



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

Tuesday, June 6, 2017 – 2:00 PM – 6:00 PM
Wednesday, June 7, 2017 – 8:00 AM – 12:00 PM
Note: All times Mountain.

Meeting Location:

Wyoming Water Development Commission – Basement Meeting Room
6920 Yellowtail Road
Cheyenne, WY 82009

Governance Committee (GC)

State of Wyoming

Harry LaBonde – Member

State of Colorado

Don Ament – Member

Suzanne Sellers – Alternate

State of Nebraska

Jeff Fassett – Member

Upper Platte Water Users

Dennis Strauch – Member

Bob Mehling – Alternate

George Williams – Alternate

Downstream Water Users

Mark Czaplewski – Member

Don Kraus – Member

Brian Barels – Member

Kent Miller – Member

Executive Director's Office (EDO)

Jerry Kenny, ED

Bridget Barron

Jason Farnsworth

Bruce Sackett

Chad Smith

Tom Smrdel

Kevin Werbylo

Bureau of Reclamation (Reclamation)

Chris Beardsley – Member (2017 GC Chair)

Brock Merrill – Alternate

U.S. Fish and Wildlife Service (Service)

Eliza Hines – Alternate

Matt Rabbe – Alternate

Environmental Entities

Rich Walters – Member

Bill Taddicken – Member

Colorado Water Users

Alan Berryman – Member

Deb Freeman – Alternate

Audience Members

Elizabeth Miller – NPNRD

Jesse Bradley – Nebraska DNR

Barry Lawrence – State of Wyoming

Bryan Clerkin – State of Wyoming

John Thorburn – Tri-Basin NRD

Mike Clements – Lower Republican NRD

Scott Dicke – Lower Republican NRD

Liberty Blain – State of Wyoming

Tom Econopouly – Service

Dale Schlautman – EA Engineering

Justin Haahr – Neb. Game & Parks Commission

**TUESDAY, JUNE 6, 2017****Welcome & Administrative**

Beardsley called the meeting to order at 2:00 PM Mountain Time. The group proceeded with introductions.

GC Decision – *Ament moved to approve the March 7-8, 2017 GC Quarterly Meeting minutes and the April 6, 2017 GC Conference Call minutes; LaBonde seconded. Both minutes approved.*

Bill Taddicken made a brief announcement noting the passing of Marian Langan, President of Nebraska Audubon and GC Alternate for Environmental Groups. Information on a Celebration of Life Ceremony on June 17th and donations were provided.

Program Committee Updates***Land Advisory Committee (LAC)***

Czaplewski provided an update on the latest LAC activities. The LAC met on May 16 in Kearney. Agenda items included: land evaluation team looked at six tracts for possible acquisition and the PRRA subcommittee and related action items for the Public Access Policy. The next LAC meeting is August 23 in Kearney.

Water Advisory Committee (WAC)

Kenny provided an update on the latest WAC activities. The WAC met on April 25 in Ogallala. Agenda items included: updates on Water Action Plan (WAP) projects; depletion plans; report on the draft Annual Flow Summary Report; heard from TNC on a UNL water balance initiative; Lake McConaughy operations and EA releases; and the Platte to Republican Diversion Project. The next WAC meeting is August 8 in Ogallala.

Technical Advisory Committee (TAC)

Sellers provided an update on the latest TAC activities. The TAC met after the last GC meeting in Kearney on March 8. Since that time, the TAC has approved a couple items by electronic vote: recommended the GC approve changes to the whooping crane monitoring timeframe; and recommended the GC approve the “Negotiating the Recovery...” manuscript. The next TAC meeting has yet to be scheduled.

Finance Committee (FC)

LaBonde provided an update on the latest FC activities. The FC has not met since the last GC meeting.

Program Outreach Update***PRESENTATIONS***

- Dave Baasch presented to Loup City/Arcadia High School students as they toured the Platte River basin on March 15, 2017. He discussed managing habitat for Whooping Cranes on the Platte river.
- Dave Baasch, Jason Farnsworth, and Jerry Kenny presented at Audubon’s Nebraska Crane Festival in Kearney, Nebraska on March 18, 2017. Their session was titled, “*Habitat for Whooping Cranes*”.
- Dave Baasch presented to 30 High School students at the Archway in Kearney on April 10, 2017. Dave discussed managing habitat for Whooping Cranes, terns and plovers on the Platte river.
- Jerry Kenny presented on the Program as part of a panel presentation at the 2017 Water for Food Global Conference April 11, 2017 in Lincoln, Nebraska. The theme for this year’s conference was Water for Food Security: From Local Lessons to Global Impacts and the panel focused on Water Governance and Management in Great River Basins.



- George Oamek presented on the Program as part of a panel presentation at the 2017 Water for Food Global Conference April 11, 2017 in Lincoln, Nebraska. The theme for this year's conference is Water for Food Security: From Local Lessons to Global Impacts and the panel focused on Case Studies of Water Markets: Groundwater and Informal Markets. Kent Miller also presented as part of that panel.
- Kevin Urie presented on the Program and South Platte Water Related Activities Program (SPWRAP) at the Society of Wetland Scientists Rocky Mountain Chapter Annual Meeting in Golden, Colorado on April 12, 2017.
- Jerry Kenny presented on the Program to the Western States Water Council on April 14, 2017 at the Lied Lodge and Conference Center in Nebraska City, Nebraska.
- Scott Griebbling presented at the Spring Conference of the American Water Resources Association (AWRA) in Snowbird, Utah on May 1-3, 2017. Scott's presentation was titled, *River and groundwater connectivity at wet meadow sites along the Platte River in Central Nebraska*.
- Seth Turner presented on the Program at the Spring Conference of the American Water Resources Association (AWRA) in Snowbird, Utah on May 1-3, 2017. Seth's presentation was titled, *Developing Water Projects for ESA Compliance in a Highly-Managed River System*.

EXHIBITS/SPONSORSHIPS

- The Program exhibited at Audubon's Nebraska Crane Festival in Kearney, Nebraska on March 17th and 18th, 2017. We made 156 contacts.
- The Program exhibited at the Egg-stravaganza at the Kearney Children's Museum. Attendance at the event was 504 and we gave away make-your-own birdfeeder kits and paper cranes.
- The Program was a Station Sponsor for the 2017 Nebraska Envirothon, which was held on April 26th, 2017, at the Wildcat Hills State Recreation Area in Gering, NE. The Envirothon has high school teams competing in seven areas of environmental studies; soils, aquatics, forestry, wildlife, range, invasive species, and current environmental policy.

UPCOMING PRESENTATIONS/EXHIBITS

- The Platte Valley Weed Management Area group (PVWMA) will have a field day on June 8th at the Bartels property. The purpose will be to review the effects of different herbicide treatments used for phragmites control initiated by Working EcoSystems, LLC and review the effects of prescribed fire to accretion ground. The group will have lunch during the regular monthly meeting and view the Elm Creek to Odessa stretch by airboat and an opportunity to view helicopter spraying.
- The Program will be a stop on the 2017 Water & Natural Resources Tour of the Central Platte River Basin June 27-29.

MEDIA/OTHER

- After the March 2017 Governance Committee meeting, the Kearney Hub published two articles in their Weekend Natural Resources section (March 11 – 12, 2017) on the Program's progress on habitat goals. Jerry Kenny and Jason Farnsworth were interviewed for the articles.
- The Kearney Hub published a short article of the PRRIP prescribed burns on April 24, 2017 and interviewed Tim Tunnell.
- Distribution of the 2015 State of the Platte Report.
- Distribution of the 2015-2016 Biennial Report.

PRRIP FY17 Budget Update

Kenny gave an update on the status of the 2017 PRRIP budget and associated land income and taxes. Beardsley asked if anything gave Kenny pause in terms of the 2017 budget so far. Kenny said not at this time. Program work will begin to pick up soon and there are anticipated land acquisitions and water project



that will come online soon. LaBonde asked if crop land continues if the Program were to retire water rights off a property. Sackett said that would change its assessed value.

PRRIP Indexing

Merrill gave an update on indexing for 2016. Beardsley asked what an average year is for the Index Application. Merrill said the one that has been all over the board a little is the land index value. That relates to things like Nebraska corn being at \$8/bushel which is now going down, so it takes a while to follow the trend and catch up.

PRRIP Publication & Peer Review

Smith discussed three published manuscripts so far this year and one manuscript for publication on the history of tern and plover use of the central Platte River and the context behind negotiations that led to the Program.

GC Decision – *Czaplewski moved to approve publication of the “Negotiating Recovery” manuscript and an alternative title will be posed for the manuscript by the end of this GC meeting; Walters seconded. Publication approved.*

PRRIP Whooping Crane Monitoring

Smith discussed proposed changes to the spring and fall dates of monitoring under the Program’s whooping crane monitoring protocol.

GC Decision – *Strauch moved to approve the modified protocol; LaBonde seconded. Protocol approved.*

Pallid Sturgeon Process

Smith gave an update on the Pallid Sturgeon Process and work of the Technical Task Group preparing items for the July webinar and September GC workshop. Barels asked if the EDO could develop a summary of what the Program has done with water since 2007 and how that might have impacted the lower Platte/pallids. Smith and Farnsworth said that will be done. Beardsley asked if any GC members wanted to convey something that does not show up in the Pallid Sturgeon Process interview summary. No comments were offered but Beardsley suggested GC members continue to think about that.

Water Action Plan (WAP) Projects Update

Werbylo gave an update on the broad-scale recharge (BSR) project at Cottonwood Ranch. LaBonde asked about state permits that might be required. Werbylo said those will be handled in-house. Kenny said if it is a pipeline from the canal, there will need to be a modification for the permit similar to what would have been needed for the J-2 project. Kenny said berms of a certain height would put us into dam safety issues. LaBonde asked if the wells were located within 50 feet of the river will we need dual permits from the DNR and the NRD. Kenny said yes, if they are further away we would only need NRD permits. But, the farther you are from the river the greater percentage of resident groundwater you will extract in comparison to surface water you are pulling from the river.

Pipeline/Wellfield Water Service Agreement (WSA)

Kenny discussed issues related to the WSA for the BSR pipeline/wellfield. The issues are focused in two areas: cost and control of the water. The rates proposed by CNPPID are felt to be too high by others and the contract provides no guarantee of delivery and allows termination at any time with 60 days’ notice. Kraus said his Board has discussed the issue of termination and pushing it out to the end of the 13-year First Increment Extension (no cancellation). There was also discussion of getting money through the Water Sustainability Fund to cover a portion of pipeline costs relieving the Program of a pipeline construction



costs. Kenny said there will need to be a letter of support from the Program for that grant application. Fassett asked if these options were essentially a push financially for the Program. Kenny said based on analysis to this point, the wellfield option appears favorable if the Program pays for some or all of the pipeline construction. If the Program does not pay for pipeline construction, then the options are a closer to a wash. Labonde asked over what time period. Kenny said the wellfield gets more favorable over time. Werbylo said if you don't pay up front capital costs then the wellfield is within 70-80% of the pipeline over a 20-year period. The longer you run the analysis, the better the wellfield option looks. Owning our own infrastructure helps things look better over time.

Beardsley said he has not heard a reason not to go with the wellfield. There is more control from a Program perspective, so what would make us want to choose the pipeline. Farnsworth said from the EDO perspective, we are just on the preliminary end of what it would take to permit, construct, and manage a wellfield over time. Merrill said we are going to need Program O&M people to manage all of these projects. Berryman said that is his question too, do we know what it will take to manage these projects. Kenny said if we have facilities, we will need staff to operate and maintain them. Those costs are factored into the wellfield estimates. Ament said one of our biggest problems is that we have been successful. It appears that things are working fine, but the problem is we are going to ask for an Extension which will bring new players into the discussion. The question always is, what certainty we will get with an Extension and with meeting our water objective. Given a lot of these questions and discussions, we should go with a wellfield and be in control of our own destiny.

Beardsley asked if anyone wants to continue pursuing the pipeline route or should we move ahead on the wellfield. LaBonde said he would remain interested in the pipeline if he could see a cost comparison. He suggested further analysis of the costs to give Central a competitive alternative that could be taken back to their Board. Fassett said the control issue is important and this is the first big project to get started that will be permanent. That is different than short-term lease options for canal water, etc. Fassett said he is leaning toward the option that gives the Program the most control. Rabbe said he had been talking about location and design and how those two things might impact land use and species use. Locating the project in the cottonwood forest (hidden amongst the trees) with a buffer to the river will make the wellfield workable. Williams asked how many of these projects we would be looking at. Kenny said three or four slurry wall pits and one other large BSR project like this one.

Beardsley said he is hearing an opportunity for more analysis and giving Kraus more information to go to his board. There is not support for developing a proposal for a Water Sustainability Fund grant. Kenny said the additional analysis would be completed and distributed in the not too distant future.

North Platte Project Water

Merrill discussed the idea of working within an existing bucket of water in the North Platte system to have the Program get a water service contract from Pathfinder Reservoir. There was a meeting with the Goshen Irrigation District in April to discuss this idea. Reclamation would lease the water to the Program and those funds would be credited back to O&M costs on the North Platte system. Irrigators currently pay about half that cost plus extraordinary maintenance items. This would require Congress, the Wyoming legislature, and the Wyoming Board of Control and those are just three of the main hurdles. Taddicken asked how much water we are talking about. Merrill said he looked at 12,500 acre-feet being delivered out of Pathfinder to get a credit of 10,000 acre-feet at Grand Island. That is one day out of the irrigation season, some of the irrigators said we could even explore more water than that. Sellers asked if the administrative process is similar to the Pathfinder Modification project. Merrill said yes. Rabbe asked about the timing for congressional approval. Merrill said it depends on the sponsor. Ament asked what happens if McConaughy is full. Merrill said that needs to be considered, we are just at a preliminary stage.



Kraus said the concept of inflows into McConaughy and issues like depletion plans would be involved. Under Nebraska law, you would lease the consumptive use. Another twist is the North Platte NRD possibly wanting to lease water from the North Platte system if possible. Strauch said he has heard from a lot of people how important this Program is to them and they want to make the Program successful. That is what appealed to the irrigation contractors and seeing if they can make this work. Hines said the Service is generally supportive of this idea but we have to think about the North Platte choke point as well. We need to consider whether we can use that amount of water the way we want to. Fassett said this seems to be worthy of more analysis, it seems like an attractive option. Merrill said Reclamation would continue to evaluate this option.

Platte to Republican Diversion

Thorburn and Dicke discussed the proposed Platte to Republican Diversion project. Taddicken said Audubon and the other conservation groups are highly opposed to diversions like this. It does not appear there are excess flows, the extra flows that have happened over the past few years has done work we have not yet been able to do. Thorburn said the maximum possible diversion amount is 100 cfs, the sustainable amount is probably more on the order of 50 cfs. Rabbe said from a Service perspective we have a lot of concern about this type of project. The science so far said the high flows and floods have been the things that have been doing all the work on the river. There are also issues like the risk of invasives from one basin transplanted to another. Kenny said when Olsson presented at the WAC, the analysis of conclusions did not incorporate diversions for Program flows. Kenny asked if there has been any subsequent work done to address that issue. Thorburn said the contractor is working on doing this. There are also other Nebraska interests that have an interest in these excess flows. Kenny said the Program has set cumulative impacts at 1,000 cfs of diversions from existing flows at time of excess for our internal analyses. Taddicken asked if Thorburn could explain the comment that many of his irrigators are already pumping Platte River water. Thorburn said pumping changes the slope of the groundwater table and it thus moves past the Platte/Republican divide. Kraus said he appreciated the comments and will take that back to his Board. Kenny observed that the map Thorburn had shown other alternatives, so inquired that this could just be the first project? Thorburn confirmed that if the Turkey Creek project were permitted, other projects could be considered.

Other Business

LaBonde said in the past we have adjourned this meeting to the golf course clubhouse. He was not able to secure that room so we can gather instead at Uncle Charlie's restaurant down the hill.

Kenny presented Ament with a token of thanks for chairing the GC last year through an extended period of GC work on the proposed First Increment Extension.

Meeting adjourned at 5:17 PM Mountain Time.

**WEDNESDAY, JUNE 7, 2017****Welcome & Administrative**

Beardsley called the meeting to order at 8:00 AM Mountain Time. A discussion of the new title for the Program manuscript and an update on Reclamation's NEPA process for the Extension were added to the agenda.

The GC approved the new manuscript title: "History, Context, and Uncertainty: Central Platte River Least Tern and Piping Plover Habitat and the Path to Adaptive Management."

PRRIP First Increment Extension

LaBonde discussed Attachment A to the Program Document Addendum for the proposed First Increment Extension. Taddicken asked where the per acre cost estimate for land acquisition in the Extension came from. Sackett said that cost was based on the range of current costs for land and future forecasts. LaBonde and Beardsley said these are the best estimates at this point. Beardsley said in terms of the "Monitoring, Research, and Administration" category, it might be best to change it to "Implementation and Governance". Barels suggested that category be renamed "Monitoring, Research, and Program Implementation." The GC agreed.

GC Decision – *LaBonde moved to approve Attachment A with the changes discussed and insertion of a footnote regarding federal and state funding approval; Ament seconded. Attachment A approved.*

Platte River Recreational Access (PRRA) Program

Haahr from the Nebraska Game and Parks Commission gave a presentation on results from the PRRA in 2016-17. Rabbe discussed proposed changes to the PRRA for the 2017-2018 season.

GC Decision – *Czaplewski moved to accept the LAC recommendations for changes to the PRRA for the 2017-2018 season; Ament seconded. LAC recommendations approved.*

Sackett discussed proposed amendments to the Public Access Policy, including changes in closure dates to match the whooping crane migration season dates. Freeman asked if there are implications on target flows for whooping cranes. Rabbe said that has not been addressed but will be during the Extension. At this time, adjusting migration season dates won't result in target flow date changes. Taddicken asked how important it is to do surveys if we are not going to have the public meeting. Maybe there could be other ways to ensure we get surveys returned by offering lottery tickets for the deer season, etc. Barels said he thought we could go the other way and only have surveys every two or three years. LaBonde asked if the surveys pick up how far people travel to use the PRRA. Haahr said yes. Beardsley asked if we are making adjustments to the PRRA based on the surveys. Haahr and Rabbe said yes. Ament said it might be good to incentivize the surveys to increase the response rate. Rabbe said we could offer an automatic pick in the rifle season lottery. The PRRA subcommittee will consider options to bring back to the LAC and GC.

GC Decision – *Ament moved to approve changes to the Public Access Policy; LaBonde seconded. Public Access Policy changes approved.*

Public Comment

Beardsley asked for public comment. None offered.

**Executive Session**

Czaplewski moved to enter Executive Session; Strauch seconded. GC entered Executive Session at 9:07 AM Mountain Time.

LaBonde moved to end Executive Session; Ament seconded. GC ended Executive Session at 11:43 AM Mountain Time.

PRRIP Executive Session Motions

GC Decision – *Strauch moved to approve using a portion of Tract W201701 in exchange for Tract W1606 in Phelps County, Nebraska; Ament seconded. Motion approved.*

GC Decision – *Czaplewski moved to accept the LAC recommendations for Tracts 1701 (continue pursuit), 1702 (continue pursuit), 1709 (turn down), 1710 (continue pursuit), 1711 (turn down), and 1712 (turn down); Mehling seconded. Motion approved.*

GC Decision – *LaBonde moved to accept the recommendations from the Excess Lands Subcommittee to proceed with selling the four properties identified as excess and to entertain the possibility of sale of the Leaman West property in pieces or in whole.; Fassett seconded. Motion approved.*

PRRIP Slurry Walls

Kenny and Werbylo discussed the Slurry Wall RFP.

GC Decision – *LaBonde moved to approve the Slurry Wall RFP with the caveat of pending review by the Slurry Wall Subcommittee, and appoint the following to the Proposal Selection Panel: Sellers (Colorado), Econopouly (Service), Merrill (Reclamation), Clerkin (Wyoming), Nebraska DNR representative, Shafer (NPPD); Ament seconded. Motion approved.*

Future Meetings & Closing Business

Merrill updated the GC on Reclamation's NEPA process for the Extension. A NEPA contractor is likely to be on board sometime in July with a stakeholder meeting in August. A FONSI is expected sometime in the first quarter of 2019 which is about a two-month delay from the previous preliminary schedule.

Upcoming GC meetings:

- Pallid Sturgeon Webinar – **July 10, 2017** (2:00-4:00 PM Central Time)
- GC Quarterly Meeting – **September 12-13, 2017** @ Kearney, NE
- GC Pallid Sturgeon Workshop – **September 13-14, 2017** @ Kearney, NE
- 2017 AMP Reporting Session – **October 17-19, 2017** @ Omaha, NE
- GC Special Session (FY18 Budget) – **November 14, 2017** @ Denver, CO
- GC Quarterly Meeting – **December 5-6, 2017** @ Denver, CO

Meeting adjourned at 12:04 PM Mountain Time.

Summary of Action Items/Decisions from June 6-7, 2017 GC Quarterly Meeting

- 1) Approved the March 7-8, 2017 GC Quarterly Meeting minutes and the April 6, 2017 GC Conference Call minutes.
- 2) Approved publication of Program manuscript with new title of "History, Context, and Uncertainty: Central Platte River Least Tern and Piping Plover Habitat and the Path to Adaptive Management."
- 3) Approved modifications to the Program's Whooping Crane Monitoring Protocol.



- 4) Approved Attachment A to the Program Document Addendum (First Increment Extension) with the changes discussed and insertion of a footnote regarding federal and state funding approval.
- 5) Approved the LAC recommendations for changes to the PRRRA for the 2017-2018 season.
- 6) Approved changed to the Public Access Policy for the 2017-2018 season.
- 7) Approved using a portion of Tract W201701 in exchange for Tract W1606 in Phelps County, Nebraska.
- 8) Accepted the LAC recommendations for Tracts 1701 (continue pursuit), 1702 (continue pursuit), 1709 (turn down), 1710 (continue pursuit), 1711 (turn down), and 1712 (turn down).
- 9) Accepted the recommendations from the Excess Lands Subcommittee to proceed with selling the four properties identified as excess and to entertain the possibility of sale of the Leaman West property in pieces or in whole.
- 10) Approved the Slurry Wall RFP with the caveat of pending review by the Slurry Wall Subcommittee, and appointed the following to the Proposal Selection Panel: Sellers (Colorado), Econopouly (Service), Merrill (Reclamation), Clerkin (Wyoming), Nebraska DNR representative, and Shafer (NPPD).