



1 **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**
2 **Governance Committee Meeting Minutes**
3 Executive Director's Office Conference Room – Kearney, NE
4 September 14-15, 2010

5
6 **Tuesday, September 14, 2010**
7

8 **Executive Director's Office (ED Office)**

9 Jerry Kenny – Executive Director
10 Bridget Barron
11 Chad Smith
12 Beorn Courtney
13 Jason Farnsworth
14 Bruce Sackett
15

16 **Governance Committee (GC)**

17 Don Ament – State of Colorado
18 Brian Barels – Nebraska Public Power District
19 Alan Berryman – Northern Colorado Water Conservancy District
20 Mike Besson – State of Wyoming
21 Ron Bishop – Central Platte Natural Resources District
22 Felipe Chavez-Ramirez – Platte River Whooping Crane Maintenance Trust
23 Deb Freeman – State of Colorado
24 John Kolanz – Greeley Water and Sewer Department
25 Don Kraus – Central Nebraska Public Power and Irrigation District
26 John Lawson – Bureau of Reclamation, Chair
27 Kent Miller – Twin Platte Natural Resources District
28 Mike Purcell – State of Wyoming
29 Jennifer Schellpeper – Nebraska DNR
30 Jim Schneider – Nebraska DNR
31 Dennis Strauch – Pathfinder Irrigation District
32 Bill Taddicken – Audubon Rowe Sanctuary
33 Michael Thabault – U.S. Fish and Wildlife Service
34

35 **Participants**

36 Mike George – U.S. Fish and Wildlife Service
37 Henry Maddux – U.S. Fish and Wildlife Service
38 Mark Czaplewski – Central Platte NRD
39 Brock Merrill – Bureau of Reclamation
40 Jeff Bandy – AECOM
41 John Shadle – NPPD
42 Jim Jenniges – NPPD
43 Dan Bigbee – EA
44 Diane Hoppe – MWH
45 Duane Hovorka – Nebraska Wildlife Federation
46 Lori Potter – Kearney Hub
47



48 **Welcome & Administrative**

49 Lawson called the meeting to order and the group proceeded with introductions. Lawson asked for
50 agenda modifications; none offered. Strauch moved to approve the June 2010 GC minutes; Berryman
51 seconded. **Minutes approved.**

52

53 **Program Committee Updates**

54 *Land Advisory Committee (LAC)*

55 Czaplewski provided an update on the latest LAC activities. The LAC met on June 15 and August 17.
56 Tract 0905 was removed from further consideration. The LAC discussed the outdoor recreation policy
57 during both meetings. A small group was formed during the August meeting to work further on the issue.
58 Management plans for two tracts were discussed but not completed, so the GC will discuss amending the
59 deadlines for completion of those plans. A trade land on Tract 2009008 was recommended for approval.
60 Land evaluations for Tracts 1001 and 1002 were discussed but the LAC was not able to come to
61 consensus on Tract 1001. The LAC recommended that the GC not pursue Tract 1002. The next LAC
62 meeting is October 8 in Kearney.

63

64 *Water Advisory Committee (WAC)*

65 Courtney provided an update on the latest WAC activities. The WAC met on August 10. Discussion
66 topics includes: update on CNPPID re-regulating reservoir feasibility study; update on Elm Creek
67 Reservoir Feasibility; Nebraska Groundwater Recharge pre-feasibility study and RFP (on GC agenda;
68 Phase 1 in 2011, Phase 2 in 2012); draft 2011 Water Plan budget; discussion on flow aspects of Adaptive
69 Management Plan, primarily related to the North Platte choke point (still having issues with flow
70 conveyance), which resulted in the WAC recommending extension of the 1-D model; and USFWS hired a
71 new hydrologist. The next WAC meeting will be October 12.

72

73 *Technical Advisory Committee (TAC)*

74 Besson provided an update on the latest TAC activities. The TAC met on May 6 and September 1. The
75 TAC recommended peer review of the stage change study, but the ED Office is recommending a different
76 process that will be discussed. The TAC will focus on the technical aspects of pallid sturgeon and wet
77 meadows over the next several months, but those issues will likely come back to the GC for discussion.
78 During the September meeting, the TAC received an update on the latest Program monitoring and
79 research conducted in 2010. A small group held a whooping crane monitoring workshop on September 7
80 and a tern and plover monitoring and research workshop will be held on September 27. The summer
81 interns/technicians worked very well during the summer of 2010. The next TAC meeting will be
82 November 3 at 2:00 p.m.

83

84 *Finance Committee (FC)*

85 Purcell provided an update on the latest FC activities. The FC met on June 28 and August 31. During the
86 June meeting, the FC approved the format of the bid package for work at the Elm Creek Complex.
87 During the August meeting, the FC approved the Cottonwood Ranch Complex bid package with certain
88 language additions/changes and approved the Elm Creek Complex bid package with similar language
89 changes (largely related to permitting and access agreements). The FC asked that the issue of Kearney
90 Canal monitoring be elevated to the GC for discussion. There will be a FC meeting at the conclusion of
91 the GC meeting to discuss the Cottonwood Ranch bid package.

92

93

94



95 **Program Outreach Update**

96 *Presentations*

- 97 • The Program was a Platinum sponsor of the University of Nebraska-Lincoln Summer Water Tour of
98 the Platte River Basin. The tour was July 12-15, beginning and ending in Kearney. The University of
99 Nebraska-Lincoln Water Center, Kearney Area Chamber of Commerce, Central Nebraska Public
100 Power and Irrigation District, Nebraska Public Power District, and Nebraska Department of Natural
101 Resources jointly sponsored the tour. Brian Barel, Mark Czaplewski, and John Lawson were all
102 speakers on the tour.
- 103 • Tim Tunnell presented on the Program to the Nebraska Nature & Visitors Center Day Camp for 8 -12
104 year-olds on July 15, 2010.
- 105 • Bridget Barron participated in the President's Listening Session on America's Great Outdoors in
106 Grand Island on July 12, 2010. The goals of the initiative are; reconnect Americans, especially
107 children, to the outdoors, building upon State and local priorities for conservation of land, water, and
108 wildlife and use science-based management practices to restore and protect our land and water.
- 109 • Chad Smith presented on the Program at the Short Course on Adaptive Environmental Assessment
110 and Management on August 17, 2010. The short course is sponsored by the University of Nebraska-
111 Lincoln School of Natural Resources.

112

113 *Upcoming Presentations*

- 114 • Jerry Kenny and Don Krause are on a Platte River panel at the 2010 Water Summit of the Platte
115 Institute on September 23 in Gothenburg, Nebraska.
- 116 • Chad Smith and Jason Farnsworth will be presenting on adaptive management as applied in the Platte
117 River Basin to the Trinity River Recovery Program on September 23, 2010 in Weaverville,
118 California.
- 119 • Jerry Kenny & Kent Miller will be presenting on responsibilities and the progress of the Program and
120 the State of Nebraska toward meeting water goals to the Nebraska Association of NRD's annual
121 conference on September 28, 2010 in Kearney, Nebraska.
- 122 • Beorn Courtney will be presenting on the Program as it relates to irrigated agriculture to the U.S.
123 Committee on Irrigation and Drainage on September 28, 2010 in Ft. Collins, Colorado.
- 124 • Chad Smith and Jerry Kenny are presenting on Adaptive Management at the University of Nebraska-
125 Lincoln's annual Water Law Conference on October 6, 2010 in Lincoln, Nebraska.
- 126 • Jerry Kenny is presenting on the Program Water Plan Implementation Status at the University of
127 Nebraska Lincoln's Greater Platte Basin Symposium on October 7, 2010 in Lincoln, Nebraska.
- 128 • Beorn Courtney and Laura Belanger have a poster presentation at the South Platte Forum on October
129 20-21, 2010 in Longmont, Colorado.

130

131 *Exhibits/Sponsorships*

- 132 • The Program was a sponsor of the annual Nebraska Grazing Conference and exhibited at the
133 conference on August 10 & 11, 2010. We made 91 contacts at the exhibit booth.
- 134 • The Program partnered with the Nebraska Nature and Visitors Center and exhibited in a 4-H
135 sponsored tent at the Nebraska State Fair, August 27 through September 6, 2010 in Grand Island,
136 Nebraska. David Baasch and Bridget Barron staffed the exhibit and we made 92 contacts.
- 137 • The Program has an exhibit at Husker Harvest Days in Grand Island, September 14th, 15th, & 16th.
138 We are exhibiting in the Nebraska Association of Resources Districts tent.
- 139 • The Program will have an exhibit booth at the Nebraska Nature and Visitors Center Open House on
140 September 25, 2010 in Alda, Nebraska.



141 *Press Coverage*

- 142 • David Freeman’s book, “Implementing the Endangered Species Act on the Platte Basin Water
143 Commons”, is due to be published in early October by University Press of Colorado.
144

145 **PRRIP/NPPD Monitoring Agreement for Kearney Canal**

146 Kenny discussed the proposed agreement for access and monitoring at the Elm Creek Complex including
147 NPPD’s Kearney Canal Diversion. The agreement allows access on property near the diversion to
148 conduct tree clearing and in-channel work similar to other locations like Cottonwood Ranch. The second
149 part of the agreement relates to NPPD concerns associated with the potential impacts of PRRIP sediment
150 augmentation and short-duration high flow (SDHF) activities on the diversion and Kearney Canal itself.
151 The agreement includes a monitoring plan for sediment deposition and suspended sediment. NPPD
152 surveyors will conduct work for sediment deposition; the Program will reimburse NPPD for this work.
153 The Program water quality contractor, EA, will conduct the suspended sediment (water quality)
154 monitoring. The total cost for all of this work is estimated to be \$80,000/year. The FC discussed
155 conducting this monitoring for three years, evaluating data, and then discussing next steps – the
156 agreement now includes this language. The term of the agreement would extend through the First
157 Increment. Shadle added that the Program will have access upstream and downstream of the diversion to
158 cover all FSM-related work at the Elm Creek Complex.
159

160 Chavez-Ramirez asked how something like erosion is indemnified. Kenny said if the Program is causing
161 it, then the Program is responsible for it. Chavez-Ramirez asked what it would cost the Program to fix
162 problems that might be discovered. Kenny said it would be on the order of other current Program work
163 like re-shaping an island or using heavy equipment to protect a bank or move sand. Barel said one point
164 of the monitoring is to determine potential impacts and then help to identify avoidance or mitigation
165 strategies. The first year includes some equipment costs that will not be repeated every year. Kenny
166 agreed. Berryman asked how incremental change or impacts will be determined. Barel said the
167 monitoring program will provide information to compare to background information (to be collected prior
168 to implementation of Program activities) to help determine these kind of relationships. Purcell asked
169 what kind of instrument the Program will use to approve monitoring and equipment purchase. Kenny
170 said the current water quality monitoring effort will be used to facilitate the monitoring. Purcell asked if
171 the protocol has been revised to include a three-year checkpoint. Kenny said that check-point is in the
172 agreement itself.
173

174 Lawson asked if there are entities other than NPPD that could be affected. Kenny said there are private
175 landowners on the south bank; the Program has management agreements with those landowners. There is
176 also an agreement with the Whooping Crane Trust downstream of the diversion at the Elm Creek
177 Complex. Shadle said the NPPD diversion structure is the only one downstream of Lexington. Lawson
178 asked if others might experience erosion impacts outside of the complex area related to Program actions.
179 Kenny said there are private landowners, which is one reason why the Program has general liability
180 insurance (third-party coverage). Since NPPD is at the Program table, potential impacts to them are not
181 covered by the insurance.
182

183 Barel asked if management agreements with private landowners at the Elm Creek Complex mean those
184 acres will be counted toward the Program total. Kenny said the agreements are for access only and do not
185 include purchase, lease, or easement, so it seems like they would not count. Barel said it seems like
186 access for research at a complex might dictate that these lands need to be included. Purcell said this
187 seems to be ancillary to the agreement and the GC should go back to that motion. Freeman agreed that



188 Barel's point needs to be discussed, and also asked about the permitting for the Elm Creek work. Kenny
189 said it will be covered by a nationwide 27 general permit from the Corps of Engineers and those hurdles
190 seem to be cleared – a permit should be in hand any day for this work and for work at Cottonwood Ranch.
191 Freeman asked about the issue of doing in-channel work in ESA-related critical habitat. Kenny said
192 habitat valuation was part of the permitting package. Farnsworth said the Program went through a
193 footprint consultation process with the U.S. Fish and Wildlife Service for this work and that
194 documentation was included with the permit application.

195
196 George asked why this downstream entity is protected versus other downstream interests – how do we
197 deal with others? Kenny said that is part of having Program insurance, as well as application of the Good
198 Neighbor Policy to do no harm to landowners. Schneider said another benefit could be counting toward
199 the acreage goal depending on the result of that discussion. Purcell said the issue of what counts and what
200 does not related to counting acres needs to be vented through the LAC and the USFWS. Barel's said the
201 GC retains the authority to decide on any interest in land, so management agreements may need to be
202 addressed in this way.

203
204 Kolanz asked about the Platte River Recovery Implementation Foundation (PRRIF). Kenny said that is
205 the Program's Land Interest Holding Entity and holds title to all Program land interests. Lawson asked if
206 the PRRIF could do more than just hold title to acquired land, such as this kind of agreements. Kenny
207 said that is correct.

208
209 **Purcell moved to approve the agreement for Program access on NPPD land at the Elm Creek**
210 **Complex and associated monitoring activities at the Kearney Canal and Kearney Canal Diversion**
211 **(including all attachments to the agreements); Berryman seconded.** Lawson asked what funding is
212 being approved, and for how long. Kenny said \$80,000 for the first year, then on the order of \$50,000-
213 \$60,000/year for the following two years. Schellpeper said it reads the monitoring is authorized for the
214 rest of the First Increment but that it will be reviewed after three years to determine if monitoring should
215 continue. Kenny said funding would only be approved for the first three years, subject to annual
216 budgeting, until the results of monitoring are assessed after the third year. Lawson said at that point the
217 GC will determine the extent of monitoring activities that will continue beyond the third year. Kraus
218 asked if monitoring costs for EA are firm for three years or if costs could change. Farnsworth said EA
219 provided a cost estimate that would be revisited every year through the FC and GC during the budgeting
220 process; costs may need to be adjusted for the first year because time has slipped on this work. Kenny
221 said this would be subjected to budget approval each year and there would be no promises to the
222 contractor beyond what is approved annually by the GC. Chavez-Ramirez asked why monitoring would
223 potentially stop after three years; this does not seem like enough time to learn about cause-and-effect.
224 Kenny said the three-year time period is simply a check-point to allow the Program to adjust course.

225
226 Purcell said the memo to the FC on this issue lined out costs of \$62,300 for water quality monitoring in
227 2010 and \$20,000 for canal surveys. He would like to amend his motion to include a framing of potential
228 expenditures for this monitoring effort at approximately \$82,300/year for three years. It was explained
229 that the PRRIP/NPPD Monitoring Agreement addressed the surveying budget of \$22,000 per year. The
230 budget for the implementation of the sediment monitoring plan will be formalized with an amendment to
231 the contract with EA Engineering, Science, and Technology, Inc. Purcell withdrew this amendment to his
232 motion suggesting that amendment with EA should be based on the three year monitoring period rather
233 than annual amendments.

234



235 No further discussion on the original motion. **Motion approved.** Brian Barels abstained.

236

237 **PRRIP/CPNRD Agreement for Elm Creek Reservoir**

238 Kenny discussed the potential modification to the agreement between the Program and Central Platte
239 NRD associated with feasibility investigation of Elm Creek Reservoir. The Program would agree to
240 reimburse Central Platte NRD for a bulk of the costs associated with the feasibility investigations. There
241 is not commitment on the part of the Program beyond completion of the feasibility investigations. The
242 intent is to keep this on the same schedule and same level of detail as the CNPPID re-regulating reservoir
243 feasibility investigations. The Program would agree to cover costs associated with that portion of the
244 feasibility investigations with direct benefit to the Program – a cap figure of \$190,000. Lawson asked
245 about the period of the agreement. Kenny said on Page 3 of 3 it is specified as July 1, 2011 at the latest.
246 Purcell asked what budget item this will come out of. Kenny said WP-6, Feasibility Studies. Freeman
247 asked about language in Task 6 related to alternatives being considered. Kenny said the language in
248 Attachment A, Task 6, #2 should probably read “Consider 4 alternatives” but this is language from a
249 contract signed by CPNRD so that language will not be changed.

250

251 Barels moved to approve the agreement; George seconded. **Motion approved.** Ron Bishop abstained.

252

253 **FY 2010 Program Budget, RFPs, and Contracts**

254 Kenny provided an update on the status of the Program budget and year-to-date finances. Land
255 expenditures have been slower this year, but we are setting the stage for more land expenditures in 2011
256 (similar to the pattern in 2008 and 2009). Land management has been going well and expenditures will
257 end up being close to the budgeted amount for that line item. Water expenditures have proceeded
258 carefully based on need and as important questions and considerations related to the Program are
259 addressed. Some efforts are innovative and require a slower pace to ensure work is done correctly.
260 Adaptive management expenditures have focused on monitoring and research as well as preparing for in-
261 channel work at places like Elm Creek and Cottonwood Ranch. Berryman asked about items in the water
262 arena where the Program is “blazing trails”. Kenny said ideas like water transfers are relatively new in
263 Nebraska and there is no organized and active water market at this time, so there are numerous process
264 issues that need resolved.

265

266 Kenny provided an update on contracts and RFPs since the last GC meeting:

- 267 • 1-D model contract amendment to extend the model to cover the North Platte choke point: WP-1(a)
- 268 • LiDAR & Aerial Photography RFP is now posted: LP-2
- 269 • Nebraska Groundwater Recharge Feasibility RFP will be posted soon: WP-6
- 270 • Cottonwood Ranch Complex and Elm Creek Complex bid packages now open; permits for both are
271 expected soon: LP-2
- 272 • Cottonwood Ranch off-channel sand and water (OCSW) bid package will be addressed by the FC
273 tomorrow: LP-2
- 274 • Cottonwood Ranch culvert bid package will be addressed by the FC tomorrow; still have a permit
275 hang-up on this project that is being addressed with the Corps of Engineers

276

277 Kolanz asked about the culvert at Cottonwood Ranch. Kenny said it is a multi-arch culvert to provide
278 access across Spring Creek onto Cottonwood Ranch. Kolanz asked if it is a nationwide permit. Kenny
279 said it is a nationwide permit that applies specifically to stream crossings. Kolanz asked why there is a
280 lead federal agency problem with this permit. Kenny said that is the issue that needs addressed with the
281 Corps because the Corps is pressing on the issue of who the lead federal agency is with Program projects.



282 *Proposal Selection Panels*

283 Nebraska Groundwater Recharge Feasibility RFP – John Altenhofen, Cory Steinke, Duane Woodward,
284 Jeff Shafer, Pat Goltl, Suzanne Sellers, Mike Besson, Steve Smith, Beorn Courtney (will recuse herself if
285 AECOM submits a proposal and Kenny will substitute in her place); **GC approved**

286
287 LiDAR & Aerial Photography RFP – ED Office will handle this RFP; lowest bidder will be evaluated by
288 Doug Hallum and other interested parties; **GC approved**

289
290 Smith reported on the status of two items related to the pallid sturgeon discussion at the June 2010 GC
291 meeting:

- 292
- 293 • Tim Welker from the U.S. Army Corps of Engineers will provide a presentation to the GC at the
294 December 2010 meeting in Denver on Missouri River pallid sturgeon monitoring and research
295 activities and their relationship to Platte River pallid sturgeon activities.
 - 296 • The ED Office recommends developing an agreement with PBS&J to help form and manage future
297 peer review panels (including a panel for the stage change study) as they did before to build more
298 independence into the process of assembling peer review panels and receiving peer review comments.
299 This new agreement, if approved by the FC and GC and if budgeted in the FY 2011 Program budget,
300 would commence January 1, 2011 and the first peer review panel assembled by PBS&J would be for
301 the stage change study.

302
303 Schellpeper asked about the budget process and whether additional independent science work would need
304 to be re-competed. Kenny said the idea would be to amend the original contract with PBS&J to include
305 this new work. Barels asked about the scope of work and how direction would be provided to peer
306 reviewers. Smith said the TAC, GC, and other Program parties will set the scope of work, the document
307 to be reviewed, the timeline, the questions to be addressed, and other items necessary to complete the
308 work, and then it will be up to the GC as to how to accept, reject, or otherwise work with peer review
309 contracts. Lawson said this would need to come back to the FC with a sole-source justification for
310 approval since the current contract with PBS&J has expired. Kenny agreed.

311
312 **Pathfinder Modifications**

313 Purcell provided a status report on Pathfinder modifications. Bids were received and the work has started.
314 Runoff this year means that the Bureau of Reclamation (BOR) has to ensure the spillway is operational so
315 the BOR controls the construction schedule from March to August, 2011. Since the reservoir is nearly
316 full and there is a minimal demand for storage, Pathfinder Reservoir may spill again in the spring of 2011.
317 The successful bidder chose the 2-year program so the project will be completed in December 2012. The
318 bids were good and there was a cost savings.

319
320 Purcell will seek formal approval of the agreement for leasing water in the Wyoming account to the
321 Program at the next GC meeting and wanted feedback on the draft outline handed out during the meeting.
322 Lawson said the advantage of moving water in late September is irrigation districts are reducing their
323 diversions from the river, thereby making it easier to ensure the delivery of water from the Pathfinder
324 Modification Project to Lake McConaughy. Purcell said he is basing his annual cost of water to the
325 Program on the total cost of the project, including the Environmental Account in Pathfinder Reservoir.
326 Thabault asked if the GC was supposed to mull on this until December. Purcell asked if there were any
327 major problems he would like to know them so he could begin to move through his approval process in
328 Wyoming. Thabault said he would suggest adding the EA Manager to Item #3 so the water estimate



329 comes to both the Program ED and the EA Manager. Purcell agreed. Barel's asked if the dates relate to
330 dates tied to the development of the annual EA plan. Purcell said he had not cross-referenced those
331 because the dates are there to accommodate Wyoming's other demands.
332

333 Kraus said Paragraph 8 uses September 1 as a date, but possibly September 15 would be a better date.
334 Purcell said he would change it to read "No earlier than September 1". Lawson said the Platte River
335 Program EIS took care of NEPA issues related to moving this water down the system.
336

337 **PRRIP "Report Card"**

338 Duane Hovorka discussed a Program "report card" being developed by the Nebraska Wildlife Federation
339 and other conservation groups to assess where the Program is at since inception in 2007. The intent is to
340 be constructive, identify what is working and what is not working, and where possible offer ideas on how
341 to make things work better and faster. The report card will be based on the First Increment milestones in
342 the Program document. Hovorka said they are open to all ideas and comments to help assemble the report
343 card. He is willing to come back in December and give a presentation to the full GC on the results of the
344 process. Freeman asked why the report card will not come back to the GC for review and discussion
345 before it is considered final. Hovorka said there will not be any surprises. Freeman said if the intent is to
346 provide constructive feedback, it seems like this should come back to the Program for review. Hovorka
347 said that kind of dialogue has been going on for several years. Lawson asked about the conservation
348 group interests and if the Nebraska Wildlife Federation has been active in working with the Trust and
349 Audubon in giving input as the Program has begun implementation since 2007. Hovorka said there has
350 been good communication between the conservation groups on the Program and the representation is
351 strong. He will work with other conservation interests to discuss this idea to determine if this will be
352 ready in time for the Platte River symposium on October 7.
353

354 **Additional Items**

355 Purcell asked what direction the GC wanted to give on Barel's question about how or if to count acres
356 that are not owned by the Program but where the Program is entering into management agreements.
357 Barel's said he prefers to have the ED Office identify all the places in the white book that say something
358 will happen with land interests and then come back to the GC on the best next steps for the discussion.
359 Lawson asked if this should be added to the agenda for the December GC meeting. **GC agreed.**
360

361 **Meeting adjourned at 5:33 p.m. Central time.**
362

363 **Wednesday, September 15, 2010**
364

365 **Welcome and Introduction**

366 Lawson called the meeting to order and the group proceeded with a roll call.
367

368 **Public Comment**

369 Lawson asked for public comment. None offered.
370

371 **Executive Session**

372 Berryman moved to enter Executive Session to discuss land issues; Bishop seconded. **GC entered**
373 **Executive Session at 8:04 a.m. Central time.**
374



375 Purcell moved to end Executive Session; Thabault seconded. **GC ended Executive Session at 10:20**
376 **a.m. Central time.**

377
378 **Program Land Tracts & Issues**

379 Purcell moved and Schneider seconded that the GC approve:

- 380
- 381 1) The ED Office proceeding with negotiations on the west half of Tract 1001 including authorization of
382 appraisal. If the owner will only consider sale of the entire property, the ED Office is authorized to
383 develop background information, including appraisal, on the eastern portion of the property to bring
384 back to the GC for further consideration.
 - 385 2) The Program ceasing further consideration of Tract 1002.
 - 386 3) The Tract 1009 trade.
 - 387 4) The conservation easement for Tract 0805, with the following modifications:
 - 388 • The name of the Trust that the Clark Trustees represent.
 - 389 • Insert different language describing the Program.
 - 390 • Explore the easement language describing “Program target species” and “Nebraska habitat and
391 wildlife”.
 - 392 • Fix the typo at the end of Page 11.
 - 393 5) Extending the deadline for the following four land management plans until the March 2011 GC
394 meeting:
 - 395 • Tract 2009006
 - 396 • Tract 2009007
 - 397 • Tract 2009008
 - 398 • Tract 2010001

399
400 **GC approved.**

401
402 **Future Meetings & Closing Business**

403 Upcoming meetings:

404
405 GC meeting on December 7-8, 2010 @ Denver, CO
406 ISAC meeting on December 8-9, 2010 @ Denver, CO

407
408 Kenny said we need to convene a budget working session in October to discuss the draft FY 2011
409 Program budget prior to seeking approval of that budget at the December 2011. The meeting will likely
410 be a conference call/WebEx meeting and he will propose dates for that meeting soon.

411
412 Barels said the GC needs to have all upcoming GC meeting materials probably on the order of 10 days
413 prior to the meeting to have enough time to review materials and prepare. Kenny said his understanding
414 was the goal was seven days prior to the meeting and said the ED Office would do better in the future.

415
416 **Meeting adjourned at 10:27 a.m. Central time.**

417
418
419
420



421 **Summary of Action Items/Decisions from September 2010 GC meeting**

- 422 1) Approved June 2010 GC minutes
- 423 2) Approved the agreement for Program access on NPPD land at the Elm Creek Complex and associated
- 424 monitoring activities at the Kearney Canal and Kearney Canal Diversion (including all attachments to
- 425 the agreements)
- 426 3) Approved modification to the agreement between the Program and Central Platte NRD associated
- 427 with feasibility investigation of Elm Creek Reservoir
- 428 4) Approved Nebraska Groundwater Recharge Feasibility RFP Proposal Selection Panel – John
- 429 Altenhofen, Cory Steinke, Duane Woodward, Jeff Shafer, Pat Goltl, Suzanne Sellars, Mike Besson,
- 430 Steve Smith, Beorn Courtney (will recuse herself if AECOM submits a proposal and Kenny will
- 431 substitute in her place)
- 432 5) Approved LiDAR & Aerial Photography RFP Proposal Selection Panel – ED Office will handle this
- 433 RFP; lowest bidder will be evaluated by Doug Hallum and other interested parties
- 434 6) Requested that the ED Office bring a sole-source justification to the FC for review and approval for
- 435 PBS&J to conduct independent science review work for the Program (assembling and managing
- 436 future peer review panels)
- 437 7) Requested that the ED Office evaluate the Land Plan for instances where land interest-related items
- 438 are supposed to be discussed with the GC and report back at the December 2010 meeting as to how
- 439 this relates to management agreements with private landowners at locations like the Elm Creek
- 440 Complex.
- 441 8) Approved the following land-related items:
- 442 a) The ED Office proceeding with negotiations on the west half of Tract 1001 including
- 443 authorization of appraisal. If the owner will only consider sale of the entire property, the ED
- 444 Office is authorized to develop background information, including appraisal, on the eastern
- 445 portion of the property to bring back to the GC for further consideration.
- 446 b) The Program ceasing further consideration of Tract 1002.
- 447 c) The Tract 1009 trade.
- 448 d) The conservation easement for Tract 0805, with the following modifications:
- 449 • The name of the Trust that the Clark Trustees represent.
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- 452 and wildlife”.
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- 458 • Tract 2009008
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