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the Park Service saying that under the Scenic River Act and, more particular, under the additions to the Federal Scenic River Act, that...that brought in the Niobrara Scenic River area, that...that the delegation of powers provisions...

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: ...of...did you say time, Senator?

SENATOR CUDABACK: Said one minute, Senator Beutler.

SENATOR BEUTLER: One minute? That the delegation of powers provisions under that federal statute did not allow them to use the Niobrara Council, as it was constituted, as the primary management tool and to empower them to the extent that they did. And, furthermore, they said in selecting the corridor they had not properly gone through the environmental impact process and so they needed to do two things. They needed, as far as the court was concerned, to go through that environmental impact process to a greater degree, and that's not a major problem, but they also needed to reconstitute and to come back with the court...to the to the court with a management plan that comported to the delegation provisions of the federal statute. Let me just read for you the things that the court concluded. The court...

SENATOR CUDABACK: Time.

SENATOR BEUTLER: ...concludes...

SENATOR CUDABACK: Senator Beutler, Senator Dierks' time is up, but you may continue. Your light is next.

SENATOR BEUTLER: The court said, we conclude that the defendant's delegation of its statutory management duties to the council violates the unlawful delegation doctrine because the National Park Service retains no oversight over the council, no final reviewing authority, and the council's dominant private local interests are likely to conflict with the national environmental interests, et cetera, et cetera. And then many of the allegations in the case actually related to the fact that the council had no zoning powers, couldn't really affect the