

# LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

March 25, 2010

Ord, Nebraska

The March 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 March 25, 2010. Chairman Kruse called the meeting to order at 5:03 p.m.

## CALL TO ORDER

### Directors in attendance

Rollie D. Amsberry, Treasurer  
Joseph L. Citta, Jr., Vice Chairman  
James J. Eschliman  
Virgil W. Gellermann  
Gary A. Kruse, Chairman  
Alan D. Petersen  
Lyle D. Rasmussen  
Gerald P. Smith  
Henry J. Thoene

Darwin B. Anderson, Secretary  
Allen G. Conner  
Craig E. Frenzen  
N. Richard Hadenfeldt  
James F. Lightner  
Dean J. Rasmussen  
Darwin R. Sieh  
Bradley R. Staab  
Kim C. Walden

### Directors absent

James C. Adams  
James C. Nelson

Michael P. Gutzmer

### Staff in attendance

Leon "Butch" Koehlmoos, General Manager  
Rita Goldfish, Administrative Assistant  
Robert T. Mohler, District Engineer  
Larry D. Schultz, I&E Coordinator  
Daniel J. Ray, Tech Ass't., Greeley-Spalding

Russell Callan, Assistant Manager  
Dell Harris, Water Resources Specialist  
Tylr Naprstek, Water Modeling Coordinator  
Richard Woollen, NC District Forester

### Guests in attendance

Mark Sintek, RC, NRCS, Ord  
Mike Haggerty, Spalding  
Mike Schwab, JEO, Lincoln  
Dave Hume, JEO, Lincoln  
Jeff McPeak, Olsson Assoc., Lincoln

David Thome, Spalding  
Lalit Jha, JEO, Lincoln  
Mike Placke, JEO, Lincoln  
Kevin Prior, Olsson Assoc., Grand Island  
Karen O'Connor, Olsson Assoc., Lincoln

## NOTICE OF OPEN MEETING LAW POSTING

Chairman Kruse referred those in attendance to the open meeting law information posted in the Board room.

## APPROVAL OF VERIFICATION OF MEETING NOTICE, ADOPTION OF AGENDA AND EXCUSED ABSENCES

Chairman Kruse asked for verification of the meeting notice. General Manager Leon “Butch” Koehlmoos told the Board that the agenda had been modified to include two items. The additions were Area 28 Study Consultants Interviews with JEO and with Olsson Associates. He verified that the meeting notices were properly published in all newspapers. The meeting notice was posted at the NRD Headquarters office in Ord, the NRD web site, and the eight field office locations.

**Smith motioned, seconded by Gellermann, to approve the verification of the meeting notice, adopt the modified agenda, and excuse all absent directors. Motion carried by roll call vote, all present voting yes.**

## MINUTES

Chairman Kruse asked for corrections and/or additions to the February 25, 2010, Board meeting minutes. Lightner asked why payment was made to USGS for work on the ELM Project and Koehlmoos said that the payment was for work done on the model. Koehlmoos said 80 percent of the project cost was underwritten by the Integrated Water Management Fund. Hearing no changes, Kruse ruled that the February 25, 2010, minutes would stand approved as circulated.

## TREASURER’S REPORT

Chairman Kruse directed the Board’s attention to the Treasurer’s Report as published in the regular and supplemental agendas. Koehlmoos told the Board that the budget item from Springdale Realty was for title search and attorney fees and was an in/out account for irrigated acres transfers per statute requirements.

**Thoene motioned, seconded by Eschliman, to approve the March, 2010, Treasurer’s Report and pay all the bills. Motion carried by roll call vote, all present voting yes.**

## PUBLIC COMMENTS

There were no comments from the public.

## SPALDING BUILDING REQUEST

Mike Haggerty of Spalding told the Board that he had been made aware that the NRCS might consider a return to operation in Spalding. The office relocated to Greeley in January, 2000, after collocation with the FSA office there. He said a group in Spalding was interested in

providing office space and that the group was also interested in the current NRD location in Spalding. He said the Spalding group was requesting that the NRD make an official request to NRCS to return the office to Spalding. Koehlmoos said that the request would need to go to NRCS State Conservationist Steve Chick and would have to come from the NRD.

Koehlmoos said he had discussed the matter with Directors Eschliman and Smith. Petersen asked if there was any opposition to the move and Koehlmoos said that he assumed there would be opposition from the community of Greeley. He said the NRD and NRCS employees at the Greeley office currently reside in Spalding and commute back and forth between the towns. He said that the request would need to indicate that the move not jeopardize the future of the Burwell NRCS office. Thoene asked if the Blaine County NRCS work would move to the Burwell office as a result of the potential move to Spalding and Koehlmoos said it was possible.

Thoene asked if a producer could have their files placed in one office, but the technical work would still be done in another county. Mark Sintek said that the producer was given the choice of where the files and work would be done when an office was closed. Koehlmoos said that when the Loup City office closed, the producer could choose among several offices to provide all NRCS service.

Eschliman asked if Steve Chick had been approached regarding the potential of the move and Koehlmoos said he had discussed the matter with Chick and was told that the NRD would need to initiate the request. Koehlmoos said NRCS would hold a public hearing to take public testimony on the move. Citta asked if contacts should be made with Greeley officials and Smith said the opposition would come from village officials, not producers. Koehlmoos said that the public hearing would provide all affected parties to offer testimony on the matter.

L. Rasmussen asked who the lease holder of the Greeley building was and Dan Ray said it was owned by a group of individuals and the lease was on a month-to-month basis due to the building's condition. Thoene asked what benefits the NRD would get from the move and Koehlmoos said that Spalding's location was more centrally located logistically to the coverage area and it was the hometown of the NRD employees working at the office. Ray told the Board that a number of Greeley County producers were unaware that the NRCS office in Greeley remained open and believed that they had to travel to Albion or St. Paul for service.

Eschliman said he felt the benefits of the move outweighed the negatives and Smith said that the Spalding location was a better option for Wheeler County producers. Eschliman said that a number of producers have moved to the Neligh NRCS office and a Spalding location would serve them better, as long as the Burwell office was not affected. Petersen asked if the proposed building would meet NRCS requirements and Koehlmoos said that no discussion of the building would take place until a decision on the move was made by NRCS.

**Eschliman motioned, seconded by Smith, to draft a letter to the NRCS State Office to pursue discussion on a possible move of NRCS operations from Greeley to Spalding. Motion carried by roll call vote, all present voting yes.**

## AREA 28 STUDY CONSULTANT INTERVIEW – JEO

Mike Placke of JEO Consulting introduced himself, Dave Hume, Lalit Jha, and Mike Schwab. He provided the Board with a powerpoint presentation that included background information on the company and Liggitt, Brashear & Graham, a consulting firm that would assist with the project. He outlined some project objectives the company had established and outlined some of the plans for the project. Hume presented information on the hydrogeology of the project, mapping, and other data. Schwab provided information on the data inventory and management for the project. He also discussed the LIDAR work on the project.

Sieh asked how many wells would be installed and Callan said the “319” grant allowed for 15 wells to be drilled. Walden asked what experience the company had with these types of projects and Placke said that while each project is different, the company had worked on similar projects. Walden asked if the LIDAR data was the NRD’s or would be resold and Schwab said that it would be the NRD’s. Citta asked how tritium would be utilized and Hume said tritium was found in “younger” water and would be used to date water in the aquifer and establish the groundwater flow system. Koehlmoos said that staff would have a recommendation after the presentations were complete.

## FORESTER’S REPORT

North Central District Forester Rich Woollen directed the Board to his written report in the agenda. He said that the conservation tree program was getting underway. Lifting of trees would begin at the nursery in the coming week. Woollen reported that fuel reduction work continued in the Niobrara Valley. He said that much of the data was in the Nebraska Forest Service’s Annual Report and he passed a copy to the Board.

## NRCS REPORT

Mark Sintek, Resource Conservationist at the NRCS office in Ord, presented the Board with pictures from the No-Till Workshop held in Ord. He provided information on the demonstration of the rainfall simulator that was used at the workshop. The simulator demonstrates the improved moisture holding capacity of no-till soil. A two-day conference is being discussed for 2011.

Walden said he attended the conference and was impressed by the attendance and information presented.

## AREA 28 STUDY CONSULTANT INTERVIEW – OLSSON ASSOCIATES

Karen O’Conner of Olsson Associates introduced herself, Kevin Prior, and Jeff McPeak. She presented information on the company, similar projects the company has completed, and the geology of the project. Kevin Prior said the company planned to survey all the wells in the area and talked about potential LIDAR work and opportunities. Jeff McPeak talked about the data management for the project and potential management opportunities.

## ENGINEERING REPORTS

### FEMA Hazard Mitigation Plan

District Engineer Robert Mohler told the Board that the draft Hazard Mitigation Plan had been reviewed by the public and the comments had been used to modify the plan. He said that FEMA and NEMA are reviewing the plan and, in August, information should be received regarding that review. He said that the communities and counties could then decide whether to pass as resolution adopting the mitigation plan.

### Broken Bow Trail Request

Mohler reminded the Board that Broken Bow City Administrator Tony Tolstedt had made a presentation at the previous meeting. Mohler said that the NRD had participated in a number of trails previously and he found no issues with this request. He said he had visited the site and found no discrepancies in the plan. The project is estimated at \$326,000 and, if the NRD participated financially at 10 percent of the total cost, it would amount to \$32,654.

**Sieh motioned, seconded by Petersen, that the NRD participate financially in the Broken Bow Trail request at 10 percent of the actual cost, not to exceed \$32,654. Motion carried by roll call vote, all present voting yes.**

### Loup River Levee Recertification

Mohler referred the Board to a letter from Congressman Adrian Smith and a letter from the Federal Emergency Management Agency included in the agenda. Both letters described the process for levee recertification and stated that the time allotted under a PAL was not intended to provide time for levee systems to repair deficiencies and was only intended to allow cities to gather and submit documentation. Mohler said the city of Columbus would hold a scoping meeting with the U.S. Army Corps of Engineers in the coming month. The hope would be that FEMA would not redraw the floodplain map. He said officials with the Whitetail Levee have arranged for the reconstruction work to be complete and that work would be complete by the end of the PAL period.

Sieh said that he had spoken with a city council member who said the city of Columbus had resolved most of the issues that had come up with the recertification issue. Walden said work had been started on the Whitetail Levee and vegetation had been removed from the levee. He said the project has seen good progress. Koehlmoos asked Mohler if the Columbus Levee work would begin before a new floodplain would be designated and Mohler said there would be a lag time before accreditation on the current levee expired and new FEMA floodplain maps are drawn. He said homeowners could find themselves in a floodplain for a year before work would begin.

## INFORMATION AND EDUCATION REPORT

### North Central Region Envirothon

Information/Education Coordinator Larry Schultz told the Board that the North Central Region Envirothon Contest was held March 2<sup>nd</sup> on the Platte Campus of Central Community College in Columbus. He said Ord High School repeated as the winner of the event while a Boone Central team finished second. Both teams qualified for the State Envirothon, which will be held at the Nebraska Nature and Tourism Visitor Center near Alda on May 1<sup>st</sup>. The national contest will be at California State University in Fresno, California, this summer. Teams from David City, Humphrey, Twin River, Aurora, Columbus Lakeview, Schuyler Central and Osceola also competed at the North Central contest. He presented the Board with some of the questions answered by the competitors in the contest.

Schultz told the Board that he would make presentations to 8<sup>th</sup> grade students at Columbus Scotus and that he and Woollen will be demonstrating the sawmill to students in Mullen at the request of the Upper Loup NRD. Schultz said that he would also be a presenter at the Children's Groundwater Festival in Grand Island in May.

## ASSISTANT MANAGER'S REPORT

### Variance Committee

Assistant Manager Russell Callan said the Variance Committee met earlier in the day and that the minutes were included in the supplemental agenda. He said the Committee heard three transfer requests in the area of the Cedar River. He said the transfer requests were brought to the Committee as they covered a considerable distance. The Committee also heard two requests to transfer from the Lower Loup NRD to the Central Platte NRD. Those requests would need approval from Central Platte NRD, as well. He said one of the requests might be granted. Each of the requests was heard for the first time.

### Groundwater Management Area Activities

#### Irrigated Acres Certification Progress

Harris said that there are approximately 90 landowners who have not yet certified their irrigated acres. He said that letters would be mailed to the landowners in Sherman County notifying them of the need to comply with certification rules. If the landowner fails to respond, the next step would be "cease and desist" orders.

#### Area 28 Activities

Callan said that Agronomy Technician Mike Lorenz has processed all the Area 28 reports. He said there is still one or two of the reports that have not been received. He said the weather prevented some of the soil sampling from being completed. Lorenz is also working with producers to get manure application reports properly completed. Lorenz would have a report for the Water Resources Committee in April.

## ELM Update

Water Modeling Coordinator Tylr Naprstek told the Board that the ELM Technical Group met the previous week and reviewed the draft report on Phase II of the model. He said the group provided its comments on the report collectively. Modifications generated by the NRD review will be incorporated into the Phase II report before it becomes final. Koehlmoos said that the draft review was not usual practice and showed that USGS valued comments from the NRDs on the draft. Koehlmoos said the review took six hours and resulted in eight pages of comments.

## Area 28 Aquifer Study

Koehlmoos told the Board that staff has reviewed three proposals and looked at factors like technical knowledge, experience, GIS capabilities, survey capabilities, ability to work with rules and regulations, data compilation and budget. One company was eliminated because staff felt it was not capable of providing the study as requested. He said that staff came up with a recommendation for the Board after reworking budget proposals to make sure that pricing was broken into comparable numbers. Callan showed the Board the budget breakdown. He said Olsson Associates bid was for \$262,250 while the JEO bid was \$127,203. He said that by adjusting the JEO bid to an “apples for apples” comparison on the number of wells, their bid increased to \$184,792. He said the LIDAR work, at \$28,000, would also be an add-on in the JEO bid. Callan said he believed the best option was to have JEO do the LIDAR work and have Olsson do the rest of the study. He said that the cost of the three-year sampling portion of study from Olsson was covered by the “319” grant. The purchase of survey-grade GPS would provide some of the work that had been included in the bid.

Koehlmoos said the staff recommendation was to accept the proposal of Olsson Associates minus the LIDAR option. The recommendation includes negotiating the subtraction of the irrigation well survey and have that component completed by NRD staff. He said that survey grade equipment would need to be purchased by the NRD. Latitude would be needed to negotiate the new agreement. He said that negotiations with JEO would need to be completed for LIDAR work.

**Anderson motioned, seconded by Citta, to authorize staff to accept the proposal of Olsson Associates minus the LIDAR option; and to negotiate the subtraction of the irrigation well survey and have that component completed by NRD staff. Motion carried by roll call vote, all present voting yes.**

**Gellermann motioned, seconded by Hadenfeldt, to authorize staff to negotiate the best service and terms for the LIDAR work of Area 28 and the Loup River from its mouth to the North Loup convergence. Motion carried by roll call vote, all present voting yes.**

**D. Rasmussen motioned, seconded by Walden, to authorize staff to negotiate the purchase of survey-grade GPS equipment and training for NRD staff. Motion carried by roll call vote, all present voting yes.**

Callan said that EPA is seeking authority to control management of more of the water in the United States. He said EPA wants to expand the area of control from navigable waters to include more surface water and potentially groundwater.

## MANAGER'S REPORT

### Building Progress Report

Koehlmoos told the Board that the audio/visual contractors were nearly finished with their portion of the project. He said that would be one of the last major payments to be made.

### New Hires

Koehlmoos told the Board that Kevan Edzards of Ord had been hired for temporary summer work. He said some part-time tree planters would be hired as well.

## NARD REPORT

### Director's Report

D. Rasmussen said the NARD Board would not meet until April 12<sup>th</sup>.

### Edson's Report

D. Rasmussen referred the Board to Dean Edson's report included in the supplemental agenda.

### Washington, DC Conference

Koehlmoos said that he visited NRCS staff during the conference, and the group discussed funding for various Nebraska activities. Eschliman said the Chesapeake Bay Initiative was discussed and the activities affecting the watershed that covers 6 states and 17 million people. He said that the watershed loses 100 acres of forest to urban development every day. There will be 12 open Senate seats, the most in 75 years. Eschliman said the group visited the Wye Angus operation in Maryland.

## NRC REPORT

### Commissioner's Report

Dick Hadenfeldt said NRC met earlier in the day. He provided the Board with information regarding legislation that would affect NRD work. He said that integrated management plan development could take place in basins not fully- or over-appropriated when the bill becomes law on July 15<sup>th</sup>. The occupation tax bill for the NRDs stemming from the Republican River Basin dilemma was advanced. Budget shortfalls would likely affect numerous natural resources programs. Hadenfeldt said that the Environmental Trust Fund would have less money to distribute from the Nebraska Lottery.

## RC&D REPORTS

### Loup Basin RC&D

D. Rasmussen said the RC&D would meet the following Tuesday. He said that there will be a winery tour prior to the meeting.

### PrairieLand RC&D

Lightner directed the Board to the RC&D report included in the supplemental agenda. He said the RC&D met March 16<sup>th</sup> and met with a staff member from Senator Nelson's office. The discussion centered on the proposed loss of funding for the RC&D program. Senator Nelson indicated he would support continuation of the RC&D program. Lightner said that Dick Wozniak reported on the Norfolk RiverWalk project and its tree planting component. He said that the RC&D is seeking more participation from the community of Columbus and Platte County.

Gellermann asked if there was a dues structure of the organization and Lightner said there was. Gellermann and Sieh asked that the structure be shared with them and/or the city of Columbus.

## ANNOUNCEMENTS

Sieh announced it was Jerry Smith's birthday. Koehlmoos directed the Board to the candidate list for the NRD Board election and said there would be a primary race. Hadenfeldt announced Conner would have a birthday on Sunday and Conner announced that day was also Hadenfeldt's birthday.

## ADJOURNMENT

With no further business before the Board, Chairman Kruse declared the meeting adjourned at 7:55 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 newspaper in each county within the District. The next Board of Directors meeting will be held Thursday, April 22, 2010, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Darwin B. Anderson  
Secretary