

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

March 28, 2019

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 28, 2019. Chairman Citta called the meeting to order at 5:00 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson
Robert L. Bauer
Joseph L. Citta, Chairman
Jim Eschliman, Vice Chairman
Randy Kauk
Matt Lukasiewicz
James C. Nelson
Chad J. Podolak
Dean G. Thede
Rick Vlach

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
Beth Boesch
John Coffey
N. Richard Hadenfeldt
Gary A. Kruse
Larry Mohrman
Alan D. Petersen
Gerald Smith
Henry J. Thoene, Secretary

Directors absent

None

Staff in attendance

Russell G. Callan, General Manager
Irene F. Kreifels, Administrative Assistant
Larry D. Schultz, I&E Coordinator
V. Anne Freeman, Water Programs Secretary
Cam Conrad, Water Modeling Coordinator
Jane Klanecky, Receptionist
Jason Moudry, Water Programs Specialist

Tylr Naprstek, Assistant General Manager
Kim A. Lyons, Financial Secretary
Cheryl Hornickel, Programs Assistant
Richard L. Woollen, District Forrester
Brian Kolar, Projects Technician
Dan Ruterbories, Rangeland Mgt. Tech
Brent D. Lakin, Water Resources Tech

Guests in attendance

Bryce Bauer, LDC, NRCS, Ord
Duane Krajnik, Ord

Todd Nitsch, Boelus

NOTICE OF OPEN MEETING LAW POSTING

Chairman Citta referred those in attendance to the open meeting law information posted in the Board room and that meeting material was available at the entrance to the Board room.

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 web site, and in the eight field office locations.

ROLL CALL AND EXCUSED ABSENCES

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

There were no absent directors.

MINUTES

Chairman Citta asked for corrections and/or additions to the February 28, 2019, Board meeting minutes. None were heard.

Boesch motioned, seconded by Anderson, to approve the February 28, 2019, Board meeting minutes as presented. Motion carried by electronic vote, all present voting yes.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures to RedThread for \$8,166.28; Platinum Truck Service for \$18,526.00 for two new flatbed trailers for the tree crew; HDR Engineering for \$27,585.82 for Columbus Recharge Project expenses; and expenses to Aqua Geo Frameworks for \$139,800.00 for AEM services.

Callan reported that two old trailers would be sold next year and that the money to Aqua Geo was for Buffalo County and some would be returned through the grant received.

Smith motioned, seconded by Kruse, to approve the March 28, 2019, Treasurer's Report and pay all bills. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bartak, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse,

Lukasiewicz, Mohrman, Nelson, Petersen, Podolak, Smith, Thede, Thoene, and Vlach.
Director abstaining: Adams.

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

Citta asked for any public comments. None were heard.

FORESTER'S REPORT

Richard Woollen, District Forester, reported that he had visited Bessey Nursery recently and they were working on lifting and packing trees. Woollen showed slides of the lift-and-pack process which includes lifting, sorting, grading, packing, and storing. He reported that the process would be going on for a couple of weeks and that NRD employees would be picking up shipments.

Woollen also reported on the Central Sandhills Community Wildfire Protection Plan and explained that the final draft would be printed soon and there would be a 45-day public review. The protection plan can be viewed at the following site:
<https://nfs.unl.edu/documents/CWPP/CentralSandhills.pdf>

NRCS REPORT

Bryce Bauer, NRCS, reported that several new things were going on at NRCS offices in response to the recent flooding, including EWP (Emergency Watershed Protection) signup, geared toward communities and government entities, which, for example, could help with armoring the upstream sides of washed-out culverts that were replaced by counties. He said when FEMA provides monies, EWP can't be used. He also reported that FSA had announced ECP signup, geared toward farmers. The FSA handles the monies and NRCS takes care of the field reviews. He said that ECP money would be applied toward dam repair, grading and shaping, hauling of dirt, repairs to fences and field debris removal. Bauer reported that EQIP had launched emergency livestock mortality program and will be allowing waivers to speedline the process.

INFORMATION & EDUCATION REPORT

Central Region Envirothon

Larry Schultz, Information and Education Coordinator, reported that the Central Region Envirothon was held in Columbus. He said Loup City had the top score and St. Paul also qualified for State. Schultz said that Burwell qualified for State with the highest score in the regionals and Ord qualified as a wild card. Schultz reported that this was the first time Lower

Loup NRD had 4 teams qualifying for State. He said that Lower Loup NRD would be the host site for the 2019 Nebraska Envirothon at Pibel Lake Recreation Area on April 24th, with the winner going to Raleigh, NC, the end of July.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek Update

Tylr Naprstek, Assistant General Manager, reported that water levels at Davis Creek had raised about 2 feet due to runoff from flooding. He reported that he was still accepting applications for camp hosts and needed to fill 5-6 weeks to complete the season. Naprstek reported that the facility should be coming online in mid-April and that the showers would be turned on in the next week or so, weather permitting. He also reported that the construction of additional electric and tent camp sites would be done as soon as the area dried up enough and should be completed sometime mid-summer.

Pibel Lake Update

Naprstek reported there would be a pre-bid meeting April 9th and that announcements would be in the major newspapers sometime in the next week. Actual bids are due April 22nd and an engineering recommendation should be prepared by the Board's April meeting. Naprstek showed pictures of the lake during the flood.

Columbus Area Water Resources Assessment Study Update

Naprstek reported that HDR submitted an application for a Bureau of Reclamation WaterSMART Drought Resiliency Grant to go towards the Columbus Recharge Project expenses. He said updates would be given as they come in.

VARIANCE COMMITTEE

Thoene reported that the Committee heard a variance request from Ross Land and Cattle, requesting to transfer 12 acres from the Lower Loup NRD to Central Platte NRD, moving 2 small pivots into 1 larger pivot.

Thoene motioned, seconded by Smith, to approve the variance request from Ross Land & Cattle to transfer 12 irrigated acres in Custer County in the Lower Loup NRD to a field in the Central Platte NRD. Motion carried by electronic vote, all present voting yes.

Thoene reported that the Committee also heard a variance from Paul Kettelson requesting to transfer 22 acres from Lower Platte North NRD to Lower Loup NRD and that the acres would be reduced to 16.6 because of the stream depletion factor.

Thoene motioned, seconded by Adams, to approve the variance request from Paul Kettelson to transfer 22 acres from Lower Platte North NRD for 16.6 new irrigated acres in the Lower Loup NRD.

Boesch asked how the transfer would work. Naprstek stated the transfer was the same as any other unless there were additional acres being applied for. Callan stated that Lower Platte North NRD had approved the transfer pending Lower Loup NRD's approval.

Motion carried by electronic vote, all present voting yes.

Thoene reported that there was also a variance heard for Dave Setlik wanting to move 35 surface water acres to a groundwater location where there was an existing well. More information would be coming next month.

DISTRICT COST-SHARE PROGRAM

Jason Moudry, Water Programs Specialist, reported on the \$150,000 Environmental Trust grant received (with dollars matched evenly between NET and the LLNRD) for municipal, industrial, livestock, and irrigation flowmeters, offering cost-share up to 75%. Moudry said this was a 3-year grant that begins this year. He reported that if meters were required in an area, Environmental Trust dollars cannot be used.

Moudry reported on NSWCP practices including terraces, practice repair irrigation, and irrigated water management.

Moudry also discussed the Clear Creek Pibel cover crop cost-share program shared with DEQ and variable rate irrigation cost-share. Callan reported that the variable rate irrigation cost-share funds had been allocated for this year, so no additional applications would be accepted. Kruse asked how many variable rate irrigation applications were approved with the funds, and it was reported that of the nearly 60 applications that were submitted to the NRD, 36 of them received assistance.

Moudry discussed the possible use of cover crops in Area 28 to help with potential nitrogen savings. He reported on findings from the 2012 Area 28 study conducted by Olsson Associates reporting that rye or multi-species cover crop could possibly provide nitrogen credits that would benefit crop yields. Other ways to reduce nitrogen were discussed including VRI, soil sensors, crop rotation, and nitrogen stabilizers. Potential cover crop cost-share was discussed.

Bryce Bauer also discussed UNL's Project SENSE crop program and canopy sensors. He stated that research shows that cover crops were worth 20-25 lbs. of nitrogen. Bauer also reported on sensors that are attached to drones and said the drones write a nitrogen prescription while it is flying over the property. He reported that drone technology, along with UNL algorithms, had saved approximately 27 lbs. of nitrogen per acre on tested sites. Bauer said that if drones could be coupled with cover crops, up to 50 lb. of nitrogen per acre could be saved.

Citta encouraged NRD and NRCS staff to continue looking into possible programs that could be built around the results of past studies. Bauer stated a program could be added to EQIP to assist in paying for the cover crops. Callan stated funding could possibly be obtained from Environmental Trust for the program.

MANAGER'S REPORT

Flood Damage Discussion

Callan reported that the NRD is starting to get the word out that staff would be doing non-certified testing for bacteria in water due to the flooding. He said Naprstek had attended a Flood and Disaster Relief for Ag Producers meeting in Loup City to inform people of options available and that he would be attending one in Pleasanton tomorrow. Callan stated that the Corps of Engineers had contacted the NRD to help with high water mark recording until they could make it to all sites. Callan showed several flood pictures from around the NRD.

Boesch stated that the dike near Columbus that the NRD had assisted in building had really helped during the recent flood to keep the water contained and protect property. Callan stated he had received several calls from various towns looking for help to repair damages. Schultz said that the Hazard Mitigation Plan would not help landowners with the damage they have now, but communities could use what happened in the recent flood to plan and use funds to establish new structures to avoid a future flood.

Bartak asked about hiring a district engineer to help with planning, and Callan stated that the Executive Committee had begun discussion regarding hiring either a project manager or district engineer.

NEMA Declaration of Disaster

Callan reported that he was trying to get information from NEMA to find out benefits for declaring a disaster for our NRD. He suggested a recommendation to have Citta sign a Declaration of Disaster if it is found to benefit the NRD.

Eschliman motioned, seconded by Smith, that staff investigate the potential for a Declaration of Disaster for the Lower Loup Natural Resources District due to March flooding, and should there be benefit to the District, to issue a disaster declaration. Motion carried by electronic vote, all present voting yes.

Committee Assignments

Citta announced that he had not received any requests from current Committee members wanting to change their assignments. Citta assigned Coffey to the Water Resources Committee and Kruse to the Variance Committee, replacing Gellermann. He said Committee Chairmen would remain the same.

Litigation Update

Citta announced there would be an Executive Session at the end of the meeting to discuss litigation.

New Hires

There were no new hires. Callan stated that the application deadline for the Conservation Technician internship program was April 1st.

Non-action Reports

Callan stated that 61 acre violation letters were sent out recently and that response and cooperation from landowners had been good. He said staff was working to get certifications adjusted where needed and that most were field boundary revisions. He reported that when over-irrigation – irrigating more acres than certified – was the issue, the producer must set aside twice as many acres the next year and not irrigate the acres that were added. Naprstek reported that four Schedules of Compliance had been developed to rectify the additional acres irrigated. He reported that there would be one cease and desist recommendation regarding lagoon water and that the hearing would most likely be held in May. It was discussed that if someone was in violation and they didn't have double the acres to not irrigate, that it could be negotiated to longer than a one-year period to meet the acre requirements.

Podolak asked how staff knew what land cooperators were irrigating. Naprstek explained that infrared and GIS mapping were used to determine number of acres being irrigated.

Callan reported that a rules change hearing would be held in April. He also reported on the bids received on the excess equipment and that one of the vehicles would be kept by the NRD for use at Davis Creek.

NARD REPORT

Director's Report

Eschlman reported that the NARD group met March 10-11 in Lincoln. He said financials were good; the Foundation would be sponsoring several games of UNL baseball on NET; and donations would be given to the winning team, runner-up and third place in the Nebraska Envirothon competition; to ACE Camp; and to the Great Parks Pursuit. He said elections were held and officers remained the same. He reported that their planning and budgeting process had begun and that the Foundation was currently soliciting for the annual awards.

Eschlman said he was chairman of the program/planning committee and had discussed legislation, Washington, DC conference, NRD wellness, the 2020 National Envirothon in Lincoln, the local Envirothon at Pibel Lake in April, Husker Harvest Days and the State Fair. He reported that the basin tour would be held June 10-11.

NRC REPORT

Commissioner's Report

Hadenfeldt reported there was a meeting March 2nd in Kearney and new officers were elected. The next meeting would be held May 22th in Kearney.

RC&D REPORT

Loup Basin RC&D

Thoene reported that the meeting was cancelled due to flooding.

ANNOUNCEMENTS/FUTURE MEETING TOPICS

There were no announcements.

Eschliman motioned, seconded by Boesch, to go into Executive Session at 6:40 p.m. to discuss legal issues and proprietary matters. Motion carried by electronic vote, all present voting yes.

Boesch motioned, seconded by Lukasiewicz, to come out of Executive Session at 7:23 p.m. with no action taken. Motion carried by roll call vote, all present voting yes.

ADJOURNMENT

With no further business before the Board, Citta declared the meeting adjourned at 7:24 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 April 25, 2019, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary