



PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM
Governance Committee Meeting Minutes
Wyoming Water Development Commission – Cheyenne, WY
June 9-10, 2015

Meeting Attendees

Governance Committee (GC) Table

State of Wyoming

Harry LaBonde – Member

State of Colorado

Suzanne Sellers – Member

State of Nebraska

Jim Schneider – Member (Chair)

U.S. Fish and Wildlife Service (Service)

Eliza Hines – Member

Bureau of Reclamation (BOR)

Chris Beardsley – Member

Brock Merrill

Environmental Entities

Bill Taddicken – Member

Rich Walters – Member

Upper Platte Water Users

Dennis Strauch – Member

George Williams – Member

Colorado Water Users

Alan Berryman – Member

Deb Freeman

Downstream Water Users

Brian Barels – Member

Don Kraus – Member

Mark Czaplewski – Member

Kent Miller – Member

Executive Director's Office (EDO) Staff

Jerry Kenny, Executive Director (ED)

Bridget Barron

Darren Beck

Jason Farnsworth

Bruce Sackett

Sira Sartori

Chad Smith

Audience Members

Jerry Pena – GEI Consultants

Jeff Fassett – HDR

Mike Besson

Matt Rabbe – Service

Austin McKillip – Cline Williams

Justin Haahr - NGPC



Tuesday, June 9, 2015

Welcome & Administrative

Schneider called the meeting to order at 2:00 p.m. Mountain Time. The group proceeded with introductions. Schneider said Kenny will show some images and videos from the high flows currently on the Platte before the Program committee updates.

Czaplewski moved to approve the March 2015 GC minutes; LaBonde seconded. Minutes approved.

Program Committee Updates

Land Advisory Committee (LAC)

Czaplewski provided an update on the latest LAC activities. The LAC met March 31 in Kearney and discussed the PRRA and usage of Program lands for recreation. The LAC met again on May 27 and discussed plans to update tract and complex work plans, followed by a tour of some Program properties. Those updates will begin this summer.

Water Advisory Committee (WAC)

Sartori provided an update on the latest WAC activities. The WAC last met on May 12 in Ogallala. There was a general update of WAP activities; depletion plan updates; presentation on the excess flow determination; update on activities at the North Platte choke point; and the meeting was followed by a two-day tour of water projects in Nebraska. The next WAC meeting is August 11 in Ogallala.

Technical Advisory Committee (TAC)

Sellers provided an update on the latest TAC activities. The TAC last met on May 11 in Ogallala. The TAC approved motions recommending the breeding pair manuscript for approval; peer reviewing the forage fish synthesis document; revisions to the WC monitoring protocol; the WC monitoring RFP; accept the term/plover demography report (with TAC and EDO edits); and recommended Sackett continue to look at potential sites for acquisition for both WC wetland areas and OCSW nesting habitat for terns/plovers. The TAC will attend the ISAC meeting in July.

Finance Committee (FC)

LaBonde provided an update on the latest FC activities. The FC met on May 28 and approved an extension of an agreement with Broadfoot Sand and Gravel for OCSW habitat at Newark; approved a RFQ for fall disking; a bid package for rebuilding check structures on the Johns Tract; soliciting bids to remove the farm house at Speidell; and approved an agreement with Dewberry for continued work on the hydroclimatic indices project (joint project with the CWCB).

Program Outreach Update

PRESENTATIONS

- Jason Farnsworth represented the Program in a panel discussion titled, “*Use and Sustainability of the Aquifer into the Future*” at the University of Nebraska – Lincoln Water Symposium on March 19, 2015 in Lincoln, Nebraska.
- Bruce Sackett presented on the Platte River Recovery Implementation Foundation to the United Farm and Ranch Management (UFARM) Spring meeting on March 26, 2015.
- Jason Farnsworth and Jerry Kenny presented an update on the Program at Audubon’s Nebraska Crane Festival on March 21, 2015.
- Jerry Kenny presented an overview of the Program to Rowe volunteers on June 4, 2015.

**EXHIBITS/SPONSORSHIPS**

- The Program exhibited at Audubon's Nebraska Crane Festival (formerly known as Rivers & Wildlife Celebration) in Kearney, Nebraska on March 21, 2015. We made 213 contacts.
- The Program was a sponsor of the Nebraska Natural Resources Districts Envirothon State Competition on April 29, 2015. The Envirothon has high school teams competing in seven areas of environmental studies; soils, aquatics, forestry, wildlife, range, and current environmental policy. The Program sponsored the wildlife station. The winning team members are awarded a \$500 scholarship by the University of Nebraska-Lincoln to be used towards a major in the College of Agricultural Sciences and Natural Resources.
- The Program was part of the Kearney Children's Museum celebration of International Migratory Bird Month on May 8, 2015. The Program provided materials for the children to make paper crane puppets and age-appropriate crane fact sheets.

UPCOMING PRESENTATIONS/EXHIBITS

- No scheduled presentation or exhibits for June, July, or August.

MEDIA/OTHER

- Bruce Sackett was interviewed by NTV Channel 13 regarding the testimony landowners along Shoemaker Island Road provided to the Hall County Board on March 24, 2015. The landowners alleged that nesting islands created by the Program were to blame for ice jams that flooded a county road, pastures and cropland.
- On March 26, 2015 the Kearney Hub published an article about the Platte River Whooping Crane Monitoring Project and interviewed Gary Lingle of AIM Environmental Consultants.
- Jerry Kenny was also interviewed by NTV Channel 13 on April 7, 2015 after he testified before the Hall County Board in response to the landowner's allegations.
- Distribution of 2013/2014 Biennial Report.

PRRIP FY15 Budget Update

Kenny discussed the status of the FY15 PRRIP budget and associated expenditures and contracts. Williams asked how much expense would be required to rebuild after the high flows. Kenny said not much. Any water in low areas on Program properties does not tend to impact any infrastructure because we don't generally build on the floodplain. Kenny also discussed Program income and taxes. Schneider asked about remaining income. Kenny said most income at this point is related to grazing because we have disposed of most of the cropland. There is also some revenue from aggregate at a couple of our sandpits. Sackett said we used to get a little income from FSA payments on crop ground but those acres have largely been disposed. Beardsley asked if income generated from these tracts will stay at about \$100,000 or will that reduce over time. Kenny said his projection is it will stay at about that level.

2014 State of the Platte Report

Smith discussed the draft 2014 State of the Platte Report and the conclusive assessments on two of the Big Questions. Taddicken said it is time to adjust. He would like to see the TAC come back with recommendations on these adjustments and bring these alternative to the GC in September. Beardsley asked if the adjustment ideas have been discussed with the TAC. Smith said not yet. Schneider said it would not make sense to support the two thumbs down assessment without a path forward. He would like recommendations from the EDO, ISAC, and TAC for what to do differently. Berryman said a good place to start is to what could be done within our means to do (budget, Good Neighbor Policy, etc.). Smith asked the GC for guidance for what to do if consensus recommendations don't come out of the TAC. Schneider



and Barels said work for consensus but bring all the information to them even if it has to be in the form of different recommendations from the EDO and the TAC.

*Berryman moved to support the two thumbs down assessment on Big Question #1 and direct the EDO to work with the TAC and ISAC to recommend a path forward for adjusting management based on this assessment; Czaplewski seconded. **Big Question #1 assessment approved.***

Beardsley and Schneider said they were hoping what would come to the GC are recommended alternative actions. Rabbe said a possibility might be to provide minority opinions if there are any. Barels asked if we will use the ISAC for review and comment or in an advisory role. It is important to consider the proper role for the ISAC.

Smith discussed the assessment for Big Question #9. LaBonde asked if there are other hypotheses related to pallids that need to be brought forward. Freeman said Big Question #9 is a precursor to larger questions about other hypotheses and whether there is a path forward the GC wants to pursue beyond the specific issue in Big Question #9. LaBonde said his concern is doing work on the lower Platte when things are already happening there and on the Missouri when the question of whether the Program is affecting flows on the lower Platte is answered. Barels said the biggest opportunity we have is opportunity of the J-2 reservoirs and how we might plan to avoid storing flows if flows are low on the lower Platte, or would we release EA water at the wrong time and in a way detrimental to pallid sturgeon. Kenny said the operating criteria question was explored in the stage change study and we can monitor and apply that tool appropriately through the operating criteria. Taddicken said you can also monitor new research as it is released that might change things in the future. That could be the recommended path forward. Hines and Rabbe requested waiting for a motion on this one until September.

Williams asked when the other Big Questions would be answered. Smith said the remaining tern/plover-related questions would largely be addressed with conclusive assessments in the 2015 State of the Platte Report and the whooping crane-related questions would follow about a year or two after that. Barels asked about the hypotheses in the AMP and how they are being addressed. Smith said the text of the underlying hypothesis is at the top of each assessment write-up, the hypotheses and X-Y graphs are listed in Appendix C of the State of the Platte Report, and hypotheses yet to be answered are captured in Big Question #11.

Kenny discussed the use of Program information in the Loup Power relicensing process. The EDO was informed this past week that the tern and plover habitat synthesis chapters were used heavily in a recent response by Loup Power to the draft Biological Opinion related to the relicensing. Kenny was just informing the GC about use of Program information.

PRRIP Peer Review and Publication

Smith discussed the breeding pair manuscript developed by the EDO.

*LaBonde moved to approve the breeding pair manuscript and seek publication; Strauch seconded. **Manuscript approved for publication.***

PRRIP Whooping Crane Monitoring

Smith discussed the revised PRRIP whooping crane monitoring protocol and the associated RFP for monitoring services. LaBonde asked about the number of birds using the river the past migration season. Smith said he wasn't sure on the exact number but it was over 20 birds and was one of the highest use migration seasons of recent times.



Czaplewski moved to approve the revised PRRIP whooping crane monitoring protocol; Taddicken seconded. **Monitoring protocol approved.**

LaBonde moved to approve the 2015-2019 whooping crane monitoring RFP and appoint the Proposal Selection Panel of Rabbe (Service), Jenniges (NPPD), Walters (TNC), and Smith (EDO); Hines seconded. **RFP approved and Proposal Selection Panel appointed.**

Smith discussed the TAC discussion in May regarding palustrine wetland acres versus OCSW acres. The TAC guidance ended up being to continue to pursue both kinds of acres but especially look toward the eastern end of the Associated Habitat Reach for OCSW acres. The Bureau of Reclamation commented at the time that cost issues should be considered and if the Program is already at or above the 10,000-acre goal the decision may be to not acquire either type of habitat. Freeman said the 800-acre figure came about because we weren't sure we could get the channel acres and it was set as a cap. It is an interesting turn of events that land acquisition has been so successful.

U.S. Fish and Wildlife Service Report

Rabbe discussed Tiered Consultations from 2014. All depletions in 2014 were in Colorado. Of the nine depletions, three were federal.

J2 Regulating Reservoir Update

Kraus provided an update on the status of the J2 project. Initial estimates on the amount of clay available look good for the project. Kenny said he recently received a call from the Nebraska State Auditor's office that was likely related to the J2 project. That office called because they received a call about the Program and how finances are handled and the Auditor's office wanted to know more about the Program. Kenny provided a description of how things are handled and also suggested talking to the NCF and Reclamation regarding annual federal audits.

Shoemaker Island Habitat Complex

Kenny discussed issues related to a recent ice jam on the river near the Shoemaker complex. Czaplewski said the discussion and documentation satisfy the request made to the CPNRD to bring this before the GC. Schneider said it would be a good thing to try to work with the landowners again. Williams asked if you do bank restoration are you admitting guilt. Kenny said we have consulted attorneys on this issue and it doesn't seem to be a problem. Farnsworth said the one potential long-term issue relates to tern/plover island building and increased county efforts to permit activities in the 100-year floodplain. The county floodplain admin person said they will be watching the Program in this regard. That will likely make future building of in-channel islands difficult. Schneider said there is coordination between the DNR and county floodplain administration and they can help work with them. Williams asked if we have to re-apply for Corps permits. Kenny said the Corps permits allows us to re-build.

GC Recognition

Kenny presented a gift to LaBonde in recognition for his service as 2014 GC Chair.

Meeting adjourned at 4:47 p.m. Mountain Time.



Wednesday, June 10, 2015

Welcome and Administrative

Schneider called the meeting to order at 8:00 a.m. Mountain Time and the group proceeded with introductions.

2014 Water Action Plan (WAP) Update

Sartori gave an update on WAP projects.

PRRIP Groundwater Pumping Pilot Project

Sartori gave an update on the pilot groundwater pumping project. Kenny said it would be good to get a motion from the GC to continue this project. Barels asked how deep the well is. Sartori said about 60 feet. Kraus asked about the ability to tell what is happening with recharge. Sartori said it is difficult to tell how much recharge is impacting the drain versus irrigation from the season. Kenny said there is more than one drain being monitored so the impacts are spread over a large area.

LaBonde moved to proceed with the groundwater pumping pilot project; Sellers seconded. Project approved.

Platte River Recreation Access (PRRA) Program

Haahr gave a presentation on the PRRA Program in 2014. Beardsley asked if we know how many are repeat visitors versus first-timers. Haahr said he did not have the numbers with him but we can determine that. Williams asked about the thinking limiting youth hunting. Haahr said it a part of the process of limiting the number of people on a site at one time. In Nebraska, youth have to have a mentor with them so that adds up in terms of the number of people. Taddicken asked about different number of people per activity. Haahr said that is only limited in terms of rifle deer hunting. Taddicken asked about social activities like hiking or bird watching that people tend to do in groups. Haahr said if we get requests for that we can make exceptions. Williams asked what percentage of applicants end up getting to rifle hunt. Haahr said roughly 50%. Williams asked if we get any requests from the outfitting industry. Haahr said no. There are concerns that some neighbors reserve sites to keep hunting low but there is no evidence of that and in fact some of the neighboring landowners actually use the sites.

Sackett discussed potential PRRA changes for 2015 recommended by the LAC:

- a) Require hunter orange to be displayed on the top of any temporary blinds or concealment used on the PRRA lands.
- b) Construct an additional parking area on towards the west end of Area L.
- c) Disallow the use of center-fire rifles on Area E.
- d) Add the Liehs tract to the PRRA program for all uses except deer hunting.
- e) Recommend that the ED Office seek a legal opinion on the Area A easement situation and forward the discussion to the GC for action.

For Item a), Rabbe proposed the following revised language:

“Users are highly recommended to have hunter orange displayed on the top of any temporary blinds or concealment used for deer hunting on the PRRA lands”.

Czaplewski said this modification was supported via electronic vote of the LAC.

Czaplewski moved to approved the recommended PRRA changes for the 2015 season; Strauch seconded. PRRA changes approved.



Sackett discussed the extended contract with the Nebraska Game and Parks Commission for management of the PRRIP Program as the LAC recommended.

LaBonde moved approval of the PRRIP Program contract extension; Beardsley seconded. Contract extension approved.

Public Comment

Schneider asked for public comment. None offered.

Executive Session

Taddicken moved to enter Executive Session; Sellers seconded. GC entered Executive Session at 9:23 a.m. Mountain Time.

LaBonde moved to end Executive Session; Williams seconded. GC ended Executive Session at 10:28 a.m. Mountain Time.

PRRIP Executive Session Motions

Berryman moved to no longer allow waterfowl hunting on PRRIP Area A; Czaplewski seconded. Motion approved.

Future Meetings & Closing Business

Upcoming 2015 GC meetings:

- September 8-9, 2015 @ Kearney, NE
- December 1-2, 2015 @ Denver, CO

Upcoming ISAC meetings:

- Summer ISAC meeting, July 14-16, 2015 @ Kearney, NE
- 2015 AMP Reporting Session, October 13-15, 2015 @ Denver, CO @ Warwick Denver Hotel

Meeting adjourned at 10:30 a.m. Mountain Time.

Summary of Action Items/Decisions from June 2015 GC meeting

- 1) Approved the March 2015 GC minutes.
- 2) Approved the two thumbs down assessment on Big Question #1 and directed the EDO to work with the TAC and ISAC to recommend a path forward for adjusting management based on this assessment.
- 3) Approved the tern/plover breeding pair manuscript and approved the EDO seeking publication of the manuscript.
- 4) Approved the revised PRRIP whooping crane monitoring protocol.
- 5) Approved the 2015-2019 PRRIP whooping crane monitoring RFP and appointed the Proposal Selection Panel of Rabbe, Jenniges, Walters, and Smith.
- 6) Approved continuing the groundwater pumping pilot project.
- 7) Approved changes to the PRRIP for the 2015 season:
 - a) Users are highly recommended to have hunter orange displayed on the top of any temporary blinds or concealment used for deer hunting on the PRRIP lands.
 - b) Construct an additional parking area on towards the west end of Area L.
 - c) Disallow the use of center-fire rifles on Area E.



- 324 d) Add the Liehs tract to the PRRA program for all uses except deer hunting.
- 325 8) Approved a contract extension for management of the PRRA Program.
- 326 9) Approved no longer allowing waterfowl hunting on PRRA Area A.
- 327 10) GC requested the EDO develop a hard-copy map book identifying all Program properties. Kenny
- 328 agreed to bring a draft to the September GC meeting to get feedback before finalizing the book.