



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: May 9, 2023
 To: Lower Platte South Natural Resources District Board of Directors
 From: Will Inselman, Resources Coordinator *WI*
 Subject: Minutes for Recreation, Forestry & Wildlife Subcommittee Meeting

On Thursday, May 4, 2023, at 5:30 p.m., the Recreation, Forestry and Wildlife subcommittee met in the Large Conference Room. Subcommittee members present; Anthony Schutz – Chair, Gary Hellerich, Don Jacobson, John Yoakum, Christine Lamberty, Stacie Sinclair, and Ray Stevens. Other attendees were Paul Zillig, Ariana Kennedy, and Will Inselman.

The first item on the agenda was a contract amendment with The Flatwater Group for contractual services related to the Little Salt Creek WFPO Plan-Environmental Assessment. This amendment adds \$100,000 to the existing contract for work that has been ongoing for project as The Flatwater Group works through the review process with NRCS. These funds are 100% reimbursed by NRCS. The Flatwater Group will continue to work with NRCS towards submittal and approval of the Plan-EA by April 2024.

It was moved by Yoakum and seconded by Stevens and unanimously approved to recommend the Lower Platte South NRD Board of Directors authorize the General Manager to approve the contract amendment with The Flatwater Group for contractual services related to the the Little Salt Creek WFPO Plan-Environmental Assessment, pending legal counsel review.

Motion Passed: 7-0

Second on the agenda was the review of the proposed FY 2024 actions and budget request. Staff began by covering FY23 accomplishments, provided background on LRIP and budget codes, master plan goals and objectives, and covered the RF&W measurable goals. Staff walked through each section of the proposed budget and fielded questions from Directors. All LRIP materials were provided to the members of the subcommittee but are not included in the minutes. The approved LRIP documents will be provided to the Finance & Planning Subcommittee to be included in the first draft of the FY 2024 LRIP and budget.

It was moved by Stevens and seconded by Hellerich and unanimously approved to submit the Final FY 24 Actions and Budget Requests and the FY 25-28 Actions and proposed Expenditures to the Finance & Planning Subcommittee for inclusion in the first draft of the FY 2024 Budget and LRIP.

Motion Passed: 6-0 (Sinclair Not Present)

Meeting adjourned at 7:41 p.m.

PC: RF&W subcommittee file

20 April 2023

Mr. Will Inselman, Resources Coordinator
Lower Platte South Natural Resources District
3125 Portia Street
PO Box 83581
Lincoln, Nebraska 68501
Phone: 402-432-5727

**RE: Scope of Service Modification for Professional Services for Little Salt Creek
Watershed Plan-EA, Lancaster County, Nebraska**

Dear Will:

As you know the coordination efforts with our project partner, Natural Resources Conservation Service (NRCS), throughout this effort have been a necessary, ongoing component of the project. This partner coordination effort has been on the administration, field investigation, plan documentation, and plan review level. The Flatwater Group's (TFG) original contract, scope-of-work, schedule, and fee estimate for the project identified several tasks that have either changed in scope and/or been delayed due to unforeseen conditions at the time of contracting in December 2020. These changes have resulted in a significant slide to the original project schedule. Concerns regarding the project schedule were first identified beginning with the August 2021 progress report, while concerns regarding the project budget were first identified beginning with the September 2021 progress report. A chronology of deliverables, project activities and delays is included as an attachment.

Over the course of recent months, we have had informal conversations with you regarding project budget and the need for TFG to request a contract modification for the remaining tasks for the project. TFG has continued to perform the tasks necessary for a successfully coordinated project, including additional meetings, field site visits, documentation preparation and submitting previously prepared documentation to new NRCS personnel. Because the tasks changed, and final plan submittal is soon but yet to be initiated, TFG is submitting this request for scope of service modification to our existing contract with Lower Platte South Natural Resources District.

Specific tasks (contracted and out-of-scope) that have incurred additional time and effort since project inception, or tasks yet to be completed and require additional effort, include the following:

1. Addressing review comments by resource agencies following the submittal of the draft plan in June 2021.
2. Providing documentation and assistance with the preparation of a biological assessment for the project.
3. Providing project site tours, meetings, and ongoing correspondence for new NRCS team members.
4. Providing a second submittal of the draft plan to new NRCS team members.
5. Coordinating a USACE and NRCS review meeting to determine wetland delineation and permit compliance determination and coordination for a Plan-EA.
6. Preparing review comments/responses to second submittal of the draft plan.
7. Coordinating APE review as requested by NRCS.

8. Preparing additional mapping to include ARA boundaries, wetland limits, and design plans (30%) for each of the proposed projects as requested by NRCS.
9. Update construction cost estimates to 2023 dollars and modify economic analysis results tables in Plan-EA and appendices with amended project list.
10. Compile project specific technical data in accordance with updated PR&G guidance as requested by NRCS. Present updated data to comply with NRCS design standards.
11. Submit final plan to NRCS National office.
12. Preparing review comments/responses and final documentation based on NRCS National office review.
13. Coordinating public meeting.

TFG's most recent invoice and associated progress report, dated 9 February 2022, brought the billings-to-date for the total project to 99.5% of the contracted amount \$295,110. TFG is requesting a firm fixed price basis modification for **\$100,000** to cover all labor and other direct expenses incurred for the aforementioned scope of services modification and the completion of the project. TFG's work under this modification would be governed by the terms and conditions in the current Service Agreement between TFG and LPSNRD for the Little Salt Creek Watershed Plan-EA. This request would change our firm fixed price contract from **\$295,110 to \$395,110**.

Should you have any questions do not hesitate to contact us at (402) 435-5441.

Sincerely,



Gordon R. Coke
THE FLATWATER GROUP INC.

Ec: Project File LPSNRD-2020-02
Tom Malmstrom

Attachment
 Little Salt Creek Plan-EA – Partial Project Summary Timeline

Date	Activity/Description
30 June 2021	TFG submitted Draft Plan-EA and appendices to NRCS per schedule
6 July 2021	Submittal response email received from Rich Vaughn
16 August 2021	Draft Plan-EA comments received from USFWS (14 comments)
27 August 2021	Draft Plan-EA comments received from USACE (79 comments)
27 August 2021	Draft Plan-EA comments received from NGPC (4 comments)
16 September 2021	Zoom call with USACE, USFWS, NRCS and TFG to review comments and discuss responses
24 September 2021	Draft Plan-EA comments received from NRCS (9 comments)
6 October 2021	Economics focus discussion with NRCS-Econ, HDR and TFG as output of Sept 16 th discussion. Group decided to ask USFWS for economics support on determining value of endangered species habitat
13 October 2021	Request from TFG to USFWS for support on determining economics of habitat value from ecosystem restoration
9 November 2021	Zoom call with USFWS economists
10 November 2021	Call with HDR regarding economics
5 January 2022	Draft plan EA comment responses provided to NRCS
5 January 2022	Update call with Rich Vaughn
16 February 2022	BA initiation discussion with NRCS, USFWS, NGPC, LPSNRD and TFG
9 March 2022	NRCS-LPSNRD Contract extension to April 2023
30 March 2022	BA question from NRCS to TFG regarding CERT
8 June 2022	BA progress update from NRCS
5 July 2022	LSC Plan-EA cost share meeting at LPSNRD
11 July 2022	BA progress update from NRCS
13 July 2022	WFPO Wetlands guidance documentation provided by Rich Vaughn-NRCS
5 August 2022	BA update call with NRCS, USFWS, NGPC, LPSNRD and TFG
2 September 2022	Request from NRCS to TFG for supporting maps for BA
9 September 2022	Email from new NRCS staff contact coordinating LSC Plan-EA
14 September 2022	BA draft submittal from NRCS to LSC Plan-EA project team
5 October 2022	USFWS and NGPC comments on LSC BA
20 October 2022	All day saline wetland site visit in LSC watershed led by TFG including team members from NRCS new to LSC Plan-EA project
31 October 2022	ARA Planning Worksheet Guidance from Rich Vaughn-NRCS
1 November 2022	Submitted June 2021 Draft Plan-EA to new NRCS staff for review
10 November 2022	LSC Plan-EA update discussion video call between NRCS, LPSNRD, USFWS, NGPC, LPSNRD, TFG
18 November 2022	LSC Plan-EA update discussion video call between NRCS, LPSNRD, TFG
29 November 2022	NRCS additional comments on June 2021 LSC Plan-EA draft (126 comments)
29 November 2022	NRCS guidance referencing PR&G manual specific to LSC Plan-EA
5 December 2022	LSC Plan-EA update discussion video call between NRCS, LPSNRD, USFWS, U.S. Army Corps of Engineers and TFG to discuss Section 404-wetlands
5 December 2022	LSC Plan-EA update discussion video call between NRCS, LPSNRD, TFG
16 December 2022	LSC Plan-EA meeting at NRCS offices to discuss H&H standards, engineering design level for Plan-EA, and NRCS practice codes
19 December 2022	Meeting with NRCS staff to discuss wetlands and ARA maps

AMENDMENT NO. 1

**INDEPENDENT CONSULTANT AGREEMENT
Between**

**The Flatwater Group ~ and the Lower Platte South Natural Resources District
Little Salt Creek Watershed Plan-EA**

Agreement dated the 1st of day of December 2020, for the above-named project: Preparation of Plan-EA Project.

The Amendment consists of additional work required to coordinate plan-EA efforts.

The fixed price cost for these additional services is \$100,000.00 (One-Hundred Thousand and No/100 Dollars).

<u>Summary as Follows:</u>	<u>Original Contract Amount</u>	\$295,110
	Amendment No. 1	\$100,000
	<i>Total Adjusted Contract Amount</i>	\$395,110

All the requirements and stipulations set forth in the original agreement transfer and apply to this agreement.

Executed by the Consultant this 20th day of APRIL 2023.
The Flatwater Group, Inc.



Andrew Appleget

Executed by the Owner this _____ day of _____ 2023.

LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT

Paul Zillig General Manager