

Integrated Management Plan Stakeholders Meeting

Twin Platte Natural Resources District

September 17, 2007

Stakeholders present: Phil Armstrong, Don Colvin, Burdette Cooley, Lisa Dominisse, Mike Drain, Jim Goeke, Tina Kurtz, Frank Kwapnioski, Jim Meismer, Dudley Oltmans, Roric Paulman, Robert Petersen, Kenneth Schilz, Jerry Steinke, Doug Teaford, Joe Wahlgren, T.J. Walker, Mike Wheeler.

Stakeholders absent (excused): Kent Miller, Page Peterson, Dennis Schilz, Steve Van Boening, Jerry Weaver, Robert Wiseman.

Stakeholders absent (unexcused): Jim Hawks, Steve Krajewski, Marion Kroeker, Mike Svoboda.

Resource People: Ann Dimmitt, Kevin Spelts.

The Stakeholders Meeting was called to order at 7:05 p.m. CDT.

Announcements and Presentations:

September 15 was the three-year deadline for the first phase of the IMP process. TPNRD Board requested a one-year extension. **Tina Kurtz** said DNR has agreed to an eight-month extension. **Roric Paulman** reported on a Basin Stakeholders Group meeting when participant again asked “What is fully appropriated?” A subcommittee was appointed to finalize this on October 17.

Discussion of IMP Management Scenarios:

Discussion of possible management scenarios continued.

Require use of best management practices:

This approach would require producers to adopt specific practices to reduce consumptive use including methods of tillage, contour, on-farm delivery of water (surge valves, pivots, pipes, ditch irrigation), off-season residue or cover management, deficit irrigation. Examples of best management practices for surface water (which is not addressed in the statutes) include things like storage, canal lining, and pipelines.

PROS	CONS
Many of these practices are known and already widely in use outside of the river valley.	<i>Some</i> best management practices work toward more efficient application but don't reduce consumptive use.
Producers may be motivated to use practices if they reduce costs (less trips across the field).	Quantification of savings may be difficult with current levels of understanding.
May also have water quality benefits.	Could be difficult to police.
Even small changes can have a significant impact if applied over many acres.	If not mandatory it could take time to see significant improvement.
Best management practices may be developed for municipalities to share the burden. NRDs can require a water conservation plan for 1 st and 2 nd class cities. (1 st class= 5000 to 100,000; 2 nd class= 800 to 5000). Programs like “Cash for Grass” pay people to remove lawns and zeroscape. It was unclear if NRDs could <i>require</i> municipalities to use these practices.	Applying requirements on municipalities may be politically unpopular. In addition, while NRDs have authority to require a conservation plan they may not be able to require individual homeowners to zeroscape.
These practices may help to identify areas for improvement.	

There was considerable discussion about why management practices in the statutes only address ground water users. NRDs have limited authority to require municipalities to use specific management practices. Mike Drain noted that there have already been significant reductions in surface water deliveries to irrigators and a 75% reduction in power production in all facilities. He estimates 100,000 af/yr of surface water have been lost to ground water pumping during the current drought.

Mandatory Education:

Specifics of this management approach are discussed in Section 46-739, paragraph (i) of the Nebraska Ground Water Management and Protection Act (Chapter 46, Article 7). This required program would be similar to those already in place for water quality. Mandatory education can be required: to reduce ground water/surface water conflicts; to stabilize or reduce ground water depletions; in disputes over interstate compacts or decrees; and if there are difficulties in meeting provisions of the Platte River Program.

Stakeholders questioned who would be required to meet mandatory education requirements (Surface water users? Ground water users? Municipalities? Water applications with a use capacity above a certain level?). The statute addresses mandatory education for ground water users only. Several stakeholders voiced the opinion that education should be widely offered to the entire constituency on a voluntary basis. We need to educate the next generation.

PROS	CONS
Better understanding of how we impact water which helps to explain WHY we need an IMP.	Mandatory nature would be resented as an imposition on individual rights.
UNL Extension Service would be a natural choice for providing this type of education. They may already have some information that could be used and could build additional data as educational needs are defined.	Time consuming to develop educational programs and get everyone to complete them. Challenges in developing the right program sharing the right message. Poor training may be worse than no training.
If we can't get all water users to work together we can't solve the problem.	Quantification of impact of this management approach could be difficult.
	May lead to the creation of a new bureaucracy to administer and police.

Regulate transfers:

Types of transfers defined in the statutes: 1) *Physical transfers* (water transferred over another owner's land); 2) *Transfer of type of use* (e.g. agricultural to industrial); 3) *Transfer of certified acres* (location water is pumped); 4) *Transfer of point of use* (replacement wells – from well A to well B); 5) *Transfer of allocation*; 6) *Transfers inside or outside of OA and FA*; 7) *Pooling*.

By statute, transfers cannot harm a third party (surrounding surface or ground water user) or the ability to comply with the Platte River Program. Transfers can be restricted to designated areas (e.g. within a section, adjacent section, or floating township) or restricted based on distance from the river.

PROS	CONS
Transfers provide more flexibility to producers.	May be very complex.
Transfers allow water to seek a higher use without an increase in consumption.	Limited opportunities for small gains in consumptive use.
May help protect economic conditions by moving water for the best economic use.	Transfers do not reduce consumption unless: <ul style="list-style-type: none"> • New use is lower consumption • Acres are "lost" in the transfer • A percentage of water transferred (1%) goes to NRD. Any of these scenarios is likely to discourage a transfer which is not necessarily desirable.
Use of pooling may also help recreational uses (specifically – a minimum pool level in Lake McConaughy).	
Could help protect existing water rights.	
Would apply to more than just irrigators – industry would also have to follow transfer rules.	

Moratorium on Well Permits:

This refers to the restriction of any new well construction permits -- interpreted to mean no new irrigated acres. A temporary moratorium is currently in place.

PROS	CONS
Public perception is that this moratorium is helpful – restraint is needed to solve the problem.	The general public does not see this as temporary – they think it is forever.
This significantly limits new consumptions – we are not digging a deeper hole.	Stagnates the economy at the current level.
	Doesn't do anything to correct past problems. The perception that this will keep the problem from getting worse is not true – we haven't yet seen the full effects of current wells.
	In some cases new wells might decrease consumptive use – e.g. native grass turned into irrigated acres in some parts of the state.
	Doesn't address consumption.

Meeting Schedule:

All meeting times are from 7:00 to 9:30 p.m. CT and ***will be held at the Holiday Inn Express*** through 2007. Meeting places in 2008 to be announced.

Future meetings:

- 7:00 p.m. October 15
- 7:00 p.m. November 19
- 7:00 p.m. December 17
- 7:00 p.m. January 14
- 7:00 p.m. February 11
- 7:00 p.m. March 17
- 7:00 p.m. April 21
- 7:30 p.m.** May 19

The meeting was adjourned at 9:25 p.m. CDT.