

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

January 26, 2023

Ord, Nebraska

The January 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 January 26, 2023. Chairman Eschliman called the meeting to order at 4:00 p.m.

CALL TO ORDER

Directors in attendance:

James C. Adams
Darwin B. Anderson
Robert L. Bauer
James Eschliman, Chairman
Randy Kauk
Gary A. Kruse
Larry Mohrman
Gerald Smith
Alexander L. Vlach

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
John R. Coffey, Secretary
N. Richard Hadenfeldt
Thomas L. Knutson
Matt Lukasiewicz
Chad J. Podolak
Henry J. Thoene, Vice Chairman
Rick Vlach

Directors absent:

Todd Nitsch

Alan Petersen

Staff in attendance:

Russell G. Callan, General Manager
Irene F. Kreifels, Administrative Assistant
Alan Bartels, I & E Coordinator
Dell Harris, Water Resources Specialist
Richard Woollen, District Forester
Brant Bechtold, I&E Specialist
Phil Hill, Shop/Rec Area Manager
LeeAnn Smith, Water Programs Asst.
Mike Lorenz, Agronomist

Tylr Naprstek, Asst. General Manager
Kim A. Lyons, Financial Secretary
V. Anne Freeman, Water Programs Secy.
Kevin Gustafson, District Engineer
Brian Kolar, Projects Technician
Ken Dawson, Water Resources Technician
Aron Lewis, Conservation Forester
Harold Benton, Water Resources Technician
Cheryl Hornickel, Programs Assistant

Several guests in attendance

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Eschliman 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

Eschliman stated that Directors Nitsch and Petersen had asked to be excused.

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

MINUTES

Eschliman asked for corrections and/or additions to the December 15, 2022, Board meeting minutes. None were heard.

Coffey motioned, seconded by Smith, to approve the December 15, 2022, Board meeting minutes as presented. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bauer, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Lukasiewicz, Mohrman, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Director abstaining: Knutson. Directors not present for vote: Adams, Bartak. Directors absent: Nitsch, Petersen.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$17,635.44 to the Nebraska Forest Service for the NRD's share of the District Forester position; \$17,788.11 to Yanda's for office equipment for the new addition; \$26,621.99 to Cornhusker State Industries for office furniture; \$40,000.00 to Olsson for GET licensing; \$41,119.41 to JEO Consulting Group for Mud and Mira Creek WFPO work. He also noted additional expenditures of \$44,097.81 to JEO Consulting Group for Mud and Mira Creek WFPO work.

Anderson motioned, seconded by Mohrman, to approve the January 26, 2023, Treasurer's Report. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bauer, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Lukasiewicz, Mohrman, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Director abstaining: Knutson. Directors not present for vote: Adams, Bartak. Directors absent: Nitsch, Petersen.

PUBLIC HEARING ON PROPOSED CHANGES TO LOWER LOUP NRD RULES AND REGULATIONS – 4:05 P.M.

An official transcript of the hearing was completed by Thomas & Thomas Court Reporters and is attached at the end of the Minutes, along with two written testimonies received after the public hearing.

Eschliman opened the hearing at 4:07 p.m.

Bartak arrived at 4:12 p.m.

Adams arrived at 4:28 p.m.

Eschliman closed the hearing at 4:56 p.m.

Eschliman announced that the record would remain open for one week for written testimony and that a decision would not be made tonight.

A short recess was taken, and the meeting resumed at 5:05 p.m.

FORESTER'S REPORT

Richard Woollen, District Forester, reported that there was information in the agenda on the upcoming two-day virtual tree care workshop to be held on February 3rd and 10th. A Zoom link will be provided after participants register. Woollen stated that topics would include diagnosis, risk assessment, preventing root damage, and site evaluation with tree selection.

Woollen also stated that the 2022 Nebraska Forest Service Annual Report was available. He said there was information regarding the grant funding given to communities and individuals from the Forest Service.

Amsberry asked if there was any information on what would be done to rebuild Halsey. Coffey stated that there was a bill introduced to assist with funding for rebuilding.

NRCS REPORT

Bryce Bauer was not present to report, but directors were encouraged to read his report in the agenda.

INFORMATION & EDUCATION REPORT

Envirothon and Land Judging Contests

Alan Bartels, I&E Coordinator, reported that the Central Region Envirothon would be held at CCC's Platte Campus on February 28th and that Lower Loup NRD will host an Envirothon Field Day on October 5th and the State Land Judging Contest on October 25th.

Washington D.C. Conference

Bartels stated that flight arrangements had been made and lodging and the White House tour was still pending.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek Totals

Tylr Naprstek, Assistant General Manager, reported on Davis Creek numbers from the 2022 season. He stated that Davis Creek was an increasingly popular site for family reunions and wedding receptions. He stated that there were already over 300 nights reserved for 2023. He added that overall numbers were down about 10% after the COVID peak wore off; however, that was consistent with what other recreation areas were seeing.

Nitrate Result Letters

Naprstek reported that 2,630 letters were sent to producers with nitrate test results on domestic, irrigation, livestock, and commercial wells. Information packets were included detailing available funding from NDEE for installation of a reverse osmosis system for producers with domestic nitrate levels over 10 ppm. Also, information on crediting nitrates was sent to producers whose irrigation wells tested higher than 10 ppm.

Pibel Lake

Naprstek stated staff was keeping an eye on the goose population. The Nebraska Game and Parks commission has been contacted regarding 2023 goose population control.

Chemigation Permits

Naprstek reported that techs have been reaching out to chemigation applicators when their name was on multiple permit applications. He discussed the list of classes in the area that were coming up for chemigation/pesticide recertification.

WATER RESOURCES COMMITTEE

District Rules and Regulations Update

Discussion was held at the Public Hearing and further discussion will be held next month.

2022 Water Quality Nitrates

Naprstek stated that letters went out to anyone who had a nitrate sample collected over the course of last year and that copies were available for viewing. He said that staff would be working on well ownership change updates.

Source Water Grant Position – Custer County

Callan stated that Jason Moudry, Water Programs Specialist, was working on a grant with NDEE for 319 funds to hire a Source Water Protection Coordinator for the Broken Bow/Custer County area. He stated the letter of intent was submitted to NDEE in January.

2022 Irrigated Acres Violations

Naprstek stated there were about 80 violations total but expected that number to be reduced due to a lot of them being either surface water or having irrigation history.

Columbus Recharge Project

Naprstek stated that he, Brian Kolar, Projects Technician, and Kevin Gustafson, District Engineer, had put together an annual report that was distributed to all partners on the project. He added that most partners had paid their share to date. Callan stated that next year we will have an Operations Manual. He added that setup was still being completed.

Other

Callan stated that he got official notice that DNR had put a stay on their decision on the Platte Republican Diversion because of the NRD's appeal. He stated he talked to legal counsel yesterday and they are preparing for the next steps.

PROGRAMS/PROJECTS COMMITTEE

Davis Creek Road Project

Kruse reported that RFPs had been sent out on the Davis Creek Road Project. He reported that Gustafson had received four back from JEO, Flatwater, Miller & Associates, and EA. He said they would be reviewed, rated, and brought to the Committees for Board recommendation in February. He stated that \$500,000 had been awarded by BOR for the project, with \$300,000 matching funds to be provided for the Lower Loup NRD.

Davis Creek Camping Numbers and Prices

Kruse stated that numbers have been good. He said staff conducted a review of rates and there will not be an increase for 2023; however, the Committee made a recommendation for an increase for the 2024 calendar year.

Kruse motioned, seconded by Smith, to increase the Davis Creek Camping fees to \$30 per night for electrical sites, beginning January 1, 2024.

Discussion was held on the amount of income vs. expenses for the recreation area, as well as amenities that are offered vs. other recreation areas.

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

Bowman Lake – Vegetation Control Request

Kruse reported that the NRD has provided funding assistance in the past for Bowman Lake vegetation control and that the request had been submitted again. He stated that discussion was held previously about taking over the recreation area, but possibly providing help as needed may be a better alternative.

Kruse motioned, seconded by Coffey, to provide funding of \$3,000 per year for a period of 5 years to Sherman County for vegetation control at Bowman Lake.

Coffey asked if this was for in or around the lake. Callan stated it was mostly for in the lake. Eschliman commented that they have made some good improvements there.

Motion carried by electronic vote, all present voting yes.

Mud Creek WFPO

Kruse stated that the Watershed Plan was submitted to NRCS in January and there was nothing new to report at this time.

Mira Creek (North Loup) WFPO

Kruse reported that the project was in review, with the 90% review meeting with NRCS and JEO scheduled for February 3rd and the Agency Review scheduled for February 21st. Callan stated that extension requests had been filed.

Adams asked how far the water pool will back up at the 100-year flood range on the Mud Creek Project. Gustafson stated there would be a map available. Adams stated he had heard concerns of flooding from someone on the east side of the highway. Callan stated that preliminary drawings were available, but no design had been completed.

Sargent Flood Project

Kruse reported that the Jesse Street crossing construction had stopped because the contractor did not adhere to Olsson's design. He stated they were having to tear out what had been done and redo it. The Lower Loup NRD does not have a part in the Jesse Street project, but was following it because it is part of the larger flood reduction plan.

Building Update

It was reported that the insurance claim was received for the water damage and that there was another leak in the bathroom in the new construction area. For those who were unaware of what happened, Callan recapped the flood damage done by the broken water lines during the cold temperatures over the Christmas holidays.

ENGINEER'S REPORT

Gustafson reported on the annual dam O&M inspections. He stated a map was available of the sites throughout the District. He said he has been looking into potential funding for land rights and would have more information available later.

MANAGER'S REPORT

Litigation Update

Callan reported that the appeal to DNR for the Platte Republican Diversion had been submitted. He added that the NRD needs to have communication on any water rights. He said that DNR stayed their decision until the standing issue was settled.

New Hires

Callan stated there are no new hires; however, interviews were set up for the water modeling position.

Non-action Reports

None.

Lukasiewicz asked if advertising had started for Boesch's Board position. Callan stated that it would be sent to newspapers soon.

Knutson said he was impressed with Governor Jim Pillen and the Legislative Conference in Lincoln. He added that it sounded like there was a lot of money available that the NRD could use for its various activities and to help surface and groundwater come together.

NARD REPORT

Eschliman reported that the Legislative Conference in January was good, with many good sessions on nitrates.

NRC REPORT

Amsberry stated there was no update.

Knutson added that he was also on the NRC Commission and that he felt they were not seeing enough applications, so he encouraged more applicants to try for funding.

ANNOUNCEMENTS / FUTURE MEETING TOPICS

None.

ADJOURNMENT

With no further business before the Board, Chairman Eschliman declared the meeting adjourned at 5:50 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 February 23, 2023, at 4:00 p.m., at the Headquarters Office in Ord, Nebraska.

John R. Coffey
Secretary