



1 **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**
2 **Governance Committee Meeting Minutes**
3 Executive Director's Office (EDO) Conference Room – Kearney, NE
4 September 9-10, 2014
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6 **Meeting Attendees**

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8 **Governance Committee (GC) Table**

9 **State of Wyoming**

10 Harry LaBonde – Member (Chair)

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12 **State of Colorado**

13 Don Ament – Member

14 Suzanne Sellers – Alternate

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16 **State of Nebraska**

17 Jim Schneider – Member

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

20 Eliza Hines – Alternate

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22 **Bureau of Reclamation (BOR)**

23 Gary Campbell – Member

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25 **Environmental Entities**

26 Marian Langan – Member

27 Bill Taddicken – Member

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29 **Upper Platte Water Users**

30 Dennis Strauch – Member

31 George Williams – Member

32
33 **Colorado Water Users**

34 Alan Berryman – Member

35 Deb Freeman – Alternate

36
37 **Downstream Water Users**

38 Brian Barels – Member

39 Don Kraus – Member

40 Mark Czaplewski – Member

41 Kent Miller – Member

Executive Director's Office (EDO) Staff

Jerry Kenny, Executive Director (ED)

Jason Farnsworth

Bruce Sackett

Chad Smith

Audience Members

Brock Merrill – BOR

Cory Steinke – CNPPID

Matt Rabbe – Service

Kevin Urie – Colorado Water Users

Philip Stuckert – WY State Engineers' Office

Amy Jeffrey Hill – Landowner

Dianne Jeffrey – Landowner

Joe Jeffrey – Landowner

Duane Woodward – CPNRD

Pat Engelbert – HDR

Jim Jenniges – NPPD

Christine Reed – UNO

Lori Potter – Kearney Hub

Bob Wallace – Landowner

Jeff Shafer – NPPD

Tyler Krevalek – KRVN



Welcome & Administrative

LaBonde called the meeting to order at 2:00 p.m. Central time. The group proceeded with introductions.

Berryman moved to approve the June 2014 GC minutes; Strauch seconded. Minutes approved.

Program Committee Updates

Land Advisory Committee (LAC)

Czaplewski provided an update on the latest LAC activities. The LAC met on August 26 via conference call and addressed Tract 1405 and the sale of easement land at 2011001 East (both on GC agenda). The next LC meeting is October 20 in Kearney.

Water Advisory Committee (WAC)

Kenny provided an update on the latest WAC activities. The WAC met on August 12 at Lake McConaughy Visitors Center and heard updates on all Water Action Plan alternatives. There was a presentation from Jeff Shafer at NPPD on the permit application and a discussion on replacing surface water irrigation with groundwater irrigation and the DNR will make a presentation at the next WAC meeting on how that is addressed in state regulation and process. The WAC talked about E65 groundwater recharge; Phelps groundwater recharge and active well pumping; an update on the wet meadows hydrologic monitoring project; presentation on the draft SDMF spring 2013 release; and preliminary discussions of the 2015 draft Water Plan budget. The next WAC meeting is October 21 at Lake McConaughy.

Technical Advisory Committee (TAC)

Sellers provided an update on the latest TAC activities. The TAC met on June 23rd in Kearney with a regular meeting followed by a grassland vegetation management workshop. The TAC recommended publication of the Horn response (in GC packet), approved the 2013 tern/plover monitoring report as final, and moved the tern/plover habitat synthesis chapters on to the GC for review. The TAC also met via conference call on August 13 and approved the scope of work for peer review of the tern/plover habitat synthesis chapters. The TAC recommended peer review panelists for the tern/plover habitat synthesis chapters. The annual AMP Reporting Session is in Omaha October 14-15 and the TAC will be meeting jointly there with the ISAC. There may be another TAC meeting/conference call the previous week while several TAC members are at the CAMNet Rendezvous on the Trinity River in California on October 6-8.

Finance Committee (FC)

Campbell provided an update on the latest FC activities. The FC met on August 18 and approved the multi-year permitting RFP, had a discussion on a new J2 invoice, discussed securing additional funding through NRCS grant funding, and discussed negotiations for water agreements with NPPD and CNPPID. The next FC meeting is November 4.

Program Outreach Update

PRESENTATIONS

- Jerry Kenny presented on the Program to the Walkers in the Great March for Climate Actions at the Holdrege Community Center on July 10, 2014. The group of approximately 35 walkers is walking from Los Angeles, California to Washington, D.C. to raise awareness among Americans about the country's climate crisis. Mike Drain and John Thorburn also presented to the group.



- 88 • Jerry Kenny presented on the Program to the Annual Water and Natural Resources Tour participants
89 at the Elm Creek Complex on July 15, 2014.
90 • Justin Brei conducted a tour of the Cottonwood Ranch complex for the Nebraska Floodplain
91 Managers Association conference attendees on July 16, 2014.
92

93 EXHIBITS/SPONSORSHIPS

- 94 • The Program was a co-sponsor of the Annual Water and Natural Resources Tour, presented by the
95 Nebraska Water Center, Central Nebraska Public Power and Irrigation District (CNPPID) and the
96 Kearney Area Chamber of Commerce. This year the tour was of the Upper Platte River Watershed
97 and took place from July 15-18, 2014.
98 • Jerry Kenny, Chad Smith and Bridget Barron attended the Conference on Ecological and Ecosystem
99 Restoration (CEER) in New Orleans, Louisiana from July 28 – August 1, 2014. Jerry moderated a
100 session titled, “Restoration to Support Fisheries Habitat”. Bridget moderated a session titled,
101 “Adaptive Management and Monitoring” and Chad moderated a session titled, “Collaborative
102 Adaptive Management”. CEER is a collaborative effort of the National Conference on Ecosystem
103 Restoration (NCER) and the Society for Ecological Restoration (SER).
104 • The Program will be a sponsor of the CAMNet Rendezvous on the Trinity River on October 6-8,
105 2014 in Weaverville, California. The CAMNet Rendezvous brings together innovative natural
106 resource managers, scientists, policy makers, and citizens to share successes and challenges from
107 programs and projects that are conducting collaborative adaptive management on the ground in order
108 to advance the practice of CAM. Chad Smith is a member of the CAMNet Core Group and will be
109 presenting on the Program during a session on examples of large-scale adaptive management.
110 Several members of the Program’s TAC will be attending the Rendezvous as well.
111

112 UPCOMING PRESENTATIONS/EXHIBITS

- 113 • The Program is exhibiting at Husker Harvest Days in Grand Island on September 9, 10, and 11, 2014
114 in the Natural Resources Districts building. Husker Harvest Days is recognized as the World’s
115 Largest Totally Irrigated Working Farm Show™ and features the most extensive state-of-the-art
116 information and technology available for today’s agricultural producers.
117 • The Program will be exhibiting at the Natural Resources Districts annual conference at the Younes
118 Conference Center in Kearney, Nebraska on September 21 through the 23, 2014.
119 • Bruce Sackett will present a Program overview at the Nebraska Natural Legacy Conference in
120 Gering, Nebraska on October 8, 2014.
121 • The Program will be exhibiting at the South Platte Forum on October 22 & 23, 201 in Longmont,
122 Colorado. The Program is also a break sponsor of the event.
123 • The Program will be exhibiting at the joint conference of the Nebraska Water Resources Association
124 and the Nebraska State Irrigators Association on November 24 -26, 2014 in Kearney, Nebraska.
125 • The Program will be exhibiting at the Kearney Children’s Museum annual Halloween event on
126 October 30, 2014 in Kearney, Nebraska.
127

128 MEDIA/OTHER

- 129 • The Program was featured in the Kearney Hub Natural Resources weekend section on June 14 -15,
130 2014. Dave Zorn and Dave Baasch were interviewed for the article.
131 • The Kearney Hub featured an update on the J-2 Regulating Reservoir on August 29, 2014. The article
132 focused on progress in design of the reservoir, needed studies, protection of cultural resources and
133 relationships with affected landowners. Mike Drain and Cory Steinke were interviewed for the article.



134 Other articles about the project and the historical significance of the Plum Creek area were published
135 in the Kearney Hub on August 30, 2014.

136

137 **PRRIP FY14 Budget Update**

138 Kenny discussed the status of the FY14 PRRIP budget and associated expenditures and contracts. Total
139 expenditures to date total just under \$81 million. It looks like this year an additional invoice will not be
140 received from CNPPID for the J2 reservoir so that budget line item will not be expended. The net
141 controllable conserved water line items will also not be expended, so it appears the Program will end up
142 with expenditures of \$8-\$9 million in 2014 (similar to 2011). Expenditures are caught back up and
143 proportionate expenditures are back in effect. Campbell asked as farmland go down in value, do taxes go
144 down as well. Sackett said historically over the past 10 years there were two years where taxes went
145 down. Now, taxes are moving upward at about 6-7%.

146

147 Kenny and Farnsworth updated the GC on the status of the NET grant application for funds to assist with
148 in-channel vegetation management. The Program is a partner in the grant application and committed to
149 \$200,000 per year for the next three years. The FC reviewed the draft grant application and the final
150 application was submitted on September 3. Farnsworth said flood flows have taken out low-lying
151 vegetation but older vegetation remains in place and we will need to be able to get in the channel and do
152 mechanical work, even on private land where access is granted. A decision on the grant is expected in
153 early 2015.

154

155 Kenny and Sackett updated the GC on the opportunity afforded the Program to submit a proposal to the
156 USDA for a one-time grant. Sackett described the Regional Conservation Partnership Program (RCPP)
157 and the pre-proposal submitted by the Program with other partners. The pre-proposal described a project
158 of \$4.4 million in each of the next 5 years with the RCPP providing \$1.7 million annually if awarded.
159 The pre-proposal was submitted in late July and we received notice that the Program made the first cut. A
160 full application must be submitted by the end of the September. Kenny said this would not add to the
161 funds needed for the Program, but instead would take some pressure off funds from the Department of
162 Interior. Funds would be used for the same projects as planned under the Program, it would just take
163 funds from a different source than the Department of Interior. Campbell said there is \$2.4 billion
164 available nationally under this program.

165

166 Kenny introduced the multi-year permitting RFP and Smith discussed the purposes. Freeman asked if the
167 timeline was realistic and what it means for the long term in regard to sediment augmentation. Smith said
168 the hope is that by having secured permits previously for similar work (mechanical placement of
169 sediment, not pumping) that permits can be secured more quickly, and that mechanical placement can
170 then be used a long-term strategy to deal with sediment deficits.

171

172 *Schneider moved to approve the RFP; Berryman seconded. RFP approved.*

173

174 *The GC appointed Hines (Service), Sellers (Colorado), and Smith (EDO) to the Proposal Selection Panel.*

175

176 **PRRIP Peer Review & Publications**

177 Smith discussed the peer review process for the tern/plover habitat synthesis chapters, the proposed scope
178 of work for the peer review, and the proposed peer review panel. Schneider said he was curious as to
179 where this gets us. Smith discussed what the intent behind the chapters is – to synthesize large amounts



180 of data, have them reviewed and fix any problems, cite them in future State of the Platte reports, and
181 deliver information to the GC that can be utilized more definitively in decision-making.

182 *Campbell moved to approve the peer review scope of work and appoint the recommended peer review*
183 *panel (Buenau, Catlin, Wiley, Zelt); Ament seconded. **Tern/plover habitat synthesis chapters peer***
184 **review scope of work approved and peer review panel appointed.**

185
186 Smith discussed the response developed by the EDO to the Horn et al. article. *Berryman moved to submit*
187 *the response for publication; Barels seconded. **Motion to submit response for publication approved.***
188

189 **Target Flows**

190 Smith discussed the independent expert scope of work and objectives for that work. Barels said he sits on
191 said a stakeholder committee on the Missouri River and they have similar issues (species, flows, etc.) to
192 the Platte. The Missouri River has an independent science body as well and recommended that the
193 Missouri River program develop an adaptive management plan around species needs, flows, and
194 management activities. That panel includes Dennis Murphy from the University of Nevada and he has
195 worked on structured effects analysis. That process applies the science that is known to the questions that
196 are associated with the species. The Platte has been ahead of the game on adaptive management but he
197 wonders if that Missouri River process has merit on the Platte versus the process offered by the Platte
198 River ISAC. He has been impressed with the results of the effects analysis process so far and thinks it
199 might be worth looking at on the Platte.

200
201 Hines said Loftin might have familiarity with effects analysis and maybe could scope that process out for
202 the Platte. There is a scale difference between the Missouri and Platte that might be a complicating
203 factor. LaBonde said he is hearing it might be worth scoping out an effects analysis along with the
204 original ISAC process to see what that might entail. Barels said the Platte River ISAC could be asked to
205 weigh in on the effects analysis process and whether it would be a useful option for the Platte to consider.
206 Smith said this can be added to the discussion at the October AMP Reporting Session. Hines said the
207 effects analysis process might be a good way to broker disagreements, and there are things we could
208 adopt from the Missouri like conceptual models and other tools. Campbell asked what Barels was saying
209 in terms of how the Platte looks at this process. Barels said he is only considering the process as an
210 example, not the entities involved. Hines said Barels is just saying this might be a better process to use to
211 set target flows. Campbell said he just wants to make sure the Platte doesn't get linked into the Missouri
212 River. Hines and Barels said that won't happen.

213
214 Berryman said it sounded more like an operations plan as opposed to setting up target flows. Barels said
215 to a certain degree what we have pulled together in the tern/plover chapters is similar to the effects
216 analysis. Schneider said he wanted to make the point about hydrology and the water budget and that there
217 are practical constraints and limitations that need to be addressed. Smith agreed and said that was
218 definitely part of the ISAC discussion about this when they developed their recommended process.

219
220 **UNO Research**
221 Kenny introduced Christine Reed from UNO and she gave a presentation on her research regarding the
222 Program. Schneider said a main question is how the GC makes decision and how to do that most
223 effectively. Reed said some of the internal structures in the Program are already in place to help, and
224 most of that is built around social capital – talking at dinner between the first day and second day of the
225 GC meeting, for example. Compared to what is happening in many other places, the Platte Program is
226 really a model that her institute intends to use widely as a model of success. Kenny asked if Reed was



227 going to compare/contrast any other models. Reed said it all depends on the funding and whether funds
228 can be put together for travel and further investigations.

229 **Public Comment**

230 Diane Jeffrey spoke as a landowner along the Platte. She asked when the Program started. Kenny said
231 2007. She is interested in the J2 reservoir because it affects her. She has been living along the Platte
232 since 1960 and has a biology degree from Colorado State University. She said Reed gave a good
233 statement on balancing human needs, and not taking agriculture out of production for comments. That
234 needs to be considered very carefully in your decision-making.

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236 **Meeting adjourned at 5:00 p.m. Central time.**



Wednesday, September 10, 2014

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Welcome and Administrative

LaBonde called the meeting to order at 8:02 a.m. Central time and the group proceeded with introductions.

J2 Reservoir Update

Kraus and Steinke gave an update on the J2 project. Letters are likely going to landowners in October, there can be no negotiations with landowners for 45 days after that, and there will likely be a public meeting in November. The Nebraska DNR approved the CNPPID petition for the project. CNPPID has been working with the counties on road realignment and there is now a preferred option for moving roads. The consultation letter from the Service is generally a positive response on the project, but there are certain items that have to be dealt with. LaBonde asked where we are at with permitting with the State of Nebraska. Kraus said extension of the Phelps Canal is approved. Berryman asked about the comment considering the reservoirs as storage and not re-regulation. Kraus said the DNR considered that but moved forward with approving the petition. Schneider said the petition was narrow in what it was asking and that is what DNR acted on.

PRRIP Procurement Policy

Kenny discussed the proposed amendment to the PRRIP Procurement Policy. The action required by the GC is approving the amendment of the policy to ensure that potential PRRIP contractors are not suspended or debarred from receiving federal funds.

Taddicken moved to adopt the amendment to the PRRIP Procurement Policy; Schneider seconded.
Procurement policy amendment approved.

Public Comment

LaBonde asked for public comment. Diane Jeffrey said she owns Jeffrey Island that is adjacent to the J2 project area. The island has been used for many years to raise Black Angus cattle by Robb Ranch. The island has been used since 1874. The island is next to Canaday Steam Plant. CNPPID will own the island within a year, so this is a perfect opportunity to put the reservoirs on the island and avoid impacts to landowners along the river in the current design of the reservoirs. There would be wildlife benefits to having the reservoirs on Jeffrey Island. This will allow for the benefits of the reservoir to go forward, both for endangered species and target flows. There are 4,000 acres on this island, but the project only calls for 200 acres. So there is plenty of room on the island and that will save time, money, and lawsuits for trying to procure other land that is now under consideration. Diane said she was told engineers were looking at the island as a possible spot at one point and it seems like they can determine how to make it work on the island. This would also save problems with moving roads, moving Plum Creek, and causing problems for agriculture. The island location would also avoid conflicts with historical areas like the Oregon Trail and the cemetery burial plots. There are ruts of the Oregon Trail on our land and they are also along the project area. We have Oregon Trail and Pony Express followers in the area and this will be eliminated by the current project area. This is something you should talk about when you go into Executive Session. Thank you for letting me offer my comments.

How many of you have ever recovered any of the Platte River? There is one person that has physically done that for seven miles, and that is Joe Jeffrey. In 1960, the only way to the island was to go to Overton and go back in because the North Channel was dry. Mr. Jeffrey made a dike to go over to the



284 island and that recovered 7 miles of river habitat land so the water flowed on both sides of Jeffrey Island
285 and that led to many wildlife benefits. Mr. Jeffrey deserves recognition for his efforts.

286
287 Please take this map and talk about the option of putting the reservoirs on the island during the Executive
288 Session. Thank you.

289
290 Joe Jeffrey said he will be conducting a tour of the damage done to the Robb Ranch by CNPPID with the
291 county commissioners and the press. We will talk about seepage, erosion, bridges, drainage, irrigation
292 tubes, and will generally have an extended tour of this damage. Until CNPPID talks to him about this
293 damage, nothing further will be done with Robb Ranch. This tour will be after the corn and soybeans are
294 out and it is up to the county commissioners if they want to invite others to attend. Thank you.

295
296 **Executive Session**
297 *Berryman moved to enter Executive Session; Schneider seconded. GC entered Executive Session at*
298 **8:45 a.m. Central time.**

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300 *Heaston moved to end Executive Session; Berryman seconded. GC ended Executive Session at 10:15*
301 **a.m. Central time.**

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303 **GC Action Items**
304 *Hines moved to utilize the Program's Good Neighbor Policy to ensure affected counties are made whole*
305 *due to lost tax revenues from removing lands on those county tax rolls for the J2 regulating reservoir*
306 *project; Strauch seconded. Motion approved.*

307
308 *Schneider moved to approve the LAC recommendation to cease pursuit of Tract 1405; Kraus seconded.*
309 **Motion approved.**

310
311 *Ament moved to approve the LAC recommendation to not sell the access easement on Tract 2011001 East*
312 *and stay with the original agreement; Heaston seconded. Motion approved.*

313
314 *Schneider moved to authorize the EDO to seek acquisition of Tract 1404; Taddicken seconded. Motion*
315 **approved.**

316
317 *Heaston moved to give the EDO authority to exchange Tracts 1406 and 1407 (80 acres) for Tract 0832;*
318 *Berryman seconded. Motion approved.*

319
320 *Ament moved to give the Nebraska Game and Parks Commission until noon Central time on November 3,*
321 *2014 to respond to the Program on acquisition of Tract 1221. If no written commitment to purchase is*
322 *proffered, the EDO is given authority to seek sale of the property at auction; Campbell seconded.*
323 **Motion approved.**

324
325 **Future Meetings & Closing Business**
326 Upcoming 2014 GC meetings:
327 • November 12, 2014; 9:00 a.m. to 2:00 p.m. Mountain time; @ Denver airport hotel TBD
328 • December 2-3, 2104 @ Denver, CO; @ Warwick Hotel

329



330 Hines said the Service will not revise the latest milestones report because so much time has passed.
331 Instead, the Service will work with the EDO to determine if another document is being developed before
332 the next bi-annual report that the Service could provide updated comments on.
333

334 **Meeting adjourned at 11:56 a.m. Central time.**
335

336 **Summary of Action Items/Decisions from September 2014 GC meeting**

- 337 1) Approved the June 2014 GC minutes.
- 338 2) Approved the multi-year permitting RFP and appointed Hines (Service), Sellers (Colorado), and
339 Smith (EDO) to the Proposal Selection Panel.
- 340 3) Approve the scope of work for peer review of the five tern/plover habitat synthesis chapters and
341 appointed the peer review panel (Buenau, Catlin, Wiley, Zelt).
- 342 4) Approved seeking publication of the EDO response to the 2012 Horn et al. article.
- 343 5) Agreed to utilize the Program’s Good Neighbor Policy to ensure affected counties are made whole
344 due to lost tax revenues from removing lands on those county tax rolls for the J2 regulating reservoir
345 project.
- 346 6) Approved utilizing the Program’s Good Neighbor Policy to ensure affected counties are made whole
347 due to lost tax revenues from removing lands on those county tax rolls for the J2 regulating reservoir
348 project.
- 349 7) Approved the LAC recommendation to cease pursuit of Tract 1405.
- 350 8) Approved the LAC recommendation to not sell the access easement on Tract 2011001 East and stay
351 with the original agreement.
- 352 9) Authorized the EDO to seek acquisition of Tract 1404.
- 353 10) Gave the EDO authority to exchange Tracts 1406 and 1407 (80 acres) for Tract 0832.
- 354 11) Gave the Nebraska Game and Parks Commission until noon Central time on November 3, 2014 to
355 respond to the Program on acquisition of Tract 1221. If no written commitment to purchase is
356 proffered, the EDO is given authority to seek sale of the property at auction.