

## **NOTICE OF PUBLIC HEARING**

Pursuant to *Neb. Rev. Stat.* § 46-718, the South Platte Natural Resources District (SPNRD) and the Nebraska Department of Natural Resources (Department) hereby provide notice that they will hold a public hearing on Tuesday, June 16, 2009 at 7:30 p.m., or 15 minutes following the end of the public hearing for the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska, whichever is later, in Sidney at the Western Nebraska Community College, 371 S. College Drive, to consider the proposed amendment to Rule No. 9 of the SPNRD and Department Integrated Management Plan (IMP). Rule No. 9 concerns the subject of the Overappropriated Area and the Nebraska New Depletion Plan. All interested persons may appear at the hearing and present testimony or provide other evidence relevant to the issues being considered. A public information session concerning the proposed amendment to Rule No. 9 will be held at 6:00 p.m. on the same date and place as the public hearing.

The SPNRD and the Department jointly adopted the IMP on June 20, 2008, which became effective on July 20, 2008. At that time, Rule No. 9 was not complete since the overappropriated basin-wide plan had not yet been adopted. The proposed overappropriated basin-wide plan will be presented at the public hearing preceding the public hearing on the proposed amendment to Rule No. 9. The proposed amendment to Rule No. 9 is consistent with the proposed basin-wide plan. A description of the geographic area covered by the proposed amendment to Rule No. 9 encompasses all overappropriated land areas located within the boundaries of the SPNRD. All of the land area located within the boundaries of the SPNRD is to be considered for inclusion in an integrated management subarea.

The proposed amendment to Rule No. 9 completely revises the contents of Rule No. 9 with the following components: (1) Goals and Objectives, (2) Plan Components, (3) Monitoring and Studies, and (4) Review and Modifications to the Overappropriated and Nebraska New Depletion Plan Portion of the IMP. A general description of the proposed revisions to the components of Rule No. 9 are: (1) Action items to achieve goals and objectives, which are intended to be consistent with the requirements of *Neb. Rev. Stat. § 46-715(3)*, (2) Non-regulatory action items that include information and education programs, incentive programs and other programs, (3) Ground water regulatory provisions (controls), which will not be implemented unless triggers have been met, and (4) Surface water regulatory actions that will be used in the overappropriated area that are the same as in Rule No. 8 of the IMP.

Individuals who wish to attend the hearing and have disabilities may request auxiliary aids and service necessary for participation by contacting the SPNRD or the Department by June 12, 2009. Testimony or other evidence relevant to the purposes of the hearing may also be submitted in writing to the South Platte Natural Resources District, 511 Parkland Drive, P.O. Box 294, Sidney, NE 69162-0294 or to the Department of Natural Resources, 301 Centennial Mall South, P.O. Box 94676, Lincoln, NE 68509-4676, or by electronic mail to the SPNRD at [rlhorn@spnrd.org](mailto:rlhorn@spnrd.org) or to the Department at [jesse.bradley@nebraska.gov](mailto:jesse.bradley@nebraska.gov) by 5:00 p.m., June 23, 2009.

For further information regarding the proposed amendment to Rule No. 9, or for the full text of said proposed amendment refer to the SPNRD website at <http://www.spnrd.org>, or the Department's website, at <http://www.dnr.ne.gov> or contact the SPNRD or the Department at the address above, or contact the SPNRD at (308) 254-2377, or the Department at (402) 471-2363.

Following the public hearing on the proposed amendment to Rule No. 9, the SPNRD and the Department will make a joint decision within 60 days of whether to implement such proposed amendment, with or without modifications.