Welcome & Administrative
Mike Purcell called the meeting to order and the group proceeded with introductions. Alan Berryman moved to approve the June 2008 GC minutes; Tom Dougherty seconded. The June 2008 minutes were approved.

Program Committee Updates
Water Advisory Committee (WAC)
Beorn Courtney provided an update on the latest WAC activities. The WAC held a meeting and workshop in July in Denver to discuss the status of the Boyle work on Water Action Plan priorities. The WAC discussed and recommended moving ahead on the potential purchase of a conservation easement on a tract of land that would be purchased in order to secure a small amount of Program water. Courtney discussed the interaction of the WAC with Program water quality monitoring efforts. The WAC is working to formalize a meeting schedule for the off-months from GC meetings. Frank Kwapnioski will continue to be the WAC chair for the next year.

Boyle presented their work on screening criteria and how to move forward with narrowing the activities for further evaluation. The three projects to receive focus at this time are Elwood Reservoir; a new Plum Creek Reservoir; and a combined set of approximately five separate off-channel storage projects.

Land Advisory Committee (LAC)
Mark Czaplewski (CPNRD) provided an update on the latest LAC activities. The last LAC meeting included a discussion of utilizing NGOs like Ducks Unlimited or The Conservation Fund to help expedite acquisition of important land tracts. The LAC reviewed approximately thirty separate tracts for Program priority. Five priority tracts will be discussed on Wednesday during Executive Session of the GC meeting. The next LAC meeting is September 9, 2008 in Kearney.

Technical Advisory Committee (TAC)
Chad Smith provided an update on the latest TAC activities. Shay Howlin from WEST attended the last TAC meeting in July in Kearney and discussed the results of the whooping crane monitoring data analysis and the tern/plover monitoring data analysis. The TAC also discussed the separate Program geomorphology and vegetation monitoring protocols and recommended that the two protocols be combined into one and moved to the FC and GC for approval through a RFP according to the Program procurement policy.
Several TAC members (Mark Peyton, Jim Jenniges, Mark Czaplewski, Martha Tacha) and Program staff continue to assist with implementation of the Program tern/plover monitoring protocol as well as data collection efforts related to the high flow event in May. The same individuals also assisted members of the USGS/University of Minnesota team with data collection for phragmites-related research on the central Platte. The next meeting of the TAC will be a conference call on September 30, 2008.

**Adaptive Management Working Group (AMWG)**

Smith provided an update on the latest AMWG activities. The focus of the July AMWG meeting was refining the five-year work plan for implementation of the Adaptive Management Plan (AMP) and included site visits to Cottonwood Ranch and the Cook property to discuss conceptual design issues related to sediment augmentation, channel widening, and other actions tied to the AMP’s management strategies. Several AMWG members joined Smith and Drew Tyre from the University of Nebraska-Lincoln (UNL) in a structured decision making/rapid prototyping workshop designed to address some key questions related to implementation of the AMP and how to develop simple models to feed monitoring data into, identify data gaps in current monitoring, and provide some guidance on the scope and phasing of AMP management actions. The next meeting of the AMWG will be October 1-2, 2008 in Kearney and will focus on a discussion of the results of the structured decision making workshop and how to integrate those results into the AMP five-year work plan.

**Finance Committee (FC)**

Purcell provided an update on the latest FC activities. Items in red on the GC agenda have been recommended from the FC for GC review and approval. Purcell said that during the last FC conference call, there was substantial discussion about Program monitoring protocol RFPs that would result in contracts with a firm that would help to develop or refine a protocol and then implement the monitoring. There was considerable debate, and the general thinking was that this was a good approach. However, the FC agreed to require in the initial proposal firms detail on the expertise required for monitoring and the associated hourly rate. That information could then be considered in the selection process, which should help to guard against any conflicts of interest or other business practice difficulties.

The FC discussed the status of the whooping crane telemetry tracking project and potential revisions to the Program procurement policy, and increased the approved amount of a contract for Cottonwood Ranch enhancement activities because the submitted bid was higher than expected but within the approved budget.

**Program Outreach Update**

Bridget Barron provided an update on Program-related media items, including:

- July 15th Kearney Hub story on Program land acquisition
- Article later in July in Kearney Hub on conservation easements

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• August issue of “Headwaters” from Colorado features Beorn Courtney
• Jerry Kenny was interviewed for an upcoming issue of NEBRASKALand magazine

Program presentations include:

• Kenny presented to the American Farm Bureau Federation in June
• Kenny spoke to South Platte water users
• Smith presented at the adaptive management short course at UNL
• Kenny and John Heaston took part in the annual TNC Nebraska board tour
• Kenny will speak at the Lower Platte Water Quality Summit in September

Smith mentioned publication of the new book *Large-Scale Ecosystem Restoration* from the Society for Ecological Restoration. The book includes a full section on the Platte River Program and details the process of developing the Program and challenges facing implementation.

**General Program Items**

**Procurement Policy**

Kenny said the revisions represent a fine-tuning of the policy as it stood before. The focus of the proposed modifications is on the aspect of multi-year services. Most of the changes are on Page 6 of 7 of the policy. In the GC approval process for contract services, the changes ensure that multi-year services must be approved by the GC because such contracts affect future budgets and other responsibilities of the GC. Thus, the GC would have to approve such RFPs before they can be made public. The second change indicates that the ED can authorize single-year contracts if they fall within the approved budget, and the ED can authorize multi-year contracts if they fall within the approved budget, if the RFP has been approved by the GC, and if the RFP and contract require an annual Notice to Proceed. **Don Ament moved for adoption of the revised Procurement Policy; John Heaston seconded. The GC approved the revised Procurement Policy.**

**Colorado Depletions Plan**

Ted Kowalski said the State of Colorado is still ironing out a couple of issues and postponed this discussion with the GC until probably the October GC meeting in Colorado.

Purcell said Wyoming is in the second year of acreage monitoring. Wyoming is likely to come back and discuss acreage modifications at a future GC meeting.

**General Information Items**

**Missouri River Restoration Issues**

Purcell said the Corps of Engineers contacted Kenny to talk about the Missouri River Ecosystem Restoration Plan at the October GC meeting. The Corps will be invited to come in October and provide an overview to the GC. Purcell discussed the past experiences of Program cooperators with activities on the Missouri River. He said a state like Wyoming would not agree to provide water to the Missouri River basin like has been structured for the Platte River Program. **The GC**

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will be helpful to the extent it can without over-burdening Program staff or the Program as a whole.

*Federal Budget 101*

John Lawson provided a Power Point presentation on the basics of federal budget development and how it relates to the Program. Lawson said it is important for the Program to be developing work plans at this time through at least FY2011 to ensure proper coordination with federal budget development. **Kenny agreed this would be a topic of discussion at the October GC meeting.**

*FY08 Budget Items*

Kenny discussed the latest status of the Program FY08 budget. He said contributions have been received from the Bureau of Reclamation (BOR), but contributions from Colorado and Wyoming have yet to be received by the Nebraska Community Foundation (NCF). Both Purcell and Kowalski said checks went out in early July and should have been received by the NCF. Kenny said he would check with the NCF to ensure those funds have been received and deposited.

Kenny discussed the updated Program budget spreadsheet. He pointed out the change in FY07 unliquidated obligations; it has been adjusted to reflect actual obligations and expenditures. Column G (expenditures) now represents current expenditures through the month of July 2008.

**G-1: LiDAR Acquisition**

Kenny requested that this budget line item be increased by $10,000 to ensure acquisition of LiDAR data from Chapman to Kingsley Dam. The approved budget amount ($250,000) will cover the area from Chapman to just west of North Platte; the additional funding will extend the area to Kingsley Dam and will ensure acquisition of data for dealing with choke point issues. Brian Barels asked for clarification as to why LiDAR data is necessary all the way to Kingsley Dam in relation to Program AMP purposes. Kenny said it is important for flow routing information related to pulse flows that are integral to the Flow-Sediment-Mechanical strategy in the AMP. This data will help us to understand conveyance issues and adequately predict travel of flow from Kingsley Dam to the critical reach. Dougherty asked how the FC addressed this matter. Purcell said the FC approved moving this to the GC for review and approval. Kenny said GC action is necessary because it is a budget increase. **Tom Dougherty moved for approval; Don Ament seconded. The GC approved the budget increase.**

**G-5 & WMV-3: Monitoring the Channel Geomorphology and In-Channel Vegetation of the Central Platte River**

Kenny said this protocol and RFP have been discussed with the FC but it is a multi-year RFP and requires GC approval. The RFP involves refining the protocol and developing monitoring budgets and plans over the course of a 3.5-year period. The FC had considerable discussion over the phrasing of the RFP to ensure proposals include substantial detail about protocol refinement plans and monitoring plans to ensure no “feathering of the nest” occurs. The FC also discussed the role of peer review and how that might influence the protocol and subsequent monitoring.
Kenny said the RFP includes finalization of an interim protocol and that Year 1 monitoring can occur under the interim protocol while that protocol is being peer reviewed. It is expected peer review will only result in slight changes that will be integrated into the protocol as quickly as possible. **Don Kraus moved for approval of the RFP and the Proposal Selection Panel; Alan Berryman seconded. The GC approved RFP and Proposal Selection Panel.**

Purcell added that this process now allows the GC and ED Office to start over if negotiations fail during the contracting phase which is important to ensure the Program gets the work it needs done.

Kenny also mentioned that for clean-up purposes, it would be best for budget line item WMV-3 to be collapsed into budget line item G-5 because the geomorphology and in-channel vegetation monitoring were combined into a single protocol and RFP. Kenny asked the GC to approve adding the WMV-3 money to G-5. This would change the amount of WMV-3 to $0 and the amount of G-5 to $85,000 with no changes in the overall budget. Don Ament asked where the funds came from for the data collection effort related to the high flow event in May. Kenny said that funding comes from WP-3 which was intended for pulse flow monitoring. Brian Barels asked if there would be separate protocols and thus require separate budget line items. Smith said the protocols were combined and there is only a single RFP, so it made sense from a budget standpoint to combine the efforts into a single budget line item. **Bill Taddicken moved to approve combining this effort into a single budget line item (G-5); Alan Berryman seconded. The GC approved moving WMV-3 funds into G-5, making for a single geomorphology/in-channel vegetation monitoring budget line item.**

**Budget Item Updates**

Smith provided a brief update on several FY08 Program items now in progress:

**ISAC-1 & PD-3: ISAC/Peer Review Panels**

PBS&J continues to work on identifying potential members for the ISAC and several peer review panels. At least three potential strong ISAC candidates have been identified and have agreed to serve, pending GC approval. A draft report on the status of ISAC and peer review panel member identification is expected by September. The project is on schedule.

**WC-2: Analysis of CA-Collected Whooping Crane Monitoring Data**

WEST has completed integrating comments into the WC data analysis report based on written comments and our discussion at the last TAC meeting. Dale Strickland from WEST will be giving a presentation during the GC meeting tomorrow summarizing results of the project tomorrow. Clayton Derby will be presenting at the September North American Crane Working Group meeting in Wisconsin. The project is on schedule.

**TP-4: Tern/Plover Foraging Habits Study**

Closing date for submission of proposals was Friday, August 8th. Four proposals were submitted: AIM Consultants, a team led by the Nebraska Game and Parks Commission (NGPC),
USGS, and Virginia Tech. The Proposal Selection Team is now reviewing the proposals; a selection is expected by mid-September. NOTE: Mike Fritz from the NGPC was previously identified as a member of the Proposal Selection Team. Since one of the submitted proposals came from a team led by Joel Jorgensen from the NGPC, Fritz has been asked to recuse himself from the Proposal Selection Team. Fritz will provide the ED Office separate written information, without reviewing the proposals, pertaining to issues that need to be clarified to ensure the selected firm can secure the proper Nebraska scientific collecting permit before the study proceeds. The project is on schedule.

TP-5: Analysis of CA-Collected Tern/Plover Monitoring Data
WEST has completed draft report, which is now out for TAC review. The project is on schedule.

PS-1: Pallid Sturgeon Information Review
Ed Peters continues to work on compiling pallid sturgeon information. Peters was recently back in Nebraska talking with people from the NGPC, Corps of Engineers, and USFWS. A draft report is expected on August 27. The project is on schedule.

PS-2: Lower Platte River Stage Change Study
High flows from this summer threw the activities of the HDR Team off a little, but they have been able to grab at least some high-flow related data; additional high-flow data collection will occur next spring. Low-flow data collection on the lower Platte is likely to occur sometime in the next two weeks; the HDR Team is also working on hydrologic analysis and 1D model conversion. The project is on schedule.

WQ-1: Platte River Water Quality Monitoring
EA Science, Engineering, & Technology was selected to assist with development of the water quality monitoring protocol and Year 1 monitoring plan and budget. A contract and initial Scope of Work have been developed and finalized. A kick-off meeting with the EA team and a small group of Program cooperators was held on August 4th in Lincoln, NE. The EA Team is currently interviewing a small group of Program cooperators and working with the ED Office to identify key issues to be addressed in the water quality monitoring protocol, Year 1 monitoring locations, and other key components. The project is on schedule.

Purcell noted the agenda was completed for the day and asked if there was any discussion about items on the agenda for the following day. Purcell asked for more information about the status of Land Tract 0811 and why it was moving to the GC with a recommendation from both the LAC and the WAC. Kenny discussed the land tract and the fact that the LAC determined that the tract would not provide habitat important to the Program. However, the property is located very near the Jeffrey Island complex and the Platte in the critical reach. The tract is located in the Tri-Basin NRD, which does not yet have a water banking program like the Central Platte NRD. Discussion at the LAC ensued about the possibility of the land serving as a case study of the Program acquiring land that would result in valuable water being added back to the river through the retirement of irrigation use as opposed to acquiring land solely for habitat purposes.
The LAC did not recommend moving forward with this property from a habitat standpoint but did recommend moving it to the WAC for review as a case study in acquiring property solely for its water value. The WAC recommended bringing the tract to the GC as a potential case study.

Purcell asked if it would be possible instead to make a case study out of a piece of Program land that could both provide water and habitat. Kenny said it could, but that this is the first opportunity that arose so it was deemed worthy of discussion at the GC. Don Kraus said he thought the Water Action Plan was focused more on fallowing land to retire surface water use as opposed to groundwater use. Kenny said that is correct, but the Water Action Plan does not prohibit consideration of retiring groundwater irrigation. Purcell asked if the Nebraska Department of Natural Resources (DNR) would oversee the crediting of this kind of water.

Barels said there is a specific Program process for identifying and evaluating land in relationship to its importance to endangered species. It seems this kind of case study raises the notion that the Program should have a similar detailed process for identifying and evaluating water credits, the process for acquiring water and water rights, and other issues. Kenny said having a real-world example might be the best way to bring those issues up and discuss them. Kraus asked how the water would be treated once it makes its way to the river, and that several issues related to that concept need to be discussed. Dougherty asked if the net water gain could conceivably be zero. Kraus said not necessarily; it just raises several questions that need addressed. Bruce Sackett mentioned that an appraisal for this piece of property would include both “before and after” values.

Felipe Chavez-Ramirez asked why the LAC is joining the WAC in recommending that negotiations for irrigation rights through a conservation easement on this tract when the LAC did not see habitat value in this property. Purcell said that LAC is part of the process and sees the potential value of land in terms of its water value. Dougherty asked if any other properties before the GC during this meeting have wells that could be retired in a similar way. Jason Farnsworth said one property does, but it has limited irrigation use.

Meeting adjourned until 8:30 a.m. on Wednesday, August 13, 2008.

**Wednesday, August 13, 2008**

**Welcome and Administrative**

Mike Purcell called the meeting to order and the group proceeded with a roll call.

**Analysis of CA-Collected Whooping Crane Monitoring Data**

Dale Strickland of WEST provided a Power Point presentation summarizing the results of the data analysis.

**EA Bypass Agreement**

Ted Kowalski discussed the latest version of the EA Bypass Agreement and the recommendation of the Legal Ad Hoc Sub-Group for the GC to approve this version of the agreement. The...
agreement also includes a draft letter from the U.S. Fish and Wildlife Service (FWS) that explains the FWS position on the agreement. Jerry Kenny said he had discussed the letter with the FWS and that letter will stay draft until the agreement is approved by the GC; at that time, the FWS will finalize the letter. Kowalski proceeded to run through the agreement in detail with the GC. Don Kraus discussed the details of the attached example of power costs. Julie Lyke moved for approval of the EA Bypass Agreement; Jennifer Schellpeper seconded. The GC approved the EA Bypass Agreement contingent on finalization of the agreement letter from the U.S. Fish and Wildlife Service.

**Wyoming Property Sponsorship Agreement**

Mike Purcell discussed the current version of the sponsorship agreement for the Wyoming property. The acreage in question is closer to 452 acres instead of 470 acres, and the agreement still needs the addition of detailed legal descriptions. Wyoming will retain funds from grazing leases to help offset property taxes. If the GC approves the agreement today, Purcell can get approval from the Wyoming Water Development Commission next week. Felipe Chavez-Ramirez moved for approval; Don Kraus seconded. The GC approved the Wyoming sponsorship agreement.

Don Kraus discussed Exhibit “B” and the inclusion of stakeholders for developing the Land Management Plan. Kraus said John Thorburn from the Tri-Basin NRD was interested in being a part of that stakeholder group. Kenny said that interest was noted and John Thorburn would be added to the stakeholder group.

**Public Comment**

Purcell asked for public comment; none was offered.

The Governance Committee took a ten-minute break and then re-convened in Executive Session.

The Governance Committee exited Executive Session and reconvened the public meeting.

John Heaston offered a motion to commence appraisals and negotiations on Tracts 0803, 0804, 0815, and 0829; Felipe Chavez-Ramirez seconded. The GC approved the motion.

In regard to Tract 0811, Brian Barels offered the following motion:

*This parcel needs to be considered by the Program as a water acquisition for which the Program does not yet have a set process for evaluating water purchases. In order to establish the process for evaluating and acquiring water for the Program, the GC moves to have the ED Office move forward with an appraisal for the evaluation of the conservation easement and to have the ED Office work with the WAC to use this parcel as a tool to develop water acquisition procedures for groundwater and surface water. Further, this action should not be portrayed to the landowner as a commitment to proceed with any*
further negotiations regarding the parcel. Prior to any negotiations with the landowner, approval will be received from the GC.

John Heaston seconded. The GC approved the motion.

Future Meetings & Closing Business
The next GC meetings will be:
- October 7-8, 2008 at the Holiday Inn Express in Kearney, Nebraska
- December 2-3 in Denver, CO
- February 10-11 in Kearney, NE
- April 7-8 in Cheyenne, WY

Meeting adjourned.

Summary of Action Items/Decisions from August GC meeting
1) GC approved June 2008 GC meeting minutes
2) GC approved revised Procurement Policy
3) October GC meeting will include a discussion of Program work plans out to FY2011
4) GC approved budget increase for G-1 to $260,000
5) GC approved geomorphology/in-channel vegetation monitoring RFP and Proposal Selection Team
6) GC approved combining funds for WMV-3 with G-5 to make one budget line item (G-5) for geomorphology/in-channel vegetation monitoring
7) GC approved the EA Bypass Agreement contingent on finalization of the agreement letter from the U.S. Fish and Wildlife Service
8) GC approved Wyoming property Sponsorship Agreement
9) John Thorburn from the Tri-Basin NRD will be added to the stakeholder group that will help to develop the Land Management Plan for the Wyoming property
10) GC approved commencing appraisals and negotiations on Tracts 0803, 0804, 0815, and 0829
11) GC approved the following motion on Tract 0811: This parcel needs to be considered by the Program as a water acquisition for which the Program does not yet have a set process for evaluating water purchases. In order to establish the process for evaluating and acquiring water for the Program, the GC moves to have the ED Office move forward with an appraisal for the evaluation of the conservation easement and to have the ED Office work with the WAC to use this parcel as a tool to develop water acquisition procedures for groundwater and surface water. Further, this action should not be portrayed to the landowner as a commitment to proceed with any further negotiations regarding the parcel. Prior to any negotiations with the landowner, approval will be received from the GC.