July 8, 2011

PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM

Public Access Policy

Office of the Executive Director

Kearney, Nebraska

I. Introduction

Attachment 4 to the Final Platte River Recovery Implementation Program (PRRIP or Program) states that the Program will provide public access to fee title Program lands for recreation and educational purposes, when and where it is consistent with Program objectives and land use. This directive establishes policy for providing the public with meaningful opportunities to access lands owned in fee title by the Platte River Recovery Implementation Foundation (PRRIF) in support of the Program.

II. Authorities

This policy is approved and enacted by the Governance Committee (GC) of PRRIP on June 15, 2011 and incorporated into the policies and procedures of the PRRIP dated 10/24/2006 (Attachment 4 Land Plan III.B.2 (Public Access)).

III. Access Considerations

Public access to PRRIF fee title lands subordinate to the following considerations:

1. The ecological and biological considerations of the target species as determined by the
   a. Biological Opinion (BO) of the USFWS
   b. The science and policy of the PRRIP and any other relevant governing bodies.
2. The Nebraska State law(s) governing recreational liability
3. The Good Neighbor Policy of the PRRIP

IV. Areas Open to Public Access

The areas available for public access will be reviewed and approved on an annual basis by the PRRIP Land Advisory Committee (LAC) based on the following considerations:

1. Stated guidelines in the program document
2. Best available ecological and biological data
3. Coordination with other program activities
4. Conflicts arising from non-compatible use
5. Concern for public safety
6. Emergent issues related to access

V. Calendar of Access

The specific needs of Program target species mandate that certain conditions be met in order to benefit species and/or habitat. To meet these conditions, access will have to be restricted during some parts of the calendar year and completely prohibited during parts of the calendar year. These restriction/prohibition dates will be determined by the same rules governing areas of access and subject to periodic review. A calendar of public access dates is attached to this document as Appendix A.

VI. Compatible Public Uses

The public activities (compatible uses) that will be permitted on PRRIF fee title lands will be vetted and advanced to the GC from the LAC. Final approval will be done by the GC. Once approved they remain in effect until rescinded by the GC. The compatibility of potential public uses will be determined by and continually evaluated using the following criteria:

1. Lawfulness
2. Compliance with stated Program objectives
3. Exposure to undue risk and liability
4. In keeping with neighboring land use

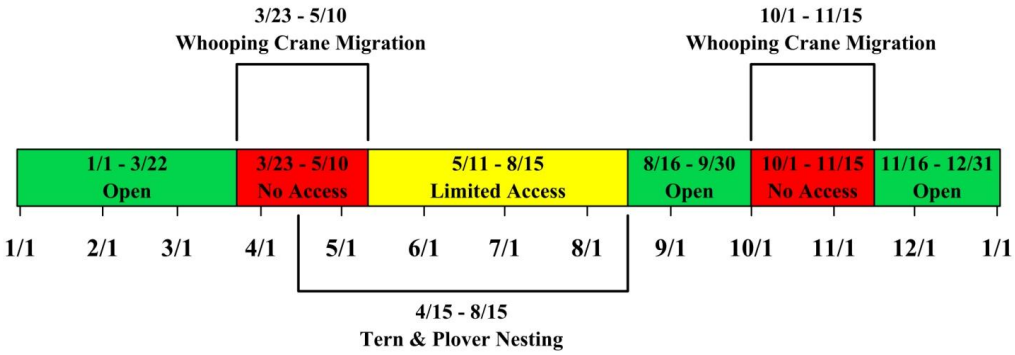
The list of compatible public uses will be reviewed and approved by the GC annually. A list of compatible uses is attached to this document as Appendix B.

VII. Conditions of Access

Any individual or group wishing to have access to PRRIF fee title lands may only do so with prior written permission from the Executive Directors Office (EDO) of PRRIP or its designate. Permission is conditional provided it is in concert with stated areas of access, dates of access and types of access as outlined above. Permission is also contingent upon the individual/organization being in good standing with the Program. Standing will be determined by and at the sole discretion of the EDO (or designate). The EDO (or designate) reserves the right to remove any organization and/or individual at will. All use will be day use only with no temporary structures or facilities allowed to remain on the properties. See Appendix C for day use guidelines. Guidelines for administration of the Program's Good Neighbor Policy are attached as Appendix D. The Program's public access rules violation protocol is attached as Appendix E.

July 8, 2011

Appendix A – Calendar of Access



Open: No additional restrictions beyond those outlined in this access policy.

Limited Access: Certain properties, or areas of properties, will be closed to public access during this time. These areas will be clearly identified by the EDO (or designate).

No Access: No public access is allowed during this time.

Appendix B – List of Compatible Uses

1. mushroom collecting
2. deer hunting
3. fishing
4. bird watching/hiking
5. turkey hunting
6. upland game hunting
7. waterfowl hunting

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Appendix C – Day Use Guidelines

Plan Ahead and Prepare

- Get information about the use area property boundaries and restricted use areas from the EDO (or designate).

- Know and abide by the list of approved public uses.
- Keep the Program access permission document on your person at all times.

Fishing and Hunting

- If fishing is allowed, clean fish at home.
- If hunting is allowed, all blinds, stands, and other equipment must be packed in and out of the area each day.
- Field dress large game animals well away from trails, water, and parking areas.

Pack It In, Pack It Out

- Pack out everything you brought in with you.
- Be a good steward – pick up any litter you may come across and pack it out as well.

Sanitation

- Bury human waste in catholes 4-8" deep at least 200 feet from water, trails and parking areas.
- Cover and disguise the cathole. Do not leave toilet paper on the ground.

Campfires

- Campfires are not allowed on PRRIF property.

Leave What You Find

- Leave rocks, plants, and archeological artifacts where you find them.
- Do not disturb or remove scientific monitoring equipment.

Appendix D – The Program's Good Neighbor Policy

Any and all activities described in this policy are subordinate to the tenants of the Good Neighbor Policy as described below (taken from the Program's Land Plan):

All activities of the Governance Committee, its committees and subcommittees and other persons implementing, operating, and maintaining the Program shall be carried out in such a way that the Program will be viewed as a "good neighbor" by the residents of central Nebraska and any others who might be affected by Program activities. The Program will comply with applicable local, state, and federal laws and to the extent permitted by such laws, will be

responsible for its actions to the same extent as a private individual under like circumstances. The following principles shall guide the Program to be a good neighbor.

- The Program will emphasize the prevention, as opposed to the correction, of actions that cause adverse effects on adjacent landowners or others. Program representatives will talk with neighboring landowners and tenants and others as appropriate, and attempt to document pre-existing conditions and carefully monitor the effects of Program activities.

- If, notwithstanding all efforts to avoid causing adverse effects, concerns are raised that such effects are nevertheless occurring, the Program will have local representatives readily accessible so that the nature and cause of any problem can be quickly determined and needed corrective actions can be taken in a timely manner.

- The Program will require its contractors to carry appropriate insurance to cover documented damage claims resulting from their actions. The Program will make provisions to cover on a case-by case basis other documented damages resulting from unintended consequences of the Program.

Appendix E – Public Access Rules Violation Protocol

All user conflicts shall be settled between individual parties and if not settled amicably will result in both parties losing all rights to use of PRRIF lands.

Terms of Use shall be described in permitting documentation. Violation of any of those terms shall result in immediate revocation of those permissions.

All Program use of the properties shall supersede any individual permitted access. It will be the responsibility of the individual to determine if Program activity is occurring in the permitted area.