

**Written Testimony of Dan Gibbs  
Executive Director  
Colorado Department of Natural Resources  
Before the Committee on Natural Resources  
Subcommittee on Water, Oceans, and Wildlife  
U.S. House of Representatives  
H.R.3237 Platte River Recovery Implementation Program Extension Act**

**July 19, 2019**

Chairman Huffman, Ranking Member McClintock, and Members of the Subcommittee, thank you for the opportunity to submit this written testimony in support of H.R. 3237, the Platte River Recovery Implementation Program Extension Act.

My name is Dan Gibbs and I am the Executive Director of the Colorado Department of Natural Resources. The State of Colorado appreciates the Subcommittee's attention to this important Program and we thank Representatives Neguse, Tipton, DeGette, Buck, Lamborn, Crow, Perlmutter and co-sponsors for their leadership in pursuing this legislation.

The headwaters of the North and South Platte River basins both originate in Colorado. The Platte River basin is one of the most important economic areas and ecosystems in Colorado. The entire state of Colorado relies on the North and South Platte Rivers and its tributaries to irrigate hundreds of acres of farmland and to sustain productive economies. In fact, all of Colorado's seven congressional districts intersect the North or South Platte basin in some portion.

The Program is vital for allowing water users to continue pursuing water projects in Colorado's growing South Platte basin, while protecting endangered and threatened species in Nebraska. This Program provides remarkable benefits to Colorado through a programmatic approach to environmental permitting, which allows for streamlined Section 7 Endangered Species Act consultations for Program participants. Due to the Program's success, 147 projects have completed permitting requirements using this approach for the past 13 years. This has decreased the regulatory burden for water users permitting major water projects in Colorado's booming Front Range corridor, as well as for small scale agricultural water projects in Colorado's productive northeastern farming community.

For over a decade, this Program has resolved the conflict between continued water development and endangered species protection through a collaborative approach supported by our partner states of Nebraska and Wyoming and the federal government, water users, and conservation groups. The Program does this through implementing a basin-wide cooperative approach to work towards shared objectives to protect the endangered and threatened whooping crane, interior least tern, pallid sturgeon and piping plover, which also helps to prevent the need to list more basin-associated species pursuant to the Endangered Species Act.

The Program currently protects in excess of 12,000 acres of endangered and threatened species habitat in central Nebraska and provides approximately 115,000 acre-feet of water to the central Platte basin. The Program also maintains an organizational structure that ensures appropriate

federal and state government and stakeholder involvement in the implementation of the Program, and is one of the only species recovery programs in the country that has successfully completed a full loop of the adaptive management cycle by providing scientific learning for use in decision-making. As a result, the Program is tremendously successful; the Program has contributed towards progress in delisting the interior least tern, as recommended in a recent 5-Year Review from the U.S. Fish and Wildlife Service, and has led to increased numbers of whooping cranes and piping plovers in the central Platte.

The federal government and the states equally share the Program cost — in terms of cash, water, and land. Colorado has contributed significantly to the Program through time, financial resources, and retiming of water for habitat benefits through operation of recharge ponds at the Tamarack State Wildlife Area. During the first 13 years of the Program, Colorado has contributed \$24 million. In the upcoming 13 years, Colorado has committed to contribute another \$24.9 million, \$2.54 million of which has already been appropriated by Colorado's General Assembly for the first year of the Extension. Colorado will not have additional water obligations during the Extension, but will continue its commitment to water retiming operations at the Tamarack State Wildlife Area.

The milestones for the first 13 years of the Program included initial state water projects and state and federal depletion plans focused on attaining the water objective of retiming and improving flows to reduce target flow shortages by an average of 130,000-150,000 acre-feet per year; and a land milestone of protecting and maintaining 10,000 acres of habitat in Nebraska. The Program has met all of its land and adaptive management milestones, however more time is needed to complete the Program's water milestones.

The Program partners want to achieve all of the milestones and we have reached an agreed-upon approach to extend the program for another 13 years (from 2020-2032). The Secretary of Interior, Colorado, Nebraska, and Wyoming as well as all Program stakeholders unanimously agree that a 13-year extension of the Program and additional funding will provide the time and tools necessary to meet the water milestones. This extension would allow for continued Endangered Species Act compliance for existing and future water projects, while protecting the endangered and threatened species in the central Platte. However, Congress must act now—the authority for the Secretary to implement this Program terminates on September 30, 2020. H.R. 3237 is vital to providing the authorization for the Extension for another 13 years. I urge you to allow the Platte River Recovery Implementation Program to continue as a marquee example of a proactive, collaborative approach to providing benefits to endangered species and their habitats while allowing beneficial use of our water resources.

Thank you for your consideration and I hope that you will support this important legislation for Colorado.