

The Commission's Role: I.W.R.B.

The Interrelated Water Review Board is the arbitrator of disputes arising between NRD or DNR in regard to integrated management plans requiring the agreement of DNR and the affected NRD, or basin wide management plans or surface water or ground water controls required under the Groundwater Management and Protection Act (LB 962, 2004). The Board is only convened upon a request of DNR or an affected NRD, and only to resolve a particular dispute. The Board has not been convened to date. § 46-719 is explicit in the Commission's limited role for providing a list of nominees to the Governor for his choice of appointment to the Board, and the parameters of eligible nominees for consideration. The Commission has a limited amount of time to present nominees to the Governor after a request is made. No request has been made.

§ 46-719

(1)(a) The Interrelated Water Review Board is created for the purposes stated in subsections (2) through (5) of this section. The board shall consist of five members. The board, when appointed and convened, shall continue in existence only until it has resolved a dispute referred to it pursuant to such subsections. The Governor shall appoint and convene the board within forty-five days of being notified of the need to resolve a dispute. The board shall be chaired by the Governor or his or her designee, which designee shall be knowledgeable concerning surface water and ground water issues. The Governor shall appoint one additional member of his or her choosing and shall appoint the other three members of the board from a list of no fewer than six nominees provided by the Nebraska Natural Resources Commission within twenty days after request by the Governor for a list of nominees.

(b) Not more than two members of the board shall reside in the geographic area involved in the dispute. A person is not eligible for membership on the board if the decisions to be made by the board would or could cause financial benefit or detriment to the person, a member of his or her immediate family, or a business with which the person is associated, unless such benefit or detriment is indistinguishable from the effects of such action on the public generally or a broad segment of the public. The board shall be subject to the Open Meetings Act.