



1                                   **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**  
2                                   **Governance Committee Meeting Minutes**  
3                                   Executive Director's Office – Kearney, NE  
4                                   March 13-14, 2012

5  
6                                   **Tuesday, March 13, 2012**

7  
8                                   **Meeting Attendees**

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10                                  **Governance Committee (GC) Table**

11                                  **State of Wyoming**

12                                  Mike Purcell – Member

13                                  Harry LaBonde – Alternate

14  
15                                  **State of Colorado**

16                                  Don Ament – Member

17                                  Suzanne Sellers – Alternate

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19                                  **State of Nebraska**

20                                  Jesse Bradley – Alternate

21  
22                                  **U.S. Fish and Wildlife Service (Service)**

23                                  Michael Thabault – Member

24  
25                                  **Bureau of Reclamation (BOR)**

26                                  Gary Campbell – Member

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28                                  **Environmental Entities**

29                                  John Heaston – Member

30                                  Marian Langan – Member

31                                  Duane Hovorka – Alternate

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33                                  **Upper Platte Water Users**

34                                  Dennis Strauch – Member

35                                  Doug Chamberlain – Member

36  
37                                  **Colorado Water Users**

38                                  Alan Berryman – Member

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40                                  **Downstream Water Users**

41                                  Brian Barel – Member

42                                  Don Kraus – Member

43                                  Kent Miller – Member

44                                  Mark Czaplewski – Proxy for Ron Bishop, Member

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

Jerry Kenny, Executive Director (ED)

Dave Baasch

Bridget Barron

Justin Brei

Beorn Courtney

Jason Farnsworth

Julie Liakos

Bruce Sackett

Chad Smith

**Audience Members**

Tom Econopouly – Service

Pat Engelbert – HDR

Mike Drain – CNPPID

Pat Goltl – Nebraska DNR

Mary Harner – Platte River Trust

John Kolanz – Colorado Water Users

Kevin Urie – Colorado Water Users

Brock Merrill – BOR

Jeff Runge – Service

Matt Rabbe – Service

Harry LaBonde – State of Wyoming

Dale Schlautman – EA Engineering

Greg Glunz – URS

Andrea Parker – URS

Ed Toms – URS



48 **Welcome & Administrative**

49 Thabault called the meeting to order. The group proceeded with introductions. Kenny noted an agenda  
50 modification adding Merrill to talk about indexing at the end of the day.

51  
52 *Purcell moved to approve the December 2011 GC minutes; Berryman seconded. Minutes approved.*

53  
54 Smith noted that on February 1, 2012 all GC parties voted unanimously via e-mail poll to approve the  
55 Program's sediment augmentation peer review panel and associated scope of work.

56  
57 **Program Committee Updates**

58 *Land Advisory Committee (LAC)*

59 Czaplewski provided an update on the latest LAC activities. The LAC met on February 1 and accepted  
60 recommendations on Tracts 1202 and 1203; recommended the GC reappraise Tract 0837; and received an  
61 update on the Public Access Program. The LAC met again on February 24 to discuss a recommendation  
62 related to Tract 092008. The next LAC meeting is April 24 in Kearney.

63  
64 *Water Advisory Committee (WAC)*

65 Courtney provided an update on the latest WAC activities. The WAC met on February 7 in Ogallala and  
66 Cory Steinke was re-elected WAC chair. The EDO gave an update on the J-2 reservoir project and  
67 related scoring. The EDO and Bill Hahn gave a presentation on the groundwater recharge project. There  
68 was discussion about a possible Tri-Basin NRD groundwater management project, and there was an  
69 update on the choke points in North Platte and Kearney. After the WAC meeting, there was a workgroup  
70 meeting on water leasing. The next WAC meeting is May 8 in Ogallala.

71  
72 *Technical Advisory Committee (TAC)*

73 Besson provided an update on the latest TAC activities. The TAC met on January 12. Much of the  
74 discussion focused on habitat availability assessments for the target species and extending tern and plover  
75 work to whooping cranes. The Wet Meadows Working Group met on February 15 to discuss wet  
76 meadow habitat criteria for whooping crane use. The next TAC meeting is on April 18 in Kearney.

77  
78 *Finance Committee (FC)*

79 Purcell provided an update on the latest FC activities. The FC met on January 30 and approved the fire  
80 services RFP and a contract amendment for the Program database. The FC met on March 2 and approved  
81 the sediment augmentation bid package (subject to acquisition of proper permits); approved the fire  
82 services contract; approved the water quality monitoring contract, subject to GC approval of a budget  
83 revision; approved the Elm Creek FSM contract amendment; and approved a motion to move the sole-  
84 source agreement on to the GC for further discussion.

85  
86 **Program Outreach Update**

87 **PRESENTATIONS**

- 88 • On February 27, 2012 Steve Smith presented to the "Silver Jackets", a group of Nebraska flood  
89 managers on the Program and specifically about the Program objectives related to potential flooding  
90 in North Platte, Nebraska.

91  
92 **EXHIBITS/SPONSORSHIPS**

- 93 • The Program sponsored the Four States Irrigation Council in Fort Collins, Colorado on January 11 –  
94 13, 2012 at the Friend level.



- 95 • The Program exhibited at the Nebraska Weed Management Association annual conference in  
96 Kearney, Nebraska on January 17 & 18, 2012. We made 177 contacts over the course of the two days.  
97 • The Program exhibited at the Colorado Water Congress Annual Convention in Denver, Colorado  
98 January 25 - 27, 2012. We made 162 contacts over the course of the three days.  
99 • The Program exhibited at the Rainwater Basin Joint Venture 17<sup>th</sup> Annual Informational Seminar on  
100 February 8, 2012 in Hastings, Nebraska. We made 120 contacts during that event.  
101

#### 102 **UPCOMING EXHIBITS/PRESENTATIONS**

- 103 • The Program was invited by the Colorado Division of Parks and Wildlife to share exhibit space with  
104 them at the Irrigationist's Symposium on March 14 & 15, 2012 in Loveland, Colorado. The  
105 Symposium is sponsored by the Colorado Division of Water Resources.  
106 • The Program will be exhibiting at the Rivers and Wildlife Conference in Kearney, Nebraska on  
107 March 16 & 17, 2012.  
108 • The Program will have PRRIP informational materials at both Rowe Sanctuary and the Nebraska  
109 Nature and Visitor's Center throughout migration season.  
110 • Jerry Kenny will be presenting on the Program at the Crane Trust Nature & Visitor Center in Alda,  
111 NE on March 25, 2012 as part of the "Wild about Nebraska" speaker series at the Center.  
112 • Beorn Courtney will be presenting on the Program to the Water Resources and Management in the  
113 US West class at the University of Colorado in Boulder, Colorado on March 19, 2012.  
114 • Mike Thabault, Gary Campbell, Don Kraus, Jerry Kenny, Chad Smith, and David Freeman will be  
115 presenting on the Program to the National Research Council Committee on Sustainability Linkages in  
116 the Federal Government in Omaha, Nebraska on April 12, 2012. The committee is charged with  
117 identifying the linkages among areas such as energy, water, health, agricultural production, and  
118 biodiversity that are critical to promoting and encouraging long term sustainability within the federal  
119 policy framework. The April meeting is focusing on the land, water, and energy linkages in nonurban  
120 areas using the Mojave Desert and the PRRIP as case study sites.  
121

#### 122 **MEDIA/PRESS COVERAGE**

- 123 • The Program was a Silver Sponsor of Prairie Fire's "Nebraska Skies 2012" series. The January,  
124 February, and March issues of Prairie Fire highlighted birding migration and wildlife viewing in  
125 Central Nebraska. Sponsorship included an ad in the February, March, and April editions of Prairie  
126 Fire, listing on the Prairie Fire and Crane Trust Nature & Visitor Center websites, and signage in the  
127 blinds at the Center. The February issue has a pull-out section, "Field Guide to Nebraska Birding".  
128 • The proposed J-2 reservoir and sediment augmentation were the focus of an article in the Omaha  
129 World Herald on March 1, 2012. Jerry Kenny, Cory Steinke, and Jeff Buettner were interviewed and  
130 quoted in the article.  
131

#### 132 **PRRIP Budget Items**

133 Kenny discussed the status of the FY 2012 Program budget, expenditures, and action items from the year.  
134 Campbell discussed a \$1 million grant in BOR funds that has been allocated to the Program in 2012.  
135 Kenny reminded the GC that at the December 2011 GC meeting all 2012 expenditures will come from  
136 federal dollars. Purcell asked about the President's budget. Campbell said that budget is about \$8 million  
137 for 2013. Purcell said it seems likely that a budget will not be approved until after the election so we may  
138 be operating under a Continuing Resolution. The Reid bill that established the Super Committee will  
139 sequester \$1 trillion starting in 2013 if an agreement cannot be reached, and \$500 billion of that will come  
140 from discretionary spending. Colorado and Wyoming do not plan to write letters to Congress or make a



141 trip to Washington, DC. There may be a need to do some additional research into alternative funding.  
142 Kenny said he would do that additional research and communicate his findings to the GC.  
143

#### 144 Water Quality Monitoring

145 Smith discussed the water quality monitoring contract and the requested Program budget shift.  
146 Chamberlain asked what kind of events this money will be spent on. Smith said for Program action-based  
147 water quality monitoring, such as monitoring before, during, and after sediment augmentation.  
148 Chamberlain asked if the money is shifted, does it stay in the new line item even if that money is not  
149 spent. Purcell said yes, but you could request moving the money back to the original line item if  
150 necessary.

151  
152 *Miller moved to approve the budget revision associated with the water quality monitoring contract;*  
153 *Campbell seconded. **Budget revision approved.***  
154

#### 155 Habitat Availability Assessment

156 Smith discussed the habitat availability assessment work and the requested sole-source agreement.  
157 Czaplowski asked about hardware needs for this project and if the Program would get this hardware back  
158 at the end of the agreement. Brei said this is more like use, wear, and tear. Kraus asked if this is the price  
159 for equipment. Brei said no, this is more like a use fee. Purcell said make sure in negotiations that the  
160 Program is not paying for this twice.

161  
162 *Miller moved to approve the sole-source agreement; Purcell seconded. **Sole-source agreement***  
163 *approved.*  
164

#### 165 ISAC Membership

166 Smith discussed the proposal for rotating membership on the Independent Scientific Advisory Committee  
167 (ISAC). Miller asked if it is clear that current members cannot be re-appointed. Ament said there may be  
168 cases where you want to bring someone back. Purcell said the TAC and GC should have the option to  
169 recommend reappointments if necessary. Thabault said one good piece of the proposal is that ISAC  
170 members are identified by areas of expertise so that new areas of expertise can be brought on when  
171 necessary. Hovorka said the rotation seems fine, but will people be rotating off too quickly based on the  
172 learning curve? Besson said the way this is set up, at least a few members will have good experience to  
173 help the new appointees. Purcell said it is good business to consider this each year and implement the  
174 rotation plan but be able to keep members that are very beneficial.

175  
176 *Heaston moved to approve the ISAC rotating membership plan; Ament seconded. **Rotating membership***  
177 *plan approved.*  
178

179 Barel asked for an e-mail to the GC any time an ISAC meeting is scheduled so that GC members can  
180 attend if they are interested and available. **Smith agreed.** Czaplowski reiterated the importance of  
181 delivering technical information to the GC. Thabault said: 1) maybe there should be a block of time at an  
182 upcoming GC meeting for face time with the ISAC, and 2) maybe there should be an exit interview for  
183 members rotating off the ISAC to pick their brains one last time. **Smith agreed.**  
184

185  
186  
187



188 **Winter Whooping Crane Monitoring**

189 Baasch gave a presentation on winter whooping crane monitoring efforts. Miller asked how many WC  
190 are on the river now. Baasch said one as of today. Berryman asked about the maximum number  
191 observed. Baasch said 12 in one day, but one could have been a leucistic Sandhill crane.  
192

193 **2012 AOP Update**

194 Runge provided an update on the EA releases made in 2012 and plans for the remainder of the year. The  
195 February 15-March 15 pulse flow release just concluded. There was a lot of effort put into coordination  
196 to abide by the Good Neighbor Policy – canal operators, flood managers, city officials, county officials,  
197 etc. Flows started late to avoid icing problems, and the release ended early on March 6 because of  
198 concerns about flood stage. Total flow release was less than 20,000 acre-feet. The Service will develop a  
199 report on the release and all work and coordination during the water year. Miller asked if there are more  
200 planned releases. Runge said there will be a 2,400 cfs WC release in the spring, a 2,400 cfs or less WC  
201 release in the fall, and a 1,200 cfs release in the summer. Berryman asked how much water is now left in  
202 the EA. Runge said it is difficult to tell, but probably around 120,000 acre-feet. Bradley asked when the  
203 spring flow decision will be made. Runge said the Service does not have a schedule yet for making that  
204 decision. Besson asked about the duration of summertime releases. Runge said it will depend on how  
205 much of what is released actually gets to the central Platte based on capacities.  
206

207 Thabault said two things have come up in his mind relative to this: 1) EA operators left a lot of water on  
208 the table last year that was lost, and 2) the North Platte choke point is limiting the ability to utilize EA  
209 water so he wants to elevate making progress at the choke point. Purcell asked about the status of the  
210 choke point. Kenny said capacity at flood stage was about 2,300 cfs last year, but now flows have  
211 receded after the high flows and because of areas filling in we are back to 1,600-1,700 cfs. Additional  
212 vegetation and root ball removal is now occurring. The alternative that is being considered is mechanical  
213 dredging or similar activities that will have to be repeated periodically because Phragmites and other  
214 invasives lead to channel areas filling in quickly.  
215

216 **2011 Tiered Platte River Biological Opinions**

217 Rabbe talked about 2011 tiered biological opinions. Sellers asked about the last column (“Not Covered  
218 by MOA”). Rabbe said he thinks the first MOA was in 2009, but those first three projects on the list were  
219 not covered by the MOA. Econopouly agreed and said he would get back to Suzanne with an answer.  
220

221 **Other Business**

222 Merrill discussed indexing of Program funds for 2011. Merrill said last year, the BOR construction cost  
223 trends showed land values declining in Nebraska, but Sackett reports land values are going up. Purcell  
224 said the GC has not accepted that is the way to do business. Merrill said it would probably require  
225 development of a new process that would have to be taken back for evaluation and approval. Purcell  
226 asked if this process was suggested from on high. Merrill said it was suggested to keep this as close as  
227 possible to Reclamation’s process. Purcell asked if this causes any adjustment to the budget or if we are  
228 going to move ahead with the budget as approved. Kenny said he did not anticipate making any  
229 adjustments this year. Sellers said Colorado is considering making payments for the J-2 project in a  
230 manner that might be out of the negotiated percentage allocation – in effect, pre-paying Colorado’s share  
231 of the project. The effect would be those funds would no longer accrue interest. So, Colorado is  
232 considering bringing to the GC in June a proposal on how to mitigate that problem for Colorado. This  
233 might mean adjusting Colorado’s index, or estimating the amount of interest we may have received.  
234 Thabault asked if it would be brought to the GC cold or if it will be shared ahead of time. Sellers said



235 they would not bring it cold to the GC meeting. Purcell asked if the money is spent, would Colorado  
236 have to take any inflation indicators in the future. Merrill said it only applies to the unspent amount.  
237 Thabault said it might be good to have an ad hoc group work through this. Purcell said the Finance  
238 Committee is the place to discuss this.  
239

#### 240 **PRRIP Permits**

241 Kenny and Farnsworth talked about permitting issues related to construction of in-channel tern and plover  
242 nesting islands and sediment augmentation. Besson asked if there is a water quality variance required on  
243 pushing sand. Kenny said no, just for the sand pumping. Barels noted that the Corps could not get a  
244 permit from their own agency to build islands on the Missouri River, so they just did it to comply with the  
245 ESA. Thabault said he is thinking maybe a quick letter to the Corps that could be signed by all GC  
246 members in attendance before leaving tomorrow could be a useful tool. Kenny said the EDO will draft a  
247 letter for review and signature tomorrow during the GC meeting.  
248

249 Meeting adjourned at 5:00 p.m. Central time.  
250

251 **Wednesday, March 14, 2012**  
252

#### 253 **Welcome and Introduction**

254 Thabault called the meeting to order and the group proceeded with a roll call. Kenny noted additions to  
255 the agenda: 1) discuss Tract 1115; and 2) discuss Tract 1117.  
256

#### 257 **Platte River Recreation Access Program**

258 Matt Steffl and Ryan Chramosta from the Nebraska Game and Parks Commission gave a presentation on  
259 the first year of implementation of the Recreation Access Program. Kraus asked about multiple people  
260 hunting the same site and how that gets worked out. Steffl said the policy calls for an opportunity to  
261 resolve the issue among themselves or else access will be restricted. Farnsworth said for rifle season, all  
262 successful lottery applicants were given contact information for other hunters. Chamberlain asked about  
263 landowner liability. Steffl said a full page waiver of liability was added to the agreement to make sure all  
264 parties were covered. Hovorka asked about when the deer season lottery would be held. Steffl said they  
265 hope to have the lottery in October so there is some more time for scouting. Heaston asked if we could  
266 require all rifle hunters to report their harvest to keep track of numbers. Steffl said a better route would  
267 be to follow up with hunters with a phone call or other direct communication. Hovorka thanked the  
268 NGPC for their oversight and implementation of the access program and said he was glad to see the  
269 Program allow recreation access on Program lands. Czaplewski said the LAC has a subcommittee  
270 evaluating the access plan and related issues to help suggest next steps. Langan said if this expands it  
271 may become onerous to be calling all hunters to get information. Steffl said if we are only talking about  
272 rifle deer season it will be a manageable number. Langan said we could ask hunters to report and then  
273 follow up with a call if they don't report. Steffl agreed.  
274

#### 275 **Public Comment**

276 Thabault asked for public comment; none offered.  
277

#### 278 **Executive Session**

279 *Purcell moved to enter Executive Session to discuss land issues; Langan seconded. GC entered*  
280 *Executive Session at 8:56 a.m. Central time.*  
281



282 *Heaston moved to end Executive Session; Strauch seconded. GC ended Executive Session at 10:47 a.m.*  
283 *Central time.*

284

285 **Program Land Tracts & Issues**

286 *Purcell moved and Berryman seconded:*

- 287 • *To authorize continued appraisal and negotiation of Tract 0837 as complex habitat.*
- 288 • *To approve allowing the ED Office to seek appraisal of and begin negotiations for acquisition of*  
289 *Tracts 1202 & 1203 as non-complex habitat, and to allow acquisition of adjacent properties for*  
290 *access consideration if available.*
- 291 • *To approve acquisition of Tracts 1101 and 1102 as complex habitat.*
- 292 • *To authorize the ED Office to pursue abandonment of Road I at Tract 2010001.*
- 293 • *To authorize the ED Office to seek appraisal for sale of surplus land at Tract 2009008 and to seek*  
294 *input from the WAC on disposition of irrigated acres at this Tract.*
- 295 • *To authorize the ED Office to enter into an easement on Tract 1115 in exchange for settling a*  
296 *boundary line including exchanging quit claim deeds to define the boundary.*
- 297 • *To authorize the ED Office to negotiate terms for the sale of Tract 1117 at 2011001East with a no-*  
298 *build deed reservation.*

299 **Motion approved.**

300

301 **Future Meetings & Closing Business**

302 *Upcoming GC meetings:*

- 303 • *June 12-13, 2012 @ Cheyenne, WY @ Wyoming Water Development Commission*
- 304 • *September 11-12, 2012 @ Kearney, NE*
- 305 • *December 4-5, 2012 @ Denver, CO*

306

307 *Strauch moved to adjourn; Heaston seconded. Meeting adjourned at 11:00 a.m. Central time.*

308

309 **Summary of Action Items/Decisions from March 2012 GC meeting**

- 310 1) *Approved December 2011 GC minutes.*
- 311 2) *Approved budget revision of \$13,800 for water quality monitoring.*
- 312 3) *Approve sole-source agreement for habitat availability assessments.*
- 313 4) *Approved the rotating membership plan for the Independent Scientific Advisory Committee.*
- 314 5) *The Executive Director's Office agreed to alert the GC via e-mail about all upcoming ISAC meetings,*  
315 *to set up time at upcoming GC meetings for ISAC members to be present, and to establish a system of*  
316 *"exit interviews" for all ISAC members rotating off the panel.*
- 317 6) *Approved a motion to:*
  - 318 • *To authorize continued appraisal and negotiation of Tract 0837 as complex habitat.*
  - 319 • *To approve allowing the ED Office to seek appraisal of and begin negotiations for acquisition of*  
320 *Tracts 1202 & 1203 as non-complex habitat, and to allow acquisition of adjacent properties for*  
321 *access consideration if available.*
  - 322 • *To approve acquisition of Tracts 1101 and 1102 as complex habitat.*
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  - 324 • *To authorize the ED Office to seek appraisal for sale of surplus land at Tract 2009008 and to seek*  
325 *input from the WAC on disposition of irrigated acres at this Tract.*



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- 329
- To authorize the ED Office to enter into an easement on Tract 1115 in exchange for settling a boundary line including exchanging quit claim deeds to define the boundary.
  - To authorize the ED Office to negotiate terms for the sale of Tract 1117 at 2011001East with a no-build deed reservation.