

Update: April 12, 2004

**Programs, Projects & Operations
Subcommittee Meeting
April 13, 2004
7:30 p.m.
Agenda**

Programs, Projects & Operations:

John Conley, Chairperson
Rich Jansen, Vice-Chairperson
Tim Fowler
Joe Neary
Rich Tesar

Alternate Members: Dick Connealy
Pete Rubin

Staff Liaison: Gerry Bowen
Jerry Herbster
Ralph Puls
Paul Woodward *

1. Meeting Called to Order – Chairperson John Conley
2. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Review and Recommendation on Papio Watershed Partnership Agreement – Paul Woodward and Marlin Petermann
6. Review and Recommendation on the Dakota County Service Center Interlocal Agreement – Ralph Puls
7. Review and Recommendation on Urban Cost Share Program Applications – Gerry Bowen
 - a. Urban Drainageway Program
 - b. Recreation Area Development
 - c. Recreation Trails Projects
 - d. Urban Conservation Assistance Program
8. Review and Recommendation on Interlocal Cooperative Act Agreement with Washington County – Missouri River Trail Surfacing – Jim Becic
9. Review and Recommendation on Wetland Reserve Enhancement Program (WREP) Funding Request – Jim Becic
10. Discussion on SID 296 Request for Rural Water Service – Dick Sklenar
11. Review and Recommendation on Cole Creek Floodway Buyout Program – Paul Woodward and Steve Oltmans
12. Update on Western Sarpy/Clear Creek Project – Steve Oltmans and Marlin Petermann
13. Other Items of Interest
14. Adjourn

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: April 5, 2004
Re: New Papillion Creek Watershed Partnership Agreement

The Papillion Creek Watershed Partnership (PCWP) is a group of nine cities, two counties, and the NRD that was formed through a three-year (3-year) Interlocal Agreement which expires August 1, 2004. During the time of this agreement, the Partnership has accomplished many of the goals that it set out to achieve, please review the attached Fact Sheet 7 for an update on the progress of the PCWP.

Due to the upcoming expiration of the existing agreement and the desire to work together on impending NPDES permits, the Partnership has developed a new 5-year Inter-Local Agreement between: the cities of Bellevue, Bennington, Boys Town, Elkhorn, Gretna, Kennard, La Vista, Omaha, Papillion, and Ralston; the counties of Douglas, Sarpy, and Washington County; and the Pappio-Missouri River NRD. It is proposed that these 10 cities, 3 counties, and the P-MRNRD would all approve this new agreement prior to its effective date of July 1, 2004. A copy of this agreement is enclosed for your review and consideration.

Most provisions of this agreement are similar to those of the attached existing Partnership agreement. For instance, the NRD will continue to serve as the administering agent for the PCWP, charged with tasks such as handling funds and facilitating meetings. The main exception to this similarity is that certain activities required of Omaha Metro communities and counties under existing or upcoming NPDES permits will be implemented by either the City of Omaha or the NRD. These activities and the lead Partnership member for each are listed in Exhibit B. As an example, the NRD would be responsible for coordinating the development of a comprehensive stormwater management ordinance addressing illicit discharge, erosion control, and BMP maintenance and inspection. Those entities responsible for an activity, i.e. Omaha and the NRD, will be reimbursed for expenditures incurred on behalf of the Partnership and for the reasonable value of activities performed as determined by the Executive Committee of the Partnership.

There are other differences between the existing and proposed agreement. For example, agreeing to implement some permit requirements has changed the duration of the agreement to 5 years instead of 3 years in order to stay consistent with the length of the permit. In addition, agreeing to implement stormwater management activities together has added more expense to the agreement. Total annual contributions from all Partnership members would amount to \$450,000 annually, in comparison to the \$244,500 currently contributed by Partners each year. Each entity's proposed contribution is shown in Exhibit C and was calculated based on population, area, and their individual requirements under NPDES permits. A description of this calculation is also attached in a table showing the estimated cost of each activity to be cost-shared. Based on this calculation, the District total annual contribution would be \$90,000.

In conclusion, the Papillion Creek Watershed Partnership is requesting your consideration of a new 5-year Interlocal Agreement with the communities and counties in the Watershed to work together on comprehensive stormwater management activities for an annual contribution from the NRD of \$90,000.

Management recommends that the subcommittee recommend to the Board that the General Manager be authorized to execute the Interlocal Agreement for the Continuation of the Papillion Creek Watershed Partnership between the communities of Bellevue, Bennington, Boys Town, Elkhorn, Gretna, Kennard, La Vista, Omaha, Papillion, and Ralston; the counties of Douglas, Sarpy, and Washington County; and the NRD for an annual contribution from the District of \$90,000 over the next five years, subject to changes deemed necessary by the General Manager and to approval as to form by District Legal Counsel.

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Ralph Puls, Land and Water Programs Coordinator

SUBJECT: Interlocal Cooperation Act Agreement between Papio-Missouri River NRD and the City of Dakota City

DATE: April 6, 2004

The Natural Resources Center (NRC) building proposal requires the cooperation between The P-MRNRD and the City of Dakota City since part of the building would be located on city property. Attached is an Agreement developed by District staff and Dakota city representatives that describes how the two entities will cooperate in this endeavor. Also attached is a Building Site Map of the proposed facility.

Significant details of the Agreement with respect to Dakota City are shown on pages 4 and 5 in which Dakota City agrees to:

- provide the necessary real estate for one dollar (\$1.00)
- demolish the block building on the building site
- pave parking stalls on a presently graveled parking site
- provide sewer and water service connections to the P-MRNRD without charge
- furnish building permits for the NRC Building without charge
- provide temporary office space for the Dakota County Rural Water Office for up to 18 months

Management recommends that the Programs Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute an Interlocal Cooperative Act Agreement between the Papio-Missouri River NRD and Dakota City for a Natural Resources Center office building in Dakota City, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Memorandum

To: Programs, Projects, and Operations Subcommittee

Subject: FY 2005 Urban Cost Share Programs

- Urban Drainageway Program
- Recreation Area Development Program
- Recreational Trails Projects
- Urban Conservation Assistance Program

Date: April 2, 2004

From: Gerry Bowen

The District solicited applications for the urban cost share programs from the various units of government in the District for the upcoming fiscal year. The following applications were received.

Urban Drainageway Program

The Urban Drainageway Program (UDP) cost shares with cities and villages to improve drainageways within their jurisdiction. The cost share rate is 60%. The Policy Manual notes that Board approval is required on all applications.

The District did not receive any new applications under the Urban Drainageway Program. However, two applications were approved, but not funded, in FY 04 that need to be funded this fiscal year.

- a. The City of LaVista plans to stabilize a channel through LaVista Falls Golf Course. The estimated cost is \$205,910, of which \$170,950 is eligible under the UDP Program. They are requesting 60% cost share of the eligible costs, or \$102,570.
- b. The City of Elkhorn has requested assistance for Phase 3 of planned improvements to the West Branch Papillion Creek. Phase 1 and 2 were completed in 1999 and 2001, respectively. The total estimated cost is \$126,053. The City is requesting 60% of this amount, or \$75,632.

These two projects total **\$178,382** and will be included in the initial draft FY 2005 budget. The FY 2004 Budget included \$344,026 for this item.

Recreation Area Development

The Recreation Area Development Program (RAD) cost shares with cities and villages to develop and improve recreation areas within their jurisdiction. The cost share rate is 50%. On projects requesting more than \$20,000, the Policy Manual notes that Board approval is required. On all others, Management has approval authority.

The following project was approved in FY 2003, but not funded. The sponsor plans on proceeding with construction in FY 2005.

- a. The Board approved an application from the City of South Sioux City for the renovation of Crystal Cove Park and lagoon. It was not funded at that time since construction was not anticipated until 2004. The project will receive assistance from the Corps of

Engineers under their 1135 Project authority. The total estimated cost of the project is \$1,378,000. They are requesting the maximum under this program, or \$50,000.

The following new applications were received and require approval.

- a. The City of Arlington has requested assistance in the construction of picnic shelter, restroom and utility building in Bell Creek Park. The District assisted with the purchase of the land last fiscal year. The cost estimate for the project is \$91,500. They are requesting 50% of this, or \$45,750.
- b. The City of Bellevue has requested assistance to improve Jewel Park in Bellevue. The improvements are estimated to cost \$102,425, of which, only \$75,550 are eligible under this program. They are requesting 50% of the eligible costs, or \$37,775.
- c. The City of Bennington has requested assistance on two projects, both of which involve building picnic shelters and restroom facilities. They plan to construct a restroom facility at the Bennington Legion Baseball Park at an estimated cost of \$12,000, and a picnic shelter at the Bennington Athletic League Sports Complex at an estimated cost of \$5,000, both of which are in existing parks. They are requesting 50% of the total cost, or \$8,500.

In addition, the following trails projects have requested assistance from the District.

- a. The City of Dakota City, in cooperation with the City of South Sioux City, plans to construct a trail connecting the two communities. The project received the highest rating in the most recent NDOR T-21 application process. The total estimated cost of the project is \$603,236. They are requesting 50% of the local share, or \$60,325.
- b. The City of Waterloo has requested assistance on Phases 2 and 3 of their trails plan. The two projects are estimated to cost \$431,033. They are requesting 50% of the local share, or \$43,104.
- c. The City of South Sioux City has requested assistance for the Sergeant Floyd Underlook Trail. The project will connect with existing trails in the city. The project is estimated to cost \$83,576. They are requesting 50% of the local share, or \$8,358.

The following table summarizes the applications for the RAD and trails programs for FY 2005. The FY 2004 budget for this program was \$303,500.

Sponsor	Total Estimated Cost	FY 05 Cost Share Requested
City of South Sioux City	\$1,378,000	\$50,000
Village of Arlington	\$91,500	\$45,750
City of Bellevue	\$75,550	\$37,775
City of Bennington	\$17,000	\$8,500
Sub-Total	\$1,562,050	\$142,025
Trails:		
City of Dakota City	\$603,236	\$60,325
City of Waterloo	\$431,033	\$43,104
City of South Sioux City	\$83,576	\$8,358
Sub-Total	\$1,117,845	\$111,787
Grand Total	\$2,679,895	\$253,812

Management recommends that the Subcommittee recommend to the Board that the applications from the Village of Arlington for \$45,750, City of Bellevue for \$37,775, the City of Bennington for \$8,500, the City of Dakota City for \$60,325, the City of Waterloo for \$43,104, and the City of South Sioux City for \$8,358 be approved, and in addition, fund a request from the City of South Sioux City for \$50,000, for a total of \$253,812, subject to funding in the FY 2005 budget.

Urban Conservation Assistance Program

The Urban Conservation Assistance Program (UCAP) cost shares with units of government to solve relatively minor erosion and flooding problems in their jurisdiction. The Policy Manual calls for Management approval of all applications. The following application was received.

- a. The City of Omaha has requested assistance to install stormwater management facilities in a new soccer complex near 62nd & Q Streets. This is the ultimate usage for the buy-out in this area. The total cost of the improvements is \$130,000. They are requesting the maximum allowed under this program, or \$25,000.

It is recommended that the Subcommittee recommend to the Board that the application from the City of Omaha for \$25,000 be approved, subject to funding in the FY 2005 budget.

MEMORANDUM

To: Programs, Projects and Operations Subcommittee

Re: Interlocal Cooperative Act Agreement with Washington County – Missouri River Trail Surfacing.

Date: 5 April, 2004

From: Jim Becic, Environmental Coordinator

Washington County received \$2.8 million of Federal Funds (administered by the Nebraska Department of Roads (NDOR) to pave the approximately 5 miles of County Road 51, along the Missouri River between the Boyer Chute NWR and the Washington/Douglas county line. These funds included the ROW acquisition and design for an adjacent hiking/biking trail. During the bid opening for the road and trail, it was apparent that funding for the trail portion of the project was sufficient to include placing a crushed rock surface on the trail – but, not enough to include asphalt.

The County is holding approximately \$100,000 of the total Federal Funds available, as ‘contingency funds’ for unforeseen problems that might come up during road construction, but have indicated they would apply all of their remaining \$100,000 road ‘contingency funds’ towards the trail surfacing – after the county road is completed and all of the bills are paid. The NDOR is agreeable to this arrangement rather than returning any unused funds. The additional cost to hard surface the trail was \$172,000 (one of the original bid alternates) – approximately \$72,000 less than the total funds available if you include the County’s ‘contingency funds’.

The contractor (Western Engineering) has indicated that they are anxious and able to hard surface the trail as a part of the adjacent county road project for the original bid alternate estimate of \$172,000.

It is the staff recommendation that the Projects, Programs and Operations Subcommittee Recommend to the Board that the General Manager be authorized to execute an Interlocal Cooperation Act Agreement between the Papio-Missouri River Natural Resources District and the County of Washington, Nebraska for the Surfacing of the Trail From Washington County Line to Boyer Chute subject to changes deemed necessary by the General Manager and approval as to form by the District Legal Counsel.

MEMORANDUM

Date: 4/05/2004
To: Programs, Projects and Operations Subcommittee
From: Jim Becic
Re: Wetland Reserve Enhancement Program (WREP) Funding Request

The Natural Resources Conservation Service (NRCS) is seeking a WREP approval for a nationwide pilot project to target 18,800 acres of wetland/wildlife habitat restoration for the lower Missouri River below Sioux City. Of these 18,800 acres, 6,700 acres are in the Papio-Missouri River NRD. The total cost to implement this restoration effort – over the next three years is an estimated \$26 million.

Permanent Easements: \$20,360,000 (~ \$1,000 /acre)

Restorations: \$5,640,000 (~ 300/acre)

It is understood that if the NRCS were to acquire partners that will commit funds towards this habitat restoration effort in Nebraska, it would serve to strengthen the NRCS's funding request efforts. These efforts by the NRCS, if approved, will serve to dramatically enhance the District's long-standing efforts to restore fish and wildlife habitat within the Missouri River Corridor. The Lower Platte South and Nemaha Natural Resources Districts are both committed to this program with its goals of habitat restoration and are considering a joint application to the Nebraska Environmental Trust to fund \$50 per acre of these restoration costs.

Management recommends that the Projects, Programs and Operations Subcommittee recommend to the Board that the District supports the NRCS's Wetland Reserve Enhancement Program and approves a joint application to the Nebraska Environmental Trust with the Lower Platte South and Nemaha Natural Resources Districts, requesting funding for the habitat restoration efforts under the NRCS's Wetland Reserve Enhancement Program.

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Dick Sklenar

SUBJECT: Discussions with S.I.D. 296 Regarding Rural Water Service

DATE: April 7, 2004

Over the past several months, I have had a few discussions with representatives of Sanitary Improvement District 296 (located in northeast Douglas County) concerning the possibility of acquiring rural water service from the District's Washington County Rural Water System #1. The S.I.D. is comprised of about 1 dozen homes, and has one community well serving all of the residents. My last meeting with the S.I.D. Board was on April 6, 2004.

The S.I.D. would like to discontinue the use of their well. Although their current supply is plentiful, it is high in iron and manganese. Stricter EPA and State standards in recent years have also been a burden and concern.

The Washington County Rural Water system currently has a 6-inch water line just north of the county line (on 47th Street), and is capable of handling the needs of the residences of S.I.D. 296. Those residences lie east of 42nd Street (see attached map). It would be necessary to extend our distribution system about 1/2 of mile to make the connection. The S.I.D. has a 6 inch ductile iron main throughout the neighborhood that was constructed to meet Metropolitan Utilities District (M.U.D.) standards in the hope that someday a connection with M.U.D. would occur. This does not appear likely to happen, due to population density and the high cost of extending M.U.D.'s distribution system to serve the area in question. Some of the items that have been discussed, and agreed to by the S.I.D. are as follows:

1. The S.I.D. will pay for all construction costs to extend the NRD's distribution system.
2. The S.I.D. will pay for all engineering costs, miscellaneous administrative and overhead costs incurred by the NRD.
3. The S.I.D. will acquire all necessary easements for the project.
4. The S.I.D. will pay to replace meters for each residence.
5. The S.I.D. agrees to replace at their expense the barrel of all fire hydrants (currently they have a pumper nozzle).
6. M.U.D. capital facilities charges will be paid by the S.I.D.

Late last year, a leak detection survey was done by the Nebraska Rural Water Assoc. on the entire S.I.D. distribution system. One minor leak was found, and has been corrected. Otherwise the system is in sound shape.

Unless the Subcommittee objects, the District staff will move forward to developing an agreement with S.I.D. 296 to connect and take over their distribution network. Such an agreement may be presented to the Subcommittee in May or June of this year.

Memorandum

To: Programs, Projects & Operation Subcommittee
From: Paul Woodward, Water Resources Engineer
Updated: **April 9, 2004**
Re: Addendum to Cole Creek Inter-Local Agreement

At a meeting on April 9, 2004, District and Omaha Public Works staffs further discussed the possibility of amending the existing Cole Creek Inter-Local Agreement to provide additional funding from the District in order to acquire additional flood-prone properties along Cole Creek. It was decided that the proposed amendment to the Interlocal Agreement as outlined in my attached April 6, 2004 memorandum would best be accomplished by an addendum to the agreement.

Therefore, the enclosed First Addendum was drafted and reflects the same proposed additional cost-share between the City and the NRD of \$200,000 over current NRD allocations per year in 2004 and 2005. These additional funds would be available to reimburse the City for 50% of all costs incurred during the following year as well as assist the City in helping fund the purchase of the remaining 7 properties next year without federal grant funding.

In conclusion, additional funds are needed to purchase flood-prone properties along Cole Creek in order to complete the buyout program currently being implemented by the City of Omaha. The attached addendum to the existing Interlocal Agreement with the City would allow the NRD to provide available Floodway Purchase Program funding for this purpose.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the First Addendum to the Cole Creek Flood Mitigation Program Agreement with the City of Omaha for a maximum cost share of \$1,400,000 over six years, subject to changes as deemed necessary by the General Manager and to approval as to form by District Legal Council.

Memorandum

To: Programs, Projects & Operation Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: April 6, 2004
Re: Amendment to Cole Creek Inter-Local Agreement

On July 7, 2004, the Board of Directors approved the Cole Creek Flood Mitigation Program Inter-Local Agreement with the City of Omaha which enabled the District to cost-share up to \$1 million over a six-year period with the City to purchase flood-prone properties, replace existing culverts at specific crossings, and enhance the stability of the channel. In the meantime, the City has retained federal funding from FEMA to assist in the purchase of properties as ranked in a benefit/cost comparison and has acquired 27 out of 48 possible homes for a total cost of \$3,105,553.74 (see attached table). FEMA grants have accounted for nearly 75% of this total, or \$2.25 million. However, the purchase of these 27 properties has exhausted the funding available from federal and state sources, and there are still 7 properties owners at the bottom of the list who did not get a chance to receive an offer from the City.

The District currently has funding budgeted to purchase flood-prone properties within Douglas and Sarpy County. As such, District and Omaha Public Works staffs have discussed the possibility of amending the existing agreement to provide additional funding from the District in order to acquire the remaining 7 properties. Proposed revisions to the agreement are shown in the enclosed draft amendment. The changes reflect a proposed cost-share between the City and the NRD of 12.5% and 87.5% respectively for expenses incurred by the City to purchase the remaining properties without assistance from federal or state funds. Therefore, under this amendment, the District would reimburse the City 87.5% of the cost to purchase, demolish, and relocate tenants up to a maximum of \$400,000 in both fiscal years 2005 and 2006, which is an increase of \$200,000 over current NRD allocations. These additional funds would not apply to cost incurred by the City for culvert replacements or channel improvements.

In conclusion, additional funds are needed to purchase flood-prone properties along Cole Creek in order to complete the buyout program currently being implemented by the City of Omaha. Proposed amendments made to the existing Interlocal Agreement with the City would allow the NRD to provide available Floodway Purchase Program funding for this purpose.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the Amended Cole Creek Flood Mitigation Program Agreement with the City of Omaha for a maximum cost share of \$1,400,000 over six years, subject to changes as deemed necessary by the General Manager and to approval as to form by District Legal Council.
