

**Media Q and A for release of the Platte River Recovery Implementation Program
Final Biological Opinion
6/20/06**

What is a biological opinion? Why is a biological opinion required for the proposed Program?

Under section 7 of the Endangered Species Act (ESA), formal consultation with the Fish and Wildlife Service is a mandatory process for any Federal project or action with a Federal connection that may adversely affect listed species or designated critical habitat. Formal consultation is initiated by the Federal agency and concludes with the issuance of a biological opinion by the Service. A biological opinion includes a description of the proposed Federal action, a discussion of the current status of the listed species, an analysis of effects of the Federal action on listed species and their habitats, and a determination by the Service on whether the Federal action is likely to, or not likely to, jeopardize the continued existence of listed species or adversely modify designated critical habitat.

What is the proposed Federal action that the final biological opinion analyzes?

The proposed Federal action is the funding and implementation of a cooperative, basinwide Platte River Recovery Implementation Program (Program) for the four target species (whooping crane, interior least tern, piping plover, pallid sturgeon) which use riverine and nearby habitat in Nebraska. A Final Environmental Impact Statement released in late May of 2006 identified the Governance Committee Alternative as the preferred alternative, and the Service's biological opinion specifically reviewed that description of the proposed Program.

What did the final biological opinion for the proposed Platte River Recovery Implementation Program conclude?

The Service's biological opinion concluded that the proposed Program is not likely to jeopardize the continued existence of the federally endangered whooping crane, interior least tern, and pallid sturgeon, or the federally threatened piping plover, bald eagle, or western prairie fringed orchid. The proposed Program is also not likely to destroy or adversely modify designated critical habitat for the whooping crane.

Why is a Program needed?

Federal water projects, and state and private water activities which require Federal permits or funding, must ensure that they do not increase the risk of extinction of threatened or endangered species, or adversely affect designated critical habitat for those species. Over the past 20 years, the US Fish and Wildlife Service has determined that many water projects in the Platte River Basin are likely to jeopardize the continued

existence of these four species by altering river and nearby habitat along the central and lower reaches of the Platte River in Nebraska.

Leaders from the states of Wyoming, Colorado, and Nebraska, and the Department of the Interior, along with water managers and environmental group representatives, believe that the best way to address these impacts is through a basinwide, cooperative effort to improve river flows and land habitat for the target species. This was the basis for the Cooperative Agreement, which the States and the Department of the Interior signed in 1997.

The resulting Program, they believe, will be the most efficient, effective, and equitable way to create improvements in the habitat for the target species. When implemented, the Program will allow hundreds of water projects and activities in the Platte River Basin to continue current operations and meet the requirements of the ESA for these species.

What happens if a basinwide, cooperative Program is not implemented?

All Platte River Basin water projects or activities that are operated by, funded by, or authorized by the Federal government (which includes a large number of private projects), must operate in compliance with the ESA. They must avoid causing impacts that are likely to jeopardize the continued existence of listed species or adversely modify critical habitat. Where operations of projects have historically caused such effects and are expected to continue, offsetting measures must be implemented to restore habitat.

Without a basinwide, cooperative Program to accomplish habitat restoration, each water project or activity will be responsible for its own offsetting measures. For many reasons, the costs to individual projects in money and water resources are likely to be much greater if a cooperative Program is not implemented. Details are found in the Final Environmental Impact Statement and attachments released in late May of 2006.

How much will the proposed Program cost?

The 1997 Cooperative Agreement stipulated that the Federal government would provide half the contributions necessary for the Program, and the other half would be split among the three states. The Governance Committee has prepared a budget for its proposal. The contributions of each party for the first increment of the Program are:

Federal: \$157 Million

Colorado: \$20 Million, and the Tamarack Phase I water project.

Wyoming: \$6 Million, and the Pathfinder Modification project.

Nebraska (contributed by Central Nebraska Public Power and Irrigation District

and the Nebraska Public Power District): The Lake McConaughy Environmental Account and the Cottonwood Ranch habitat area.

Most of the Program funds go toward leasing or purchase of land and water from willing sellers, restoration and management of lands, and monitoring and research related to the effects of management on the target species and their habitats.

How does the proposed Program benefit the target species?

The proposed Program would improve habitat conditions in the Central Platte Habitat Area (lands along the Platte River from Lexington to Chapman, Nebraska) for the three target bird species (whooping crane, interior least tern, piping plover) by:

> Reducing shortages to Fish and Wildlife Service target flows for the species by roughly 150,000 acre-feet on an average annual basis, primarily by retiming river flows to increase river flows in the spring, summer, and early fall.

> Leasing or acquiring land habitat in the Central Platte Habitat Area from willing sellers and restoring habitat. Habitat restoration focuses primarily on restoration of wide, unvegetated river channel and wet meadow areas.

>Habitat restoration methods to be tested and employed using a phased approach and monitoring of effects include:

- improving channel habitat by clearing wooded river islands and lowering island elevations to broaden the flow of water within existing river banks;
- moving river sand perched on wooded islands back into the active channel to begin offsetting the ongoing erosion and narrowing of the river channel and to support formation of sandbars suitable for nesting least terns and piping plovers;
- creating a 2 to 3 day pulse flow each year, within existing channel capacity, to build higher sandbars and scour annual vegetation from the river channel.

> Taking measures on Program lands to reduce disturbance of roosting, nesting, or foraging birds.

> Implementing an extensive program of research and monitoring of the target species and their habitat, and the response of the species and the river system to Program actions.

How does the Program use Adaptive Management, Research and Peer Review?

An adaptive management approach to habitat restoration is a key part of the Program. The Program will extensively monitor Program actions and the resulting changes in

habitat and species response to those changes. This information will be used to identify the best, most cost-effective methods of habitat improvement, and to adjust Program actions and management objectives.

The Program will conduct research on key aspects of target species biology and habitat use, with the aim of filling information gaps important to the Program.

The Program's plans for adaptive management, monitoring, and research, and the findings from those activities, will be subject to independent peer review and will be made available to the public.

Who will decide whether to move ahead with Program implementation?

The Secretary of the Interior will reach a decision on whether the Department of the Interior will enter into an agreement to implement the Platte River Recovery Implementation Program. Each state Governor will make a decision whether to join in an agreement. The State legislatures and the U.S. Congress will make decisions regarding funding of the Program.

What is the difference between the final biological opinion and the Final Environmental Impact Statement?

The biological opinion only examines effects of the Program on listed species and their habitats, while the Final Environmental Impact Statement analyzed those effects, as well as impacts to water use, irrigation, recreation, economics, and other resources. The following questions address Program impacts examined in the FEIS.

How does the proposed Program affect farmers and water users?

Farmers and other water users in the basin could choose to temporarily lease water to the Program. Farmers and other land owners in the central Platte River area could offer to sell or lease land to the Program, or sell easements, for habitat restoration. This and other effects of Program water management could produce a reduction in farmed acres of up to a total of 17,000 acres in the three Basin states, depending upon assumptions. This would produce a \$4-5M reduction in gross farm revenues in the Basin. There is a very small reduction in farmed acres on lands leased or purchased for species habitat in the Central Platte Habitat Area (<1%).

How does the proposed Program affect recreationists?

The FEIS analysis projects reductions in recreation use of the North Platte Reservoirs in Wyoming and Lake McConaughy in Nebraska due to somewhat lower water levels. On average, annual visitation and fishing at the Wyoming North Platte Reservoirs are likely to be reduced 1 to 2 percent and 6 percent at Lake McConaughy.

The Preferred Alternative increases the probability that lake levels in Seminoe and Pathfinder Reservoir could reach critical levels for the fishery during a period of extreme drought. The Wyoming Water Development Commission has entered into an agreement with the Wyoming Department of Game and Fish to provide up to \$2M in funds to mitigate for adverse impacts should such a situation arise.

How does the proposed Program affect local economies?

It is expected that individuals will choose to lease or sell water or land to the Program only if it is economically advantageous to do so. Thus, at an individual level, water or land owners could benefit financially from the Program. In addition, many elements of the Program bring money into the local economies through expenditures for construction and land management. The primary negative effect of the Program on local economies is through reductions in crop production (mostly due to voluntary water leasing) and hence a reduction in expenditures for local agricultural services and supplies. Reduced recreation visits also negatively affect the local expenditures. Taken together, all aspects of the Preferred Alternative result in very small increases or very small decreases in local economic activity, depending upon the location in the Platte Basin.

Overall, in all of the basin economic regions, the positive and negative economic impacts of the Preferred Alternative are less than one tenth of one percent of the existing level of activity (sales, income, taxes, employment.)

Does the proposed Program affect public health and safety?

Some individuals expressed concern that the Program would increase the populations of mosquitoes and non-migratory, resident waterfowl in the Central Platte area, possibly leading to increases in mosquito-borne disease and problems of water contamination from waterfowl dropping and other nuisance problems. The FEIS analysis of proposed land and water elements in the Central Platte area indicates that, (1) the Program would not increase areas of standing water in the summertime (the type of wet meadow habitat that the Program seeks to restore are not wet during the summer mosquito breeding season), (2) the Program may reduce somewhat the occurrence of very low river flows that lead to ponding and stagnant water suitable for mosquito breeding, (3) the Program alternatives do not increase habitat suitable for waterfowl nesting and hence would not increase the overall population of geese and other waterfowl, and (4) the Program alternatives do not increase the type of protected, irrigated, urban habitat preferred by non-migratory, resident geese populations (e.g., ponds and parks).