

DRAFT
October 05, 2016

Platte River Recovery Implementation Program
First Increment Extension Proposal

I. PREAMBLE

The Platte River Recovery Implementation Program (Program; PRRIP) became effective January 1, 2007 following signatures by the Governors of Colorado, Wyoming, and Nebraska and the U.S. Secretary of the Interior. PRRIP provides Endangered Species Act (ESA) compliance for water related activities within the three states and Federal Government while working to provide recovery benefits for four endangered and threatened species.

The First Increment of the Program began in 2007 and extends through 2019. The Program's long-term goal is to improve and maintain the associated habitats of the target species. This includes: (1) improving and maintaining migrational habitat for whooping cranes and reproductive habitat for least terns and piping plovers; (2) reducing the likelihood of future listing of other species found in this area; and (3) testing the assumption that managing flow in the central Platte River also improves the pallid sturgeon's lower Platte River habitat.

The Program signatories committed to achieving the following objectives by the end of the First Increment of the Program:

- (1) providing water capable of improving the occurrence of Platte River flows in the central Platte River associated habitats relative to the present occurrence of species and annual pulse target flows by an average of 130,000 to 150,000 acre-feet per year at Grand Island, through reregulation and water conservation/supply projects. Department of the Interior (DOI) and the states agree that United States Fish and Wildlife Service (FWS) target flows will be examined through the Adaptive Management Plan (AMP) and peer review and may be modified by FWS accordingly. DOI and the states have agreed, however, that during the First Increment, species and annual pulse target flows serve as an initial reference point for determining periods of excess and shortage in the operation of Program reregulation and water conservation/supply projects.
- (2) protecting, restoring where appropriate, and maintaining at least 10,000 acres of habitat in the central Platte River area between Lexington and Chapman, Nebraska.

During the First Increment ESA compliance is measured through progress in achieving ten Program Milestones that are related to the First Increment Objectives. Milestones and current Program status are presented in **Table 1**.

The First Increment land objective and associated milestone have been achieved. The Program currently protects in excess of 12,000 acres in the Associated Habitat Reach (AHR). The First Increment water objective (Milestone #4) is not achievable by the end of 2019, and due to reliance on water projects being developed by the Governance Committee (GC), the Nebraska Depletions Plan (Milestone #9) is also not achievable by 2019. All State water projects and the Colorado, Wyoming, and Federal depletions plans are operational. The Program currently provides approximately 90,000 acre-feet towards the First Increment objective of 130,000 to 150,000 acre-feet. Additional water projects in the planning and/or design phase are expected to provide an additional 40,000 acre-feet of water. However, they will not be operational prior

to the end of the First Increment in 2019 and may require more funding than what is currently available during the First Increment. As such, Milestone 4 will not be achieved.

Table 1. Platte River Recovery Implementation Program ESA Compliance Milestones (Final Program Document, Attachment 2, Pages 1-2).

Milestone	Program Status (as of August 2016)
1. The Pathfinder Modification Project will be operational and physically and legally capable of providing water to the Program by no later than the end of Year 4 of the First Increment.	Achieved
2. Colorado will complete construction of the Tamarack I and commence full operations by the end of Year 4 of the First Increment.	Achieved
3. CNPPID and NPPD will implement an Environmental Account for Storage Reservoirs on the Platte System in Nebraska as provided in FERC licenses 1417 and 1835.	Achieved
4. The Reconnaissance-Level Water Action Plan, as may be amended by the Governance Committee, will be implemented and capable of providing at least an average of 50,000 acre-feet per year of shortage reduction to target flows, or for other Program purposes, by no later than the end of the First Increment.	Not Achievable by end of 2019
5. The Land Plan, as may be amended by the Governance Committee, will be implemented to protect and, where appropriate, restore 10,000 acres of habitat by no later than the end of the First Increment.	Achieved
6. The Integrated Monitoring and Research Plan, as may be amended by the Governance Committee, will be implemented beginning Year 1 of the Program.	Achieved
7. The Wyoming Depletions Plan, as may be amended with the approval of the Governance Committee, will be operated during the First Increment of the Program.	Achieved
8. The Colorado Depletions Plan, as may be amended with the approval of the Governance Committee, will be operated during the First Increment of the Program.	Achieved
9. The Nebraska Depletions Plan, as may be amended with the approval of the December 7, 2005 Milestones Document 2 Governance Committee, will be operated during the First Increment of the Program.	Not Achievable by end of 2019
10. The Federal Depletions Plan, as may be amended with the approval of the Governance Committee, will be operated during the First Increment of the Program.	Achieved

Implementation of the AMP, including Integrated Monitoring and Research Plan (IMRP) activities, is ongoing and has focused on testing of the flow-sediment-mechanical (FSM) and mechanical creation and maintenance (MCM) management strategies. Accordingly, the Program's IMRP milestone has been achieved. However, the objective of examining FWS target flows through the AMP has not yet been achieved. Design, implementation, and assessment of target flow-related management actions will not be possible prior to the end of 2019.

Section II.D of the 2006 Final Program Agreement makes provision for the Agreement to be extended or amended by the written agreement of all signatories. This proposal presents a 13-year Extension (2020-2032) of the First Increment. The Extension would not change First Increment objectives, milestones, or the implementation framework. It would provide additional time to complete and operate Program water projects and to conduct the monitoring and research necessary to determine the best use of Program water to benefit the target species. This knowledge is necessary to provide a sound base upon which to structure a Second Increment.

II. PROPOSED FIRST INCREMENT EXTENSION ACTIVITIES

Proposed Extension activities are organized according to the existing Program land, water, and adaptive management plan structure. These activities will be implemented in 2020-2032 and will reflect GC decisions through the end of the First Increment.

A. Land Plan

The First Increment milestone of protecting 10,000 acres has been achieved. Restoration and management of habitat lands is ongoing. Extension Land Plan activities will proceed under the same principles that have guided land acquisition and management since Program initiation. Land acquisition will proceed under a willing buyer/willing seller approach and all management activities will be conducted in accordance with the Program's Good Neighbor Policy.

Land Acquisition

- Review and renew (as appropriate) existing leases and management agreements.¹
- At the request of owners, evaluate existing conservation lands for inclusion in the Program under management or sponsorship agreements.²
- ~~Acquire up to an additional 1,500 acres of complex habitat lands.~~ Acquire up to an additional 1,500 acres of complex and non-complex habitat lands, making the land objective to protect 11,500 acres.

Land Management

- Manage lands acquired by PRRIP for the benefit of the target species and species of concern when not in conflict with the target species.
- Conduct land management actions within the framework of the Land Plan and the AMP.

B. Water Plan

- The Program is committed to achieving the minimum water milestone of 130,000 acre-feet in annual reductions to target flow shortages. However:
 - The Program recognizes there are fiscal constraints to achieving this milestone, and
 - Scientific investigations need to be completed to confirm the need for 130,000 acre-feet in annual reductions to target flow shortages.
- The Program will invest the ~~maximum amount of~~ resources available to achieve at least 120,000 acre-feet in annual reductions to target flow shortages as quickly as possible during the Extension and will also invest in the science necessary to determine if the additional 10,000 acre-feet is justified.
- ~~The Program is~~ Signatories are committed to finding the additional resources necessary to achieve that additional 10,000 acre-feet if justified by the science.
- Extension Water Plan activities will proceed under the same principles that have guided water supply and management since Program initiation. Water acquisition will proceed under a willing buyer/willing seller approach and all water management activities will be conducted in accordance with the Program's Good Neighbor Policy.

Water Conservation and Supply

- Design, construct, and implement Water Action Plan (WAP) projects in time to enable scientific evaluation prior to the end of the Extension term.
- Revise state and federal depletions plans to remain consistent with operational or statutory requirements.³

¹ Renew Cottonwood Ranch sponsorship agreement (2,650 acres), Broadfoot South lease (15 acres), and complex management and land use agreements (1,140 acres).

² This includes evaluation of the Central Nebraska Public Power District Jeffery Island property (4,100 acres).

³ The Program will cooperate with Nebraska as it finalizes its depletion plan.

Commented [CS1]: Comment from Environmental Entities – not needed, redundant, remove footnote.

Commented [CS2]: Comment from the USFWS – The Service does not support or request Jeffery Island enter the Program (which is required by FERC articles) during this extension, and do not support having the extension agreement include language on further evaluating it. The proposed PRRIP sponsorship agreement is not consistent with FERC articles 417 and 418 (which allows FWS to request PRRIP acquire JI and directs past and future management costs to be applied toward a replacement property). JI currently lacks highly suitable or preferred target species habitat which would support PRRIP goals and objectives. It would require a significant cost input to achieve the extensive habitat improvements needed (uncertain whether highly suitable conditions are even possible) and is within the furthest western portion of the primary WC corridor where use appears to be declining in favor of eastern areas which continue getting use. Resources may be better utilized in other areas. FWS recommends removal of footnote (2) regarding JI.

Commented [CS3]: Comment from Environmental Entities – remove “up to.”

Commented [CS4]: Language change suggested by the DWU.

Commented [CS5]: Deletion suggested by the DWU.

Commented [CS6]: Language change suggested by the DWU.

Commented [CS7]: Comment from Environmental Entities – The new language with respect to the water milestone and what appears to be a shortfall of committed funding to accomplish the original milestone raises very troubling issues, and appears to step back from the original commitment laid out in 1997 and agreed to in 2006.

- Renew water project agreements as deemed necessary to achieve water milestone.

Program Water Management

- Aggressively continue to implement channel conveyance improvements at North Platte choke point through efforts directed toward achieving and maintaining at least 4,000 cfs conveyance capacity while remaining below flood stage.
- Implement water releases including short-duration high flows (SDHF) and target flows once Program water projects are operational and choke point conveyance issues are resolved.
- The Program will continue to evaluate the efficacy of available Program water and choke point capacity through time to ensure Program water meets its intended purposes.

C. Adaptive Management Plan

The First Increment milestone of implementation of the PRRIP Integrated Research and Monitoring Plan (IMRP) has been achieved. During the Extension, AMP implementation will facilitate evaluation of FWS target flows in addition to current Program management actions.

Management Objectives

- Existing target species and non-listed species management objectives will be retained.
- An updated AMP for the Extension will be adopted by the GC.
- Evaluation of FWS target flows.

Management Actions

- Continued implementation of management actions specified in the AMP related to SDHF, sediment augmentation, and least tern, piping plover, and whooping crane habitats.
- Contribute to reach-scale phragmites and invasive species control efforts.
- Utilization of Program water assets to implement and evaluate flow-related management actions including SDHF and species-related target flows.

Integrated Monitoring and Research

- The IMRP will continue to provide the framework for monitoring the implementation and effectiveness of Program management actions during the Extension.
- Pallid sturgeon activities in the Extension will be guided by the results of the incremental four-step process adopted by the GC at the September 2016 meeting.
- The Program will continue to consider the emerging science related to climate change in management and decision making.

Independent Science Review

- Retain a six-member Independent Scientific Advisory Committee.
- Continue peer review and publication of key Program science products relevant to decision making.

III. FIRST INCREMENT EXTENSION FUNDING

Federal and State contributions will continue throughout the Extension using the existing 50/50 cost share with credits for in-kind contributions from the States. Key budget items and projected costs for the First Increment Extension are contained in **Attachment A**.

IV. FIRST INCREMENT EXTENSION ORGANIZATIONAL STRUCTURE

First Increment governance and organizational structure will be retained throughout the Extension.

Commented [CS8]: Edit from the USFWS, changed from 3,000 to “at least 4,000” – Uncertainty still exists regarding delivery of the amount of water negotiated for the first increment (e.g. 130k af). The Service supports improving the chokepoint to allow for greater flexibility in using the manageable water within the EA when and how it is needed. An improved chokepoint capacity of 4,000 cfs is needed to improve channel capacity, sediment transport and overall function, thereby improving ecosystem services along the entire stretch of the central Platte River downstream of the confluence of the North and South Platte Rivers and throughout the AHR. It appears to the Service from the presentation at the September GC meeting that the additional acquisition of easements from 3000 to 4000 is minimal compared to other alternatives.

Comment from Environmental Entities – Recommend goal of minimum of 5,000 CFS. With reduction of first step of water goal the need to use storage water for management is great.

Commented [CS9]: Language additions suggested by the DWU.

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ATTACHMENT A
Proposed First Increment Extension Timeline and Budget