



# **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP or PROGRAM) Governance Committee (GC) Quarterly Meeting Minutes**

Monday, March 4, 2019 – 2:00 PM – 5:30 PM  
Tuesday, March 5, 2019 – 8:00 AM – 11:45 AM  
**Note: All times Central.**

**Meeting Location:**  
PRRIP EDO Conference Center  
4111 4th Avenue, Suite 6  
Kearney, NE 68845  
(308) 237-5728

## **Governance Committee (GC)**

### **State of Wyoming**

Harry LaBonde – Member (2019 GC Chair)  
Bryan Clerkin – Alternate

### **State of Colorado**

Don Ament – Member  
JoJo La – Alternate

### **State of Nebraska**

Jeff Fassett – Member (via conference call)  
Jesse Bradley – Alternate

### **Upper Platte Water Users**

Dennis Strauch – Member  
Bob Mehling – Alternate  
Owen Williams – Alternate

### **Downstream Water Users**

Mark Czaplewski – Member  
Devin Brundage – Member  
Brian Barels – Member  
Joe Citta – Member  
Kent Miller – Member

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

Jason Farnsworth, ED  
Chad Smith, DED  
Bridget Barron  
Dave Baasch  
Courtney Black  
Patrick Farrell  
Scott Griebing  
Bruce Sackett  
Tom Smrdel  
Seth Turner

Kevin Werbylo

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

Chris Beardsley – Member  
Brock Merrill – Alternate

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

Eliza Hines – Alternate  
Matt Rabbe – Alternate

### **Environmental Entities**

Bill Taddicken – Member  
Kristal Stoner – Alternate

### **Colorado Water Users**

Deb Freeman – Alternate  
Jason Marks – Alternate

### **Audience Members**

Jeff Runge – Service  
Mike Drain – CNPPID  
Tom Econopouly – Service  
John Shadle – NPPD  
Rick Wilson – JEO  
Jim Jenniges – NPPD  
John Berge – NPNRD  
Brandi Flyr – CPNRD  
Lyndon Vogt – CPNRD  
Matt Pillard – HDR  
Cory Steinke – CNPPID  
Lori Potter – Kearney Hub  
Chris Elliott – NPPD  
Michelle Koch – NGPC  
Tyler Thulin – CNPPID

**MONDAY, MARCH 4, 2019****Welcome & Administrative**

LaBonde called the meeting to order at 2:02 PM Central Time and the group proceeded with introductions.

**GC Decision** – *Ament moved to approve the December 10, 2018 GC Quarterly Meeting minutes as amended; Strauch seconded. Minutes approved.*

**Program Committee Updates*****Land Advisory Committee (LAC)***

Czaplewski provided an update on the latest LAC activities. The LAC has not met since the last GC meeting but the Public Access Subcommittee is active and will be making recommendations in June.

***Water Advisory Committee (WAC)***

Steinke provided an update on the latest WAC activities. The WAC last met via conference call on February 5. All items discussed are on the GC agenda this month.

***Technical Advisory Committee (TAC)***

Merrill provided an update on the latest TAC activities. The TAC has not met since the last GC meeting. The next TAC meeting is April 30 at the EDO Conference Center in Kearney, NE.

***Finance Committee (FC)***

LaBonde said the FC last met via conference call on February 13 and discussed ISAC contract amendments, the predator trapping agreement, and the chemical application RFB.

**Program Outreach Update*****PRESENTATIONS***

- Tim Tunnell presented to the Nebraska Association of County Officials – Weed Superintendents on the land component of the Program on December 12, 2018 at the Younes Center in Kearney, Nebraska.
- Justin Brei presented to the Nebraska Land Improvement Consultants (NLIC) conference on January 16, 2019 in Kearney, Nebraska. His session was titled, “*Water Projects and Habitat Restoration for the Platte River Recovery Implementation Program – Past, Present, and Future*”.
- Tom Smrdel presented to the River Restoration Northwest – Annual Stream Restoration Symposium on February 5, 2019 in Stevenson, Washington. His session was titled, “*Full Scale Sediment Augmentation on the Central Platte River*”.
- Tom Smrdel presented a poster session at the River Restoration Northwest – Annual Stream Restoration Symposium on February 5, 2019 in Stevenson, Washington. His poster was titled, “*Remote Geomorphology and Vegetation Monitoring*”.
- Bruce Sackett presented at the Rainwater Basin Joint Venture Information Seminar in Grand Island February 7, 2019 about the Program accomplishments and the Public Access Program with Nebraska Game and Parks Commission.

***EXHIBITS/SPONSORSHIPS***

- The Program exhibited at the annual meeting of the Four States Irrigation Council in Fort Collins, Colorado on January 9-11, 2019. We made 159 contacts.
- The Program exhibited at Colorado Water Congress in Denver, Colorado on January 30 – February 1, 2019. We made 270 contacts.



- The Program exhibited at the Joint Venture Rainwater Basin Information Seminar in Grand Island, Nebraska on February 7, 2019. We made 78 contacts.

#### UPCOMING PRESENTATIONS/EXHIBITS

- Justin Brei will be part of the Rowe Sanctuary Speaker Series on March 7, 2019 at the Kearney Public Library in Kearney, Nebraska. His presentation is titled, *“Past, Present, and Future Water Projects for the Platte River Recovery Implementation Program”*.
- Dave Baasch will be presenting on Whooping Cranes to the Woman’s Educational Society of Colorado College on March 18, 2019 in Kearney, Nebraska.
- Patrick Farrell will be presenting at the Audubon Crane Festival in Kearney, Nebraska on March 23, 2019. His presentation includes updates on the avian species and discussion of the process to reach Program Milestones.
- Scott Griebeling is presenting at the American Water Resources Association Spring Specialty Conference titled, *“Setting Conditions for the Success of Integrated Water Resources Management”* in Omaha, Nebraska on March 25, 2019. His presentation is titled, *Collaboration for Environmental Benefits and Regulatory Compliance: The Role of Integrated Water Resource Management in the Successful Operations of the Lake McCaughy Environmental Account”*.
- Kevin Werbylo is presenting at the American Water Resources Association (AWRA) Spring Specialty Conference titled, *“Setting Conditions for the Success of Integrated Water Resources Management”* in Omaha, Nebraska on March 25, 2019. His presentation is titled, *“Applying IWRM to Managed Groundwater Recharge for Environmental Purposes”*.
- On March 26, 2018 the Program will also have a panel at the AWRA conference titled, *“The Role of IWRM in Creation, Governance, Success of the Platte River Recovery Implementation Program”*. The panel will be moderated by Scott Griebeling and Panelists are:
  - Jesse Bradley, Nebraska Department of Natural Resources, Lincoln, NE
  - Bryan Clerkin, Wyoming Water Development Office, Cheyenne, WY
  - Thomas Econopouly, U.S. Fish and Wildlife Service, Lakewood, CO
  - Brandi Flyr, Central Platte Natural Resources District, Grand Island, NE
  - Jojo La, Colorado Water Conservation Board, Denver, CO
  - Bill Taddicken, National Audubon Society (Rowe Sanctuary), Gibbon, NE
- Dave Baasch and Tom Smrdel are presenting on the Program and are part of a panel discussion about large landscape architecture on April 5, 2019 in Lincoln, Nebraska. The University of Nebraska-Lincoln College of Architecture is holding their annual Landscape Architecture Symposium. The title of the 2019 symposium is, *“Nexus: design, horticulture, ecology”*.
- The Program is also hosting a field trip for crane viewing at the AWRA conference in the PRRIP blinds on March 23, 2019.
- The Program will be exhibiting at the Audubon Crane Festival in Kearney, Nebraska on March 23, 2019.
- The Program will be exhibiting at the AWRA conference in Omaha, Nebraska on March 25-27, 2019.

#### MEDIA/OTHER

- Fresh Water News, the newsletter of Water Education Colorado published an article on the Program on January 9, 2019. Several Governance Committee members were interviewed and quoted in the article.
- The Colorado Water Conservation Board (CWCB) Confluence, the newsletter of the CWCB, published an article by Jojo La in their February 2019 issue.
- Kevin Werbylo was interviewed by Joshua Dill for an article in the February 2019 *Irrigation Leader* magazine. The article was titled, *Providing Compliance for the Platte River Basin*.

**PRRIP FY19 Budget Update**

Farnsworth discussed the status of the FY19 budget, expenditures, and forecast for the rest of 2019. Farnsworth and Baasch discussed the sole source request for Program grassland vegetation monitoring.

**GC Decision** – *Miller moved to approve the Prairie Legacy sole source agreement for grassland vegetation monitoring; Taddicken seconded. Sole source agreement approved.*

**PRRIP First Increment Extension**

LaBonde discussed the status of the Extension legislation. Sen. Barrasso likely to introduce a bill in the Senate within the next two weeks and will be talking to Senate colleagues from Colorado and Nebraska about co-sponsorship with hearings scheduled shortly thereafter. The bill has been submitted for review and some editorial changes have been suggested that will be distributed to the GC soon. Drain said as soon as LaBonde knows of a bill number to get that out for future Congressional contacts. LaBonde agreed and also suggested making contacts with other Senators to let them know this is coming. LaBonde also suggested a joint letter of support from the three Governors. Ament said he talked to Sen. Gardner and he is waiting for Sen. Barrasso to give his show of support and introduce a bill.

**PRRIP Adaptive Management Plan (AMP)**

Smith and Farnsworth discussed the status of the process of updating the Program AMP and how to address the issue of examining target flows. The GC discussed the path forward and how to address target flows in the process of updating the AMP. Discussion points included:

- Once the Extension legislation process is complete, consider a brief evaluation of existing target flows and their effectiveness.
- The process of updating the AMP will take a long time and the EDO should consider a longer process of Adaptive Management Working Group (AMWG) meetings on a monthly basis to allow for back-and-forth discussion.
- Don't forget to consider instream flow rights of CPNRD and NGPC.
- Should consider the question of whether the Program needs an additional 10,000 acre/feet as a question to explore through the AMP.

The GC agreed to re-initiate the Adaptive Management Working Group. Current membership:

- Reclamation – Brock Merrill
- USFWS – Matt Rabbe, Tom Econopouly
- Downstream Water Users – Mark Czaplewski/Brandi Flyr, Mike Drain/Dave Zorn, Jim Jenniges
- Environmental Entities – Rich Walters, Bill Taddicken
- States – Jojo La (Colorado), Barry Lawrence (Wyoming), Michelle Koch (Nebraska)
- Colorado Water Users – TBD

Barels suggested that this be a standing agenda item on future GC meeting agendas.

**USFWS Consultation Report**

Rabbe discussed 2018 consultations. It was a lower year in terms of numbers compared to previous years during the course of Program implementation. Freeman asked if the Service checked on the North Platte/North Park depletion plan. Ted Kowalski had worked to address some issues that had been redlined and needs to be part of the package available on the Program website. Smith said that will be updated. Rabbe said the GC and the Service need to agree to several extensions for agreements related to consultations. Freeman said to get agreement from the signatory parties to the agreements then bring it to the GC for information purposes (they are not Program documents). Freeman asked about the federal



depletion MOAs and whether those need adjusted. Rabbe said he has reviewed them and they are still in good shape.

### **Other Business**

Taddicken recognized Kristal Stoner as a new Alternate GC member, she is the state director for Audubon. The GC offered a welcome.

Farnsworth recognized Barels for his many years of service to the GC and the Program as this is his last GC meeting. The GC offered congratulations.

**Meeting adjourned at 5:21 PM Central Time.**

## **TUESDAY, MARCH 5, 2019**

LaBonde called the meeting to order at 8:01 AM Central Time. The group proceeded with introductions.

### **PRRIP Water Action Plan (WAP) Update**

Turner discussed the Water Objective Summary and the status of water project accounting and scoring. Drain said we need to fill Barels' spot on the Scoring Subcommittee. Barels said Jeff Shafer (NPPD) would be his replacement. Werbylo discussed the Cottonwood Ranch broad-scale recharge (BSR) project and the Lakeside slurry wall project. Taddicken said he was contacted recently by someone concerned about trapping and killing animals at the BSR project site. He contacted the EDO and was able to assure the contact that there is no trapping program associated with that project. Farnsworth said compared to other projects the slurry wall project is the most expensive water. Drain said this is a high capital item like J2 but J2 has the potential to put in a large volume of water into the river. Farnsworth said we are stuck in a want vs. need dilemma. LaBonde asked if we still need to go through the permitting process. Farnsworth said we need to get the well permits from the Nebraska DNR. Freeman asked what the shelf life is of the permits. Werbylo said the Corps permit would be an issue as well. LaBonde said permitting is a question mark until they are granted. Freeman said nationwide permits expire every five years, if there is a specific permit the duration of the permit can be longer according to the project. Barels said going through the permitting and public notices if we intend to put the project on the shelf then that is not the best approach. Maybe the best approach is to get more information and then have a plan to initiate the project further into the Extension if it is necessary. LaBonde said design is authorized by the GC's December 2018 action. The road we are on is to finish the design and put it on the shelf and wonders if there is GC consensus on that. The GC agreed.

Strauch asked how confident we are the other water projects will provide water to the Program for long-term contracts. Farnsworth said our largest concern is the large pot of water associated with the CPNRD surface water transfer and how long that will persist and other similar projects. Our intention will be to transition them to Extension-duration projects and we will figure that out over the next year and a half.

Oamek discussed the proposal from Mammoth Trading requesting \$5,000 towards development of a phone app as part of a tracking system for water use in the North Platte NRD. Farnsworth said there is \$25,000 in the PRRIP budget for water management incentives. In the past, that money has gone toward projects like the UNL TAPS project related to irrigation. Some of these projects are less about conserving water and more about irrigation efficiency which are not the same. This is an example of a small amount of money to help on-farm using water more efficiently. Berge discussed the NPNRD and its investment in the project. Drain asked if this is to test the technology instead of trying to get some chunk of water out of the NPNRD at this point. Farnsworth said yes. Taddicken said this seems like a logical next step since NPNRD has put meters on their wells. Oamek said there is a lot of farmer interest in this project. LaBonde wondered if this





is more a chance to potentially work with the NRDs on getting access to water but is not sure it is the role of the Program to bring technology to farms, that seems like it should be the job of the NRDs. Drain said his observation is that the NRDs will adopt it if it makes sense for their own purposes, the question for the Program is whether a small investment from the Program could lead to more water for the Program. Miller said this is not a lot of money for the Program and there is a potential for this concept to be positive for all NRDs without coming back to the Program for more dollars. This is just a kind of seed money for a project that could benefit the Program. LaBonde said we have been approached by this one company, but are there other companies or ideas out there that might be beneficial? If we open this door, how many other companies will come to us for seed money? LaBonde said he has reservations that this is a Program expense. La asked we are able to participate in both TAPS and this new project. Farnsworth said that is a possibility, we would just say this is how much money we have available. La asked if Mammoth will proceed with the project with or without Program support. Oamek said Mammoth likely has the resources to proceed without Program funding.

Ament said we are wading into crop management with this approach. The water piece is one part of a big management scheme and it is hard to understand why the Program is wading into this. Barels said he does not see a clear picture of how this could end up providing water to the Program given that groundwater is owned by the state. There may not be a clear path to put this water into the Program's portfolio. Farnsworth said one pathway would be through increases to the 10 percent of storable natural inflows that are added to the Lake McConaughy EA during the non-irrigation season. Since the affected budget is in discretionary funds, the EDO office can make the decision to fund or not fund the project.

LaBonde introduced the Pathfinder municipal lease item, recused himself, and passed the gavel to Vice Chair Ament. Farnsworth provided background on the project.

**GC Decision** – *Strauch moved to approve the Pathfinder municipal lease; Miller seconded. Lease agreement approved.*

### **North Platte Choke Point Test Flow**

Brei discussed progress made at the choke point and plans for the test flow. Drain and Miller asked about the involvement of the City of North Platte in flow planning. Brei said Jim Hawks from the City is part of the ad hoc group working on the planning for test flow implementation. That also includes working with the National Weather Service (NWS). Barels said the key to this seems to be the NWS interpretation of impacts and the timing for making a decision. Brei said we will present them with a plan and let them react to it. Barels said they should be able to identify impacts and what data they need to evaluate those impacts. Drain said that is why we are working with them on flow planning as well as the associated monitoring plan. Farnsworth said the flood proofing projects the Program paid for is directed at landowner projects that the NWS gets. NWS determination of flood stage appears to be a visual reconnaissance of what is happening during flood events. We are going to give them a series of data points to see what will work to help in the NWS decision-making process. Bradley asked about sand dams for irrigation users and how to work with them on potential impacts. Brei said we will use current guidance in the EA operations plan for those issues but those will be part of the monitoring plan so we keep an eye on them.

Farnsworth discussed the CNPPID indemnity agreement for the choke point test flow. Freeman said it would be helpful to talk generally about the relationship of the Program, the GC when it acts, the Signatories, and the Nebraska Community Foundation (NCF) and who is covered when. La said Colorado has concerns about the indemnity agreement and associated liability that need addressed before they can support the indemnification. La requested a follow-up GC conference call to discuss this issue once their questions as answered. Farnsworth agreed.

**PRRIP Water Valuation**

Farnsworth discussed this topic and the work he had Oamek do on looking at the prices and value for water that will put the Program on a firm foundation in terms of water pricing. Oamek gave a presentation on strategies on pricing leased water. LaBonde asked if Oamek has done analysis with recent commodity prices. Oamek said yes and it has a dramatic impact on the price of corn. LaBonde said if we are basing future leases on current prices, and if one of the benefits of the Program is that we offer long-term agreements, that is one way to try to secure water at a reasonable price.

**PRRIP Land Management**

Tunnell provided the 2018 Land Work Report and a summary of land activities in 2018.

**Public Comment**

LaBonde asked for public comment. None offered.

**Executive Session**

*Beardsley moved to enter Executive Session; Ament seconded. GC entered Executive Session at 10:45 AM Central Time.*

**LaBonde ended Executive Session at 11:16 AM Central Time.**

**PRRIP Executive Session Motions**

**GC Decision** – *Mehling moved to decrease the Program's Payment for Lost Taxes for two properties related to the J2 re-regulating reservoir project by 4.63%; Czaplewski seconded. Motion approved.*

**Future Meetings & Closing Business**

Upcoming 2019 GC meetings:

- GC Quarterly Meeting – **June 11-12, 2019** @ Cheyenne, WY (WY Water Development Commission offices)
- GC Quarterly Meeting – **September 10-11, 2019** @ Kearney, NE
- 2019 AMP Reporting Session – **October 8-10, 2019** @ Omaha, NE
- GC Special Session (FY20 Budget/Work Plan) – **November 12, 2019** (conference call/webinar only)
- GC Quarterly Meeting – **December 3-4, 2019** @ Denver, CO

**Meeting adjourned at 11:20 AM Central Time.**

**Summary of Action Items/Decisions from March 4-5, 2019 GC Quarterly Meeting**

- 1) Approved the December 10, 2018 GC Quarterly Meeting minutes as amended.
- 2) Approved the sole source agreement for Program grassland vegetation monitoring.
- 3) Agreed to re-initiate the AMWG.
- 4) Approved the Pathfinder municipal lease agreement.
- 5) Agreed to a follow-up GC conference call in the near future to resolve issues related to the choke point test flow indemnity agreement.
- 6) Agreed to reduce Payment for Lost Taxes for two properties related to the J2 *re-regulating reservoir* project by 4.63%.