

**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP -or- Program)****Governance Committee (CC) Virtual Quarterly Meeting**

Wednesday, March 10, 2021; 9:30 AM – 4:00 PM CST

Meeting held online via MS Teams.

Power Point presentations from meeting

Governance Committee (GC)**State of Wyoming**

Harry LaBonde – Member

Brandon Gebhart – Alternate

State of Colorado

Don Ament – Member (2021 GC Chair)

JoJo La – Alternate

State of Nebraska

Tom Riley – Member

Jesse Bradley - Alternate

Upper Platte Water Users

Dennis Strauch – Member

Bob Mehling – Alternate

Owen Williams – Alternate

Downstream Water Users

Devin Brundage – Member

Kent Miller – Member

Lyndon Vogt – Member

Executive Director's Office (EDO)

Jason Farnsworth, ED

Bridget Barron

Justin Brei

Patrick Farrell

Julia Grabowski

Scott Griebeling

Malinda Henry

Bruce Sackett

Chad Smith

Tom Smrdel

Tim Tunnell

Seth Turner

Kevin Werbylo

Bureau of Reclamation (Reclamation)

Brock Merrill – Member (2021 GC Vice Chair)

U.S. Fish and Wildlife Service (Service)

Steve Small – Member

Matt Rabbe – Alternate

Environmental Entities

Brice Krohn – Member

Bill Taddicken – Member

Rich Walters – Member

Colorado Water Users

Alan Berryman – Member

Deb Freeman – Alternate

Kyle Whitaker – Alternate

Jason Marks – Alternate

Other Participants

Mike Drain, Cory Steinke, & Dave Zorn – CNPPID

Jim Jenniges, John Shadle, Jeff Shafer, &

Michael Kondrack – NPPD

Brian Caruso, Tom Econopouly, &

Jeff Runge – Service

Pat Engelbert & Matt Pillard – HDR

Michelle Koch – NGPC

Melissa Mosier – Audubon Nebraska

Mirko Kruse – Trout Raley (CO Water Users)

David Galat – ISAC

Jennifer Hoeting – ISAC

Dave Marmorek – ISAC

Ned Andrews – ISAC

Adrian Farmer – ISAC

Brian Hollis, Reclamation



WELCOME & ADMINISTRATIVE

Introductions – Vice Chair Brock Merrill called the meeting to order at 9:34 AM Central Time.

Agenda – No modifications offered. Merrill said he will be talking about some Program finance and budgeting issues after Farnsworth gives a budget update.

Minutes:

GC Motion: *LaBonde moved and Riley seconded to approve the December 2, 2020 GC Virtual Quarterly Meeting minutes as revised .* **Minutes approved.**

COMMITTEE UPDATES

Land Advisory Committee (LAC) – Zorn provided an update on the latest LAC activities. The LAC met on February 21 and discussed: overview of Cottonwood Ranch recapture network; Lowe boundary line agreement; recommend acceptance of the Lex Pit restoration and maintenance plan; recommend continued pursuit of Tract 2003 as will be discussed later today with the GC.

Water Advisory Committee (WAC) – Steinke provided an update on the latest WAC activities. The WAC discussed WAP projects; leasing program with Central irrigators; recapture well project and associated easements; reach-wide monitoring and LiDAR; Environmental Account (EA) status and management; North Platte chokepoint.

Technical Advisory Committee (TAC) – Merrill provided an update on the latest TAC activities. The TAC met on January 6 and discussed: land management actions at the Lex pit; predator management; fall 2020 WC monitoring report; 2020 tern/plover monitoring report; AMWG update; Merrill re-elected TAC Chair, Rabbe elected Vice Chair.

Finance Committee (FC) – Farnsworth provided an update on the latest FC activities. The FC met on January 4 and discussed: approval of bid package and contract for Lex pit rehab project; discussion and comment on new format for PRRIP finance and budgeting review document. The FC met on February 23 and discussed: ISAC contract amendments for 2021; RFP for replacing fencing at CWR BSR project site; sole-source discussion about fencing at a tern/plover site which is on the GC agenda today; discussion on updating the Program Procurement Policy.

OUTREACH UPDATE

PRESENTATIONS

There were no presentations in January or February 2021.

UPCOMING PRESENTATIONS/EXHIBITS/SPONSORSHIPS

- Upcoming Conferences/Events cancelled/modified due to COVID-19 social distancing requirements, including Audubon's Crane Festival
- Jason Farnsworth and George Oamek are scheduled to participate in a podcast regarding Nebraska water issues as part of a series of the Daugherty Water Center at the University of Nebraska Lincoln. They will be discussing the Program on April 8, 2021.



MEDIA/OTHER

- Jason Farnsworth wrote an article for the Winter 2021 issue of Irrigation Today. The title was “*Managing the Platte*” and provided an overview and update on the Program.
- George Oamek wrote an article for the Winter 2021 issue of Irrigation Today. The title was “*No crystal ball when dealing with commodities*” and focused on the correlation between water lease terms and commodity prices.
- The Kearney Hub published articles in December 2020 and February 2021 regarding the effect of the pandemic on sandhill crane viewing at Rowe Sanctuary and The Crane Trust. Both organizations are offering Crane Cams for a virtual experience of the annual migration.
- After 34 years as the agricultural/natural resources reporter at the Kearney Hub Lori Potter retired on March 5, 2021. Ms. Potter covered the Program extensively since 2007.

PRRIP BUDGET

Farnsworth presented the PRRIP 2020 financial review and discussed the status of the FY21 budget, expenditures, and budget-related action items for the GC today.

Merrill discussed recent issues with Reclamation cash flow getting to the Program. A chunk of Program funding is expected to be obligated and available through the new grants program sometime this week. There is enough cash to get the Program through the end of the month but if necessary Merrill has talked to Colorado and Wyoming and the Program could draw on state contributions until federal funds are available and then use catch-up procedures as has been done before. Merrill said he and Farnsworth were planning to seek a roll call vote via email to move to state funding only if necessary for a short time, if the funding Signatories are comfortable with that approach. Ament agreed just to watch the situation and if necessary we can convene a Signatory call. Gebhart said email approval would work for Wyoming. Ament said he is fine with that approach. Farnsworth said he will do everything he can to avoid that and only fall back to that option if necessary.

MEETING BREAK (10 min.)

ADAPTIVE MANAGEMENT PLAN

Adaptive Management Working Group (AMWG) – Henry gave an update on the most recent work of the AMWG focused on whooping cranes (WC). Riley asked about the statistical analysis used to explore the issue of stopover length. Will you be considering where the birds came from as a possible influence on use of the Platte? Henry said that is a good point and that would be another variable to consider. We have thought about this somewhat, primarily in terms of distanced travels. There are some limitations in the dataset related to what variables can be explored. Riley asked about where the EDO is getting its information related to depth and time related to vegetation germination. Henry said timing is from published literature related to species like cottonwood. Information about depths comes from experiments done on seedlings and germination. There is also a predictor website we can look at that suggests when germination, flowering, etc. will occur. Riley said he is interested in the length of time water is needed and it might be useful to look at proxy crops like corn or soybeans to explore ways to terminate growth. Taddicken asked about existing research on issues of germination suppression. Henry said there is information about time required for seedling inundation but not as much about length of time necessary for seed mortality. Drain commented that it is more about keeping the soil covered with water so the seed does not establish, rather than about time to keep the seed underwater to kill it.

**INDEPENDENT SCIENTIFIC ADVISORY COMMITTEE (ISAC)**

Smith discussed plans for engaging the ISAC more with the GC. Galat gave a presentation summarizing key ISAC guidance from the first 2021 ISAC quarterly meeting (2021 AMP Reporting Session). Riley suggested a contact at the Nebraska DNR to discuss the FEMA flood buyout program. La said the Upper Colorado River Endangered Fish Recovery Program does use quantitative fish objectives and those have, in some ways, limited the extent of that program and the actions and learning that occur. Work is underway to update those objectives and they may become more qualitative. La asked if the ISAC has experience with other restoration programs on this issue. Galat said it is not so much an issue of setting hard objectives but instead guidelines that can be helpful in the Program deciding what is has accomplished and where you are going. Marmorek agreed it is helpful to have quantitative targets that are not binding but that serve as guideposts.

INTERIOR LEAST TERN (LT)

Rabbe gave a presentation regarding the recent federal de-listing of the LT. Freeman asked if the GC decides to keep things simple for the Extension period to avoid re-writing Program documents just in time to re-write them again for the Second Increment, there could be a simple approach where there are modest updates to the tiered BO template forms and the remaining documents (Program Document, etc.) could be addressed with a simple addendum stating this species will be treated as a non-listed target species and should be viewed as such under the Program Document. Rabbe said that is a good point and reduces the risk further related to uncertainties about the Post-Delisting Monitoring Plan, etc. LaBonde said he supports moving ahead with monitoring for 2021 and then we can react to the Post-Delisting Monitoring Plan, and also supported the idea of drafting an addendum for the Program Document.

Farnsworth suggested a small GC committee gather to develop a draft addendum for GC consideration at the July or September GC Quarterly Meeting. That committee will include: Rabbe, Freeman, Merrill, La, and Walters; other are free to join the discussion if interested.

MEETING BREAK (30 min.)**PALLID STURGEON (PS)**

Runge gave a presentation regarding Service guidance to the GC for pallid sturgeon and the Program. Freeman said based on the Second Increment Policy Frame and discussions surrounding it, the question was whether research could serve as a Program contribution to pallid sturgeon. Does the Service see this as a viable approach under an otherwise maintenance program (Second Increment)? Small said the answer is yes, as long as we can show benefit to the pallid as an outcome of the research. Runge agreed. Marmorek commented on effective population size – that is a measure of population which incorporates its genetic diversity. The pallid sturgeon recovery plan sets effective population size targets for each population unit. The benefit is it gives the Service a much better sense for how the population is doing and associated genetic diversity. Ament said he is troubled by what he seems to be hearing about what we are going to accomplish in the Extension and the Second Increment. Riley asked if Runge's presentation will be made available to the GC. Smith said yes.

Farnsworth offered thoughts from the EDO on a potential way forward involving both genetics research and contributing to lower Platte River pallid sturgeon research proposed by the Nebraska Game and Parks Commission and the University of Nebraska-Lincoln. This would be a combination of work that



would yield insight into pallid genetics and habitat/behavior related to spawning in the lower Platte. This work would roll out over about a 5-7 year period. One possibility after this could be a second stage change study. If the GC is interested, the EDO can put this kind of package on paper and bring it back to the GC for discussion at the June GC quarterly meeting. Shadle said he is not sure how realistic the 5-7 year time period, it may be unlikely we get definitive information in that time based on prior experience with other pallid sturgeon research. Riley asked if the EDO would come back in June with concepts or a package for GC approval. Farnsworth said likely a package for approval. Riley said he would want to see it well ahead of time before being asked to approve that. He said he would want at least a month to have time to review the details. Merrill agreed and said it would be best to consider getting something to the GC to first chew on in June and then seek approval in September. La said she is struggling connecting what the Service is comfortable with and the approach being discussed by the EDO. Small and Runge said these potential research options all would provide the kind of coverage for the Program that the GC is looking for through the Extension and into the Second Increment.

Merrill asked the GC if June is too early to resolve this if the EDO can get a package to the GC for review in 6-8 weeks, and if the Service can put on paper what it would mean in terms of Program benefits to pallid sturgeon and ESA compliance in the Extension and the Second Increment. Ament agreed this would work, noting it might also take some discussions among Signatories and within Program entity groups leading up to the June GC meeting. *Farnsworth and Smith agreed to facilitate both the technical pieces of this approach and the associated policy discussions between now and the June GC meeting to get things in place for GC discussion and decision at that time.*

WATER ACTION PLAN (WAP)

Turner gave a presentation on Water Milestones, the new WAP Update Report, and the North Platte chokepoint. Drain asked if there are details on the Glendo lease. Turner said no there are no specific details yet and the EDO has not had serious discussions with them yet. Drain said if that is to be put into the EA there needs to be discussions about how to make that work. Turner agreed. LaBonde asked about the anticipated duration of the germination suppression release this summer. Econopoulou said it would be 2,000 cfs for about 30 days. Farnsworth said that is the flow target at Grand Island, the releases would be whatever EA/Program water is necessary to bring flows up to that target (depends on South Platte contributions, rain events, etc.).

Recapture Network – Werbylo gave a status report on the recapture network near the Cottonwood Ranch property. Werbylo and Farnsworth summarized the TBNRD easements related to well placement and operation on PRRIF property for this project.

GC Motion: *Ament moved and LaBonde seconded to approve both TBNRD easements related to the recapture network project.* **Easements approved.**

MEETING BREAK (10 min.)

LAND PLAN

2020 Land Work Report – Tunnell summarized the 2020 Land Work Report.

Land Advisor Contracts – Tunnell summarized the contracts for two land advisors (farm managers). Rabbe asked if the reason for having two contractors is because of the size of the Associated Habitat



Reach (AHR) and as a way to lower costs. Tunnell said the main reason is to split the AHR at Kearney and get two entities to help based on the geography of the area and relationships with the tenants.

GC Motion: *LaBonde moved and Ament seconded to approve the UFARM and Agri-Affiliates 3-year contracts.* Contracts approved.

Broadfoot Property Fencing – Tunnell discussed the potential for sole-sourcing the construction of predator fencing at the Broadfoot South tern/plover nesting site. Farnsworth summarized the purpose of seeking sole source approval for this specific fencing work. Rabbe asked about any impacts of fencing other properties on tern/plover use and productivity on this site. Henry said the EDO has not observed any avoidance of similar fencing in other areas of this property. Zorn asked about location of the fence. Henry said it would be around the entire nesting site.

GC Motion: *Taddicken moved and Strauch seconded to approve the sole-source quote from Nuttelman Fencing and the associated contract.* Sole-source quote and contract approved.

Lexington Pit Rehab – Tunnell summarized the Land Management Plan for the OSG Lex Pit and restoration activities planned at the site.

GC Motion: *Williams moved and LaBonde seconded to approve the Lexington Sandpit Land Management Plan.* Management plan approved.

PUBLIC COMMENT

None offered.

EXECUTIVE SESSION

Ament moved and Taddicken seconded to enter Executive Session. **GC entered Executive Session at 2:37 PM Central Time.**

Ament moved and LaBonde seconded to exit Executive Session. **GC exited Executive Session at 3:17 PM Central Time.**

EXECUTIVE SESSION MOTIONS

GC Motion – *LaBonde moved and Ament seconded authorizing the EDO to negotiate the lease of Tract 2003 as complex habitat as recommended by the LAC, for later approval by the GC and consideration of the property counting toward the Extension plus-up acres.* Motion approved.

GC Motion – *Vogt moved and Strauch seconded to approve the Lowe property boundary line agreement.* Motion approved.

GC MEETING REVIEW & WRAP-UP

Action Items & Meeting Feedback – None.

2021 GC Meetings:

- GC Virtual Quarterly Meeting – **June 9, 2021**
- GC In-Person Quarterly Meeting – **September 14-15, 2021 @ Kearney, NE**



- GC *Virtual* Special Session – **November 10, 2021**; discussion of FY22 budget and work plan
- GC *In-Person* Quarterly Meeting – **December 7-8, 2021 @ Denver, CO**

GC MEETING END

Meeting adjourned at 3:27 PM Central Time.

Summary of Action Items/Decisions from March 10, 2021 GC Virtual Quarterly Meeting

- 1) Approved December 2, 2020 GC Virtual Quarterly Meeting minutes.
- 2) Approved the TBNRD easements for the recapture network project.
- 3) Approved 3-year contracts with UFARM and Agri-Affiliates.
- 4) Approved the sole source quote and contract with Nuttelman Fencing.
- 5) Approved the Lex pit Land Management Plan.
- 6) Authorizing the EDO to negotiate the lease of Tract 2003 as complex habitat as recommended by the LAC, for later approval by the GC and consideration of the property counting toward the Extension plus-up acres. Motion approved.
- 7) Approved the Lowe property boundary line agreement.