



Memorandum

Date: November 9, 2018
To: Each Director
From: Paul D. Zillig, General Manager
Subject: Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at 4:00 pm on Thursday, November 8, 2018 at the NRD Office in Lincoln. Subcommittee members present included Ray Stevens, Larry Ruth, Dan Steinkruger, Milt Schmidt, and Greg Osborn. Others present included Adam Behmer of FHU (Felsburg Holt & Ullevig), David Potter, Dan Schulz, and myself.

Chair Stevens called the meeting to order, roll call showed Ruth, Steinkruger, Schmidt, Osborn, and Stevens in attendance and Eagan absent. Stevens noted that the public meetings law is posted in the room and the legal notice for this Executive Subcommittee Meeting was published in the Lincoln Journal Star on October 26, 2018.

The first item on the agenda was to consider approval of an Easement License Agreement with Dustan Biegler for North Oak 2-C, located just south of Valparaiso. Stevens reminded the Subcommittee that the NRD Board of Directors authorized the Executive Subcommittee to approve Easement License Agreements, for this reason a legal notice for this meeting was published.

I reported on the request from Biegler (see attached) and the attached Easement License Agreement. The Subcommittee discussed the situation and noted the insurance provisions in the agreement. It was agreed that this allows use of the floodpool easement and lake, and also protects the NRD's rights. It was moved by Osborn, seconded by Ruth, and unanimously approved by the Subcommittee to approve the Easement License Agreement for North Oak 2-C with Dustan Biegler.

The next item on the agenda was to consider long range planning for the NRD's involvement operating a Wetland Bank. Staff reported that the NRD's Blue Heron Wetland Bank was established 17 years ago and the wetland credits were purchased by the NRD eight years ago. Staff reported that the NRD has nearly recovered the NRD's cost to purchase the wetland bank credits and, based upon the past sale of credits, staff estimates that the credits will last another 12 years. The Subcommittee discussed the benefits to the NRD of having available credits in the wetland bank. The Subcommittee directed staff to discuss with Papio-Missouri River NRD the cost to establish a wetland bank, discuss with the Corps of Engineers their interest in the LPSNRD



developing a new wetland bank, and that staff look into plans to retain a portion of the available Blue Heron Wetland Bank credits.

The final item on the agenda was to consider a request (attached) from Otoe County to purchase a total of 0.3115 acres of wetland credits for unavoidable impacts on 0.1976 acres of wetlands for a new county road south of Palmyra, Nebraska. Adam Behmer, Environmental Scientist with Felsburg, Holt, and Ellevig explained the project and made the request on behalf of Otoe County.

Schulz reported that our records show there are 4.5334 acres of remaining credits in the Blue Heron Wetland Bank. The Corps is reviewing a further breakdown of the 5 specific “freshwater” wetland types and credits available in the bank. Schulz reported that there are enough credits available in the NRD’s Blue Heron Wetland Bank for Otoe County’s request. It was moved by Osborn, seconded by Ruth, and unanimously approved by the Subcommittee to **recommend the Board of Directors authorize selling 0.3115 total credits from the NRD’s Blue Heron Wetland Bank for \$20,000 to Otoe County for the Palmyra Road G & H Connection Project (Control No. 13249, Project HRRR-7915(1)), dependent upon legal counsel review.**

There being no further business the meeting adjourned at 5:05 pm.

PDZ/pz

pc: Steve Seglin