



1 **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**
2 **Governance Committee Meeting Minutes**
3 Wyoming Water Development Commission – Cheyenne, WY
4 June 12-13, 2012

5
6 **Tuesday, June 12, 2012**
7

8 **Meeting Attendees**
9

10 **Governance Committee (GC) Table**

11 **State of Wyoming**

12 Mike Purcell – Member

13 Harry LaBonde – Alternate

14 Mike Besson

15
16 **State of Colorado**

17 Don Ament – Member

18 Suzanne Sellers – Alternate

19
20 **State of Nebraska**

21 Jim Schneider – Member

22
23 **U.S. Fish and Wildlife Service (Service)**

24 Michael Thabault – Member

25
26 **Bureau of Reclamation (BOR)**

27 Gary Campbell – Member

28
29 **Environmental Entities**

30 John Heaston – Member

31 Marian Langan – Member

32
33 **Upper Platte Water Users**

34 Dennis Strauch – Member

35 Doug Chamberlain – Member

36
37 **Colorado Water Users**

38 Alan Berryman – Member

39 Deb Freeman

40
41 **Downstream Water Users**

42 Brian Barel – Member

43 Don Kraus – Member

44 Kent Miller – Member

45 Mark Czaplowski – Proxy for Ron Bishop, Member

46
47 **Executive Director's Office (EDO) Staff**

Jerry Kenny, Executive Director (ED)

Bridget Barron

Beorn Courtney

Jason Farnsworth

Bruce Sackett

Chad Smith

Larry Schulz, Consultant

Audience Members

Tom Econopouly – Service

Mike Drain – CNPPID

Kevin Urie – Denver Water

Brock Merrill – BOR

Mike George – Service

Dan Bigbee – EA Engineering

Diane Hoppe – MWH

Pat Goltd – Nebraska DNR

David Galat – ISAC

Rich Walters – TNC

Duane Hovorka – Nebraska Wildlife Federation



Welcome & Administrative

Thabault called the meeting to order. The group proceeded with introductions.

Ament moved to approve the March 2012 GC minutes; Czaplewski seconded. Minutes approved.

Program Committee Updates

Land Advisory Committee (LAC)

Czaplewski provided an update on the latest LAC activities. The LAC met twice since the last GC meeting on April 24 and May 18. Most items discussed are on the GC agenda tomorrow.

Water Advisory Committee (WAC)

Courtney provided an update on the latest WAC activities. The WAC met on May 8. There was a presentation on the choke point that will be discussed at the GC meeting. The WAC supported an expenditure of \$150,000 for flood proofing and established a workgroup to work with the EDO on further choke point activities. There was a general update on all WAP projects and groundwater recharge was discussed at length. The WAC asked the scoring group to reconvene on groundwater recharge and supported a 2012 agreement with CNPPID to try a recharge project again this winter. There was also a discussion about water leasing and surplus land as well as depletions plans update. Each State and the FWS provided presentations on annual depletions plan reporting/status. The next meeting is August 14.

Technical Advisory Committee (TAC)

Besson provided an update on the latest TAC activities. The TAC last met on April 18 and a subcommittee was established to deal with target flows. That subcommittee met on May 21 and is meeting again on June 18. There were several IMRP-related reports from 2011 monitoring that were approved. There was a discussion about 2012 tern and plover monitoring plans and the Shoemaker Island FSM RFP. The Trust gave a presentation on evaluating whooping crane stopover sites beyond just the central Platte. The TAC agreed in-kind contributions of staff to the pilot effort would be useful. There was a difference of opinion on the Lower Platte River Stage Change Study and the peer review that will be discussed today at the GC meeting. The May 21 discussion on target flows focused on establishing objectives for each component of the Service's target flows.

Finance Committee (FC)

Purcell provided an update on the latest FC activities. Most issues addressed recently will be discussed at the GC meeting. Merrill discussed the work of the FC evaluating options for indexing related to Colorado possibly pre-paying its share of funds for the J-2 reservoir project.

Program Outreach Update

PRESENTATIONS

- Beorn Courtney presented on the Program to the Water Resources and Management in the US West class at the University of Colorado in Boulder, Colorado on March 19, 2012.
- Jerry Kenny presented on the Program at the Crane Trust Nature & Visitor Center in Alda, NE on March 25, 2012 as part of the "Wild about Nebraska" speaker series at the Center.
- Jerry Kenny, Chad Smith, Mike Thabault, Don Krause, Gary Campbell and David Freeman presented on the Program to the National Research Council Committee on Sustainability Linkages in the Federal Government in Omaha, Nebraska on April 12, 2012. The April meeting is focusing on the land, water, and energy linkages in nonurban areas using the Mojave Desert and the Platte River Recovery Implementation program as case study sites.

This document is a draft based on one person's notes of the meeting. The official meeting minutes may be different if corrections are made by the Governance Committee before approval.



- 95 • Jerry Kenny presented on Program status to the University of Nebraska Lincoln Integrative Graduate
96 Education and Research Traineeship (IGERT) students on April 1, 2012 at Elm Creek.
- 97 • Jerry Kenny & Ron Bishop were featured speakers on the Water for Food Post-Conference Tour
98 along the Platte River in Alda, Nebraska on June 2, 2012. Ron presented on water banking and
99 conjunctive water management projects to maintain agricultural productivity and assist in providing
100 water for threatened and endangered species. Jerry spoke about the challenge of maintaining water
101 and land for threatened and endangered species.
- 102 • Don Kraus, Ron Bishop, and Mace Hack were part of a panel, *Innovative Water Governance in*
103 *Nebraska and Brazil*, on June 1, 2012 at the Water for Food Conference in Lincoln, Nebraska.
104 Approximately 550 people from 28 nations participated in this year's conference.

105 106 **UPCOMING PRESENTATIONS/EXHIBITS**

- 107 • Chad Smith will be presenting on adaptive management and the Program on August 14, 2012 to the
108 University of Nebraska-Lincoln Adaptive Management Short Course in Lincoln, Nebraska.
- 109 • The Program will be a refreshment sponsor for the Nebraska Grazing Conference in Kearney,
110 Nebraska on August 14 & 15, 2012.

111 112 **EXHIBITS/SPONSORSHIPS**

- 113 • The Program exhibited at the Irrigationist's Symposium on March 14 & 15, 2012 in Loveland,
114 Colorado. The Symposium was sponsored by the Colorado Division of Water Resources.
- 115 • The Program exhibited at the Rivers and Wildlife Conference in Kearney, Nebraska on March 17,
116 2012. We made 296 contacts.
- 117 • The Program had PRRIP informational materials at both Rowe Sanctuary and the Crane Trust Nature
118 and Visitor's Center throughout migration season.
- 119 • The Program was a sponsor for the 2012 Nebraska Envirothon on May 5, 2012. The Envirothon has
120 high school teams competing in seven areas of environmental studies; soils, aquatics, forestry,
121 wildlife, range, policy and low impact development. The Program sponsored the wildlife station and
122 teams from West Holt and Concordia tied for first place. Pictures of the winning teams are on the
123 Program website.

124 125 **MEDIA/PRESS COVERAGE**

- 126 • The American Institute of Hydrology Bulletin 2012 Spring Issue featured an article on the Program,
127 *The PRRIP: Instream Target Flows*, written by Sira Sartori.
- 128 • The Program was selected as one of 9 projects in the Southwest and Great Plains States under
129 America's Great Outdoors Rivers Initiative. The Office of the Secretary, U.S. Department of the
130 Interior issued a news release on May 25, 2012 highlighting each of the selected projects. The
131 projects serve as models of the Initiative to conserve and restore key rivers across the nation, expand
132 outdoor recreational opportunities and support jobs in local communities.
- 133 • The Kearney Hub published two articles on the proposed J-2 reservoir project in May, 2012. Jerry
134 Kenny, Don Kraus and John Thorburn were interviewed and Bruce Sackett and Jeff Buettner were
135 quoted.
- 136 • The Kearney Hub, Water Current (the Nebraska Water Center newsletter) and NEBRASKALand
137 magazine published articles on the Platte River Basin Time-lapse Project in May and June, 2012.
- 138 • The University Press of Colorado will be issuing a paperback edition of David Freeman's book
139 *Implementing the ESA on the Platte Basin Water Commons*. It should be issued sometime between
140 mid-July and the first week of August, 2012.



141 **PRRIP Budget Items**

142 Kenny discussed the status of the FY 2012 Program budget, expenditures, and action items from the year.
143 Farnsworth discussed the Shoemaker Island FSM RFP that was approved by the FC but needs GC
144 approval because it is a multi-year RFP. This would be the second replicate of a project-scale FSM Proof
145 of Concept experiment (same as occurring at the Elm Creek Complex).

146
147 *Ament moved to approve the Shoemaker Island FSM RFP; Purcell seconded. **RFP approved.***

148
149 *Shoemaker Island FSM RFP Selection Panel: Jason Farnsworth (EDO), Steve Smith (EDO), Jeff Runge*
150 *(Service), Mike Besson (Wyoming), Suzanne Sellers (Colorado), Pat Gohl (Nebraska), Rich Walters*
151 *(TNC), Jim Jenniges (NPPD)*

152
153 **Water Action Plan Scoring**

154 Courtney gave a presentation on the groundwater recharge project. The Phelps Canal and test basin pilot
155 project was promising and it looks like this may be moving toward a recurring project, so the next step is
156 to evaluate what kind of score would be assigned to this project. The EDO is currently updating the
157 project scoring. The WAC requested the GC reconvene the Water Action Plan Scoring Subcommittee to
158 address groundwater recharge and water leasing scoring questions. Chamberlain asked if the recharge is
159 going to the aquifers around the canal, and if so were there groundwater wells pumping at that time.
160 Courtney said no irrigation wells were pumping at that time. The project was stopped when it was
161 because the data was collected but also to give time to evaluate aquifer decline once the recharge project
162 stopped. Chamberlain asked if flowing water has more impact than static water. Courtney said the
163 reason that drove the project away from the basin recharge option is because the land in the area is so
164 productive that landowners are not really interested right now in offering land to do basin recharge instead
165 of canal recharge. Chamberlain asked how the infiltration rate was calculated. Courtney said there was a
166 mass-balance calculation based on monitoring data and modeling. Strauch asked if flow was checked.
167 Courtney said it was checked at the 9.7 Mile Canal return.

168
169 *Water Action Plan Scoring Subcommittee: Besson, Chair (Wyoming), Brock Merrill (BOR), Tom*
170 *Econopouly (Service), Doug Chamberlain (Upper Platte Water Users), John Altenhofen (Colorado), Alan*
171 *Berryman (Colorado Water Users), Brian Barels (NPPD), Jesse Bradley (NDNR), Mike Drain*
172 *(CNPPID), Beorn Courtney (EDO)*

173
174 **Lower Platte River Stage Change Study Peer Review**

175 Smith discussed the results of the stage change study peer review, the TAC motion, and the Minority
176 Opinion to the Motion. The GC discussed the purpose of the stage change study, how it will be utilized,
177 and the differences between viewing the stage change study as a methodology versus a policy statement
178 on pallid sturgeon and Program activities. Barels asked if the stage change study tool could be applied to
179 potential operations of the J-2 reservoir in terms of assessing potential impacts on lower Platte River
180 stage. Smith said yes.

181
182 *Purcell moved that the Governance Committee accept the Technical Advisory Committee*
183 *recommendation to accept the Lower Platte River Stage Change Study Peer Review and Lower Platte*
184 *River Stage Change Study as final without revisions, with the understanding that the tool can be*
185 *subsequently used to evaluate Program actions but is not a statement on Program policy implications for*
186 *pallid sturgeon; Schneider seconded. **Motion approved.***

187



188 **Platte Basin Time-Lapse Project**

189 Michael Forsberg and Michael Farrell from NET gave a presentation on the status of the Platte Basin
190 Time-Lapse Project.

191

192 **2012 State of the Platte**

193 Smith discussed the draft 2012 State of the Platte Executive Summary. Freeman asked how Smith sees
194 the document being used. Smith said he hopes it becomes a reference for the GC in decision-making in
195 terms of what the Program is learning related to major uncertainties. Barel's said the Executive Summary
196 should be clear on how the Big Questions relate to hypotheses, and what the alternative hypotheses are.
197 Thabault said it would be useful to explore the "Why?" question (why something is or isn't working), and
198 possibly pose alternatives for turning a thumbs down to a thumbs up. Barel's said in some instances it
199 may be more useful to focus graphics on trend data to show changes over time. Thabault said it would be
200 a good idea to get ISAC input on the Big Question Assessments and possibly ask them about the best
201 ways to present the information. Hovorka said it might be a good idea to just update questions from year
202 to year where learning has advanced or something has happened that might change the assessment from
203 the previous year.

204

205 **PRRIP Permits**

206 Kenny provided an update on the status of Program permits. The Program now has permits in hand for
207 sediment augmentation and in-channel island building. The letter from the signatories was useful and
208 beneficial in that process. We also have the letter of variance from the Nebraska Department of
209 Environmental Quality. Barel's asked what we were permitted for. Kenny said in the case of sediment
210 augmentation, we have two years (two seasons) and can augment 100,000 tons during two different
211 events. For island building, we provided information about how many islands and where and those plans
212 are part of the permit through 2019 (build and maintain). Some of that may have to be modified based on
213 the work of high flows last year. Kenny said next steps are to consider a regional general permit approach
214 for additional island building to avoid having to get an individual permit each time. Freeman asked if any
215 odd conditions were added to the permits. Farnsworth said the only thing was that anything with any
216 vegetation on it in the channel is delineated as a wetland (even Phrag covered bars), so as long as we keep
217 habitat on the river we won't have to mitigate at the end of the First Increment by replacing Phrag that is
218 removed.

219

220 **J-2 Project Report**

221 Purcell provided an update on the status of the J-2 project. Discussions continue about what is expected
222 of Central and what Central expects from the Program. By constructing this reservoir, we do not want to
223 impose the will of the Program on Central operations. We have identified three types of water: 1)
224 Program water; 2) use of the water when Central is done with it; and 3) excess to target flows. Each of
225 these brings a question we need to wrestle with and get an idea from Nebraska law where we stand on
226 each type of water. The agreement is being drafted within the institution of Nebraska law. Central is
227 providing us with a service and we are working on what is a fair price for Central to operate the reservoir
228 on behalf of the Program. Thabault asked how these issues are being resolved. Purcell said they are on
229 parallel tracks (Nebraska DNR issues and Central issues) and everything is continuing. Schneider said
230 the presentation he gave last year at the GC meeting in Cheyenne is a good starting point for
231 understanding the issues that have to be dealt with for institutional approval in Nebraska.

232

233

234



235 **Other Business**

236 Kenny gave a gift to Schneider in appreciation for his service in 2011 as GC Chair. Kenny also
237 recognized Purcell for his long service to the Program and the GC and gave him a gift in recognition of
238 his service.

239
240 Meeting adjourned at 5:32 p.m. Mountain time.

241

242

Wednesday, June 13, 2012

243

244 **Welcome and Introduction**

245 Thabault called the meeting to order and the group proceeded with a roll call.

246

247 **Platte River Caddisfly**

248 Galat gave a presentation summarizing ISAC comments on the proposed caddisfly research project.

249

250 Kraus asked if one recommendation is to not worry too much about the caddisfly if you take the
251 WC/ILT/PP buffer approach. Galat said ultimately that is up to the Service in terms of them supporting
252 it. Kraus asked if we have surveyed Program lands for where tree removal could or could not be done for
253 whooping cranes under this possible buffer approach. Smith said that is underway. Thabault said it
254 seems like the driver should be whooping crane ecology and the caddisfly should only be looked at in a
255 secondary nature. Galat agreed that is the ISAC viewpoint. He said do not get too hung up on an
256 individual site because based upon the literature it seems like the caddisfly population changes from site
257 to site over time. Barels said we should continue to do what we are doing for whooping cranes but there
258 could be modifications that would also benefit the caddisfly. Galat said it is the ISAC view that Program
259 actions with respect to hydrology are probably going to have a larger impact than vegetation removal, and
260 the hydrology impact could be positive. One of the fundamental questions with the caddisfly is what
261 causes them to leave the wetland and estivate (burrow). The hypothesis is the slough drying up. The idea
262 is to go through a risk analysis process where you evaluate whether actions like groundwater recharge or
263 SDHF could impact caddisflies.

264

265 Thabault said once vegetation comes off a site, could we construct an experiment around subsequent land
266 management or hydrology to see what might happen. Galat said there is a fundamental issue about taking
267 an individual site and doing a series of vegetation removal treatments. You can say what happened at one
268 site, but not over the whole river. The more sites, the larger of an area you can extrapolate to. Williams
269 said it appears any time you look at endangered species you have a predation problem. He wondered
270 whether trees provide habitat for predators that cause a problem for caddisflies. Galat said it appears the
271 major predator is fish and that is not a problem unless a slough constantly reconnects to the river. The
272 caddisflies are susceptible to predation as adults but they are adapted to dealing with that by
273 overwhelming predators with numbers. Czaplewski asked for an update on the listing review process.
274 Thabault said there is a draft finding in Washington for review with an expected publication date of July
275 24. Galat asked how often species that go through reviews end up getting listed. Thabault said for his
276 region there have been a fair number of not warranted findings. Purcell said our goals and objectives
277 seem to not be counter to the caddisfly. Schneider asked about next steps. Barels asked Galat to go
278 through the ISAC recommendations:

279

- 280
- Build a PRCF conceptual model
 - Track Program impacts on groundwater levels
- 281



- 282 • Expand PRCF surveys
283 • Evaluate effects of SDHF on PRCF habitats
284 • Conduct risk analysis of potential Program effects
285

286 Smith discussed the status of conceptual ecological models for the target species and the work that still
287 needs to be done with those. Kraus said the focus should probably stay on the target species and we can
288 consider impacts on caddisflies in relationship to the target species. Barels asked how we got to this
289 point. Farnsworth said it rose out of disagreement about what tree clearing might mean for caddisflies
290 and how the Program should proceed with land management in this regard. Purcell said we should keep
291 our eye on the ball, which in this case are the target species. Limited resources mean this is where we
292 need to focus staff and resources. We can document what we know (groundwater recharge, tree clearing)
293 and focus on buffers or other strategies to move forward. We don't want to exacerbate problems with the
294 Species of Concern but we need to be mindful of how much we decide to take on. Thabault said we
295 should focus land management on the target species but as we move forward with hydrology actions it
296 would make us better off to have a conceptual model for the PRCF. Purcell said we should make note if
297 actions like hydrology end up providing benefits to the PRCF.
298

299 Thabault asked if the table-top risk assessment is something we can ask the TAC to consider. Kraus
300 asked if the TAC had seen Galat's presentation. Smith said no but they would see it during the ISAC
301 meeting coming up in July.
302

303 *The GC recommended the EDO prepare a summary memo of the PRCF discussion for the TAC outlining:*
304

- 305 • *Focus on target species.*
306 • *Actions we are considering – clearing, fix with buffer; anything we can do with groundwater*
307 *hydrology will benefit the caddisfly.*
308 • *Keep this in mind as moving toward goals and objectives for target species.*
309 • *Encourage caddisfly experts to take things on like a conceptual model.*
310 • *The Program will provide in-kind help, but won't pay for additional work.*
311

312 **Downstream Water Users Charter**

313 Czaplewski discussed proposed changes to the organizational charter for the Downstream Water Users
314 (DWU). These changes are driven by discussion about the frequency of meetings for the DWU.
315

316 *Schneider moved to approve the DWU charter changes; Czaplewski seconded. Motion approved.*
317

318 **North Platte Choke Point Update**

319 Kenny gave a presentation updating the GC on activities at the North Platte choke point. Barels said we
320 need to install these improvements, see what happens, and then the National Weather Service (NWS) will
321 decide whether to raise the flood stage. Kenny said that is basically right. A choke point workgroup has
322 been established to develop a strategy for implementation of these projects. Hovorka asked if any of the
323 local NRDs, city, or county is willing to help fund these projects. Kenny said they have been asked and
324 they all would like to but they all said funds are too tight. Hovorka asked if there are adequate zoning
325 restrictions in place to help avoid further development in the area that could be subject to flooding.
326 Kenny said that has been part of the discussion – if we go in and do these projects, will you (the
327 city/county) enforce development restrictions. Establishment or enforcement of zoning restrictions is



328 important. Hovorka said sometimes lenders will help because of the need for flood insurance. Purcell
329 asked if the installation of the 12 culverts will be in a county right of way. Kenny said the county would
330 take the lead on doing any of the dealing with local landowners. Besson asked if there was an estimate
331 for the overall cost. Kenny said for buying seven properties it would be in the plus \$4 million range.
332 Dredging would be about \$500,000 a year. Barels asked if there are FEMA dollars available. Kenny said
333 limited disaster funds were available because of last year's flooding, but the time frame for applying was
334 short, match money was going to be a problem, and the effort versus pay-off did not look good.

335
336 Thabault asked if the institutional approach is a substitute for the buyout or is there a combination.
337 Kenny said for the buyouts to be effective most of them would need to be acquired. We are focused on
338 flood-proofing because it makes a significant improvement at an efficient cost. If we can get more water
339 through this more often, the river will help us. Williams asked what these projects will do in the event of
340 a large flood. Kenny said they would have no impact. There is no effect above 2,400 cfs and there is no
341 liability on the part of the Program for a larger flood. Besson said the institutional approach sounds good
342 but wondered if it will keep existing structure dry at 2,400 cfs. Kenny said yes.

343

344 Land-Related Action Items

345 Sackett discussed the Land Plans for Tracts 2010002, 2010003, 2010004, 20110001, and the Shoemaker
346 Island Complex. Kraus asked about the caddisfly surveys done in the spring of 2012 on these tracts.
347 Farnsworth said there is a population on the east end of 2010004.

348

349 *Czaplewski moved to approve Land Plans for Tracts 2010002, 2010003, 2010004, 20110001, and the*
350 *Shoemaker Island Complex; Heaston seconded. Motion approved.*

351

352 Sackett discussed proposed changes to the Public Access Policy, primarily adding upland game hunting
353 and waterfowl hunting starting with pilot projects.

354

355 *Purcell moved to approve the Amended Public Access Policy; Ament seconded. Motion approved.*

356

357 Sackett discussed proposed changes to the Access Agreement Contract with the Nebraska Game and
358 Parks Commission. Czaplewski said this is now a three-year contract but there are provisions that tie it to
359 the availability of Program funding.

360

361 *Berryman moved to approve the Amended Access Agreement Contract with the Nebraska Game and*
362 *Parks Commission; Czaplewski seconded. Motion approved.*

363

364 Sackett discussed the Land Disposal Plan. George said there is no question that this decision seems to
365 jump out. But, do we want to be in the position of selling water when we have no new water in the
366 Program yet? The WAC decided we needed to pass this on to the GC because there is a philosophical
367 issue and an economic issue here. Barels asked if this is \$9,000 per acre/foot. Kenny said that is the
368 lowest cost it could be. It is groundwater return and some of it doesn't come back to the river at a time
369 when the Program would get credit for it. Further, this is over half-way through the associated habitat
370 reach and would be discounted for that as well. Purcell said you would end up getting about a quarter of
371 the credit which makes it very expensive water. Williams asked about the area that would be mined.
372 Sackett said we own it and we lease it right now so we get a royalty off of what is sold. Czaplewski also
373 said the mining is done in such a way that it will be tern and plover nesting habitat. Barels asked if it
374 would be offered at appraised price or higher. Sackett said he is migrating toward recommending an



375 auction for Tracts A and C instead of the preferred buyers, in part because of the issue of access to Tract
376 A. He would like to see the preferred buyer get Tract B. Purcell asked if the NGPC deal will be with or
377 without water. Sackett said with water. Berryman asked if it matters habitat-wise to the Program whether
378 Tract A is irrigated or not? Hovorka said in our Water Action Plan we have a lot of water that is re-timed
379 but not much that is an actual addition to the river. While we scored all of these same, it was significant
380 in the Biological Opinion that we get more water in the river. We should value water like this higher
381 because it is new “wet” water for the river. This may still be out of the price range for what we want to
382 pay for it, but it needs to be looked at differently than then J-2 return project. Thabault asked what new
383 water would go for in Nebraska. Sackett said the NRD has been paying about \$5,000 acre/foot for water.
384 Czuplewski said it is location, location, location. Chamberlain said he not aware of any water bringing
385 that amount of water in upstream locations. Barels asked if NGPC said no to Parcel A already. Sackett
386 said their funds will not cover Parcel A. Purcell asked if NGPC wants the water. Sackett said not really.

387
388 Thabault said he is concerned about walking away from real water but there is the issue of setting a
389 market precedent at such a high price. Chamberlain said he is wondering if we have given it enough
390 thought because water is so precious we may not want to sell the water at this point in the Program.
391 Barels said we not need to assume that all water has to come in at the upper end to be beneficial because
392 this is a losing reach. Also, could we pump in 30 acre feet into the river each year at a time when the
393 Program could get credit? Kenny said that the FWS previously indicated that water needed to be
394 provided above Overton to receive full credit otherwise it would be discounted for the portion of the
395 habitat being benefited. George clarified that if the FWS has stated that in the past, it may no longer be
396 the case and that assumption could be re-examined. Pumping the water would require a long pipeline to
397 the river with associated easement issues, retaining some land associated with the well and access to the
398 well, and operating costs. These obstacles on the face of it appeared to be significant enough to not
399 warrant further investigation of that option. That analysis could be done if it was the wish of the GC.

400
401 *Purcell moved to approve the Land Disposal Plan (sell the water with the land to the NGPC) unless*
402 *negotiations fall through over the next three months at which time this will be brought back to the GC in*
403 *September 2012 for further consideration; Williams seconded. Motion approved.*

404
405 **Other Business**
406 Purcell said he has briefed the Wyoming Governor on transferring the Wyoming property to the Program
407 and has been authorized to sign the deed transferring the land, subject to review by the Wyoming
408 Attorney General’s Office.

409
410 **Public Comment**
411 Thabault asked for public comment; none offered.

412
413 **Executive Session**
414 *Strauch moved to enter Executive Session to discuss land issues; Berryman seconded. GC entered*
415 *Executive Session at 10:46 a.m. Mountain time.*

416
417 *Purcell moved to end Executive Session; Schneider seconded. GC ended Executive Session at 11:38*
418 *a.m. Mountain time.*

419
420 **Program Land Tracts & Issues**
421 *Heaston moved and Strauch seconded:*



- 422 • To approve allowing the ED Office to seek appraisal of and begin negotiations for acquisition of
423 Tract 1210 as complex habitat;
- 424 • To approve allowing the ED Office to seek appraisal of and begin negotiations for acquisition of
425 Tract 1114 as non-complex habitat;
- 426 • To approve allowing the ED Office to seek appraisal of Tract 1211 while a full environmental review
427 of the property is conducted and while the LAC conducts a full evaluation of the property including
428 whether to recommend acquisition and whether to count the property as complex or non-complex
429 habitat;
- 430 • To approve resolving a boundary dispute at Tract 2012002 through disposal of 1.93 acres;
- 431 • To approve the ED Office to seek appraisal of and begin negotiations for sale of crop ground at Tract
432 2012002 in exchange for a conservation easement and the remaining value;
- 433 • To approve a three-year rolling extension on the mining royalty lease at Tract 2009008; and
- 434 • To approve pursuing sale of excess property at Tract 1217 at public auction.

435

436 **Motion approved.**

437

438 **Future Meetings & Closing Business**

439 Upcoming GC meetings:

- 440 • September 11-12, 2012 @ Kearney, NE
- 441 • December 4-5, 2012 @ Denver, CO

442

443 Campbell said the Assistant Secretary for Water and Science Ann Castle is likely to attend the September
444 2012 GC meeting.

445

446 **Meeting adjourned at 11:42 a.m. Mountain time.**

447

448 **Summary of Action Items/Decisions from June 2012 GC meeting**

- 449 1) Approved March 2012 GC minutes.
- 450 2) Approved the Shoemaker Island FSM RFP and appointed a Proposal Selection Panel: Jason
451 Farnsworth (EDO), Jeff Runge (Service), Mike Besson (Wyoming), Suzanne Sellers (Colorado), Pat
452 Goltl (Nebraska), Rich Walters (TNC), Jim Jenniges (NPPD).
- 453 3) Appointed the Water Action Plan Scoring Subcommittee: Besson, Chair (Wyoming), Brock Merrill
454 (BOR), Tom Econopouly (Service), Doug Chamberlain (Upper Platte Water Users), John Altenhofen
455 (Colorado), Alan Berryman (Colorado Water Users), Brian Barels (NPPD), Jesse Bradley (NDNR),
456 Mike Drain (CNPPID), Beorn Courtney (EDO).
- 457 4) Approved a motion to accept the Technical Advisory Committee recommendation to accept the
458 Lower Platte River Stage Change Study Peer Review and Lower Platte River Stage Change Study as
459 final without revisions, with the understanding that the tool can be subsequently used to evaluate
460 Program actions but is not a statement on Program policy implications for pallid sturgeon.
- 461 5) Recommended the EDO prepare a summary memo of the PRCF discussion for the TAC outlining:
- 462 • Focus on target species.
- 463 • Actions we are considering – clearing, fix with buffer; anything we can do with groundwater
464 hydrology will benefit the caddisfly.
- 465 • Keep this in mind as moving toward goals and objectives for target species.
- 466 • Encourage caddisfly experts to take things on like a conceptual model.
- 467 • The Program will provide in-kind help, but won't pay for additional work.

This document is a draft based on one person's notes of the meeting. The official meeting minutes may be different if corrections are made by the Governance Committee before approval.



- 468 6) Approved changes to the Downstream Water Users charter.
469 7) Approved Land Plans for Tracts 2010002, 2010003, 2010004, 20110001, and the Shoemaker Island
470 Complex.
471 8) Approved the Amended Public Access Policy.
472 9) Approved the Amended Access Agreement Contract with the NGPC.
473 10) Approved the Land Disposal Plan (sell the water with the land) unless negotiations fall through over
474 the next three months at which time this will be brought back to the GC in September 2012 for further
475 consideration.
476 11) Moved to:
477 • Allow the EDO to seek appraisal of and begin negotiations for acquisition of Tract 1210 as
478 complex habitat;
479 • Allow the EDO to seek appraisal of and begin negotiations for acquisition of Tract 1114 as non-
480 complex habitat;
481 • Allow the EDO to seek appraisal of Tract 1211 while a full environmental review of the property
482 is conducted and while the LAC conducts a full evaluation of the property including whether to
483 recommend acquisition and whether to count the property as complex or non-complex habitat;
484 • Resolve a boundary dispute at Tract 2012002 through disposal of 1.93 acres;
485 • Allow the EDO to seek appraisal of and begin negotiations for sale of crop ground at Tract
486 2012002 in exchange for a conservation easement and the remaining value;
487 • Approve a three-year rolling extension on the mining royalty lease at Tract 2009008; and
488 • Approve pursuing sale of excess property at Tract 1217 at public auction.
489