



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

### **Governance Committee (GC) Quarterly Meeting – Loveland, CO**

Embassy Suites Hotel Conference Center & Spa

*Tuesday, December 6<sup>th</sup>, 2022*

Brock Merrill, Bureau of Reclamation – 2022 GC Chair

Jason Farnsworth, PRRIP Executive Director (ED) – Moderator

### **Governance Committee (GC)**

#### **State of Wyoming**

Brandon Gebhart – Member

#### **Bureau of Reclamation (Reclamation)**

Brock Merrill – Member (2022 GC Chair)

#### **State of Colorado**

Amy Ostdiek – Member

Emily Zmak – Alternate

Kara Scheel – Alternate

#### **U.S. Fish and Wildlife Service (Service)**

Steve Small – Member

Mark Porath – Alternate

Matt Rabbe – Alternate

#### **State of Nebraska**

Tom Riley – Member

#### **Environmental Entities**

Brice Krohn – Member

Rich Walters – Member

Bill Taddicken – Member (virtual)

Melissa Mosier – Alternate

#### **Upper Platte Water Users**

Dennis Strauch – Member

Owen Williams – Member (virtual)

#### **Colorado Water Users**

Kyle Whitaker – Member

Deb Freeman – Alternate

#### **Downstream Water Users**

Kent Miller – Member

Lyndon Vogt – Member

John Shadle – Member

Devin Brundage – Member

#### **Other Participants**

Cory Steinke, Dave Zorn, Mike Drain – CNPPID (virtual)

Jeff Runge – Service (virtual)

Jeff Shafer – NPPD (Virtual)

Jesse Bradley – State of Nebraska

Ned Andrews – ISAC (virtual)

Jason Marks – Denver Water (virtual)

Andy Nicewicz – CO AG Office (virtual)

Luke O'Brien – Trout Raley

Harry LaBonde – Member of public

Tom Smrdel – Member of public

### **Executive Director's Office (EDO)**

Jason Farnsworth – ED

Justin Brei

Libby Casavant

Sarah Fancher

Patrick Farrell (virtual)

Malinda Henry

Mallory Jaymes (virtual)

Kaley Keldsen (virtual)

Chad Smith

Tim Tunnell

Helen Davis

Seth Turner (virtual)

Malia Volke (virtual)

Alicia Uribe

Ed Weschler (virtual)



#1	WELCOME & ADMINISTRATIVE	Agenda Item Objective: Greetings, roll call, review agenda.
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**Introduction** – Chair Merrill called the meeting to order at 2:05 PM Mountain Time. The in-person and virtual groups proceeded with introductions.

**Agenda** – No modifications offered.

**Minutes** – **GC MOTION:**

- Riley moved and Ostdiek seconded to approve the September 2022 GC Quarterly Meeting minutes and the November 2022 GC Virtual Special Session minutes. **Minutes approved.**

#2	COMMITTEE UPDATES	Agenda Item Objective: General update on recent work of PRRIP Advisory Committees.
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**Land Advisory Committee (LAC)** – Zorn provided an update on the latest LAC activities. The LAC last met on October 19. Main items were the Myer Estate Land Management Plan and land related FY23 PRRIP budget/work plan items. The next LAC meeting will be February 23, 2023.

**Water Advisory Committee (WAC)** – Turner provided an update on the latest WAC activities. The WAC last met and discussed water related FY23 budget/work plans items, sediment augmentation, and other items. The next WAC meeting is February 7, 2023.

**Technical Advisory Committee (TAC)** – Merrill provided an update on the latest TAC activities. The TAC last met in October. Main items were the Meyer Estate Land Management Plan, germination suppression flows, sediment augmentation, plover and tern monitoring and predator management, whooping crane riverine roost site selection analysis, violet planting update, and the science related FY23 PRRIP budget/work plan items. The next TAC meeting is January 18, 2023.

**Finance Committee (FC)** – No updates (has not met since last GC meeting).

#3	OUTREACH UPDATE	Agenda Item Objective: General update on PRRIP outreach activities.
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## PRESENTATIONS

- UNL graduate students Christopher Pullano and Jenna Ruoss presented, *“Pallid Sturgeon Biology in the Platte River and its Tributaries”* on September 14, 2022, in Lincoln, Nebraska. The presentation is part of the Nebraska Cooperative Fish and Wildlife Research Unit Annual Coordinating Committee Meeting.
- Patrick Farrell presented on behalf of the Program at the Geological Society of America annual conference on October 11, 2022, in Denver, Colorado. His presentation was titled, *“Predicting the ability of river flow to maintain suitable channel conditions for whooping cranes.”*
- Seth Turner presented on the Program at the Sustaining Colorado Watersheds Conference in Avon, Colorado on October 12, 2022. His presentation was titled, *The Platte River Recovery Implementation Program: Using Existing Infrastructure to Restore River Flows for Threatened and Endangered Species.”*
- The Platte River Basin Conference & 3<sup>rd</sup> Playa Research Symposium Braided Paths: Science, Policy, and Culture was held in Kearney, Nebraska from October 24-27, 2022. The symposium was supported by the UNL Nebraska Water Center. The Program participated in the following events:



- Jason Farnsworth presented “Honest Broker Approach” and participated on the “Future of the Platte” panel.
- Patrick Farrell and Mallory Jaymes presented on “Whooping crane selection of the central Platte River Valley: roost site characteristics and factors related to stopover decisions.”
- Kristen Cognac presented on “Quantifying hydrologic constraints on a wet meadow restoration along the central Platte River.”
- Mark Pegg presented “Pallid sturgeon biology in the Platte River and its tributaries.”
- Malinda Henry presented “PRRIP: Using science and adaptive management to manage land and water to benefit target species” on behalf of the Program as a guest lecturer for a Freshwater Management Continuing Education course at the University of Nebraska at Kearney on November 21, 2022.

### EXHIBITS/SPONSORSHIPS

- The Program exhibited at Husker Harvest Days in Grand Island on September 13, 14, and 15, 2022 in the Natural Resources Districts building. 1,989 contacts were made.
- Then the program had an exhibit at Nebraska Natural Resources Districts Annual Conference on September 25 through 27, 2022 in Kearney, Nebraska. 176 contacts were made.

### UPCOMING PRESENTATIONS/EXHIBITS/SPONSORSHIPS

- The Program is sponsoring the South Platte Forum on December 8<sup>th</sup>, 2022, in Lafayette, Colorado
- Exhibit at Four States Irrigation and Colorado Water Congress in January 2023.

### MEDIA COVERAGE/OTHER

- Jason Farnsworth was interviewed by local television as part of the Platte River Basin Conference.

<b>#4</b>	<b>PRRIP FY22 BUDGET</b>	<b>Agenda Item Objective:</b> General update on current status of FY22 budget.
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Farnsworth updated the GC on the status of the FY22 PRRIP budget.

Whitaker asked about the status of billing related to PS-1 pallid research. Henry and Farnsworth said SIU equipment costs were paid in 2022 so the \$0 line item is a bookkeeping issue that has now been resolved.

<b>#5</b>	<b>PRRIP FY23 BUDGET</b>	<b>Agenda Item Objective:</b> Discuss/approve FY23 Budget, Work Plan, and EDO Contract; discuss Procurement Policy reporting for the coming year and time-sensitive GC-action items.
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Farnsworth summarized the two changes to the FY23 budget since the GC November Special Session. Both items are in the Water Plan. The Chokepoint line-item (WPCP-1) budget was increased to accommodate potential property acquisition and engineering work. The water monitoring line-item (WPWM-1) was updated to include additional weather station maintenance costs.

Freeman asked about the chokepoint line item and whether the proposed technical study will be informed by the upcoming VESPR study. Farnsworth said he is hoping the VESPR group and their consultants will present the results to the Program early in 2023 and then work with them to make sure the proposed technical study builds on the pieces of the VESPR study that are relevant to the Program. Freeman asked about the PS-1 line item. The GC approved the pallid sturgeon Framing Document in



June 2021, then in March 2022 increased the budget to acquire lower Platte River LiDAR. The discussion in the spring was that the 2D modeling was going to be done in-house. But the FY23 budget shows that work is being done by a consultant. Farnsworth said the EDO was planning to do the 2D modeling in-house but received feedback from the Service and others that it would be beneficial to have that work done by an outside consultant. So, \$250,000 was added to the FY23 budget for this line item to accommodate that work.

Farnsworth summarized the 4<sup>th</sup> amendment for the EDO contract. Merrill summarized discussions at the Signatory Meeting about the need to develop a new multi-year contract for Headwaters.

**GC MOTION:** Riley moved and Gebhart seconded to approve the PRRIP FY23 Budget, Work Plan, and EDO Contract 4<sup>th</sup> Amendment. Motion passed.

Henry summarized the Cooperative Service Agreement for PRRIP predator trapping. Walters asked when there would be a summary analysis conducted of predator trapping. Henry said that annual plover and tern reports give annual summaries, with a multi-year analysis after the 2023 season. Walters asked if that is tied back to fledge ratios. Henry said yes, and also would look at the number of predators captured by traps and registered on cameras as the middle link in that chain. Riley asked if this is a fixed price contract. Henry and Farnsworth said it is time and materials.

**GC MOTION:** Riley moved and Ostdiek seconded to approve the Predator Trapping Cooperative Service Agreement. Agreement approved.

Jaymes summarized the 2023 RFB for Whooping Crane Monitoring and the 2023 contract form. Riley asked whether the EDO has updated the insurance requirements in the contracts. Farnsworth said we work to keep those current.

**GC MOTION:** Gebhart moved and Riley seconded to approve the Whooping Crane Monitoring RFB. RFB and contract form approved.

Brei summarized the 2023 Contract Amendment for DJ Case for PRRIP website and database services.

**GC MOTION:** Ostdiek moved and Riley seconded to approve the PRRIP Website & Database Contract Amendment. Contract Amendment approved.

Tunnell summarized the RFP and contract form for Prescribed Fire Management Services. Freeman asked about liability for fire. The documents seem to hold the contractor responsible only if the contractor fails to follow the plan. Farnsworth said there have been extended discussions about how these contracts are structured in other places. Freeman said it appears that there is some liability on the part of the Program if the fire causes problems. Riley asked who approves the Fire Plan. Tunnell said the local fire chief and Tunnell. Farnsworth said he will take this back to legal counsel and insurance counsel to make sure this language is correct. Merrill said once that is done, the EDO should bring this back to the GC for an electronic vote.

**GC DECISION:** Appointed the following Proposal Selection Panel – Brice Krohn (The Crane Trust), Dave Carr (Central Platte NRD).



Riley asked if the EDO wants to add a line item that would pay the contractor some minimum amount if we don't use their services for prescribed fire. Farnsworth said the EDO could add something like 5% of the budget line item as guaranteed payment.

Tunnell summarized the Chemical Application Services RFB and contract form. Rabbe asked if this contract will cover the MCA island and be treated. Tunnell said yes in the bare ground services. Rabbe asked if we have thought about whether we need to clear residual vegetation since spraying has not happened recently. Rabbe also said on Page 8 we should list clearing bare ground including the MCA island at the Chapman Complex. Tunnell said it is listed but not noted as an MCA island, we will add that to the RFB. Small asked what happens if somebody does not bid on areas that we want treated. Tunnell said we are going to have to work through that if it happens. Having one contractor bid on all the work did not work well for the Program the last time. Farnsworth said if it doesn't work we can re-work another way to do it and see if a better solution arises. Gebhart asked how the EDO is going to compare bids. Tunnell said the big table is for checking which areas the contractor is interested in, and the next page shows the hourly rates for chemicals and equipment.

**GC MOTION:** Riley moved and Ost diek seconded to approve the Chemical Application Services RFB as edited by the GC (adding the MCA island notation). Edited RFB approved.

The GC Appointed the following Bid Review Panel – Matt Rabbe (Service), Brock Merrill (Reclamation).

<b>#6</b>	<b>PRRIP SCIENCE PLAN</b>	<b>Agenda Item Objective:</b> Discussion recent Science Plan implementation activities.
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Jaymes provided an update to the GC on the results of the fall whooping crane monitoring season.

Henry provided an update to the GC on the status of violent plantings on PRRIP properties.

### MEETING BREAK – 3:34 PM Mountain Time

<b>#7</b>	<b>PRRIP SCIENCE/POLICY</b>	<b>Agenda Item Objective:</b> Discuss integration of PRRIP science and outside science and improvements to science implementation and reviews processes.
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Smith discussed:

- Framework for integrating non-Program science – embrace other science, even by Program participants; widen our look at uncertainty; more robust info to GC; ISAC will help when we need help understanding Program implications and integrating.
- More active TAC – ask to help set agenda for Science Plan Reporting Session and all TAC meetings; provide comments on all products and processes.
- ISAC – by summer 2024, 50% new membership from beginning of Extension; remaining three members cycle off in 2024 and 2025, all new members (from beginning of Extension) by 2025; one term and out unless re-appointed by GC; all Program participants invited to meet with ISAC at all times (for example, no EDO-only meeting time).
- Peer review – will be conducting two PRRIP peer reviews in 2023; need Selection Panel appointed to help develop scope and recommend peer reviewers.

Ost diek said when thinking about science from outside the Program, we need to be mindful of what the Program is and make sure we keep things oriented to Program priorities. Whitaker asked what it means for the EDO if more items are going to be conducted by outside contractors. Farnsworth indicated that



the EDO is staffed to handle basic species and habitat monitoring and phragmites research. Intent will be to have additional engineering and research work conducted by outside contractors under EDO supervision.

<b>#8</b>	<b>WATER ACTION PLAN (WAP)</b>	<b>Agenda Item Objective:</b> Update on recent WAP implementation activities.
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Turner updated the GC on the status of implementation of the WAP and some operations updates:

- Little water diverted into our recharge projects.
- Recapture network construction – recent pressure tests.

Whitaker said it concerns him that the end of the J-2 Crediting Agreement aligns with the end of the Extension. This could have issues with the Program being able to get or afford this water beyond 2032. Merrill agreed this is a concern in terms of moving into a Second Increment. Freeman said we need to think about these contracts not putting us on the edge of a cliff. Farnsworth asked Brundage and Shadle whether there is MOU language we could come up with to address this issue. Brundage said this is something we could work on. Freeman said the idea is to memorialize some kind of option to continue this as a bridge into a Second Increment.

Merrill said we need to take action on these two agreements, but the GC needs to deal with this issue at the policy level and give help to the EDO to frame language or an approach. Merrill asked the Signatories to participate in a small group to work on this issue.

**GC MOTION:** *Whitaker moved and Strauch seconded to approve the Elwood Agreement and J-2 Crediting Agreement.* **Motion approved.** Downstream Water Users abstained.

<b>#9</b>	<b>PUBLIC COMMENT</b>	<b>Agenda Item Objective:</b> Public comment period on PRRIP activities.
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Harry LaBonde asked about the status of pallid sturgeon capture and tagging. Henry said they have captured and tagged 17 new fish with a total of 35 captured and tagged between our project and Missouri River that entered the Platte River.

Merrill presented LaBonde with an award recognizing his long-time service on the GC.

<b>#10</b>	<b>EXECUTIVE SESSION</b>	<b>Agenda Item Objective:</b> GC member discussion of sensitive land, water, and policy items.
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**GC MOTION:** *Riley moved and Ost diek seconded to enter Executive Session.* GC entered Executive Session at 5:01 PM Mountain Time.

**GC MOTION:** *Riley moved and Gebhart seconded to exit Executive Session.* GC exited 5:17 PM Executive Session at Mountain Time.

<b>#14</b>	<b>EXECUTIVE SESSION MOTIONS</b>	<b>Agenda Item Objective:</b> GC consideration of motions discussed during Executive Session.
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**GC MOTION:** *Walters moved and Ost diek seconded to approve the EDO seeking acquisition of the Jensen Tract at North Platte.* **Motion approved.**

**#15 GC MEETING REVIEW & WRAP-UP****Agenda Item Objective:** Discuss action items, meeting feedback, and upcoming meeting schedule.

**GC MOTION:** Gebhart moved and Ostdiek seconded to nominate Tom Riley (State of Nebraska) as 2023 GC Chair and Steve Small (U.S. Fish and Wildlife Service) as 2023 GC Vice Chair. **Motion approved.**

Upcoming GC meetings (in-person meetings depend on local and national public health conditions and travel restrictions):

- **2023 PRRIP Science Plan Reporting Session:**  
February 14-16, 2023 @ Omaha, NE
- **March 2023 GC Quarterly Meeting:**  
March 7-8, 2023 @ Kearney, NE
- **June 2023 GC Quarterly Meeting:**  
June 13-14, 2023 @ Cheyenne, WY
- **September 2023 GC Quarterly Meeting:**  
September 12-13, 2023 @ Kearney, NE
- **GC Virtual Special Session on FY2024 Budget & Work Plan:**  
November 8, 2023  
10:00 AM-12:00 PM Central Time via Teams
- **December 2023 GC Quarterly Meeting:**  
December 5-6, 2023 @ Loveland, CO

**GC MEETING END**

5:30 PM Mountain Time

**Summary of Action Items/Decisions from December 2022 GC Quarterly Meeting**

- 1) Approved the September 2022 GC Quarterly Meeting minutes and the November 2022 GC Special Session minutes.
- 2) Approved the FY23 PRRIP Budget, Work Plan, and EDO Contract.
- 3) Approved the multi-year Predator Trapping Cooperative Service Agreement with USDA/APHIS.
- 4) Approved the Whooping Crane RFB and contract form.
- 5) Approved the PRRIP Website and Database Contract Amendment.
- 6) Appointed the following Proposal Selection Panel for the Prescribed Fire RFP – Brice Krohn (The Crane Trust), Dave Carr (Central Platte NRD); RFP to be approved electronically after editing.
- 7) Approved the Chemical Application Services RFB and contract form as edited by the GC. Appointed Rabbe and Merrill to the Bid Review Panel.
- 8) Approved the Elwood Agreement.
- 9) Approved the J-2 Crediting Agreement.
- 10) Approved the acquisition of the Jensen Tract at the North Platte chokepoint.
- 11) Elected Tom Riley (State of Nebraska) 2023 GC Chair, Steve Small (U.S. Fish and Wildlife Service) 2023 GC Vice Chair.