

**Programs, Projects & Operations  
Subcommittee Meeting  
March 10, 2009  
6:40 p.m.  
(immediately following the FEL 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 on Agreement for Cooperative Assistance with Nebraska Land Trust – Jim Becic and David Sands, Executive Director, NE Land Trust
7. Review and Recommendation on Request for Additional Professional Services Fees for Pigeon/Jones Creek Site #15 Final Design – Ralph Puls and Paul Woodward, Olsson and Associates
8. Review and Recommendation on Elkhorn Crossing Recreation Area Site Improvements Bids – Jerry Herbster and Brian Pecka, Big Muddy Workshop
9. Update on Whitted Creek Stream Restoration Project – Martin Cleveland and Emily Holzclaw, CH2MHill
  - a. Professional Services Contract with CH2MHill
  - b. Grant Applications Results

10. Review and Recommendation on Watershed Structures Bank Stabilization Project – Martin Cleveland
11. Review and Recommendation on Silver Creek Site 42 Bids – Terry Schumacher
12. Adjourn

## MEMORANDUM

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

**Subject:** Nebraska Land Trust Agreement

**Date:** 23 February, 2009

**From:** Jim Becic

The Nebraska Land Trust is a 501 C (3) nonprofit organization that has been actively involved in land conservation in Nebraska since 2001. In this relatively short time, they have elevated themselves as a recognized leader in the development and acquisition of conservation and habitat easements within our District and throughout Nebraska.

The P-MRNRD, has had an active member on the NLT board of directors since its inception. The NRD has also contributed \$5,000 in two previous years to assist the Nebraska Land Trust with cash flow, to gain a legitimate track record and to enhance its authenticity with the general public.

Thus far, the NLT has performed in an exemplary manner. Their progress, projects and tapping into diverse funding mechanisms is evident and their ability to pull together difficult projects is ongoing

The staff would like to increase the use of voluntary conservation easements for many of its projects and encourage the Trust to broaden its activity within the boundaries of the NRD – in particular along the state’s flood prone and highly diverse and ‘development desirable’ river systems to include those within the Lower Platte Valley.

To this end, staff is proposing that the District assist the work of the Nebraska Land Trust to develop land protection and easement acquisition strategies; continue to develop a fund raising plan, develop conservation easement templates; hold public meetings, provide easement education for the general public as well as elected officials and other conservation easement activities for specific areas within the Lower Platte Valley as well as other locations within the District. The attached Lower Platte Valley Preservation Project would also be funded and carried out in conjunction with the Lower Platte South NRD. It’s proposed that each District provide \$30,000 per year for a three year period towards this effort.

- **It is the staff recommendation that the Programs, Projects and Operations Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed “Agreement Between Papio-Missouri River Natural Resources District and Nebraska Land Trust for Cooperative Assistance” providing for District contributions over three years in the amount of \$30,000/year for the Lower Platte Valley Preservation Project.**

Agenda Item 7.

**Memorandum**

TO: Programs, Projects and Operations Subcommittee

RE: Pigeon/Jones Site #15 Final Design for Professional Services,  
Request for Additional Fees

Date: March 4, 2009

From: Ralph Puls, Land/Water Programs Coordinator

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In September 2007, the P-MRNRD Board of Directors approved a contract with Olsson Associates for the Pigeon/Jones Creek Watershed Site #15 Final Design in the amount of \$534,573. The contract is for the design of the dam, design of County road improvements and design of downstream levees and the off-line storage area. The work also includes the surveys, geotechnical investigations, the implementation of the Community Based Watershed Planning process and the acquisition of permits. To date, these tasks are approximately 90% completed. As a result of this work, the project has been approved for funding from the Natural Resources Development Fund (NRDF) in the amount of \$6,482,667, the Nebraska Environmental Trust (NET) for \$685,000, Dakota County for \$300,000 and the potential for up to \$1,000,000 from other sources including the Sport Fish Restoration Fund administered by the Nebraska Game and Parks Commission and the Nebraska Department of Environmental Quality for Clean Water Act (319) funds.

Olsson Associates is requesting additional Professional Services funding to complete design work for the structures and for the preparation of the application of the Nebraska Environmental Trust application. A copy of their letter of requesting additional funds is attached. A change in the criteria used for dam design resulted in additional costs, but should result in a saving of as much as \$250,000 in construction costs. The preparation of an application for Nebraska Environmental Trust funds was not included in the contract with Olsson. As noted above that work resulted in a grant for \$685,000. Olsson's request is for \$42,780 for redesign of the dam and \$8,600 for the preparation of a NET application; a total of \$51,380. The maximum not to exceed amount for the contract would then be \$585,953.

Not included in Olsson's request are additional fees for the acquisition of a Corps of Engineers 404 permit. This permit would allow the District to build the Site #15 dam in waters of the United States, in this case, Jones Creek. The process has become more complicated and costly than previously; but without the permit, the dam could not be built. It is not possible at this time to determine the added costs for completing the 404 Permit application work, but it is anticipated that it will exceed the originally budgeted amount of \$53,508. Because of the difficulty in estimating the added costs for the 404 Permit, it is advisable to wait until the amount needed, if any, can be more accurately determined.

- **It is Management's recommendation that the Subcommittee recommend to the Board of Directors that the limitation on professional fees and costs, provided by the District's contract with Olsson Associates, for Pigeon/Jones Creek Watershed Site #15 design services, should be increased from \$534,573 to \$585,953; and that the General Manager, on behalf of the District, should execute a contract amendment providing for such increase.**

# Memorandum

**To:** Programs, Projects and Operations Sub-Committee

**From:** Jerry Herbster  
John Winkler, General Manager

**Date:** March 6, 2009

**Re:** Elkhorn Crossing Recreation Area Site Improvements

The Papio-Missouri River Natural Resources District received and opened bids for the Elkhorn Crossing Recreation Area Site Improvements on March 6, 2009. There were bids received ranging from \$219,400 to \$304,525. Attached is a bid summary. Based on bids received, Dostal's Construction bid of \$219,400 is the apparent low bid. The engineer's opinion of cost was \$319,000.

The project consists of the following summary of improvements and amenities:

- Day Use Area:
  - Concrete pad for 2 picnic tables
  - Overlook area with 2 benches and interpretive exhibit
  - Accessible parking pad
- Central Camp Area:
  - Pre-engineered restroom facility similar to that at Graske Crossing
  - Solar-powered lighting within restroom
  - Swing set with 3 belt swings and 1 tot swing
  - Bench seating area adjacent to swing set
  - Accessible parking pad
  - Accessible walk to water well (well to be provided by others)
  - Trash dumpster pad
- Tent Camping:
  - 14 total tent camping sites; each site will include a concrete pad with picnic table and fire ring
  - 7 barbecue grills will be provided within the tent camping area; each grill will be shared between 2 camping sites
  - One accessible tent camping site and one accessible barbecue grill will be provided and will be connected by an accessible walk to the parking pad
- RV Camping:
  - 8 total RV camp sites will be provided, one of which will be accessible
  - Each RV camp site will include a picnic table and fire ring on a concrete pad
  - 4 barbecue grills will be provided adjacent to the RV camp sites; each grill will be shared between 2 RV camp sites

- Other Site Improvements:
  - A single concrete pad with a fire ring and barbecue grill will be provided near the north end of the site to accommodate visitors who might wish to camp further away from others
  - A wood post-and-cable fence will be provided throughout the site to keep vehicles on roads and within parking areas
  - A small self-registration station will be constructed to provide a location for campers to register

Elkhorn Crossing located at 252<sup>nd</sup> and Bennington Road was initially acquired and constructed in 1989 as a recreation area to be managed by the Papio Missouri River NRD. The initial conceptual plan of the park facility was to provide for R.V. and tent camping on site, however, these amenities were never fully developed. A single stall restroom was constructed on site and due to neglect and vandalism has fallen into disrepair. The site also offers a canoe/boat ramp access point to the Elkhorn River and this amenity receives a lot of use. Since its initial development, Elkhorn Crossing has experienced a degree of neglect and the park has had its share of challenges with vandalism, supervision, trespassing, litter and other illegal activity. Besides providing a first class facility for the taxpayers of the District; one of the main goals of the rehabilitation effort is to provide a safe and secure family environment in which the elements of the past are removed from the area and people who value our natural resources and recreation areas return. The District has worked with and will continue to work with several law enforcement agencies and neighboring property owners to guarantee this park is free from the destructive activities of the past.

Management received the attached letter in June of 2008 from Mr. Norman Vogel, an adjacent landowner, concerning the decline of Elkhorn Crossing over the last decade and the District's response to his concerns.

In fiscal year 2008/2009 the District budgeted \$175,000 for the effort to begin the rehabilitation of Elkhorn Crossing. At the present time the District has spent \$106,949.00 on the following activities (engineering, design, tree removal, fencing, signage, rip rap, rock, piping, grading) in order to prepare the site for the majority of the rehabilitation work. As with most projects and programs it is difficult, if not impossible, to estimate the full extent of the effort and funds that needs to be expended to complete a project appropriately. Therefore, the budget for Elkhorn Crossing is \$240,000 short for the completion of the rehabilitation project as presented.

Therefore, the Sub-Committee and the Board of Directors has two funding options to consider if approval of the project is granted. One: delay the start of the project until the next fiscal year which begins July 1, 2009 so the project can be budgeted into the next fiscal year's budget. Two: Amend the current fiscal year's budget to reallocate the required funds from a project that will not be completed this fiscal year to the Elkhorn Crossing Rehabilitation Project.

- **It is managements recommendation that the Subcommittee recommend to the Board of Directors that the bid of Dostal's Construction in the amount of \$219,400 for construction of the Elkhorn Crossing Recreation Area Site Improvements should be accepted; and, that the General Manager, on behalf of the District, should execute the advertised construction contact with such bidder providing for such price; and, that the F.Y. 2008-2009 budget be amended to reallocate \$240,000 from budget category 4410 Trails-Construction to budget category 4385 NRD Recreation Development.**



## MEMORANDUM

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

**SUBJECT:** Whitted Creek Stream Restoration Project  
Professional Services Contract with CH2MHILL  
Scope Changes Update

**DATE:** February 24, 2009

**FROM:** Martin P. Cleveland, P.E.

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In November 2008, the referenced project contract with CH2MHILL was signed. The professional services contract provided for project design, contract administration and construction observation. The project design should be completed in Spring 2009, construction bidding in May-June 2009 and construction in July 2009 through May 2010.

As a result of actions by other parties (Corps of Engineers), the scope of services needs to be changed, as outlined in the CH2MHILL letter of February 23, 2009. The out of scope items are: HEC-HMS (Hydrologic) modeling, HEC-RAS (Hydraulic) model delivery delay and preparation of a Flood Risk Reduction Project Report. The cost of this out of scope work is \$17,400.

CH2MHILL will attempt to absorb the out of scope items into the existing contract budget, but it is possible that these items may cause the overall professional services contract maximum amount of \$298,560 to be exceeded. In that event the contact will be brought back to the Subcommittee and Board for consideration.

No Subcommittee action is required at this point in time.

Agenda item 9.b.

## MEMORANDUM

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

**SUBJECT:** Whitted Creek Stream Restoration Project  
Grant Applications Results

**DATE:** February 25, 2009

**FROM:** Martin P. Cleveland

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In September 2008, grant applications prepared by the NRD's consultant, CH2MHILL, and submitted to Nebraska Environmental Trust Fund (NET) for \$300,000 and Nebraska Department of Environmental Quality (NDEQ) for \$300,000 for the construction of the referenced project located near 25<sup>th</sup> and Capehart Road in Bellevue, NE. The estimated project construction cost is \$998,650, so the District's share would be approximately \$398,650.

In February, 2009, NET informed the District that the Whitted Project is recommended for a grant award of \$300,000 (see attached letter) and DEQ informed the District that the project has been awarded \$300,000 in Section 319 funds by the agency (see attached email). The fact that both entities awarded funds for the project construction demonstrates their interest in this type of project. Note the public outreach that is required.

## MEMORANDUM

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

**SUBJECT:** Watershed Structure Bank Stabilization Project

**DATE:** March 2, 2009

**FROM:** Martin P. Cleveland, P.E.

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The Pappio-Missouri River Natural Resources District received and opened bids for the Watershed Structure Bank Stabilization Project on February 26, 2009 at 10:00 a.m. There were six bids received ranging from \$158,597.50 to \$221,450.00. Attached is a bid summary. The apparent low bid of \$158,597.50 is from Penro Construction Company, Inc. of Pender, Nebraska. The engineer's opinion of cost was \$177,155.00

The project consists of installing rock riprap along the eroding front berm of seven watershed structures (dams) located in Silver Creek Watershed (four sites), Tekamah-Mud Watershed (one site) in Burt County, NE and Pigeon-Jones Watershed (two sites) in Dakota County, NE. The work includes the furnishing of the labor, materials, equipment, tools and incidentals necessary to install approximately 4,140 tons of rock riprap bank protection along approximately 2,855 linear feet of front berm length and possible removal and replacement of 2,855 ft. of fence and 1,065 cubic yards of riprap soil infill. District staff will handle the reseeding of grass, as needed. Attached are location maps, typical repair cross-section and dam/berm photograph.

The work will be funded via FY09 Budget Project Maintenance Contract work Account No. 0103-12 (4479) and as of February 6, 2009, there is \$793,538 available in this account.

- **It is Management's recommendation that the Subcommittee recommend to the Board of Directors that the bid of Penro Construction Company, Inc., in the amount of \$158,597.50, for construction of the Watershed Structure Bank Stabilization Project should be accepted; and, that the General Manager, on behalf of the District, should execute the advertised contract with such bidder providing for such price.**

## MEMORANDUM

TO: Programs, Projects and Operations Sub-Committee

SUBJECT: Silver Creek Watershed Dam Site 42 Construction Bids

DATE: February 26, 2009

BY: Terry Schumacher, Field Representative, Blair FO

On February 26, 2009, District staff opened bids that were submitted for a contract to construct Silver Creek Watershed Dam Site 42; the twenty-first dam of the twenty-four planned erosion control dams in this watershed.

Attached for the Sub-Committee's review is a summary of bids received. Also attached is a map of the watershed showing the site as well as others already built and those to be built in subsequent years.

Specifications for the construction of this dam require 4,360 cubic yards of earthen fill. The contractor will have thirty calendar days to complete the contract.

Based on bids received, Camden Excavating's bid of \$41,716.64 is the apparent low bid. District staff and the Natural Resources Conservation Service (NRCS) have reviewed the bids submitted and believe that Camden Excavating is the lowest and best bidder. The engineer's estimate for this project is \$48,981.00.

Dam Site 42 is being built with federal funds from the Environmental Quality Incentives Program (EQIP) and the P-MRNRD Special Watershed section of the Conservation Assistance Program budget. The original plan called for P-MRNRD to pay 100% of the project. The EQIP cost-share funding for this site is \$18,328.62. The P-MRNRD will contribute \$23,388.02.

- **It is the staff's recommendation that the Sub-Committee recommend to the Board of Directors that the bid of Camden Excavating in the amount of \$41,716.64, for construction of Silver Creek Site 42 should be accepted; and, that the General Manager, on behalf of the District, should execute the advertised contract with such bidder providing for such price.**