

## MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee  
FROM: Eric Williams, Natural Resources Planner  
DATE: January 2, 2020  
SUBJECT: Property Rights Acquisition from Union Pacific  
for Western Douglas County Trail

The District has been leading the design for construction of the Western Douglas County Trail, and plans for the project were submitted to the Nebraska Department of Transportation (NDOT) in order to secure the needed property rights. Following comments from Union Pacific (UP) design changes have been implemented to the trail bridge structure which crosses over East Reichmuth Road and the UP rail lines running parallel to the west side of the road. Updated plans were submitted to UP, and NDOT is now facilitating an agreement between the District and UP regarding conditions at the site after the trail and bridge have been constructed.

UP's general guidelines for structures crossing their tracks are intended for roadway crossings, and slightly different considerations are needed for this project. The bridge has been designed to allow for a potential future track to be added parallel to the existing track. In the event that a future track is added, a crash barrier would be needed at the base of the pier supporting the trail bridge.

Rain currently falls directly onto UP's property, and it is assumed that after construction of the bridge the water will flow off the side of the bridge in multiple locations rather than collecting to a single location. Therefore, the bridge design does not include a curb and gutter, nor drainage management structures.

If either, or both, of these additional features are determined to be needed, the District would agree to construct the improvements at District cost. Following confirmation of these conditions, NDOT will complete property rights acquisition from UP.

- **Staff recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute an agreement to acquire, or assist in the acquisition of, property rights from Union Pacific with the following conditions: (1) If Union Pacific adds an additional track at this particular location, the NRD will be responsible for having the crash wall constructed; and (2) If the proposed pedestrian bridge creates drainage issues on the existing tracks, the NRD will be responsible for the installation of an adequate drainage mitigation system.**



Figure 2  
**Location Map**  
Western Douglas County Trail  
Douglas County, Nebraska



