PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM
Governance Committee Meeting Minutes
Executive Director's Office (EDO) Conference Room
March 11-12, 2014

Tuesday, March 11, 2014

Meeting Attendees

Governance Committee (GC) Table

State of Wyoming
Harry LaBonde – Member (Chair)

State of Colorado
Don Ament – Member
Suzanne Sellers – Alternate

State of Nebraska
Jesse Bradley – Alternate

U.S. Fish and Wildlife Service (Service)
Eliza Hines – Alternate

Bureau of Reclamation (BOR)
Gary Campbell – Member

Environmental Entities
John Heaston – Member
Bill Taddicken – Member

Upper Platte Water Users
Dennis Strauch – Member

Colorado Water Users
Alan Berryman – Member

Downstream Water Users
Brian Barels – Member
Don Kraus – Member
Mark Czaplewski – Member
Kent Miller – Member

Executive Director's Office (EDO) Staff
Jerry Kenny, Executive Director (ED)
Bridget Barron
Jason Farnsworth
Bruce Sackett
Chad Smith

Audience Members
Lori Potter – Kearney Hub
Brock Merrill – BOR
Mike Drain – CNPPID
Corey Steinke – CNPPID
Kevin Urie – Denver Water
Duane Hovorka – Nebraska Wildlife Federation
Matt Rabbe – Service
Diane Hoppe – MWH
Mike Besson – State of Wyoming
Jeff Runge – Service

Welcome & Administrative

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

Miller moved to approve the December 2013 GC minutes; Strauch seconded. **Minutes approved.**

Smith updated the GC on the results of the electronic poll on the Independent Science Review Services RFP. The GC vote was unanimous in support of the RFP and it is now open to the public for proposals. *The GC appointed the following Proposal Selection Panel: Urie (Colorado Water Users), Czaplewski (Downstream Water Users), Smith (EDO).*

Program Committee Updates

Land Advisory Committee (LAC)

Czaplewski provided an update on the latest LAC activities. The LAC met on February 25 in Kearney. The LAC addressed Tract 1312 that will be discussed later during the GC meeting, received an update from the Nebraska Game and Parks Commission on the Public Access Program. LaBonde asked if there could be a presentation in June to the GC on how the Public Access Program went last year. Heaston said that will happen. Czaplewski said the next LAC meeting is June 6. There has been some discussion of the LAC meeting somewhat less frequently because of where the Program is with the land milestone. The first tract of Program land was recently sold at public auction and the GC will hear more about that tomorrow.

Water Advisory Committee (WAC)

Steinke provided an update on the latest WAC activities. There was a short meeting via conference call on February 4th. A main topic was the J2 reservoir project that will be discussed later at the GC. Water leasing with Central Platte NRD and CNPPID were also discussed. There was a presentation on data being collected on wet meadows and an update on an investigation of hydro-climatic indices.

Technical Advisory Committee (TAC)

Sellers provided an update on the latest TAC activities. The TAC met twice this year. On January 22 there was a regular meeting and recommended approval of the ISR RFP; there was discussion about the peer review and publication process; and the remainder of the meeting was a discussion about AMP implementation reports and accepted the spring 2013 whooping crane monitoring report as final. The TAC met on February 18 for a whooping crane workshop. There was more discussion of the peer review and publication process, review of the whooping crane telemetry proposal, review of whooping crane habitat selection analyses, and the TAC developed an initial list of models to test during the new habitat selection analysis. Smith also noted the April 22-24 ISAC/TAC meeting in Omaha, NE.

Finance Committee (FC)

Campbell provided an update on the latest FC activities. The FC met once with several items reviewed and approved; those comprise the items listed in the Budget Action Summary Table in the GC meeting packet.

Program Outreach Update

PRESENTATIONS

- Chad Smith and Pat Engelbert presented on Sediment Augmentation to the Nebraska Section of the American Society of Civil Engineers on January 16, 2014 in Lincoln, Nebraska.

- Jerry Kenny was the keynote speaker for the Nebraska Wildlife Society conference on February 27, 2014 in Kearney, Nebraska. He presented an overview of the Program.
- Corey Steinke and Jerry Kenny presented on the J-2 Reservoir to the Holdrege Rotary on February 27, 2014.
- Jerry Kenny presented to the Nebraska Community Foundation Board on the relationship between the PRRIP and the NCF on February 28, 2014 in Grand Island, Nebraska.
- Corey Steinke and Jerry Kenny presented on J-2 at the Central Nebraska Public Power and Irrigation District (CNPPID) annual water event on March 3, 2014.
- Jerry Kenny presented an overview of the Program to the general public at Rowe Sanctuary on March 9, 2014.
- Chad Smith presented a Program overview on February 11, 2014 at the Saratoga-Encampment-Rawlins (SER) Conservation District and Medicine Bow Conservation District Winter Workshop in Medicine Bow, Wyoming.
- Jason Farnsworth presented on Adaptive Management – Endangered Species and the Platte River, on February 14, 2014 to the Nebraska Sustainable Agriculture Society (NSAS) in Kearney, Nebraska.

EXHIBITS/SPONSORSHIPS

- The Program exhibited at the Nebraska Weed Management Area Summit on January 14-15, 2014 in Kearney, Nebraska. We made 94 contacts during the event.
- The Program was a sponsor and exhibitor at the annual meeting of the Four States Irrigation Council in Fort Collins, Colorado on January 15-17, 2014. We made 137 contacts during the event.
- The Program exhibited at Colorado Water Congress in Denver, Colorado on January 29 – 31, 2014. We made 520 contacts over the course of the three days.
- The Program exhibited at the Rainwater Basin Informational Seminar on February 1, 2014 in Grand Island, Nebraska. We made 225 contacts during the event.

UPCOMING PRESENTATIONS/EXHIBITS

- Chad Smith is presenting a Program overview at the Missouri River Natural Resources Conference (MRNRC) in Nebraska City, Nebraska on March 12, 2014.
- Dave Baasch is presenting on the Program's work with Least Terns and Piping Plovers at the Missouri River Natural Resources Conference (RNRC) on March 12, 2014.
- The Program will be exhibiting at Audubon's Nebraska Crane Festival (Formerly known as the Rivers & Wildlife Celebration) in Kearney, Nebraska on March 22, 2014.

MEDIA/OTHER

- The Program sponsored the Migration Special issues of Prairie Fire (January, February and March 2014 issues). The February issue included the pull-out field guide, with the Program's ad prominently displayed.
- The Program provided backpacks filled with Program promotional items for the Red Crown Habitat Tours at Rowe Sanctuary. The three hour tours are for small groups to learn about the Platte River Ecosystem and are held on Sundays beginning March 9th through April 6, 2014.
- The Program will be hosting Jane Goodall and her group from the Jane Goodall Institute in the Binfield blind on the evening of March 21, 2014.

PRRIP FY14 Budget Update

Kenny discussed the status of the FY14 PRRIP budget and associated expenditures and contracts. Barels asked about income and whether that money is available to be used for Program expenditures. Kenny said the money goes to the LIHE and then periodically the money is dispersed back to the NCF into the account in the proportions we are shooting for. It comes back into the account and adds to the money that is available. LaBonde asked where these numbers show up in the monthly financial status report. Kenny said it is cumulative number with interest and that is shown on the report.

Kenny discussed the sole source justification for the COHYST modeling contract.

Ament moved to approve the sole source request; Heaston seconded. The Downstream Water Users abstained from voting on the motion. Kenny noted a change in the contract language from "water services" to "professional services". **Sole source approved.**

2013 State of the Platte Report

Smith discussed the 2013 State of the Platte Report. Miller said the DWU wondered about whether this was a GC document or an EDO document to the GC. That is clarified within the text but it needs to be clarified on cover that this is written by the EDO and presented to GC. Miller used the example of the ISAC report cover page as a good way to present that. Smith said that change would be made in future reports. Czaplewski said there is some concern the GC Q&A sections are actually GC responses instead of EDO responses to possible GC questions. Smith said that would be clarified in future reports. Barels asked about the AMP and Big Questions and whether we can find a way to track whether we are addressing all the AMP priority hypotheses to make sure we haven't missed anything. Smith said the EDO will think about how to address that in future reports. Kraus pointed to page 24 and said to make sure on charts to be clear about what they are saying. For example, it would be good to clarify the graphs accompanying Big Question #6 more clearly show the trend is driven by sandpit nesting.

LaBonde said additional GC comments are welcome for the next month to help the EDO address any other issues in the 2014 report that is now underway.

PRRIP Peer Review & Manuscript Development

Smith discussed the latest version of the proposed schedule and process for Program peer review and manuscript development in 2014. Sellers said she sent an email to the TAC that Colorado's view is any publications pursued should be targeted and strategic. For the first step of the manuscript development process, it is good to build possible publications into the budget process but the starting point should be the ISAC process as a "litmus test" for deciding whether something is ready for potential publication. Sellers recommends adding a "b" that shows documents will run through the ISAC framework and then have the TAC bless which manuscripts the EDO works on. The EDO should run the manuscripts being drafted now through the ISAC framework to help explain the purpose for publication. Sellers is not too excited about seeing the stage change study published and would prefer to see a shorter list of potential publications for this year. LaBonde asked why Colorado does not want to see the stage change study published. Sellers said it has already been peer reviewed and it is not clear what the additional benefit of publishing that document. Hines said there were still lingering questions that need answered even after the peer review. The Service may see the value of publishing a little differently, so Hines agrees a good first step is to take potential manuscripts through the ISAC framework and go from there.

Barels said looking at the list, are these documents that would factor into GC decision-making, or are publications there just to present results after the GC make decisions? Barels said he thinks the only things that should be published are items that are complete, have results, and that the GC has made decisions with. Besson said he does not think publication will resolve differences of opinion on issues and the focus should be on working through the Program peer review process to resolve disagreements at that level. Farnsworth said in most cases we try to use something on the order of 10-15 lines of evidence and several of the items on the publication list are smaller pieces that help us find the right lines of evidence to use and are the basic science behind those lines of evidence.

Barels said if something relates to decision-making, it should be run through the Program's peer review process and maybe there are different levels of peer review that could be used. LaBonde asked if publishing offers some finality to the work we have done and can be used in the biological opinion, court, etc. Barels said he likes the approach of having a straw dog manuscript and seeing if it makes it through the TAC process and ends up being recommended to the GC for publication. Campbell asked what the value of publication is if articles can get published that maybe aren't the best in terms of quality. LaBonde said he would favor publishing more not less to help with the scientific credibility of the Program down the road. Barels said it would probably be wise to have the TAC discuss peer review options ("mini peer review") and work through different levels of peer review instead of moving things to publication. Campbell said the TAC should also look strategically at the items/issues/documents that really need to be addressed as we move closer to negotiations for a Second Increment. Kenny said there should be some serious thought about a mini peer review process to accelerate review and get things moving on review so information can be more quickly used in decision-making. Publication is the final standard and publication in a top journal can be a lengthy process to meet that standard of finality and admissibility.

Ament asked if we can agree that we include a mini peer review process and walk away from this meeting with an agreement on how to proceed. LaBonde said based on the guidance provided in 2013 State of the Platte Report, our focus should be on moving Big Questions to thumbs up or down and it seems like focusing on Program peer review should be our initial step. Besson said maybe the test is consensus on a study could mean it should be published, but disagreement over a document or issue should remain in the peer review and internal discussion environment. The forage fish issue would fit this approach – there is consensus on that issue so it could be moved to publication. Besson said developing a manuscript for the stage change study would also be a good test of the process. Sellers indicated that the TAC recommended to the GC to proceed with manuscripts for the Vegetation Scour and Lateral Erosion study and the forage fish analysis which are already partially complete and of the highest priorities on the list.

Kraus said the Program has decided we will do peer review and we shouldn't be debating whether we will do peer review or not. The discussion should be about what to review, when, and how we get things through that process. *Kenny said is his understanding is we take this back to the TAC, discuss the process, bring forward test cases for publication with the stage change study and the forage fish analysis, and we evaluate a mini peer review process. Sellers clarified that it should be Vegetation Scour and Lateral Erosion study and the forage fish analysis.*

Pathfinder Scoring

Besson summarized the results of the work of the Scoring Subcommittee to score the Pathfinder project. LaBonde said he does not see an action item on the agenda but the memo recommends accepting the score.

Berryman moved to accept the score for the Pathfinder project; Campbell seconded. **Score approved.**

J2 Reservoir Update

Kraus provided an update on the status of the J2 project. Ament asked how Central is feeling about the project. Kraus said things are moving along well, it could have started more quickly but the engineer is now on board, they have permitting help, and things are moving forward. Drain said they have started on road relocations and appraisals needed for landowner negotiations. Drain asked the GC if the format of the report seems appropriate (Kraus handed out copies of glossy report document). Sellers said it seems to work for this stage of the game. Campbell asked about dissenting votes from the Central board. Drain and Kraus said those are individual members, not the Board as a whole. Strauch asked if it is landowners affected by the project. Kraus said no.

PRRIP Indexing

Merrill updated the group on the latest indexing calculations. Rabbe asked when land prices were calculated and he expected land prices to change with declining corn prices. Merrill said the answer he got from Denver is that there is a delayed reaction and it may take about a year and a half to catch up.

Awards Ceremony

Kenny presented Ament with an award in appreciation for his service as GC Chair in 2013. Kenny presented Besson with an award for his many years of service to the Program as a representative of Wyoming.

Meeting adjourned at 5:20 p.m. Central time.

Wednesday, March 12, 2014

Welcome and Administrative

LaBonde called the meeting to order at 8:07 a.m. Central time and the group proceeded with introductions.

U.S. Fish and Wildlife Service Items

Rabbe provided an update on tiered consultations in 2013. Sellers asked why federal depletions reports do not go to the WAC for discussion like the state reports do. Rabbe said this same information is always presented to the WAC. Sellers said she is hoping the whole package can be presented and she has a couple minor issues with the information that are probably better dealt with at the WAC first before this information is brought to the GC. Kenny said we have just kept the presentation at the GC in March, the depletions focus for the WAC has always been at the May meeting. We can change the timing and do the presentation to the WAC in May and then to the GC in the June in the future. Kraus asked if the information presented is moved over to Nebraska's information. Rabbe said there have been discussions about that for federal depletions. Barels asked if there is a need to do that now. Rabbe said not for federal depletions, all of those so far have been in Colorado. Barels asked about the two depletions listed for Nebraska and why it says they will be addressed through the Nebraska New Depletions Plan. Rabbe said they are not federal, Bradley said they can be tracked in Nebraska. Strauch asked about projects listed as not part of the MOA. Rabbe said some of those projects came online before there was a MOA, and for the Department of Energy project there is no MOA.

Hines provided an update on the 2014 EA AOP and the waiver with Central for non-irrigation flows. Barels asked if the Service will do the whooping crane flow releases. Hines said they will see what happens once the ice melts. Barels asked if there is a preference among the medium priorities. Hines said priorities were set when we thought it was a dry year, now conditions are normal. Summer releases will depend on how dry conditions are and that will be something they will watch closely.

Hines provided an update on the Service's biannual milestones report. Kraus said in the document it is confusing because there is a mix of First Increment land objectives and then language about additional acres. Hines said they are trying to tweak that section to make it less confusing. Kraus said the Service has supported the acquisition so far and the language in the report makes some of this less clear. Hines said they have been struggling with this section and will continue to work on making is less confusing. Czaplewski said he shares Kraus' concerns. Hines said the Service does agree with everything purchased so far but they see the 10,000 acres as a floor but that there are other properties that may become available that need to be considered. Rabbe said Thabault has always supported these acquisitions at the GC level, but the Service wants to see continued efforts to acquire lands above the 10,000 acres that might offset land acquired that had been previously conserved. Czaplewski asked if it would help to make the EDO's biannual report more milestones-specific. Kenny said a table to accompany a map is a possibility, but the biannual report from the EDO was never intended to be a milestones report. Kenny said in meeting the reporting requirements, there has been a flow summary report to capture water-related efforts; for adaptive management we have the State of the Platte Report; and land items are generally reported to and discussed directly with the GC. We have not assembled a report specifically on the milestones. Rabbe said this was developed when Mike George was in the office and that fed into this report. There has been a quick transition since he left and the Service has been trying to determine how to move forward with this kind of reporting. Kenny said the EDO will consider developing a milestones report.

Campbell said he would like to see the Service's take on whether the Program has met the various goals and ideas for enhancement beyond the goals. LaBonde said in regard to the conservation lands that have been required, the Program did not target those lands they instead came to us and land that was going on the market and there was concern about whether those lands would remain in conservation ownership. Kraus asked about prioritizing water acquisition above Lake McConaughy and what that means. He does not know what that is all about and Central has concerns about inflows into Lake McConaughy. Bradley said conversations have just been starting and his understanding is the Service is looking to find ways to make sure water is getting into the EA. Hines said that is partially the objective, and the other objective is to just get water into Lake McConaughy. Sellers said when scoring projects they get dinged for losses to the habitat. There seems to be a disadvantage then to putting water instead into Lake McConaughy. There may need to be a shift in the idea of calculating losses all the way to the habitat. Barels said that leads to another GC discussion on the fair share of water for the species. If there is a way to get water from Colorado or Wyoming and get it to the species we need to find that. Hines said it is a big tradeoff analysis. LaBonde said he does not want to lose sight of the two naturally occurring flood events and that he thinks those should go toward crediting what the Program has done. Kenny said there have actually been four events. Ament said that caught him as well. Barels asked what you want to test with 8,000 cfs flows that you can't test with the natural flow events. Rabbe said if flows are higher some at the TAC say you can't compare apples to oranges, and some say if it didn't work at high flows it will never work at lower flows. Barels said if there is something specific the Service needs to address on this question, we need to know what those issues are so the Program can address them.

Heaston asked why the pallid sturgeon issue keeps coming up, the GC has had this discussion many times and he thought we had determined that we would not cause adverse impacts to pallid sturgeon in the lower Platte. Runge said goal #3 in the Program document discusses the need to test the assumption that Program activities can benefit the pallid sturgeon. Heaston said to what end – we have spent time and money determining we do not impact the lower river and given financial constraints he is not sure he wants to spend Program staff time pushing the issue further. Heaston asked what specifically the Service would want done. Runge said one option is to improve stream gaging to reduce error, but those ideas need to be discussed first at the TAC. Barels asked what kind of stream gaging the Service is talking about. Runge said that is a technical discussion that should be worked through at the TAC first. Barels said he does not believe the Program document talks about enhancements in the lower Platte for pallid sturgeon.

Czaplewski wonders if this discussion belongs in this biannual look. Rabbe asked if the GC would like the Service to just stick to the milestones in future reports. The current report goes a little deeper than that and it could be pared back. The Service does not get many opportunities to present something like this with recommendations and opinions but we can certainly stick to just the milestones if that is what is preferred. Barels said a report addressing milestones that includes additional recommendations or enhancements will give the GC better guidance on how to address the milestones and the other ideas can be evaluated based on available resources. Rabbe asked if the Service should update the 2013 report or make these changes for 2014. Ament asked if the current report will be archived. Hines said she has concerns about that. Campbell said he supports revising the 2013 report because he wants to use it as a tool within DOI. LaBonde said he concurs with that, and the GC agreed. Hines said the revisions would be made.

Sellers asked which conservation recommendations the Service is referring to. Kenny said there are 11 recommendations in the Biological Opinion. As examples, Kenny cited investigating and marking power lines; partnership with Platte Valley Weed Management; etc. With regard to FWCA reporting, Kenny said he needs help and guidance on what the Service needs to see. Items under this include flow-related effects to the finescale dace, impacts to Sandhill cranes, etc. Campbell said he urges if we go down that road, they go into the enhancement category because they are discretionary and we need to evaluate them against requirements and what we can afford. Runge said under FWCA, the program is federally-funded water resource development project so all the state agencies provided recommendations and that is compiled as an appendix to the EIS. Hines asked if the revised report should back to the GC at the next meeting. LaBonde said it should come back to the GC for comment and review.

Public Comment

LaBonde asked for public comment; none offered.

Executive Session

Ament moved to enter Executive Session; Heaston seconded. **GC entered Executive Session at 9:31 a.m. Central time.**

Heaston moved to end Executive Session; Berryman seconded. **GC ended Executive Session at 11:11 a.m. Central time.**

PRRIP Executive Session Motions

LaBonde said the GC decided to take no action on the reclassification of 72.4 acres of Tract 2009003 as non-complex habitat. The GC agreed.

Miller moved to approve the LAC recommendation to cease pursuit of Tract 1312; Bradley seconded. **Motion approved.**

Future Meetings & Closing Business

2014 GC meetings:

- June 10-11, 2014 @ Cheyenne, WY
- September 9-10, 2014 @ Kearney, NE
- December 2-3, 2104 @ Denver, CO

Barels asked Campbell if the approved federal budget affected the Program in any way. Campbell said no, federal dollars are being used for the approved budget and J2 is set aside as a special project. In FY15, we were successful in getting a proposed budget of $15 million. Mike Connor is the new Deputy Secretary of Interior and he is the former Commissioner of the BOR.

Kenny said Barels expressed thoughts on shuffling the typical dates for the March GC meeting because currently it conflicts with the Missouri River Natural Resources Conference and asked him to share them with the GC. Barels said he has asked the Missouri River folks to let him know when they schedule their next conference and then we can determine if we need to adjust future meeting dates.

Heaston said we should consider developing some kind of "wall of fame" to recognize people that are no longer working with the Program but made very important contributions, like Mike Besson and Ron Bishop. Kenny said he could consider photos like the one used for Mark Butler. Heaston said some kind of alumni recognition would be a good idea. Kenny said he will think about other ideas, possibly using the website as the medium.

Meeting adjourned at 11:23 a.m. Central time.

Summary of Action Items/Decisions from March 2014 GC meeting

1) Approved the December 2013 GC minutes.
2) Appointed a Proposal Selection Panel for the ISR RFP: Urie, Czaplewski, Smith
3) Approved the sole source request for the COHYST modeling contract.
4) Accepted the score for the Pathfinder project.
5) Approved the LAC recommendation to cease pursuit of Tract 1312.