



PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP or Program) Governance Committee (GC) Quarterly Meeting Minutes

Meeting Location:

PRRIP Executive Director's Office Conference Room
4111 4th Avenue, Suite 6
Kearney, NE 68845
(308) 237-5728

Meeting Attendees

Governance Committee (GC) Table

State of Wyoming

Harry LaBonde – Voting Member
Brian Clerkin – Alternate

State of Colorado

Don Ament – Voting Member (GC Chair)
Carlee Brown – Alternate

State of Nebraska

Jeff Fassett – Voting Member
Jennifer Schellpeper – Alternate

Upper Platte Water Users

Dennis Strauch – Voting Member
Bob Mehling – Alternate

Downstream Water Users

Mark Czaplewski – Voting Member
Brian Barels – Member
Don Kraus – Member
Kent Miller – Member

Executive Director's Office (EDO)

Jerry Kenny, ED
Jason Farnsworth
Scott Griebing
Bruce Sackett
Sira Sartori
Chad Smith
Kevin Werbylo

Bureau of Reclamation (Reclamation)

Chris Beardsley – Voting Member
Brock Merrill – Alternate

U.S. Fish and Wildlife Service (Service)

Michael Thabault – Voting Member (by phone)
Tom Econopouly – Alternate
Matt Rabbe – Alternate

Environmental Entities

Bill Taddicken – Voting Member
Rich Walters – Voting Member
Duane Hovorka – Member

Colorado Water Users

Alan Berryman – Voting Member
Deb Freeman – Alternate

Audience Members

David Galat – ISAC
Jim Hawks – City of North Platte
Brad Anderson – EDO Special Advisor
Russ Soucek – Nebraska Wildlife Federation
Jeff Cowley – Wyoming State Engineer's Office
Elizabeth Miller – NPNRD
Cory Steinke – CNPPID
Mike Drain – CNPPID
Dave Zorn – CNPPID
Jeff Runge – Service
Jim Jenniges – NPPD
Jim Schneider – Olsson Associates
Matt Pillard – HDR



TUESDAY, SEPTEMBER 13, 2016

Welcome & Administrative

Ament called the meeting to order at 1:58 PM Central Time. The group proceeded with introductions.

The GC approved the June 7-8, 2016; July 26-27, 2016; and August 17, 2016 GC minutes by unanimous consent.

Program Committee Updates

Land Advisory Committee (LAC)

Czaplewski provided an update on the latest LAC activities. The LAC last met via conference call on August 15, 2016. The single agenda item regarded Tract 1603 and the LAC recommended the GC pursue the tract. The tract sold at auction to a private individual.

Water Advisory Committee (WAC)

Steinke provided an update on the latest WAC activities. The WAC discussed the status of the J2 project, water leasing permits, CNPPID water leasing, Plan A and Plan B for Water Action Plan projects, broad scale recharge, slurry wall gravel pits, and a letter from the Tri-Basin NRD concerning the acquire and retire component.

Technical Advisory Committee (TAC)

Smith provided an update on the latest TAC activities. The TAC has not met since April and the next meeting will be in conjunction with the AMP Reporting Session in October. The TAC has provided electronic input on several items including draft PRRIP manuscripts for publication and the EDO's pallid sturgeon memo.

Finance Committee (FC)

LaBonde provided an update on the latest FC activities. The FC met twice since the June GC meeting. The first meeting on August 11 the FC approved two habitat complex bid packages, approved the fall disking RFQ, and held a second meeting on September 6 where the FC approved two contract amendments (broad-scale recharge permitting and sand dam removal modeling).

Program Outreach Update

PRESENTATIONS

- Kevin Werbylo presented "*Managing the Planform of the Central Platte River through Flow and Sediment Augmentation*" at the Rocky Mountain Stream Restoration Conference in Breckenridge, Colorado on July 20, 2016.
- Darren Beck presented "*Management of Channel Forming Storage Releases and Alluvial Recharge Projects for Habitat Restoration*" at the Rocky Mountain Stream Restoration Conference in Breckenridge, Colorado on July 20, 2016.

UPCOMING PRESENTATIONS/EXHIBITS/SPONSORSHIPS

- The Program is exhibiting at Husker Harvest Days in Grand Island on September 13, 14, and 15, 2016 in the Natural Resources Districts building. Husker Harvest Days is recognized as the World's Largest Totally Irrigated Working Farm Show™ and features the most extensive state-of-the-art information and technology available for today's agricultural producers.
- Patrick Farrell will be presenting at the Nebraska Natural Legacy Conference in Broken Bow, Nebraska on September 21, 2016. The title of his presentation is *Riverine habitat selection of*



Whooping Cranes during migration: Implications for managing habitat along the central Platte River.

- Jerry Kenny and other EDO staff will be giving a tour of Program projects to the Upper Niobrara White Natural Resources District Board of Directors on September 24, 2016.
- The Program will be exhibiting at the Natural Resources Districts annual conference at the Younes Conference Center in Kearney, Nebraska on September 26 & 27, 2016.
- A series of basin-specific panels will look at water management in Nebraska at the Nebraska Water Center's annual water symposium on October 20, 2016. Speakers on the Lower Platte panel include Jerry Kenny of the Program, Don Kraus of the Central Nebraska Public Power and Irrigation District and Mace Hack of The Nature Conservancy.
- The Program will be exhibiting at the South Platte Forum on October 26 & 27, 2016 in Loveland, CO.

MEDIA/OTHER

- The Kearney Hub interviewed Jerry Kenny for an August 4, 2016 article on the J-2 reservoir being formally placed on hold by the Governance Committee.
- Mike Drain of the CNPPID, John Thorburn of Tri-Basin Natural Resources District, and Lyndon Vogt of Central Platte Natural Resources District were all interviewed for an August 4, 2016 Kearney Hub article on the effects of the J-2 hold on some of the project partners.
- The Kearney Hub did an August 20-21, 2016 feature on the Platte Basin watershed journey of Michael Forsberg and Pete Stegen which is part of the Platte Basin Timelapse Project. The duo traveled over 1,000 miles by biking, hiking, and canoeing from the mountain headwaters of the Platte in Colorado to Plattsmouth, Nebraska where the Platte joins the Missouri.

PRRIP FY16 Budget/Contracts Update

Kenny gave an overview of the status of the FY16 budget, related expenditures, contracts, and land income and taxes. Ament asked about farms owned by the Program. Sackett said they are generally all cash rent.

J-2 Reservoir Project

Kraus gave an update on the status of the J-2 Project. CNPPID and the EDO are working on agreement amendment language to pause the project. Kenny said the ball is now in the court of the Program attorneys. Czaplewski asked how many acres CNPPID has acquired. Steinke said in the range of 30-40 acres.

USFWS Items

Thabault discussed the final draft of the Service's Milestones Report. Rabbe discussed some of the changes to the report such as noting the J-2 Project is now on hold. Freeman said the explanatory material that accompanies the milestones are not milestones themselves. The way they are characterized as sub-components that have not been achieved is a little strong. Those items guide us but they are not failed components. Rabbe said the way the Service went about it was to add the language of "While not required...". Kenny said the EDO will work with the Service to make sure they have the information necessary to do proper reporting like incidental take, water reporting, and others. Barels asked if there will be a report or individual memos. Kenny said that is one of the things that needs to get sorted out.

Rabbe discussed the letters related to the Northern Long-Eared Bat (NLEB) informal consultation. The Service wrestled with the issue of clarifying tree size that might be considered habitat. They could not find an instance of being specific providing a size that would apply. The footnote definition used in the



Service's response letter to Reclamation is consistent with how the Service has approached this issue with everyone else. Freeman asked if this means there is no grubbing, clearing, or other activities. Rabbe said on a case-by-case basis the Program can come to the Service's office to talk about specific circumstances.

Rabbe discussed the Fall Flow Routing Test Release. The peak should be past Kearney now. We saw roughly 3,200 cfs at Overton and will see around 3,000 cfs at Grand Island. Runge said the idea for this came about during coordination discussions with the water users in the mid-2000's. The thought behind it is the canals are charged, losses would be less, so we can try a test release and see what the true losses are. Barels asked if there is monitoring in the river to see what is going on. Rabbe said there are gages in the river and mechanisms for tracking water. The purpose was not to track channel change or species response. Barels asked if it was just a hydraulic test. Rabbe said yes.

Barels asked the Service to use the EA Committee /Reservoir Coordinating Committee in developing future releases because people were impacted by this release and the communication was not broad enough for proper planning and responses. Rabbe and Thabault said that is noted and will be done in the future. Thabault asked for more clarification. Barels said there are groundwater recharge permits and other diversions that could be made at this time that were impacted by the test release. We had to change canal operating plans and shut them down to not operate for groundwater recharge. We are not yet sure if the EA water has passed and if those canals can be re-opened. Thabault said he will work with his staff on this.

Cook Tract Water Items

Drain discussed the methodology to get a score for the Cook Tract well. Sartori gave a presentation on the project background.

LaBonde moved to approve the score for the Cook Tract well; Berryman seconded. Score approved.

CNPPID Water Service Agreements (WSA)

Kenny discussed the WSAs for the Phelps Canal and Elwood Reservoir.

Barels moved to approve the one-year extension of the Water Service Agreements for Phelps Canal and Elwood Reservoir; Beardsley seconded. Kraus, Czaplewski, and Miller abstained. Water Service Agreements approved.

Water Action Plan Projects Update

Werbylo provided an update on general Water Action Plan projects, broad-scale recharge, and slurry wall pits and aquifers. Freeman asked if there are existing pits that could work for this. Sackett said there are very few that are available.

PRRIP 2016 EDO Technical Series

Farnsworth gave a presentation highlighting key points from the 2016 EDO Technical Series. Econopouly asked about the volume for the effective discharge. Farnsworth said it is not a volume approach but an integration of flow and sediment. Hovorka asked about the return interval. Farnsworth said that is under current flows. Runge asked about reverting to a dry period and the increase in disking. If we end up in a drier situation, what facilitates the increase in vegetation? Farnsworth said not having large bankfull or larger flows. Jenniges said the issue with vegetation is you can keep it out of the channel by keeping it wet, but if it establishes flow cannot remove it. Thabault asked if Farnsworth could speculate the level of support there is for the combination of flow and mechanical actions to get from one event to the next? Does a bankfull flow every three years help us get to the next 16-year event? Farnsworth said no,



mechanical actions would still be required. Hovorka said phrag is now a noxious weed and a problem the NET funding is it is not set up to deal with noxious weed funding. The Program has a legal responsibility to control phrag on Program lands. It's also very expensive and to expect that all landowners will do this control is a big ask. These are not easy issues to grapple with.

Public Comment

Ament asked for public comment. None offered.

Executive Session

Fassett moved to enter Executive Session; LaBonde seconded. GC entered Executive Session at 4:58 PM Central Time.

Berryman moved to end Executive Session; Beardsley seconded. GC ended Executive Session at 5:30 PM Central Time.

PRRIP Executive Session Motions

LaBonde moved to approve allowing the Nebraska Community Foundation to sign Land Use Agreements for Tracts 1008, 1228, 1604, and 1605 on behalf of the Program; Barels seconded. Walters abstained on the vote related to Tract 1228. Land Use Agreements approved.

Meeting adjourned at 5:31 PM Central Time.

WEDNESDAY, SEPTEMBER 14, 2016

Welcome and Administrative

Ament called the meeting to order at 8:02 AM Central Time. The group proceeded with introductions.

North Platte Choke Point

Anderson provided a presentation on the feasibility assessment of several options for the North Platte Choke Point. Taddicken asked if we looked at a model showing 5,000-7,000 cfs for inundation. Anderson said he looked at a gage height of 7 feet flood stage which is 4,000 cfs through the reach. The impact would be substantial at 7,000 cfs because the area is flat and those flows would be out of bank. Taddicken asked if we do Alternatives 2 and 3 does that add to the cfs we can get through the reach. Anderson we could convey 3,000 cfs through the area under the recommended construction alternative. Miller said the problem with the higher water levels is the impact to groundwater. When river stage is raised, groundwater levels are raised as well. Buying out properties doesn't take into consideration the properties impacted by the raising of the groundwater (water in crawl spaces, yards, driveways, etc.). Hawks agreed with Miller and said we have this problem even at 6 feet. The inundation map is fine but it does not reflect the true magnitude of the problem through the community. Miller said the only way to deal with the groundwater issue and perceptions of being flooded is to do something structurally (dredging or structure around the west end of North Platte). Hawks asked if you negotiate a document with the owner of the property and pay them, what would that instrument be and how does that devalue the property? Kenny said it would be a flood easement, Sackett said it would be filed in county records. Hawks asked if you could get that property insured. Sackett said you could not build a structure and get it insured. Anderson said this project won't have any impact on insurability of a structure because this is so much smaller than a 100-year flood event, which is the event that insurance is tied to. That would be well out of the banks. Farnsworth said it is about 25,000-30,000 cfs.



Kraus said you would have to get agreement with 28 individuals and that is a challenge. Farnsworth said we would have to get the same agreement if we decide to build something in the channel as well. Anderson said his suggestion is to determine the groundwater level today; Kenny said we have monitoring wells out now. The second thing would be we could consider drain systems around any properties that would be subjected to problems from groundwater. The issue is there will be maintenance costs associated with pumping and that would add to the total expense. Kenny said we did another project in the area along North River Road and we improved drainage to Whitehorse Creek. Since then, there have been a couple high flow years and that has worked well. Drain said there have been times when river stage is up and there have been no recent rains and there are water problems from groundwater. Miller said don't dismiss any alternative yet based on costs because there may be additional costs that are not yet factored in.

Drain asked about the design of the canal and how it would function for its primary purpose (designed for 2,000 cfs, carrying only 200 cfs for irrigation). Anderson said we can't have a dual structure, the existing canal would have to stay so there would need to be parallel canals. Farnsworth asked if we have a list of complaints from this summer when flows were over 3,000 cfs in June. Hawks said no but he could tell you who they are based on 30 years of experience. Kenny said clearly there are some groundwater items that need investigated and come back to the GC with more information. Merrill asked if we will have the same groundwater impact if we do something like the channel dredging. Anderson said yes. Fassett said we would be moving water only for a few days and not a couple months, so does that have an impact on groundwater if it is quick like that. Kenny said our wet meadow data suggests a short event will not cause those kind of groundwater impacts, but that prolonged releases for target flows could have a groundwater impact.

Sackett asked if there is any restriction now in terms of continued building in this area. Hawks said the city does not allow any construction in the zone. Hovorka said he agrees with Miller that we should keep all the alternatives on the table at this point and learn more about them. Sackett said as he visited with the landowners in the area after the 2011 flood everyone was interested in talking about a solution. Now that some steps have been taken, there may not be as much support. You have to keep this mind as you consider which actions to take. Fassett asked what the big flow was in 2011. Kenny said about 7,000 cfs at North Platte. Kenny asked if the GC wants the EDO to spend any more time to look at the big canal option to the west of North Platte. Miller said it seems like that is not a good option to pursue. Kenny said it sounds like we have done enough for now on the canal. We will explore further the groundwater impacts of a raised stage and will come back to the GC with more information.

Ament said there is a tremendous cost to all of these options and at the same time we are trying to put together a First Increment Extension and meet the water milestone. Everyone needs to keep in mind there is a limited amount of money that will be available to do any of this work. Barels said when he thinks about SDHF, target flows, and the choke point it seems like we need to sequence ourselves so we don't get too far ahead of ourselves on certain items.

Pallid Sturgeon

Smith summarized the EDO's pallid sturgeon memo and Galat gave a presentation from the ISAC on pallid sturgeon. There was a group discussion about pallid sturgeon issues and next steps. The GC agreed to all the steps the EDO proposed for the pallid sturgeon process including building an internal Program pallid sturgeon workshop into the FY17 PRRIP budget and a subsequent expert workshop into the FY18 PRRIP budget, both with facilitation by Compass as an EDO Special Advisor.

PRRIP First Increment Extension



Ament discussed the recent meeting between the Signatories about the Extension. The Signatories offered the following bullet points for consideration in the Extension Proposal:

- The Program is committed to achieving the minimum water milestone of 130,000 acre-feet in annual reductions to target flow shortages. However:
 - The Program recognizes there are fiscal constraints to achieving this milestone, and
 - Scientific investigations need to be completed to confirm the need for 130,000 acre-feet in annual reductions to target flow shortages.
- The Program will invest the maximum amount of resources available to achieve at least 120,000 acre-feet in annual reductions to target flow shortages as quickly as possible during the First Increment Extension and will also invest in the science necessary to determine if the additional 10,000 acre-feet is justified.
- The Program is committed to finding the additional resources necessary to achieve that additional 10,000 acre-feet if justified by the science.

LaBonde said what is driving this direction is budget numbers and available cash are being evaluated. Reclamation and Wyoming have said what they can bring to the table, Colorado as well, and that is short of the original estimated budget of roughly \$118 million. The last 10,000 acre-feet of water (120,000 to 130,000 acre-feet) is worth about \$42 million out of that \$118 million budget. With the open question of which flows work and do we need the full 130,000 acre-feet, the idea is to move the last 10,000 acre-feet toward the end of the Extension once we answer the question of whether the full 130,000 acre-feet is needed. Kraus asked if we have put together proposed annual budgets match with hypothetical revenues now that we have had input on the potential available budget. Kenny said we have drafted a budget but we have not included this new approach of focusing on the 120,000 acre-feet number and adjusting the budget and cash flow requirements accordingly. Barels said we received a large amount of reading material for this meeting and the Downstream Water Users still need to review the Extension proposal and determine if they have comments they want to provide.

The GC agreed to the following schedule for the Extension Proposal and budget:

- The EDO will distribute the revised draft Extension Proposal, based on GC discussion at the September meeting, to the GC on September 14, 2016.
- GC comments on that revised draft proposal are due to the EDO by September 30, 2016.
- The EDO will distribute the latest version of the Extension Proposal and budget to the GC for review by October 7, 2016
- The GC will have a conference call on October 14, 2016 at 10:00 AM Central Time to discuss the Extension Proposal and budget.
- One goal of the November 2, 2016 GC meeting in Denver is to get agreement on a final version of the Extension proposal and budget.

Future Meetings & Closing Business

Upcoming GC meetings:

- **November 2, 2016 @ Denver, CO** (Special Session – FY17 Budget and First Increment Extension Proposal & Budget)
Country Inn & Suites – Denver International Airport
- **December 6-7, 2016 @ Denver, CO** (Quarterly Meeting)
Warwick Denver



2016 AMP Reporting Session:

- **October 18-19, 2016** @ Omaha, NE (ISAC meets alone with EDO on Oct. 20)
Hilton Garden Inn Downtown

Meeting adjourned at 11:52 AM Central Time.



Summary of Action Items/Decisions from September 2016 GC meeting

- 1) Approved the June 7-8, 2016 GC minutes.
- 2) Approved the July 26-27, 2016 GC minutes.
- 3) Approved the August 17, 2016 GC minutes.
- 4) Approved the score for the Cook Tract well.
- 5) Approved the Water Service Agreement for the Phelps Canal.
- 6) Approved the Water Service Agreement for Elwood Reservoir.
- 7) Approved allowing the Nebraska Community Foundation to sign Land Use Agreements for Tracts 1008, 1228, 1604, and 1605 on behalf of the Program.
- 8) Agreed to all the steps the EDO proposed for the pallid sturgeon process including building an internal Program pallid sturgeon workshop into the FY17 PRRIP budget and a subsequent expert workshop into the FY18 PRRIP budget, both with facilitation by Compass as an EDO Special Advisor.
- 9) Set a timetable for revising the Extension proposal and budget with the goal of agreeing to final versions at the November 2, 2016 GC meeting in Denver, CO.