

Platte Basin Habitat Enhancement Project

Meeting Minutes

North Platte, NE – Twin Platte NRD Office

May 13, 2009

Call to Order and Attendance – Interim Chair Ron Bishop called the meeting to order at 1:30 p.m. CDST. Those in attendance were: Jennifer Schellpeper and Jim Schneider (Nebraska Department of Natural Resources), Ron Bishop and Mark Czapski (Central Platte NRD), Kent Miller and Ann Dimmitt (Twin Platte NRD), Rod Horn (South Platte NRD), John Thorburn (Tri-Basin NRD), Ron Cacek and Tina Kurtz (North Platte NRD), John Heaston (The Nature Conservancy), and Matt Steffl and T.J. Walker (Nebraska Game and Parks Commission).

Agenda Modifications - No changes were made to the agenda distributed prior to the meeting.

Approval of Minutes – Motion by Kent Miller, second by Jennifer Schellpeper to approve the minutes of the April 21, 2009, PBHEP meeting as distributed prior to the meeting. Motion passed.

Interlocal Cooperation Agreement – The May 5, 2009 draft PBHEP Interlocal Cooperation Agreement was reviewed in detail. The document will include a budget for the initial three year term of the Project which will include the NRDs percentage of post-1997 depletions to the basin. A new Section 5.02.7 will be added which will mirror language in Section 5.02.6, but deal with new projects, rather than easements. Central Platte NRD will work with its legal counsel and the NET to resolve language in Section 8.01.10 regarding the notification of property sale or transfer of land on which easements are purchased. It was understood that any remaining changes to the document would be resolved by the group via e-mail. The goal is to have the document ready for signatures by June 11, and some of the NRD's may take the Agreement to their boards for approval sooner, with the provision that any subsequent substantive changes would be brought back to their boards for their consideration.

Conservation Easement Reviews – There was a general discussion of the four easement templates distributed in advance of the meeting. Central Platte NRD will incorporate changes provided and will work with NET staff to resolve outstanding issues they have expressed. Any additional comments from the group are to be provided to Mark Czapski. Revised versions of the templates will be distributed in advance of the next meeting. The two templates dealing with conversions to grasslands may include language similar to that currently used in such documents as Wetland Reserve Program (WRP) contracts that link future use of an area under easement to NRD-specific land management plans. Matt Steffl will provide Czapski with an example of such WRP text.

NET Contract and Request for NET Policy Amendment – Czapski discussed his conversations with individuals from the NET regarding actions recently taken by the NET's Land Acquisition Committee and plans for the full NET Board's consideration of the Committee's recommendation when they next meet on July 31, 2009. The NET policy change being advanced by the NET Committee would eliminate the need for government entities like NRDs to establish perpetual legal defense funds. Elimination of the NETs need for these

accounts would also mean they would not provide funds for such accounts. Czaplewski reviewed other items noted in his May 8th e-mail regarding the NET Grant Contract, conservation easements, and their links to aspects of the Interlocal Cooperation Agreement.

Other – Ron Bishop noted recent discussion with NRCS officials regarding alternative ways of valuing conservation easements. One possible substitute for full real estate appraisals could involve working with County Assessors in comparing valuations of tracts with and without irrigation and factoring in an adjustment for soil types. Bishop will continue to explore this approach with the NRCS and everyone was asked to get back with Ron with any thoughts in advance of our next meeting.

The first PBHEP workshop will take place on June 12th in North Platte starting at 10:30 a.m. CDST. Czaplewski will be distributing an agenda for the workshop in the near future. The group discussed the scheduling of a second planned workshop (focusing on detailed technical and computer software matters) but decided to leave that scheduling to the attendees of the first workshop.

Next Meetings and Adjourn – A Project meeting was scheduled for 10:30 a.m. CDST on August 20, 2009, in North Platte at the offices of Twin Platte NRD.

The meeting was adjourned at 4:15 p.m.

Respectfully Submitted,
Mark Czaplewski