

# LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

October 27, 2011

Ord, Nebraska

The October 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 October 27, 2011. Vice Chairman Joseph Citta called the meeting to order at 5:04 p.m.

## CALL TO ORDER

### Directors in attendance

James C. Adams  
Darwin B. Anderson, Secretary  
James J. Eschliman  
Thomas Knutson  
Alan D. Petersen  
Gerald P. Smith  
Kim Walden

Rollie D. Amsberry, Treasurer  
Joseph L. Citta Jr., Vice Chairman  
Virgil W. Gellermann  
James C. Nelson  
Dean J. Rasmussen  
Bradley R. Staab

### Directors absent

Tim Bartak  
Michael P. Gutzmer  
Gary A. Kruse, Chairman  
Henry J. Thoene

Craig E. Frenzen  
N. Richard Hadenfeldt  
Darwin R. Sieh

### Staff in attendance

Leon "Butch" Koehlmoos, General Manager  
Cheryl K. Hornickel, Programs Assistant  
Jason Moudry, Water Resources Specialist  
Dan Ray, NRD Technician, Spalding  
Richard L. Woollen, NC District Forester

Russell Callan, Assistant Manager  
Robert T. Mohler, District Engineer  
Tylr Naprstek, Water Modeling Coordinator  
Larry D. Schultz, I&E Coordinator

### Guests in attendance

Bryce Bauer, DC, NRCS, Ord  
Matt Lukasiewicz, St. Paul  
Rich Walter, Kearney

Mike Haggerty, Spalding  
David Thome, Spalding  
Eugene Bredthauer, Ord

## NOTICE OF OPEN MEETING LAW POSTING

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

Chairman Citta also recognized the passing of one of Lower Loup NRD's directors, Lyle Rasmussen. He then suggested that the Board consider adopting a resolution, recognizing his accomplishments and his contributions to the Board and conservation.

**Smith motioned, seconded by Walden, to adopt a resolution acknowledging Lyle Rasmussen's contributions to the NRD and conservation. Motion carried by roll call vote, all present voting yes.**

## 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. The meeting notice was also posted at the NRD Headquarters office in Ord, the NRD web site, and the eight field office locations.

**Eschliman motioned, seconded by Dean Rasmussen, to approve the verification of the meeting notice, adopt the 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 September 22, 2011, Board meeting minutes. Citta ruled that the September 22, 2011, Board meeting 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 told the Board that a bill on the supplemental agenda for \$114,000 was for infrared photography. Eschliman asked if staff had seen any of the pictures and Russ said that they had just been received on a hard drive. Koehlmoos referred the Board to the maps on the wall showing the infrared photography received the previous year.

**Rasmussen motioned, seconded by Eschliman, to approve the October, 2011, Treasurer's Report and pay all bills. Motion carried by roll call vote, all present voting yes.**

Koehlmoos said there was also a payment made for a LiDAR project conducted in partnership with NRCS and USDA for \$10,700. He commented that it was a great deal for the NRD.

## PUBLIC COMMENTS

There were no public comments.

## REPORT ON INVASIVE WEED CONTROL

Rich Walters of Platte Valley Weed Management Area in Kearney gave a power point presentation on invasive species control on the Loup River. He explained that there were two ways the study was conducted. Helicopter survey flights, called *Early Detection Rapid Response*, were flown. From the air they can see the difference between native and non-native species of Phragmites. The DNA testing that was conducted showed the samples submitted were non-native. No native species were damaged in the spraying process. Koehlmoos asked what had been done with the salt cedar and Russian olive and Walters said that the salt cedar had been sprayed, but not the Russian olive.

Walters said the Sandhills Weed Management Area and the Platte Valley Weed Management Area had written a grant and were awarded \$40,000 for two years from the Natural Legacy Project. The Lower Loup NRD had contributed up to \$5,000 a year for two years. At this time, \$1,400 has been used for airboat survey and approximately \$2,000 for biomass removal, bringing the total expenditures to approximately \$4,500 for this year.

Walters said the cost to do the study by helicopter was approximately \$1,400 per hour. The helicopter flew the river from St. Paul to Columbus, taking about two hours.

Walters reported that the South Loup River in Buffalo County had phragmites infestations and that area was sprayed using an airboat. Officials plan to treat the Middle Loup River to St. Paul in the coming year and all spots found the previous year will be treated. Lower Loup NRD has received all the reports on CDs. DNA sampling will continue in an effort to make sure that native species are not sprayed and infestations don't re-occur.

Koehlmoos asked what the percent of control was achieved when using a helicopter or airboat on the Platte River and asked if there was any regrowth from the rhizomes root systems. Walters said if the area was sprayed with Habitat, eradication should be complete in 3-5 years with no regrowth. He said that on the Platte River, where disking followed spraying two years ago, the invasive species was killed and then shredded. He said there was some regrowth when the river levels went down in August. On the spots that were sprayed and left alone, no regrowth has been seen. Walters said he wasn't certain if the rhizomes were growing back or had been completely eradicated. He said grad students would dig up rhizomes for study in the coming summer. The big test was coming in the next 2 to 3 years when water levels drop again in the Platte. Koehlmoos asked if Habitat has been working better than Rodeo and Walters said that it was twice as expensive, but much more effective.

Rasmussen asked if DNA testing was expensive and Walters said it was quite inexpensive, costing only \$2 a sample. Walters said that UNK is trying to establish DNA sampling on campus and would do testing free as part of their class work. Koehlmoos asked if any purple loosestrife was found and Walter reported that no infestations had been seen on the Cedar or Calamus Rivers. He said a couple of spots were found on the South Loup and sprayed, but there were no large infestations like those found on the Platte. Koehlmoos asked if the work was being conducted all the way to Columbus or if another weed group was taking care of that area and Walters reported that work was completed to the mouth of the Loup and his area had teamed up with the Lower Platte area on the work. Koehlmoos said he understood that there had been regrowth problems in other basins and Walters said loosestrife came back on the islands in the Platte River and they were sprayed this year. Koehlmoos told the Board that the \$1,400 payment was included in the Treasurer's Report and would be paid along with the other bills when it was received.

### INQUIRY ON SPALDING LOT FOR OFFICE RELOCATION

Mike Haggerty of Spalding told the Board he sought to build a new NRCS office in Spalding. He said their first choice would be to construct the building on the lot owned by the NRD. Haggerty said they had 30 to 45 days to set up a proposal. Koehlmoos told the Board that the NRD's four lots are the current location for the NRD's two buildings. The current office building was in bad shape and the other building housed the tree cooler. The NRD tried to sell these lots in 1981, and the NRD had paperwork showing it actually sold the space for \$12,000 to Spalding Industrial Corporation, but that sale was never completed.

Haggerty said he was willing to offer \$12,000 to buy the lots. Koehlmoos asked if that offer was for all four lots, as the NRD had considered keeping the north half of Lots 5 & 6 because of the tree shed. Haggerty said he would have no problem leaving the seed shed on the property. He commented that clean-up would be a costly job. Koehlmoos asked NRD Technician Dan Ray where the tree shed sat on the lots and Ray said it was located on the south half of Lot 6 next to the street. Ray said that the NRD might consider keeping the south half of Lot 5 to park the pickup, gopher getters and drill. Koehlmoos asked if it would be possible to allow for some additional space for the tree cooler and shed in the new building or would it be built to the minimum NRCS specifications. Haggerty said he was not opposed to making the building larger to include a shed and cooler. Citta asked Koehlmoos if that proposal would be a lease or co-owner option and Koehlmoos said it would need to be negotiated. He suggested trading the lots for the additional space, depending on the financial feasibility.

Eschliman said the property was not on the tax rolls now and asked if it would go back on if sold. Koehlmoos said NRCS would be leasing the building and asked Haggerty if the builder was a non-profit or for profit organization. Haggerty said it would be a sole proprietorship. Koehlmoos said the property would likely return to the tax rolls unless it was done through an economic development agency.

Knutson asked how long the NRD had owned the lots and Koehlmoos said the District had inherited them from the Soil and Water Conservation Districts back in 1972 when the NRDs were formed. He said they have been in government possession since 1943. Koehlmoos said if the building was built just for the NRCS, he would like to see the NRD hold on to the lots on the west for

storage and future development for the city. He said that if the NRD could work something out for additional space, depending on price, then all four lots could be sold to the builder.

Anderson asked what shape the current storage building was in and Koehlmoos said that it was good construction with a narrow door, a loft, and the tree cooler built on the lower level. He said the building is too small for what is needed in that area. Ray said both seed and poison bait is stored in the building. Citta asked what the dimensions of the storage building were and Ray said it was approximately 24' x 30'. Anderson asked if the old building would be a good neighbor with the new one and Koehlmoos said no. Smith said that the efficiency of the old cooler wasn't that good. Koehlmoos asked Haggerty if the current building plans could be modified to include the NRD's storage needs and Haggerty said that it could be negotiated. Following additional discussion, the Board consensus was to have a fair market analysis done on the NRD lots in Spalding.

**Eschliman motioned, seconded by Adams, to authorize the General Manager to negotiate a sale for the NRD's real estate in Spalding for development of the NRCS office and the NRD's needs. Motion carried by roll call vote, all present voting yes.**

## NRCS REPORT

District Conservationist Bryce Bauer told the Board that he and Koehlmoos had met in Burwell with five Chinese government officials, an interpreter and an NRCS representative from the national office on October 24<sup>th</sup>. The group had been touring for two weeks and was interested in understanding how American agricultural programs work. He said the Chinese have road blocks in their programs because their government does not enter into contracts.

Bauer said program deadlines were announced on October 26<sup>th</sup>. November 18<sup>th</sup> is the sign-up deadline for EQIP & WHIP with ranking to be completed by December 7<sup>th</sup>. Bauer said that they should be able to start writing contracts by Christmas. The Wetland Reserve Program deadline is December 1<sup>st</sup>. Applications have been received from every county except Boone.

## ENGINEERING REPORT

### Middle Loup Diversion at Sargent

District Engineer Robert Mohler provided the Board with a power point presentation on the repair work on the Middle Loup Diversion Dam at Sargent.

Citta asked who the contractors were for the project and Mohler said Perrett Construction of Valentine. Nelson asked if FEMA had agreed to provide any funding and Mohler said Al Schmidt believed that FEMA funding would eventually be received.

Koehlmoos said that project completion was expected by the end of November and NRD funding would then be provided to save the irrigation district interest costs on the bonds. Knutson asked how much total funding had been authorized by the NRD and Koehlmoos said it was ten percent of the local cost of the project, not exceed \$250,000.

## FORESTER'S REPORT

North Central District Forester Richard Woollen of the Nebraska Forest Service reported that conservation tree sales would begin on November 1<sup>st</sup>. He reported that he attended Client's Day at Bessey Nursery in Halsey. Woollen said he was part of the event's organizing committee and the event had been modified for 2011, with the nursery tour on the first day and an NRD Forestry Workshop the second day. Evaluations had been sent out so the committee could get feedback on the new structure.

Woollen said that the U.S. Forest Service Review had met regarding the Forest Stewardship Program. He said the steering committee included Koehlmoos, a group from FSA and the Nature Conservancy. The group took a field tour to review the fuel reduction work being done in the Niobrara Valley.

## INFORMATION AND EDUCATION REPORT

### Statewide I&E Staff Quarterly Meeting

Information & Education Coordinator Larry Schultz told the Board that the Statewide I&E staff had held their quarterly meeting in Grand Island on October 17<sup>th</sup>. He said they had visited some of the projects that Central Platte NRD has completed. The group saw the location for the new Outdoor Learning Center at the State Fairgrounds. Schultz said that Nebraska had won funding for the project through an online voting program funded by the Rainbird Corporation. The group also toured the Wood River Flood Control Project.

Schultz said the group discussed plans for the 40<sup>th</sup> Anniversary of the NRD system next year. The calendar committee planned to feature some historical photos of different projects from over the years in the 2012 calendar. He said that Alyssa Smola of NARD has more plans for the anniversary which runs January through December, 2012.

### North Central Land Judging

Schultz said that the North Central Land Judging Contest was held on October 13<sup>th</sup> at the Amsberry Farms near Ansley. There were 229 competitors from 11 different schools. Four teams qualified for the state contest which would be hosted by the Lower Platte North NRD. He said that the schools qualifying for the state contest were Fullerton, Twin River, Ord, and St. Edward.

Schultz also reported that the Ord High School received top honors at the State Range Judging Contest held in Sidney.

## ASSISTANT MANAGER'S REPORT

### Groundwater Management Area Activities

Area 28 Activities

Assistant General Manager Russ Callan reported that he and Koehlmoos met with an attorney in Ord to start the legal process for issuing cease and desist orders for violators in Water Quality Area 28. Callan said he was compiling documentation to submit to the District Court.

#### Area 18 Activities

Callan told the Board that Moudry, Kolar, Ray, and Drozd have been working on vadose zone deep soil sampling on non-irrigated cropland in Area 18 so that a comparison can be made to the cropland sites in that area.

#### Variance Committee Meeting

Callan said the Variance Committee had met earlier in the afternoon and reviewed a rough draft of the applications for new irrigated acres. He said that applications for 3,062 acres appeared to qualify for approval. The NRD technicians will be visiting these sites, as well as some not slated for approval to get additional background information. He said the Variance Committee discussed applications that were located in Wellhead Protection Areas. Callan said that rising nitrate levels were a concern for the water supplies of these small communities. Jason Moudry is the Wellhead Protection Coordinator and has been reviewing these areas. Callan said that staff questioned whether the NRD should allow additional irrigated acres in the wellhead protection areas. He said the Variance Committee recommended not allowing new development in these areas.

Staab asked how nitrogen application in these areas differed from urban applications on lawns and Callan said that previous studies in another NRD found that groundwater contamination from urban fertilizer application was not as much a problem as surface water runoff. He said the concern comes from rain washing the fertilizer to the streets and discharging it into surface water. Callan said bluegrass is actually a good scavenger of nitrogen and that further study was warranted.

Smith stated that he felt municipalities should take the responsibility for the runoff that comes from their sewer systems and drainage ditches and that not much more than 70% of the blame should be steered toward agriculture. Smith said that lagoons are very concentrated areas for contamination and some are only a quarter mile from a municipal well. Smith said that lawns aren't the problem, but the runoff does contribute. Callan stated that there are a number of sources that add to the nitrogen problem.

Citta said that next month the Variance Committee would bring a recommendation to the Board on these new irrigated acres. He said that, unless the Board takes action, they will allow acres in the wellhead protection areas. He said that if the Board did not want that action, a motion needed to be made because, based on the scoring, that could happen.

Smith asked if putting down a well could relieve the nitrate problem and Callan said that the best way to deal with nitrates is irrigation with the proper management. Smith asked if passing this motion would lock the District out of being able to do that and Callan said no.

**Nelson motioned, seconded by Adams, to suspend applications for new irrigated acres granted through the LB-483 process, within the boundaries of a wellhead protection area as drawn by the Nebraska Department of Environmental Quality. Motion carried by roll call vote, all present voting yes.**

Citta asked if the same action should apply to the transfer of irrigated acres in wellhead protection areas or left to the Water Committee. Koehlmoos said that such action give staff direction in handling transfer requests.

**Smith motioned, seconded by Staab, to deny requests for the transfer of irrigated acres into the boundaries of wellhead protection areas as designated by the Department of Environmental Quality. Motion carried by roll call vote, all present voting yes.**

### ELM Update

Water Modeling Coordinator Tylr Naprstek reported that an ELM meeting was held at the headquarters office on October 19<sup>th</sup> with all partnering NRDs present. He said the main discussion at the meeting centered around data contributions from the NRDs in the ELM project. Naprstek said that the data from Phase 2 was assessed under Phase 3 processes and reflected a higher degree of accuracy.

Naprstek said that Jennifer Stanton from USGS was pleased with the amount of data that has been collected. He said that the data collection for Phase 3 has ended and the project will progress into the calibration phase. In this phase, the readings in the model are matched up with real world data. He said that the model would then be projected 50 years so that a stream flow depletion map could be obtained.

Naprstek reported that USGS is using a poster featuring ELM information as a demonstration for technology called S.W.B. or Soil Water Balance. Naprstek said the model is providing USGS with “phenomenal results,” even using uncalibrated data.

## MANAGER’S REPORT

General Manager Butch Koehlmoos reported that a new bookkeeper had been hired. He said that 35 applications were received and four individuals were interviewed. Irene Kreifels had been hired. Koehlmoos said that Kreifels had 21 years of accounting experience and would begin work for the NRD in mid-November. Koehlmoos said that she has also been the housekeeper for the headquarters office. He will now have to advertise for a new housekeeper.

## NARD REPORT

### Director’s Report

D. Rasmussen said that the NARD resolutions are included in the agenda and that 320 people attended the NARD Annual Conference. Rasmussen said that 3,800 trees had been given out at Husker Harvest Days. The next NARD meeting would be November 7<sup>th</sup> in Gothenburg. He said that NARD is still considering a building at Husker Harvest Days which would be rented out to Central



Platte NRD the rest of the year. The NARD books have been audited successfully and the insurance program remained in good shape. He said that he was a moderator at a presentation from the State Forester at the NARD Conference. He said he felt that the new convention center worked well for the conference.

## NRC REPORT

Knutson reported that the Natural Resources Commission discussed funding for projects. He said that there was discussion on setting funding priorities. He said that the next meeting will be November 17<sup>th</sup> in Lincoln.

Knutson passed out brochures for the Nebraska Water Leadership Program. He said this is a new program and he is the chairman. He said new students are being sought for the next session. Citta asked how large the classes were and how often the group met and Knutson said 20-25 people could attend and they met for about 1½ days every two months, starting in Lincoln and moving to different basins.

## RC&D REPORTS

### Loup Basin RC&D

Rasmussen told the Board that he was unable to attend the meeting. He had heard that land had been gifted for a new convention center to be built in Burwell, like the one in St. Paul.

### PrairieLand RC&D

Gellermann reported that the RC&D met in Madison and a new chairperson had been elected. He recommended that the Lower Loup NRD pay its dues to the RC&Ds as it appeared they would remain functioning bodies for the foreseeable future.

**Gellermann motioned, seconded by Knutson, to approve payment of the membership dues for the RC&Ds. Motion carried by roll call vote, all present voting yes.**

## ANNOUNCEMENTS

There was discussion on changing the start time for the Board meeting with no change being made.

Koehlmoos reminded everyone that the meetings in November and December will take place one week early.

## ADJOURNMENT

With no further business before the Board, Chairman Citta declared the meeting adjourned at 6:45 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, November 17, 2011, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Darwin B. Anderson  
Secretary