

**Programs, Projects & Operations  
Subcommittee Meeting  
September 7, 2004  
7:00 p.m.  
Agenda**

**Programs, Projects & Operations:**

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

**Alternate Members:** Dick Connealy

**Staff Liaison:** Gerry Bowen      Ralph Puls  
Jerry Herbster \*      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. Request by Judith L. Adler to Allow Horseback Riding at Prairie View Rec Area (West side of 180<sup>th</sup> Street between Hwy 36 and Bennington Road) – Judith Adler and Jerry Herbster
6. Review and Recommendation on Draft Cooperative Agreement with Game and Parks for Mentored Youth Hunting on Vencil's Island – Jeff Rawlinson, Outdoor Educator, Game and Parks; and Gerry Bowen
7. Review and Recommendation on Amendment No. 2 to Interlocal Agreement for the Lower Platte River Corridor Alliance – Gerry Bowen
8. Review and Recommendation on Sale of Dakota County Waterline to South Sioux City – Dick Sklenar
9. Review and Recommendation on P-MRNRD/Village of Waterloo Agreement for Development of Elkhorn River Public Access site on West Maple Road – Dick Sklenar
10. Review and Recommendation on Contribution Agreement with Natural Resources Conservation Service to Expedite Silver Creek Structures– Ralph Puls
11. Review and Recommendation on Bids for Construction of Natural Resources Center at Dakota City – Ralph Puls

12. Review and Recommendation on Resolution for Application for Nebraska Departments of Road Transportation Enhancement Program Funds for Platte River Trail Phase 3 (Hwy 370 to Springfield), Platte River Trail Phase 1 (Hwy 50 to Lied Bridge); and the Missouri River Trail Phase 1 (NP Dodge Park north to Ponca Road) – Jim Becic and Gerry Bowen
13. Review and Recommendation on Big Papio Trail (Center to Blondo) Cracking [*Executive Session, if needed*] – Joe Waxse, Terracon, Inc.; Steve Oltmans and Gerry Bowen; Representatives of Kirkham Michael and Hawkins Construction
14. Other Items of Interest
15. Adjourn

## MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee

FROM: Jerry Herbster, Park Superintendent

SUBJECT: Horseback Riding at Prairie View Recreation Area

DATE: August 31, 2004

In response to a letter written by Ms. Judith Adler dated August 24, 2004 regarding no horseback riding at Prairie View Recreation Area, it was decided by staff prior to the opening of the Recreation Area that from a safety standpoint we would exclude horseback riding from the area. The reasons for this is mainly lack of space. An 84 acre recreation site with 42 acres of water only leaves 42 acres for a boat ramp, picnic facilities, restrooms, parking lot, 2.5k limestone trail and three pedestrian bridges. Staff feels that in order to allow horseback riding we need greater physical separation between our normal trail users (i.e. hikers, bikers, dog walkers, etc.) and horseback riders, for the safety of all users of the trail and recreation area facilities. A copy of the current rules and regulations regarding "Horses and Other Livestock" is attached.

As of this time, we have not expanded Prairie View Recreation Area and are still dealing with the same size recreation area; therefore, staff stands by the current rules and regulations that prohibit horseback riding at Prairie View Recreation Area.

Memo to the Programs, Projects, and Operations Subcommittee

Subject: Mentored Youth Hunting – Agreement with Nebraska Game and Parks Commission

Date: August 24, 2004

From: Gerry Bowen

As part of the Western Sarpy/Clear Creek Levee Project, the District acquired the Glasshoff property at the tip of Vencil's Island as a conservation measure for endangered species. Several flow through and/or backwater chutes are planned for the area.

The Nebraska Game and Parks Commission (NGPC) approached the District about the utilization of this area for mentored youth hunting and fishing. A draft of an agreement prepared by NGPC was reviewed at the August Subcommittee and Board of Directors meetings. The Board decided to limit the waterfowl hunting to only the established two-day mentored youth hunting season, prohibit high-powered and/or black powder rifles, and that the agreement be in effect for one year. The project agreement was to be reviewed at the end of the term to determine the effectiveness of the program.

The draft agreement is attached for your review.

**Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute an agreement with the Nebraska Game and Parks Commission to allow for mentored youth hunting and fishing on the Glasshoff Tract at Vencil's Island, subject to changes deemed necessary by the General Manager and approved as to form by the District Legal Counsel.**

Memo to the Programs, Projects, and Operations Subcommittee

Subject: Lower Platte River Corridor Alliance – Interlocal Agreement Amendment #2

Date: August 24, 2004

From: Gerry Bowen

In April, 2004, the Board approved the Lower Platte River Corridor Alliance's (LPRCA) affiliation with the Nebraska Community Foundation (NCF). The agreement with NCF (see attached) describes how funds kept with NCF can be distributed. A fund advisory committee has been established to oversee the management of the fund. The committee members are Steve Oltmans (PMRNRD), Glenn Johnson (LPSNRD), John Miyoshi (LPNNRD), Steve Gaul (NDNR), and Frank Albrecht (NGPC).

The Interlocal Agreement for the LPRCA needs to be amended to create the fund and to describe how funds can be used from the fund. Amendment #2 (see attached) covers that issue.

**Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute Amendment #2 to the 1997 Amended Lower Platte River Corridor Alliance Interlocal Agreement, that provides for the establishment of the LPRCA Fund.**

# Memorandum

**To:** Programs, Projects, and Operations Subcommittee  
**From:** Randy Hummel Dakota County Rural Water Supply Superintendent  
**Date:** August 26, 2004  
**Re:** Water Line Purchase by South Sioux City

South Sioux City is in the process of installing a new 12" water main south along "C" Avenue then west to connect with their main at 164<sup>th</sup> Street and Dakota Avenue. The entire area is prime industrial development property within the zoning control of South Sioux City, which currently serves several large industrial operations and more development in the area is certain.

The City is proposing to purchase a small segment (see attached map) of the Dakota County Rural Water system in the area that they are expanding into.

The Dakota County Rural Water system has supplied water to 5 residential households along the route to be purchased since 1980. In 1993 the IBP (Tyson) wastewater treatment plant was provided with a rural water service connection for "potable use". Later IBP requested a larger meter service for their expanded wastewater operation. Line capacity is adequate for those now served, but it is now at its useful limits. This waterline has also been problematic to the District over the past several years, with a few waterline breaks that have occurred.

In an effort of cooperation, and to best serve the growing needs of that area, S. Sioux City's Public Works Dept. and the District's staff, are proposing an agreement that would best serve the area in question. The plan seemed feasible and logical for the City to connect and serve our 2 "north end" customers by reconnecting them to the City's new 12" main and use the existing 4" main for the 3 customers along the west side (the 4" line would also be connected to the 12" main). The District will continue to serve the Tyson wastewater plant.

Timing of this proposal is also ideal, inasmuch as the City would be able to include those changes into their design plans for the area's present and future need.

**Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute an agreement with South Sioux City for the transfer and sale of water lines, service meters, and appurtenances, of the Dakota County Rural Water System along portions of 'C' Avenue, 164<sup>th</sup> Street, and Dakota Avenue, subject to changes deemed necessary by the General Manager and approved as to form by the District's legal counsel.**



## MEMORANDUM

**TO:** Projects, Planning and Operations Sub-Committee

**FROM:** Dick Sklenar

**SUBJECT:** Elkhorn River Canoe Public Access/Agreement with Village of Waterloo

**DATE:** August 30, 2004

Attached is the Inter-local Cooperation Act Agreement between the Village of Waterloo and the District for the development of the Elkhorn River Canoe Access Site at West Maple Road. The Agreement was drafted by the District's Legal Counsel and has been approved by the Village.

Because it is expected that the Village will own the property, they will act as sponsor when applying for federal aid programs administered by the Nebraska Game and Parks Commission. The District will act as co-sponsor by developing and financing the site. The Agreement calls for the Village to operate, maintain, and repair the site after completion of construction activities.

**The staff recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the Inter-local Cooperation Act Agreement with the Village of Waterloo, NE for an Elkhorn River Canoe Access Site and that the District be co-applicant with the Village for federal and state aid program grants for the project, and furthermore;**

- 1. The Papio-Missouri River Natural Resource District of Nebraska is applying for federal assistance from the Recreational Trails Program, Land & Water Conservation Fund and the Trails Development Assistance Fund for the purpose of developing the Elkhorn River Canoe Access site at West Maple Road in Douglas County, Nebraska.**
- 2. The General Manager of the Papio-Missouri River NRD of Nebraska is authorized to sign the application for federal assistance, and any other official project documents that are necessary to obtain such assistance, including any agreements, contract or other documents that are required by the State of Nebraska or the Federal Highway Administration.**
- 3. The Papio-Missouri River Natural Resources District of Nebraska currently has the written commitment for the local matching share for the project elements that are identified on the Application form and the Supplemental Documents and will, as it becomes necessary, allocate the local funds for this project.**
- 4. The Papio-Missouri River Natural Resources District of Nebraska will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner.**
- 5. The Papio-Missouri River Natural Resources District of Nebraska will not discriminate against any person on the basis of race, color, age, religion, disability, sex or nation origin in the use of any property or facility that is acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, and any of the regulations promulgated pursuant to such Act.**



- 6. The Papio-Missouri River Natural Resources District of Nebraska will comply with all rules and regulations of the Recreational Trails Program, Land & Water Conservation Fund and Trails Development Assistance Fund, applicable Executive Orders and all state laws that govern the grant applicant during the performance of the project.**
- 7. The Papio-Missouri River Natural Resources District of Nebraska will comply with the Federal disability access and use standards where they can be reasonably applied, in accord with the American with Disability Act of 1991.**
- 8. All paperwork may be signed by the project sponsor, but the Resolution MUST be signed by the Board Chairperson.**

## MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

SUBJECT: Contribution Agreement with NRCS

BY: Ralph Puls, Land/Water Programs Coordinator

DATE: September 1, 2004

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The Natural Resources Conservation Service (NRCS) proposes that the P-MRNRD and NRCS enter into an agreement that will accelerate the design and construction of the ten erosion control dams remaining in the Silver Creek Watershed Plan.

Recently the NRCS has made significant changes in the way it operates. Some of the technical assistance it provides, such as the planning and design of dams, is being contracted to the “private” sector rather than being done “in house” as it was traditionally done. These private sector entities are designated as Technical Service Providers (TSP), and they must meet the technical standards of the NRCS. The NRCS provides oversight to ensure their standards are met.

With Technical Service Providers doing some of the technical work, the NRCS personnel will be available to complete a backlog of work, and they will also be able to address the workload that will be generated by substantial increases in conservation cost-sharing funds available through the Environmental Quality Incentives Program (EQIP). EQIP represents another significant change in the way the NRCS operates. Prior to EQIP, relatively few conservation cost-sharing dollars were available through the USDA programs. The P-MRNRD provided most of the conservation cost-sharing funds through its Conservation Assistance Program (CAP). Now substantial EQIP dollars are available to construct conservation practices (see attached).

The Contribution Agreement that the NRCS proposes will provide USDA funds to design the Silver Creek Watershed dams, and EQIP funds will be used to construct them. The cost of the design and other technical assistance for the ten dams will be shared evenly by the NRCS and the P-MRNRD; \$250,000 each. The cost of construction also will be shared by the NRCS and the P-MRNRD (cost estimates have not been developed for all sites as yet, but should range from \$50,000 to \$75,000 each).

The Responsibilities of the District and the NRCS are shown on pages 2 and 3 of the Agreement; the P-MRNRD would be responsible for the selection of a Technical Service Provider, for the Administration of the contract and for providing 50 percent of the costs. The costs to the District would be spread out during the course of the Agreement which is effective through December 15, 2006. Also attached is a one-page informational sheet that contains additional details of the work that will be performed and the rationale for the approval of the Agreement.

This is an opportunity for the P-MRNRD to accelerate the construction of the dams planned for the Silver Creek Watershed and to utilize USDA funds to defray a good portion of the cost; and at the same time, the NRCS will be able to provide technical assistance for additional conservation measures in the District.

**Staff recommends that the Subcommittee recommend to the Board of Directors that the P-MRNRD enter into the Contribution Agreement with the NRCS for the Silver Creek Watershed Project and that the General Manager be authorized to execute the necessary contract documents subject to review as to form by District's Legal Counsel.**

### **SILVER CREEK WATERSHED Acceleration Plan**

- This contribution agreement will accelerate delivery of technical and administrative assistance which addresses both the NRCS and P-MRNRD technical needs.
- The NRCS and the P-MRNRD will provide 50 percent of the cost of the work described in the attached plan of work and budget. The 50 percent cost is estimated to be \$250,000.
- The Plan of Work will require the District to solicit a consultant to complete components of the plan from preliminary design to final certification of the projects. This can be completed in conjunction with technical review throughout the project by NRCS.
- NRCS received 1.5 million dollars for Technical Service Providers (TSP) in 2004 that was intended for use by outside sources to provide technical assistance related to Farm Bill Programs. This funding was supplemental to existing Conservation Technical Assistance and was intended to generate additional help to meet the increased demand for conservation practices due to elevated appropriations in Federal Farm Bill Programs. With the funding sources and limited personnel to deliver all the services, a supplemental delivery method to provide technical and administrative assistance have been made available through Contribution Agreements utilizing TSP funds.
- This agreement helps to meet the demand of the technical service needs of the watershed work plans and the increased funding that will be provided in the district through the EQIP program. This funding is projected to increase each year for the next 3 years.
- The NRCS is charged with the promotion of the Environmental Quality Incentives Program (EQIP). EQIP is a voluntary conservation program available through the USDA Natural Resources Conservation Service. The program is voluntary and supports production agriculture and environmental quality as compatible goals. Through EQIP, farmers may receive financial and technical help with structural and management conservation practices on agricultural land. EQIP may pay up to 50 percent of the costs of eligible conservation practices.
- The Silver Creek Work Plan has 4 sites approved for EQIP funding this year (2004). The funding provided is for Sites 24, 25, 26 and 31, but design and construction are being delayed because of the lack of local NRCS field office personnel available to complete the task.
- Because the NRCS is funded through a fiscal year basis, the agreement will need to be continued annually by an amendment between the P-MRNRD and the NRCS until the completion date of the project on or before December 15, 2006.

## MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Ralph Puls, Land & Water Programs Coordinator

SUBJECT: Bids for Construction of Natural Resources Service Center in Dakota County

DATE: September 1, 2004

On August 31, 2004 District staff opened sealed bids that were submitted for the construction of a Natural Resources Service Center in Dakota County. (Attached for the Subcommittee's review is a summary of the bids received).

The bids have been reviewed by District staff and by Prochaska and Associates, the Project Architect, and it has been determined that the bid submitted by Halman Construction Inc. from Sioux City, IA, is the apparent lowest and best bid. The Architect's estimated cost for the project is \$963,496.38 (See attached letter of recommendation from Prochaska & Associates).

It is Staff's recommendation that the Subcommittee recommend to the Board of Directors that Halman Construction Inc.'s bid of \$950,855.00 for construction of the Natural Resources Center in Dakota City be accepted and that the General Manager be authorized to execute the necessary contract documents.

# MEMORANDUM

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

**Re:** Resolution to the Nebraska Department of Roads Transportation Enhancement Program

**From:** Jim Becic

**Date:** 3 September, 2004

The Papio-Missouri River Natural Resources District (NRD) has submitted three pre-applications to the Nebraska Department of Roads Transportation Enhancement Program for trail projects. This Program is designed to provide up to 80% federal reimbursement funds (maximum of \$500,000.00) per project.

The NRD submitted projects have a priority in the order listed: #1) Platte River Trail Phase 3 (Hwy 370 to Springfield); #2) Platte River trail Phase 1 (Hwy 50 to Lied Bridge); and #3) the Missouri River Trail Phase 1 (N.P. Dodge Park north to Ponca Road).

The final applications for these projects must include a resolution from the NRD Board stating that the District will provide a minimum of 20% of the project cost and will operate and maintain the completed project in a safe and attractive manner for public use.

**It is the staff recommendation that the Subcommittee recommend to the Board to approve the following resolution for submittal to the Nebraska Department of Roads Transportation Enhancement Program.**

**WHEREAS, the Papio-Missouri River Natural Resources District (“NRD”) proposes to apply for funding assistance from the Transportation Enhancement Program for the purpose of paying a portion of the cost of constructing segments of the following hiking/biking trails in the NRD, to-wit:**

**Platte River Trail Phase 3 (Hwy 370 to Springfield),  
Platte River Trail Phase 1 (Hwy 5 to Lied Bridge), and  
Missouri River Trail Phase 1 (N.P. Dodge Park north  
To Ponca Road); and,**

**WHEREAS, the NRD has available a minimum of 20% of the cost of such trail construction and has the financial capacity to operate and maintain the completed trails in a safe and attractive manner for public use; and,**

**WHEREAS, the NRD’s application for such assistance has been made available for public review at a properly announced meeting of the Board of Directors of the NRD,**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT that the Board of Directors of the NRD should apply such funding assistance for the aforesaid three trail segments:**

**Adopted this \_\_\_ day of September, 2004.**

# MEMORANDUM

TO: PPO Subcommittee

SUBJECT: Big Papio Trail (Center to Blondo) Cracking

DATE: August 30, 2004

FROM: Steven G. Oltmans, General Manager

On Friday, August 27<sup>th</sup>, the GM, Marlin Petermann and Gerry Bowen met with representatives of Kirkham Michael and Hawkins Construction Co., to discuss the cracking on the Big Papio Trail from Center to Blondo. At that time the GM asked for their plan for replacing the cracked trail. We are to receive their proposal by September 2, 2004. Both Kirkham Michael and Hawkins were informed that if their plan did not adequately address the situation, the GM would recommend to the Board that legal action be filed.

I will forward their proposal as soon as it is received.