



Nebraska Game and Parks Commission

2200 N. 33rd St. / P.O. Box 30370 / Lincoln, NE 68503-0370

Phone: 402-471-0641 / Fax: 402-471-5528 / www.OutdoorNebraska.org

June 30, 2009

Patrick Diederich
Nebraska Department of Natural Resources
301 Centennial Mall South, 4th Floor
Lincoln, NE 68509

Re: Knoerzer Dam Reconstruction, P-17424 Gosper County, Nebraska

Dear Mr. Diederich,

Please make reference to your email dated June 4, 2009. This letter is in response to your request for a review of this project's potential impacts to threatened and endangered species in Gosper County, Nebraska. As we understand it, the project involves reconstructing Knoerzer Dam. We have completed our review of the proposed sites under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act and we offer the following comments.

The Platte River Recovery Implementation Program (Program) was signed in 2006 by the governors of Colorado, Nebraska and Wyoming with a January 1, 2007 effective date. The Program addresses Endangered Species Compliance for water users in the Platte River basin upstream of the Loup River confluence in Nebraska for effects on threatened and endangered species and critical habitat. Due to the cumulative affect of many water depletion projects in the Platte River basin, the Nebraska Game and Parks Commission considers any depletion of flows (direct or indirect) from the Platte River system to be significant.

The Program allows each of the States to review, manage, and require offsets for future Platte River flow depletions under their respective New Depletion Plan (NDP). Offsets are required for depletions that are not covered by Department of Natural Resources (DNR) permits. The proposed project is within the 28/40 boundary established by the DNR under the Program. Thus, the depletions to the Platte River from this project will need to be calculated and those depletions will need to be offset. Since the dam is already in existence, the Natural Resources Conservation Service (NRCS) should do an estimate of any *change* in annual depletion and should submit that information with their plan application.

There are no records of threatened or endangered species in the vicinity of this project, nor does there appear to be suitable habitat for state listed species. Therefore, we have determined that the proposed project will have "No Effect" on any state listed threatened or endangered species. We made these determinations based on a review of the material you sent, aerial photographs, topographic maps and our Nebraska Natural Heritage Database.

Based upon the submitted information, we have no objection to the proposal as currently planned. However, should the plans be modified, we recommend that you reinitiate consultation with the Nebraska Game and Parks Commission.

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DEPARTMENT OF
NATURAL RESOURCES

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All federally listed threatened and endangered species are also state listed. For assessment of potential impacts on federally listed, candidate or proposed threatened or endangered species, please contact John Cochnar, Nebraska Field Office, U.S. Fish and Wildlife Service, 203 W. Second St., Grand Island, NE 68801.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me.

Sincerely,



Michelle R. Koch
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Nebraska Natural Heritage Program
Nebraska Game and Parks Commission
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CC: John Cochnar, USFWS
Jennifer Schellpeper, DNR