

## Statutory Guidelines for the Republican River basin-wide planning process and stakeholder participation, summarized from *Neb. Rev. Stat. §46-755*.

“Natural resources districts shall, jointly with the department and the natural resources districts within the same basin, develop and adopt a basin-wide plan for the areas of a basin, subbasin, or reach determined by the department to have hydrologically connected water supplies” (46-755 (1))

A basin-wide plan shall:

- ❖ “be developed using a consultation and collaboration process” (46-755 (5)(c))
  - “The department and affected natural resources districts shall involve official participants in formulating, evaluating, and recommending plans and management actions and work to reach an agreement among all official participants involved in a basin-wide plan.”
  - “If agreement is reached by all parties involved in such consultation and collaboration process, the department and the affected natural resources districts shall adopt the agreed-upon basin-wide plan.”
  - “If agreement cannot be reached by all parties involved, the basin-wide plan shall be developed and adopted by the department and the affected natural resources districts or by the Interrelated Water Review Board pursuant to section 46-719.”
- ❖ “be completed, adopted, and take effect within three years after April 17, 2014,” (46-755 (3))
  - “unless the department and the natural resources districts jointly agree to an extension of not more than an additional two years.”
- ❖ “have clear goals and objectives with a purpose of sustaining a balance between water uses and water supplies so that the economic viability, social and environmental health, safety, and welfare of the river basin, subbasin, or reach can be achieved and maintained for both the near term and the long term.” (46-755 (4)(a))
- ❖ “ensure that compliance with any interstate compact or decree or other formal state contract or agreement or applicable state or federal law is maintained.” (46-755 (4)(b))
- ❖ “set forth a timeline to meet the goals and objectives as required under this subdivision, but in no case shall a timeline exceed thirty years after April 17, 2014.” (46-755 (4)(c))

- ❖ “utilize the best generally-accepted methodologies and available information, data, and science to evaluate the effect of existing uses of hydrologically connected water on existing surface water and ground water users.” (46-755 (5)(a))
- ❖ “include a process to gather and evaluate data, information, and methodologies to increase understanding of the surface water and hydrologically connected ground water system within the basin, subbasin, or reach and test the validity of the conclusions, information, and assumptions upon which the plan is based.” (46-755 (5)(a))
- ❖ “include a schedule indicating the end date by which the stated goals and objectives are to be achieved and the management actions to be taken to achieve the goals and objectives.” (46-755 (5)(b))
  - “To ensure that reasonable progress is being made toward achieving the final goals and objectives of the plan, the schedule shall also include measurable hydrologic objectives and intermediate dates by which the objectives are expected to be met and monitoring plans to measure the extent to which the objectives are being achieved. Such intermediate objectives shall be established in a manner that, if achieved on schedule, will provide a reasonable expectation that the goals of the plan will be achieved by the established end date.”

“Before adoption of a basin-wide plan, the department and affected natural resources districts shall schedule at least one public hearing to take testimony on the proposed plan” (46-755 (5)(e))

-----

“An integrated management plan developed under subdivision (1)(a) or (b) of section 46-715 shall ensure such integrated management plan is consistent with any basin-wide plan developed pursuant to this section. However, an integrated management plan may implement additional incentive programs or controls pursuant to section 46-739 if the programs and controls are consistent with the basin-wide plan.” (46-755 (2))