

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

July 23, 2020

Ord, Nebraska

The July 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 July 23, 2020. Vice Chairman Eschliman called the meeting to order at 5:00 p.m.

CALL TO ORDER

Directors in attendance:

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
Beth Boesch
Jim Eschliman, Vice Chairman
Gary A. Kruse
Larry Mohrman
Alan D. Petersen
Gerald Smith
Rick Vlach

Darwin B. Anderson
Robert L. Bauer
John Coffey
Randy Kauk
Matt Lukasiewicz
Todd Nitsch
Chad J. Podolak
Dean G. Thede

Director in attendance via teleconference (non-voting):

Joseph L. Citta, Chairman

Directors absent:

James C. Adams
Henry J. Thoene, Secretary

N. Richard Hadenfeldt

Staff in attendance:

Russell G. Callan, General Manager
Irene F. Kreifels, Administrative Assistant
Jason Moudry, Water Programs Specialist
Cam Conrad, Water Modeling Coordinator

Tylr Naprstek, Assistant General Manager
Kim A. Lyons, Financial Secretary
Richard L. Woollen, District Forester
Brian Kolar, Projects Technician

Guests in attendance:

Larry White, North Loup

ROLL CALL

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

EXCUSED ABSENCES

Chairman Eschliman stated that Directors Citta, Hadenfeldt, and Thoene had asked to be excused.

Boesch motioned, seconded by Smith, to excuse absent directors. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bartak, Bauer, Boesch, Coffey, Eschliman, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Smith, Thede, Vlach. Director not present for vote: Podolak. Director not voting: Citta. Directors absent: Adams, Hadenfeldt, Thoene.

NOTICE OF OPEN MEETING LAW POSTING

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

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Eschliman asked for verification of the meeting notice. 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.

MINUTES

Chairman Eschliman asked for corrections and/or additions to the June 25, 2020, Board meeting minutes. No corrections were heard.

Anderson motioned, seconded by Boesch, to approve the June 25, 2020, Board meeting minutes as presented. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bartak, Bauer, Boesch, Coffey, Eschliman, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Smith, Thede, Vlach. Director not present for vote: Podolak. Directors absent: Adams, Citta, Hadenfeldt, Thoene.

Podolak arrived at 5:09 p.m.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted a refund of \$1,600.00 from the GIS Consortium registration that was cancelled due to COVID-19 and expenditures of \$7,061.00 to Blankenau Wilmoth Jarecke LLP for instream flow work; \$35,983.00 to Ericson Ford for purchase of a new pickup; \$7,829.94 to Platinum Truck Service for vehicle repairs & maintenance; \$6,400.00 to EA Engineering for Cover Crop Study expenses; \$50,518.50 to Harry A. Koch Co. for insurance; and \$13,880.00 to Billy Novak for Area 29 Flowmeter Cost-Share.

Boesch motioned, seconded by Bartak, to approve the July 23, 2020, Treasurer's Report and pay all bills. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bartak, Bauer, Boesch, Coffey, Eschliman, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Vlach. Director not voting: Citta. Directors absent: Adams, Hadenfeldt, Thoene.

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

Larry White was present and offered no comments at this time.

FORESTER'S REPORT

Richard Woollen, District Forester, reported that the Conservation Tree Work Group met June 16th and discussed agency updates, grant opportunities related to conservation tree planting, tree planting promotion, future workshops, and agency program funding.

NRCS REPORT

Due to the absence of anyone from NRCS, directors were referred to the report provided in the agenda. Callan reported that Jim Lott, Resources Conservationist in St. Paul, would be retiring and that the NRCS intern program was helping to replace retiring employees. Vlach expressed ongoing support for the intern program and the importance of starting with high school students, so they have a chance to get hands-on experience.

INFORMATION & EDUCATION REPORT

Hazard Mitigation Plan

Callan reported that JEO was working on the Hazard Mitigation Plan. Boesch asked about a timeline. Callan responded he thought it would start in December and would have until 2022 to complete it. More updates would be given later.

Citta joined via teleconference at 5:15 p.m.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek

Tylr Naprstek, Assistant General Manager, reported that Davis Creek was seeing steady attendance. He reported that a church group had reserved the picnic shelter recently and the area was kept clean. Naprstek reported that the new tent camping area was becoming very popular and that boating had been steady this year. He also reported that the camp hosts have been doing a good job this summer.

Kauk asked about the rental rate for the picnic shelters at Davis Creek. Naprstek replied that it was \$45.00/day and could be reserved online.

Pibel Lake

Naprstek reported that water quality sampling was continuing. He said the NRD was assisting NDEE with sampling and had also been sampling for E. coli and blue-green algae. He reported that real-time water quality readouts were available via hyperlink on the LLNRD website.

Columbus Area Water Resources Assessment Study

Naprstek reported that information on the Columbus Project would be given during the Water Resources Committee report.

Drought Management Plan

Naprstek reported that he and Cam Conrad, Water Modeling Coordinator, had been working on reviewing the data that had been provided thus far on the Drought Management Plan and would work with the consultant to formulate a drought tournament with stakeholder input.

Boesch asked about the drought tournament and what it entailed. Naprstek reported that the group would get together, run scenarios to see the difference in reactions, discuss how to handle different situations, and how to identify a drought.

Cover Crop Study

Jason Moudry, Water Programs Specialist, reported that he had met with EA Engineering on site and that all equipment had been installed. He said the height of the corn there has caused interference with node information gathering. He reported that they were set to replace the nodes next week and that an interim report would be reviewed and shared later.

WATER RESOURCES COMMITTEE

Columbus Recharge Project

Callan reported that the NRD had an offer out for the property they were interested in but had not yet heard back regarding the offer. It was also reported that the NRD was working on an agreement to assume easements for the Lost Creek channel. Callan stated that the NRD's attorney was working on finishing them up. He stated that the U.S. Fish and Wildlife Service had inquired as to how much water would be going into Christopher's Cove. Kruse asked if there had been any questions presented on the offer the NRD has placed. Callan stated that there had not been any yet.

Chemigation Act Requirements

Naprstek reported that the field technicians had been finding chemigation with surface water sources happening without permits. The techs were finding that the producers think permitting was not required if they were using surface water. However, the Chemigation Act states that a permit is required, even on canal water. He said the NRD had heard that the Extension Office gave a presentation saying that they were not needed, and most producers were shocked because they had several that were using surface water and did not have permits for any of them. Naprstek stated that staff would work on education regarding surface water irrigation.

Water Quality Data Update

Jason Moudry, Water Programs Specialist, provided a power point presentation showing the historical nitrate levels across the District spanning from 1977 to current. He reported that there had been 4,903 stations sampled since 1977, and of those, 2,526 had been sampled at least once since 2015. He reported that of those, 965 had had the highest readings during this time. Moudry reviewed various slides showing levels when management areas were taken out and identified areas of concern. He also showed a breakdown of county and well types. He reported that staff had identified areas of concern in the Burwell, Genoa, Monroe, Duncan, Merna, and Columbus areas.

Callan stated that these figures had been put together to better identify the areas that needed to be watched. Kauk asked what could be done to try to prevent levels from getting any higher and if the NRD needed to take action to prevent it. Callan stated that the NRD was working with the University using their nitrate formula. He stated that most of the higher areas have been linked to commercial fertilizers and that if numbers continued to trend higher, there would be pushes to do something different. Callan stated that he felt there needed to be a review of timing of application. Nitsch agreed that timing, amounts, and rates needed to be reviewed and spread out to meet the plant's needs and allow better timing so extra nitrogen was not applied, factoring in rain and leeching.

Mohrman asked if other NRDs had similar reports that they reviewed. Callan stated that most were still working to get to where Lower Loup was on their reports. Mohrman asked if trends were rising elsewhere so the NRD could get more backing behind its reasoning. Callan stated there the same trends were happening in other areas. Nitsch stated that a lot of time was

spent on education and progress had been made, seeing better results using less application and getting a better crop yield.

SubAreas 29 & 30 Flowmeter Installation Report

Naprstek reported that flowmeter installation had been completed in about 30% of Area 30 and approximately 60% of Area 29. He said applications had slowed down due to irrigation season but were expected to resume in the fall after harvest.

PROGRAMS/PROJECTS COMMITTEE

Ericson Dam Request

Kruse reported that Callan had been in touch with Joe Wadas of the Ericson Lake Corporation and they are working on putting together information on what was being asked of the NRD.

North Loup Flood Mitigation

It was reported that the NRD had been working with the Village to identify work that needed to be completed on internal drainage issues. Callan said he was meeting with the Village Board on August 3rd to discuss options. Callan reported that JEO would provide a cost estimate that would include engineering and design, channel cleanout, and a bypass channel. Eschliman asked if a berm would be included. Callan stated it would just be for cleanout. Kauk stated he thought a dry dam would be a great option if it would work. Callan stated that a WFPO grant had been applied for for Mira Creek and would take about 18 months, but would have the benefits of federal backing and that even if the channel cleanout was completed, everything else would still flood if something was not done.

City of Sargent Area Drainage Issues

It was reported that the final report was received from Olsson and staff had made comments. It had been sent back for changes and should be back by the next Committee meeting for further discussion.

Sargent East Drainage

It was reported that RFPs had been sent out and proposals were due back by July 31st.

South Loup 319 Grant

Callan stated that the plan was done and suggested best management practices had been identified to help with E. coli and other issues. There was a 60/40 NDEE 319 grant that could be applied for to assist with the \$100,000 best management practices cost-share project. Naprstek stated that buffer and filter strips would be used, as well as prescribed grazing, fencing, alternative watering, irrigation water management for soil moisture sensors, and VRI.

Kruse motioned, seconded by Boesch, to apply for a 319 grant for the South Loup Watershed BMP Cost-Share Program. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bartak, Bauer, Boesch, Coffey, Eschliman, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Vlach. Director not voting: Citta. Directors absent: Adams, Hadenfeldt, Thoene.

Platte County Flood Zone Buyout

It was reported that there was nothing new to report and that nothing more had been done on the property. Coffey stated that the current farmer of the land was asked where he wanted fence and how much he wanted to farm, so Coffey was not sure if the owners were still considering selling.

MANAGER'S REPORT

Litigation Update

Callan reported he had been working on the instream flow application and that time was up to refile on the Platte River Diversion. He said he thought there would need to be a new application. Callan stated he thought the deadline was early or mid-July. He stated that since he had not seen anything, the process would likely have to start over.

New Hires

Callan reported there were no new hires.

Non-action Reports

Callan stated that the Department of Transportation was redoing a bridge near Columbus and that they would be contacting the NRD to be part of the stakeholder's group. Anderson stated that something needed to be done with the trees. Coffey stated that the new bridge looks like its is rusted through already. Callan stated there was no date as to when it would be done, but he must notify the DOT by next week to be part of the discussion.

Callan stated that there was legislation being discussed to allow meetings to be video conferenced meetings and said he was planning to enter a letter of support. Eschliman stated there would be a legislative hearing on it. Smith expressed support for the weather legislation, also. Callan stated he would keep an eye on that. Mohrman expressed interest in updating the voting process for video conferencing. Callan stated he had been looking into I pads for Board members to streamline the information-sharing process. He said more information would be reviewed after the budget process is completed.

NARD REPORT

Eschliman stated he understood the fall conference was still on and that NARD staff was still working out of their homes. He said the relocation committee was working on finding a spot

for them to occupy. He reported there would be another relocation committee meeting and a risk pool meeting at the LLNRD next Friday.

NRC REPORT

Hadenfeldt was not present to provide a report.

RC&D REPORT

Adams and Thoene were not present to provide a report. Callan said that the NRD had received a request to continue the \$5,000 yearly donation for recycling efforts.

ADJOURNMENT

With no further business before the Board, Chairman Eschliman declared the meeting adjourned at 6:17 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 August 27, 2020, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary

Note: Governor Pete Ricketts's Executive Orders No. 20-03 and No. 20-24 which permitted state and local government boards, commissions, and other public bodies to host virtual meetings expired on June 30, 2020. Therefore, any director attending the Board meeting via teleconference was unable to vote.