

**Programs, Projects & Operations  
Subcommittee Meeting  
September 7, 2010  
6:30 p.m.  
Agenda**

**Programs, Projects & Operations:**

John Conley, Chairman  
Fred Conley, Vice-Chairman  
David Klug  
Rich Tesar  
Jim Thompson

**Alternate Members:** Gus Erickson  
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 Contract Amendment with Tetra Tech for Phase II of the Missouri River Levee System Units R-613 and R-616 Certification – Marlin Petermann and Mike Sotak, Tetra Tech
7. Review and Recommendation on the Dissolution of the Lower Platte Basin Coalition Interlocal Cooperative Agreement and Approval of the Lower Platte Basin Coalition II Interlocal Cooperation Agreement – Gerry Bowen
8. Review and Recommendation on Addition to Directors Policy Manual Section 21 – Compliances – Gerry Bowen
  - a. 21.1 Compliances - Title VI Civil Rights
  - b. 21.2 Compliances - American with Disabilities Act
9. Adjourn

## Memorandum

To: Programs Projects and Operations Subcommittee  
Re: Professional Services Contract Amendment with Tetra Tech, Inc., for Phase II of the Missouri River Levee System Units R-613 and R616 Certification Project  
Date: September 7, 2010  
From: Brian L. Henkel P.E., Groundwater Management Engineer

Phase I (Investigative Phase) of the existing professional services contract with Tetra Tech for the certification of the Missouri River Levee System Units R-613 and R-616 (Levees) has been completed. The District is now properly prepared to revise the contract for the Alternatives Development Phase (Phase II) of the certification process. The scope of Phase II work (see attached) will include detailed analysis of modifications available to improve the Levees to meet certification requirements with the Federal Emergency Management Agency (FEMA) and the US Army Corps of Engineers (Corps). Modifications are needed to meet the changes in the Base Flood Elevation anticipated with the upcoming re-mapping of the floodplain.

Phase II includes an assessment of the feasibility of modification of the alignment for a portion of the Levees, at the confluence of the Platte and Missouri Rivers, to improve hydraulic capacity and provide habitat restoration opportunities. The alternatives analysis will be conducted utilizing the soon to be updated hydraulic modeling for the Papillion Creek and Platte River and include the most recent revisions to the Missouri River hydraulic models. This Phase II of the project will also entail extensive Geotechnical and Geophysical investigations and analysis which are critical to the levee certification process. Recent changes in the US Army Corps requirements on levee design and safety relate primarily to the levee embankment and foundation design defined by the geotechnical reports.

The original professional services contract for Phase I work was for an amount not to exceed \$330,878. This contract amendment for Phase II services is estimated to cost \$696,376, bringing the total not to exceed amount of the contract to \$1,027,254. The attached schedule calls for completion of this Phase II of the work by August 2011.

- **Staff recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the professional services contract amendment with Tetra Tech, Inc. for Phase II of the Missouri River Levee System Units R-613 and R-616 Certification Project, bringing the total not to exceed maximum amount of the contract to \$1,027,254, 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  
Re: Lower Platte River Basin Coalition Interlocal Agreement  
Date: September 7, 2010  
From: Brian L. Henkel P.E., Groundwater Management Engineer

The Lower Platte Basin Coalition (Coalition) interlocal agreement was entered into by the District in response to the issuance of a “Draft” Biological Opinion for the endangered species on the Lower Platte River by the Nebraska Game and Parks Commission (Commission). The Natural Resources Districts created the Coalition to protect the interests of surface water and groundwater users in the basin under reasonable in-stream flow conditions for the endangered species. The Coalition was also instrumental in assisting the District, and the other NRD’s in the Lower Platte River Basin, with the review of the Department of Natural Resources (Department) preliminary declaration of fully appropriated. The initial goals of the Coalition, and the authorizing language of the agreement, have been satisfied and the Commission has no pending action related to the biological opinion. As such, the NRD’s are proposing to dissolve the Lower Platte Basin Coalition.

While the previous goals have been satisfied, the need for a coalition among the Lower Platte Basin NRD’s continues. There remains a need to work cooperatively with the Department, the Commission, the Nebraska Department of Environmental Quality and the US Fish and Wildlife Service on activities such as the appropriated status of the basin, integrated management planning and future groundwater and surface water development in the basin. The proposal is to re-form the Coalition with a revised set of goals and modified membership to better address the upcoming challenges in the Basin. Included with this memorandum is the dissolution plan for the previous Coalition and the Inter-local agreement for the creation of the Lower Platte River Basin Coalition. The initial contribution (Exhibit A) will be \$5,000 from each member of the new coalition.

- **Staff recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the Dissolution Plan to dissolve the previous Lower Platte Basin Coalition and to execute the interlocal cooperation act agreement to re-form the new Lower Platte River Basin Coalition, 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: District Policies – ADA and Title VI Civil Rights  
21.1 – ADA Compliance  
21.2 – Title VI Civil Rights Compliance

Date: August 26, 2010

From: Gerry Bowen

In order to be eligible to receive and manage federal funds for trail development, FHWA and NDOR require the District to have policies relating to compliance with the Americans with Disabilities and Title VI Civil Rights. Attached are two policies to meet this requirement, plus the necessary Board resolutions adopting each policy.

- **It is recommended that the Subcommittee recommend to the Board that Policies 21.1 – ADA Compliance and 21.2 – Title VI Civil Rights Compliance, in the form as presented to the Subcommittee, be adopted by the Board and placed in the District's Policy Manual.**