

# Integrated Management Plan Stakeholders Meeting

## Twin Platte Natural Resources District

### March 29, 2005

**Stakeholders present:** Phil Armstrong, Don Colvin, Burdette Cooley, Jim Goeke, Jim Hawks, John Kilpatrick, Steve Krajewski, Marion Kroeker, Tina Kurtz, Frank Kwapnioski, Jim Meismer, Dudley Oltmans, Roric Paulman, Robert Petersen, Page Peterson, Kenneth Schilz, Jerry Steinke, Mike Svoboda, Doug Teaford, Steve Van Boening, Joe Wahlgren, Jerry Weaver, Mike Wheeler, Robert Wiseman.

**Stakeholders absent:** Todd Kramer, Brad Maul

**Resource People:** Jim Cannia, Dave Cookson, Ann Diers, Ann Dimmitt, Tom Hayden, Kent Miller

---

The first Stakeholders Meeting was called to order at approximately 7:00 p.m.

### Introductions and Overview

This Stakeholders Group is made up of individuals and organizations with an interest in water in the Twin Platte Natural Resources District (TPNRD). Stakeholders include a diverse group representing ground water irrigators, surface water irrigators, ranchers, economic development, business, financial institutions, counties, municipalities, public power, education, well drillers, recreation and Nebraska Game and Parks Commission. This group will provide input and recommendations to the TPNRD who will work with the Department of Natural Resources (DNR) to develop an Integrated Management Plan (IMP) for water in this district over the next 3 to 5 years.

### Educational Presentation

Dave Cookson, Assistant Attorney General, provided information about LB 962, which calls for the DNR, NRDs and stakeholders to develop integrated management plans for ground water and surface water. Historically, ground water has been regulated by NRDs under a system of correlative rights where users share the resource equally. When ground water resources are inadequate all users receive less water. Surface water, on the other had, has been regulated by the DNR using a system of prior appropriations where those with the earliest water rights are guaranteed water first and junior users are shut off if there isn't enough water. In 2002 conflicts were occurring between users of surface and ground water resources that were hydrologically connected (or physically linked). The governor appointed 49 people to a Water Policy Task Force, which made recommendations that were adopted into law in LB962. Key elements of this legislation include the following:

- The prior appropriation system for surface water and the correlative rights system for groundwater are to be maintained.
- Local NRDs are the first choice for groundwater regulation but they need a mechanism to take proactive steps early to manage the water.
- DNR determines if basins are fully appropriated (total uses equal to total supply) or overappropriated. Mr. Cookson shared Nebraska maps showing the fully appropriated and overappropriated areas. All of the Platte River system west of Elm Creek has been identified as overappropriated.
- In overappropriated basins there are stays on new surface water permits, new water well construction and on increases in the number of irrigated acres
- In fully and overappropriated basins NRDs and DNR must develop integrated surface water/ground water management plans (IMP) within 3 to 5 years which include
  - Tools: how the plan will be administered
  - Rules and triggers: conditions that would cause the tools to go into effect
  - Data requirements: what information must be collected to operate the plan
  - Funding: how the plan will be financed
  - Transfers: how water can be moved to other uses

Consultation with various stakeholders is required when creating this IMP

- A required goal of an IMP is to maintain the balance between basin supplies and uses to sustain the economic viability and environmental and social health and welfare of the basin for both the near and long term. What is sustainable in one basin may be very different in other basins.
- An IMP for overappropriated areas must determine the difference between the current level of development and the fully appropriated level. The DNR and NRD(s) will adopt a basin wide plan and individual integrated management plans. A five member Interrelated Water Review Board will resolve disagreements.
- IMPs will use a combination of tools to reduce water use to a fully appropriated level: (1) Regulation: Set user allocations to meet targeted levels of use and adjust these allocations in dry years, (2) Monitoring: Insure Compact compliance, analyze long-term changes and adjust targets as needed, facilitate efficient water usage by producers, (3) Incentives: Irrigation is retired through state and federal programs (CREP and EQIP)

Mr. Cookson also shared information about IMPs that have already been implemented or drafted for the Republican River Basin and provisions in the legislation that spell out other requirements for IMPs in overappropriated basins including stays on new water permits, time frames for completion of the plans, the need for consultation and collaboration with other water using entities created by state law, and the incremental approach they will use in the implementation of IMPs.

### **Procedures and Ground Rules**

The group discussed the roles of the different participant groups attending the meeting as well as procedures and ground rules to insure productive meetings.

There are five different groups participating in these meetings. Each has a different role in the process:

1. Stakeholders: are residents of this district selected by the TPNRD Board to represent a wide array of water users. The role of this group is to make recommendations for the IMP for this district to the DNR and TPNRD
2. Facilitator: is a neutral participant who will lead stakeholders in discussions and moderate meetings to increase understanding of issues and help the group reach consensus in recommendations they will make.
3. DNR and TPNRD: Representatives of DNR and members of the Water Resources Subcommittee of the Twin Platte NRD Board will take part in meetings to hear the views of stakeholders and provide information as needed by the group. They will accept the recommendations of the group at the end of the process and draft the final IMP for this district.
4. Resource Table: Staff from TPNRD and DNR, speakers and other consultants may be called upon for assistance as needed. They are not part of the group that will make the final recommendations.
5. Observers: All meetings are open to the general public. Observers may speak to the full group within agreed upon parameters.

Ground rules prepared by TPNRD were distributed to the group for review and approval (see attached). The facilitator reviewed all rules and gained the group's approval for their use in meetings. She also explained the consensus process and techniques that may be used to insure that all stakeholders have an opportunity to hear and be heard and to work toward win-win solutions when there are disagreements. Several options for hearing public comments were discussed. The approach that was agreed upon by the group calls for observers wanting to speak to come up to a podium and wait to be recognized by the facilitator. They will then have no more than 5 minutes to share their concerns or questions. The group will be given the opportunity to decide if the observer should be given additional time to speak.

## **Future Meetings**

Meetings will be held in North Platte on a monthly basis unless the group decides to skip a month during busy production times. Initial educational meetings will be scheduled around the availability of speakers taking into account, when possible, the standing commitments of Stakeholders when TPNRD staff is aware of these potential conflicts. Meetings will generally be held in the evening and will last 3 to 4 hours. An agenda detailing meeting topics, dates and times will be distributed to all participants prior to each meeting.

The group discussed a variety of educational topics that need to be presented before the group can have an effective discussion about recommendations for the IMP. Kent Miller and Ann Dimmitt of the TPNRD will identify potential speakers and determine availability. Future meeting dates will be set accordingly.

The next Stakeholders Meeting will be held Tuesday, April 19th from 6:30 to 10:00 p.m. CST at the Holiday Inn Express in North Platte pending the availability of Jim Cook, Attorney – DNR, to talk about the Platte River Cooperative Agreement and/or Roger Patterson, Director – DNR to talk about surface water administration in Nebraska and the role of DNR in developing the TPNRD IMP. Other speakers will be scheduled if either Mr. Cook or Mr. Patterson is unavailable.

The meeting was adjourned at 10:00 p.m. CST.