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FLOOR DEBATE

March 16, 2004 LB 916

However, this bill was handled on consent calendar last week, so I will be asking you to adopt an amendment that would strike that portion of the committee amendments. The committee amendment incorporates some of the suggestions presented to the committee during the hearing on the bill. Some of these suggestions were as follows: under Section 8, sub (2), the phrase "based on the best available technology economically achievable," and sub (3) adds the definition of "construction"; under Section 11, added a section that would allow an existing livestock operation to expand if the waste control facility is located more than two miles from a designated cold water class A stream and in the same cold water class A stream watershed; under Section 16, the preliminary review time for the department is increased to 40 days instead of 30 days, and requires a final decision be made within 40 days after the close of the comment period, which is 30 days. Current law allows for a total of 90 days, which the amendment changes to a total of 80 days. Section 18 sets out the requirements that a nutrient management plan must accompany any application, and must be supported by documentation. For permits, the plan must meet the requirements of the NPDES program. The Environmental Quality Council currently requires that a nutrient management plan accompany every application, but this is done through rule and regulations, not statute. The amendment places this requirement in statute. This was a recommendation of Senator Preister. Section 20, which was also a recommendation of Senator Preister, requires the department to provide for public participation and adhere to the federal requirements regarding agency responses to public comments. Any other change to the original bill will...by the committee amendment are technical ones that do not substantively change the bill. I want to make it perfectly clear to you this bill is here today because of a federal requirement. We don't want our feedlot operators to have to have two permits. This will let them do kind of a one-stop shopping and will allow them to do this with one permit. If we do not act, they will have to get a federal permit and a state permit. That is cumbersome and something that is not desirable, and we shouldn't need to do. With that, I will close on the opening of LB 916, but I would like to acknowledge that Senator Burling has prioritized this bill. I do appreciate that. I do believe it is a bill that needs to be addressed this session.