



## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources

1313 Sherman Street, Room 718  
Denver, CO 80203

P (303) 866-3441

F (303) 866-4474

Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Rebecca Mitchell, CWCB Director

TO: Colorado Water Conservation Board

FROM: Kara Scheel, Endangered Species Recovery Program Manager  
Interstate, Federal, and Water Information Section

DATE: November 16-17, 2022 Board Meeting

ITEM: 15b. 2023 Projects Bill - Non-Reimbursable Project Investments  
(4) Platte River Recovery Implementation Program

---

#### Staff Recommendation

Staff recommends the Board approve \$19,000,000 in funding from the Severance Tax Perpetual Base Fund for the Platte River Recovery Implementation Program for inclusion in the 2023 CWCB Projects Bill.

#### Introduction

The Platte River Recovery Implementation Program (Program) is a basin-wide cooperation between the States of Colorado, Nebraska, and Wyoming and the U.S. Secretary of the Interior. The Program commenced in 2007 to implement certain aspects of the U.S. Fish and Wildlife Service's recovery plans for target threatened and endangered species, while allowing for water development to continue in Colorado. The Program operates in 13-year increments, with the First Increment occurring from 2007-2019. The First Increment was extended by another 13 years from 2020 through 2032, in order to achieve the Program's milestones.

The Program's long-term goal is improve and maintain the associated habitats of the target species. This goal includes:

- (1) Improving and maintaining migrational habitat for whooping cranes, and reproductive habitat for interior least terns and piping plovers;
- (2) Reducing the likelihood of future listings of other species that occur in the central platte area; and
- (3) Testing the assumption that managing flow in the central Platte River also improves the pallid sturgeon's lower Platte River habitat.

#### Discussion

The State of Colorado has committed to a 50/50 cost-sharing of the Program through cash and in-kind contributions between the federal government and the States of Wyoming and Colorado. The total cost of the First Increment Extension is \$156 million, adjusted annually for inflation. Colorado's remaining proportion of the First Increment Extension is approximately \$24.9 million. In FY22, the Colorado General Assembly appropriated \$1.9 million through the Species Conservation Trust Fund (SB 22-158) and \$3.8 million through CWCB Projects Bill HB 22-1316. This leaves approxammetly \$19,000,000 to be funded.

The Program currently provides Endangered Species Act compliance for over 213 water projects, the majority of which occur in Colorado. It is critical that Colorado continues to maintain regulatory certainty for all of the water projects in the North and South Platte River Basins in order to protect and manage water for present and future generations.





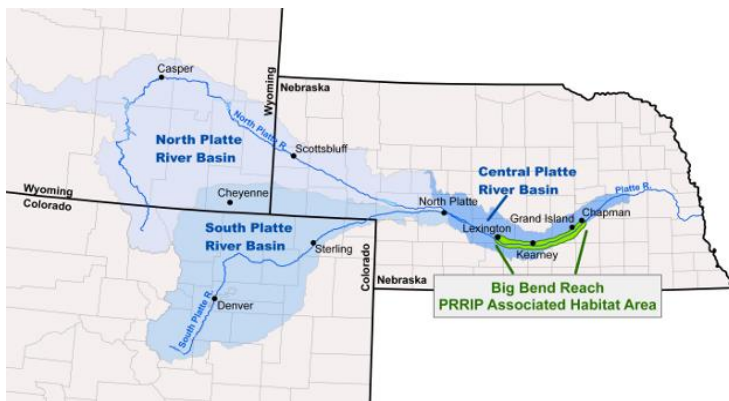
The purpose of the Platte River Recovery Implementation Program (“Recovery Program” or “Program”) is to implement certain aspects of the U.S. Fish and Wildlife Service’s recovery plans for three threatened and endangered species (the endangered whooping crane and pallid sturgeon and the threatened piping plover), while providing Endangered Species Act compliance for Colorado water projects.

P R O J E C T D E T A I L S	
Contract Obligation:	\$29,000,000
NRI Funding Request:	\$19,000,000
Funding Source:	Sev Tax PBF
Project Type:	Recovery Program
Type of Grantee:	State Agency

The Recovery Program became effective January 1, 2007 following the implementation of a cooperative agreement by the Governors of Colorado, Wyoming, and Nebraska and the U.S. Secretary of the Interior. The Program provides Endangered Species Act compliance for water-related activities in the North and South Platte Basins, while providing recovery benefits for three threatened and endangered species. Since 2007, the Program has provided Endangered Species Act compliance for over 213 water projects, the majority of which occur in Colorado. The Program has also contributed to the success of species recovery. In early 2021, the U.S. Fish and Wildlife Service determined that one of the Program’s target species, the endangered interior least tern, was recovered and therefore was removed from the list of threatened and endangered species under the Endangered Species Act. Without this Program, existing and new water projects would likely not be able to operate without an individual Section 7 Consultation, causing major delays, increased costs, loss in efficiencies, potential shortages to water supplies, and potential negative impacts to species.

L O C A T I O N	
Benefits:	South and North Platte
Water Source:	Various
Drainage Basin:	South and North Platte

The Recovery Program operates in 13-year increments, with the First Increment occurring from 2007-2019. The First Increment was extended by another 13 years from 2020 through 2032, in order to achieve the Program’s milestones. The State of Colorado has committed to cost-sharing the funding of the Program’s First Increment Extension through cash and in-kind contributions. The cost of the Program is shared between the federal government and the States of Wyoming and Colorado at a 50/50 cost-split, with credits for in-kind contributions from the states and water users. The total cost of the First Increment Extension is \$156 million, adjusted annually for inflation. Colorado’s remaining proportion of the First Increment Extension is approximately \$24.9 million, adjusted for inflation annually. In FY22, the Colorado General Assembly appropriated \$1.9 million through the Species Conservation Trust Fund (SB 22-158) and \$3.8 million through CWCB Projects Bill (HB 22-1316). The remaining obligation is approximately \$19 million.



The Platte River Recovery Implementation Program covers the North and South Platte River basins (left). The target species are the endangered whooping crane (top right), threatened piping plover (middle right), and the endangered pallid sturgeon (bottom right).

