

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

February 25, 2016

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 25, 2016. Chairman Citta called the meeting to order at 5:02 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson
Beth Boesch
James J. Eschliman, Vice Chairman
N. Richard Hadenfeldt
Gary A. Kruse
James C. Nelson
Dean J. Rasmussen
Dean G. Thede

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
Joseph L. Citta, Jr., Chairman
Virgil W. Gellermann
Randy Kauk
Matt Lukasiewicz
Alan D. Petersen
Gerald P. Smith
Henry J. Thoene, Secretary

Directors absent

Michael P. Gutzmer

Clifford P. Loseke

Staff in attendance

Leon "Butch" Koehlmoos, General Manager
Irene F. Kreifels, Financial Secretary
Larry D. Schultz, I&E Coordinator
Anne Freeman, Water Programs Secretary
Jason Moudry, Water Programs Specialist

Russell G. Callan, Assistant General Manager
Rita A. Goldfish, Administrative Assistant
Tylr D. Naprstek, Water Modeling Coordinator
Cheryl K. Hornickel, Programs Assistant
Dell R. Harris, Water Resources Specialist

Guests in attendance

Bryce Bauer, LDC, NRCS, Ord
Gerry Sheets, Middle Loup PP&I District
Jim Schneider, Olsson Associates, Lincoln

Mike Wells, Twin Loups Reclamation District
Tim Freed, NDNR, Lincoln
Caitlin Thomas, Olsson Associates, Lincoln

NOTICE OF OPEN MEETING LAW POSTING

Chairman Citta 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 Citta asked for verification of the meeting notice. General Manager Leon “Butch” Koehlmoos verified that the meeting notices were properly published in all newspapers and that the meeting notice was also posted at the NRD Headquarters office in Ord, the NRD web site, and the eight field office locations. Koehlmoos said there were no modifications to the agenda.

Kruse motioned, seconded by Smith, 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 Citta asked for corrections and/or additions to the January 28, 2016, Board meeting minutes. None being heard, Chairman Citta ruled that the January 28, 2016, minutes would stand approved as submitted.

TREASURER’S REPORT

Chairman Citta directed the Board’s attention to the Treasurer’s Report as published in the regular and supplemental agendas.

Koehlmoos highlighted bills for the NRD’s share of the forester’s salary, professional service fees, a lease agreement on a Bobcat, South Loup Watershed expenses, and Pibel Lake Rehabilitation fees.

Tohne motioned, seconded by Amsberry, to approve the February, 2016, Treasurer’s Report and pay all bills. Motion carried by roll call vote, all present voting yes.

PUBLIC COMMENTS

There were no public comments.

FORESTER’S REPORT

Koehlmoos said there was no report due to the absence of North Central District Forester Richard Woollen.

NRCS REPORT

Bryce Bauer, Liaison DC, reported that the funding of EQIP applications started recently. He said around 300 applications were given high priority and ranked, and about 1/3 of them will be funded. He said 33 were funded with local money, with 60% being range practices and 40% were a combination of other practices. He said the state pool funds haven't been divided yet. He said there will probably be 10 more applications funded, including forestry and range, when the money is reallocated and distributed. Bauer said projects in several areas of Lower Loup NRD were funded. He said he would get some Platte County numbers for the March meeting.

Bauer said he didn't know of any Omnibus funds for projects in Nebraska.

INFORMATION AND EDUCATION REPORT

Hazard Mitigation Plan

Information & Education Coordinator Larry Schultz reported that the application for a Pre-Disaster Mitigation Grant has been approved by FEMA and the plan will move forward. He said the grant funding amounts to \$105,000 and the LLNRD's local share will be \$35,000. He said there will be a series of informational workshops in the District to update communities on the plan. He said approval of the plan would hopefully come by the end of the year.

Schultz mentioned the Tree Care Workshop that Lower Loup NRD is hosting on March 3rd. He said several topics will be discussed.

ASSISTANT MANAGER'S REPORT

Water Resources Committee

Assistant Manager Russell Callan reported that the Water Resources Committee met on February 16th.

Sargent Recharge Project

Callan said that the contract with HDR has been signed and the project is moving forward.

Davis Creek Recharge Project

Callan reported that staff was hoping to get together with Twin Loups staff to discuss the potential for a recharge project utilizing the canals that are served by the Davis Creek Reservoir.

Thermal Imaging Study in South Loup River Basin

Callan said that Tylr Naprstek would show some draft material on the project next month.

Lillian Creek Dam

Callan said that staff had met with the landowners of the property to explain the project which would create a water storage facility for groundwater recharge/potential stream augmentation and potential recreation purposes. He said the Lillian Dam proposal is on Lillian Creek between Sargent and Gates. He said the kick-off date for the project is unknown and there is a 5-year easement for surveying and geology studies.

Lukasiewicz mentioned applying for funds through the Water Sustainability Fund for the Lillian Creek Project.

Koehlmoos said the Lillian Creek Dam could be over 300 acres.

Gellerman motioned, seconded by Amsberry, that the NRD seek requests for proposal for conducting feasibility and engineering studies of the Lillian Creek Project. Motion carried by roll call vote, all present voting yes.

Columbus Area Water Resources Assessment Study Update

Callan said he is on the agenda for the Christopher Cove Association meeting on May 1st.

Area 28 Flowmeter Maintenance Program

Callan reported that RFPs for the program were sent to 12 potential bidders, and 1 response had been received. He said the estimate received was for \$75-\$85 per meter for inspections, and doesn't include any parts, which would be charged to the meter owner. Callan said there were between 400-420 meters, with approximately 140 being checked every year.

Toene motioned, seconded by Smith, that the NRD enter into a 3-year contract with Northern Ag Service of Henderson for the Area 28 flowmeter maintenance. Motion carried by roll call vote, all present voting yes.

Violations

Callan said that Mike Lorenz has been working with Robert Prokop to help get his paperwork done.

Voluntary Integrated Management Plan

Koehlmoos said the Voluntary IMP had gone through several drafts, but he felt the plan in hand now was a good one. He said representatives were on hand to go through the plan.

Tim Freed of the Nebraska Department of Natural Resources thanked the people and organizations involved in putting together the Voluntary Integrated Management Plan and introduced Jim Schneider of Olsson Associates.

Schneider presented a powerpoint overview of the IMP, highlighting the components of the plan. He said the plan would help with water sustainability in the District and protect existing infrastructure while allowing for future development. He mentioned that for an NRD to make application for water sustainability funds, an IMP would have to either be in place or in the process of working on one.

Schneider said that three stakeholders meetings have been held and the goals and objectives have been prioritized and incorporated into the draft plan.

He said the goals are:

- 1) to promote and support a water supply and use inventory based on the best available data and analysis;
- 2) implement the water management plan to maintain an efficient and economic balance between current and future water supplies and demands;
- 3) develop and implement water use policies and practices that prioritize and contribute to the protection of existing surface and groundwater uses while allowing for future development;
- 4) to understand and evaluate policies to address impacts on streamflows resulting from uses out of your control; and
- 5) to continue public education programs and encourage water conservation measures.

Schneider then highlighted action items that DNR added to the plan to regulate and monitor surface water use. He said the action items are included in IMPs across the state.

He said DNR will:

- 1) continue and enhance their stream gauging network;
- 2) continue to administer the surface water rights in the basin and monitor water use;
- 3) continue to map and track surface water irrigated acres;
- 4) encourage voluntary surface water use reporting on the new web site;
- 5) continue to evaluate the necessity for mandatory installation of water flowmeters; and
- 6) continue to follow the statutes that are in place.

Schneider said that if a moratorium was placed on surface water rights, DNR has rules for granting a variance to that moratorium.

Schneider said that an IMP had to have at least one surface water control and one groundwater control. He said if any new irrigated acres were developed on the groundwater side, then DNR would be allowed to add up to one-third the number of acres if someone applied for it. If there are not additional acres, then DNR doesn't grant any.

Schneider said there is an annual reporting feature included in the IMP in which DNR and the NRD would either jointly or separately compile a report on what has gone on in the Department and District in the last year.

Schneider said the next step in the IMP process would be to hold a public hearing and said Olsson Associates were prepared to initiate the notifications. He said testimony would be taken, have

60 days to consider the testimony, and decide whether to adopt the plan with or without changes. He said the District would adopt the groundwater controls and DNR would adopt the surface water controls.

Schneider said that IMPs usually don't need to be changed very often. In instances where modifications are necessary, the NRD/DNR would get together to make the changes and go through the public hearing process again. Koehlmoos said if the basin became fully-appropriated, the IMP would have to be reviewed.

Schneider said Lower Loup's voluntary IMP is very similar to other voluntary IMPs in the state. He said mandatory IMPs are different and contain more criteria and extensive monitoring plans. He said that voluntary IMPs are individual plans and basinwide plans are usually not required.

Smith expressed concern about monitoring water in metropolitan areas for water quality. Callan said that Lower Loup would be monitoring "other uses," including municipalities, and that Moudry was working with cities to develop a reporting mechanism to report municipal use to the NRD. He said that that requirement would be added to Lower Loup's rules and regulations in the future.

Thoene asked about voluntary reporting of surface water pumping and if meters were required on surface water pumping sites. Schneider said that the "voluntary reporting" targets all the other water users aside from the big canals and river pumping. Mike Wells, Manager of the Twin Loups Reclamation District, said that DNR keeps track of irrigation district water use and that meters are installed at the turnouts.

Callan said the IMP indicates that Lower Loup would look at different options and concerns regarding water use and will continue to monitor the situations. He said if there were certain options that are important and should be in place, the Board would make the determination.

Wells said that many of the concerns and ideas raised at the stakeholders meetings were included in the IMP and felt the document was important. He said that Loup Basin's underground water was a unique asset in this part of Nebraska and the country. He said the water needs to be used wisely in an effort to keep the Loup Basin from being declared fully-appropriated.

Gerry Sheets, Manager of the Middle Loup Public Power & Irrigation District, asked how much streamflow loss there would have to be before a groundwater moratorium is initiated. Adams replied that static water levels have been recorded for nearly 40 years in the Lower Loup NRD and the decrease of groundwater throughout the NRD in that time has averaged only .01. He said if static water levels change from where they've been historically, then Lower Loup would take measures to reverse the change. Schneider said the IMP would help to get a better handle on where things are going regarding water issues and would help in making informed decisions.

Smith motioned, seconded by Adams, to agree to the draft Voluntary Integrated management Plan and to set the public hearing for the Lower Loup NRD Voluntary Integrated Management Plan for March 24, 2016, at 5:00 p.m., with a question-and-answer period prior to the opening of the public hearing. Motion carried by roll call vote, all present voting yes.

PROGRAMS/PROJECTS COMMITTEE REPORT

Koehlmoos stated that the minutes of the Committee meeting were included in the agenda and that the recommendations from the Committee concerning the Lillian Creek Project and the Voluntary Integrated Management Plan have already been addressed.

MANAGER'S REPORT

Litigation Update

Koehlmoos said that staff is in contact with Lower Loup's attorney regarding the Koch case that has been ongoing for 18 months. Koehlmoos says he discussed the situation with the Executive Committee and hopes to bring a final recommendation to the Board soon.

New Hires

Koehlmoos said that Jeri Rosno has agreed to take the position that was vacated by Sandi Beiermann due to insurance reasons. He said Jeri started work on February 23rd.

Excused Absences Policy

Koehlmoos said the Executive Committee had discussed the excused absence policy. He said there was a state statute that was put in place several years ago that says if a director is unexcused for two consecutive meetings, they are subject to review, hearing, and possible removal from the Board. Koehlmoos is asking directors who will not be able to attend a Board meeting to give the office a call to request an excused absence, and all excused absences would be recorded at the beginning of the Board meeting.

Citta said if a director had two unexcused absences, it would be taken to the Executive Committee for their consideration.

Koehlmoos said a report on both excused and unexcused absences would be compiled at the end of each year and given to Board members.

Koehlmoos said the new policy, if adopted by the Board, would go into effect in March.

Smith motioned, seconded by Anderson, to approve an official policy for director absences from Board of Directors meetings, beginning at the March, 2016, meeting. Motion carried by roll call vote, all present voting yes.

Non-Action Reports

Citta reported that the committees will remain the same for 2016 except that Kruse will join the Programs/Projects Committee. Citta announced the following committee chairmen appointments: Variance – Thoene; Water Resources – Smith; and Programs/Projects – Kruse.

NARD REPORT

Director's Report

Rasmussen reported that NARD will meet on March 7th in Lincoln. He said he had a list of the legislative bills and 50 pertain to NRDs.

NRC REPORT

Commissioner's Report

Hadenfeldt reported that there will be upcoming meetings for the scoring committee regarding applications that have been submitted for water sustainability funds. He said the meetings would be closed.

RC&D REPORTS

Loup Basin RC&D

Rasmussen said there was no report.

PrairieLand RC&D

Gellermann said there was no report.

ANNOUNCEMENTS

Koehlmoos said there would be recommendations next month from the Programs/Projects Committee regarding the Duncan East IPA.

Citta reminded the Board to spread the word of the public hearing next month for the Voluntary IMP. He said it was important to hear what the public has to say about the draft plan.

Gellermann said he attended the no-till presentation by Gabe Brown in Columbus and said it was very good. He said over 300 were in attendance. Koehlmoos said he had a link available on soil health if anyone wanted to watch that part of the presentation.

ADJOURNMENT

With no further business before the Board, Chairman Citta declared the meeting adjourned at 6:46 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 24, 2016, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary