

Tri-Basin NRD
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Natural Resources District

April 13, 2006

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Ann Bleed, Acting Director
Department of Natural Resources
P.O. Box 94676
Lincoln, NE 68509-4676

Dear Ms. Bleed:

Thank you for your letter of March 20 responding to our request to the DNR for analysis and input to Tri-Basin's draft integrated management plan (IMP). As with previous IMP drafts that have been shared with the DNR, Tri-Basin was seeking your substantive analysis, questions and guidance that would allow the Tri-Basin Board to further refine the draft IMP and move to final adoption of this plan. Unfortunately, we understand from your letter that the DNR refuses to provide any substantive comments because it is dissatisfied with the "process" used by Tri-Basin to develop the draft IMP.

It is our sincere belief that Tri-Basin has an on-going, integrated management planning process that is efficient, inclusive of all affected stakeholders and which satisfies both the letter and the spirit of Nebraska state law. We are disappointed that you would refuse to offer input or guidance to the draft IMP because you desire a different process for its development.

As you correctly pointed out in your letter, state law requires the IMP to be developed jointly by the DNR and the natural resources district. As you should also know, however, state law does not require any specific "process" for the joint development of the IMP. Absent any specific legislative direction, we believe that the process to jointly develop an IMP is proper as long as each party is allowed to provide meaningful input in the development, and both parties agree on the final product. In this case, DNR staff members participated in two developmental meetings and we also met directly with you and your predecessor Roger Patterson to discuss plan development. Drafts of the IMP were presented to both you and your staff.

Tri-Basin has always been receptive to any general guidance that DNR would offer regarding any items that should be included in the IMP. Furthermore, as you have acknowledged, affected stakeholders have been consulted in the development of this draft IMP and have been given an

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opportunity to provide input. Some of those stakeholders have offered helpful guidance which has been incorporated into the draft IMP.

You may find it helpful to reflect on our plans to involve the general public in development of our IMP. We have repeatedly explained to your staff that once Tri-Basin and the DNR jointly agree to a draft IMP, we intend to hold a series of public meetings around the district to explain that **joint** draft IMP and obtain public comment. After that round of public meetings, our plan is to have the joint draft IMP reviewed again by our Planning Committee and stakeholders to consider whether further revisions are needed before a final public hearing is held. Furthermore, no IMP will or can become final without agreement between the DNR and the NRD.

In what we choose to believe is an effort to resolve this disagreement, you suggested a meeting "to discuss the joint development of the IMP for the Tri-Basin NRD." It might be worthwhile to hold such a meeting **if** the DNR provides beforehand, in writing, specific, constructive ideas for improving our plan and process. If DNR has such a proposal, we will carefully consider it and share our thoughts with you and our stakeholders in the spirit of cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Bradley Lundeen".

Brad Lundeen
Chairman

Cc: Don Kraus, Gen. Mgr., CNPPID
TBNRD Directors
John Erickson, Governor's Policy Office