

# Platte Basin Habitat Enhancement Project

Meeting Minutes

North Platte, NE – Twin Platte NRD Office

February 2, 2010

**Call to Order and Attendance** – With a quorum present, Chairman Kent Miller called the meeting to order at 10:30 a.m. CST. Sponsors and Partners in attendance were: Jim Schneider and Doug Hallum (Nebraska Department of Natural Resources), Matt Bohnenkamp and Mark Czaplewski (Central Platte NRD), Kent Miller and Ann Dimmitt (Twin Platte NRD), Rod Horn and Kyle Liebig (South Platte NRD), John Thorburn (Tri-Basin NRD), Ron Cacek and Tina Kurtz (North Platte NRD), James Huntwork (NRCS) and Tim McCoy (Nebraska Game and Parks Commission). Guests in attendance were: Don Kraus and Mike Drain (Central Nebraska Public Power & Irrigation District). Miller noted that the PBHEP abides by the Open Meetings Act in conducting business and noted that a copy of the Act was displayed in the meeting room.

**Meeting Notices** – Chairman Miller reported that notice of the meeting had been published in the Grand Island, North Platte and Scottsbluff newspapers as required by law.

**Agenda Modifications** – One minor wording change was made to agenda item 7 at the request of the DNR. The item was changed to “Review of DNR ‘Straw Dog’ Criteria Regarding Basis of Payments”.

**Approval of Minutes** – Motion by Rod Horn, second by John Thorburn to approve the minutes of the January 5, 2010, meeting as distributed in advance of the meeting. Motion passed with Central Platte NRD, DNR, South Platte NRD, Tri-Basin NRD and Twin Platte NRD voting for the motion, and North Platte NRD abstaining.

**Committee Reports** – Czaplewski reported on the activities of the Education and Outreach Committee, noting their completion of work on the general information brochure and logo and planned work on development of a PBHEP website. They last met on January 13 and plan to meet next on February 10, 2010.

Thorburn reported for the Habitat Management and Monitoring Committee, noting their ongoing review of a general habitat management plan for conservation easements dealing with the conversion of irrigated cropland to grassland. They have not as yet scheduled their next meeting.

The Water Tracking and Accounting Committee report was provided by Kyle Liebig. They last met on January 11<sup>th</sup> and a second meeting planned for January 25<sup>th</sup> was cancelled. Liebig described the Committees work on a draft “straw dog” documenting the committee’s position regarding model runs to better identify total accretions and estimated depletions to the river as well as work with CALMIT on remote sensing data acquisition. Liebig noted the committee’s plans for review and development of maps showing areas of potential accretions overlaid with areas meeting the recently established PBHEP minimum eligibility criteria in an effort to better define potential priority areas.

**Federal Programs Update** – James Huntwork provided a handout and described the Nebraska practice payment schedule for programs (including EQIP unit costs) for the various geographic areas within the state. He noted payment rates for areas across the PBHEP project area and described how rates were set based on foregone income, working with UNL numbers. Rates were characterized as little changed from last year. AWEPP program evaluation continues to be hung up in Washington D.C. Huntwork provided and discussed an excerpt from Title 440 (Conservation Programs Manual) describing eligibility criteria for EQIP.

**Review of DNR “Straw Dog” Criteria Regarding Basis of Payments** – Jim Schneider distributed a draft DNR proposed procedure for PBHEP funds. The document attempts to resolve issues and provide overall guidelines for payments associated with PBHEP-related irrigation retirements. Schneider explained his hope that such a procedure for payment could act as an overall PBHEP protocol for projects providing both long-term and short-term benefits. As currently drafted, a maximum of 50% of DNR and NET funds would be available for projects providing short-term benefits, that would fall into: 1) Category A (cases in which surface water irrigated lands are temporarily converted to dryland), 2) Category B (cases where surface water irrigation is temporarily converted to an instream use and those lands are temporarily irrigated by groundwater, or a project in which surface water is permanently retired but groundwater irrigation continues on the land), or 3) otherwise be handled on a case-by-case basis. DNR payment levels, based on regional values developed by UNL, are proposed and would be updated either annually or at some defined timeframe. Schneider will distribute the DNR spreadsheet used to establish the draft proposal values. Schneider noted that the proposed establishment of the 50% funding level for certain projects was somewhat of an arbitrary cutoff and welcomed the group’s comments and other possible approaches including a “sliding scale” of compensation percentage ranges. It was noted that one of the Central Platte NRD tracts for which it is currently requesting funding, exceeds the 50% value for Category B projects as defined in the DNR proposal. Given the need for additional evaluation and discussion of the document, Chairman Miller asked that a decision on the matter to be held over. Comments on the DNR draft are to be provided to DNR by February 12<sup>th</sup> and DNR will redraft the document based on the comments and distribute a revised draft by February 22<sup>nd</sup> for consideration at the March 1, 2010, meeting.

**Tri-Basin NRD Request for Funding Assistance for Water Lease** – Thorburn handed out a revised proposal for funding assistance for leasing surface water irrigation rights from Central NPP&ID on an “as available” basis for a one year period commencing in 2010. The funding agreement proposes funding levels of Tri-Basin NRD \$78,000 (40%), DNR \$78,000 (40%) and NET \$39,000 (20%) for a total of \$195,000 (actual reimbursements needed may be less and would be “not to exceed amounts” depending availability of water and DNR decisions regarding the transfer of water rights). Central NPP&ID representatives present noted that their plans are to file an application with DNR for the transfer by mid-February and that their associated studies do not factor in the possibility of groundwater irrigation in the area affected. They intend on working with instream flow water rights holders that may be affected by the transfer. DNR representatives noted their concern with sorting out how funding support for the lease fits within the Project and their “straw dog”. Advancement of the funding proposal was laid over to the next meeting to provide for evaluation by DNR. In an effort to support this evaluation and similar concerns voiced by DNR regarding the pending Central Platte NRD proposal for funding, a work group was formed consisting of Kent Miller, John Thorburn, Jim Schneider, and Duane Woodward to discuss and attempt to resolve outstanding questions and concerns. The workgroup will meet at 1:00 p.m. CST at the offices of Central Platte NRD on February 22, 2010.

**Central Platte NRD Request for Funding for Conservation Easements** – Czaplowski and Bohnenkamp walked through changes made to the proposal for funding in an effort to explain questions related to: 1) differences in water savings amounts as calculated by a COHYST offset calculation method utilizing 2008-2009 updated depletion percentages and 2010 updated CropSim/recharge method, 2) differences in tract-specific payments, 3) Central Platte NRD payment levels, and 4) a description of calculation of water savings in instances where surface water irrigation was permanently retired and groundwater irrigation is permitted. Given the issues slated for workgroup discussion, the matter was also laid over for next month’s meeting. The Water Tracking and Accounting Committee was asked to review surface water related water savings values after the workgroup and administrators resolve the funding procedure.

**Review of PBHEP General Protocol** – Czaplewski described editorial changes to the general protocol and noted that the purpose of the document is to serve as guidance only. Schneider provided changes to the draft provided in advance of the meeting. Motion by Schneider, second by Horn to approve the PBHEP General Protocol as amended at the meeting. Motion passed unanimously by roll call vote. Czaplewski will provide the group with copies of the approved protocol.

**Other** – Czaplewski noted that the NET will be making their preliminary recommendations on 2010 grants starting at their February 4<sup>th</sup> meeting. PBHEP's second year of funding is among the grant applications.

Horn noted his concern regarding the use of PBHEP conservation easement templates which include language assigning property interests as a default under certain specified conditions, to the State of Nebraska (through the NGPC) in advance of knowing whether or not DNR or NET funding will contribute to the acquisition. Schneider noted that Jennifer Schellpeper had been looking into the matter and may have alternate language addressing the concern. Horn will work with Schellpeper on the matter.

**Next Meetings-** The next meetings have already been scheduled for March 1, April 7, May 5 and June 1, 2010 (all starting at 10:30 a.m. Central time). Subsequent meetings were scheduled for July 6 (1:00 p.m. CDST start), August 3 (10:30 a.m. CDST start) and September 7, 2010 (1:00 p.m. CDST start) with all meetings being held at the offices of Twin Platte NRD in North Platte (except for the March 1 meeting subsequently moved to Grand Island).

**Adjourn** – The meeting was adjourned at 1:29 p.m.