



1                   **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**  
2                   **Land Advisory Committee Meeting Minutes**  
3                   **Executive Director’s Office – Kearney, NE**  
4                   **November 4, 2008**

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6  
7    **Attendees**

- 8    Scott Woodman, Chair  
9    Mark Czaplewski, Vice Chair  
10   Jerry Kenny, Executive Director  
11   Bruce Sackett  
12   Chad Smith  
13   Jason Farnsworth  
14   Justin Brei  
15   Harry LaBonde  
16   Joe Frank  
17   Bill Taddicken  
18   Greg Wingfield  
19   June DeWeese  
20   John Shadle  
21   John Heaston  
22   John Thorburn  
23   Laurel Badura  
24   Kent Aiden  
25   Brock Merrill via phone

26  
27  
28   **Welcome and Administrative**

29   Scott Woodman called the meeting to order at 9:05 am Central Time and the group proceeded  
30   with introductions. Woodman asked for agenda modifications and none were provided. The  
31   agenda was approved without modification.

32  
33   Harry LaBonde made a motion to approve the September 9, 2008 minutes without revision. The  
34   motion was seconded by Greg Wingfield and approved.

35  
36   **GC Meeting Update**

37   Mark Czaplewski gave a brief update on the October GC meeting held in Kearney, Nebraska.  
38   Czaplewski indicated that the GC spent quite a bit of time discussing the Federal budgeting  
39   process and the outlook for future Program funding. Federal allocations for the Program are  
40   likely to stay at the current level.

41  
42   The GC discussed a draft Contractor Prequalification intended to streamline the process for  
43   procuring habitat restoration and maintenance-related goods and services up to \$25,000. The GC



44 made several suggestions about form and content changes and requested that revised documents  
45 be brought back to the body for approval at the December GC meeting.

46  
47 The GC also discussed a draft policy paper from the Executive Director’s office regarding the  
48 ability to purchase and credit pre-1997 conservation properties towards the Program’s first  
49 increment land acquisition goals. After a lengthy discussion, the GC determined that a blanket  
50 policy was not necessary and agreed on two statements relating to this issue. First, the Program  
51 will not purchase property that will not count towards the first increment goals. Second, there is  
52 no blanket prohibition on purchasing pre-1997 conservation properties. The GC also discussed  
53 the fact that the United States Fish and Wildlife Service ultimately determines what is credited  
54 and would have to make a determination about whether or not they would support crediting of  
55 specific pre-1997 conservation tracts. LaBonde asked Czaplewski whether the USFWS  
56 discussion about crediting needs to occur at the LAC or GC level. Czaplewski related that the  
57 LAC was instructed to consider tracts based on Land Plan habitat criteria and forward them on to  
58 the GC, which was responsible for determining crediting. June DeWeese indicated that the  
59 USFWS would work to express support or non-support as early in the process as possible.  
60 Wingfield indicated that the USFWS could do so through LAC recommendations on specific  
61 tracts. If the USFWS had reservations about a tract, they would not vote to recommend  
62 acquisition and their position would be outlined in the resulting viewpoint documents.

63  
64 The GC also approved proceeding with negotiations on Tracts 0807, 0822, 0823, 0837, 0838 and  
65 0842.

66  
67 **Approval of Evaluation Team Recommendation 0805**  
68 Sackett presented an overview of Tract 0805 and presented the portion of the property that could  
69 be managed for habitat as delineated by the landowner. John Heaston indicated that any  
70 easement would have to include some deeded property as an easement cannot be fixed solely to  
71 accretion ground. Czaplewski indicated that although some of the ground offered for  
72 management would not necessarily be good species habitat, it would be good to protect as much  
73 of the property as possible from future development. John Thorburn indicated that the only way  
74 he could support acquisition would be if the easement included development restrictions on the  
75 entire property in addition to the ability to manage specific areas for species habitat. Wingfield  
76 discussed the value of limiting the construction additional residences on the property but also  
77 giving the owners some flexibility to improve the existing structures. John Heaston made a  
78 motion to accept the Evaluation Team recommendation and forward to the GC with a  
79 recommendation to acquire a conservation easement that would include a non-development  
80 provision for the entire tract. The motion was seconded by Bill Taddicken and carried  
81 unanimously.

82  
83 **Approval of Evaluation Team Recommendation 0813**  
84 Sackett presented an overview of Tract 0813. LaBonde inquired about the types of species  
85 habitat that exist or could be developed on the property. John Shadle indicated that there is  
86 potential to create wetland habitat on the site. Wingfield indicated that the USFWS would  
87 support acquisition as non-complex habitat but not as complex habitat.



88  
89 Mark Czaplewski made a motion to accept the Evaluation Team recommendation and forward  
90 Tract 0813 the GC with recommendation to purchase the tract. The motion was seconded by  
91 Harry LaBonde and did not pass with unanimous approval. Sackett informed the committee that  
92 the Program Staff would request viewpoints from voting members that would be forwarded to  
93 the GC along with the tract evaluation report.

94

95 **Approval of Evaluation Team Recommendation 0839**

96 Sackett presented an overview of Tract 0839 along with the evaluation team recommendation to  
97 acquire. Harry LaBonde made a motion to adopt the Evaluation Team recommendation and  
98 forward the tract to the GC with a recommendation to purchase Tract 0839. Following the vote,  
99 Wingfield indicated that the USFWS has concerns about acquisition of this tract preventing the  
100 Program from acquiring other tracts with more habitat value in the future. He informed the  
101 committee that the USFWS may ask the Program to consider disposal of this tract with a  
102 conservation easement if this situation occurs. Sackett indicated that there was nothing in the  
103 Program Document that would prevent the GC from disposing of properties in the future in order  
104 to acquire other properties with greater habitat value. The motion was seconded by John Shadle  
105 and passed with unanimous approval.

106

107 **Approval of Evaluation Team Recommendation 0847**

108 Sackett presented an overview of Tract 0847. John Heaston indicated that The Nature  
109 Conservancy is working with the Central Platte NRD (CPNRD) to place the certified irrigated  
110 acres into their water bank through the execution of a conservation easement. All other rights  
111 would be conveyed to the Program. Greg Wingfield made a motion that Tract 0847 be forwarded  
112 to the Governance Committee (GC) with a recommendation to proceed with acquisition as a fee  
113 simple purchase. The motion was seconded by Joe Frank and passed with unanimous approval.

114

115 **Update on Land Management**

116 Jason Farnsworth presented a draft Land Management Planning process chart and the committee  
117 provided comments and revisions. Suggested revisions to the chart include:

- 118 • Addition of the WAC (as appropriate) to the management planning process in order to  
119 ensure that water-related habitat issues are addressed.
- 120 • The TAC needs to review the draft Management Plans before they are brought before the  
121 LAC for approval.
- 122 • Make sure that the planning process does not occur independently for each tract in a  
123 habitat complex. Once more than one tract is acquired for a complex, the management  
124 planning process should focus on the complex as a whole.
- 125 • Some landowners may not want to execute a lease or easement agreement without having  
126 a management plan in place. Thought needs to be given to how portions of the  
127 management planning process could be integrated into the negotiations process.
- 128 • The draft annual reporting and Work Plan development process needs to be streamlined.
- 129 • The ED Office develop layered Work Plans and progress reports so that the GC doesn't  
130 have to delve into large quantities of data to extract information on large or potentially  
131 contentious restoration or management activities.



- 132       • No matter how integrated the process is, the ED Office is ultimately responsible for  
133       facilitating communication and coordination between the different technical and  
134       oversight committees.  
135

136 The ED Office will revise the draft process chart and bring it back to the LAC for additional  
137 comment. The process will not need to be formally approved but will ultimately be used as an  
138 information and guidance tool.  
139

140 **Wyoming Property Public Access Update**

141 Sackett informed the LAC that the Wyoming Property management planning work group will  
142 recommend that the Wyoming Property not be opened for public access at this time due to the  
143 need to coordinate with adjacent landowners in establishing permanent boundary fencing. Once  
144 that is accomplished, a stakeholder meeting could be held to determine if and what type of public  
145 access should be allowed on the property. LaBonde indicated that serious thought should be  
146 given to whether or not public access is even feasible. Kent Aden indicated that CNPPID has had  
147 success utilizing facilitated stakeholder meetings in similar situations but that it is very important  
148 to have qualified facilitators running the process. Aden also indicated that CNPPID typically  
149 does invitation-based meetings.  
150

151 **Election of Officers**

152 Greg Wingfield made a motion to retain Scott Woodman as LAC Chairman and Mark Czaplewski as  
153 Vice-Chair for the coming year. John Shadle seconded the motion and it carried unanimously.  
154

155 **Public Comment/Closing Business**

156 Woodman asked for public comments. None were offered  
157

158 **The next meeting of the LAC will be held in Kearney, Nebraska at the Executive Director's**  
159 **Office on Thursday, January 15<sup>th</sup>, 2009 at 9:00 a.m. CST.**  
160

161 **Executive Session**

162 Harry LaBonde moved to go into executive session to review details of land offerings. The  
163 motion was seconded by Czaplewski. The motion carried unanimously and the committee went  
164 into executive session at 12:30 p.m.  
165

166 Greg Wingfield moved that the committee come out of executive session. The motion was  
167 seconded by LaBonde and carried unanimously. The committee came out of executive session at  
168 1:22 p.m.  
169

170 The meeting was adjourned by Chairman Woodman at 1:22 p.m.