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**Testimony of Eric Delzer
Pesticide and Fertilizer Division Director
Senate Agriculture and Veteran’s Affairs Committee
Fort Union Room
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Good morning, Chairman Luick and members of the Senate Agriculture and Veteran’s Affairs Committee. I am Eric Delzer, and I am the Pesticide and Fertilizer Division Director for the Department of Agriculture.

Commissioner Goehring strongly supports House Bill 1302. This bill proposes streamlining the process for licensing anhydrous ammonia facilities and allow them to be brought into service more quickly.

Current statute requires that anhydrous ammonia facility owners must apply to both the Agriculture Commissioner and the applicable board of county commissioners for an anhydrous ammonia storage facility operator’s license. The way it is currently written, it requires the county to provide approval for the issuance of a license in every case. Even a simple transfer of ownership of a grandfathered facility that has been in service and in good standing for over 40 years would have to be approved by the county before we can issue a license.

While most counties have been very good to work with and provide a quick turnaround, other counties have not been so responsive. We have had certain instances where it has taken over eight months to get an approval

and currently, we have an application that was submitted 15 months ago and despite many attempts to engage with the county, we are still awaiting a response.

House Bill 1302 would still allow the opportunity for local zoning review if a county chooses to do so but would also allow them to opt out of the process if they wish. The bill also proposes reasonable timelines to complete a local zoning review and would give the Agriculture Commissioner the authority to issue a license if the county declines to provide a response. We believe the proposed language of the bill would allow licenses to be approved and issued much more quickly while still allowing local authorities to be involved in the process if they choose to do so.

Chairman Luick, and members of the committee, thank you for the opportunity to testify today. I would be happy to answer any questions you may have.