**Hot Topics: Nebraska**

*Please list important ongoing issues from within your bureaus in the above state, along with any major headlines. Please limit your contribution to only one paragraph.*

**U.S. Fish and Wildlife Service (FWS)**

*Hot Topics*

**R-Line Transmission Project:** Throughout early 2021 the FWS and the Nebraska Public Power District (NPPD) continue to explore options to avoid prohibited take of the American burying beetle due to construction, operation, and maintenance of the R-Line transmission line project through Nebraska. Previously, NPPD developed a Habitat Conservation Plan (HCP) and the FWS issued an Endangered Species Act 10(a)(1)(A), but the associated environmental impact statement was remanded by the Court on issues unrelated to the permit or accompanying HCP. NPPD may be reluctant to pursue another HCP and permit due to the one to two year timeframe to complete as well as the likelihood of new legal challenges.

**Keystone:** In January of 2021, Keystone finalized a Habitat Conservation Plan and an Environmental Assessment, and FWS published a Finding of No Significant Impact. The FWS issued a non-jeopardy biological opinion on the issuance of an ESA 10(a)(1)(A) permit for the take of American burying beetle. The Biden Administration revoked the cross-border presidential permit issued by the previous Administration, effectively stopping the project. Ongoing litigation has proceeded slowly from actions related to the federal action completed in 2019. No litigation for the 2021 actions have been brought against FWS.

**American Burying Beetle:** On November 16, 2020, the final rule reclassifying the American burying beetle from endangered to a threatened species along with an ESA 4(d) rule went into effect. The Service is looking at further tools to simplify permitting (Section 10) and take exemptions (Section 7) under the ESA, including a need to develop programmatic biological opinions and to establish mitigation banks and even general conservation plans. This approach could face challenges, however, once implemented they will improve the status of the American buying beetle.

**Platte River Recovery Implementation Program:** The Platte River Recovery Implementation Program has successfully begun its second year of the 13-year Extension to the First Increment. The Program is nearing completion of its milestones and is working to update its adaptive management science program while securing long-term sustainable water management solutions. The Program is evaluating long-term solutions to resolve a flow impediment issue near North Platte, Nebraska, which limits the capacity of the channel to deliver necessary flows and increases flooding risks at North Platte.

**Salt Creek Tiger Beetle**: On April 16, 2021, the Service met with partners at the Nebraska Game and Parks Commission, Lower Platte Natural Resources District, Saline Wetland Conservation Partnership, Topeka Zoo, Omaha’s Henry Doorly Zoo and Aquarium, Lincoln Children’s Zoo, the University of Nebraska at Lincoln, and the City of Lincoln to coordinate reintroduction efforts of the federally endangered Salt Creek tiger beetle. Releases will occur at two sites within federally designated critical habitat in the Little Salt Creek Watershed. The Salt Creek Tiger Beetle is endemic to saline wetlands in Lancaster and Saunders Counties in Nebraska. To recover the species, reintroductions occur every year and rely almost exclusively on Section 6 funding. In addition to reintroductions, a large project that will benefit saline wetlands and streams in the Little Salt Creek Watershed began in FY2021. This project is spearheaded by the Flatwater Group, Lower Platte Natural Resources District, and Saline Wetland Conservation Partnership, to enhance and restore the saline wetland ecosystem in the Little Salt Creek Watershed, for the federally endangered Salt Creek Tiger Beetle, and for other wildlife and plants, including migratory birds and state-listed species. This project will be funded by the USDA’s Natural Resources Conservation Service’s Watershed and Flood Prevention Operations Fund.

**Piping Plovers:** The FWS Office of Law Enforcement, in cooperation with FWS Ecological Services, the Nebraska Game and Parks Commission, and Nebraska State Parks collaborated to educate and inform the recreating public, who visit Lake McConaughy and Lake Ogallala during the late spring and summer months, to avoid nesting piping plovers and chicks that are afforded protection under the ESA.

**Poaching of Big Game:** The Office of Law Enforcement continues to work cooperatively with the Nebraska Game and Parks Commission in identifying, investigating and prosecuting big game hunting guides and outfitters that are involved in the large-scale unlawful killing of big game throughout Nebraska. Two recent investigations revealing thousands of dollars paid to outfitters by people who come into Nebraska, kill big game illegally and transport them back out of state.

**Rainwater Basin Joint Venture Partnership:** The Rainwater Basin Joint Venture was recently awarded $1.7 million from USDA Natural Resources Conservation Services Wetland Reserve Enhancement Partnership which provides programmatic flexibility to pass pivot irrigation systems over restored wetlands and upland buffers enrolled in the Agriculture Conservation Easement Program. The goal of this project will to be to enroll 450 acres of playa wetlands and associated grassland buffers into the program. Geographic focus will be the Rainwater Basin and Central Table Playa Wetland Complexes.

**Missouri River Recovery Program:** The Missouri River Recovery Program is an adaptive management program designed to assist the Army Corps of Engineers to meet ESA requirements while meeting the multiple purposes of the river. The Program operates with 29 Tribes and other diverse stakeholders across Montana, North Dakota, South Dakota, Nebraska, Iowa, Kansas, Wyoming and Missouri to implement management actions that benefit piping plover and pallid sturgeon. Least tern, delisted in January 2021, benefitted from actions driven by this collaborative adaptive process. Stakeholders are currently discussing how to capitalize on restoration efforts that will assist in flood risk reduction while also serving pallid sturgeon, especially in early life stages.

*Front-page news/press:*

* NBC Nebraska: Morrill County Board of Commissioners pass resolution opposing the federal 30 x 30 program [(link)](https://www.nbcnebraskascottsbluff.com/2021/03/31/morrill-county-board-of-commissioners-pass-resolution-opposing-the-federal-30-x-30-program/)