

System Administrator

From: Thompson, Aaron M <AThompson@usbr.gov>
Sent: Tuesday, May 18, 2010 10:12 AM
To: Barfield, David
Subject: FW: DRAFT IMP notice for the MRNRD
Attachments: Draft notice of Hearing for the MRNRD may 2010.pdf

From: Brad Edgerton [<mailto:Brad.Edgerton@fcidwater.com>]
Sent: Friday, May 14, 2010 3:19 PM
To: Swanda, Marvin R; Thompson, Aaron M; Scott, Craig D
Cc: 'LeRoy W. Sievers'
Subject: DRAFT IMP notice for the MRNRD

FYI

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PUBLIC HEARING NOTICE

As required by Section 46-715 of Nebraska Revised Statute, when the Nebraska Department of Natural Resources (Department) has made the final determination that a river basin is fully appropriated, the natural resources districts and the department shall jointly develop an integrated management plan. The plan shall include clear goals and objectives, a map of the area subject to the plan, the ground water controls, the surface water controls and a plan to gather and evaluate data.

Pursuant to Section 46-718 of Nebraska Revised Statutes, the Middle Republican Natural Resources District (MRNRD) and the Department shall hold a public hearing on Tuesday June 8, 2010, at 7:00 p.m., at the Curtis Community Center at 201 Garlick Ave. As required by Section 46-718(1), the purpose of the hearing is to take testimony concerning the revisions of the Integrated Management Plan (IMP) for the MRNRD and the Department. The proposed IMP revisions affect the entire MRNRD.

The goals of this plan are to maintain compliance with the Republican River Compact, ensure that ground water and surface water users assume their share of the responsibility to keep Nebraska in compliance with the Republican River Compact, distribute that responsibility in an equitable manner, reserve and protect from other uses the streamflow available from regulation or programs and protect those uses in place prior to the time of designation from new uses.

The proposed additions to the existing ground water controls include Compliance Standards, and Management Activities including one year allocations and the curtailment of ground water pumping within the Rapid Response region in "Compact Call Years."

The proposed additions to the existing surface water controls include regulation and administration of surface water to ensure Compact Compliance in "Compact Call Years."

The proposed Monitoring and Studies section is to gather and evaluate data, information, and methodologies that could be used to increase understanding of the surface water and hydrologically connected ground water system; to test the validity of the conclusions and information upon which this IMP is based; and to assist decision makers in properly managing the water resources within the MRNRD and the Republican River Basin as a whole.

The objectives to achieve these goals are to prevent new or expanded uses of ground and surface water, ensure that surface water appropriations are in accordance with the Compact and Nebraska law, reduce existing ground water uses through regulation or incentives, maintain the net depletions to streamflow at or within thirty percent of the allowable ground water depletion, provide for additional restrictions in water short years, manage vegetative growth and develop a procedure to provide for offsets for new uses.

Ground water controls are those controls found in Chapters 1 through 5 of the Management Area Rules and Regulations. These controls will be used to implement the plan and to maintain standards of compliance with regard to ground water uses. These controls include a moratorium on new wells, limiting or preventing the expansion of irrigated acres, metering of uses and a provision for transfer of uses. Allocations have been adopted that will limit the amount of ground water for industrial and irrigation uses.

Surface water controls are increased administration as required by the Settlement Agreement, metering of all surface water diversions from a stream, continuing the moratorium on new surface water permits, denying transfers of surface water permits if they jeopardize the state's compliance with the Compact, continuing to monitor surface water use, and requesting a modification of this plan if additional conservation measures are needed.

Additional ground water and surface water controls may be implemented in a compact call year. These controls will restrict the use of surface water and ground water in identified areas of the basin. These controls may be mitigated through the establishment of augmentation and incentive programs that would provide for additional stream flow and the reduction of ground water depletions during a compact call year.

The Department and the District intend to establish and implement financial or other incentive programs to reduce consumptive uses of water.

Any interested person may appear at the hearing and present written or oral testimony concerning the proposed IMP revisions. Individuals with disabilities may request auxiliary aids and service necessary for participation by contacting the MRNRD or the Department by June 1, 2010. Testimony relevant to the purposes of the hearing may also be submitted in writing to the Middle Republican Natural Resources District at PO Box 81, Curtis, Nebraska, 69025; or to the Department of Natural Resources, 301 Centennial Mall South, P.O. Box 94676, Lincoln, NE 68509-4676; or by electronic mail to the MRNRD at sowens@mrnrd.org or to the Department at Jim.Schneider@Nebraska.gov by 5:00 P.M. on June 8, 2010.

For further information regarding the proposed IMP modifications or the full text of the proposed IMP, refer to the URNRD website, at <http://www.mrnrd.org> or the Department's website, at <http://www.dnr.ne.gov>; contact the MRNRD or the Department at the addresses above; or contact the MRNRD at (308) 367-4281 or the Department at (402) 471-2363.

Following the public hearing on the proposed IMP modifications, the MRNRD and the Department will make a joint decision within 60 days as to whether to implement the proposed IMP with or without modifications and whether to adopt and implements the ground water and surface water controls proposed in the IMP.

Publish for three consecutive weeks beginning with the week of May 16, 2010 with the last notice published no later than June 1, 2010.