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## NF98-375 What is the "Cooperative Agreement" for Endangered Species Habitat Along the Central Platte River?

Gary R. Lingle

*Platte Watershed Program*

Thomas G. Franti

*University of Nebraska - Lincoln*, [thomas.franti@unl.edu](mailto:thomas.franti@unl.edu)

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# What is the "Cooperative Agreement" for Endangered Species Habitat Along the Central Platte River?

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by Gary R. Lingle, *Platte Watershed Program Coordinator*  
Thomas G. Franti, *Surface Water Management Specialist*

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The governors of Nebraska, Colorado and Wyoming and the Secretary of the Interior signed a historic agreement on July 1, 1997. This agreement addresses endangered species issues affecting the Platte River Basin upstream of its confluence with the Loup River. *The Cooperative Agreement for Platte River Research and Other Efforts Relating to Endangered Species Habitats Along the Central Platte River, Nebraska* provides funding and an administrative structure to allow the states and the federal government to work together in enhancing water and land resources for endangered species. The agreement has two main objectives:

1. To develop and implement a "recovery implementation program" to improve and conserve habitat for four threatened and endangered species: whooping crane, piping plover, least tern and pallid sturgeon.
2. To enable existing and new water uses in the Platte River Watershed to proceed without actions beyond the Program for the four species under the Endangered Species Act.

Although the states are not legally bound to participate in the Cooperative Agreement, they recognize a basinwide approach to resolving endangered species issues is more efficient and less costly than a state-by-state approach. All water users — agricultural, municipal, recreational and fish and wildlife — stand to benefit. The states have begun monitoring new water-related activities to distinguish between new and existing uses. This knowledge will enable the states to mitigate, offset or prevent activities which cause shortages in recommended river flows. The original terms of the agreement may be modified as new information becomes available. The Cooperative Agreement is planned for three years. During this time, public and private interests may propose program alternatives.

## Public Participation

Over the next three years, a review of the proposed program impacts and a range of alternatives will be conducted. Following the review, a final program will be selected and an implementation agreement

signed. Public participation in the process is encouraged and all committee meetings are open to the public. Contact the chairman of any committee for meeting dates and minutes from previous meetings (see list at the end of this publication).

To be placed on the federal mailing list of the Platte River Environmental Impact Statement Study contact: Platte River EIS Office, POB 25007, PL-100, Denver CO 80225-0007; telephone: 303-445-2096 or contact the Platte River website at: <http://www.usbr.gov/platte/> for general information and meeting schedules. To be placed on the state mailing list contact: Laurie Fredrick, POB 94876, Lincoln, NE 68509; telephone: 402-471-2081; e-mail: [fredrick@nrcdec.nrc.state.ne.us](mailto:fredrick@nrcdec.nrc.state.ne.us).

## **Proposed Program**

To assure compliance with the Endangered Species Act and to allow water users to continue to use the Platte River, the parties have proposed a basinwide program to:

- provide additional or modified river flows throughout the central Platte River habitat,
- improve habitat for endangered species by protecting up to 29,000 acres of suitable land between Lexington and Chapman, Nebraska,
- mitigate or offset habitat impacts resulting from new water-development activities in the basin.

The first phase of the program will last 13-16 years. The water goal: to reduce flow shortages, as defined by the U.S. Fish and Wildlife Service (USFWS), at Grand Island by an average of 130,000 acre feet per year. Proposed shortage-reducing actions:

1. operate Kingsley Dam and related Nebraska facilities to provide an "environmental account" to be managed by USFWS not to exceed 200,000 acre feet This water will be stored in Lake McConaughy for environmental purposes;
2. modify Pathfinder Reservoir in Wyoming to store water in an environmental account; and
3. construct the Tamarack Project in Colorado to remove water from the South Platte River during excess flows and return it to the river through groundwater recharge when needed.

These three actions will provide 70,000 acre feet of flow to the central Platte River; the additional 60,000 acre feet must be obtained through other means. The goal for land: to develop and/or protect at least 10,000 acres of suitable habitat in the Central Platte River Basin. Nebraska Public Power District's Cottonwood Ranch (2,650 acres) will contribute toward this goal.

The cost of the first phase of the program is \$75 million, half of which will be paid by the federal government, half by the states. Nebraska and Colorado each will contribute 40 percent and Wyoming will contribute 20 percent of the states' costs. By the end of the first increment, Nebraska will have contributed \$15 million—\$700,000 in cash and \$14.3 million in cash equivalents, such as habitat and water. Nebraska's cash contribution is relatively small as the majority of the state's contributions are in the form of water and land. These contributions of land and water are tied to the pending relicensing of the Kingsley Dam and associated projects. All of Nebraska's cash contributions will be made during the three-year term of the Cooperative Agreement.

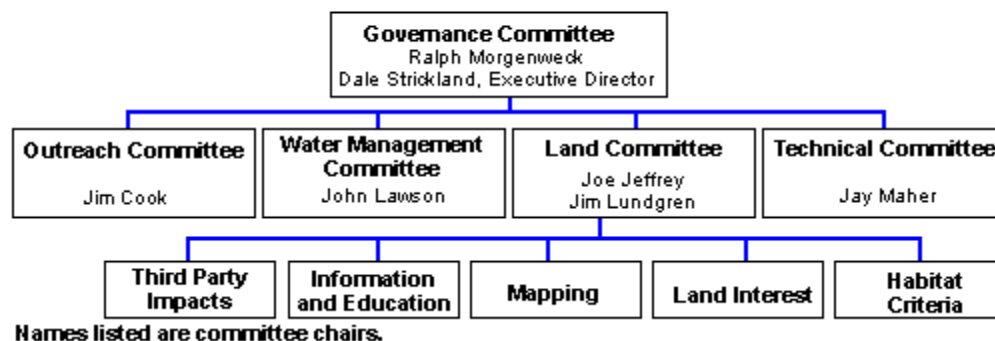
At the conclusion of the first phase, the program will be evaluated and plans for a second increment will be prepared, if necessary. This same process could continue indefinitely, allowing the parties to maintain habitat recovery and ecosystem maintenance and development.

## **Committee Structure**

The Cooperative Agreement is administered by a 10-member Governance Committee with representatives from the United States Fish and Wildlife Service; the Bureau of Reclamation; water users from Nebraska, Wyoming and Colorado; representatives from each of the three states; and two representatives from environmental organizations. The Executive Director serves the Governance Committee. The Governance Committee established four subcommittees to assist in program development. They are:

1. **Technical Committee** to provide peer review protocol and identify target species and habitat research and monitoring needs.
2. **Land Committee** to oversee land rights acquisition and management.
  - i. Habitat Criteria — establish and implement criteria for habitat protection.
  - ii. Information and Education — provide public information relevant to land interests.
  - iii. Third Party Impacts — identify and evaluate impacts to third parties including changes in tax revenue resulting from protection of land for endangered species.
  - iv. Land Interests—develop a process for protection and oversight of land interests, including the reversion of, or protection of, land interests if the Program fails.
  - v. Mapping — develop a GIS database to map current land cover types.
3. **Water Management Committee** to develop methods to track water supply and initiate water conservation demonstration projects.
4. **Outreach Committee** to review and approve educational materials prepared by or for the Governance Committee, its subcommittees or the Executive Director for public distribution.

## Cooperative Agreement Committee Structure



### Governance Committee Members

Dale Strickland, Executive Director  
**Governance Committee**  
 2003 Central Avenue  
 Cheyenne WY 82001  
 307-634-1756; fax: 637-6981  
 dstrickland@west-inc.com  
 (Not a voting member)

**State of Wyoming**  
 Mike Besson  
 Wyoming Water Development Commission  
 Herschler Bldg, 4th Flr  
 Cheyenne WY 82002  
 307-777-7627

**Colorado Water Users**  
 Alan Berryman  
 North Colorado Water Conservancy District  
 POB 679  
 Loveland CO 80539  
 970-667-2437

**U.S. Department of the Interior**  
 Ralph Morgenweck, Chair  
 USFWS

**State of Nebraska**  
 Dayle Williamson  
 Nebraska Natural Resources Commission

**Environmental Groups (2 seats)**  
 National Audubon Society  
 Dave Sands

POB 25486  
Denver CO 80225  
303-236-7920  
ralph\_morgenweck@fws.gov

Patty Beneke  
1849 C St NW  
Washington, D.C. 20240  
202-208-3186

**State of Colorado**

Jim Lochhead  
Department of Natural  
Resources  
1313 Sherman St, Rm 719  
Denver CO 80203  
303-866-4902  
jim.lochhead@state.co.us

POB 94876  
Lincoln NE 68509-4876  
402-471-2081  
daylew@nrcdec.nrc.state.ne.us

**Nebraska Water Users**

Brian Barels  
Nebraska Public Power District  
1414 15th St  
Columbus NE 68601  
402-563-5335  
blbarels@nppd.com

**Wyoming Water Users**

Norman DeMott  
Goshen Irrigation District  
POB 717  
Torrington WY 82240  
307-532-7031

140 N 8th St, Ste 217  
Lincoln NE 68508  
402-475-1177  
dsands@audubon.org

Environmental Defense Fund  
Dan Luecke  
1405 Arapahoe  
Boulder CO 80302  
303-440-4901

Platte River Whooping Crane  
Trust  
Paul Currier  
6611 Whooping Crane Dr  
Wood River NE 68858  
308-384-4633  
currier@hamilton.net

**Chairs of Committees under the Governance Committee**

**Land Committee**

Joe Jeffrey, Co-chair  
43646 Rd 749  
Lexington NE 68850  
308-324-3613

Jim Lundgren, Co-chair  
76026 Rd 432  
Lexington NE 68850  
308-324-3519; fax: 287-2342  
jlundgren@kryvn.com

**Outreach Committee**

Jim Cook, Chair  
Nebraska Natural Resources Commission  
POB 94876  
Lincoln NE 68509-4876  
402-471-3930; fax: 471-3132  
jcook@nrcdec.nrc.state.ne.us

**Technical Committee**

Jay Maher, Chair  
CNPPID  
POB 740  
Holdrege NE 68949-0740  
308-995-8601; fax: 995-5705

jmaher@nrcdec.nrc.state.ne.us

**Water Management Committee**

John Lawson, Chair

U.S. Bureau of Reclamation

POB 1630

Mills WY 82644

307-261-5671; fax: 261-5683

<http://ianrpubsarchive.unl.edu/wildlife/jlawson@gp.usbr.gov>

The following publications are available free from the Platte River Environmental Impact Study Office:

- 1997. *Cooperative Agreement for Platte River Research and Other Efforts Relating to Endangered Species Habitats Along the Central Platte River, Nebraska*. Department of the Interior. 105pp. This document contains a copy of the Cooperative Agreement and several appendices.
- 1998. *Platte River Endangered Species Partnership*. Department of the Interior. 8pp. This document outlines the proposed program for the recovery of endangered species and lists the Governance Committee members with their telephone numbers.

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