

MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee

FROM: Ian Ghanavati, Water Resources Engineer

SUBJECT: Amendment No. 1 with HDR Engineering for In-Lieu Fee Program Development

DATE: June 11, 2024

In January 2020, the Board of Directors and HDR Engineering, Inc. (HDR) entered into an agreement for professional services in developing an In-Lieu Fee Aquatic Resource Mitigation Program Instrument (Instrument). The Instrument will provide additional mitigation options for Section 404 permitting of both Papio NRD projects and for other public/private projects within the District's boundary.

Preparation of the Instrument is nearing completion and a draft version is ready to be submitted to the U.S. Army Corps of Engineers (USACE) and Interagency Review Team (IRT) for review and comment. Since the start of the in-lieu fee project, shifting District priorities and delays from USACE coordination reviews have extended the timeframe beyond its original scope. This requires additional effort for project management to see the Instrument through to completion, which is included in this Amendment.

Furthermore, an in-lieu fee program has the unique benefit of selling advanced credits prior to a mitigation site being built. However, once a credit is sold within a service area there is a 3-year timeframe for establishing a mitigation site. This Amendment with HDR provides an additional scope of work for identifying potential mitigation sites and developing advanced credit cost.

HDR proposes to provide the professional services in contract Amendment No. 1 for a total not to exceed amount of \$80,395; see the attached scope and fee for further details. This would bring the total contract, including Amendment 1, to \$130,386.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Amendment No. 1 with HDR Engineering for the In-Lieu Fee Aquatic Resource Mitigation Program Instrument project in an amount not to exceed \$80,395 bringing the total contract not to exceed amount to \$130,386, subject to such other terms and conditions as the General Manager determines necessary and Legal Counsel approves as to form.



**Papio-Missouri River Natural Resources District
In-Lieu Fee Aquatic Resource Mitigation Program Instrument
Supplement #1
April 3, 2024**

Engineering Proposal

The Papio-Missouri River Natural Resources District (Papio NRD) and HDR Engineering, Inc. (HDR) entered into an agreement on January 15, 2020, to provide assistance with developing an In-Lieu Fee Aquatic Resource Mitigation Program Instrument (the Project). The Project would provide mitigation options for Section 404 permitting of future Papio NRD projects and as a commercial mitigation option for other projects within the Papio NRD District boundaries.

HDR is nearing completion of the in-lieu fee instrument for review by the U.S Army Corps of Engineers (USACE) and the Interagency Review Team (IRT). Due to the Papio NRD priorities and resultant USACE review coordination delays of the Prospectus (Task 100 of original scope of work), the timeframe for this Project was extended beyond normal circumstances. As such, additional effort for project management is anticipated to complete the Project.

Based on coordination with USACE, it was suggested that the Papio NRD consider identification of potential mitigation sites in each of the Geographic Service Areas (GSA) in advance of the in-lieu fee instrument becoming finalized. This would provide an advanced start on the 3-year timeframe for establishing a mitigation site once the first in-lieu fee credit is sold in a sub-watershed.

Many USACE and IRT staff have changed since Project inception and even submittal of the Prospectus. Additional effort is anticipated for coordination with both the USACE and the IRT. The original scope of work did not include the development of ledger for tracking credit purchases. A ledger will be needed for each Geographical Service Area.

TASK SERIES 100 – PROJECT MANAGEMENT AND COORDINATION

Objective: Provide necessary activities for successful project implementation and coordination with USACE/IRT on in-lieu fee instrument comments.

Activities: Project Management activities include project administration, monthly invoicing, project reports, Papio NRD coordination, and internal coordination activities. USACE/IRT coordination includes up to four meetings to coordinate comments on the in-lieu fee instrument.

Meetings: The following meetings are anticipated:

- Papio NRD – up to five meetings
- USACE – up to three meetings
- USACE/IRT/Papio NRD – one meeting

Deliverables: Monthly invoices and progress reports. Meeting notes from meetings with USACE/IRT.

Key Understandings: The following key understandings and assumptions apply to this Task:

- Two HDR professionals will attend each meeting.
- Draft Instrument comments from USACE and from the IRT are anticipated.
- Aforementioned Papio NRD/HDR meetings will be held in-person at Papio NRD.
- A six month duration is anticipated for Project completion. However, completion is based on timeliness of USACE and IRT reviews.

TASK SERIES 200 – SITE IDENTIFICATION AND EVALUATION

Objective: Identify and perform a preliminary review of potential mitigation sites in each of the three GSA's.

Activities: The following activities will be performed for the Missouri-Little Sioux, and Lower Platte GSAs:

- Coordinate with Papio NRD (one meeting) to discuss potential sites.
- Coordinate with Nebraska Game and Parks, Nebraska Land Trust, Natural Resources Conservation Service for input on other potential sites.
- Perform a desktop screening of identified sites to determine opportunities and constraints.
- Perform a site visit of potential sites to confirm desktop screening.
- Develop a technical memorandum that summarizes the evaluation and presents the results.

Meetings: Two meetings with Papio NRD to review initial site list (teleconference) and one to review the Draft Mitigation Site Evaluation Technical Memorandum.

Deliverables: Draft and Final Mitigation Site Evaluation Technical Memorandum.

Key Understandings: The following key understandings and assumptions apply to this Task:

- Up to 5 sites for each GSA will be identified and screened.
- Sites may include a combination of wetland or stream mitigation sites.
- Desktop screening will use publicly available data and would include but is not limited to topographic maps, aerial imagery, vegetation data, groundwater information, hydric soil information, National Wetland Inventory map, and farmed wetland/wet signature maps.
- For wetland sites, a ratio-based (drainage:supported wetland acres) water budget estimate will be created. No individual site water budgets will be developed.
- Up to 3 sites in each GSA will be reviewed via site visit. Two one day trips for 4 HDR staff is anticipated.
- Papio NRD will coordinate access for site visits and/or sites will be visited from public right-of-way.
- Summary of sites will be primarily displayed in a matrix format.



TASK SERIES 300 – ADVANCED CREDIT COST ACCOUNTING

- Objective: Develop an advanced credit sale price for each GSA (Missouri-Little Sioux and Lower Platte) and draft accounting ledger.
- Activities: Based on the sites evaluated in Task 200, develop an advanced credit sale price for each GSA. Pricing will be based on an average of the estimated design and construction costs, land costs, operation and maintenance costs, permitting and approvals, and contingency. Develop a technical memorandum to document the advanced credit cost accounting. In addition, develop a ledger that would be used by Papio NRD to track advanced credit sales in each GSA.
- Meetings: Two meetings with Papio NRD to discuss conceptual costs and advanced credit sale price.
- Deliverables: Draft and Final Advanced Credit Cost Accounting technical memorandum.
- Key Understandings: Papio NRD will provide potential land/real estate costs and input on operation and maintenance costs. Papio NRD will provide a sample ledger for modification purposes.

PROJECT SCHEDULE

HDR proposes to implement the Project within the following schedule:

Activity	Anticipated Business Days from Notice to Proceed
Draft Site Identification and Evaluation Technical Memorandum	120
Draft Advanced Credit Cost Accounting technical memorandum	140

PROFESSIONAL SERVICES FEE

Attachment A provides estimated fee includes labor and reimbursable expenses.

SERVICES TERMS AND CONDITIONS

The Services described by this Supplement will be performed, and compensation provided, under the terms and conditions of HDR’s Agreement with Papio NRD dated January 15, 2020.



PROPOSAL ACCEPTANCE

**Papio-Missouri River Natural Resources
District**

HDR Engineering, Inc.

By:

By:

Name: John Winkler

Name: Matthew B. Tondl

Title: General Manager

Title: Sr. Vice President

Date:

Date:



Attachment A

**Papio-Missouri River Natural Resources District
In-Lieu Fee Aquatic Resource Mitigation Program Instrument**

	Task 100 Project Management and Coordination	Task 200 Site Identification and Evaluation	Task 300 Advanced Credit Cost Accounting	TASK TOTALS
LABOR	HOURS	HOURS	HOURS	HOURS
PM	60	22	10	92
QC	0	4	0	4
Sr. Env. Planner	32	10	20	62
Env. Scientist	32	64	4	100
Sr. Water Resources Eng	8	8	0	16
Water Resources Eng	8	62	0	70
Landscape Arch	8	24	20	52
GIS	8	12	4	24
GW Specialist	0	8	0	8
Administrative	12	0	0	12
Subtotal Labor Hours and Costs	168	214	58	440
Subtotal Task Labor Cost	\$33,488	\$35,269	\$10,843	\$79,600
Total Labor Hours and Costs	168	214	58	440
OTHER DIRECT COSTS (ODCs)	QTY	QTY	QTY	QTY
GPS (per day)	0	2	0	2
Mileage	200	0	0	200
Per Diem (per day per person)	0	8	0	8
Rental Car	0	2	0	2
Fuel (gallons)	0	50	0	50
Total ODCs	\$115	\$680	\$0	\$795
Total Task Cost	\$33,603	\$35,949	\$10,843	\$80,395