

Minutes
Lower Elkhorn Natural Resources District
Committee of the Whole

Thursday, February 13, 2025 – 7:00 p.m.

Lower Elkhorn NRD

1508 Square Turn Blvd, Norfolk, Nebraska

1. Chairman Matt Steffen informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on February 5, 2025 and of the Nebraska Open Meetings Act information posted on the wall. Directors in attendance were Jerry Allemann, Jim Aschoff, Mark Burenheide, Scott Clausen, Mike Fleeer, Roger Gustafson, Andrew Hrabanek, Lee Klein, Gary Loftis, Jay Reikofski, Matt Steffen, Melissa Temple, and Anthony Wisnieski. Kris Loberg and Chad Korth were absent from the meeting.

2. Public Comment – There were no comments from the public at this time.

3. Projects and Programs

a. North Fork Elkhorn River WFPO – JEO staff Andrea Gebhart and Ross Lawrence provided a 90% update on the North Fork Elkhorn River Flood Reduction Plan. The Watershed Protection and Flood Prevention Operations program is funded by the NRCS and provides 100% funding to local agencies for development of a work plan.

b. Maple Creek Reservoir Shoreline Protection Bids – This project is for the continuation of placing rip rap at Maple Creek Recreation Area.

Recommended Motion: To accept the \$_____ bid from _____ for the Maple Creek Reservoir Shoreline Protection Project.

c. Community Forestry Program and Forestry Incentive for Public Facilities Applications for Fiscal Year 2026 – Todd Stewart provided applicant information to the Board.

Recommended Motion: To approve ten Community Forestry Program and one Forestry Incentive for Public Facilities applications for a total LENRD cost of \$35,773.38, as presented.

d. Willow Creek Park Superintendent’s Residence Kitchen Cabinets – The Superintendent’s residence located at the Willow Creek Recreation Area is owned and maintained by the Lower Elkhorn NRD. The home is in need of some new kitchen cabinetry and bids have been solicited for the Board’s consideration.

Recommended Motion: To accept the \$_____ bid from _____ for the purchase and installation of new cabinets and countertops for the Willow Creek Recreation Area superintendent home.

Protecting Lives – Protecting Property – Protecting the Future
Agenda subject to change 24 hours prior to meeting.

- e. Willow Creek Interlocal Agreement – Willow Creek Recreation Area is owned by the LENRD. The agreement provides Nebraska Game and Parks \$10,000 yearly to help in operating the recreation area for the LENRD.

Recommended Motion: To instruct staff to budget and provide funding in the amount of \$10,000 annually for the next 5 fiscal years to the Nebraska Game and Parks Commission for the operation and maintenance of Willow Creek State Recreation Area.

- f. Willow Creek Reservoir Floodplain Management Plan – This management plan is a requirement of the High Hazard Potential Dam (HHPD) grant which was used for the relief wells near the Willow Creek reservoir.

Recommended Motion: To instruct the General Manager to develop a contract with _____ to complete the Willow Creek Reservoir Floodplain Management Plan and authorize the General Manager to sign said contract for an amount not to exceed \$ _____.

4. Water Resources

- a. LENRD In-Stream Flow Appropriation A-19580 Discussion on Strategy for Administration of the Water Right – General Manager Brian Bruckner presented the LENRD State of Nebraska Department of Natural Resources Approval of Application which was granted to the LENRD on August 2, 2024. Bruckner discussed various aspects of the approved surface water rights. There will be more discussion in the near future.
- b. Status Update on Submittal of Phase 2 and 3 Management Area Reports, and Compliance with Submittal of Season Ending Flow Meter Reports – Mike Murphy informed the Board that all producers have been contacted, and appropriate steps have been taken to help ensure submittal of flow meter reports. At this time, there were 16 flow meter reports and 135 management area reports yet to be turned in.
- c. LENRD Conditions for Approval Policy for New Irrigation Wells in the Lower Elkhorn Natural Resources District – General Manager Brian Bruckner provided information about the application of the policy within the LENRD, along with guidance provided to the District from NRD attorney Don Blankenau, on any changes to how the policy is implemented in the District.

5. Administrative

- a. City of Norfolk Request for Financial Support for Household Hazardous Waste Facility – Norfolk Solid Waste Supervisor Rob Mercer provided information on previous LENRD funding in addition to background information of the facility which opened in January of 2013.

Recommended Motion: To instruct staff to draft a cooperative agreement between the LENRD and City of Norfolk to facilitate the provision of annual financial support for the cost of disposal of product received at the Household Hazardous Waste Facility from households outside the City of Norfolk.

b. Discussion on LB695 and Other Bills of Interest in the Nebraska Legislature –

Recommended Motion: To oppose LB695 which would require the Lower Elkhorn Natural Resources District to construct a dam in the Battle Creek Watershed on the premise that the legislation (if enacted) would create an unfunded mandate for the Lower Elkhorn NRD and circumvents local control, thereby deeming the legislation unconstitutional.

Others present and speaking: Ryan Zimmerman, Mark Hall, Andrew Colvin, James Geyer, Jim Kaufman, Nick Schaffer

The meeting concluded at 9:33 p.m.