

**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP -or- Program)****Governance Committee (GC) Virtual Quarterly Meeting**Wednesday, December 2<sup>nd</sup>, 2020: 9:30 AM – 3:00 PM CST*Meeting held online via MS Teams.*[Power Point presentations from meeting](#)**Governance Committee (GC)****State of Wyoming**

Harry LaBonde – Member (2020 GC Vice Chair)

Brandon Gebhart – Alternate

**Bureau of Reclamation (Reclamation)**

Brock Merrill – Alternate

**State of Colorado**

Don Ament – Member

JoJo La – Alternate

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

Steve Small – Member (2020 GC Chair)

Matt Rabbe – Alternate

**State of Nebraska**

Tom Riley – Member

Jesse Bradley - Alternate

Jennifer Schellpeper - Alternate

**Environmental Entities**

Brice Krohn – Member

Bill Taddicken – Member

Rich Walters – Member

**Upper Platte Water Users**

Dennis Strauch – Member

Bob Mehling – Alternate

Owen Williams – Alternate

**Colorado Water Users**

Alan Berryman – Member

Deb Freeman – Alternate

Kyle Whitaker – Alternate

Jason Marks – Alternate

**Downstream Water Users**

Devin Brundage – Member

Joe Citta – Member

Lyndon Vogt – Member

Kent Miller – Member

**Other Participants**

Mike Drain, Cory Steinke, &amp; Dave Zorn – CNPPID

Jim Jenniges, John Shadle, Jeff Shafer, &amp;

Christopher Elliott – NPPD

Diane Wilson – NCF

Mirko Kruse – Trout Raley (CO Water Users)

Jeff Cowley – State of Wyoming

Michelle Koch – NGPC

Tom Econopouly &amp; Jeff Runge – Service

Melissa Mosier – Audubon Nebraska

Philip Halteman – Compass

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

Jason Farnsworth, ED

Bridget Barron

Justin Brei

Patrick Farrell

Julia Grabowski

Scott Griebing

Malinda Henry

Bruce Sackett

Chad Smith

Tom Smrdel

Tim Tunnell

Seth Turner

Kevin Werbylo



## **WELCOME & ADMINISTRATIVE**

**Introductions** – Chair Steve Small called the meeting to order at 9:32 AM Central Time. Small greeted the group. Small indicated he would be leaving the meeting early today, LaBonde will take over as chair at that time. He acknowledged everyone's participation through the difficult year and the EDO working to make the virtual meetings a success.

**Agenda** – Ament asked for a modification to the agenda to add discussion of re-naming the Pawnee Complex to the Jerry Kenny Complex. Farnsworth said we should discuss that at the end after the Executive Session.

### **Minutes:**

**GC Motion:** Taddicken moved and Merrill seconded to approve the September 16, 2020 GC Virtual Quarterly Meeting minutes. Minutes approved.

**GC Motion:** LaBonde moved and Ament seconded to approve the November 10, 2020 GC Virtual Special Session minutes. Minutes approved.

## **COMMITTEE UPDATES**

**Land Advisory Committee (LAC)** – Zorn provided an update on the latest LAC activities. The LAC last met on November 3 and held a Q&A session on November 24 to discuss the Land Management Plans on the GC agenda today. The LAC also discussed two land offerings and the draft FY21 land budget.

**Water Advisory Committee (WAC)** – Steinke provided an update on the latest WAC activities. The WAC last met on October 27. Discussion items included all WAP projects (recharge, choke point test, recapture wells, broad-scale recharge, leases) and sediment augmentation.

**Technical Advisory Committee (TAC)** – Merrill provided an update on the latest TAC activities. The TAC met on October 30. Discussion items included the Land Management Plans on the GC agenda later today, spring 2020 whooping crane monitoring report, the results of 2020 tern/plover monitoring, and the draft FY21 Adaptive Management Plan budget.

**Finance Committee (FC)** – La provided an update on the latest FC activities. The FC has not met independently since the last GC meeting, the November GC Special Session to discuss the FY21 budget and work plan replaced the typical FC meeting to discuss the draft budget for the next calendar year.

## **OUTREACH UPDATE**

### **SPONSORSHIPS**

The Program sponsored the Nebraska Water Resources Association/Nebraska Irrigators Association joint Webinar Series that included four webinars available in October and November 2020.

## **UPCOMING PRESENTATIONS/EXHIBITS**

Upcoming Conferences/Events cancelled/modified due to the COVID-19 social distancing requirements:

- 4 States Irrigation Council Annual Conference
- No information regarding Colorado Water Congress, typically held in January. La said it appears that Water Congress may indeed happen in February 2021, not sure yet if it will be open workshops or webinars.

**MEDIA/OTHER**

This year, instead of the annual gift to GC members, Headwaters donated to Water.org. They bring safe water and sanitation to the world through access to small, affordable loans. There is both a need and demand for these loans, because when people have access to safe water, they get time back to go to school, earn an income and take care of their family. For more than ten years, Charity Navigator has consistently rated Water.org in the top 10% of global charities for transparency and financial accountability.

**PRRIP FY20 BUDGET**

Farnsworth discussed the status of the FY20 budget, expenditures, and forecast for the remainder of 2020.

**PRRIP FY21 BUDGET**

Farnsworth summarized the FY21 budget and work plan. No substantive changes have been made since the discussion at the GC Special Session. La asked about the status of the potential pallid sturgeon line item and whether the Service has any guidance on this item. Small said the Service is still in the middle of ongoing conversations about the pallid sturgeon issue and plans to report back to the GC by March 2021 if not before.

**GC Motion:** *LaBonde moved and Ament seconded to approve the FY21 PRRIP budget and work plan.*  
**FY21 budget and work plan approved.**

Farnsworth summarized the FY21 EDO contract amendment.

**GC Motion:** *Ament moved and Merrill seconded to approve the FY21 EDO contract amendment.* **FY21 EDO contract amendment approved.**

**FEDERAL BUDGET**

Farnsworth discussed the implications of a potential federal government shutdown. Merrill said the guidance he received is a likely two-week Continuing Resolution with the full budget being approved by the end of December. Farnsworth asked the GC if they want to give temporary approval to spend state funds if federal dollars become unavailable during a shutdown or if they want to re-convene via conference call to discuss in the event of a shutdown. LaBonde suggested re-convening if necessary, Merrill agreed with that approach.

**ENVIRONMENTAL ACCOUNT**

Econopouly discussed plans for the Environmental Account (EA) in 2021. LaBonde asked if the GC can get a copy of the Power Point presentation. Econopouly said yes. Smith said he would provide a copy on the GC room of the PRRIP site ([2021 EA Update Presentation](#)). Brundage asked about the priority designation for flow releases next year. Econopouly said the Service wants to concentrate on whooping crane and summer germination suppression flow releases in 2021.

**MEETING BREAK (5 min.)**



## **ADAPTIVE MANAGEMENT PLAN**

**Whooping Cranes** – Farrell gave a presentation on the results of fall 2020 whooping crane monitoring ([PRRIP GC Fall 2020 Whooping Crane Monitoring Update Presentation](#)). Small asked about documentation of fall use as the birds moved south this past fall. Farrell said he was showing a single spring migration in his figure as an example of the kind of data we get from telemetry. We have data for both fall and spring migrations. Taddicken asked about the long yellow lines. Farrell said those are data points stacked up on each other as some of the GPS units provide very frequent real-time data. Rabbe asked if we are looking at timing and flow but also wondered if those are being combined to help decipher what kind of selection the cranes are making. Farrell said that is a good point, this is probably a hierarchical decision process and we may explore that through modeling. Drain asked if we will also make comparisons between flyovers and stopovers and their relative differences in conditions. Drain also asked if there is additional information we should be gathering for birds ahead of them reaching the Platte (i.e., did they fly over because they stopped somewhere nearby first?). Farrell said to characterize when birds stop and conditions we need to understand the condition during flyovers too, both will be looked in in exploring the data. The data we have are GPC locations within 100 km of the Associated Habitat Reach (AHR) so we may not be able to capture that pre-arrival data. It is an important consideration and we may need to put in a second data request if necessary.

**Adaptive Management Working Group (AMWG)** – Henry gave an update on the most recent work of the AMWG.

**Honest Broker Manuscript** – Farnsworth summarized the draft manuscript and asked for feedback from the GC both on the content of the manuscript and the approach of Headwaters seeking publication instead of it being a PRRIP EDO publication. Riley asked if Farnsworth thinks there is a conflict of interest. Farnsworth said no, there is some language in the current draft that compares/contrasts the PRRIP with other programs and we want to avoid the perception that the PRRIP is pointing out those differences as opposed to Headwaters saying it. Riley said it still sounds like a conflict of interest, it might be worth having a caveat in the manuscript saying these are the opinions of the authors and not the Program. Rabbe said he agrees with that and that kind of caveat is standard protocol for federal employees. Freeman said she found it an interesting read, we are all interested in adaptive management and its effectiveness. It is appropriate to submit it by Headwaters rather than the GC/Program. La said she sat in on Smith's dissertation defense and it showed a stark comparison between the success of the PRRIP in comparison to other programs like the Trinity River Restoration Program. That comparison was based on survey data from both programs and would suggest an approach to publication that tracks with the approach suggested by the commenters so far. Ament said we are spending a lot of money and effort over a long period of time and it is appropriate for Headwaters to express and account for the success of the PRRIP and what has worked well. Riley said he agreed with Ament, take an opportunity to get this information out. He asked what journals we are considering. Farnsworth and Smith said likely something like the Journal of Environmental Management or Ecology & Society. Riley suggested considering more practitioner-based outlets that may not be peer reviewed but might reach a wider audience. Small summarized that GC direction is for Headwaters to seek publication, the GC agreed.

## **WATER ACTION PLAN (WAP)**

Turner provided an update on the latest with several WAP projects. The EDO is also working on a new WAP Update Report for water projects during the First Increment, that should be in front of the WAC in February 2021 and the GC in March. Werbylo gave a short update on the status of the Cottonwood



Ranch broad-scale recharge project. Rabbe asked about grazing in 2021 or 2022 and if there was concern because re-seeding has only recently happened. Werbylo said we will not graze in 2021, the earliest will be 2022 depending on the success of the re-seeding. Werbylo also talked about the recapture well project in the area of Cottonwood Ranch to test the concept of augmentation and recapture wells to work on a local scale.

#### **LAND PLAN**

**Platte River Resilience Fund** – Tunnell mentioned that this discussion is a follow-up from the discussion about this item from the September 2020 GC meeting. Wilson gave some background on the Resilience Fund before entertaining GC questions and comments. Freeman asked on the purpose of the Fund, activities will initially focus on control of invasive plant species but might take on other actions to support water conveyance; what might come under this flexibility? Tunnell said that purpose statement was debated during development of the Fund and all of this documentation. We did not want to limit ourselves in the future in case we get a handle on invasive species and we need to address a different issue down the road. Wilson said because the fund would exist in perpetuity, we didn't want to limit ourselves to invasive species control because maybe there will be a "silver bullet" solution that pops up down the road and we wanted to retain the ability to invest in that if warranted. Freeman asked about the Fund Advisory Committee and if the documents address how that Committee makes decisions. Wilson said they do – the Fund's purpose is to raise money and hold and manage the endowment, and the operational guidelines talk about issues like voting for officers, having meetings, etc.

LaBonde said the Program has been contributing about \$200K/year for phragmites control. He is concerned about how the current documents seem to broaden the approach that the Program has been part of (e.g., charitable and educational purposes, etc.). He is concerned about this money being used potentially for projects beyond the narrow scope the Program now invests in, which is focused on reducing or eliminating invasive vegetation. Some of these broader uses of money may not align with the Program's intent to contribute to the recovery of ESA-listed species and he questioned why the Program needs to participate in this. Wilson said that language of "educational and charitable" is standard IRS language, the activities described (vegetation control for the whole river) is considered charitable. The language of the operational guidelines would control and keep the work under the fund focused on invasive vegetation. Walters said the fund extends beyond the PRRIP to be pro-active in keeping invasive vegetation under control. Maybe the Program could contribute funds with language specifying that the money can only be spent on certain things and/or in certain places. LaBonde said he understands why we are looking at a bigger application of the Fund but he is still wondering whether the Resilience Fund really needs the Program to be part of that effort or if the Program should just continue to provide dollars to specific phragmites control efforts. He is wondering if the Fund can go forward without the Program.

Wilson said in terms of the Program being part of the Fund, the concept is it is challenging to raise money every year for this work on the river. If it doesn't happen consistently, there is back-sliding. The Fund is designed to create a permanent source of funds to ensure the vegetation control work always happens. The Program would lend a tremendous amount of credibility in approaching other potential funders. Farnsworth said we aren't asking for any GC action today. There has been a request from the Fund to the Program but there is not a hard deadline on that. We can wrap this conversation up now, we thought we would bring this back to the GC in March for action (or at least by mid-year). La asked if we would receive more information by March about the make-up of other funders and their



contributions. Tunnell said yes, for example the Central Platte NRD has provided \$500K to the Fund this year. Walters said that contribution will be spread out over two years. He is planning presentations to other potential partners soon. Small said this is likely to be on the March GC meeting agenda, please forward other questions and comments to Farnsworth so we can work through these issues for the March meeting.

### MEETING BREAK (30 min.)

**Land Management Plans** – Tunnell discussed the management plans for two properties. Taddicken asked how often we reevaluate plan objectives and whether or not we are meeting them. Tunnell indicated every year we review them as we develop the new budget and work plan.

**GC Motion:** *Taddicken moved and Ament seconded to approve the Tract 2019001 Management Plan and the Tract 2020001 Management Plan.* **Management plans approved.**

**Lexington Pit Rehab** – Farnsworth discussed the status of fast-track rehab work on the newly-acquired Lexington Pit. Werbylo is finishing engineering design now, the EDO wants to consider getting feedback from the LAC and TAC on that and then seek FC approval of moving ahead with a bid package for the work in early January 2021 so that work can be completed in time to make the pit viable tern/plover nesting habitat by summer 2021. LaBonde said we should move forward quickly and supports moving ahead. Taddicken said he concurs with LaBonde. Schellpeper asked if this will just be an exception to the normal process. Farnsworth said yes. Brundage asked if there is risk from additional costs due to re-designs down the road. Farnsworth said that is not anticipated, we would not design the work any differently if we were go through a smaller process. The only potential issue could be higher bid costs but the work is just dozer time and long-reach excavator time at a slow time of the year so the bids should not be substantially higher. Brundage asked if the alternative is to do the work next fall or spring. Farnsworth said yes. Brei said we are taking a lighter approach to the design now and more restoration will happen later once current mining operations on the site cease in 4-5 years. Small agreed the direction from the GC is to move ahead.

### PUBLIC COMMENT

None offered.

### EXECUTIVE SESSION

*Ament moved and Mehling seconded to enter Executive Session.* **GC entered Executive Session at 12:52 PM Central Time.**

*Chair LaBonde closed Executive Session at 1:54 PM Central Time.*

### EXECUTIVE SESSION MOTIONS

**GC Motion** – *Ament moved and Strauch seconded to cease pursuit of Tract 2002 as described and recommended by the LAC. Krohn abstained.* **Motion approved.**

**RE-NAMING OF PRRIP PAWNEE COMPLEX**

Ament said it would be appropriate to recognize the efforts of the first Executive Director, Jerry Kenny, in the successful implementation of the PRRIP so far by re-naming the Pawnee Complex south of Kearney, NE. The complex would be named the Jerry Kenny Complex.

**GC Motion** – Ament moved and Vogt seconded to re-name the Pawnee Complex the Jerry Kenny Complex.

**Discussion** – Riley said he knew Kenny dating back to 1997 and he can't think of a more appropriate thing to do in recognition of him. Rabbe said it was Kenny that initially came up with the original name of the Pawnee Complex and it is now fitting to change the name in his honor. Barron said she knows Kenny would be honored. Brundage expressed his strong support as well. Krohn said naming a complex after Kenny is a great idea and just wondered if that is the right one to place his name on, just wondering if there was another complex that maybe was more important to him. Ament said Rabbe comment about Kenny's initial naming of the Pawnee Complex was spot on. Barron said Kenny was very much interested in the Native Americans of the area and felt it was important to note that history. Rabbe and Drain suggested maybe a better approach would be to re-name the complex the Jerry Kenny Pawnee Complex.

**GC Motion** – Ament moved and Vogt seconded to rename the Pawnee Complex the **Jerry Kenny Pawnee Complex**. **Motion approved.**

**GC MEETING REVIEW & WRAP-UP**

**Action Items & Meeting Feedback** – None.

**2021 GC Meetings:**

- 2021 Virtual AMP Reporting Session – **February 16-18, 2021**
- GC Virtual Quarterly Meeting – **March 10, 2021**
- 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**

**2021 GC Officers:**

**GC Motion** – Brundage moved and Strauch seconded to appoint **Ament 2021 GC Chair** and **Merrill 2021 GC Vice Chair**. **Motion approved.**

**GC MEETING END**

Meeting adjourned at 2:15 PM Central Time.

**Summary of Action Items/Decisions from December 2, 2020 GC Virtual Quarterly Meeting**

- 1) Approved September 16, 2020 GC Virtual Quarterly Meeting minutes.
- 2) Approved November 10, 2020 GC Virtual Special Session minutes.
- 3) Approved the FY21 PRRIP budget and work plan.
- 4) Approved the FY21 EDO contract amendment.
- 5) Approved the Land Management Plans for Tracts 2019001 and 2020001.





- 270 6) Agreed to cease pursuit of Tract 2002.
- 271 7) Re-named the Pawnee Complex the Jerry Kenny Pawnee Complex.
- 272 8) Appointed Ament 2021 GC Chair and Merrill 2021 GC Vice Chair.