

Keen, Shelley

From: Keen, Shelley
Sent: Thursday, July 19, 2007 10:18 AM
To: 'rharris@holdenlegal.com'
Subject: South Interchange Properties mitigation plan

Rob,

Jeff Peppersack and I discussed the South Interchange Properties mitigation issue after you and I spoke about it yesterday. When you run the model, use the anticipated consumption/depletion volume that will occur in connection with the proposed use. When the model reaches steady state, 100% of the annual depletion volume will be appearing in the various river reaches. It's that volume that you need to mitigate by putting water in the river.

The confusing factor that you and I alluded to in our discussion is that during the transitory period, you will not see 100% of the depletion appearing in the river. If you limited your mitigation to making the river whole during the transitory period, there would still be an increment of depletion to the aquifer that is not being mitigated. To keep things straightforward, Jeff and I think that providing all of your mitigation to the river from the start will be okay. It will mean that for a period there will be "extra" water in the river and a deficit in the aquifer, but we think we can live with it.

Another concern of ours is what happens if the use of ground water is commenced and then stopped for business reasons. If the mitigation is also stopped at the same time, there will be lingering effects in the river until we reach steady state again. We may condition the permit to require mitigation to continue for some time even when the permit is not being used.

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