



1 **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**
2 **Land Advisory Committee Meeting Minutes**
3 **Executive Director's Office – Kearney, NE**
4 **May 20, 2009**

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6
7 **Attendees**

- 8 Mark Czaplewski, Vice Chair, presiding
9 Jerry Kenny, Executive Director
10 Bruce Sackett - ED Office
11 Chad Smith - ED Office
12 Justin Brei - ED Office
13 Jason Farnsworth - ED Office
14 Tim Tunnell - ED Office
15 Greg Wingfield - U.S. Fish & Wildlife Service
16 June DeWeese - U.S. Fish & Wildlife Service
17 Matt Rabbe - U.S. Fish & Wildlife Service
18 John Shadle - Nebraska Public Power District
19 Jim Jenniges - Nebraska Public Power District
20 Ted LaGrange - Nebraska Game & Parks Commission
21 Matt Steffl - Nebraska Game & Parks Commission
22 Harry LaBonde - State of Wyoming
23 Mark Peyton - Central Nebraska Public Power & Irrigation District
24 Joe Frank - State of Colorado, Lower South Platte Water Conservancy District
25 Larry Reynolds - Tri-Basin Natural Resources District
26 David Raffety - Tri-Basin Natural Resources District
27 John Thorburn - Tri-Basin Natural Resources District
28 John Heaston - The Nature Conservancy
29 Patricia Grant - Federal Energy Regulatory Commission

30
31 **Welcome and Administrative**

32 Chairman Scott Woodman was absent due to illness. Vice Chairman Mark Czaplewski called
33 the meeting to order at 9:10 am Central Time and the group proceeded with introductions. John
34 Shadle introduced Patricia Grant, Federal Energy Regulatory Commission, in town to perform
35 some site visits with NPPD later in the morning. Ted LaGrange introduced Matt Steffl, who
36 took over Laurel Badura's position with the Nebraska Game & Parks Commission and may be
37 appointed the Nebraska representative to the LAC.

38
39 Czaplewski asked for agenda modifications and none were provided.

40
41 **Harry LaBonde made a motion to approve the March 11, 2009 minutes without revision.**
42 **The motion was seconded by Greg Wingfield and approved.**

43
44 **GC Meeting Update**



45 Mark Czaplewski gave an update on GC activities since the LAC last met. The GC met on April
46 7-8 in Kearney, NE and held a conference call on April 17.

47

48 At the April 7-8 meeting, the GC approved a short-cut disbursement process for funds associated
49 with land purchases. Future motions from the GC with regard to progressing land purchases will
50 include language approving disbursement of earnest money and closing costs.

51

52 Also at the April 7-8 meeting, the GC approved the land management plans for the Wyoming
53 Property and for Cottonwood Ranch, with some amendments. John Shadle reported that upon
54 approval of the land management plan for Cottonwood Ranch, the sponsorship agreement was
55 signed by NPPD and the Program. June DeWeese described the changes the USFWS had
56 requested to the section titled “Measures to Minimize or Eliminate Take of Whooping Crane” in
57 these and future Program management plans. She explained that the Service is concurrently
58 working to amend the incidental take language in the Program BO to incorporate these changes.
59 The Program will request informal consultation and provide a statement that they expect no take
60 to occur based on implementation of the measures provided in the management plans, and
61 USFWS will provide a statement of concurrence. These statements will be included as
62 appendices to the management plans and “footprint consultation” will thus be completed. In
63 essence, these changes will provide more flexibility for Program management activities to take
64 place; from one hour after sunrise to two hours before sunset during Whooping Crane migration,
65 provided no cranes are present, rather than from 10:00 a.m. to 3:00 p.m. The GC also made an
66 amendment to the Wyoming Property management plan, removing the section calling for
67 decommissioning of the monitoring wells on the property. John Thorburn expressed concern
68 over this amendment, stating that the wells have not been read or maintained for several years,
69 and may prove to be a hazard as well as a nuisance to management activities. Harry LaBonde
70 suggested the Program operate as approved by the GC for the coming year and revisit the issue
71 should the wells prove to be a hindrance. LaBonde also suggested the Program obtain a
72 complete set of the monitoring well data for the Program's records.

73

74 Czaplewski reported that the GC authorized final purchase and closing on Tracts 0804 and 0839.
75 For tract 0839, the GC will allow the ED Office latitude to dispose of the peninsula surrounded
76 by Cottonwood Ranch, contingent upon NPPD's availability of funds.

77

78 Sackett informed the LAC that the Program has closed on and now owns two properties, 0803
79 and 0842.

80

81 **Review Land Exchange Program Committee Outline for Future Land Exchanges**

82 Sackett provided an update from the land exchange committee, which met March 25 to discuss
83 how exchange lands fit into the Program. The subcommittee felt that land exchanges should be
84 examined on a case-by-case basis. Land exchanges proposed by the ED Office should come to
85 the LAC with a plan in mind for that property. The subcommittee agreed that exchanges may be
86 pursued using a holding period between three and five years. If the exchange was unable to be
87 completed in that time, the land would be disposed of. LaBonde said purchases by the Program
88 must have a Program purpose or specific exchange possibility identified. Sackett said the



89 Program is not in the land speculation business. Czaplewski said the origin of this topic is a
90 request from the GC for a policy. LaBonde did not see the current exchange memo as a policy,
91 and Czaplewski said the LAC could return to this discussion in the afternoon after some
92 examples were discussed.

93

94 **Update on Land Management**

95 Tim Tunnell gave a brief update on some activities to-date on the Wyoming property. He
96 informed the LAC that some tree clearing had taken place north of the river, and that a
97 prescribed burn was planned for the half of the southern grassland area soon. Tunnell also
98 informed the LAC that the RFP for the bridge at Cottonwood Ranch is currently being reviewed
99 and will be released soon.

100

101 The current plan is to develop management plans for the recently closed tracts, 0803 and 0842,
102 by October 1. Tunnell said it might occur sooner so that tenants can be notified by September 1.

103

104 Czaplewski said that the Program needs to start considering income from tenants in the budget.
105 Heaston said the income should be used on basic operations first, such as fence repair, weed
106 control, taxes. Kenny said these discussions are already in progress. Kenny has been working
107 with the NE Community Foundation to allow the audit reports to track income as well as
108 expenses.

109

110 **Other Committee Coordination Information**

111 Chad Smith discussed the Adaptive Management Plan as it relates to management activities in
112 response to concerns over management taking place without an objective. Smith said that the
113 AMP roughly defines management goals, and that the focused AM Working Group workshops
114 further refine these goals. So far, the workshops have been focused on in-channel activities, and
115 the upcoming wet meadow workshop should address out of channel management goals and how
116 to plan and evaluate this management. Smith identified 2011 as the planned "big year" when
117 sediment augmentation and other AMP experiments will be better defined and likely ready to
118 come online. The TAC and AMWG has a heavy planning workload this summer so that
119 preparation work can take place this fall and throughout 2010. Kenny said the ED office will
120 work to define some general management guidelines (such as cedar control) that will take place
121 until adaptive management dictates it is not necessary or is detrimental.

122

123 Jason Farnsworth gave an update on a few WAC activities. Two RFPs are out and due by the
124 end of May to assess the feasibility of two reservoir locations. Kenny also said that the Program
125 is in discussion with Central Platte NRD on the Elm Creek Reservoir project. CPNRD is the
126 lead on this project, and Kenny is working with them to develop an MOU for sharing of some of
127 the cost and benefits of the project with the Program.

128

129 Farnsworth and Wingfield gave a short wrap-up on the flow routing test which occurred last
130 month. Wingfield said all the data has not been mined, but that the test of coordination was very
131 successful.



132
133 Kenny said the WAC has recommended that Program funds be made available for phragmites
134 removal for the area downstream of the North Platte Hwy 83 bridge extending to Overton.
135 These funds would likely be made available in some type of cost share fashion, but the details
136 have not been fully defined. The LAC gave general consensus support for funding this type of
137 activity.

138
139 **Public Comment/Closing Business**

140 Vice Chairman Czaplewski asked for public comments. None were offered.

141
142 **The next meeting of the LAC will be held in Kearney, Nebraska at the Executive Director's**
143 **Office on Wednesday, July 15, 2009 at 9:00 a.m. CST.**

144
145 **Discussion of Evaluation Team Recommendations**

146 *Tract 0808*

147 **John Heaston moved to accept the evaluation team's recommendation and forward Tract**
148 **0808 to the GC with a recommendation to stop pursuit of the tract, seconded by Harry**
149 **LaBonde. Motion carried.**

150
151 *Tracts 0902, 0913, 0914*

152 The LAC discussed how leases will likely be encountered more and more as the Program
153 progresses. LaBonde said that leases should not start complexes, but instead be utilized to
154 enhance them. Sackett said initial discussions for activities under the lease on these tracts
155 included clearing some of the woodland, and requiring that the area be grazed to be maintained.
156 Sackett said that grazing is in the interest of the landowners and that the lease price would likely
157 be low. **Harry LaBonde moved that Tracts 0902, 0913, and 0914 be forwarded to the GC**
158 **with a recommendation to stop pursuit of these tracts, seconded by Joe Frank. Czaplewski**
159 **abstained (conflict of interest), motion carried.**

160
161 *Tract 0904*

162 **John Heaston moved that Tract 0904 be forwarded to the GC with a recommendation to**
163 **stop pursuit of this tract, seconded by Greg Wingfield. Motion carried.**

164
165 *Tract 0905*

166 The evaluation team recommended that the lease offer be declined, citing potential issues with
167 landowner and hunting, and possible disturbances on the south side of the river. The LAC
168 discussed how the Dippel property is becoming a Program area of interest and that tract 0905
169 could be important as habitat or as buffer. Sackett said the landowner was in no hurry to
170 complete a transaction. **Harry LaBonde moved that the LAC table tract 0905 but continue**
171 **discussions with the landowner until further complex options at Dippel are explored,**
172 **seconded by John Heaston. Motion carried.**

173
174 *Tract 0910, 0903*



175 Tract 0903 was introduced by Sackett. It adjoins tract 0910 to the northeast and Cottonwood
176 Ranch to the northwest. Tract 0903 came to the Program within the last week with an urgent
177 desire to sell, and a review was not able to be completed before this LAC meeting. Since 0903
178 may produce additional value for tract 0910, it was suggested that tract 0910 be tabled until 0903
179 had been reviewed. **Harry LaBonde moved that tract 0910 be tabled until a review is**
180 **completed for tract 0903, seconded by John Heaston. Motion carried.**

181
182 *Tract 0911*

183 The LAC felt that the current strength of tract 0911 was mostly as trade land, and with no current
184 trade opportunities identified, the tract should not be pursued at this time. **John Heaston moved**
185 **that tract 0911 be tabled until such time that a trade opportunity arises, seconded by Harry**
186 **LaBonde. Motion carried.**

187
188 LaBonde made the clarification that if the LAC declines to pursue a property, that property can
189 and should be brought back if the situation or circumstances surrounding that tract have changed.

190
191 *Tract 0915*

192 The LAC discussed the non-complex habitat potential for tract 0915, should the mining
193 operation be moved. The LAC also discussed the issues surrounding the eroding dike that
194 separates the river from the lake, and the potential that the site could be used in Program
195 sediment augmentation activities. Farnsworth explained that, pending the feasibility analysis,
196 sediment augmentation would likely take place east of tract 0915 where the active mining would
197 be occurring. **John Heaston moved to accept the evaluation team's recommendation and**
198 **forward tract 0915 to the GC with a recommendation to continue with appraisal and**
199 **negotiations, to continue discussions related to sediment augmentation at the site, and to**
200 **reiterate that the Program does so claiming no responsibility for the current state of the**
201 **dike. Motion seconded by John Shadle. Motion carried.**

202
203 **Executive Session**

204 **John Heaston moved to go into executive session with LAC members, alternates, and**
205 **technical staff to review details of land offerings. The motion was seconded by Harry**
206 **LaBonde. The motion carried and the committee entered executive session at 2:25 p.m.**

207
208 **John Shadle moved to come out of executive session. Greg Wingfield seconded and the**
209 **motion carried. The committee came out of executive session at 2:55 p.m.**

210
211 The meeting was adjourned by Vice Chairman Czaplewski at 3:00 p.m.