PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM
Governance Committee Meeting Minutes
Executive Director's Office Conference Room – Kearney, NE
March 12-13, 2013

Tuesday, March 12, 2013

Meeting Attendees

Governance Committee (GC) Table

State of Wyoming
Harry LaBonde – Member

State of Colorado
Don Ament – Member
Suzanne Sellers – Alternate

State of Nebraska
Jesse Bradley – Alternate

U.S. Fish and Wildlife Service (Service)
Mike George – Alternate

Bureau of Reclamation (BOR)
Gary Campbell – Member

Environmental Entities
Tom Dougherty – Member
John Heaston – Member
Marian Langan – Member

Upper Platte Water Users
Dennis Strauch – Member
George Williams – Member

Colorado Water Users
Alan Berryman – Member
Deb Freeman – Alternate
Kevin Urie

Downstream Water Users
Brian Barels – Member
Don Kraus – Member
Mark Czaplewski – Proxy for Ron Bishop, Member

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

Audience Members
Matt Rabbe – Service
Mike Besson – State of Wyoming
Mike Drain – CNPPID
Cory Steinke – CNPPID
Brock Merrill – BOR
Pat Engelbert – HDR
Dan Bigbee – EA
Dale Schlautman – EA
Christine Reed – UNO
Deniz Zeyneplevenberger – UNO
Anthony Campbell – UNO
Tom MacDougall – RJH
Bob Huzjak – RJH
Lori Potter – Kearney Hub

Welcome & Administrative

Ament called the meeting to order at 2:01 p.m. Central time. The group proceeded with introductions.

LaBonde moved to approve the November 2012 Special Session and December GC minutes; Dougherty seconded. **Minutes approved.**

Program Committee Updates

Land Advisory Committee (LAC)

Czaplewski provided an update on the latest LAC activities. The LAC met on January 15 and did consider a motion related to Tract 1227 but there was no consensus. The next LAC meeting is March 26. There was a public meeting in early March in Kearney regarding the public access component of the Program.

Water Advisory Committee (WAC)

Steinke provided an update on the latest WAC activities. The WAC met on February 12 and discussed a Water Action Plan update, groundwater recharge scoring, water service agreements, Phelps County groundwater recharge project (shut off on March 11), Duane Woodward presented on Central Platte NRD water leasing, choke point update, update on the 2013 short-duration medium flow, and the wet meadows hydrology monitoring project (subcommittee formed).

Technical Advisory Committee (TAC)

Besson provided an update on the latest TAC activities. The TAC met twice in January and discussed:

- Whooping crane data analysis plan.
- Whooping crane habitat availability analysis.
- Grassland vegetation monitoring RFP.
- Information on ultraviolet analysis of tern/plover nesting habitat.
- Wet meadow hydrology monitoring project – the TAC supported this project conditioned on review by the WAC. That review occurred and there is now a subcommittee evaluating the project further.
- Update on sediment augmentation pilot-scale management action.

There is a Wet Meadow Working Group workshop scheduled for later this month.

Finance Committee (FC)

Campbell provided an update on the latest FC activities. The FC held two conference calls this year and approved:

- 2013 tern/plover monitoring amendment
- 2013 USDA APHIS trapping amendment
- 2013 ISAC agreement and amendments
- Independent science review 2nd amendment
- Whooping crane stopover site evaluation project agreement
- Database management system 4th amendment
- 2013 sediment augmentation change orders
- 2013 water quality monitoring contract amendment
- Approved the grassland vegetation monitoring RFP

Program Outreach Update

PRESENTATIONS

- Jason Farnsworth presented a Program update at the annual meeting of the Nebraska Association of County Officials on December 13, 2012 in Kearney, Nebraska.
- Jerry Kenny and Dennis Strauch presented on the progress of the Program at the annual meeting of the Four States Irrigation Council in Fort Collins, Colorado on January 18, 2013.
- Bruce Sackett presented on the Program, with an emphasis on the land aspects, to the Nebraska Chapter of the American Association of Farm Managers and Rural Appraisers on February 13, 2013 in Kearney, Nebraska.
- Beorn Courtney presented a Program update to the "Water Resources and Management in the West" class at the University of Colorado in Boulder, Colorado on February 13, 2013.
- Kevin Urie was the featured speaker at the Colorado section of the American Water Resources Association February luncheon in Denver, Colorado on February 26, 2013. His topic was PRRIP & SPWRAP: How are they related and why are they good for Colorado?

EXHIBITS/SPONSORSHIPS

- The Program was a sponsor and exhibitor at the annual meeting of the Four States Irrigation Council in Fort Collins, Colorado on January 16-18, 2013. We made 296 contacts during the event.
- The Program exhibited at Colorado Water Congress in Denver, Colorado on January 30 – February 1, 2013. We made 474 contacts over the course of the three days.
- The Program exhibited at the Rainwater Basin Informational Seminar on February 6, 2013 in Hastings, Nebraska. We made 189 contacts during the event.

UPCOMING PRESENTATIONS/EXHIBITS

- Jason Farnsworth and Jerry Kenny will be presenting on the Program to the Nebraska Water Leaders class on March 15, 2013 in Kearney, Nebraska.
- Jason Farnsworth will be presenting to a group from the International Crane Foundation on the Program's work in managing river habitat for cranes on March 16, 2013 at the Elm Creek complex.
- Jason Farnsworth will be presenting on the Program at the update at the Rivers & Wildlife Celebration in Kearney, Nebraska on March 23, 2013.
- The Program will be exhibiting at the Rivers & Wildlife Celebration in Kearney, Nebraska on March 23, 2013.

MEDIA/OTHER

- The Program sponsored the Migration Special issues of Prairie Fire (January, February and March 2013 issues). The February issue included the pull-out field guide, with the Program's ad prominently displayed.
- On December 23, 2012 the Kearney Hub published an article about the Program titled, "Platte River Recovery Implementation Program is creating a place for whooping cranes to stay during their migration". Jerry Kenny and Bruce Sackett were interviewed for the article.
- Jerry Kenny was interviewed by Channel 5 in Hastings, Nebraska for a story on the Program on March 6, 2013.
- NEBRASKAland magazine published an article titled, "The Crane Trust; Sinking Roots, Deepening the Vision" in the March 2013 issue. The article was written by Brad Mellema, the former Director of the Crane Trust Nature & Visitor's Center.

- Rural Electric Nebraskan published an article by Mark Peyton titled, "Whooping Cranes along the Platte River" in the March 2013 issue. The work of the Program was highlighted as well as photos of whooping cranes on the Platte taken by Mark Peyton and Dave Baasch.
- The Program's 2011 & 2012 Bi-annual report will be distributed at the June Governance Committee meeting.
- Thank you card from the family of Norm DeMott.
- Information about Program giveaways.

PRRIP Budget Items

Kenny discussed the status of the FY13 PRRIP budget and provided details about the Program's budget history from 2007-2012. Campbell asked if the graphics would be posted for the GC on the web site. Kenny said yes it would be posted for the GC. Kenny discussed potential impacts on the Program related to the federal budget sequester. Potential impacts so far include travel restrictions (some ISAC members, agency personnel) and hiring and furlough restrictions (e.g. USGS tern/plover monitoring technicians). Kenny discussed the grassland vegetation monitoring RFP and the need to appoint a proposal selection panel. Smith said the TAC recommended names are Baasch, Jenniges, Czaplewski, Peyton, and Fritz. Berryman added Urie to represent Colorado.

George moved to appoint the Grassland Vegetation Monitoring RFP Proposal Selection Panel: LaBonde seconded. Proposal Selection Panel appointed.

Final PRRIP Document

Kenny discussed the minor typographical error in Attachment 5, Section 1 (Water Management Process) of the Final Program Document. Fixing this error requires GC discussion and approval.

Campbell moved to approve the language change; Williams seconded. **Language change approved.**

Whooping Crane Tracking Project

Smith discussed proposed changed to the "data use" section of the Whooping Crane Tracking Project Partnership Agreement. Dougherty asked if there would be restrictions on current core partners publishing on preliminary telemetry data. Baasch said the work would have to be peer reviewed, and then the other core partners would have to weigh in once the peer review is complete. Baasch said even if the Program agreed to be the conduit for the information for a certain project, other core partners could still say no to sharing the data for that purpose.

LaBonde asked whether this would withstand a FOIA request. Baasch and Smith said they were not sure where this would end up under a FOIA request. George said it is data and the main question is whether it is pre-decisional. Rabbe said if the Program is making decisions based on this data that would put this in a gray area related to it being "pre-decisional". Barels asked if the Program wanted to do a certain analysis and other project core partners did not support the analysis would it stop the Program from conducting that analysis. Baasch said yes that is the interpretation.

Campbell said he thinks the Program owns the data. It is in a research mode, and research is not FOIA-able. If we are just collecting data for research and are not making decisions on the data, then others that want the data at the conclusion of the research project should be contributing money to the research as well. Barels said it would be hard to support this language because it seems it would tie the Program's hands until after the First Increment. Baasch said analysis and reporting would start in 2016 and be

concluded by 2019. Barels said he would like to see language that clarifies what the Program can do with the data and when. George said one issue is all the data is not in yet, and another issue is leaving control to the data to the researchers that want to complete analysis on their own schedule.

Ament said the direction from the GC is to get clarified language regarding what the Program can do and when. Smith said the EDO would work on that language, discuss it with the other core partners, and then bring it back to the GC for further discussion.

2012 Tiered Biological Opinion

Rabbe discussed consultations related to the Program from 2012. No questions asked.

Public Comment

Ament asked for public comment; none offered.

Executive Session

Dougherty moved to enter Executive Session to discuss the J2 regulation reservoir and land issues; Langan seconded. **GC entered Executive Session at 3:45 p.m. Central time.**

Campbell moved to end Executive Session; Bradley seconded. **GC ended Executive Session at 5:24 p.m. Central time.**

Program Land Tracts & Issues

Williams moved and Czaplewski seconded:

- *To approve allowing the ED Office to enter into a contract and complete acquisition of Tract 1114 as non-complex habitat.*

Motion approved.

Ament said he would like each GC member to talk about key issues they are facing during the meeting tomorrow morning.

Meeting adjourned at 5:27 p.m. Central time.

Wednesday, March 13, 2013

Welcome and Administrative

Ament called the meeting to order at 8:31 a.m. Central time and the group proceeded with introductions. Ament requested a group discussion about key issues facing GC members both related to the Program and generally.

Heaston said we need to start talking about how conservation lands get brought into the Program in the Second Increment. George said the Keystone XL pipeline is a major issue in his office right now. Dougherty discussed his history with Platte River issues and the big concern about water as a remaining issue on the Platte. Sellers discussed her work on the Program and other issues for the Colorado Water Conservation Board. Langan talked about work at Rowe Sanctuary and its upcoming 40th anniversary (2014). Urie said Denver water is dealing with the implications of a very dry water year and also budget issues, the Moffat project, and growth in the Front Range. Ament asked Urie how much has been spent

on the permitting process for Moffat. Urie said around $29 million over 10 years for permitting and mitigation. Urie said he is also the Executive Director of SPWRAP. Berryman said he is working on two different permitting processes, a potential new pipeline, and a wild and scenic river issue. Ament asked Berryman about his permitting costs. Berryman said the costs are similar to those identified by Urie. Barels said NPPD is dealing with changes to how power is bought and sold to customers. The Program is a big issue for NPPD and he also works on Missouri River issues. Czaplewski said Ron Bishop is retiring from Central Platte NRD this summer and his replacement is Lyndon Vogt. Central Platte is working with three ditch companies in Dawson County that will result in some water leasing for the Program. Kraus said they are also dealing with the implications of dry conditions and also new regulations related to power production. The COHYST model is also another big project. Bradley said the drought has impacted the work of the Nebraska DNR. The Republican River lawsuit looks to be close to being resolved and there is an effort underway to develop a basin-wide plan for the lower Platte River. Campbell said 7 of the 9 states in his region are in severe drought. Preference power customers are giving more up-front money to the BOR which leads to more money being available for the Program. Trans-basin diversions are another big issue. Williams said his area near Saratoga, Wyoming is being affected by a 1904 call on the river. Strauch said there has been no decent precipitation since fall and they really need spring rain to be able to get a crop in the ground. Aging infrastructure is also an issue. LaBonde said Wyoming snowpack is 83% of normal and it is less in the Platte River basin. Wyoming has a weather modification program involving cloud seeding. Ament said drought is the major issue right now.

PRRIP Lands Virtual Tour

Kenny introduced the virtual tour of Program lands and the work being done at habitat complexes. This is an update for the GC as to what has been happening on the ground with management actions and will provide context for the land tour later today. Sackett highlighted activities complex by complex.

Future Meetings & Closing Business

Next GC meeting:

- June 11-12, 2013 @ Cheyenne, WY

Meeting adjourned at 10:18 a.m. Central time.

Summary of Action Items/Decisions from March 2013 GC meeting

1) Approved November and December 2012 GC minutes.
2) Approved a minor language change in the Final Program Document, Attachment 5 Section 1.
3) Directed the EDO to develop clarifying language for the Whooping Crane Tracking Project Partnership Agreement regarding what the Program can do with project data and when.
4) Approved allowing the ED Office to enter into a contract and complete acquisition of Tract 1114 as non-complex habitat.