

enforcement of the FIFRA with?

SENATOR BEUTLER: It leaves the ultimate enforcement with the Department of Agriculture.

SPEAKER BAACK: But now...now the way I read this though they have to go through the Department of Environmental Quality to get approval of the pro...

SENATOR BEUTLER: No, the intention of the amendment, and I would be glad to work out any technical details with you, Senator, is to allow the Department of Agriculture, on their own motion, but using the procedures outlined in the Ground Water Protection Act on their motion working with the NRDs as they would if it were a DEQ initiated protection area but leaving in the Department of Ag on their own motion the ability to create ground water protection areas.

SPEAKER BAACK: So they...

SENATOR BEUTLER: Protection areas.

SPEAKER BAACK: ...they would be using the same procedures that the Department of Environmental Quality would be using but they don't have to go work directly with the department on those procedures, they would just use those procedures but they would not have to have those procedures approved by the Department of Environmental Quality?

SENATOR BEUTLER: Exactly. The Department of Environmental Quality would be out of it totally, along the principle that...I mean, I just lost that case, you know, so it's the Department of Ag but they go through the NRD system.

SPEAKER BAACK: I guess one of the things...one of the things I don't want to see happen with this legislation is we pass this legislation and the EPA come back and say, look, you don't really have an agency that really does have the ultimate hammer, the lead agency doesn't have the ultimate hammer, that somehow or other I don't want to create something where we...the Department of Ag is designated as the lead agency but they don't have the final hammer and the final say in what happens on these plans. I don't want us to create a situation where we're going to say, okay, the Department of Agriculture is the lead agency but the Department of Environmental Quality will determine