



PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP -or- Program)

Governance Committee (CC) Virtual Quarterly Meeting

Tuesday, June 09, 2021; 9:30 AM – 2:45 PM CST

Meeting held online via MS Teams.

Governance Committee (GC)

State of Wyoming

Harry LaBonde – Member

Brandon Gebhart – Alternate

State of Colorado

Don Ament – Member (2021 GC Chair)

JoJo La – Alternate

State of Nebraska

Tom Riley – Member

Jesse Bradley - Alternate

Upper Platte Water Users

Dennis Strauch – Member

Bob Mehling – Alternate

Downstream Water Users

Devin Brundage – Member

Kent Miller – Member

Lyndon Vogt – Member

John Shadle – Alternate

Executive Director’s Office (EDO)

Jason Farnsworth, ED

Bridget Barron

Justin Brei

Patrick Farrell

Julia Grabowski

Malinda Henry

Mallory Jaymes

Kaley Keldsen

Kari Mohlman

Bruce Sackett

Chad Smith

Tom Smrdel

Tim Tunnell

Seth Turner Kevin Werbylo

Bureau of Reclamation (Reclamation)

Brock Merrill – Member (2021 GC Vice Chair)

U.S. Fish and Wildlife Service (Service)

Matt Rabbe – Alternate

Environmental Entities

Brice Krohn – Member

Bill Taddicken – Member

Rich Walters – Member

Colorado Water Users

Alan Berryman – Member

Deb Freeman – Alternate

Kyle Whitaker – Alternate

Jason Marks – Alternate

Other Participants

Mike Drain, Cory Steinke, & Dave Zorn – CNPPID

Jim Jenniges, Jeff Shafer, & Michael Kondrack – NPPD

Mark Porath, Brian Caruso, Tom Econopouly, & Jeff Runge – Service

Brian Hollis – Reclamation

Michelle Koch – NGPC

Melissa Mosier – Audubon Nebraska

Mirko Kruse – Trout Raley (CO Water Users)

David Galat – ISAC

Dave Marmorek – ISAC

Ned Andrews – ISAC



1 **WELCOME & ADMINISTRATIVE**

2 **Introductions** – Chair Ament called the meeting to order at 9:37 AM Central Time.

3
4 **Agenda** – No modifications offered.

5
6 **Minutes** – The GC approved the following minutes:

7 **GC Motion:** Riley moved and Taddicken seconded to approve the March 10, 2021, GC Virtual Quarterly
8 Meeting minutes. **Minutes approved.**

9
10 **GC Motion:** Riley moved and Taddicken seconded to approve the April 8, 2021, GC Virtual Special Session
11 minutes. **Minutes approved.**

12
13 **GC Motion:** Rabbe moved and Merrill seconded to approve the May 21, 2021, GC Virtual Special Session
14 minutes. **Minutes approved.**

15
16 **COMMITTEE UPDATES**

17 **Land Advisory Committee (LAC)** – Zorn provided an update on the latest LAC activities. The LAC last met
18 on April 5, 2021. There was an update from the PRRRA subcommittee and tract field reviews (GC Special
19 Session).

20
21 **Water Advisory Committee (WAC)** – Steinke provided an update on the latest WAC activities. The WAC
22 last met on May 4, 2021. The WAC discussed whooping crane flow releases and all depletions plans (CO,
23 WY, NE, federal).

24
25 **Technical Advisory Committee (TAC)** – Merrill provided an update on the latest TAC activities. The TAC
26 last met on April 14, 2021. The TAC discussed land management on the Bergen Tract; Cottonwood
27 Ranch broad-scale recharge; update on the spring WC migration; tern/plover monitoring plans for
28 summer 2021; recent Program publication in Waterbirds; and progress on the Extension Science Plan.

29
30 **Finance Committee (FC)** – La provided an update on the latest FC activities. The FC last met on May 25,
31 2021. The FC discussed the Chapman Complex habitat enhancement bid package (approved) and the
32 PRRIP Procurement Policy (discussion only).

33
34 **OUTREACH UPDATE**

35 **PRESENTATIONS**

- 36 • On April 8, 2021, Jason Farnsworth and George Oamek participated in a podcast regarding Nebraska
37 water issues as part of a series of the Daugherty Water Center at the University of Nebraska Lincoln.
38 The topic was *Experiences using economic incentives to support the Platte River ecosystem*. The link
39 to the presentation is included below:
40 [https://waterforfood.nebraska.edu/news-and-events/news/2021/04/experiences-using-economic-](https://waterforfood.nebraska.edu/news-and-events/news/2021/04/experiences-using-economic-incentives-to-support-the-platte-river-ecosystem)
41 [incentives-to-support-the-platte-river-ecosystem](https://waterforfood.nebraska.edu/news-and-events/news/2021/04/experiences-using-economic-incentives-to-support-the-platte-river-ecosystem)

42
43 **EXHIBITS/SPONSORSHIPS**

44 There were no exhibits in April or May.



45 **UPCOMING PRESENTATIONS/EXHIBITS**

- 46 • The Program plans to exhibit at Husker Harvest Days in Grand Island on September 14, 15, and 16,
47 2021 in the Natural Resources Districts building. Husker Harvest Days is recognized as the World’s
48 Largest Totally Irrigated Working Farm Show™ and features the most extensive state-of-the-art
49 information and technology available for today’s agricultural producers.
50 • The Program will be exhibiting at the Nebraska Natural Resources Districts Annual Conference on
51 September 26 through 28, 2021 in Kearney, Nebraska
52 • The Program will be sponsoring the South Platte Forum on December 9th, 2021, in Westminster,
53 Colorado.

54
55 **MEDIA/OTHER**

- 56 • The Cottonwood Ranch Broad-Scale Recharge Project won an Honor Award in the “Water
57 Resources” category of the American Council of Engineering Companies (ACEC) Engineering
58 Excellence Awards in the State of Nebraska Competition. This qualified the project to be entered
59 into the National Competition, where the project won a National Recognition Award. The National
60 Recognition Award is a prestigious distinction honoring projects which achieved exceptional
61 engineering excellence but did not receive a national Grand or Honor Award. The State Honor
62 Award was recognized in a special section of the World Herald on February 21, 2021, during
63 Engineer’s Week, and the National Recognition Award will be recognized during a virtual Awards
64 Gala on June 17, 2021.
65 • The 2019/2020 Biennial Report will be distributed at the September GC meeting.

66
67 **PRRIP BUDGET**

68 Farnsworth discussed the status of the FY21 budget, expenditures, and budget-related action items for
69 the GC today. La asked if it would be beneficial to add a footnote on why the percentages are off.
70 Farnsworth agreed to add that to the summary.

71
72 Farnsworth discussed proposed changes to the PRRIP Procurement Policy and the process used to get
73 the proposed changes to this point. The one policy change is related to procurement of goods or
74 services of less than \$10,000. Also, all the contacting parts in the Procurement Policy have been moved
75 into their own section to provide more clarity and detail on contracting once services are procured
76 (when a contract is necessary, which contracting templates the Program uses, etc.). Taddicken asked
77 about the Conflict of Interest statement and what is covered by the statement. There is the potential for
78 familial relationships to pop up and may need to be added to or clarified in the Conflict of Interest
79 portion of the policy. Taddicken suggested adding a statement saying any personal connection should be
80 disclosed to the Finance Committee. Farnsworth said current contracting requires that all contractors
81 sign a Conflict of Interest statement and anti-lobbying statement. Taddicken agreed this satisfies his
82 concerns.

83
84 **GC Motion:** *LaBonde moved and Riley seconded to approve the revised PRRIP Procurement Policy.*
85 **Motion approved.**

86
87 **WATER ACTION PLAN (WAP)**

88 Turner gave an update on the North Platte chokepoint, EA release, Elwood recharge, and the Pathfinder
89 municipal lease. Gebhart said Wyoming would continue to monitor the Pathfinder municipal account



90 and re-evaluate it throughout the month of June. Werbylo gave an update on the recapture network
91 and the Cottonwood Ranch broad-scale recharge project.

92
93 **2021 Surface Water Agreements** – Farnsworth summarized the NPPD and CPNRD surface water
94 agreements. Riley asked if the MOU is different for the two agreements. Farnsworth said yes, the final
95 signed agreements will have the current MOUs attached to them.

96
97 **GC Motion:** *Miller moved and Riley seconded to approve the NPPD Surface Water Leasing Agreement.*
98 **Agreement approved.**

99
100 **GC Motion:** *Miller moved and LaBonde seconded to approve the CPNRD Surface Water Exchange*
101 *Agreement.* **Agreement approved.**

102
103 **ADAPTIVE MANAGEMENT PLAN**

104 **Target Species Monitoring** – Mohlman gave an update on summer 2021 tern/plover monitoring and
105 Keldsen gave an update on related predator management and monitoring. Jaymes gave an update from
106 spring 2021 whooping crane monitoring.

107
108 **Extension Science Plan** – Henry gave an update on the status of the Extension Science Plan.

109
110 **INTERIOR LEAST TERN (LT)**

111 Rabbe summarized document changes related to the de-listing of the interior least tern and walked
112 through additional changes to these documents developed after a previous version was sent to the GC
113 in the meeting packet. Riley asked if this would be taken up as an approval motion today because if so
114 that is inconsistent with his understanding. Riley also asked how or if this document is consistent with
115 concerns about the cost of continued monitoring for a species that is no longer listed. For example, what
116 is the intent of monitoring? Rabbe said maintaining status quo, with the exception that it is no longer
117 required by federal law but is instead voluntary. Riley said there seems to be a lot of words for
118 something that is fairly simple, meaning this voluntary monitoring would just be done on the back of an
119 existing process in place. Because of that, you would be getting two birds with one stone so to speak. Is
120 that the intent? Rabbe said the Service believes it is appropriate to state how this would be handled
121 going forward. Riley asked then why were all those references made in the original document? Rabbe
122 said because the tern was a target species. Riley said that was correct, but now it is de-listed and is no
123 longer a target species. If it were not a target species initially, there would be no reference to terns in
124 the original Program Document so maybe we do not need any references going forward.

125
126 Freeman said we have a situation where the Program Document and all appendices have dated
127 terminology in them (referencing the tern as a federally listed species, which it is no longer). There is
128 also the problem of the assumption that what we are doing is required for the tern due to ESA
129 compliance. The new language makes it clear this is no longer the case (take, ESA Milestones, etc.). The
130 third thing the group tried to deal with is to say management for the plover that also affects the tern can
131 continue at the direction of the GC. Drain said it appears we no longer have an obligation to do anything
132 for the tern, but Items 5 and 6 suggest we will continue to do what we are doing related to terns unless
133 the GC directs otherwise. He asked what the voting procedures would be for decisions related to this
134 over time. Freeman said in her mind this relates primarily to Paragraph 6 and the GC could say “the
135 Program may continue to manage for the tern at the direction of the GC.” Drain said that is what he was



136 thinking. Rabbe said on Paragraph 5, the tern/plover survey protocol is still being finalized by the Service
137 and the Nebraska Game and Parks Commission. At this point though, his understanding is that protocol
138 will not split the two species (tern and plover). Drain asked if this could be resolved by re-wording the
139 second sentence of Paragraph 5 by adding “follow the tern components” of the survey, which would be
140 a recognition of the overlap but that any tern work by the Program would be voluntary and could be
141 stopped at any time.

142
143 LaBonde asked about the status of the assumption that monitoring would continue as part of the
144 delisting. Rabbe said there is not yet a post-delisting monitoring plan in place but there is an assumption
145 that monitoring would continue at least at the level of the post-delisting monitoring plan (which is not
146 yet done). LaBonde asked about the schedule for this plan and when it would be produced. Rabbe said
147 he is not aware of an established date for this. LaBonde said the first statement says the Program will
148 continue to treat the tern as a target species during the Extension and there will be a cost to that.
149 Maybe there should be a statement in this document that it is the intent of the Program that a Second
150 Increment will not include the interior least tern. Farnsworth said we can take more time on this
151 document to get the language right, but we need the GC to discuss and approve the templates because
152 they are regulatory documents.

153
154 Porath said we should be celebrating the delisting but we should be cautious because of changes that
155 might come down the road. This appears to be an attempt to thread the needle – take the focus off the
156 tern as a target species but keep enough information to address issues down the road if necessary.

157 Freeman said she has heard three points that need addressed:

- 158 1) Should we add language saying the tern will not be managed for as a target species in the
159 Second Increment?
- 160 2) Do we include a specific head-nod to monitoring consistent with the post-delisting monitoring
161 plan requirements once those are known?
- 162 3) Should the GC direction say this can continue as part of the science component of the Program
163 at the direction of the GC?

164
165 So, should the group keep working on this language, or should any GC members be added to the group
166 to make sure we are capturing all perspectives? Ament asked we should postpone approval of this
167 document but go ahead and try to approve the templates? Rabbe said we do need to update and
168 approve those because we cannot proceed with consultations until they are approved. *Riley said his
169 thought is to send this back to the group and reflect on today’s discussion and see what edits can be
170 made. Ament and the GC agreed.*

171
172 Rabbe said the only changes made to the templates were to remove references to the tern being a listed
173 species, point to the tern being delisted, and provisions of the incidental take statement (and RPA)
174 related to the interior least tern no longer apply. Freeman asked if all the templates are in the
175 appendices to the Program Document and if so we are asking the GC to both approve them for use and
176 to include them in the Program Document. Farnsworth said yes.

177
178 **GC Motion:** *Riley moved and LaBonde seconded to approve for use the revised Tiered BO template and
179 the revised BA templates for CO, NE, and WY with additional revisions as noted during the GC meeting
180 (use of the term “listed target species” for current and future references, maintain use of the term*



181 *“target species” for past references) and to approve including these templates in the Program Document.*
182 **Templates approved.**

183
184 **LUNCH BREAK (45 min.)**

185
186 **PALLID STURGEON (PS)**

187 Smith summarized the PS Agreement Framing Document. Henry summarized the PS research proposals.
188 Marmorek summarized ISAC comments and conclusions on the PS research proposals. La asked about
189 what we know/don’t know about pallids and what the relationship of this proposed work is to what the
190 Missouri River Recovery Program is working on. Marmorek said the Corps funds most of the Missouri
191 River work and their constraint is they can only fund research where pallid sturgeon are potentially
192 affected by their operation of the Missouri River dams and reservoirs. The only exception is the
193 Yellowstone River because the Corps is working with Reclamation to build a diversion bypass. Marmorek
194 said there was some work done by researchers at UNL and some work done by the USGS to look at use
195 and spawning on the lower Platte River. There were a few occasions in the past between 2010-2015
196 where fish were tracked in the Platte and spawning appeared to occur across a range of flows, but also
197 did not occur across a range of flows, so there did not appear to be much correlation between spawning
198 and flows. There were stronger correlations with temperature. Galat said the map from the ISAC
199 presentation (and the EDO presentation) is the map that shows the spread of fish in the lower Platte and
200 up the Elkhorn River. La said she is struggling with how the research will tell if something is coincidental
201 or correlated or suggests causation. Marmorek said the proposals do not yet get into detail of the
202 methods of data analysis. There are quantitative methods that can be applied. In terms of spawning, it
203 will depend on the number of cases and what flow conditions are at the time. This will be more of a
204 categorical approach but can still be statistical and quantitative. It becomes a question of probabilities –
205 the likelihood that spawning will occur for different categories of physical conditions. LaBonde asked
206 whether we need to include any river stretch above the Elkhorn – was finding fish up to the Loup in
207 2019 just the result of one high flow year? Marmorek said there is an example they have gone that far.
208 As more hatchery fish mature, they may gradually move further upriver once they become reproductive
209 (this is a reasonable hypothesis). Active tracking is much more time consuming, and you just won’t know
210 whether or not pallid sturgeon are moving up to the Loup if you don’t have the passive trackers in place.
211 Farnsworth said in the initial PS research, 7% of the fish tracked went above the Elkhorn. It is likely they
212 go further up the Platte during wetter years and run down and out of the Platte during lower water
213 years. There is a lot of uncertainty about how many, when, and why pallids might move above the
214 Elkhorn River confluence so at a low cost we can try to reduce uncertainty about this.

215
216 LaBonde asked about the timing of getting this started and getting graduate students on board, and
217 whether this could be pushed to the September GC meeting. Henry said the more lead time Heist has,
218 the better. The Program needs the technology up and running soon so that when we get samples in
219 hand we have the ability to analyze them and we don’t want to miss another season. LaBonde asked
220 what time of year we will capture and tag fish. Henry said that would be in spring after all ice is gone and
221 temperatures are up. Farnsworth said we would still have to go through the process of developing
222 contracts, getting contracts approved by the GC, etc. Riley asked about the genetics work and if there is
223 any concern about whether Heist can actually do the work. Henry said he has already developed the SNP
224 markers, the GT-seq process is also under development and all this work appears promising. Riley asked
225 about the bounds of risk of this process. Henry said if Heist just uses current technology, we will slow
226 down the process and get less data. Marmorek said there was previous discussion about out-sourcing



227 some of the genetics sequencing but there are concerns about how quickly things could be turned
228 around and loss of quality control. Riley said his concern is if we can't get to where the genetics proposal
229 wants to go, is this a worthwhile effort? Henry said it is a question of getting the equipment to do the
230 work which is done regularly and is not an experimental process. The use of GT-seq to do this kind of
231 work has already been developed and is done regularly. Hiring the developer of the GT-seq technology
232 as a consultant to work together with Heist provides the technical experience with the technique and
233 the SNP markers required to reduce risk.

234
235 La asked if Heist will have to develop baseline data for the Missouri River program anyway and won't
236 really be dependent on the Platte providing funding for the equipment. Henry said the baseline would
237 be for the population as a whole. To do that, there would need to be samples from the Missouri, Platte,
238 and other locations. Farnsworth said without Program funds for this work, there is no project.

239
240 Farnsworth summarized Steps 2 and 3 of the Framing Document. Runge said there has been a lot of
241 discussion about spawning, but this is also a chance to get a better handle on overall habitat, use,
242 timing, and other aspects of sturgeon life history from the telemetry that will be important even if we
243 don't get the spawning data we are hoping for.

244
245 Meeting break for GC entity caucusing. On return, the GC edited language for a motion regarding the PS
246 Agreement Framing Document and next steps on PS in the Extension.

247
248 **GC Motion:** *LaBonde moved and Mehling seconded that in accordance with the PRRIP Second Increment*
249 *Policy Frame, the GC authorizes the EDO to pursue Steps 1-3 as outlined in the Pallid Sturgeon*
250 *Agreement Framing Document, subject to GC review and approval of all related proposals, budgets,*
251 *products, and conclusions. The GC and Service agree this fulfills PRRIP pallid sturgeon commitments*
252 *described in the Program Document. The GC and Service also agree the outlined activities provide the*
253 *Program ESA compliance for the Milestones during the Extension with the expectation that Program*
254 *water management activities implemented under this framework will continue to afford defined benefits*
255 *for the pallid sturgeon during the Second Increment. **Motion approved.***

256
257 **LAND PLAN**

258 **Platte River Recreation Access (PRRA) Program** – Rabbe gave an update from the PRRA Subcommittee.
259 **PRRIP Tiered Consultations** – Rabbe provided the annual update from the U.S. Fish and Wildlife Service.

260
261 **PUBLIC COMMENT**

262 None offered.

263
264 **EXECUTIVE SESSION**

265 *Riley moved and Merrill seconded to enter Executive Session. **GC entered Executive Session at 2:45 PM***
266 **Central Time.**

267 *Riley moved and LaBonde seconded to exit Executive Session. **GC exited Executive Session at 2:47 PM***
268 **Central Time.**

269
270 **EXECUTIVE SESSION MOTIONS**

271 No motions coming out of Executive Sessions. Sackett provided the latest Land Objective Summary and
272 reflected on his time with the Program. He is retiring as of August 19, 2021. Sackett said he appreciated



273 his 13 years, thanked Jerry Kenny and Bridget for bringing him on as an employee, and discussed some
274 of the highlights of his work with Program land acquisition and management. He thanked the GC for
275 working with him over the years. He read a small piece that he wrote in advance:

276
277 The Job

278 By Bruce Sackett

279 2021

280

281 Nineteen Seventy-Two was the year I began in conservation.

282 We did not know the future or where it would take us.

283 In that same year we married and would have our children three.

284 The days have flown the kids have grown, they visit now and then.

285

286 Our parents passed, some friends retired and yet we continued fore.

287 In looking back, it seems that life has given us all ... and more.

288 Memories and kindness enough to fill a lifetime.

289 If we could just see our effect and understand the meaning.

290

291 Where did the days go by so quickly and so fast?

292 How can we hold such memories and hope to make them last?

293 It seems we all get a chance to run the race and see,

294 A place to stand, and whom we each can be.

295

296 From high above the places bought for the people one and all.

297 From Wildcat Hills to Clark Island and Oak Glenn to Ash Fall.

298 Every face and story leaps to mind in individual names

299 Kirkpatrick, Broadfoot, Volintine; Robinson and James.

300

301 What comes to pass cannot be guessed from work we each have done

302 As time does pass each blade of grass becomes more precious won.

303 The best of times is yet to come for the future generation

304 All the places now in trust to make... memories and conservation.

305

306 A million miles have I driven to carry out the task

307 Seen the prairie, Pine Ridge Forest and rivers braided wide.

308 It can be said with no remorse nor any kind of sob

309 I loved it all because in the end it was always more than just a job.

310

311 Accolades for Bruce from the Teams meeting chat:

312 • Mark Porath – Congrats Bruce! Never thought I would see you retire twice, best wishes and thanks
313 for all you have done.

314 • Jojo La – *clap *clap!! So beautiful! Thank you for all of your work! We're going to miss you!!!!

315 • Brice Krohn – Congratulations and Best of Luck! I will miss your stories!

316 • John Shadle – Thanks for all the good work Bruce, best of luck going forward.

317 • Devin Brundage – Congratulations Bruce!!!

318 • Lyndon Vogt – Thanks for all your work and have a great retirement



- 319 • Tom Riley – Congratulations on the next phase in life, Bruce. Best wishes!
- 320 • Bob Mehling – As long as I have been with PRRIP you have been an institution and an inspiration.

321

322 **GC MEETING REVIEW & WRAP-UP**

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

324

325 **2021 GC Meetings:**

- 326 ○ GC *In-Person* Quarterly Meeting – **September 14-15, 2021** @ Kearney, NE
- 327 ○ GC *Virtual* Special Session – **November 10, 2021**; discussion of FY22 budget and work plan
- 328 ○ GC *In-Person* Quarterly Meeting – **December 7-8, 2021** @ Denver, CO

329

330 **GC MEETING END**

331 Meeting adjourned at 3:27 PM Central Time.

332

333 **Summary of Action Items/Decisions from June 9, 2021, GC Virtual Quarterly Meeting**

- 334 1) Approved the 03_10_21 GC Virtual Quarterly Meeting minutes.
- 335 2) Approved the 04_08_21 GC Virtual Special Session minutes.
- 336 3) Approved the 05_21_21 GC Virtual Special Session minutes.
- 337 4) Approved the revised PRRIP Procurement Policy.
- 338 5) Approved the NPPD Surface Water Leasing Agreement.
- 339 6) Approved the CPNRD Surface Water Exchange Agreement.
- 340 7) Approved for use the revised Tiered BO template and the revised BA templates for CO, NE, and WY
- 341 with additional revisions as noted during the GC meeting (use of the term “listed target species” for
- 342 current and future references, maintain use of the term “target species” for past references) and
- 343 approved including these templates in the Program Document.
- 344 8) Approved the following motion regarding pallid sturgeon: in accordance with the PRRIP Second
- 345 Increment Policy Frame, the GC authorizes the EDO to pursue Steps 1-3 as outlined in the Pallid
- 346 Sturgeon Agreement Framing Document, subject to GC review and approval of all related proposals,
- 347 budgets, products, and conclusions. The GC and Service agree this fulfills PRRIP pallid sturgeon
- 348 commitments described in the Program Document. The GC and Service also agree the outlined
- 349 activities provide the Program ESA compliance for the Milestones during the Extension with the
- 350 expectation that Program water management activities implemented under this framework will
- 351 continue to afford defined benefits for the pallid sturgeon during the Second Increment.