

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

May 25, 2023

Ord, Nebraska

The May 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 May 25, 2023. Chairman Eschliman called the meeting to order at 5:00 p.m.

### CALL TO ORDER

#### Directors in attendance:

James C. Adams  
Darwin B. Anderson  
James Eschliman, Chairman  
Randy Kauk  
Gary A. Kruse  
Larry Mohrman  
Alan Petersen  
Gerald Smith  
Alexander L. Vlach

Rollie D. Amsberry, Treasurer  
John R. Coffey, Secretary  
N. Richard Hadenfeldt  
Thomas L. Knutson  
Matt Lukasiewicz  
Todd Nitsch  
Chad J. Podolak  
Henry J. Thoene, Vice Chairman  
Rick Vlach

#### Directors absent:

Timothy E. Bartak

Robert L. Bauer

#### Staff in attendance:

Russell G. Callan, General Manager  
Irene F. Kreifels, Administrative Assistant  
Alan Bartels, I & E Coordinator  
Dell Harris, Water Resources Specialist  
Kevin Gustafson, District Engineer  
Brian Kolar, Projects Specialist  
Aron Lewis, Conservation Forester

Tylr Naprstek, Asst. General Manager  
Kim A. Lyons, Financial Secretary  
Brant Bechtold, I & E Specialist  
V. Anne Freeman, Water Programs Secretary  
Cacey Wilken, Water Modeling Coordinator  
Richard Woollen, District Forester

#### Guests in attendance:

Molly Lakin NRCS, Ord

## VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Eschliman 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 required newspapers, posted at the NRD Headquarters office in Ord, on the NRD website, and in the eight field office locations.

Callan reported a modification to the agenda to add “Buffalo County Water Modeling” to the Agenda under Item 14 and that the change had been properly noted.

## EXCUSED ABSENCES

Eschliman stated that Directors Bartak and Bauer had asked to be excused.

**Adams motioned, seconded by Kruse, to excuse absent Directors Bartak and Bauer. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Coffey, Eschliman, Hadenfeldt, Kauk, Knutson, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Directors absent: Bartak, Bauer.**

## MINUTES

Eschliman asked for corrections and/or additions to the April 27, 2023, Board meeting minutes. None were heard.

**Knutson motioned, seconded by R. Vlach, to approve the April 27, 2023, Board meeting minutes as presented. Motion carried by electronic vote, all present voting yes.**

## TREASURER’S REPORT

Russell Callan, General Manager, highlighted expenditures of \$5,000.00 for the Loup Basin recycling program; \$108,238.00 to Ericson Ford for two new pickups; and \$14,024.35 to WISH Nebraska Inc. for drip inventory. He also noted expenditures of \$1,678.52 to Arrow Seed Company Inc. for seed inventory; \$6,627.98 to JEO Consulting Group Inc for work on the Mud Creek & Mira Creek WFPO Projects; \$3,471.71 to Loup Power District for Columbus Recharge operations cost; and \$1,257.23 to Wadas, Inc. for repairs to heat unit piping.

**Kauk motioned, seconded by R. Vlach, to approve the May 25, 2023, Treasurer’s Report. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Coffey, Eschliman, Hadenfeldt, Kauk, Knutson, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Director abstaining: Amsberry. Directors absent: Bartak, Bauer.**

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

Eschliman asked for comments from the public. None were heard.

## FORESTER'S REPORT

Richard Woollen, District Forester, reported that it was his last regularly scheduled day in the office and that he would be in and out until August 1<sup>st</sup>, which is his official retirement date with UNL. As of October, 2023, he will have been working at the Lower Loup NRD, through UNL, for 30 years.

Woollen reported that there have been fire restoration requests from the fire in Garfield County that destroyed livestock windbreak protection. He said an income approach is being used to assess the value of benefits derived from livestock windbreaks and that there are consulting foresters that can review plans for accuracy. He stated that there should be more diversity built into windbreaks, using shrubs and hardwoods with thicker bark, such as cottonwoods, as they can survive fire and shrubs can grow back.

Aron Lewis, Conservation Forester, reported that today was the last day of tree planting for the season and that tree plantings, drip installations and spraying was done. He stated he would have final numbers by next Board meeting. Lewis also reported that he taught a forestry workshop last week in Grand Island with good turnout from Nebraska Game and Parks, Pheasants Forever and NRCS. In the next couple weeks, he will begin doing windbreak renovation site visits.

## NRCS REPORT

Molly Lakin, NRCS, Ord, reported that staff has been working on CSP contracts and that the deadline is June 9<sup>th</sup>. She also reported that EQIP inflation reduction act money should be coming in soon, and that those contracts include climate smart practices such as prescribed grazing. Lakin reported that two new Soil Conservationists have been hired – Grant Marisch in Spalding and Ben Jansson in St. Paul. She also stated that there is a new burn association and reviewed the total burn numbers.

## INFORMATION & EDUCATION REPORT

### Nebraska Children's Groundwater Festival

Alan Bartels, I&E Coordinator, reported that the Groundwater Festival was held May 16<sup>th</sup> at Central Community College and College Park in Grand Island, and that he and Brant Bechtold, I&E Specialist, hosted a “We All Live in A Watershed” activity throughout the day for the attending students. Seventeen schools brought approximately 780 students to the event.

## Newsletters

Bartels reported that *In the Loup* mailed mid-May to 33,264 recipients, and that *Water Matters* will be mailed semi-annually and to everyone in the District, instead of just management areas. *Water Matters, Issue 16*, is at the printers now, to be mailed next week.

## ASSISTANT GENERAL MANAGER'S REPORT

### Davis Creek Recreation Area

Tylr Naprstek, Assistant General Manager, reported that everything at Davis Creek is operational and that the docks have been being moved to match water level. He stated that camp hosts are residing in Site 28 this year.

### Pibel Lake

Naprstek reported that Brian Kolar, Projects Specialist, and Jason Moudry, Water Programs Specialist, had been looking at the sediment basin at Pibel Lake. He stated that when the sediment basin was rebuilt in the winter of 2015-2016, it was anticipated that the basin would need to be cleaned out every 5-7 years. Differences in the levels were shown over the last 3 years for comparison. Naprstek reported that the structure was built to be able to bypass and lower water levels to clean out when needed.

Mohrman asked when it would need to be done. Callan stated within the next year or two it should be cleaned out.

### Well Driller Contact

Naprstek reported that a letter was sent to all well drillers that sent in well permits in the last year. The letter explained the new flow meter requirement and provided them with the revised well construction permit application.

### Lower Platte River Basin Coalition Database

Naprstek reported that 4 years ago HDR was contracted to turn the Lower Platte River Basin Coalition Database over to DNR; however, there has been trouble with uploading data and they are just now getting data activated and running. Once fully operational, the database will be used for future annual reporting for the Lower Platte River Basin Coalition.

### Well Permit Inspections

Naprstek reported that staff is completing follow-up inspections on well permits that are active. He stated that, once permitted, producers have one year to install the well.

## WATER RESOURCES COMMITTEE

### Instream Flow Administration

Callan reported that there was a recommendation from the committee to act on instream flow administration; however, Blankenau thinks there may be other options to look at before acting on this. Lukasiewicz asked about amending the IMP if this appropriation is granted. Callan stated that he will look into the Voluntary IMP and have more information for next month.

### UNL-TAPS Program

Naprstek reported that there are 3 producers interested in the TAPS (Testing Agricultural Performance Solutions) program, which is used to conduct research to promote conservation and efficiency on new agricultural practices and to help develop better farming practice techniques.

**Smith motioned, seconded by Knutson, to approve a \$1,000.00 contribution to sponsor and promote the UNL-TAPS program for one year.**

Kruse asked where the 3 producers were located. Callan stated that one was Zangger Popcorn, and he couldn't recall the others. Coffey stated there was one from Columbus interested that he was not familiar with. Smith reported that this could be revisited annually for determination of continuance of contribution. Callan stated the NRD has not been involved in the past because there weren't any producers from our District that were interested.

**Motion carried by electronic vote, all present voting yes.**

### Wheeler County Nitrates

Naprstek stated that staff went out in April and May to look at manure applications in Wheeler County and said that we will make a conscientious effort to target taking samples this year. We continue to see increases in nitrogen across a majority of the areas that have irrigation in Wheeler County. Naprstek reported that another township triggered; however, there were more samples taken than in the past. He said that staff is trying to get out and meet with producers in Bartlett and Ericson to get information out.

### Columbus Recharge

Naprstek reported that the project has been operational since mid-March. He said it will be shut down to spray the channel and kill off weeds. It will be up and going again a day or two later.

### Other

Naprstek reported that there was a cease-and-desist order that was undeliverable so it will be reissued and that a response was received, and a *Plan and Schedule of Compliance* signed on the other.

## ENGINEER'S REPORT

### Annual Dam Inspections

Kevin Gustafson, District Engineer, went over inspection reports on the 22 dams in our District. He stated that one of the biggest problems in woody vegetation, trees and shrubs growing on the slopes, as well as erosion in the gutters. Several have been severely neglected and need repairs. He looked at 6 sites but was unable to find the agreements on them but will do some more looking. He reported that there are approximately 6 more that are in bad shape. Of the additional 10, 6 of them aren't in too bad of shape. The County may need to do a few things to them. The remaining 4 were not in too bad of shape.

Podolak asked about the history of the dams and if the NRD was involved in construction. Gustafson thought that most were probably built in the 1970s to probably replace some bridges that the County was needing to replace. He thinks that the County did the construction and the NRD purchased pipes for the principal spillways, etc. to complete the project and most likely did the design and construction oversight. He stated that the counties are responsible for O&M on the structures.

### Columbus Recharge

Gustafson reported that there was slight erosion from irrigation field water runoff near the outlet structure; however, plans are in place to make repairs in the fall using Lower Loup staff and equipment.

### Sargent Flood Project

Gustafson reported that the Jesse Street culvert had runoff and erosion from the large rains this year.

### Davis Creek Road

Gustafson reported that permitting and design has been started for the road structure and that 65% of the design is due before the next meeting.

## VARIANCE COMMITTEE

Thoene reported that a second hearing was held for two variance requests.

### Bruland Variance

Thoene reported that this variance is in Platte Co., near the confluence of the Loup and Platte Rivers. The recently purchased field has a 1941 surface water right for 150.9 acres that the landowner is willing to relinquish if he is allowed to develop 2 pivots totaling up to 144 acres.

**Thoene motioned, seconded by Smith, to approve the Bruland variance request for the field to be converted to a groundwater-only irrigation field, pending relinquishment of the surface water acres.**

Coffey asked if he was converting from gravity to pivot. Callan stated he is adding groundwater acres but reducing overall acres because the surface water right he had was bigger. Morhman asked about getting more information on all variances. He stated that he would like information after the 1<sup>st</sup> hearing to review. Lukasiewicz stated the committees are set up to streamline the Board meetings.

Kauk asked if the acres were on the same property. Thoene stated there are 2 wells there already. Callan stated that a portion has both groundwater and surface water rights. It was stated that Bruland would be adding 20 acres of groundwater but relinquishing 150 acres of surface water rights. Podolak asked where the relinquished surface water rights go. Naprstek explained that we get credit for them in the LPRBC report.

Kauk asked if DNR is notified when rights are relinquished. Callan stated there is a process the landowner must do through DNR to relinquish surface water rights.

**Motion carried by electronic vote, all present voting yes.**

#### Bauer Variance

Thoene explained that there were problems from the South Loup River and that the committee voted to allow. He stated that Bauer will give up 13 gravity acres to develop 7 acres to put on a pivot end gun. This variance also includes land within Central Platte NRD.

**Thoene motioned, seconded by Adams, to approve the Bauer variance, pending Central Platte NRD approval.**

Kruse asked if the meter requirement needed to be stated in the motion. Callan stated it is policy now, so it just applies.

**Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Coffey, Eschliman, Hadenfeldt, Kauk, Knutson, Kruse, Lukasiewicz, Nitsch, Petersen, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Director abstaining: Mohrman. Directors absent: Bartak, Bauer.**

#### BUFFALO COUNTY WATER MODELING

Naprstek reported that there were 3 quotes for the Buffalo County Water Modeling Project, using the AEM flights that were done in 2019 in the area between Pleasanton and Ravenna where we had been seeing some long-term downward trends and that a model was developed based on them. He stated there were isolated areas with potential for recharge and RFPs went out for modeling. He stated that proposals were received from HDR, LRE, and

Olsson. The breakdown and ranking of each proposal was shown and staff recommendation of LRE was discussed.

Naprstek stated that LRE wrote the Water Sustainability Fund Grant for us and that they are currently working with Aqua Geo Frameworks on a selenium study for the City of Fullerton. He said their modeling was in line with what the NRD was wanting with 3-D visualization. Callan stated that the same staff review process was used and that he felt that LRE and HDR were close, having more information than the Olsson proposal.

Kruse asked what the schedule would look like. Naprstek stated that work would start immediately and that a final model should be done by December 2024. The goal is to start running some analysis of putting in an allocation system or putting in a recharge project.

**Kruse motioned, seconded by Coffey, to accept the LRE proposal for the Buffalo County Water Modeling Project. Motion carried by electronic vote, all present voting yes.**

## MANAGER'S REPORT

### Litigation Update

Callan reported that the Platte Republican diversion is still going on and is being pushed to the Nebraska Supreme Court. He stated more information will be available later.

### New Hires

Callan stated that Ryan Hellbush has accepted the Columbus Technician position and that Lakota Prentice, Will Grint, and Zach Wilson have been hired for summer help.

### Non-Action Reports

Callan reported that staff is working with people that testified about fall fertilizer and that preliminary soil testing has been conducted. He stated that information will be brought to the Board later. Callan stated that staff wants to track nitrates the entire year as best as we can. He stated that vadose zone testing will be done and hopes to get down to water for a few years and switch back and forth every 3 years or so. Callan stated that to start, we would contract with an agronomist and may hire one eventually.

## FY 2024 BUDGET WORK SESSION #1

Callan went over the following budget codes and the suggested amounts for budget.

Code 405 – Auto & Truck Expense - \$114,000  
Code 167 – Auto, Trucks, & Other Equipment - \$235,000  
Code 407 – Directors Expenses - \$80,000  
Code 409 – Directors Per Diem - \$50,000  
Code 413 – Dues & Memberships - \$71,000



Code 417 – Personnel Expenses - \$60,000  
Code 419 – Fees & Licenses - \$108,700  
Code 421 – Public Information, Education, and Promotion - \$200,000  
Code 423 – Bonds - \$500  
Code 425 – Insurance - \$70,000  
Code 426 – Chemigation - \$8,500  
Code 431 – Legal Notices - \$40,000  
Code 432 – Miscellaneous Expenses - \$15,000  
Code 433 – Office Supplies & Expenses - \$76,000  
Code 169 – Office Equipment - \$70,000  
Code 436 – Employment Security - \$5,500  
Code 437 – Postage - \$75,000  
Code 439 – Professional Services - \$60,000  
Code 452 – Telephone - \$40,000  
Code 453 – Utilities - \$60,000  
Code 463 – Building Maintenance - \$30,000  
Code 213 – Loan Repayment - \$2,000,000  
Code 464 – Farm Account - \$20,000  
Code 467 – Davis Creek Recreation Area & Maintenance - \$850,000  
Code 469 – Wildlife Habitat Program - \$55,000  
Code 479.00 & 454 – Pibel Lake Recreation Area & Maintenance - \$60,000

**Kruse motioned, seconded by Petersen, to tentatively approve the first half of the FY 2024 Budget as presented. Motion carried by electronic vote, all present voting yes.**

**Amsberry motioned, seconded by Knutson, to enter into Executive Session at 6:25 p.m. for salary discussions. Motion carried by electronic vote, all present voting yes.**

**Kruse motioned, seconded by Lukasiewicz, to exit from Executive Session at 6:51 p.m. Motion carried by electronic vote, all present voting yes.**

**Hadenfeldt motioned, seconded by Knutson, to increase staff salary 4% for cost of living with an additional 3% to be used at managers discretion. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Coffey, Eschliman, Hadenfeldt, Kauk, Knutson, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Director not present for vote: Anderson. Directors absent: Bartak, Bauer.**

**Adams motioned, seconded by Podolak, to increase the Manager salary by 6% to \$150,520.00 annually. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Coffey, Eschliman, Hadenfeldt, Kauk, Knutson, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, A. Vlach, R. Vlach. Director not present for vote: Anderson. Directors absent: Bartak, Bauer.**

## NARD REPORT

Eschliman reported that the insurance committee met and recommended no changes in rates this year.

## NRC REPORT

Knutson had no update. The next meeting will be held June 27-28 in Norfolk.

## ANNOUNCEMENTS / FUTURE MEETING TOPICS

No announcements were made. Kruse asked about the open Director position. Callan stated there has been no interest yet and that the second round of advertisements had just ended.

Coffey suggested looking at the cost-share for cover crops because of the drought. He asked about putting a hold on the program for a year because of the extra water consumption. Callan stated that the study results are in and there will be a final report for review soon.

## ADJOURNMENT

With no further business before the Board, Chairman Eschliman declared the meeting adjourned at 7:01 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 required newspapers. The next Board of Directors meeting will be held June 22, 2023, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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John R. Coffey  
Secretary