



City of Grand Island

Tuesday, May 12, 2009

Council Session

Item G8

**#2009-108 - Approving Access Permission to the Platte River
Program for River Channel Monitoring**

Staff Contact: Gary R. Mader; Wes Nespor

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Wesley Nespor, Asst. City Attorney/Purchasing

Meeting: May 12, 2009

Subject: Platte River Recovery Program

Item #'s: G-8

Presenter(s): Gary R. Mader, Utilities Director

Background

The Platte River Recovery Program (Program) is a cooperative effort of the three states in the Platte River basin and the federal government to restore the Platte River to a more natural condition for the benefit of the endangered species that utilize the riverine habitat in central Nebraska. As a part of that program, the river channel morphology in central Nebraska will be evaluated periodically to judge the success of modifications to the river system. The Program has requested permission for its contractor to access the river channels adjacent to the Grand Island Wellfield. The requested access locations are shown on the attached map and are referred to as "Anchor Points". A copy of the request and the proposed access agreement are attached.

Discussion

Historically, the City has cooperated with governmental agencies in analyses of environmental issues. The Program wishes to access the Wellfield once each year through 2019 to make precise measurements of the river channels adjacent to the Wellfield as described more fully in the attached Work Plan. The relatively limited access requirements of this request are a minimal burden to the Utilities Department, and the Department will retain control of the access by requiring that those accessing the City property be required to check-out a gate key for entrance and return it immediately upon completion of their annual measurements. The Program Executive Director has requested that the City execute the Anchor Point Access Permission form, copy attached.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Anchor Point Access Permission form.

Sample Motion

Move to approve the Anchor Point Access Permission form, and authorize the Mayor to execute the form on behalf of the City.



Office of the Executive Director
3710 Central Avenue
Suite E
Kearney, NE 68847
Phone: (308) 237-5728
Fax: (308) 237-4651



April 13, 2009

City of Grand Island, NE Utilities Department
Attention: Mr. Gary Mader
P.O. Box 1968
Grand Island, NE 68802-1968

Dear Mr. Mader:

As part of the Platte River Recovery Implementation Program (PRRIP or Program), monitoring of in-channel vegetation and bed form changes in the Platte River throughout the first increment of the Program (2007-2019) is required. The Program has contracted out this effort to a team of scientists and engineers lead by the research firm of Ayres & Associates. The Ayres & Associates team will collect this data at the same points in the river each year. These sites are located in the Platte River from Lexington to Chapman and are about a mile from each other. Some sites will need to be monitored annually while others will need to be monitored less frequently during the study. It is anticipated that the data at each site will be collected by a team of professionals in one day or less, and that only under unforeseen circumstances would 2 or more days per site be needed each year. The work will not change from year to year, but the research firm that is selected to collect the data may change.

As a further note of explanation, to avoid possible future confusion, I want to explain that the services of the Executive Director and other Program staff are provided through contract with the firm of Headwaters Corporation. The names Headwaters Corporation and Executive Director's Office are often used interchangeably in conversations and informal communications. If you are contacted by a Headwaters employee/Program Staff member, we officially represent the Program and direct the efforts of other contractors such as Ayres & Associates.

The Executive Director's Office of the Program requires employees and/ or contractors to obtain written permission from landowners before entering onto private property to conduct surveys or scientific sampling; so we are hereby requesting your approval to enter your land for this purpose. Please review the enclosed Ayres & Associates Work Plan if you wish to gain more information in regards to the methods for collecting the data.

If you approve this request, please sign both copies of this letter, keep one for your files and return one signed letter in the enclosed envelope. Thank you for your cooperation.

Sincerely,

Jerry F. Kenny, Ph.D.
Executive Director, PRRIP

Anchor Point Number(s): 6, 7

Approval: _____ Date: _____
Landowner Signature

Please circle your preference for the method in accessing your property:

By Land

By Water

Either

If you have any questions please contact:

Tim Tunnell

Phone (402)219-3883

e-mail: tunnellt@headwaterscorp.com

Bruce Sackett

Phone (402)450-3527

e-mail: sackettb@headwaterscorp.com

- All work shall be done in accordance with the Ayers Associates Work Plant attached herewith, which shall be incorporated as part of this agreement.
- All new ground control monumentation and flagging shall be located such that it will not pose a hazard or impediment to mowing.
- Land access to the anchor points requires use of a locked gate. Access in accordance with this agreement shall be obtained by contacting the Grand Island Utilities Department during normal working hours at least one day ahead of scheduled work.
- Access contact is Larry Keown, Power Plant Superintendent, Phone (308)385-5491, e-mail address is lkeown@giud.com
- With scheduling, the gate key will be made available for access. The gate key will be returned to Mr. Keown immediately upon completion of work during each visit to the sites.
- No equipment, vehicles, fuels or other materials shall be stored on the owner's property.

AYRES ASSOCIATES WORK PLAN
Channel Geomorphology and In-Channel Vegetation Monitoring, Central Platte River

Longitudinal Profile Survey

The following activities will be conducted along public and Program lands and only on private property where access has been granted:

- Access to sites by both four-wheel drive vehicles and by foot will be required in order to locate existing or establish and monument new ground control for the survey and to occupy those monuments when the survey is actively being performed.
- Where the establishment of new ground control is necessary, monumentation will consist of 24-inch long, 5/8-inch diameter rebar driven into and flush with the ground and capped with an aluminum cap. The monument will be located such that the monument will not pose a hazard or impediment to vehicles or animals. The monument will be documented with GPS and the area will be flagged for identification and later use.
- Ground control that is already present will be located and georeferenced with GPS. Existing monuments may be obscured or overgrown with vegetation, so some cutting away or modification of non-woody vegetation over or near the monuments may be required. If woody vegetation precludes the occupation of the monument, it may be necessary to relocate or reestablish the monument.
- When conducting the survey work, the ground control will be occupied by a survey grade GPS receiver and antennae mounted on a tripod. A survey technician may remain with the receiver while the station is being used.
- The survey work on the river will be conducted during a moderately high flow event in the spring in order to use a shallow draft, flat bottom jet boat. The boat will be launched at predetermined and pre-approved launch points.
- The boat will be performing the survey work by zigzagging across the river as it progresses in a downstream direction. It may be necessary for the boat to pass through a given property more than once in a day or even more than once in a week in order to accurately document the topography of the river or to return to its launch point.
- This work will be completed in the Spring of 2009.

Channel Geomorphology and In-Channel Vegetation Surveys

This task includes conducting topographic and vegetation surveys of the river between the historic high banks at predetermined sites along the river as well as collecting bed and bank material samples at those sites. Each site will contain three monumented transects. At least four to six project personnel will be performing the following activities at each site at any give time during the months of July and August.

Ground Control:

- Access to sites by both four-wheel drive vehicles and by foot will be required in order to locate existing or establish and monument new ground control for the survey and to occupy those monuments when the survey is actively being performed.

- Where the establishment of new ground control is necessary, monumentation will consist of 24-inch long, 5/8-inch diameter rebar driven into and flush with the ground and capped with an aluminum cap. The monument will be located such that the monument will not pose a hazard or impediment to vehicles or animals. The monument will be documented with GPS and area will be flagged for later use and identification.
- Ground control that is already present will be located and georeferenced with GPS. Existing monuments may be obscured or overgrown with vegetation, so some cutting away or modification of non-woody vegetation over or near the monuments may be required. If woody vegetation precludes the occupation of the monument, it may be necessary to relocate or reestablish the monument.
- When conducting the survey work, the ground control will be occupied by a survey grade GPS receiver and antennae mounted on a tripod. A survey technician may remain with the receiver while the station is being used.

Geomorphology and Vegetation Survey

- Access to survey sites by both four-wheel drive vehicles and by foot will be required in order to conduct the survey work.
- The survey personnel will locate three predefined permanently monumented geomorphology transects and five unmonumented vegetation transects at each site. Both ends of the permanent geomorphology transects and any hinge points along each transect will be monumented with 24-inch long, 5/8-inch diameter rebar driven into and flush with the ground and capped with an aluminum cap. The monuments will be located on both bank or in the overbank areas such that they will not pose a hazard or impediment to vehicles or animals. The monuments will be documented with GPS and the area will be flagged for later identification and use. The vegetation transects will not be monumented, but the transects will be documented with GPS.
- It is assumed that the survey work will take approximately the entire day at each site. Survey personnel will be conducting extensive survey and sampling work in the channel, so any non-woody vegetation in those areas may become trampled or, where it is extremely dense, may be cut back to allow for access. Areas marginal to the channel and in the floodplain will also be traversed, but to a lesser degree, so damage to any non-woody vegetation will likely be minimal.
- The geomorphology survey work will include surveying channel sections, taking bed and bank material samples, and documenting existing channel conditions with field notes and ground photos.
- Sediment samples will be collected from the bed of the channel at all transects and from both banks at one of the transects at each site. The samples will be collected with either a core sampler or a shovel. Some excavation of the banks (by shovel) may be required, but the extent of excavation will be minimal. All sample sites will be refilled after samples have been collected in order to minimize the hazards to humans and animals.
- The vegetation survey work will include documenting vegetation types, heights, and topographic position within the channel.
- Where channels are separated by islands, it may be necessary to traverse the islands as part of the survey work.
- Suspended sediment samples will be collected from five bridges twelve times in 2009, but bed material samples will only be collected once from the channel at those bridges.

Other General Conditions

Project personnel will also adhere to the following:

- Every effort will be made to minimize disturbances to private property and land adjacent to the river and to cattle or other animals that may be present.
- All landowner preconditions, limitations, restrictions, and requirements will be strictly adhered to by project personnel. If any landowner requests that project personnel leave their property during the course of the field work, project personnel will do so immediately and the Executive Director's Office will be immediately informed of the landowner's request.
- Where access has been granted, every effort will be made to notify the landowner the day before work is to be conducted on their property.
- We will take a "leave it as we found it" approach to access on private property. If we find a gate open, we will leave it open. If we find a gate closed, we will close it behind us as we enter and exit the property. If we damage or break something on a gate or fence, we will immediately notify the landowner and fix or repair it promptly.
- All project vehicles will be appropriately marked with corporate logos and/or will maintain a window placard that identifies the vehicle as being associated with Program activities. The placard will include a contact name and phone number in case the landowner or their representatives need to contact the ED's office.
- Upon request, all project personnel will provide landowners with a business card that identifies that person or their immediate supervisor.

Primary Project Personnel

The following project personnel will be conducting all or portions of the field work:

Ayres Associates Inc

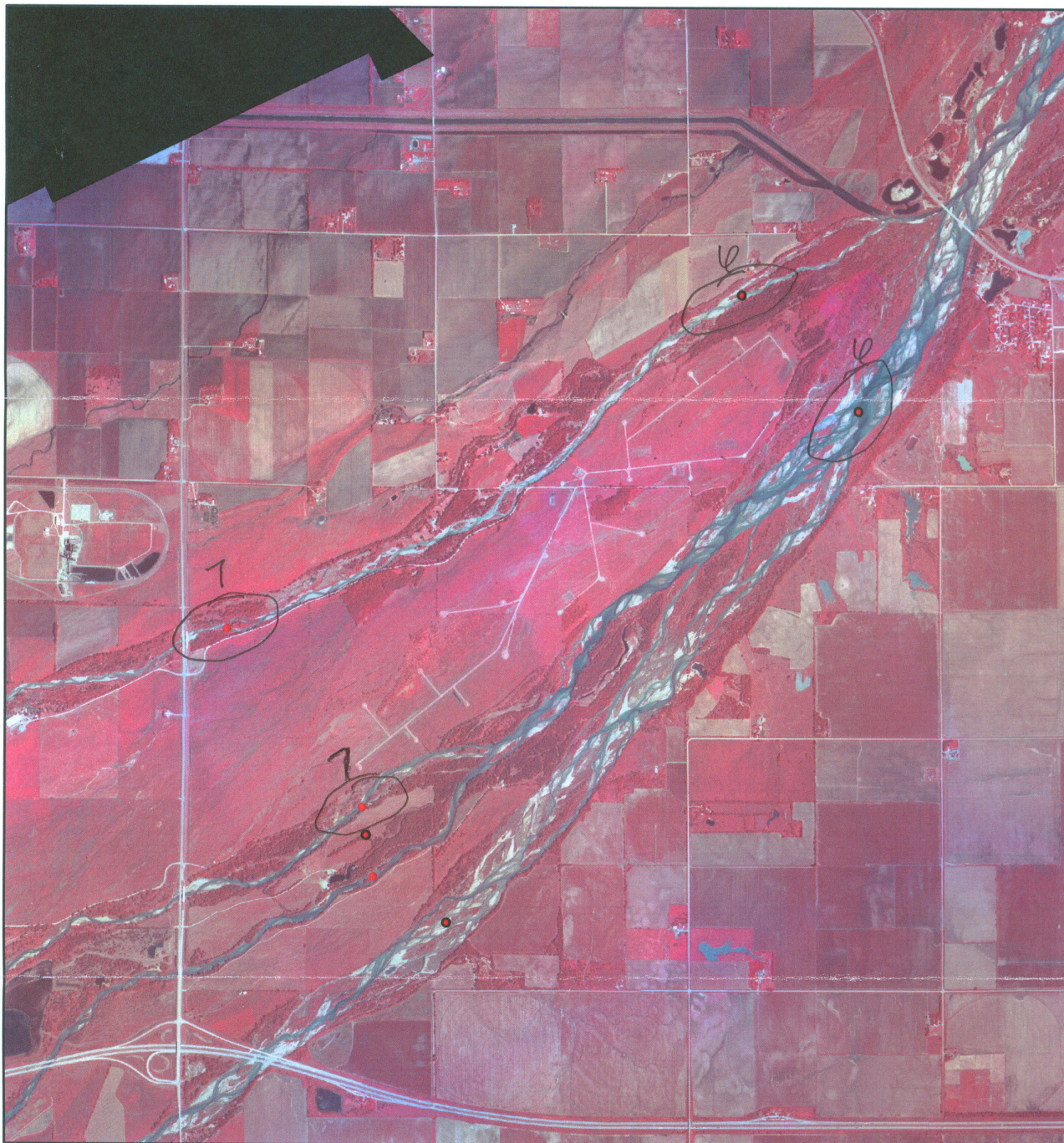
Dr. Jim Schall – Principal in Charge
Mr. Bill Spitz – Overall Project Manager
Mr. Anthony Alvarado
Mr. Dusty Robinson
Mr. Joe Robinson

3665 JFK Parkway, Bldg. 2, Suite 200
Ft. Collins, CO 80525
Ph: (970) 223-5556
Fax: (970) 223-5578
www.AyresAssociates.com

Olsson Associates

Dr. Joan Darling – Olsson Project Manager
Mr. Nate Van Meter

1111 Lincoln Mall, Suite 111
Lincoln, NE 68508
Ph: (402) 474-6311
Fax: (402) 474-5160
www.OAConsulting.com



Legend

- Draft_Geomorph_Anchor_Points
- PlatteR_Split_Flow_Pts



0.3 Miles

City of Grand Island Wellfield

Anchorpoint Locations
Date: 4/20/09
By: TRT

Anchorpoints 6 & 7

RESOLUTION 2009-108

WHEREAS, the Platte River Recovery Program (Program) is a cooperative effort of the three states in the Platte River basin and the federal government to restore the Platte River to a more natural condition for the benefit of the endangered species that utilize the riverine habitat in central Nebraska ; and

WHEREAS, the Program has requested permission for its contractor to access the river channels adjacent to the Grand Island Wellfield through 2019 to make precise measurement of the river channels adjacent to the Wellfield; and

WHEREAS, the limited access requirements of this request are a minimal burden to the Utilities Department, and the Department will retain control of the access by requiring that those accessing the City property be required to check-out a gate key for entrance and return it immediately upon completion of their annual measurements; and

WHEREAS, the Program Executive Director has requested that the City execute the Anchor Point Access Permission form.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized to, on behalf of the City, execute the Anchor Point Access Permission form for the Platte River Recovery Program.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 12, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/> _____
May 7, 2009	<input type="checkbox"/> City Attorney