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FLOOR DEBATE

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checked every once in awhile to decide whether we need to plant alfalfa in there to use up the phosphorous in place of corn. Now do you have to make that kind of a change? You got to go tell them that way too, because you just want to rotate your crops? That's what I'm concerned about too.

SENATOR PREISTER: Senator Jones, that's a very technical adjustment kind of question that Senator Wehrbein also asked, and my reply to you is similar to what I replied to him, that that determination is a very small change and probably wouldn't rise to the level of needing to submit changes, but I'm not making that determination. And the NDEQ and their authority to make those determinations I'm not changing, and I'm not even suggesting that I change in my amendment. So they don't have to make any changes that they don't want to do. They're in control of what a change or modification to a plan, the nutrient management plan, would be, and they can do that through the Environmental Quality Council now, and with this amendment they'll still do that. So that, in my view, would not rise to that level, and I state that publicly.

SENATOR JONES: Okay. One other thing. When you...they have to supply from the operator annually, would that include the small operator, like I brought in awhile ago, too, that don't even have to have the permit under 1,000?

SENATOR PREISTER: It could include any of those that have discharged into the waters of the state or any of them that have the potential to discharge into the waters of the state, and that's current and that doesn't change either. Now there could be some others, undetermined number that we don't know, that may also be included, yes.

SENATOR JONES: Well, thank you.

SENATOR PREISTER: But all they would have to do would be submit those changes. If they made no changes, if there were no adjustments, and adjustments and changes and modifications would be what DEQ would determine, then they don't have to submit anything.