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FLOOR DEBATE

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SENATOR BEUTLER: Yes. Correct.

SENATOR STUTHMAN: Okay. This is all, you know, all the responsibilities of the operator to have all of this. The thing about putting this on file for the public to see and review brings up an issue that I'm very concerned with. If in your area there's operators, farming operations what would like to purchase your farm, they're going to be looking for reasons why, you know, they want to try to stop your operation. If in the event that you have said you're going to be hauling that amount of...that number of tons per acre...and that's also in the nutrient management plan, is how many tons per acre you're going to be applying to that land every so many years or every year or every other year or yearly. But...and that would be all stated in the plan. If in the event that you do haul the nutrients twice in one year, and that's not your plan, there's a violation of it that could be referenced to, that somebody could report you that, say, I saw that guy haul his manure in the spring and he hauled it again in the fall at that same piece. He would be in violation of his nutrient plan. His plan originally stated he would only be hauling on that property once every other year. That would be an issue that would have to be addressed. It would probably be not possible to haul it in another area, depending upon his farming operations. There could have been an emergency, that a water line broke in his hog facility that filled the underground pit, that he had to haul it out. Would he have to go to the DEQ and say, I've tested this, it's 75 percent water, I'm going to be hauling it out? Would this individual have to go and get that changed in his nutrient plan? Could you give me an answer on that, Senator Preister?

SENATOR PREISTER: You raise some questions that are helpful questions. However, most of them don't apply to my amendment. So if there were...I'm not changing the definition of nutrient management plan, or modifications, or what constitutes a modification. All that's currently being done. I make no changes to that. NDEQ still makes those determinations. So we're really not getting into all of those areas. If NDEQ determines that there is a modification by their standards and their guidelines, it...what my amendment does is only apply to those who request a construction permit. So they're already