



A91576

19R-82

Introduce: 4-22-19

RESOLUTION NO. A- **91576**

1 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

2 That the Interlocal Cooperation Agreement between the City of Lincoln, on behalf of the
3 Parks and Recreation Department, the Nebraska Game and Parks Commission, and the Lower
4 Platte South Natural Resources District for the conservation of Nebraska's Eastern Saline
5 Wetlands through the Saline Wetlands Conservation Partnership, for a period of five years, a copy
6 of which is attached hereto, marked as Attachment "A", and made a part hereof by reference, is
7 hereby approved, and the Mayor is authorized to execute said Interlocal Cooperation Agreement
8 on behalf of the City.

9 The City Clerk is directed to return one fully executed copy of said Interlocal Cooperation
10 Agreement to Lynn Johnson, Lincoln Parks and Recreation Department, for transmittal to the
11 Nebraska Game and Parks Commission and the Lower Platte South Natural Resources District.

Introduced by:

Approved as to Form & Legality:

Jeffrey R. Raybould

AYES: Camp, Christensen, Eskridge, Gaylor
Baird, Lamm, Raybould, Shobe; NAYS: None.

Jeffrey R. Raybould
City Attorney

Approved this 8th day of May, 2019:

[Signature]
Mayor

ADOPTED

APR 29 2019

BY CITY COUNCIL

INTERLOCAL COOPERATION AGREEMENT SALINE WETLANDS

This Cooperation Agreement ("Agreement") is made and entered into as of the date the Agreement is fully executed below, by and between the City of Lincoln, Nebraska, a municipal corporation ("City"), the Nebraska Game and Parks Commission, an agency of the State of Nebraska ("Commission"), and the Lower Platte South Natural Resources District, a political subdivision of the State of Nebraska ("NRD").

WHEREAS, all parties are authorized by the statutes of the State of Nebraska, including the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801, et seq., as amended, to enter into cooperative agreements for the mutual benefit of the parties and to provide services in a manner that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, all parties have an interest in the management of Nebraska's wildlife habitat and resources and have cooperatively advanced conservation efforts through the Saline Wetlands Conservation Partnership ("SWCP") since its inception in 2003; and

WHEREAS, SWCP has been partnering with the Nebraska Chapter of Pheasants Forever, Inc. ("PF"), and it is anticipated that City will enter into a separate Cooperation Agreement with PF to join SWCP to partner in support of the project; and

WHEREAS, the parties agree that habitat in Nebraska, particularly the rare and unique Eastern Nebraska Saline Wetlands, need to be properly protected, restored, and managed on both public and private lands; and

WHEREAS, City, Commission, and NRD will continually apply for project funds through private, local, state, and federal sources for the Eastern Saline Wetland Project ("Project"). The parties to this Agreement will supply matching cash funds to acquire rights in Eastern Nebraska Saline Wetlands and continue to employ a project coordinator ("Coordinator"); and

WHEREAS, the parties desire to continue the SWCP in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, it is mutually agreed between the parties as follows:

1. **Purpose.** The purpose of this Agreement is to further the interests of the SWCP as a cooperative exercise of authority among the parties without creating a separate joint entity. The SWCP will employ a Coordinator for the Project. This Agreement provides a mechanism for the cooperative development, administration, implementation, management, and evaluation of "Nebraska's Eastern Saline Wetlands Conservation Plan 2018" (Attachment A).

2. **Duration.** This Agreement shall continue for a term of five (5) years, beginning on the 1st day of July 2019 and terminating on the 30th day of June 2024.

3. **City Responsibilities.** The City shall:

- a. Employ and supervise the Coordinator during the term of this Agreement, with input from all parties.
- b. Cooperate with NRD in providing office and meeting space, equipment, and supplies for the Coordinator as needed in order that the Coordinator may fulfill his or her duties as described in Attachment D.
- c. Contract with affiliated parties, agencies, entities, and consulting firms to promote the goals of the SWCP.
- d. Be responsible for all obligations whatsoever which may occur or be required by Nebraska workers' compensation laws, tax laws, or insurance laws in connection with the employment of the Coordinator. City shall hold harmless and indemnify Commission and NRD against any loss, expense, damage, claim, or suit relating to any workers' compensation liability in the employment of the Coordinator, except when any loss, expense, damage, claim, or suit is caused by the negligence of Commission and/or NRD.
- e. Reimburse NRD annually in the amount of \$2,000 for the expenses associated with providing office space and meeting space, equipment and supplies for the Coordinator.

- f. Provide all other parties annually, on or about April 1st, a summary of the implementation and management of the SWCP, accomplishments of the Coordinator, and an itemized expense list associated with employment of the Coordinator.
- g. City shall provide automobile liability insurance for NRD staff driving City vehicles involved in activities related to the Project. NRD shall provide automobile liability insurance for City staff driving NRD vehicles involved in activities related to the Project. City and NRD shall indemnify, defend, and hold harmless each other for any loss, expense, damage, claim, or suit related to the use of the other party's vehicles. Interns shall not be permitted to drive City or NRD vehicles except as allowed by written agreement. The parties shall comply with City's Administrative Regulation No. 9 (Attachment B), including motor vehicle record checks as required, for use of City vehicles.

4. **The Coordinator Responsibilities.**

- a. The Coordinator shall be an employee of City and shall not be represented to be an employee of either Commission or NRD.
- b. The Coordinator's duties are described in Attachment D, which include working in conjunction with the Project Officers of the Steering Committee identified in Item 8.

5. **NRD Responsibilities.** NRD shall cooperate with the City in providing office and meeting space, equipment, and supplies for the Coordinator as needed in order that the Coordinator may fulfill his or her duties as described in Attachment D.

6. **All Parties' Responsibilities.** The parties shall:

- a. Not discriminate in employment of the Coordinator on the basis of race, color, religion, sex, disability, or national origin.
- b. Have in place, during the term of this Agreement, a Drug Free Workplace Policy stating that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace is prohibited.

- c. Work cooperatively for the purposes of promoting the conservation of Eastern Nebraska Saline Wetlands.
- d. Agree to provide the dollar amount specified in the payment schedule (Attachment C) to City as reimbursement for expenses associated with employing the Coordinator. The expenses incurred by the Coordinator in performance of duties will be payable upon consent of all parties.
- e. Be responsible for pro rata share of any debts incurred by City in the normal administration, development, implementation, management, and evaluation of SWCP.

7. **Terms and Conditions.**

- a. To the fullest extent permitted by law, the parties shall indemnify, defend, and hold harmless each of the other parties, its officers, agents, and employees from and against claims, damages, losses, and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of this Agreement, that results in any claim for damage whatsoever, including without limitation, any bodily injury, sickness, disease, death, or any injury to or destruction of tangible or intangible property, including any loss of use resulting therefrom, and that are caused in whole or in part by the intentional or negligent act or omission of the party or the party's employees, or anyone directly or indirectly employed by the party, or anyone for whose acts any of them may be liable. Nothing in this Agreement shall be construed to be a waiver of the sovereign immunity of any party or qualified immunity of its employees or agents.
- b. The parties shall share equipment and staff for the management of all saline wetland management areas as determined necessary and mutually agreed upon.
- c. The parties shall share expenses associated with research projects as determined necessary and mutually agreed upon.
- d. The parties shall share expenses associated with land acquisitions and land management activities, including costs for land appraisals and supplies for land management activities other than equipment.

- e. Any party has the right to terminate this Agreement if any of the other parties fail to perform as required by this Agreement. Termination for failure to perform shall be effective only after the non-breaching party provides written notice to the breaching party of the failure to perform ninety (90) days in advance of termination and allows the breaching party an opportunity to cure during that time period. If one or more of the parties lacks sufficient funding for this Project, each party has the right to terminate this Agreement. Either party may also terminate this Agreement for any reason for its own convenience. Termination for convenience or lack of funding shall be effective only after terminating party provides written notice six (6) months in advance of the effective date and after the parties meet to discuss options for termination of the Agreement. Termination shall require a formal vote by the board of the party initiating the termination in order to be effective. Each party shall be responsible for its share of accumulated cost of the Project up to the time of termination.
- f. Upon termination of this Agreement, all personal property and support equipment used in the management of property within the Eastern Nebraska Saline Wetlands shall be divided as nearly as possible in portion to the funds provided according to this Agreement. If some or all of such property is not divisible, City, NRD, or Commission shall have the option to acquire it by paying the other party or parties the then market value of the property reduced by the proportional amount of the other party's original purchase contribution.
- g. Should this Agreement be terminated, the parties agree that the real property interests, either in fee simple or conservations easements, acquired in support of the Project shall continue to be held subject to any of the requirements of any grant funds received for the purchase of land rights or will work together to place reservations or easements on the land to ensure the conservation of the resources acquired and to sustain the integrity of the original purpose or goals of the Project. If any party after termination of the Project is unwilling to hold the land subject to reservations or easements consistent with the

Project, the parties shall cooperate for the potential transfer of the land to another party to the Agreement without compensation to continue the original purpose or goals of the Project.

h. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective devisees, personal representatives, successors, and assigns. This Agreement may not be assigned without the prior written consent of the other parties.

i. Each section of this Agreement is hereby declared to be independent of every other section so far as inducement for the acceptance of this Agreement and invalidity of any section of this Agreement shall not invalidate any other section thereof. The failure of any party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.

8. **Steering Committee.** The business and affairs of SWCP shall be conducted by the Steering Committee as follows:

a. Each party shall be a member of the Steering Committee of SWCP and shall appoint a representative from either its governing body or staff to act on behalf of each party at any meeting of the Steering Committee. In addition, SWCP will include representation from the Nebraska Chapter of Pheasants Forever, Inc. should City enter into a Cooperative Agreement with PF to partner in support of the Project. The following officers are hereby appointed by each party as Project Officers:

- (1) City: Nicole Fleck-Tooze, 3131 O Street, Suite 300, Lincoln, Nebraska 68510, (402) 441-8263, or another employee as designated by City of Lincoln.
- (2) Commission: Ted LaGrange, P.O. Box 30370, Lincoln, Nebraska 68503, (402) 471-5436, or another employee as designated by Commission.
- (3) NRD: Dan Schulz, P.O. Box 83581, Lincoln, Nebraska 68501, (402) 476-2729, or another employee as designated by NRD.

(4) Nebraska Chapter Pheasants Forever, Inc. (PF): Kelsi Wehrman, P.O. Box 146, Nelson, Nebraska 68961, (402) 621-0744, or another employee as designated by PF.

- b. A separate Cooperative Agreement between the City and PF consents to having a member of PF serve on the Steering Committee of SWCP.
- c. Representatives of all parties of this Project shall meet to provide guidance to the Coordinator and to develop goals, strategies, and projects to carry out Nebraska's Eastern Saline Wetlands Conservation Plan 2018 and to cooperatively implement the Project's goals.
- d. The Steering Committee shall make recommendations to SWCP members with regard to working with an affiliate party to further the goals of SWCP.
- e. A representative of an affiliated party may be appointed to the Steering Committee and entitled to the same rights and responsibilities as the representatives for the City, Commission, and NRD if so provided by a written amendment to this Agreement.

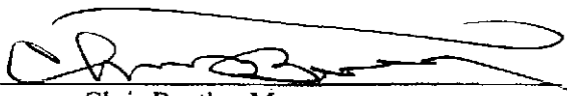
9. **Acquisition of Land.** Any purchase of conservation easements and titles in fee simple of wetlands and associated uplands shall be made subject to the recommendation of the Steering Committee. The title to real property interests may be held by one or more of the parties to this Agreement subject to the recommendation of the Steering Committee and the written consent of the party or parties which are to hold title or interest.

10. **Amendments.** This Agreement may be renewed, extended, or amended by mutual written consent of all the parties.

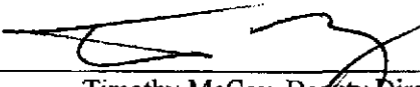
11. **Statement of Law.** This Agreement shall be subject to the laws of the State of Nebraska and ordinances of the City.

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

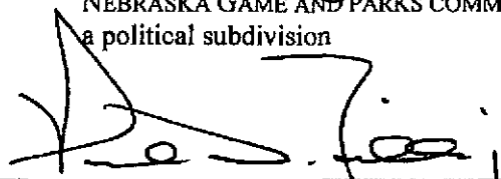
DATED: 5-8-19

BY: 
Chris Beutler, Mayor,
CITY OF LINCOLN,
a political subdivision

DATED: 4/3/2019

BY: 
Timothy McCoy, Deputy Director
NEBRASKA GAME AND PARKS COMMISSION,
a political subdivision

DATED: 4/4/2019

BY: 
Paul Zillig, General Manager
LOWER PLATTE SOUTH NATURAL RESOURCES
DISTRICT, a political subdivision

ATTACHMENT A

NEBRASKA'S EASTERN SALINE WETLANDS CONSERVATION PLAN 2018



Nebraska's Eastern Saline Wetlands Conservation Plan 2018

An update of:

*Implementation Plan for the Conservation of
Nebraska's Eastern Saline Wetlands (2003)*

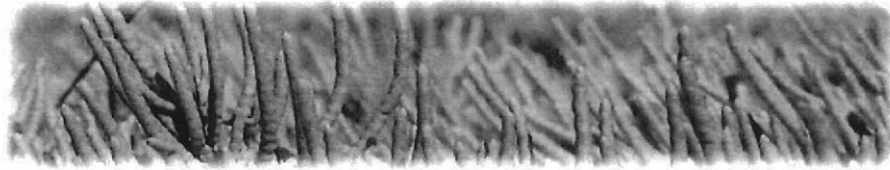


Photos at
Nebraska's eastern saline wetlands by
Michael Forsberg, NEBRASKAland



EXECUTIVE SUMMARY

Nebraska's Eastern Saline Wetlands are the most limited and endangered wetland type and vegetation community in the State and are considered critically imperiled in Nebraska. These wetlands provide habitat for a variety of native plant and animal species that depend on a saline environment, including two endangered species.



Because of their location in and around the city of Lincoln, saline wetlands are ideally located to provide recreational opportunities and flood protection. Past impacts have resulted in the degradation of nearly 90% of the saline wetlands and those remaining face continued threats.

The Saline Wetland Conservation Partnership was established in 2003 and continues to be supported through multi-year inter-local agreements. Initial partners included the City of Lincoln, Lancaster County, Lower Platte South Natural Resources District, The Nature Conservancy, and the Nebraska Game and Parks Commission. The Partnership in 2018 consists of the City of Lincoln, Lower Platte South Natural Resources District, Nebraska Game and Parks Commission, and the Nebraska Chapter of Pheasants Forever, Inc. A coordinator was hired in March 2003 to support the comprehensive strategies outlined in the *Implementation Plan for the Conservation of Nebraska's Eastern Saline Wetlands* (2003).

Since 2002, the Nebraska Environmental Trust Fund (NET) has funded the City of Lincoln with five grants through 2019. The initial funding in 2002 led to the formation of the Saline Wetlands Conservation Partnership (SWCP) in 2003.

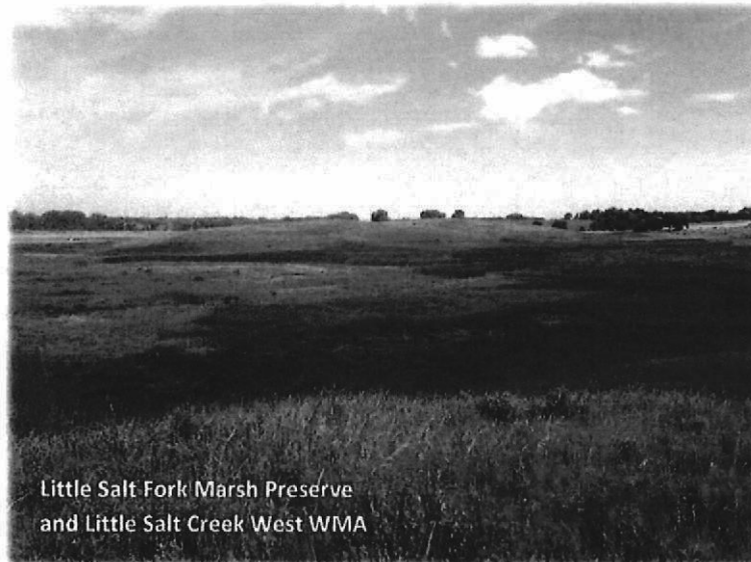
This plan update will continue to support the partnership approach for the conservation of saline wetlands and the needs of the community. Its implementation will need cooperation among federal, state, and local agencies strengthened by the business knowledge of private enterprise, the energy and imagination of local conservation interests and non-profit organizations, and participation by private landowners to create pro-active programs, incentives, and strategies.

The Plan **Goal** remains "No net loss of saline wetlands and their associated functions with a long-term gain in sustaining wetland functions through the restoration of hydrology, prescribed wetland management, and watershed protection". To meet this goal the Plan includes Comprehensive Strategies that address: 1) Coordinator, 2) Education and Outreach, 3) Planning and Coordination, 4) Priority Conservation Plan, 5) Funding, 6) Taxes, 7) Wetland Protection, 8) Stream Restoration, 9) Wetland Buffer Management and Development, 10) Research, and 11) Private Lands. Landscape objectives listed, address wetland protection and restoration for about 4,000 acres.

Background and Purpose

This plan promotes the conservation of saline wetlands throughout Lancaster and southern Saunders counties (Figures 1 and 2). Although saline wetlands are the plan's primary focus, it is recognized that this conservation may also address, at least in part, other benefits such as providing greenways and open space, recreation and education areas, flood protection, water quality, storm water management, virgin and restored prairies conservation, sustainable agricultural lands, and habitat for endangered and threatened species as well as pollinators.

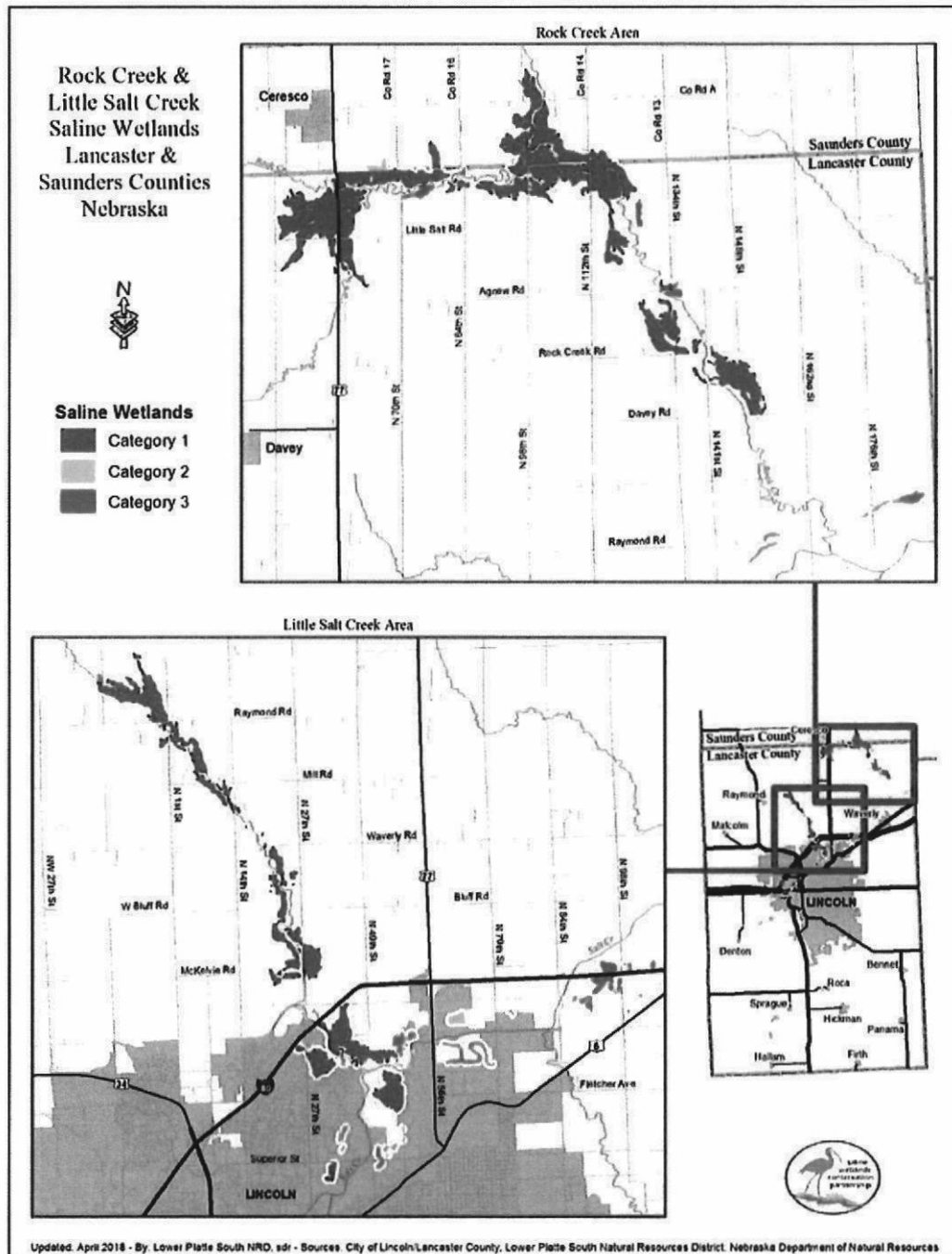
The plan will continue to address the conservation of saline wetlands, the needs of the community, and identify the importance of existing programs. Implementation will continue to involve local, state, and federal agencies working in concert with private individuals and organizations to develop additional strategies and programs that encourage saline wetland conservation. Since the adoption of the *Implementation Plan for the Conservation of the Nebraska's Eastern Saline Wetlands* in 2003 new approaches have been developed to address saline wetland conservation and the Partnership has been successful in acquiring and restoring additional properties containing saline wetlands and adjacent natural areas.



Plan Accomplishment

The continued implementation of this Plan will be the responsibility of the primary partners (City of Lincoln, Lower Platte South Natural Resources District, Nebraska Game and Parks Commission, and Pheasants Forever, Inc.). The primary partners will work closely with the Coordinator and other partners to ensure the plan is successful. The effective time period for this Plan is ten years (2018-2028).

Figure 1
Nebraska's Eastern Saline Wetlands
Northern Lancaster and southern Saunders County



NEBRASKA'S EASTERN SALINE WETLANDS



Nebraska's Eastern Saline Wetlands are the most limited and endangered wetland type and vegetation community in the State (Kaul 1975) and are considered critically imperiled in Nebraska (Clausen et al. 1989). Once extending over an area estimated to be in excess of 20,000 acres, less than 4,000 acres remain and many of these are highly degraded. They

occur in swales and depressions within the floodplains of Salt Creek and its tributaries in Lancaster and southern Saunders counties (Figures 1 and 2) and are characterized by saline soils and salt-tolerant vegetation. The source of salinity for these wetlands is the discharge of saline groundwater into the stream channels and at the surface of the adjacent floodplain. Channelization of the streams traversing and downstream of these wetlands has lowered the local water table and drastically reduced, or eliminated the amount of saline water discharging at the surface.

These wetlands provide habitat for a variety of native plant and animal species that depend on a saline environment. The state and federally endangered Salt Creek tiger beetle (*Cicindela nevadica* var. *lincolniana*) is found only in Nebraska's Eastern Saline Wetlands. In addition, Eastern Saline Wetlands are home to several saline plants that are found nowhere else in Nebraska, including saltwort (*Salicornia rubra*) a state listed endangered species. The Nebraska Natural Legacy Project (Nebraska Game and Parks Commission, 2011) lists the Eastern Saline Wetlands as a Biologically Unique Landscape (BUL) and identifies four additional at-risk plant and animal species that use the saline wetlands: the federally endangered Interior Least tern (*Sterna antillarum* *athalassos*); federally threatened Piping plover (*Charadrius melodus*); Saltmarsh aster (*Aster subulatus* var. *ligulatus*); and Texas dropseed (*Sporobolus texanus*).



Eastern Saline Wetlands are also of historical significance since their presence spawned a short-lived salt extraction industry in the 1860's that led to the establishment of the City of Lincoln. This heritage is an important component in the need for the conservation of saline wetlands.

Functions and Values

Nebraska's Eastern Saline Wetlands provide habitat for a variety of wildlife species, and are particularly important as habitat for shorebirds and waterfowl during migration. The exposed saline mudflats provide an abundance of invertebrates as a food source. During the last century, more than 250 species of birds have been reported at the salt basins of Lancaster County (Jorgensen, 2017).

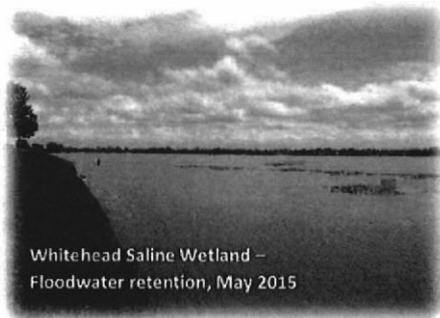


In October 2005, Nebraska Audubon, recognizing the scarcity of saline wetlands and their importance for certain species of concern, selected four saline wetlands as Important Bird Areas (Jack Sinn Wildlife Management Area (WMA), Whitehead Saline Wetlands, Arbor Lake and adjacent Little Salt Creek, and Frank Shoemaker Marsh).

Since the inception of the Partnership the Nebraska Game and Parks Commission has held two southeast region birding days on saline wetlands. In May 2008 a birding day was held at Frank Shoemaker Marsh and in May 2014 at Little Salt Fork Mark Preserve, Little Salt Creek West WMA, and Little Salt Springs. The Nature Conservancy held a 2017 Bird Blitz across Nebraska and included the saline wetlands for bird identification. Bird lists for saline wetland areas can be found at:

<https://lincoln.ne.gov/city/parks/parksfacilities/wetlands/iba.htm>

Wetlands, both saline and fresh, protect stream quality by filtering pollutants and collecting sediment from runoff water, and aid flood control by storing water after rain events and reducing peak flows. Eastern Saline Wetlands are no exception and play a particularly important role given their proximity to Lincoln. Buffer tracts and connecting corridors associated with the wetlands may also help stream quality by trapping agricultural chemical runoff from fields and preventing it from entering the stream flow.



Because of their location in and round the City of Lincoln and their proximity to Omaha, Eastern Saline Wetlands are ideally located to provide recreational opportunities. Bird watching, nature study, walking, and waterfowl and pheasant hunting are the most common outdoor recreation activities pursued in these wetlands. Few wetland areas in Nebraska provide the educational opportunities afforded by the close proximity of these unique wetlands to so many students.

Loss and Threats

Inventory and assessment work by Gersib and Steinauer (1990) and Gilbert and Stutheit (1994) noted extensive wetland losses from expansion of the city of Lincoln and agricultural activities. They further noted that all existing saline wetlands identified in their inventory have experienced recognizable degradation. Eastern Saline Wetlands were given a priority 1 ranking in the *Nebraska Wetlands Priority Plan* due to extensive

losses in the past (Gersib 1991) and are considered an endangered wetland complex (LaGrange 2005).

Because the entire Eastern saline wetland complex is located in and near the city of Lincoln, past losses have been severe, and future threats from development activities are imminent. Saline wetland assessment work by Gersib and Steinauer (1990) indicated that 168 of 188 uncultivated wetland sites were considered to have a high or moderate vulnerability to future wetland degradation or loss.

Categories of threat to Eastern Saline Wetlands include drainage or filling, stream-bed degradation, agricultural conversion, residential or commercial development, road construction, sedimentation, and water pollution. A serious long-term threat is the degradation (deepening)



Looking southeast from North 27th Street
and Frank Shoemaker Marsh toward Lincoln

of stream channels that result in erosive lateral head-cuts (gullies) that eventually drain wetlands, and could lead to locally declining water tables.

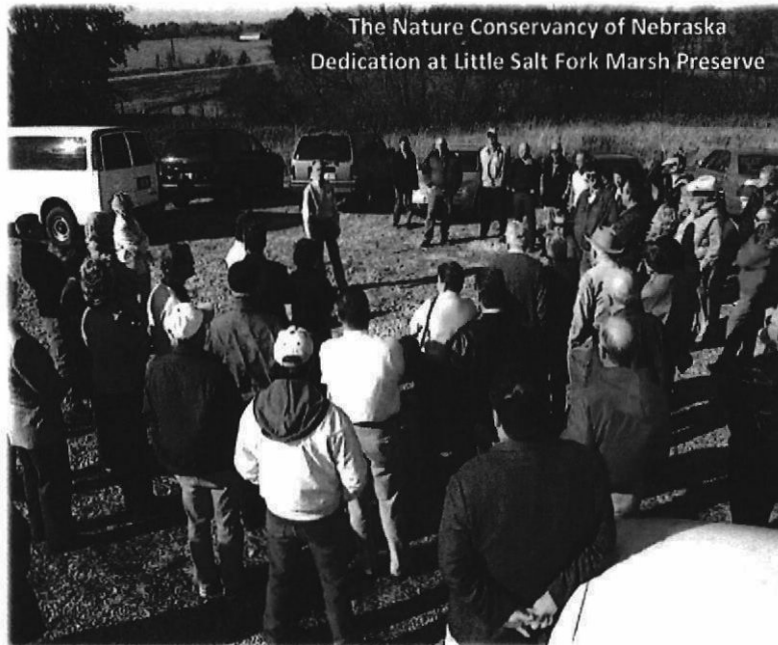
The City of Lincoln and Lancaster County 2040 Comprehensive Plan (LPlan 2040, 2016 update), includes the Environmental Resources chapter, which provides an outline of the guiding principles for environmental resources, a discussion of environmental resource features, and a long range planning and implementation approach with associated strategies, entitled "The Greenprint Challenge." The Environmental Resources chapter identifies the following strategies for saline wetlands:



- Continue the efforts of the Saline Wetlands Conservation Partnership to execute the Implementation Plan for the Conservation of Nebraska's Eastern Saline Wetlands.
- Provide appropriate incentives — in addition to regulatory mechanisms such as the Federal Section 404 process — to encourage landowners to preserve saline and freshwater wetlands. Incentives to be used or considered further include:
 - Special density credits or bonuses within a Community Unit Plan for wetland conservation.
 - Transfer of development rights.
 - Utilize these areas for wetland bank mitigation.
 - Technical assistance for wetland preservation and enhancement.
 - Conservation easements with tax incentives.
 - Fee simple purchase of land for preservation.
- Research and seek implementation of procedures for managing lands containing and near to saline wetlands. It would be desirable for this research to be conducted at the watershed level to provide a broad perspective of how area-wide development will interact with this natural resource. A special treatment buffer along the perimeter of saline wetlands could reduce the impact of increased runoff, sedimentation, and other pollutants. Such buffers could serve to provide support for preservation of habitat areas for the county's threatened and endangered species.

Saline Wetlands Conservation Partnership

In 2003, the Saline Wetlands Conservation Partnership was formed. The establishment and continued conservation efforts of the SWCP are enhanced by grant funds received from the Nebraska Environmental Trust by the City of Lincoln for the Eastern Saline Wetlands Project. Primary partners of the inter-local agreement, which established the Partnership, were the City of Lincoln, Lancaster County, Lower Platte South Natural Resources District, The Nature Conservancy, and the Nebraska Game and Parks Commission. Several other agencies and conservation groups are currently involved with the Partnership.



Since 2003, nearly 2,186 acres of land containing saline wetlands has been conserved either through fee-title acquisition (1,609 acres) or conservation easements (577 acres) from willing sellers. This includes 95 acres of native prairie and 330 acres of high-diversity native plant seeding on degraded and formerly farmed areas. Education and wetland restoration projects have been implemented and completed. The SWCP received the Outstanding Bird Conservation Award from the Nebraska Partnership for All-Bird Conservation in 2008 at the 38th Annual Rivers and Wildlife Celebration.

Community support is present for the conservation of saline wetlands. Saline wetlands were identified as an "Environmental Resource Feature" in LPlan 2040. The Lower Platte South NRD conducted a "Community Prioritization Study (Sigma Group, L.L.C.)" in 2015. The public opinion survey of the general public within the district documented public attitudes toward various planning and development issues in the region. The results indicated 53 percent of persons interviewed rated the importance of preserving wetlands as an 8, 9, or 10 with 10 being extremely important and 1 not at all

being important. When asked how supportive they were of public involvement and expenditures for protecting saline wetlands the response was 46 percent strongly support, 35 percent mildly support, and 16 percent do not support. It is imperative the Plan objectives and strategies continue to progress to accommodate the unique needs of the diverse set of stake holders.

This Implementation Plan update will continue to address the preservation and restoration of Nebraska's eastern saline wetlands. The Plan Goal, Comprehensive strategies, and Landscape objectives are established for future conservation of the wetlands. A summary of wetland acres conserved through fee-title acquisition and conservation easements since 2001 through the efforts of the Partnership is provided in Table 1. The summary is based on targets identified within Landscape objectives 1 – 4.

Table 1
Summary of wetland acres
conserved through fee-title acquisition

IMPLEMENTATION OF LANDSCAPE OBJECTIVES	TOTAL ACRES PER OBJECTIVE*	ACRES OF WETLAND PROTECTED OR RESTORED 2002-2017
1 – Permanently protect 100% (148 acres) of intact Category 1 saline wetlands and their associated conservation zones to ensure that the wetlands and their functions are sustained	148	47
2 – Restore and Protect 80% (1,412 acres) of unprotected degraded Category 1 saline wetlands and their associated conservation zones to ensure that the wetlands and their functions are sustained	1,412	443
3 – Restore (to intact Category 1 wetlands) and protect 50% (167 acres) of unprotected Category 3 saline wetlands and their associated conservation zones to ensure that the wetlands and their functions are sustained as intact Category 1 wetlands	167	99
4 – Restore (to intact Category 1 wetlands) and protect 50% (2,360 acres) of unprotected current non-wetland areas on saline hydric soils so that they become intact and sustained Category 1 saline wetlands	2,360	520
TOTAL	4,087	1,109

* Acres identified in 2003 Implementation Plan

Source: Ted LaGrange and Rachel Simpson of the NGPC, June 2018

GOAL

No net loss of saline wetlands and their associated functions with a long-term gain in sustaining wetland functions through the restoration of hydrology, prescribed wetland management, and watershed protection.

COMPREHENSIVE STRATEGIES

The Comprehensive Strategies are not specific to any one property, but are broader in scope and are necessary for the overall successful conservation of saline wetlands. Many of these strategies have already been initiated and are ongoing. Some of these strategies will require additional objectives and action items.

Partnership Management

Comprehensive Strategy 1 - Coordinator

Employ a coordinator to oversee the implementation of the conservation plan. The coordinator, working in conjunction with the partners, will oversee day-to-day operations, short and long term planning, fiscal responsibilities, and administration of the interlocal agreements between partners.

Comprehensive Strategy 2 - Education and Outreach for the Community

Inform and provide the public opportunities to learn about the importance of the conservation of saline wetlands. Use both traditional and new media applications for sharing information and receiving input regarding saline wetland conservation activities.

Comprehensive Strategy 3 - Planning and Coordination

Include the conservation of saline wetlands in community planning, floodplain management and capital projects through continued participation with other agencies and organizations when applicable.

Comprehensive Strategy 4 - Priority Conservation Plan

Update the document "*A Prioritization of Eastern Saline Wetland Areas (2003)*" using current Geographic Information System (GIS) for the conservation of saline wetlands and their associated conservation zones. This information forms the basis of the priority conservation plan to accomplish landscape objectives. Prioritization criteria include natural resource conditions and biological characteristics, land usage, adjacent land conformity, and potential for continued conservation.

Comprehensive Strategy 5 - Funding

Identify sources and obtain funds to implement the conservation plan. Provide support and information of Partnership activities to funding resources with quarterly and annual reports. Continue to work with partners to provide funding for the sustainability of the Partnership through existing and future interlocal agreements.

Increase stewardship through the use of Partner funds and staff resources.

Comprehensive Strategy 6- Taxes

Assume tax responsibilities for financing local governments through the payment in lieu of property taxes, as required by policy or under existing laws, for the conservation of saline wetlands.

Natural Resource Management

Comprehensive Strategy 7- Wetland Protection

Maintain the remaining saline wetlands through a no net loss policy. Existing wetlands can be protected with already established laws (Clean Water Act, State of Nebraska Title 117, Farm Bill), as may be updated in the future, and voluntary protection and restoration programs. Wetland mitigation projects following the *Mitigation Guidelines for Nebraska's Eastern Saline Wetlands* (Taylor and Krueger 1997) will help to ensure no net loss of saline wetlands.

Comprehensive Strategy 8 - Stream Restoration

Prevent further stream-bed degradation and restore stream grade and bank characteristics where possible.

Comprehensive Strategy 9 - Wetland Buffer Management and Development

Continue with land management efforts of established buffers surrounding wetland areas. Encourage highly diverse native plantings to benefit grassland birds, pollinators, and other wildlife species.

Comprehensive Strategy 10 - Research

With scientific evidence identifying the source of saline groundwater, research has focused on the hydrogeology of the saline wetland system to understand the discharge pathways of saline groundwater and recharge sources. Much of this research was initiated by University of Nebraska-Lincoln scientists. The Partnership, with the assistance of consultants and other technical experts, will continue to work with the University and explore means to use the science to conserve and enhance saline wetlands.

Comprehensive Strategy 11- Private Lands

Support the historical stewardship of Eastern Saline Wetlands by private landowners. It is recognized that many existing saline wetlands are on private lands and have been sustained by private landowners. This plan will continue to support continued sustainable uses. Private landowner participation in projects funded through this plan is voluntary.

The Partners will continue to develop relationships and share information with private landowners within the project areas and maintain a transparency of Partnership activities with landowners and the community.

LANDSCAPE OBJECTIVES

If fully implemented, Comprehensive Strategy 7 would ensure there will be no net loss of wetlands by direct human-induced activities. Thus, the landscape objectives focus on:

- 1) maintaining protection for wetlands if existing wetland protection laws change;
- 2) protecting and managing the upland areas around the wetland to ensure that the wetlands will be sustainable; and
- 3) restoring and managing wetlands to maintain wetland functions.

Conservation zones or areas designated to protect the rare or threatened habitats and species of Nebraska's Eastern Saline wetlands will require different approaches and if needed, will be determined on a case to case basis. These approaches may include the following:

- Protect delineated wetland
- Water quality buffer areas of 30 – 180 feet¹ for sediment and nutrient removal; buffer distances may be greater in areas of steep slopes and high intensity land use
- Wildlife protection and human disturbance buffer of 100 – 300 feet¹, which are dependent on resident species, life-history characteristics of the species, wetland and wetland buffer condition, intensity of surrounding land use, and buffer function should be added onto the water quality buffer
- Additional buffer area can be determined to support hunting, prescribed fire and grazing, connection of wetlands through corridors to allow wildlife interchange, inclusion of wetland watersheds (including streams and floodplains), and scenic view-sheds

¹McElfish, James M, Rebecca L. Kihlslinger, and Sandra Nichols. Setting Buffer Sizes for Wetlands. National Wetlands Newsletter, Vol 30, No. 2 Environmental Law Institute. Washington D.C. 2008

Freshwater wetlands are often located on floodplains in close association with saline wetlands and other native habitats such as grassland, native prairie, and woodlands, which occupy buffer areas around the saline wetlands. Although the landscape objectives focus on saline wetlands, it's recognized that freshwater wetlands and other natural habitats provide valuable functions and can enhance adjacent saline wetland complexes in need of conservation. Where possible, the conservation of saline wetlands will include all wetlands, virgin prairie, restored grasslands and riparian corridors associated with the saline wetlands and within the Biologically Unique Landscape.

The landscape objectives are based on categorization data and maps compiled by an interagency team while conducting field site visits in the late 1980s and early 1990s (Gilbert and Stutheit 1994). The categorization data provide general guidance for planning purposes and should be verified through up-to-date on-site data collection and wetland delineation as needed for any project. Following is an abbreviated definition of categories from the *Resource Categorization of Nebraska's Eastern Saline Wetlands*.

Category 1: Site currently provides saline wetland functions of high value or has the potential to provide high values following restoration or enhancement measures.

Category 2: Given current land use and degree of degradation, site currently provides limited saline wetland functions and low values. Restoration potential is low. These sites are so degraded that they are not considered as restorable in the Landscape Objectives section. If, in the future, a Category 2 wetland is determined to be restorable, then the restoration will be considered as contributing to Landscape Objective 4.

Category 3: Site is functioning as a freshwater wetland having freshwater plant communities on a saline soil. Currently provides freshwater wetland values and no feasible restoration measures exist to re-establish the historic salt source and saline plant associations. If, in the future, a Category 3 wetland is determined to be restorable, then the restoration will be considered as contributing to Landscape Objective 4.

Not Categorized (NC): These sites are mapped as wetlands on the National Wetland Inventory maps but access to the site was denied and the site could not be categorized. If and when these sites are categorized, the total acreage objective for each category will need to be adjusted accordingly.

Category 1 wetlands were further classified by Nebraska Game and Parks wetland program staff as intact or degraded based on field notes and site specific knowledge. Wetlands were considered protected if they were under ownership (either fee title or easement) by the City of Lincoln, Lancaster County, Lower Platte South Natural Resources District, The Nature Conservancy, the Nebraska Game and Parks Commission, the Natural Resources Conservation Service, or the Nebraska Department of Roads (wetland mitigation sites) as of September 2001. The acres identified for protection in the landscape objectives are from the 2003 Implementation Plan.

Landscape Objective 1:

Permanently protect 100% (148 acres) of intact unprotected Category 1 saline wetlands and their associated conservation zones to ensure the wetlands and their functions are sustained

Strategy 1: Use easements purchased from willing sellers to permanently protect approximately 50% of intact Category 1 saline wetlands and an associated buffer to ensure that the wetlands are sustained.

Strategy 2: Use fee-title acquisition from willing sellers to permanently protect approximately 50% of intact Category 1 saline wetlands and an associated buffer to ensure that the wetlands are sustained.

Strategy 3: Use private lands programs and local ordinances to provide for sustainable uses in the immediate wetland watershed.

Landscape Objective 2:

Protect 80% (1,412 acres) of unprotected degraded Category 1 saline wetlands and their associated conservation zones.

Strategy 1: Use easements purchased from willing sellers to protect approximately 40% of degraded Category 1 saline wetlands and an associated buffer to ensure that the wetlands are sustained.

Strategy 2: Use fee-title acquisition from willing sellers to protect approximately 40% of degraded Category 1 saline wetlands and an associated buffer to ensure that the wetlands are sustained.

Strategy 3: Use private lands programs and local ordinances to provide for sustainable uses in the immediate wetland watershed.

Strategy 4: Evaluate and determine restoration needs and implement them to ensure the wetlands and their functions are sustained

Landscape Objective 3:

Protect 50% (167 acres) of unprotected Category 3 saline wetlands and their associated conservation zones to ensure the wetlands and their functions are sustained as intact Category 1 wetlands.

Strategy 1: Develop restoration techniques to successfully re-establish salinity sources to restore Category 3 wetlands to Category 1 wetlands.

Strategy 2: Use easements purchased from willing sellers to protect approximately 25% of intact Category 3 saline wetlands and an associated buffer to ensure that the wetlands are sustained.

Strategy 3: Use fee-title acquisition from willing sellers to protect approximately 25% of intact Category 3 saline wetlands and an associated buffer to ensure that the wetlands are sustained.

Strategy 4: Use private lands programs and local ordinances to provide for sustainable uses in the immediate wetland watershed.

Strategy 5: Evaluate and determine restoration needs and implement them to ensure the wetlands and their functions are sustained

Landscape Objective 4:

Restore (to intact Category 1 wetlands) and protect 50% (2,360 acres) of unprotected current non-wetland areas on saline hydric soils so that they become intact and sustained Category 1 saline wetlands.

Strategy 1: Use easements purchased from willing sellers to permanently protect approximately 25% of current non-wetland areas on saline hydric soils and an associated buffer to ensure that the wetlands are sustained.

Strategy 2: Use fee-title acquisition from willing sellers to permanently protect approximately 25% of current non-wetland areas on saline hydric soils and an associated buffer to ensure that the wetlands are sustained.

Strategy 3: Use private lands programs and ordinances to provide for sustainable uses in the immediate wetland watershed.

Strategy 4: Evaluate and determine restoration needs and implement them to ensure the wetlands and their functions are sustained

Landscape Objective 5:

Manage 100% of restored and protected saline wetlands to maintain their associated functions.

Strategy 1: The Partnership will determine which partner will manage acquired properties, in part based upon resource availability.

Strategy 2: Develop prescribed management plans for each area protected.

Strategy 3: Use private lands program to provide management assistance to privately owned wetlands.

Strategy 4: Continue annual meeting of saline wetland land managers to discuss and share information regarding management techniques.

Landscape Objective 6:

Manage and enhance protected saline wetland buffers not on saline soils

Strategy 1: The Partnership will determine, which partner will manage acquired properties.

Strategy 2: Develop prescribed management plans for each area protected.

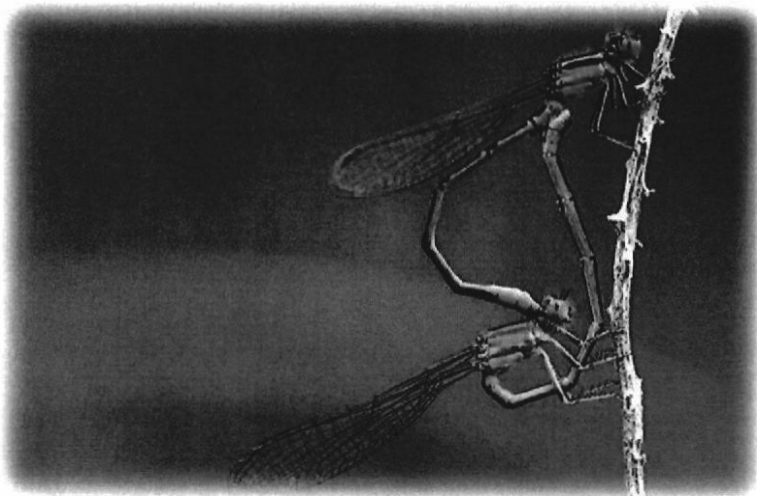
Strategy 3: As needed, introduce native high diversity seeding to uplands and supplement riparian areas with native woody species.

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Photos at
Nebraska's eastern saline wetlands by
Michael Forsberg, NEBRASKAland



Michael Forsberg, NE SPARK Award



ATTACHMENT B

ADMINISTRATIVE REGULATION No. 9

ADMINISTRATIVE REGULATION

City of Lincoln

SUBJECT: Use of Vehicles by City Employees, Volunteers, and Contractors	EFFECTIVE DATE: March 26, 2014	A.R. NO.: 9
APPLIES TO: All Departments and Divisions	SUPERSEDES: AR#9 Issued December 10, 2013	Page 1 of 3

PURPOSE:

To establish policies and procedures governing the use of vehicles owned by the City and privately-owned vehicles used by City employees for official City business.

SCOPE:

Applies to all employees and cooperating law enforcement officers, contractors, or volunteers or interns who have permission to operate City-owned vehicles as provided herein.

GENERAL:

The privilege of operating a City-owned vehicle within the scope of an employee's official duties shall be considered incidental to employment and under no circumstance shall be considered an assumed right. Volunteers or interns, contractors, or law enforcement officers of other agencies, may operate City-owned vehicles only in accordance with the policies herein. The Fleet Manager of the Police Garage and the Public Works Fleet Services Superintendent will conduct an annual review of City vehicle use. Any violation of this policy may subject an employee to disciplinary action pursuant to the Personnel Code.

POLICY:

- (1) The use of all City-owned vehicles is strictly limited to conducting only the official business of the City.
- (2) No employee, contractor, volunteer or intern shall be allowed to drive a City vehicle home, except in the circumstances described below:
 - (a) An individual who is required by a department head to perform after hours work with specially-equipped vehicles may take a specially-equipped vehicle home only when it is authorized in writing by the department head. A request to take a specially-equipped vehicle home shall provide the employee's job title, the type of vehicle and special equipment carried on the vehicle, and the reason it is necessary for the employee to drive the vehicle home. Automobiles, pickups, minivans and sport utility vehicles shall not be considered to be specially-equipped vehicles unless they have been modified by the City to perform a specific public purpose. Vehicles used by Lincoln Police Department K-9 officers are specially-equipped vehicles within the meaning of this policy, which may be taken home as authorized herein.
 - (b) The department head has authority to approve a vehicle being taken home for a specific scheduled event.
 - (c) The Police Chief and Assistant Police Chief are authorized to take unmarked police vehicles home for official use arising outside normal work hours.

SUBJECT: Use of Vehicles by City Employees, Volunteers, and Contractors	EFFECTIVE DATE: <u>March 26</u> , 2014	A.R. NO.: 9
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- (d) Chaplains participating in the Lincoln Fire & Rescue and Lincoln Police Department volunteer chaplaincy program may be authorized to take city vans home by the Public Safety Director, Fire Chief or Chief of Police, upon compliance with the requirements for volunteer use of vehicles set forth in Paragraph 9 of this Administrative Regulation.
- (3) When a City department head determines that the use of a vehicle will serve the best interests of the City for travel outside Lincoln, preference should be given to the use of a City-owned vehicle rather than a private vehicle. Use of a private vehicle for City business outside Lincoln and the reimbursement of expenses for that use should not ordinarily be approved by a department head if a City-owned vehicle could instead be used by the department employee. A private vehicle may be approved for use and the expense thereof reimbursed when travel is within Lincoln or when no City-owned vehicle is reasonably available for use or when, in the judgment of the department head, circumstances make use of a City-owned vehicle impractical or inadvisable for other reasons.
- (4) City Employees who wish to be reimbursed for mileage must first verify if a city pool car is available. If a city pool car is not available the employee, with their Directors permission, may be reimbursed for mileage using a personal vehicle.
- No employee shall receive reimbursement for use of a personal vehicle driven between his or her residence and place of employment. At the end of a business day, if an employee has traveled in a personal vehicle from his or her place of employment to another location in the City, the employee may be reimbursed either for the mileage to return to their office or the mileage to drive to their home whichever is less.
- No employee shall receive reimbursement for mileage during a lunch break, unless they are on pre-approved per diem out of town travel. Employees driving a City-owned vehicle are only permitted to drive to the nearest eating establishment for lunch breaks.
- (5) Pools of vehicles are established by department when necessary. It is the responsibility of the department head to provide for the effective use of the pool vehicles operated by their department and keep department records of the usage sufficient to charge mileage to the appropriate budget. The intent is to have City-owned vehicles available to employees who, because of business mileage driven or type of work performed, have the greatest need to operate a City-owned vehicle. It is also the intent to minimize the amount of personal mileage reimbursement necessary.
- (6) Except as provided herein, or as specifically exempted in writing by the Mayor, all City vehicles must be clearly identified by a door decal or conspicuous official markings identifying the department that operates the vehicle.
- (a) The Chief of Police may authorize the use of unmarked, City-owned vehicles for undercover or other law enforcement purposes.

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(7) As stated in AR#23 smoking is prohibited in all vehicles owned by the City.

(8) All persons operating City vehicles shall obey all posted speed limits and traffic laws. Emergency, rescue and public safety vehicles are permitted to exceed speed limits in cases of rescue, emergency and when necessary to enforce the law, protect the public or save lives.

(9) Except as otherwise provided herein, only City employees are permitted to drive a City-owned vehicle.

(a) A contractor, intern or volunteer may operate a City-owned vehicle only upon receiving written authorization of a Department Director for use in official City business. Before such authorization may be given the Director shall obtain the contractor's, volunteer's or intern's driver's license information and provide information to Risk Management to check the driver's motor vehicle record and to insure that the contractor's or volunteer's use of the City vehicle is properly insured and appropriate.

(b) Law enforcement officers of other government entities or agencies involved in cooperative efforts with the Lincoln Police Department may be authorized to operate City-owned vehicles by the Chief of Police or the Lincoln officer in charge of the City's participation in the cooperative effort.

The foregoing Administrative Regulation, superseding Administrative Regulation No. 9 effective December 10, 2013, is hereby APPROVED.


 Chris Beutler, Mayor of Lincoln

Date: March 26, 2014

ATTACHMENT C
PAYMENT SCHEDULE

Saline Wetlands Conservation Partnership

DATE	CITY	COMMISSION	NRD
August 2019	\$45,000		
January 2020		\$45,000	
February 2020			\$45,000
August 2020	\$45,000		
January 2021		\$45,000	
February 2021			\$45,000
August 2021	\$50,000		
January 2022		\$50,000	
February 2022			\$50,000
August 2022	\$50,000		
January 2023		\$50,000	
February 2023			\$50,000
August 2023	\$50,000		
January 2024		\$50,000	
February 2024			\$50,000

ATTACHMENT D

COORDINATOR'S DUTIES

EMPLOYEE POSITION DESCRIPTION

Thomas Malmstrom
5514 – Park Planner II (Natural Resources/Greenways)
April 17, 2007

PRIORITY LEVEL	RESPONSIBILITIES	ACTIONS NECESSARY TO MEET RESPONSIBILITIES
8	1. Responsible for developing and coordinating natural resource projects such as the Eastern Saline Wetland Project.	<p>A. Provides leadership in developing and implementing natural resource plans such as the Eastern Saline Wetlands Plan.</p> <p>B. Responsible for seeking information on property, negotiating and acquiring natural resources and buffer areas identified according to established priorities for acquisition.</p> <p>C. Works with other agencies and organizations involved in resource protection, being able to identify with people, building effective relationships with farmers, scientists, government representatives, community leaders, elected officials, corporate representatives, and volunteers.</p> <p>D. Works independently resolving problems or in consultation with the supervisor to solve unusual or complex problems.</p> <p>E. Develops, directs, and manages multiple projects, creates and follows timelines, and flexible to make changes as needed.</p> <p>F. Communicates effectively both orally and written with the project team, subordinates, and others involved in this and related projects.</p>
6	2. Responsible for implementing the conservation plan for natural resource projects such as the Eastern Saline Wetlands projects.	<p>A. Assesses land acquired and initiates management plan for parcel based on technical information on each parcel and following all federal, state, and local regulations.</p> <p>B. Oversees contracts for research and restoration work related to natural resource projects.</p> <p>C. Coordinates efforts of other agencies and organizations involved with natural resource protection including the saline wetland and related fauna and flora protection.</p> <p>D. Supervises subordinates including volunteers providing motivation, leadership, and management skills.</p> <p>E. Makes recommendations on needed/desired changes to the conservation plan.</p>

Thomas Malmstrom
5514 – Park Planner II (Natural Resources/Greenways)
April 17, 2007

3	3. Develop broad based community support for the project to achieve short term and long-range goals for natural resource protection.	<ul style="list-style-type: none"> A. Conducts educational seminars and programs for the public on the importance and value of various natural resources. B. Conducts periodic public forums on the progress of the project and to provide information as needed. C. Develops promotional and educational material on the importance of saline wetlands and about the program. D. Acts as a resource to others to solve problems.
3	4. Assist with budget development as well as assist with seeking additional funds.	<ul style="list-style-type: none"> A. Monitors the budget staying within the amount provided by funding sources. B. Negotiates and contracts with vendors. C. Accounts for all funds spent on acquisition as well as operating expenditures, following established guidelines and procedures. D. Assists in seeking additional funds through grants, other agencies, and private donations.