

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

April 22, 1999      LB 822

Wickersham waives closing. The question before the body is, shall the Wickersham amendment be adopted to LB 822? All those in favor vote aye, opposed nay. We are voting on the Wickersham amendment to LB 822. Have you all voted that wish to? Have you all voted that wish to? We are voting on the Wickersham amendment. Record, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 nays on the adoption of Senator Wickersham's amendment.

SENATOR CUDABACK: AM1276 is adopted. Next item, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next amendment is offered by Senator Schrock. It is AM1395. (Legislative Journal page 1630.)

SENATOR CUDABACK: Senator Schrock, to open on your amendment.

SENATOR SCHROCK: Mr. President and members of the Legislature, this is an amendment that I think all concerned parties have had a chance to look at. There's been great concern about what we might be doing to the viability of some livestock operations, especially in the Scottsbluff area, and we had some limitation on expansion of existing facilities. What this does is strike that language and it says: The department, which means DEQ, may deny or restrict an application for a permit regarding a transfer or modification of an existing permit based upon the potential degradation of a cold water class A stream. Now what we would intend with this is that we would, eventually with I think another amendment today, we will get better monitoring, and if a cold water stream has not been "degradated" by a livestock facility and they want to expand and their plans can be...can be presented in such a way that DEQ is convinced it won't cause further degradation of the stream, then their expansion permit should be allowed by DEQ. This gives more authority to DEQ to judge whether an expansion would have the potential to "degradate" a stream. It would be my intent to say on the floor today that if that expansion would have the potential to further "degradate" a stream that DEQ should deny the permit. However, we know that there are areas of the state where there's a lot of livestock facilities and the streams are in pretty good shape. They must be or they wouldn't have trout