



## LOWER PLATTE SOUTH natural resources district

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

### Memorandum

**Date:** October 16, 2023  
**To:** Board of Directors  
**From:** Mike Murren Projects Coordinator  
**Subject:** Water Resources Subcommittee Meeting Minutes October 2023

The Water Resource Subcommittee met on Thursday October 12, 2023, at NRD office, at 6:00 pm. Subcommittee members present included Larry Ruth, Melissa Baker, Luke Peterson, Gary Hellerich, Susan Seacrest, Don Jacobson, and Mark Spangler. Staff present were Dave Potter, Mark Lindeman, Drew Ratkovec, and Mike Murren. to review, discuss, take action on two items, and one report given. A quorum was present for the meeting.

#### **Consideration of the Annual Stream Gage Operation Agreement with the United States Geologic Survey Division. (Action)**

There are 24 United States Geological Survey (USGS) gages located within the LPSNRD boundaries (see attached map). The NRD contributes funding to USGS towards the cost of operating 16 of these gages. These gages are used by the NRD to monitor water levels and precipitation and are an important tool for the Districts Flood Alert procedures. USGS requires its local partners to annually approve joint funding agreements with USGS for this assistance with the previous agreement approved by the Board on October 19, 2022. In total, it requires \$245,070 to operate, maintain, and monitor the gages, with the LPSNRD contributing \$122,765. Please find attached a copy of the annual joint funding agreement with USGS for the operation of these 16 gages at a cost of \$122,765 to the LPSNRD. There was some discussion on potentially updating gages all gages that do not have weather reporting capabilities, as only a few provide precipitation data. Staff agreed to investigate what would be required and costs and report to the subcommittee.

**It was moved by Jacobson, seconded by Hellerich, to recommend that the Board of Directors approve the 2023 Annual Joint Funding Agreement with the USGS for operation of 16 stream gages in the Lower Platte South NRD in the amount of \$122,765. Roll call vote taken with Seacrest, Hellerich, Baker, Jacobson, Spangler, Peterson, and Ruth voting aye. Motion passed.**

### **Request to Revise the Upper Salt 11-4 Easement (Action)**

Upper Salt 11-4 is a watershed dam that was built in 1956. This dam is just South of 68<sup>th</sup> and Olive Creek Road. The current landowner is Princeton Road LLC. Ratkovec explained to the committee that the current landowner has plans to develop the area and requested that the NRD release a part of the easement from the 1950's that encumbered the whole parcel. The new easement will follow a contour line that is one foot above the top of dam elevation. The revised easement will contain current language the NRD uses on other projects that identifies restrictions within the easement and protects the watershed structure from future encroachments and ability to perform. It was explained that the current blanket easement over the entire property does not include these restrictions.

**It was moved by Jacobson, seconded by Ruth, to authorize staff to prepare a revised easement for Upper Salt 11-4 and authorize the General Manager to execute said easement on behalf of the Board of Directors. Roll call vote taken with Seacrest, Hellerich, Baker, Jacobson, Spangler, Peterson, and Ruth voting aye. Motion passed.**

### **Piening Dam Update**

Murren reported on the status of the Piening dam 404 process. The wetland determination has been completed by HDR. The permanent wetland mitigation that is required is 2.6093 acres. The stream channel mitigation required is 519.1 feet. The plan is to use the LPSNRD's Blue Heron Marsh Wetland Mitigation Bank to mitigate the permanent wetlands. The stream channel mitigation will require the use of the Bundy Mitigation Bank in Sarpy County. This is an approved USACE bank for stream credits. The cost of purchasing the stream channel credits will be around \$51,000. The 404 permit will be submitted in the upcoming week. It was noted that onsite mitigation for this project would prove more expensive and timelier. The approval process can take up to six months, but by using the USACE approved wetland banks, this will likely expedite the process.

Enc.

cc: Steve Seglin  
Corey Wasserburger  
Dave Landis



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### Memorandum

**Date:** October 6, 2023  
**To:** Water Resources Subcommittee  
**From:** Mike Murren Projects Coordinator  
**Subject:** Subcommittee Meeting Background Information October 12, 2023

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The Water Resource Subcommittee will be meeting on Thursday October 12, 2023, at NRD office, at 6:00 pm to review, discuss, take action on two items, and provide an update report. The following summarizes the items to take action on at the meeting. Please find the attached background information on each item.

#### **Consideration of the Annual Stream Gage Operation Agreement with the United States Geologic Survey Division. [Action]**

There are 24 United States Geological Survey (USGS) gages located within the LPSNRD boundaries (see attached map). The NRD contributes funding to USGS towards the cost of operating 16 of these gages. These gages are used by the NRD to monitor water levels and precipitation and are an important tool for the Districts Flood Alert procedures. USGS requires its local partners to annually approve joint funding agreements with USGS for this assistance with the previous agreement approved by the Board on October 19, 2022. In total, it requires \$245,070 to operate, maintain, and monitor the gages, with the LPSNRD contributing \$122,765. Please find attached a copy of the annual joint funding agreement with USGS for the operation of these 16 gages at a cost of \$122,765 to the LPSNRD.

The Subcommittee will consider a motion to recommend that the Board of Directors approve the 2023 Annual Joint Funding Agreement with the USGS for operation of 16 stream gages in the Lower Platte South NRD in the amount of \$122,765.

#### **Request to Revise the Upper Salt 11-4 Easement[Action]**

Upper Salt 11-4 is a watershed dam that was built in 1956. This dam is just South of 68<sup>th</sup> and Olive Creek Road. The current landowner is Princeton Road LLC. Drew Ratkovec will be present to explain the request to revise the current easement on this property. Ratkovec's memo describing the reasoning for the easement revision is

attached. The Subcommittee will consider a motion to authorize staff to prepare a revised easement for Upper Salt 11-4 and authorize the General Manager to execute said easement on behalf of the Board of Directors.

## **Piening Dam update**

Enc.

cc: Steve Seglin  
Corey Wasserburger  
Dave Landis



## United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
Nebraska Water Science Center  
5231 South 19<sup>th</sup> Street  
Lincoln, NE 68512-1271

September 13, 2023

Mike Sousek  
Lower Platte South Natural Resources District  
PO Box 83581  
Lincoln, NE 68501-3581

Dear Mr. Sousek:

Enclosed is a copy of Joint Funding Agreement No. 24NRJFA00030 for the operation of 16 streamgages as listed in the enclosed summary of proposed funding. The total amount of the agreement is \$169,685 or \$46,920 for the U.S. Geological Survey and \$122,765 for the Lower Platte South Natural Resources District. Funds in the amount of \$27,370 from the Federal Priority Streamgages Program (FPS), which are not included in the above amounts, have been used as a supplement to or in place of Cooperative Matching Funds for several stations. Please sign the agreement and return by email to [aflynn@usgs.gov](mailto:aflynn@usgs.gov). Work cannot be continued until we receive the signed agreement.

Work performed with funds from this agreement will be conducted under the authority of Statute 43 USC 36C on a fixed-price basis. Billings will be rendered quarterly. If the billing schedule needs to be revised, please contact Amanda Flynn at 402-328-4144 or [aflynn@usgs.gov](mailto:aflynn@usgs.gov). The results of all work under this agreement will be available for publication by the U.S. Geological Survey.

For more information or any questions concerning this agreement, please contact Jason Lambrecht at 402-328-4124.

Sincerely,

**JASON  
LAMBRECHT**

Digitally signed by JASON  
LAMBRECHT  
Date: 2023.09.20 16:02:58 -05'00'

Jason Lambrecht, Acting Director  
USGS Nebraska Water Science Center

2 Enclosures  
USGS UEI No. NJQMLNG5LA5

Fixed Cost Agreement YES[ X ] NO[ ]

THIS AGREEMENT is entered into as of October 1, 2023, by the U.S. GEOLOGICAL SURVEY, Nebraska Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation **the operation and computation of records for 16 streamgages**, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$46,920 by the party of the first part during the period October 1, 2023 to September 30, 2024
- (b) \$122,765 by the party of the second part during the period October 1, 2023 to September 30, 2024
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$27,370

Description of the USGS regional/national program:  
**Federal Priority Streamgages Program**

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website <https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>

Form 9-1366  
(May 2018)

U.S. Department of the Interior  
U.S. Geological Survey  
Joint Funding Agreement  
FOR  
Water Resource Investigations

Customer #: 6000000121  
Agreement #: 24NRJFA00030  
Project #: NR00GS1  
TIN #: 47-0542969

9. Billing for this agreement will be rendered **quarterly**. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

**USGS Technical Point of Contact**

Name: Jason Lambrecht  
Hydrologic Data Section Chief  
Address: 5231 South 19<sup>th</sup>  
Lincoln, NE 68512  
Telephone: (402) 328-4124  
Fax: (402) 328-4101  
Email: [jmlambre@usgs.gov](mailto:jmlambre@usgs.gov)

**Customer Technical Point of Contact**

Name: Mike Sousek  
General Manager  
Address: PO Box 83581  
Lincoln, NE 68501  
Telephone: (402) 476-2729  
Fax:  
Email: [msousek@lpsnrd.org](mailto:msousek@lpsnrd.org)

**USGS Billing Point of Contact**

Name: Amanda Flynn  
Budget Analyst  
Address: 5231 South 19<sup>th</sup>  
Lincoln, NE 68512  
Telephone: (402) 328-4144  
Fax: (402) 328-4101  
Email: [aflynn@usgs.gov](mailto:aflynn@usgs.gov)

**Customer Billing Point of Contact**

Name: Mike Sousek  
General Manager  
Address: PO Box 83581  
Lincoln, NE 68501  
Telephone: (402) 476-2729  
Fax:  
Email: [msousek@lpsnrd.org](mailto:msousek@lpsnrd.org)

U.S. Geological Survey  
United States  
Department of Interior

Lower Platte South Natural Resources District

Signature

JASON  
By LAMBRECHT  
Name: Jason Lambrecht  
Title: Acting Director

Digitally signed by JASON  
LAMBRECHT  
Date: 2023.09.20 16:07:22  
-05'00'

Signatures

By \_\_\_\_\_ Date: \_\_\_\_\_

Name:  
Title:

By \_\_\_\_\_ Date: \_\_\_\_\_

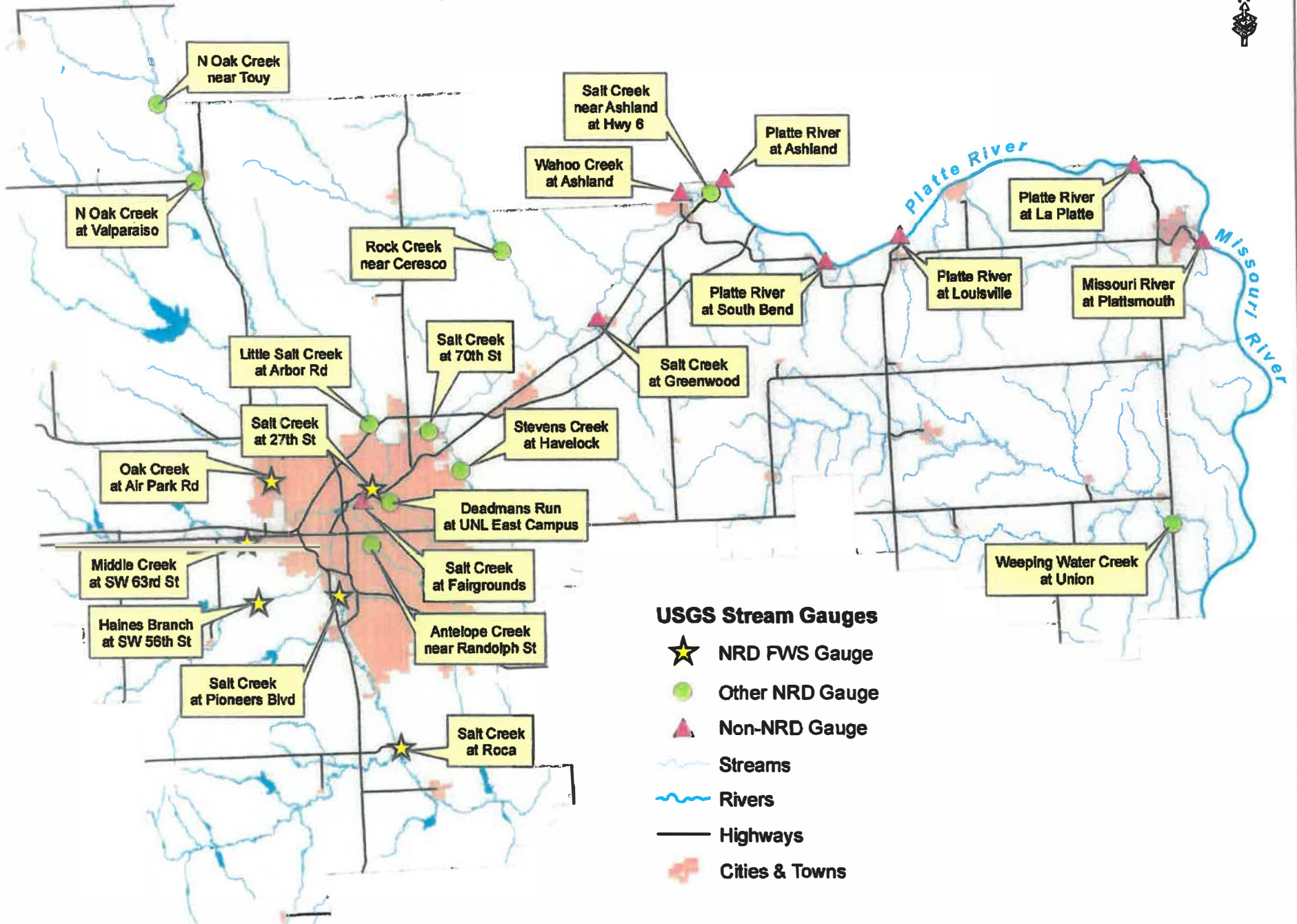
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Name:  
Title:



# Stream Gauge Locations, Lower Platte South NRD



## USGS Stream Gauges

- ★ NRD FWS Gauge
- Other NRD Gauge
- ▲ Non-NRD Gauge
- Streams
- ~ Rivers
- Highways
- Cities & Towns

Map Updated: October 2021 - Lower Platte South NRD, sdr



**Table 1.** Summary of proposed funding for operation of stream gaging stations supported by the Lower Platte South Natural Resources District and other partners for period October 1, 2023 -- September 30, 2024.

[CMF, USGS, Cooperative matching funds; LPS NRD, Lower Platte South Natural Resources District; FPS, Federal Priority Streamgage Program; USACE, U.S. Army Corps of Engineers; USGS, U.S. Geological Survey]

Station Number	Station name	LPS NRD Supported Since	Station funding									Remarks code
			USGS CMF for LPS NRD	LPS NRD	Subtotal USGS & LPS NRD	USGS CMF for other partners	Lincoln Waste-water System	Lancaster County	USGS FPS	USACE	Total funding	
06803000	Salt Cr at Roca	1995		\$4,940	\$4,940				\$3,035	\$8,190	\$16,165	1,2
06803080	Salt Cr at Pioneers Blvd	1994	\$6,315	\$9,850	\$16,165						\$16,165	1
06803093	Haines Br at SW 56th St	1994	\$6,315	\$9,850	\$16,165						\$16,165	1
06803170	Middle Cr at SW 63rd St	1994	\$6,315	\$9,850	\$16,165						\$16,165	1
06803300	Antelope Cr at 27th St	2012	\$2,265	\$13,900	\$16,165						\$16,165	1
06803420	North Oak Cr nr Touhy	2016	\$2,265	\$13,900	\$16,165						\$16,165	
06803430	North Oak Cr at Valparaiso	2016	\$2,265	\$13,900	\$16,165						\$16,165	
06803486	Oak Cr at Air Park Rd	2000	\$6,315	\$9,850	\$16,165						\$16,165	1
06803500	Salt Cr at Lincoln (27th St)	2005		\$4,710	\$4,710		\$4,685		\$6,440	\$330	\$16,165	1, 2
06803502	Deadmans Run at 38th St	2021	\$0	\$0	\$0					\$12,060	\$12,060	4
06803510	Little Salt Cr near Lincoln	1995	\$3,900	\$6,075	\$9,975	\$2,415		\$3,775			\$16,165	
06803513	Salt Cr at 70th St at Lincoln	1994	\$3,165	\$4,910	\$8,075	\$3,160	\$4,930				\$16,165	
06803520	Stevens Cr near Lincoln	1995	\$3,900	\$6,075	\$9,975	\$2,415		\$3,775			\$16,165	
06803530	Rock Cr near Ceresco	1995	\$3,900	\$6,075	\$9,975	\$2,415		\$3,775			\$16,165	
06805000	Salt Cr near Ashland	2012		\$1,390					\$5,310		\$6,700	2,3
06806500	Weeping Water Cr at Union	1998		\$7,490	\$7,490				\$7,430	\$1,245	\$16,165	2
Funding Partner Totals			\$46,920	\$122,765	\$169,685	\$10,405	\$9,615	\$14,360	\$27,370	\$13,635	\$245,070	

- 1 Flood-warning site with satellite telemetry and WaterAlert notification system
- 2 FPS funds used in place of CMF for match
- 3 Stage-only site
- 4 Seasonal site (8 months), Oct. 1-31 and Mar. 1 to Sept. 30



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## Memorandum

**Date:** October 2, 2023  
**To:** October Water Resources Subcommittee  
**From:** Drew Ratkovec  
**Subject:** Request to Revise the Upper Salt 11-4 Easement

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Civil Design Group, Inc. is working with Princeton Road LLC on developing an area by South 68<sup>th</sup> Street & Princeton Road. They have reached out to the NRD because we have an easement over this property for the Upper Salt 11-4 dam structure. This is a blanket easement from 1956 that was granted to us from the Lancaster Soil Conservation District. This means the original easement covered a quarter section, much more than what was actually needed, but this was the standard way to grant easements at that time due to it being easier to include the entire farm than a specific impacted area.

Civil Design Group, Inc. is requesting a partial release for a portion of the south half of this easement where they are developing homes. In doing so we would make our easement boundary more defined by making it in relation to the top of dam elevation with a 1' buffer. This will also allow the NRD to have more specific language in the easement and outline our flood control structure restrictions to ensure it is maintained and operated properly.

The Subcommittee will consider a motion to authorize staff to prepare a revised easement for Upper Salt Creek 11-4 and authorize the General Manager to execute said revised easement on behalf of the Board of Directors.

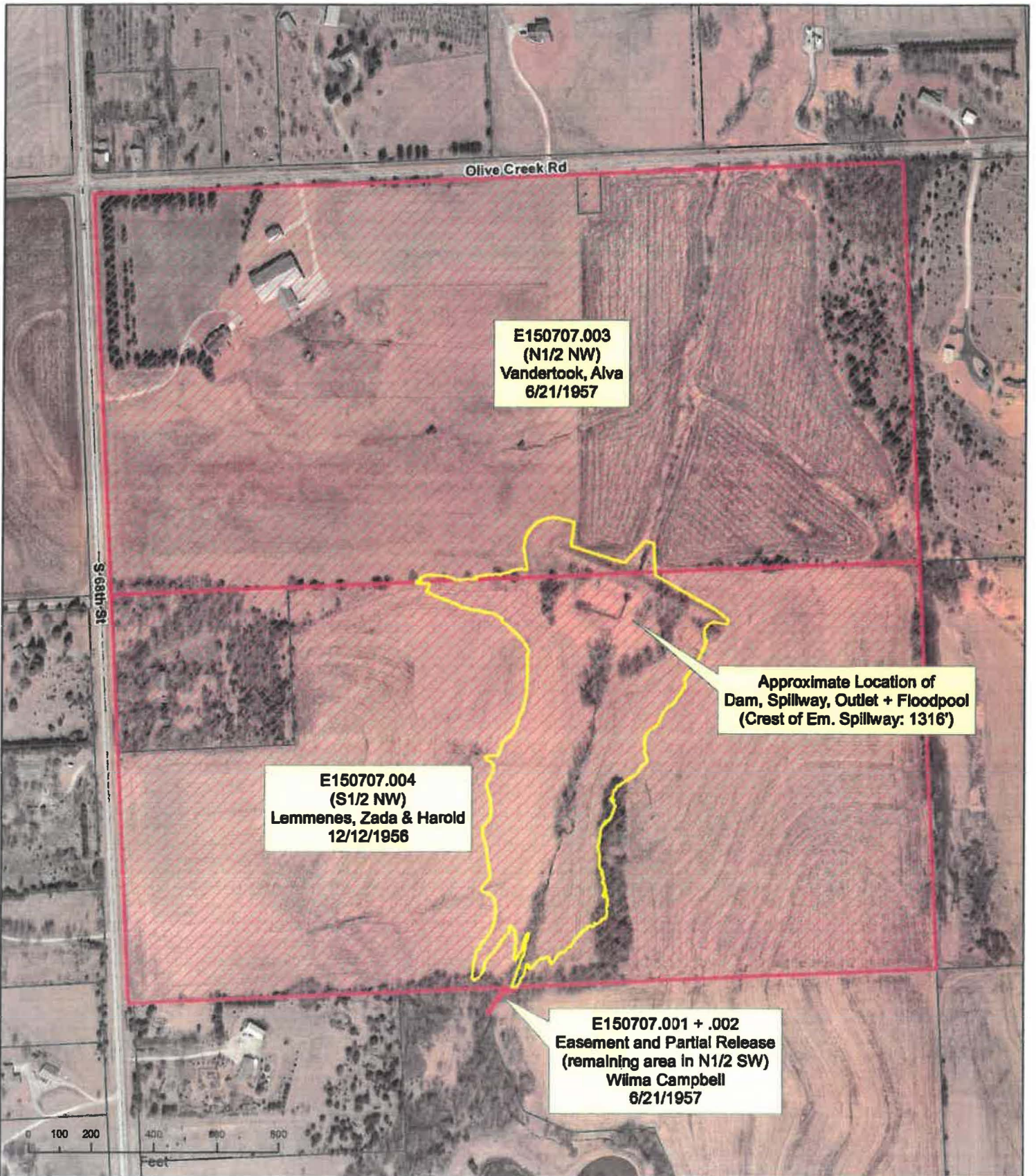


\*\*\* NOTICE \*\*\*

This diagram is not filed with the easements at the Register of Deeds. The NRD has generated this diagram to show the location based on the legal description provided in the easement documents.



**Upper Salt 11-4 - NRD Easements**  
located in NW Sec 15, T7N-R7E, Lancaster Co.



Map Created: July 2023 - By: Lower Palatte South NRD, sdr

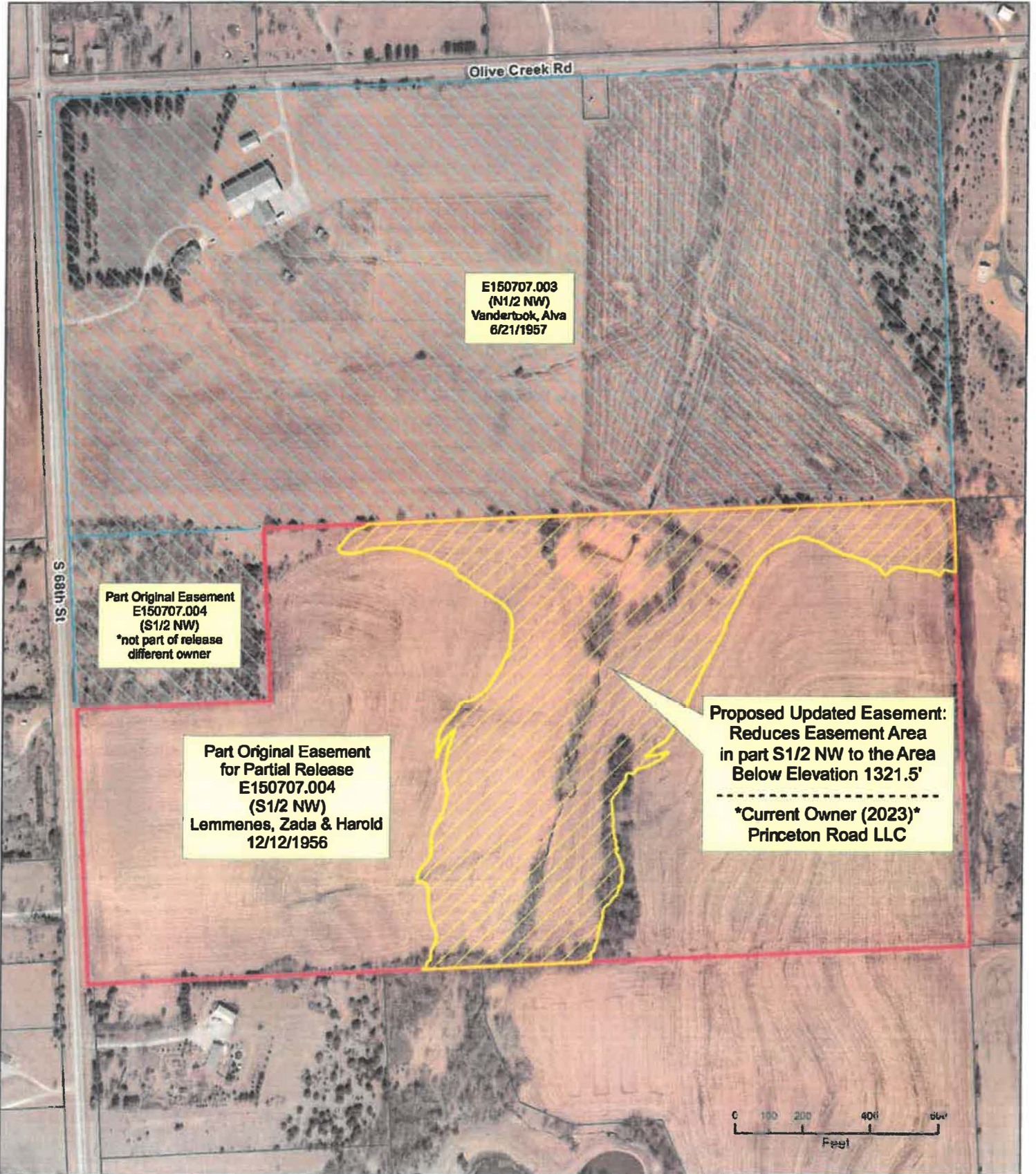


\*\*\* NOTICE \*\*\*

This diagram is not filed with the easements at the Register of Deeds. The NRD has generated this diagram to show the location based on the legal description provided in the easement documents.



**Upper Salt 11-4 - Proposed Update to NRD Easement (E150707.04)  
located in S1/2 NW Sec 15, T7N-R7E, Lancaster Co.**



Map Created: October 2023 - By: Lower Palitte South NRD, sdr