

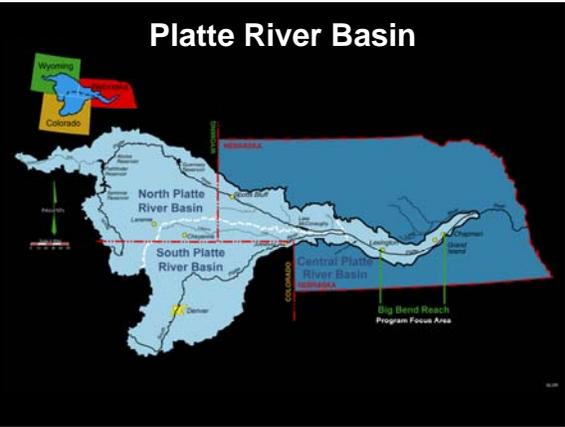


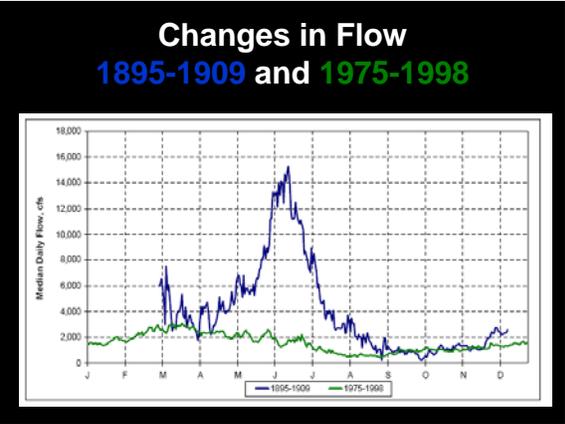
Platte River Recovery Implementation Program

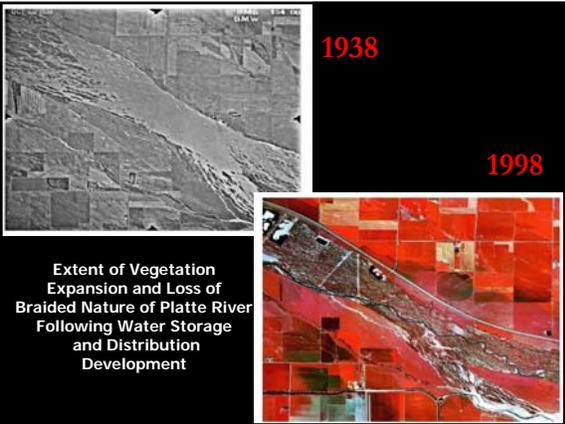
What Does it Mean?

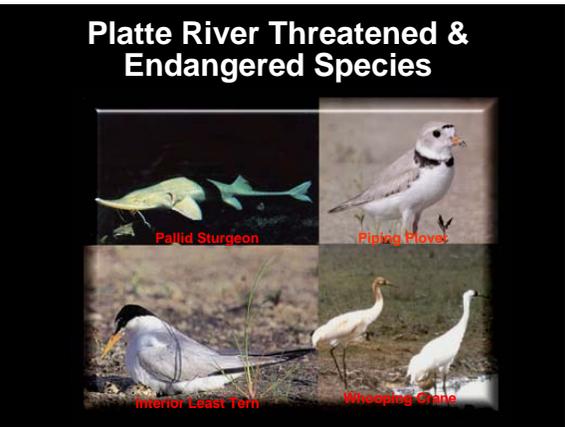
June 19, 2009
Nebraska Water Law Conference

Jennifer J. Schellpeper
Nebraska
Department of Natural Resources









A Braided Platte River Provides:

- Secure roost sites for whooping cranes.
- Nesting substrates for least terns and piping plover.
- Spawning (?) and foraging habitats for pallid sturgeon.



Endangered Species Act (ESA)

Section 7 - Consultation



▪ All federal agencies are required by Section 7(A)(2) of ESA to consult with the USFWS on any action they fund, permit, or otherwise accomplish to ensure that the action does not jeopardize listed species.

Platte River Consultation

Federal Authorities

- Federal Highway Administration
- Natural Resource Conservation Service
- US Army Corps of Engineers
- US Department of Housing and Urban Development
- USDA Rural Development
- Environmental Protection Agency

PRRIP History

- ESA issues in all three states starting 1970/1980's. Cooperative Agreement with federal agencies in 1993.
- Cooperative Agreement signed on July 1, 1997.
- 1997 through 2006 – Negotiations among **Governance Committee**: USFWS, BOR, Nebraska, Colorado, Wyoming, upstream North Platte water users, upstream Colorado South Platte water users, downstream water users, environmental/conservation groups.
- Result - PRRIP (Program).

Platte River Recovery Implementation Program

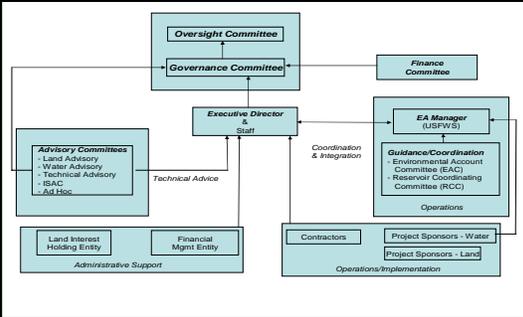
PRRIP serves as the “reasonable and prudent” alternative (RPA) for water-related project activities that have undergone or are facing ESA consultation.



Reasonable & Prudent Alternative - Nebraska

- North Platte Projects and Glendo Water Contracts – 300,000+ acres of surface water irrigated lands
- CNPPID & NPPD – 200,000+ acres of surface water irrigated land and hydropower generation
- Grayrocks Reservoir and Power Plant – City of Lincoln owns 14%
- Department of Roads – Funding from Federal Sources
- Municipal Water Systems – Funding from Federal Sources

PRRIP Structure



Program Governance Committee



- The Bureau of Reclamation
- The US Fish and Wildlife Service
- Colorado
- Nebraska
- Wyoming
- Downstream Water Users
- South Platte Water Users
- Upper North Platte Water Users
- Environmental Groups



Platte River Program Goals

1. Improve and maintain migrational habitat for whooping cranes and reproductive habitat for least terns and piping plovers.
2. Reduce the likelihood of future listings of other species found in this area.
3. Test the assumption that it is possible to improve habitat for the pallid sturgeon by managing flow in the Central Platte River that may also affect the pallid sturgeon's Lower Platte River habitat.

Program Land Component



- Protect and restore 9,200 acres in habitat complexes.
- 3,120 acres already in place.
 - NPPD - Cottonwood Ranch
 - State of Wyoming – Deer Creek

Program Adaptive Management Plan

- Use monitoring and research results to test priority hypotheses related to management decisions and actions.
- Apply the resulting information to improve management.
- Independent Scientific Advisory Committee and peer review process to insure scientific integrity.



Program Water Component

- Reduce shortages to Service target flows at Grand Island by an average of 130,000 - 150,000 acre-feet.
 - Environmental Account in Nebraska
 - Tamarack in Colorado
 - Pathfinder Modification in Wyoming
 - Water Action Plan
- New Depletion Plans.



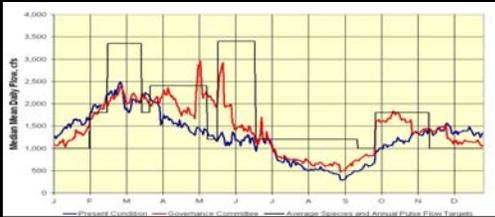
Program Water Component

- USFWS Species and Annual Pulse Target Flows.
- 2009 Flow Routing Test using Environmental Account Water.



First Increment Objectives-WATER

- Reduce deficits to USFWS target flows by annual average of 130,000 to 150,000 acre-feet.
- Generate “Pulse Flows”.





Nebraska New Depletions Plan

- A plan to prevent or offset depletions caused by new or expanded uses begun since July 1, 1997.
- The responsibility for implementing this plan is shared between the state and the natural resources districts (NRDs) involved.
- Uses from 1997 to 2005 and post-2005.

Nebraska New Depletions Plan, New Surface Water Uses



- DNR Permits – direct diversion of surface water on or after January 1, 2006 will not be allowed without offset.
- Since 1993 Nebraska has had a moratorium on the issuance of any new surface water appropriations in the Platte River Basin upstream of the confluence of the Platte River with the Loup River.
- Non-permitted - sandpits and other surface water bodies smaller than 15 acre-feet, the cumulative impact of all such uses will be estimated and will be offset.

Nebraska New Depletions Plan, New Ground Water Uses



- NRD Permits - uses of ground water, begun on or after January 1, 2006 will not be allowed without offset.
- Ground water uses are those (a) located within the North Platte, South Platte or the Platte River watershed in Nebraska and (b) are located that if water were intentionally withdrawn for 40 years, the cumulative stream depletion to the Platte River upstream of Chapman, NE would be greater than or equal to 28% of the total groundwater consumed as a result of the withdrawals from those wells. (28/40 Area).
- Stays on New Wells.

Nebraska New Depletions Plan, 1997 to 2005 Uses



- Irrigation, Municipalities, Industrial, Domestic & Livestock
 - Irrigation – 17,000 AF
 - Population and Livestock – 0 AF
 - Industrial - ?
- These depletions to target flows or state protected flows need to be offset starting 1/1/2009.

Nebraska Integrated Management Plans



- Developed by DNR and each NRD in the Platte Basin.
- Will be in effect beginning September 15, 2009.
- Contain details on how offsets will be provided over the next 10 years.

Offset Projects



- Yields from the Reconnaissance-Level Water Action Plan Projects reserved by Nebraska.
 - CNPPID reregulating reservoir; 4,000 AF
 - Groundwater mound management, 4,600 AF
 - Dawson/Gothenburg Canal recharge; 800 AF
 - Power interference

- Platte Basin Habitat Enhancement Program
 - Retire Ground Water Irrigated Acres
 - Conjunctive Management of Ground Water and Surface Water

Reflections



- Lots of challenges during implementation.
- Success depends on the NRDs, DNR and the Basin Stakeholders making sincere efforts to achieve positive results and find solutions.

Contact Information:

Jennifer J. Schellpeper

Phone: 402. 471.2899

E-mail: jennifer.schellpeper@nebraska.gov

Webpages:

<http://www.dnr.ne.gov/PRRIP/>

<http://platteriverprogram.org/default.aspx>

Thank You
