Access Program grant. Motion carried by electronic vote, all present voting yes.

Building Update

Callan reported that the old shop floor had been leveled and that the doors were installed in the new shop area. He stated the contractors were currently working on installing piping and fixtures.

VARIANCE COMMITTEE

Toene reported that this was the second time they heard the variance request for the Board of Educational Lands and Funds on land located west of Sargent. He stated they want to move surface water acres and develop a pivot. He stated that Sargent Irrigation was in favor of the transfer. He also stated it was in a groundwater increase area.

Toene motioned, seconded by Smith, to approve the Board of Educational Lands & Funds variance request. Motion carried by electronic vote, all present voting yes.

MANAGER'S REPORT

Litigation Update

Callan reported that he had not heard anything on the Platte-Republican Diversion and was still waiting on information on instream flow.

New Hires

Callan reported that Christy Berghorst was helping to bundle trees and that Chuck Green and Scott Winchester were helping with planting. He also reported that Derek Domeier had been hired to fill the shop position, Jon Westerby had been hired as the new technician in Broken Bow and Kevin Gustafson had been hired as an engineer.

Non-action Reports

Callan reported that he was working on ideas for noon hour presentations on Committee meeting days.

NARD REPORT

Eschliman reported that the Basin Tour would be held June 6-7 in Scottsbluff.

NRC REPORT

Hadenfeldt reported there was a meeting April 13th and that they were considering re-writing the rules to accept filings in March instead of July so the process could be completed earlier.

LOUP BASIN RC&D REPORT

Adams did not have an update.

ANNOUNCEMENTS/FUTURE MEETING TOPICS

None.

ADJOURNMENT

With no further business before the Board, Chairman Citta declared the meeting adjourned at 6:55 p.m.

Roster for attendance of this meeting and tally of votes cast on motions at this meeting are being filed with the official minutes of this meeting at the Lower Loup Natural Resources District's Headquarters Office, 2620 Airport Drive, Ord, Nebraska. Publication notification of this meeting was made via a newspaper in each county within the District. The next Board of Directors meeting will be held May 26, 2022, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary