

**Statement of Jason Peltier, Principal Deputy Assistant Secretary
U.S. Department of the Interior
House Committee on Natural Resources
Subcommittee on Water and Power**

**April 26, 2007
HR 1462**

Madam Chairwoman and members of the subcommittee, I am Jason Peltier, Principal Deputy Assistant Secretary for Water and Science at the Department of the Interior. I appreciate the opportunity to appear before you today to discuss HR 1462, the Platte River Recovery Implementation Program and the Pathfinder Modification Authorization Act. The Department supports passage of HR 1462.

The Platte River originates in the mountains of Wyoming and Colorado and, as it flows through Nebraska, provides important habitat for the whooping crane, piping plover, interior least tern, and pallid sturgeon (target species) that are listed as threatened or endangered under the Endangered Species Act (ESA). In 1997, the States of Colorado, Nebraska, and Wyoming and the Department of the Interior signed a Cooperative Agreement to develop a basin-wide program that would provide measures to assist in the recovery of these four target species in the Platte River in Nebraska. In late 2006, the Platte River Recovery Implementation Program (Program) Agreement was signed by the Governors of the three States and the Secretary of the Interior, allowing for Program implementation to begin January 1, 2007. The Program assists in the conservation and recovery of the target species in the Platte River basin and implements aspects of the recovery plans for these species, thereby providing compliance under the Endangered Species Act (ESA) for existing water related activities and certain new water-related activities in the Platte River Basin in Colorado, Wyoming, and Nebraska.

Title I of HR 1462 provides authorization for the Secretary of the Interior, through the Bureau of Reclamation, to fully implement the Program. It also provides Reclamation with authority to appropriate non-reimbursable funds for the Program. Reclamation, in cooperation with the Governance Committee, will implement the Program in incremental stages with the first increment being a period of 13 years. Pursuant to the Program Agreement, the Federal cost share for the first increment is \$157 million (2005 dollars), plus indexing. The State cost-share is the same amount, to be provided from the three State Parties to the Program Agreement.

Pre-implementation activities, such as forming the new Governance Committee, initiating the selection of the Executive Director, and various administrative functions have already begun. Federal activities up to this point have been authorized under existing law encouraging the Department of the Interior to work with States to promote habitat protection and the protection of species. Under the ESA, the Program can initiate monitoring and research activities; however, actual water and land acquisitions cannot be initiated using Federal funds prior to enactment of this legislation. Upon enactment of this authorizing legislation, Program land and water acquisitions will begin. It is critical that acquisitions begin early in the Program to allow sufficient time to evaluate the biological response and effectiveness of the Program's recovery measures.

Title II authorizes the Secretary, through the Bureau of Reclamation, to modify Pathfinder Dam and Reservoir and enter into agreements with the State of Wyoming to implement this modification. No Federal funds are required for this activity.

In accordance with our commitment to cooperative conservation, the Department of the Interior seeks to encourage the efforts of States and local communities to play active roles in managing the resources they depend on for their livelihoods. The Platte River Recovery Implementation Program that would be authorized under this Act is an example of a partnership combining Federal and Non-Federal funding in an ongoing effort to recover endangered species while also meeting the water needs of local communities, irrigators, power generation, and the environment. Enactment of this legislation provides an opportunity not only to meet ESA requirements using a basin-wide, cooperative, and scientific approach, but to do so in a manner that protects existing water uses and allows for future water uses in the Platte River Basin. For these reasons, the Administration supports HR 1462.

Madam Chairwoman, this completes my statement. I am happy to answer any questions the Subcommittee may have.