

**Lower Elkhorn Natural Resources District  
Committee of the Whole**

Thursday, July 13, 2023 – 7:00 p.m.

Lower Elkhorn NRD

1508 Square Turn Blvd, Norfolk, Nebraska

1. Chairman Roger Gustafson informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on July 7, 2023 and the Nebraska Open Meetings Act information posted.

Directors Present

Jerry Allemann  
James Aschoff  
Mark Burenheide  
Scott Clausen  
Michael Fler  
Roger Gustafson  
Mark Hall  
Kris Loberg  
Gary Loftis  
Jay Reikofski  
Matt Steffen  
Anthony Wisnieski  
Rod Zohner

Directors Absent

Chad Korth  
Melissa Temple

2. Projects and Programs

- a. Overview and Discussion of Flood Mitigation Options for Battle Creek – Mike Sotak with Houston Engineering presented a comprehensive overview of the options that have been evaluated along with the benefits and potential costs. There was committee discussion on various options along with comments from the public.

***Recommended Motion: To authorize the General Manager to sign the contract with Houston Engineering, not to exceed \$351,182.00, to incorporate the Battle Creek Hydraulic Analysis Alternative into the Battle Creek WFPO Plan, and to submit said plan to the NRCS for approval.***

(If the previous motion does not pass we will have the following recommended motion).

***Recommended Motion: To approve payment in the amount of \$17,694.75 to Houston Engineering for professional services performed outside of contract or scope of work.***

***Recommended Motion: To approve payment in the amount of (amount pending) to Houston Engineering for professional services related to the presentation of information at the July 13, 2023 meeting of the LENRD Committee of the Whole.***

- b. Willow Creek Dam Outlet Channel Repair Bids – Projects Manager Curt Becker informed the committee that three bids were received for the Willow Creek Dam Outlet Channel Repair Project. Cech Excavating LLC had the low bid at \$84,950.00.

***Recommended Motion: To award the Willow Creek Reservoir Outlet Channel Repair Project to Cech Excavating LLC for \$84,950.00 and to authorize the General Manager to sign a contract with Cech Excavating LLC for this project.***

- c. Discussion on Scrap Tire Recycling Events – Staff informed the committee that they will work with and assist counties to hold their own collections, instead of organizing our own collections.
- d. North Fork – Elkhorn River WFPO Status Update –The District has received notification that the North Fork Elkhorn River WFPO application has been approved. Staff will submit the necessary paperwork to move this application forward. The District will also need to send out a request for proposals to hire a consultant for this project.

***Recommended Motion – To instruct staff to advertise a request for proposals for the development of a North Fork Elkhorn River Watershed Plan / Environmental Document for the WFPO program.***

### 3. Water Resources

- a. Discussion on the Conditions for Approval Policy and annual allocations that have been imposed on new wells authorized for construction in the LENRD under the Standard Variance Process. - District staff discussed options for future modification to the annual allocation imposed on new wells authorized for construction in the LENRD under the Standard Variance Process. Several options and suggestions were presented by Board members and the public. Discussion will continue at the next committee meeting.
- b. Discussion on the Standard Variance Process which is used to evaluate requests for new irrigated acres in the Lower Elkhorn NRD. – The Standard Variance Process was briefly discussed and some suggestions for modification of the factors to be considered were raised by both Board members and the public. The topic will be brought forward at the next committee meeting for additional discussion.
- c. Review of weekly Drought Monitor and brief overview of static water level data from the LENRD Monitoring Well Network. – District staff showed the current map from the U.S. Drought Monitor which shows some significant improvement in portions of the District. The scattered, but timely, precipitation has been beneficial, and those precipitation events have generated improvements in the weekly maps. Also reviewed was the static water levels from the LENRD Monitoring Well Telemetry portal. For the locations reviewed, transducer data shows typical in-season declines in static water level along with recovery in groundwater elevations which can be attributed to rainfall and subsequent rest period for irrigation wells in geographic proximity to the monitoring wells.

#### 4. Administrative

- a. Winter Meeting Times – There has been past discussion of changing the start time for board and committee meetings during the winter months. General consensus was to leave the meeting times as is because of conflict with board member’s occupations.
- b. Future Meeting Topics – Reikofski spoke of wanting certain townships in Pierce and Madison counties that are prohibited for drilling opened up. Director Allemann would like to have discussion on a silted in dam in Wayne county.