



February 20, 2015

## CHEMIGATION CERTIFICATION AND LEGISLATIVE UPDATE

Chemigation, the process of applying any chemicals or liquid nitrogen through center pivot systems, lets farmers spoon-feed nitrogen to their crop throughout the growing season. This can be good for the environment because we can be more efficient and use less nitrogen as long as we don't have runoff in the field to surface water and follow Nebraska law to protect back siphoning to ever happen in the well. We have double the protection required in Nebraska for that to ever happen and that has been good.

The track record of compliance with Nebraska's chemigation safety equipment and permit requirements is good, but there remain a few who have ignored getting permits to do so. It's those few bad actors that give agriculture a bad name when a high percentage are in compliance and are being good stewards.

That is the reason for a new bill, in the Unicameral's Natural Resources Committee, that would raise the civil penalties paid by violators of the Nebraska chemigation law. The bill, LB 207, was introduced by State Senator Ken Schilz on behalf of the Nebraska Association of Resources Districts. The Lower Platte North NRD, one of 23 NRD's that make up the Association, sought the change. The NRD's handle the chemigation program at the local level, processing permits and inspecting chemigation systems.

LB 207 seeks stiffer fines for violators of the Nebraska Chemigation Law. The bill would provide for a civil penalty of between \$1,000 and \$5,000 for each day a violation occurs. The proposals also allows a Natural Resources District to recover costs of action should a civil penalty be awarded under the law.

Currently, \$100 is the maximum civil penalty that can be assessed. When a NRD files a complaint due to a violation, it investigates the case. If a producer refuses to comply with the law, the NRD then works with the county attorney or county sheriff to pursue a conviction. In committee, an amendment was approved to the bill to address concerns of the Nebraska Farm Bureau. The amendment would limit the fines to \$1,000 per day per chemigation site for the first offense.

For 2015, if your chemigation license expired or lapsed (renewals should have received a letter), there are two programs locally you can attend that I am teaching. On Friday, March 6<sup>th</sup>, the training will be held in Wilber at the First Evangelical Lutheran Church fellowship hall, 204 South School, 9:00 AM to 12:30 PM and on Tuesday, March 10<sup>th</sup> in Tecumseh at the Nemaha Natural Resource District meeting room, 62161 Highway 136, 9:00 AM to 12:30 PM.

For first time applicants, I send out materials in advance and applicators can prepare for a 50 question multiple choice test involved with the class. To get these materials in advance, simply call the Extension Office in Saline County at 402-821-2151 and we will mail them to you or you can pick them up. Registration is at the door and is free at both locations, supported by funds from the Nebraska Department of Environmental Quality. For other locations and times for chemigation certification classes go to: <http://deq.ne.gov/NDEQProg.nsf/OnWeb/Chemtrai>

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