

**PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP -or- Program)****Land Advisory Committee (LAC) Virtual Meeting**

Wednesday, October 18, 2023; 10:00 AM - noon PM CST

*Meeting held virtually & in-person at ED Office in Kearney, NE***Land Advisory Committee (LAC)****State of Wyoming**

Michelle Hubbard– Member (online)

**Bureau of Reclamation (Reclamation)**

Brock Merrill – Member (online)

**State of Colorado**

Kara Scheel – Member (online)

**U.S. Fish and Wildlife Service (Service)**

Matt Rabbe - Member

**State of Nebraska**

Caitlin Kingsley – Alternate (online)

**Environmental Entities**

Cody Wagner – Member (Vice-Chair)

Tim Smith - Member

**Power Districts**

Dave Zorn – Member (Chair)

Jim Jenniges – Member (online)

John Shadle – Member (online)

**Local Nebraska Rep. – Central Platte Natural Resources District (CPNRD)**

Dave Carr – Member (online)

**Local Nebraska Rep. – Tri-Basin Natural Resources District (TBNRD)**

John Thorburn – Member

**Local Nebraska Rep. – Joint CPNRD/TBNRD**

None

**Executive Director's Office (EDO)**

Jason Farnsworth, ED

Tim Tunnell

**Other Participants**

Melissa Mosier – Audubon (online)

**WELCOME & ADMINISTRATIVE**

Chairman Zorn called the meeting to order at 10:01 am Central Time. Tunnell recognized members who were attending in-person at the PRRIP conference room and acknowledge members attending virtually. Zorn asked for agenda modifications. None were offered. Zorn asked for the LAC's recommendation on the minutes of the August 16, 2023, LAC meeting.

**LAC MOTION:** *Shadle moved, and Wagner seconded to approve the August 16, 2023, LAC Meeting minutes. Minutes approved.*

**GENERAL UPDATE AND OTHER COMMITTEE COORDINATION**

Scheel gave an update of TAC activities. TAC is getting the wet meadow hydrology paper out for peer review and selecting a review panel via email. TAC reviewed the "Land Management & Restoration Framework" document which had some last-minute edits from FWS that were not reviewed so it was kicked back to the LAC and will be back on the TAC agenda in January 2024. Received updates on WC telemetry work and sediment augmentation with much discussion and field site visits followed by more discussion with TAC & ISAC regarding future recommendations. Lastly, the FY 2024 Science budget was approved.

Farnsworth updated the group on WAC and GC. WAC will meet to discuss FY 2024 budget. The contractor is working on the chock point and have a consultant looking at recapture/recharge alternatives around the Elwood area. Multiple projects for water supply/planning are being pushed for long-term agreements and are back with those sponsors to deal and coordinate with state level inter agency/district issues to resolve before moving forward. GC will meet in December at Northern Water's campus in Berthoud. GC discussion will focus on pallid sturgeon, sediment augmentation, and budget for 2024. EDO will provide a Program 101 presentation to provide information for new members to help with decision making.

**LAND MANAGEMENT STATUS UPDATE**

Tunnell updated the group that there is no change to the Land Objective status. Tunnell gave an update for Fall 2023 in-channel diking at Chapman, Clark, and Rowe complexes. Project was split between 3 different contractors to get it all done. Talked about differences in equipment (Challenger with 3-point disk vs Stieger with tracks and pull behind disk vs articulating JD with duals and pull behind disk) and how they performed in the river. Smith summarized Crane Trust diking efforts that went well with the use of 2 machines working together with a 3-point disk and pull behind ag disk. Group discussed the amount of vegetation in the channel this year. Lots of perennial grasses and willows along with invasives. Farnsworth mentioned that EDO is working with permitting contractor to secure a permit to fix the flow split issue on the Wyoming tract to push water back to the main channel to deliver more water to the Rowe reach. Work will be in the 2024 budget and contingent on permitting from the USACE. Farnsworth brought up the flow split in the lower reach on Mormon Island and asked Smith if we are in a place to begin the process of addressing the issue. Smith agrees but does not want to predict the future but states that it is always the first to go dry which has not always been the case. Smith states that all neighbors agree that the river has changed and is a lot different from what it was. Farnsworth stated that the middle channel goes right through GI and wonders if city/county/state officials would be interested politically in fixing this particular flow split issue as it pertains to bridge design. Smith agrees that there is some interest in doing something but also some that are hesitant to make changes, but for the most part it would be looked upon favorably. Farnsworth asked if the Crane Trust has a position on



the issue. Smith replied that right now the position is to remain hands off and to continue discussions however they understand that it is a concern. Discussion about amount of flow capability in channel. Farnsworth stated that when it's time to start addressing the issue to let PRRIP know as this area was a big chunk of suitable crane habitat before the flow split worsened. Rabbe confirmed that this stretch and Rows stretch comprise approximately 50% of historic Platte WC use sightings in FWS database. Farnsworth stated that an unintended consequences of phragmites control in the main channel is likely contributing to these flow changes. If the Program is successful at fixing the Wyoming tract flow split that could likely help with addressing other places. Rabbe mentioned that fixing these splits and rerouting water is encouraging as the Elm Creek complex shows what can be done with vegetation control and water flow to create suitable habitat. Furthermore, it is good to have a back up plan to maintain habitat without solely relying on contractors to physically disk channels. Farnsworth stated that right now, in general the river can probably maintain a 900-to-1000-foot width. Tunnell closed with update on the PVWMA helicopter spraying. Contractor started at Columbus went to Alda then jumped to North Platte and came back to Alda to go back to Kearney canal.

#### **LAND RESTORATION & MANAGEMENT FRAMEWORK- 2023 REVISION**

Discussion began with stating that this document has not been updated since 2018 and its intended purpose is to be a "living" document to guide management of complexes as conditions and research findings dictate. There have been some edits provided but more information is needed from the Grassland Working Group and TAC/ WAC regarding sediment augmentation and germination flow releases. The TAC & LAC declined to accept edits provided and forward to the GC in December as the document needs to be in a more final format. Tunnell, with assistance from other EDO staff, will get the document into a more final format and provide to the TAC in January and LAC in February 2024 for approval and GC approval in March. Tunnell asked if everyone that wants to provide edits or comments have done so as there were very minimal edits provided. Jenniges main issue is the paragraph on flow and Kingsley asked about the statement regarding sediment supply. Farnsworth indicated that the statement intended to state that the amount of sediment could be augmented for 10 years not that there was a GC motion to conduct sediment augmentation for 10 years. Rabbe confirmed. Hubbard asked about updating the WC habitat characteristics. Farnsworth stated that will be included in this update. The plan is to accept all comments and make a clean final version for review at the next TAC and LAC meetings. Rabbe asked about progress of Grassland Working Group story map progress. Tunnell stated that he has not had discussion with Davis regarding progress as she has been involved in multiple projects for the past TAC, GC, and ISAC meetings. Tunnell asked if committee members were able to review the links that were sent out after the last LAC meeting and provide comments edits/ suggestions. Rabbe asked what the group wants to do: wait for the story map to be developed or schedule a meeting to move forward with the data as we have. Zorn asked about timing of management decision and how that relates to lease development. Tunnell stated that ideal recommendations for stocking rates for lease development need to be provided by September 1 for the following year's leases. We have missed that window this year but moving forward the committee will need to schedule meetings accordingly. Rabbe would rather get the grassland management objectives right over rushing through them. Wagner stated that site maps are needed to aid in discussion and assist with providing recommendations. Rabbe asked for comments on the story map be sent to Davis. Tunnell will work with Davis on timeline, likely first week of December. Tunnell or Davis will resend email with links to the most recent versions.

#### **RECLASIFICATION OF WATER TRACTS TO HABITAT LANDS**

Tunnell started discussion with an overview of the Cottonwood Ranch complex with the 3 water tracts and what the committee wants to pursue: to keep water tracts as water related acquisition or reclassify to habitat lands. Tunnell gave summary of the status of the 3 water tracts regarding mining and wetland mitigation projects and the ability to create another OCSW site with the addition of a site that is



currently being mined. Farnsworth noted that the tract of land north of W201703 that is being mined has recently been changed to a different mining company. Essentially the new miner is mining under an agreement with the Program and previous owner that gives the Program the ability to buy back the tract after mining is complete and is OCSW habitat. Farnsworth noted that EDO will follow up with both entities to make sure the plan is being followed. Farnsworth explained the slurry wall concept was going to be tested on tract W201602 before that went away. Thorburn asked about the sandpits on the southwest corner of the tract as being potential OCSW habitat. Farnsworth answered that you could probably spend \$500,000 to 700,000 to make them habitat but probably not worth that as the river tends to occasional break into them causing a mess. Farnsworth reaffirmed that there is no reason to not leave them classified as water tracts now but as tract W201703 is transitioned to OCSW habitat it will need to be reclassified too noncomplex. If it were to be recommended to transition to noncomplex, it would count towards the first increment land total and not the 1,500 acre plus up goal for the extension. Zorn asked what the EDO is seeking from the LAC at this time. He went on to explain that the LAC is to review lands on its habitat potential and that it is likely the group could agree that these lands are habitat as they are connected to an existing complex and opened the topic up for discussion. Farnsworth stressed that there is no strong need to make a change now, it is just that there is no viable water project that can be completed on these tracts and a reclassification will be needed at some point. Thorburn noted that if either of the river tracts are sold, an access easement should be retained for channel maintenance (i.e., beaver dams) due to the recharge project dumping water into that channel. Thorburn stated that the river tracts should automatically be habitat. Rabbe explained that the water tracts were not evaluated for habitat at the time of acquisition, and questioned if they would have been purchased as complex habitat and that something else that needs to be considered is the size of the complex. Do we need more complex acres in this bridge segment? Is there quality river channel habitat? Do we have the minimum width of channel? Farnsworth noted that not much, if any money has been spent on these tracts for habitat. Tunnell stated that it's hard to tell from the provided map but noted that trees were cleared back ~200 feet on tract 2009006 after it was acquired and that there is a flow split around an island that provides a very wide area on tract W201602. Rabbe prefers to not decide today but ponder if it is not going to be a water tract with a water project then the two options are: keep it and count towards complex habitat and whether it counts toward the plus up acres which would kill that or should the tract be sold. If it were sold, the proceeds would not go back to more land acquisition budget. The question is, does this tract have potentially more value than other tracts that could be acquired as plus up acres. Rabbe asked if tract W201701 was split off from the tract that is currently being mined. Farnsworth explained that yes it was split off and to get the miner onboard to create the habitat for us, he could not get the permitting done so the Program paid for the permitting and the restoration work to mitigate the mined area. The Program owns it fee title and it is now a mitigation site for USACE. The Program is committed to owning the mitigation site and after the mining is done and more OCSW habitat is created the site would be a long rectangle of OCSW habitat with the mitigation site attached. Rabbe is inclined to wrap the mitigation site into noncomplex classification when the time comes and stated that it is good that there are more OCSW acres being created as the lease at Kearney will be expiring soon. Rabbe is fine making that determination now and Farnsworth stated that he will check but he seems to recall that the terms of the mining agreement dictated that the Program would do the permitting and mitigation construction and the miner will sell the site back to the Program upon completion of mining and habitat creation. Tunnell pointed out there is an inholding between W201701 and W201703 that is to be retained by the miner and is not a part of the purchase agreement. Jenniges pointed out that these tracts were purchased without a habitat review by this committee as Rabbe point out and if a review had been done, they may or may not have been acquired for habitat. Jenniges went on to say that the Program already owns the full mile of channel and if something was found in the future that provided better habitat it could be sold. He went on further with an option to approach the GC with is that you keep them as habitat and adjust the acres knowing that if



something else comes along that fits the Program better it could be sold. Rabbe suggests scheduling a site visit. Tunnell asked when a site visit should be scheduled. Zorn asked how the tracts should be evaluated, separately or all together. Rabbe noted that the OCSW sites need to be evaluated separate for the riverine site. Tunnell noted he would develop an evaluation report for Tract W201602 and schedule site visits for next spring.

#### **FY 2024 LAND BUDGET**

Tunnell provided an overview of each of the land budget line items.

**LAC MOTION:** *Thorburn moved, and Rabbe seconded to approve the 2024 Land budget. Budget approved.*

#### **EXECUTIVE SESSION**

**Motion** to go into Executive Session at 11:26 AM by Shadle. Thorburn seconded Information and discussion.

**Motion** to come out of Executive Session AT 11:44 AM by Thorburn

**Recommendations** on Land Offerings, etc.

#### **REORGANIZATIONS OF OFFICERS**

*Information and discussion, and action*

Discuss process and action:

**MOTION** TO REAPPOINT CURRENT OFFICERS DAVE ZORN AS LAC CHAIR and CODY WAGNER AS LAC VICE CHAIR.

#### **LAC MOTION:**

*Thorburn moved, and Rabbe seconded to reappoint current officers for FY 2024. Pass a unanimous vote.*

#### **PUBLIC FORUM**

Chairman Zorn asked for public comments, none were offered.

#### **LAC MOTION:**

- August 16, 2023, LAC Meeting minutes approved.
- 2024 Land Budget approved

#### **Future calendar events:**

February 14, 2024 - 10:00- noon CDT [1st Quarter LAC meeting](#), Kearney, NE

May 15, 2024 - 10:00- noon CDT [2nd Quarter LAC meeting](#), Kearney, NE

August 14, 2024 - 10:00- noon CDT 3rd [Quarter LAC meeting](#), Kearney, NE

October 16, 2024 - 10:00- noon CDT [4<sup>th</sup> Quarter LAC meeting](#), Kearney, NE

#### **LAC MEETING END**

The LAC meeting adjourned at 11:51 AM Central Time.