



Project Location

PAPILLION
POP. 10,372

LA VISTA
POP. 9,840

Springfield
POP. 1,426

PLATTE

96°00'

TO LOUISVILLE 0.7 M

low (4)

1.02 MI

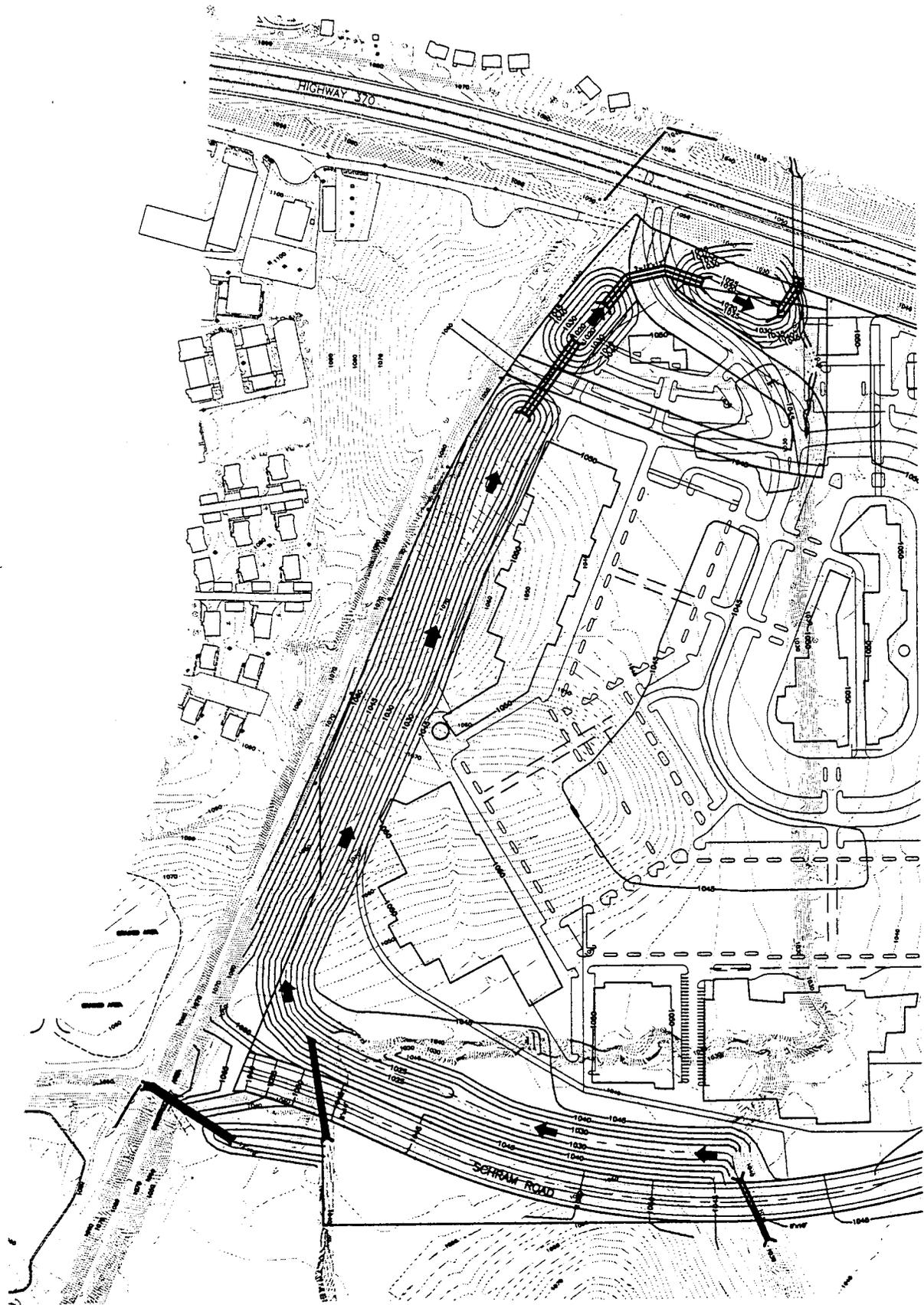
T 12 N

4.8 MI



Relocated channel = 2400 L.F.
Impacted channel = 1700 L.F.

COE No. 2000-10696
PERMITTED GRADING PLAN



PRESENT GRADING PLAN

RELOCATED CHANNEL LENGTH = 3,624 L.F.
 IMPACTED CHANNEL LENGTH - 3,170 L.F.
 IMPACTED ROAD CROSSING - 788 L.F.

BANK TO BANK FILL VOLUMES
 9,056 C.Y. FILL IN WEST SCHRAM ROAD CROSSING
 4,123 C.Y. FILL IN EAST SCHRAM ROAD CROSSING
 37,377 FILL ON SITE NORTH OF SCHRAM ROAD

Request FOR AMENDMENT
 COE No. 2000-10696

DEPARTMENT OF THE ARMY PERMIT

Permittee: Hardy Peterson Realty Group, Inc.

Permit No.: NE 2000-10696

Issuing Office: OMAHA DISTRICT, U. S. ARMY CORPS OF ENGINEERS

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Relocate part of an existing, perennial tributary to Papillion Creek from its present location to the west side of the property and maintain the new segment as an open channel area. This will involve filling 1700 linear feet of channel and creating 2400 linear feet of new channel, for a gain of 770 linear feet of channel. Approximately 10,000 cubic yards of materials taken from on-site will be used to fill the proposed portion of the existing channel. The act of moving this portion of channel to the west will cause a reversal of water flow in a 1200 linear foot portion of upstream channel from where the confluence will have changed locations.

This project will be done in accordance with the plans and letters attached hereto which are incorporated in and made part of this permit.

Attachments: 1 / Location Map
2 / Plan & Profile Views
3 / Water Quality Certification

Project Location: Southeast ¼ of Section 35, Township 14 North, Range 12 East, Sarpy County, Nebraska

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on June 30, 2004. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

(General Conditions are continued on page 4)

Special Conditions: (See page 5)

After a detailed and careful review of all of the conditions contained in this permit, the permittee does acknowledge that, although said conditions were required by the Corps of Engineers, nonetheless the permittee agreed to those conditions voluntarily to facilitate issuance of the permit and the permittee will comply fully with all the terms of the permit conditions.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - Section 10 of the River and Harbors Act of 1899 (33 U.S.C. 403).
 - Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, tribal, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

APPLICANT: Hardy Peterson Realty Group, Inc.
FILE NUMBER: NE 2000-10696

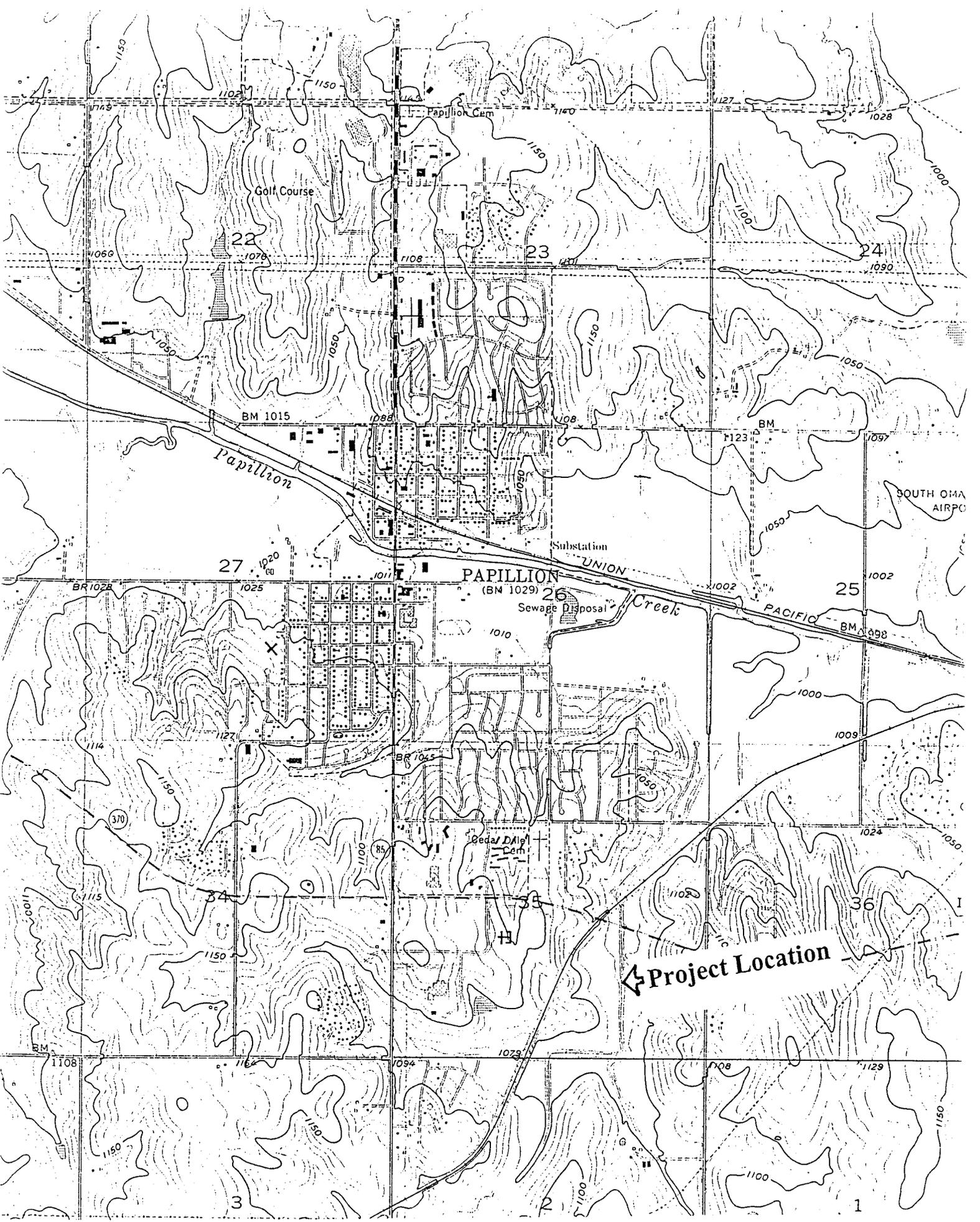
GENERAL CONDITIONS CONTINUED

7. During construction, techniques will be employed to prevent petroleum products, chemicals, harmful materials, construction debris, and excessive suspended solids from entering the waterway or wetland or otherwise contaminating the riparian or stream environment.
8. All construction debris will be disposed of on land in such a manner that it cannot enter a waterway or wetland.
9. Steps will be taken to prevent materials spilled or stored on shore from washing into the water as a result of cleanup activities, natural runoff, or flooding, and that, during construction, any materials which are accidentally spilled into the water will be retrieved.
10. The use of construction machinery in the waterway will be kept to a minimum.
11. Construction activities will be suspended or modified to the extent necessary to eliminate or avoid any obvious effects, caused by the project, to the listed threatened or endangered species that may occur in the project vicinity.
12. Riprap shall be placed in such a manner so as to provide a reasonably solid mass, with no appreciable variation in thickness or slope.
13. Riprap material should consist of clean, Type "B" rock riprap free of deleterious materials.
14. Any cofferdams or dewatering structures used during construction will be entirely removed from the waterway after completion of the project.
15. Sediment runoff and soil erosion should be minimized in order to reduce suspended solids, turbidity, and sedimentation into the adjacent wetlands which may degrade water quality and negatively impact aquatic life.

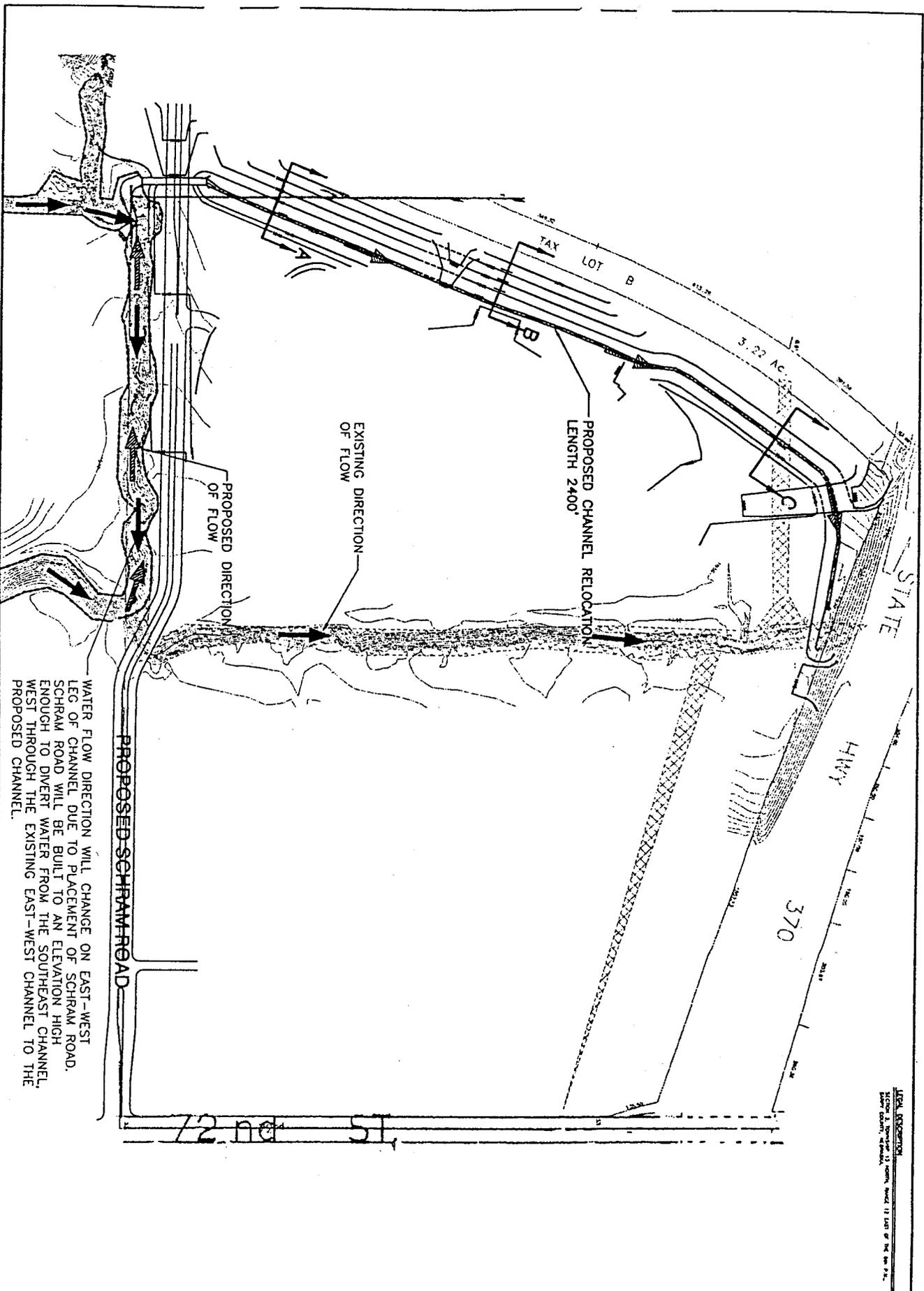
APPLICANT: Hardy Peterson Realty Group, Inc.
FILE NUMBER: NE 2000-10696

SPECIAL CONDITIONS

1. Construction activities will employ controls to reduce the erosiveness of land adjacent to the water body. This includes construction of a channel bottom at least 8 feet wide, so that the new stream bottom area is equal to or greater than that of the channel to be filled. These controls also include side slopes no steeper than 3 feet horizontal to 1 foot vertical and thirty-foot wide buffer strips on each side of the new channel, starting at the top of the bank and measuring outward. Stream bottom, side slopes, and the buffer strips will be placed in appropriate, permanent, native wetland or upland vegetation.
2. Vegetation use will **not** include (Bromegrass) *Bromus spp.*, (Reed Canary Grass) *Phalaris arundinacea*, or (Purple Loosestrife) *Lythrum salicaria*.
3. Filling of the channel as permitted will be done in such a manner so as not to allow any of the fill materials to be carried downstream.
4. All construction debris will be disposed of on land in such a manner that it cannot enter a waterway or wetland.
5. Silt control fencing will be utilized 10 feet toward the project development from the edge of the required buffer until the buffer vegetation has fully established.
6. Silt control fencing will be utilized 10 feet toward the project development from the edge of all other watercourses that border the project land.
7. All silt control fencing is to remain in place and will be maintained in working order until all construction is complete and construction debris has been removed from the project site.
8. Equipment for handling and conveying materials during construction shall be operated to prevent dumping or spilling the materials into the waterway except where approved by this permit.
9. Steps will be taken to prevent materials spilled or stored on shore from washing into the water as a result of cleanup activities, natural runoff, or flooding, and that, during construction, any materials which are accidentally spilled into the water will be retrieved.
10. During construction, techniques will be employed to prevent petroleum products, chemicals, harmful materials, construction debris, excessive suspended solids (including dredged material), and machinery from entering the creek or wetland or otherwise contaminating the riparian or stream environment.



← Project Location



WATER FLOW DIRECTION WILL CHANGE ON EAST-WEST LEG OF CHANNEL DUE TO PLACEMENT OF SCHRAM ROAD. SCHRAM ROAD WILL BE BUILT TO AN ELEVATION HIGH ENOUGH TO DIVERT WATER FROM THE SOUTHEAST CHANNEL, WEST THROUGH THE EXISTING EAST-WEST CHANNEL TO THE PROPOSED CHANNEL.

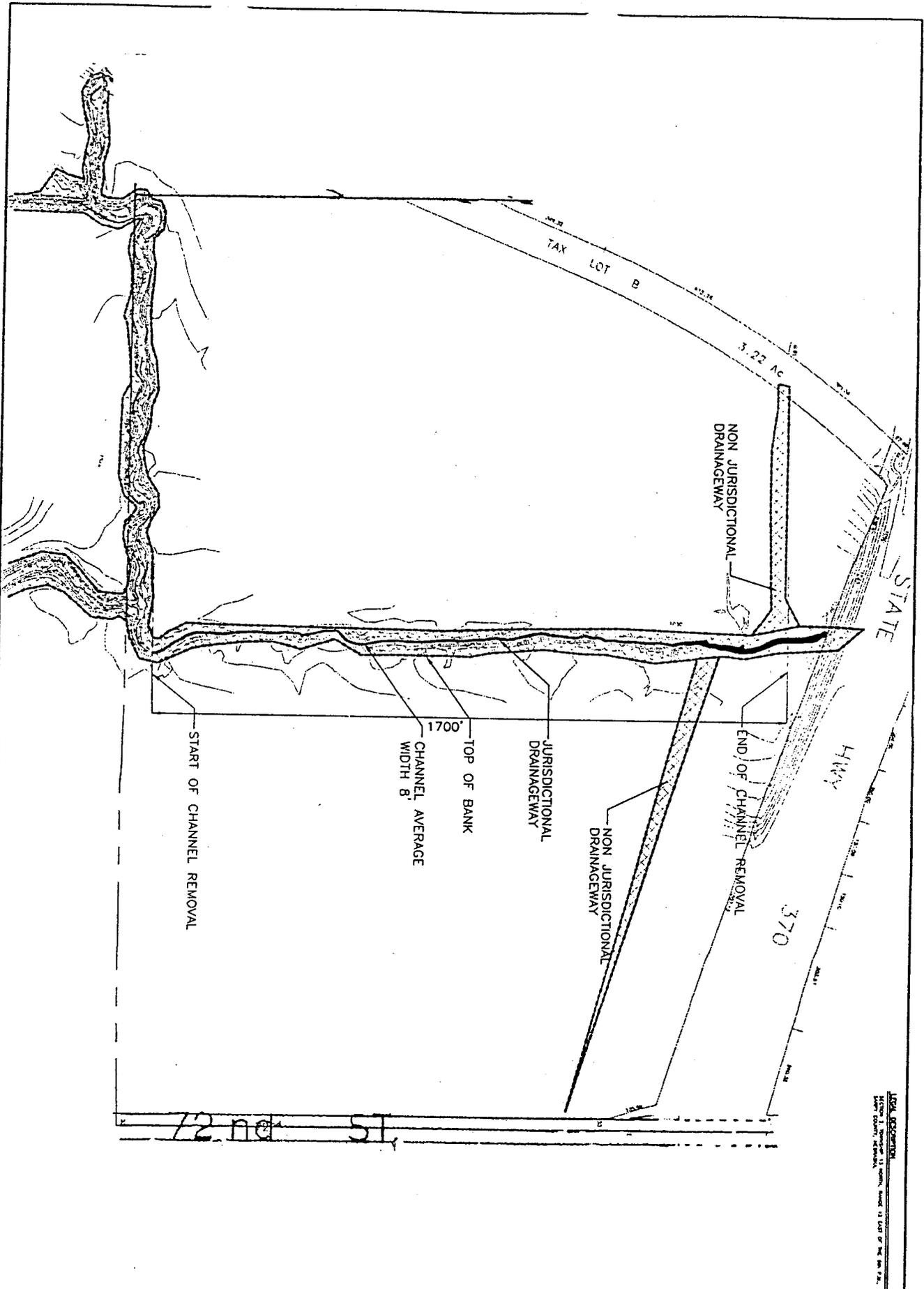
LEGAL RESERVATION
 State of Maryland, Department of Transportation
 State Highway 370, Route 11, East of the 8th P.M.

T&D 2 THOMPSON, DRESSEN & DORNER, INC.
 Consulting Engineers & Land Surveyors
 10236 OLD MILL ROAD
 QUANTA, MD 20684
 (410) 330-8880

WATERWAY DELINEATION

PAPILLON GARDENS HARDY PETERSON RETAIL GROUP

SCALE:	AS SHOWN
DATE:	JUNE 7, 2000
DRAWN BY:	DWG
CHECKED BY:	TTP
REVISIONS:	



LOCAL JURISDICTION
 SECTION 11, TOWNSHIP 11 NORTH, RANGE 11 EAST OF THE 10th P.M.
 MAP OF THE COUNTY OF WASHINGTON

1099-104



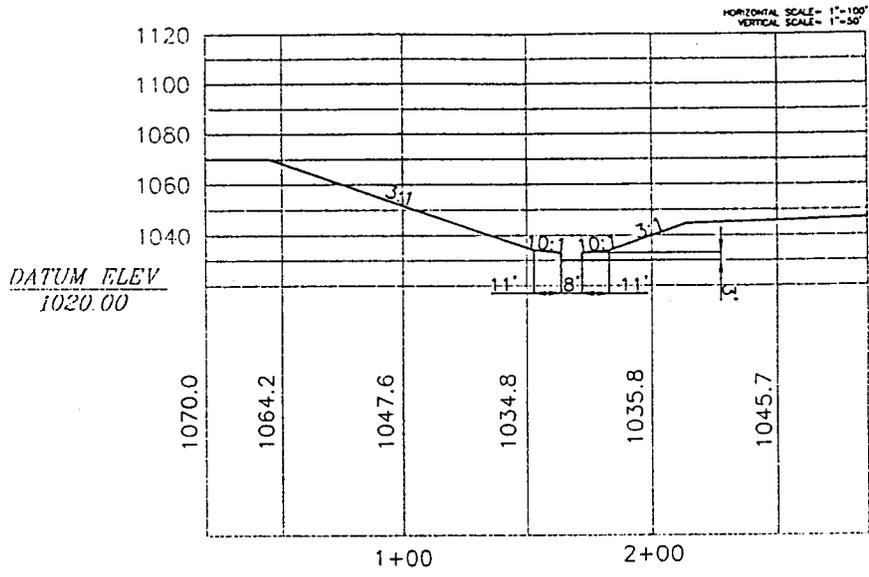
2 THOMPSON, DRESSEN & DORNER, INC.
 Consulting Engineers & Land Surveyors
 10836 OLD MILL ROAD
 DALLAS, TEXAS 75244
 (402) 332-8880

WATERWAY DELINEATION

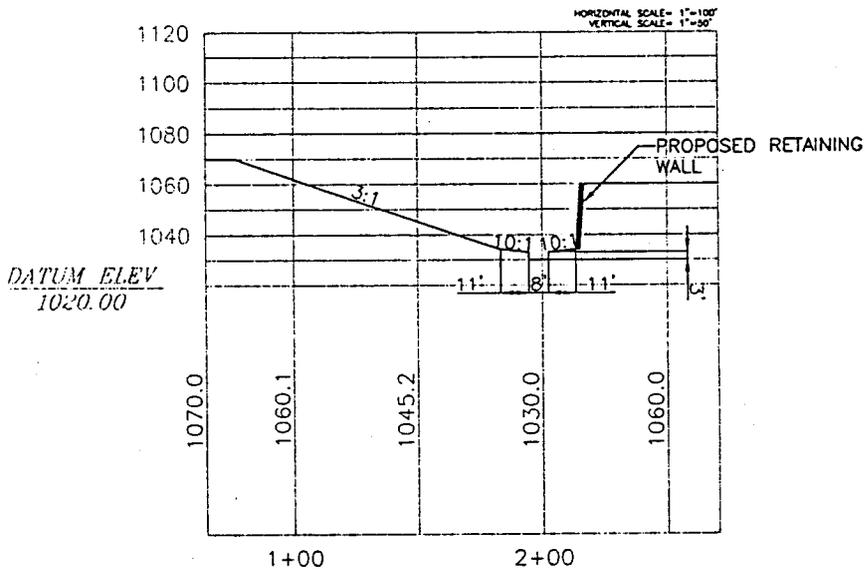
PAPILLON GARDENS

HARDY PETERSON RETAIL GROUP

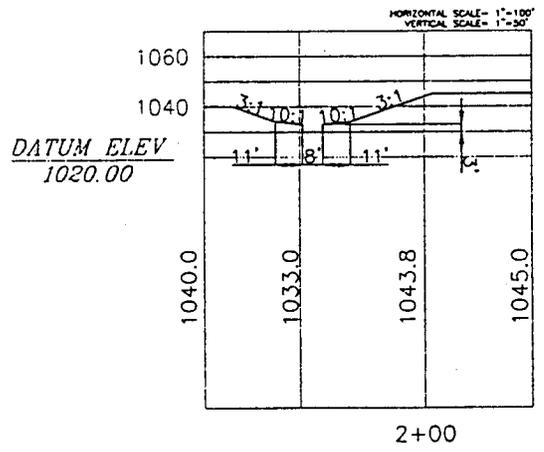
SCALE:	AS SHOWN
DATE:	JUNE 7, 2000
DRAWN BY:	DWG
CHECKED BY:	TTP
REVISIONS:	



SECTION A



SECTION B



SECTION C

STATE OF NEBRASKA



DEPARTMENT OF ENVIRONMENTAL QUALITY

Suite 400, The Atrium

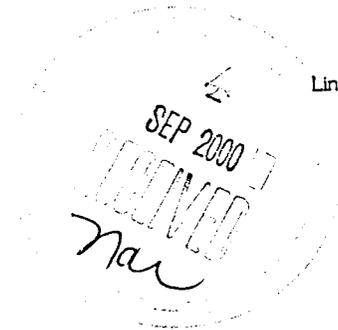
1200 'N' Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2136

SEP 19 2000



Mike Johanns
Governor

Hardy Peterson Realty Group, Inc.
8600 West 110th Street, Suite 201
Overland Park, KS 66210

RE: State Certification for Section 404 Application NE 00-10696, Relocate unnamed tributary of Papillion Creek, Sarpy County, NE.

Dear Applicant:

We have reviewed the information received regarding the above-referenced application and feel the activity will comply with Section 401 of the Clean Water Act of 1977, as amended by the Water Quality Act of 1987, subject to meeting the following condition:

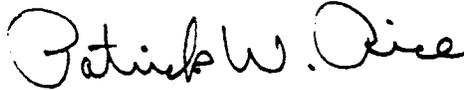
Construction activities should employ controls to reduce the erosiveness of land adjacent to the water body. This includes construction of a channel wide enough so that the new stream bottom area is equal to or greater than that of the channel to be filled. These controls also include side slopes no steeper than 3 feet horizontal to 1 foot vertical and thirty-foot wide buffer strips on each side of the new channel, starting at the top of the bank and measuring outward. Stream bottom, side slopes, and the buffer strips should be placed in appropriate, permanent, native wetland or upland vegetation.

NDEQ recommends consulting with the Nebraska Game and Parks Commission and/or the Natural Resources Conservation Service for guidance on species, location, density, and maintenance of plantings.

We therefore, by this letter, provide Section 401 Water Quality Certification. This certification does not constitute authorization to conduct your project. It is a statement of compliance with Surface Water Quality Standards only, which is

one requirement to gain authorization from the U.S. Army Corps of Engineers in the form of a Section 404 permit. If you have any questions, please feel free to call Terry Hickman on my staff, at (402) 471-2875.

Sincerely,

A handwritten signature in cursive script that reads "Patrick W. Rice". The signature is written in dark ink and is positioned above the typed name.

Patrick W. Rice
Assistant Director

TH

cc: John Peterson, US Army Corps of Engineers
Steve Anschutz, US Fish & Wildlife Service
Frank Albrecht, Nebraska Game & Parks Commission
Tom Taylor, US Environmental Protection Agency