PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM

Land Advisory Committee Meeting Minutes
Executive Director's Office – Kearney, NE
October 26, 2011

Attendees
Mark Czaplewski, Interim Chair, Local Nebraska Rep (Central Platte Natural Resources District)
Jerry Kenny – Executive Director
Bruce Sackett – ED Office
Justin Brei – ED Office
Jason Farnsworth – ED Office
Tim Tunnell – ED Office
Matt Rabbe – U.S. Fish & Wildlife Service
Ted LaGrange – State of Nebraska, Nebraska Game & Parks Commission
Jennifer Schellpeper – State of Nebraska, Nebraska Dept. of Natural Resources
Harry LaBonde – State of Wyoming, Wyoming State Engineer’s Office
John Shadle – Downstream Water Users, Nebraska Public Power District
Jim Jenniges – Downstream Water Users, Nebraska Public Power District
Brock Merrill – U.S. Bureau of Reclamation (by phone)
Kevin Urie – State of Colorado, Denver Water (by phone)
Suzanne Sellers – State of Colorado, Colorado Water Conservation Board (by phone)
Jonas Davis – Environmental Groups, Ducks Unlimited (by phone)
Bill Taddicken – Environmental Groups, Audubon Rowe Sanctuary
Jim Bendfeldt – Local Nebraska Rep (Joint CPNRD/TBNRD)
David Raffety – Local Nebraska Rep (Tri-Basin Natural Resources District)

Welcome and Administrative
Chairman Czaplewski called the meeting to order at 9:00 am Central Time and the group proceeded with introductions.

Czaplewski asked for agenda modifications. None were provided.

Czaplewski requested a moment of silence in recognition of the passing of the Land Advisory Committee’s former chairman, Scott Woodman.

LaBonde made a motion to approve the minutes from the August 26, 2011 LAC meeting, as modified. The motion was seconded by Rabbe and passed unanimously.

GC Meeting Update
Czaplewski updated the LAC on recent GC activity. The GC met on September 13 & 14 in Scottsbluff, NE and held a conference call on October 18. The GC had much discussion related
to the Platte River caddisfly with respect to the Program. The GC asked the ED Office to prepare a proposal by June 2012 to ask the ISAC for recommendations on dealing with the PRCF in the Program. The ED Office will consider planned tree clearing projects in PRCF areas low in priority for the time being. The GC discussed progress on the proposed re-regulating reservoir near J-2 Return on the Platte River east of Lexington, NE and formed a committee to begin negotiating the agreement among the partners of the project.

In land-related GC action, the GC approved proceeding with appraisals and negotiations on tract 0832 and 0901. The GC accepted the LAC’s recommendation to cease pursuit of tracts 1105 and 1107. The GC approved providing a 14-day offer to a neighbor of tract 2009008 to resolve a boundary dispute and instructed the ED Office to construct a fence on the survey boundary if an agreement is not reached. The GC approved an excavation project on tract 2011001 where a contractor will remove fill material from the area and create off-channel tern and plover nesting habitat in exchange for the material.

LaGrange asked for further clarification on the discussion of Platte River caddisfly. Farnsworth said there are currently two known PRCF populations on Program lands that could be impacted by tree clearing. Those projects are still planned, but will be considered a low priority for execution until further information or instruction is available.

The GC meets next on December 6 & 7, 2011 in Denver, CO, and will hold a conference call on November 18 to discuss the draft 2012 budget.

Other Committee Coordination Information
Farnsworth updated the LAC on recent TAC activities. The TAC last met on October 5 & 6. The TAC elected to have the recent directed vegetation research project peer-reviewed, and recommended a 3-person peer review panel to the GC. Contractors working on the sediment augmentation feasibility and pilot project presented an update to the TAC. The project will not augment enough sediment for full reversal of the degradation, but the monitoring efforts should show a slowing of the effects. The TAC also had a presentation by a contractor who is assembling a comprehensive database of whooping crane sightings from approximately 1940 to date. The TAC approved a request for proposals for implementation of the geomorphology and in-channel vegetation monitoring protocol. The current three-year contract expires this year. The TAC (and subsequently the GC) approved continued participation in the whooping crane telemetry project, and reviewed the TAC portion of the draft 2012 Program budget.

Kenny updated the LAC on recent WAC activities. The WAC met last on October 25 in Casper, WY. The WAC is continuing to refine optimization of J-2 re-regulating reservoir operations, and discussed the agreement progress with Nebraska DNR, CNPPID, and PRRIP. The project has a potential yield of about 40,000 acre-feet, of which 30,000 AF is for Program use and 10,000 AF is for use by Nebraska DNR. The Program has a groundwater recharge demonstration project under way. A small 0.5-acre recharge pit was constructed and is being operated and intensely monitored through spring 2012. The WAC has reconvened a subgroup working on water management incentives to start moving that alternative forward. The WAC discussed the North
Platte chokepoint where, despite significant efforts to date including vegetation spraying and biomass removal, flow capacity has not improved. The next step is to examine a few potentially under-sized culverts in a side-channel around the chokepoint.

Czaplewski noted that, as vice-chair, he assumed the role of interim chairman for this meeting and that regular elections for the positions in 2012 will be held in December. If you’re interested in either position, contact Bruce Sackett.

Heaston said that the environmental groups are reorganizing their committee roles and he will likely be transitioning from the LAC to the WAC. As a result he may no longer be able to serve as the GC-LAC liaison, and the LAC will need to recommend a replacement at the December meeting.

Executive Session
Shadle moved to go into executive session with LAC members, alternates, and technical staff to review details of land offerings. The motion was seconded by LaGrange. The motion carried and the committee entered executive session at 9:34 a.m.

Heaston moved to come out of executive session. LaBonde seconded and the motion carried. The committee came out of executive session at 10:40 a.m.

Czaplewski suggested that a small group be formed to recommend a plan for disposition of the east part of tract 2009008. John Heaston will chair the group, and the members are: Rabbe, Czaplewski, Jenniges, Bendfeldt, Taddicken. The group will consider what portion of the tract to keep and what to do with any excess portion, including irrigated acres. Kenny and Heaston will coordinate with the WAC on recommendations for retiring irrigated acres.

Revisit 2011001 East Portion
Sackett said that when 2011001 was purchased, the GC directed the USFWS and the LAC to form a recommendation on what should be done with the portion of tract 2011001 east of the highway. USFWS has provided a letter recommendation to the LAC, recommending that part of the tract be retained as non-complex off-channel nesting habitat (Tract A, 62 acres approx.), and that part of the tract be considered excess (Tract B, 48 acres approx.).

The LAC had some discussion of whether or not to sell Tract B with a no-build easement. Sackett said with the tract’s location and current market conditions, a no-build easement is not likely to significantly affect the value. The LAC discussed whether or not a no-build easement would have to be “counted” towards Program goals. LaBonde would argue that a no-build easement is not the same as a management easement and should not count towards Program goals. Heaston said that, if counting is an issue for the Governance Committee, the easement rights could be donated to another entity – such as The Nature Conservancy – who could then be the holder of the no-build easement after the property is sold.
Rabbe moved to recommend that the GC consider Tract B as excess acres and begin the process of sale with a no-build easement, including the possibility of donation of said easement to another environmental entity, and to recommend that the Program retain Tract A as non-complex land. Motion seconded by Taddicken. Heaston abstained. Motion passed.

**Discuss 1109 Land Review**
Details of the land evaluation were discussed in executive session. Shadle moved to accept the evaluation team recommendation and recommend that the GC continue pursuit of tract 1109 as complex habitat. Motion seconded by Urie and passed unanimously.

**Public Access Program Update**
Brei introduced Ryan Chramosta with the Nebraska Game and Parks Commission. Ryan is administering the Program’s public access policy for NGPC, including visiting the properties frequently and ensuring user compliance with the access policy. Ryan updated the LAC on what’s happened so far and the plans for the future. Properties that are in the public access program have been posted with a number of signs and parking areas have been constructed. The website has been created and is being fine-tuned. A small test was run prior to October 1 where several people were asked to reserve sites and provide feedback. Currently all sites are closed from October 1 through November 15 for whooping crane migration. Chramosta also discussed the process for the November firearm deer season on Program property, from November 16 through November 20. Applications are being accepted for a lottery drawing through October 31. Names will be randomly drawn from valid applications to fill available permission slots. As of the LAC meeting, 55 applications have been received. A press release for this lottery drawing was issued statewide, so many more are expected. Chramosta gave some general information on how the public contacts have gone so far. He said often he relays the allowed activities (deer hunting, turkey hunting, bird watching, fishing, hiking, mushroom hunting), answering questions on why certain activities are or are not allowed, and giving other general access program information. The website where sites can be reserved and permission slips obtained is [http://www.platteaccess.org](http://www.platteaccess.org). The site is currently down for maintenance during the whooping crane migration and should be available in mid-November to make reservations for dates after November 20. LaGrange asked if requests have been received for activities other than hunting. Chramosta said most requests are for hunting.

LaBonde requested that Chramosta come to the LAC in February after the hunting seasons and update the LAC again on the experience.

**Land Shaping and Potential Sale of Material at East 2011001**
Sackett and Brei updated the LAC on work in progress at 2011001. Hooker Brothers of Grand Island, NE is removing the top three feet of soil to use as fill for some of their projects. In exchange for the fill, Hooker Brothers is excavating an additional five feet in a “moat” configuration and placing the excavated sand in the center to form off-channel nesting habitat for terns and plovers for no cost.
Present Work in Progress
Tunnell updated the LAC on recent activities on Program lands. The update was accompanied by several pictures of work being discussed.

Present 2012 Proposed Budget in Progress
Sackett and Farnsworth updated the LAC on land-related line items for the 2012 Program budget, and the schedule for approval. The FC go through the budget on November 9, and the GC will then go through the budget on November 18. Any changes will be incorporated prior to final GC approval in December.

Farnsworth walked the LAC through the line items related to land activities.
LP-2: AMP-related on the ground actions
LP-3: Land acquisition
LP-4: Operations and maintenance activities (fence, noxious weeds, etc)
LP-6: Special advisors (mostly ag-related)
LP-7: Platte River Recreation Access Program (public access to Program lands)
PD-13: Sediment augmentation activities including construction, monitoring, & consulting fees
PD-15: Permitting
PD-19: Flow consolidation at Cottonwood Ranch (partial implementation in 2012)
PD-20: 2009001 wet meadow restoration
IMRP-4, 5: Flow-Sediment-Mechanical “proof of concept” experiment. Construction activities and intensive monitoring efforts

LaBonde asked for further information on the special advisors line item (LP-6). Sackett said this is primarily agricultural land management consultants for cropped and grazed areas. These consultants take care of leases (crop and grazing), sharecropping agreements, coordinate with tenants on appropriate practices (ie. no residuals for properties slated for grassland restoration), coordinate with grazing tenants to move cattle according to Program goals, etc. LaBonde asked if this line item will go away when the Program sells or converts the cropland areas. Sackett said the line item will likely decrease, but there will always be some cost associated with management of grazing operations. Kenny said that the number in the current 2012 budget draft will be adjusted based on actual 2011 expenditures.

Farnsworth said that a more detailed budget and work plan will be developed for the LAC’s next meeting.

Public Forum/Next Meeting
Chairman Czaplewski asked for public comments, none were offered.

The next meeting of the LAC will be held via conference call on Monday, November 28, 2011 at 9:00 a.m. central time.

Closing Business
With no further business, the meeting was adjourned by Chairman Czaplewski at 12:30 p.m.