

## Title 196 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

### Chapter 4 - ACTION PLANS; DEVELOPMENT

001 An action plan shall be prepared by the district or districts within whose boundaries a management area is located. Whenever a management area encompasses portions of two or more districts, the responsibilities and authorities delegated to the districts shall be exercised jointly and uniformly by agreement of the respective boards of all districts so affected. The district or districts shall:

001.01 Prepare an action plan within one hundred eighty days after issuance of the designation order for a management area or after the Director requires an action plan for a management area;

001.02 Hold a public hearing pursuant to Neb. Rev. Stat. § 46-656.40(2) and Title 115 - Rules of Practice and Procedure within thirty days after an action plan has been prepared. Such hearing shall be held in reasonable proximity to the area to be affected. Notice of the hearing shall be published in a newspaper published or of general circulation in the area involved at least once each week for three consecutive weeks, the last publication to be not less than seven days prior to the hearing. The notice shall provide a general description of all areas to be affected by the proposed action plan and shall provide the text of all controls proposed for adoption by the district;

001.03 Adopt and submit an action plan to the Department within thirty days after the public hearing held in accordance with 001.02 above; and

001.04 If appropriate, provide each landowner or operator of an irrigation system with current information available with respect to fertilizer and chemical usage for the specific soil types present and cropping patterns used.

002 The action plan shall define a program to stabilize, reduce or prevent the level of ground water contamination within the designated management area and prevent its increase or spread. The action plan shall include:

002.01 The details of an educational program to be instituted by the district to inform persons of methods available to stabilize or reduce the level, or prevent the increase or spread of, ground water contamination;

002.02 One or more of the controls authorized by Neb. Rev. Stat. § 46-656.25.

002.03 A time schedule for implementation of the protective measures identified pursuant to 002.02 above.

003 Protection measures adopted by the district may vary within the area based on varying water uses or varying climatic, hydrologic, or soil conditions.

Enabling Legislation: Neb. Rev. Stat. §§ 46-656.40, 46-656.42 and 46-656.44

Legal Citation: Title 196, Ch. 4, Nebraska Department of Environmental Quality

For more information, contact  
[MoreInfo@NDEQ.state.NE.US](mailto:MoreInfo@NDEQ.state.NE.US)

**Nebraska Department of Environmental Quality**  
**1200 "N" Street, Suite 400**  
**PO Box 98922**  
**Lincoln, NE 68509**  
**(402)471-2186 fax: (402)471-2909**