

Integrated Management Plan Stakeholders Meeting

Twin Platte Natural Resources District

August 21, 2006

Stakeholders present: Phil Armstrong, Don Colvin, Burdette Cooley, Lisa Dominisse, Marion Kroeker, Tina Kurtz, Frank Kwapnioski, Jim Meismer, Dudley Oltmans, Roric Paulman, Robert Petersen, Page Peterson, Dennis Schilz, Kenneth Schilz, Jerry Steinke, Mike Svoboda, Doug Teaford, Steve Van Boening, Joe Wahlgren, T.J. Walker, Mike Wheeler, Robert Wiseman.

Stakeholders absent (excused): Jim Goeke, Steve Krajewski, Jim Hawks, Jerry Weaver.

Stakeholders absent (unexcused): None

Resource People: Kent Miller

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

Announcements

- John Kilpatrick has moved to another state. The Twin Platte Natural Resources District Board of Directors has selected T.J. Walker to take his place representing the Nebraska Game and Parks Commission.
- Ann Diers, Legal Counsel for the Nebraska Department of Natural Resources, has taken another job so will no longer be attending our meetings.

Stakeholder Presentation

Burdette Cooley asked for the opportunity to address the group. He represents recreation interests and homeowners at Lake McConaughy and expressed concerns about the condition of the lake. For more than 55 years it has always come back and has provided lots of income and recreation opportunities to the state, but it has reached a particularly critical point. If the environmental account were to be removed, only about 100,000 acre-feet would be left. Burdette feels CNPPID has done a poor job as steward of our water, citing the following points: In 2000, most of the 647,500 acre-feet of water released was let out by May under the assumption that they would be getting water from Colorado that did not materialize. Since 80% of CNPPID income is from the hydro plant, water is dumped year round. If this continues, in two to three years the North Platte River will be facing the same issues as the Republican River basin. At this point he is not sure what can be done. It is too late to establish and maintain a minimum pool. Given the way CNPPID has managed the water, Burdette feels it should be turned over to the Army Corps of Engineers.

Discussion about Burdette's concerns included the following comments or questions:

- In this part of the state most people think local control is important. How would turning the lake over to the federal government make this situation any better?
- While we do need to take a look at these concerns, we can do everything right and the states above us still control much of what happens to the Platte system. If we regulate and reallocate the water, we will end up in the same situation as those in the Republican system.
- Instead of reallocation, we should be looking at doing a better job of utilizing and conserving water to maximize resources and protect opportunities. We should utilize resources available at the University of Nebraska to explore ways to do this. We need to push for this to happen.
- We are handcuffed by agreements in place for 100 years – before many ground water users were drilling wells and ethanol plants were using water. The millions of dollars behind ethanol plants will drive the use of water toward producing corn. To micromanage water supply in the face of these big changes is unproductive. What we are doing is a small piece of a much larger pie.
- Water levels in Lake McConaughy are dependent on return flows into the river. Irrigators above the lake have significantly reduced return flows.

Jerry Steinke with CNPPID noted that even when the lake gets low, they have to honor historical water rights and can't just cut off farmers who own those rights. The only way to change these water rights is to change the laws and show the courts you are using the water for beneficial uses. The water coming out of the lake now is going to NPPD and NRD to honor contracts in place, and will continue until October. If NPPD does not receive their water allocation, they will shut down and import electricity at a higher cost, which will translate into higher utility costs to end users.

Objectives

Stakeholders agreed to the following:

GOALS STATEMENT: Manage water resources in the Twin Platte Natural Resources District in a manner to balance water use and water supply, optimizing economic, social, and environmental benefits, for the near and long term.

OBJECTIVES:

- Provide for educational programs related to integrated management for the District.
- Protect existing users, the local economy, environmental health, and recreational uses to the extent possible.
- Allow for water banking, transfers, and pooling.
- Explore new sources of water.
- Coordinate with the basin-wide plan.
- Equitable distribution of mitigation responsibilities.
- Reach and maintain fully appropriated status of the total water supply in the District.
- Manage total water supply in the district to achieve sustainability of supply while allowing for growth and changes in use. *(Note: Tina Kurtz had concerns about the word "growth" believing it may imply growth in the use of water which cannot happen in a fully or over appropriated basin. She will discuss this with others at DNR and revisit this issue at the next meeting.)*

Other things on the original list of objectives that were determined to be tools included:

TOOLS:

- Develop studies and do research to identify and quantify the components of the District's water budget and the level of sustainable use.
- Develop a schedule of updating information.
- Encourage efficient use of water to maximize benefits to the ecology and economy of the area.

These ideas will be explored further at future meetings.

To prepare for the upcoming discussion of Tools, Tina Kurtz was asked to brief the group on what types of tools were allowed by law and what other IMP groups have come up with in this area. She referred the group to what statutes allow in the Nebraska Ground Water Management and Protection Act, Chapter 46, Article 7. Management controls that can be adopted in an IMP are detailed in section 46-739 and **may** include a wide variety of tools including:

- Allocation of the amount of ground water that can be withdrawn by ground water users
- Moratoriums on new wells or irrigated acres
- Flow meters to measure water usage
- Pooling between multiple users
- Reduction of irrigated acres
- Water banking
- Educational programs
- Required permits for transfers including:
 - Physical transfer of water from farm to farm
 - Transfer of allocations from party to party
 - Transfer of certified acres
 - Transfer of use (e.g. from agriculture to commercial use)

(Please refer to section 46-739 for more details on management controls.)

The group asked questions and shared the following comments or concerns:

- **Q:** The statute states “other reasonable rules and regulations as are necessary”. What does this mean?
A: Basically anything that doesn’t adversely impact water in other districts.

- **Q:** In general, what kind of tools are other districts looking at recommending?
A: Reduction in water use, trading out water, drying up acres, flow meters, pooling, allocations, continuing moratoriums. Tina will see if the South Platte IMP group is willing to share their current draft of tools they are recommending.

- **Q:** Does COHYST have new numbers out for irrigated acres?
A: Yes, updated information should be available soon.

- **Comment:** Some view allocations not as guidelines or targets, but as entitlements. So if they are allocated a certain number of inches and don’t use it all they bank it for future use. We need to define the total amount of water available (from rain, surface water, and ground water sources), and set a consumptive limit. Flow meter PLUS rain received would equal total water used.

Future Meetings

All meeting times are from 7:00 to 9:30 p.m. CDT. Future meetings:

September 18 -- Quality Inn
October 16 -- Holiday Inn
November 20 -- Holiday Inn
December 18 -- Holiday inn

The meeting was adjourned at approximately 9:30 p.m. CDT.