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FLOOR DEBATE

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issues and the water storage issues were so intertwined in our statutes that it became confusing and not efficient to do it that way. So Department of Natural Resources recommended LB 145 as basically clean-up language. It also makes clear that owners of livestock waste control facilities are exempt from obtaining a storage water permit, but may be responsible for obtaining a dam safety permit if it's appropriate. The bill also allows limited exemption from the requirements that livestock waste control facilities divert incidental runoff in the vicinity of the facility. Section 4 of the bill is LB 123, which was adopted as part of this committee's amendment unanimously. It establishes seven criteria for the director of the Department of Natural Resources to examine in making a determination as to whether or not a water transfer permit should be approved. And those criteria are: the nature of the proposed use and whether it is a beneficial use of ground water; the availability to the applicant of alternative sources of ground water; any negative effect of the proposed withdrawal on ground water supplies needed to meet present or reasonable future demands for water in the area of the proposed withdrawal, or to comply with any interstate compact or decree, or to fulfill the provisions of any formal state contracts or agreement; it also adds identical language in (3) to surface water supplies; any adverse environmental effects of the proposed withdrawal or transportation of ground water--this means those effects which are regulated and enforced by federal and state agreements, settlements, or compacts; and it also adds the cumulative effects of the proposed withdrawal and the transfer in conjunction with all other transfers; and any other factor consistent with the purpose of this act that the director deems relevant to protect the health, safety, and welfare of the state and its citizens. Water withdrawal and transfers have been a big issue recently. And we believe LB 123, in conjunction with LB 619, would give the director of the Department of Natural Resources plenty of, for lack of a better word, ammunition to use should it be...should he determine that the withdrawal of water from a certain area of the state and the transfer of that water, either intrastate or interstate, would be detrimental to the state of Nebraska or to that area of the state where the water is being withdrawn. Section 5 contains the original provisions of LB 619. This is a bill that Senator Preister is