



PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP -or- Program)

Land Advisory Committee (LAC) Virtual Meeting

Wednesday, February 12, 2025; 9:00 AM – 11:00 AM CST

Meeting held virtually

Land Advisory Committee (LAC)

State of Wyoming

Michelle Hubbard – Member (online)

Bill Brewer – Alternate (online)

Bureau of Reclamation (Reclamation)

Brock Merrill – Member (online)

State of Colorado

Kara Scheel – Member (online)

U.S. Fish and Wildlife Service (Service)

Matt Rabbe – Member (online)

State of Nebraska

Ted LaGrange – Member (online)

Caitlin Kingsley – Alternate (online)

Environmental Entities

Cody Wagner – Vice-Chair (online)

Tim Smith – Member (online)

Power Districts

Dave Zorn – Chair (online)

Jim Jenniges – Member (online)

Local Nebraska Rep. – Central Platte Natural Resources District (CPNRD)

Dave Carr – Member (online)

Local Nebraska Rep. – Tri-Basin Natural Resources District (TBNRD)

John Thorburn – Member (online)

Local Nebraska Rep. – Joint CPNRD/TBNRD

None

Executive Director's Office (EDO)

Jason Farnsworth, ED (online)

Tim Tunnell (online)

Other Participants

Melissa Mosier – Audubon (online)

Cody Miller – TNC (online)

Steven Labay – Service (online)

Tyler Martin – State of Nebraska (online)



WELCOME & ADMINISTRATIVE

Chairman Zorn called the meeting to order at 9:00 am Central Time. Due to inclement weather, it was decided out of precaution that this meeting would be hosted online only. The EDO acknowledged all members attending virtually. Zorn asked for agenda modifications. None offered. Zorn asked for the LAC's recommendation on the minutes of the October 2024, LAC meeting.

LAC MOTION: *Merrill moved, and Wagner seconded to approve the October 2024, LAC Meeting minutes. Minutes approved.*

GENERAL UPDATE AND OTHER COMMITTEE COORDINATION

Rabbe gave an update of TAC activities. The TAC reviewed target species monitoring reports from 2024 which included both tern/plover, and whooping crane and received an update on pallid sturgeon monitoring. The TAC discussed the potential for reduced riverine survey efforts going forward. Updates were provided regarding whooping crane stopover/flyover progress and riverine roost site selection as well as a recap of previous research on peak flow importance to channel conditions. Germination suppression evaluation and success was discussed again, and the EDO presented a plan and options for evaluating it going forward. The TAC discussed wet meadows and future efforts to publish science related to them. The Grassland Management working group presented early efforts and the TAC approved a recommendation to conduct grassland vegetation monitoring in 2025.

Farnsworth updated the group on WAC and GC.

The WAC is focused on recharge. The biggest project that's ongoing right now is looking at adding an outlet to Elwood Reservoir to utilize roughly 15,000-acre feet a year of leased storage water. Right now, that water's recharged into the aquifer and slowly comes back to the river. The outlet from the reservoir would be to Plum Creek, which would let us get something like 100 CFS maximum back to the river as surface water instead of groundwater accretion. A consulting group is working on designing the outlet and working with the landowner. There is a need to score some groundwater projects (CWR Recharge Project) that have been sort of sitting on the books for quite a while. CNPPID will take on a larger role in managing Cottonwood Ranch broad scale recharge project. They have delivered water to the property line historically and we were responsible for operations and maintenance of that water infrastructure. So, they're going to take care of basic maintenance on the structures and integrate it into their SCADA system for more efficient operation of that project.

Governance committee met in December, approved the 2025 budget. The biggest land issue is the counting of conservation lands during a second increment and what that might mean. Governance committee approved two management plans from last year as well. GC will meet on March 25 & 26 in Kearney.

Tunnell updated the group that the only change to the Land Objective milestone summary is the newest acquisition of the Broadfoot South property, which added 300 or so acres. There was a question about the Leach agreement of 56 acres. Tunnell answered that is a private landowner management agreement that we have with the landowner in the Minden to Gibbon reach, mainly for diking. Farnsworth added that it doesn't count toward the extension plus up, it just accrues to the first increment land objective. Tunnell update group on a few land management items including the moving of the lodge and Quonset off the Dyer tract, progress report of tree clearing project on the Lindstrom tract, and status of the Rx fire cooperative project with RWBJV, NGPC, CPNRD, and FWS.

**FY 2024 LAND WORK REPORT**

Tunnell went through the expenditures for land work line items for 2024.

LAC MOTION: *Wagner moved, and Rabbe seconded to approve the FY 2024 Land Work Report and move it to the GC. FY 2024 Land Work Report approved.*

SECOND INCREMENT COUNTING OF CONSERVATION LANDS

Farnsworth provided a brief history regarding the counting of conservation lands. In the early 1990s when Fish and Wildlife Service was establishing conservation needs or targets for the central Platte for endangered species as part of the joint study, they came up with a total habitat restoration goal or land goal of 29,000 acres. To contribute to recovery of these target species, we needed to have 29,000 acres of conservation protected habitat from basically Lexington to Chapman. As governors and secretary of interior got together to negotiate the first increment of the program, it was decided to take an incremental approach and set the first increment land milestone at 10,000 acres. Additionally, there were some rules about how it was supposed to be new conservation land rather than existing conservation land. Anything protected or managed prior to July 1st, 1997 couldn't count, and the intent was an incremental increase in conservation ownership. At the very beginning of the Program document is some language that says, during a second increment of the Program, existing conservation lands, land holdings by the Crane Trust, TNC, Audubon, power districts, etc. that doesn't currently count could be counted towards the 29,000 during second increment with approval of the Governance Committee or with approval of conservation organizations. Farnsworth stated, "What does that mean for it to count?" and that from his research, the Platte Program is different than many other conservation, or many other ESA or ecosystem restoration or recovery programs in that conservation organizations have a full seat at the governance committee table, including votes. Conservation organizations have sort of the same voting level of authority as water users and folks like that. The only people that have a higher level are the states and the federal government. They have a single veto vote. Additionally, going back in history, was the good work that conservation organizations had already done to restore land in the Central Platte, and then the statement that they could count during the second increment. We're now seven or eight years out from the end of the first increment extension needing to roll over into a second increment and have had conversations with the Governance Committee over the last couple of years. They directed us this year to start that process of having the conversations about what would it mean for existing conservation lands to count during a second increment. They very explicitly don't want the LAC to be the place where the policy conversation happens but what they have asked from this body or this committee specifically is that we undertake a essentially an audit or an assessment of what are the existing conservation lands in the associated habitat reach right now, when were those lands purchased, and essentially baseline information for when they would go into a negotiation. The intent is for conservation organizations and districts to provide to the EDO the most up-to-date land holding GIS information, shapefiles or geodatabases, whatever's out there, so that it can be compiled with ownership dates due to the pre-'97 versus post-'97 split for the Program. The TAC also is needing some of that information for looking at sort of when conservation lands were started to be managed and how habitats changed on those lands through time. Some parsing of habitat value will likely need to be done before we provide things to the GC. For example, NGPC has Bassway Strip, which is a bunch of land, but it's on the North Channel and it's not managed for cranes. So that is conservation land in the reach and it's a fairly large number of acres, but not actively managed for the things that we care about. Rabbe suggested using sideboards, one being just specifically lands that are managed for the target species that would at least check the box from the land side of things on true habitat and another would be land



that is owned vs leased vs conservation easement, etc. Rabbe continued discussions of prior to the extension, when we were kind of going into negotiations for that, one of the things I was tasked with was evaluating the current state of our land holdings at that time. Weighing that against the other program milestones and objectives for the extension. He and Czaplewski did an exercise similar to what the LAC has been tasked with where they went through every land that was owned that could be even construed as potentially counting towards program land objectives. At that time, going through that exercise and depending on how you unravel things, there's a lot of devils in the details type of things, like, for instance, with Central and Jeffrey Island, there is specific FERC language in some of their license articles that specify whether it could or could not be counted towards the program, things like that. At that time, we were roughly 1,500 acres down from 29,000 ac goal and is likely where the concept of adding an additional 1,500 acres for the extension. Rabbe was going to look back for that information and if available, provide as a starting point for this exercise. LaGrange commented that NGPC has an up-to-date GIS database that includes date of purchase, but the more challenging part would be deciphering the target species habitat value from each parcel. Additionally, Department of Transportation has some properties, that also need to be evaluated for habitat value. Labay asked about that original exercise and those landowners that were potentially identified. Did we have people as part of this group reach out to them with, you know, the potential conservation incentive programs that were available at the time And what kind of incentives were available that would be proposed to a landowner? Rabbe pointed out that Ducks Unlimited acquires a property, restores it, and then puts an easement on it, usually a Fish and Wildlife Service easement, and then sell it back privately. Partners for Fish and Wildlife Service have gone and contracted with a variety of private landowners to do wetland restoration work that may or may not have any permanent types of protections on them. LaGrange reiterated that NGPC also works with the partners program on 10-year agreements, and he would not look at those as long-term conservation, because the landowner at the end of that 10-year agreement can quit managing the trees that were cleared or whatever. It's not an easement or a long-term protection mechanism on those properties that we work through in our private land. LaGrange added that like what was mentioned, Ducks Unlimited does have some easement options along with USDA NRCS that are mostly perpetual easements. USDA has the rights on those properties and in perpetuity for the perpetual ones. Those could potentially count as protected. Farnsworth agreed that those are all good things, and he thinks we should do what we can to sort of figure out how to accommodate those in this exercise. However, the Program document, for what we need to do for the Governance Committee, is very specific about who the folks that are on the GC, so the Crane Trust, Audubon, Nature Conservancy, Power Districts counted if or to the extent that they're managed for an endangered species habitat specifically. Rabbe asked is it GC specific or just program stakeholders? Because he thinks DU is on some, or at least an alternate with one of the committees. Jenniges agreed with Farnsworth it was very specific to Audubon, Crane Trust, Nature Conservancy, and Power Districts because if you don't bring those lands in for the second increment you can't get to 29,000 acres without buying them out. The question is "do conservation landowners get Program help to maintain them or do they count "as is" regardless of habitat quality?" That is the policy question in front of the GC which is a question that was agreed to way back in the day that says they will count towards the objective if the GC agrees to it. The intent of putting the land plan together and getting 10,000 acres was to not be purchasing lands already protected.

Homework for each of the conservation organizations listed in the Program documents is to provide the EDO with the most up-to-date parcel information (including purchase date) and use to compare to the originally exercises that Rabbe mentioned he and Czaplewski completed at the end of the 1st increment.



After the next LAC meeting, a smaller subgroup will be assigned to kind of tackle some of the categorization of some of those lands and come up with maybe some sort of an accounting system for what category each falls into and put together something that could then be brought back to the LAC and then get some sort of an agreement or consensus before we take those numbers to the GC.

EXECUTIVE SESSION

No items requiring executive session

PUBLIC FORUM

Chairman Zorn asked for public comments, none were offered.

LAC MOTION:

- October 18, 2024, LAC Meeting minutes approved.
- 2024 Land Work Report approved.

Future calendar events:

May 14, 2025 - 9:00- 11:00 CDT [2nd Quarter LAC meeting](#), Kearney, NE
August 13, 2024 - 9:00- 11:00 CDT 3rd [Quarter LAC meeting](#), Kearney, NE
October 15, 2024 - 9:00- 11:00 CDT [4th Quarter LAC meeting](#), Kearney, NE

LAC MEETING END

The LAC meeting adjourned at 10:07 AM Central Time.