

SENATOR DWORAK: Yes. Mr. President and colleagues, the intent of LB 45 is to increase the capacity of three classes of dams before a detailed report need be filed with the Department of Water Resources. These three classes of dams are namely, flood control, sedimentation and erosion control and livestock. The present limits are fifty acre feet which would be changed to one hundred acre feet and that is the number of acre feet below the crest or the emergency spillway and the detention storage is being changed from twenty-five acre feet to seventy-five acre feet. They still have to file a short form to the Department of Water Resources. After receiving the short form, if the Department of Water Resources would like to require additional detailed information that might be contained in the long form or the detailed form, they still have the authority to request it. The type of dam this primarily pertains to is road impoundments and this type of thing. There was no opposition to the bill in committee. If a hazard exists or if we are violating or if we are taking away some prior water rights, the detailed form still must be filed as was in the past. I urge you to advance this bill to E & R Initial.

SPEAKER MARVEL: The Chair recognizes Senator Duis, then Senator Kremer.

SENATOR DUIS: Mr. President, first I want to ask a question of Senator Dworak. Senator Dworak, would you explain to us the fifty acre feet back of the spillway so we know what you mean?

SENATOR DWORAK: Okay, the law now reads that, beginning on line 15, if a dam has a total storage capacity, and this is a criteria for these dams, how we determine the size of these dams, a total storage capacity of, it is now fifty acre feet, we are exceeding that to one hundred acre feet below the crest of the emergency spillway.

SENATOR DUIS: What I am asking you is what is below the crest of the emergency spillway? What does it mean?

SENATOR DWORAK: Senator Duis, when you build a dam, you build it up to a certain level and you put in an emergency spillway. That amount of water retained by that height of that dam to that point shall not exceed one hundred acre feet and that is being changed from fifty acre feet. If you have fifty-one acre feet as complied....do you want to ask the question again, Senator Duis?

SENATOR DUIS: No, but you are not giving us a real good