

## The Platte River Recovery Implementation Program

Legislation was introduced in the 110th Congress (S. 752 and H.R. 1462) to authorize the Platte River Recovery Implementation Program and its federal share of funding.

Water projects on the North and South Platte rivers store over 7.1 million acre-feet in 190 storage facilities. The water irrigates 1.9 million acres, generates power, and provides municipal water supplies and recreation. These water projects and other diversions have affected the Platte River's flows and structure and, thereby, the habitat of four threatened or endangered species that use the Platte River in Nebraska; the whooping crane, the interior least tern, the piping plover, and the pallid sturgeon. In recognition of the Platte River's importance to the whooping crane, a 3-mile-wide, 56-mile-long reach from Lexington to Denman, Nebraska, was designated as critical habitat on May 15, 1978, by the U.S. Fish and Wildlife Service.

In July 1997 the Governors of Colorado, Wyoming and Nebraska and the Secretary of the Interior signed a Cooperative Agreement to develop a Recovery Implementation Program (Program) for the four species. Without a recovery program, Endangered Species Act consultation requirements would have to be addressed separately for each of the hundreds of Federal and private water projects in the basin.



The Platte River near Grand Island, Nebraska.

The Cooperative Agreement established a Governance Committee to review, direct, and provide oversight for the activities undertaken. The Committee consisted of 10 members representing the states, federal agencies, environmental organizations and water users.

The Department of the Interior established an office in Denver, Colorado, jointly staffed by Reclamation and the Fish and Wildlife Service, to prepare the

National Environmental Policy Act analysis of the Program alternatives which were developed.

In December 2003 the Governance Committee completed its proposed alternative and on January 22, 2004, the Bureau of Reclamation and U.S. Fish and Wildlife Service jointly released for public comment a Draft Environmental Impact Statement.

At the request of the states, the Department of the Interior funded a review by the National Academy of Sciences (NAS) of the science associated with the Platte Program, including the importance of the habitat to the species, the Fish and Wildlife Service's river flow and habitat recommendations, and the geomorphology of the river. The NAS study was released April 18, 2004, and concluded that “sufficient scientific knowledge exists and has been used to make informed decisions about the management of water resources, the Platte River and the threatened and endangered species that use the river as habitat.”

A Final Environmental Impact Statement (FEIS) was filed with the Environmental Protection Agency on May 18, 2006. On September 28, 2006, Secretary of the Interior Dirk Kempthorne signed a Record of Decision which approved the following Federal actions: 1) authorizing the Interior Secretary's signature on an Implementation Program Cooperative Agreement; 2) funding and implementing the Program by the Bureau of Reclamation and the U.S. Fish and Wildlife Service in cooperation with the States of Wyoming, Colorado, and Nebraska and other participants, subject to required congressional authorization and appropriations; and 3) appointing a Platte River Recovery Program Governance Committee to act as the recovery implementation team. After the governors of Colorado, Wyoming and Nebraska had signed the implementing agreement, Secretary Kempthorne signed it on December 7, setting into motion the implementation of a recovery program which had been many years in the making. The Federal government will provide half the funding necessary for the program; the other half will be contributed by the three states through non-Federal funds, water and lands. The estimated total value of these cash and cash-equivalent contributions over the first 13-years of the program is about \$317 million.

A governance committee, comprised of representatives from the three states, water users, environmental groups, and Federal agencies, will act as the implementation team. An executive director will be hired to guide day-to-day operations of the program and to supervise staff and contracts. The governance committee will also contract with a financial management entity to hold and disburse the funds contributed by the parties to the program and with a land interest holding entity to hold title to program lands.

Full implementation will require Federal legislation.



One of the species of concern under the Platte River Partnership is the interior least tern.