

# PRELIMINARY ENGINEERING REPORT

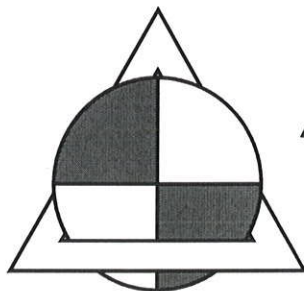
## FOR

### REGIONAL WATER SUPPLY

### CALDWELL COUNTY, MISSOURI

### FEBRUARY 2010

### Project No. 05384.01



**ALLSTATE**  
**CONSULTANTS**

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ENGINEERING • PLANNING • SURVEYING • GEOTECHNICAL • INVESTIGATIVE

## TABLE OF CONTENTS

<u>ITEMS</u>	<u>PAGE NO.</u>
I. PURPOSE.....	1
II. SCOPE.....	1
III. ASSUMPTIONS.....	1-2
IV. RESERVOIR DESIGN.....	2
V. EXPECTED PROBABLE COSTS.....	2
VI. SUMMARY.....	2-3
VII. CONCLUSIONS.....	3-4

### APPENDIX:

- A. PRELIMINARY EXPECTED PROBABLE COSTS
- B. FIXED WATER COSTS TO USERS
- C. WATER PLANT PRODUCTION COSTS AT VARIOUS PRODUCTION
- D. WATER RATE EXAMPLES
- E. USDA-NATURAL RESOURCES CONSERVATION SERVICE INFORMATION
- F. LITTLE OTTER CREEK – SITE LO-1 MAP
- G. PRELIMINARY LAYOUT MAP
- H. REPORT TO CALDWELL COUNTY RESERVOIR COMMITTEE OF GREEN HILLS REGIONAL PLANNING COMMISSION

**I. PURPOSE**

The purpose of this Preliminary Report is to determine the feasibility of a proposed Caldwell County Regional Water Supply System that includes a raw water supply reservoir within the Little Otter Creek watershed, a new water treatment plant, and transmission main system to distribute water throughout the County.

**II. SCOPE**

This Report is limited in scope to estimating the water production costs required to build, operate, and maintain this Regional Water Supplier and does not address water costs within specific Towns, Districts, and Communities.

**III. ASSUMPTIONS**

The following is a partial list of assumptions for the Report:

Braymer requires.....	136,000 Gallons Per Day
Kingston requires.....	38,950 Gallons Per Day
Hamilton requires.....	234,000 Gallons Per Day
Breckenridge and Portion of Daviess County PWSD No. 2 requires.	116,000 Gallons Per Day
Caldwell County PWSD No. 1 requires.....	67,000 Gallons Per Day
Polo requires.....	107,000 Gallons Per Day
Caldwell County PWSD No. 3 requires.....	<u>119,600 Gallons Per Day</u>

**TOTAL DAILY DEMAND: 818,500 GALLONS**

Each town will use the above amounts of water in an average day and each individual water plant will be abandon.

Each town will provide their own elevated finished water storage and will continue to own and operate their distribution systems.

Water District’s purchasing water from the towns within the County will continue to purchase water from the same entity.

Little Otter Creek Reservoir contains a permanent pool of 344 acres and can supply up to 1.2 million gallons per day of water to the public. USDA-NRCS is completing the final design of the Reservoir. Allstate Consultants LLC is completing the final design of the raw water intake structure which will be incorporated into the final design of the reservoir. A team consisting of USACE, EPA, USDA-NRCS, and Allstate Consultants LLC walked the proposed reservoir area and the stream bed areas. The stream mitigation plan has been submitted to the U.S. Army Corps of Engineers (USACE) based upon the site visit and subsequent discussions.

The total volume of water required does not at this time include users other than those listed.

#### **IV. RESERVOIR DESIGN**

The County has purchased nearly all of the property and is continuing to acquire the remainder of the property.

#### **V. EXPECTED PROBABLE COSTS**

The budget provided is base upon recent costs of similar types of projects and their unit costs. As with any project, costs can and will vary based upon a number of factors such as fuel costs, labor costs, insurance, preliminary project layout, design capacity, easement acquisition, etc.

The map in the Appendix provides a preliminary project layout as a basis for the project budget provided.

The total expected probable costs for the project is estimated to be \$ 10,393,900.00, which can be seen in the Appendix.

#### **VI. SUMMARY**

Ground water in the County will not produce adequate water for the population and their demand. Surface water supplies therefore are currently being utilized to serve much of the area. The existing surface water supplies are not capable of meeting peak demands. A new source of water is necessary.

The proposed Caldwell County Regional Water Supply System is feasible based upon the assumptions utilized. If the County as a whole will continue to work together, this proposed project is feasible and will help the County to remain more independent. A Regional Water Supply System would provide an avenue for economic growth.

This project may be constructed in two parts or phases to create one complete water supply, water treatment system, and transmission system to serve the County. The County may wish to begin construction of the reservoir as a first step then begin construction on the water plant and pumping station. The County may use General Obligation bonds to fund the local match requirements for the water supply reservoir. The County passed a sales tax issue and general obligation bond issue. The sales tax generation is approximately \$ 230,000.00 which pays debt service on the bond issue, collectively the bond issue and sales tax issue fund the County's portion of the Little Otter Creek Reservoir.

The 1,500 gallon per minute (2.16 MGD if operated 24 hours per day) design capacity should be more than adequate to serve the County; however, a more detailed look at the peak usage days for each Community and Water District should occur prior to final design. With normal operations, this water plant could produce 1.5 million gallons per day and still allow time for routine operation and maintenance of the water plant.

Each Community and/or water supplier should evaluate the option of connecting to a Caldwell County Regional Water Supply and abandoning the individual water plants.

## **VII. CONCLUSIONS**

- A. The County should accept and adopt this Report.
- B. The County should call a meeting of all interested parties and agencies to discuss the project and the possible funding options.
- C. There are a number of possible funding options. The County should continue to work with all Governmental Agencies about grants and loans for this project such as the Missouri Department of Natural Resources, USDA-Rural Development, DED-Community Development Block Grant, Economic Development Administration, and others as applicable.

D. The more entities within the County in support of this project the more feasible it becomes.

E. The County should order this Report to be submitted to the appropriate agencies with the appropriate funding applications.

F. Preparations should be made for voting of bonds and other legal documents as required to promote the progress of this proposed project.

**APPENDIX A:**  
**PRELIMINARY EXPECTED PROBABLE COSTS**

**CALDWELL COUNTY  
REGIONAL WATER  
PRELIMINARY EXPECTED PROBABLE COSTS**

**NOVEMBER 2009**

<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>Total</b>
A.	Treatment and Pumping System				
1.	1,500 GPM Water Plant with Clearwell, 3 High Service Pumps with VFD's	1	L.S.	\$ 4,800,000.00	\$ 4,800,000.00
2.	Telemetry	1	L.S.	\$ 100,000.00	\$ 100,000.00
3.	Raw Water Pump Station	1	L.S.	\$ 200,000.00	\$ 200,000.00
4.	12-Inch Ø Raw Water Line	500	L.F.	\$ 25.00	\$ 12,500.00
<b>TREATMENT AND PUMPING SYSTEM SUBTOTAL:</b>					<b>\$ 5,112,500.00</b>
B.	Distribution System				
1.	6-Inch PVC	230,000	L.F.	\$ 8.00	\$ 1,840,000.00
2.	6-Inch Highway Bore and Encasement	550	L.F.	\$ 110.00	\$ 60,500.00
3.	6-Inch Railroad Bore and Encasement	200	L.F.	\$ 130.00	\$ 26,000.00
4.	6-Inch Creek Crossing - Bore	900	L.F.	\$ 70.00	\$ 63,000.00
5.	6-Inch Valves	12	EA.	\$ 800.00	\$ 9,600.00
6.	8-Inch PVC	17,500	L.F.	\$ 12.00	\$ 210,000.00
7.	8-Inch Highway Bore and Encasement	200	L.F.	\$ 150.00	\$ 30,000.00
8.	10-Inch PVC	2,600	L.F.	\$ 25.00	\$ 65,000.00
9.	10-Inch Valves	3	EA.	\$ 1,100.00	\$ 3,300.00
<b>DISTRIBUTION SYSTEM SUBTOTAL:</b>					<b>\$ 2,307,400.00</b>
C.	Master Meter and Other Site Specific Connection				
1.	Costs for Six Towns	6	EA.	\$ 130,000.00	\$ 780,000.00
<b>MASTER METER SUBTOTAL:</b>					<b>\$ 780,000.00</b>
<b>CONSTRUCTION TOTAL:</b>					<b>\$ 8,199,900.00</b>
	Facility Planning			\$ 20,000.00	
	Environmental Studies			\$ 5,000.00	
	Engineering Design			\$ 625,000.00	
	Geotechnical and Testing			\$ 30,000.00	
	Construction Observation and Engineering			\$ 469,000.00	
	Surveys and Acquisition			\$ 30,000.00	
	Legal			\$ 15,000.00	
	Administration			\$ 30,000.00	
	Bond Council			\$ 20,000.00	
	Issuance and Closing Costs			\$ 50,000.00	
	Construction Interest			\$ 70,000.00	
	Operation and Maintenance Manuals			\$ 5,000.00	
	Record Drawings			\$ 5,000.00	
	Contingencies @ 10%			\$ 820,000.00	
<b>TOTAL PROJECT COSTS:</b>					<b>\$ 10,393,900.00</b>

\*\* Note: Depending upon water demand, 1,000 gallons per day may provide enough capacity which would save approximately \$ 500,000.00.



**APPENDIX B:**  
**FIXED WATER COSTS TO USERS**

**CALDWELL COUNTY  
REGIONAL WATER  
FIXED WATER COSTS TO USERS**

**NOVEMBER 2009**

<b>Item</b>	<b>Description</b>	<b>Total</b>
<b>A.</b>	<b>Projected Cost</b>	
1.	Treatment and Pumping Systems	\$ 5,112,500.00
2.	Distribution System	\$ 3,087,400.00
3.	Professional Fees and Contingency	\$ 2,194,000.00
	<b>TOTAL PROJECTED COST:</b>	<b>\$ 10,393,900.00</b>
<b>B.</b>	<b>Funding</b>	
a.	CDBG Grant	\$ 2,393,900.00
b.	MDNR Grant	
c.	USDA-Rural Development Grant	\$ 4,000,000.00
d.	USDA-Rural Development Loan	\$ 4,000,000.00

Notes: 5% Interest, 33 Years - Annual Payment with 20% Reserves  
(Factor = 0.075) is \$ 262,042.50; therefore Debt Service is \$ 21,836.88/Month.

Assume Fixed Costs equaled: \$ 262,042.50 Debt Service + \$ 80,000.00 Operation  
and Maintenance + \$ 15,000.00 Insurance = \$ 357,042.50.

**APPENDIX C:**  
**WATER PLANT PRODUCTION COSTS**  
**AT VARIOUS PRODUCTION**

**CALDWELL COUNTY  
REGIONAL WATER  
WATER PLANT PRODUCTION COSTS  
AT VARIOUS PRODUCTIONS**

**NOVEMBER 2009**

Fixed Cost Per 1,000 Gallons for the following Water Production Amounts

<b>Gallons Per Day</b>	<b>Mil Gallon/Month</b>	<b>Debt Service Cost 1,000 Gallon</b>
800,000	24	\$ 1.24
600,000	18	\$ 1.65
400,000	12	\$ 2.48
200,000	6	\$ 4.96

**Water Plant Variable Costs Per 1,000 Gallon**

<b>Description</b>	<b>Total</b>
Chemicals	\$ 0.36
Electrical	\$ 0.40
Vehicles	\$ 0.20
Training	\$ 0.05

**SUBTOTAL: \$ 1.01 /1,000 GALLON**

**Water Production Costs to Consumers**

<b>Debt Service</b>	<b>Operators and Administration</b>	<b>Insurance</b>	<b>Gallons Per Day</b>	<b>Mil Gallons Per Month</b>	<b>Fixed Cost Per 1,000 Gal.</b>	<b>Variable Cost Per 1,000 Gal.</b>	<b>Total Cost Per 1,000 Gal.</b>	<b>Cost Per 5,000 Gal.</b>
\$ 262,042.50	\$ 80,000.00	\$ 15,000.00	800,000	24	\$ 1.24	\$ 1.01	\$ 2.25	\$ 11.25
			600,000	18	\$ 1.65	\$ 1.01	\$ 2.66	\$ 13.30
			400,000	12	\$ 2.48	\$ 1.01	\$ 3.49	\$ 17.45
			200,000	6	\$ 4.96	\$ 1.01	\$ 5.91	\$ 29.55

\* **NOTE:** It is assumed a typical family household will use an average of 5,000 gallons per month. The above costs do not include "In Town or In District" distribution system costs.

**APPENDIX D:**  
**WATER RATE EXAMPLES**

**CALDWELL COUNTY  
REGIONAL WATER  
WATER RATE EXAMPLES**

**NOVEMBER 2009**

Assume a Typical Household uses 5,000 Gallons Per Month.

\$4,000,000.00 Loan Financial at 5% for 33 Years.

Caldwell County Regional Water Plant produces 600,000 Gallons Per Day Average with a Production Cost of \$13.30 for 5,000 Gallons.

**Example I:**

Town "A" Existing Water Bill for 5,000 Gallons:

\$40.00/Month for 5,000 Gallons

\$12.00/Month for Water Production

\$24.00/Month for Water Distribution

\$4.00/Month for New Required Improvements and New Debt Service

Town "A" New Water Bill for 5,000 Gallons:

\$24.00 Distribution + \$13.30 Production = \$37.30 Per 5,000 Gallons.

Net Decrease of \$2.70 for 5,000 Gallons of Water.

**Example II:**

Town "B" Existing Water Bill for 5,000 Gallons:

\$34.00/Month for 5,000 Gallons

\$25.00/Month for Water Distribution

\$9.00/Month for Water Production

Town "B" New Water Bill for 5,000 Gallons:

\$25.00 Distribution + \$13.30 Production = \$38.30 Per 5,000 Gallons

Net Increase of \$4.30 for 5,000 Gallons of Water.

**APPENDIX: E**

**USDA - NATURAL RESOURCES CONSERVATION  
SERVICE INFORMATION**

# Caldwell County Lake Project

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## The Project

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A dependable water supply system has long been a concern for Caldwell County. In recent years, parts of the county have been faced with mandatory water conservation measures. Demand for water continues to grow and is expected to increase.

The Caldwell County Commission created the **Caldwell County Lake Project Steering Committee** to provide recommendations for developing a county lake to meet the social and economic needs of the county. The USDA Natural Resources Conservation Service (NRCS) is assisting the committee through the Small Watersheds Act.

## Location

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NRCS engineers have studied numerous watersheds in Caldwell County, and decided that the best site for the lake is about 2.5 miles south of U.S. Highway 36 on Little Otter Creek.

## Benefits

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- Water supply capable of meeting the needs of the county
- Recreation site for fishing, hunting, picnicking, and nature study
- Reduced flooding of downstream farmland
- Improved wildlife habitat and management

## Sponsors

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- Caldwell County Commission
- Caldwell County Soil and Water Conservation District

## Pertinent Data

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- Drainage area of 7.5 square miles or 4,825 acres
- Permanent pool will be 344 acres.
- Engineering studies estimate water supply of 1.2 million gallons per day.

## Estimated Costs

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- Preliminary construction costs of the dam, acquisition of land, and an intake structure are \$5.5 million.
- Preliminary cost-share estimates indicate that NRCS will pay 50 percent of the costs.
- The county commission and the steering committee intend to apply for funds from various state and federal sources to reduce the local share. However, a significant portion of the remaining costs must be raised locally.

## Timetable

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- The committee is working on a time line to complete the watershed plan by February 2002.

(Continued on Back)



- The plan would then be presented to Congress for approval. It is hoped that the plan would be approved in 2002.
- Once the plan is approved by Congress, the county would develop funding options and purchase the land. The estimated time to complete this phase is one to two years.
- NRCS would proceed with the final geologic investigation, testing and construction plans when preliminary landrights are obtained. The estimated time is one year.
- Construction of the dam would take one to two years, depending on weather and numerous other factors relating to construction.
- It is possible that various parts of the funding, landrights purchase and design phases could occur simultaneously, resulting in an estimated project completion of 2005-2007.

## What You Can Do

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- Volunteer to help.
- Learn all of the facts to reduce the spreading of misinformation.
- Pledge your support for the project.

## Caldwell County Lake Steering Committee

### Members

Marvin Nickell, chairman  
 Junior Gorham, vice chair  
 Bill Mayers  
 Bill Roth  
 Tom Silvey  
 Richard Ross  
 Kevin Henry  
 David Truskett  
 Ray Dean McBee  
 Jim Anderson  
 Earl Finch  
 Leroy Kern  
 Dean Hales  
 Anne Tezon

### Community

Hamilton  
 Braymer  
 Hamilton  
 Breckenridge  
 Hamilton  
 Kidder  
 Hamilton  
 Cowgill  
 Braymer  
 Hamilton  
 Kidder  
 Polo  
 Hamilton  
 Hamilton

### Phone Number

816-583-2687  
 660-645-2506  
 816-583-4017  
 660-644-5196  
 816-583-4426  
 816-575-2298  
 816-583-2188  
 660-255-4559  
 660-645-2557  
 816-583-2154  
 816-575-2505  
 660-354-2693  
 816-583-2053  
 816-583-4057

### Caldwell County Commissioners (members at large)

Gerald McBrayer	Kingston	816-586-4931
Dale Hartley	Kingston	816-586-3245
Donnie Cox	Braymer	660-645-2174

### Technical Advisors

Anita Dunham	Kingston	816-586-2061 ext. 109
Gary Fak	Chillicothe	660-646-6220 ext. 128
Harold Deckerd	Columbia	573-876-9421

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**APPENDIX F:**  
**LITTLE OTTER CREEK**  
**SITE LO-1 MAP**

**APPENDIX G:**  
**PRELIMINARY LAYOUT MAP**

**APPENDIX H:**  
**REPORT TO CALDWELL COUNTY**  
**RESERVOIR COMMITTEE**  
**GREEN HILLS REGIONAL PLANNING COMMISSION**

## Report To Caldwell County Reservoir Committee

Prepared by:  
Michael R. Johns  
Green Hills Regional Planning Commission

Introduction: Water issues have long been a topic of discussion in Caldwell County. In fact, the issues of reservoir construction and public drinking water supplies have been the subject of numerous engineering reports over the past 40 years. Reduced reliance on wells and cisterns, the growth of rural water supply district services, and the gradual per capita daily water usage rates all lead to more public drinking water demand. Increased demand for wildlife conservation, proper watershed management, and for recreation have also increased interest in the idea of building a mid-size water impoundment in Caldwell County, Mo.

The purpose of this brief report is three-fold; to

a) discuss possible legal and organizational requirements for developing and funding a multi-use Caldwell County Reservoir in a size range between 220 surface acres and 999 surface acres, b) to explore current public drinking water supply issues and consumption rates among Caldwell County communities, and c) to discuss the procedure through which real estate is acquired for a project of this type. This report was prepared at the request of the Caldwell County Commission.

Organizational and Legal Framework Issues: Most inter-jurisdictional lake projects in Missouri have been sponsored by one of the following:

- ❖ city or county unit of local governments (ex. Harrison County Lake or Cameron Community Lake)
- ❖ utility company (ex. Lake of the Ozarks)
- ❖ wholesale water commission (ex. Clarence Cannon water project)
- ❖ non-profit corporation established by intergovernmental compact (R.S. Mo. Chapter 70).

The wholesale water commission probably requires special legislation at the state level. Any of the other ideas could be implemented locally. An example of a possible utility company sponsor could be a private water company or cooperative. However, if the Caldwell County group desires to utilize P.L. 566 monies available through the USDA – Natural Resource Conservation Service (NRCS), a public entity of some sort will likely be the required sponsor. Eligible public entities to sponsor this project could include a county or city, wholesale or rural public water supply district, or a publicly controlled and owned non-profit with members being local units of government.

Aside from legal issues are the thorny issues of credit worthiness, experience, and management capacity for the project. A lake or reservoir project built utilizing partial monies from debt instruments (revenue bonds, general obligation bonds, etc.) will benefit from having a sponsor with prior experience in managing a project such as a utility other public enterprise, and with a favorable credit history and rating.

Public Drinking Water Needs In Caldwell County: Assuming that Caldwell Countians agree that a multi-use reservoir is a worthwhile public policy goal, the size of the project will be adjusted to

fit projected water demands. Public drinking water projections are a risky undertaking, and no attempt is made here to present a "scientific" discussion of drinking water needs. This report merely is going to contain a present water demand and projected 20% increase in daily usage over the next twenty years.

Polo: Operates a well field and water treatment plant in the southern part of Caldwell County. This water system presently serves 577 persons, projected to increase to 703 persons by the year 2,019. The peak daily water demand is projected at 106,575 gallons/day. The Polo water plant treats well water and is not suited to treat reservoir or surface water. (Source – Shafer, Kline & Warren, P.E., 1999)

Hamilton: Peak water demand at Hamilton is projected to be 234,000 gpd. Hamilton plans to sell an additional 129,000 gallons/day to the Caldwell County Public Water Supply District #3. Hamilton's water plant is designed to treat surface water and the city's reservoir is of inadequate size to handle the public drinking water demand during periods of prolonged, dry weather.

Kingston has its own water treatment plant: This small system is designed to treat well water and the system serves approximately 89 customers with a per capita water demand (estimated) of 38,950 gallons/day.

Braymer has a water source consisting of a well field in the Shoal Creek Bottoms. The projected water demand at Braymer is 136,000 gallons/day. The Braymer water plant is not suited for treating surface (reservoir) water.

Cowgill owns and operates a municipal water system through the auspices of Caldwell County PWSD #1. This system has approximately 130 users and is estimated to require 66,742 gallons per day maximum demand.

Breckenridge serves itself and a portion of the Daviess County PWSD #2 with a water plant designed to treat surface water, supplemented by a water well. Breckenridge's estimated maximum daily water demand is 115,968 gallons/day. However, it should be emphasized that the Breckenridge water treatment plant dates from the mid 1960's, with a partial renovation in the late 1980's. The Breckenridge water plant will require substantial investment to continue operations long term in a manner consistent with DNR and EPA water quality standards.

**Estimated Caldwell County Water Demands By Jurisdiction**

<b>Jurisdiction</b>	<b>Est. Daily Max. H<sub>2</sub>O Demand</b>	<b>Yearly Demand</b>	<b>Consulting Engineer</b>
Hamilton	234,000 gal.	85.41 million gal.	E. T. Archer & Co. and Shafer, Kline & Warren P.A.
Caldwell Co. PWSD #3	119,600	43.65 million	Algeir, Martin & Associates, Joplin
Kingston	38,950	14.22 million	Open
Braymer	136,000	49.64 million	Shafer, Kline & Warren, P.A.
Breckenridge (including portion of Daviess Co. PWSD #2)	115,968	42.33 million	Larkin & Associates Kansas City
Polo	106,575	60.50 million	Shafer, Kline & Warren, P.A.
Cowgill & Caldwell Co. PWSD #1	66,742	24.24 million	Rhodes Engineering Brookfield

Total potable water demand per day = 817,835 gallons.

Total yearly potable water demand = 320 million gallons

For purposes of this discussion, we assume that Kidder and the Caldwell Co. PWSD #2 do not desire to purchase potable water from a source inside Caldwell County. These two local jurisdictions presently buy their treated water from sources outside Caldwell County.

Land Acquisition For a County Reservoir Project: Assuming Caldwell County residents want to go ahead and build a reservoir utilizing Federal funds, the issue of compliance with the Federal Uniform Relocation Act is triggered. This federal law, originally passed in 1970 after many bitter complaints were received about urban renewal projects in the 1960's, sets forth procedures that public entities must follow if they acquire real estate using partial federal funding. The involvement of USDA-NRCS, or any other federal agency, in the construction of the Caldwell County reservoir will be the trigger mechanism to cause the Uniform Relocation Act to come into play. Here are a few features of the Uniform Relocation Act and how it might apply to Caldwell County's Reservoir Project.

Hypothetical Steps In Reservoir Development Project  
Through Acquisition of Real Property and Easements

- I. Define Project
  - a. Organize and Agree on Reservoir Concept
  - b. Preliminary Estimates of Desired Size and Financing Capability
  - c. Determine Draft Budget
  
- II. Engineering Suitability and Design Studies
  - a. Geotechnical Investigations
  - b. Design Concepts (Lake Reach, Estimated Property Needs)
  - c. Refine Engineering Cost Estimates and Construction Budget
  - d. Making preliminary contact with property owners affected to discuss acquisition
  
- III. Environmental Impact Assessment or Environmental Impact Statement (as applicable)
  - a. Public Hearings
  - b. inter-agency comment periods
  - c. Property owners affected asked to comment
  
- IV. Finalize Project Design and Budget
  - a. Lake Committee Accepts Final Design and Budget Concepts
  - b. Financing Strategy Agreed To; Bond Issues or Other Issues Requiring Public Vote Sent Before Caldwell County Voters
  - c. Preliminary Discussions Held With Specific Property Owners on Voluntary Sale, Construction Impact Mitigation, Mitigation of Long Term Reservoir Impacts (including roadway re-routing, etc)
  
- V. Project Financing Receives Approval
  - a. NRCS P.L. 566 Funding Approved
  - b. Local "Matching" Funds Approved
  - c. Final Budget Approved
  - d. Legal Organization of Development Entity Finalized (if not county or city)
  
- VI. Property Acquisition
  - a. Letters To All Affected Property Owners Explaining Project and How Their Land is Proposed to be Affected
  - b. Public Hearing For Landowners
  - c. Final Determination Made of Property Acquisition Needs and Easement Needs
  - d. Final Design Perfected Showing Township Road Changes (based on landowner comments and budgeting, policy matters)
  - e. Appraisals of Properties Conducted



- f. Written Offers to Purchase Property Interests (fee simple acquisitions or easements, as the case may be) Go Out to Landowners. Appraisals will be available for examination/copying by landowner.

If offer is accepted, property transaction documents are prepared by the project attorney and the deal is closed)

If offer to purchase is not accepted, property can be acquired by continued negotiation and, failing that, through eminent domain.

In condemnation proceeding, project sponsor or acquiring authority files suit asking Circuit Clerk to compel property sale for public purpose.

Circuit Court Judge ruling received that project is a legitimate public purpose. cause additional appraisals to be court will appoint three (3) Commissioners to be appointed. An independent appraisal is reviewed by the Commissioners. Final determination on award of compensation for the property to be acquired is set by Circuit Court Judge after receiving recommendation from Commissioners.

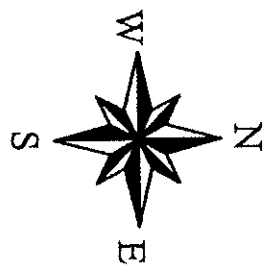
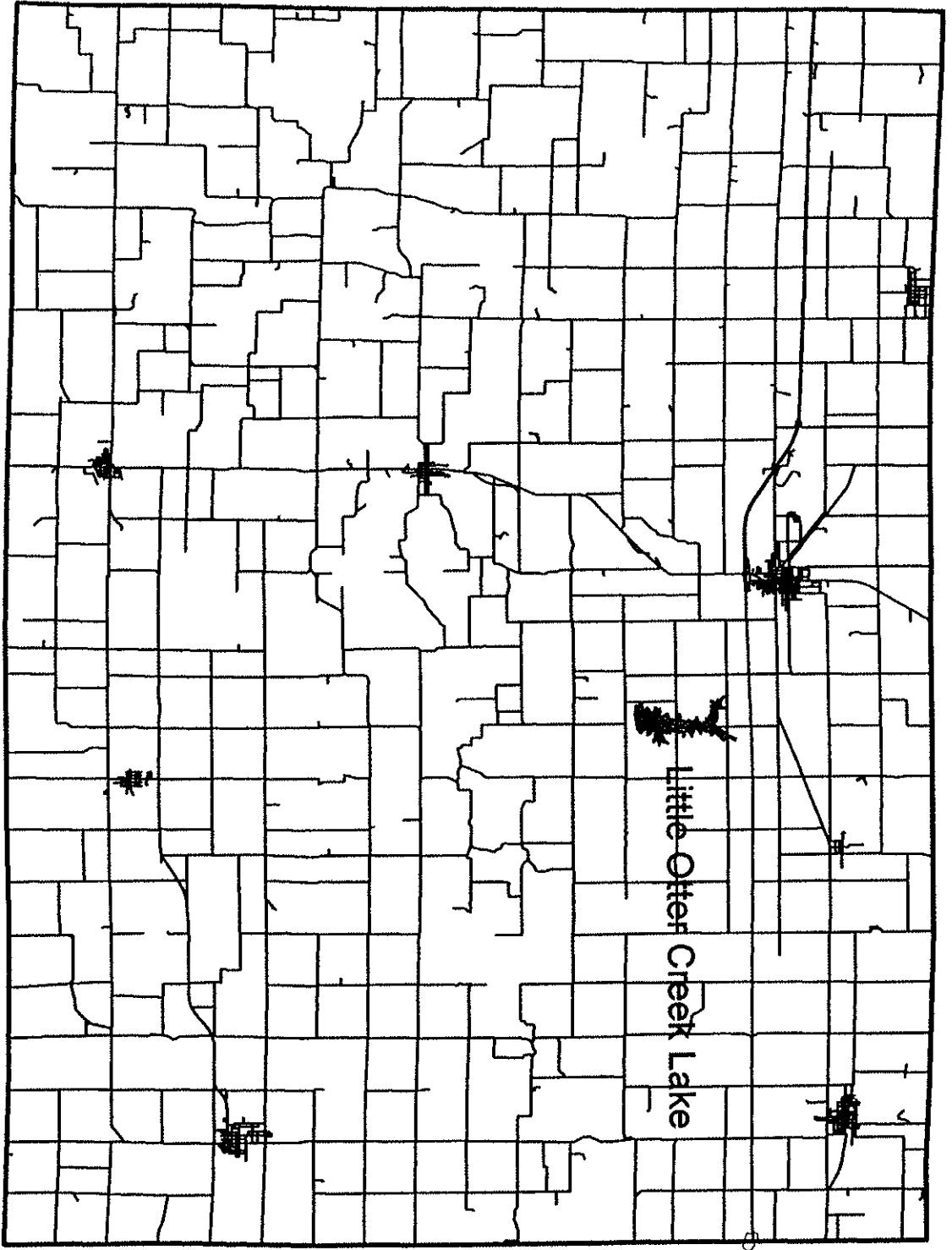
If property owner desires, he/she can file suit asking for condemnation to be set aside and remanded to jury trial. (Source: Civil Rules of Procedure, 86.06- MO)




The project team will require representation from NRCS, an attorney, a Civil Engineer retained by the localities to work with NRCS to design municipal water supply and recreational aspects of the project, together with any negotiated final property design elements. It is important to emphasize that the project leadership needs to always be mindful of the mission that USDA-NRCS has in carrying out Public Law 566 projects. The project needs to continue to focus on complying with the purposes of PL 566 while also meeting any desired recreational aspects and municipal water supply needs.

It should be emphasized also that the reservoir committee can reduce the recreational facilities costs for the project by entering into a cooperative agreement with the Missouri Department of Conservation. The Conservation Department can assist in designing and building a boat ramp together with helping to establish fishery and wildlife resource management systems.

MRJ/cc  
10-16-00

cc: Pamphlet – “When a Public Agency Acquires Your Property”



 Roads  
 Little Otter Creek  
 Caldwellell County