

**Lower Elkhorn Natural Resources District**  
**Committee of the Whole**  
Thursday, March 9, 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 March 2, 2023 and the Nebraska Open Meetings Act information posted.

Directors Present

Jerry Allemann  
James Aschoff  
Mark Burenheide  
Scott Clausen  
Michael Fleer  
Roger Gustafson  
Mark Hall  
Chad Korth  
Gary Loftis  
Jay Reikofski  
Matt Steffen  
Melissa Temple  
Anthony Wisnieski  
Rod Zohner

Directors Absent

Kris Loberg

2. Water Resources

- a. Russell Callan – Lower Loup NRD General Manager – Groundwater Management Plan and Proposed Modifications in the Lower Loup NRD - Russ Callan was present to discuss some recent modifications to the Lower Loup NRD’s Rules and Regulations, specifically to their Phase Area triggers and requirements for management of groundwater quality. Callan discussed the enhancements which includes the integration of a vulnerability risk modeling concept, along with an explanation of how their district will integrate producer input into the approach used to address the practices utilized to improve groundwater quality.
- b. Update and Discussion on Compliance with Notices of Violation for Failure to Submit Flow Meter Reports - District staff provided a current inventory of the locations and operators who have failed to comply with Notices of Violation which were sent to those who have failed to submit Annual Flow Meter Reports.

***Recommended Motion: To instruct staff to prepare and issue Cease and Desist Orders to owners of irrigation wells who have failed to submit flow meter reports, which were due on December 1, 2022.***

- c. Status Update Regarding Submittal of Phase 2 and 3 Area Management Area Reports and Phase 3 Area Nutrient Management Plans - Connor Baldwin provided an update to the Committee regarding the submittal of Phase 2 and 3 Area Management Reports and Phase 3 Area Nutrient Management Plans.
- d. Update and Discussion Regarding a Request for a Transfer of Certified Irrigated Acres - District staff provided information regarding a recent inquiry from a landowner within the LENRD regarding a possible Expedited Variance for a Transfer of Certified Irrigated Acres in the LENRD. The landowner involved with the inquiry was issued a Cease and Desist Order in 2021 for failure to comply with the flow meter installation requirement which was a condition for his approved Standard Variance. District staff is deferring this request to the Standard Variance process.
- e. LENRD Water Resources Long Range Plan Pages – Assistant Manager Brian Bruckner presented the following Long Range Plan Pages: Groundwater Quantity Monitoring Program, District Wellhead Protection Program, Public Water Supply Test Well Cost-Share Program, and the Stream Gage Program.

### 3. Projects and Programs

- a. Battle Creek WFPO – Discussion about the Battle Creek WFPO Grant occurred. John Petersen of JEO Consulting Group presented information about levee option alternatives and Mike Sotak with Houston Engineering also provided input about potential alternatives.
- b. Discussion on Domestic Well Water Treatment System Cost-Share Program – Discussion took place about the potential of funding Domestic Well Water Treatment Systems for wells located in pits.
- c. Projects and Programs Long Range Plan Pages – Projects Manager Curt Becker presented the following Long Range Plan Pages: Wildlife Habitat, Agroforestry Incentives Program, Conservation Tree Program, Erosion and Sediment Control Act & Well Sealing Program.

### 4. Administrative

- a. Directors Future Agenda Items Request – Directors discussed future topics they would like to see on the next Subcommittee agenda.

