

**Draft Notes**  
**INTERNAL MEETING ON TRI-BASIN IMP**  
**FRIDAY, SEPTEMBER 5, 2008**

**Meeting Topics**

Presentation/Education Needs

Potential for Postponing Selected IMP Details for Set Period

Potential to Prepare Select IMP Components

**Presentation/Education Needs**

- As background for presentation needs, Dunnigan indicated that he had met with Don Blankenau, attorney for the District and that the Department and the District appeared to be some distance apart on some IMP questions, specifically the question of using 1981-85 water levels. He also noted that the District may be sending the Department a letter in response to Dunnigan's letter of August 5.
- There was extensive discussion on the best approach to take in educational efforts, including the degree to which to directly address the August 5 letter versus the need for more general educational efforts first. There was also discussion of how to answer District questions and work with District representatives to see that their concerns are addressed.
- The approach selected was to have Dunnigan have an initial meeting to discuss how the Department and the District might best work jointly to develop an IMP that could be acceptable to both parties. He would actively solicit District questions and concerns. This could be followed by an all day workshop that provides educational presentations on physical and legal aspects of IMPs and further solicits and discusses the concerns of District board members and stakeholders. The workshop would in part be focused on addressing concerns the District raised in the previous meeting with Dunnigan.
- Dunnigan noted that a message he would like to deliver is that DNR is looking for a transparent process and is willing to look for creative solutions. He said he would like to develop Trust between the Department and the District on the process and that he would like to meet with the District Board in the next two to three weeks.
- There was general discussion that the Department's recent action/August 5 letter may have been more difficult for the District to accept because previous actions had not been sufficiently timely and sufficient interest and concern with the current District approach had not been expressed. The District had also relied on

very early information supplied in a letter by Roger Patterson which was inappropriate given changing levels of knowledge since that time.

- Gaul and France indicated they would assemble a presentation for Dunnigan's initial meeting with the District and supply it to other members for review within a week
- Schneider agreed to provide a ½ to one page outline of needed educational material for subsequent workshops. Earlier discussion had indicated that material might best be suitable for multiple NRDs and that differing legal circumstances between basins based on interstate agreement might be organized on a basin basis. Ideally draft education presentations would be tested earlier in-house to personnel not involved in the IMP process and then input would be used to help revise the material. An internal brown-bag lunch was suggested as a way to do this.
- An additional topic was the degree to which all NRDs, not just Tri-Basin, have wells which can impact surface waters in another basin or NRD. Because the amount of that impact is often small and longer term, it has not been prominently dealt with to date and there was discussion that it needs to be a consistent theme throughout the process.

#### **Potential for Postponing Selected IMP Details for Set Period**

Several staff members indicated philosophical concerns with allowing delays in some parts of plan implementation. There were also concerns that some types of delays would be unacceptable to Kansas under the compact. Other members indicated that the types of delays being considered may not be relevant to Kansas or other NRDs and may make plan adoption by the NRD more viable. This issue needs to be revisited in a future meeting.

#### **Potential to Prepare Select IMP Components Ahead of Time**

There was discussion about whether, given Dunnigan's call for transparency, parts of the plan should be prepared ahead of time. It was pointed out that some items are needed in all plans and that preparing those noncontroversial parts ahead of time could be helpful to all involved. Zayac and Kurtz were identified as the parties responsible for that effort.

#### **Future Meetings**

Gaul indicated he would try to set up the next meeting by around September 15. It was indicated that draft materials could be sent to members ahead of that time.

#### **Attending**

Dunnigan, Andersen, Gaul, Schneider, Hallum, Theis, France, Williams, Schellpeper, Zayac, Thompson, Gaul