



**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**  
**Governance Committee Meeting Agenda**  
**August 12-13, 2008**  
**Hampton Inn & Suites Conference Center – Scottsbluff, NE**

**TUESDAY, AUGUST 12<sup>th</sup> (ALL TIMES MOUNTAIN)**

START TIME (Duration)	TOPIC, PRESENTER, & PROGRAM PURPOSE <sup>1</sup>	MATERIALS
2:00 p.m. (:15)	<b>Welcome and Administrative:</b> Mike Purcell, GC Chair <i>Information, Discussion, and Action</i> <ul style="list-style-type: none"> <li>• Introductions/Attendance Roster</li> <li>• Agenda Modifications</li> <li>• <b>APPROVE JUNE 2008 GC MINUTES</b></li> </ul>	<b>Roster Agenda Draft Minutes</b>
2:15 p.m. (:60)	<b>Program Committee Updates</b> <i>Information and Discussion</i> <ul style="list-style-type: none"> <li>• Water Advisory Committee – Frank Kwapnioski, NPPD (Chair)</li> <li>• Land Advisory Committee – Mark Czaplewski, CPNRD (Vice-Chair)</li> <li>• Technical Advisory Committee – Mark Peyton, CNPPID (Chair) – cont. call Sept. 30</li> <li>• AMWG – Chad Smith, ED Office</li> <li>• Finance Committee – Mike Purcell, State of WY (Chair)</li> </ul>	
3:15 p.m. (:15)	<b>Program Outreach Update:</b> Bridget Barron, ED Office <ul style="list-style-type: none"> <li>• Recent media stories</li> <li>• Recent/upcoming Program presentations</li> </ul>	
3:30 p.m. (:30)	<b>General Program Items</b> <i>Information, Discussion, and Action</i> <ul style="list-style-type: none"> <li>• <b>PROCUREMENT POLICY</b> – Jerry Kenny, ED</li> <li>• Colorado depletions plan – Ted Kowalski, State of CO</li> </ul>	<b>Revised Policy Memo</b>
4:00 p.m. (:30)	<b>General Information Items</b> <i>Information and Discussion</i> <ul style="list-style-type: none"> <li>• Missouri River restoration issues – Mike Purcell, State of WY</li> <li>• Federal Budget 101 – John Lawson, BOR</li> </ul>	
4:30 p.m. (:60)	<b>FY08 Budget Items:</b> Jerry Kenny/Chad Smith, ED Office <i>Information, Discussion, and Action</i> <ul style="list-style-type: none"> <li>• Revised Program budget spreadsheet</li> <li>• <b>G-1: LiDAR ACQUISITION</b></li> <li>• <b>G-5 &amp; WMV-3: MONITORING THE CHANNEL GEOMORPHOLOGY AND IN-CHANNEL VEGETATION OF THE CENTRAL PLATTE RIVER</b></li> <li>• Budget Item Updates: <ul style="list-style-type: none"> <li>○ ISAC-1 &amp; PD-3: ISAC/Peer Review Panels</li> <li>○ WC-2: Analysis of CA-Collected Whooping Crane Monitoring Data</li> <li>○ TP-4: Tern/Plover Foraging Habits Study</li> </ul> </li> </ul>	<b>Spreadsheet Update Updates (2), Protocol, &amp; RFP</b>

<sup>1</sup> Items noted in uppercase and red are Action Items requiring Governance Committee motions and approval.

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Feb 10-11 - Kearney  
April 7-8 WY BFF NEO 233

08/05/2008

	<ul style="list-style-type: none"> <li>TP-5: Analysis of CA-Collected Tern/Plover Monitoring Data</li> <li>PS-1: Pallid Sturgeon Information Review</li> <li>PS-2: Lower Platte River Stage Change Study</li> <li>WQ-1: Platte River Water Quality Monitoring</li> </ul>	
<b>5:30 p.m.</b>	<b>ADJOURN</b>	

### WEDNESDAY, AUGUST 13<sup>th</sup> (ALL TIMES MOUNTAIN)

START TIME (Duration)	TOPIC, PRESENTER, & PROGRAM PURPOSE <sup>2</sup>	MATERIALS
8:30 a.m. (:15)	<b>Welcome and Administrative:</b> Mike Purcell, GC Chair <i>Information and Discussion</i> • Introductions/Attendance Roster	<b>Roster</b>
8:45 a.m. (:30)	<b>Analysis of CA-Collected Whooping Crane Monitoring Data:</b> Dale Strickland, WEST, Inc. <i>Information and Discussion</i> • Presentation on data analysis report	<b>Report</b>
9:15 a.m. (:60)	<b>EA Bypass Agreement:</b> Ted Kowalski, State of CO <i>Information, Discussion, &amp; Action</i> • <b>APPROVE EA BYPASS AGREEMENT</b>	<b>Agreement, FWS Letter, &amp; Water Plan Section</b>
10:15 a.m. (:15)	<b>Wyoming Property Sponsorship Agreement:</b> Bruce Sackett, ED Office <i>Information, Discussion, and Action</i> • <b>APPROVE SPONSORSHIP AGREEMENT</b>	<b>Agreement</b>
10:30 a.m. (:15)	<b>Public Comment</b> <i>Information and Discussion</i>	
10:45 a.m. (:60)	<b><u>GOVERNANCE COMMITTEE EXECUTIVE SESSION</u></b> <b>Program Lands</b> <i>Information, discussion, and Action</i> • <b>CONSIDERATION OF LAND TRACTS:</b> Tract 0803 Tract 0804 Tract 0811 Tract 0815 Tract 0829	<b>Cost Memo Tract Memo Tract Memo Tract Memo Tract Memo Tract Memo</b>
11:45 a.m. (:15)	<b>Future Meetings &amp; Closing Business</b> <i>Information and Discussion</i> • Next Meeting: October 7-8, Kearney, NE	
<b>12:00 p.m.</b>	<b>GC MEETING WRAP-UP &amp; ADJOURN</b>	

<sup>2</sup> Items noted in uppercase and red are Action Items requiring Governance Committee motions and approval.

**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM****Governance Committee Meeting Minutes****DIA County Inn & Suites – Denver, CO****June 10-11, 2008****Tuesday, June 10, 2008****Welcome & Administrative**

Mike Purcell called the meeting to order and the group proceeded with introductions. Mike Purcell offered comments on the loss of Mark Butler with the Fish and Wildlife Service and the group held a moment of silence.

John Lawson announced that the Program was the recipient of the Cooperative Conservation Award from the Department of the Interior and presented a certificate to Mike Purcell. Lawson asked that the certificate be posted in the Executive Director's office in Kearney. Lawson mentioned that the former Reclamation Commissioner John Keys, a supporter of the Program, also recently passed away. The group held a moment of silence.

Don Anderson offered comments about Mark Butler and passed around a card for the Governance Committee (GC) to sign for Mark's family. Anderson also spoke about the recent memorial service for Mark. Anderson provided information about possible charitable entities that Mark's family thought would be appropriate for donation in lieu of flowers. Anderson also suggested that the GC consider possibly naming a Program land holding or other feature after Mark in the future as a memorial to his legacy for the Program.

Jerry Kenny suggested that the discussion of the recent high flow event be moved to today's budget item discussion.

**Tom Dougherty moved to approve the April 2008 GC minutes; Norm DeMott seconded. The April 2008 minutes were approved.**

**Program Committee Updates****Water Advisory Committee (WAC)**

Frank Kwapnioski (NPPD) provided an update on the latest WAC activities. He summarized recent work related to the Boyle effort on the Water Management Study (WMS). Kwapnioski mentioned the WMS workshop held after the GC meeting in Kearney in February and indicated changes made to the draft WMS Phase I report. The WAC has been working with Boyle on Phase II of the WMS. The WAC held a water tour with Boyle in mid-May followed by a WAC meeting focusing on discussion of the scope of the Phase II alternatives. Boyle will be circulating a set of criteria for ranking various alternatives prior to the scheduled July 16<sup>th</sup> workshop in Denver to discuss alternative evaluation and selection. The WAC also discussed gage locations on the central Platte and supported installation of gages at both Lexington and Shelton; that effort will be discussed with the Technical Advisory Committee (TAC) at their July



meeting before the ED Office moves forward with gage installation. Kwapnioski mentioned that the ED Office and WAC are working on developing a tracking process for depletions plans.

Kwapnioski said the WAC recommends that the Phase I WMS report be approved. **John Lawson moved to approve; Don Kraus seconded. The GC approved Boyle's Phase I WMS report.**

Deb Freeman asked about Boyle's evaluation criteria for WMS alternatives. Beorn Courtney said there are four categories: 1) technical feasibility; 2) liability and risk; and two additional categories. Boyle is developing information on the ranking within each category (e.g. 0-5 scale with definitions for assigning a value to each alternative). Kwapnioski said the WAC just discussed general ranking categories with Boyle and that Boyle would take that information and develop categories that would be discussed with the WAC during the July meeting in Denver. Brian Barels said the Program Document states the alternatives should be consistent with First Increment Water Plan goals – pulse flows, and how they meet First Increment water objectives. Lawson asked if this would be discussed during the July workshop. Kwapnioski said Boyle would provide a proposal ahead of that workshop for discussion, and then it would be discussed at the workshop on July 16<sup>th</sup> in Lakewood, CO from 9:00 a.m. to 4:00 p.m. at the USFWS office.

Lawson reminded the group that Mark Butler had worked on a great deal of modeling to determine how projects could grade out and the group would have to work with Don Anderson and others to pick up Butler's institutional knowledge and make sure the WMS fits into that process.

#### **Land Advisory Committee (LAC) Update**

Mark Czaplewski reported the next LAC meeting will be July 14<sup>th</sup> in Kearney, NE. The Land Interest Holding Entity (LIHE) agreement is now finalized and signed, forming the Platte River Recovery Implementation Foundation. The LAC has initiated the land evaluation process and has held two site visits to evaluate potential Program properties. The LAC will discuss those site evaluations at the July meeting and hopefully will be ready to make its first land recommendations. Alan Berryman asked how many parcels are being discussed. Czaplewski said the LAC has seriously discussed fifteen parcels. Berryman said it is important to keep federal dollars in mind and try to find ways to use available funding on potential Program parcels. Czaplewski said the LAC appreciates the need to get going.

Ted Kowalski asked if the LAC would discuss the opportunity to work with The Conservation Fund or a similar entity to help with land purchases, especially quick purchases this year. Czaplewski said that certainly could be on the July agenda. Kraus asked how a group like the Fund could fit into the land evaluation process. Czaplewski said the process does allow that kind of partnership. Kowalski emphasized the need to find ways to move quickly on land deals when possible. Barels said we need to be careful about circumventing the process and need to be sensitive to central Nebraska land owners. Jason Farnsworth said that it is likely that there will be at least two parcels in front of the GC at the August meeting for approval to move forward.



Czaplewski said we might need to consider a special meeting or call of the GC to move land deals forward. Kowalski said that might be a good way to keep things moving. Purcell said if the LAC decides the time is right to move on land deals, then we can pull together a GC call to accommodate those decisions. John Heaston said generally conservation groups have not lost properties due to slow process, so the LAC process should work well.

#### **Technical Advisory Committee (TAC)/Adaptive Management Working Group**

Chad Smith said the next joint AMWG/TAC meeting would be July 9-10 in Kearney, NE, focusing on discussion about the five-year work plan for implementation of the Adaptive Management Plan.

#### **Program Outreach Update**

Bridget Barron said the Program was included in a story in the Grand Island paper related to tern and plover use of the Platte and discussion of a recent grant to UNL for the Tern and Plover Partnership. Several stories occurred in late April/early May related to President Bush signing the Program into law. John Lawson was featured in a story in the Casper paper about his work. Kenny was recently interviewed for a story in the August issue of NEBRASKAland.

Barron mentioned the following presentations:

May 21 presentation – Smith at UNL/USGS climate change conference  
May 6 – Kenny at Riparian Vegetation Management Task Force  
May 20 – Kenny at Colorado chapter of Engineering Companies  
June 17 – Kenny at Colorado Water Education Foundation  
July 28 – Smith at UNL/CAMNet adaptive management short course

Barron handed out fact sheets about various aspects of the Program for use as educational material.

#### **EA Bypass Agreement**

Kowalski said the legal ad hoc committee and EA bypass group have a conference call scheduled for June 16<sup>th</sup> to discuss the status of the bypass agreement. Kowalski said a key issue is who the signatories on the agreement will be. The legal ad hoc and bypass committees will discuss this next week and will have something to discuss with the GC in August. At this point, the USFWS will not be a signatory but will provide a formal statement from the agency as to their interpretation and what they believe they are agreeing to through the bypass agreement. Other outstanding issues remain that will also be discussed.

#### **FY08 Budget Items**

Kenny discussed the revised Program budget spreadsheet, changes made from previous versions, and the new columns in the spreadsheet. John Heaston asked if we could add a column that shows remainder of project money for the year to help keep track of what is still available. Purcell clarified that Heaston is talking about including a column that reflects the division of



money for various Program aspects that make up the \$187 million in anticipated Program funding during the course of the First Increment. Lawson said this is a good point and will continue to be discussed with the ED Office and the Finance Committee. Lawson also said we need to work on cost escalation and inflation issues.

Dougherty asked about the process for releasing RFPs and publishing results from monitoring and research. Smith said the tern/plover foraging habits study RFP includes language about publishing, and that work is underway to formalize the process of analyzing monitoring and research data and publishing reports/studies as a result.

Barels said the Program budget has run on an annual calendar year budget as opposed to the federal fiscal year budget. Barels said there have been questions about resolving the federal budget cycle, the state budget cycle, and the Program budget cycle. Kenny said we are keeping very detailed accounting in coordination with Reclamation. Lawson said he is working through how best to determine how to obligate/spend federal dollars based on what is received as an appropriation. Barels said we need to budget at a higher level to be able to track long-term spending and match it with Program needs and appropriation availability. Lawson said he is working on a cost escalation table to help.

#### **TP-4: Tern/Plover Foraging Habits Study**

Kenny discussed the tern/plover foraging habits study and the estimated \$120,000 from 2008-2010. **Tom Dougherty moved to approve the RFP and the Proposal Selection Team; Julie Lyke seconded. The GC approved the RFP and Proposal Selection Team.**

Purcell asked if anyone opposed dropping the TP-4 budget from \$85,000 down to \$40,000 for FY08. Kraus said he did not have a problem, but that there are other options. Lawson said a key is that the federal government does not carry over large sums of money, so the proposal is to follow that kind of process. **Don Kraus moved to approve; Dennis Strauch seconded. The GC approved lowering the TP-4 budget line item from \$85,000 to \$40,000.**

#### **WMV-3: Central Platte River Vegetation Monitoring**

Kenny discussed moving \$45,000 from TP-4 to this new budget line item. Funds would be to get contractor on board to help revised monitoring protocol, develop budget and monitoring plan, and ultimately implement monitoring. Purcell asked for a motion to approve adding line item WMV-3 to the budget at a funding level of \$45,000. **John Heaston moved for approval; John Lawson seconded. The GC approved.**

#### **PD-4: Contract for Adaptive Management Plan (AMP) Implementation Modeling Workshop**

Kenny discussed the sole-source justification for Dr. Drew Tyre to lead a Rapid Prototyping workshop in July to do some simple modeling related to AMP implementation. The contract would be for no more than \$10,000 for Dr. Tyre to lead the workshop. **John Heaston motioned to approve the contract; Brian Barels seconded. The GC approved.**



173  
174 **LP-2(a) – 2008 Cottonwood Ranch Enhancement Activities**

175 Kenny discussed the 2008 Cottonwood Ranch enhancement agreement for 2008. Kenny said the  
176 only difference from past agreements is the paragraph stating that the Program has liability  
177 insurance that will cover any potential downstream impacts related to enhancement activities.  
178 Kenny said we need GC approval of the proposed enhancement activities, proposed budget, and  
179 form of the agreement. Kowalski asked what would be left in LP-2(a). Kenny said the available  
180 budget would cover maintenance and enhancement activities in both 2007 and 2008. Lawson  
181 said to be sure to adjust the actual amount of obligations in LP-2(a) and LP-2(b). **Dennis**  
182 **Strauch moved to approve the contract; Jennifer Schellpeper seconded. The GC approved.**  
183

184 **ISAC-1 & PD-3: ISAC/Peer Review Panels**

185 Smith provided an update on the process to select contract help with finding members for the  
186 Independent Scientific Advisory Committee and five peer review panels. The proposal teams  
187 Sustainable Ecosystems Institute and PBS&J will be interviewed on June 19<sup>th</sup> in Lincoln, NE.  
188

189 **G-1: LiDAR Implementation**

190 Kenny discussed the status of LiDAR acquisition. A group of partners coalesced last fall around  
191 a need for topographic data; LiDAR was generally understood to be the best form of data.  
192 Acting together, the partners could get high-quality services at a lower price. The consortium is  
193 the Rainwater Basin Joint Venture; the Nebraska Department of Natural Resources; the Program;  
194 the State of Kansas; and the USGS Nebraska Science Center. Several avenues were explored for  
195 evaluating and selecting potential contractors. The USGS has a list of approved contractors, but  
196 decided to first estimate what it would cost for the USGS to manage the process. The estimate  
197 was significantly higher than expected. Another contractor from the Corps of Engineers list  
198 offered an estimate that was also higher than expected. The team then worked through a more  
199 comprehensive Department of Interior list of contractors and ended up with a cost estimate more  
200 in line with expectations. Kenny said it is likely that we can get LiDAR from North Platte to  
201 Chapman for the approved budget amount of \$250,000. The contractor of choice for flying  
202 LiDAR is Merrick; Dewberry will be brought on as a contractor to manage LiDAR data  
203 acquisition and processing.  
204

205 There will be a MOU between all the parties. Funding will be passed through the Rainwater  
206 Basin Joint Venture. The intent is to fly LiDAR this fall with leaves off, no snow, and low water  
207 conditions. Kenny asked the GC to approve proceeding on this path, and also to provide any  
208 advice on additional GC or Program involvement with the ED Office in the process. Purcell  
209 asked what the total budget is for the full project. Kenny said it would be about \$2.5 million;  
210 20,000 square miles will be flown, and Program data will be collected on about 200 square  
211 miles. Kowalski asked where Merrick and Dewberry were based. Merrick is based in Aurora,  
212 CO; Dewberry has an office in Colorado but is headquartered in Virginia.  
213



Kowalski said procedure should dictate that the GC needs to approve this kind of activity as a sole-source project, and the scope of the project and size of the budget obligation means the GC should provide approval now but get written justification from the ED Office for this in August. Lawson asked about the MO and what kind of contracting mechanism is being utilized. He asked if the MOU is the contracting agreement and how it fits into the partnership. Purcell said the MOU is with the partners in this agreement and will specify that the RBJV is the contracting entity. Lawson asked who the budget line item for this effort is obligated to – RBJV, or Merrick/Dewberry? Kenny said the money will go to the RBJV. Lawson said the motion should be about the MOU, since that will serve as our contract. Barels said the MOU would come to the Finance Committee for approval because the Nebraska Community Foundation (NCF) will be signing on behalf of the Program.

**Purcell said the motion would be for the Program to enter into the consortium for implementation of LiDAR, with the understanding that the consortium may enter into sole-source contracting and the Program agrees to accept the contracting procedure of the partners in the consortium. The final MOU will be approved by the FC.** Kowalski said that motion is good, but should also include written justification for the GC as to why and how this process was entered into. Purcell asked if Kenny's presentation in the minutes was good enough. Kowalski said he wanted something in writing, and in the minutes would work. **Kowalski moved to approve; Dougherty seconded. The GC approved.**

**LiDAR justification presentation text from Jerry Kenny**

The following is a summary of the LiDAR acquisition process initiated in the fall of 2007.

A consortium of project partners coalesced in the fall of 2007 around the common need of obtaining topographic data covering various portions of central and south central Nebraska. Further, each partner had independently arrived at the conclusion that LiDAR was the preferred method for obtaining the topographic data, that economies of scale could be achieved if the data were collected by a common contractor, and that consistency among the datasets would be ensured by use of a common contractor. In other words, a better product could more easily be obtained at a lower cost by acting in concert in selection of a contractor.

The consortium of partners consists of:

- The Rainwater Basin Joint Venture
- The State of Nebraska Department of Natural Resources
- The Platte River Recovery Implementation Program
- The State of Kansas joined to acquire some data in the Republican Basin
- Personnel from the United States Geological Survey – Nebraska Division have served as advisors through the process because of their experience and expertise in LiDAR acquisition.

The consortium of project partners have explored several potential contractor selections and contracting mechanisms. The options explored were:





United States Geological Survey – This mechanism included project cost estimate development by USGS staff followed by submittal of scope of work to prequalified contractors. The contractor who could most closely match the cost estimate (lowest) would be selected to perform the work. All of the project partner's monies would be paid to USGS who would take a percentage and pay the contractor. The group abandoned this mechanism after the USGS cost estimate was on the order of four times greater than preliminary estimates provided by area contractors.

United States Army Corps of Engineers – This contracting process is similar to the USGS mechanism except that the consortium could select a contractor based on predetermined rates. However, the USACE contractor rates were also significantly higher than preliminary estimates provided by area LiDAR contractors.

Acquisition Services Directorate (ASD) – This contracting mechanism, available through the Department of the Interior, allows the consortium to contract with LiDAR providers who have won IDIQ contracts through the DOI. The ASD IDIQ contracts include previously negotiated rates, which are significantly lower than the USGS and USACE rates. A top-tier ASD contractor (Merrick) can perform the LiDAR work at a cost of approximately half of the USACE rates and one quarter of the USGS estimate.

Based on the cost comparisons and State of Kansas experience utilizing Merrick through the ASD contracting mechanism, the consortium has decided to pursue LiDAR acquisition contracting utilizing Merrick through the ASD IDIQ contract. In addition, the group decided to also retain the firm of Dewberry through the GSA contracting process to perform program management and QA/QC for the LiDAR project. The management and QA/QC costs will roughly equal 10% of total project costs. Dewberry is the industry leader in LiDAR program management and QA/QC and is considered to be invaluable in making sure that the LiDAR acquisition contractor (Merrick) collects and delivers a quality product.

The preliminary cost estimate for LiDAR acquisition and processing for the Platte River channel from Chapman to Lexington (an area of 134 sq. mi.) is on the order of \$130,000. Our data will provide 1 foot contours (+/- 6 inch or 0.7 m GSD), whereas the other areas will be mapped at a 2 foot contour interval. Once program management and data storage costs are tallied, there should be approximately \$60,000 to \$80,000 additional dollars available based on the Program's FY 2008 LiDAR budget. We are now in the process of developing additional acquisition areas for the reach from Lexington to North Platte. These will be added to the current acquisition reach and as much LiDAR will be acquired as possible utilizing the current budget. The LiDAR will be collected this fall and should be in-hand by late spring 2009.

The State of Nebraska is working on a draft MOU that will allow all of the partners to distribute their funding to the USFWS, which is the only entity among the consortium partners able to enter into a contract through the ASD. The consortium will meet again in mid-June to discuss



the MOU and begin coordination with Dewberry to develop a scope of work and contract. Based on the discussions and coordination over the last six months, I am confident that the group has made wise and fiscally responsible decisions both in pursuing the ASD contracting process and in hiring Dewberry to manage the project.

**G-5: Central Platte River Geomorphology Monitoring/Geomorphology Research**

Smith discussed the status of the geomorphology monitoring protocol and RFP. Lawson suggested that there be an update for this budget line item at the August GC meeting that reflects how the \$40,000 will be obligated for geomorphology monitoring and the \$10,000 for geomorphology research.

**PS-1: Pallid Sturgeon Information Review**

Smith provided an update on the status of selecting a contractor to complete the pallid sturgeon information review. Kraus asked what happened if the selection team comes up with a split vote or one person does not support selection of a particular contractor. Czaplewski was a part of the Proposal Selection Team and discussed his view of the process and how differing opinions were handled during the process. Kenny said the Procurement Policy is not detailed on how to overcome split votes – it just says the highest ranked proposal that can do the work gets selected. Kenny said within those guidelines, the process worked this time. Kraus said it didn't seem to be a large objection on this process, but it could be a problem in the future. Purcell said his process in Wyoming is to direct the selection team to ensure that the selected contractor can do a credible job, even if it is not their top selection. Czaplewski and Kevin Urie said it was helpful to get the questions clarified and factor that into the final selection, including making sure the contract reflects Program needs and the RFP scope and not a different scope in the proposal.

**WQ-1: Platte River Water Quality Monitoring**

Beorn Courtney updated the GC about the status of the WQ monitoring RFP. We received five proposals in response to the RFP. The Proposal Selection Team is reviewing the proposals and will have a conference call on June 18<sup>th</sup> to rank proposals and will hold interviews in Denver on June 26<sup>th</sup>.

Kenny said on this proposal, we will need some guidance from the WAC and TAC to clarify what we want to accomplish with water quality monitoring to help pin down details for the selected contractor.

**WP-3: Test Flow Routing Model/2008 EA Augmented Pulse Flow Pilot Study**

Smith provided a Power Point presentation showing some of the results of the recent heavy rains in central Nebraska and the related high flow event on the central Platte. The presentation is available on the Program website ([www.PlatteRiverProgram.org](http://www.PlatteRiverProgram.org)). To summarize:

- The rain event of May 22-23, 2008 and the associated runoff and high flows on the central Platte roughly constitute a 10-year event on the river; similar high flows were last seen in June of 1995.



- Peak discharge was 10,400 cfs at Overton on May 25; 13,300 cfs at Kearney on May 26; 11,800 cfs at Grand Island on May 27.
- Unfortunately, the high flows did not appear to influence phragmites on most of the river.

Kenny discussed a potential Program monitoring response and data collection effort related to the high flow event that would require funding out of the WP-3 budget line item:

- Aerial photography in late June (Gothenburg to Chapman) for \$15,000
- Transect surveys (Cottonwood Ranch, Uridil, Rowe Sanctuary) by Paul Kinzel, USGS for \$20,000
- Additional Bureau of Reclamation transects (15-20) surveyed through three local survey crews for about \$30,000
- Water surface elevation data on lower Platte by HDR Team for \$10,000

**\$65,000 for central Platte and \$10,000 for lower Platte = \$75,000 total.**

Kenny asked the GC for approval to spend WP-3 funds on the items identified above totaling roughly \$75,000. Kwapnioski asked about whether this was a one-time survey event or if it would be necessary multiple times throughout the First Increment. Kenny said this was a one-time monitoring response and that monitoring of similar events in the future would be accomplished through implementation of Program monitoring protocols such as the geomorphology and vegetation monitoring protocols, as well as scheduled aerial photography. Don Anderson asked if the ED Office had coordinated with Lisa Fotherby about opportunities to capture data that would help to calibrate the SedVeg model. Kenny and Smith discussed the coordination that had occurred relative to Fotherby's thoughts about data collection.

**Tom Dougherty moved to approve the ED Office spending \$75,000 out of the WP-3 line item for this high flow event data collection effort; Brian Barels seconded. The GC approved.**

Don Ament asked Kenny to make attempts to find partners like the USGS, USACE, or others to help with this effort. Kenny said he was working with the USGS on one set of transect re-surveys and would pursue those kind of partnerships if available.

Meeting adjourned until 8:30 a.m. on Wednesday, June 11, 2008.

### **Wednesday, June 11, 2008**

#### **Welcome and Administrative**

Mike Purcell called the meeting to order and the group proceeded with a roll call.



### **Wyoming Property Update**

Bruce Sackett and Jason Farnsworth gave an update on the status of the Wyoming property sponsorship agreement and recent land management activities on the property. Farnsworth provided a Power Point presentation showing recent tern/plover nesting island development and boat ramp construction. A draft lease agreement between the Program and the State of Wyoming has been submitted to Mike Purcell for review.

### **Program Database**

Farnsworth provided the GC with an update on the status of development of both the Program database management system and the website. He showed the group screen shots of the latest version of the website. The technical team from the U.S. Fish and Wildlife Service working on the database and website are on schedule and doing good work. Farnsworth reported that he is working closely with the FWS team to ensure they stay on schedule. Jerry Kenny said that a priority related to this project for the next round is providing easy and central access to hydrologic/gage data on a real time basis. Purcell asked about the data transfer from WEST, Inc. Farnsworth said he is traveling to Cheyenne this afternoon to pick up all hard-copy files from WEST and key documents will be scanned and available on the Program website.

### **Invasives Species Update**

Farnsworth gave an update on Program activities related to phragmites control efforts in conjunction with the Platte Valley Weed Management Association. Farnsworth mentioned that the State of Nebraska has now declared phragmites as a noxious weed which may ultimately require landowner control. The Weed Management Association, The Nature Conservancy, the Program, and others submitted a grant application under LB 701 to spray and remove phragmites. The group received \$300,000 in funding for the year, so spraying and removal actions are being planned for this fall that will involve helicopter spraying of much of the main channel upstream of Elm Creek. Farnsworth is also coordinating with UNL and others to keep tabs on phragmites related research

Purcell asked about the status of the choke point project. Kenny said high flows were downstream of the choke point, so there was no high flow through the area. The island will be removed as will the sprayed phragmites yet this year. Greg Wingfield mentioned that the effort that will be undertaken to collect data related to the high flow event may provide useful information related to impacts on phragmites in areas downstream of Elm Creek that have received extensive management over the years (vegetation clearing, disking, etc.).

### **Depletions Plan Tracking**

Beorn Courtney talked about development of a tracking inventory for information coming in related to individual depletions plans. Wyoming and Colorado information has been entered into an Excel spreadsheet because that information has already been submitted. Information is being entered according to guidelines in the Program document. This effort will provide information as to when information will be received, what information will be received, the titles of information to be submitted, and additional information of importance. The intention is to have



one sheet per depletions plan, and then a general tracking sheet of all information received to date. When information is received, the ED Office will update this tracking sheet and will distribute it, along with the information received, to the WAC for review. Kenny said this effort is an inventory and procedural checklist at this time. A WAC meeting will be convened prior to the WMS workshop in July to discuss depletions plans and other issues.

Kenny said another issue is that losses (conveyance and other) of flows to the critical habitat reach can be tracked with existing tools, but that there have been suggestions in the Program document and in the Wyoming and Colorado depletions plan reporting that the tools could be improved or a new tool could be developed. Kenny said it would take time and resources to evaluate the tool and what other options might be available or be developed. Purcell said that this issue may not be as sensitive as in the past and questioned whether the Program still needed to investigate developing a comprehensive water tracking/accounting system. John Lawson talked about efforts to account for all the water and that prior work on this left the issue to be addressed with the existing tools, but that there could be discussion down the road about the best approach. Alan Berryman said it would be worth discussing but Colorado is not ready to throw their tracking system out. Don Anderson said it is worth keeping on a future WAC agenda. He talked about issues that could be discussed, including things like real-time tracking needs. Jennifer Schellpeper said Nebraska has a daily accounting/tracking process which includes the Environmental Account water. Purcell said one issue is how states get credit for water, and that influences how money is invested. Brian Barels said this effort is tied to crediting and Water Action Plan efforts, so that we are not quite there yet on some of these issues.

Ted Kowalski said we had talked about efforts to allow North Platte depletions with South Platte offsets at the last GC meeting. SPWRAP has voiced support for a funding arrangement to address the issue, and Colorado is going to take the issue to North Platte water users. Then, Colorado may want to amend its depletions plan and there may be a need to amend the federal depletions plan.

**Purcell said the spreadsheet form overuses the word “tracking” and it should be called a compliance log or something else to avoid using the word “tracking”. Kenny and Courtney said revisions would be made.** Purcell asked what the GC guidance to the WAC is on a comprehensive water tracking effort. Don Kraus said the priority should be the Boyle report and the WMS. Purcell agreed. **The GC agreed that the current focus of the WAC should be the Phase II WMS and that water tracking/accounting may or may not be considered down the road.** Frank Kwapnioski said that the spreadsheet was just intended to be an inventory of information.

George Williams asked if there was a Program release of water this year. Kenny and Purcell said there was discussion, budgeting, and planning, but no release was made.

Schellpeper said that Governor Heineman and the NRDs agreed last week to a funding mechanism for the Nebraska new depletions plan. Anderson asked about the status of Integrated



Management Plans (IMPs). Schellpeper said they are waiting on the Overappropriated Basin overall plan before moving into the individual IMPs. The IMPs have to be done by September 2009, so drafts are expected in spring of 2009. Dennis Strauch asked about the funding mechanism, and Schellpeper said it is specifically for the Program-related new depletions plan.

#### **Public Comment**

Purcell asked for public comment; none was offered.

#### **Future Meeting Dates and Locations**

The next GC meetings will be:

- August 12-13, 2008 at the Hampton Inn Convention Center in Scottsbluff, NE
- October 7-8 meeting in Kearney, NE
- December 2-3 meeting in Denver, CO

Meeting adjourned.

#### **Summary of Action Items/Decisions from June GC meeting**

- 1) GC approved April 2008 minutes
- 2) GC approved the Water Management Study Phase I report from Boyle Engineering.
- 3) GC approved the RFP for TP-4 (tern/plover foraging habits study) and the composition of the Proposal Selection Team as recommended by the ED Office
- 4) GC approved reducing available budget for TP-4 to \$40,000
- 5) GC approved creating new FY08 budget line item of WMV-3 (Central Platte River Vegetation Monitoring) and establishing a budget of \$45,000 for FY08 (available funds moved from TP-4)
- 6) GC approved sole-source contract with Dr. Andrew Tyre of the University of Nebraska-Lincoln for Structured Decision Making workshop in July related to Adaptive Management Plan implementation
- 7) GC approved plan for 2008 Cottonwood Ranch enhancement activities, estimated budget for enhancement activities, and form of the agreement between the Program and NPPD
- 8) GC approved Program entering into consortium for implementation of LiDAR, with the understanding that the consortium may enter into sole-source contracting and the Program agrees to accept the contracting procedure of the partners in the consortium; GC agreed that the final MOU related to this effort will be approved by the Finance Committee
- 9) GC approved spending \$75,000 out of the available funds in line item WP-3 (Test Flow Routing Model/2008 EA Augmented Pulse Flow Pilot Study) for data collection efforts related to the recent high flow event on the Platte in central Nebraska
- 10) GC asked ED Office to change depletions plan spreadsheet to remove work "tracking" and re-name it with "information inventory" or another word/phrase
- 11) GC agreed that the current focus of the WAC should be the Phase II WMS and that water tracking/accounting may or may not be considered down the road

**PLATTE RIVER IMPLEMENTATION PROGRAM**  
**Governance Committee Monthly Financial Status Report**  
**August 7, 2008**

Description	Expenditures From CY 2007 Budget	CY 2008 Budget 1/1/08 - 12/31/08	CY 2008 Obligations to Date	CY 2008 Accruals & Expenditures to Date	CY 2008 Unexpended Obligations	Budget Remaining 1/1/08 - 12/31/08
	<b>a</b>	<b>b</b>	<b>c</b>	<b>d</b>		<b>b-c</b>
Executive Director's Office	\$ 558,966.08	\$ 1,260,600	1,110,600.00	\$ 657,570.61	\$ 453,029.39	\$ 150,000.00
Gov Comm/Finance Committee	\$ 25,597.84	\$ 155,000	150,000.00	\$ 64,312.73	\$ 85,687.27	\$ 5,000.00
<b>Program Advisory Committees:</b>						
Land Advisory Committee	\$ 201.36	\$ 7,500.00	-	\$ -		\$ 7,500.00
Water Advisory Committee		\$ 5,000.00	-	\$ -		\$ 5,000.00
Technical Advisory Committee	\$ 820.00	\$ 5,000.00	-	\$ 75.00	\$ (75.00)	\$ 5,000.00
Independent Science Advisory Comm		\$ 125,000.00	72,000.00	\$ -	\$ 72,000.00	\$ 53,000.00
Program Advisory Committees Subtotal	\$ 1,021.36	\$ 142,500	72,000.00	\$ 75.00	\$ 71,925.00	\$ 70,500.00
Land Plan Implementation	\$ 3,675.00	\$ 7,400,000	1,434,500.00	\$ 36,240.51	\$ 1,398,259.49	\$ 5,965,500.00
Water Plan Implementation	\$ 253,178.06	\$ 510,000	277,100.00	\$ 84,983.64	\$ 192,116.36	\$ 232,900.00
<b>Adaptive Management Plan Implementation:</b>						
Program Development & General Activities:	\$ 23,219.70	\$ 399,000.00	234,000.00	\$ 140,318.00	\$ 93,682.00	\$ 165,000.00
Geomorphology	\$ 10,000.00	\$ 310,000	260,000.00	\$ -	\$ 260,000.00	\$ 50,000.00
Hydrology	\$ 6,885.00	\$ 29,500	-	\$ -	\$ -	\$ 29,500.00
Wet Meadows/ Vegetation	\$ 10,334.40	\$ 32,400	5,196.36	\$ 5,196.36	\$ -	\$ 27,203.64
Whooping Cranes:	\$ 163,266.98	\$ 278,120	153,120.00	\$ 82,482.71	\$ 70,637.29	\$ 125,000.00
Terns and Plovers:		\$ 147,500	75,000.00	\$ 1,830.00	\$ 73,170.00	\$ 72,500.00
Pallid Sturgeon:	\$ 2,448.00	\$ 232,400	232,400.00	\$ 25,980.60	\$ 206,419.40	\$ -
Water Quality		\$ 40,000.00	\$ 40,000.00	\$ -	\$ 40,000.00	\$ -
AMPI Subtotal	\$ 216,154.08	\$ 1,468,920	\$ 999,716.36	\$ 255,807.67	\$ 743,908.69	\$ 469,203.64
<b>TOTAL</b>	<b>\$ 1,058,592.42</b>	<b>\$ 10,937,020.00</b>	<b>\$ 4,043,916.36</b>	<b>\$ 1,098,990.16</b>	<b>\$ 2,944,926.20</b>	<b>\$ 6,893,103.64</b>

**BUDGET SUMMARY:**

CY 2007 Budget Revised:	\$ 1,058,592.22	a
CY 2008 Budget	\$ 10,937,020.00	b
CY 2008 Obligations to Date	\$ 4,043,916.36	c
CY 2007 Expenditures	\$ 1,058,592.42	a
CY 2008 Accruals & Expenditures 1	\$ 1,098,990.22	d
"Available" Budget	\$ 5,794,113.22	

**CASHFLOW SUMMARY:**

**Program Contributions, Income, and expenditures to Date:**

	Contributions	Income	Total	Expenditures	Balance
Colorado	\$ 402,743.40	\$ 4,062.67	\$ 406,806.07	\$ 280,725.25	\$ 126,080.82
Interior	\$ 4,235,833.17	\$ 18,138.67	\$ 4,253,971.84	\$ 1,806,568.31	\$ 2,447,403.53
Wyoming	\$ 98,851.95	\$ 1,005.21	\$ 99,857.16	\$ 61,285.91	\$ 38,571.25
	\$ 4,737,428.52	\$ 23,206.55	\$ 4,760,635.07	\$ 2,148,579.46	\$ 2,612,055.61

Category	Task ID	Program Task Description	CY 2007 Unobligated Obligations (EO)	CY 2008 Budget	FY 08 Approved Budget Changes	Revised FY 08 Budget (Column B+C)	Total Budget Available (Column A+D)	CY 2008 Budget Obligations	CY 2008 Expenditures (08 Budget - 07 EO)	CY 2008 Budget Reservations (Column E)
			Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H
<b>Executive Director's Office (ED)</b>										
	ED-1	Salaries/Travel/Office Expenditures	\$ -	\$ 1,110,600.00	\$ -	\$ 1,110,600.00	\$ 1,110,600.00	\$ 1,110,600.00	\$ 612,863.84	\$ -
	ED-2	Administrative and Other Support Services	\$ 20,614.52	\$ 150,000.00	\$ -	\$ 150,000.00	\$ 170,614.52	\$ -	\$ 44,706.77	\$ 150,000.00
		<b>Sub-Total</b>	<b>\$ 20,614.52</b>	<b>\$ 1,260,600.00</b>	<b>\$ -</b>	<b>\$ 1,260,600.00</b>	<b>\$ 1,281,214.52</b>	<b>\$ 1,110,600.00</b>	<b>\$ 657,570.61</b>	<b>\$ 150,000.00</b>
<b>Governance Committee/Finance Committee (GFC)</b>										
	GFC-1	NCF Fees	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 22,122.12	\$ -
	GFC-2	Pulse Flow and Other Insurance	\$ -	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 41,834.00	\$ -
	GFC-3	Expenses, Meeting Rooms, etc.	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 356.61	\$ 5,000.00
		<b>Sub-Total</b>	<b>\$ -</b>	<b>\$ 155,000.00</b>	<b>\$ -</b>	<b>\$ 155,000.00</b>	<b>\$ 155,000.00</b>	<b>\$ 155,000.00</b>	<b>\$ 64,312.73</b>	<b>\$ 5,000.00</b>
<b>Program Advisory Committees</b>										
Land Advisory Committee (LAC)	LAC-1	Expenses, Meeting Rooms, etc.	\$ -	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 7,500.00	\$ -	\$ -	\$ 7,500.00
Water Advisory Committee (WAC)	WAC-1	Expenses, Meeting Rooms, etc.	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
Technical Advisory Committee (TAC)	TAC-1	Expenses, Meeting Rooms, etc.	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 75.00	\$ 5,000.00
Independent Scientific Advisory Committee (ISAC)	ISAC-1	Salary/Stipend/Travel	\$ -	\$ 75,000.00	\$ 40,000.00	\$ 115,000.00	\$ 115,000.00	\$ 72,000.00	\$ -	\$ 43,000.00
	ISAC-2	Expenses, Meeting Rooms, etc.	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
	ISAC-3	Initial Establishment/Planning Session Expenses	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
		<b>Sub-Total</b>	<b>\$ -</b>	<b>\$ 102,500.00</b>	<b>\$ 40,000.00</b>	<b>\$ 142,500.00</b>	<b>\$ 142,500.00</b>	<b>\$ 72,000.00</b>	<b>\$ 75.00</b>	<b>\$ 70,000.00</b>
<b>Land Plan Implementation (LP)</b>										
	LP-2(a)	Cottonwood Ranch Maintenance & Enhancement	\$ -	\$ 550,000.00	\$ -	\$ 550,000.00	\$ 550,000.00	\$ 550,000.00	\$ -	\$ -
	LP-2(b)	Pre-2007 Cottonwood Ranch Maintenance & Enhancement	\$ -	\$ 850,000.00	\$ -	\$ 850,000.00	\$ 850,000.00	\$ 850,000.00	\$ -	\$ -
	LP-3	Land Acquisition & LIHE Fees	\$ -	\$ 6,000,000.00	\$ -	\$ 6,000,000.00	\$ 6,000,000.00	\$ 34,500.00	\$ 36,240.51	\$ 5,965,500.00
		<b>Sub-Total</b>	<b>\$ -</b>	<b>\$ 7,400,000.00</b>	<b>\$ -</b>	<b>\$ 7,400,000.00</b>	<b>\$ 7,400,000.00</b>	<b>\$ 1,434,500.00</b>	<b>\$ 36,240.51</b>	<b>\$ 5,965,500.00</b>
<b>Water Plan Implementation (WP)</b>										
	WP-1	North Platte Channel Capacity Project	\$ 43,210.00	\$ 110,000.00	\$ -	\$ 110,000.00	\$ 153,210.00	\$ 52,100.00	\$ 13,780.50	\$ 57,900.00
	WP-2(b)	Water Management Study Phase II	\$ 7,000.00	\$ 150,000.00	\$ -	\$ 150,000.00	\$ 157,000.00	\$ 150,000.00	\$ 55,458.74	\$ -
	WP-3	Test Flow Routing Model/2008 EA Augmented Pulse Flow Pilot Study	\$ -	\$ 250,000.00	\$ -	\$ 250,000.00	\$ 250,000.00	\$ 75,000.00	\$ 15,744.40	\$ 175,000.00
	-	North Platte Channel Capacity Project -- Legal Review	\$ 5,000.00	\$ -	\$ -	\$ -	\$ 5,000.00	\$ -	\$ -	\$ -
		<b>Sub-Total</b>	<b>\$ 55,210.00</b>	<b>\$ 510,000.00</b>	<b>\$ -</b>	<b>\$ 510,000.00</b>	<b>\$ 565,210.00</b>	<b>\$ 277,100.00</b>	<b>\$ 84,983.64</b>	<b>\$ 232,900.00</b>
<b>Adaptive Management Plan Implementation</b>										
<b>General Activities/Program Development (PD)</b>										
	PD-3	IMRP Protocols Peer Review	\$ -	\$ 55,000.00	\$ 50,000.00	\$ 105,000.00	\$ 105,000.00	\$ 50,000.00	\$ -	\$ 55,000.00
	PD-4	Develop 2009-2013 Work Plan and Overall Experimental Design	\$ -	\$ 75,000.00	\$ -	\$ 75,000.00	\$ 75,000.00	\$ 25,000.00	\$ 15,318.00	\$ 50,000.00
	PD-7	Landowner Access Agreements	\$ -	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00
	PD-8	Database Management System Development & Maintenance	\$ -	\$ 159,000.00	\$ -	\$ 159,000.00	\$ 159,000.00	\$ 159,000.00	\$ 125,000.00	\$ -
	PD-11	Annual AMP Reporting Workshop/Conference/Symposium	\$ -	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
<b>Geomorphology (G)</b>										
	G-1	LIDAR Implementation	\$ -	\$ 250,000.00	\$ -	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ -	\$ -
	G-2	Aerial Photography	\$ 10,000.00	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 20,000.00	\$ 10,000.00	\$ -	\$ -
	G-5	Develop/Finalize Geomorphic Research Plan & Protocols	\$ -	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00
<b>Hydrology (H)</b>										
	H-1	Maintain Existing Cottonwood Ranch Gage	\$ -	\$ 7,000.00	\$ -	\$ 7,000.00	\$ 7,000.00	\$ -	\$ -	\$ 7,000.00
	H-2	Identify Existing/New Gages Important to Program	\$ -	\$ 15,000.00	\$ -	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00
	H-3	Add Temperature Monitoring Probes to USGS Gages	\$ -	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 7,500.00	\$ -	\$ -	\$ 7,500.00
<b>Wet Meadows/Vegetation (WMV)</b>										
	WMV-1	Review Existing Vegetation Mapping Effort (need to update 1998 map)	\$ 14,665.00	\$ -	\$ -	\$ -	\$ 14,665.00	\$ 5,196.36	\$ 5,196.36	\$ (5,196.36)
	WMV-2	Wet Meadows Existing Information Review/Summary	\$ -	\$ 32,400.00	\$ -	\$ 32,400.00	\$ 32,400.00	\$ -	\$ -	\$ 32,400.00
	WMV-3	Central Platte Vegetation Monitoring	\$ -	\$ -	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ -	\$ -	\$ 45,000.00
<b>Whooping Cranes (WC)</b>										
	WC-1	Monitor Spring & Fall Whooping Crane Occurrence & Habitat Use	\$ -	\$ 130,000.00	\$ -	\$ 130,000.00	\$ 130,000.00	\$ 130,000.00	\$ 53,453.71	\$ -
	WC-2	Analysis of CA Collected Whooping Crane Monitoring Data	\$ 6,454.48	\$ -	\$ -	\$ -	\$ 6,454.48	\$ -	\$ 5,909.00	\$ -
	WC-3	Whooping Crane Telemetry Tracking	\$ -	\$ 125,000.00	\$ -	\$ 125,000.00	\$ 125,000.00	\$ -	\$ -	\$ 125,000.00
	WC-4	Water Surface Estimation at Crane Use Sites -- Pilot & Full Analysis	\$ -	\$ 23,120.00	\$ -	\$ 23,120.00	\$ 23,120.00	\$ 23,120.00	\$ 23,120.00	\$ -
<b>Terns/Plovers (TP)</b>										
	TP-1	Implement Monitoring Protocol & Produce Annual Report	\$ -	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00
	TP-2	Finish Fish Foraging Protocol	\$ -	\$ 2,500.00	\$ -	\$ 2,500.00	\$ 2,500.00	\$ -	\$ -	\$ 2,500.00
	TP-3	Implement Foraging Fish Protocol	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
	TP-4	Tern/Plover Foraging Habits Study	\$ -	\$ 120,000.00	\$ (80,000.00)	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ -	\$ -
	TP-5	Analysis of CA-Collected Tern/Plover Monitoring Data (Added in April 2008)	\$ -	\$ -	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00	\$ 1,830.00	\$ -
<b>Pallid Sturgeon (PS)</b>										
	PS-1	Pallid Sturgeon Existing Information Review/Summary	\$ -	\$ 32,400.00	\$ -	\$ 32,400.00	\$ 32,400.00	\$ 32,400.00	\$ 7,299.00	\$ -
	PS-2	Lower Platte River Stage Change Study (Year 1 of 3)	\$ -	\$ 200,000.00	\$ -	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 18,681.60	\$ -
<b>Water Quality (WQ)</b>										
	WQ-1	Platte River Water Quality Monitoring	\$ -	\$ 40,000.00	\$ -	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ -	\$ -
		<b>Sub-Total</b>	<b>\$ 31,119.48</b>	<b>\$ 1,418,920.00</b>	<b>\$ 50,000.00</b>	<b>\$ 1,468,920.00</b>	<b>\$ 1,500,039.48</b>	<b>\$ 999,716.36</b>	<b>\$ 255,907.87</b>	<b>\$ 409,203.64</b>
<b>PROGRAM BUDGET TOTALS</b>			<b>\$ 106,944.00</b>	<b>\$ 10,847,020.00</b>	<b>\$ 90,000.00</b>	<b>\$ 10,937,020.00</b>	<b>\$ 11,043,964.00</b>	<b>\$ 4,043,916.36</b>	<b>\$ 1,098,990.16</b>	<b>\$ 6,893,103.64</b>





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**PRRIP – ED OFFICE MEMORANDUM**

**TO:** GOVERNANCE COMMITTEE  
**FROM:** EXECUTIVE DIRECTOR'S OFFICE  
**SUBJECT:** TRACT 0804 EVALUATION SUMMARY AND RECOMMENDATION  
**DATE:** JULY 17, 2008  
**CC:** LAND ADVISORY COMMITTEE

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**REQUESTED GOVERNANCE COMMITTEE ACTION**

The Land Advisory Committee (LAC) requests that the Governance Committee (GC) formally approve the initiation of formal negotiations to acquire fee simple title to Tract 0804. The LAC also requests that the GC assign the negotiation to the Executive Director's Office and provide the Executive Director with instruction on acceptable acquisition terms.

**LAC RECOMMENDATION**

On July 14, 2008, the LAC voted to forward Tract 0804 to the GC with a unanimous recommendation to pursue acquisition via fee simple purchase. This is one of the few privately-held tracts in the critical habitat area that has documented use of all three of the target bird species. This alone makes this parcel desirable for acquisition. But more importantly, the ability to fully implement Flow Sediment Mechanical sediment augmentation activities may hinge on the ability to acquire this tract of land.

**TRACT DESCRIPTION**

Tract 0804 is approximately 360 acres in size and is located in portions of Sections 11 and 12, T-8N, R-20W (Figure A-1). The tract is located in the Lexington to Overton bridge segment approximately ¼ mile east of the leased Central Nebraska Public Power and Irrigation District (CNPPID) Jeffery Island complex (Figure A-2). The Tract abuts the CNPPID "Cook Tract" which is a proposed location for Program sediment augmentation activities. Tract 0804 also has an existing Nebraska Public Power District (NPPD) river island nesting habitat maintenance lease that would transfer with the property.

**HABITAT CONSIDERATIONS**

The entire tract would be considered as habitat complex acres due to the proximity of the property to the Jeffery Island habitat complex. The existing landowner has performed limited restoration work on this parcel. In 2007, portions of the channel were sprayed and standing vegetation was removed. In addition, phragmites and saltcedar infestations were treated with herbicide. Remaining habitat restoration work includes:

- additional removal of brush, trees, and standing dead vegetation from sandbars, low islands, and banks;
- understory clearing north of the channel and on one large island;
- tree clearing south of the channel;
- removal of vegetation from potential nesting sites on sand pit; and
- evaluation of wet meadow restoration potential in cropland area.



Base Layer: 2007 FSA NASP Aerial Imagery



#### Legend

- |                  |              |
|------------------|--------------|
| Evaluation Tract | CNPPID-Lease |
| Counties         | CNPPID-Owned |
| Section          | NPPD-Lease   |



0.2 Miles

#### TRACT 0804 BOUNDARY MAP

Parcel Evaluation  
Date: 05/09/08  
By: JDB

Figure A-1



#### Legend

Evaluation Tract	CNPPID-Lease	NPPD-Owned
Counties	CNPPID-Owned	PRT-Owned
Section	NGPC	TNC
	NPPD-Lease	



1 Miles

TRACT 0804  
LOCATION MAP

Parcel Evaluation  
Date: 05/09/08  
By: JDB

Figure A-2



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**PRRIP – ED OFFICE MEMORANDUM**

**TO:** GOVERNANCE COMMITTEE  
**FROM:** EXECUTIVE DIRECTOR'S OFFICE  
**SUBJECT:** TRACT 0803 EVALUATION SUMMARY AND RECOMMENDATION  
**DATE:** JULY 17, 2008  
**CC:** LAND ADVISORY COMMITTEE

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**REQUESTED GOVERNANCE COMMITTEE ACTION**

The Land Advisory Committee (LAC) requests that the Governance Committee (GC) formally approve the initiation of formal negotiations to acquire an interest in Tract 0803 through fee simple title, easement or lease. The LAC also requests that the GC assign the negotiation to the Executive Director's Office and provide the Executive Director with instruction on acceptable acquisition terms.

**LAC RECOMMENDATION**

On July 14, 2008, the LAC voted to forward Tract 0803 to the GC with a unanimous recommendation to pursue acquisition of an interest in the property through fee simple purchase, easement or lease. This tract is an in-holding in an existing habitat complex, has documented target species use and is in a focal bridge segment making it a high priority tract for inclusion in the Program.

**TRACT DESCRIPTION**

Tract 0803 is approximately 140 acres in size and is located in Sections 2 and 11, T-8N, R-18W (Figure A-1). The tract is located in the Elm Creek to Odessa bridge segment and adjoins properties owned by the Nebraska Game and Parks Commission (NGPC), Nebraska Public Power District (NPPD) and the Platte River Whooping Crane Maintenance Trust (PRT).

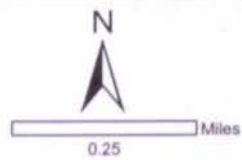
**HABITAT CONSIDERATIONS**

This tract would be considered as habitat complex acres due to its location within an existing habitat complex. Tract restoration needs include clearing of approximately 30 acres of the trees on the accretion portion of the property and development of tern and plover nesting islands in the channel. A band of trees would be left as a visual and sound buffer to Interstate 80 and also to deflect birds up and over a power transmission line that crosses the cropland portion of the parcel.





- Legend**
- Evaluation Tract
  - Section
  - NGPC-Owned
  - NPPD-Owned
  - PRT-Owned



TRACT 0803  
BOUNDARY MAP

Parcel Evaluation  
Date: 6/30/08  
By: JMF

Figure A-1





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**PRRIP – ED OFFICE MEMORANDUM**

**TO:** GOVERNANCE COMMITTEE  
**FROM:** EXECUTIVE DIRECTOR'S OFFICE  
**SUBJECT:** TRACT 0811 EVALUATION SUMMARY AND RECOMMENDATION  
**DATE:** AUGUST 5, 2008  
**CC:** LAND ADVISORY COMMITTEE, WATER ADVISORY COMMITTEE

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**REQUESTED GOVERNANCE COMMITTEE ACTION**

The Land Advisory Committee (LAC) and Water Advisory Committee (WAC) request that the Governance Committee (GC) formally approve the initiation of negotiations to acquire irrigation rights to Tract 0811 through the execution of a conservation easement. The LAC also requests that the GC provide the Executive Director with instruction on acceptable acquisition terms and assign the negotiation to the Executive Director's Office. The committees also request that the GC provide direction on development of a formal process for evaluating future similar water-related acquisitions that have a land aspect link.

**LAND AND WATER ADVISORY COMMITTEE RECOMMENDATIONS**

The owner of this tract requested that the Platte River Recovery Implementation Program (Program) purchase and retire the irrigation rights on a 65 acre tract through acquisition of a conservation easement. This landowner placed the irrigation rights of a tract north of Tract 0811 in the Central Platte NRD (CPNRD) Water Bank in 2007. Tract 0811 is located outside of the CPNRD boundaries, so could not be put under a CPNRD easement. Consequently, the owner contacted the Program to pursue an alternative means of establishing a conservation easement to retire the irrigation rights.

At their July 14 meeting, the LAC determined that a conservation easement on Tract 0811 would not provide land-related habitat value under the guidelines of the Land Plan and the acres should not be considered toward the total complex or non-complex habitat acquisition target. The committee considered a motion to forward a recommendation of approval for the purchase of this irrigation right easement to the GC contingent on the approval of the WAC. However, a consensus was not reached on this motion due to concerns about the lack of a defined process for handling non-habitat or water-related evaluations. This is the reason for the request that the GC provide direction on the development of a process for addressing these kinds of acquisitions. There was consensus on forwarding this tract to the WAC for their consideration.

On July 16, the WAC considered this tract and made a recommendation that evaluation and negotiations proceed. The WAC thinks that this tract will provide a good opportunity to establish a process for evaluation and acquisition of similar water supplies. Acquisition of a water supply source through land fallowing has been identified as an option in the Water Action Plan as part of the Water Management Incentives option. This tract can provide a specific, real world case study to work out many of the details involved with the handling of these types of water supply acquisitions. In working through this case, the WAC advised that an evaluation and acquisition process be developed that is broad enough to apply to other situations which might involve other factors and considerations, and not be so focused as to only apply to this particular situation.



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## **PRRIP – ED OFFICE MEMORANDUM**

Key aspects of an evaluation and acquisition process pertinent to this tract include:

- Legal and Institutional considerations associated with the Program's ability to use the CPNRD Water Bank for monitoring and accounting purposes for a water supply outside of the boundaries of the District need to be addressed. Examples of the Legal and Institutional considerations include the specifics of the agreement between CPNRD and the Program, the associated fee charged to the Program for this service, the approvals needed from the Tri-Basin NRD because the land is located in their boundaries, and the approvals required from the Nebraska Department of Natural Resources.
- The evaluation of the amount of water that would be credited to the river and the timing of those credits would need to be determined, but this would be facilitated by the experience of the CPNRD in acquiring the easement for the companion tract.
- The amount and timing of the water credited to the river from retirement of this well will likely be established in part by use of the COHYST model covering this area. If the model changes, the quantification of the amounts may change. Whether the credits then change in the accounting process as well is an important consideration to address.
- The negotiation of the conservation easement should be facilitated by the precedent established with the CPNRD easement on the companion tract; however, the unit cost of water to the river is also likely fixed from that negotiation (\$2500/acre-foot of net water to the river).

### **TRACT DESCRIPTION**

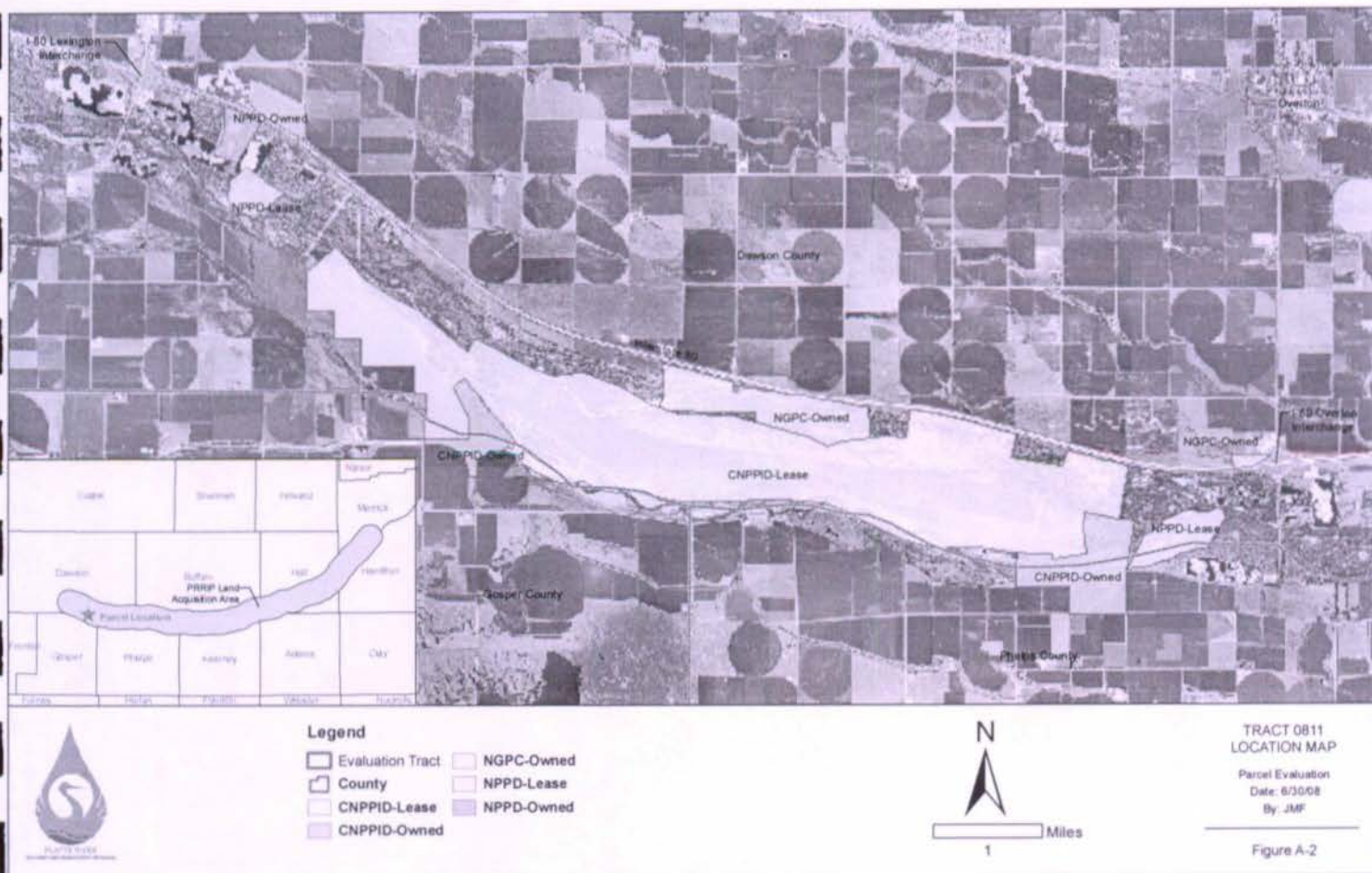
Tract 0811 is approximately 65 acres in size and is located in Section 3, T-8N, R-21W (Figure A-1). The tract is located in the Lexington to Overton bridge segment and is near properties owned and leased by the Central Nebraska Public Power and Irrigation District (CNPPID) (Figure A-2).

### **OTHER CONSIDERATIONS**

Retiring irrigation on this tract is expected to result in an annual 38-40 acre-foot increase in Platte River flows. This is due to the tract's location adjacent to the river. An estimate of the timing of increased flows is currently being developed.









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**PRRIP – ED OFFICE MEMORANDUM**

**TO:** GOVERNANCE COMMITTEE  
**FROM:** EXECUTIVE DIRECTOR'S OFFICE  
**SUBJECT:** TRACT 0815 EVALUATION SUMMARY AND RECOMMENDATION  
**DATE:** JULY 17, 2008  
**CC:** LAND ADVISORY COMMITTEE

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**REQUESTED GOVERNANCE COMMITTEE ACTION**

The Land Advisory Committee (LAC) requests that the Governance Committee (GC) formally approve the initiation of formal negotiations to acquire fee simple title to Tract 0815. The LAC also requests that the GC assign the negotiation to the Executive Director's Office and provide the Executive Director with instruction on acceptable acquisition terms.

**LAC RECOMMENDATION**

On July 14, 2008, the LAC voted to forward Tract 0815 to the GC with a unanimous recommendation to pursue acquisition via fee simple purchase. This tract has been identified as the primary sediment augmentation site for testing of the sediment-related portion of the Program's Flow-Sediment-Mechanical (FSM) approach to habitat restoration.

**TRACT DESCRIPTION**

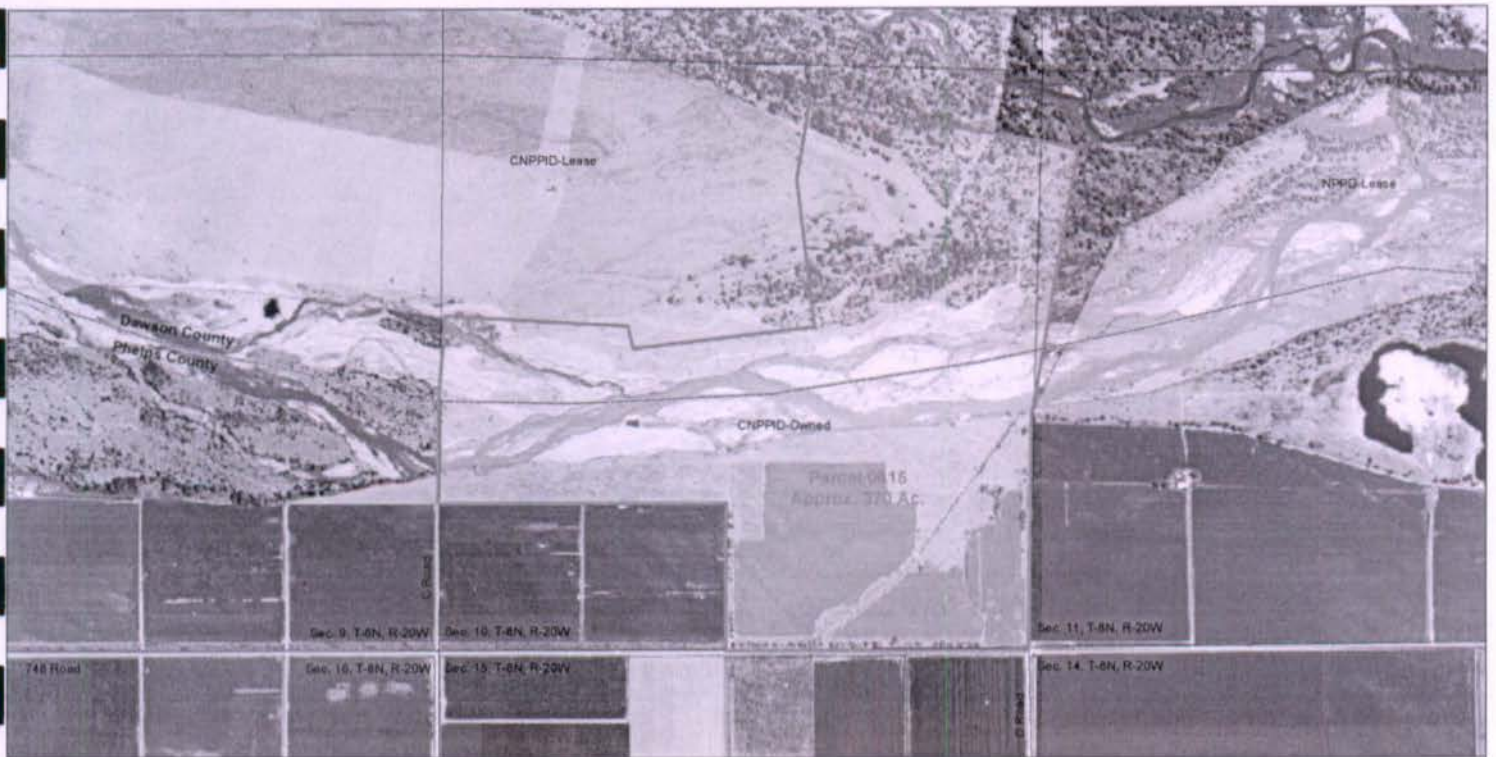
Tract 0815 is approximately 370 acres in size and is located in portions of Sections 10 and 11, T-8N, R-20W (Figure A-1). The tract is located in the Lexington to Overton bridge segment and abuts the leased Central Nebraska Public Power and Irrigation District (CNPPID) Jeffrey Island complex (Figure A-2). The east boundary of this property also abuts the west boundary of Tract 0804, which the Program is also evaluating for acquisition.

**HABITAT CONSIDERATIONS**

The entire tract would be considered as habitat complex acres due to the proximity of the property to the Jeffery Island habitat complex. The CNPPID, in conjunction with the United States Fish and Wildlife Service (USFWS), has already undertaken the majority of the restoration work needed on this tract. Past restoration work includes removal of brush and trees from sandbars and low islands, disking of channel to remove vegetation, and removal of debris from south bank. Understory clearing in the woodland area north of the channel is still needed.

The channel area of this tract would be used as a sediment source for Program sediment augmentation activities related to testing of sediment-related FSM hypotheses. Sediment augmentation activities would be designed to be compatible with existing and potential species usage of this property. Specifically, augmentation activities would be designed to be compatible with the continued usage of the tract as a sandhill crane roost site and will incorporate (to the extent possible) development of in-channel piping plover and least tern nesting habitat.





**Legend**

Evaluation Tract	CNPPID-Lease
Section	CNPPID-Owned
County	NPPD-Lease

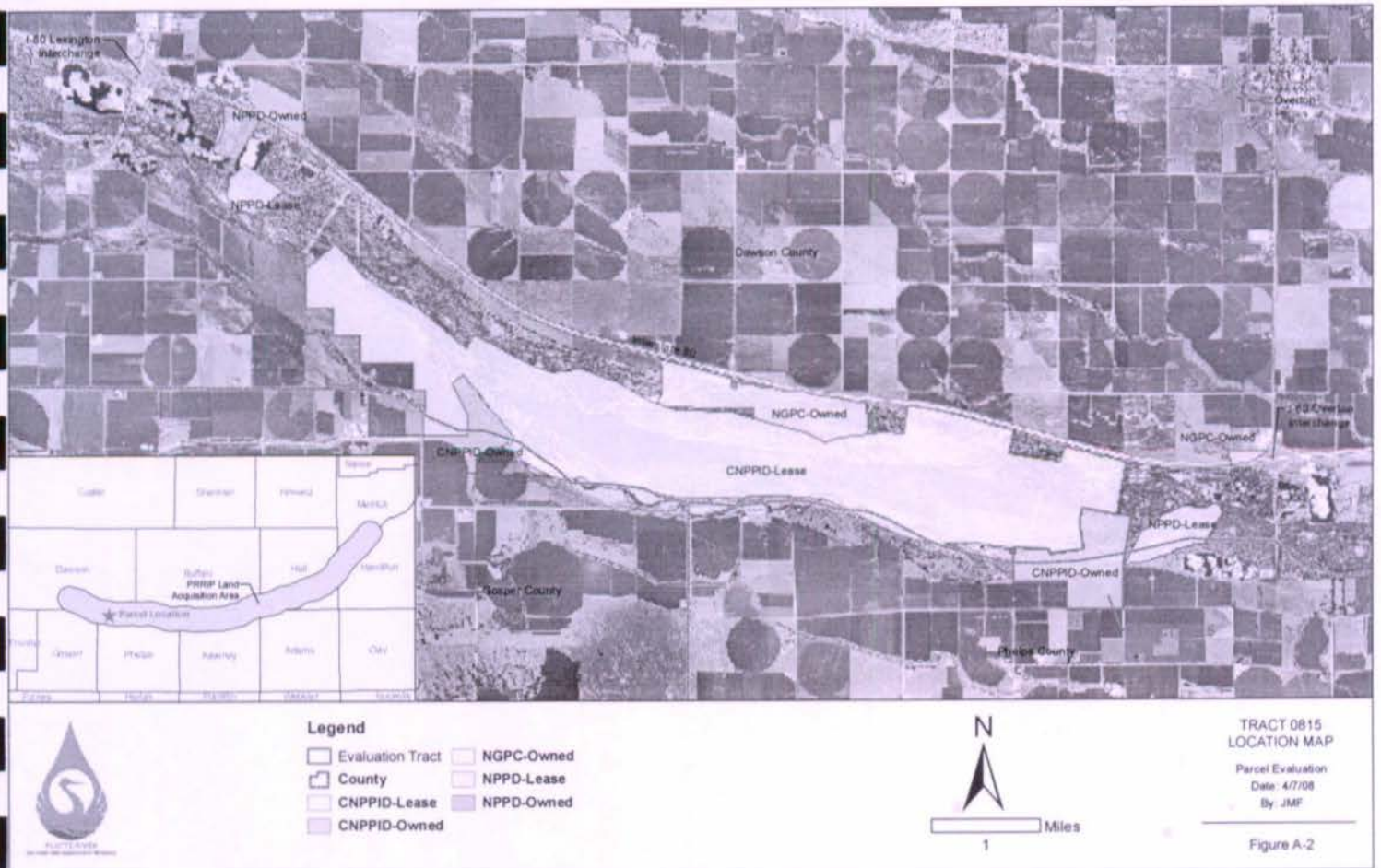
**N**

0.25 Miles

TRACT 0815  
BOUNDARY MAP

Parcel Evaluation  
Date: 4/7/08  
By: JMF

Figure A-1





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**PRRIP – ED OFFICE MEMORANDUM**

**TO:** GOVERNANCE COMMITTEE  
**FROM:** EXECUTIVE DIRECTOR'S OFFICE  
**SUBJECT:** TRACT 0829 EVALUATION SUMMARY AND RECOMMENDATION  
**DATE:** JULY 17, 2008  
**CC:** LAND ADVISORY COMMITTEE

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**REQUESTED GOVERNANCE COMMITTEE ACTION**

The Land Advisory Committee (LAC) requests that the Governance Committee (GC) formally approve the initiation of formal negotiations to acquire fee simple title to Tract 0829. The LAC also requests that the GC assign the negotiation to the Executive Director's Office and provide the Executive Director with instruction on acceptable acquisition terms.

**LAC RECOMMENDATION**

On July 14, 2008, the LAC voted to forward Tract 0829 to the GC with a unanimous recommendation to pursue acquisition via fee simple purchase. This tract has been identified as a potentially important secondary sediment augmentation site for testing of the sediment-related portion of the Program's Flow-Sediment-Mechanical (FSM) approach to habitat restoration. This site may become the primary augmentation site depending on landowner cooperation downstream of the "Cook Property" which is currently identified as the Program's primary augmentation site.

**TRACT DESCRIPTION**

Tract 0829 is approximately 207 acres in size and is located in portions of Section 8, T-8N, R-20W (Figure A-1). The tract is located in the Lexington to Overton bridge segment and abuts the south side of the leased Central Nebraska Public Power and Irrigation District (CNPPID) Jeffery Island habitat complex (Figure A-2).





**HABITAT CONSIDERATIONS**

The entire tract would be considered as habitat complex acres due to the proximity of the property to the Jeffery Island habitat complex. Given the significant existing channel degradation and focus on sediment augmentation (and related disturbance) at this site, extensive upland habitat restoration would likely not be beneficial to the target species.





#### Legend

-  Evaluation Parcel
-  Section
-  County
-  CNPPID-Lease

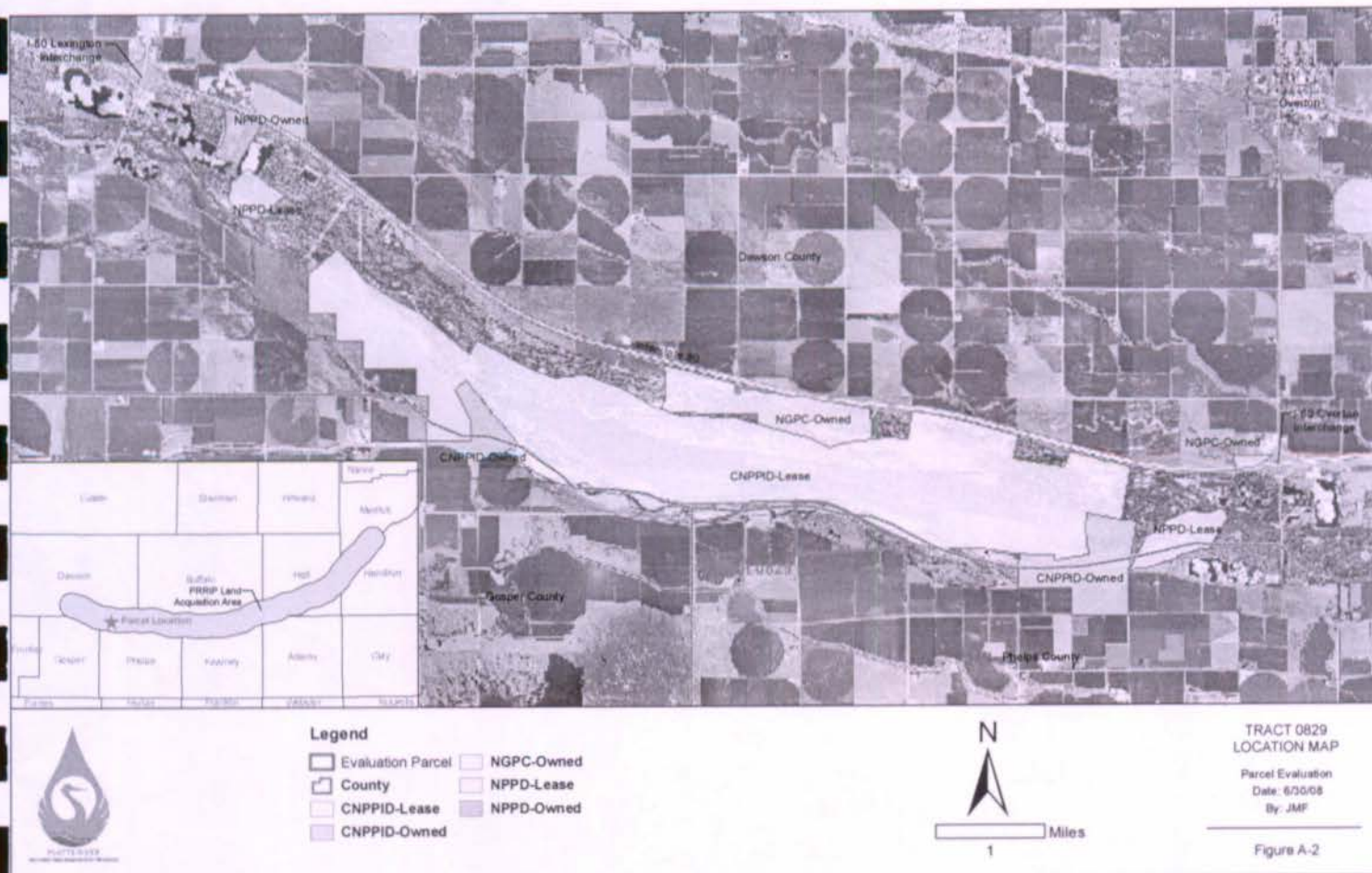


0.25 Miles

TRACT 0829  
BOUNDARY MAP

Parcel Evaluation  
Date: 6/09/08  
By: JMF

Figure A-1







## PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM Procurement Policy

Office of the Executive Director  
Kearney, Nebraska

**Subject:** Procurement Policy

**Introduction:** This directive establishes policy to be applied and overseen by the Executive Director (ED) and staff. The policy is intended to provide a clearly-defined and efficient process for obtaining the goods, services, and construction required to meet the goals of the Platte River Recovery Implementation Program (Program) while maintaining appropriate oversight from the Governance and Finance Committees. As referenced below, it is intended to ensure sound business practice and compliance with laws and policy of the United States of America and the States of Colorado, Nebraska, and Wyoming.

**Authorities:** Funds are provided to the Program from the Department of Interior and the states of Colorado and Wyoming through a grant agreement with the Nebraska Community Foundation, referred to as the Financial Management Entity (FME). Therefore, transactions are subject to regulations established by the Office of Management and Budget (OMB), the General Services Administration, and laws and regulations established by the States of Colorado, Nebraska, and Wyoming.

OMB Circular A-110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations, and references therein provide regulations governing grants. All applicable documentation is available at [www.whitehouse.gov/omb](http://www.whitehouse.gov/omb).

Federal Acquisition Regulations (FAR) issued by the General Services Administration apply to acquisitions from for-profit entities. They are available at [www.gsa.gov](http://www.gsa.gov).

The instructions below are intended to incorporate the principles and intent of regulations to the conduct of the Program.

**Exceptions:** The Program document states that land may be acquired through a willing buyer/willing seller process with prices and terms established by negotiation. The procedures provided in this directive do not apply to land acquisition.

In addition to land, water may be acquired for Program purposes. Similar to land, the acquisition of water is to be accomplished through a negotiation process. The procedures provided in this directive do not apply to water acquisition.

Retention of special advisors to the ED of a technical or legal nature is exempt from the procedures provided in this directive.



**Full and Open Competition:** With rare exceptions, procurement of goods, services, and construction will be the result of a competitive market place. When goods, services, and construction are obtained in a manner other than a competitive process, a written justification for this deviation will be provided to the Governance Committee for approval prior to goods, services, or construction procurements being awarded. The justification for non-competitive selection will be based on unique qualifications, special circumstances, or similar conditions.

**Small Business Programs:** The Governance Committee may elect to award contracts for goods, services, and construction through small or disadvantaged business set-asides.

**Conflict of Interest:** Offerors on a project will be required to address whether or not any potential conflict of interest exists between that project and any of their past or on-going projects, including any projects currently being conducted for the Program.

**Types of Contracts and Agreements for Procurement of Goods, Services, and Construction:** The following types of procurement formats/strategies will be employed. These may be adjusted or modified for a specific procurement so the approach is the most appropriate method to fill the need.

**Formats:**

- **Firm Fixed Price Contract** – The total requirement has a fixed price for satisfactory delivery or complete performance. Progress payments can be made based on completion of predetermined deliverable milestones and percentage of contract amount for each.
- **Time and Materials Contract** – Typically used for labor intensive requirements where the hours needed may depend upon variables not clarified until the work has started; services are based upon direct labor hours at a specified fixed hourly rate and materials at cost (including a material handling fee). Generally, the agreement provides for a not to exceed maximum expenditure. Progress payments are based on elapsed time for services rendered during the agreed upon period.

**Strategies:**

- **Specific Project Contract** – A contract developed for a specific project wherein the terms and conditions, scope of services, budget, schedule, and contract form are specified.
- **Indefinite Delivery/Indefinite Quantity (ID/IQ) Term Contract** – A multiple award contract for specified line items through which delivery orders can be negotiated and issued over a three to five year period. There would be a guaranteed earnings level established for the contract.



- Blanket Purchase Agreement (BPA) – An agreement for specific line items with a provider who is intermittently called upon for those goods or services; terms and conditions are negotiated up front and any orders against the BPA must comply.
- Grant/Cooperative Agreement – An agreement with a non-profit or public entity which shares interest in the Program's goals to provide services which benefit the interests of both parties. This is the only instrument where funds can be advanced prior to the work.

**Thresholds and Procedures:** Procurement thresholds and general procedures are as follows. Contract thresholds reference the intended total contract amount over the duration of the contract. For example, a contract that is intended to cover five years at \$30,000 per year (\$30,000/year x 5 years = \$150,000) would be subject to the procedures for a >\$50,000 threshold. Further procedural detail will be established by the Executive Director.

The Executive Director can solicit proposals for goods, services, or construction costing less than \$25,000 without Finance Committee (FC) approval, if the costs of the goods and services are covered by a budget approved by the Governance Committee (GC). Solicitations for proposals or bids for goods, services, or construction costing \$25,000 or more must be approved in accordance with the "Governance Committee Approval Process for Contract Services" specified herein.

**All Thresholds:** Authorization of budgets lies with the Finance Committee and the Governance Committee as described in the Program Document and summarized subsequently in this document. Authority and responsibility for procurements contained within an authorized budget rests with the Executive Director. Input from various Program Committees will be solicited as described below or as otherwise deemed appropriate by the ED. In addition to the monetary thresholds described below, guidance from the Governance Committee pertaining to requests in areas of particular sensitivity may result in variances from the procedures described. The ED may delegate authority in writing to personnel directly reporting to the ED for acquisitions less than \$5,000. Personnel so authorized may not disburse more than \$5,000 to any one entity in a single year.

**<= \$3,000 Goods**

**<= \$2,500 Services**

**<= \$2,000 Construction**

- Need for proposed item or service is documented.
- Up to three quotes should be acquired; transaction can be by phone or in writing.
- Award may be to the low quote or most qualified providing best value.

**> \$3,000 but < \$10,000 Goods**

**> \$2,500 but < \$10,000 Services**

**> \$2,000 but < \$10,000 Construction**



- Need for proposed item or service is documented
- Three quotes will be acquired by phone or in writing.
- Award may be to low quote or most qualified providing the best value.

**=> \$10,000 and < \$25,000:**

- Need for proposed item or service is documented.
- Requirement will be advertised on Program Web site for five business days.
- Quotes will be provided in writing by providers.
- Award may be to the low quote or most qualified providing the best value.

**>= \$25,000 and <= \$50,000:**

- Requirement is documented in detail – specifications, units, delivery schedule, level of expertise, qualifications of personnel, and other specific requirements are clearly defined.
- Requirement will be advertised on Program Web site for a minimum of 15 days and a maximum of 30 days, based on discretion of ED. Notice of requirements may also be advertised in regional and/or local newspapers, based on discretion of ED, for up to three days with initial publication at least two weeks prior to offer closing date.
- Quotes, bid packages, or proposals to be provided in writing as requested.
- Pre-offer meeting may be held up to one week prior to offer closing date.
- Submittals will be reviewed for determination of responsiveness and acceptability.
- In the case of proposals:
  - Offers will be reviewed and where necessary, ranked by three or more subject matter experts. The selection of the subject matter experts will be based on knowledge and expertise of the project at issue. The panel of subject matter experts will be assembled with input from the appropriate Program Committees. The Governance Committee will always be solicited for input on the composition of the panel proposed.
  - An interview of the offerors with the subject matter experts and ED may or may not be required, as determined by the subject matter experts and the ED.
  - Award is to highest ranking offer where consideration may be given to fee as part of the selection process. Negotiation of scope and fee will occur subsequent to selection.
- In the case of a bid or quote:
  - A public bid opening will be held.
  - Award is to lowest cost bidder who can meet the requirements of the bid solicitation.

**>\$50,000:**



- Requirement is documented in detail – specifications, units, delivery schedule, level of expertise, qualifications of personnel, and other specific requirements are clearly defined.
- Requirement will be advertised on Program Web site for a minimum of 21 days and a maximum of 45 days, based on the discretion of the ED. Notice of requirements will also be advertised in regional and/or local newspapers for up to three days with initial publication at least three weeks prior to offer due date.
- Quotes, bid packages or proposals to be provided in writing as requested.
- Pre-offer meeting may be held up to two weeks prior to bids/proposals due date.
- Submittals will be reviewed for determination of responsiveness and acceptability.
- In the case of proposals:
  - Offers will be reviewed and where necessary, ranked by three or more subject matter experts using a pre-determined evaluation system. The selection of the subject matter experts will be based on knowledge and expertise of the project at issue. The panel of subject matter experts will be assembled with input from the appropriate Program Committees. The Governance Committee will always be solicited for input on the composition of the panel proposed.
  - An interview of the offerors by the subject matter experts and ED may or may not be required, as determined by the subject matter experts and the ED.
  - Award is to highest ranking offer where consideration may be given to fee as part of the selection process. Negotiation of scope and fee will occur subsequent to selection.
- In the case of a bid:
  - Conduct a public bid/proposal opening.
  - Award is to lowest cost bidder who can meet the technical requirements of the bid solicitation.

### **Governance Committee Approval Process for Contract Services**

1. At each Governance Committee meeting, the Executive Director will report the contract services that will be sought during the interim until the next GC meeting. The report will include the budget item under which the work will be performed and the estimated amount required to provide the services. If the request is in an area of particular sensitivity, guidance from the Governance Committee may result in variances from the procedures described in terms of strictly monetary thresholds in the policy described previously in this document. If the estimated amount exceeds the budget for the item, the increased budget must be approved by the GC before the selection process can be initiated. The members of the GC may offer representatives to review the requests for proposal and/or serve on the selection team.

2. The Executive Director will draft all Rrequests for Pproposals (RFPs) and seek comments from the related advisory committee(s) and representatives offered by the GC members.



3. The final drafts of the ~~requests for proposals~~ RFPs with the updated cost estimates will be submitted to the Finance Committee (FC).

If the RFP is for a single-year service and cost estimates do not exceed the budget for the related work item, the FC may authorize the initiation of the selection process. If the cost estimates exceed the budget for the related work item, the selection process must be delayed until the GC has the opportunity to approve or reject a budget increase.

All RFPs proposing multi-year services must be reviewed by the FC and approved by the GC to initiate the selection process, even if the existing budget includes funds for the first year's activities. This is necessary as multi-year contracts affect future budgets, and future budgets are the responsibility of the GC.

4. The Executive Director will ensure the selection process progresses as outlined in the Program procurement policy described previously in this document. For those requests requiring a selection panel, the Executive Director will organize a selection team that includes representatives from the related advisory committee and representatives offered by the Governance Committee. The Executive Director may chair the selection team or designate as chair:

1. a member of the Executive Director's staff
2. a member or alternate of the Governance Committee
3. the chair of the related Advisory Committee, or
4. any other person approved by the Governance Committee.

5.5.—After selection of the consultant/contractor, the Executive Director will prepare the draft contract including, as a minimum: general provisions, scope of work, contract amount and schedule. The draft contract will be submitted to the FC for review.

The FC can authorize the Executive Director to prepare and execute single-year contracts, as well as issue the notice to proceed to the consultant/contractor if:

- If the contract meets the standards of the Program procurement policy, and
- and the contract amount is within less than the budget for the work item, the FC can authorize the Executive Director to finalize the contract and submit it to the FME, as well as issue the notice to proceed to the consultant/contractor.

-If the contract amount exceeds the budget for the cost item, the finalization of the contract must be delayed until the GC has the opportunity to approve or reject a budget increase.

The FC can authorize the ED to prepare and execute multi-year contracts , as well as issue the notice to proceed to the consultant/contractor if:

- the contract meets the standards of the Program procurement policy,
- the RFP was approved by the GC, and



- the proposed contract amount is within the budget for the first year's activities.

Multi-year contracts will specify that each year's work activities and contract amount must be approved in writing before the consultant can proceed on that year's assignments. In order to streamline this process, the FC can authorize the ED to issue the written notice to proceed if the budget approved by the GC for that year's work activity is not exceeded. If revisions are needed to the budget, those revisions must be approved by the GC.



## PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM Procurement Policy

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Kearney, Nebraska

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**Strategies:**

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- Blanket Purchase Agreement (BPA) – An agreement for specific line items with a provider who is intermittently called upon for those goods or services; terms and conditions are negotiated up front and any orders against the BPA must comply.
- Grant/Cooperative Agreement – An agreement with a non-profit or public entity which shares interest in the Program’s goals to provide services which benefit the interests of both parties. This is the only instrument where funds can be advanced prior to the work.

**Thresholds and Procedures:** Procurement thresholds and general procedures are as follows. Contract thresholds reference the intended total contract amount over the duration of the contract. For example, a contract that is intended to cover five years at \$30,000 per year (\$30,000/year x 5 years = \$150,000) would be subject to the procedures for a >\$50,000 threshold. Further procedural detail will be established by the Executive Director.

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**<= \$3,000 Goods**

**<= \$2,500 Services**

**<= \$2,000 Construction**

- Need for proposed item or service is documented.
- Up to three quotes should be acquired; transaction can be by phone or in writing.
- Award may be to the low quote or most qualified providing best value.

**> \$3,000 but < \$10,000 Goods**

**> \$2,500 but < \$10,000 Services**

**> \$2,000 but < \$10,000 Construction**



- Need for proposed item or service is documented
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- Award may be to low quote or most qualified providing the best value.

**=> \$10,000 and < \$25,000:**

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- Award may be to the low quote or most qualified providing the best value.

**>= \$25,000 and <= \$50,000:**

- Requirement is documented in detail – specifications, units, delivery schedule, level of expertise, qualifications of personnel, and other specific requirements are clearly defined.
- Requirement will be advertised on Program Web site for a minimum of 15 days and a maximum of 30 days, based on discretion of ED. Notice of requirements may also be advertised in regional and/or local newspapers, based on discretion of ED, for up to three days with initial publication at least two weeks prior to offer closing date.
- Quotes, bid packages, or proposals to be provided in writing as requested.
- Pre-offer meeting may be held up to one week prior to offer closing date.
- Submittals will be reviewed for determination of responsiveness and acceptability.
- In the case of proposals:
  - Offers will be reviewed and where necessary, ranked by three or more subject matter experts. The selection of the subject matter experts will be based on knowledge and expertise of the project at issue. The panel of subject matter experts will be assembled with input from the appropriate Program Committees. The Governance Committee will always be solicited for input on the composition of the panel proposed.
  - An interview of the offerors with the subject matter experts and ED may or may not be required, as determined by the subject matter experts and the ED.
  - Award is to highest ranking offer where consideration may be given to fee as part of the selection process. Negotiation of scope and fee will occur subsequent to selection.
- In the case of a bid or quote:
  - A public bid opening will be held.
  - Award is to lowest cost bidder who can meet the requirements of the bid solicitation.

**>\$50,000:**



- Requirement is documented in detail – specifications, units, delivery schedule, level of expertise, qualifications of personnel, and other specific requirements are clearly defined.
- Requirement will be advertised on Program Web site for a minimum of 21 days and a maximum of 45 days, based on the discretion of the ED. Notice of requirements will also be advertised in regional and/or local newspapers for up to three days with initial publication at least three weeks prior to offer due date.
- Quotes, bid packages or proposals to be provided in writing as requested.
- Pre-offer meeting may be held up to two weeks prior to bids/proposals due date.
- Submittals will be reviewed for determination of responsiveness and acceptability.
- In the case of proposals:
  - Offers will be reviewed and where necessary, ranked by three or more subject matter experts using a pre-determined evaluation system. The selection of the subject matter experts will be based on knowledge and expertise of the project at issue. The panel of subject matter experts will be assembled with input from the appropriate Program Committees. The Governance Committee will always be solicited for input on the composition of the panel proposed.
  - An interview of the offerors by the subject matter experts and ED may or may not be required, as determined by the subject matter experts and the ED.
  - Award is to highest ranking offer where consideration may be given to fee as part of the selection process. Negotiation of scope and fee will occur subsequent to selection.
- In the case of a bid:
  - Conduct a public bid/proposal opening.
  - Award is to lowest cost bidder who can meet the technical requirements of the bid solicitation.

### **Governance Committee Approval Process for Contract Services**

1. At each Governance Committee meeting, the Executive Director will report the contract services that will be sought during the interim until the next GC meeting. The report will include the budget item under which the work will be performed and the estimated amount required to provide the services. If the request is in an area of particular sensitivity, guidance from the Governance Committee may result in variances from the procedures described in terms of strictly monetary thresholds in the policy described previously in this document. If the estimated amount exceeds the budget for the item, the increased budget must be approved by the GC before the selection process can be initiated. The members of the GC may offer representatives to review the requests for proposal and/or serve on the selection team.
2. The Executive Director will draft all Rrequests for Proposals (RFPs) and seek comments from the related advisory committee(s) and representatives offered by the GC members.



3. The final drafts of the ~~requests for proposals~~ RFPs with the updated cost estimates will be submitted to the Finance Committee (FC).

If the RFP is for a single-year service and cost estimates do not exceed the budget for the related work item, the FC may authorize the initiation of the selection process. If the cost estimates exceed the budget for the related work item, the selection process must be delayed until the GC has the opportunity to approve or reject a budget increase.

All RFPs proposing multi-year services must be reviewed by the FC and approved by the GC to initiate the selection process, even if the existing budget includes funds for the first year's activities. This is necessary as multi-year contracts affect future budgets, and future budgets are the responsibility of the GC.

4. The Executive Director will ensure the selection process progresses as outlined in the Program procurement policy described previously in this document. For those requests requiring a selection panel, the Executive Director will organize a selection team that includes representatives from the related advisory committee and representatives offered by the Governance Committee. The Executive Director may chair the selection team or designate as chair:

1. a member of the Executive Director's staff
2. a member or alternate of the Governance Committee
3. the chair of the related Advisory Committee, or
4. any other person approved by the Governance Committee.

5.5.—After selection of the consultant/contractor, the Executive Director will prepare the draft contract including, as a minimum: general provisions, scope of work, contract amount and schedule. The draft contract will be submitted to the FC for review.

The FC can authorize the Executive Director to prepare and execute single-year contracts, as well as issue the notice to proceed to the consultant/contractor if:

- If the contract meets the standards of the Program procurement policy, and
- and the contract amount is within less than the budget for the work item, the FC can authorize the Executive Director to finalize the contract and submit it to the FME, as well as issue the notice to proceed to the consultant/contractor.

-If the contract amount exceeds the budget for the cost item, the finalization of the contract must be delayed until the GC has the opportunity to approve or reject a budget increase.

The FC can authorize the ED to prepare and execute multi-year contracts , as well as issue the notice to proceed to the consultant/contractor if:

- the contract meets the standards of the Program procurement policy,
- the RFP was approved by the GC, and



- the proposed contract amount is within the budget for the first year's activities.

Multi-year contracts will specify that each year's work activities and contract amount must be approved in writing before the consultant can proceed on that year's assignments. In order to streamline this process, the FC can authorize the ED to issue the written notice to proceed if the budget approved by the GC for that year's work activity is not exceeded. If revisions are needed to the budget, those revisions must be approved by the GC.