

1. Introduction

Section Overview

This section describes why the Republican River Basin-Wide Plan (Plan) was developed. It then compares this regional basin-wide plan with local integrated management plans that have also been developed for this area, providing clarity about how these two types of plans relate to one another and work together to improve management of hydrologically connected surface water and groundwater. Finally, it outlines the planning process, including the parties who were involved in development of the Plan and their roles in the process.

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Effective Date and Time Frame of the Plan

The Republican River Basin-Wide Plan (Plan) became effective on *[Placeholder for Effective Date]*.

The time frame to implement this Plan is approximately 25 years, spanning from the effective date of the Plan to no later than April 17, 2044 (*Neb. Rev. Stat. § 46-755(4)*). A timeline to meet the goals and objectives of the Plan within this time frame is outlined in the “Plan Implementation Schedule” section, page *[#]*.

Authority

Neb. Rev. Stat. § 46-755(1) requires a basin-wide plan when a basin includes three or more natural resources districts (NRDs) that have been or are required to develop an

integrated water management plan (IMP) for at least eighty-five percent of the district. Because the Republican River Basin (Basin) meets these criteria, the NRDs within the Basin must work together with each other and with the Nebraska Department of Natural Resources (NeDNR) to jointly develop and adopt a basin-wide plan for the

areas of the Basin that have been determined to have hydrologically connected water supplies.

Background, Purpose, and Intent

This Plan is a collaborative agreement between NeDNR, Tri-Basin NRD, Lower Republican NRD, Middle Republican NRD, Upper Republican NRD, and the Republican River Basin-Wide Plan Stakeholder Advisory Committee (stakeholders). The Plan was initiated to fulfill the requirements of *Neb. Rev. Stat. § 46-755*, wherein NRDs and NeDNR are required to jointly develop and establish a plan to collaboratively manage hydrologically connected water resources with the Basin, as described above under "Authority."

The Plan's purpose is described by both a vision statement and a mission statement. A vision statement is a concise, forward-looking statement summarizing the desired end-state. The vision statement was developed with stakeholder input and adopted by a vote of the Stakeholder Advisory Committee.

Vision Statement for the Plan

"Waters responsibly used and the Republican River Basin is economically vibrant"

A plan's mission statement defines its purpose. NeDNR, the NRDs, and the stakeholders agreed that the plan's purpose is clearly defined in statute, so the adopted

mission statement is based on the language found in *Neb. Rev. Stat. § 46-755 (4)(a)*.

Mission Statement for the Plan

"To sustain a balance between water uses and water supplies so that the economic viability, social and environmental health, safety, and welfare of the Republican River Basin can be achieved and maintained for both the near term and long term."

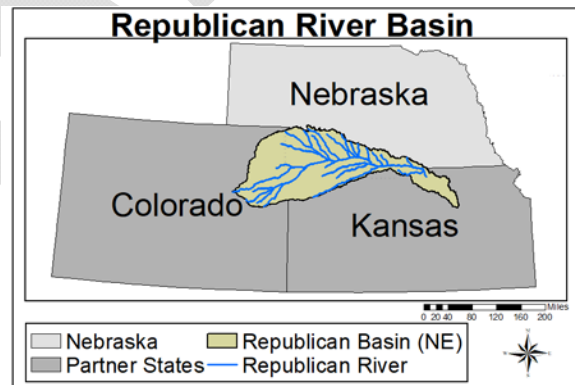


Figure 1.1. The Republican River Compact is an interstate agreement about how the water supplies of the Republican River Basin are shared by Nebraska, Kansas, and Colorado.

Statute also requires that this Plan "ensure that compliance with any interstate compact or decree or other formal state contract or agreement or applicable state or federal law is maintained" (*Neb. Rev. Stat. § 46-755(4)(b)*); therefore, this Plan must ensure that

Nebraska continues to comply with the Republican River Compact (Compact). The Compact (*Neb. Rev. Stat. Appendix 1-106*) is an interstate agreement between Colorado, Nebraska, and Kansas about how the water supply of the Basin is to be shared among the three states (Figure 1.1).

For background information about the hydrology of the Republican River, see Appendix A, "Local Hydrology."

Integrated Management Plans and Basin-Wide Plan in the Basin

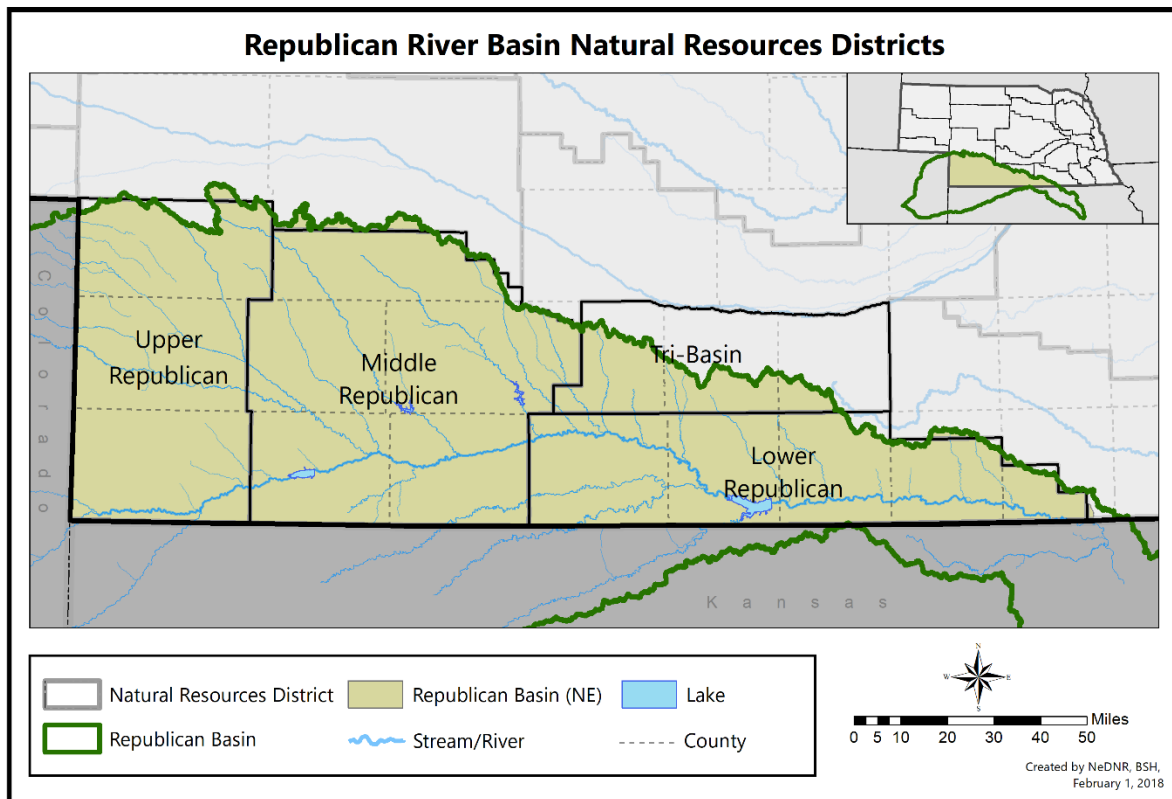


Figure 1.2. Four Natural Resources Districts comprise the majority of the Nebraska portion of the Republican River Basin, and are partners in the Republican River Basin-Wide Plan.

Collaborative integrated water management planning within this Basin occurs at both local (individual NRD) and regional (basin-wide) scales. Locally, each IMP is a cooperative agreement that is jointly developed and implemented by NeDNR and a single NRD. Under *Neb. Rev. Stat. § 46-715*, an IMP is required for each of the four NRDs in this Basin (Figure 1.2). Regionally, a basin-

wide plan is a cooperative agreement that is jointly developed by NeDNR and multiple NRDs.

Broadly, the Basin's required IMPs and basin-wide plan support cooperation between NeDNR and the Basin's NRDs to ensure coordinated management of the Basin's hydrologically connected surface and

groundwater supplies. Through the development and implementation of these planning processes, NeDNR, the NRDs, and local stakeholders foster better communication and collaboration concerning the Basin's water issues, which provides a foundation for more efficient, adaptable, and sustainable water management now and in years to come.

Many of the planning elements in individual required IMPs and this basin-wide plan are shared, but a few conceptual and practical differences exist. The two following subsections describe the background and unique role for each type of plan, as well as how the two types of plans work together to improve integrated water management in the Basin. These similarities and differences are summarized in Figure 1.3.

Integrated Management Plans

In 2004 the State Legislature passed LB 962, which required IMPs for NRDs designated as overappropriated or fully appropriated (FA). The Upper Republican, Middle Republican, and Lower Republican NRDs initiated IMPs in 2005 and adopted their first generation IMPs in 2006. These plans have been updated several times since, and at the time of this Plan's adoption, each of these three IMPs is now in its fourth generation. The Tri-Basin NRD's IMP became effective in 2012. Through adaptive management, all of these IMPs will continue to be updated as needed.

As described in *Neb. Rev. Stat. § 46-715*, a required IMP must contain clear goals and objectives intended to protect existing uses and manage for new uses for a sustainable balance between water uses and water supplies. It must also include a map of the

plan's geographic area (which must include the portion of the NRD determined by NeDNR to be hydrologically connected, but may include the entire NRD), at least one groundwater control, at least one surface water control, and a plan for monitoring and data collection. Management actions initiated through IMPs must also comply with federal and state laws and interstate compacts and agreements. In addition, NeDNR and the NRD consult with water users in the affected area and provide those water users with an opportunity to provide input during development of an IMP.

Each IMP is developed to uniquely suit the needs of the individual NRD, and thus monitoring protocols, actions, and controls are tailored to fit the differing goals and objectives of each plan.

The Republican River Basin-Wide Plan

In 2014, the Nebraska Legislature passed LB 1098, which called for the development of this basin-wide plan for the Republican River, because the Basin met the criteria described under "Authority" (page 1). The requirements for this Plan are described in *Neb. Rev. Stat. § 46-755*.

Like the individual IMPs, this basin-wide plan must contain goals and objectives; however, unlike IMPs, this basin-wide plan does not require groundwater or surface water controls. Basin-wide plans instead provide clear goals and objectives for the entire basin, to which the NRDs can then align the controls and actions of their IMPs to achieve. Similar to IMPs, this type of basin-wide plan must apply to at least the entire hydrologically connected area of the Basin, but may apply to the entire Basin.

Like IMPs, this type of basin-wide plan must include a plan for monitoring, data collection, and regular evaluation; however, *Neb. Rev. Stat. § 46-755* specifies some unique additional requirements for this basin-wide plan: it must set forth a timeline to meet goals and objectives (not to exceed 30 years from April 17, 2014), as well as a schedule of intermediate target dates to track progress toward specified measurable hydrologic objectives. In addition, every five years after adoption of this basin-wide plan, NeDNR and the NRDs must conduct a technical analysis of progress toward meeting the plan's goals and objectives.

Whereas NeDNR and the NRDs are required to consult with stakeholders during the development of an IMP, development of a required basin-wide plan must involve a much more rigorous process of consultation and collaboration with stakeholders that rely on water from the affected area. Statute requires that stakeholders be involved in

formulating, evaluating, and recommending plan details, and that NeDNR and the NRDs work to reach agreement among all official participants. For additional information on information considered during the development of this Plan, see Appendix B.

Overall, basin-wide plans provide a more general framework than IMPs, focusing on regional, cross-boundary issues and opportunities such as those related to hydrologic connectivity and management strategies that cross the NRDs' borders. Basin-wide plans also provide opportunities for consistency among all of the Basin's NRDs by offering an umbrella framework for the individual IMPs. Individual IMPs must be consistent with the basin-wide plan, but may contain additional goals, objectives, and controls that are tailored to local conditions, management issues, and opportunities found within the specific NRD.

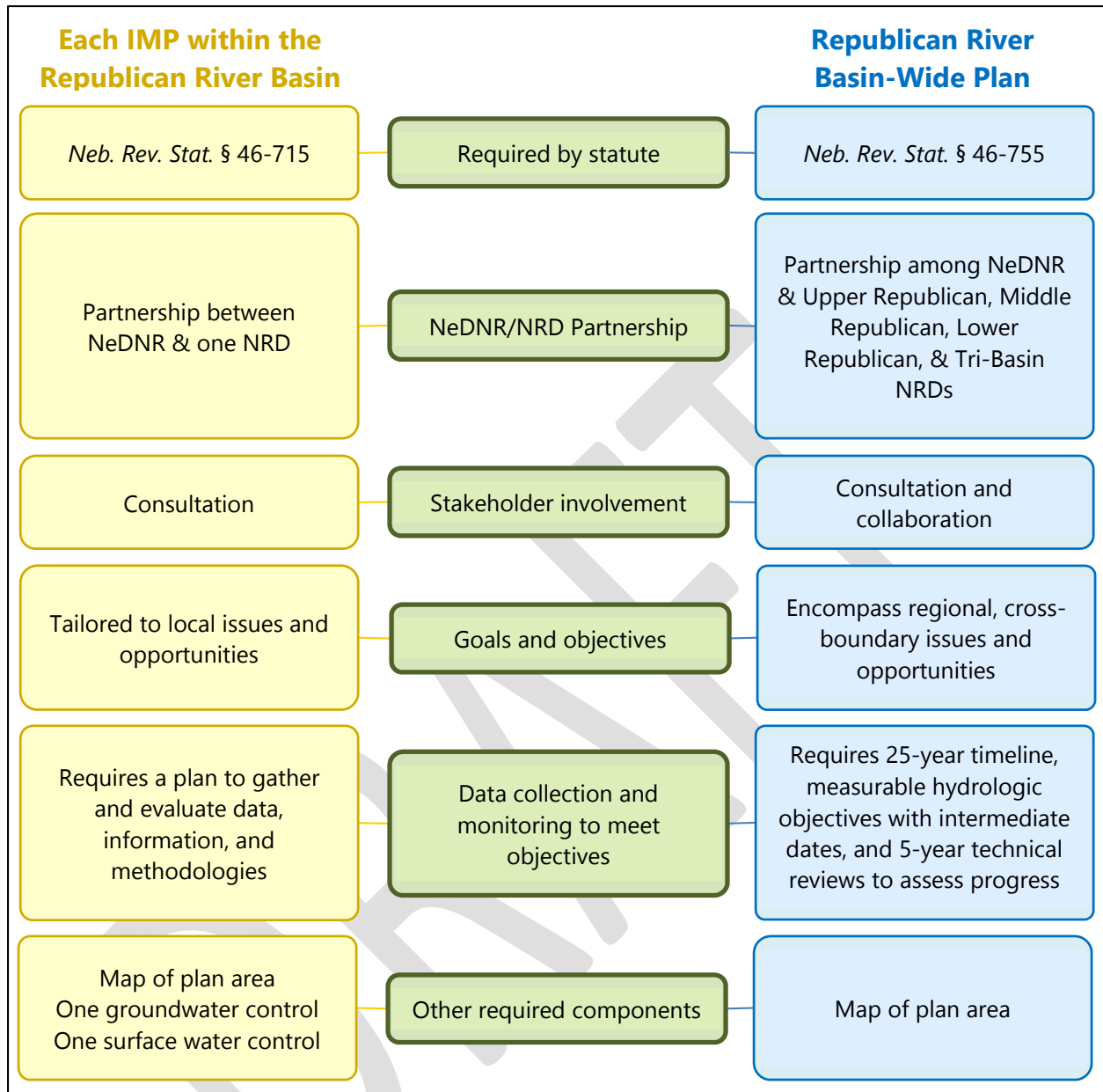


Figure 1.3. Comparison of IMPs developed by the Republican River NRDs and the Republican River Basin-Wide Plan.

Planning Process

Parties to the Plan

This Plan was jointly developed by NeDNR, Upper Republican NRD, Middle Republican NRD, Lower Republican NRD, Tri-Basin NRD,

and the Plan’s Stakeholder Advisory Committee.

The Plan was developed in consultation and collaboration with the representatives of irrigation districts, mutual irrigation

companies, reclamation districts, public power and irrigation districts, canal companies, groundwater users, range livestock owners, the Nebraska Game and Parks Commission, and municipalities that rely on water from the affected area, as required by statute (*Neb. Rev. Stat. § 46-755 (5)(c)*). The Stakeholder Advisory Committee additionally included representatives who self-identified as representing agribusiness, education, banking, general taxpayer, and conservation interests, as well as a representative of the US Bureau of Reclamation (Table 1.1).

Stakeholder Selection

The US Bureau of Reclamation, Nebraska Game and Parks Commission, Frenchman Valley Irrigation District, Pioneer Irrigation District, and Nebraska-Bostwick Irrigation District were invited in writing to participate in the basin-wide planning process as members of Stakeholder Advisory Committee. These entities were asked to reply in writing if they choose to participate. Of these organizations, the US Bureau of Reclamation, Nebraska Game and Parks Commission, Frenchman-Cambridge Irrigation District, and Nebraska-Bostwick Irrigation District each elected to designate a representative to serve on the Plan's Stakeholder Advisory Committee.

In addition, NeDNR and the four NRDs published public stakeholder recruitment notices in local newspapers between July 27 and August 23, 2014. The NRDs published notices in 17 newspapers with local readership, and NeDNR published a notice in the Omaha World-Herald.

In response to these notices, members of the public who wanted to join the Stakeholder Advisory Committee had to indicate their interest in writing, either by submitting a letter or email to NeDNR or by filling out a form on NeDNR's website. Both residents of the Basin and individuals who lived outside the Basin, but who had a water interest in the Basin, were eligible to join (Figure 1.4). Examples of non-resident stakeholders include representatives of a state agency, a conservation organization, and agribusiness, as well as individuals from outside the Basin who own land within the Basin.

When indicating their interest in joining the Stakeholder Advisory Committee meeting, stakeholders were asked to self-identify their relevant interest to the Basin. These interests are listed in Table 1.1.

The initial deadline for stakeholders to indicate their intent to join the Stakeholder Advisory Committee was August 31, 2014. There were 28 respondents as of the initial deadline, and the response deadline was extended to February 13, 2015, to represent a wider range of stakeholder interests. At the start of Plan development, the Stakeholder Advisory Committee included 47 members. Five stakeholders resigned from the committee during Plan development, which left the Stakeholder Advisory Committee with 42 members to vote on the final draft of the Plan. The final stakeholders are listed in Appendix C, "Plan Development."

Table 1.1. While registering to become members of the Stakeholder Advisory Committee, stakeholders indicated they were representing the following interests.

Self-identified interest in the Basin	Number of stakeholders
Agribusiness	7
Banker	2
Conservationist	2
Education	3
Former NRD Staff	2
Groundwater user	19
Interested party	1
Irrigation district	3
Surface water irrigator	3
Irrigator	1
Municipalities	6
Nebraska Game and Parks Commission	1
Property tax payer	1
Public power district	1
Range livestock owner	7
Reclamation	1
Recreation	1

*Stakeholders were eligible to select more than one interest, so the total is larger than the number of stakeholders.

Planning Meetings

The development process for this Plan consisted of two types of meetings: stakeholder meetings and coordination meetings. These meetings began in January of 2015 with the first coordination meeting, and continued through mid-2018, typically alternating approximately every other month. A meeting schedule appears in Appendix C, "Plan Development."

Stakeholder meetings included NeDNR, the NRDs, and the Stakeholder Advisory Committee, with the majority of each meeting focused on stakeholder discussion and decision-making. Attendance at stakeholder meetings was voluntary. At coordination meetings, NeDNR and the NRDs came together to discuss Plan development progress, consider how to incorporate stakeholder feedback into the Plan, and plan the format of upcoming stakeholder meetings.

The core of Plan development occurred during the stakeholder meetings. For example, during stakeholder meetings, stakeholders identified their priorities for the Plan and identified their concerns about water management in the Basin. These identified priorities and concerns shaped the discussion topics for subsequent meetings, and the goals and objectives and many other details of the Plan grew out of those discussions. Stakeholders were also invited to provide written comments on draft Plan materials between meetings.

The purpose of the stakeholder process was to collaboratively develop a plan that suits the local needs of stakeholders and to ensure inclusion, while balancing water uses and water supply. The Plan's process specifically sought to reach agreement by setting each agenda based on previous stakeholder discussions. Per *Neb. Rev. Stat. § 46-755 (5)(c)*, the objective of the planning process was to reach agreement on the Plan by all parties *[Placeholder depending on what happens (these are the three possibilities given in statute): Either (a)", and that is what happened when the stakeholders voted unanimously to adopt the Plan on ___. Or, (b)"; however, the stakeholders were unable to reach agreement on the Plan, so the Plan was*

developed and adopted by only NeDNR and the NRDs, as specified in statute.” Or (c) “; however, the stakeholders were unable to reach agreement on the Plan, and NeDNR and the NRDs were unable to reach agreement on the Plan, so it was developed and adopted by the Interrelated Water Review Board pursuant to Neb. Rev. Stat. § 46-719”].

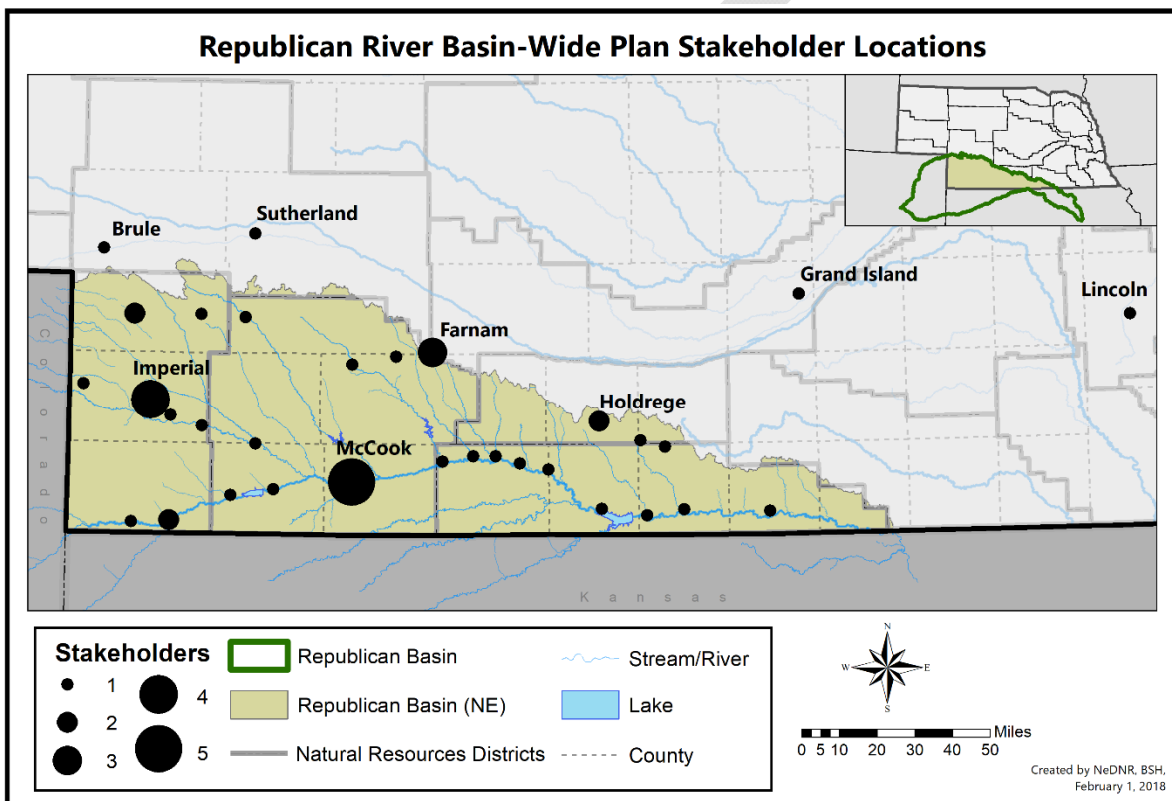


Figure 1.4. Locations of members of the Republican River Basin-Wide Plan’s Stakeholder Advisory Council.

Responsibilities and Authorities of NeDNR and NRDs

NeDNR is responsible for permitting surface water rights for beneficial uses including storage, irrigation, hydropower, and instream flows. NeDNR registers wells, delineates hydrologically connected aquifers and flowing water, regulates dams, delineates

floodplains, and provides technical and policy assistance. NeDNR also collaborates with all 23 NRDs to develop and manage integrated water management plans and basin-wide plans.

All NRDs are responsible for local development, management, utilization, and conservation of groundwater and surface water. NRDs manage groundwater permitting, and monitor and regulate groundwater quality. The NRDs have the legal authority to regulate activities within their boundaries to ensure that agriculture remains an important industry to Nebraska in

accordance with *Neb. Rev. Stat.* 46-701 and 46-704(3). Additionally, NRDs collaborate with the Nebraska Game and Parks Commission to hold instream water rights for fish, wildlife, and recreation, and the NRDs collaborate with NeDNR to develop and implement integrated water management plans and basin-wide plans.

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