



**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**  
**Governance Committee Meeting Minutes**  
Hampton Inn & Suites Conference Center – Scottsbluff, NE  
September 13-14, 2011

**Tuesday, September 13, 2011**

**Meeting Attendees**

**Governance Committee (GC) Table**

**State of Wyoming**

Mike Purcell – Member

Harry LaBonde – Alternate

**State of Colorado**

Don Ament – Member

Suzanne Sellers – Alternate

**State of Nebraska**

Jim Schneider – Member (Chair)

Jennifer Schellpeper – Alternate

**U.S. Fish and Wildlife Service (Service)**

Mike George – Alternate

**Bureau of Reclamation (BOR)**

John Lawson – Member

**Environmental Entities**

John Heaston – Member

Bill Taddicken – Member

**Upper Platte Water Users**

Dennis Strauch – Member

Doug Chamberlain – Member

**Colorado Water Users**

Alan Berryman – Member

John Kolanz – Alternate

Deb Freeman

**Downstream Water Users**

Brian Barels – Member

Don Kraus – Member

Kent Miller – Member

Mark Czaplowski – Proxy for Ron Bishop, Member

**Executive Director’s Office (EDO) Staff**

Jerry Kenny, Executive Director (ED)

Beorn Courtney

Jason Farnsworth

Bruce Sackett

Chad Smith

**Audience Members**

Mike Besson – State of Wyoming

Norm DeMott – Former GC Member

Mike Drain – CNPPID

Pat Goltl – Nebraska DNR

Brock Merrill – BOR

Cory Steinke – CNPPID

Diane Wilson – Nebraska Community  
Foundation



48 **Welcome & Administrative**

49 Schneider called the meeting to order. The group recognized the recent passing of Land Advisory  
50 Committee Chair Scott Woodman with a moment of silence. Kenny said Sackett had a condolence card  
51 for GC members to sign and flowers were sent to the memorial service.

52  
53 The group proceeded with introductions. Kenny recognized Norm DeMott, former member of the  
54 Governance Committee, and presented him with a congratulatory gift from the GC.

55  
56 No agenda modifications offered. *Berryman moved to approve the June 2011 GC minutes; Heaston*  
57 *seconded. Minutes approved.*

58  
59 **LiDAR/Aerial Photography RFP**

60 Farnsworth discussed the LiDAR/Aerial Photography RFP. He noted the Nebraska DNR wants to  
61 include a buy-up option for potentially collecting summer information in a different way, and also to  
62 make the RFP a single-year RFP instead of a multi-year RFP. The EDO recommends including the buy-  
63 up language as an option, but not make it required in proposals. That will be discussed at the October  
64 TAC meeting. That discussion will inform the selection process because proposals will not be submitted  
65 until the week after the TAC meeting. The EDO also recommends keeping this a multi-year RFP. The  
66 Program reserves the right in all multi-year contracts to terminate the contract each year or change project  
67 requirements as necessary.

68  
69 Smith read the language from Doug Hallum proposed to be inserted in the RFP:  
70 *Alternate 5 a) Acquire digital imagery sufficient to use digital autocorrelation techniques to produce a*  
71 *digital elevation and a model of the vegetation structure at a 6 inch resolution. Ground control may be*  
72 *provided by sharing of control from Sub-project 1 and use of additional points from LiDAR data.*  
73 *Proposal **must** include the estimated vertical accuracy and resolution of the DEM in open and heavily*  
74 *vegetated areas, as well as a description of the vertical accuracy and resolution of the vegetation model.*  
75 *The proposal **must also** include a detailed description of the technique, software and methodology, as*  
76 *well as discuss any necessary differences from **Sub-project 2** imagery.*

77  
78 Lawson asked what this means. Schneider said DNR staff has concluded this language would help the  
79 Program to build a Digital Elevation Model. Purcell asked who made the recommendation. Schneider  
80 said Doug Hallum with the DNR. Purcell asked if we are getting 6-inch resolution now. Farnsworth said  
81 yes. We use CIR photography in the summer, but Hallum is interested in exploring using the technique  
82 described above in the possible alternate language to build a type of vegetation model. Lawson asked if  
83 this will be a separate line item. Purcell said proposals will include language for this as possible  
84 alternatives, but the Program will decide if and when we want to fund different alternatives. Ament asked  
85 about the use of Nebraska coordinate systems. Farnsworth said that is a reference to GIS coordinates and  
86 the imagery will be taken in Nebraska so that is why Nebraska coordinates are used.

87  
88 *Purcell moved to approve the RFP as amended; Taddicken seconded. No further discussion. **RFP***  
89 *approved as amended.*

90  
91 Schneider requested the GC appoint a Proposal Selection Panel. *Heaston moved to approve the panel;*  
92 *Ament seconded. **Proposal Selection Panel approved:** Farnsworth (EDO), Brei (EDO), Hallum*  
93 *(Nebraska DNR), Besson (Wyoming), Walters (TNC).*

94



95 **IGERT Student Project – Whooping Crane Habitat Selection**

96 C. Smith discussed the IGERT program, the potential student project, and Platte River Program  
97 involvement. Ament asked who the experts are that will be interviewed during the student project. Smith  
98 noted the list in the draft study plan and said recommendations for additional experts would be welcome.  
99 Kraus asked about the relationships between monitoring and the model that would be developed during  
100 the project. Smith said Program monitoring would continue and that data would continue to be fed into  
101 the model over time to increase its utility as a tool for Program use. Barels asked if we can look beyond  
102 Nebraska in developing the model. Smith said that will definitely discuss that with Trevor Hefley at the  
103 TAC meeting in October to explore possibilities. Berryman asked if we get the model when the project is  
104 over. Smith said yes. Freeman asked why there are expert interviews. Smith said several reasons: 1)  
105 understanding the data that will be included in the database; 2) exploring holes in the data that need to be  
106 addressed as the model is being built and as assumptions that go into the model; and 3) talking with the  
107 experts about the best way to build the model. Barels asked about peer review. Smith said the final  
108 model would be peer reviewed.  
109

110 *Lawson moved provide GC support for the concept of providing \$25,000 in funding to an IGERT student*  
111 *project and externship; Barels seconded. Motion of support approved.* Smith said the specific project  
112 and funding would be discussed at the October TAC meeting and would be presented later this year to the  
113 FC and GC as part of the FY 2012 budget approval process.  
114

115 **Platte River Caddisfly**

116 C. Smith discussed the history of the Platte River caddisfly (PRCF) project. George provided  
117 presentation and update on the status of review of the PRCF as a potential listed species. Barels asked  
118 about the threats to the species. George said hydrology seems to be a big factor, as well as invasive  
119 species like phragmites. Czaplowski asked if the Service's Power Point could be shared with the GC.  
120 George said yes. Purcell asked what the Program's research project would help with and how the  
121 proposal got to the Program. Kenny said the intent of this is to give the Program a better understanding of  
122 our management actions on a species of concern. Our target species actions may have implications for a  
123 species of concern, so this research would help identify what those impacts might be to assist with  
124 development of future Land Management Plans and associated work plans. Freeman said one of  
125 Colorado's questions goes to the utility of this for the Program. We don't know a lot about the PRCF  
126 including abundance, distribution, and population dynamics, so what do the results of this research mean  
127 with these large knowledge gaps? There is a question about the utility of the results for informing our  
128 management actions. Kenny said that is true for even some of our target species and it is fundamental to  
129 much of what we are doing to take a strong inference and weight of evidence approach. If we undertake  
130 this study and learn tree clearing negatively impacts the PRCF, it does not answer the question  
131 conclusively but it points in a certain direction. Freeman said she remembers an earlier presentation  
132 where caddisflies were seen in a slough at one time then were not seen later on and there was no  
133 indication of what happened.  
134

135 George discussed the listing process. Kolan said both species evolved at the same time, so it seems like  
136 they should be able to co-exist. He is concerned that a small study could generate data that could be  
137 interpreted in a way that interrupts a \$300 million program. It doesn't seem a like a small study will get  
138 us much. Kenny said the idea of "proceed with caution" includes: 1) PRCF is not very abundant on  
139 Program lands, but we could at least learn how to take trees off, not whether or not to take trees out at all;  
140 and 2) what we will know with certainty when we are done? – this requires us to use strong inference, and  
141 it seemed like this research project was an opportunity to learn something of importance to the Program



142 and was a good opportunity for very little money regarding management actions where we were taking  
143 trees off anyway and just need to take them off in a little different pattern. Farnsworth said we have two  
144 properties where we have target species habitat criteria – some are saying take all the trees off for target  
145 species, some are saying that could negatively impact other species. We are caught in a pinch-point, so  
146 we are hoping to collect some information to inform future policy decisions. Purcell asked who sent  
147 letters saying the Program might contribute to listed. Farnsworth said the Service and the Nebraska Game  
148 and Parks Commission.

149  
150 Purcell said we should table this without prejudice until we see final information from the Service and its  
151 listing findings. That would give the Program something to build on. This seems to be ahead of the game  
152 at this point. Barels said we don't know a whole lot right now but you want a policy decision. It doesn't  
153 matter whether this species is listed or continues as a species of interest. The PRCF is on Program lands,  
154 so we need a more holistic approach. We should possible ask the ISAC how best to proceed. Schneider  
155 asked what the no action alternative is going forward. Purcell moved to table this proposal without  
156 prejudice until the Service's listing process is complete. George said he would like more discussion.  
157 There is a different issue and that is the EDO is given authority to take action up to \$25,000 to provide  
158 important information for the Program. With Purcell's motion, that means the GC is taking away the  
159 ability of the EDO to take this kind of action. Ament seconded the motion.

160  
161 Taddicken asked what happens with the tree clearing. Purcell said we would only stop the study until the  
162 listing process was complete. Schneider asked for a clarification for the letter in Exhibit C. Can the LMP  
163 move forward without the research project? Farnsworth said we developed the McCormick LMP saying  
164 trees would be cleared to the slough. The LMP was approved by the GC. After approval, the Service  
165 sent the Program a consultation letter that said tree removal impacts could cause problems for the PRCF.  
166 The EDO at that point said we need to figure this out, so we will include a buffer around the slough.  
167 Kenny said if the research project does not go forward, that means we will leave a buffer around the  
168 slough on the McCormick property.

169  
170 Purcell said there will be a lot of opportunity for clearing on Program lands. LaBonde said by the time  
171 we get ready to issue contracts for clearing, won't we know the Service's decision? Kenny said we would  
172 know by the end of November. LaBonde said waiting won't really impact the progress of Program  
173 management actions. Sellers said in Exhibit F there is language that says you can remove trees when the  
174 PRCF is in their aquatic stage. She is assuming that language still stands, which seems to contradict the  
175 guidance given in the consultation letters that indicted there might be an impact. Farnsworth said Exhibit  
176 F is unpublished and this is the best information we could get from the Service and Game and Parks  
177 Commission.

178  
179 Chamberlain said an open-ended motion to table can often be construed as being in effect forever.  
180 **Purcell amended the motion to table the research project without prejudice until we see the**  
181 **Service's finding in June 2012. Service (Program signatory) voted no; motion failed.** George asked  
182 the GC to discuss what it means to give the EDO authority up to \$25,000 for small projects. Kenny said  
183 that language in the Procurement Policy also says that even for small amounts there is language in the  
184 Procurement Policy that says certain items of a particularly sensitive nature need to be brought back to the  
185 GC for review and approval. Schneider said he wants to be clear on what this means for the future of the  
186 project. Kenny said it likely means the student will move on to another project.

187



188 Barel's said we are heading into a new policy direction with a species of concern. The GC is struggling  
189 with how to deal with that more than the details of a small research project. It seems like we should use  
190 the ISAC to get advice on how to incorporate this species of concern into the Program as a whole. Purcell  
191 said before we step off with a student research project, we need to take a more informed approach.  
192 George said he likes the idea of having the ISAC give advice on this issue.

193  
194 George asked about Barel's idea to get advice from the ISAC. Kolanz wondered what that would look  
195 like. Barel's said we would ask them for advice on how to proceed, what we need to look at, how  
196 management actions might affect a species, and what kind of design do we need to learn about potential  
197 implications.

198  
199 *Lawson moved to have the EDO, with input from the TAC, prepare a proposal to the ISAC to ask them for*  
200 *technical scientific advice related to the Platte River caddisfly as it pertains to Program management*  
201 *actions to be brought back to the GC no later than June 2012 for review and approval. George seconded.*

202 **Motion approved.**

203  
204 Kenny asked what this means for tree removal. It is a policy decision to avoid tree removal for the  
205 benefit of whooping cranes if there are potential PRCF impacts. Lawson asked if we made a policy  
206 decision related to the buffer. Kenny said the buffer is not included in the official LMP and if we follow  
207 that plan all trees come out. Schneider said the concern is the consultation letters from the Service.  
208 *Kenny said he could exert day-to-day operational control to not prioritize that tree clearing until after*  
209 *PRCF issues are more fully vetted at the GC level. The GC agreed.*

210  
211 **J-2 Reregulating Reservoir**

212 Kenny discussed the significance of the reservoir project, its role as a Water Action Plan project, and  
213 recent project history. Kenny discussed the resolution from September 6 from the CNPPID resolving to  
214 work with the PRRIP and the Nebraska DNR to develop an agreement for the project. Kenny asked the  
215 GC to develop and support a similar resolution. Ament asked if Kenny had a draft resolution. Kenny  
216 said Purcell was developing possible language.

217  
218 Barel's said it needs to be part of the discussions on how to deal with timing of the water and what it  
219 means for scoring the project against target flows. Kenny agreed and said that is already being discussed  
220 among the parties. George said there has been a lot of discussion about this at the Service's regional  
221 office and there is strong support for the project. This is exactly the kind of thing the Program was  
222 created for in terms of finding solutions.

223  
224 *Purcell moved: Whereas the J-2 project is the best alternative water supply available to the Program;*  
225 *whereas the Program has evaluated the feasibility of potential water supply projects and the J-2 project*  
226 *has been determined to be most feasible; and whereas the next step is to enter into formal negotiations to*  
227 *develop a sponsorship agreement for the project; the GC should form a committee to begin negotiations*  
228 *of the sponsorship agreement with CNPPID and Nebraska. Ament seconded. Motion approved.*

229  
230 *The GC appointed the following sub-committee: Schneider (Nebraska), Purcell (Wyoming), Lawson*  
231 *(BOR), Berryman (Colorado), George (USFWS), Heaston (TNC), Kenny and Program staff.*

232  
233  
234



235 **Executive Session**

236 Heaston moved to enter Executive Session to discuss land issues; Czaplewski seconded. **GC entered**  
237 **Executive Session at 4:15 p.m. Mountain time.**

238  
239 Heaston moved to end Executive Session; Taddicken seconded. **GC ended Executive Session at 6:26**  
240 **p.m. Mountain time.**

241  
242 **Program Land Tracts & Issues**

243 *Heaston moved and Strauch seconded:*

- 244 • *To approve allowing the ED Office to seek appraisal of and begin negotiations for acquisition of*  
245 *Tracts 0832 and 0901;*
- 246 • *To approve allowing the ED Office to continue negotiations on Tracts 1101 and 1102;*
- 247 • *To cease further pursuit of Tracts 1105 and 1107;*
- 248 • *To approve allowing the ED Office to provide a 14-day offer in writing to Mr. Day to satisfy the*  
249 *boundary dispute at Tract 1020. If that offer is rejected or expires, the GC authorizes the ED Office*  
250 *to pursue construction of fence on the surveyed boundary lines on Tract 1020;*
- 251 • *To approve allowing the ED Office to enter into a contract at East 2011001 for excavation of*  
252 *material to construct off-channel sand and water habitat; and*
- 253 • *To approve allowing the ED Office to enter into a contract and complete acquisition of Tract 1019.*

254 **Motion approved.**

255  
256 **Meeting adjourned at 6:28 p.m. Mountain time.**

257  
258 **Wednesday, September 14, 2011**

259  
260 **Welcome and Introduction**

261 Schneider called the meeting to order and the group proceeded with a roll call.

262  
263 **Program Committee Updates**

264 *Land Advisory Committee (LAC)*

265 Czaplewski provided an update on the latest LAC activities. The LAC last met on August 26. Most of  
266 the discussion items were covered by the GC during yesterday's session. The Public Access Policy will  
267 be implemented this upcoming hunting season and will be overseen by the Nebraska Game and Parks  
268 Commission. The next LAC meeting will be October 26 in Kearney.

269  
270 *Water Advisory Committee (WAC)*

271 Steinke provided an update on the latest WAC activities. Most of the WAC items were covered by the  
272 GC yesterday. Work is just beginning on the groundwater recharge pilot project. There was a  
273 presentation about the North Platte choke point and there appears to be an unending supply of sediment  
274 that is always going to be a problem with channel capacity in that area. High flows this year may have  
275 helped to some degree in terms of flood stage. Doug Hallum discussed Nebraska's Integrated  
276 Management Plan. Barels asked about the future of the choke point issue. Kenny said at this point we  
277 will wait to see what the National Weather Service does with flood stage and will re-evaluate capacity in  
278 the area is after the high flow recedes and regroup from there. EDO staff is looking at how important the  
279 10-year period of the previous analysis is in terms of understanding the situation at the choke point – did  
280 that 10-year period bias our conclusions? The Program document says we will not violate NWS flood  
281 stage. So far, we have taken that to mean not exceeding the lowest level of NWS flood stage, but the



282 NWS has different levels of flood stage and we are exploring what it would mean to consider exceeding  
283 the lowest level but not the moderate or high level of flood stage (without causing damage). Miller asked  
284 what the highest level of flood stage is at the choke point. Kenny and Steinke were not sure what the  
285 exact number is. Miller said we have to be careful about how we portray the impacts of flooding because  
286 flooding of grass at Cody Park also means certain homes in the area are probably having impacts as well.  
287 Purcell asked how critical it is to our operation to get 3,000 cfs through the choke point. Kenny said we  
288 are trying to get 6,000-8,000 cfs to Grand Island, so if we can achieve that goal with less at North Platte  
289 that would work. It also depends on what kind of year we get out of the South Platte. The important  
290 thing is to be able to meet flow targets in the central Platte to test the FSM management strategy and if we  
291 can do that with less through the choke point that would be great. Sellers asked if the EDO had looked  
292 into the availability of aerial photos in the area to corroborate the NWS flood records. Kenny said we  
293 have topography and a detailed model in the reach so those are tools that allow us to investigate aspects of  
294 the area thoroughly. Looking at the choke point was precipitated by impacts to homes upstream of  
295 Highway 83. Thanks to efforts in the area, those homes were out of the path of high water this year or at  
296 least those areas stayed drier a lot longer than they would have. Sellers asked if there were homes flooded  
297 this June. Miller said yes; water was higher than it ever has been. Sellers asked if structures were  
298 flooded. Miller said yes and it was flowing water, not just high groundwater levels. Sellers asked if there  
299 was flooding in the last month or so. Miller was not sure. Sellers said the NWS estimation of flows  
300 shows there was 3,000-4,000 cfs during the last month.

301

302 *Technical Advisory Committee (TAC)*

303 Besson provided an update on the latest TAC activities. The TAC last met on August 10. Topics of  
304 discussion included:

- 305 • Updates on all final 2010 monitoring and research activities.
- 306 • Direction on peer review for the rest of 2011
- 307 • Update on the tern and plover habitat availability analysis
- 308 • Discussion of the LiDAR/aerial photography RFP
- 309 • Discussion of proposed Platte River caddisfly research
- 310 • Update on the whooping crane telemetry project
- 311 • Update on the compilation of the whooping crane database
- 312 • Discussion of the proposed IGERT student project on whooping crane habitat selection
- 313 • Update on Program permits for sediment augmentation and other channel activities
- 314 • Results of the June wet meadows workshop
- 315 • Status of AMP documents and a hypothesis tracking tool

316 The next TAC meeting is October 5-6 in Kearney.

317

318 *Finance Committee (FC)*

319 Purcell provided an update on the latest FC activities. The FC had three conference calls on July 8, July  
320 21, and August 25. Topics includes the Public Access Policy implementation agreement, amendment to  
321 the groundwater recharge contract, groundwater recharge earthwork bid documents and water delivery  
322 agreement documents, CNPPID water service agreement, landowner agreement related to the  
323 groundwater recharge project, whooping crane monitoring contract, and the LiDAR/aerial photography  
324 RFP. The FC will next meet on November 9 to discuss the FY 2012 budget and will also meet on  
325 October 18.

326

327



328 **Program Outreach Update**

329 **PRESENTATIONS**

- 330 • Jerry Kenny presented to the Kearney Chapter of the Kiwanis about the Program and progress to date  
331 on June 22, 2011.
- 332 • Steve Smith presented on the Program and use of the hydraulic model for habitat availability analysis  
333 to the Nebraska Floodplain and Stormwater Managers Association on June 23<sup>rd</sup>, 2011 in Ashland,  
334 Nebraska.
- 335 • Beorn Courtney, Mike Drain and Bill Hahn presented to the AWRA Summer Specialty Conference in  
336 Snowbird, Utah on June 29, 2011. Their topic was, “Enhancing Platte River Flow in Nebraska  
337 through Intentional Recharge”.
- 338 • Chad Smith helped lead a workshop on adaptive management at the National Conference on  
339 Ecosystem Restoration (NCER) in Baltimore, Maryland on August 1, 2011.
- 340 • Chad Smith moderated a panel discussion on adaptive management and the science/policy link at  
341 NCER.
- 342 • Bruce Sackett presented on PRRIP: Real Estate Methods of a Willing Buyer Willing Seller  
343 Acquisition Program at NCER on August 4, 2011.
- 344 • Chad Smith presented on the Program as part of a day-long symposium on adaptive management at  
345 the American Fisheries Society meeting in Seattle on September 6, 2011.
- 346 • Jerry Kenny and Chad Smith provided a Program Status Report to an assembly of Environmental and  
347 Conservation Groups on September 8, 2011 at the Whooping Crane Trust near Alda, Nebraska.  
348

349 **UPCOMING PRESENTATIONS/EXHIBITS**

- 350 • The Program is exhibiting at Husker Harvest Days in Grand Island on September 13, 14 and 15, 2011  
351 in the Natural Resources Districts tent. Husker Harvest Days is recognized as the World’s Largest  
352 Totally Irrigated Working Farm Show™ and features the most extensive state-of-the-art information  
353 and technology available for today’s agricultural producers.
- 354 • Jerry Kenny will be presenting to the Upper Platte River Basin Meeting at the Nebraska Association  
355 of Resources Districts annual conference on September 27, 2011 in Kearney, Nebraska on Current  
356 Activities of the Platte River Recovery Implementation Program and the J2 Water Action Plan  
357 Project.
- 358 • The Program will be exhibiting at the 22<sup>nd</sup> Annual South Platte Forum in Longmont, Colorado on  
359 October 19-20, 2011. Suzanne Sellers of Colorado will be making a presentation on the Program and  
360 its benefits to Colorado.
- 361 • Chad Smith is presenting on Adaptive Water Management at the 2011 Joint Annual Convention of  
362 the Nebraska State Irrigation Association & Nebraska Water Resources Association in Kearney,  
363 Nebraska on November 21 & 22, 2011.
- 364 • Jerry Kenny will be presented to the Nebraska Section of Agricultural Engineers at their annual  
365 meeting in Grand Island, Nebraska on October 21.  
366

367 **EXHIBITS/SPONSORSHIPS**

- 368 • The Program sponsored a break at the Nebraska Grazing Conference August 9 & 10, 2011 in  
369 Kearney, Nebraska. Program informational material was also available at the conference.
- 370 • The Program participated in the new teacher welcome through the Kearney Chamber of Commerce.  
371 The Chamber assembles welcome bags for all new teachers in the Kearney school system from grade  
372 school to college. Eighty PRRIP promotional pens and flag sets were donated for the welcome bags.





- 373 • The Program is a sponsor for the Nebraska Alliance for Conservation and Environmental Education  
374 2011 Annual Conference in Nebraska City, Nebraska on September 22 – 24, 2011. NACEE educates  
375 teachers and natural resource professionals about environmental education programs, new  
376 environmental research and educational resources from across the state.  
377

378 **Nebraska Community Foundation (NCF) Update**

379 Kenny introduced Diane Wilson with the NCF. Wilson provided an update on NCF activities for the  
380 Program. Purcell said it was good to hear about the relationship that has been built between the NCF and  
381 the Program. Wilson said it is a great working relationship. Kenny agreed and said that also includes the  
382 communication with the BOR. Kenny said a new aspect is development of the ASAP system with BOR  
383 funding. Wilson said it is a new payment processing system for federal agencies and it is a “just in time”  
384 fund request system. Funds can be accessed overnight. Kenny said that replaces the system that had been  
385 in place the past year and a half that was a manual monthly estimation of probably expenditures. The  
386 “just in time” system seems to be working very well. Wilson agreed. Kenny and Wilson said this will  
387 eliminate the accrual of interest on the federal funds. Sellers said there is currently a joint contract  
388 between Colorado, Wyoming, the federal government, and the NCF. It sounds like the BOR contracting  
389 office may be uncomfortable extending that contract through a modification. We might need to have  
390 separate contracts with all entities with the NCF. Wilson said that will increase their lead time to get  
391 things in order before the current agreement expires next year.  
392

393 **PRRIP Budget Items**

394 Kenny provided an update on the current status of the FY 2011 Program budget. Chamberlain asked  
395 about the 2010 budget and what happens to money that is not spent. Kenny said Colorado funds sit in the  
396 NCF fund; Wyoming funds sit in a Wyoming fund; federal government funds are set aside and are still  
397 available. Purcell said Wyoming owes 3.21% of the total budget and makes quarterly payments each year  
398 based on the annual budget less any carryover in its NCF account from the previous year. Chamberlain  
399 said he just wondered what happens to money that are not expended. Kenny said from the perspective of  
400 the Program, if money is not obligated or spent that money goes away and every year is a new year.  
401 Kenny said unliquidated obligations carry over to the new year. Chamberlain asked why the 2011 budget  
402 shows an increase over the 2010 budget. Kenny said because of more work and more projects.  
403 Chamberlain asked if there is any documentation about how much carryover money there is in the various  
404 state and federal accounts. Kenny said Wyoming and BOR are keeping track of that; only Colorado is  
405 visible because that money is in the NCF account.  
406

407 Kenny discussed the preliminary draft of the FY 2012 budget. Kolanz asked if the individual permit for  
408 sediment augmentation and/or channel actions at Elm Creek would serve as a model for a regional general  
409 permit. Kenny said that is the hope. Purcell asked if the new federal process has streamlined accessing  
410 federal funds and suggests if we should less conservative up front with budgeting. Kenny said the ASAP  
411 system does help with day-to-day operations, and also will help to access the federal funds behind the  
412 BOR wall that have accumulated over time. In some ways, the challenges are dealing with perceptions  
413 but it is also dealing with the mechanics. Chamberlain asked if there are limitations to how much the  
414 budget can increase each year, and what the limitation is down the road. Kenny said the limitation is  
415 \$187 million during the First Increment. There is nothing codified that says a certain amount each year.  
416 The limitations are good sense and the practicality of projects. Purcell asked about new money. Kenny  
417 said that is the proposed budget for the next year. Purcell said the concern is the accumulated federal  
418 funds and the expenditure history of the Program. If Kenny and Lawson can work out how to deal with  
419 the accumulated funds, that is the main issue that needs to be sorted out. Chamberlain asked if the federal



420 contribution is reduced, would the state contributions increase. Kenny said no, the contribution limits are  
421 fixed. Purcell said get the full federal funding strategy worked out with Lawson before coming to the FC  
422 with the next version of the 2012 budget.

423

#### 424 **Public Comment**

425 Schneider asked for public comment. None offered.

426

#### 427 **Future Meetings & Closing Business**

428 Upcoming GC meetings:

- 429 • December 6-7, 2011 in Denver, CO at the Warwick Hotel in downtown Denver

430

431 **Meeting adjourned at 10:00 a.m. Mountain time.**

432

#### 433 **Summary of Action Items/Decisions from September 2011 GC meeting**

434 1) Approved June 2011 GC minutes.

435 2) Approved LiDAR/aerial photography RFP as amended.

436 3) Appointed a Proposal Selection Panel for the LiDAR/aerial photography RFP: Farnsworth (EDO),  
437 Brei (EDO), Hallum (Nebraska DNR), Besson (Wyoming), Walters (TNC).

438 4) Approved motion of support for Program funding of \$25,000 for an IGERT student project at the  
439 University of Nebraska-Lincoln.

440 5) Directed the EDO, with input from the TAC, to prepare a proposal to the ISAC to ask them for  
441 technical scientific advice related to the Platte River caddisfly as it pertains to Program management  
442 actions to be brought back to the GC no later than June 2012 for review and approval.

443 6) Directed the EDO to not prioritize tree clearing near the sloughs at the McCormick and Binfield  
444 properties until after PRCF issues are more fully vetted at the GC level.

445 7) So moved: Whereas the J-2 project is the best alternative water supply available to the Program;  
446 whereas the Program has evaluated the feasibility of potential water supply projects and the J-2  
447 project has been determined to be most feasible; and whereas the next step is to enter into formal  
448 negotiations to develop a sponsorship agreement for the project; the GC should form a committee to  
449 begin negotiations of the sponsorship agreement with CNPPID and Nebraska.

450 8) Appointed a sub-committee to develop an agreement for the J-2 project: Schneider (Nebraska),  
451 Purcell (Wyoming), Lawson (BOR), Berryman (Colorado), George (USFWS), Heaston (TNC),  
452 Kenny and Program staff.

453 9) Approved:

454 ○ Allowing the ED Office to seek appraisal of and begin negotiations for acquisition of Tracts  
455 0832 and 0901;

456 ○ Allowing the ED Office to continue negotiations on Tracts 1101 and 1102;

457 ○ Ceasing further pursuit of Tracts 1105 and 1107;

458 ○ Allowing the ED Office to provide a 14-day offer in writing to Mr. Day to satisfy the  
459 boundary dispute at Tract 1020. If that offer is rejected or expires, the GC authorizes the ED  
460 Office to pursue construction of fence on the surveyed boundary lines on Tract 1020;

461 ○ Allowing the ED Office to enter into a contract at East 2011001 for excavation of material to  
462 construct off-channel sand and water habitat; and

463 ○ Allowing the ED Office to enter into a contract and complete acquisition of Tract 1019.