

## MEMORANDUM

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

**Re:** Memorandum of Understanding – University of Nebraska at Omaha/  
Glacier Creek.

**Date:** January 5, 2007

**From:** Jim Becic

The Glacier Creek Project site is immediately east of the existing, University owned 160 acre Allwine Prairie Preserve (attached floodway map). The District has in the past given support to the University's efforts towards enhancing the existing prairie and wetlands.

The intent of this project is to enhance the existing Allwine Prairie Preserve by providing an expanded tallgrass prairie environmental education and research area and create a potential wetland bank site. A recently completed site reconnaissance study by Jacobson-Helgoth (attached summary) has concluded that this site has good wetland bank potential with minimal effort for construction.

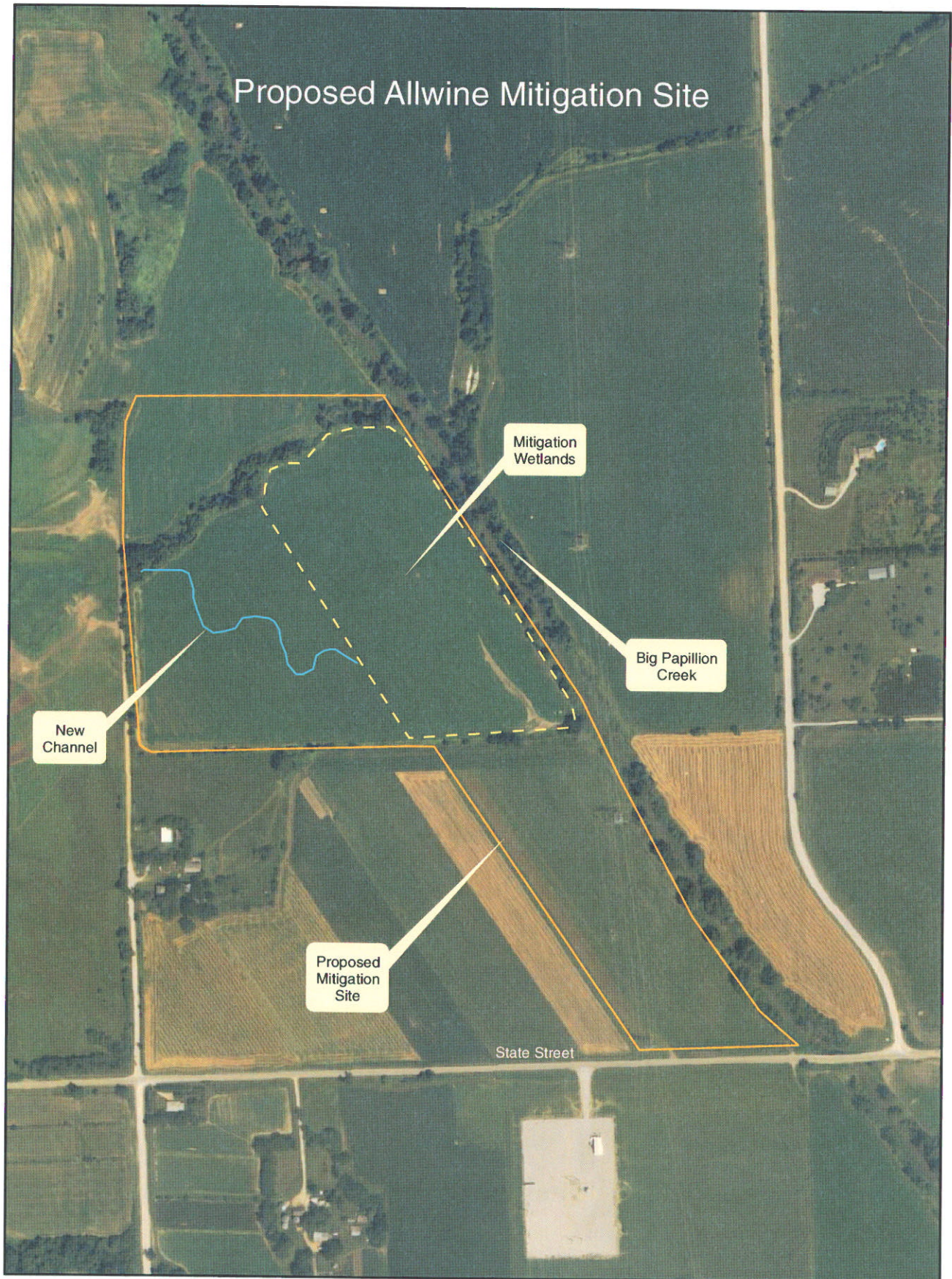
The upland portions of the site would be planted to native tallgrass prairie and will act as a buffer to the future wetland bank site for the NRD. The wetland bank site, in addition to creating much needed wetland habitat, will help protect downstream lands in the watershed by allowing floodwaters to spread out on the site and will expand the wildlife corridor along the Big Papio and one of its tributaries - Glacier Creek.

An **UPDATED** estimated value for the 50.4 acres of floodway and 18.5 acres of floodplain is approximately \$151,200.00 (\$3,000/acre) and \$462,500.00 (\$25,000/acre) respectively. The University's 44.3 acres of upland totals approximately \$1,772,000.00 (\$40,000/acre).

The attached Memorandum of Understanding (MOU) is intended to clarify the general expectations and responsibilities of both parties to the mutual benefit of both - pertaining to the Glacier Creek Project. Some of these expectations include funding requests, operation, design, management, construction, etc. The MOU will hopefully be expedited due to the need to coordinate activities with the University's annual trip to Washington DC at the end of January, 2007.

**It is management's recommendation that the PPO subcommittee recommend to the Board that the General Manager be authorized to execute the Glacier Creek Memorandum of Understanding with the University of Nebraska at Omaha, subject to minor changes deemed necessary by the General Manager and approved as to form by District legal counsel.**

# Proposed Allwine Mitigation Site







400 0 400 Feet



**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT**  
**AND**  
**THE UNIVERSITY OF NEBRASKA**  
**FOR**  
**GLACIER CREEK PROJECT**

THIS MEMORANDUM OF UNDERSTANDING is made by and between the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT (hereinafter referred to as the "NRD") and the BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA (hereinafter referred to as "the UNIVERSITY").

**WHEREAS**, the UNIVERSITY owns a 160- acre parcel of land known as the ALLWINE PRAIRIE PRESERVE located at 14810 State Street, consisting of the southeast quarter of Section 23, Twp 16 North, Range 11 East, Douglas County, Nebraska, depicted in the diagram attached hereto and incorporated herein by reference as Exhibit "A"; and,

**WHEREAS**, the NRD has an established wetland mitigation bank program (hereinafter referred to as "the WETLAND BANK") pursuant to which the NRD develops wetlands and allows the use thereof by third parties for a fee, to enable such third parties to compensate, in the manner provided by law, for their destruction of existing wetlands; and,

**WHEREAS**, the NRD proposes to acquire, for its WETLAND BANK, two parcels of land (hereinafter referred to collectively as the "LOWLAND PARCELS"), to-wit:

- PARCEL "A" - A parcel of land consisting of the approximately 29.2 acre floodway/floodway portion of that part of the north one-half of the southwest quarter of Section 24, Twp 16 North, Range 11 East, Douglas County, Nebraska, lying immediately west of the Big Papillion Creek, such Parcel "A" being depicted in Exhibit "A"; and,
- PARCEL "B" - A parcel of land consisting of the approximately 39.7 acre floodway/floodway portion of that part of the south one-half of the southwest quarter of Section 24, Twp 16 North, Range 11 East, Douglas County, Nebraska, lying immediately west of the Big Papillion Creek, such Parcel "B" being depicted in Exhibit "A"; and,

**WHEREAS**, for purposes of the GLACIER CREEK PROJECT, hereinafter described, the NRD and the UNIVERSITY desire to obtain title to two parcels of land (hereinafter referred to collectively as the "CONNECTOR PARCELS"), to-wit:

- PARCEL "C" - A parcel of land consisting of the approximately 17.6 acre non-floodway/floodplain portion of that part of the north one-half of the southwest quarter of Section 24, Twp 16 North, Range 11 East Douglas County, Nebraska, lying west of the Big Papillion Creek (west of Parcel "A" and east of the ALLWINE PRAIRIE PRESERVE), such Parcel "C" being depicted in Exhibit "A"; and,
- PARCEL "D" - A parcel of land consisting of the approximately 26.7 acre non-floodway/floodplain portion of that part of the south one-half of the southwest quarter of Section 24, Twp 16 North, Range 11 East Douglas County, Nebraska, lying west of the Big Papillion Creek (west of Parcel "B" and east of the ALLWINE PRAIRIE PRESERVE), such Parcel "D" being depicted in Exhibit "A"; and,

WHEREAS, the larger parcel of land (hereinafter referred to as "the ASSEMBLED PARCELS") that would be created by unifying the eventual use of the ALLWINE PRAIRIE PRESERVE, the LOWLAND PARCELS and the CONNECTOR PARCELS, would enable the parties to establish a project (hereinafter referred to as "the GLACIER CREEK PROJECT") on the ASSEMBLED PARCELS that would be of general public benefit to the NRD with only an incidental special benefit; and,

WHEREAS, the GLACIER CREEK PROJECT would be accomplished through the UNIVERSITY'S design, development, management, regulation, operation and use of the ASSEMBLED PARCELS to support an environmental research and education program on the ASSEMBLED PARCELS.

WHEREAS, the parties do hereby desire to express their intention to cooperate and agree in all respects as necessary to establish the GLACIER CREEK PROJECT on the ASSEMBLED PARCELS, as herein expressed.

NOW, THEREFORE, the parties hereby adopt the foregoing recitals and express their intentions to act and agree in the future as follows, to-wit:

1. The NRD intends to acquire the LOWLAND PARCELS, at the sole cost and expense of the NRD, for the purpose of adding the LOWLAND PARCELS to the NRD'S WETLAND BANK inventory, administering the LOWLAND PARCELS as a part thereof, and for the eventual use of the LOWLAND PARCELS by the UNIVERSITY as part of the ASSEMBLED PARCELS for purposes of the GLACIER CREEK PROJECT.

2. The NRD intends to submit a proposal (hereinafter referred to as "the EARMARK PROPOSAL") to the Congress of the United States and the U.S. Department of the Interior, for the purpose of obtaining grant funds from the appropriations made to the Department of the Interior, to fund the cost and expense of acquiring title to the CONNECTOR PARCELS.

3. The UNIVERSITY intends to direct the UNIVERSITY'S Congressional lobbyist to intercede with the Nebraska Congressional Delegation and the U. S. Department of the Interior on behalf of the NRD, in support of the EARMARK PROPOSAL.

4. The NRD intends to further assist the UNIVERSITY to develop the GLACIER CREEK PROJECT on the ASSEMBLED PARCELS, in such manner and at such times as may be provided in the future in an agreement with the UNIVERSITY pursuant to the Nebraska Interlocal Cooperation Act.

5. Nothing in this memorandum of understanding obligates the specific appropriation or expenditure of NRD or UNIVERSITY funds.

6. This memorandum of understanding may be terminated by either party with or without cause on 180 days written notice delivered to the other party.

IN WITNESS WHEREOF, the parties have executed this memorandum of understanding on the dates hereinafter indicated.

Executed by BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

BOARD OF REGENTS OF THE UNIVERSITY  
OF NEBRASKA

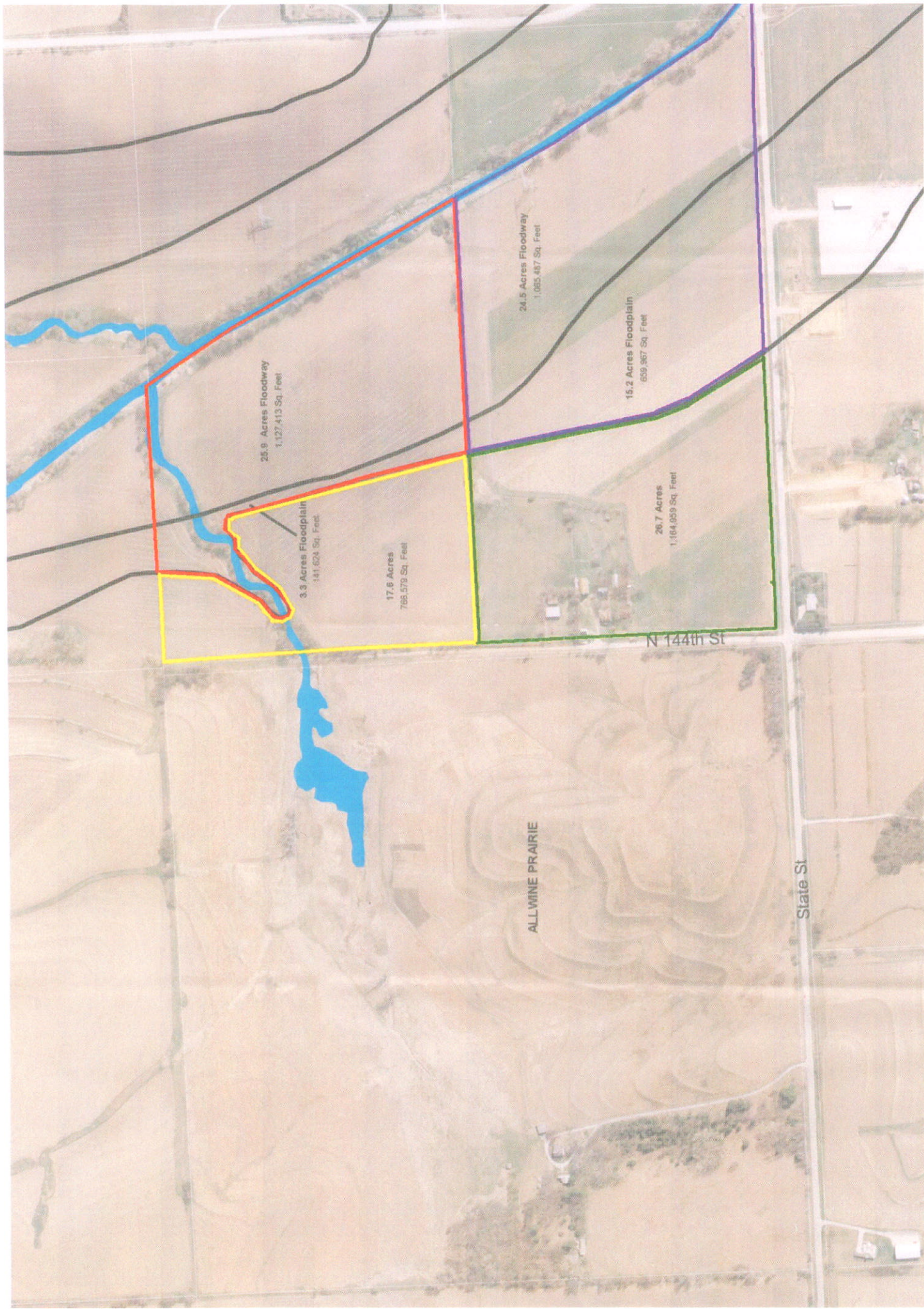
By \_\_\_\_\_  
JULIE TOTTEN  
Interim Vice Chancellor for  
Administration

Executed by the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

PAPIO-MISSOURI RIVER NATURAL  
RESOURCES DISTRICT

By \_\_\_\_\_  
JOHN G. WINKLER  
General Manager





- Parcel "A"
- Parcel "B"
- Parcel "C"
- Parcel "D"



Glacier Creek - Exhibit "A"



# GLACIER CREEK PROJECT

9 January 2007

## PROJECT CONCEPT:

The *Glacier Creek Project* is intended to ensure the continued viability of a unique, strategically located, metropolitan-area environmental research and education site for the Omaha area. The site, expanding from the University of Nebraska's Allwine Prairie Preserve, would both (1) contain a greater diversity of wetland, stream, and prairie habitats than the present preserve and (2) be relatively isolated from surrounding development. With recent platting for home development of the property on three sides of the existing Allwine Prairie Preserve, protection of the fourth (eastern) border, which would connect the preserve to the Big Papillion Creek, is critical to the continued value of this already heavily used environmental education resource. The University of Nebraska at Omaha seeks to join with the Papio Missouri River NRD to improve and protect this important environmental resource by incorporating the acreage that adjoins the existing preserve on the east (see Figures 1 and 2). The extended preserve ultimately will be supported by an onsite educational facility with laboratory, classroom and meeting rooms (See attached Figure 3). The proposed preserve would be unique first, because of its strategic location within 30 minutes drive of most of the Omaha metropolitan area schools and second, because it would be the only landscape-level tallgrass prairie preserve in the region with the entire array of prairie and related wetland habitats at which to teach students and the general public about the diversity of our natural tallgrass prairie heritage.

## SUMMARY OF CONCEPTUAL PLAN:

- Land Acquisition (see Figures 1 and 2) (parenthetical comment below indicates source of acquisition funds):
  - a. Lowland (proposed wetland mitigation bank- NRD purchase) and upland connecting the proposed wetland bank to Allwine Prairie (NRD Federal Earmark request)
  - b. Home-sites overlooking the preserve (UNO fundraising efforts)
- Environmental Research and Education Facility on the present Allwine Prairie Preserve (UNO Earmark) (see Figure 3)

## PROJECT HIGHLIGHTS:

- The project would result in a tallgrass prairie preserve unique in the region for its size and continuous habitat diversity and for its protection and availability for enjoyment by future generations.
- The site would be the western-most preserve of three principal, Omaha area preserves with *Fontenelle Forest* and *Neale Woods* providing forest and savanna ecosystems and *Allwine Prairie* providing the tallgrass prairie ecosystem, the dominant natural community of historic Nebraska.
- Resources available for this kind of land acquisition are limited. Protection is a now-or-never situation with most of the surrounding land platted for housing developments.



## FUNDING CONSIDERATIONS

- Private funding will be approached through the Omaha Community Foundation, which has included the *Glacier Creek Project* in its Gifting Book, and the University of Nebraska Foundation.
- We are awaiting an assessment by the Natural Resources Conservation Service (NRCS) as to the suitability of project for federal programs designed to protect farm land.
- A proposal for \$500,000 for each of two years was submitted to the Nebraska Environmental Trust.
- The project has wide support that, in addition to those previously mentioned, includes Douglas County, Creighton University, the Nebraska Game and Parks Commission, The Nature Conservancy, and the Fontenelle Nature Association.
- The Board of Regents has approved acquisition of the land adjacent to the preserve, should that be an option.
- The City of Omaha supports the project and is considering a contribution of a yet undetermined amount for land acquisition.
- A Federal Proposal (\$ 1M) is being submitted by the University of Nebraska at Omaha for construction of the Environmental Research and Education Facility (Randy Brown, Architect)

## UNIVERSITY OF NEBRASKA AT OMAHA CONTRIBUTIONS:

- \$300,000 obtained from a sewer easement extending across the property.
- Long-term management of the preserve and structures
- Coordination with the NRD (and others) of wetland restoration efforts
- Faculty expertise in areas including environmental biology, education, etc.
- A full-time resident manager of the resulting preserve.

## CONTACTS:

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Figure 1. Winter aerial view of Allwine Prairie Preserve and the acreage between the preserve and the Big Papillion Creek that contains both the area proposed for use as a wetland mitigation bank and the upland between the mitigation bank and Allwine Prairie Preserve. See Figure 2 for areas designated as floodplain or floodway.



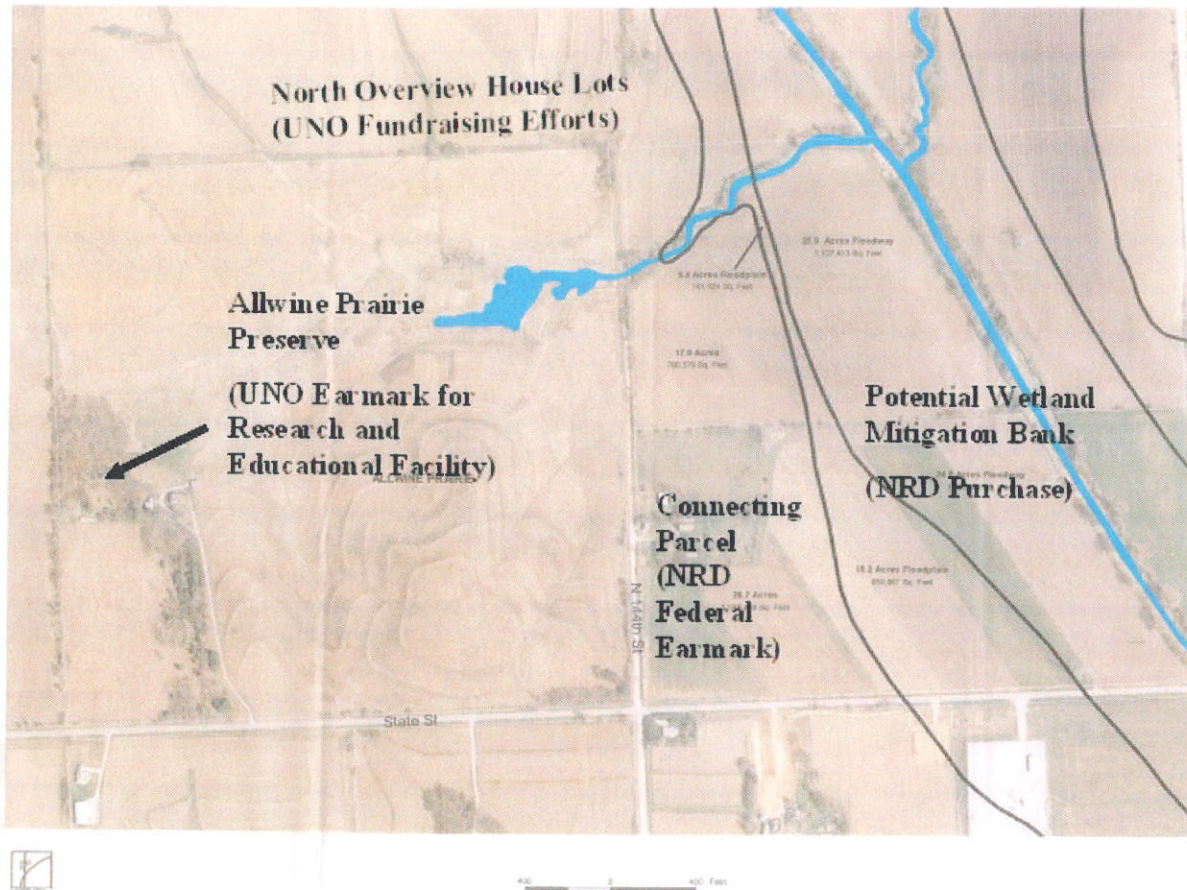


Figure 2. Aerial photo showing floodway (adjacent to Big Papillion Creek) and floodplain (between floodway and connecting parcel) that, in general, contains the proposed wetland mitigation bank at the site. The "Connecting Parcel" is the land between the wetland bank and the Allwine Prairie Preserve. The area designated as "North Overview House Lots" is the general area within which UNO will attempt to acquire lots platted for the Heritage Development since these lots affect the viewshed of the preserve.



Figure 3. Proposed Environmental Research and Education Facility (Randy Brown, Architects). The structure will be placed on the existing Allwine Prairie Preserve viewing along the lowland towards the Big Papillion Creek.