

MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee

FROM: Justin Novak, Project Manager

SUBJECT: Consent and Crossing Agreement with Papio-Missouri River NRD and Lower Elkhorn NRD for Burt County Solar

DATE: May 3, 2021

Burt County Solar is building solar farms in multiple locations throughout Burt County, and has requested permission to bury their transmission lines in the proximity of the Logan East Rural Water main waterlines. Pursuant to an Interlocal Agreement entered into in 1989, the Papio-Missouri River NRD agreed to allow the Lower Elkhorn NRD to finance, operate, maintain and manage the Logan East Rural Water System Area II within the boundaries of the Papio-Missouri River NRD. As part of that agreement the Papio-Missouri River NRD obtained easement rights along with the Lower Elkhorn NRD for the project. Since the Papio-Missouri River NRD has easement rights for the areas to be crossed by the transmission lines, Burt County Solar has asked us to enter into the Consent and Crossing Agreement, which gives them permission to cross the Papio-Missouri River NRD's easements.

It is staff's recommendation that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Logan East Rural Water Project Consent and Crossing Agreement with Burt County Solar, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.