



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: July 17, 2020
To: Urban Subcommittee
From: Jared Nelson, District Engineer
Subject: Urban Subcommittee Meeting Minutes – July 2020

The Urban Subcommittee met at 5:30pm, on Thursday, July 16, 2020. Subcommittee members participating included Mike DeKalb, Karen Amen, Robert Andersen, Tom Green, Greg Osborn, Milt Schmidt and Ray Stevens. Members absent include Anthony Schutz. Others participating included NRD Board Member Larry Ruth; NRD staff Paul Zillig, Dave Potter, Mike Murren, Al Langdale, Bryce Jensen, Tracy Zayac and Jared Nelson; Jake Whitefoot with Foreman Ridge HOA; and Joel Jones and Roger Behrns with the City of Louisville.

Director DeKalb called the meeting to order at 5:30pm, 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.) Conservation Easement Discussion. – The Subcommittee discussed conservation easements and when and why the District may act to release or modify easements. See attached memo from Steve Seglin providing legal background on this topic. Paul Zillig discussed the Memo regarding the Conservation Easement Act and how there is not a provision to release a conservation easement unless it is not fulfilling its intended purpose. Stevens asked if the District’s conservation easements describe a purpose, and Zillig responded that they do. Green said the memo was helpful in describing the Districts duties to make sure the easements are fulfilling their purpose for the public benefit, and not make trades as private landowners do from time to time. Amen and DeKalb summarized the discussion that the memo is good to have moving forward.

(b.) Consideration of Amendment #2 to the Antelope Creek Pipe Replacement Agreement with JEO. – Bryce Jensen, staff, discussed how the construction duration of the Antelope Creek Pipe Replacement project took longer than the originally estimated timeframe, and additional construction management and observation services were necessary to accommodate the additional construction time. See attached letter and amendment from Ross Lawrence at JEO for additional construction services on the above referenced project.

It was moved by Schmidt, seconded by DeKalb, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve Amendment #2 to the professional services agreement with JEO, for additional construction phase services, for the Antelope Creek Pipe Replacement project, at a cost not to exceed \$3,500, pending legal counsel review.

(c.) Consideration of additional surveying services for the Deadmans Run Flood Reduction Project for Phase 1 survey work for Corps of Engineers by FYRA. – Jared Nelson, staff, discussed how the US Army Corps of Engineers (USACE) previously completed survey for Phase 1 work (Cornhusker to confluence), and the USACE asked the NRD if we can incorporate their Phase 1 survey data into the hydraulic model, and for this receive Work-In-Kind credit towards the Deadmans Run 205 Flood Reduction project. Nelson mentioned that the USACE believes it will be efficient to have the NRDs consultant do this work, as they've begun modeling updates. FYRA is currently updating the hydraulic model for the NRD, and has provided the attached proposal for this additional work.

It was moved by Osborn, seconded by Stevens, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the amendment to the professional services agreement with FYRA, for additional surveying services, for the Deadmans Run Flood Reduction Project – Phase 1 Survey, at a cost not to exceed \$1,477, pending legal counsel review.

(d.) Community Assistance Program Request – City of Louisville, Mill Creek Bank Stabilization Project. – Tracy Zayac, staff, discussed how the City of Louisville has completed Phase 1 (design) of this project, the USACE 404 permit has been approved, and Louisville is requesting assistance for Phase 2 (construction). See attached Memo from Tracy Zayac dated July 8th for information on this item. Zayac and Joel Jones, the project manager with the City, discussed how they plan to have City staff do the work themselves, and the cost-share request is mainly for equipment rental and materials. Roger Behrns, the Mayor of Louisville, also added that Louisville is very appreciative of the NRD's assistance, and they believe the phase 2 proposal is good and will help keep costs down by utilizing City staff.

It was moved by Anderson, seconded by Amen, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the Community Assistance Program cost-share request from the City of Louisville, for Phase 2, for the Mill Creek Bank Stabilization project, at a cost-share amount of 50% of the total cost of \$76,878, not to exceed \$38,439 NRD funds.

(e.) Community Assistance Program Request – Foreman Ridge HOA, Foreman Ridge Pond Rehabilitation Project. – Zayac, then described how Foreman Ridge HOA has requested Community Assistance Program cost-share for Phase 1 (design) of a project to repair/replace the spillway and outlet works at two ponds maintained by the HOA. See attached Memo from Tracy Zayac dated July 8th for information on this item. Jake Whitefoot, with the HOA responded to DeKalbs question about maintenance, and Whitefoot described many maintenance activities the HOA has completed over the years, and that numerous temporary repairs to the pond outlet works keep failing but the structures have now reached the end of their useful life and are decaying. Whitefoot also added that the two ponds they are requesting assistance with are the main ponds are on a tributary of Cardwell Branch, and are shared and enjoyed by the whole HOA community.

It was moved by Amen, seconded by Schmidt, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the Community Assistance Program cost-share request from Foreman Ridge HOA, for the Foreman Ridge HOA Pond Outlet Works – Phase 1, at a cost-share amount of 50% of the total cost of \$22,300, not to exceed \$11,150 NRD funds.

(f.) Rain-Ready Landscapes Project Request – Brenda Wacker Rain Garden. – Zayac discussed this request – the first one of its kind with this new program. Zayac referred to her attached Memo dated July 8th for information on this Rain-Ready Landscapes Project. She discussed the request from Brenda Wacker at 8900

Lightner Circle, to complete a rain garden to reduce pollution from reaching a downstream pond. Zayac discussed that Wacker had started building a raingarden on her own, and the application is only for work to complete the project. Specifically the assistance would help cover costs for professional landscaping labor and additional plant and mulch materials.

The Subcommittee will consider the Rain-Ready Landscapes Project cost-share request from Brenda Wacker, for the Brenda Wacker Rain Garden project, at a cost-share amount of 50% of the total cost of \$1,381, not to exceed \$691 NRD funds, pending legal counsel review.

It was moved by Green, seconded by Schmidt, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the Rain-Ready Landscapes Project cost-share request from Brenda Wacker, for the Brenda Wacker Rain Garden project, at a cost-share amount of 50% of the total cost of \$1,381, not to exceed \$691 NRD funds, pending legal counsel review.

(g.) Reports. – Finally, staff gave reports on two projects. Zayac first gave an update to the Community Assistance Program project and referred to her attached memo and infographic which summarizes the different CAP projects and accompanying details. Zayac mentioned she is also working on a online GIS map of these projects she can share when its complete. Lastly, Zillig gave a report about the Deadmans Run Flood Reduction Project and referenced his attached one-page summary of updated budget numbers for FY 21-24. Zillig discussed that financially we're in good shape, but with the March Flood event and the pandemic slowing the USACE's progress recently, the updated budget reflects the latest anticipated schedule. He also discussed that with Draft #2 Budget, the Deadmans Run project details looks a little different now due to all local expenditures going through the NRD in order for these to be submitted and partially reimbursed through the Water Sustainability Fund.

There being no further business the meeting adjourned at approximately 6:30 pm.

JN/jn

Enclosures;



JOHNSON FLODMAN
GUENZEL & WIDGER

ATTORNEYS AT LAW

A.
Kile W. Johnson
Steven J. Flodman
Steven E. Guenzel
Abbie J. Widger
Stefanie S. Flodman
Cameron E. Guenzel
Corey J. Wasserburger
Melanie A. Kirk
Morgan C.H. Kristensen
Steven G. Seglin

Robert A. Barlow
(1921-1986)

MEMORANDUM

To: Paul Zillig
From: Steven G. Seglin
Subject: Conservation Easements
Dated: July 1, 2020

QUESTION

May a conservation easement, which has been duly approved, filed and recorded on a specific tract of land, pursuant to the Conservation and Preservation Act, *Neb. Rev. Stat.* § 76-2,111 to 76-2118 (the "Act"), be released in whole or in part? May the terms of a conservation easement be modified?

ANSWER

Yes. The Act permits the release of an existing easement in whole or in part or the modification of such easement if the conditions stated below are established.

REASONING

The Uniform Conservation Easement Act ("UCEA"), which is an act adopted by the appointed state law commissioners of each state, authorizes the creation of permanent easements on real property for conservation and historic preservation purposes. The common law of property prohibited such restrictions and therefore a statute is necessary to ensure conservation and preservation easements are legally enforceable. If the UCEA has been adopted by a state, a landowner can create an enforceable conservation or preservation easement.

The UCEA has not been enacted by the State of Nebraska; however, the Conservation and Preservation Easement Act (the "Act") has been enacted. The Act authorizes conservation and preservation easements to be statutorily created as a means of legally enforcing such easements.

A conservation easement is defined by the Act as:

“. . . a right, whether or not stated in the form of an easement, restriction, covenant, or condition in any deed, will, agreement, or other instrument executed by or on behalf of the owner of an affirmative obligation upon the owner appropriate to the purpose of retaining or protecting the property in its natural, scenic, or open condition, assuring its availability for agricultural, horticultural, forest, recreational, wildlife habitat, or open space use, protecting air quality, water quality, other natural resources, or for such other conservation purpose as may qualify as a charitable contribution under the Internal Revenue Code.” in *Neb. Rev. Stat. § 76-2,111*

A preservation easement is identically defined as a conservation easement, except for the purpose which is stated as “preserving the historical, architectural, archaeological, or cultural aspects of the real property, or for such other historic preservation purpose . . .” *Neb. Rev. Stat. § 76-2,111*.

A holder of either easement is defined in the Act as anyone acquiring a conservation or preservation easement by purchase, exchange, gift, or devise and having the right to enforce it terms. A holder is required to be some type of governmental entity or charitable corporation.

A conservation or preservation easement is “an interest in real property created by an instrument in which the purpose of the easement is clearly stated . . .” *Neb. Rev. Stat. § 76-2112(1)*. It is required to be submitted to the local planning commission for comments. *Neb. Rev. Stat. § 76-2112(3)*.

There are conditions set out in the Act which permit the release, in whole or in part, of a conservation easement as well its modification, as follows:

1. “A Conservation easement may only be released as provided under *Neb. Rev. Stat. § 76-2,113* by the holder of the easement to the owner of the property, except such release is required to be approved by the governing body which approved the easement, or if the holder is the state, a state agency, or political subdivision other than a city, village, or county, the release is required to be approved by the state or such state agency or political subdivision. The release of a conservation or preservation easement may be approved upon a finding by such body that the easement no longer substantially achieves the conservation or preservation for which it was created.” (Emphasis added).
2. “Unless a conservation or preservation is otherwise modified or terminated according to the terms of the easement or the provisions of the Act, the owner of the subject real estate or the holder of the easement may petition the district court in which the greater part of the servient estate is located for modification or termination of the easement. The court may modify or terminate the easement pursuant to *Neb. Rev. Stat. § 76-2,114* only if the petitioner establishes that it is no longer in the public interest to hold the easement or that the easement no longer substantially achieves the conservation

purpose for which it was created. . . . No modification of the easement shall be permitted which is in excess of that reasonably necessary to remedy any deficiency in the easement.”

Other provisions of the Act, which may be applicable, depending on the circumstances are as follows:

3. A conservation or preservation easement may be assigned or transferred to any governmental body or charitable corporation or trust authorized to secure such easement pursuant to the Act. *Neb. Rev. Stat. § 76-2,116.*
4. “A conservation or preservation easement shall run with the land and shall be perpetual unless otherwise stated in the instrument creating it. A conservation or preservation easement may be enforced by proceedings at law or in equity.” *Neb. Rev. Stat. § 76-2,115.*

CONCLUSION

A conservation or preservation easement may be released in whole or in part by the governing body if that the easement no longer substantially achieves the conservation or preservation purpose for which it was created. Such easements may also be modified by the owner of the subject real estate and the holder if it is no longer in the public interest to hold the easement or that the easement no longer substantially achieves the conservation purpose for which it was created. The District Court may also modify the easement for the same reason upon a petition filed by either the owner or holder. No modification of the easement is permitted that is in excess of that reasonably necessary to remedy any deficiency in the easement.

Very truly yours,



Steven G. Seglin
sseglin@johnsonflodman.com

SGS/mt



B.

June 10, 2020

ENGINEERING ■ ARCHITECTURE ■ SURVEYING ■ PLANNING

RE: Amendment #2 – Additional Construction Services
Lower Platte South NRD
Antelope Creek Pipe Replacement
JEO Project No. 190582.00

Dear Mr. Jensen:

Enclosed is Amendment #2 for additional construction services on the above referenced project. As communicated during the project, the additional services were necessary due to construction duration in excess of the originally estimated timeframe. Amendment #1 included construction services through an estimated substantial completion date of January 6, 2020 and final completion date of March 15, 2020. Actual substantial completion date was January 22, 2020 and final completion date was May 28, 2020.

Sincerely,

Ross Lawrence, PE, CFM
Project Manager

Enclosure

Amendment #2
Lower Platte South NRD – Antelope Creek Pipe Replacement
JEO Project No. 190582.00

Project Understanding:

JEO proposes to amend the original Agreement (signed May 20, 2019) and Amendment #1 (signed October 17, 2019) and provide engineering services to assist the Lower Platte South NRD (Owner) with construction services for the Antelope Creek Pipe Replacement project. The project construction has extended beyond the anticipated completion date and additional services are needed.

Scope of Services:

JEO proposes to provide an extension of services to the existing tasks in Amendment #1 as follows.

Amendment Fee

JEO proposes to perform the described services at an hourly not-to-exceed fee as included in the following schedule:

Task 610 – RPR.....\$2,000
Task 620 – Construction Administration.....\$1,500

<u>Amendment #2 Total</u>	<u>\$3,500</u>
<i><u>Original Agreement + Amendment #1</u></i>	<i><u>\$25,415</u></i>
<i><u>Project Total</u></i>	<i><u>\$28,915</u></i>

*The Project Fee schedule is an estimate of the fee distribution between tasks. JEO reserves the right to invoice in excess of the individual task amount, provided the total fee does not exceed the project total.

Amendment Accepted:

Owner

_____ Lower Platte South NRD _____

By: _____

Title: _____

Date Signed: _____

Engineer

_____ JEO Consulting Group, Inc. _____

By: Ross Lawrence 

Title: Project Engineer _____

Date Signed: 6-5-2020 _____



Deadman's Run Detention Cell Design - WIK Task 4.12
Lower Platte South NRD
Lincoln, NE
FYRA Project No. 002-18-02

FYRA Engineering		
Prj Mgr	Prj Engr	El
Sotak	Gregalunas	(Varies)
\$202	\$175	\$100
		Expenses

Tasks

No.	Proposed Conditions Hydraulic Model Updates					Total
4.12	Incorporate Phase 1 Survey Data (Cornhusker to Confluence) into Existing Condition and Design Condition ^{1,2}	1	1	11		
Proposed Conditions Hydraulic Model Updates Task Total		\$202	\$175	\$1,100	\$0	\$1,477
Subtotal Hours		1	1	11		
Subtotal Costs		\$202	\$175	\$1,100	\$0	\$1,477

Assumptions

- ¹ Phase 1 survey data from Cornhusker Bridge to the confluence with Salt Creek was collected by USACE in early spring of 2019 and consisted of 9 cross-sections from top of bank to top of bank. Cross-section 2 and 3 are within 10' of each other. LIDAR shows a 4-5' drop in the channel in this area, shift the location of these cross-section locations as needed to collect capture the drop. This data will be incorporated into the final design and existing conditions modeling. This survey data will be provided by USACE in .dgn and .dtm format.
- ² The location of the 5 FT drop and placement of duplicated XS #2 and #3 immediately upstream and downstream of the drop is to be determined by review of LiDAR and aerials and not a site survey.



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: July 8, 2020
To: Urban Subcommittee
From: Tracy Zayac
Subject: CAP Projects for consideration at July 16, 2020, meeting

1. CAP.2020.003 Foreman Ridge HOA pond outlet works Phase 1 (design): The Foreman Ridge HOA has requested Community Assistance Program cost-share for the design phase of a project to repair/replace the spillway and outlet works at two ponds maintained by the HOA. The outlet works have been repaired in the past, but the repairs have proven to be short-lived, and now the HOA is looking at replacing at least part of the works with a different structure that will function well and last longer. The project also includes addressing shoreline erosion along the pond banks.

This application covers the design phase of the project, which is described as two sub-phases (modeling/draft design and final design) in the application materials. This application requests a cost-share amount of \$11,150, or 50% of the total cost of \$22,300, for both sub-phases of Phase 1 (design) of this project.

2. CAP.2020.004 City of Louisville Mill Creek bank stabilization project Phase 2 (construction): The City of Louisville has completed Phase 1 (design) of this project and received the necessary 404 permit and other authorizations to begin construction work on the Mill Creek bank stabilization project. The City plans to complete construction activities with City personnel and resources, retaining JEO for some construction oversight and project certification.

The City is requesting a cost-share amount of \$38,438.81, or 50% of the total cost of \$76,877.62, for Phase 2 (construction) of this project.

Enc.: Foreman Ridge HOA Phase 1 request information
City of Louisville Phase 2 request information

Foreman Ridge Homeowners Association
Jacob Whitefoot
1401 W Foreman Dr.
Lincoln, NE 68523

June 30th, 2020

Lower Platte South NRD
Attn: Tracy Zayac
Stormwater/Watershed Specialist

RE: Community Assistance Program – Design Phase

Dear Tracy,

We met at the proposed project site about a month ago. For this phase of the project I am asking for assistance in the design phase of our project. The design phase is broken into 2 sub phases; one of which is a pre-construction concept to allow for value engineering and construction budgeting before final design is complete, Phase 2 is for final construction design. The 2 primary design scopes will be design of new outlet structures to replace the existing primary concrete spillways, the other primary scope is providing design options for failing/eroding banks. **Total request for cost-sharing for design phase is 50% of Phase 1 Design not-to-exceed \$9300 and 50% of Phase 2 estimated between \$9000-\$13,000.** JEO will have a better scope and cost estimate for Phase 2 after Phase 1 is complete.

For full scope of design services by JEO please see attached proposal provided by JEO.

The two ponds needing repair are shown in the attached aerial with descriptions of scope of repairs and improvements. The North pond is approximately 2 acres and the South pond approximately 1.7 acres. To the South there are 2 other ponds not in our HOA that drain into our 2 ponds. Further upstream from those 2 upper ponds is agricultural field with row crop. To the west we have another HOA pond that catches storm water from the West. Down-stream from our 2 ponds the stormwater drains into the Cardwell Branch.

The immediate concern for repair and improvement are the 2 concrete primary spillways on each pond. For over 5 years we have noticed that the spillways have began allowing water to pass below the concrete spillways and wash-out the subgrade soils. We have had a local concrete/grout injection company inject grout thru the concrete spillways to prevent the migration of water below them. It is somewhat successful in at least slowing the leaks but fails as well. See pic of grout in the cattails. The grout is not cohesive enough to keep from washing. You can also see pictures attached of each of the spillways showing the cracks and breaks in the concrete structures. At this point it is not if but when we have complete failure and lose one of both ponds.

My request of JEO is to assess and evaluate the best cost-effective outlet structure and suggested maybe a riser pipe type of outlet structure. They will perform hydrology studies to determine type and size of structures. Work would require the removal of the concrete structures, installing a riser pipe with outlet and then suitable embankment fill. I have also requested with a riser type structure we add secondary spillways to the dam. I will work with JEO evaluating constructability and budgets during the design process.

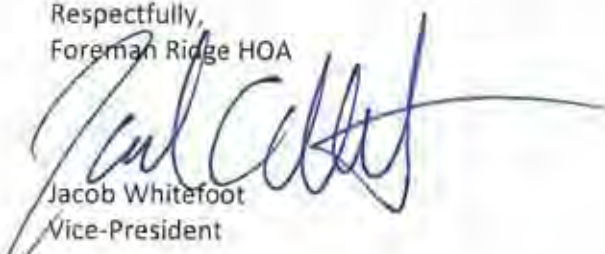
As previously mentioned, we are also concerned with the pond bank erosion. This causes concern for added sediment to the ponds, ability to maintain the ponds, safety for people standing on the banks, etc. During initial conversations with JEO we may incorporate a variety of designs depending on location and accessibility. Some of these scopes may include reducing bank slopes, flex-a-mat, gabion stone, and vinyl sheet-piling in steep areas that cannot be regraded.

Foreman Ridge HOA is committed to on-going maintenance and pond improvements and carry annual budget allocations for the ponds. Just over the past 3 years we have dredged sediment out of another HOA pond, installed gabion armor protection, installed bubblers, aquatic plant treatments, rodent protection at dams, and some bentonite sealing. These ponds have a great aesthetic benefits, recreation and stormwater improvements for the area residents and local watershed.

Our intent is after the design phase is complete and we can get construction costs estimated we would then re-apply for CAP cost-sharing for the construction phase as well. Estimated time frame for construction to be later 2020 or early 2021 depending on weather and seeding windows.

To confirm for the Design Phase of the project we are requesting 50% of the total estimated design fees of up to (but not to exceed) \$22,300 or \$11,150 total NRD Portion of Cost Share. I appreciate your consideration. Please contact me with any questions, concerns or if more information is needed.

Respectfully,
Foreman Ridge HOA



Jacob Whitefoot
Vice-President

Enclosures: 18

CC: Doug Rienks, Amanda Heimes



Exhibit "A" – Scope of Services
Foreman Ridge Pond Rehabilitation
Near Denton, NE

PROJECT UNDERSTANDING AND OBJECTIVE

Upon correspondence with the Owner and initial investigation of the site, it is understood that replacement of two existing concrete spillway structures on two Homeowner's Association (HOA) ponds is needed. Secondly, the HOA desires to address/improvement shoreline erosion of the ponds. For scoping and contracting purposes, the project has been split into two Phases:

Phase 1 – Preliminary Design

Phase 2 – Final Design/Construction

PHASE 1 SCOPE OF WORK

To meet the above objectives, the following scope of services is proposed for the first phase:

Task 1: Survey

Engineer will schedule and obtain a topographic survey containing the following: Survey the locations of all visible physical features (i.e.: concrete, asphalt, gravel, rock, driveways, sidewalks, trees, utility poles, valves, manholes, signs, drainage structures, curb stops, water meter pits, terrain profiles, etc.) within the proposed site location, as well as obtaining limited bathymetric data and shoreline topographic data of the two ponds. See attached map.

- Engineer will make a "One Call" for utility locates to be marked in the project corridor and together with other survey data, will map existing site conditions within the electronic drawing. Collect available utility location information and incorporate on preliminary plans (gas, telephone, electric, water, sanitary sewer, communications, etc.).
- Create an electronic drawing using AutoCAD illustrating elevations, site features, and existing utilities resulting from the surveys performed.

Task 2: Preliminary Design

JEO will gather hydrology data and hydraulically route (model) 10-year and 25-year storm frequencies through the drainage to obtain flow rates for spillway sizing.

JEO will prepare preliminary design drawings to illustrate the proposed improvements for both the spillway structure replacement and shoreline improvements. JEO will perform an internal QAQC of the preliminary design documents. It is assumed the preliminary design will go through one review/comment/revision period and the revisions will be minor.

Task Deliverables

- Preliminary drawings
- Technical Memo summarizing design and hydrology and hydraulics

PHASE 2 SCOPE OF WORK

To meet the above objectives, the following scope of services is proposed for the second phase:

Task 3: Final Design & Permitting

JEO will prepare final design drawings and specifications for the spillway replacements and shoreline improvements. The final drawings will include:

- Appropriate details for the proposed spillway structures
- Grading plan for the shoreline improvements
- Erosion control and seeding plan

JEO will perform an internal QAQC of the final design documents. The final drawings and specifications will be stamped and sealed by a professional engineer licensed in the State of Nebraska. The specifications will include technical requirements for the project but will not include bidding and contract documents. It is assumed the final design will go through one review/comment/revision period and the revisions will be minor.

JEO will perform a wetland delineation and associated reporting. JEO will calculate impacts to resources and prepare a USACE 404 permit application. It is assumed the work will be authorized via Nationwide or Regional General Permit. It is assumed that a meeting with USACE will not be required, and limited correspondence will be necessary to obtain the 404 Permit.

It is assumed the overall disturbance area for the project will be less than one (1) acre and therefore a stormwater notice of intent and stormwater pollution prevention plan (SWPPP) will not be required. Necessary erosion control measures will be included on the drawings.

Task Deliverables

- Final, stamped and sealed drawings and specifications
- USACE 404 Permit

Task 4: Construction

JEO will provide survey staking and limited construction oversight to assist the Contractor during construction of the proposed improvements. It is assumed survey staking will be limited to two trips for a total of 8 hours. It is assumed construction field staff visits will be limited to three trips for a total of 12 hours.

Task Deliverables

- Survey staking (line and grade) of the proposed outlet structures and control points and/or benchmarks for the Contractor’s use.

PROPOSED PROJECT SCHEDULE:

The following schedule is proposed based upon correspondence with the Owner:

Notice to Proceed ----- July 2020
Phase 1 ----- August 2020
Phase 2 ----- TBD

PROPOSED PROJECT FEE:

- This agreement is for Phase 1 services only, which includes Tasks 1 through 2 at an hourly, not to exceed fee of \$9,300.
- The findings from Phase 1 will inform the specific needs for Phase 2. Phase 2 will be negotiated at that time; however, it is estimated services will include Tasks 3 through 4 at an hourly, not to exceed fee of \$9,000 - \$13,000.

SERVICES NOT INCLUDED:

If necessary, a fee for these services can be negotiated, and added via contract amendment:

- Geotechnical investigation and/or analysis
- Property boundary survey
- Deed or easement research
- Utility mapping
- Utility conflict design
- Full coverage bathymetric survey
- Bidding assistance
- Attendance at HOA meetings and/or coordination with residents except directly through the HOA designated representative
- Cost estimating



**AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of June 25, 2020 ("Effective Date") between Foreman Ridge HOA ("Owner") and JEO Consulting Group, Inc. ("Engineer").

Owner's project, of which Engineer's services under this Agreement are a part, is generally identified as follows:

Foreman Ridge Pond Rehabilitation ("Project").

JEO Project Number: 201073.00

Owner and Engineer further agree as follows:

ARTICLE 1 - SERVICES OF ENGINEER

1.01 Scope

- A. Engineer shall provide, or cause to be provided, the services set forth herein and in Exhibit A.

ARTICLE 2 - OWNER'S RESPONSIBILITIES

2.01 Owner Responsibilities

- A. Owner responsibilities are outlined in Section 3 of Exhibit B.

ARTICLE 3 - COMPENSATION

3.01 Compensation

- 1) Owner shall pay Engineer as set forth in Exhibit A and per the terms in Exhibit B.
- 2) The fee for the Project is hourly, not to exceed \$9,300.
- 3) The Standard Hourly Rates Schedule shall be adjusted annually (as of approximately January 1st) to reflect equitable changes in the compensation payable to Engineer. The current hourly rate schedule can be provided upon request.

ARTICLE 4 - EXHIBITS AND SPECIAL PROVISIONS

4.1 Exhibits

Exhibit A – Scope of Services
Exhibit B – General Conditions

4.2 Total Agreement

- A. This Agreement (consisting of pages 1 to 2 inclusive, together with the Exhibits identified as included above) constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Owner: Foreman Ridge HOA

Engineer: JEO Consulting Group, Inc.



By:

By: Ross Lawrence, PE, CFM

Title: Owner

Title: Project Manager

Date Signed: _____

Date Signed: 6-25-2020

Address for giving notices:

Address for giving notices:

JEO Consulting Group, Inc.

1937 N Chestnut Street

Wahoo, Nebraska 68066



Untitled Map

Write a description for your map.

Legend

- Feature 1
- Style5

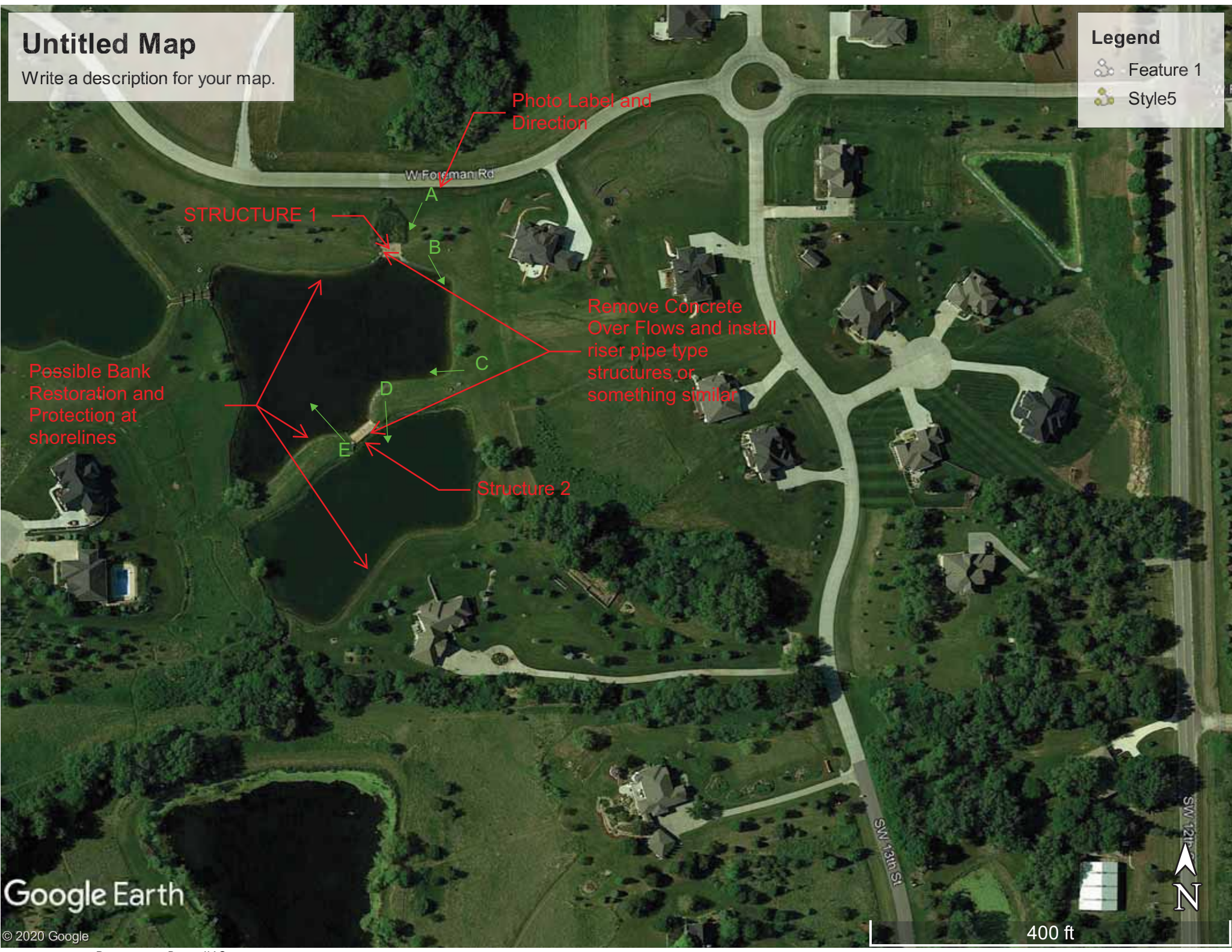


Photo Label and Direction

W Foreman Rd

STRUCTURE 1

Possible Bank Restoration and Protection at shorelines

Remove Concrete Over Flows and install riser pipe type structures or something similar

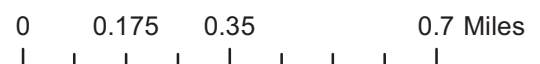
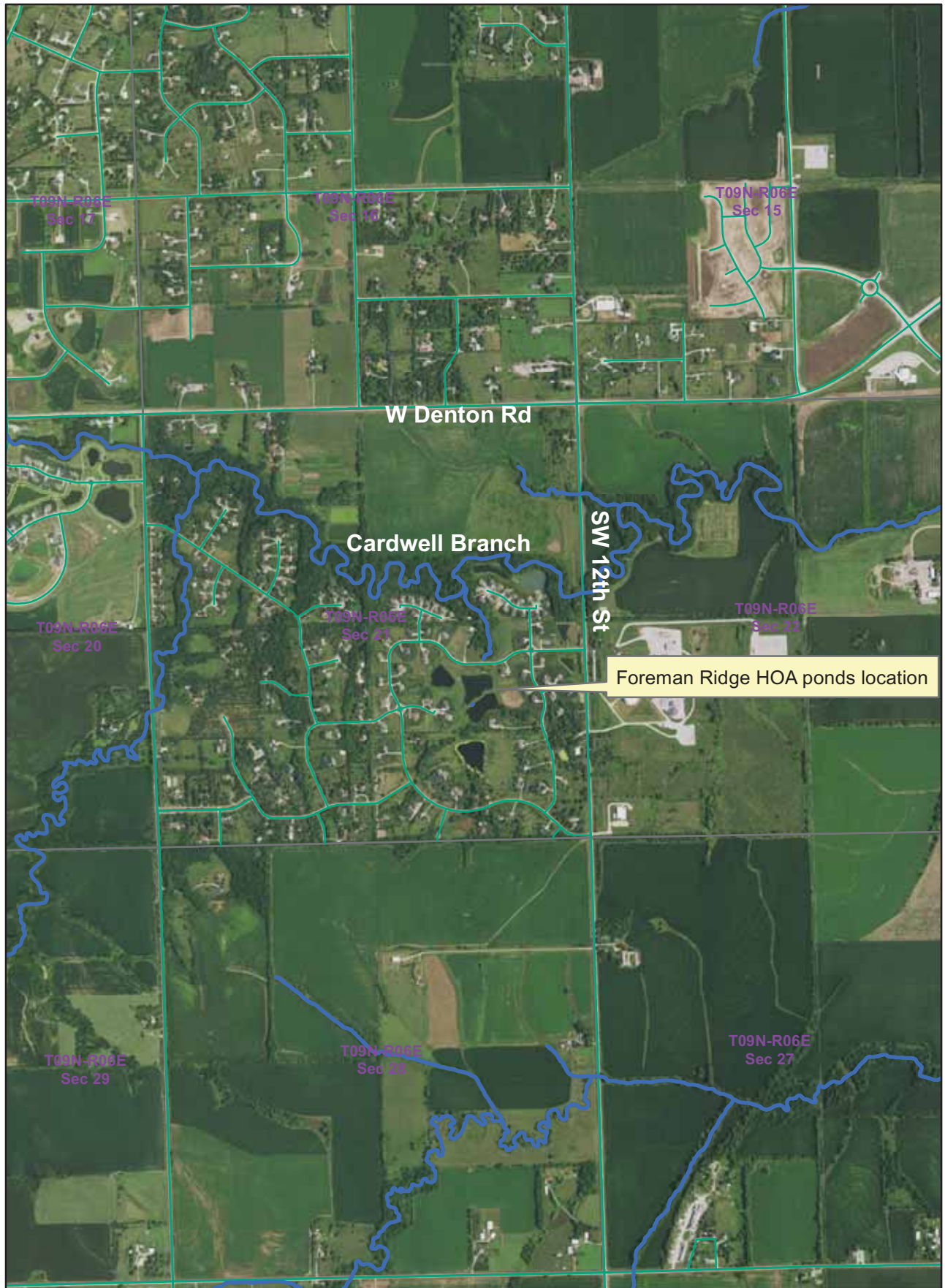
Structure 2

Google Earth

© 2020 Google

400 ft





CITY OF LOUISVILLE

PO BOX 370, 210 MAIN ST., LOUISVILLE, NE 68037
PHONE 402-234-7605 OR 7705 FAX: 402-234-2221
city@louisvillenebraska.com

July 7, 2020

Lower Platte South NRD
Attn: Tracy Zayac
3125 Portia Street
Lincoln, NE 68521

Dear Tracy,

The City of Louisville experienced flooding in March of 2019 of Mill Creek adjacent to the city's wastewater treatment facility. The west side of the bank eroded severely and a bank stabilization project was designed by JEO Consulting for which LPSNRD graciously participated.

The estimated cost for the actual bank stabilization project is \$76,877.62. The City intends to do the construction with their own equipment and personnel and a cost estimate sheet is attached for materials and additional equipment rentals and labor. JEO has agreed to do two or three site visits and do an acceptance memo to verify the work was done according to plans and specs.

The City of Louisville would like to request assistance from Lower Platte South NRD for the above mentioned work. The City would like to request \$38,438.81 for LPSNRD's matching portion. Thank you so much for your consideration of this request.

Sincerely,



Dee Arias
City Clerk/Treasurer

City of Louisville Cost Estimate Worksheet

Estimated Start Date: 7.20.20

Project # 190576.00: Mill Creek Bank Stabilization (Louisville) 2019/2020

Estimated Completion Date: 07.24.20

Materials / Equipment Needed	Cost of Material/ Equipment	Cost of Labor	Qty's. (tons / cyds / lbs. / hrs.)	Overage Est.	Total Material / Hours	Total Cost	POC for questions	Notes
Type B (NDOT) Riprap - 75% & 25% Pit Run (purchase price p/ton haul price p/ton)	36.25	6.60	1000	15%	1150	\$49,277.50	Tyson: Martin Marietta 402.440.2583 / Brianna: Westover - 402.267.7765	Westover can start hauling w/in the week want to start stockpiling
Cyds of Top Soil (Cut & Fill)	0.00	0.00	150	15%	172.5	\$0.00	Louisville SRA (Matt Curran)	Additional topsoil can come from State Park
Grass Seed - Floodplain Mixture (price p/lb.)	12.50	1.00	50	0%	50	\$675.00	Dan @ United Seed 402.331.4800	Over seeding calculated above and beyond SqFt required
Grass Seed - Little Buckaroo Native Mixture (price p/lb.)	14.00	1.00	50	0%	50	\$750.00	Dan @ United Seed 402.331.4801	Over seeding calculated above and beyond SqFt required
Doosan DX235 (Larger Excavator) (rental price p/week labor charge p/hour)	2,100.00	26.00	40	0%	1040	\$3,140.00	Bobcat of Omaha: Cole 402.658.1999	Can reserve for 2 wks. in case of need, will only bill if needed / used 1 week
Doosan Delivery Charge (\$350 ea. way)		350.00	2	0%	700	\$700.00	Bobcat of Omaha: Cole 402.658.1999	Delivery charge is one way charge
Versa Handler (Bobcat) 30 hrs. est.	50.00	25.00	30	0%	2250	\$2,250.00	Joel Jones - Proj. Mngr. 402.658.6776 / Preston Derby - City Superintendent 402.660.4190	Using City Equipment
Front End Loader (Kubota) 30 hrs. est.	50.00	25.00	30	0%	2250	\$2,250.00	Joel / Preston	Using City Equipment
Skid Steer (Bobcat)	40.00	25.00	30	0%	1950	\$1,950.00	Joel / Preston	Using City Equipment
Excavator (Bobcat)	75.00	25.00	20	0%	2000	\$2,000.00	Joel / Preston	Using City Equipment
Dumptruck	40.00	25.00	30	0%	1950	\$1,950.00	Joel / Preston	Using City Equipment
Personnel (4) avg. \$22.69 p/hr.	0.00	90.76	10	0%	907.6	\$907.60	Joel / Preston / Dee Arias - City Clerk 402.234.7605	4 personnel accounted as additional time above operating time
JEO Inspection Fees (Site Inspection 2 - 3 visits during construction)		200.00	5	0%	1000	\$1,000.00	John @ JEO 402.616.5036	Final letter addressing construction practices / methods certifying Constructed to Spec's.

Job Cost Est.	\$66,850.10
Job Cost Overage	15%
Total Job Cost Est.	\$76,877.62

based on \$100k - 200k projects overruns







2019 MILL CREEK BANK STABILIZATION LOUISVILLE, NEBRASKA

JEO PROJECT # 190576.00

OWNER:

NAME: CITY OF LOUISVILLE
PHONE: 402-234-7705
EMAIL: city@louisvillene.com
CONTACT: DEE ARIAS, CITY CLERK/TREASURER

ENGINEER:

NAME: JOHN PETERSEN, P.E.
TITLE: PROJECT MANAGER
COMPANY: JEO CONSULTING GROUP, INC.
PHONE: 402-392-9923; 2115
EMAIL: jpetersen@jeo.com

UTILITIES:

<NAME>

COMPANY:
PHONE:
EMAIL:

<NAME>

COMPANY:
PHONE:
EMAIL:

<NAME>

COMPANY:
PHONE:
EMAIL:

<NAME>

COMPANY:
PHONE:
EMAIL:

INDEX OF SHEETS:

SHEET NO:	SHEET NAME:
C0.1	COVER SHEET & LOCATION MAP
C0.2	SYMBOLS SHEET
C0.3	GENERAL NOTES, QUANTITIES, & SPECIFICATIONS
C0.4	CONTROL SHEET
C1.1	EXISTING SITE PLAN
C2.1	PROPOSED SITE PLAN
XS.1	CROSS SECTIONS



PROJECT LOCATION,
LOUISVILLE, NEBRASKA

LOCATION MAP
SCALE: 1" = 1000'



NOTE:
NEITHER THE OWNER (CLIENT) NOR JEO CONSULTING GROUP, INC. ASSUMES ANY RESPONSIBILITY FOR UTILITY LOCATIONS BEING ACCURATELY SHOWN OR NOT SHOWN ON THE PLANS. A REQUEST FOR UTILITY LOCATES WAS MADE FOR THIS LOCATION AS PER THE ONE-CALL NOTIFICATION SYSTEM ACT. (DATE: OC DATE TICKET NO.: TICKET NO.).
UTILITIES SHOWN ARE FROM FIELD MARKINGS PROVIDED IN THE FIELD BY THE UTILITY PROVIDERS.
THE EXACT LOCATION AND/OR SIZE OF UNDERGROUND FEATURES MAY NOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. FIELD VERIFICATION OF UTILITIES MAY BE REQUIRED. CONTRACTOR(S) SHALL NOTIFY THE RESPECTIVE UTILITY COMPANIES BEFORE COMMENCING ANY WORK.

2019
MILL CREEK BANK STABILIZATION
LOUISVILLE, NEBRASKA

COVER SHEET & LOCATION MAP

PRELIMINARY
NOT FOR
CONSTRUCTION
30%
DATE:
10/2/2019
PRELIMINARY

PROJECT NO. 190576.00
DATE 10/2/2019
DRAWN BY GL
FILE NAME S-190576.00.dwg
FIELD BOOK SARPY CO. #1
FIELD CREW K. TAFT
SURVEY FILE NO. SV-190576.00_Topo
PLAN IN HAND
DATE
70 PERCENT REVIEW
DATE
95 PERCENT REVIEW
DATE
REVISIONS

LINESTYLES

ITEM	SYMBOL
BREAK LINE	
CABLE TELEVISION	
CENTERLINE OF ROAD	
CONTOUR MINOR (EX)	
CONTOUR MAJOR (EX)	
CONTOUR MINOR (EX SCREENED)	
CONTOUR MAJOR (EX SCREENED)	
CONTOUR MINOR (PR)	
CONTOUR MAJOR (PR)	
LIMITS OF CONSTRUCTION	
CULVERT	
ELECTRIC (OVERHEAD)	
ELECTRIC (UNDERGROUND)	
FENCE (WOODEN)	
FENCE (WIRE OR UNKNOWN)	
FENCE (CHAINLINK)	
FENCE (SECURITY)	
FIBER OPTIC LINE	
FLOWLINE (BREAKLINE)	
GAS LINE	
GUARDRAIL	
PROPERTY BOUNDARY	
PROPERTY LOT LINES (PR)	
RIGHT-OF-WAY LINE	
RAILROAD RIGHT-OF-WAY	
RAILROAD TRACKS	
RETAINING WALL	
SANITARY SEWER (EXIST)	
SANITARY SEWER (PROP)	
SAN SEWER FORCE MAIN (EX)	
SAN SEWER FORCE MAIN (PR)	
STORM SEWER (EXIST)	
STORM SEWER (PROP)	
TELEPHONE LINE (UGND)	
TELEPHONE LINE (OVERHEAD)	
TERRACE	
CROPLINE	
TRAVELED WAY	
WATER (EXIST)	
WATER (PROP)	
FIRE SERVICE	

SWPPP

ITEM	SYMBOL
SILT FENCE	
INLET PROTECTION	
STRAW WATTLE CHECK	
STRAW BALE CHECK	
FLOW ARROW (PLAN)	
AREA INLET FILTER PROTECTION	
RIP RAP	
SEEDING	
MATTING	

PAVING FEATURES

ITEM	SYMBOL
EXISTING PAVEMENT JOINT	
TRANSVERSE JOINT	
LONGITUDINAL JOINT	
EXPANSION/KEYED JOINT	
PAVEMENT MARKING	
PAVEMENT REBAR	
HANDICAP SYMBOL	

UTILITIES

ITEM	SYMBOL
STORM SEWER	
CURB INLET	
GRATE INLET	
CATCH BASIN	
STORM SEWER MANHOLE	
SANITARY	
CLEANOUT	
SEPTIC TANK	
SANITARY MANHOLE	
POWER, ELECTRICAL, LIGHT, AND TRAFFIC	
AIR CONDITIONING UNIT	
ANTENNA	
ANCHOR POLE/POST	
GUY POLE	
GUY WIRE ANCHOR	
ELECTRICAL HIGHLINE TOWER (METAL OR CONCRETE)	
POWER POLE (EXISTING)	
POWER POLE (PROPOSED)	
POWER (ELEC) PEDESTAL	
POWER (ELEC) PULL BOX OR MANHOLE	
POWER (ELEC) METER	
LIGHT POLE	
TRAFFIC SIGNAL	
TRAFFIC SIGNAL BOX	
TELEVISION PEDESTAL	
TELEVISION MANHOLE	
WATER	
WATER MANHOLE	
WATER VALVE	
WATER SHUT OFF OR CURB STOP	
WELL	
WATER METER	
WATER METER PIT	
YARD HYDRANT	
WATER ELEVATION	
WATER TOWER	
FIRE HYDRANT (EXISTING)	
FIRE HYDRANT (PROPOSED)	
FIRE HYDRANT IN PROFILE	
WATER FITTINGS	
11- 1/4"	
22- 1/2"	
45°	
90°	
CROSS	
PLUG	
REDUCER	
TEE	
GAS	
GAS METER	
GAS MANHOLE	
GAS FILL PIPE	
GAS PUMP	
GAS VALVE	
GAS VENT	
TELEPHONE	
FIBER OPTICS PULL BOX	
TELEPHONE POLE	
TELEPHONE PULL BOX OR MANHOLE	
TELEPHONE PEDESTAL	
MANHOLE (NON-SPECIFIC)	
UNDERGRND STORAGE TANK	
VALVE (NON-SPECIFIC)	

VEGETATION

ITEM	SYMBOL
BUSH	
CONIFEROUS TREE	
DECIDUOUS TREE	
MARSH/WETLAND	
TREE MASS LINE	
TREE STUMP	

SITE & SIGNAGE

ITEM	SYMBOL
SIGN	
BARRICADE	
ROAD SIGNS	
COUNTY ROAD	
INTERSTATE HIGHWAY	
STATE HIGHWAY	
U.S. HIGHWAY	
MILE MARKER POST	
RIGHT OF WAY MARKER	
RAILROAD CROSSING SIGNAL	
RAILROAD SWITCH	
FLAG POLE	
MAILBOX	
PROPANE TANK	
SATELLITE TV DISH	
WINDMILL	

CONTROL & ELEVATION

ITEM	SYMBOL
BENCHMARK	
CONTROL POINT (NON-PROPERTY)	
MONUMENT FOUND (PROPERTY)	
MONUMENT SET	
TEMPORARY POINT	
TEST BORING	
POINT ELEVATION (EXISTING)	
POINT ELEVATION (PROPOSED)	
TOP OF PAVEMENT	
TOP OF CURB	
GROUND	
TOP OF WALL	
BOTTOM OF WALL	
FLOWLINE	
GRID TICK	

MISC FEATURES

ITEM	SYMBOL
CENTER PIVOT	
CEMETERY	
GRAVE	
CHURCH	
CAVE	
CISTERN	
LATRINE	
OIL WELL	
GUARD POST	

PAVEMENT SYMBOLS AND HATCH

ITEM	SYMBOL	HATCH
ASPHALT PAVEMENT (EX.)		
CONCRETE PAVEMENT (EX.)		
GRAVEL (EX.)		
BRICK PAVEMENT (EX.)		
ASPHALT PAVEMENT (PR.)		
CONCRETE PAVEMENT (PR.)		
CONCRETE SIDEWALK (PR)		
GRAVEL (PR.)		
GRAVEL (PR.)		
BRICK PAVEMENT (PR.)		

GENERAL

ITEM	SYMBOL
PLAN REVISION	
NORTH ARROW	
GRAPHIC SCALE	

GRAPHIC SCALE
0 10 20 40 HORIZ.= 0 0 00
UNIT OF MEASURE IS FEET VERT.= 0 0 00

ARCHITECTURAL MATERIALS

ITEM	SYMBOL	ITEM	SYMBOL	ITEM	SYMBOL
UNDISTURBED EARTH		CONCRETE BLOCK		LVL - GLU-LAM	
EARTH		METAL		GYPSUM BOARD (DBL LINE OMITTED AT SMALL SCALE)	
GRANULAR FILL		WOOD, FINISH		INSULATION, BATT	
SAND MORTAR, PLASTER		WOOD, FRAMING		GLASS - ELEVATION	
CONCRETE		WOOD, FRAMING INTERRUPTED MEMBER		INSULATION, RIGID	
BRICK		PLYWOOD			

ARCHITECTURAL SYMBOLS

ITEM	SYMBOL	ITEM	SYMBOL
DATUM POINT		REFERENCED NOTE	
EXISTING COLUMN LINE		ELEVATION	
REFERENCED DEMOLITION NOTE		BUILDING SECTION	
REFERENCED PHOTOGRAPH TAG		WALL SECTION	
COLUMN REFERENCE GRID LINES		DETAIL	
ROOM NAME & NO.		INTERIOR ELEVATION(S)	
DOOR NO.		ENLARGED DETAIL	
WINDOW NO.		REVISION	
WALL TYPE			
EQUIPMENT OR FIXTURE			

GENERAL NOTES:

1. The project shall be constructed within the limits of construction shown on the drawings.
2. Any utilities shown on the plans are approximate locations only. Contractor shall be responsible for utility locates prior to construction.
3. Contractor is responsible for any necessary traffic control, road closures, and additional permits.
4. Contractor shall follow conditions of any and all permits. Contractor shall use good housekeeping practices and Best Management Practices as necessary to prevent sediment and other pollutants from entering the stream.
5. All disturbed areas shall be properly restored and seeded.
6. Riprap shall be a mixture of 75% NDOT Type B and 25% Pit Run. Riprap can be mixed onsite.
 - a. No filter fabric is required under the riprap.
 - b. All riprap shall be covered above the Ordinary High Water mark with topsoil and seeded as shown on the drawings.
7. Seed mix shall be:
 - a. On streambank: Floodplain Mixture as supplied by United Seed, or equivalent.
 - b. On overbank areas: Little Buckaroo Native Mixture as supplied by United Seed, or equivalent.
 - c. Seeding shall be applied per manufacturer recommendations
 - d. Seed tags shall be saved and supplied to the Corps of Engineers as per 404 Permit requirements.

QUANTITIES TABLE	
DESCRIPTION	QUANTITY
EMBANKMENT	210
EXCAVATION	400
ROCK RIPRAP	980 TONS
ROCK KEY	20 TONS
*EARTHWORK DOES NOT HAVE COMPACTION FACTOR	



2019
MILL CREEK BANK STABILIZATION
LOUISVILLE, NEBRASKA

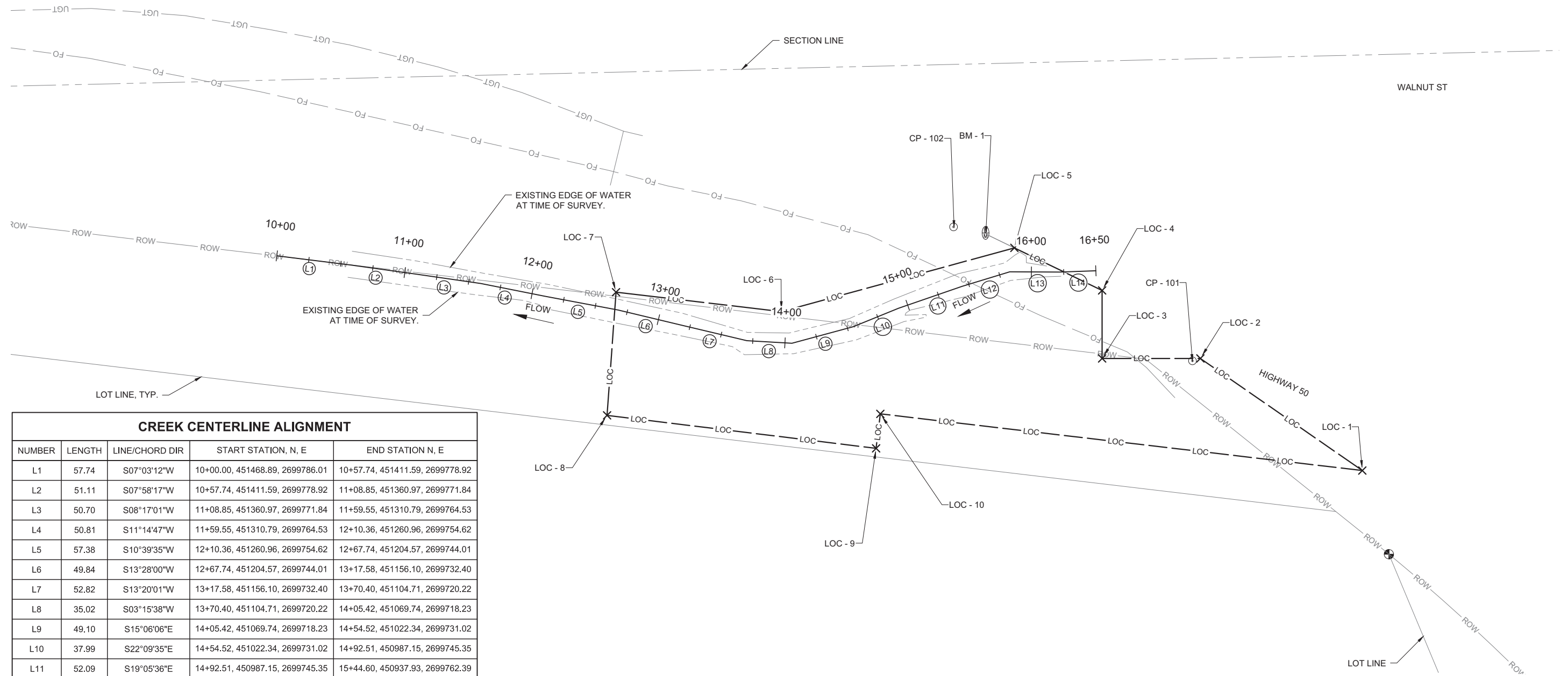
GENERAL NOTES, QUANTITIES,
& SPECIFICATIONS

PRELIMINARY
 NOT FOR
 CONSTRUCTION
30%
 DATE:
10/2/2019
 PRELIMINARY

PROJECT NO. 190576.00
 DATE 10/2/2019
 DRAWN BY GL
 FILE NAME S-190576.00.dwg
 FIELD BOOK SARPY CO. #1
 FIELD CREW K. TAFT
 SURVEY FILE NO. SV-190576.00_Topo
 PLAN IN HAND
 INITIALS
 DATE
 70 PERCENT REVIEW
 INITIALS
 DATE
 95 PERCENT REVIEW
 INITIALS
 DATE
 REVISIONS



Know what's below.
Call before you dig.



CREEK CENTERLINE ALIGNMENT

NUMBER	LENGTH	LINE/CHORD DIR	START STATION, N, E	END STATION N, E
L1	57.74	S07°03'12"W	10+00.00, 451468.89, 2699786.01	10+57.74, 451411.59, 2699778.92
L2	51.11	S07°58'17"W	10+57.74, 451411.59, 2699778.92	11+08.85, 451360.97, 2699771.84
L3	50.70	S08°17'01"W	11+08.85, 451360.97, 2699771.84	11+59.55, 451310.79, 2699764.53
L4	50.81	S11°14'47"W	11+59.55, 451310.79, 2699764.53	12+10.36, 451260.96, 2699754.62
L5	57.38	S10°39'35"W	12+10.36, 451260.96, 2699754.62	12+67.74, 451204.57, 2699744.01
L6	49.84	S13°28'00"W	12+67.74, 451204.57, 2699744.01	13+17.58, 451156.10, 2699732.40
L7	52.82	S13°20'01"W	13+17.58, 451156.10, 2699732.40	13+70.40, 451104.71, 2699720.22
L8	35.02	S03°15'38"W	13+70.40, 451104.71, 2699720.22	14+05.42, 451069.74, 2699718.23
L9	49.10	S15°06'06"E	14+05.42, 451069.74, 2699718.23	14+54.52, 451022.34, 2699731.02
L10	37.99	S22°09'35"E	14+54.52, 451022.34, 2699731.02	14+92.51, 450987.15, 2699745.35
L11	52.09	S19°05'36"E	14+92.51, 450987.15, 2699745.35	15+44.60, 450937.93, 2699762.39
L12	38.64	S16°51'52"E	15+44.60, 450937.93, 2699762.39	15+83.24, 450900.95, 2699773.60
L13	38.52	S00°17'46"W	15+83.24, 450900.95, 2699773.60	16+21.76, 450862.43, 2699773.40
L14	28.19	S02°05'34"E	16+21.76, 450862.43, 2699773.40	16+49.94, 450834.27, 2699774.43

LIMITS OF CONSTRUCTION

POINT #	NORTHING	EASTING
LOC - 1	450627.80	2699619.56
LOC - 2	450753.28	2699706.46
LOC - 3	450829.42	2699706.46
LOC - 4	450829.42	2699759.18
LOC - 5	450897.39	2699792.18
LOC - 6	451077.94	2699742.78
LOC - 7	451206.05	2699757.83
LOC - 8	451213.00	2699662.30
LOC - 9	451004.55	2699636.74
LOC - 10	451001.27	2699663.48

HORIZONTAL SURVEY CONTROL - NEBRASKA STATE PLANES COORDINATE SYSTEM - NE83F

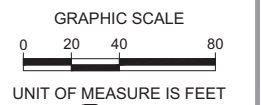
POINT NAME	NORTHING	EASTING	LONG DESCRIPTION
CP-101	450759.36	2699704.55	
CP-102	450944.48	2699808.44	

BENCHMARKS - **NAVD 88**

POINT NAME	NORTHING	EASTING	ELEVATION	LONG DESCRIPTION
BM-1	450920	2699804	1226.40	**CHANGE**(NE COR TRAFFIC LIGHT FOOTING @ SW COR OF SOUTH B STREET AND 9TH AVE)

LEGEND

SYMBOL	DESCRIPTION
0+00 ——— 1+00	BASELINE ALIGNMENT (DESIGN)
(C1)	BASELINE ALIGNMENT CURVE TAG LABEL
(L1)	BASELINE ALIGNMENT LINE TAG LABEL
○	BASELINE ALIGNMENT PI POINT
○	POINT OF CURVATURE OR TANGENCY

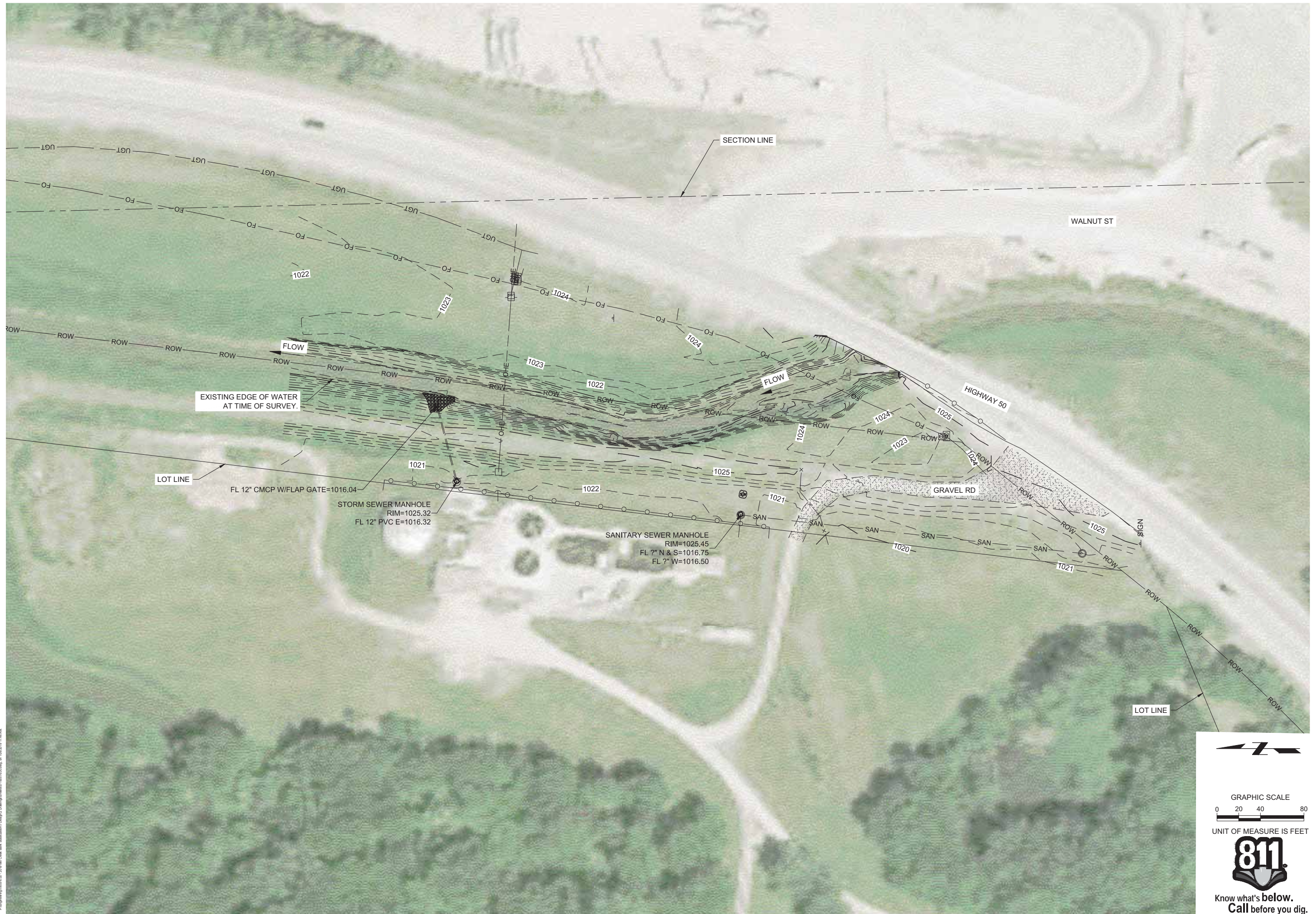


2019
MILL CREEK BANK STABILIZATION
LOUISVILLE, NEBRASKA

CONTROL SHEET

PRELIMINARY
NOT FOR CONSTRUCTION
30%
DATE: 10/2/2019
PRELIMINARY

PROJECT NO. 190576.00
DATE 10/2/2019
DRAWN BY GL
FILE NAME S-190576.00.dwg
FIELD BOOK SARPY CO. #1
FIELD CREW K. TAFT
SURVEY FILE NO. SV-190576.00_Topo
PLAN IN HAND
DATE
70 PERCENT REVIEW
DATE
95 PERCENT REVIEW
DATE
REVISIONS



GRAPHIC SCALE

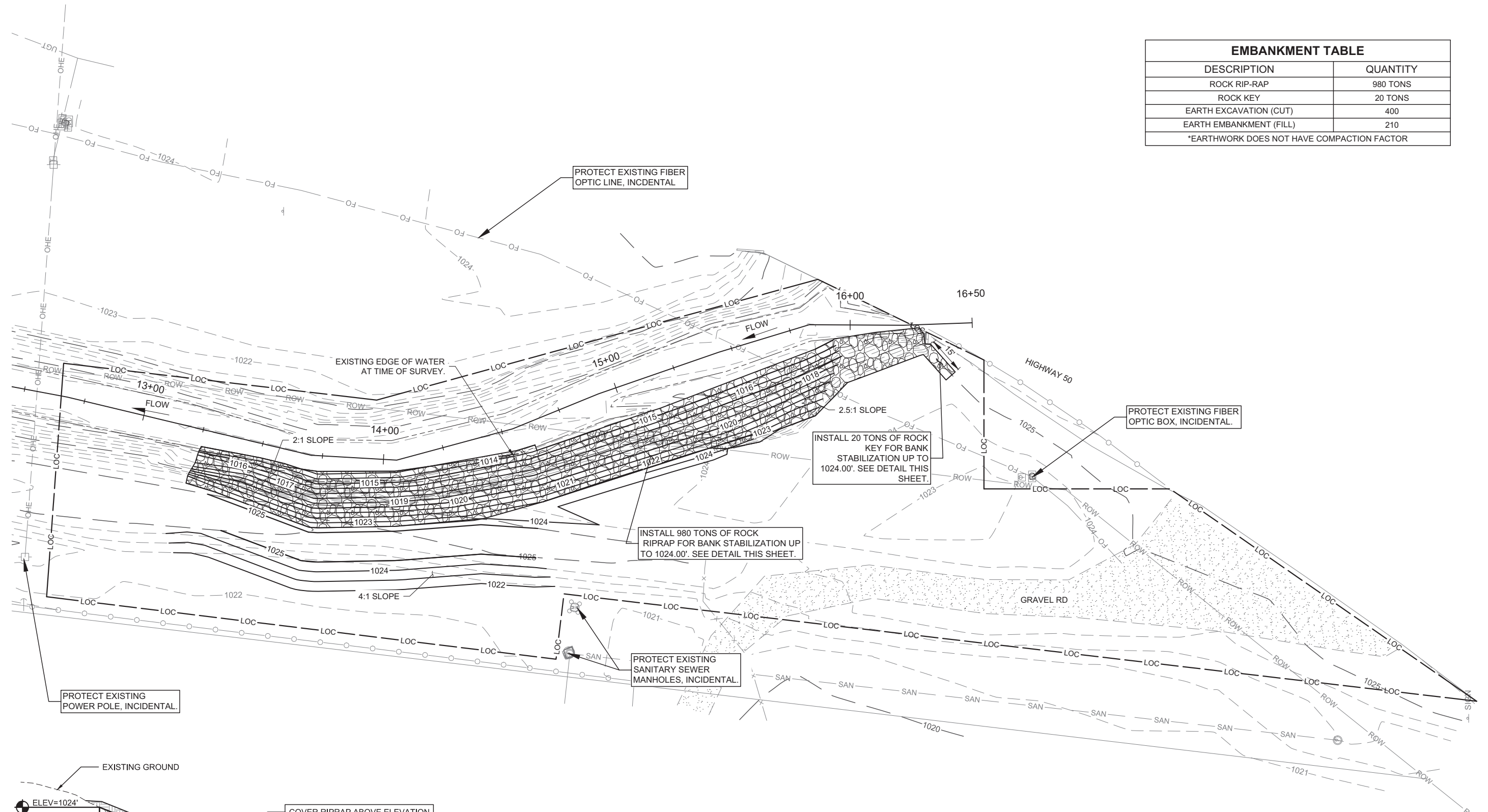


UNIT OF MEASURE IS FEET



Know what's below.
Call before you dig.

EMBANKMENT TABLE	
DESCRIPTION	QUANTITY
ROCK RIP-RAP	980 TONS
ROCK KEY	20 TONS
EARTH EXCAVATION (CUT)	400
EARTH EMBANKMENT (FILL)	210
*EARTHWORK DOES NOT HAVE COMPACTION FACTOR	



2019
MILL CREEK BANK STABILIZATION
LOUISVILLE, NEBRASKA

PROPOSED SITE PLAN

PRELIMINARY
 NOT FOR CONSTRUCTION
 30%
 DATE:
 10/2/2019
 PRELIMINARY

PROJECT NO. 190576.00
 DATE 10/2/2019
 DRAWN BY GL
 FILE NAME S-190576.00.dwg
 FIELD BOOK SARPY CO. #1
 FIELD CREW K. TAFT
 SURVEY FILE NO. SV-190576.00_Topo
 PLAN IN HAND
 INITIALS
 DATE
 70 PERCENT REVIEW
 INITIALS
 DATE
 95 PERCENT REVIEW
 INITIALS
 DATE
 REVISIONS

PROTECT EXISTING POWER POLE, INCIDENTAL.

PROTECT EXISTING FIBER OPTIC LINE, INCIDENTAL

PROTECT EXISTING FIBER OPTIC BOX, INCIDENTAL.

INSTALL 20 TONS OF ROCK KEY FOR BANK STABILIZATION UP TO 1024.00'. SEE DETAIL THIS SHEET.

INSTALL 980 TONS OF ROCK RIPRAP FOR BANK STABILIZATION UP TO 1024.00'. SEE DETAIL THIS SHEET.

PROTECT EXISTING SANITARY SEWER MANHOLES, INCIDENTAL.

COVER RIPRAP ABOVE ELEVATION 1016.00 W/ MINIMUM 6" THICK TOPSOIL, COMPACTED INTO RIPRAP VOIDS.

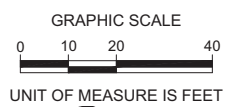
EXISTING GROUND
ELEV=1024'

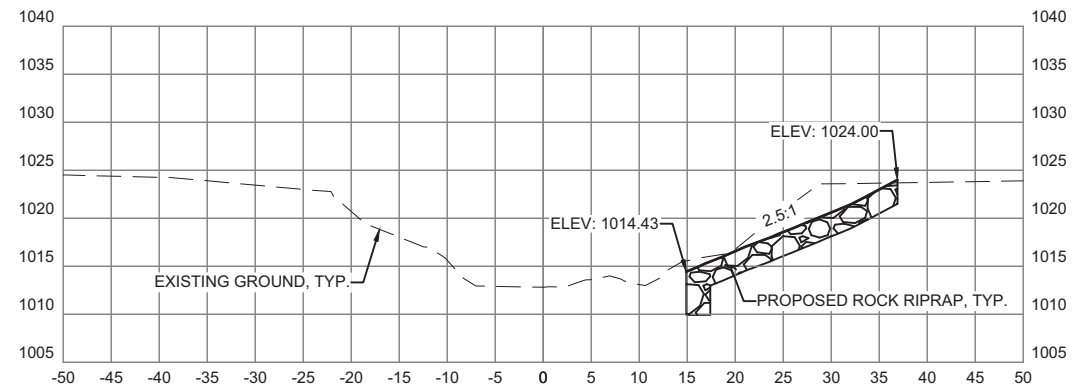
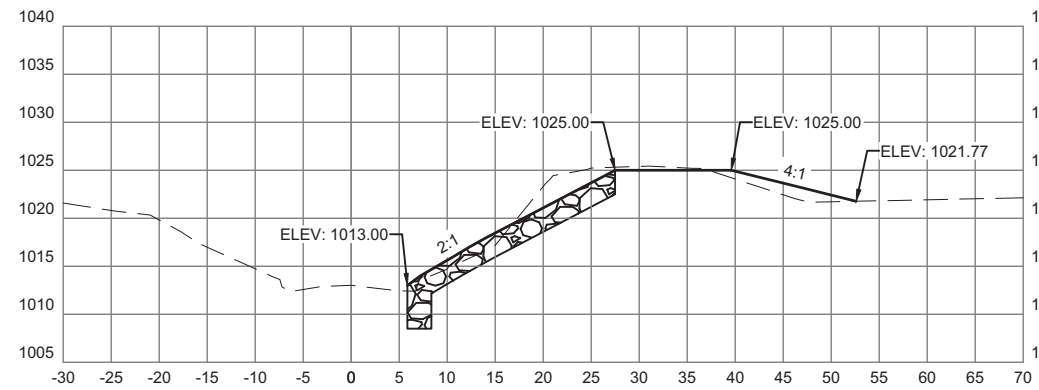
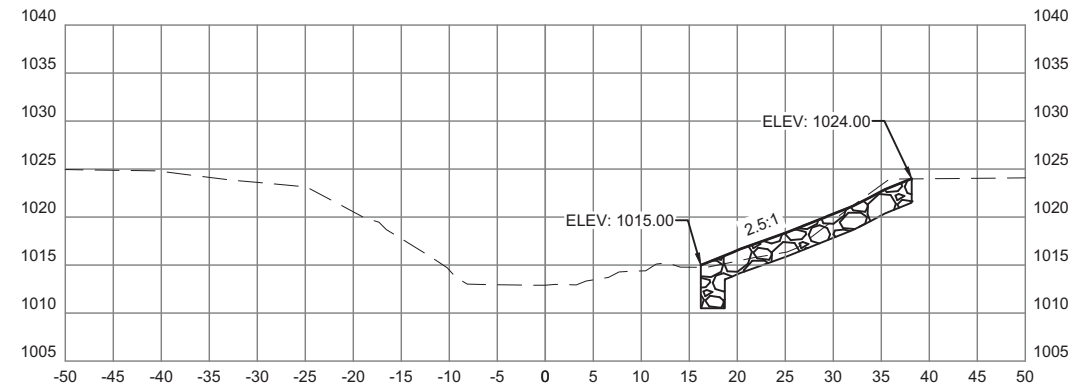
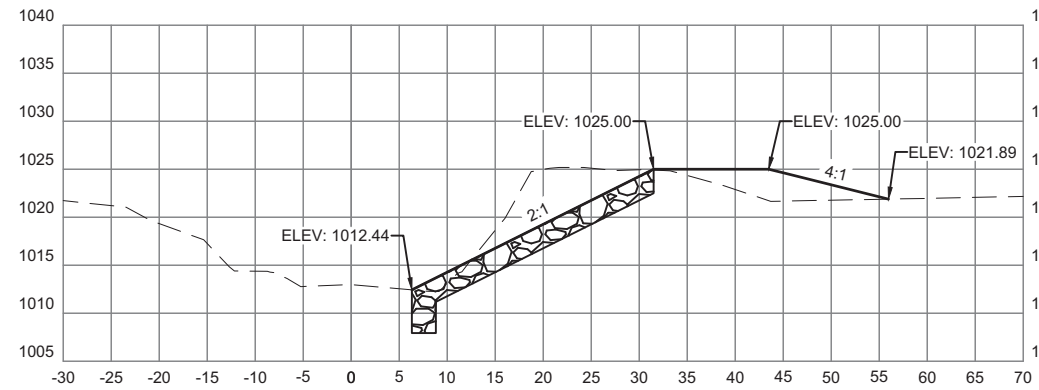
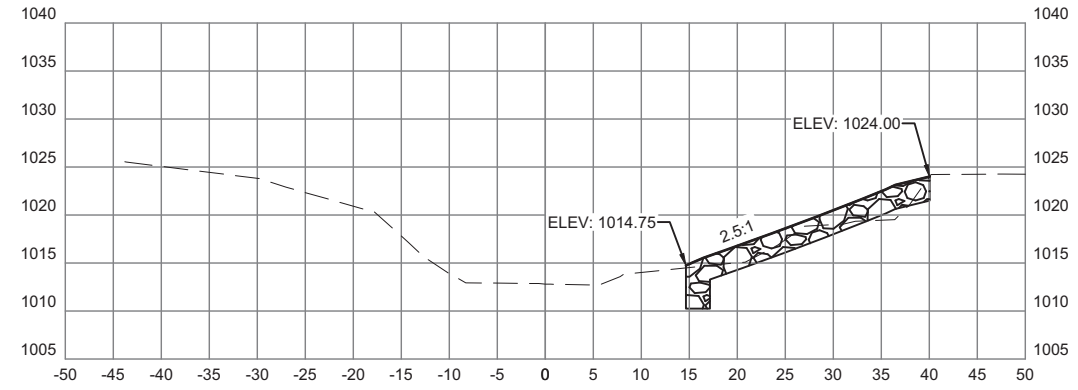
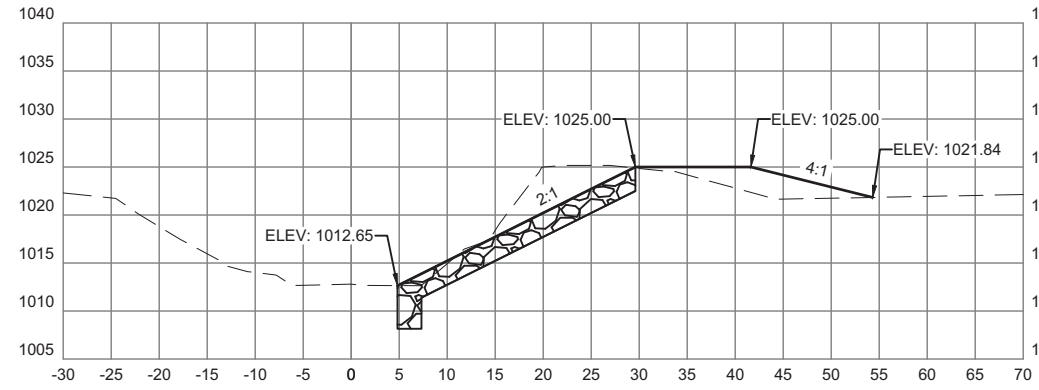
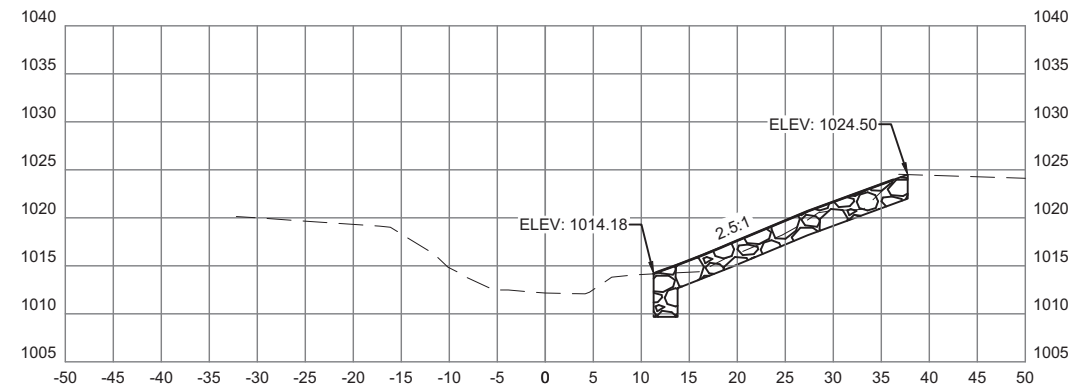
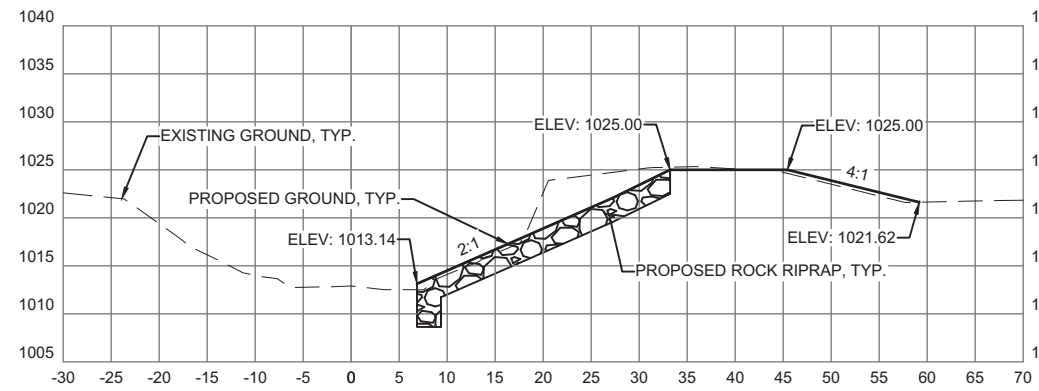
EXISTING GRADE, TYP.

WATER SURFACE ELEV= ± 1013.5

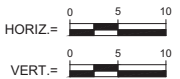
TYPICAL BANK STABILIZATION
SCALE: N.T.S.

ROCK KEY
SCALE: N.T.S.





PRELIMINARY
NOT FOR
CONSTRUCTION
30%
DATE:
10/2/2019
PRELIMINARY



P:\Engineering\190576\2019\10\2\Drawings\Sheet\Drawings\Sheet\190576.dwg, on 10/2/2019 11:46 AM



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NEBRASKA REGULATORY OFFICE
8901 SOUTH 154TH STREET, SUITE 1
OMAHA, NEBRASKA 68138-3635

<http://www.nwo.usace.army.mil/missions/regulatoryprogram/nebraska.aspx>

March 30, 2020

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT VERIFICATION

Permittee:

Ms. Dee Arias
City of Louisville
PO Box 370
Louisville, Nebraska 68037

Permit No: NWO-2020-00258-WEH

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions of Department of the Army (DA) Nationwide Permit (NWP) No. 13 found in the January 6, 2017, Federal Register (82 FR 1860), Issuance and Reissuance of Nationwide Permits. You must comply with all special, regional and general conditions attached herein.

Project Waterway and Location:

Mill Creek and adjacent wetlands
41.006789°, -96.159512°
Section 15, Township 15 North, Range 11 East
Cass County, Nebraska

Project Name: Mill Creek Bank Stabilization

Date of Receipt: February 5, 2020

Additional Information Received: March 11 and 26, 2020

Project Description:

The project includes excavation, bank shaping, rock riprap, and a rock key to stabilize the west bank of Mill Creek. The bank stabilization will include the west bank to be reshaped to a 2:1 slope, 980 tons of rock riprap and 20 tons of pit run will be installed at the toe of the slope (approximately 0.5 cubic yards per foot below the ordinary high water mark) up to the top of bank. Permanent impacts to aquatic resources will include 0.014 acre of PEMA riverine channel wetlands and 286 linear feet (0.035 acre) of Mill Creek channel.

Temporary structures are not proposed and therefore not authorized.

The project will be constructed in accordance with design plans received February 5, 2020, from JEO Consulting Group Inc.

Special Conditions:

1. The placed riprap/broken concrete must be covered, from the top down to the annual ordinary high water line, with a minimum of 6 inches of soil compacted into the voids of the riprap and immediately

seeded with either annual rye grass, oats and/or wheat (nurse crop) plus a mixture of native grass species. The Corps must be notified that this has been completed with photo documentation and seed tags.

2. If using any riprap/concrete other than quarry graded/sized rock riprap, the following special conditions will apply:

- a. Small aggregate with a dimension less than 6 inches shall not be placed below the ordinary high water mark (OHWM) of a water body for the purpose of bank stabilization or erosion control when such aggregate will be unstable or subject to frequent failure. Small aggregate however, may be placed below the OHWM if its purpose is to fill the interstices of a well graded riprap structure, geomembrane or channel lining.
- b. Slab material, regardless of source, must be broken before placement so that the maximum dimension of an individual piece of material is no more than 3.5 times its minimum dimension unless otherwise justified by a qualified engineer. All material must be free of exposed rebar, wire, and wire mesh.
- c. The use of clean brick, broken concrete, and cinder block for erosion control or bank stabilization will be considered on a case by case basis. If allowed, the broken concrete must be free of exposed rebar, wire, wire mesh, asphalt paving material, paint, and other erodible materials. Broken concrete must range in the size from 6 to 36 inches unless otherwise justified by a qualified engineer.
- d. Encroachment of riprap into the channel will be kept to a minimum.
- e. The top elevation of the riprap shall not exceed the top elevation of the bank.

3. Pallid Sturgeon:

No construction shall take place below the ordinary high water mark of the Platte River between March 1 and June 30 to avoid impacts to the endangered pallid sturgeon.

Regional Conditions:

The permittee is responsible for compliance with the Nebraska Regional Conditions listed below.

Regional Condition No. 9, Revegetation of Disturbed Areas – All NWP's.

- a. All areas adjacent (contiguous, bordering, neighboring) to jurisdictional waters disturbed by construction shall be revegetated with appropriate perennial, native grasses and forbs and maintained in this condition. In accordance with Executive Order 13112, the use of invasive species and non-native species is not appropriate for revegetation of disturbed areas. A cover crop may be planted to aid in the establishment of native vegetation. The disturbed areas shall be reseeded concurrently with the project or immediately upon completion. Revegetation shall be acceptable when ground cover of appropriate perennial, native grasses and forbs reaches 75%. If this seeding cannot be accomplished by September 15 in the year of project completion, then an erosion blanket shall be placed on the disturbed areas. The erosion blanket shall remain in place until ground cover of appropriate perennial, native grasses and forbs reaches 75%. If the seeding can be accomplished by September 15, all seeded areas shall be properly mulched to prevent erosion.
- b. When the vegetation has become established, all temporary erosion control materials shall be removed from the project site. Biodegradable or photodegradable materials need not be removed.

Regional Condition No. 10, Temporary Structures/Work/Fill

a. **All NWP**s

- i. The use of dredged material in the construction of temporary structures or used for temporary work or used as temporary fill shall not be allowed. The term “dredged material” is defined as material that is excavated or dredged from waters of the U.S. All temporary fill material shall be obtained from an upland source.
- ii. Upon completion of the construction activity, all temporary fill material shall be removed in its entirety from the water of the U.S. to an upland area and the affected area shall be restored to its pre-construction condition. Wetlands disturbed by temporary construction shall be seeded with appropriate native hydrophytic species.
- iii. General Condition No. 13 (Removal of Temporary Fills) is amended by adding the following: When temporary fills are placed in wetlands, a horizontal marker (i.e. fabric, certified weed-free straw, a ground survey with minimum accuracy of 0.10-foot, etc.) must be used to demarcate the existing ground elevation of wetlands that will be temporarily filled during construction, in order to restore the wetlands to pre-project conditions.

b. **NWPs with a Preconstruction Notification (PCN) Requirement**

In addition to the above Regional Conditions in “a”, the following apply to NWPs with a PCN requirements.

- i. A proposal for the temporary structure/work/fill, if not already provided, shall be submitted 14 days prior to construction and authorized/verified by the Nebraska Regulatory Office prior to the commencement of construction.
- ii. The Nebraska Regulatory Office shall be notified with documentation (i.e. photos) when the site has been restored to its pre-project condition.

General Conditions:

Please see the attached NWP 13 Fact Sheet.

Further Information:

1. Upon completion of the authorized work and any required mitigation, please sign and return the attached Compliance Certification form to the address listed.
2. **This NWP verification is valid until March 18, 2022, which is the expiration date for this NWP.** Should your project plans change, or if your activity has not commenced or under contract to commence by March 18, 2022, you must contact this office in writing for another permit determination. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence the authorized activity before March 18, 2022, you will have twelve (12) months from that date to complete the activity under the present terms and conditions of this NWP. If you need more than one additional year to complete the authorized activity, or if work has not commenced and is not under contract to commence, you will need to obtain a new verification under the 2022 NWPs or have the remaining work authorized by another type of DA Permit.
3. Although an individual DA permit will not be required for the project, this does not eliminate the requirement that you obtain any other applicable federal, state, tribal or local permits as required. Please note that deviations from the original plans and specifications of your project could require additional authorization from this office.

4. You are responsible for all work accomplished in accordance with the terms and conditions of the Nationwide Permit. If a contractor or other authorized representative will be accomplishing the work authorized by the Nationwide Permit in your behalf, it is strongly recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the applicable Nationwide Permit. Any activity that fails to comply with all of the terms and conditions of the Nationwide Permit will be considered unauthorized and subject to appropriate enforcement action.

5. The Omaha District, Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. If you do not have internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

6. If you have any questions concerning this verification, please feel free to contact Mr. Keith Simmons at the above address or call (402) 896-0896 or e-mail at Timothy.K.Simmons@usace.army.mil and refer to file number **NWO-2020-00258-WEH**.

Signed

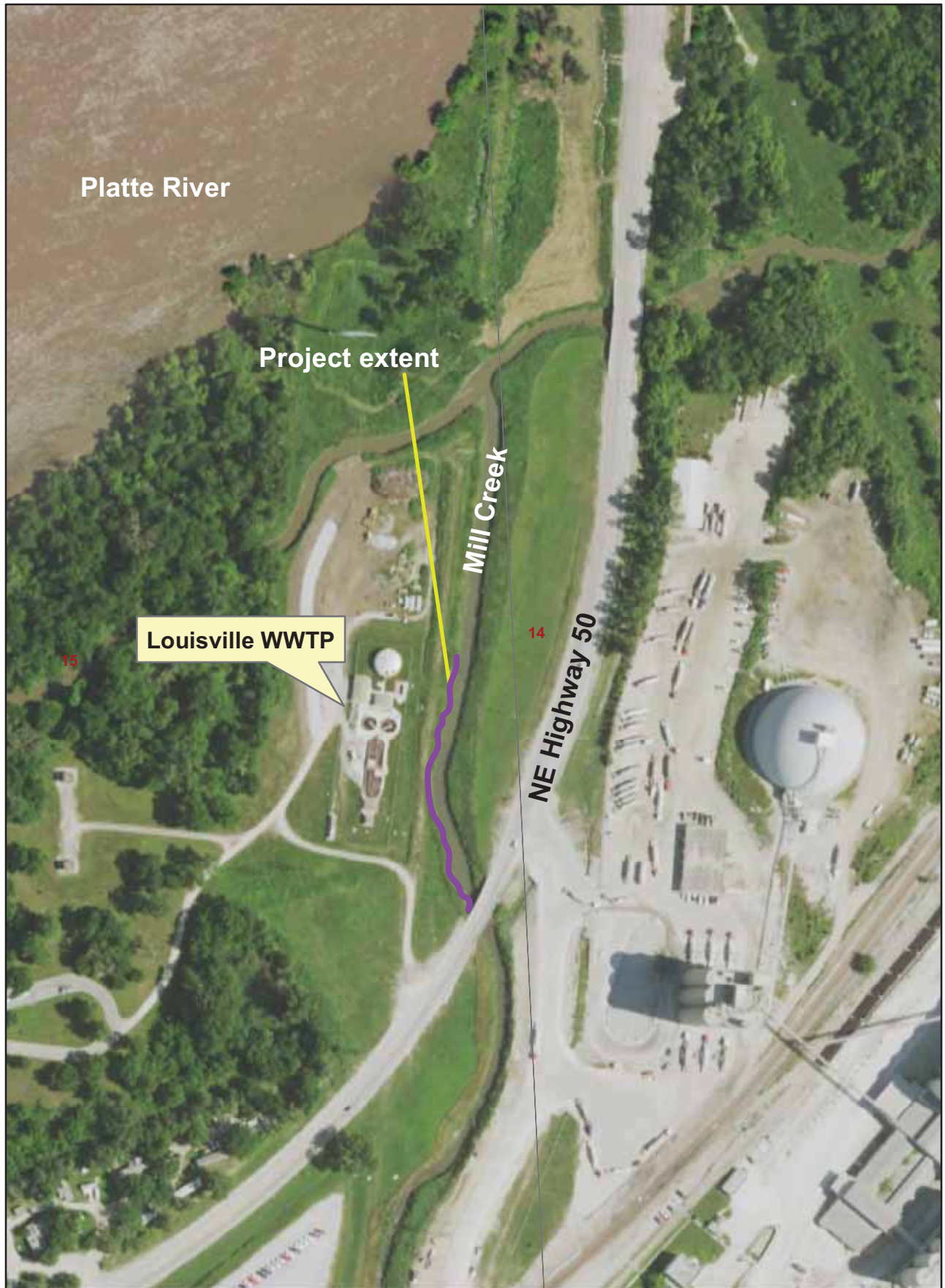


John L. Moeschel
Nebraska State Program Manager

Enclosure

cc:
NDEQ (Pauley)

City of Louisville Mill Creek project



0 80 160 320 480 640 Feet



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

F.

Memorandum

Date: July 8, 2020
To: Urban Subcommittee
From: Tracy Zayac
Subject: Rain-Ready Landscapes Project for consideration at July 16, 2020, meeting

RRLP.2020.001 Brenda Wacker rain garden: Brenda Wacker has filed an application for cost-share assistance to complete a rain garden project that she started on her own but has been unable to finish, owing to lack of knowledge about how to proceed successfully. The property, 8900 Lightner Circle, Hickman, is in an acreage development southeast of Hickman and northwest of Holland. The rain garden, when completed, will filter and slow rainwater drainage from the residential property before it exits the property onto the adjacent agricultural land and into the pond on that property.

To assist her in planning the completion of her project, the NRD has provided links to resources on selecting plants for rain gardens, which she has used to work with a landscaper to develop a plan to finish the rain garden. Cost-share assistance is requested to cover plants and mulch, as well as professional landscaping contractor labor to complete the project; no expenses from previous work completed are included. The total cost for the project is \$1,380.66; the NRD cost-share is \$690.33, which is less than the \$2,000 maximum available amount per application.

Enc.: Brenda Wacker application information

June 10, 2020

Dear Tracy, LPSNRD

I am writing this letter to apply for financial assistance in making a rain garden. This is a project I started three years ago. I got this idea for our own property when I was working for the post office delivering mail. A few of my customers had received assistance from the city to create rain gardens to help control the water run off from their properties. I loved the idea and how it added to the landscaping details of their properties.

It was then that I decided to research information on rain gardens. I made several phone calls to many organizations to try to get help in creating one and possibly getting planning and/or financial assistance. It seems I was on my own.

Last week I received a pamphlet in the Voice Newspaper and in it was an article on rain gardens. That led me to contact Tracy with the LPSNRD to inquire on more information on assisting in the completion of my project.

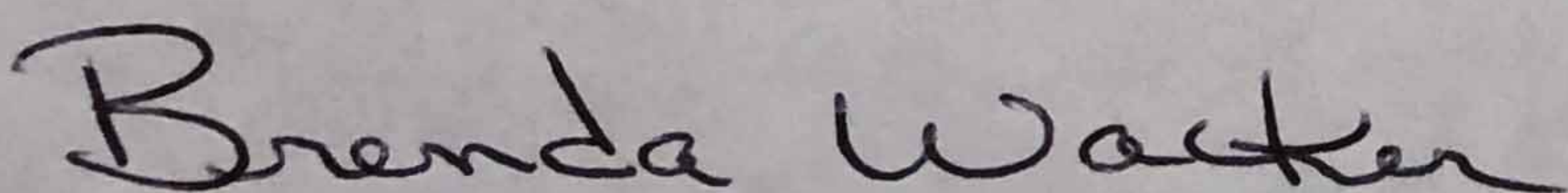
I sized the garden out according to the size of the rain that runs off the roof of our home. The down spout is buried underground and drains out at the top of the garden. The top of the garden is 18' wide, length is 36' long and bottom is 9' wide. I did a perk test on the soil. It drains very well. You will see in my pictures that it was holding water at that time. Picture was taken after receiving 1 1/2 inches of rain over night. It was all gone by that late afternoon. You will also see that our rain water from our property runs down into a pond belonging to our neighbor.

So what I am asking from the LPSNRD is help in plant design and financial assistance to getting this project completed since I just don't know what to do at this point. I would like to possibly include a professional from a nursery in providing the plants and getting them positioned for the best looking rain garden.

My contact information is Brenda Wacker, 8900 Lightner Cir, Hickman NE. 68372.
402-440-9736. Bwacker3@hotmail.com

I look forward to hearing from someone and completing this fun and beautiful project.

Thank you



Brenda Wacker







June 16, 2020

LPSNRD
The Urban Subcommittee

Dear Committee Members,

I am submitting my second letter including more pictures of my plans on my proposal for the completion of my rain garden located near the village of Holland.

I had the head rain garden specialist from Lincoln Landscaping come to our property to look at my project and provide me with an estimate on completing my garden. I chose them as they were very highly recommended along with a great reputation on quality work.

I am submitting the proposal from them with the design and list of plants that were recommended. My plan is to have them do the work and to have it finished correctly. My timeline for the work to be done is for them to come on August 20 to 21st. After visiting with Lincoln Landscaping we felt it would be better to do this project more in the fall so I could be home to keep the plants watered more till they get established and when it wasn't quite so hot.

Please let me know if there is anything else I can do or provide you to help me possibly qualify for funding to get my rain garden finished.

Sincerely,



Brenda Wacker
8900 Lightner Cir
Hickman, NE. 68372
402-440-9736
bwacker3@hotmail.com

10810 Saltillo Rd
 Roca NE 68430-4086
 (402) 423-0334

rick@lincolnlandscapingcompany.com

David & Brenda Wacker
 8900 Lightner Cir
 Hickman NE 68372-9431

402-440-9736



Please visit us on the web at
LincolnLandscapingCompany.com

bwacker3@hotmail.com

Estimate

Rep	Date	Estimate #	Project
SS	5/31/2020	32424	Rain Garden

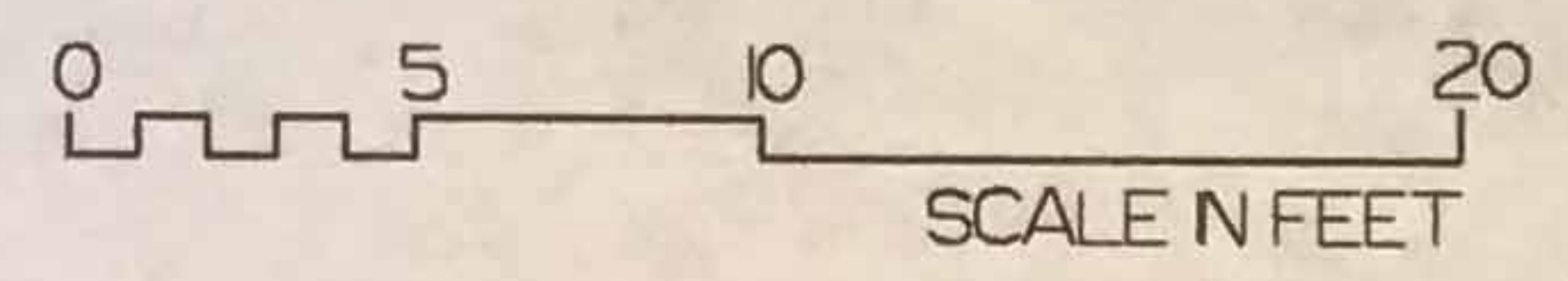
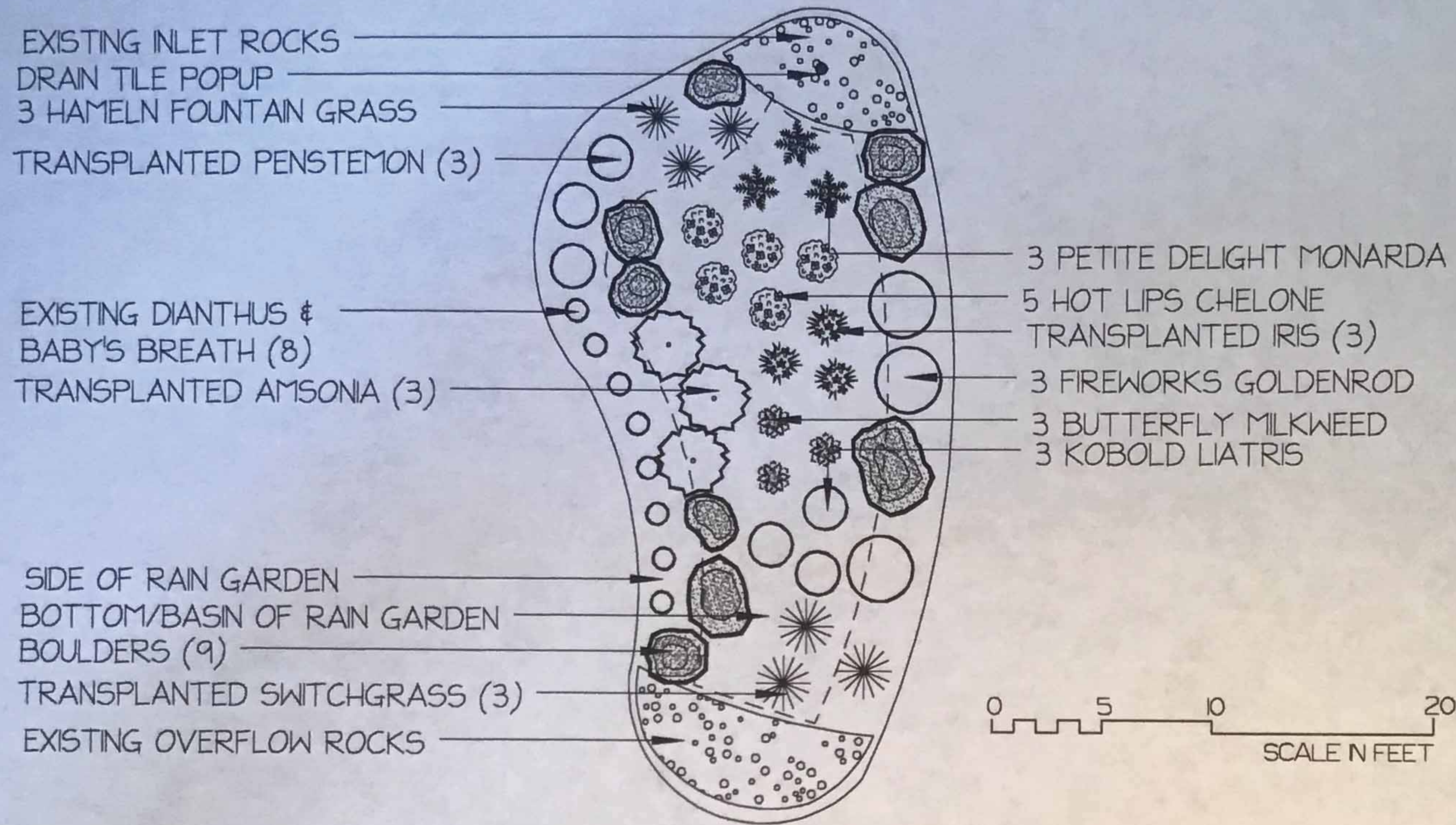
Size	Qty	Description	Cost	Total
		Rain Garden Project:		
Ln Ft	95	Natural Bed Edging	1.65	156.75T
Cu Yd	4	Mulch, Hardwood	28.00	112.00T
Each	1	Delivery Fees	60.00	60.00T
Per Project	1	Labor: move boulders into place; install soil along sides of rain garden sloping down; transplant 3 iris, 3 penstemon, 3 switchgrass, 3 amsonia *transplants not under warranty; install mulch	500.00	500.00
Per Project	1	Labor: plant installation	200.00	200.00T
#1	3	Goldenrod, Fireworks (36")	15.00	45.00T
#1	3	Fountain Grass, Hameln Dwarf (24")	15.50	46.50T
#1	3	Monarda, Petite Delight 12" (deep pink)	16.50	49.50T
#1	5	Chelone, Turtlehead Hot Lips (hot pink) 36"	15.00	75.00T
#1	3	Liatris, Kobold (purple) 2'	14.00	42.00T
#1	3	Butterfly Milkweed (orange) 24"	16.00	48.00T
Please Note -		If we need to move or adjust sprinkler heads (including any unmarked lines hit during trenching), our per hour labor charge will apply, plus the cost of any materials or parts. SPRINKLER HEADS MUST BE MARKED PRIOR TO OUR ARRIVAL. Plant pricing, size and variety may vary due to availability. *Soil to be provided by Homeowner	0.00	0.00T

We hereby propose to furnish labor and material in accordance with the specifications listed on this estimate. A 40% down payment is required to schedule installation. At completion the balance is due at that time. Trees, shrubs and perennials have a one year warranty. Hardscapes have a three year warranty from the date of installation. This warranty will not apply in cases of vandalism, animal damage, acts of nature, or neglect (including the lack of proper watering). 1 1/3% interest per month on all accounts over 30 days past due.

Subtotal	\$1,334.75
Sales Tax (5.5%)	\$45.91
Total	\$1,380.66

President or Landscape Designer _____ .Date _____
ACCEPTANCE OF PROPOSAL
 Customer Signature _____ Date _____

Lincoln Landscaping Company is a registered corporation in the State of Nebraska.



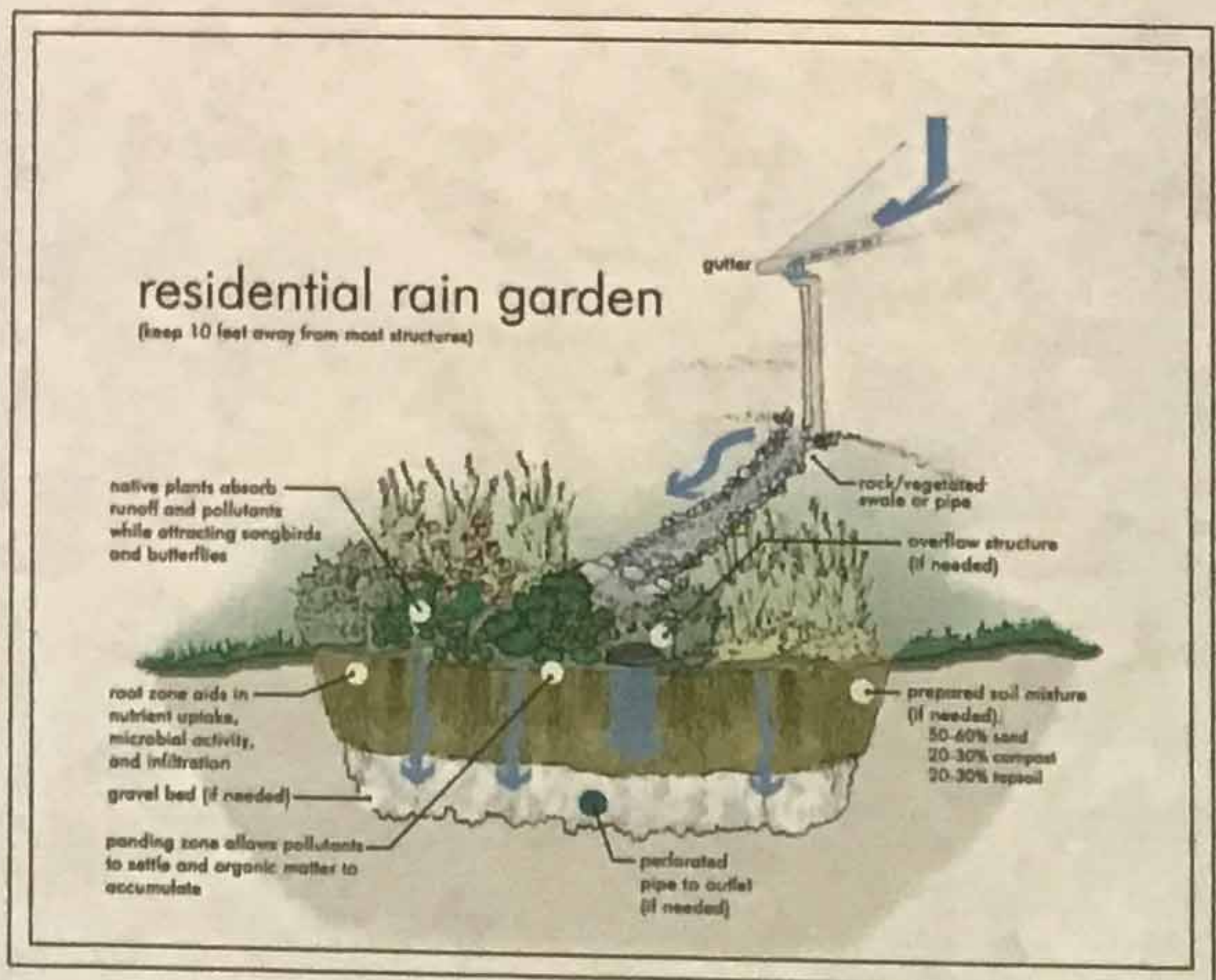
PLANT SCHEDULE:

Qty	Common Name
Ornamental Grasses	
3	HAMELN FOUNTAIN GRASS
Perennials and Annuals	
3	BUTTERFLY MILKWEED
3	FIREWORKS GOLDENROD
5	HOT LIPS CHELONE
3	KOBOLD LIATRIS
3	PETITE DELIGHT MONARDA

NOTES:
 RAIN GARDEN TO RECEIVE NATURAL TRENCHED EDGE
 & HARDWOOD MULCH



NATURAL TRENCHED EDGE



RAIN GARDEN DETAIL

LANDSCAPE PLAN
 CLIENT:
 WACKER RESIDENCE
 ADDRESS:
 8900 LIGHTNER CIRCLE

DESIGNER: S. SCHRADER
 DATE: MAY 2020
 SCALE: 1" = 10' - 0"
 SHEET: RAIN GARDEN

Lincoln Landscaping
 "We Dig Plants"
 10810 SALTILLO ROAD
 ROCA, NE 68430
 lincolnlandscapingcompany.com
 (402) 423-0334

WACKER RAIN GARDEN



©2016 Horticopia, Inc.

BUTTERFLY MILKWEED



HOT LIPS CHELONE



©2016 Horticopia, Inc.

KOBOLD LIATRIS



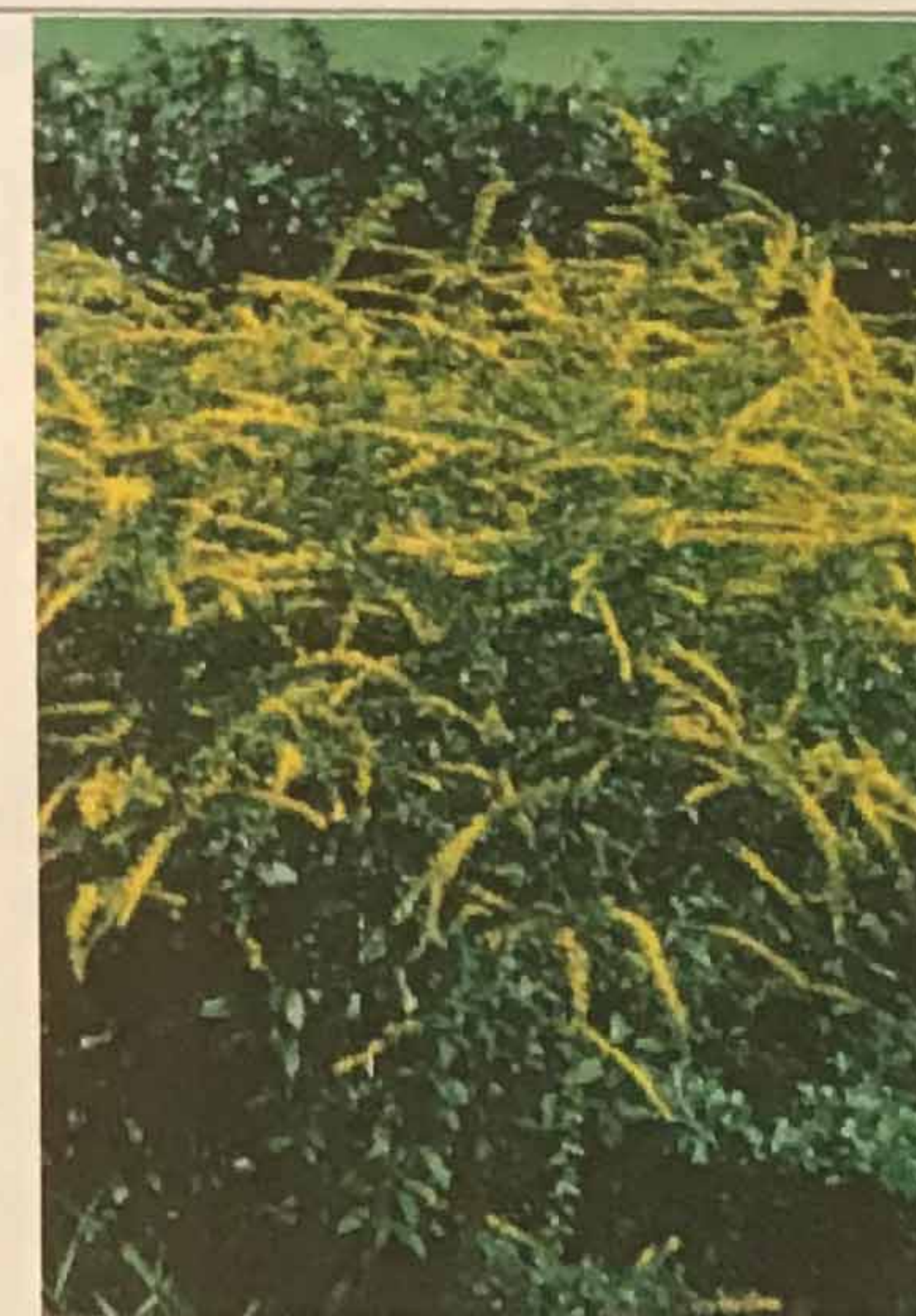
©2016 Horticopia, Inc.

PETITE DELIGHT MONARDA



©2016 Horticopia, Inc.

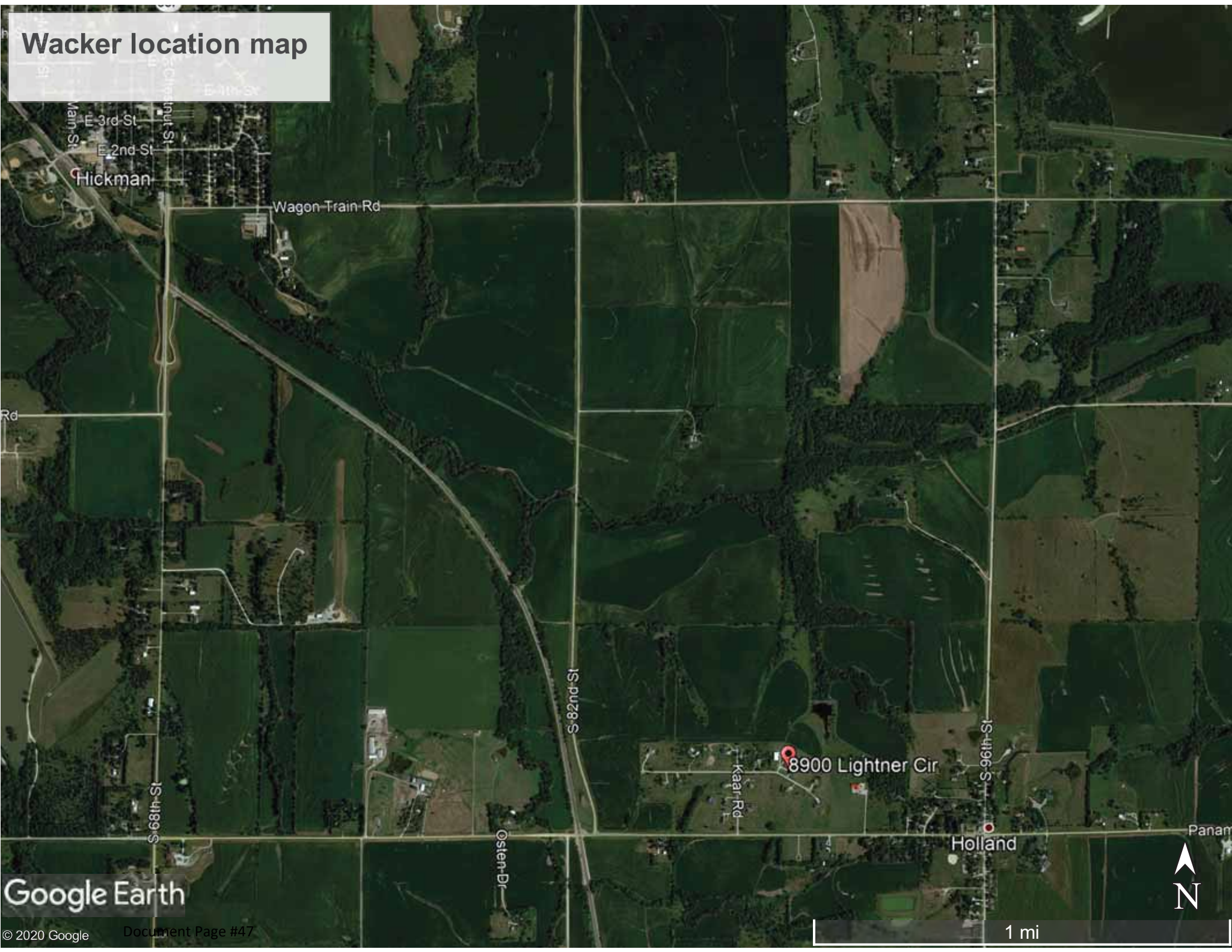
HAMELN FOUNTAIN GRASS



©2016 Horticopia, Inc.

FIREWORKS GOLDENROD

Wacker location map



Google Earth





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

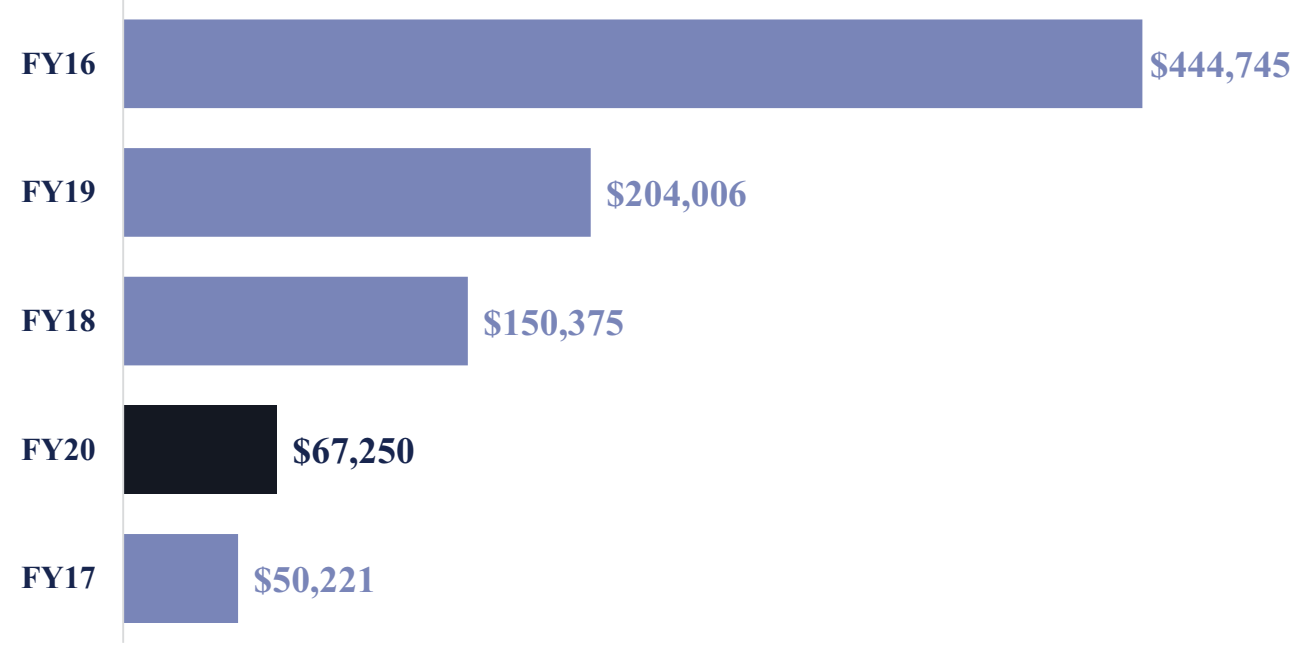
Date: July 6, 2020
To: Urban Subcommittee
From: Tracy Zayac
Subject: Status update on current CAP Projects

Following is a short summary of the current status of in-progress CAP projects.

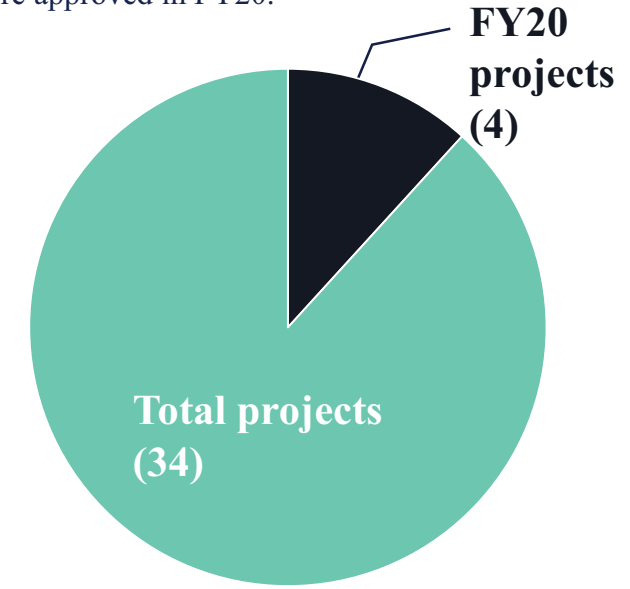
1. The Preserve HOA dam rehabilitation (approved 7/20/2018): Construction is complete, and the system has been functioning well during the recent rains. Waiting to receive reimbursement request.
2. Weeping Water Gospel Run bank stabilization Phase 1 (approved 11/16/2018): Project to be bid in July 2020, with construction to start in September.
3. Ashland drainage ditch improvements and Salt Creek bank stabilization (approved 4/26/2019): Awaiting final reimbursement request from City for reseeding work completed in May-June 2020.
4. Garland drainage study (approved 7/25/2019): study completed. Waiting to receive final reimbursement request.
5. Shadow Pines Townhome HOA bank stabilization Phase 2 (approved 9/18/2019): Recent rains caused a portion of the sheet piling wall to buckle. The contractor is repairing the failure at their own expense.
6. Louisville Mill Creek bank stabilization Phase 1 (approved 9/18/2019): City has received final design plans and the 404 permit from USACE. Waiting to receive reimbursement request.
7. Ceresco Hobson Branch Phase 1 (approved 2/19/2020): study phase completed. Received work products and reimbursement request, which has been processed. This project has been closed out.

The attached summary provides some information on the Community Assistance Program as of the end of FY20. This places FY20 in the context of recent program years and is intended for general informational purposes.

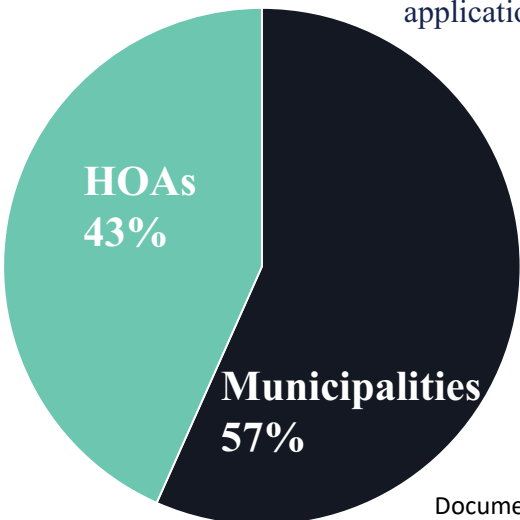
FY20 saw the second-lowest award level in the past five years. Total awards have fluctuated widely, influenced by the type, size, and number of projects approved.



Of the 34 projects approved over the past 5 years, **12% (4 projects)** were approved in FY20.



Over half (57%) of the projects funded since 2008 have been with cities and villages. **Ashland** and **Waverly** are tied for the most applications funded, at 5 each.



Highest-dollar project awarded in each year

Fiscal Year	Applicant & Project	Funding Awarded
FY16	Waverly Master Plan #2 construction	\$200,000
FY17	Elmwood drainage improvement	\$31,362
FY18	Plattsmouth Lincoln Ave. drainage Phase 2	\$75,000
FY19	The Preserve dam rehabilitation	\$75,000
FY20	Shadow Pines bank stabilization Phase 2	\$42,500

DEADMANS RUN FLOOD REDUCTION PROJECT (DMR FRP)

FY – 2021 (July 2020-June 2021)

• Section 205/Corps		
▪ In-Kind – Flume & Survey	\$85,000	\$42,500
▪ Engineering	\$340,000	\$170,000
▪ Landrights	\$200,000	\$0
• Local Project		
▪ Engineering - basin	\$200,000	\$160,000
▪ Engineering – 33 rd St Bridge	\$450,000	\$360,000
▪ Engineering – 48 th St Bridge	\$450,000	\$360,000
▪ Engineering - 38 th St Bridge	\$400,000	\$320,000
▪ Landrights	\$200,000	\$0

FY – 2022 (July 2021-June 2022)

• Section 205/Corps		
• Engineering	\$805,000	\$402,500
• Landrights	\$750,000	\$0
• Construction	\$1,000,000	\$500,000
• Local Project		
• Engineering	\$250,000	\$200,000
• Landrights	\$400,000	\$320,000
• Construction - basin	\$1,100,000	\$880,000
• Construction – 33 rd St Bridge	\$2,050,000	\$1,640,000
• Construction – 48 th St Bridge	\$700,000	\$560,000
• Construction – 38 th St Bridge	\$500,000	\$400,000

FY – 2023 (July 2022-June 2023)

	<u>NRD \$</u>	<u>Other \$</u>
• Section 205/Corps		
• Construction	\$1,000,000	\$500,000
• Local Project		
• Construction - basin	\$1,350,000	\$1,080,000
• Construction – 38 th St Bridge	\$724,000	\$579,200
• Construction – 48 th St Bridge	\$1,500,000	\$1,200,000

FY – 2024 (July 2023- June 2024)

• Section 205/Corps		
• Construction	\$1,000,000	\$500,000
• Complete project and determine final financial settlement Dec 2023.		
• Approve O&M Agreement w/ Corps for Section 205 Project.		
• Operate & Maintenance	\$10,000	\$0