

**Programs, Projects & Operations  
Subcommittee Meeting  
August 11, 2009  
6:35 p.m.  
(or immediately following the Ad Hoc Subcommittee meeting)  
Agenda**

**Programs, Projects & Operations:**

John Conley, Chairman  
Rich Tesar, Vice-Chairman  
David Klug  
Rick Kolowski  
John Schwope

**Alternate Members:** Fred Conley  
Tim Fowler

**Staff Liaison:** Gerry Bowen  
Martin Cleveland  
Amanda Grint \*  
Ralph Puls  
Dick Sklenar

1. Meeting Called to Order – Chairperson John Conley
2. Notification of Open Meetings Act Posting and Announcement of Meeting Procedure – Chairperson John Conley
3. Quorum Call
4. Adoption of Agenda
5. Proof of Publication of Meeting Notice
6. Review and Recommendation of Amendment to Interlocal Agreement with City of Waterloo for JEO Consulting Group Contract for the Waterloo Levee Design – Amanda Grint and Mark Augustine, JEO
7. Discussion regarding Public Hearing for Abe’s Trash Service, Inc., Construction and Demolition Waste Landfill Request for Expansion (Requested by Director Bradley) – John Winker, Dave Johnson and Dave Haldeman, DEQ
8. Review and Recommendation on Zorinsky Water Quality Basins 1 and 2 – Professional Services Contract Amendment with Olsson & Associates – Gerry Bowen and Brian Marple, Olsson and Associates
9. Review and Recommendation on Local Public Agency Designation Resolution – Gerry Bowen

10. Review and Recommendation on Amendments to Recreation Area Rules and Regulations – Jerry Herbster
11. Update on Test of Emergency Transfer of Water from Washington County Rural Water #1 to City of Blair – Dick Sklenar
12. Discussion of Changes to District Programs and Policies – Director Japp
13. Review and Recommendation on Interlocal Cooperation Act Agreement for the Lower Platte Phragmites Management Program – John Winkler and Rich Tesar
14. Adjourn

# Memorandum

**To:** PPO Subcommittee

**Re:** Waterloo Levee Design Contract Amendment

**Date:** August 5, 2009

**From:** Amanda Grint, Water Resources Engineer

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The Village of Waterloo signed an agreement with the Federal Emergency Management Agency (FEMA) to designate the Waterloo levee as a Provisionally Accredited Levee (PAL). The PAL designation requires that all necessary documentation to support the levee accreditation will be submitted by January 15, 2010. This allows 24 months for the Village to study the existing levee and bring the levee into compliance or FEMA will take steps to remap the area to designate the Village as a flood prone area without levee protection.

In June of 2008, the Board entered in to an interlocal agreement with the Village to cost share (50/50) on the design of the levee improvements in order to certify the levee. JEO Consulting Group was retained by the Village to perform the study and levee design for \$397,000. In their work to complete an updated hydraulic analysis of the Elkhorn River, JEO discovered that a railroad bridge had been modeled incorrectly in the published FEMA flood study. The revised study shows increases in flood elevations of 3-4 feet in some locations, creating a substantial change to the length of levee needing to be raised and impacts to the potential costs. The increase in scope to design for these substantial changes was noted at a project update given to the PPO Subcommittee and Board in February 2009. The contract amendment detailing this additional work is attached for consideration. The scope changes increase the contract amount by \$41,000 for a total of \$438,000. The Village of Waterloo requests that the District continue the equal share of design costs by contributing fifty percent of the contract amendment, \$20,500, making the total District cost share equal to \$219,000.

The scope of services includes:

- Design of an additional 4000 linear feet of levee improvements
  - Title work and easements
  - Additional interior drainage design
  - Additional public meeting and outreach
  - Permitting and requested information for Union Pacific Railroad
  - Additional project meetings and coordination
  - Removal of task to complete Conditional Letter of Map Revision for FEMA
- **Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a revised interlocal agreement with the Village of Waterloo that provides for the equal sharing of the enclosed Contract Amendment from JEO Consulting Group for the Design of Levee Improvements for an increase in the maximum fee to \$219,000 subject to changes deemed necessary by the General Manager and District Counsel.**

## E-Mail from Director Bradley

Hello Fellow Papio-Missouri NRD Board Members and Personnel,

I am hereby giving you all an advanced notice as possible about the Public Hearing for Abe's Trash Service, Inc. Construction and Demolition Waste Landfill request for expansion. There will be a public information session at 4:30 to 6:00p.m. at Bennington Legion Club, 15312 S 2nd Street, Bennington, NE on August 27, 2009. Then at 7:00p.m., a public hearing.

I do not want this e-mail to be terribly long. I will testify as the Minority Populations Representative of the Environmental Quality Council. The Papio-Missouri NRD Board will discuss their position at the August Board meeting. I will not be in attendance (vacation). I have explained my concerns before. The Washington County Board voted for the expansion of Abe's Trash Service to take place. In the State of Nebraska, Construction and Demolition (C&D) landfills do not need a liner, NDEQ Title 132-Integrated Solid Waste Management Regulations. I have more-than-once told you all how I feel about the State of Nebraska's lax environmental rules and enforcement. There are very real concerns with this issue. One) the local people near Abe's are very concerned about their drinking water. As I understand, there are monitoring wells in place, but Abe's has refused to get them up and running. If there is not any worry by NDEQ officials about potential contamination, then why not have the monitoring wells operating? Pass the cost to the customer. Two) down slope from the proposed expansion site is a feeder stream for Lake Cunningham. (That water should be officially tested all 4 seasons by NDEQ). There are wetlands areas within the stream watershed that precedes Lake Cunningham. Papio-Missouri NRD is allocating public tax dollars for Lake Cunningham that includes a Marina project. The City of Omaha and the Nebraska Game and Parks Commission are also allocating funding for Lake Cunningham. I will insure they have representation at the Public Hearing. Three) the geomorphology of the landfill site is very much the same as the closed landfill on nearby State street. As I understand, groundwater contamination took place because of no liner required by the State of Nebraska. Also, nearby Vickers site had a contaminated plume migrating downslope into neighborhoods close to Northwest High School. Same type of soils and geomorphology. Four) Abe's Trash Service is inspected by the NDEQ only once a year.

Of course we need C&D landfills in our state. Abe's has stepped up and provided the service. Abe's also will get a fair chance to explain themselves to a larger audience than was provided at the Washington County Board meeting. I am requesting that any members of the Papio-Missouri NRD Board attend the meeting, and/or have a staff member attend. I also am requesting the Papio-Missouri NRD Board vote to voice their concerns about the C&D landfill. It is our civic duty for the people to look into the matter at a greater depth than was previously done. Perhaps Abe's can install a liner and complete monitoring wells. Although the State Law does not dictate a liner and wells, the immediate geomorphology does. Will suburban sprawl reach that area one day? Abe's has a chance to be in the forefront of the Green Revolution of Nebraska. A good marketing tool I would think. Anyway, thank you for your time. If I in any way misrepresented the facts I apologize. I may forward this long e-mail to other governmental agencies and media outlets so I do not have to rewrite over and over.

Larry Bradley  
Papio-Missouri NRD  
(402)213-4282  
District 3

# Memorandum

To: Programs, Projects and Operations Subcommittee

Subject: Zorinsky Water Quality Basins 1 and 2 – Professional Services Contract  
Amendment with Olsson & Associates

Date: August 5, 2009

From: Gerry Bowen

In 2007, the District selected Olsson Associates (OA) to provide professional engineering services for the study, design and construction of Zorinsky Basins 1 and 2, proposed water quality basins in the Zorinsky Lake Watershed. Phase 1 of the contract was for \$73,705 and called for planning studies and development of alternatives for the two basins (ZB 1 and ZB 2) to best meet landowner needs, regulatory requirements, and the water quality objectives of the “Community Based Watershed Management Plan for Zorinsky Lake”.

A draft alternatives analysis report was presented to the landowners at a meeting on November 29, 2007. It was also submitted to the Corps of Engineers Regulatory Office for review and comment regarding the necessary 404 permits. Their comments have been incorporated into the report and resulted in changes to the alternatives analysis.

The alternatives analysis report was recently completed by OA (July, 2009). The selected alternatives for both ZB 1 and ZB 2 minimized the environmental impacts such that both structures can qualify for nationwide permits from the Corps, rather than individual permits. The time to acquire a nationwide permit is considerably less than an individual permit.

The Papillion Creek Watershed Partnership (PCWP) three-year Watershed Management Implementation Plan includes the construction of ZB 1. Therefore, staff requested OA to propose a contract amendment to provide professional services for the design and construction of ZB 1 as the next phase of work. It is anticipated that a second amendment to this agreement for professional engineering services for the ZB 2 will be prepared at some future date.

The preferred alternative for ZB 1 is a weir-type structure approximately seven feet in height (see attached drawings labeled “Alternative 4). The sediment storage is provided through excavation of the area upstream of the structure. In addition, the ZB 1 project will involve only one landowner, simplifying the project right-of-way requirements. The estimated construction cost is \$2.34 million. Right-of-way costs are not included in the estimate.

The attached letter from Mr. Paul Woodward, OA Project Engineer, presents the Phase 2 scope of services narrative and cost estimate. The scope includes survey and geotechnical testing, final design and specifications, land rights requirements, environmental permitting, technical reviews and approvals, and construction observation services for ZB 1. The total estimated cost of these Phase 2 services is \$228,782, bringing the total contract amount to \$302,487.

- **Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed contract amendment with Olsson Associates for professional engineering services for the Zorinsky Basin 1 and 2 Project, and that the “not-to-exceed” amount be increased from \$73,705 to \$302,487, subject to changes deemed necessary by the General Manager and accepted as to form by District Legal Counsel.**

## Memorandum

To: Programs, Projects, and Operations Subcommittee

Subject: Local Public Agency Designation

Date: July 2, 2009

From: Gerry Bowen

As you are aware, the NRD has received federal transportation funds to construct trails in the District. Currently, there are four active projects that have federal funds attached to them that as yet have not been constructed. These federal funds are administered by the Nebraska Department of Roads (NDOR), with oversight provided by the Federal Highway Administration (FHWA). The FHWA conducted an audit of the NDOR's procedures in this regard and decided that some changes were necessary.

Now in order to utilize federal transportation funds, FHWA is requiring all local public agencies (LPA), such as the District, to become certified by the NDOR to be allowed to administer those funds. This involves attending a special eight-day training course, plus completing six on-line courses. The writer has completed the required training and the District is now, or soon will be, certified as an LPA.

It needs to be pointed out that any unit of government in the state must also become certified to continue to utilize federal funds on all transportation projects, including trails, within their jurisdiction.

To complete the certification process, the attached resolution needs to be adopted by the District. Specifically, the resolution refers to the following items.

1. Consultant Selection Process – The LPA Manual requires LPA's to follow a "qualification based" selection process. The District currently selects their consultants following this method, so no basic changes are necessary. However, NDOR now must review and approve each step of the process (i.e., request for proposals, "short-listing", final selection, and contract with the selected firm).
2. National Environmental Policy Act (NEPA) – Federal regulations require that the provisions of NEPA be followed on any project receiving federal funds. This includes all environmental aspects of a project including floodplain/floodway, wetlands and 404 permitting, water quality certification, threatened and endangered species, historical properties, and "environmental justice" (a project cannot be located in an area of predominantly minority or poverty populations because it was believed that these individuals did not possess the resources to oppose the project). The District is already doing this, but several NDOR approvals will be necessary as this process plays out.
3. Uniform Relocation Assistance and Real Property Acquisition Policies Act – This federal and state law establishes a procedure for acquiring real estate for a project. The District already follows this act.

4. Federal Financial Management Systems Certification – This refers to the manner in which the District keeps and maintains project financial records. This may require some minor changes in the Accounting Department on these transportation projects. The District currently follows the federal guidelines for audits, so this should not be a problem, or inconvenience.
- **Management recommends that the Subcommittee recommend to the Board that the resolution, as presented, be approved and incorporated into the District Policy Manual.**

Agenda Item 10.

## **MEMORANDUM**

**TO: Programs, Projects and Operations Subcommittee**

**SUBJECT: Amendments to Recreation Rules & Regulations**

**DATE: August 3, 2009**

**FROM: Jerry Herbster, Park Superintendent**

The following proposed amendments are housekeeping and minor changes to the current Recreation Area Rules and Regulations. The following changes were realized after the new rec areas were opened on the Platte River and prior to re-opening the Elkhorn Crossing Rec Area.

- **It is the recommendation of staff that the Subcommittee recommend to the Board that the revised Rules and Regulations for All District Recreation Areas be adopted, as presented.**



## MEMORANDUM

TO: Programs, Projects & Operations Subcommittee

SUBJECT: Test of Emergency Transfer of Water from Wash. County RW #1 to the City of Blair

DATE: June 24, 2009

FROM: Dick Sklenar

On the above date a test of emergency transfer of water supply from Wash. County RW #1 (WCRW#1) to the City of Blair was conducted. Both Wash. County RW #1 and WCRW #2 are designed to accommodate a test flow of over 1000 gallons per minute to the City. However, the concept had never been tested until now. This was because Wash. County RW #2 had somewhat of a frail distribution system since its construction in 2005. There had been at least 1 leak every other month for a period of over 2 years. But 14 months prior to June, 2009, the system stabilized and no leaks were encountered.

Prior to initiating the test, a briefing of all personnel, both City and NRD, was conducted in the afternoon of June 23 at the water tower along Hwy. 133. Handouts were prepared, and an explanation of how the test should proceed was explained. Assignments for stationing of personnel were given. Approval for the test was given by the Nebraska Dept. of Health & Human Services, and the Metropolitan Utilities District was notified as well.

Personnel were stationed in the morning of June 24, 2009, at the water tower, at the intersection of roads 32 & P35, the interconnection between WCRW #1 & WCRW #2, and at the NRD pump station on N. 60<sup>th</sup> Street. The operation concluded at about 11:00 a.m. and was successful. The NRD pump station discharge pressure was elevated 30 ps.i. (from 140 to 170) to accommodate a flow range in excess of 1200 gallons per minute. Flow into the water tower increased about .7 ft. before the test was halted for the day. The only delays in the test procedure were the fire hoses for the pumper fire truck that sprang a leak. A new hose was brought out. Concerns that a fracture in the rural water distribution system was to occur during the test, never materialized. All parties involved, including the Blair public works director, were pleased with the outcome. It is suggested that the exercise be conducted once every 7 to 10 years.

## MEMORANDUM

TO: Projects, Programs and Operations Subcommittee

SUBJECT: Changes to District Programs and Policies (Director Japp)

DATE: August 3, 2009

FROM: John Winkler, General Manager

Per an e-mail request from Director Japp on May 28, 2009 the following policy revisions/changes were researched by District staff to determine their impact on the District programs, policies and budget. Each of the District Program Managers, Field Representatives and Program Assistants were asked for their input based upon their direct working relationships with the landowners, conservation contractors and with the NRCS personnel in their respective offices.

Below is a copy of the e-mail from Director Japp and the corresponding response to the inquiry is in bold type right below the question.

John Winkler and Directors

I want on the agenda for next month to debate the following policy revisions.

1. To start the Thursday monthly board meeting at 7 pm.
  - A. We start all other meeting at 6.30 pm. There is no need that we cannot start the meeting earlier.
  - B. We do not have a board director that needs to travel a long distance to attend this meeting.
  - C. All participants would return home at a better time so they can prepare for their daily work.
  - D. After 10 pm I lose my ability to make a rational decision.

**This item was addressed at the July Board of Directors meeting when the Board voted to begin Thursday Board of Director's meetings at 7:00 p.m.**

2. Projects or programs values more than \$200,000 I would like at least a month or more notice before we vote to approve financial funds.
  - A. When making a large financial decision I want adequate time to make a decision. Our staff knows weeks if not months in advance of up-coming projects and programs so I want to know as soon as they are notified so we can prepare for upcoming projects.

**Currently, staff attempts to keep the Board of Directors informed of all projects and programs as soon as possible. If the Board of Directors is ever uncomfortable with a project and/or program or needs more information before approving a project or program the Board, at its discretion, can lay over the agenda item until it is satisfied**

that all information has been provided and adequately debated. In addition, the Board of Directors approves a yearly budget in which these larger programs and projects would need to be adequately planned and budgeted for during the budget process.

3. We need to add to our policy manual to lay out the director's rules and regulations for policy violations.

A. We have not set rules for employees that violation our rules.

B. I want to implement a 3 strikes and you are out rule.

**The District currently has a disciplinary procedure policy for all employees that are employed by the District.**

4. A monthly balance sheet to be provided with the monthly financial statement.

A. As running business I need to know where we are at financially. Have a balance statement we can tract were that money is at all time and how much each program doing.

B. It will not take any more time since I am sure our account software should already provide this information.

**We are technically able to produce a balance sheet every month. However, we do not close the books every month the same way that we do at the end of the year. Therefore, there is little information on the balance sheet that changes every month – most accounts remain static until the end of the year. The cash accounts are reconciled every month, and we could provide that balance if the board would like.**

5. Conservation Assistance Program (17.3)

A. Change 75% cost share to 85% cost share of State average.

Do to the changes in NRCS payment schedule last year the NRD is now funding a less proportion of funding than previous years. This is to do NRCS payment based on a State average and not a local average. This would just put us in par with previous years. Our cost of building structure in our district is much higher than the State.

**Increasing the cost sharing rate from 75% to 85% is unnecessary as evidenced by the fact that this fiscal year the District has expended its Conservation Assistance Program budget of \$500,000 and has additional applications for funds that totals more than \$200,000. Over the past ten years, the P-MRNRD has spent \$9.28 million in conservation cost sharing dollars to landowners. Any increase in the cost sharing percentage will result in less conservation work being completed for the same amount of money expended. An increase in the cost sharing percentage would most like result in a decrease in the amount of USDA Environmental Quality Incentive Program (EQIP) funds that are allocated and spent in the District.**

B. Change to cost share limit from \$20,000 per year to \$30,000 per year.

1. Do to increasing cost and larger farm projects this may hinder future developments. Farmer today wants to improve entire tracts of land.

This would accomplish a better overall conservation plan.

**The P-MRNRD has the ability to increase the \$20,000 maximum on an as needed basis if sufficient dollars are available to fund larger projects in order to implement a complete conservation plan on an individual farm.**

- C. Cost share 50% on DEQ approved livestock waste facilities up to \$1 million.
  - 1. As larger and more CFO are built in our district it would be prudent to provide more assistance in assuring we help this COF meet the DEQ obligations.  
By providing a financial incentive we can promote a better environment to the surrounding communities.

**The P-MRNRD policy is to cost share only on livestock facilities that existed prior to January 1, 1979, the date that the Department of Environmental Quality made livestock waste control facilities mandatory. The District's rationale for not funding facilities built since then is that the cooperators know of the Department of Environmental Quality (DEQ) requirements and that the waste facilities should be part of the cost of building a livestock feeding facility. There are USDA dollars available to livestock producers through EQIP. The proposal to spend up to \$1 million for a facility would use all of the CAP cost sharing funds at the current funding level.**

- D. Increase the summer conservation payment from \$50 per acres to \$150 per acre.
  - 1. This program is to encourage conservation practice to be implemented in the summer time. At the present time most of the conservation practices are constructed in the fall and consequently not all practices can be completed in the allotted time.

**This program was established to enable the NRCS to spread out their work load by being able to design and layout conservation work for construction during the summer months when little conservation work is done. Currently the NRCS and P-MRNRD have sufficient technical assistance personnel available to design and layout conservation work in the fall, winter and spring. However, this program does provide another option or opportunity for landowners to do conservation work during what is a nontraditional time of the year to do construction, and as such should be retained, but at the current payment level of \$50 per acre. As noted earlier, the District has spent an average of \$928,000 per year in cost sharing funds over the past ten years, not including a substantial amount of Environmental Quality Incentive Program (EQIP) cost sharing funds in recent years.**

- 2. This amount of \$50 per acre was approved in the 70's. We need to update the amount to reflect the changing times. Other NRD's have increased their amounts to \$120 per acre.

**With the success the soil and water conservation cost sharing programs have in getting conservation on the land at the current cost share levels, it is unnecessary to add additional incentives. Should this change, it may be advisable to reconsider the per acre incentive levels.**

- E. Increase to payment on buffers strips to \$150 per acre.
  - 1. This may encourage farmer to install and maintain buffer strips.  
We are competing with increasing value for the land.

**Programs to install buffer strips are available to landowners through the Nebraska Department of Agriculture or through the USDA Conservation Reserve Program. Cooperators can receive \$150 per acre or more thorough these programs. Efforts by**

**the District to encourage landowners to install and maintain buffer strips by offering financial incentives have been largely unsuccessful.**

**6. Dike Protection (17.11)**

- A. We need to assist in all levees and dikes in the entire district. Not just along the Elkhorn, Missouri and Platte River.**

**This policy has been utilized very few times over the past 20 years, which indicates that there is apparently not a great demand for such assistance. The policy was geared towards rivers, because a majority of private dikes/levees are located along these rivers. There may be some private levees along streams in the NRD, but a high percentage of them are a spoil bank type levees that is not designed and merely pushed up with equipment or built with spoil from a stream dredging activity. Consequently, the District could be in a position of repairing a non-engineered levee structure. Even though the policy does not include small stream like dikes, the landowner can still approach the NRD Board for consideration and the Board has been receptive to assist in repair projects (i.e. Forest Run Ditch project) that benefit more than one landowner.**

- 7. We have an urban stream bank stabilization program (17.17) However we need to encompass the entire district with a similar program. Steam banks in Omaha are no more or less important than any other place in the district.**

**The Urban Drainage way Program was established to cost share specifically with municipalities to help solve URBAN stream bank erosion. It was a means of funneling tax dollars back to urban areas, the source of the majority of our property tax funds. At the time the District was being criticized for not providing enough funding to the urban areas of the District. The program already applies to the entire District. The District has cooperated with Omaha, Bellevue, Papillion, Ralston, LaVista, Blair, Tekamah, Macy and South Sioux City on projects to solve stream bank erosion and storm water management problems. These projects are quite expensive and can run nearly 2 million dollars per mile. One stream bank erosion project in a rural area was the Elkhorn River IPA (King Lake to Hwy 36). The District received 75% cost sharing from the Resource Development Fund; the District contributed 15% with the remaining 10% paid by the landowners. However, the Resource Development Funds rules have changed thus making these projects uneconomical in the states eyes. This means the NRD would have to foot the entire bill or a great percentage of it to match previous efforts.**

**8. Well abandonment program.**

- A. Increase the cost share rate back up to 75% where it was previously.  
B. Increase the maximum cost share rate to \$750 for domestic drilled wells, \$1000 for dug wells and \$1,500 for irrigation wells. This reflects current costs.**

**This is a program that helps insure that wells are properly decommissioned to meet State guidelines; landowners are required to do so. The cost sharing rate of 75% was initially used, but the 60% rate was adopted because it provided ample incentive, especially when the proper abandonment of wells is required by law.**

**The maximum cost share dollars suggested are higher than the current cost information we have available to us indicates.**

9. We need have a program similar to Silver Creek project to build small dams within the the entire district.

**Cost sharing for small dams is available throughout the District through the Conservation Assistance Program; the cost-share percentage is 75%, the same rate as that provided for other conservation measures. Special Watershed Projects such as the Silver Creek Watershed have been designated as high priority multi -purpose projects (the Pigeon/Jones project is another example of a high priority multi- purpose project) Erosion control dams in Special Watershed areas are built at no cost to the landowner, however, the landowner must provide the land rights needed to build the dam at no cost to the District.**

- . 10. The (WHIP) program is schedule to expire this year. We need to reinstate this program. However I propose some changes to make it more acceptable to the public.
  - A. Habitat plan provide to our field office.
  - B. Noxious weeds must be controlled
  - C. No haying or grazing, however they can maintain the site.
  - D. Total acres round to the nearest acre.
  - E. Minimum acres 1, maximum acres 20, per parcel.
  - F. Grass planting must be approved native mix.
  - G. Cost share rate of 75% of seeding of native grass mix. (County or NRD average)
  - H. Failure to comply requires owner to repay or forfeit payment.
  - I. Term of contract a minimum of 10 years, with an option to renew.
  - J. Term of payment of \$50 per acre per year.

**Many of the suggestions shown above were the same or similar to those contained in the Game and Parks/P-MRNRD programs, and should be considered if the Wildlife Habitat Program is continued. The Game and Parks Commission and the P-MRNRD shared the costs associated with WHIP (Wildlife Habitat Incentive Program) and its successor, Wild Nebraska. There has been very little interest in this program since the Nebraska Game and Parks Commission eliminated for the most part making annual rental payments to landowners. The current program, The Wild Nebraska Habitat Program, assists landowners with developing habitat but does not pay them an annual rental payment for the acres enrolled in the program. There are other sources of funds available for landowners to establish wildlife habitat such as USDA Conservation Reserve Program practices including the Conservation Reserve Enhancement Program (CREP), the Wild Life Habitat Improvement Program and the Quail Initiative. The P-MRNRD has programs that will provide cost sharing funds to cooperators for the establishment of permanent vegetation including trees and native grasses. The District has a wildlife habitat practice that was designed specifically for acreage owners. It reimburses landowners for the cost of establishing wildlife habitat on their land and pays the owner \$25 per acre per year for the ten year contract. The District could develop a program of its own if the Board of Directors chose to do so. A number of the suggestions made by Director Japp could be used in the development of a program.**

Since we are the administrator for the PCWP what is our system to account for the personal time that they account for toward the PCWP? What is the hourly rate we charge the PCWP?

**The District does track the hours of personnel time utilized for the administration of the PCWP. However, the District does not bill the PCWP on an hourly basis.**

## Memorandum

**To:** Programs, Projects and Operations Subcommittee

**Re:** Interlocal Cooperation Act Agreement Lower Platte River Phragmites Management Program

**Date:** August 8, 2009

**From:** John Winkler, General Manager

The attached Interlocal Cooperation Act is an agreement made by and among the Lower Platte North Natural Resources District, Lower Platte South Natural Resources District and the Papio Missouri River Natural Resources District.

The three cooperating NRD's, in cooperation with the affected counties, conducted a very successful aerial spraying project along the Lower Platte River in August and September of last fiscal year. Currently, the three cooperating NRD's have moved into the mechanical removal stage of the program which has shown very promising results as well.

The purpose of this agreement is to proactively maintain the control of phragmites and other noxious vegetation on the Lower Platte River system. It is much more effective to maintain the gains we have made by establishing a control/maintenance program than to wait until a full blown infestation has taken hold again. Each cooperating NRD will contribute \$20,000 this fiscal year to be utilized as a 50/50 cost share with the affected counties and landowners in controlling phragmites infestations. In conducting research, communicating with other agencies and personal experience during last years effort it is quite evident that aerial application is the most efficient and cost effective means to control phragmites. Therefore, the purpose of this program is to provide a cost share arrangement with the counties and the landowner to maximize the financial resources to effectively contain the spread of this invasive vegetation by aerial application. Furthermore, it would be quite difficult and ineffective for any of the parties to this agreement to go it alone and conduct a control and eradicate program solo.

**Management recommends that the subcommittee recommend to the Board of Directors that the Interlocal Cooperation Act Agreement Lower Platte River Phragmites Management Program be adopted and that the General Manager be authorized to execute the agreement as to form agreeable to legal counsel.**