

Meeting Minutes

Project: Upper Platte River Basin Water Management Plan – Single Planning Group

Subject: Meeting #11

Date: Wednesday, May 16, 2018 from 10:30 a.m. to 3:00 p.m.

Location: Holiday Inn Express & Suites, North Platte, NE

I. Administration

1. Today's meeting will offer a working lunch
2. This is an Open Meeting
3. Review of Decision-Making Process
4. March Meeting Recap
 - i. Meeting minutes
 - ii. Key discussion / decisions
 - iii. Follow-up items
 - Since the last SPG meeting, NeDNR held several meetings with stakeholders who requested more detail into specific action items

II. Elements of Draft Second Increment Plan

Note: Edits were made in the Second Increment Outline which will be published separately from these minutes

III.

Discussion included:

- Goal 6. Issues/concerns include:
 - Recommendation to reword Goal to include reference to “while implementing this plan”
 - Objective 1:
 - Concern with 3-year timeframe; this will open up planning process and will have to re-engage stakeholders.
 - Change wording to remove the timeframe and reference to amending plan
 - Concern about limiting to only hydropower uses
 - Concern that addressing one problem will create another somewhere else
 - Mitigation option is to buy out hydro. Are we willing to tax producers to offset power production? The mitigation option may be the opposite of economic viability

- Recognition that water that is used for hydro (except during winter) also has other purposes; there is maintenance, cooling water for power plant, irrigation supply, other deliveries
 - A lot of other things in basin impact economic viability besides water.
 - Recognition that NRDs are mitigating and putting water back in river for all downstream users, this is not new, and not just hydro; follow priority list of water users
 - Concern that objective must also tie back into achieving goal 1. (fully appropriated)
- Objectives 1 & 2:
 - Combine
 - Add “Explore mitigation options that impact the greatest number of users”
- Objective 2:
 - Concern about limiting to surface water use, reword to include groundwater uses
 - Recognize that cyclical supply drives GW response and associated depletions; need to take out specificity of SW users
- Suggestion to include reference to ecological system
- Objective 3:
 - Consider relaxing surface water regulations in times of excess flows and allow for the use of excess flows within the basin;
 - Concern that “within the basin” limits NRDs from transferring water out of basin;
 - “Excess flows” is not technically correct terminology, use “non-appropriated flows” or change to “explore use of flows”
 - Strike completely as that is just the definition of conjunctive management
- Objective 4:
 - Clarify if basin-wide drought plan needed; or if each NRD completes own drought plan. Drought plan should reference IMP. Modify Goal language to encompass “E” and guide the goal statement
 - Concern that financial offset alludes to producers thinking they can be given financial offsets if they are not given the full allotment. Request to delete or be more specific
 - Objective 4A: Request to not limit survey to just water users, replace with “stakeholders”. Discussion on difference between stakeholder group (will not exist after completion of plan) and stakeholders. Find inclusive term and tie to Goal 3
- Objective 5:
 - Request to add reference to “collaboration with stakeholders” to monitor economic viability indicators and determine mitigation options.
 - Discussion that it was not envisioned that stakeholders would be brought back into the process to amend the plan. Since group will meet annually to review, add review of economic viability to Goal 3

- Concern that this is too general. Suggestion to define sustainability and define what economic viability indicators are
 - Recommendation to strike objective
 - Question that economic viability is or is not a concern in times that are outside of drought? Replace objective 5 with “Assess economic impacts of regulations and other management actions”
- Goal 1:
 - Suggestion to include word changes to updating modeling to capture technological advances and climatic changes
 - Concern that water used in crop production is not as consumptive as it is being modeled and depletions are being overstated
 - Suggestion to add language about incorporating dynamic data that adjusts to what reality is for precipitation (note: COHYST and WWUM are being brought to current)
 - Fully Appropriated/Overappropriated: Suggestion that basin is FA and should be defined based on whether uses are being met. NeDNR provided short presentation on what it means to be FA and interrelated moving parts. Suggestion that basin needs drought plan. Offsets will still need to be made for municipal growth and new uses
 - Recommendation to strike objective 6 about funding/policies/rules. It was stated that objective would need to be completed in an open and transparent and involve the stakeholders. However, there is no binding agreement for stakeholder group beyond this plan
- Goal 5:
 - Concern that goal is not understood
 - Consideration that it should fit under another goal instead of being stand-alone goal
 - Suggestion to put conservation and water use efficiency in Goal 6.
 - Suggestion to clarify objective by stating that individual IMPs will specify how law change is handled in 2026. (After 2026, NRD will oversee how municipalities and users offset depletions). Goal 3 or Goal 5?
- Goal 3:
 - Reporting success in the future (frequency). HDR/NeDNR will add language regarding more transparency
- Goal 4:
 - Objective 3 (Water Quality)
 - Intent was for environmental vitality of the basin. Recommendation to strike from plan
- Request to meter the entire basin. Consideration that this language belongs in individual IMPs, not Basin-wide Plan
- Concern that sustainability is missing from Plan. Need to determine what is sustainable in this process. Suggest to define metric for knowing when we’ve

reached our goals. NeDNR presented graphic showing interaction between aquifer, stream flow, and economic viability in defining sustainability

- Concern about accounting for groundwater pumping
- Concern about pre-development depletions compared to now

Parking Lot Issues

- Accounting for Surface Water Appropriators: no current concerns, strike from parking lot
- Fish, wildlife, parklands: Concern that plan does not recognize water quality and ecological integrity. Nebraska Game and Parks will make recommendation of what is missing from plan and what to add, if necessary
- Management of the resource: no current concerns, has been addressed in plan. Strike from parking lot

IV. Identification of Second Increment Intent

- Suggestion that for a second increment, drought is really where the problem is

V. Next Steps

VI. Public Comment - None

Next Meeting: September 19, 2018 – Consideration to lengthen meeting