

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

February 22, 2024

Ord, Nebraska

The February 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 February 22, 2024. Chairman Thoene called the meeting to order at 4:40 p.m.

### CALL TO ORDER

#### Directors in attendance:

James C. Adams  
Darwin B. Anderson  
Robert L. Bauer  
Justin King  
Larry Mohrman, Secretary  
Alan Petersen  
Gerald Smith  
Alexander L. Vlach

Rollie D. Amsberry, Treasurer  
Timothy E. Bartak  
N. Richard Hadenfeldt  
Gary A. Kruse  
Todd Nitsch  
Chad J. Podolak  
Henry J. Thoene, Chairman  
Rick Vlach, Vice Chairman

#### Directors absent:

James Eschliman  
Thomas L. Knutson

Randy Kauk  
Matt Lukasiewicz

#### Staff in attendance:

Russell G. Callan, General Manager  
Irene F. Kreifels, Administrative Assistant  
Alan Bartels, I&E Coordinator  
Dell Harris, Water Resources Specialist  
Jason Moudry, Water Programs Specialist  
Derek Vogt, Agronomist  
LeeAnn Smith, Water Admin. Assistant

Tylr Naprstek, Assistant General Manager  
Kim A. Lyons, Financial Secretary  
Brant Bechtold, I&E Specialist  
Kevin Gustafson, District Engineer  
Ann Freeman, Water Programs Secretary  
Harold Benton, Water Resources Technician  
Cacey Wilken, Water Modeling Coordinator

#### Guests in attendance:

Mary Mailander, Spalding  
Norman Brugger, Albion  
Colton DeBower, Columbus

Terry Mailander, Spalding  
Diane Brugger, Albion  
Remington Slama, Anderson, Klein,  
Brewster & Brandt, Kearney

## VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Thoene 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.

## EXCUSED ABSENCES

Thoene stated that Directors Eschliman, Kauk, Knutson and Lukasiewicz had asked to be excused.

**Smith motioned, seconded by Kruse, to excuse absent Directors Eschliman, Kauk, Knutson, and Lukasiewicz. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bartak, Bauer, Hadenfeldt, King, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Director not present for vote: Adams. Directors absent: Eschliman, Kauk, Knutson, Lukasiewicz.**

## MINUTES

Thoene asked for corrections and/or additions to the January 25, 2024, Board meeting minutes. Callan stated there is one correction; however, it is in the transcribed portion so won't change. He said it states Lower Loup "National" Resources District, instead of Lower Loup "Natural" Resources District. Thoene announced that the minutes were approved.

## TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$8,027.64 to Campbell Scientific Inc for probes and \$30,864.55 to LRE Water for Buffalo County Water Study. Callan also noted additional expenditures of \$23,006.38 to Giddings Machine Co. Inc. for half of the Giddings probe purchase; \$5,000.00 to Water Strategies LLC and directed Board attention to the report provided in the agenda; and \$113,193.27 to JEO Consulting Group Inc. for work on both Mud Creek and Mira Creek WFPO Projects.

**Bartak motioned, seconded by R. Vlach, to approve the February 22, 2024, Treasurer's Report. Motion carried by electronic vote, all present voting yes.**

## FORESTER'S REPORT

Callan stated that Conservation Forester Aron Lewis was attending the Nebraska Forest Service winter staff meeting, so was not present.

## PUBLIC COMMENTS

Thoene asked for public comments. None were heard.

## NRCS REPORT

Bryce Bauer, NRCS Ord, stated that he missed the last Board meeting; however, had met with Callan and the State Office on RCPP project proposals. He reported that they were able to lay out what needed to be done going forward. Bauer added that the application period will be released in February with applications due in May and decisions made by August. He stated he has been working at it and has a couple partners lined up for the program. Bauer added that there is emphasis on reaching underserved groups of people such as beginning farmers/ranchers and minorities. He stated that Farm Bureau is interested in a partnership which would consist solely of outreach for the program. He will keep looking for additional partners. How the program works is that once information is released, an application is decided on. Proposals will be ranked in the Lincoln office, with top proposals moving on to national for final ranking.

Callan added that this is the nutrient management and pivot assistance programs with maximum funding up to \$25M over a 5-year period.

Bauer also reported that there will be an EQIP Local Work Group this coming week and a meeting scheduled for March 13<sup>th</sup> to talk about 2025 recommendations. Bauer stated that they are allocating the Inflation Reduction Act EQIP money and will start with regular EQIP after funds are depleted.

## INFORMATION & EDUCATION REPORT

### Columbus Area Children's Museum

Alan Bartels, I&E Coordinator, reported that he attended the grand opening of the Columbus Area Children's Museum that the Lower Loup NRD contributed towards. He showed pictures of the water table and NRD information panels that were installed. He stated they are still building an interactive component and the exhibit should be fully complete by mid-March.

### Great Backyard Bird Count

Bartels reported that the Great Backyard Bird Count was held last Saturday in the Arboretum; however, with other local events and cooler weather, attendance was down. He stated that staff may plan another one in Spring when the weather is better.

### Central Region Envirothon

Bartels stated that the NRD is co-hosting the Central Region Envirothon on February 26<sup>th</sup> in Columbus.

### Arbor Day Programs

Bartels reported that he has reached out to the fourth-grade classes in the District and will be handing out roughly 700 trees.

## ASSISTANT GENERAL MANAGER'S REPORT

### Davis Creek Campground Hosts

Tylr Naprstek, Assistant General Manager, reported that letters had been sent out to previous camp hosts listing available dates.

He also reported that the boat docks are in the water and that there have already been people out on the lake. He added that staff has looked at the entry road and it has heaved in several spots. He stated that staff has smoothed the entry as best they could, but repairs are necessary.

### Flow Meter Cost-Share Letter

Naprstek reported that cost-share letters were mailed to producers in Water Quantity Management Areas 18 and 20. He added that, so far, there has been helpful feedback. He stated that Bartels and Information Specialist Brant Bechtold have added cost-share information to the website as well as the approved meter list.

### Drought Monitoring

Naprstek showed the newly released drought map. He explained that there is a reduction in western Nebraska and the southwest is still maintaining its "watch" drought status. He added that Nance and Platte Counties are still in the "Severe" category.

Naprstek stated that staff will begin static water level readings at the end of March. He also showed areas that were being watched based on last year's Spring readings. He stated that drought remains but has improved across most of our area. Naprstek added that, as of now, the surface water flows are good. He stated that Fullerton and Genoa are still working on their well situations. Naprstek also showed the annual drought summary.

Podolak asked when the Drought Management Plan will be reviewed. Naprstek stated that the committee will review it after static water levels are recorded. Callan added that the plan is redone every 5 years, and we are in year 2.

### Columbus Area Recharge Report

Callan stated the report is included in the agenda. He reported that 958 acre-feet of water was pumped from the channel and explained that there is a breakdown of operation costs in the report as well as an estimate of a full year's costs. He explained that the report shows how many days, as well as acre-feet, were pumped.

Mohrman asked if the NRD will meet with Loup Power again on water costs. Callan stated he has unsuccessfully tried to schedule a meeting. Bauer asked what 96% recharge meant. Callan stated that it is the estimate of what was recharged based on what was pumped.

Once this report is approved, it will be sent on to the other project contributors.

**Adams motioned, seconded by Podolak, to approve the Columbus Area Recharge Report. Motion carried by electronic vote, all present voting yes.**

## WATER RESOURCES COMMITTEE

### 2023 Water Quality Report

Naprstek showed the 2023 nitrate sampling results.

Derek Vogt, Agronomist, explained that there were 2,736 total samples. He showed the median nitrate readings over the entire District are 5.4, which is 0.2 higher than last year. However, the average is down to 9.5 which is down 0.7 from last year. Districtwide, without the three water quality management areas, the median samples are at 2.7, which is up 0.1, and the average is 5.4, which is down 0.1. Vogt discussed domestic water quality and stated that the EPA maximum nitrate level safe for consumption is 10.0 ppm. He stated that 15% of wells across the entire District are over that without figuring in water management areas. In Area 28 alone, 75% of domestic samples are over that threshold.

It was reported that there is a public information meeting being held in Wheeler County on February 29<sup>th</sup>, due to the high nitrate numbers in the area. A map of high concern areas was shown.

Vogt also reported that Areas 12 & 19 triggered at 6.6 and 6.9, respectively, this year. Area 28 has a median of 18.9; Area 29 is 14.0, and Area 30 is 9.5. Areas 22, 14, & 27 are staying low. Also included in the report are county and well breakdowns.

Podolak asked if there are currently any legislative bills regarding nitrates. Callan stated that will be discussed during legislation.

Jason Moudry, Water Programs Specialist, reported on the nitrate vulnerability model and looked at the water quality trends. He showed the 2023 levels vs. the all-time levels. He stated that the samples dating back to the 70's were reviewed, and the trend analysis was based on all samples. Moudry pointed out sections with higher samples. He stated that Areas 29 & 30 are trending up and added that there is more variability in Area 29 than in Area 30. He also showed a comparison of well locations with high nitrates. This was a comparison between 2018 and 2023 of wells greater than 6.5 ppm. He added that there were 207 sampling sites that decreased, 213 sites that increased and 58 that stayed the same.

**Smith motioned, seconded by Amsberry, to approve the 2023 Water Quality Report. Motion carried by electronic vote, all present voting yes.**

### Water & Energy Efficiency Grant

Naprstek reported that the federal grant application has been submitted, however, we won't get notification until January, 2025. He stated that the application was modified to include 200 meters in Areas 18 and 20, two weather stations to be placed around the Pleasanton/Ravenna area, and one to be placed around the Genoa/Columbus/Monroe area so better evapotranspiration data can be obtained.

### City of Fullerton – Well Decommissioning Update

Naprstek stated that the City of Fullerton has pulled their well decommissioning request for the time being.

### Irrigation Violations

Naprstek reported that violation letters were mailed last week. He stated that out of 40 letters, around 16 cooperators have contacted staff so far. He stated that a *Plan and Schedule for Compliance* will be written up for them.

Thoene asked if staff calls before letters go out. Naprstek stated that letters are mailed first. Callan added that the letter is sent stating there is a violation and hopefully the producer will call. Naprstek added that there are a lot of certification corrections that need to be made and that takes care of most of the violations.

## PROGRAMS & PROJECTS COMMITTEE

### Pibel Lake Expansion

Kruse stated that the Pibel Lake Expansion project has gone out for proposals.

Kevin Gustafson, District Engineer, reported that he reviewed the bids. He stated there were four proposals for preliminary design and grant application preparation. He said they included design of a walking trail, campground expansion, and additional boat access. Gustafson reviewed the information and explained how scoring was done and the criteria used.

Gustafson stated that Olsson, EA Engineering, JEO, and HDR had all submitted proposals. He showed the weighted scores and individual rankings of each firm. He stated that EA was the top ranked proposal, with JEO 2<sup>nd</sup>, Olsson 3<sup>rd</sup>, and HDR 4<sup>th</sup>. Gustafson added that all the bids were good except JEO was the only firm that provided the proof of insurance listed in the bid specifications. Gustafson stated that staff's recommendation is to approve JEO's bid of \$29,900 and move forward with the project.

**Kruse motioned, seconded by Petersen, to accept JEO's bid for the Pibel Lake Expansion design and grant application.**

Podolak asked what the purpose is for insurance on engineering. Gustafson stated it is a requirement included in the bid packets, but it doesn't necessarily need to be. Adams asked if they all must have it anyway. Gustafson stated they do; however, JEO was the only firm that provided it.

**Vote was held. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Bauer, Hadenfeldt, King, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, R. Vlach. Director voting no: A. Vlach. Directors absent: Eschliman, Kauk, Knutson, Lukasiewicz.**

#### St. Edward BRIC Grant

Kruse reported that St. Edward has hired JEO as their consultant on the project. He stated that in the past they worked with Kirkham Michael.

#### Potential Recharge Projects

Kruse reported that Callan will meet with Olsson on potential recharge projects in Platte County along the Loup Power Canal and that ten sites have been identified. Naprstek stated that models have been run on each.

Adams added that there are several others that could be done. Callan stated that Gustafson has been reviewing several locations.

Naprstek showed a map of the locations in Platte County and reported that most are already dedicated wetlands. He stated that models have been run showing water returns in 1, 2, & 5 years on each site.

Callan added that nobody has been contacted yet, that staff is just modeling to find possibilities at this point and more information will be available later.

#### Mud Creek WFPO – Ansley

Kruse reported that the Mud Creek meeting was held after being rescheduled. Gustafson stated that there was good discussion and questions. He stated that information from JEO is back and will be addressed. He added that the project is in the last stage before moving on to NRCS Headquarters for the Chief's approval and then the project can go out for funding for design.

#### Mira Creek WFPO – North Loup

Gustafson reported that feedback has been received from Little Rock and that they have recommended doing a business survey like what was done at Ansley with Mud Creek. He stated that JEO is putting together a response as to why it is not needed and that models used are adequate. He stated an NRCS meeting was held, and it was agreed to use that as our response. He stated the next step will be to go to NRCS programmatic review and they will make sure all comments from Little Rock have been addressed. He added that there is no time frame known on the project at this time.

### Sargent Flood Project

Kruse reported that the project was out for proposals and discussed the one received from JEO. He stated that they felt it was high, but it was the only one received. Kruse added that management talked with Sargent and met with JEO to discuss the cost because they were about \$245,000 above what FEMA approved for HMP grant for design.

Gustafson stated that we originally went for a BRIC grant, which was denied, and then a HMP grant. He reported that some of the cost data may need to be updated.

It was reported that after discussions, the bid was lowered by \$110,000, but was still approximately \$133,000 higher than the HMP grant funds available. The flood resiliency project estimates were shown with the original figured amount and a 60/20/20 split for non-federal funds. It was mentioned that Sargent has also requested an additional \$120,000 from FEMA. So far, Sargent has committed \$226,000 and the NRD has committed \$250,000.

Kruse asked what the NRD's cost would be without the FEMA funding. Gustafson reported it would be \$34,000, but we have money allocated for it; however, we may need additional for construction down the road.

Callan stated that the actual cost is unknown at this time. He added that it went from a 75/25 grant to a 90/10 grant, but it will most likely be over budget.

Callan stated he would like to approve JEO's contract to do the design. Smith asked if it was just for the in-town portion. Callan stated it is for all around town and out to the river.

**Kruse motioned, seconded by Adams, to approve JEO's bid for the Sargent Flood Resiliency Project. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Bauer, Hadenfeldt, King, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, R. Vlach. Director abstaining: A. Vlach. Directors absent: Eschliman, Kauk, Knutson, Lukasiewicz.**

### Columbus BRIC Grant – Contribute \$15,000

Kruse reported that Columbus is pursuing, through FEMA, to monitor and minimize effects of ice jams on the Loup River upstream from Columbus through Nance and Platte Counties and have been approved for \$150,000 in FEMA BRIC grant funding. He added that they are approaching Lower Loup NRD, Platte County, Nance County, and LPPD as partners for \$15,000 each to assist.

Callan stated they are looking into ice mitigation and bridge information, early warning systems. He added that they have letters of support from both Nance and Platte Counties.

**Kruse motioned, seconded by Bauer, to contribute \$15,000 to Columbus for their BRIC grant match funding. Motion carried by electronic vote, all present voting yes.**



## ENGINEER'S REPORT

### Davis Creek Road Paving Project Bid Letting

Gustafson stated that he is looking to have a bid opening April 18<sup>th</sup>, with advertising taking place in March and construction to begin September 30<sup>th</sup> and completed by December 15<sup>th</sup> of this year. He stated that last year he was told that our bid opening was held the same day as a State letting, so he wanted to avoid that again this year. He added that with opening on the 18<sup>th</sup>, reviews would be ready for approval by the Board meeting. Gustafson stated there is a section of the road that has been problematic for several years that needs to be addressed.

Gustafson reported that there was a reclamation coordination meeting with BOR and Nebraska Game and Parks and they are planning to start paving the South Dam Lake Road at Calamus. He added that there is a pre-construction meeting March 13<sup>th</sup> and that they are planning to work on camping pads and entry roads, so they are not taking reservations for camping at Calamus this season. He stated that may increase camping at Davis Creek this year.

### LLNRD Board Vacancy - Subdistrict 10

Callan reported that Colton DeBower has shown interest in being appointed to the open Subdistrict 10 position.

Colton DeBower addressed the Board. He stated he has been in agronomy for 13 years and diversified agricultural positions and that he wanted to put his name in for the remainder of John Coffey's term.

**Adams motioned, seconded by Mohrman, to appoint Colton DeBower to fill the Subdistrict 10 Board vacancy. Motion carried by electronic vote, all present voting yes.**

## MANAGER'S REPORT

### Water Strategies Update

Callan stated that there was an update included in the agenda from Water Strategies for Board members to review.

### Litigation Update

Callan stated that the Platte Republican Diversion application is with DNR and should be out by the end of the year.

### New Hires

Callan reported that Laura Barber has started as the Field Office Secretary in Spalding and that Shay Reilly has been hired to help with soil sampling part-time.

### Non-action Reports

Callan stated there will not be Committee meetings in March due to Washington, DC trip timing.

Callan reported that Columbus has been practicing dewatering activities for the casino area. He stated that staff has been receiving calls from by Kluever Lake and that callers are reporting that lake levels are declining. He also stated that someone does not need a permit to get a dewatering well if it has been less than 90 days.

Dell Harris, Water Resources Specialist, has been in contact with Rutjens and informed them of the regulations for dewatering and they hope to be done in the next couple of weeks. King asked how deep the dewatering wells are drilled. Harris stated that they are six feet deep. Mohrman asked if they are not done if the wells must be shut down and redone. Callan stated that well drillers must keep records to track service dates, but they don't have to contact us unless they are pumping for 90 days. Harris stated that a big stretch was done last year, too, and Ed Drozd, NRD Technician in Columbus, documented the process. Mohrman asked how we know if it has been 90 days. Harris stated he marked on the calendar the day he found out about it.

### NARD REPORT

Eschliman was not present to give the report.

### NRC REPORT

Amsberry reported that the Commission met yesterday in Kearney. He stated that Board openings and committee reassignments were discussed. He also reported that Callan and Moudry were present and gave a presentation on the Buffalo County Cover Crop Study. Amsberry added that the next meeting will be held April 3<sup>rd</sup>.

Callan stated there was good discussion on the Cover Crop Study.

### ANNOUNCEMENTS/FUTURE MEETING TOPICS

Callan announced that the Board Retreat will be February 28<sup>th</sup>.

### ADJOURNMENT

With no further business before the Board, Chairman Thoene declared the meeting adjourned at 6:15 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 March 28, 2024, at 4:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Larry Mohrman  
Secretary