

House Bill 1462: The Platte River Recovery Implementation Program and
Pathfinder Modification Authorization Act of 2007

Testimony before the Subcommittee on Water and Power of
the House Committee on Natural Resources

of

The National Wildlife Federation

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INTRODUCTION

The Platte River basin is one of the most important ecosystems and economic areas in the Rocky Mountain-High Plains region. With its watershed in Colorado, Wyoming, and Nebraska, the river has played an essential role in both defining the character of the region ecologically and in sustaining the economy. Unfortunately, the environmental value of the river has often been ignored in the pursuit of more narrowly defined economic goals. The challenge now, from both an environmental and economic perspective, is to begin the process of correcting the past imbalance in an equitable and efficient fashion. The river supports millions of ducks and geese and hundreds of thousands of sandhill cranes on their Central Flyway migration. But what makes the environmental challenge even more important and imperative is the role the river plays in supporting endangered species.

The Platte River Recovery Implementation Program (recovery program) and its approval under the Platte River Recovery Implementation Program and Pathfinder Modification Authorization Act of 2007 will mark a significant step in correcting the disparity between the economic and environmental importance of the Platte. The recovery program identifies an initial set of flow and land protection measures that the U.S. Fish and Wildlife Service has determined to be a sound basis for the first stage in restoration of the structure and function of the Platte River ecosystem in central Nebraska. The ultimate goal is the reestablishment of a riverine/land habitat complex that can meet the needs of the endangered whooping crane, interior least tern, and piping plover and, farther east, the testing of actions and associated research activities that will provide a better understanding of the needs of the pallid sturgeon.

The states of Colorado, Wyoming, and Nebraska, their water users, and the environmental community have accepted these resource management goals and the associated research agenda as the basis for starting the process of restoration. An important feature of the structure of the recovery program is its incorporation of flexible provisions that allow the states' water users to continue to divert water to which they are entitled and, at the same time, providing them a substantial measure of regulatory certainty under the Endangered Species Act. This concept of flexibility is also incorporated in a land conservation plan that is based on willing seller/willing buyer agreements and in a research and monitoring protocol that incorporates a carefully constructed adaptive management program.

National Wildlife Federation's Support for the Recovery Program and HB 1462

The Platte River Recovery Implementation Program Cooperative Agreement, signed at the end of 2006 by the Secretary of Interior and the governors of the three states, is the product of several years of negotiations among the states, the Department, water users, and environmentalists (including National Wildlife Federation). It sets in motion the process of putting in place the detailed land and water program elements designed to reverse the long-term process of habitat deterioration in the Platte River.

In April 2004 the National Academy of Sciences (NAS) issued a report on the importance of the Platte River to the endangered species mentioned above (**Endangered and Threatened Species of the Platte River**) and the role of the recovery program in the Platte's restoration. The Academy committee that reviewed the Platte agreed unanimously that the habitat in central Nebraska is unique, that the U.S. Fish and Wildlife Service's proposal for habitat restoration measures that have been incorporated in the recovery program were sound, and that ultimately "...[s]uccessful, sustainable solutions of species issues ...must begin with water management."

At the time the NAS report was released, the environmental community strongly supported its conclusions and we believe they remain applicable today. We believe that the report validates the data and science embodied in the recovery program, a set of sound water and land protection activities.

With the passage of HB 1462, we will have taken a major step in the authorization for a Platte River Program that is based on the following actions:

- A water program that includes modifying Pathfinder Dam in Wyoming, Lake McConaughy environmental storage in Nebraska, groundwater recharge and management in Colorado (at Tamarack State Wildlife refuge and elsewhere), and other water actions that will reduce flow shortages in the central Platte by at least 130,000 to 150,000 acre-feet.
- Channel improvements in the North Platte River near the town of North Platte that will increase capacity to 3,000 cubic feet/second (cfs) or such improvements that will increase the flood stage to six feet allowing the U.S. Fish and Wildlife Service to use its McConaughy environmental water to produce a flow of at least 5,000 cfs at Lexington, Nebraska for three days in the spring.
- A 10,000-acre land plan based on habitat complexes that will establish channel areas and other important habitat by means of purchase, permanent conservation easements, and long-term leases.
- A sediment management plan that will clear islands upstream of the central Platte habitat and that will be sufficient to ensure no further river habitat degradation downstream.

- A research and monitoring plan that will be sufficient to track the impacts of all changes to the habitat and their relationship to species.

CONCLUDING COMMENT

We believe that there is a clear need for an endangered species recovery program in the Platte River that is basinwide, comprehensive, and cooperative. Because we recognize the importance of constructing a program that is politically feasible, we support the program's key principles of protecting water entitlements, of willing seller/willing buyer land conservation arrangements, an incremental approach to habitat improvement and protection, and adaptive management. The recovery program honors all these key principles. For these reasons and because the Platte is a unique and vital habitat, the National Wildlife Federation supports the recovery program and urges this committee and the House to authorize the program by passing HB 1462.