

Agenda Item 11

From: Scott Japp <sjapp@huntel.net>
Sent: Friday, January 28, 2011 10:35 AM
To: Winkler, John <jwinkler@pacionrd.org>
Subject: John

John

Please put on this coming agenda for the proper subcommittees the following items.
Changes to the following programs

17.0 -17.1 Urban Conservation Program

1. Combine this program into one program.
2. Increase the maximum cost of the project to \$1.5 million
3. Remove the maximum cost of grassing to be increased in the cost of the project.
4. Provide 75% of cost share

17.10 Streambank Assistance

1. Provide 75% share of the project
2. Increase the maximum cost of the project to \$1.5 million

17.11 Emergency dike

1. provide 75% cost share
2. increase to maximum cost of project to 75%
3. Increase the maximum cost of the project to \$1.5 million.
4. remove the word after failure.
5. increase to 12 months.

17.17 Urban drainage

1. remove the word urban to include all open channels
2. provide 75% cost share

17.28 Streambed Stabilization

1. Increase to 75% cost share
2. Increase maximum cost to project to \$1.5 million

17.37 Small dams

1. Remove the minimum acres.
2. Increase maximum cost to project to \$1.5 million

17.41 BMP

1. Increase cost share to 75%
2. Increase maximum amount.

17.8 Road structures

1. Increase maximum rate to \$1.5 million

17.16 Urban Stormwater

1. Partners in PCWP must provide 33.33% of total project cost of project must be placed in escrow prior to project construction.

18.25 WSCC levee

1. Partners must provide their agreed amount of obligation of total project cost of project must be placed in escrow prior to project construction.

17.0 URBAN CONSERVATION ASSISTANCE PROGRAM

The Urban Conservation Assistance Program is an authorized program of the District to provide technical and financial assistance to units of government (sponsors) and citizen groups to help prevent or control erosion, flooding, and related resource concerns in urbanized areas.

Criteria For Assistance

1. Potential projects need to be on lands under control of the Sponsor through deed, lease, or easement.
2. Acceptable Practices:
 - a. permanent grade stabilization structures
 - b. channel stabilization measures
 - c. stormwater management facilities
 - d. diversions and terraces
 - e. permanent seeding, sodding, and mulching of critical areas
3. An enclosed storm sewer is not an eligible practice or project.

District Responsibilities

1. Administer the Urban Conservation Assistance Program.
2. Reimburse Sponsors 60% of the actual costs of the project, including engineering, up to a maximum District outlay of \$30,000 per project.
3. All projects shall be approved by Management.
4. Provide technical assistance on all projects.

Sponsor Responsibilities

1. Complete District's UCAP Special Project Request, Form 17.0.B, Manual of Standard Forms (Appendix E)
2. Execute and fulfill the District's Special Project Operation and Maintenance Agreement, Form 17.0.C, Manual of Standard Forms (Appendix E)
3. Provide all necessary land rights.
4. Provide the local matching funds.
5. Contract for the construction of the approved project. Sponsor's personnel and equipment costs are not eligible for reimbursement.
6. Complete the project within one year of approval, unless prior written approval is obtained from the District.

(February 5, 1987; February 9, 1989; April 9, 2009)

17.1 District Programs - Urban Conservation Program. The Urban Conservation Program is an authorized program of the District. The Urban Conservation Program is a technical assistance program of the District to address natural resources concerns in urban and urbanizing areas. It includes commenting on development proposals through the District's membership on the City of Omaha Development Review Committee and similar planning committees of counties and other communities in the District. It also provides technical assistance to individual landowners to help solve flooding or erosion problems. The District also reviews and comments on plans for drainage improvements, bank stabilization and temporary sediment and erosion control in urban areas. Management administers this program.

[February 5, 1987]

17.10 District Programs - Streambank Erosion Technical Assistance Program. The Streambank Erosion Technical Assistance Program is an authorized program of the District. This is a technical assistance program to help landowners address streambank erosion problems. It includes helping individuals prepare a design and complete a U.S. Army Corps of Engineers 404 permit application. Management administers this program.

[February 5, 1987]

17.11 District Programs - Emergency Dike Protection, Fortification, Repair Assistance Program. The Emergency Dike Protection, Fortification, Repair Assistance Program is an authorized program of the District to Provide technical and financial assistance on eligible projects where a flood control dike or levee is, at the discretion of Management, in imminent danger of failure.

A. Criteria for Assistance:

1. Eligible Persons and Projects

- a. Public or private landowners who have exhausted or have insufficient funds or other resources available to provide adequate relief from the applicable hazards. Other governmental resources (e.g., Natural Resources Conservation Service, Corps of Engineers) shall be investigated and shown to be unavailable or not expedient enough to prevent a dike failure before the NRD will consider providing financial assistance.
- b. More than one landowner must be affected by the potential dike failure. In addition, at least one public facility, such as a road, must be potentially affected by a possible dike failure.
- c. The dike or levee must, in the opinion of Management, be in danger of failure during the next major flood event.
- d. The dike or levee must be along the Platte, Elkhorn or Missouri Rivers.

2. Eligible Measures

- a. Measures to stabilize the riverside toe of the dike against riverbank erosion, such as installing jetties or bank protection.
- b. Measures to repair or stabilize dike erosion and/or slough areas, such as installing fill material, rip-rap, filter cloth, sandbags or the like.
- c. A measure must reduce threats to life or property which could result from a flood.
- d. All measures must be technically sound, and be limited to what existed before the watershed was impaired.
- e. Elevating the profile of a dike or rebuilding a dike (after failure) are not eligible measures under this program.
- f. Measures to be used must be the most cost efficient ones which will provide immediate, adequate and safe relief from the hazard causing the emergency.

B. Cost-Sharing:

1. NRD will provide 60% of actual contracted construction costs to a maximum of \$10,000 per project. Cooperator's "in-house" expenses are not eligible. Cooperators are responsible for obtaining any needed land rights and they are not a cost-share item.
2. Cost-share funds will be committed according to the date of application. However, if two or more applications are being considered at one time, preference shall be given to those projects that may directly affect NRD facilities.
3. Cost-share funds will not be released until the project is complete according to plans and certified as such by NRD staff.
4. Management will have the authority to approve applications for cost-sharing up to the allowable limits.
5. The Cooperator will be liable for any additional cost above the dollar amount approved by Management.
6. Work must be complete within six months after the NRD approval date. Extensions may be granted if just reason can be demonstrated.

C. Limitations:

1. NRD reserves the right to approve or reject plans.
2. Cooperator must hold and save the Papio-Missouri River NRD free from damages or claims due to the construction, operation and maintenance of the project, except where such damages are due to the fault or negligence of the Papio-Missouri River NRD.
3. NRD reserves the right to terminate the cost-share agreement in whole or part if the NRD determines that the Cooperator failed to comply with the program guidelines.
4. Cooperator must give the NRD the right to enter, at reasonable times and in a reasonable manner, upon lands which it owns or controls, for access to the project for the purpose of inspection.
5. Project facilities (cost-share work) must be maintained for a period of 10 years after they are completed. If it is not properly maintained, according to the NRD, the cost-share funds must be returned to the NRD and the Cooperator will not be eligible for future cost-sharing.

6. The Cooperator must sign an operation and maintenance agreement, which incorporates these guidelines prior to the initiation of construction.
7. Reasonable changes can be made in the field, however, Management approval is necessary if the approved project cost-share provided by the District is to be increased. In no event will the maximum funding limitation of \$10,000 per project be exceeded.
8. All applicable permits (e.g., Corps of Engineers Section 404) must be acquired by the operator prior to starting repairs.

D. Requesting Reimbursement: Upon completion of construction, it will be necessary for the Cooperator to request reimbursement from the District. This can be done by providing the following:

1. A letter from the Cooperator that the work was completed according to the approved plan.
2. A breakdown of the work items, unit costs, total project costs and the reimbursement being requested.
3. Copies of all billings from all contractors or suppliers for all work items.

[February 5, 1987]

17.17 URBAN DRAINAGEWAY PROGRAM

The Urban Drainageway Program is an authorized program of the District to provide technical and financial assistance to municipalities to control erosion and/or flooding along major urban drainageways.

A. Criteria for Assistance

- (1) An eligible project involves improvements made on any major drainageway (open channel) in a developed, urban area where erosion or flooding threatens public or private property.
- (2) Each project must be sponsored by a municipality or other unit of government (including S&IDs) with authority and capability to carry out the project.
- (3) An enclosed storm sewer is not an eligible project.
- (4) Eligible projects shall receive no more than \$1.5 million in District funds.
- (5) Approved projects may be implemented over a period of consecutive years.
- (6) All measures must be technically feasible and environmentally acceptable.

B. Project Eligibility

Matching funds will be distributed according to the three Levels of Design, which consist of the following:

- Level 1 (Restoration) – Restoration of a continuous reach or reaches of the channel through enhancing meanders and stabilizing the bed (possibly elevating incised channels with grade control structures to reconnect to the historical floodplain) and banks, using predominantly bioengineering techniques with some structural techniques if necessary.
- Level 2 (Rehabilitation) – Rehabilitation of a continuous reach or reaches of the channel bed (possibly including grade control structures) and banks along the existing channel alignment, using a combination of bioengineering and structural techniques.
- Level 3 (Stabilization) – Stabilization of a limited, critical area of the channel banks and/or bed that does not have a significant impact on the entire reach with grade control structures along existing channel alignment using bioengineering and/or structural techniques.

Levels of Design

| | Level 1 <i>Restoration</i> | Level 2 <i>Rehabilitation</i> | Level 3 <i>Stabilization</i> |
|--------------------------------------|---|--|---|
| Reach Length | Continuous or having a significant impact on the reach | Continuous or having a significant impact on the reach | Repairs in a critical area that does not have a significant impact on the reach |
| Stream Channel Modification | In a predominately unconfined or historical stream channel | Confined in modified channel pattern | Can be in an unconfined or historical stream or modified/confined channel |
| Stream Improvement Techniques | Majority are bioengineering techniques, habitat enhancement, flow redirection, and (if possible) flow retention | Bioengineering and/or structural techniques, habitat enhancement, flow redirection, and (if possible) flow retention | Bioengineering and/or structural techniques |
| Hydraulic Impact | Will restore hydraulic connection to floodplain | May restore hydraulic connection to floodplain | Will not affect hydraulic connection to floodplain |

- Note: Both Level 1 and Level 2 will accelerate natural stream stabilization processes

C. District Responsibilities

- (1) All projects will require approval by the Board of Directors
- (2) Administer the Urban Drainageway Program.
- (3) Review and prioritize all applications.
- (4) Provide funding for a portion of the local eligible project costs (i.e. excluding state and federal funds) as follows:
 - (a) Provide 75% cost share on all Level 1 projects
 - (b) Provide 60% cost share on all Level 2 projects
 - (c) Provide 40% cost share on all Level 3 projects
- (5) Eligible project costs shall include all costs associated with design, construction, and construction observation. The following shall also apply:
 - (a) Sponsor's "in-house" design and construction inspection costs are eligible for cost-sharing provided that the work is performed or supervised by a licensed professional engineer.
 - (b) Construction must be performed by a qualified contractor. Reimbursement for use of Sponsor's equipment is not an eligible cost.
 - (c) Preliminary study costs (if necessary) are eligible for cost-sharing only if the project is constructed.
- (6) The District may require construction of component parts in consecutive years.

- (7) The District reserves the right to approve or reject plans, specifications, and/or implementation schedules.
- (8) The District shall budget funds for the component parts of all approved projects. Previously approved projects have priority for funding.

C. Sponsor Responsibilities

- (1) The sponsor shall submit an application on forms provided by the District (Urban Drainageway Program Application, Form 17.17, Manual of Standard Forms, Appendix E).
- (2) The sponsor shall submit preliminary plans with the application. The following items should be included:
 - (a) total estimated cost
 - (b) implementation schedule, including estimated costs for component parts.
 - (c) environmental acceptability statement.
 - (d) preliminary survey and design information.
 - (e) location maps.
- (3) The sponsor shall obtain all land rights for the project at no cost to the District.
- (4) The sponsor shall provide all future operation and maintenance on the project at no cost to the District.
- (5) The sponsor must comply with all local, state, and federal laws.
- (6) The sponsor must obtain all local, state, and federal permits necessary for the project.
- (7) The sponsor shall administer all contracts for design, construction and construction inspection.
- (8) The sponsor shall hold and save the District free from damages or claims due to the design, construction, or operation and maintenance of the project.
- (9) The sponsor shall execute an agreement with the District which will outline these guidelines.
- (10) The sponsor shall apply for EPA 319 and Nebraska Environmental Trust funding in order to be eligible for Level 1 or Level 2 project cost share from the District.

D. Requesting Reimbursement

- (1) Upon completion of construction of each component, reimbursement may be requested by the sponsor by providing the following:
 - (a) Certificate of Completion, signed by a licensed, professional engineer.
 - (b) Copies of final pay estimates which shows total units, unit costs, and total component costs.
- (2) Progress payments on individual components will not be allowed.

(September 10, 1987; January 13, 2011)

17.28 District Programs - Streambed Stabilization Program. The Streambed Stabilization program is an authorized program of the District.

A. **GOAL:** To encourage and assist governmental agencies (sponsors) to incorporate conservation features in stream channels for the purpose of reducing soil erosion, sedimentation and related resource problems.

B. **OBJECTIVES:** To provide technical and financial assistance on eligible grade stabilization projects.

C. **CRITERIA FOR ELIGIBLE PROJECTS:** To be an eligible project, at least five feet of grade must be removed from the channel for the explicit purpose of protecting public-owned facilities. Plans and specifications for the project must be reviewed and accepted by the District prior to construction.

D. LEVEL OF FINANCIAL ASSISTANCE:

1. District cost-sharing assistance, for county projects and that address the goals and objectives of this program, shall amount to 60% of the project's total construction costs, not to exceed \$75,000 per project. Cost-sharing assistance shall not include those costs incurred by the sponsor for:
 - a. Relocation of utilities
 - b. Purchase of land rights
 - c. Engineering, inspection, and administrative costs
2. Technical assistance may be provided by the Natural Resources Conservation Service (NRSC).

E. REQUIREMENTS TO BE FULFILLED BY THE SPONSOR

1. Make application to the District for cost-sharing assistance, Form 17.28.A., Manual of Standard Forms (Appendix E).
2. Provide right-of-way (i.e. acquire all necessary land rights).
3. Provide local matching funds.
4. Construction of the approved practices.
5. Provide design and inspection.
6. Provide geo-technical (subsoil) information for design (if necessary).

7. Execute and fulfill P-MRNRD Operation and Maintenance Agreement
8. Form 17.28.B., Manual of Standard Forms (Appendix E).
9. Obtain necessary state and federal permitting requirements, if applicable.
10. Complete construction within one (1) year of the date of District approval of the applications.

F. **REQUESTING REIMBURSEMENT:** Upon completion of the construction of the project, reimbursement may be requested by the sponsor by providing evidence of the final contract cost or final pay estimate (less those items ineligible for cost-sharing as outlined in paragraph D.1.).

[September 10, 1998]

17.37 Small Flood Control Structure Program. The Small Flood Control Structure Program is an authorized program of the District to provide technical and financial assistance to landowners in the installation of small flood control structures within the Papillion Creek Watershed.

A. Criteria for Assistance:

1. The watershed for each structure shall be at least 500 acres.
2. All projects shall be designed as high hazard flood control structures to contain the 100-year flood below the emergency spillway.
3. Projects under this program shall have a total project cost of less than \$500,000, such costs to include but are not limited to preliminary design, geotechnical investigations, final design and construction engineering, soils and materials testing and project construction.
4. At least 75% of the applicant's property in the watershed shall have adequate land treatment. Adequate land treatment shall be defined as having 5 tons per acre per year or less soil loss as determined by the Revised Universal Soil Loss Equation (RUSLE).
5. For structure sites involving more than one landowner, a joint application shall be submitted.
6. Projects must be in conformance with all local, state and federal laws.

B. District Responsibilities:

1. Administer the Small Flood Control Structure Program.
2. Management shall review and prioritize all applications annually.
3. The District shall contract with a consulting engineering firm for final design, geotechnical investigations and construction engineering services for the project.
4. The District shall select a contractor and administer a contract for the construction of the project.
5. The District shall fund 75% of the total project costs.
6. Upon completion of the construction, the District will operate and maintain the structure.

C. Applicant Responsibilities:

1. Submit an applications on a form provided by the District, and,
 - a. Submit a preliminary engineering design and report prepared by a qualified, licensed professional engineer; a USGS quadrangle map "level of design;" a field survey of the structure centerline; preliminary flood routings and earthwork computations; and, a preliminary cost estimate.
 - b. Submit an adequate land treatment determination for the applicant's property.
2. The applicant(s) shall donate any needed land rights (easements) for the project. The easement shall include the right of ingress and egress to survey, design, construct, operate and maintain the structure, the right to permanently and/or temporarily store flood waters behind the structure and the right to limit other uses.
3. The applicant(s) shall donate an easement over their adjoining property within the watershed guaranteeing the adequate land treatment will be maintained in perpetuity.
4. The applicant(s) shall fund 25% of the total project costs, such funding to be placed in escrow prior to project construction.
5. The applicant(s) shall establish and maintain permanent vegetative cover on a 100 foot strip of land adjacent tot he permanent pool of the structure.
6. The total project cost may exceed \$500,000 if the applicant(s) pays for all costs exceeding that limit. The applicant(s) shall also agree to fund those project features that are beyond minimum standards for flood control structure design (e.g., a roadway on top of a dam).
7. The applicant(s) shall execute an agreement with the District incorporating these guidelines.

[February 10, 2000]

17.41 - Stormwater Best Management Practice Program. The Stormwater Best Management Practice (BMP) Program is an authorized program of the District to provide technical and financial assistance to local subdivisions of government who install innovative best management practices to control stormwater runoff and improve water quality.

A. Criteria for Assistance

- (1) Eligible projects will be constructed on publicly owned property involving the use of innovative best management practices to reduce stormwater runoff and/or improve water quality.
- (2) Each project must be sponsored by a local unit of government (including S&IDs) with authority and capability to carry out and maintain the project.
- (3) Eligible measures include:
 - (a) water quality measures (including but not limited to rain gardens, green roofs, bioswales, infiltration trenches);
 - (b) storm water management measures (including but not limited to rain barrels, bioretention, pervious pavement); and,
 - (c) new and innovative erosion and sediment control measures
- (4) The following are not considered eligible projects:
 - (a) piped, underground detention systems; and,
 - (b) standard silt fence, construction entrances, sediment basin riser pipes and other routine construction site erosion and sediment control measures
- (5) Approved projects may be implemented over a period of consecutive years.
- (6) All measures must be technically feasible and environmentally acceptable.

B. District Responsibilities

- (1) Administer the Stormwater BMP Program.
- (2) Review and prioritize all applications.
- (3) Provide 50% cost-sharing on all eligible costs of the project up to \$10,000 per project. Eligible costs shall include all costs associated with construction and construction observation. The following shall also apply:
 - (a) Sponsor's "in-house" design costs are not eligible for cost-sharing.
 - (b) Construction must be performed by a qualified contractor. Reimbursement for use of Sponsor's labor and equipment are not eligible costs.
- (4) The District may require construction of component parts in consecutive years.
- (5) The District must approve plans, specifications, and/or implementation schedules.
- (6) The District shall budget funds for the component parts of all approved projects. Previously approved projects have priority for funding.

C. Sponsor Responsibilities

- (1) The sponsor shall submit an application on forms provided by the District (Stormwater Best Management Practice Program Application, Form 17.41, Manual of Standard Forms, Appendix E).

- (2) The sponsor shall submit preliminary plans with the application. The following items should be included:
 - (a) total estimated cost;
 - (b) implementation schedule, including estimated costs for component parts;
 - (c) preliminary design including expected stormwater runoff and water quality benefits; and,
 - (d) location maps.
- (3) The sponsor shall obtain all land rights for the project at no cost to the District.
- (4) The sponsor shall provide all future operation and maintenance on the project at no cost to the District.
- (5) The sponsor must comply with all local, state, and federal laws.
- (6) The sponsor must obtain all local, state, and federal permits necessary for the project.
- (7) The sponsor shall administer all contracts for design, construction and construction inspection.
- (8) The sponsor shall hold and save the District free from damages and claims due to the design, construction, operation and maintenance of the project.
- (9) The sponsor shall execute an agreement with the District which will outline these guidelines.

D. Requesting Reimbursement

- (1) Upon completion of construction of each component, reimbursement may be requested by the sponsor by providing the following:
 - (a) Certificate of Completion, signed by a licensed, professional engineer.
 - (b) Copies of final pay estimates which shows total units, unit costs, and total component costs.
- (2) Progress payments on individual components will not be allowed.

(June 12, 2008)

17.8 District Programs - Road Structure Program. The Road Structure Program is an authorized program of the District.

A. **GOAL:** To encourage and assist counties to incorporate conservation features in, or adjacent to, county roadways that will reduce soil erosion and sedimentation, flooding and related resource problems.

B. **OBJECTIVES:** To provide technical and financial assistance on eligible road structure projects located at stream crossings, or projects that would benefit county roadways or bridges, that are constructed by the county.

C. **CRITERIA FOR ELIGIBLE PROJECTS:** To be an eligible project, at least five feet of grade must be removed from the channel and plans/specifications for the project must be reviewed and accepted by the District prior to construction.

D. **LEVEL OF FINANCIAL ASSISTANCE:**

1. District cost-sharing assistance, for county projects that address the goals and objectives of this program, shall amount to 75% of the project's total construction costs, not to exceed \$150,000 per project. Cost-sharing assistance shall not include those costs incurred by the county for:
 - a. Guardrails or barriers
 - b. Roadway surfacing (gravel, asphalt, etc.)
 - c. Traffic signs and signals
 - d. Relocation of utilities
 - e. Purchase of land rights
 - f. Engineering, inspection and administrative costs
 - g. Work performed by county personnel and equipment

2. Technical assistance may be provided by the Natural Resources Conservation Service (NRCS).

E. **REQUIREMENTS TO BE FULFILLED BY THE COUNTY:**

1. Inventory road structure needs and make application to the District for cost-sharing assistance.
2. Provide right-of-way (i.e., acquire all necessary land rights).

3. Provide local matching funds.
4. Contract for construction of the approved practices.
5. Provide design and inspection. Follow NRCS design criteria.
6. Project geotechnical (subsoil) information for design.
7. Execute and fulfill P-MRNRD Operation and Maintenance Agreement.
8. Obtain necessary state permits for water storage, if applicable.
9. Begin construction within one (1) year and complete construction within two (2) years of the date of District Board approval of the application.

F. REQUEST REIMBURSEMENT: Upon completion of the construction of the project, reimbursement may be requested by the county by providing evidence of the final contract cost or final pay estimate (less those items ineligible for cost-sharing as outlined in para. D.1.).

[February 5, 1987; May 11, 1989; November 14, 2002]

17.16 District Programs - Urban Stormwater Management Program. The Urban Stormwater Management Program is an authorized program of the District. To promote the health, safety and well-being of the public, it is the present and long range intent of the District to:

A. Serve as a regional coordination and management agency for major urban drainage and flood control systems which are those systems that involve open channels where the drainage area is more than approximately 200 acres. Coordination of actions affecting these systems is necessary to achieve the best possible results in the District.

B. Develop Urban Drainage Master Plans which define policies and outline plans for the development, financing, implementation and continued maintenance of urban drainage and flood control systems in each basin. This will be done with the assistance of and in consultation with other local governmental agencies. The master plan will be presented for adoption to each local governmental agency identified as responsible for implementing all or portions of the plan.

In accordance with this policy, Stormwater Management Policies (hereinafter referred to as the "Policies") were developed through a community-based process known as Watershed By Design involving the development community, Papillion Creek Watershed Partnership members, public agencies, non-profit organizations, other stakeholder groups and the general public. The Policies developed through the WBD process consist of six (6) Policy Groups, headed as follows:

- #1 Stormwater Management Financing
- #2 Peak Flow Reduction
- #3 Pollution Control
- #4 Landscape Preservation, Restoration, and Conservation
- #5 Erosion and Sediment Control and Other BMPs
- #6 Floodplain Management

These Policies are attached hereto as Appendix "S" and incorporated herein by reference, and provide guidance for a comprehensive approach to stormwater quality and quantity, subject to the following:

- As outlined in Policy Groups 1 and 2, the District intends to implement construction of Regional Detention and Water Quality Basins proposed in the conceptual Watershed Drainage Plan, as deemed necessary by the District and subject to available funding as determined by the District.
- The District will recommend to local zoning jurisdictions that all new development or significant redevelopment be required to consider Low Impact/Conservation Development strategies or best management practices.
- The District will recommend to local zoning jurisdictions that all new development or significant redevelopment be required to each install local detention and water quality basins to maintain stormwater peak discharges to that which existed under base land use conditions. It is also recommended that non-residential new development or significant redevelopment be required to construct, operate and maintain such facilities on private lands at no cost to the public.

C. Expect and continue to rely on other local governmental subdivisions (cities, counties and SID's) to continue to develop, finance, implement, operate and maintain urban drainage and flood control systems that involve enclosed conduits (storm sewers), road crossing and other similar appurtenant systems.

D. Assume responsibility for major urban drainage and flood control systems in the District in accordance with the Urban Drainage Master Plan. For areas where no Urban Drainage Master Plan is currently available, the District will consider the planning, development, improvement, financing, implementation and continued maintenance of existing and proposed improvements to major urban drainage and flood control systems on an individual basis.

E. Expect, concurrent with or prior to assumption of responsibility for an urban drainage and flood control system, that the local subdivision with regulatory responsibility and authority enact for existing and proposed urban development Sediment and Erosion Control ordinances and Stormwater Management ordinances that provide for District review and concurrence of basin development proposals to ensure that they comply with Urban Drainage Master Plans if the District is expected to assume responsibility for any portion of the development plan.

F. Financing of the additional duties and responsibilities envisioned by this policy statement could be through:

1. District general tax levy revenue
2. Stormwater utility fees, and,
3. Federal, state and local funds that may be available to assist the District

[February 5 1985; October 12, 2006]

18.25 District Projects – Western Sarpy/Clear Creek Levee Project. The Western Sarpy/ Clear Creek Levee Project is an authorized project of the District and shall be operated and maintained in accordance with the Merger Agreement with the Western Sarpy County Dike and Drainage District (Appendix P), Management’s Levee System Operation and Maintenance Guidelines, Management’s Emergency Operations Procedure Manual, an Interlocal Agreement with the Lower Platte North NRD and the Lower Platte South NRD and other written agreements of the District.

[March 10, 1994; November 14, 2002]