

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER ADOPTING LOWER PLATTE NORTH NATURAL RESOURCES DISTRICT
VOLUNTARY INTEGRATED MANAGEMENT PLAN
AND ASSOCIATED SURFACE WATER CONTROLS

Background

1. On October 10, 2011, the Lower Platte North Natural Resources District (District) submitted to the Nebraska Department of Natural Resources (Department) a letter of intent to develop a voluntary Integrated Management Plan (IMP).
2. The Department and the District consulted on the development of the voluntary IMP with a group of stakeholders. The stakeholder group consisted of the statutorily required and other entities that were identified by the Department and the District to be included in the group. In addition, on March 28, 2018, the Department and District jointly held a public open house, to solicit public comments and opinions regarding the voluntary IMP. The open house was publicly noticed in area newspapers and on the Department and District websites. The members of the stakeholder group were invited to attend the open house. Through this process of consultation, the Department and the District jointly developed a voluntary IMP in accordance with the Ground Water Management and Protection Act (the Act), particularly, *Neb. Rev. Stat.* §§ 46-715, 46-716, 46-717, and 46-718.
3. On April 24, 2018, the Department and the District reached agreement on (a) the proposed goals and objectives of the voluntary IMP, (b) the proposed geographic area to be subject to the controls of the voluntary IMP, and (c) the surface water and groundwater controls that are proposed for adoption and implementation of the voluntary IMP.
4. On May 2, 2018, pursuant to notices duly published in accordance with *Neb. Rev. Stat.* § 46-743, the Department and the District jointly held a public hearing in Wahoo, Nebraska on the proposed voluntary IMP. There was no formal testimony to be considered from this hearing.
5. On May 14, 2018, the District's Board of Directors adopted the proposed IMP with minor editorial modifications and affirmed the use of groundwater controls necessary for implementing the voluntary IMP.
6. On June 13, 2018 the Department sent the District a letter agreeing to adopt the proposed voluntary IMP and surface water controls.

Surface Water Control Adopted

The surface water controls included in the voluntary IMP are as follows:

- a) The Department will limit new surface water uses to 50% of the annually available stream depletions over the Basin Plan's first five-year increment which concludes on December 31, 2021.
- b) The Department will require annual use reports for municipal surface water permit holders and municipal groundwater transfer permit holders.

Order

It is therefore ORDERED that the voluntary integrated management plan for the Lower Platte North Natural Resources District and the surface water controls in the plan are HEREBY ADOPTED by the Department and will become effective on **July 15, 2018**.

DEPARTMENT OF NATURAL RESOURCES

June 15, 2018


Gordon W. Fassett, Director

Any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing in accordance with the *Nebraska Administrative Procedures Act* (*Neb. Rev. Stat. §§ 84-901 et. seq.*) and the Department's *Rules of Practice and Procedure* (454 N.A.C. Chapter 007). The request must be received by the Department at its Lincoln office (301 Centennial Mall South, 4th Floor State Office Building, Lincoln, NE 68509-4676) within 30 days of the date of this Order and be accompanied by a filing fee of \$10.00.

On June 18, 2018, a copy of this Order was posted on the Department's website at <http://dnr.nebraska.gov/>; mailed to Eric Gottschalk, General Manager, Lower Platte North Natural Resources District, P.O. Box 126, Wahoo, NE 68066; and provided to the Department of Natural Resources field offices in Norfolk and Lincoln, Nebraska.