



LOWER PLATTE SOUTH natural resources district

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

MEMORANDUM

Date: October 19, 2021

To: Lower Platte South Natural Resources District Board of Directors

From: Ariana Kennedy, Resources Conservationist *AK*

Subject: Minutes for Recreation, Forestry & Wildlife Subcommittee Meeting

On Monday, October 18, 2021, the Recreation, Forestry and Wildlife subcommittee met at the Lower Platte South Natural Resources District (LPSNRD) in the Large Conference Room at 5:30 p.m. Subcommittee members present; Anthony Schutz – Chair, Lisa Lewis, Christine Lamberty, Susan Seacrest, Ray Stevens and John Yoakum. Other attendees were Terry Wittler (Capitol Beach Community Association), Brian Schuele (Olsson), Tim Knott and Theresa Pella (Wachiska Audubon Society), Deb Eagan, Paul Zillig, Jay Seaton and Ariana Kennedy.

Three Capitol Beach Community Association (CBCA) Easements were first on the agenda. Wittler informed the subcommittee the corporation (Waterfront Place Estates Homeowners Association, Inc.) was dissolved and is unable to be revived. Due to this corporation dissolving, there is not an easy way to obtain an easement on this property. Wittler and Corey Wasserburger (LPSNRD legal counsel) are working towards a solution to legally obtain an easement. As a first step, Wasserburger recommended staff do a title certificate search on the property. See attached map for location, highlighted in yellow – ‘Waterfront Estates Homeowners’.

The next easement discussed was the Easement between CBCA and LPSNRD to allow construction of a path across the Lincoln Saline Wetland Nature Center. See attached map for location, highlighted in pink – ‘LPSNRD’ and Easement Exhibit for location. Easement Agreement is attached.

It was moved by Yoakum and seconded by Lewis and unanimously approved to recommend the Lower Platte South NRD Board of Directors approve the Easement Agreement with the Capitol Beach Community Association to allow construction of a trail across the District’s Lincoln Saline Wetland Nature Center 1st Addition, Outlot A, subject to legal counsel review.

The third item presented was the LPSNRD/CBCA joint purchase of an Easement from the Muhle’s to allow access across the Muhle’s property. The cost for LPSNRD would be \$12,500. There was discussion in the subcommittee on the value this Easement would provide to LPSNRD. Without this easement, LPSNRD maintenance is not able to easily access the area west of the oxbox on the Lincoln Saline Wetland Nature Center (LSWNC). See attached map for location, highlighted in green – ‘Muhle’ and Easement Exhibit for location. Additional map shows Muhle’s property location (626 Waterfront Place) and shows the oxbox area on LSWNC. Easement is attached.

It was moved by Stevens and seconded by Yoakum to recommend the Lower Platte South NRD Board of Directors allocate an amount not to exceed \$12,500 to purchase an easement from David W. Muhle and Julie A. Muhle, which easements shall be held jointly by the District and the Capitol Beach Community Association.

Motion passed, 4-2.

Second on the agenda was the Oak Creek Trail Repair project. These repairs are needed due to a flood event west of Valparaiso on Bates Branch in 2019 that impacted a portion of the trail corridor. Bids were opened on Monday, September 27. Three bids were received and High Plains Enterprise, Martell, Nebraska was the low bidder. Olsson provided a letter of recommendation to award the project to High Plains Enterprises in the amount of \$228,070.00. Olsson provided a bid tabulation for all bids received as well. Schuele answered questions from the subcommittee. Letter and bid tabulation are attached to this memorandum.

It was moved by Yoakum and seconded by Lewis and unanimously approved to recommend the Lower Platte South NRD Board of Directors approve the low bid from High Plains Enterprises in the amount of \$228,070.00 for the Oak Creek Trail Repair project.

Third on the agenda was the professional services contract with Olsson for construction oversight on the Oak Creek Trail Repair project. Construction services on the repair project will include; project management, construction management, on-site field management, project close-out and environmental services. Contract is for a cost not to exceed \$15,500.00 and will be based on time and materials used. Legal counsel reviewed the Agreement. Letter Agreement Amendment #2 between LPSNRD and Olsson for construction services on the Oak Creek Trail Repair project is attached to this memorandum.

It was moved by Lewis and seconded by Stevens and unanimously approved to recommend the Lower Platte South NRD Board of Directors approve Letter Agreement Amendment #2 between the Lower Platte South NRD and Olsson for construction services on the Oak Creek Trail Repair project in an amount not to exceed \$15,500.00.

Fourth agenda item was Tim Knott and Theresa Pella, Wachiska Audubon Society, speaking to the subcommittee about their funding request. Wachiska realized professional management was needed on their properties and applied for a Nebraska Environmental Trust (NET) grant this year. Wachiska previously requested \$9,000 of match funds from LPSNRD for this grant. LPSNRD approved this request and funds would be provided to Wachiska upon grant approval. With the uncertainty of NET grant approval, Wachiska has requested \$9,000 from LPSNRD even if grant is not approved. The subcommittee wondered if the \$9,000 would be designated towards only those prairies in LPSNRD. Pella replied they would go into general funds however they can determine prairies within LPSNRD. The subcommittee was not comfortable gifting \$9,000 directly to Wachiska without cost share. Wachiska is planning to submit a letter to LPSNRD on cost share possibilities and/or alternative grant opportunities for match funds as well determine the prairies lying in LPSNRD.

Fifth on the agenda was the 2021 Interlocal Agreement for Obtaining Seedling Trees and Shrubs with the Nebraska NRDs and the Nebraska Association of Resources Districts (NARD). Seaton informed the subcommittee the Interlocal Agreement is for a period of three years. The Agreement would allow

NARD to act on behalf of the participating NRDs by NARD entering into a Sales Agreement (NARD Exhibit A) with the Forest Service to acquire seedling trees and shrubs. Seaton stated these are the trees LPSNRD sells to landowners that are packaged and distributed in the spring. A copy of the Interlocal Agreement and Sales Agreement (NARD Exhibit A) are attached to this memorandum. Legal counsel reviewed the Agreements.

It was moved by Seacrest and seconded by Yoakum and unanimously approved to recommend the Lower Platte South NRD Board of Directors approve the Interlocal Agreement for Obtaining Seedling Trees and Shrubs Between Participating Natural Resources Districts and the Nebraska Association of Resources Districts.

Sixth on the agenda was The Nature Conservancy (TNC) request for funding assistance on a statewide conservation survey. Zillig informed the subcommittee TNC has taken the lead role on entering into a contract with New Bridge Strategy for this research. TNC has requested funding assistance from other agencies and organizations as well. Results of the research would be used for educational purposes on conservation measures in the state. A copy of the Nebraska Statewide Research Proposal is attached to this memorandum.

It was moved by Stevens and seconded by Lamberty and unanimously approved to recommend the Lower Platte South NRD Board of Directors approve the request from The Nature Conservancy to provide funding assistance for the Nebraska Statewide Survey Research Proposal in an amount not to exceed \$5,000.00.

Last, on the agenda was a report on the 17-acre parcel of property adjacent to Arnold Elementary School and Oberg property. The parcel is currently owned by either the City of Lincoln or Airport Authority. Schutz reminded the subcommittee this parcel was discussed at the previous subcommittee when Bill Oberg inquired about the possibility of a conservation easement on the property. As stated at that subcommittee meeting, LPSNRD would not be able to guarantee a potential future property owner that a conservation easement would occur. Staff visited the site on October 7 and mentioned the property is a typical warm season tallgrass stand. A copy of the site visit notes and photographs are attached to this memorandum.

Meeting adjourned at 7:12 p.m.

PC: RF&W subcommittee file