

Agenda

Project: UENRD - Voluntary Integrated Management Plan

Subject: UENRD Voluntary IMP Stakeholder Advisory Committee Meeting #3

Date: Wednesday, August 29, 2018 6:00-8:30 p.m.

Location: O'Neill Community Center – 501 S. 4th Street, O'Neill, NE 68763

AGENDA

1. Welcome & Overall Thoughts on Action Items – 10 mins
 - Katie Hatfield Edstrom clarified that the purpose of these meetings are to gather the stakeholder feedback, comments, concerns, and take those into consideration when crafting the final plan.
 - A stakeholder commented that it seems like a lot of important decisions are being made tonight in a fairly short amount of time. Katie Hatfield Edstrom pointed out that this is not the “end all” of the process. We will continue to take/hear your input and incorporate it. If stakeholders think of something after this meeting, reach out to the NRD and DNR representatives.
 - Dennis Schueths mentioned the benefit of the process we are doing now is that the agencies are working to protect the existing users as of the date the plan is finalized. And the plan will be reevaluated periodically as more data is collected.
2. Groundwater/surface water controls discussion – 15 mins
 - A member of the general public had questions regarding the presentation:
 - Who makes the decision as to how much depletion is permitted/ development is allowed? John Engel explained that it's based on demand and the applications for appropriations.
 - Is there a stream flow calibration done annually/biannually so you know how much to allocate? What's the process? How does the department determine how much is allowed for this particular NRD? Dennis Schueths explained: since the Elkhorn is a tributary of the Platte, this was agreed upon by the Lower Platte Basin Coalition. Each individual basin came up and determined through calculations of stream flows, developments, etc. The Lower Platte NRD doesn't control these decisions, it's a group of all the different basins that got together and agreed. The numbers used for 2018 were arbitrary example numbers only. The 0 and 110 are recorded approved applications from 2017.
 - When you go through the process and redistribute every few years, what is the reasoning behind how that's allocated state-wide? Carrie Weiss explained that this allocation is only in the Lower Platte region. Our reasoning going back to the 50 50 split is, if the development is there, if the need is there, it is better for the stream to have more indirect impact by pumping.
 - How would a house well figure into this? Sarah Nevison explained if you're putting in a well that pumps less than 50gal/min, you don't need a permit, so this doesn't apply in the Upper Elkhorn NRD – some NRD's require it. Dennis Schueths reminded the group that even if a permit isn't required, the well has to be registered.

3. Review & comments on IMP Action Items – (small groups) 1 hour
(See notes on Goals, Objectives & Action Items table)
4. Report out comments to large group (round robin) – 1 hour

Goals, Objectives, and Action Items (Draft)

- General comment: Should include in the plan language describing that a lot of these activities are currently being done by the district. There is concern that this is committing the district to future investments in collection, etc.
- General Comment: The last couple goals are about informing the public; in here, we concentrate on details. But to inform the public, we need to let them know what we’re doing in a positive manner and make sure that we’re including them in the process. Is there a way to bring them in without getting them bogged down in the details?

Goals and Objectives	
<p>Goal 1.0 Understand water supplies and uses within the District</p> <p>This goal is focused on data collection and analysis of supplies and uses fundamental to effectively managing the District’s water resources. The first objective is focused on collecting and maintaining database of water uses and supplies within the District. The second objective is focused on understanding the variability in water supplies and uses in the future.</p>	
<p>Objective 1.1 Develop and maintain a database of water supplies and uses within the District.</p> <p>Data on water supplies and uses will be collected, stored and analyzed utilizing the best available information, data, tools, and science.</p>	
Action Items	<p>1.1.1 Develop and maintain database of water supplies.</p> <p>1.1.2 Identify hydrologically distinct sub-areas within the District for the purposes of integrated management.</p> <p>Hydrologically connected areas within the District will be determined based on the best available modeling tools. Sub-areas will be defined for purposes of integrated management based on factors such as consistent hydrology, geology, and land use. Recognizing the variability of these factors and the impact on potential management approaches, allows NeDNR and NRD flexibility during implementation of the plan.</p> <p>1.1.3 Continue to maintain database of water quality problem areas.</p> <p>1.1.4 Continue to monitor district-wide water use.</p> <p>NeDNR and NRD will continue current monitoring efforts of water uses within the District. Types of data include diversions, irrigated acres, metering of wells, and estimates of uses not currently monitored.</p> <p>1.1.5 Develop and implement monitoring protocols for key water uses not currently monitored.</p> <p>Many of the non-agricultural uses within the District are currently estimated and not measured or monitored directly. During implementation, NeDNR and NRD will prioritize key water uses not currently measured and develop protocols for monitoring or improving current estimates of use. Approaches may include voluntary reporting, additional metering, pilot studies, etc.</p> <p>1.1.6 Identify data gaps and prioritize additional data collection efforts.</p> <p>Data gaps where additional information will be useful in managing the District’s water resources will be identified. These may include items such as additional surface water gages, monitoring wells (spatial coverage, etc.), well meters (types of use as well as spatial coverage), irrigated acreage data, weather stations, aquifer characteristics, etc.</p>

Comments:

- On Action Item 1.1.1
 - Questions were asked about how many wells we use to monitor statics, and how old they are.
 - If we go through with other projects in the future (e.g. water banking), we will need to incorporate that data into our database too.
- On Action Item 1.1.2
 - Questions on how we'd draw out the distinct sub-basins. Would it be by township level? Would the line be drawn and have different rules for different neighbors?
 - There was discussion about the existing nitrate rules – they encapsulate entire townships, but across the street the neighbors have different rules.
 - Similar to allocation rules in Lower Elkhorn – one side of the street, a producer can pump as much as they want to. On the other side of the street, they have an allocation.
 - Sarah stated she was nearly certain we'd have to have solid, hard lines in order to manage based on sub-areas, but that it would likely be more accurate than just township level.
 - Positive support for this, depending on how expensive it is. Feel it's very important to map, etc.
 - There was concern expressed over the amount of effort needed to do this. Seems like a "hell of an effort".
- On Action Item 1.1.3
 - General support; maybe add some more specificity to this (is it nitrates? Ecoli? Phosphates?) – more clarity on what is being monitored.
- On Action Item 1.1.4
 - Question about drawdown tests for municipalities – who uses the data and how is it used?
 - It was brought up that we want to make sure NeDNR is monitoring surface water use. i.e. If a surface water user hasn't pumped in a long time, we want to know that.
 - When we talk about 'monitoring', we talk about meters and that's a fearful thing for people.
 - Sarah reminded stakeholders that all new wells need a meter as it is, and reminded them that metering the entire district isn't the intention.
- On Action Item 1.1.5
 - General support. Want to make it easy for municipalities and other non-ag users to be able to report annual water data. They already report to DHHS, so why can't we get that data? Many industries already report to some agency (e.g. DEQ). There needs to be better collaboration between the government agencies.
- On Action Item 1.1.6
 - Felt this was a tough action item, as "we don't know what we don't know".
 - Want to Incorporate AEM data, maybe use satellite imagery to fill in the gaps.
 - Sarah noted that we have flown the Bazile Groundwater Management Area in Northern Antelope County already.
 - Felt this one would evolve over time – identify data gaps and prioritizing those. It's to help inform future investments the board may consider.

Objective 1.2

Evaluate variability in water supply and uses.

Based on the water supply and inventory of historic and current conditions maintained in Objective 1.1, evaluate effects of variations in water supply and uses within the District – essentially assess the resiliency of the District's water supplies under stress.

Action Items	1.2.1 Monitor changes and trends in water supplies and uses within the District.
	1.2.2 Evaluate changes to water supplies and uses due to changes in population, industry, and land use.
	1.2.3 Evaluate variations in water supplies and uses due to climate cycles.
	1.2.4 Evaluate changes in technology and their impacts on water uses and supplies.

Comments:

- General overall support of all action items.
- Felt that the population probably won't change much
- Felt 1.2.1 and 1.2.4 were the most important of these action items. It's important to look into Technology.
 - Felt 1.2.4 is the biggest of these four action items, and discussed old, less efficient systems.

Goal 2.0
Prevent or mitigate water related conflicts within the District

There is a hydrologic connection of surface water and groundwater resources and the potential exists for uses to affect one another. These conflicts may arise not only between surface water and groundwater users, but also between types of use: domestic, municipal, industrial, agricultural, environmental, etc. NeDNR and the NRD will work cooperatively with water users to identify potential conflicts, evaluate those conflicts, and implement/enhance management approaches and solutions to address conflicts.

Objective 2.1
 Assess the potential impact of new and existing surface water and groundwater uses on existing surface water and groundwater users within the District.

Action Items	2.1.1 Develop and implement protocols utilizing best available tools and information to assess potential impacts of new uses on existing users.
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- Comments:**
- General support.
 - This comes back to data and availability of water.
 - There is a concentration model that exists in another NRD (possibly Lower Loup) where you can see how a neighbor's well affects another neighbor. This would be a useful tool to have.
 - Want to make sure there isn't any language that says commercial development can't come in, in the future.

Objective 2.2
 Maintain rules and regulations, and establish new rules and regulations as necessary, to enhance equitable water use management.

Action Items	2.2.1 Maintain/enhance the District's and Department's processes for applying for new use.
	2.2.2 Maintain/enhance the District's and Department's processes for evaluating, prioritizing, and granting new uses.
	2.2.3 Periodically review rules and regulations and update to reflect changes in conditions that occur during plan implementation.

- Comments:**
- Interest was expressed in transferring a surface water use into a groundwater use; to find a way to cancel a surface water permit and be able to get a groundwater well permit there.
 - How is industrial user/large industry coming in and filing application – how is the priority determined? Are the protocols already established? Dennis Schueths noted that domestic always gets priority. Industrial group would need a permit, and a study has to be conducted by the industry to find out the impact on surrounding, existing users.
 - Wanted to know, is there a compensation on wellhead protections, when they shut down surrounding areas? is there a compensation? Dennis noted that there was not, as far as he knows.

Goal 3.0
Plan for sustainable growth in water uses and demands.

Objective 3.1
 Plan for future demands on the District's water supplies.

Action Items	3.1.1 Determine allowable levels of sustainable use within the District.
	3.1.2 Establish procedures for securing water for sustained future growth of domestic, agricultural, municipal, commercial, and industrial water users within the District.
	3.1.3 Collaborate with municipal, commercial, and industrial users on development or refinement of conservation plans.

- Comments:**
- On Action Item 3.1.1
 - Felt it is hard to know how to determine the allowable level.
 - We should maintain the rubric we have for application for development of new irrigated acres.
 - We are already restrained by the Lower Platte River Basin Coalition Plan to 1504 AF for the first 5 years.
 - We just don't know how to do this, how to plan for the future. Lots of unknowns.

- On Action Item 3.1.3
 - Felt it is important. It is important to know that if an irrigator is affected by a water rule, a city should also be affected at the same time.
 - Dennis commented that the one item I have stated is there's a lot of direction being aimed at the cities watering their lawns. There's also ranchers with sprinklers on their lawns. If we make a rule about it to municipalities, it would affect ranchers/rural homes/etc.
 - One of the municipalities mentioned that there 3 different stages in place for water conservation – the first to get shut down is watering lawns. O'Neill has the same thing.

Objective 3.2

Evaluate ways to improve the reliability and availability of water supplies.

Action Items	3.2.1 Evaluate water banking and water leasing opportunities within the District.
	3.2.2 Evaluate potential conjunctive management opportunities.
	3.2.3 Evaluate potential water storage (surface and aquifer) opportunities.
	3.2.4 Coordinate with other stakeholders, NRDs and/or agencies in evaluating potential projects, water lease/banking, and other regional opportunities.
	3.2.5 Identify funding and cost sharing opportunities with other federal, state, and local partners.

Comments:

- On Action Item 3.2.1
 - Questions about what “water leasing” is. Dennis answered that it happens in Central Platte NRD; where a field that isn't being farmed will lease water to a field that needs it.
 - General support.
- On Action Item 3.2.2
 - Currently, our NRD does not allow transfer along HUCs (Hydrologic Unit Codes). There is some interest in finding a way to do this to potentially benefit an aquifer.
 - Interest in being able to transfer from a low stream depletion factor to a high stream depletion factor, with the correct amount being taken away (e.g., from a 50 to a 100, and you only get half of the acres)
 - There were comments about the tiling that is done and if there's a way to enhance/recharge
- On Action Item 3.2.3
 - Yes - These should be evaluated, even small structures.
 - Some discussion on this, as water storage in the form of a dam could affect the neighbors
 - Discussion on the Oakdale dam that was never able to be built because of landowners not wanting to lose their land.
 - Talked about dams not being cost effective, tough to implement.
 - Structures can cause an increase in the water table and dry fields can become sub irrigated, or develop ponds where it used to be dry.
- On Action Item 3.2.4
 - Again, talked about the concept of if this district's allowable depletion for the 5 year increment was used up, and another district hasn't used all of their increment, could you swap them?
- On Action Item 3.2.5
 - It was noted that we need to reestablish the relationship and communication with USGS, UNL, and the Conservation Survey Division of UNL. The NRD and producers need to reestablish the trust and communication between the other entities.

Goal 4.0

Inform the public of District's water resources and efforts to effectively manage those resources.

Objective 4.1

Maintain educational materials for public outreach.

Action Items	4.1.1 Develop/update materials describing District's water resources – include quantity and quality.
	4.1.2 Develop/update material on water resources planning and management activities (quantity and quality) within the District, including current and future water management alliances such as the Niobrara River Basin Alliance, Lower Platte Basin Coalition and this IMP.
	4.1.3 Coordinate with other stakeholders, NRDs and/or agencies in sharing and developing public outreach materials.

Comments:

- General support
- Felt it is important to craft the right, positive, message and get it out to everyone.
- More education is definitely needed and accessibility/more ways of getting the message out is important.

Objective 4.2

Maintain and enhance public outreach activities and programs.

Action Items	4.2.1 Maintain District communication with producers on current status of water resources (quantity and quality), management activities, conservations measures, etc.
	4.2.2 Identify and participate in public outreach opportunities including county fairs, websites, newsletters, etc.
	4.2.3 Coordinate with other stakeholders, NRDs, and/or other agencies in communication and outreach efforts.
	4.2.4 Prepare and make available, to the public, an annual report of water resources and water management activities, including activities from previous year, supporting data, education statements and updates for on-going work.

Comments:

- Agreed that the communication of the annual report is important.
- On Action Item 4.2.4
 - Sarah explained the idea here is to create an easy to understand report that we'd send to everyone in UENRD. They already have "The Oracle" newsletter that comes out twice a year, but this would be a nicer, more engaging report.
 - Would be beneficial if an annual report was available in an email/digital form and sent out to the entire district as well as being displayed/distributed in public forums.
 - Phase II report data should be used, analyzed and given back to producers.
 - Sarah noted that we did this for the first time at the Nitrogen Certification classes this year (Feb. 2018) and will be doing this moving forward.
 - These reports need to be kept more general, and not bogged down with details.

5. Public comment and discussion – 20 minutes

- One member of the public commented on action item 1.2.3; Feels like it's really important to keep close tabs on what's going on with our static bar levels. Not only in dry years, but in wet years as well. To get an average. To me, that is important. It would help us get a better understanding of the "Big Picture" John Engel agreed this was a good point we should look at times of excess as well as times of drought to help get both ends.
- It was noted by multiple members of the public that the education part of the IMP is very important
- It was also noted that getting the information out via email blast or whatever process will reach people to let them know information is available (whether it be email, website, brochure, roundtable discussions) should be considered.
- We talked a little about when we collect data, we always focus on irrigators – do industries report the same way? And do we look at that? Sarah – the answer is no. we just this year, with the Lower Platte Basin Coalition, asked municipalities for information. We have never asked for commercial/industry. It is something that we would like to look into. The data is out there, could potentially be asked for, but the board has never asked for it before.
- It was noted that currently, any transfers have to be made from a high depletion to a low depletion. We should look at going from a low to a high. The Lower Loup NRD allows the transfer from a low to high.
- John Engel mentioned that The Lower Platte Basin Coalition is working right now to come up with a base estimate. The challenges are self-supplied, domestic, and industrial. We have some statewide

data for some industry codes to form an estimate, DEQ has the discharge side, but that's one of the things we're doing for the district and the state is coming up with those baseline estimates.

6. Meeting closes – 8:30 p.m.