



Ninety-Seventh Legislature - Second Session - 2002
Committee Statement
LB 628

Hearing Date: March 1, 2001
Committee On: Natural Resources

Introducer(s): (Beutler)

Title: Regulate dredge and fill materials under the Environmental Protection Act

Roll Call Vote – Final Committee Action:

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

Vote Results:

| | | |
|---|---------------------|--|
| 8 | Yes | Senators Bromm, Bruning, Hudkins, Jones, Kremer, Preister, Schrock, Stuhr |
| 0 | No | |
| 0 | Present, not voting | |
| 0 | Absent | |

Proponents:

Senator Chris Beutler
Rosemary Thornton
Buffalo Bruce

Joe Gabig
Dave Sands
Carl Andersen
Steve Moran
Larry Dvorak
Jack Higgins
Peter Berthelsen
Jim Ducey
Ken Reitan

Opponents:

Jim Hewitt
Bryce Neidig
Carl Roberts
Greg Ruehle
Rick Follmer
Bruce Kevil

Representing:

Introducer
Self
Western Nebraska Resources Council; Nebraska
Sierra Club
Nebraska Chapter of the Wildlife Society
Audubon Nebraska
Self
Rainwater Basin Joint Venture
Self
Nebraska Council of Sportsmens Clubs
Pheasants Forever
Self
Wichiska Audubon Society

Representing:

Nebraska Concrete and Aggregate Association
Nebraska Farm Bureau
Lyman-Richey Corporation
Nebraska Cattlemen
Self
Nebraska State Home Builders Association

Chris Hunke
Bernard Batenhorst

Paulsen, Inc.
Batenhorst Gravel Company

Neutral:

Mark Brohman
Pat Rice

Representing:

Game and Parks Commission
Department of Environmental Quality

Summary of purpose and/or changes:

LB 628 requires the Environmental Quality Council to adopt rules and regulations governing the issuance of permits for the discharge of dredge or fill materials into the waters of the state. These rules may include specification of disposal sites, permit program, application and filing requirements, terms and conditions, notice and public participation, duration and review of permits, and issuance of general permits on a statewide or regional basis for any category of activity involving discharge of dredge or fill material of a similar nature and having only minimal adverse environmental effects.

It establishes exemptions from having to get a disposal of dredge or fill material. These exemptions are:

- (1) From normal farming, silviculture (forestry), and ranching activities;
- (2) For purposes of construction or maintenance of farm or stock ponds, irrigation ditches or maintenance of drainage ditches;
- (3) For purposes of construction of temporary sedimentation basins a construction site which does not include placement of fill materials into the waters of the state; and
- (4) For purposes of construction and maintenance of farm roads, forest roads, or temporary roads when such roads are constructed and maintained in accordance with best management practices, to assure that flow and circulation patterns and chemical and biological characteristics of the waters are not impaired or reduced and that any adverse effect on the aquatic environment will be otherwise minimized.

Explanation of amendments, if any:

None

Senator Ed Schrock, Chairperson