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FLOOR DEBATE

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question, and that is something that NDEQ makes the determination of. But, as an example, if the number of acres that the nutrient was applied to was changed; if a different land application from one landowner to another was adjusted or changed, that would be a change to the nutrient management plan. It would be changes that NDEQ essentially identifies as changes to that plan, but land application, amounts of application, those would be the things that I would readily identify now.

SENATOR WEHRBEIN: Well, if you have a permit for, let's say, 1,000 head, for the disposal of that manure, and you dropped to 800, and then went up to 1,200, I assume that would trigger a demand for a change in the plan?

SENATOR PREISTER: If there was a change, what would need to be submitted to NDEQ would be what those modifications or changes were; not a complete new plan necessarily, but simply whatever the changes or the modifications were would be what you would submit to them.

SENATOR WEHRBEIN: What if you changed feeds and had less phosphorous being...coming through the animal? Will that constitute a need to change the plan?

SENATOR PREISTER: Probably I would need NDEQ to answer that. I'm not changing how they'd make the determinations. NDEQ makes the determinations now in terms of what is a change or modification. I'm not changing that. So it would be whatever they determine that to be. The phosphorous level may be a trigger. I don't know for certain.

SENATOR WEHRBEIN: I'm just concerned that it's intensive micromanagement, not that I...I guess I trust the NDEQ to a quite extent, but I'm concerned that small things that we take for granted almost every day could trigger a violation of this if you didn't update. I mean there's a lot of research going on now for nutrient, reduction in, let's say not having to feed so much phosphorous in livestock performance and so forth. A lot of those little things could technically trigger this and I don't know that the NDEQ looks at these every year so I don't know that they would know. I guess...I guess I'm not clear on