

**ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015**  
**COMMITTEE STATEMENT**  
**LB206**

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**Hearing Date:** Thursday January 29, 2015  
**Committee On:** Natural Resources  
**Introducer:** Schilz  
**One Liner:** Change the Erosion and Sediment Control Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schilz, Schnoor  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**

Senator Ken Schilz  
Mike Onnen  
  
Robert Hilske  
  
Brian Barels  
Joe Kohout

**Representing:**

Introducer  
Little Blue Natural Resources District; Nebraska Association of Resources Districts  
Nemaha Natural Resources District; Nebraska Association of Resources Districts; Nebraska Water Resources Association  
Nebraska Public Power District  
Professional Engineers Coalition

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 206 would update the Erosion and Sediment Control Act, which addresses erosion in excess of the applicable soil-loss tolerance level which causes or contributes to an accumulation of sediment on and damage to the land of another. The bill clarifies definitions; adds a definition of sheet and rill erosion and ephemeral gully erosion; updates how a control program is to be coordinated; authorizes natural resources districts to petition the court for cease and desist orders; and eliminates a cost-share requirement tied to compliance with the act.

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**Explanation of amendments:**

The committee amendment excludes from the act activities related to the operation, construction or maintenance of industrial or commercial public power or public power and irrigation district facilities or sites when the activities are pursuant to state or federal law or part of the utility's operational plan.

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Ken Schilz, Chairperson