



LOWER PLATTE SOUTH natural resources district

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Memorandum

Date: June 12, 2020
To: Urban Subcommittee
From: Jared Nelson, District Engineer
Subject: Urban Subcommittee Meeting Minutes – June 2020

The Urban Subcommittee met at 5:30pm, on Tuesday, June 9, 2020. Subcommittee members participating included Mike DeKalb, Karen Amen, Robert Andersen, Tom Green, Greg Osborn, Milt Schmidt, Anthony Schutz and Ray Stevens. Others participating included NRD Board Member Larry Ruth; NRD staff Paul Zillig, Dave Potter, Mike Murren, Al Langdale, Tracy Zayac and Jared Nelson; Brad Marshall with Olsson; Brian Will and Tim Zach with the City of Lincoln; and Mike Sotak with FYRA Engineering.

Director DeKalb called the meeting to order at 5:30, gave a brief welcome, and reviewed the agenda. There were five items the Subcommittee took action on and a couple of reports discussed as described below. See attachments for supporting information.

(a.) Wilderness Hills PUD Conservation Easement Exchange Request. – Brad Marshall on behalf of Lincoln Federal Bankcorp, presented before the Subcommittee on the status of restoration work, and made a request to exchange easements, at the existing City/NRD conservation easement located along Southeast Upper Salt Creek, northwest of S. 40th & Rokeby Rd in Lincoln. First, Marshall provided an update of the efforts to restore a portion of City/NRD conservation easement that was destroyed about fourteen months ago at the Wilderness Hills development. He shared that some areas have been re-graded and seeded, and that the work is on-going.

He then described the exchange request for the proposed *Wilderness Hills South PUD* development plan that proposes apartments and townhomes south of the creek, in an area bounded by the creek, South 40th St, and Rokeby Rd. Marshall described the request to reduce the existing City/NRD conservation easement area in order for the developer to increase his developable area, and in return the developer would dedicate a new conservation easement area along S 40th St. He also mentioned that portions of the new easement would be re-graded and planted as prairie grass.

Marshall answered questions from Board Member Amen regarding impacts to flood storage and the floodplain model. Marshall said they are proposing to excavate the new area as much as possible and can provide the information. Marshall asked what additional data would the NRD like to see to approve the request, and DeKalb responded with: information showing the benefits to the floodplain, improving the environmental circumstances, and it needs to show a positive net gain for the NRD and taxpayers. Andersen mentioned the City/NRD paid \$180,000 for the existing Conservation Easement.

Andersen asked Nelson if the same players were involved in both this development and the damage and restoration effort, and what the status is regarding the restoration effort. Nelson responded that they are the same players, with Lincoln Federal as the developer, and Olsson their consultant involved in both. Nelson described that Phase 1 of the restoration work as recently been completed, and Phase 2 is still on-going. Marshall added that Phase 2 recently received a 404 Permit approval from USACE.

Andersen further asked what provisions are in place if they don't complete the restoration work. Nelson responded he was not aware of any provisions specifically tied to the current Phase 1 or 2 restoration work, but there are general provisions in the overall City/NRD conservation easement describing how the City/NRD can do the work and then pursue reimbursement. Stevens asked about the NRDs responsibility in ensuring structures or property are not adversely affected by grading done on the land by others, and Nelson responded that he does not believe the NRD has any obligation, the NRD simply holds an easement over the floodplain area, and if someone grades or fills on the land, they would be responsible.

It was moved by Andersen, seconded by Amen, and unanimously approved by the Subcommittee to recommend that the Board of Directors *not* approve the release of a portion of existing conservation easement in exchange of a new conservation easement, with Lincoln Federal Bancorp.

(b.) Beal Slough Stream Stability Project 70th - Pine Lake Road, Landrights and Appraisal Proposals – Mike Murren discussed how as part of the Beal Slough Stream Stability Project, 70th to Pine Lake Road, Intuition & Logic has identified landrights needed for proposed stream stability measures along Beal Slough. He described two appraisal proposals he received from Cody Gerdes of Great Plains Appraisals at a cost of \$2,750 each and referred to the site map and tract map (attached) regarding easements needed.

It was moved by Osborn, seconded by Stevens, and unanimously approved by the Subcommittee to recommend that the Board of Directors authorize staff to begin the acquisition of landrights for the Beal Slough Stream Stability Project (70th – Pine Lake Road) and approve the professional services agreement with Great Plains Appraisal, at a cost not to exceed \$5,500, subject to legal counsel review.

(c.) Salt Creek Levee Repairs, Park Ave - Van Dorn (near STA 76+00R), Professional Services. – Jared Nelson, staff, described efforts under an existing contract, where Benesch is finalizing design for the Salt Creek Levee Repairs Project, between Park Ave. and Van Dorn (near STA 76+00R), and is working to receive a U.S. Army Corps of Engineers (USASCE) 404 Permit for this work. He described the proposal amendment from Benesch to prepare construction bid documents and specifications, assist in bidding services, and conduct construction administration and observation of this project.

It was moved by Stevens, seconded by DeKalb, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the amendment to the professional services agreement with Benesch, for additional bidding and construction phase services, at a cost not to exceed \$16,981, for the Salt Creek Levee Repair Project between Park Ave and Van Dorn.

(d.) Deadmans Run Flood Reduction Project, USACE H&H Modeling Updates, Professional Services. – Nelson discussed how for the Deadmans Run Flood Reduction Project (DMRFRP), the NRD needs to build a detention basin as a necessary 'local' component, and has previously hired FYRA Engineering to begin preliminary design of the basin. He described that as part of the design process, the USACE provided a preliminary hydrologic and

hydraulic model, and FYRA reviewed this and advised the project team (City/NRD) that additional work is needed to compliment the USACE's model.

Nelson described the proposal received from FYRA, for additional modeling to more accurately represent real-life conditions, provide more details for the design of project components, and to accurately re-map the floodplain for the DRMFRP project. Mike Sotak, with FYRA, described how they want to make sure they get the modeling correct and ensure the detention basin will function as intended, and potentially at a much lower cost.

It was moved by Amen, seconded by Stevens, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the professional services agreement from FYRA, for an amount not to exceed \$183,033 for the Deadmans Run Detention Basin Design - Additional Project Modeling, pending legal counsel review.

(e.) Deadmans Run Flood Reduction Project, UNL Flume, Contract Time Extension. - Nelson described that due to COVID-19, the University of Nebraska prevented their staff from working on the flume model, being developed for the Deadmans Run Flood Reduction Project. The University of Nebraska is requesting NRD approval to extend the contract time for this work, at no cost, with a new completion date of September 30, 2020.

It was moved by DeKalb, seconded by Andersen, and unanimously approved by the Subcommittee to recommend the Board of Directors approve extending the completion date of the UNL Research Agreement for the Deadmans Run Railroad Bridge Flume Physical Modeling Project to September 30, 2020.

(f.) Reports. – Finally, staff gave reports on two projects. Langdale gave an update of the Salt Creek Levee USACE PL 84-99 Repair Project, and described recent construction work which Blademasters is progressing with on the levee for USACE. Then Zillig described the history and agreement between the NRD and Waverly where the NRD takes care of major maintenance on the Ash Hollow Channel. He discussed that a consultant working for Waverly recently put together a cost estimate for work needed at the Ash Hollow channel, and since this request came after Draft #1 of the budget, he has requested further details from the consultant for consideration in Draft #2 of the budget.

There being no further business the meeting adjourned at approximately 7:30 pm.

JN/jn

Enclosures;