BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION RATIFYING THE SIGNING AND SUBMISSION OF THE 2015 ANNUAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REPORT

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the County of Sarpy has obtained an NPDES-MS4 Permit concerning storm water runoff in the Papio Creek Basin pursuant to the National Pollutant Discharge Elimination System, Phase II storm water regulations; and,

WHEREAS, the permit requires the approval and submission of an Annual Report and attachments to the Nebraska Department of Environmental Quality by April 1 of each year.

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners that the signing and submission of the 2015 Annual Report as required by the National Pollutant Discharge Elimination System, (NPDES) Phase II storm water regulations, as presented to this Board, is hereby ratified.

BE IT FURTHER RESOLVED that the County Administrator, is hereby designated the Cognizant Official for the purposes of said documents, and is hereby authorized to sign said documents on behalf of Sarpy County, Nebraska.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 5th day of April, 2016.

ATTEST:

Sarpy County Board Chairman

Sarpy County Clerk
MEMO

To: Sarpy County Board

From: Lisa A. Haire

Re: National Pollutant Discharge Elimination System (NPDES) Permit 2015 Annual Report

On April 5, 2016 the County Board will be asked to ratify the Annual Report for the 2015 National Pollutant Discharge Elimination System (NPDES) Phase II Permit concerning storm water runoff in the Papio Creek Basin.

On October 1, 2009 the Nebraska Department of Environmental Quality (NDEQ) issued a National Pollutant Discharge Elimination System (NPDES) permit NER210000 for Small Municipal Storm Sewer discharges to waters of the state located in Douglas, Sarpy, and Washington Counties. The NPDES permit requires that the co-permittees submit by April 1 each year an Annual Report documenting the status of all the general programs and individual tasks contained in the Storm Water Management Plan (SWMP).

The Papio-Missouri NRD in conjunction with U.N.O. assembles information and writes a majority of the report. The report is then sent to the various co-permittees in order for them to review and add local community information. This year, as in all previous years, the report was not made available to Sarpy County until March 28. Due to the short timeframe, there was not enough time to present the report to the Board prior to the submission deadline of April 1. Mark Wayne signed the report and it was mailed to the NDEQ on March 31, 2016.

Do not hesitate to contact Mark Wayne or myself with any questions.

April 1, 2016

Lisa A. Haire

cc: Mark Wayne
    Scott Bovick
    Brian Hanson
    Ross Richards
    Denny Wilson
    Bruce Fountain
    Deb Houghtaling
Emma Trewhitt  
NPDES Permits and Compliance Unit, Water Quality Division  
NE Dept. of Environmental Quality  
P.O. Box 98922  
Lincoln, NE 68509-8922

RE:       Annual Report Sarpy County Stormwater Permit and Request for Permit Modification  
          NPDES General Permit NER200000

Dear Ms. Trewhitt:

Sarpy County was issued a NPDES permit on September 30, 2009, which authorizes Sarpy County to discharge storm water and other allowed flows from the MS4 to waters of the State including an MS4 discharge that may reach waters of the State through intermediate drainage ways or conduits. This permit requires that Sarpy County submit an Annual Report. The 2015 report is enclosed.

Along with the annual permit, please accept this letter as a request for a permit amendment. Sarpy County would like to amend the Stormwater Monitoring Plan, SWMP program element #8, in our current permit. As justification for the amendment, the City of Omaha and other co-permittees of the Papillion Creek Watershed Partnership began implementing post construction stormwater management elements in 2008. The co-permittees through the Partnership would like to expand the BMP monitoring as a replacement for in stream monitoring in order to better understand the effectiveness BMPs as a measure of control for the TMDLs for the Papillion Creek. We request that the current SWMP #8 be replaced with the following:
#8 Stormwater Monitoring Plan

**Minimum Requirement #8 – Monitoring Program**

The Permittee as a member of the PCWP shall have a program to estimate pollutant loads from discharges of the MS4. At a minimum, the program will include:

<table>
<thead>
<tr>
<th>BMP#</th>
<th>SWMP Element Description</th>
<th>Target Goals &amp; Implementation Schedule</th>
</tr>
</thead>
</table>
| 8.01 | The development and implementation of a BMP monitoring plan  
Monitoring will be flow based monitoring to assess the performance of different BMPs.  
Monitoring Plan:  
a. Monitoring of the BMPs is to provide more useful data than has been gathered in the past. This will provide for a more complete picture of the efficiency of various Best Management Practices in the watershed.  
b. Consideration will be given to the following objectives:  
i. Quantify the BMPs ability to reduce discharges to the storm sewer system  
ii. Evaluate if any improvements could be made to the BMP to increase the volume of water detained from the storm sewer system.  
c. A record of the following information:  
i. Narrative and quantitative data, as appropriate, for each event.  
ii. A narrative description of the data and duration of the events sampled (either simulated event or real event) | On-Going All Years – Implement annual monitoring plan |
| 8.02 | Partner with local organizations, such as Nebraska Watershed Network, to evaluate the results of data that they collected that could provide water quality information on stream or urban aquatic fisheries | On-Going All Years – Report the results in the annual report. |
| 8.03 | Use GIS to identify land use based on zoning and calculate pollutant loads from discharges of the MS4 based on literature values and precipitation data. | On-Going All Years – Report the estimate in the annual report based on literature values. |

The Permittee may conduct other activities not specifically identified in this section which contribute to Monitoring Program.

We respectfully request along with the modification, that the amendment be authorized beginning May 1, 2016, to allow for BMP monitoring during the spring rain events. Thank you for your consideration of this amendment.

Sincerely,

Mark Wayne  
Sarpy County Administrator
NPDES PERMIT (NER210000) FOR SMALL MUNICIPAL STORM SEWER DISCHARGES TO WATERS OF THE STATE LOCATED IN DOUGLAS, SARPY, AND WASHINGTON COUNTIES OF NEBRASKA

NPDES PERMIT NUMBER NER210000
MS4#NER210007

2015 ANNUAL REPORT

Submitted by:

Sarpy County, 1210 Golden Gate Drive, Papillion, NE 68046

March 31, 2016
Report of Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations. See 18 U.S.C. 1001 and 33 U.S.C 1319, and Neb. Rev. Stat. 81-1508 thru 81-1508.02."

Mark Wayne
Printed Name

Sarpy County Administrator
Title

March 31, 2016
Date
A. BACKGROUND

On October 1, 2009 the Nebraska Department of Environmental Quality (NDEQ) issued a National Pollutant Discharge Elimination System (NPDES) permit NER210000 for Small Municipal Storm Sewer discharges to waters of the state located in Douglas, Sarpy, and Washington Counties of Nebraska. The co-permittees of the Papillican Creek Watershed Partnership (PCWP) currently authorized to discharge municipal storm water under this permit are Bellevue, Boys Town, La Vista, Papillion, Ralston and Sarpy County.

The NPDES permit requires that the co-permittees submit by April 1 each year an Annual Report documenting the status of all the general programs and individual tasks contained in the Storm Water Management Plan (SWMP). This document is being submitted by Sarpy County to meet that requirement and covers the period from January 1-December 31, 2015.

B. COOPERATIVE AGREEMENT

The co-permittees entered into an inter-local agreement in 2001 and continuation agreements in 2004, 2009 and 2014 that established a framework for meeting the permit requirements. The 2014 agreement was approved by the following entities Bellevue, Boys Town, La Vista, Papillion, Ralston, Sarpy County, Gretna, the Papio Missouri Natural Resources District and City of Omaha. These agreements identify the lead organization and the participating partners for each SWMP element and also establish a basis for cost-sharing to meet the Phase II permit requirements of the co-permittees. The 2014 agreement also addresses elements of the SWMP for the next permit period. Currently the 2009 permit is on administrative extension as the 2015 proposed permit is being reviewed.

C. PERMITTEE COORDINATION

In 2001, the PCWP began as a planning committee to assist the Phase II communities in addressing their permit application requirements. The focus of the continuation agreement reached in 2004 was on the implementation of the SWMP as incorporated in the general NPDES permit. The 2009 agreement focused on an overall watershed plan which addresses water quality and water quantity for the participating members as well as a renewal of the NPDES permit and implementation of the updated SWMP. The 2014 agreement continues implementation of the watershed plan along with a renewal of the NPDES permit and an updated SWMP.

The PCWP has held monthly meetings since August 2001. The meetings help to coordinate activities, and identify needs consistent with the goals of the PCWP, and implement the NPDES permit’s SWMP.
1. Public Education and Outreach


The Douglas-Sarpy County regional household hazardous waste (HHW) facility, UndertheSink opened in June 1, 2005. Brochures are available at the facility for distribution, and can be printed from the website www.underthesink.org. Brochures contain a variety of information about the site, including materials accepted and not accepted, hours of operation, and alternative use products. Twelve (12) tours were conducted in 2015.

Keep Omaha Beautiful assisted the PCWP with distribution of different types of brochures and educational information and materials throughout 2015. Thirty two topics concerning pollution prevention, good housekeeping, pesticide and fertilizer and household hazardous waste are addressed in the materials. They were present at community events and outreach activities where 1,633 brochures and 4,062 other pieces of educational material were distributed. Brochures and educational information were delivered to commercial and public locations around the area and presentations made to local groups, a list of locations and summary of presentations are provided in Attachment A.

In the 2015 calendar year UnderTheSink, the household hazardous waste facility, had a total of 16,346 drop offs resulting in a total 1,064,778 lbs of material, an average of 5,324 lbs/day (of days accepting waste). A total weight of 240,472 lbs of HHW was shipped offsite by the disposal contractor. Those drop-offs and that total weight can be further broken down into:

Recycling Totals in 2015:
- Steel from paint and aerosol cans: 63,120 lbs
- Latex paint used with Posi-Shell at Sarpy County Landfill: 19,690 gal
- Oil-based paint and flammable liquids used as industrial fuel: 18,920 gal
- Antifreeze recycled: 2,060 gal
- Automotive batteries: 8,835 lbs
- Fluorescent bulbs: 7,460 bulbs

Oil Totals in 2015:
- Collected approximately 8,500 gal from 5,100 people
- Sold a total of 1,715 gal during the summer to Tri-State Oil Reclaimers, Inc.
- The remaining oil, was/is being burned in the waste-oil boiler

ReStore Totals in 2015:
- People who took free usable items for their own use: 11,572 persons
- Weight of non-paint items taken: 202,848 lbs
- Gallons of free paint taken: 20,057 gal

This permit requirement has been met.
1.B. Issue public service announcements related to stormwater protection on local TV, radio or print outlet. Year 1-5: A summary of the activities will be included in the Annual Report.

In addition to the distribution of educational brochures and public outreach events completed by Keep Omaha Beautiful, the City of Omaha, and PCWP entities, the Papio NRD created a public service announcement which aired on local television and radio throughout 2015 titled, “The Power of Partnership.” This PSA discusses the importance of working together in the watershed to address water quality and quantity. The Power of Partnership PSA is able to be viewed on the Papio NRD’s website.

This permit requirement has been met.

1.C. Continue existing drain marking program to improve public awareness concerning illegal dumping utilizing volunteer services (e.g. Boy Scouts) which will address TMDL pollutants of concern. Year 1-5: Mark approximately 1,000 inlets annually and include a summary in the annual report.

KOB continues to utilize a GIS tracking system to better direct the volunteers to areas that do not have storm drains marked. The City of Omaha has approximately 110,000 storm drains, using the GIS system should make tracking those inlets which have been marked or need marking easier to manage. KOB coordinated volunteers throughout 2015 to mark and clean storm sewer inlets. In 2015, 1,121 inlets were marked.

This permit requirement has been met.

1.D. Hold a Sediment and Erosion Control Seminar for the developers, builders, engineers, vendors and grader which will address TMDL pollutants of concern. Year 1-5: Hold annual Sediment and Erosion Control Seminar. Include a summary of the approximate number of participants in the Annual Report.

The annual Sediment and Erosion Control Seminar was held on February 5, 2015 hosted by the City of Omaha, PMRN RD, Douglas-Sarpy County Extension Office, NDEQ, NRCS, PCWP, and USACE. The seminar provided engineers, developers, and construction companies information on NPDES Phase II regulations, the PCWP’s grading permit program and sediment and erosion control BMPs. The seminar had 283 attendees.

This permit requirement has been met.

1.E. Work collaboratively with other community organizations to develop a campaign aimed at picking up pet waste which will address TMDL pollutants of concern. Year 1: Develop outreach material and partnerships. Year 2-5: Distribute information.
The City of Omaha hired a marketing firm, MINT Design Group, to assist in the development and implementation of pet waste campaign. Advertisements were developed and published in several area newspapers, billboard space was used, mass mailings distributed, theater advertising purchased, posters placed on litter cans, radio announcements broadcast, a television commercial produced, and other media printed. It was a very successful campaign and won the Silver Award in the Total Advertising Campaign category from the Eighth Annual Service Industry Advertising Awards. For this reporting period, events where bags were distributed are listed below:

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Dispensers</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/25/15</td>
<td>Hefflinger Park</td>
<td>100</td>
<td>Spring Bark in the Park</td>
</tr>
<tr>
<td>5/2/15</td>
<td>Meadow at NHS</td>
<td>20</td>
<td>May Day Dog Event</td>
</tr>
<tr>
<td>8/1/15</td>
<td>Meadow at NHS</td>
<td>40</td>
<td>Canine Carnival</td>
</tr>
<tr>
<td>9/27/15</td>
<td>NHS</td>
<td>1000</td>
<td>NHS - Walk for the Animals</td>
</tr>
</tbody>
</table>

The City of Omaha has also partnered with the Omaha Dog Park Advocates by supplying 25 cases of Pet Waste Bags for the two dog parks in Omaha. The Advocates keep the dispensers supplied with bags and submit a count on a monthly basis. A total of 51,200 bags were used during this permit year.

**This permit requirement has been met.**

1.F. Develop materials and displays associated with BMP demonstration projects installed with Stormwater Management Program Project funds from NDEQ. Year 1-5: Provide a narrative and examples of materials developed in annual report.

Educational signage was placed at the UnderTheSink Facility, Metropolitan Community College and the City of Omaha’s Orchard Park which are all accessible by the public. The signage explains the design and function of the BMP’s onsite. The green and traditional roofs at the Saddlebrook Joint Use facility, located in Omaha’s jurisdiction, have two weather monitoring stations installed. The public can view the differences between the two on two separate screens; one located in the library the other located in the stairwell outside of the indoor track. There are also webcams directed toward the green roof which will also be displayed on the screens. Information on the green roof is available through the website [www.omahastormwater.org](http://www.omahastormwater.org) which has a direct link from the PCWP website. In 2015, the City of Omaha created project fact sheets for nine (9) green infrastructure projects to share basic information with the public. These fact sheets are also located on [www.omahastormwater.org](http://www.omahastormwater.org).

**This permit requirement has been met.**

1.G. Develop a PCWP Stormwater Program Website, including but not limited to storm water related information and provide educational information targeted for residents, children, and industries which will address TMDL pollutants of concern. Year 1-5: Develop, operate and maintain a PCWP Stormwater web site. Include narrative in the Annual Report describing the
functions of the web site. Ensure that the web site is accessible from each community’s web site.

The PCWP website, www.papiopartnership.org, includes but is not limited to, the contact information for PCWP representatives (including links to the respective PCWP representative’s websites) and the illegal dumping/illicit discharge report form, PCWP meeting minutes, upcoming meetings and outreach opportunities, PCWP permits, past reports, and studies are also available on-line as well as general information about the PCWP and about watersheds, best management practices, and stormwater management in general. Additional items located on the website are the current PCWP interlocal agreement, watershed management plan, implementation plan, and stormwater policies. All of which were adopted by the PCWP co-permittees in 2014. These documents are included as Attachment B. A link is also included to the City of Omaha’s stormwater web site, www.omahastormwater.org.

The City of Omaha has developed and deployed a website, www.omahastormwater.org dedicated to the City’s Stormwater Management Program. From the website industries within the PCWP can access the necessary documents to apply for stormwater permits.

Residents can access information from the City of Omaha’s website as to how they can improve water quality through actions they take at home. Children’s activities are also available on the website. There is public information available on the demonstration storm water best management practices that have been implemented in areas of the city. The public can access information related to the monitoring program. Additionally, there is an online complaint or comment form available to the public. Attachment C provides the download statistics for the omahastormwater.org website and Omaha Stormwater Facebook Page for 2015.

Sarpy County links to both the City of Omaha and Papio Partnership websites to the Sarpy County Planning Department website.

This permit requirement has been met.

2. Public Participation and Involvement

2.A. Operate a stormwater hotline and web based complaint system for Watershed (general information, complaints, reports of illegal dumping, etc.). Year 1-5: Maintain system operation and include summary of received calls/emails in the Annual Report.

The City of Omaha continues to maintain a phone line, 402-444-3908, for handling stormwater calls. Clerks are available during regular business hours to handle calls for the City and the PCWP member entities. The clerks answering the hotline are required to complete a form when answering the calls so that all the required information is collected. The form is tied to a database that stores all calls received and provide a mechanism for tracking calls. A representative from the City of Omaha will use the information stored in the database to direct the call to the appropriate PCWP representative or their designee.
There were 3 illicit discharge complaints received via the Papio Partnership website (www.papiopartnership.org) or the hotline in 2015. Public complaints on sediment and erosion control can be logged into the erosion website (www.PCWP-ErosionControl.org).

This permit requirement has been met.

2.B. Participate in organizing and hold open houses on Papillion Creek Watershed Partnership activities. Year 1-5: A summary of activities will be included in the Annual Report.

The PCWP held four meetings in 2015, which are open to the public, and the minutes for those meetings are available on the PCWP website at www.papiopartnership.org.

This permit requirement has been met.

2.C. Continue to implement a Stream Clean Up Day. Utilize KOB to identify stream segments in need of cleanup and request volunteers from the local area, public groups, and representatives from local area business and developments. Year 1-5: Conduct one clean-up day each year. A summary of the clean-up day activities will be included in the Annual Report.

Keep Omaha Beautiful, Inc. (KOB) organized the 2015 Stream Clean ups. There were a total of 64 cleanup efforts throughout the year. The water courses that KOB targeted were; Standing Bear Lake, Lake Zorinsky, the Riverfront and Cunningham Lake. In addition to the water courses, parks were also targeted with a total of 46 volunteer groups participating in the cleanup efforts.

This permit requirement has been met.

2.D. Provide tours of UndertheSink, household hazardous waste facility, for schools and neighborhood organizations to learn about the proper way to manage household chemicals and about stormwater treatment systems installed at the site. Year 1-5: Provide a summary of the tours conducted on an annual basis for the annual report. Document when BMPs are installed and included in the tour.

Twelve (12) tours were conducted in 2015 at UndertheSink. Several BMPs including a series of rain gardens have been reconstructed and are included as part of the tour.

This permit requirement has been met.

2.E. Hold World O! Water festival focused on elementary school aged children to celebrate clean water and engage in water quality related activities. Year 1-5: Hold event annually. Report estimated number of participants in Annual Report.
The World O! Water Festival was held on September 12, 2015 from 12 PM until 4PM at Wehrspann Lake / Chalco Hills Recreation Area. There were over 50 organizations that participated by handing out information, conducting an activity or providing a demonstration. An estimated 1,300 visitors attended the event. Information that was handed out included water stewardship, recycling, water quality, and water conservation. Activities included putting a watershed pollution demonstrative model, canoe rides, nature hikes, and science experiments.

This permit requirement has been met.

2.F. Participate in community organizations, conferences, workshops and web casts related to water quality and stormwater management. Year 1-5: Report number of staff attending, dates, location and description of events.

A Sediment and Erosion Control seminar was held on February 5, 2015 with 283 attendees. Many special interest group meetings were conducted in 2015 on topics regarding stormwater awareness education, pollution prevention and water conservation. This effort reached a number of school students and other individuals. Industry representatives were reached through interaction and presentations at several conferences and meetings such as the Nebraska Floodplain and Stormwater Managers Association/IECA conference, NWEA and StormCon conferences. Webcasts were offered throughout the year to PCWP members on a variety of topics from the Center of Watershed Protection.

This permit requirement has been met.

3. Illicit Discharge Detection and Elimination

3.A. Dry-weather inspections including Physical Characteristics Examinations of storm water outfalls 72” or greater and any outfalls with documented complaints. Year 1-5: Inspect and record observations. Include a count of outfalls inspected in the Annual Report.

Sarpy County Public Works has developed a stream asset inventory consisting of the following information:

- Stream alignments and confluences
- Mapped channel gradient and pattern
- Property boundaries and jurisdictions
- Watershed boundaries and land use
- Road crossings, bridge and culverts
- Potential stream access points.

This permit requirement has been met.

3.B. Investigate and seek resolution concerning any dry weather discharges by notifying the source that they must discontinue discharging, and initiate enforcement action consistent with adopted ordinance which will also address any TMDL pollutants of concern. Any source
that the applicant feels constitutes an immediate health or safety threat will be reported immediately to the NDEQ. Year 1-5: The following information will be included in the Annual Report; the number of process or potentially polluted wastewater sources found; the number of above resolved at local level; and the identity of any referred and/or unresolved discharge sources.

Sarpy County enforces the Storm Water Regulations and tracks violations as necessary. All plans submitted within Sarpy’s jurisdiction are reviewed for Stormwater compliance regulations as well.

This permit requirement has been met.

3.C. The applicant will perform dry weather inspection of storm water outfalls, including smaller outlets and those that discharge to lesser tributaries or other storm conduits, in response to suspect conditions and/or complaints. Year 1-5: Inspect and record observations. Included a count for outfalls inspected in the Annual Report.

No suspect conditions and/or complaints were documented or reported. Sarpy County has requested dry weather inspections be performed on storm water outfalls and those that discharge to lesser tributaries and storm conduits.

Sarpy County is also implementing an asset management inventory with Cityworks software. As part of implementation, all culvert within Sarpy Jurisdiction are being cataloged and inventoried, and placed on the GIS system. All work performed by our field crews as part of maintenance activities and inspections will be documented and filed in an electronic database at implementation. This process is currently performed but reported on worksheets and timesheets manually.

This permit requirement has been met.


Dry weather discharges identified, as the outfalls are inspected will be investigated with respect to the source of the discharge. The Physical Characteristics Examination (PCE) will be completed as part of the inspection process and, if there is reason to believe that the discharge is allowable under the stormwater ordinance/regulation, the investigation will be terminated. If the PCE indicates that there may be an illicit connection, a more comprehensive investigation will be undertaken that may involve sampling the discharge, tracing the line upstream to identify potential sources, and questioning potential dischargers. If a potential source is identified, information will be provided regarding the impact to human health and the environment to resolve the problem.

No (0) illicit discharge charge connections were known to have been reported in 2015.
This permit requirement has been met.

3.E. Maintain and prevent instances of sanitary sewer leakage into MS4 or waters of the state. Year 1-5: Summarize investigations of leakage and actions taken in Annual Report.

Sarpy County Administration and Public Works staff yearly visually inspects the outfall sewer system maintained by the County. Issues are then corrected by Public Works field staff. There were no (0) complaints or documented issues within the County’s Jurisdiction. There were believed to be two 2 known or reported issues within other jurisdictions that were handled by the municipality in which the issue resided.

This permit requirement has been met.

3.F. Maintain and update a sewer map of major storm water outfalls and identify the names of respective receiving waters. Year 1-5: Map will be maintained electronically on City or County GIS.

Each community in the PCWP sends information to the Douglas or Sarpy County GIS departments where the outfall maps are maintained. The websites for Douglas and Sarpy Counties are http://www.dcgis.org/dogis/ and http://maps.sarpy.com/sims20/ respectively.

This permit requirement has been met.

3.G. Prevent, contain and respond to spills in the MS4. Review, as necessary, interdepartmental SOPs with respect to spills dumping and illegal disposal that impacts the MS4. Year 1-5: Summarize number of reports of spills and actions taken in Annual Report. Identify respective Department SOP and review date in Annual Report.

Sarpy County’s policy for responding to prevent, contain and respond to spills is as follows:
Step 2: Determine party to respond. Whose line is it? If it is the County’s line, do we have the resources to take care of it? If not, we should contact an engineering firm such as TD2.
Step 3: Contact the appropriate party or parties.
Step 4: Follow up to make sure the appropriate repairs are made.

This SOP is reviewed annually in January for updates and compliance.

This permit requirement has been met.
4. Construction Site Runoff Control

4.A. Maintain the PCWP construction site inspection and reporting web site and continue to make enhancements. Year 1-5: Include a narrative in the annual report about major web site upgrades and the date implemented.

The web site was upgraded for easier use in 2014 and is now able to merge information for grading and post construction permit information for the projects in the PCWP jurisdictions. The Permix website combines City of Omaha permit processes and benefits the PCWP communities by providing one location for uploading and storing information on post construction stormwater permits and grading permits.

This permit requirement has been met.

4.B. Maintain a construction site inspection program that includes procedures for reporting, resolving deficiencies, and taking appropriate enforcement action consistent with adopted ordinances. Years 1-5: The Annual Report will contain the following information relative to this commitment: 1) the number of inspections conducted in each of the following size categories: < 5 acres and > 5 acres; and 2) the number of sites receiving enforcement actions.

Grading permits are required for all developments in the Papillion Creek Watershed and are tracked electronically on the PCWP’s web based system, Permix. Omaha inspectors review weekly site inspection reports from the permittees, make periodic inspections to verify the permittee reports, notify the permittees when deficiencies are detected, and notify the permitting authority when enforcement is necessary. Priority sites are determined by the construction phase, with the initial site work being the highest priority. The goal of the construction site inspection program is to achieve voluntary compliance, but referrals will be made to NDEQ for non-complying sites not responding to local enforcement actions.

Violations processed in 2015 are referenced in Attachment D as well as a breakdown of inspection reports by community. The table below summarizes PCWP construction inspections for 2015.

<table>
<thead>
<tr>
<th></th>
<th>City Inspection Reports</th>
<th>Private Inspection Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase I Sites (&gt;5 acres)</td>
<td>830</td>
<td>6,906</td>
</tr>
<tr>
<td>Phase II Sites (&lt;5 acres)</td>
<td>653</td>
<td>4,852</td>
</tr>
<tr>
<td>Total</td>
<td>1,483</td>
<td>11,758</td>
</tr>
</tbody>
</table>

This permit requirement has been met.
4.C. Maintain regulations and design specifications for controlling erosion, sediment loss, and other TMDL pollutants of concern from construction sites that disturb areas of 1 acre or more. Year 1-5: Provide a narrative description of any changes implemented in sediment and erosion control regulations or design specifications in the annual report.

Chapters dealing with the post construction BMPs (Chapter 8) and Erosion and Sediment Control (Chapter 9) have been updated in the Omaha Regional Stormwater Manual which is adopted by all members of the PCWP. The update of these chapters provides more detailed information on selection of BMPs for both post construction and erosion and sediment control as well as providing information on newer technologies and a wider variety of practices.

This permit requirement has been met.

4.D. Maintain a program for performing review of Grading Permit applications to ensure compliance with applicable regulations and design specifications. Year 1-5: Summarize the number of grading permits issued on an annual basis.

In 2015, there were 41 Phase I grading permits and 85 Phase 2 grading permits issued in the PCWP communities. A breakdown of grading permits by community is shown in Attachment D.

This permit requirement has been met.

5.0 Post-Construction Runoff Control


Omaha has developed guidance documents and inspection forms for BMPs that are available to the PCWP members and are located on the PCWP website (www.papiopartnership.org). The post construction stormwater management web site, Permix, is active and makes the review process easier as well as provides a single location for plans, inspections, maintenance forms, etc. As mentioned earlier, chapters of the Omaha Regional Stormwater Manual have been updated to provide a more comprehensive list of BMP details and specifications. Guidance documents and the Stormwater Manual will continue to be analyzed and reviewed by all members of the PCWP to determine if updates are necessary.

This permit requirement has been met.

5.B. Develop a database of existing structural BMPs (private and public) that reduce the impact of urbanization on storm water run-off and improve water quality and enhance other amenities and activities such as green space, parks and recreation, urban planning, aesthetics, and public safety. Year 2: Coordinate with engineering firms and the NRD to identify existing BMPs and their location. Year 3: Develop a database and GIS map of BMPs.
The Permix software used for post construction stormwater permits and grading permits keeps a record of the location of each BMP installed with development by jurisdiction. This data can be used to create a GIS layer to identify BMPs installed after the Permix software was put in place. For BMPs installed prior to the use of Permix, the CBI software program can be useful to identify locations. The CBI software was purchased and is maintained by the PCWP to assist with the tracking of NPDES permits activities. PCWP Phase II communities continue to utilize the CBI system.

**This permit requirement has been met.**

5.C. Inspect annually and maintain (as necessary) the MS4 owned storm water BMP structures. Year 1-5: List BMPs inspected and summarize maintenance activity in Annual Report.

Sarpy County currently has three (3) stormwater BMP structures, and is looking to implement two (2) more in the near future. The existing structures are located in portions of the parking lot of the Law Enforcement Center, the Juvenile Justice Center and the County Administration Building. The structure and “bio” components of the BMPs are regularly maintained per current facility maintenance practices.

**This permit requirement has been met.**

5.D. Revise stormwater BMP maintenance and inspection plan as needed. Year 1-5: Review maintenance plan annually and include new structures. Make revisions as necessary. Report revisions and new structures in Annual Report.

Stormwater BMP maintenance and inspections are ongoing in PCWP communities. The Permix website is in place to help the review process with post construction stormwater management in all the PCWP communities. This website provides a place to store documentation on the maintenance and inspections of the BMPs. The process continues to be monitored and any revisions will be reported.

**This permit requirement has been met.**

5.E. Implement strategies, which include a combination of structural and or non-structural BMPs appropriate for the watershed, which will address potential TMDL pollutants of concern. Non-structural BMP’s, including improved planning and site design, shall be a priority. Evaluate these strategies and implement changes as necessary to improve water quality and address potential TMDL pollutants of concern. Year 1-5: Summarize strategies in the Annual Report.

The communities of the PCWP have adopted ordinances requiring the first half inch of runoff be controlled on site and that the 2 year peak flow be maintained on new development. These local ordinances are intended to address water quality in the watershed. Adopting these ordinances along with the Watershed Management Plan and Implementation Plan will address potential TMDL pollutants of concern. Stormwater policies adopted by the PCWP members
also help provide strategies for improving water quality and addressing pollutants of concern. The Watershed Management Plan, Implementation Plan and Stormwater policies are included as Attachment B. Additional efforts include the development of a Natural Resources Inventory (NRI). The NRI is intended to be a tool to help the PCWP communities identify areas for preservation and priority areas for stream restoration. An initial phase of the NRI was completed in 2013 and the results presented to the PCWP. The PCWP will continue to work with this group to find a solution to keeping the NRI up to date. And the development of a Basin wide Water Quality Management Plan is underway for the Omaha Metro Area partially funded by the Nebraska Department of Environmental Quality. This plan will help identify target areas for water quality projects to address impaired waters and TMDL pollutants of concern.

This permit requirement has been met.

6. Pollution Prevention/Good Housekeeping for Municipal Operations


Evaluation documents for Facility Runoff Control Plans (FRCP) have been developed and templates shared with the members of the PCWP. These templates include a photo checklist, site questionnaire, facility profile sheet, hot spot checklist, photo log and a facility recommended BMP checklist. FRCPs are being developed for each facility in the PCWP communities.

Sarpy County has developed Good Housekeeping Plans for all necessary municipal facilities. Faculties are also routinely inspected, and procedures are reviewed and/or improved if necessary.

This permit requirement has been met.

6.B. Inspect storm sewer conduits, channels and catch basins and remove and properly dispose of sediment and debris as needed to maintain an efficient system within permitted area. Year 1 - 5: Report maintenance activities in the Annual Report.

<table>
<thead>
<tr>
<th>Type</th>
<th>Number Inspected (est.)</th>
<th>Number Cleaned (est.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conduits</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Channels</td>
<td>663</td>
<td>1</td>
</tr>
<tr>
<td>Catch Basins</td>
<td>614</td>
<td>4</td>
</tr>
<tr>
<td>Storm drain inlets</td>
<td>610</td>
<td>3</td>
</tr>
<tr>
<td>Erosion Inspections/Maintenance</td>
<td>774</td>
<td>27</td>
</tr>
<tr>
<td>Storm Sewer System Maintenance</td>
<td>126</td>
<td>0</td>
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<tr>
<td>Flared End Sections</td>
<td>63</td>
<td>0</td>
</tr>
<tr>
<td>Outlets</td>
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<td>0</td>
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<tr>
<td>Curb Inlets</td>
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<tr>
<td>Area Inlets</td>
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<td>Manholes</td>
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<td>Junction Boxes</td>
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<td>0</td>
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<tr>
<td>Grate Inlets</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Box Culvert</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Inlets</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other – New System Construction</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2015 expenditures (all types – inspections &amp; cleaning)</td>
<td>$388,610</td>
<td></td>
</tr>
</tbody>
</table>

This permit requirement has been met.

6.C. Provide training for employees to prevent pollutant runoff from municipal operations at the applicant’s maintenance facilities and at field operations. Years 1 – 5: Provide training for employees and include summary in Annual Report of when training was held and number of attendees.

Training was held for employees in all jurisdictions of the PCWP in past years. Community’s facility managers were trained on Facility Runoff Control Plans and the implementation of those plans. 19 attendees were at the training meeting in 2012.

This permit requirement has been met.

6.D. Provide for street cleaning in the following areas: Residential; Business; Major Streets; and other areas in conjunction with special projects. Year 1-5: Summarize street cleaning activities in Annual Report.

<table>
<thead>
<tr>
<th>Miles of Streets Cleaned in 2015 (approximate)</th>
<th>2015 Expenditure</th>
<th>2016 Budget (proposed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>153.82</td>
<td>$43,727.50</td>
<td>$53,870</td>
</tr>
</tbody>
</table>

This permit requirement has been met.

6.E. The applicant’s staff that applies pesticides will be trained in a certification program that complies with FIFRA regulations. Year 1-5: Report total number of Staff certified each year in the Annual Report.

Generally, Sarpy County outsources lawn service to include weed control and fertilizer. The vendor is licensed, insured, and maintains current applicator certifications. Sarpy County requested a copy of the applicator certifications for reference.

Public Works employs two (2) licensed herbicide applicators, for weed control within County roadway Right of Way.
This permit requirement has been met.

6.F. The applicant will continue to minimize pesticide and fertilizer use on publically maintained properties. Year 1 - 5: Summarize efforts in Annual Reports.

Generally, Sarpy County outsources to a vendor pesticide and fertilizer application. The vendor uses a four-step, slow release application for fertilizer and spot sprays only as needed for weeds. All applications are restricted to inner most areas of the property.

Step 1: March
Step 2: May
Step 3: July
Step 4: October

Public Works performs for weed control operations within County roadway Right of Way during various times of the year.

This permit requirement has been met.

8. Storm Water Monitoring Plan

8.A. Conduct in-stream water quality monitoring of named creeks in the Papillion Creek Watershed. Collect samples from at least 4 sites located in the Papillion Creek Watershed. Samples will be collected from May through August one day a week and analyzed for the following parameters: BOD5, TSS, ammonia nitrogen, nitrate-nitrogen, total nitrogen, soluble and total phosphorus, turbidity, pH, E coli, and Physical Characteristic Examinations. The purpose of the monitoring will be to evaluate the effectiveness of storm water management practices in the Papillion Creek watershed as they relate to potential TMDL pollutants of concern.

List of potential sites:
170 and Highway 36 (Big Papio)
77th and L Street (Big Papio)
66th and L Street (Little Papio)
Ft. Crook Road – USGS station (Papillion Creek) Year 1- 5: Conduct monitoring

The following information shall be included in the Annual Activity Report:
- The monitoring data;
- A summary report on the findings relative to SWMP efforts;
- Any modifications of monitoring locations or procedures.
Year 1- 5: Conduct monitoring

The City of Omaha has taken the lead role for the stormwater monitoring elements 8.A and 8.B. The City sampled four sites in the Papillion Creek Watershed in conjunction with
NDEQ's Basin Rotation Monitoring Program. Samples were collected one day a week from May 6 through August 26, 2015. Samples were analyzed for the following parameters: fecal coliform, e coli, nitrate / nitrite nitrogen, Kjeldahl nitrogen, nitrite nitrogen, ammonia nitrogen, total phosphorus, dissolved phosphorus, pH, BOD, TSS, TDS, temperature, DO, specific conductivity, and turbidity. Quality control/quality assurance measures were followed as described in the Sampling and Analysis Plan (submitted to NDEQ April 1, 2005). Sample results are presented in Attachment E. Data qualifiers follow NDEQ's recommended practices.

The PCWP communities are submitting an amendment to the SWMP element of their current permit to allow for additional BMP monitoring in place of stream monitoring.

This permit requirement has been met.

8.B. Develop an assessment monitoring plan for demonstration BMPs. Evaluate the effectiveness of the selected BMPs to treat storm water for the TMDL pollutants of concern and other water quality benefits. Consider implementation of refinements to the BMPs, which would improve their effectiveness. One aspect of the monitoring plan will include the collection stream samples on the segment that runs through Orchard Park to establish baseline conditions for BMP assessment purposes.

Additionally, the plan will address how the applicant proposed to use stream samples collected in dry weather and wet weather, as described in 8.A above, to estimate the pollutant masses discharged on an event basis and an annual basis.

Year 1 – 2: Visually document and monitor the installation of the demonstration BMPs. Installation is expected to be complete by the end of Year 2. Provide a narrative to report progress in Annual Report.

Year 2: Develop the BMP assessment monitoring plan and submit to NDEQ for approval as an attachment to the Annual Report.

Years 3 - 5: Conduct monitoring.
The following information shall be included in the Annual Activity Report:

1) the location of the monitoring site
2) the intensity and duration of the storm event monitored;
3) the timing of sampling in comparison to the occurrence of the storm event and to the discharge of peak storm water flows;
4) the monitoring data; and a summary report on the findings of the removal rates of the constituents monitored for the BMPs.

The construction of a green roof and a bioretention garden was completed in 2009 at the Saddlebrook Joint Use Facility. The bioretention garden receives runoff from part of the parking area at the facility. Monitoring stations were also installed at the; green roof discharge point, traditional roof discharge point, bioretention garden discharge point and a point of discharge from a parking area without a BMP upstream. Information can be viewed in real time via the omahastormwater.org website.
Real time controls have also been implemented at the Omaha Police Southeast Precinct project, providing information on the water depths and transport through the pervious concrete in the parking lot.

At two locations in Omaha, the design and actual volume capacities for bioretention cells were evaluated. The results are listed below in gallons of water. These results can be used by PCWP members to evaluate specifications and requirements for BMPs.

<table>
<thead>
<tr>
<th></th>
<th>Benson Bioretention</th>
<th>UNO North Bioretention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>5,685</td>
<td>3,067</td>
</tr>
<tr>
<td>Actual</td>
<td>6,134</td>
<td>2,479</td>
</tr>
<tr>
<td>% of Design</td>
<td>108%</td>
<td>81%</td>
</tr>
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</table>

This permit requirement has been met.

8. Fiscal Expenditures

<table>
<thead>
<tr>
<th>Operation and Maintenance</th>
<th>2015 Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sediment/Erosion Control Program</td>
<td>$0</td>
</tr>
<tr>
<td>Material Disposal</td>
<td>$0</td>
</tr>
<tr>
<td>Creek/Open Channel Maintenance</td>
<td>$0</td>
</tr>
<tr>
<td>Street Sweeping</td>
<td>$158,58</td>
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<tr>
<td>Street/Right of Way Cleaning</td>
<td>$3,766.77</td>
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<tr>
<td>Unimproved Street Maintenance</td>
<td>$145,210.92</td>
</tr>
<tr>
<td>Public Education/Outreach</td>
<td>$0</td>
</tr>
<tr>
<td>MS4 Planning</td>
<td>$0</td>
</tr>
<tr>
<td>Bridge Maintenance and Rehab</td>
<td>$0</td>
</tr>
<tr>
<td>Sewer Maintenance</td>
<td>$0</td>
</tr>
<tr>
<td>Annual O&amp;M Total</td>
<td>$149,136.27</td>
</tr>
</tbody>
</table>

9. Changes in MS4 Area

Several annexations were approved by Cities within Sarpy County. A current map of Sarpy County’s Jurisdiction is attached.

List of Attachments
Attachment A. Distribution of Brochures and Event Summary. Per SWMP item 1.A.


Attachment E. In-stream monitoring of named creeks. Per SWMP item 8.A. B.

Attachment F. Changes in MS4 area.
Attachment A
<table>
<thead>
<tr>
<th>Locations for brochure distribution or education event</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>24th Street Tires 3229 S 24th St</td>
<td>Our Lady of Lourdes School</td>
</tr>
<tr>
<td>Abrahams Library</td>
<td>Pinewood Elementary</td>
</tr>
<tr>
<td>Ace Hardware 350 N Saddle Creek Rd</td>
<td>PKI</td>
</tr>
<tr>
<td>Ace Hardware 8425 W Center Rd</td>
<td>PPG Paints Store 6906 L St</td>
</tr>
<tr>
<td>Allied Oil &amp; Tires 2209 S 24th St</td>
<td>R.M. Marrs Magnet Middle School</td>
</tr>
<tr>
<td>Augustana Lutheran Church</td>
<td>Rockbrook Elementary</td>
</tr>
<tr>
<td>Brown L Talbott School</td>
<td>Rose Blumpkin Jewish Home</td>
</tr>
<tr>
<td>Brownell Talbott-Green Apple Day of Service</td>
<td>Rotary Meeting Elkhorn</td>
</tr>
<tr>
<td>Central Middle School</td>
<td>Sarpy YMCA</td>
</tr>
<tr>
<td>Central MS Project-Walnut Creek Park</td>
<td>Service Learning Academy Non Profit Fair</td>
</tr>
<tr>
<td>Central Park Elementary School</td>
<td>Sherman Williams 5009 N 72nd St</td>
</tr>
<tr>
<td>Charlie Graham 4206 Leavenworth St</td>
<td>Sherman Williams 7653 Cass St</td>
</tr>
<tr>
<td>Cinco de Mayo Festival Omaha</td>
<td>South High ECHO</td>
</tr>
<tr>
<td>Cirian's Farmer's Market 4911 Leavenworth St</td>
<td>Southwest YMCA</td>
</tr>
<tr>
<td>Common Ground Community Center, Elkhorn</td>
<td>Spring Into Summer</td>
</tr>
<tr>
<td>Creighton Volunteer Fair</td>
<td>Spring Lake Elementary School</td>
</tr>
<tr>
<td>CVS 4840 Dodge St 4840 Dodge St</td>
<td>St. James Seton School</td>
</tr>
<tr>
<td>Diamond Vogel 7870 L St</td>
<td>Stir Concert Cove- Reverb Event</td>
</tr>
<tr>
<td>Downtown Auto Sales 3002 Cuming St</td>
<td>Storm Drain Awareness Project</td>
</tr>
<tr>
<td>Dundee Elementary</td>
<td>Sunset Hills</td>
</tr>
<tr>
<td>Earl May 9229 W Center Rd</td>
<td>T.O. Haas Tire &amp; Auto 5120 L St</td>
</tr>
<tr>
<td>Exclusive Honda 4420 Leavenworth St</td>
<td>The Cleaning Mart 8415 W Center Rd</td>
</tr>
<tr>
<td>Field Club Elementary</td>
<td>Tires Plus 7437 Pacific St</td>
</tr>
<tr>
<td>Firestone Auto Care 13060 W Center Rd</td>
<td>Tommy's Tires 4601 N 60th St</td>
</tr>
<tr>
<td>Fly into Fall- Youngman Lake</td>
<td>Tractor Supply 7910 L St</td>
</tr>
<tr>
<td>Fontenelle Elementary</td>
<td>Tractor Supply 9630 Ida St</td>
</tr>
<tr>
<td>Fort Campus MCC</td>
<td>Trash Pick Up Downtown Omaha w/ YMCA</td>
</tr>
<tr>
<td>Gilder Elementary</td>
<td>Union Pacific 1400 Douglas</td>
</tr>
<tr>
<td>Girls Leadership Institute/Dundee School</td>
<td>UNO Campus Clean Up</td>
</tr>
<tr>
<td>Gomez-Heritage Elementary School</td>
<td>UNO Campus Recycling Drive</td>
</tr>
<tr>
<td>GRC Tire Center 6706 L St</td>
<td>UNO - Community Engagement Center</td>
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<tr>
<td>Home Depot 4545 N 72nd St</td>
<td>UNO Volunteer Fair</td>
</tr>
<tr>
<td>House of Mufflers 4102 N 30th St</td>
<td>UNO-PKI and Dodge Park</td>
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<tr>
<td>Ideal Hardware &amp; Paint 3909 Cuming St</td>
<td>UNO-Signature Day of Service</td>
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<td>Indian Creek 303 N Saddle Creek Rd</td>
<td>Upward Bound Storm Drain Labeling</td>
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<tr>
<td>Jackson Elementary Migrant School</td>
<td>Walgreens 2323 L St</td>
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<td>Jefferson Elementary School</td>
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<td>Kohll's Pharmacy 2923 Leavenworth St</td>
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<td>Kohll's Pharmacy 5000 Dodge St</td>
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<td>Lotlirop Magnet School</td>
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</tr>
<tr>
<td>LoveFest</td>
<td>Walgreens 7151 Cass St</td>
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<tr>
<td>Marion's Tires 5028 NW Radial Hwy</td>
<td>Walnut Hill Elementary</td>
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<tr>
<td>Metropolitan Community College-In the Neighborhood Conference</td>
<td>West Gate Elementary</td>
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<tr>
<td>Millard North DECA</td>
<td>Western Hills</td>
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<tr>
<td>Montessori Children's Academy</td>
<td>Wilson Focus School</td>
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<tr>
<td>New Tree School Earth Week Event</td>
<td>World Of Water</td>
</tr>
<tr>
<td>Oakdale Elementary</td>
<td>YMCA Downtown</td>
</tr>
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<td>Omaha City Area</td>
<td>YMCA Downtown</td>
</tr>
<tr>
<td>TOPIC</td>
<td>DATE</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Indian Hill Science Event</td>
<td>1/22/15</td>
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<tr>
<td>Omaha Home Show at the Century Link Center</td>
<td>2/25/15</td>
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<tr>
<td>NONA Neighborhood Meeting</td>
<td>3/26/15</td>
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<tr>
<td>Girl Scouts Stormwater Watershed Presentation</td>
<td>4/16/15</td>
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<tr>
<td>Omaha Earth Day</td>
<td>4/18/15</td>
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<tr>
<td>Gallup Earth Day</td>
<td>4/22/15</td>
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<tr>
<td>Spring Lake Park Field Trip</td>
<td>5/4/15</td>
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<td>MORE! Nature Night Sunset Hills Elementary</td>
<td>5/7/15</td>
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<tr>
<td>Indian Hills Stormwater Borrowers</td>
<td>5/11/15</td>
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<td>Parks and Rec Spring into Summer Event</td>
<td>5/14/15</td>
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<td>Lauricene Gardens Spring into Summer Event</td>
<td>5/15/15</td>
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<tr>
<td>MORE! Nature Night Bowler Elementary</td>
<td>5/19/15</td>
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<td>SAFE 2015 Event</td>
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<tr>
<td>Missouri River Relief's Great Big Muddy Meet Up</td>
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<td>Sewer Maintenance Simulation Event</td>
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<tr>
<td>City Sprout Rain Barrel Workshop</td>
<td>7/15/15</td>
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<tr>
<td>Tins' CRPL 470/870 Environmental Planning and Policy class in fall semester</td>
<td>9/23/15</td>
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<tr>
<td>IMAC UNO, Blackburn &amp; Benson Master Gardener Conference</td>
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</tr>
<tr>
<td>UNO Chi Epsilon Presentation</td>
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<tr>
<td>Event Description</td>
<td>Audience</td>
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<tr>
<td>Adam’s Park UNO Restoration Ecology Class Presentation</td>
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<td>Elkorn garden Club rain Barrel Talk</td>
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<td>2015 Fall Home &amp; Garden Expo at the Century Link Center</td>
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<td>2015 Omaha Energy Expo at Millard Lumber</td>
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<td>10/16/2014</td>
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<tr>
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<td>DATE</td>
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<tr>
<td>----------------------------------------------------------------------</td>
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<tr>
<td>Meridith Dillon-Recycling &amp; Waste Reduction Presentation (Includes</td>
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<tr>
<td>Meridith Dillon-UNO Volunteer Fair/booth distributing volunteer</td>
<td>2/24/2015</td>
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<td>3/17/2015</td>
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<tr>
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<td>3/18/2015</td>
</tr>
<tr>
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<td>3/18/2015</td>
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<tr>
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<tr>
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<td>3/19/2015</td>
</tr>
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<td>4/7/2015</td>
<td>Westgate</td>
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<tr>
<td>4/8/2015</td>
<td>Oakdale</td>
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<tr>
<td>Event Description</td>
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</tr>
<tr>
<td>Meridith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>4/8/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>4/13/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Hosted booth for Union Pacific Employees and their families</td>
<td>4/16/2015</td>
</tr>
<tr>
<td>Andy Szarko/Meridith-Partnership for Storm Drain labeling project on UNO campus for Signature Day of Service</td>
<td>4/17/2015</td>
</tr>
<tr>
<td>Andy gave brief introduction to storm drain awareness and related issues</td>
<td></td>
</tr>
<tr>
<td>UNO Earth Week Event-Meridith Dillon brief presentation and facilitating campus wide clean up</td>
<td>4/20/2015</td>
</tr>
<tr>
<td>UNO Earth Week Event-collected donations from students and staff/distributed flyers</td>
<td>4/23/2015</td>
</tr>
<tr>
<td>Jack Phillips/New Tree School-Planting native trees at Douglas County Hospital Arboretum</td>
<td>4/19/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Hosted booth on waste reduction &amp; recycling, followed by neighborhood litter clean up</td>
<td>4/29/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Presented info on water cycle and water conservation, followed by plating seeds in school garden</td>
<td>4/30/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Hosted booth with WhyArt/created children's art project and distributed volunteer and city brochures</td>
<td>5/3/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Hosted booth at event and distributed information and stickers</td>
<td>5/8/2015</td>
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<tr>
<td>Event Title</td>
<td>Date</td>
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<tr>
<td>Meredith Dillon-Where Does the Garbage Go Presentation</td>
<td>5/12/2015</td>
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<tr>
<td>Meredith Dillon-Where Does the Garbage Go Presentation</td>
<td>5/12/2015</td>
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<td>Meredith Dillon-Where Does the Garbage Go Presentation</td>
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<tr>
<td>Meredith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>5/13/2015</td>
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<tr>
<td>Meredith Dillon-Where Does the Garbage Go Presentation</td>
<td>5/14/2015</td>
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<tr>
<td>Meredith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>5/15/2015</td>
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<tr>
<td>Meredith Dillon-Where Does the Garbage Go Presentation</td>
<td>5/20/2015</td>
</tr>
<tr>
<td>Meredith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>5/20/2015</td>
</tr>
<tr>
<td>Meredith Dillon-Service learning event. Litter cleanup followed by reflection time and with students</td>
<td>5/21/2015</td>
</tr>
<tr>
<td>Meredith Dillon Where Does the Garbage Go Presentation</td>
<td>5/26/2015</td>
</tr>
<tr>
<td>Meredith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>5/26/2015</td>
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<tr>
<td>Meredith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>5/26/2015</td>
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<tr>
<td>Meredith Dillon-Recycling &amp; Waste Reduction Presentation</td>
<td>5/26/2015</td>
</tr>
<tr>
<td>Meredith Dillon-Two Recycling &amp; Waste Reduction Presentations</td>
<td>5/28/2015</td>
</tr>
<tr>
<td>Meredith Dillon-4 presentations to 4 different groups on waste reduction and recycling, (included storm drain awareness) age ranges 5-12</td>
<td>6/1/2015</td>
</tr>
<tr>
<td>Meredith Dillon-3 presentations to 3 different groups on recycling and waste reduction ages 5-9</td>
<td>6/3/2015</td>
</tr>
<tr>
<td>Meredith Dillon-3 presentations to 3 different groups on recycling and waste reduction ages 5-12</td>
<td>6/4/2015</td>
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<tr>
<td>Date</td>
<td>Event</td>
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<tr>
<td>6/5/2015</td>
<td>Meridith Dillon-Project w/oldest group of downtown YMCA students. Litter pickup at Gene Leahy Mall and reflection discussion following event.</td>
</tr>
<tr>
<td>6/10/2015</td>
<td>Meridith Dillon-Summer school event including 4 presentations to 4 different groups on waste reduction and recycling, (included storm drain awareness) age ranges 4-13</td>
</tr>
<tr>
<td>6/12/2015</td>
<td>Meridith Dillon-Hosted Booth with brochures. Partnership with Reverb at Stir Concert Cove as a local environmental non-profit on water quality and awareness</td>
</tr>
<tr>
<td>6/14/2015</td>
<td>Meridith Dillon-Summer school event with 3 presentations to 3 different groups on recycling and waste reduction, included storm drain awareness for age ranges 4-12</td>
</tr>
<tr>
<td>6/15/2015</td>
<td>Meridith Dillon-Summer school event 2 presentations on recycling and waste reduction for 2 age groups ranging 3-11 yrs</td>
</tr>
<tr>
<td>6/22/2015</td>
<td>Meridith Dillon-Summer school event 4 presentations to 4 different groups on waste reduction and recycling, included storm drain awareness for age ranges 4-11</td>
</tr>
<tr>
<td>6/24/2015</td>
<td>Meridith Dillon-Presented to Elkhorn Rotary Group (business owners) on recycling, storm drain issues, need for volunteers</td>
</tr>
<tr>
<td>6/25/2015</td>
<td>Meridith Dillon-Presentation for summer school class on recycling and nature's recyclers, litter prevention</td>
</tr>
<tr>
<td>7/1/2015</td>
<td>Meridith Dillon-Presentation for students ranging from 8-11 yrs on waste reduction and recycling, and composting. Followed with Nature's recyclers art project with students</td>
</tr>
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<td>Date</td>
<td>Location 1</td>
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<tr>
<td>7/1/2015</td>
<td>Augustana Lutheran Church</td>
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<tr>
<td>7/2/2015</td>
<td>Lethrop Magnet School</td>
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<tr>
<td>7/7/2015</td>
<td>Rose Blumpkin Jewish Home</td>
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<tr>
<td>7/8/2015</td>
<td>Fort Campus MCC</td>
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<tr>
<td>7/10/2015</td>
<td>Upward Bound Storm Drain Labeling</td>
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<tr>
<td>7/14/2015</td>
<td>Service Learning Academy Non Profit Fair</td>
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<tr>
<td>7/21/2015</td>
<td>Yates Elementary Migrant School</td>
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<tr>
<td>7/22/2015</td>
<td>Jackson Elementary Migrant School</td>
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<tr>
<td>8/1/15-8/30/15</td>
<td>Omaha City Area</td>
</tr>
<tr>
<td>8/3/15-9/23/15</td>
<td>Abrahams Library</td>
</tr>
<tr>
<td>Event Description</td>
<td>Date</td>
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<tr>
<td>Meridith Dillon-Freshman Engineering E-Sync Volunteer Event.</td>
<td>8/21/15</td>
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<tr>
<td>Dodge Park Clean Up, followed by presentation to Freshman class on waste</td>
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<tr>
<td>reduction, recycling, and water conservation. Displayed</td>
<td></td>
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<tr>
<td>booths at picnic after presentation.</td>
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<tr>
<td>Meridith Dillon-Presentation for the</td>
<td>8/27/15</td>
</tr>
<tr>
<td>Western Douglas County Rotary Club on waste reduction and recycling</td>
<td></td>
</tr>
<tr>
<td>Meridith Dillon-Hosted booth to display volunteer opportunities, and volunteer</td>
<td>9/2/15</td>
</tr>
<tr>
<td>registration</td>
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<tr>
<td>Meridith Dillon-DECA project, presented KOB opportunities for project ideas and</td>
<td>9/9/15</td>
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<tr>
<td>students conducted school wide clean up inside school to bring awareness to litter</td>
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<td></td>
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<tr>
<td>Meridith Dillon-Hosted art project for kids. KOB also hosted booth with</td>
<td>9/12/15</td>
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<tr>
<td>information and flyers.</td>
<td></td>
</tr>
<tr>
<td>Andy Szatko-Presented to Engineering students on storm water and green</td>
<td>9/24/15</td>
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<tr>
<td>infrastructure. KOBorganized, attended, and followed with project.</td>
<td></td>
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<tr>
<td>Meridith Dillon-Hosted booth for Green Apple Day of Service Cleanup</td>
<td>9/26/15</td>
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<tr>
<td>Memorial Park</td>
<td></td>
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<tr>
<td>Meridith Dillon-Hosted booth providing KOB information and city brochures</td>
<td>9/26/15</td>
</tr>
<tr>
<td>Meridith Dillon-Hosted booth providing KOB information and city brochures</td>
<td>9/26/15</td>
</tr>
<tr>
<td>presented information on storm water issues and followed with storm drain</td>
<td>9/29/15</td>
</tr>
<tr>
<td>labeling and litter collection around South High neighborhood</td>
<td></td>
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<tr>
<td>Meridith Dillon-Hosted booth to display volunteer opportunities, and volunteer</td>
<td>9/30/15</td>
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<tr>
<td>registration</td>
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<tr>
<td>Meridith Dillon-Hosted booth providing KOB information and city brochures</td>
<td>9/26/15</td>
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<tr>
<td>presented information on storm water issues and followed with storm drain</td>
<td>9/29/15</td>
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<tr>
<td>labeling and litter collection around South High neighborhood</td>
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<td>registration</td>
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<tr>
<td>Meridith Dillon-Hosted booth providing KOB information and city brochures</td>
<td>10/2/15</td>
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<tr>
<td>presented information on storm water issues and followed with storm drain</td>
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<tr>
<td>labeling and litter collection around South High neighborhood</td>
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<td>Event Description</td>
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<tr>
<td>Meridith Dillon-Hosted booth at In the Neighborhood Conference spoke with many community members and partners</td>
<td>10/3/2015</td>
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<tr>
<td>Meridith Dillon-2 presentations to after school programs on waste &amp; recycling</td>
<td>10/5/2015</td>
</tr>
<tr>
<td>Meridith Dillon-1 presentations to after school program on waste &amp; recycling</td>
<td>10/6/2015</td>
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<tr>
<td>STEM Girl Power group-rain barrel installation in garden, design project on energy and water conservation</td>
<td>10/8/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Recycling program kick off, grades 3,4,6 presentations on waste reduction &amp; recycling</td>
<td>10/20/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Recycling program kick off, grades KG,1,2 presentations on waste reduction &amp; recycling</td>
<td>10/21/2015</td>
</tr>
<tr>
<td>Meridith Dillon-Recycling program kick off, grades 5 presentation on waste reduction &amp; recycling</td>
<td>10/29/2015</td>
</tr>
</tbody>
</table>

Note: These outreach activities were conducted by Keep Omaha Beautiful
Attachment B
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

THIS INTERLOCAL COOPERATION ACT AGREEMENT
(hereinafter referred to as "this Agreement") is intended to create a voluntary
mechanism for the purpose of addressing important subjects of concern to the
interested governments (hereinafter referred to as "the Interested Governments") situated in whole or part within the watershed of the Papillion
Creek (hereinafter referred to as "the Watershed"), the Interested Governments
consisting of the following governmental entities, to-wit: the CITY OF
BELLEVUE, Nebraska; the VILLAGE OF BOYS TOWN, Nebraska; the CITY
OF GRETNA, Nebraska; the CITY OF LAVISTA, Nebraska; the CITY OF
OMAHA, Nebraska; the CITY OF PAPILLION, Nebraska; the CITY OF
RALSTON, Nebraska; the COUNTY OF SARPY, Nebraska; and, the PAPIO-
MISSOURI RIVER NATURAL RESOURCES DISTRICT; provided,
however, this Agreement is made and entered as an Interlocal Cooperation Act
Agreement by and among only those of the Interested Governments which have
duly executed this Agreement at the foot hereof, such signatory entities
(hereinafter referred to collectively as "the Parties," "the Papillion Creek
Watershed Partnership" or "the Partnership"), thus signifying the intent of
the Parties to act, and contribute their resources, as members of the "Papillion
Creek Watershed Partnership," which is hereinafter defined and described.

WHEREAS, the Partnership originally was formed through an Interlocal
Cooperation Act Agreement dated on August 1, 2001 (hereinafter referred to as
the "Initial Agreement"), and expiring on July 31, 2004. An Interlocal
Cooperation Act Agreement for Continuation of the Papillion Creek Watershed Partnership was approved by the Parties in 2004 and 2009, effective July 1, 2004 and July 1, 2009 respectively, for a period of five years from and after their effective date.

WHEREAS, the Partnership has accomplished the assessment of existing water quality and quantity conditions, the cooperative preparation of NPDES Phase II Permit applications, the submittal of multiple grant applications, the analysis of additional flood control and the support of storm water utility legislation. The Partnership coordinated these issues at monthly meetings of its members’ representatives. The progress of Partnership activities was presented to the public at meetings and on a website (www.papiopartnership.org);

WHEREAS, the Partnership was instrumental in the preparation of the “Partnership NPDES Phase II Storm Water Management Plan” for the Watershed, (hereinafter referred to as the “SWMP”) a true and correct copy of which is attached to this Agreement as Exhibit “A” and incorporated herein by this reference;

WHEREAS, by the members of the Partnership continuing to act in concert and proposing, enacting and implementing common standards, there will be continued increases in effectiveness and in cost-sharing capability within the Partnership, particularly in the capability to implement the SWMP and to address federally-imposed requirements and mandates which are imminent and which must be funded locally;

WHEREAS, other premises that justify the continuation of the Partnership still exist, including, without limitation, that:

- The Papillion Creek does not meet water quality standards specified by the State of Nebraska;
• The City of Omaha has a current Federal mandate to reduce combined sewer overflows;
  • The Watershed has not had a major widespread storm event since the 1960's;
  • The hydrology of the Watershed for the Flood Insurance Study will continue to need to be updated;
  • Urbanization of the Watershed and associated impervious area have increased dramatically since the 60's and 70's;
  • Deposition is occurring in Watershed reservoirs at unacceptable rates;
  • Currently there is inadequate funding to address storm water quantity and water quality problems within the Watershed;
  • The benefits of reducing existing and future flood impacts in the Watershed include: decreased public and private property damages, reduced potential loss of life, lower flood insurance costs, decreased cost to taxpayers and public agencies for flood disaster relief;
  • Improvement of water quality in streams and reservoirs will result in increased fish, aquatic, and riparian habitat; recreational improvements, reduction of reservoir operation and maintenance costs; and improved aesthetics;
  • Potential increased recreational opportunities from the work of the Partnership could include: green spaces (picnic areas, outdoor activities), boating, canoeing, fishing, trail systems, riparian areas for bird watching, nature hikes, education, wildlife viewing, etc.;
  • Techniques which could be employed by the Partnership include: implementation of low impact development techniques and other green infrastructure to address stormwater quality and quantity issues;
facilitation of multi-use storm water structures; pursuing establishment of stormwater utility enabling legislation; minimization of future fill and construction in the FEMA-designated floodplain/floodway in the Papillion Creek Watershed; implementing better site design that minimizes impervious surfaces, utilizes techniques to mimic natural hydrology, and approximates pre-development runoff conditions; updating hydrology to 2001 and 2040; formulating a master drainage plan for the Watershed; providing adequate construction and maintenance funding; buy-outs/relocations of structures in flood prone areas; providing increased upstream flood storage; enhancing public education and outreach; implementation of new construction site management practices; development of new development/redevelopment standards; implementation of an illicit discharge program; enhance environmental aspects of public street maintenance; reducing the environmental impacts of herbicide, pesticide, and fertilizer application; developing a water quality and quantity monitoring program; developing an industrial site inspection program; construction of retention/detention ponds designed for both water quantity and quality; restoration, creation and enhancement of wetlands; preservation of riparian areas; environmental restoration of streams; creation of buffer strips; use of grassed swales for drainageways; updating of design and construction standards; application of standardized ordinances/regulations throughout the Watershed; and, implementation of new set back ordinance/regulation and open drainage requirements;

- Standardization of the construction development permit process would reduce liability to landowners from flooding and erosion problems and reduce sediment runoff during construction;
• Continuation of a coordinated effort will improve compliance with federal, state, and local regulations,

WHEREAS, in carrying out its mission, the Partnership will work cooperatively with, but not limited to, the U.S. Army Corps of Engineers, the Metropolitan Area Planning Agency, the USDA Natural Resources Conservation Service, the Nebraska Game and Parks Commission, the Nebraska Department of Environmental Quality, the Nebraska Department of Natural Resources, the University of Nebraska, the University of Nebraska Cooperative Extension, and State and County Health Departments,

WHEREAS, as part of implementing the federally-imposed NPDES requirements where necessary, and to address stormwater management on a watershed-wide basis, a Watershed Management Plan, Implementation Plan and Stormwater Management Policies (hereinafter referred to collectively as the "Plans and Policies") were developed through a community-based process involving the development community, Partnership members, public agencies, non-profit organizations, other stakeholder groups and the general public. The Plans and Policies developed through the Partnership consist of six (6) Policy Groups, headed as follows:

#1 Water Quality
#2 Peak Flow Reduction
#3 Landscape Preservation, Restoration, and Conservation
#4 Erosion and Sediment Control and Other BMPs
#5 Floodplain Management
#6 Storm Water Management Financing

and the texts of the Stormwater Management Policies are attached hereto as Exhibit "B" and incorporated herein by this reference.
WHEREAS, The Plans and Policies are intended to be adopted, in total, by the respective members of the Partnership, using their respective land use review and adoption processes (typically reviewed by a Planning Commission or Board and then review and adoption by the elected Board or Council); provided this agreement is not meant to limit any jurisdiction from adopting comparable or more stringent Stormwater Management Policies, regulations, or ordinances.

NOW, THEREFORE, in consideration of the foregoing recitals and their mutual covenants hereinafter expressed, the members of the Partnership agree as follows:

1. **Authority**: This Agreement is an agreement for collective and cooperative action made pursuant to authority provided in the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. §13-801, R.R.S., 1943, et seq.), without a separate entity being created, and, whenever possible, this Agreement shall be construed in conformity therewith.

2. **Mission**: It shall be the mission of the Partnership to address issues related to surface water quality and storm water quantity in the Watershed by establishing and implementing regionally common goals and standards for the development of the Watershed through 2040.

3. **Applicability**: Members of the partnership having jurisdiction over land area outside the physical boundaries of the Watershed expect and intend that planning activities within the Watershed for projects of the Partnership will, insofar as feasible, apply universally to all such land areas as though they were located physically within the Watershed unless specifically excluded by the respective partnership member.

4. **Goals**: The Partnership shall have as its goals:
a) Assisting the parties that have NPDES stormwater permits in the implementation of those elements of the SWMP and other programs and projects that are reasonably and feasibly undertaken by collective action of the Partnership;

b) Compliance with Federal, State, and local storm water quality and quantity regulations;

c) Improvement of water quality in the Watershed’s streams and reservoirs;

d) Increased water-based recreational opportunities that result from water quality improvements in existing streams and reservoirs and associated improvements in quality of life;

e) Standardization of the construction development process and evaluation of its effectiveness;

f) Assessment and characterization of current water quality and quantity conditions for the watershed;

g) Storm Water Management Plan update;

h) Environmental compliance;

i) Sediment and erosion control;

j) Floodplain management; and,

k) Development of and updates to the Plans and Policies.

5. **Executive Committee:** The members of the Partnership shall establish an Executive Committee consisting of one representative from each entity that is a member of the Partnership. Each representative shall have one vote and all actions of the Executive Committee shall require a recorded vote. A quorum (at least 50% of members) must be present for any action requiring a vote. Unless otherwise specified, a simple majority of those members present shall be required for approval of any proposed
action. It is understood that the authority of each Executive Committee member to act on behalf of his/her respective elected board or council shall be defined by that member’s respective board or council.

6. **Administering Agent:** The Executive Committee designates the Papio-Missouri River Natural Resources District (hereinafter referred to as the “NRD”), or other member of the Partnership which is willing to serve in such capacity, as Administering Agent to administer this Agreement. The Administering Agent serves at the pleasure of the Executive Committee and performs duties assigned by the Executive Committee, which may include, without limitation:

a) Seeking any state legislation which a majority of the parties to this Agreement determine necessary to support the work of the Partnership;

b) Designating such personnel and assistance which shall be deemed desirable to support the work of the Partnership;

c) Preparing, presenting and distributing educational materials;

d) Organizing meetings of members of the Partnership and interested persons to share knowledge and compare projects and programs of all involved;

e) In July of each year, set meetings for one year and post those meeting dates to the Partnership website and email to the Partnership members and others.

f) Prepare written minutes of the action items and record votes for each meeting.

g) Post Partnership meeting agendas 7 days prior to meeting date on Partnership website. Action items involving an expenditure of funds may not be added to an agenda following its posting.
h) Preparing reports on the work of the Partnership;

i) Entering into contracts on behalf of the Partnership as the Executive Committee directs for the performance of specific actions consistent with both the goals of this Agreement and the respective missions of members of the Partnership;

j) Holding and maintaining the Partnership Fund, calculating the amount of money necessary to be raised by contributions each year in order to carry out the work of the Partnership, and making requests for contributions from the members of the Partnership, all as the Executive Committee directs;

k) Disbursing the Partnership Fund as directed by the Executive Committee and reimbursing members of the Partnership for expenditures made on behalf of the Partnership or for the reasonable value of activities performed on behalf of the Partnership, as reasonable value is determined by the Executive Committee.

Provided, however, and notwithstanding any provisions of this agreement to the contrary, when a member of the Partnership is acting as the Administering Agent under this Agreement and administering the directions, recommendations and requests of the Executive Committee, the governing body of the Administering Agent has the authority to make such determinations and take and implement such actions as such governing body, in its sole discretion, determines lawful, feasible and reasonable.

7. **Implementation.** The Partnership intends and agrees that the elements of the SWMP, the Plans and Policies, and other beneficial programs and projects meeting the mission and goals of this Agreement, will be implemented as follows:
a) Responsibility for implementation of an element of the SWMP therein identified solely for individual action by a Partner will rest with the respective member(s) of the Partnership upon whom the primary duty to implement such element has been imposed by law or regulation. Regulations or ordinances implementing elements of the SWMP and the Plans and Policies will be adopted by each member of the Partnership as appropriate. The provisions of such regulations or ordinances shall indicate the geographic jurisdictional limits to which such regulation or ordinance shall apply. This agreement is not meant to limit any jurisdiction from adopting comparable or more stringent Stormwater Management Policies, regulations, or ordinances.

b) Subject to the availability of funds, implementation of those elements of the SWMP therein identified for action by the Partnership or individual partners and identified in the table attached hereto as Exhibit "C" and incorporated herein by reference shall be voluntarily undertaken by the Partnership collectively; provided, however, no voluntary collective undertaking by the Partnership shall be deemed to relieve a member of the Partnership of a primary duty imposed upon such member by law or regulation.

c) Any elements of the SWMP, alternatively, may be voluntarily undertaken by the Partnership collectively if the Executive Committee determines that such course of action is reasonable and feasible.

d) If the Executive Committee determines that such course of action is reasonable and feasible, the Partnership may voluntarily and collectively undertake beneficial programs and projects meeting the mission and goals of this Agreement.
8. **Funding:** Funding shall be administered as follows:

a) The Partnership Fund, established by the Initial Agreement, shall continue to be held by the Administering Agent in an interest-bearing account in trust for the members contributing thereto, in proportion to their contributions, and shall be expended as the Executive Committee directs to meet the mission and goals of this Agreement, establishing mechanisms for long-term funding and authorization for additional planning and implementation of such programs and projects, and for performance of other activities described in this Agreement. The Partnership Fund shall be funded and administered as follows:

i) On or before the first day of July after the effective date of this Agreement, each member of the Partnership shall make a contribution to the Partnership Fund in the amount shown, opposite such member's name, in the second column of the table attached hereto as **Exhibit “D”** and incorporated herein by reference (such amount hereinafter being referred to as the “**Maximum Annual Contribution**” for such member). For subsequent years during the term of this Agreement, the Administering Agent shall request annual contributions from the members of the Partnership in the amounts necessary to carry out the work of the Partnership, the amounts of such subsequent-year contributions to be determined by the Administering Agent prior to the first day of June of such subsequent year and paid by the members of the Partnership before the first day of July of such subsequent year. These subsequent-year contributions shall be proportional to such
members' first year contributions to the Partnership Fund, provided, however, in no case shall any such requested annual contribution exceed the amount of such member’s Maximum Annual Contribution.

ii) Each year during the term of this Agreement, and from time to time as any member of the Partnership may reasonably request, the Administering Agent shall furnish to the members of the Partnership written statements of the condition of the Partnership Fund.

iii) Grants or contributions made by non-members of the Partnership shall not be deemed to offset or diminish the obligations of the members of the Partnership under this Agreement.

iv) If any member of the Partnership fails to contribute to the Partnership Fund as requested pursuant to this Agreement, such member’s involvement and membership in the Partnership shall be terminated upon written notice of termination given by the Administering Agent to such member.

b) The Watershed Fund shall be comprised of Watershed Management Fees and NRD general property tax dollars to equitably distribute the capital cost of implementing structural water quality and quantity controls among new development or significant redevelopment within the watershed and to the general public. Based on an initial framework and rates set for Watershed Management Fees (hereinafter referred to as "Watershed Fees") defined in Policy Group #6 in the Stormwater Management Policies, the Partnership
does hereby agree to implement the Watershed Management Plan and Implementation Plan, attached hereto as Exhibit “E” and Exhibit “F” respectively, and both incorporated herein by reference, or as may be amended in three (3) to five (5) year increments through provisions in this Agreement, as follows:

i) The cities of BELLEVUE, GRETNA, LAVISTA, OMAHA, PAPILLION and RALSTON, and the County of SARPY (all hereinafter referred to collectively as “zoning jurisdictions”) agree to collect Watershed Fees from new development or significant redevelopment within the Papillion Creek Watershed, such Watershed Fees to be collected and earmarked specifically for construction of regional detention structures and water quality basins, as follows, to-wit:

a) Each zoning jurisdiction shall adopt a regulation or ordinance authorizing the collection of the Watershed Fees, according to Exhibit G or as specified in a previous agreement, for new development and significant redevelopment and authorizing the transfer of such fees to the NRD, consistent with the provisions of this Agreement. Developing subdivisions platted prior to 2009 may be exempt from collection of Watershed Fees.

b) 

c) On or before July 1st of each calendar year, each zoning jurisdiction shall remit to the NRD the Watershed Fees paid to or collected by such zoning jurisdiction on or before June 1st of such calendar year. Such Watershed Fees received by the NRD shall be held by the NRD in a
separate, interest-bearing account, to be known as the “Watershed Fund,” in trust for the members of the Partnership contributing thereto in proportion to their contributions, earmarked specifically for construction by the NRD of regional detention structures and water quality basins and expended by the NRD as further provided in this Agreement.

d) Each zoning jurisdiction shall, in general, adopt a framework consisting of three Watershed Fee classifications, to-wit:

(1) “Single Family Residential Development” (generally consisting of single-family and multi-family dwelling units up to 4-plexes, or as otherwise determined by the zoning jurisdiction). It is assumed that the density of single family development will be 3.5 residential units per acre. Watershed Fees shall be assessed per dwelling unit or equivalent prorated average area of lot basis; as shown in the table in Exhibit G and,

(2) “High-Density Multi-Family Residential Development” (consisting of other multi-family residential dwelling units determined by the local zoning jurisdiction to represent High density development) shall be assessed per gross acre as shown in the table in Exhibit G and shall be proportionately indexed to “Single Family Residential Development” in terms of the
potential to generate stormwater surface runoff. Such “High-Density Development” Watershed Fees shall be 1.25 times “Single Family Residential Development” Watershed Fees when considered on an estimated dwelling unit per gross acre basis.

(3) Commercial/Industrial Development shall be assessed per gross acre as shown in the table in Exhibit G and shall be proportionately indexed to “Single Family Residential Development” in terms of the potential to generate stormwater surface runoff. Such Commercial/Industrial Watershed Fees shall be 1.5 times “Single Family Residential Development.”

e) At approximately three (3) to five (5) year intervals, the Partnership and the development community shall review the Watershed Fees framework and rates, the Watershed Management Plan and the Implementation Plan with respect to availability of needed funds and rate of development within the Watershed. Subsequent changes to the Watershed Fees framework and rates, Watershed Management Plan and Implementation Plan, indicated by such review, shall be subject to formal approval by the respective local zoning jurisdictions and the NRD.

ii) The NRD agrees, subject to the availability of funding, to construct the regional detention structures and water quality
basins in accordance with the Watershed Management Plan and Implementation Plan as follows:

a) The NRD shall establish a Watershed Fund and utilize the Watershed Fees received to pay approximately one-third (1/3) of required capital costs of constructing the regional detention structures and water quality basins, including the cost of obtaining necessary land rights. The remaining approximately two-thirds (2/3) of such capital costs shall be paid by the NRD from the proceeds of its general property tax levying authority and from contributions from developers and other cooperators that the NRD may be able to obtain.

9. **Title to Property.** Title to any tangible property (e.g., monitoring equipment) obtained using funds contributed by members of the Partnership pursuant to this Agreement shall be held in the name of the Administering Agent in trust for the members of the Partnership in proportion to their total contributions to the Partnership Fund and Watershed Fee Fund.

10. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Counterpart copies of this Agreement, as executed, shall be maintained as part of the records of the Administering Agent.

11. **Effective Date:** This Agreement shall become effective on July 1, 2014.

12. **Duration of Agreement:** This Agreement shall be in effect for a period of five (5) years from and after its effective date.
13. **Termination.** Involvement of any member of the Partnership with the Partnership, and responsibilities under this Agreement, may be terminated by such member without cause effective upon 60 days written notice to the other members of the Partnership. Termination of a member’s involvement with the Partnership pursuant to this Agreement shall not operate to terminate this Agreement nor shall it affect any rights obtained under this Agreement, prior to such notice of termination being given, for costs incurred or moneys advanced, or for actions taken or responsibilities assumed, by another member of the Partnership during the term of and pursuant to this Agreement.

14. **Additional Planning and Implementation.** The members of the Partnership may amend or supplement this Agreement from time to time as may be deemed necessary to provide long-term funding and authorization for additional planning and implementation of beneficial programs and projects to meet the mission and goals of this Agreement.

**IN WITNESS WHEREOF,** this Agreement is entered into by the members of the Partnership pursuant to resolutions duly adopted by their respective governing boards.

[Signature page(s) next]
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the City of Bellevue, Nebraska on this ____ day of
___________________, 2014.

THE CITY OF BELLEVUE, NEBRASKA

BY ______________________________________
MAYOR

Attest:

__________________________________________
CITY CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the Village of Boys Town, Nebraska on this _____ day of
____________, 2014.

THE VILLAGE OF BOYS TOWN, NEBRASKA

BY __________________________________________
CHAIRMAN, VILLAGE BOARD

Attest:

__________________________________________
VILLAGE CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the City of Gretna, Nebraska on this _____ day of
______________________, 2014.

THE CITY OF GRETNA, NEBRASKA

BY ______________________________
MAYOR

Attest:

______________________________
CITY CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the City of LaVista, Nebraska on this _____ day of
_____________________, 2014.

THE CITY OF LA VISTA, NEBRASKA

BY________________________________________

MAYOR

Attest:

________________________________________

CITY CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the City of Omaha, Nebraska on this _____ day of
___________________, 2014.

THE CITY OF OMAHA, NEBRASKA

BY ________________________________

MAYOR

Attest:

______________________________

CITY CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the City of Papillion, Nebraska on this _____ day of
_________________, 2014.

THE CITY OF PAPILLION, NEBRASKA

BY ________________________________
MAYOR

Attest:

______________________________
CITY CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the City of Ralston, Nebraska on this ____ day of
____________________, 2014.

THE CITY OF RALSTON, NEBRASKA

BY ________________________________
MAYOR

Attest:

______________________________
CITY CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the County of Sarpy, Nebraska on this ____ day of
_________________, 2014.

THE COUNTY OF SARPY, NEBRASKA

BY _______________________________________
CHAIRPERSON, COUNTY BOARD

Attest:

_____________________________________
COUNTY CLERK
INTERLOCAL COOPERATION ACT AGREEMENT
FOR CONTINUATION OF THE
PAPILLION CREEK WATERSHED PARTNERSHIP

SIGNATURE PAGE

Executed by the Papio-Missouri River Natural Resources District on this
____ day of ______________, 2014.

PAPIO-MISSOURI RIVER NATURAL
RESOURCES DISTRICT

BY ________________________________
GENERAL MANAGER
Exhibit B

PAPILLION CREEK WATERSHED
STORMWATER MANAGEMENT POLICIES

POLICY GROUP #1: WATER QUALITY IMPROVEMENT

ISSUE: Waters of the Papillion Creek Watershed are impaired.

“ROOT” POLICY: Improve water quality from all contributing sources, including but not limited to, agricultural activities, urban stormwater, and combined sewer overflows, such that waters of the Papillion Creek Watershed and other local watersheds can meet applicable water quality standards and community-based goals, where feasible.

SUB-POLICIES:

1) Water Quality LID shall be required on all new developments and significant redevelopments.
2) Protect surface and groundwater resources from soil erosion (sheet and rill, wind erosion, gully and stream bank erosion), sedimentation, nutrient and chemical contamination. Buffer strips and riparian corridors should be established along all stream segments.
3) Preserve and protect wetland areas to the fullest extent possible to maintain natural hydrology and improve water quality by minimizing the downstream transport of sediment, nutrients, bacteria, etc. borne by surface water runoff. Reestablishment of previously existing wetlands and the creation of new wetlands should be promoted. Any impacted wetlands shall be mitigated at a 3:1 ratio.
4) Support NDEQ in an accelerated TMDL development process that addresses potential pollutant sources in a fair and reasonable manner based on sound technical data and scientific approach.
5) Implement Best Management Practices (BMPs) that reduce both urban and rural pollution sources, maintain or restore designated beneficial uses of streams and surface water impoundments, minimize soil loss, and provide sustainable production levels. Water quality basins shall be located in general conformance with an adopted Papillion Creek Watershed Management Plan.

REFERENCE INFORMATION

DEFINITIONS:

1) Low-Impact Development (LID). A land development and management approach whereby stormwater runoff is managed using design techniques that promote infiltration, filtration, storage, evaporation, and temporary detention close to its source. Management of such stormwater runoff sources may include open space, rooftops, streetscapes, parking lots, sidewalks, medians, etc.
2) Water Quality LID. A level of LID using strategies designed to provide for water quality control of the first ½ inch of stormwater runoff generated from each new development or significant redevelopment and to maintain the peak discharge rates during the 2-year storm event to baseline land use conditions, measured at every drainage (stormwater discharge) outlet from the new development or significant redevelopment.
3) Best Management Practice (BMP). "A technique, measure or structural control that is used for a given set of conditions to manage the quantity and improve the quality of
stormwater runoff in the most cost-effective manner." [Source: U.S. Environmental Protection Agency (EPA)]

4) **Total Maximum Daily Load (TMDL).** A calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. Water quality standards are set by States, Territories, and Tribes. They identify the uses for each waterbody, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and non-point sources. The calculation must include a margin of safety to ensure that the waterbody can be used for the purposes the State has designated. The calculation must also account for seasonal variation in water quality. The Clean Water Act, Section 303, establishes the water quality standards and TMDL programs, and for Nebraska such standards and programs are administered by the Nebraska Department of Environmental Quality. [Source: EPA and Nebraska Surface Water Quality Standards, Title 117].
Exhibit B

PAPILLION CREEK WATERSHED
STORMWATER MANAGEMENT POLICIES

POLICY GROUP #2: PEAK FLOW REDUCTION

ISSUE
Urbanization within the Papillon Creek Watershed has and will continue to increase runoff leading to more flooding problems and diminished water quality.

ROOT POLICY
Maintain or reduce stormwater peak discharge during development and after full build-out land use conditions from that which existed under baseline land use conditions.

SUB-POLICY

1) Regional stormwater detention facilities and other structural and non-structural BMPs shall be located in general conformance with an adopted Papillon Creek Watershed Management Plan and shall be coordinated with other related master planning efforts for parks, streets, water, sewer, etc.

2) Maximum LID shall be required to reduce peak discharge rates on all new developments and significant redevelopments as identified in the Papillon Creek Watershed Management Plan.

3) All significant redevelopment shall maintain peak discharge rates during the 2, 10, and 100-year storm event under baseline land use conditions.

REFERENCE INFORMATION

DEFINITIONS

1) Low-Impact Development (LID). A land development and management approach whereby stormwater runoff is managed using design techniques that promote infiltration, filtration, storage, evaporation, and temporary detention close to its source. Management of such stormwater runoff sources may include open space, rooftops, streetscapes, parking lots, sidewalks, medians, etc.

2) Water Quality LID. A level of LID using strategies designed to provide for water quality control of the first ½ inch of stormwater runoff generated from each new development or significant redevelopment and to maintain the peak discharge rates during the 2-year storm event to baseline land use condition, measured at every drainage (stormwater discharge) outlet from the new development or significant redevelopment.

3) Maximum LID. A level of LID using strategies, including water quality LID and on-site detention, designed not to exceed peak discharge rates of more than 0.2 cfs/acre during the 2-year storm event or 0.5 cfs/acre during the 100-year storm event based on the contributing drainage from each site, measured at every drainage (stormwater discharge) outlet from the new development or significant redevelopment.

4) Peak Discharge or Peak Flow. The maximum instantaneous surface water discharge rate resulting from a design storm frequency event for a particular hydrologic and hydraulic analysis, as defined in the Omaha Regional Stormwater Design Manual. The measurement of the peak discharge shall be at the lower-most drainage outlet(s) from a new development or significant redevelopment.
5) **Regional Stormwater Detention Facilities.** Those facilities generally serving a drainage catchment area of 500 acres or more in size.

6) **Baseline Land Use Conditions.** That which existed for Year 2001 for Big and Little Papillion Creeks and its tributaries (excluding West Papillion Creek) and for Year 2004 for West Papillion Creek and its tributaries.

7) **Full Build-Out Land Use Conditions.** Fully platted developable land use conditions for the combined portions of the Papillion Creek Watershed that lie in Douglas and Sarpy Counties that are assumed to occur by the Year 2040, plus the projected 2040 land uses within the Watershed in Washington County; or as may be redefined through periodic updates to the respective County comprehensive plans.
POLICY GROUP #3: LANDSCAPE PRESERVATION, RESTORATION, AND CONSERVATION

ISSUE: Natural areas are diminishing, and there is a need to be proactive and integrate efforts directed toward providing additional landscape and green space areas with enhanced stormwater management through restoration and conservation of stream corridors, wetlands, and other natural vegetation.

"ROOT" POLICY: Utilize landscape preservation, restoration, and conservation techniques to meet the multi-purpose objectives of enhanced aesthetics, quality of life, recreational and educational opportunities, pollutant reduction, and overall stormwater management.

SUB-POLICIES:

1) Incorporate stormwater management strategies as a part of landscape preservation, restoration, and conservation efforts where technically feasible.
2) Define natural resources for the purpose of preservation, restoration, mitigation, and/or enhancement.
3) For new development or significant redevelopment, provide a creek setback of 3:1 plus 50 feet along all streams as identified in the Papi lion Creek Watershed Management Plan and a creek setback of 3:1 plus 20 feet for all other watercourses.
4) All landscape preservation features as required in this policy or other policies, including all stormwater and LID strategies, creek setbacks, existing or mitigated wetlands, etc., identified in new or significant redevelopment shall be placed into an out lot or within public right of way or otherwise approved easement.

REFERENCE INFORMATION

DEFINITIONS

1) **Creek Setback.** See Figure 1 below and related definitions in Policy Group #5. A setback area equal to three (3) times the channel depth plus fifty (50) feet (3:1 plus 50 feet) from the edge of low water on both sides of channel shall be required for any above or below ground structure exclusive of bank stabilization structures, poles or sign structures adjacent to any watercourse defined within the watershed drainage plan. Grading, stockpiling, and other construction activities are not allowed within the setback area and the setback area must be protected with adequate erosion controls or other Best Management Practices, (BMPs). The outer 30 feet adjacent to the creek setback limits may be credited toward meeting the landscaping buffer and pervious coverage requirements.

A property can be exempt from the creek setback requirement upon a showing by a licensed professional engineer or licensed landscape architect that adequate bank stabilization structures or slope protection will be installed in the construction of said structure, having an estimated useful life equal to that of the structure, which will provide adequate erosion control conditions coupled with adequate lateral support so that no portion of said structure adjacent to the stream will be endangered by erosion
or lack of lateral support. In the event that the structure is adjacent to any stream which has been channelized or otherwise improved by any agency of government, then such certificate providing an exception to the creek setback requirement may take the form of a certification as to the adequacy and protection of the improvements installed by such governmental agency. If such exemption is granted, applicable rights-of-way must be provided and a minimum 20 foot corridor adjacent thereto.

DEFINITIONS

1) **Base Flood.** The flood having a one percent chance of being equaled or exceeded in magnitude in any given year (commonly called a 100-year flood). [Adapted from Chapter 31 of Nebraska Statutes]

2) **Floodway.** The channel of a watercourse and the adjacent land areas that are necessary to be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. [Adapted from Chapter 31 of Nebraska Statutes]. The Federal Emergency Management Agency (FEMA) provides further clarification that a floodway is the central portion of a riverine floodplain needed to carry the deeper, faster moving water.

3) **Floodway Fringe.** That portion of the floodplain of the base flood, which is outside of the floodway. [Adapted from Chapter 31 of Nebraska Statutes]

4) **Floodplain.** The area adjoining a watercourse, which has been or may be covered by flood waters. [Adapted from Chapter 31 of Nebraska Statutes]

5) **Watercourse.** Any depression two feet or more below the surrounding land which serves to give direction to a current of water at least nine months of the year and which has a bed and well-defined banks. [Adapted from Chapter 31 of Nebraska Statutes]

6) **Low Chord Elevation.** The bottom-most face elevation of horizontal support girders or similar superstructure that supports a bridge deck.

7) **Updated Flood Hazard Maps.** The remapping of flooding sources within the Papillion Creek Watershed where Digital Flood Insurance Rate Maps (DFIRMs) are based on 2004 or more recent conditions hydrology and full-build out conditions hydrology. West Papillion Creek and its tributaries are currently under remapping and will become regulatory in 2009. Updating flood hazard maps for Big Papillion Creek and Little Papillion Creek are planned to be completed in the future.

8) **New Development.** New development shall be defined as that which is undertaken to any undeveloped parcel that existed at the time of implementation of this policy.
Exhibit B

PAPILLION CREEK WATERSHED
STORMWATER MANAGEMENT POLICIES

POLICY GROUP #4: EROSION AND SEDIMENT CONTROL
AND OTHER BMPs

ISSUE: Sound erosion and sediment control design and enforcement practices are needed in order to protect valuable land resources, stream and other drainage corridors, and surface water impoundments and for the parallel purpose of meeting applicable Nebraska Department of Environmental Quality regulatory requirements for construction activities that disturb greater than one acre.

“ROOT” POLICY: Promote uniform erosion and sediment control measures by implementing consistent rules for regulatory compliance pursuant to State and Federal requirements, including the adoption of the Omaha Regional Stormwater Design Manual.

SUB-POLICIES:

1) Construction site stormwater management controls shall include both erosion and sediment control measures.

2) The design and implementation of post-construction, permanent erosion and sediment controls shall be considered in conjunction with meeting the intent of other Stormwater Management Policies.

3) Sediment storage shall be incorporated with all regional detention facilities where technically feasible.

REFERENCE INFORMATION

DEFINITIONS

1) Erosion Control. Land and stormwater management practices that minimize soil loss caused by surface water movement.

2) Sediment Control. Land and stormwater management practices that minimize the transport and deposition of sediment onto adjacent properties and into receiving streams and surface water impoundments.
ILLUSTRATION - The diagram illustrates the floodway fringe area and the relationship between the floodplain and the creeks. It shows the 75% floodway fringe, the 75% floodway, and the 25% floodway fringe. It also highlights the maximum fill elevation and the base flood elevation. The diagram is crucial for understanding the impact of encroachments on the floodplain.

“ROOT” POLICY: Participation in the FEMA National Flood Insurance Program, updating FEMA floodplain mapping throughout the Papillion Creek Watershed, and enforcing floodplain regulations to full build-out, base flood elevations.
PAPILLION CREEK WATERSHED
STORMWATER MANAGEMENT POLICIES

1) Base Flood. The flood having a one percent chance of being equaled or exceeded in magnitude in any given year (commonly called a 100-year flood). [Adapted from Chapter 31 of Nebraska Statutes]

2) Floodway. The channel of a watercourse and the adjacent land areas that are necessary to be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. [Adapted from Chapter 31 of Nebraska Statutes]. The Federal Emergency Management Agency (FEMA) provides further clarification that a floodway is the central portion of a riverine floodplain needed to carry the deeper, faster moving water.

3) Floodway Fringe. That portion of the floodplain of the base flood, which is outside of the floodway. [Adapted from Chapter 31 of Nebraska Statutes]

4) Floodplain. The area adjoining a watercourse, which has been or may be covered by flood waters. [Adapted from Chapter 31 of Nebraska Statutes]

5) Watercourse. Any depression two feet or more below the surrounding land which serves to give direction to a current of water at least nine months of the year and which has a bed and well-defined banks. [Adapted from Chapter 31 of Nebraska Statutes]

6) Low Chord Elevation. The bottom-most face elevation of horizontal support girders or similar superstructure that supports a bridge deck.

7) Updated Flood Hazard Maps. The remapping of flooding sources within the Papillion Creek Watershed where Digital Flood Insurance Rate Maps (DFIRMs) are based on 2004 or more recent conditions hydrology and full-build out conditions hydrology. West Papillion Creek and its tributaries are currently under remapping and will become regulatory in 2009. Updating flood hazard maps for Big Papillion Creek and Little Papillion Creek are planned to be completed in the future.

8) New Development. New development shall be defined as that which is undertaken to any undeveloped parcel that existed at the time of implementation of this policy.

BASIC FEMA REQUIREMENTS

On March 1, 2003, FEMA became part of the U.S. Department of Homeland Security (DHS). In order for a community to participate in the FEMA National Flood Insurance Program, it must first define base flood elevations and adopt a floodway for all its major streams and tributaries. Once a community adopts its floodway, the requirements of 44 CFR 60.3(d) must be fulfilled. The key concern is that each project in the floodway must receive an encroachment review; i.e., an analysis to determine if the project will increase flood heights or cause increased flooding downstream. Note that the FEMA regulations call for preventing any increase in flood heights. Projects, such as filling, grading or construction of a new building, must be reviewed to determine whether they will obstruct flood flows and cause an increase in flood heights upstream or adjacent to the project site. Further, projects, such as grading, large excavations, channel improvements, and bridge and culvert replacements should also be reviewed to determine whether they will remove an existing obstruction, resulting in increases in flood flows downstream. [Adapted from Federal Emergency Management Agency guidance]
Exhibit B

PAPILLION CREEK WATERSHED
STORMWATER MANAGEMENT POLICIES

POLICY GROUP #6: STORMWATER MANAGEMENT FINANCING

ISSUE: Regulatory requirements for stormwater management and implementation of Stormwater Management Policies intended to accommodate new development and significant redevelopment will impose large financial demands for capital and operation and maintenance beyond existing funding resources.

"ROOT" POLICY: Dedicated, sustainable funding mechanisms shall be developed and implemented to meet capital and operation and maintenance obligations needed to implement NPDES Stormwater Management Plans, Stormwater Management Policies, and the Papillion Creek Watershed Management Plan.

SUB-POLICIES:

1) All new development and significant redevelopment will be required to fund the planning, implementation, and operation and maintenance of water quality LID.

2) A Watershed Management Fee system shall be established to equitably distribute the capital cost of implementing the Papillion Creek Watershed Management Plan among new development or significant redevelopment. Such Watershed Management Fee shall only apply to new development or significant redevelopment within the Papillion Creek Watershed and the initial framework shall consist of the following provisions:
   a. Collection of fees and public funding shall be earmarked specifically for the construction of projects called for in the Papillion Creek Watershed Management Plan, including Maximum LID costs such as on site detention, regional detention basins, and water quality basins.
   b. Multiple fee classifications shall be established which fairly and equitably distribute the cost of these projects among all undeveloped areas within the Papillion Creek Watershed.
   c. Watershed Management Fees (private) are intended to account for approximately one-third (1/3) of required capital funds and shall be paid to the applicable local zoning jurisdiction with building permit applications.
   d. Watershed Management Fee revenues shall be transferred from the applicable local zoning jurisdiction to a special P-MRNRD construction account via inter-local agreements.
   e. The P-MRNRD (public) costs are intended to account for approximately two-thirds (2/3) of required capital funds, including the cost of obtaining necessary land rights, except as further provided below; and the P-MRNRD shall be responsible for constructing regional detention structures and water quality basins using pooled accumulated funds.
   f. The P-MRNRD will seek general obligation bonding authority from the Nebraska Legislature to provide necessary construction scheduling flexibility.
   g. Financing for Papillion Creek Watershed Management Plan projects may require public-private partnership agreements between the P-MRNRD and developers/S&IDs on a case-by-case basis.
   h. On approximately three (3)-year intervals, the Papillion Creek Watershed Management Plan and Watershed Management Fee framework, rates, and construction priority schedule shall be reviewed with respect to availability of
needed funds and rate of development within the Papillion Creek Watershed by
the parties involved (local zoning jurisdictions, P-MRNDA, and the development
community). Subsequent changes thereto shall be formally approved by the
respective local zoning jurisdictions and the P-MRNDA.

3) A Stormwater Utility Fee System shall be established to equitably distribute the costs
for ongoing operation and maintenance of all stormwater BMPs and infrastructure
among all existing property owners within NPDES Phase I or II municipal jurisdictions.
   a. NPDES Phase I and II cities and counties should actively seek legislation from
   the Nebraska Legislature to allow for the establishment of an equitable
   stormwater utility fee.
   b. The initial framework for the Stormwater Utility Fee System should consist of the
   following provisions provided Nebraska statutes allow for such a fee:
      i. A county or city shall establish by resolution user charges to be assessed
         against all real property within its zoning jurisdiction and may issue
         revenue bonds or refunding bonds payable from the proceeds of such
         charges, all upon terms as the county board or city council determines
         are reasonable.
      ii. Such charges shall be designed to be proportionate to the stormwater
          runoff contributed from such real property and based on sound
          engineering principles.
      iii. Such charges should provide credits or adjustments for stormwater
          quantity and quality BMPs utilized in order to encourage wise
          conservation and management of stormwater on each property.
      iv. Such charges shall be collected in a manner that the county or city
          determines as appropriate and shall not be determined to be special
          benefit assessments.
      v. A county or city shall establish a system for exemption from the charges
         for the property of the state and its governmental subdivisions to the
         extent that it is being used for a public purpose. The local elected body
         shall also provide an appeals process for aggrieved parties.
      vi. A county shall not impose these charges against real property that is
          being charges user charges by a city.
      vii. Any funds raised from a Stormwater Utility Fee shall be placed in a
          separate fund and shall not be used for any purpose other than those
          specified.

REFERENCE INFORMATION

DEFINITIONS

1) Stormwater Management Policies. Stormwater management policies developed by
the Technical Workgroup and Policy Workgroup that were commissioned by the
Papillion Creek Watershed Partnership (PCWP) subsequent to the “Green, Clean, and
Safe” initiatives developed through the “Watershed by Design” public forums
conducted in 2004 and 2005 and subsequently revised by the PCWP in 2009. The
PAPILLION CREEK WATERSHED
STORMWATER MANAGEMENT POLICIES

following policy groups contain “root” policies and sub-policies for stormwater management that have been developed in addition to the Stormwater Management Financing Policy Group herein:

- Policy Group #1 – Water Quality Improvement
- Policy Group #2 – Peak Flow Reduction
- Policy Group #3 – Landscape Preservation, Restoration, and Conservation
- Policy Group #4 – Erosion and Sediment Control and Other BMPs
- Policy Group #5 – Floodplain Management

2) Stormwater Management Plan (SWMP). A SWMP is a required part of the NPDES Phase II Stormwater Permits issued to many of the Omaha metropolitan area Papillion Creek Watershed Partnership (PCWP) members. Development of Stormwater Management Policies is an integral part of the SWMP, and such policies are to be adopted by respective PCWP partners.

3) Comprehensive Development Plans. Existing plans developed by local jurisdictions that serve as the basis for zoning and other land use regulations and ordinances. The Stormwater Management Policies are to be incorporated into the respective Comprehensive Development Plans.

4) Policy Implementation. The implementation of the policies will be through the development of ordinances and regulations, in years 3 through 5 of the NPDES permit cycle; that is, by the year 2009. Ordinances and regulations are intended to be consistent for, and adopted by, the respective PCWP members. Such ordinances and regulations shall need to be consistent with the Comprehensive Development Plans of the respective PCWP members.

5) Low-Impact Development (LID). A land development and management approach whereby stormwater runoff is managed using design techniques that promote infiltration, filtration, storage, evaporation, and temporary detention close to its source. Management of such stormwater runoff sources may include open space, rooftops, streetscapes, parking lots, sidewalks, medians, etc.

6) Water Quality LID. A level of LID using strategies designed to provide for water quality control of the first ½ inch of stormwater runoff generated from each new development or significant redevelopment and to maintain the peak discharge rates during the 2-year storm event to baseline land use conditions, measured at every drainage (stormwater discharge) outlet from the new development or significant redevelopment.

7) Maximum LID. A level of LID using strategies, including water quality LID and on-site detention, designed not to exceed peak discharge rates of more than 0.2 cfs/acre during the 2-year storm event or 0.5 cfs/acre during the 100-year storm event based on the contributing drainage from each site, measured at every drainage (stormwater discharge) outlet from the new development or significant redevelopment.

8) Baseline Land Use Conditions. That which existed for Year 2001 for Big and Little Papillion Creeks and its tributaries (excluding West Papillion Creek) and for Year 2004 for West Papillion Creek and its tributaries. That which existed in 2007 for all areas not within the Papillion Creek Watershed.
BASIS FOR STORMWATER MANAGEMENT FINANCING ISSUE

1) Time is of the essence for policy development and implementation:
   a) Under the existing Phase II Stormwater Permits issued by the Nebraska Department of Environmental Quality, permittees must develop strategies, which include a combination of structural and/or non-structural best management practices and incorporate them into existing Comprehensive Development Plans by the end of 2009.
   b) The S&ID platting process is typically several years ahead of full occupation of an S&ID. Therefore, careful pre-emptive planning and program implementation is necessary in order to construct regional stormwater detention and water quality basin improvements in a timely manner to meet the purposes intended and to avoid conflicts from land use encroachments from advancing development.

2) Financing to meet capital and O&M obligations for stormwater management projects requires a comprehensive, uniformly applied approach and not a project-by-project approach.
Attachment C
### Stormwater Website

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Attachment D
## Grading Permit Summary Report

**Report generated 3/18/2016 3:27 pm**

**Reporting Period: 2015 Calendar Year**

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## Grading Permit Enforcement Summary Report

**Report generated 3/23/2016 12:26 pm**

**Reporting Period: 2016**

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This summarizes City Inspection Reports that have noted that Request for Voluntary Compliance is recommended for the site. Column B

Also summarizes Enforcement Actions in the enforcement module of a given project. Columns C, & on

The number of unique projects with Inspection RVC's will be obtained from the programmer, but is not available at this time (3/23/2016).
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<th>Permit Number</th>
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**Other Jurisdictions**

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- No SWPPP notification sign on site
- Inspection reports not submitted
- Inspection reports not submitted
- Lot level issues, failure to address issues in timely manner
- Discharge of sediment into adjacent wetlands
- Failure to address issues across site
Attachment E
## 2015 Precipitation Data

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**Table:** Site B 168th and HWY 36

- **Total Suspended Solids (mg/L):** Range 322 to 356
- **Total Dissolved Solids (mg/L):** Range 873 to 943
- **Dissolved Oxygen (mg/L):** Range 5.19 to 5.43
- **Sulfate (mg/L):** Range 40.2 to 50.0
- **Alkalinity (mg/L):** Range 7.1 to 11.6
- **Nitrate (mg/L):** Range 0.07 to 0.31

*Note: Data quality control is done on a regular basis to ensure accuracy.*
### Site D Hwy 75 and Capehart

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Data quality control is done "in house" for the following tests: COD, BOD, TSS, TDS.
A = Value is an average results obtained from multiple analyses
I = The actual value is greater than the value given
L = Value below detection limit
X = Value exceeds instrument range.
**Bold text indicates that the sample result was more than the detection limit, gray background indicates probe error.**
### Site F 66th and L St

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Data quality control is done "in house" for the following tests: COD, BOD, TSS, TDS.
A = Value is an average results obtained from multiple analyses
L = The actual value is greater than the value given.
U = Value below detection limit
X = Value exceeds instrument range.
Bold text indicates that the sample result was more than the detection limit, gray background indicates probe error.
## Site S 78th and L St

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Data quality control is done "in house" for the following tests: COD, BOD, TSS, TDE.
A = Value is an average results obtained from multiple analyses
I = The actual value is greater than the value given.
U = Value below detection limit.
X = Value exceeds instrument range.

Bold text indicates that the sample result was more than the detection limit, gray background indicates probe error.
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**Bold indicates the actual value is greater than the value given.**
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<th>E. coli 2015</th>
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Log Scale Stream Sampling Total E. coli Amounts
May-August 2015

Site D
Site F
Site S
Site B

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5/7/2015
5/11/2015
5/18/2015
5/19/2015
5/22/2015
5/25/2015
5/26/2015
5/30/2015
6/2/2015
6/3/2015
6/4/2015
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6/9/2015
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9/27/2015
9/28/2015
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10/11/2015
10/12/2015
10/19/2015
10/20/2015

E. coli CFU (#/200ml)
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| 7/29/2015      | 7624   | 3693.8 | 7179.5 | 7261.3 |

**Gray indicates probe error.**
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