



PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM

Land Advisory Committee Meeting Minutes

Executive Director's Office – Kearney, NE

February 9, 2011

Attendees

Scott Woodman, Chair, Central Platte Natural Resources District, landowner
Mark Czaplewski, Vice Chair, Central Platte Natural Resources District
Jerry Kenny, Executive Director
Bruce Sackett - ED Office
Justin Brei - ED Office
Jason Farnsworth - ED Office
Tim Tunnell - ED Office
Greg Wingfield - U.S. Fish & Wildlife Service
Kirk Schroeder – U.S. Fish & Wildlife Service
Ted LaGrange – Nebraska Game & Parks Commission
Matt Steffl – Nebraska Game & Parks Commission
Harry LaBonde - State of Wyoming, Wyoming State Engineer's Office (by phone)
Jennifer Schellpeper – State of Nebraska, Nebraska Dept. of Natural Resources (by phone)
John Shadle - Nebraska Public Power District
Jim Jenniges – Nebraska Public Power District
Mark Peyton – Central Nebraska Public Power & Irrigation District
Brock Merrill - U.S. Bureau of Reclamation (by phone)
Suzanne Sellers – State of Colorado, Colorado Water Conservation Board
John Heaston – The Nature Conservancy
David Raffety - Tri-Basin Natural Resources District, landowner

Welcome and Administrative

Chairman Woodman called the meeting to order at 9:05 am Central Time and the group proceeded with introductions.

Woodman asked for agenda modifications. Sellers provided comments to be incorporated into the minutes related to discussion of the proposed Platte River caddisfly research project.

Heaston made a motion to approve the minutes, as amended, from the December 1, 2010 LAC meeting. The motion was seconded by Czaplewski and passed unanimously.

GC Meeting Update

Czaplewski gave the LAC an update on the latest GC activity. The GC met last on December 7th & 8th in Denver, CO. Many land related items were covered at this meeting:

- 2011 Program budget was approved.



- Extensive discussion of land plans. Currently Program document does not allow for “tiered” plans. GC assigned LAC to discuss new language for Program document to allow for “tiered” plans.
- Approved proceeding with appraisal and negotiations for tract 1001, on both the east and west parcels. The east parcel is to be considered excess and, if acquired, will be disposed of within three years.
- Approved trading land for services at tract 1017.
- Approved proceeding with appraisal and negotiations for a lease on tract 1007.
- Approved proceeding with appraisal of tract 1008.
- Approved proceeding with appraisal and negotiations for tract 1010.
- Accepted LAC recommendation to decline further pursuit of tract 1014.
- Discussed whether or not acres under management agreements should count towards Program goals. Directed ED Office to work with LAC to discuss types of agreements, impacts to Program, length of agreements, overall habitat value, and long term maintenance by property owners.
- Discussed whether the 10,000 acre milestone for the Program is considered a “floor” or a “ceiling”. No action was taken, but the GC was in general agreement that 10,000 acres is considered a “floor” and can be exceeded.
- Jim Schneider, Nebraska Dept. of Natural Resources, was elected GC chairman for 2011. Mike Thabault, USFWS, was elected vice-chair.

The GC meets next on March 8 & 9, 2011 in Kearney, NE.

Other Committee Coordination Information

Farnsworth gave a brief update on recent TAC activities. The TAC met on December 7 prior to the last GC meeting. At this meeting they discussed the drafts of the Synthesis Report and the AMP Implementation Plan. On March 2 & 3, the Program is hosting an adaptive management reporting session in Denver, CO. Many Program contractors and consultants will be presenting on projects completed for the Program in 2010.

Kenny gave an update on recent WAC activities. The WAC last met on February 1 via conference call. The WAC continues to work through feasibility investigations for proposed Program water projects (J-2 reregulating reservoir, Elm Creek reservoir, groundwater recharge). The Program is proceeding with geotechnical investigations and infiltration tests at one potential groundwater recharge location, as well as possible monitoring well locations between that site and the river. Sackett has been coordinating access permissions with the local landowners for this project.

Executive Session

Wingfield moved to go into executive session with LAC members, alternates, and technical staff to review details of land offerings. The motion was seconded by Czaplewski. The motion carried and the committee entered executive session at 9:43 a.m.



86 **Heaston moved to come out of executive session. Wingfield seconded and the motion**
87 **carried. The committee came out of executive session at 11:18 a.m.**
88

89 **Outdoor Recreation Contract**

90 The Nebraska Game & Parks Commission offered an outdoor recreation policy administration
91 plan to the LAC for their consideration. The LAC felt that the plan represented a good start, but
92 there were items that needed to be addressed to satisfy the needs of the Program. The LAC has
93 directed the executive director and staff to work with Nebraska Game & Parks Commission to
94 attempt to address those concerns and bring a modified plan back for their consideration.
95

96 **Public Comment/Next Meeting**

97 Chairman Woodman asked for public comments, none were offered.
98

99 **The next meeting of the LAC will be held in Kearney, Nebraska at the Executive Director's**
100 **Office on Wednesday, April 6, 2011 at 9:00 a.m. central time.**
101

102 **Outdoor Recreation Policy Discussion**

103 Heaston walked the LAC through the outdoor recreation policy and the process by which it was
104 created. Most of the issues addressed and criteria created are similar to what has been presented
105 at past LAC meetings. This document just adds the language to make it a policy that can be
106 implemented. Heaston said this document represents a good “first level” of public access, and
107 the policy can be expended depending on the success of this first implementation. Czaplewski
108 said that places where the policy identifies “PRRIP” or “Program” should be more specific.
109 Identify which person or committee would be responsible for these steps – typically the
110 Governance Committee or their designate. Wingfield asked about access during sandhill crane
111 migration, and impacts to existing roosts. Wingfield and others agreed that a time of day
112 restriction could potentially be added during that period, so that properties cannot be accessed
113 outside the hours set forth (access only from 9am to 4pm, for example). Farnsworth brought up
114 the topic of firearm use during mixed-use periods or outside of typical hunting periods. The
115 LAC agreed that use of firearms for any reason other than licensed hunting (such as target
116 shooting) would not be allowed. Kenny said that the policy does not cover access to properties
117 not owned by the Program in fee title, so Program easements, leases, or owned properties with
118 restrictive easements in place would not be included.
119

120 The LAC did not wish to approve the document in its current form, as some of the appendices
121 were not included. The LAC then discussed some of the content that should be included in these
122 appendices. On the list of compatible uses, Wingfield wanted to clarify to the LAC that the list
123 of compatible uses found in the Land Plan is in reference to uses that may occur already on land
124 that may be pursued for non-fee title acquisition by the Program, not specifically in reference to
125 activities that may be allowed on Program land.
126

127 The LAC then discussed the “Conflict Resolution” appendix. Most of the discussion centered
128 around a tiered approach where, for example, the first contact for conflicts would be with the
129 administrator of the policy, then the ED office, then possibly the LAC or the GC. Heaston



described what the Nature Conservancy does on their lands. They implement a sort of “one strike you’re out” approach. Conflicts between permitted parties must be resolved between both parties or they both have their permission revoked. Heaston said he will work with the ED Office to polish the additions and final language and bring it back to the LAC at the April meeting for approval.

Red Line Changes to the Land Plan Text

The GC had directed the LAC to address potential changes to the Land Plan text to accommodate tiered management plans. The GC was generally in favor of this tiered approach, but wanted the LAC to address and produce the language changes. Farnsworth introduced two options for changes that would satisfy this request. Shadle said that he is still concerned that the tract plans should provide greater detail on science/AMP activities. Heaston said with those activities covered under the complex plan, it would be redundant. The LAC had not seen the proposed language prior to the meeting and wanted some time to read and review the language.

Heaston made a motion to table any recommendation on new language pending further LAC review and comment, and that the LAC reconvene via conference call on February 22, 2011 at 1pm Central to readdress this topic. LaBonde seconded and the motion carried.

Conference call materials and details will be distributed to the LAC next week.

Review Elm Creek Agreements for Acres to be Credited

Sackett distributed a document in advance of the LAC that described the details of the management agreements currently in place in the Elm Creek Complex. The document describes the amount of acres affected by these agreements and the type of coverage offered by the different agreements. In the document, the acres are listed as both total property acres under agreement and “affected” acres which only cover the areas where Program work was performed. Wingfield said that if the Program is in agreement that the 10,000 acre milestone can be exceeded, he is less concerned with counting these agreements towards the number. Jenniges said they would like to see acres counted where Program money was spent on projects under these agreements. Wingfield said that these agreements do not restrict any uses like an easement or lease might (no control over disturbance). Shadle recommended that, if these acres are to be counted, they should be added to the acre summary distributed in advance of LAC meetings under another heading so the LAC can stay informed about the progress of the 10,000 acre goal. Heaston said that at the GC meeting, some members wanted it to be clear that the money being spent on these projects is counted towards satisfying their obligations to the Program. Heaston said that ownership alone isn’t conservation, but a tool to allow conservation. Heaston believes that the agreements should count for the duration of the agreement and count the same as fee title for that duration. If the agreement is terminated, those acres are lost from the accounting.

Review Management Plans for LAC Recommendation for Tracts 2009006, 2009007, 2009008, 2010001 and Cottonwood Ranch Complex

Brei and Tunnell briefed the LAC on management plan changes since the last meeting. For the most part, the plans didn’t change much. Additions include converting the plan for 2009008 to a



“non-complex” plan format since it is a stand-alone non-complex tern & plover nesting tract. This means the boiler plate regulatory language usually found in the complex plans was added to this plan. Farnsworth said that, where applicable, language was added to all management plans pertaining to uncertainty of some actions such as sediment augmentation and flow consolidation. Peyton mentioned that there is an active sandhill crane roost in the channel near 2009007. Peyton suggested that language be added to the baseline monitoring and research section of the 2009007 plan with relation to sediment augmentation activities and the roost.

Jenniges and Shadle brought up concerns with the structure of the Cottonwood Ranch complex plan. NPPD was not comfortable approving the plan in its current form, and felt that the plan needed further review and refinement by the TAC and ED staff before this complex plan could be approved.

Shadle made a motion to recommend GC approval of management plans for tract 2009006, 2009007 (including suggested sandhill crane language), 2009008, and 2010001. LaBonde seconded and the motion carried.

Presentation of 2009 and 2010 Work Reports

Tunnell gave the LAC an overview of the 2009 and 2010 work reports/budget overview documents that were distributed in advance. The 2009 report was also completed this year to bring the process up to date. In the future, these reports will be distributed on an annual basis. Czaplewski asked about the large imbalance in costs vs. expenses in the agricultural category. Farnsworth said much of that imbalance is attributed to inclusion of infrastructure and other first-year capital cost actions in the numbers. Heaston suggested that those type of items be noted or separated so the imbalance is better understood.

Closing Business

Sackett mentioned that he would also add the two evaluation reports (tracts 1018 and 1019) that were distributed in advance of this meeting to the conference call agenda for February 22 at 1 p.m.

With no further business, the meeting was adjourned by Chairman Woodman at 2:50 p.m.