

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

June 27, 2019

Ord, Nebraska

The June 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 June 27, 2019. Chairman Citta called the meeting to order at 5:04 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson
Robert L. Bauer
John Coffey
N. Richard Hadenfeldt
Gary A. Kruse
James C. Nelson
Chad J. Podolak
Henry J. Thoene, Secretary

Rollie D. Amsberry, Treasurer
Beth Boesch
Joseph L. Citta, Chairman
Jim Eschliman, Vice Chairman
Randy Kauk
Larry Mohrman
Alan D. Petersen
Dean G. Thede
Rick Vlach

Directors absent

Timothy E. Bartak
Gerald Smith

Matt Lukasiewicz

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
Jason Moudry, Water Programs Specialist
Dell R. Harris, Water Resources Specialist

Tyler Naprstek, Assistant General Manager
Kim A. Lyons, Financial Secretary
Cheryl Hornickel, Programs Assistant
Richard L. Woollen, District Forester
Brian Kolar, Projects Technician
Brent D. Lakin, Water Resources Tech

Guests in attendance

Bryce Bauer, Liaison DC, NRCS, Ord
Jay Wolf, Albion

Bill Hart, Sargent

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, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nelson, Petersen, Podolak, Thede, and Thoene, Vlach. Directors Absent: Bartak, Lukasiewicz, Smith.

Citta stated that Directors Bartak, Lukasiewicz, and Smith had asked to be excused.

Boesch motioned, seconded by Bauer, to excuse all absent directors. Motion carried by electronic vote, all present voting yes.

MINUTES

Chairman Citta asked for corrections and/or additions to the May 23, 2019, Board meeting minutes. Corrections to the Programs/Projects Committee minutes were noted, to show record of a motion and vote taken at the Committee meeting to have staff assist with putting together information and petition process for Sargent East landowners.

Anderson motioned, seconded by Thede, to approve the May 23, 2019, Board meeting minutes with the discussed changes. Motion carried by electronic vote, all present voting yes.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures on the Treasurer's Report of \$51,755.08 to NARD for tree stock; \$7,154.56 to WISH Nebraska for drip irrigation supplies; \$3,876.50 to Jeffres Sand & Gravel for road gravel; \$4,023.66 and \$7,805.55 to Cornhusker Press for *In The Loup* newsletter and *Water Matters* printing and postage; \$49,915.50 to Harry A. Koch Company for insurance, and \$24,594.93 for multiple Variable Rate Irrigation cost-share payments.

Boesch asked about a charge for \$9,266.32 to HDR, and Callan stated it was for services related to the auxiliary pipe replacement at Pibel Lake. Vlach asked about charges from EA

Engineering for \$6,400.00, and Callan stated it was for services for the ongoing Cover Crop Study. Callan explained that easements have been prepared for two landowners so far, and that some of the money spent on cover crops will come back as a reimbursement.

Eschliman motioned, seconded by Boesch, to approve the June 27, 2019, Treasurer's Report and pay all bills. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Nelson, Petersen, Podolak, Thede, Thoene, and Vlach. Director abstaining: Mohrman. Directors absent: Bartak, Lukasiewicz, and Smith.

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 on the Envirothon contest. He said he worked with ag instructors around the state at a workshop in St. Paul to work on the forestry aspects of Envirothon. Woollen reported that St. Paul would be going to National Envirothon. Woollen also reported on a "Waste to Worth" study conducted to investigate the use of eastern redcedar mulch as a soil amendment; he said the information was given during the recent Loup Basin Tour. Woollen also said that a workshop was held in Ord and reported a good turnout from various agencies including Game & Parks. He said the morning session focused on forest health and the afternoon session was landscape management.

NRCS REPORT

Bryce Bauer, NRCS, reported that staff had been working on CSP rankings and had 80 across the NRD that were finished up last Friday. He said they are now working on writing CSP contracts. He also reported that there was a special EQIP sign-up for cover crops. Bauer stated that they would probably be having a third sign-up due to high interest in the program. He reported approximately 50 producers had signed up so far.

Callan explained the VRI cost-share went through the NRD this last year because the NRCS deadline had passed. Bauer stated that the NRCS deadline is in November so when the NRD started their cost-share program in February, there was no money left with NRCS. This year, applicants can go to NRCS first and the NRD would be a backup if the application is not accepted.

INFORMATION & EDUCATION REPORT

Adventure Camp about the Environment (ACE)

Larry Schultz, I&E Coordinator, reported that, in honor of the 10th anniversary of ACE Camp, a tree had been planted this year. Schultz said that Jason Moudry and Dan Ruterbories made presentations. He said various live animals and opportunities to fly drones were part of the camp experience this year.

Newsletters

Schultz presented the Board with a copy of the *Water Matters* newsletter and informed the Board that *In the Loup* had been mailed. He explained that Mike Lorenz, Agronomy Tech, put together most of the information in *Water Matters* but that he and Tylr Naprstek, Assistant General Manager, had each contributed an article for the publication. Schultz stated that *Water Matters* was targeted to producers in Area 28 & Sub-Area 29. Boesch clarified that they are online for everyone to view.

Podolak asked about the sentence, “In cases of frequent overuse of N, a method to limit it is being considered,” and mentioned he had not noted any methods in the article. Naprstek stated that it was too premature to tell exactly where the high nitrate levels were coming from; however, staff is visiting with frequent over-appliers.

Schultz talked about the training that was held in St. Paul and the land judging workshop that was held at the Mike Baker residence. He said a soil pit was dug and teachers were able to go in and profile the soil and review the different types to help with their teaching.

Upon arrival, Citta asked Jay Wolf of Albion if he would like to address the Board. Wolf stated he was interested in the control Area 29 and may comment on that later in the meeting.

WHEELER COUNTY PHASE II SUB-AREA HEARING – BARTLETT, NE

Tylr Naprstek, Assistant General Manager, reported that a hearing was held June 18th in Bartlett. He said the hearing transcript was included in the agenda material, along with the sign-in sheet and some exhibits. Naprstek noted maps of Wheeler County that highlighted the area of concern with the nitrate concentrations listed. He also discussed the number of samples that were taken in the area. He said letters were received from DEQ and DNR in support of the management area. Callan said there was no testimony at the public hearing, but that an information meeting had been held at an earlier time.

Wolf stated he owned about a third of the township and had questions about applying fertilizer to hay meadows. Callan stated it doesn't affect the hay meadows, only crops that are irrigated.

Boesch motioned, seconded by Kauk, to publish the Order of Designation No. 2019-03 to designate the creation of Phase II Groundwater Quality Management Sub-Area 29 in

Township 23, Range 9 West of the 6th P.M., Wheeler County, Nebraska. Motion carried by electronic vote, all present voting yes.

Order of Designation No. 2019-03 can be viewed in its entirety at the Lower Loup Natural Resources Headquarters during regular business hours.

Podolak asked if the area is moved into Phase II later, would the NRD be required to go through the notification process again. Callan stated that it would. Eschliman pointed out that there were two other townships that have tested high the past two years, and if they test high for two more consecutive years, they will be moved into a management area as well. Callan said that producers had three years after the January 1, 2020, effective date to get required water meters installed and that cost-share for the meters would be discussed in the near future.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek Update

Tylr Naprstek reported that staff was nearing completion of the concrete pads and that the electrical breakers in the old loop were installed. However, there would not be power to them until REA finishes their lines. Naprstek reported that the original contract with BOR was to be completed June 30, 2019; however, it had been extended until the end of the year and an additional \$14,000 grant money had been awarded. Kauk asked if the sheriff's office would be patrolling during the 4th, and Naprstek stated that they would and that there had been an increased presence of conservation officers due to increased use of the facility.

Pibel Lake Update

Brian Kolar, Projects Technician, reported that Frahm Construction was working on pulling the tubes at Pibel Lake and that the 2016 extensions were removed last week. He said the road was officially closed this week to remove pipes and Frahm would start to form for risers and set new pipe next week.

Kolar said project deadline was August 9. Kauk asked about a cofferdam being put in and thought that the new inlet structures would be close to where the current dam is; Kolar said they would be south of the cofferdam. Mohrman asked if the new pipe's flow would be the same. Kolar responded it would be close or slightly less due to the increased pipe length and decreased slope. Eschliman asked if the contractors had found any reason for the old pipes to be leaking. Kolar stated that the clay core didn't extend to the pipe real well and there was a lot of sand material around the pipes so it was just a conduit for moisture to travel out. He said the old clay core didn't surround the pipes very well, which may have caused the leaking problems.

Buffalo County, Ravenna Lake Report

Jason Moudry, Water Programs Specialist, reported that staff had been sampling Ravenna Lake for two years now, checking for algae and E.coli. He reported that the algae samples are sent off and the E.coli testing is done in house. He informed the Board that tests are also sent off for inorganic and organic nitrogen, and phosphorus and that they are looking at total suspended

solids and suspended sediment concentration. Moudry reported that the Sonde would be used to do lake profiling on the 16th. He said the Sonde records various water quality parameters such as temperature, pH, dissolved oxygen, specific conductivity and turbidity.

Hadenfeldt asked if E.coli was found in the water. Moudry replied that there hadn't been much in the lake, but more has been seen in the streams on the basin rotation. Naprstek stated that the NRD initially looked at Ravenna Lake as a quantity recharge project for the South Loup, which didn't materialize. He said Ravenna has since shown interest in using the lake for recreation expansion purposes.

Columbus Area Water Resources Assessment Study Update

Report will be given in Water Committee.

WATER RESOURCES COMMITTEE

Columbus Recharge Project Update

Naprstek reported that the wells would be installed in a couple weeks and staff would be doing the testing. Callan reported that the Bureau drought resiliency grant was received for \$750,000 to cover the additional expenses of the project. He said half of the \$2.5 million project would be paid for with grant money. He said that there will be Committee discussions on water sources and move forward on easements and permitting. Citta stated he would like the discussions carried out to the full Board because the source of the water – canal vs. wells – with the potential of contamination from the nearby plume is a big concern.

2019 New Irrigated Acres

Handouts were given that summarized the last three years of new irrigated acres allocation. Cam Conrad, Water Modeling Coordinator, gave a presentation on how acres were figured. He reviewed last year's allocation and showed the static water level change from the Spring of 1982 to the Spring of 2019. He also showed several GIS datasets, including groundwater transfer basins, current certified irrigated acres, and sandy soils. Conrad also reviewed the static water level trend map, which is based on depth-to-water level measurements collected twice a year over multiple years. Both the static water level change and trend maps were overlaid with the groundwater transfer basins to demonstrate where water levels are increasing and decreasing by basin across the District. He said that last year's acres were only allowed north of the Middle Loup River and Loup River. A summary of streamflow data in the District was also shown, including gauging stations at Beaver Creek and Middle Loup River, where acres were allowed last year, as well as the Cedar River, where acres were not allowed last year. It was reported that the streamflows are slowly trending up. Conrad also presented a map of the GET water modeling tool, showing where acres were approved and denied from last year's applications, and GET water budget graphs, showing cumulative impact to aquifer storage and baseflow from those applications.

Toene motioned, seconded by Adams, to allocate 2,500 new irrigated acres for 2019 to be allocated in the sub-basins as follows: North Loup-Spring Creek-Loup (1,250 acres), Middle Loup-Oak (500 acres), and Plum-Beaver-Loup (750 acres).

Podolak stated he was impressed with the data tools Lower Loup uses to make confident decisions. Citta stated the NRD has spent a lot of money to get accurate data. Boesch stated she appreciated the thoroughness of staff in their research.

Naprstek reported that DNR and Lower Platte Basin Coalition would re-evaluate the Coalition's reported numbers in 2021 and said that he and Callan were on the Board to discuss the information. He said that he and Conrad were working on getting the maps online so someone can search for their address and see if acres are available.

Vlach asked if, during re-evaluation in 2021, would static water level be included, and would the level increase the number of acres allowed. Naprstek reported that several factors are considered. Callan stated DNR uses a 25-year rolling average of weather depending on rain levels etc.

Motion carried by electronic vote, all present voting yes.

Wheeler County Nitrates – Phase II Designation

Naprstek said he had presented a powerpoint to the Committee showing the breakdown of Sub-Area 29 including landowners, irrigation totals, livestock effluent application, and chemigation.

PROGRAMS/PROJECTS COMMITTEE

Sargent Area Drainage Issues

a. Sargent East

Kruse reported that they had a presentation on Sargent East and discussed drainage issues. Callan said that there had been a motion at the Committee meeting for NRD staff to assist in the development of an IPA for Sargent East, but the motion was inadvertently left out of the Committee minutes.

Kruse motioned, seconded by Petersen, to direct staff to assist with the development of a petition and design of an IPA process for Sargent East. Motion carried by electronic vote, all present voting yes.

b. Village of Sargent

Kruse reported that Miller and Associates was working with the Village on the project. Kruse said the Village would be coming to the NRD for assistance.

Dam Safety Inspection Report

Callan reported that Kolar gave a report on the NRD's dam inspection process, how the inspections work and the timing. Citta stated that dam inspections need to be taken seriously and if there are issues, an entity would have to show the dam inspection reports to get any assistance.

Garfield County Flooding

Kruse reported that Arrowhead Lake north of the Cedar River in Garfield County had broken open and created flooding issues downstream. He said nothing was being done at this time because it was located on private land.

Naprstek said NRD had shared the information with Conservation & Survey and was told that what we're seeing now is geologic time in real time; basically, things that usually take millennia to happen have happened in the last several weeks.

Callan said he felt it would continue to be a live stream and would drain the entire area. He said there was a chain of lakes in that area, and if something manmade isn't done to prevent it from going further, it will drain the entire complex of lakes and the groundwater in that area.

Podolak asked if it was a concern to the NRD. Callan stated that the groundwater drain could be a concern and might be detrimental to the wet meadows in the area. He said there was not much irrigation development, but the problem would change the look of the whole area. Callan said staff would remain in contact with the landowners but wasn't sure what the NRD could do at this time.

Adams asked if there was a stream monitor that could be installed to keep an eye on it. Callan said DNR has been in the area quite a bit and were monitoring the issue and also said that Conservation & Survey was very interested in what was going on. Naprstek stated that groundwater was being exported out of the area faster than before. Mohrman asked if there was an estimate of how many square miles were affected. Conrad and Callan were not sure of the exact area but said it was large. Thoene stated the county was putting in 3 six-foot tubes to handle some of the drainage. Callan said it was previously a 4-mile stream that is now 10 miles.

St. Paul Flood Damage

It was reported that Callan had been contacted about the St. Paul area damages. He said the city was concerned about the area south of town around the railroad bridge and was hoping someone would do something about it. Callan said that the railroad wasn't interested in working on the stream itself but would fix their bridge if it happens again. He reported that a landowner neighboring the river had lost nearly ten acres. Anderson expressed concern about a hook that had formed that, if it broke, could take the railroad out. Citta stated that a project involving the channel would take a lot of permitting. Vlach stated he had heard the city had interest in doing something to remedy the issue because they have a wellfield next to the river. Nelson stated that, at one time, there were a lot of cars on the riverbanks. Callan said that a lot of the erosion started when the cars were removed. He said staff would remain in contact with the city.

Duncan East Engineering Contract

Kruse reported that Duncan East had damage to the concrete tubes due to flooding and the Committee had approved a motion to accept a bid from FYRA Engineering for repairs.

Kruse motioned, seconded by Boesch, to accept the bid from FYRA Engineering for \$18,523.00 for repairs on a Duncan East IPA crossing.

Callan reported that grant money wasn't secured yet but staff was in contact with NRCS and FEMA for possible monies. He said the NRCS avenue looked favorable as long as the design and feasibility was there, and staff was still in discussion with FEMA. He said staff asked for mitigation money from FEMA to help clean the area east, which the NRCS grant would not cover. Coffey asked why the area from the crossing to the river hadn't been kept clean. Callan answered that the NRD had an easement for a portion; however, the rest of the area was on private property. Kolar stated that the area where the NRD had an easement was cleared.

Motion carried by electronic vote, all present voting yes.

MANAGER'S REPORT

Litigation Update

Callan reported there were no litigation updates; however, tomorrow was the hearing for the Platte Republican Transfer to decide if they have the right to ask for appropriation of water.

Loup River Survey and Spraying

Callan reported that the weed district had put in a request for money to do helicopter surveying and spraying along the Loup River.

Adams motioned to approve \$1,500 for the cost of the Loup survey.

Anderson asked where the surveying and spraying would take place. Callan replied it would be on the Platte and Loup Rivers near Columbus, most likely from the Loup River bridge on east.

Motion seconded by Thoene. Motion carried by electronic vote, all present voting yes.

New Hires

None.

Non-Action Reports

None.

FY 2020 BUDGET WORK SESSION #2

Callan reviewed the following budget items and reported that the books would be closed July 1st and actual numbers could be obtained then.

Code 475 – Buffer Strip Program - \$173,000

Code 462 – Arboretum Budget - \$10,000

Code 438 – Special Projects – \$1,124,358 - It was reported that this category includes static well monitoring, water quality testing, the crop water use program, well registration, cost-share programs for cover crops, chemigation safety, and well decommissioning. A list of upcoming 438 projects was reviewed.

Code 473 & 301 – Water Quality Fund - \$105,000 – The following were reviewed in this category including irrigation water management practices cost-share, Area 28 flowmeter program, nitrate sampling, water monitoring equipment and a water quality management area education program.

Code 301&303 – State and Federal Grant Funds - \$2,900,000

Code 422 – Scrap Tire Collection - \$86,000

Code 471 – Water Well Decommissioning Fund - \$30,000

Code 470 & 440 – Land Treatment - \$339,000

Code 441 – Project Construction - \$5,662,000

Code 443 – Project Land Rights - \$600,000

Code 445 – Project Legal Costs - \$70,000

Code 447 – Assessment Projects - \$2,229 (Duncan East IPA)

Code 448 – Assessment Projects - \$375 (Lost Creek IPA)

Code 466 – FEMA Hazard Mitigation Plan - \$0

Code 449 & 309 – Stock and Stock Purchases - \$160,000

Code 165 – Machinery & Equipment - \$58,000

Code 476 – Community Forestry Program - \$35,000

Code 477 – Prescribed Burn Program - \$30,000

Code 441.01 – Park and Recreation Financial Assistance Program - \$12,000

Code 163 & 161 – Capital Improvements & Land - \$900,000

Anderson motioned, seconded by Mohrman, to approve the second half of the FY 2020 tentative budget as presented. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Petersen, Podolak, Thede, Thoene, and Vlach. Director abstaining: Nelson. Directors absent: Bartak, Lukasiewicz, and Smith.

NARD REPORT

Director's Report

Eschliman reported that NARD met June 10th and approved a 5% increase in medical premiums and a 14.9% increase in dental benefits starting January 1, 2020, saying the benefit would double from \$1,500 to \$3,000. Also approved was NET Big Red Wrap-Up sponsorship;

\$6,000 for the annual meeting foundation; \$1,000 for Nebraska Farm Bureau for Ag Awareness; and the budget, which was 2.32% higher than last year. Eschliman also reported that the Annual Conference would be held in Kearney on September 22-24 and that the deadline for resolutions is 30-35 days prior to the meeting. He said 500 participants were expected for the 2020 Envirothon to be held in Nebraska; and the 5K fundraiser was called off due to flooding, so alternate sites have been sought.

Eschliman reported that the Basin Tour was held June 10-11 and Papio-Missouri River NRD would host the tour in 2020. Eschliman also reminded everyone of the State Fair August 23-September 2 and Husker Harvest Days September 10-12. He also reported that the Washington, DC trip would be held March 14-18, 2020.

Eschliman thanked the Directors who attended the Basin Tour. Boesch, Coffey, and Eschliman highlighted some of their favorite stops on the tour.

Legislation

Callan reported that NRDs are looking at putting more bonding legislation in place due to large projects that districts have been taking on. He said Papio was the only NRD with the authority to bond and the other 22 NRDs would need to borrow money to build large projects. He said he had been asked if Lower Loup would be interested in helping sponsor the legislation. He said it hasn't affected Lower Loup any, but could see the need for it.

Callan also reported that he and Irene Kreifels, Administrative Assistant, had met with the accountant and suggested increasing the NRD's borrowing category in the budget from \$1M to \$2M.

Podolak asked if there had been requests for the NRD to help with the ash borer problems. Callan stated there would probably be some requests, but none have come in yet. He said monies have been budgeted in the Community Forestry Program that could be used for, most likely, removal and replanting of another species. Citta said that if the NRD got involved, it would be on the 'community' side and not the 'individual' side

NRC REPORT

Hadenfeldt reported that there would be another meeting in August.

RC&D REPORT

Thoene reported that he wasn't able to attend the last meeting; however, Janet informed him that RC&D was awarded the scrap tire grant for which they had applied. Vlach asked if it would take place this year, and Thoene answered that it would probably be held in fall, but a date and location were yet to be determined.

ANNOUNCEMENTS / FUTURE MEETING TOPICS

Citta told of a UNL presentation he heard at an Environmental Quality Council meeting he had attended recently. He said the test farm information they presented on irrigation and yields was very interesting and wondered if UNL and NRD might be able to share information. Coffey said that he saw the NRD's commercial and others reported that they had seen it also. Schultz stated that there had been a very good response on all the campaigns. Citta reported that he had heard many positive comments on Davis Creek and Pibel Lake.

ADJOURNMENT

With no further business before the Board, Citta declared the meeting adjourned at 7:15 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 July 25, 2019, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary