## **MEMORANDUM**

TO:

**Board of Directors** 

FROM:

Dan Schulz, Resources Coordinator

DATE:

April 9, 2020

SUBJECT:

Minutes-Recreation, Forestry & Wildlife Subcommittee

On Wednesday, April 8, 2020, the Recreation, Forestry & Wildlife Subcommittee held a virtual Go To Meeting at 5:30PM. Members participating were Chair-Anthony Schutz, Gary Aldridge, Deb Eagan, Luke Peterson, Mark Spangler, and Ray Stevens. Others participating were Nicole Fleck Tooze-Lincoln Parks & Recreation, Ariana Kennedy, David Potter, Larry Ruth, Dan Schulz, Jay Seaton and Paul Zillig.

The first agenda item was negotiations Roberts/Honvlez acquisition.

It was moved by Schutz, seconded by Eagan and unanimously approved to recommend that the Directors go into closed session to protect the public interest and develop strategy with respect to negotiations related to the acquisition of the Roberts property for the Prairie Corridor on Haines Branch Project.

The meeting went into closed session at 5:37PM.

It was moved by Eagan, seconded by Peterson and unanimously approved to come out of closed session at 5:53PM.

It was moved by Eagan, seconded by Stevens to recommend that the Lower Platte South NRD Board of Directors authorize staff to continue negotiating fee title acquisition of the Roberts/Honvlez conservation easement property for the Prairie Corridor on Haines Branch Project in accordance with Stevens guidance.

Schutz called for a roll call vote.

Aldridge-not voting

Eagan-yes

Peterson-yes

Spangler-yes

Stevens-yes

## Schutz-yes

Motion passed, five yes, one not voting.

The second agenda item was a report by Seaton on the Spring Tree Seedling Program. Seaton reviewed the attached memo, answered questions and indicated staff is working on figuring out in office order packing logistics and tree order pick-up by program participants. He indicated the schedule for these activities is fluid given the challenges Bessey Nursery is having lifting, packing and shipping trees.

The next item was the review of forms required by the U.S. Department of Agriculture (USDA) to proceed to the development of a planning contract between USDA and the District for the Little Salt Creek Watershed (see attached forms). Schulz reviewed the District's award of USDA planning funds to combine the existing Little Salt Creek Watershed Plan completed by the City of Lincoln and the District that addresses creek and drainage channels (see attached map) and to complete a saline wetland restoration plan for the watershed. These plans will be combined into one comprehensive plan for the watershed. He discussed project planning; design and final specifications; and construction phases. Authorizing the General Manager to sign these forms will enable USDA to obligate the awarded funding and develop a contract for the planning phase. That planning contract will come back to the Board for approval. Upon Board approval, the District will go through the District's consultant selection process, pick a consultant and negotiate a professional services contract. It's anticipated it will take 12-18 months to complete the planning phase.

It was moved by Schutz, seconded by Stevens to recommend that the Board of Directors further apply for United States Department of Agriculture/Natural Resources Conservation Service funding of the Little Salt Creek Watershed Plan by authorizing the General Manager to sign and submit forms AD-3031 United States Department of Agriculture Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants; Certification Regarding Lobbying; Application for Federal Assistance SF-424; Assurances Non-Construction Program; Budget Narrative Watershed and Flood Prevention Operations Program Project; Little Salt Creek Watershed, Lancaster County, Nebraska; Watershed and Flood Prevention Operations Program Statement of Work for the Little Salt Creek Watershed Plan.

Schutz called for a roll call vote.

Aldridge-yes
Eagan-yes
Peterson-yes
Spangler-yes

Stevens-yes

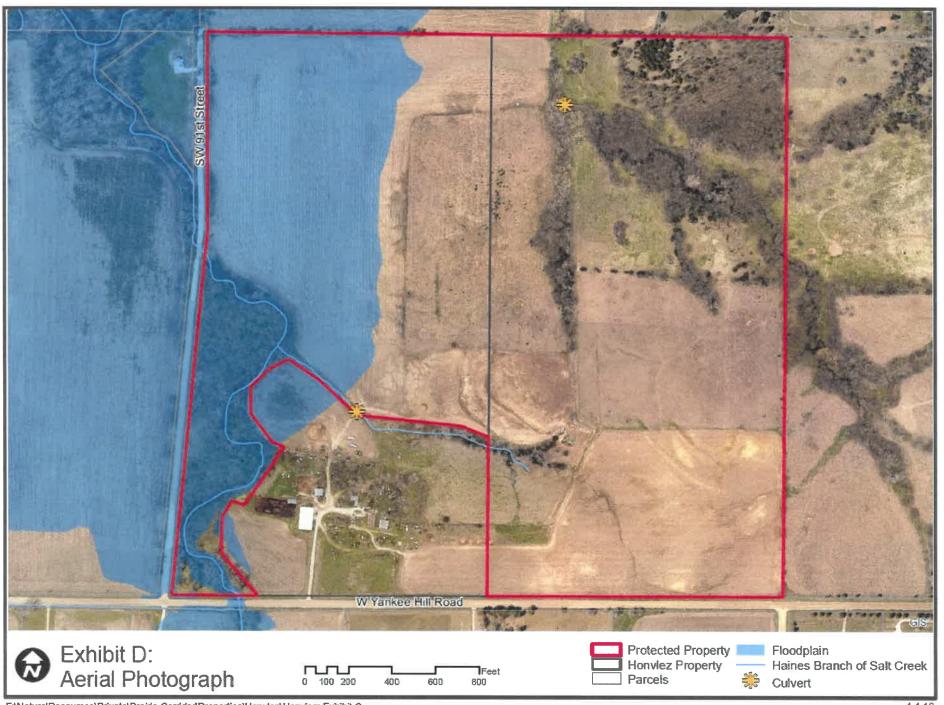
Schutz-yes

## Motion passed 6-0.

The next item was trail bridges inspections. Kennedy reminded the subcommittee the trail bridge inspection report was completed last fall by Theisen Construction. District staff had requested Theisen Construction attend a subcommittee meeting and review the report. However, due to COVID-19, District has instead requested Theisen Construction provide the District with a proposal on the cost of compiling a list of priority bridges needing repair for each trail corridor. The proposal is expected next week. Once the proposal is approved by the District, the next step is for Theisen to prepare a list of the priority bridges to be repaired and include a cost estimate for each bridge repair. Ideally, the list would be to the District by the end of April to allow those numbers to be inserted into the FY 2021 budget.

The last item was a report by Kennedy on repairs to the Lied Platte River Bridge. She provided an update on the bridge debris removal and repair project. This is a FEMA project, 75% covered by FEMA and the remaining 25% covered by Papio-Missouri River NRD, Lower Platte South NRD and/or the Nebraska Game and Parks Commission. The debris has been removed; railing repair design contract has been received by the Papio-Missouri River NRD; bridge structure design contract being developed; east connector trail at 10% conceptualized design plans; and there may be the potential for sonar study of river bed around the footings. Overall, inspection did not identify issues with spans or piers and no significant damage was found.

Schutz adjourned the meeting at 6:36PM.





3125 Portia Street | P.O. Box 83581 . Lincoln, Nebraska 68501-3581 | P: 402.476.2729 . F: 402.476.6454 | www. Ipsnrd.org

TO:

LPSNRD Board of Directors

FROM:

Jay Seaton, Forester

DATE:

April 8, 2020

SUBJECT:

Lower Platte South NRD FY 202 Conservation Tree Program

The Conservation Tree Program is wrapping up sales for the 2020 fiscal year and it was another successful year. We sold over 31,000 trees and shrubs to 343 different clients in the Lower Platte South NRD.

That is a decrease from last year's numbers, but with one interesting change. Last year we sold to 355 individuals (not much change there), but we had no orders for CRP shrub blocks this year. When in years past, shrub blocks would make up 3,000 to 6,000 shrubs in sales. I attribute that to a change in the current CRP re-enrollment.

Due to Bessey Nursery stopping orders early, we shut down our sales a day earlier than anticipated. I have had several landowners contact me stating they wanted to order, but waited until the last minute and failed to get their order in on time. I have contacted all that are still wanting trees and will work with them to get trees hopefully in May. I fully expect Bessey to reopen orders once they are finished packing and shipping the first round of orders for the NRDs.

We still do not know when Bessey and the other nurseries will be shipping their trees. Last information released was they were hopping to have pick-up orders ready by April 15<sup>th</sup>-17<sup>th</sup>. Shipping to other NRDs would be the following week. That is an approximate date as they are still struggling to do as much in house as possible as their contract crews are affected by COVID-19 and associated quarantine policies.

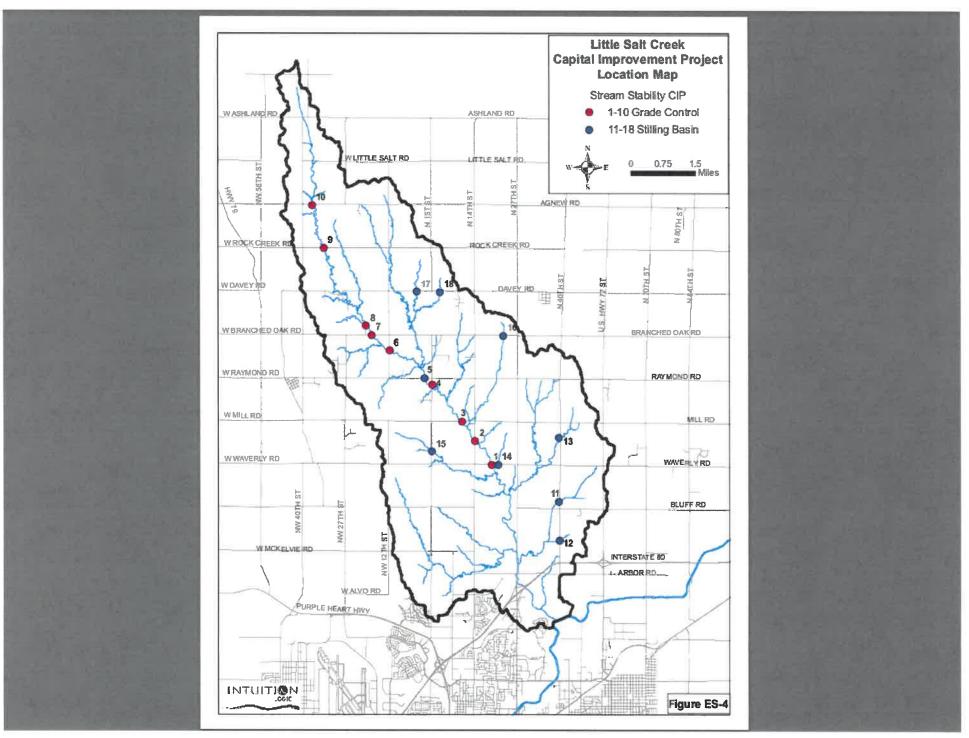
A special thanks to Kathy H. and Kathy S. for their hard work in another successful year.

Sincerely,

Jay Seaton

Lower Platte South NRD Forester

Jay Seaton



## **Ariana Kennedy**

From: Ariana Kennedy

**Sent:** Tuesday, April 7, 2020 11:28 AM

To: Ariana Kennedy

Subject: FW: lied platte river bridge inspection

From: Williams, Eric [mailto:ewilliams@papionrd.org]

Sent: Tuesday, April 7, 2020 10:04 AM

To: Ariana Kennedy <ariana.kennedy@lpsnrd.org>
Subject: RE: lied platte river bridge inspection

No, the inspection did not identify issues with either the spans or the piers.

I believe there was the potential for some more comprehensive sonar (or similar) study of the river bed around the footings, I'll have to review the details of the scope a little more.

But in short, you can report that there was no more significant damage.

Eric

From: Ariana Kennedy <ariana.kennedy@lpsnrd.org>

Sent: Tuesday, April 7, 2020 9:59 AM

To: Williams, Eric < <a href="mailto:ewilliams@papionrd.org">ewilliams@papionrd.org</a> Subject: RE: lied platte river bridge inspection

Eric-

Appreciate you getting back to me. Were there any issues with the bridge structure other than the need to repair/replace ice breaker nose pieces?

Ari

Ariana (Ari) Kennedy
Resources Conservationist
Lower Platte South Natural Resources District
Lincoln, Nebraska
402 476-2729 office
402 432-6836 cell
ariana.kennedy@lpsnrd.org

From: Williams, Eric [mailto:ewilliams@papionrd.org]

Sent: Monday, April 6, 2020 12:24 PM

To: Ariana Kennedy <ariana.kennedy@lpsnrd.org>
Subject: RE: lied platte river bridge inspection

Ari.

Here's the summary for several different phases,

Debris removal is complete.

Structural inspection is complete (I'll be sending you the report).

Railing repair design contract: received, will be sent to LPS, NGPC for review/approval. Design expected to take 1 month.

Railing repair construction: expected to take about a month after design is complete.

Bridge structure design contract: being developed, will be sent to LPS, NGPC for review when ready Bridge structural repair (ice breaker nose pieces): planned for later this year, pending design work

"East Connector Trail" (from Hwy 31 to the east end of the bridge): 10% conceptual plans expected back in 2 weeks Trail design: expected to take 3 months to have plans ready for bidding Trail construction: tentatively planned for late summer, pending design finalization

Let me know if that covers everything you need,

Eric Williams
Natural Resources Planner
Papio-Missouri River NRD
www.PapioNRD.org

From: Ariana Kennedy [mailto:ariana.kennedy@lpsnrd.org]

Sent: Monday, April 06, 2020 8:24 AM

To: Williams, Eric < ewilliams@papionrd.org >
Subject: lied platte river bridge inspection

Good morning, Eric-

Would you be able to provide an update on the lied platte river bridge inspection? We have a subcommittee meeting on Wednesday and would like to provide an update. Hope you're staying healthy. Thank you for your time.

Ari

Ariana (Ari) Kennedy

**Resources Conservationist** 

Lower Platte South Natural Resources District

Lincoln, Nebraska

402 476-2729 office

402 432-6835 mobile

ariana.kennedy@lpsnrd.org

AD-3031

Form Approved – OMB No. 0505-0025 Expiration Date: 04/30/2019

## U.S. Department of Agriculture

# ASSURANCE REGARDING FELONY CONVICTION OR TAX DELINQUENT STATUS FOR CORPORATE APPLICANTS

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552(a)—as amended). The authority for requesting the following information for USDA agencies and offices is in sections 745 and 746 of the Consolidated Appropriations Act, 2016, Pub. L. 114-113, as amended and/or subsequently enacted. The information will be used to document compliance with appropriations restrictions.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number of this information collection is 0505-0025. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.

This award is subject to the provisions contained in the Consolidated Appropriations Act, 2016, Pub. L. 114-113, Division E, Title VII, sections 745 and 746, as amended and/or subsequently enacted for U.S. Department of Agriculture (USDA) agencies and offices regarding corporate felony convictions and corporate federal tax delinquencies.

Accordingly, by accepting this award the corporation recipient acknowledges: (1) that it does not have a Federal tax delinquency, meaning that it is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) that it has not been convicted of a felony criminal violation under any Federal law within 24 months preceding the award, unless a suspending and debarring official of the USDA has considered suspension or debarment of the recipient corporation based on these convictions and/or tax delinquencies and determined that suspension or debarment is not necessary to protect the interests of the Government. If the recipient fails to comply with these provisions, the agency will annul this agreement and may recover any funds the recipient has expended in violation of the above cited statutory provisions.

APPLICANT'S SIGNATURE (BY)

General Manager

TITLE/RELATIONSHIP OF THE INDIVIDUAL IF SIGNING IN A REPRESENTATIVE CAPACITY

Lower Platte South Natural Resources District

BUSINESS NAME

DATE SIGNED (MM-DD-YYYY)

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Rev: 02/16

## **Certification Regarding Lobbying**

Certification for Contracts, Grants, Loans, and Cooperative Agreements
The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered intro. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Lower Platte South Natural Resources District	Little Salt Creek Watershed				
Organization Name	PR/Award Number or Project Name				
Paul Zillig, General Manager					
Name and Title of Authorized Representative					
Signature	Date				

OMB Number: 4040-0004 Expiration Date: 8/31/2016

Application for Federal Assistance SF-424								
* 1. Type of Submission:	* 2. Type of Application:  * If Revision, select appropriate letter(s):							
Preapplication	New							
Application	Continuation * Other (Specify):							
Changed/Corrected Application	Revision							
* 3. Date Received:	4. Applicant Identifier:							
5a. Federal Entity Identifier:	5b. Federal Award Identifier:							
State Use Only:								
6. Date Received by State:	7. State Application Identifier:							
8. APPLICANT INFORMATION:								
* a. Legal Name: Lower Platte S	outh Natural Resources District							
* b. Employer/Taxpayer Identification Nu								
	044690550							
d. Address:								
* Street1: 3125 Portia St								
Street2:								
* City: Lincoln	TANKS AND A TOTAL OF THE PARTY							
County/Parish: Lancaster								
* State: Nebraska								
Province:								
* Country:	USA: UNITED STATES							
* Zip / Postal Code: 68521	NAME OF TAXABLE PARTY OF TAXABLE PARTY.							
e. Organizational Unit:								
Department Name:	Division Name:							
f. Name and contact information of	person to be contacted on matters involving this application:							
Prefix:	* First Name: Dan							
Middle Name:								
* Last Name: Schulz								
Suffix:								
Title: Resources Coordinator								
Organizational Affiliation:	Organizational Affiliation:							
* Telephone Number: 402-476-2729 Fax Number:								
* Email: dschulz@lpsnrd.org								

Application for Federal Assistance SF-424
* 9. Type of Applicant 1: Select Applicant Type:
Special District Government (i.e. Natural Resources District)
Type of Applicant 2: Select Applicant Type:
Type of Applicant 3: Select Applicant Type:
* Other (specify):
* 10. Name of Federal Agency:
USDA, Natural Resources Conservation Service
11. Catalog of Federal Domestic Assistance Number:
10.904
CFDA Title:
Watershed Protection and Flood Prevention
* 12. Funding Opportunity Number:
N/A
* Title:
N/A
13. Competition Identification Number:
N/A
Title:
N/A
14. Areas Affected by Project (Cities, Counties, States, etc.):
Add Attachment Delete Attachment View Attachment
AND ARBUMANT DOISE FRESHINGER
* 15. Descriptive Title of Applicant's Project:
Little Salt Creek Watershed
Attach supporting documents as specified in agency instructions.
Add Attachments Delete Attachments View Attachments

Application for Federal Assistance SF-424								
16. Congressional Districts Of:								
* a. Applicant NE-001	* b. Program/Project							
Attach an additional list of Program/Project Congressional Districts if needed.								
	Add Attachment Delete Attachment View Attachment							
17. Proposed Project:								
* a. Start Date: 03/01/2020	* b. End Date: 04/01/2022							
18. Estimated Funding (\$):								
* a. Federal	\$ 297,000.00							
* b. Applicant								
* c. State	\$ 0.00							
* d. Local	\$ 0.00							
* e. Other	\$ 33,000.00							
*f. Program Income	\$ 0.00							
* g. TOTAL	\$ 330,000.00							
* 19. Is Application Subject to Review By	State Under Executive Order 12372 Process?							
a. This application was made available	to the State under the Executive Order 12372 Process for review on							
b. Program is subject to E.O. 12372 bu	t has not been selected by the State for review.							
c. Program is not covered by E.O. 1237	2.							
* 20. Is the Applicant Delinquent On Any F	ederal Debt? (If "Yes," provide explanation in attachment.)							
Yes No								
If "Yes", provide explanation and attach								
	Add Attachment Delete Attachment View Attachment							
herein are true, complete and accurate to comply with any resulting terms if I accep	1) to the statements contained in the list of certifications** and (2) that the statements to the best of my knowledge. I also provide the required assurances** and agree to tan award. I am aware that any false, fictitious, or fraudulent statements or claims may							
	tive penalties. (U.S. Code, Title 218, Section 1001)							
** I AGREE								
** The list of certifications and assurances, of specific instructions.	r an internet site where you may obtain this list, is contained in the announcement or agency							
Authorized Representative:								
Prefix:	* First Name: Paul							
Middle Name:								
* Last Name: Zillig								
Suffix:	-							
* Title: General Manager								
* Telephone Number: (402) 476-2729	* Telephone Number: (402) 476-2729 Fax Number:							
* Email: pzillig@lpsnrd.org								
* Signature of Authorized Representative:								

## **INSTRUCTIONS FOR THE SF-424**

This is a standard form required for use as a cover sheet for submission of pre-applications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the federal agency (agency). Required fields on the form are identified with an asterisk (\*) and are also specified as "Required" in the instructions below. In addition to these instructions, applicants must consult agency instructions to determine other specific requirements.

Item	Entry:	Item:	Entry:
1.	Type of Submission: (Required) Select one type of submission in accordance with agency instructions.  • Pre-application  • Application	10.	Name Of Federal Agency: (Required) Enter the name of the federal agency from which assistance is being requested with this application.
	Changed/Corrected Application – Check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this form to submit changes after the closing date.	11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions.  New – An application that is being submitted to an agency for the first time.  Continuation - An extension for an additional funding/budget	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
	period for a project with a projected completion date. This can include renewals.  • Revision - Any change in the federal government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be	13.	Competition Identification Number/Title: Enter the competition identification number and title of the competition under which assistance is requested, if applicable.
	selected. If "Other" is selected, please specify in text box provided.  A. Increase Award D. Decrease Duration B. Decrease Award E. Other (specify) C. Increase Duration	14.	Areas Affected By Project: This data element is intended for use only by programs for which the area(s) affected are likely to be different than the place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Add attachment to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For pre-applications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned buy the Federal agency, if any, or the applicant's control number if applicable.		
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the federal agency, if any.	16.	Congressional Districts Of: 15a. (Required) Enter the applicant's congressional district. 15b. Enter all district(s) affected
5b.	Federal Award Identifier: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned federal award identifier number. If a changed/corrected application, enter the federal identifier in accordance with agency instructions.		by the program or project. Enter in the format: 2 characters state abbreviation – 3 characters district number, e.g., CA-005 for California 5 <sub>th</sub> district, CA-012 for California 12 district, NC-103 for North Carolina's 103 district. If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all
6.	Date Received by State: Leave this field blank. This date will be assigned by the state, if applicable.		congressional districts in Maryland. If nationwide, i.e. all districts within all states are affected, enter US-all. If the program/project is stated the US-all.
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the state, if applicable.		is outside the US, enter 00-000. This optional data element is intended for use only by programs for which the area(s) affected are likely to be different than place(s) of performance reported on
8.	Applicant Information: Enter the following in accordance with agency instructions:		the SF-424 Project/Performance Site Location(s) Form. Attach an additional list of program/project congressional districts, if needed.
	a. Legal Name: (Required) Enter the legal name of applicant that will undertake the assistance activity. This is the organization that has registered with the Central Contractor Registry (CCR). Information on registering with CCR may be obtained by visiting www.Grants.gov.	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
	b. Employer/Taxpayer Number (EIN/TIN): (Required) Enter the employer or taxpayer identification number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.	18.	Estimated Funding: (Required) Enter the amount requested, or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
	c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting www.Grants.gov.	19.	Is Application Subject to Review by State Under Executive Order 12372 Process? (Required) Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State.
	d. Address: Enter address: Street 1 (Required); city (Required); County/Parish, State (Required if country is US), Province, Country (Required), 9-digit zip/postal code (Required if country US).	20.	Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of federal debt include; but, may not be limited to: delinquent audit disallowances, loans and taxes. If yes, include an explanation in an attachment.

	e. Organizational Unit: Enter the name of the primary organizational unit, department or division that will undertake the assistance activity.  f. Name and contact information of person to be contacted matters involving this application: Enter the first and last nate (Required); prefix, middle name, suffix, title. Enter organization affiliation if affiliated with an organization other than that in 7.a Telephone number and email (Required); fax number.	21. Authorized Representative: To be signed and dated by the authorized representative of the applicant organization. Enter the first and last name (Required); prefix, middle name, suffix. Enter title, telephone number, email (Required); and fax number. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.)	r
9.	Type of Applicant: (Required) Select up to three applicant type in accordance with agency instructions.		
	A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education Colleges and Universities (HBCU T. Tribally Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority		

OMB Number: 4040-0006 Expiration Date: 01/31/2019

## **SECTION A - BUDGET SUMMARY**

	Grant Program Function or	Catalog of Federal Domestic Assistance	Estimated Unob	ligated Funds	New or Revised Budget					
	Activity (a)	Number (b)	Federal (c)	Non-Federal (d)		Federal (e)	Non-Federal (f)		Total (g)	
1.	Little Salt Creek Watershed - WFPO - Development of an approved NRCS Watershed Plan		\$	\$	\$	330,000.00	\$	\$	330,0	000.00
2.										
3.										
4.										
5.	Totals		\$	\$	\$	330,000.00	\$	\$[	330,0	000.00

Standard Form 424A (Rev. 7- 97) Prescribed by OMB (Circular A -102) Page 1

## **SECTION B - BUDGET CATEGORIES**

6. Object Class Categories		GRANT PROGRAM,	FUNCTION OR ACTIVITY		Total
	Little Salt Creek Watershed - WFPO - Development of an approved NRCS Watershed Plan	(2)		(4)	(5)
a. Personnel	\$	\$	\$	\$	\$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual	330,000.00				330,000.00
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)	330,000.00				\$ 330,000.00
j. Indirect Charges					\$
k. TOTALS (sum of 6i and 6j)	\$ 330,000.00	\$	\$	\$	\$ 330,000.0
. Program Income	\$	\$	\$	\$	\$

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Standard Form 424A (Rev. 7- 97)
Prescribed by OMB (Circular A -102) Page 1A

		SECTION	C.	NON-FEDERAL RESC	UR	RCES				
	(a) Grant Program			(b) Applicant		(c) State	(	d) Other Sources		(e)TOTALS
8.	Little Salt Creek Watershed - WFPO - Develop NRCS Watershed Plan	ement of an approved	\$	-	\$		\$		\$	
9.										
10.										
11.										
12.	TOTAL (sum of lines 8-11)		\$		\$		\$		\$	
		SECTION	D	FORECASTED CASH	NE	EDS				
		Total for 1st Year		1st Quarter		2nd Quarter		3rd Quarter		4th Quarter
13.	Federal	\$ 105,000.00	\$	0.00	\$	5,000.00	\$	50,000.00	\$_	50,000.00
14.	Non-Federal	\$								
15.	TOTAL (sum of lines 13 and 14)	\$ 105,000.00	\$	0.00	\$	5,000.00	\$	50,000.00	\$	50,000.00
	SECTION E - BUD	GET ESTIMATES OF FE	DE	RAL FUNDS NEEDED	FO	R BALANCE OF THE	PR	OJECT		
	(a) Grant Program				,	<b>FUTURE FUNDING</b>	PE			
_			-	(b)First	-	(c) Second		(d) Third	_	(e) Fourth
16.	Little Salt Creek Watershed - WFPO - Develop NRCS Watershed Plan (Federal Fiscal Year 202	oment of an approved 21)	\$	50,000.00	\$	50,000.00	\$	50,000.00	\$	30,000.00
17.	Little Salt Creek Watershed - WFFO - Develor NRCS Watershed Plan (Federal Fiscal Year 202			25,000.00		20,000.00				
18.										
19.										
20.	TOTAL (sum of lines 16 - 19)		\$	75,000.00	\$	70,000.00	\$	50,000.00	\$	30,000.00
		SECTION F	- (	OTHER BUDGET INFOR	RM	ATION				
21.	Direct Charges:			22. Indirect	Ch	arges:				
23.	Remarks:									

BUDGET NARRATIVE FOR WATERSHED & FLOOD PPREVENTION OPERATIONS PROJECT: LITTLE SALT CREEK WATERSHED – LANCASTER COUNTY, NEBRASKA AGREEMENT NO.

- 1. Total Estimated Project Budget: \$330,000.00
- 2. NRCS pays up to 100 percent of eligible costs.
- 3. The sponsor may earn up to 10% (\$33,000.00) of the total Project Budget (\$330,000.00) for agreement administration and project management.
- 4. The Sponsor must provide documentation (to NRCS) to support all eligible costs.
- 5. Costs incurred prior to the Sponsor and NRCS signing the agreement are ineligible and will not be reimbursed.
- NRCS funding for this project is provided to the Sponsor through technical assistance (TA).
   TA costs are associated with services and shall be accounted for to be eligible for reimbursement.
- 7. NRCS will provide TA reimbursement to the Sponsor for technical and administrative costs directly charged to the project, subject to the above limits and in accordance with the signed agreement parameters. If costs are reduced, reimbursement will be reduced accordingly.
- 8. Contract administration costs include, but are not limited to, soliciting, evaluating, awarding and administering contracts for development of an approved NRCS Watershed Plan, including project management, verifying invoices and record keeping.

(Authorized Sponsor Representative) Signature and Title	

AGREEMENT #:

SPONSOR: Lower Platte South Natural Resources District

WATERSHED: Little Salt Creek Watershed Improvement Project, Lancaster County, Nebraska

## WATERSHED & FLOOD PREVENTION OPERATIONS STATEMENT OF WORK

#### **PURPOSE**

The purpose of this agreement is for the United States Department of Agriculture, Natural Resources Conservation Service, hereinafter referred to as the "NRCS", to provide assistance to the Lower Platte South Natural Resources District, hereinafter referred to as the "Sponsor", for the Little Salt Creek Watershed Improvement Project Work Plan - Environmental Assessment (Plan-EA) project Lancaster County, Nebraska, under the Watershed & Flood Prevention Operations (WFPO) Program.

#### **OBJECTIVES**

Create a NEW Watershed Work Plan-Environmental Assessment (Plan-EA) for the Little Salt Creek Watershed Improvement Project, Lancaster County, Nebraska.

This agreement is for planning, including conceptual design work adequate to develop feasible alternatives and identify the preferred alternative. If additional funds become available to totally complete the project through construction, an amendment will be proposed with the Sponsor. If agreed by the parties, this agreement will be amended accordingly. This agreement includes clauses for other phases that may or may not be funded.

#### **BUDGET NARRATIVE**

- 1. NRCS shall pay 100 percent of the costs up to approved funding. There is no financial obligation for the Sponsor unless costs exceed approved funding amounts, and additional funding cannot be secured.
  - A. Budget includes the following estimated costs: \$330,000.00 is obligated for the development of a Watershed Work Plan EA "Planning". Planning and concept design costs are expenses incurred for surveys and investigations, environmental studies, evaluation of alternatives, and preparation of plans and design prior to the authorization of assistance for the installation of works of improvement.
    - a. CONTRACTUAL category: \$297,000 is budgeted for Contractual work. Contractual work entails the professional services, hired and managed by the Sponsor, for the preparation and creation of the Watershed Plan / EA.
    - b. OTHER category: A maximum of \$33,000.00 (i.e.: 10% of the Project Budget) is budgeted for Other expenses. Other expenses are expenses incurred by the Sponsor in direct management of the agreement (e.g.: contract administration). Eligible and reimbursable expenses may include sponsor personnel labor cost entailing soliciting, evaluating, awarding, administering and overseeing contracts for development of an approved NRCS Watershed Plan / EA, including project management, verifying invoices and record keeping.
    - c. This agreement allows for the reapportionment of funds from the "OTHER" budget category to the "CONTRACTUAL" budget category. This reapportionment shall be initiated by the Sponsor with prior approval from the NRCS representative, provided the costs are within the budget estimates listed above. This will be documented through an exchange of correspondence rather than a formal amendment to the agreement.

WATERSHED: Little Salt Creek Watershed Improvement Project, Lancaster County, Nebraska

d. Reapportionment of funds from the CONTRACTUAL budget category to the OTHER budget category is NOT ALLOWED.

#### RESPONSIBILITIES OF THE PARTIES

#### A. Sponsor will—

- Coordinate and conduct a minimum of three face to face meetings (location set by the Sponsor) with the Nebraska NRCS Point of Contact (Allen Gehring) and / or his assigned representation and representative(s) of the selected firm. These meetings shall take place at or near watershed plan development phases of 30%, 60% and 90% completion. The purpose is to ensure all stakeholders are operating and progressing towards a common objective / goal.
- 2. The Sponsor, or sponsors technical representative, shall provide NRCS (Allen Gehring) with a written summary of progress every three (3) months, starting after the 30% review and concluding with the delivery of the final design. The summary serves to ensure comments / feedback noted in the 30% and 60% reviews are being addressed. The summary should be limited to a maximum of two (2) pages.
- 3. Planning must comply with the <u>policy</u> set forth in the NRCS Title 390, National Watershed Program <u>Manual</u> (NWPM). Sponsor may obtain a full copy of this reference manual at <a href="http://directives.sc.egov.usda.gov/">http://directives.sc.egov.usda.gov/</a>, Manuals, Title 390 Project Development & Maintenance, Parts 500 -506 "National Watershed Program Manual"

Planning <u>procedural</u> guidelines for creation of the NEW Watershed Work Plan-Environmental Assessment (Plan-EA) shall follow NRCS Title 390, National Watershed Program <u>Handbook</u> (NWPH). Sponsor may obtain a full copy of this reference handbook at <a href="http://directives.sc.egov.usda.gov/">http://directives.sc.egov.usda.gov/</a>, Handbooks, Title 390 – Project Development & Maintenance, Parts 600 - 606 – "National Watershed Program Handbook"

NRCS water resources projects must comply with the latest Principles, Requirements, and Guidelines (PR&G) for Water and Land Related Resources Implementation Studies. Refer to this link for information:

- USDA Departmental Manual 9500-013 USDA Guidance for Conducting Analyses Under the Principles, Requirements, and Guidelines for Water and Land Related Resources Implementation Studies and Federal Water Resource Investments, January, 2017
- 4. Contract for services, as necessary, award and administer any contracts for the installation of the work for the project specified in this agreement in accordance with the <u>Code of Federal Regulations (CFR), 2 CFR § 200.317 through 200.326</u>, applicable state requirements, and the Sponsors' procurement regulations, as appropriate. See general terms and conditions attached to this agreement for a link to the CFR. In accordance with 2 CFR § 200.326 contracts must contain the applicable provisions described in <u>Appendix II to Part 200</u>. Davis-Bacon Act would not apply under this federal program legislation.

5. The contracts for services described in this Agreement shall not be awarded to the Sponsor or to any firm in which any Sponsor's official or any member of such official's immediate family has direct or indirect interest in the pecuniary profits or contracts of such firms. Reference 2 CFR § 200.318 regarding standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts.

- 6. Take reasonable and necessary action of all contractual and administrative issues arising out of contracts awarded under this agreement.
- Designate a project liaison to serve between the Sponsor and NRCS and identify that person's
  contact information with this executed agreement. Any change in the project liaison during the
  term of this agreement must be immediately communicated to NRCS.
- 8. Pay the contractor for all services performed in accordance with the agreement and submit a SF270, "Request for Advance and Reimbursement," to the NRCS Program/Technical Contact with all documentation to support the request. Payments will be withheld until all required documentation is submitted and complete.
- 9. Be responsible for all ineligible project costs. Ineligible costs are costs not referenced in this agreement.
- Responsible for all costs in excess of the federal cost-share in this agreement.
- 11. Comply with the applicable requirements in the attached General Terms and Conditions of this agreement.
- 12. Ensure that requirements for compliance with environmental and cultural resource laws are considered for the proposed works of improvement described in this agreement.
- 13. Ensure the information in the System for Award Management (SAM) is current and accurate until the final financial report (SF425) under this award or final payment is received, whichever is later.
- 14. Take reasonable and necessary actions to dispose of all contractual and administrative issues arising out of the contract awarded under this agreement. This includes, but is not limited to disputes, claims, protests of award, source evaluation, and litigation that may result from the project. Such actions will be at the expense of the Sponsor, including any legal expenses. The Sponsor will advise, consult with, and obtain prior written concurrence of NRCS on any litigation matters in which NRCS could have a financial interest.
- 15. Sponsor must indemnify and hold NRCS harmless to the extent permitted by State law for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the Sponsor in connection with its acquisition and management of the Watershed & Flood Prevention Operations Program pursuant to this project agreement. Further, the Sponsor agrees that NRCS will have no responsibility for acts and omissions of the Sponsor, its agents, successors, assigns, employees, contractors, or lessees in connection with the

acquisition and management of the Watershed & Flood Prevention Operations Program pursuant to this project agreement that result in violation of any laws and regulations that are now or that may in the future become applicable.

- 16. Be liable to the NRCS for damages sustained by the NRCS as a result of the contractor failing to complete the work within the specified time. The damages will be based upon the additional costs incurred by the NRCS resulting from the contractor not completing the work within the allowable performance period. These costs include but are not limited to personnel costs, travel, etc. The NRCS will have the right to withhold such amount out of any monies that may be then due or that may become due and payable to the Sponsor. This liability is not applicable to the extent that the contract performance time is extended by court judgment unless such judgment results from actions of the Sponsor not concurred in by NRCS.
- 17. Take necessary legal action, including bringing suit, to collect from the contractor any monies due in connection with the contract, or upon request of NRCS, assign and transfer to NRCS any or all claims, demands, and causes of action of every kind whatsoever that the Sponsor has against the contractor or his or her sureties.
- 18. Retain all records dealing with the award and administration of the contract for three (3) years from the date of the Sponsor's submission of the final request for reimbursement or until final audit findings have been resolved, whichever is longer. If any litigation is started before the expiration of the 3-year period, the records are to be retained until the litigation is resolved or the end of the 3-year period, whichever is longer. Make such records available to the Comptroller General of the United States or his or her duly authorized representative and accredited representatives of the Department of Agriculture or cognizant audit agency for the purpose of making audit, examination, excerpts, and transcriptions.

## B. NRCS will-

- 1. Provide support in terms of interpreting NRCS Policy and or Procedures and clarifying deliverable expectations.
- 2. Review and concur with the watershed plan, concept design and all other documents developed for or by the Sponsor.
- 3. Designate a Government representative (GR) to serve as liaison with the Sponsor and identify that person's contact information with this executed agreement.
- 4. Consult with the Sponsor, as requested, in preparing the solicitation and awarding and administering the contract.
- Make payment to the Sponsor covering the NRCS's share of the cost upon receipt and approval
  of SF270, withholding the amount of damages sustained by NRCS as provided for in this
  agreement.

SPONSOR: Lower Platte South Natural Resources District

WATERSHED: Little Salt Creek Watershed Improvement Project, Lancaster County, Nebraska

6. NRCS would initiate consultation, where warranted, for cultural resources and other special environmental concerns such as endangered species.

#### C. SPECIAL PROVISIONS

- The furnishing of financial, administrative, and/or technical assistance above the original funding amount by NRCS is contingent on there being sufficient unobligated and uncommitted funding in the Watershed Flood Prevention Operations Program that is available for obligation in the year in which the assistance will be provided. NRCS may not make commitments in excess of funds authorized by law or made administratively available. Congress may impose obligational limits on program funding that constrains NRCS's ability to provide such assistance.
- 2. NRCS, at its sole discretion, may refuse to cost share should the Sponsor, in administering the contract, elect to proceed without obtaining concurrences described in this agreement.

#### EXPECTED ACCOMPLISHMENTS AND DELIVERABLES

## Sponsor will-

- Create a new Watershed Work Plan-Environmental Assessment (Plan-EA) that meets or exceeds the
  policies and procedures defined in the NRCS National Watershed Program Manual and NRCS
  National Watershed Program Handbook.
- 2. Prepare concept design and drawings in accordance with standard engineering principles that comply with NRCS programmatic requirements.
- 3. The Sponsor must ensure each description of the work described in this agreement is reviewed, concurred, and approved by NRCS.
- 4. Provide NRCS with a copy of all solicitation and request for bids documents prior to release, as well as all awarded contracts and contract modifications.
- 5. The sponsor must provide NRCS with documentation of the actual cost incurred for the services acquired.
- Appoint a contracting officer and an authorized representative who will have authority to act for the contracting officer, listing their duties, responsibilities, and authorities. Furnish such information in writing to the NRCS State Conservationist.
- 7. Provide copies of site maps to appropriate Federal and State agencies for environmental review. Notify NRCS of environmental clearance, or any unresolved concerns.
- 8. Dispose of all claims resulting from the contract; secure prior written concurrence of the State Conservationist if NRCS funds are involved.

#### **RESOURCES REQUIRED**

AGREEMENT #:

SPONSOR:

Lower Platte South Natural Resources District

WATERSHED: Little Salt Creek Watershed Improvement Project, Lancaster County, Nebraska

No other resources required other than funding.

## **MILESTONES**

TASK: Public Participation - ESTIMATED START: March 2020 - ESTIMATED COMPLETION: April 2022

TASK: Site Data Collection - ESTIMATED START: September 2020 - ESTIMATED COMPLETION: February 2021

TASK: Conceptual Design Alts - ESTIMATED START: November 2020 - ESTIMATED COMPLETION: April 2021

TASK: Writing Draft Plan-EA for NRCS Review - ESTIMATED START - October 2020 - ESTIMATED COMPLETION -June 2021

TASK: Draft Plan-EA for NWMC &NHQ Review - ESTIMATED START - June 2021 - ESTIMATED COMPLETION -August 2021

TASK: Public meeting & Interagency Comments - ESTIMATED START - September 2021 - ESTIMATED **COMPLETION - November 2021** 

TASK: Final Plan-EA - ESTIMATED START - November 2021 - ESTIMATED COMPLETION - January 2022

TASK: Final Plan-EA submitted for Authorization - ESTIMATED START - January 2022 - ESTIMATED COMPLETION -April 2022