

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

January 24, 2019

Ord, Nebraska

The January 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 January 24, 2019. Chairman Citta called the meeting to order at 4:00 p.m. and welcomed new Director John Coffey to the meeting.

### CALL TO ORDER

#### Directors in attendance

James C. Adams  
Darwin B. Anderson  
Beth Boesch  
John Coffey  
N. Richard Hadenfeldt  
Larry Mohrman  
Alan D. Petersen  
Gerald Smith  
Henry J. Thoene, Secretary

Rollie D. Amsberry, Treasurer  
Robert L. Bauer  
Joseph L. Citta, Chairman  
Jim Eschliman, Vice Chairman  
Gary A. Kruse  
James C. Nelson  
Chad J. Podolak  
Dean G. Thede  
Rick Vlach

#### Directors absent

Timothy E. Bartak  
Matt Lukasiewicz

Randy Kauk

#### 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  
LeeAnn Smith, Water Programs Assistant  
Jason Moudry, Water Programs Specialist

Tylr Naprstek, Assistant General Manager  
Kim A. Lyons, Financial Secretary  
Cheryl Hornickel, Programs Assistant  
Dell R. Harris, Water Resources Specialist  
Richard L. Woollen, District Forester  
Dan Ruterbories, Rangeland Mgt. Tech  
Brent D. Lakin, Water Resources Tech

### Guests in attendance

Bryce Bauer, LDC, NRCS, Ord  
Linda Bauer, Columbus

Virgil Gellermann, Columbus  
Dennis Derner, Bartlett

### ROLL CALL AND EXCUSED ABSENCES

Citta reported that Directors Bartak, Kauk, and Lukasiewicz had asked to be excused.

**Eschliman motioned, seconded by Adams, to excuse the absent directors. Motion carried by electronic vote, all present voting yes.**

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

### NOTICE OF OPEN MEETING LAW POSTING

Chairman Citta referred those in attendance to the open meeting law information posted in the Board room and indicated 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 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. He said the agenda was current.

### MINUTES

Chairman Citta asked for corrections and/or additions to the November 29, 2018, Board meeting minutes. None were heard.

**Smith motioned, seconded by Boesch, to approve the November 29, 2018 Board meeting minutes as presented. Motion carried by electronic vote. All present voting yes.**

### TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$12,000 to Downey Drilling for monitoring wells; \$40,000 to Olsson Associates for GET model; \$60,470.53 to HDR for the Columbus project; \$1,780 to Valley Co Hwy. Dept. for Davis Creek road maintenance; \$9,710 to JEO for the final payment on the Ravenna project; \$49,722.50 for cover crop reimbursements to Clear Creek landowners/operators; and \$3,697 to Applied Connective Technologies as partial payment on a new office phone system.

**Kruse motioned, seconded by Thede, to approve the December 27, 2018, and January 24, 2019, Treasurer's Reports and pay all bills. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bauer, Boesch, Citta, Coffey, Hadenfeldt, Kruse, Mohrman, Nelson, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Eschliman. Directors absent: Bartak, Kauk, and Lukasiewicz.**

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

Dennis Derner addressed the Board regarding concerns with nitrates in the groundwater in Wheeler County and surrounding area. Callan explained that the NRD was working to put some townships in Wheeler County into Phase 2 management which would require soil sampling and nitrogen management reporting. Callan said that there would be educational efforts regarding nitrates in other parts of the District where rising nitrate levels are being seen. Derner stated he is concerned that the general trend shows levels increasing. Callan explained the criteria separating Phases 1, 2 & 3 and the nitrate limits for each level. Derner urged the Board to take further action in protecting water, suggesting limiting water use and checking water levels on more sites in the fall.

## FORESTER'S REPORT

Richard Woollen, District Forester, gave an update on the Central Sandhills Community Wildfire Protection Plan. He said the stakeholder group provided Part 1 which included background information and Part 2, the action plan, had been sent to the steering committee for review. He said that after the stakeholder group provides input, it will go to Nebraska Forest Service in Lincoln for review, then back to the counties.

Woollen said that forestry assistance with conservation tree plans and windbreak renovation plans continues.

Woollen also discussed the Nebraska Buffer Strip Program which provides grass filter strips and riparian forest buffers on watercourses. He said several contracts were up for renewal in 2019.

## NRCS REPORT

Bryce Bauer, NRCS, reported that staff had been ranking EQIP applications for 2019 and that all State and Area 1 applications are completed. Bauer reported that the deadline for local EQIP money is February 15, 2019. Bauer stated that the government shutdown had put several things on hold, but that FSA had begun working again, without pay for two weeks, and will adjust hours down to a few days a week until the shutdown has ended. He reported that the 2020 NRCS local work group would be held February 6<sup>th</sup>. He stated the group would focus on all

programs, not just EQIP. Bauer reported that NRCS would continue to operate during the shutdown, using leftover 2018 program money.

## INFORMATION & EDUCATION REPORT

### 2019 NARD Legislative and Washington DC Conferences

Larry Schultz, Information and Education Coordinator, reported that the Legislative Conference would be held January 29-30, and the Washington, DC Conference was coming up in March. He reported that registration for the DC conference was not available yet, but plans were continuing for a White House tour.

### Land Judging Committee

Schultz reported that the Nebraska Land Judging Steering Committee met and said the number of participants continues to increase for land judging. He reported that the LLNRD would host the Area 4 Range Judging in 2019 and also the Central Region Envirothon in Columbus on March 5<sup>th</sup>. He said the kids at Envirothon would participate in all disciplines and have the opportunity to advance to the state level and use their skills to solve a real-world problem. Schultz reported that the LLNRD would be hosting the State Envirothon at Pibel Lake in 2019 and also helping with the 2020 National Envirothon in Lincoln.

Boesch asked about the government being open for the Washington Conference.

## ASSISTANT GENERAL MANAGER'S REPORT

### Davis Creek Update

Tylr Naprstek, Assistant General Manager, reported that the 2018 official income for Davis Creek was \$40,130. He said \$22,000 of the income was from Reserve America online reservations, over \$17,793 from walk-in reservations, and \$1,330 collected from showers. Totals were up approximately \$7,000 from last year. Naprstek reported that, in early December, the current custodian, Bill Fox, passed away; however, his wife had expressed interest in continuing the work at Davis Creek. Naprstek reported that he would be mailing out information to potential campground hosts and that work will continue on the expanded tent camping area.

### Pibel Lake Update

Naprstek reported that staff was waiting on 404 permitting. The applications had been reviewed by the Army Corps of Engineers, but staff had not received an answer back. He said the lake had been lowered but would not be lowered further until 404 permits were received.

### Buffalo County, Ravenna Lake Report

No report.

## Columbus Area Recharge Project Update

Naprstek reported that the real-time transducers that have been installed and are working. HDR is working on developing a final water supply location. He stated they are looking at either taking water out of the canal and putting it into Lost Creek channel and then developing another pump to pump it up into Christopher's Cove, or do a horizontal shallow well adjacent to the tailrace canal and pump that out.

Adams asked about the cost, stating the NRD had approved several things that hadn't been done yet and some wouldn't be done at all. He asked if that would change the entire plan. Callan stated that HDR is in the designing phase and would bring any discoveries to the Board for a vote. Mohrman asked about the current approval of funds being a total package. Callan stated that was correct; however, the design may change. Citta confirmed that once the design is finished, HDR would come to the Board with the new plan. Callan stated he would be meeting with Pat Engelbert from HDR next week.

Contaminants in close proximity to the well locations were discussed and the possibility of potential problems. Citta stated that shallow wells shouldn't draw contaminants through the well. Mohrman stated the last design was to pump back out of the canal. Callan explained that horizontal wells may be too expensive and the other option was to connect a pump to the canal and put in a smaller well to pump to Christopher's Cove. Callan stated he had been informed that the quantity of water would be there if the horizontal well option was chosen. Boesch asked where the smaller well would be located if that option is taken. Callan stated it would be in the same vicinity on Loup property. Podolak asked if there were any concerns with licensing that could cause issues.

Mohrman asked if dropping the water level at Pibel Lake 42 inches would be enough. Naprstek replied that would be dependent on the engineer and contractor and that staff wouldn't know until the 404 permit was issued. He said there might be contingencies in the 404 permit.

Podolak suggested that Neal Suess give his presentation on the relicensing of the Loup Power District to the entire Board. Citta has seen the presentation and said it was informative. Citta said he would contact Neal.

## WATER RESOURCES COMMITTEE

Smith reported that there were no recommendations from the Committee.

### Lower Platte Drought Study Consortium

Naprstek reported that John Engel of HDR had given a presentation on the Lower Platte South Consortium and goals were discussed. Naprstek said the consortium, which includes Lower Platte South, Lower Platte North, and Papio-Missouri River NRDs, the cities of Lincoln and Omaha, and DNR, are looking at potential sources of water should flows on the Platte River not be able to supply pumping needs. He said that the Loup Basin is one of the primary targets for available water.

Naprstek said multiple options for getting water to the pumping station in Ashland were presented, including importing Missouri River water, storage of water at Sherman Reservoir and Middle Loup Irrigation canals, new reservoir storage at Skull Creek or Bell Creek. Smith said a 60-inch tube would be used to transfer any water.

Callan and Naprstek expressed that they would want to be part of any discussions regarding the LLNRD.

#### Lower Loup NRD Drought Study – Water Sustainability Fund

Naprstek reported that the drought study applied for through the Water Sustainability Fund did not receive funding; however, Lower Loup NRD did receive cover crop and AEM flight funding. He said staff would work to find other funding sources.

#### Wheeler County Nitrates – Groundwater Quality

Naprstek reported that, regarding the Wheeler County nitrate issue, the NRD is waiting on the Prokop case to see if any rules need to be modified before moving forward. He said it is anticipated that Area 3 would be subdivided into townships

#### Flowmeter Rule Change

Naprstek said the NRD is looking into a need to install flowmeters in Buffalo County, where there continues to be a 3- to 5-foot decline. He said that Lower Loup groundwater levels in Buffalo County remained about 6,000 acre-feet short annually.

### PROGRAMS/PROJECTS COMMITTEE

#### Nature Conservancy/Central Platte NRD Project

Kruse said that Central Platte NRD and Nature Conservancy were sponsoring a project for soil moisture probe installation and that two of the test areas were in the Lower Loup NRD; they are asking for financial participation from Lower Loup. They have asked for 50% of the soil moisture probes for two locations at \$1,250.00 each.

**Boesch motioned, seconded by Adams, to approve up to \$5,000 toward soil moisture probe installation in the Lower Loup NRD, associated with the Central Platte NRD/Nature Conservancy. Motion carried by electronic vote, all present voting yes.**

#### Office Expansion Options

Callan said he had met with an architect to get design ideas for expansion and renovations at the Ord HQ office, but had not received an estimate of costs.

Callan said he hoped to bring cost estimates to the Board in February, so the item was tabled.

### Davis Creek Campground Electrical Service

Callan reported that Loup Valleys Rural Public Power District cannot provide power to the additional campsites with service lines currently installed. He said they were looking at options to bring in lines from other directions, which would be very expensive; and an alternative plan to bring in a line that is needed and upgrade some facilities for a total cost of \$104,000. Loup Valleys RPPD had agreed to come up with \$24,000 if the LLNRD provided the additional \$80,000. The Committee felt the upgrade was necessary.

**Kruse motioned, seconded by Petersen, to complete the Davis Creek electrical upgrade not to exceed \$80,000.00.**

Hadenfeldt asked if the NRD would get rent from the lines, and it was clarified that the NRD wouldn't own the lines; however, the NRD would get a price break if others tap into the lines.

Eschliman asked if the NRD was getting to capacity with the current situation there. Callan replied that it was probably close. Previously, the NRD had been looking at 90 additional sites which is double the size of what was just done. Naprstek stated that there are 67 sites now, and 42 are electrical sites and 25 are not. He said that when the electrical project was completed, all 67 sites will have electricity.

**Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kruse, Mohrman, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Nelson. Directors absent: Bartak, Kauk, and Lukasiewicz.**

### Lillian Creek Dam

Callan reported that he had attended a meeting in Sargent with a lot of good discussion on the Lillian Creek proposed project. Amsberry mentioned that attendees were concerned about pumping water out and were told what time of year it would be pumped out and they seemed to be okay with that. Adams asked if dewatering would help Sargent with their current water problems, and Callan answered that staff was trying to come up with ideas that might be helpful to them. Callan said that Sargent is currently working with Miller and Associates and NRD staff had been working on ideas to help with the problem.

### South Loup Project

Callan stated staff had been looking at available water. He stated the South Loup was on the edge of being fully appropriated. He said he asked John Engel with HDR to provide an estimate to the Committee of the amount of water available. Adams stated he was hoping that timing would help, if we saturate the area above the dam, would there be more water during the summer than in the off-season. Callan stated that no estimate had been received from HDR yet. Naprstek stated that HDR had already completed a hydrological assessment for the South Loup Watershed and had put together the evaluation of smaller, retiming dams off the main stem of the river.

Smith asked if the NRD had its own engineer, how much would that person be used. Callan stated in the past, on smaller projects, the NRD used its own engineer most of the time. Smith stated that an engineer may be able to explain the South Loup Project more in-depth.

## MANAGER'S REPORT

### Conservation Technician Internships

Callan stated that staff had been working with NRCS to get better communication between NRCS and the NRD. He said one thing that had been revealed was that about 40% of the NRCS staff would be retiring in the next few years. He said it was reported that the last open position didn't have any applicants apply that were qualified. He said an internship program had been proposed where NRCS would house the interns and provide vehicles for them if the NRD would pay their salaries. Callan stated he would like to have 3 per year at about \$11,000 each for a total of \$33,000 per year.

Boesch asked about job requirements for the interns. Callan said interns would do layouts, work with producers on conservation plans, surveying, field and technical work. He stated that NRCS is in need of additional field staff.

Citta asked about the time frame the NRD was considering. Callan suggested the NRD try it for a year and review at budget time. Smith felt the NRD should commit to at least two years to see how the program goes and to be able to make a better judgment on future participation.

Vlach suggested that the interns visit with NRD staff/Board during a break in the school year to give their feedback. Vlach also stated he liked the two-year plan to gain interest. Podolak stated he thought it would be the right path. Vlach asked about criteria for applicants before they start, and Callan stated he felt that wasn't too important since most would probably have some sort of ag background.

Callan said NRD and NRCS staff would work together to hire the interns and determine what office they would work out of. He said that NRCS had a set salary for their intern program, which was the amount given.

**Eschliman motioned, seconded by Boesch, to approve a two-year internship partnership with NRCS for three conservation technicians for a total of \$33,000 in salaries per year. Motion carried by electronic vote. All present voting yes.**

### Litigation Update

Citta announced that litigation would be discussed at the end of the meeting in Executive Session.



## New Hires

No new hires.

## Non-Action Reports

For his many years of service to the NRD, Schultz presented outgoing director of the Board, Virgil Gellermann, with an advanced weather station. Citta congratulated and thanked him for his service to the NRD. Gellermann stated that the Board and staff had been wonderful to work with and thanked everyone for the gift.

## NARD REPORT

### Director's Report

Eschliman reported that the Legislative Conference would be held next week and that it was a good time to meet with legislators. Eschliman stated that he, Callan, and Naprstek attended the GMDA Conference in Arizona and highlighted topics of interest. He said that Chandler, AZ recycles all of its water for various purposes and have been able to cut down on groundwater use by using recycled water and water from the river. He said Colorado put on the conference this year and discussed two projects by Fort Collins -- Walker Project and Orchard Project, the latter being along the South Platte River with 3,000 gpm wells that capture water during excess supplies. Eschliman said the Walker Project involved four well fields at 30,000 ac-ft per year and up to 40 ponds used for recharge on the south side of the river. Callan stated they pump water from along the edge of the river and up into some settling basins and retime it back again, hoping for a month or two retiming back to the river. Citta stated there are similar projects going on in the Central Platte NRD. Callan stated that all the projects that were discussed had some type of pumping component involved. Naprstek reported that the Colorado River doesn't have much water; therefore, the same water is treated and treated again, several times. He said that Arizona is working on these projects because it is predicted that by 2020, they will not have enough water to meet their compact on the Colorado River.

Bauer stated that LB302 looks interesting. He said it combines NDEQ with the Energy Office and gives the State authority to issue 404 permits.

## NRC REPORT

### Commissioner's Report

Hadenfeldt reported that the Rules Committee met by phone on December 4<sup>th</sup> and decided not to change much. He said there was a Commission meeting in Kearney on the 18<sup>th</sup>. The projects that were in review have been approved. He said members are not allowed to score projects from the districts in which they serve. The next meeting is scheduled for March 6<sup>th</sup> in Kearney.

## RC&D REPORT

### Loup Basin RC&D

Thoene reported that the Loup Basin RC&D was applying for a grant for a tire collection in Burwell. The grant that they applied for to assist Loup Basin with more projects was received in the amount of \$46,000. The RC&D is working on Cedar River stabilization and recycling education in 13 counties. He said membership dues were coming in and staff was working on further outreach.

### ELECTION OF OFFICERS, NARD REPRESENTATIVE/ALTERNATE, RC&D DELEGATE/ALTERNATE, LEGISLATIVE CONFERENCE VOTING DELEGATE/ALTERNATE, & NARD CONFERENCE VOTING DELEGATE/ALTERNATE

**Adams nominated Citta for Chairman, seconded by Podolak. Smith moved that nominations cease. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bauer, Boesch, Coffey, Eschliman, Hadenfeldt, Kruse, Mohrman, Nelson, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Citta. Directors absent: Bartak, Kauk, and Lukasiewicz.**

**Citta nominated Eschliman for Vice Chairman, seconded by Adams. Smith moved that nominations cease. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bauer, Boesch, Citta, Coffey, Hadenfeldt, Kruse, Nelson, Mohrman, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Eschliman. Directors absent: Bartak, Kauk, and Lukasiewicz.**

**Smith nominated Thoene for Secretary, seconded by Boesch. Eschliman moved that nominations cease. Motion carried by electronic vote. All present voting yes.**

**Kruse nominated Amsberry for Treasurer, seconded by Anderson. Eschliman moved that nominations cease. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kruse, Nelson, Mohrman, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Amsberry. Directors absent: Bartak, Kauk, and Lukasiewicz.**

**Citta nominated Eschliman as NARD Representative and Eschliman nominated Amsberry as Alternate, seconded by Adams. Smith moved that nominations cease. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kruse, Nelson, Mohrman, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Amsberry. Directors absent: Bartak, Kauk, and Lukasiewicz.**

**Kruse nominated Thoene as RC&D Delegate and Adams as Alternate, seconded by Anderson. Eschliman moved that nominations cease. Motion carried by electronic vote. All present voting yes.**

**Anderson nominated Eschliman as Legislative Conference Voting Delegate and Amsberry as Alternate, seconded by Boesch. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kruse, Nelson, Mohrman, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Amsberry. Directors absent: Bartak, Kauk, and Lukasiewicz.**

**APPROVAL OF 2019 BOARD MEETING CALENDAR, DESIGNATION OF OFFICIAL NEWSPAPERS & BANKS, SET MAXIMUM COST PER PLATE FOR AWARDS DINNER & MAXIMUM FOR 2019 AWARDS**

The Board reviewed the calendar.

**Smith motioned, seconded by Anderson, to approve the 2019 Board meeting calendar and keep the newspapers, banks, and awards amounts the same. Motion carried by electronic vote, all present voting yes.**

Boesch suggested that Committee meeting dates on the calendar be circled in a different color.

**ANNOUNCEMENTS/FUTURE MEETING TOPICS**

Amsberry announced that he had seen several Lower Loup NRD TV spots on conservation trees.

**Eschliman motioned, seconded by Amsberry, to enter into Executive Session at 5:47 p.m. to discuss legal action and proprietary matters. Motion carried by electronic vote, all present voting yes.**

**Boesch motioned, seconded by Eschliman, to exit Executive Session at 6:17 p.m. Motion carried by roll call vote, all present voting yes.**

**ADJOURNMENT**

With no further business before the Board, Citta declared the meeting adjourned at 6:18 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 February 28, 2019, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Henry J. Thoene  
Secretary