

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

[CONFIRMATION]

The Committee on Natural Resources met at 12:45 p.m. on Monday, May 2, 2011, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on the confirmations of John Baker; Donald Williams; Douglas Anderson; John Kinter; and John Turnbull to the Environmental Quality Council. Senators present: Chris Langemeier, Chairperson; Ken Schilz, Vice Chairperson; Tom Carlson; Mark Christensen; Annette Dubas; Ken Haar; and Jim Smith. Senators absent: Beau McCoy.

SENATOR LANGEMEIER: Good afternoon. Is this Mr. Baker? [CONFIRMATIONS]

JOHN BAKER: (Via telephone) Yes, it is. [CONFIRMATIONS]

SENATOR LANGEMEIER: John, my name is Chris Langemeier and welcome to the Natural Resources Committee and we want to thank you, first of all, for your patience in the delay here, but we want to welcome you for your hearing on your appointment on the Environmental Quality Council. [CONFIRMATIONS]

JOHN BAKER: Okay. [CONFIRMATIONS]

SENATOR LANGEMEIER: And if you would tell us a little bit about yourself and what you hope to accomplish on the council and with that, go ahead. [CONFIRMATIONS]

JOHN BAKER: (Exhibit 1) Well, my background I've been in the private consulting engineering business for a little over 30 years. I started my own company in Scottsbluff back in 1977 and it is still in business and we employ about 22 people. And my son is in the business right now and he's trying to get me fired, but he's not having a whole lot of luck. Anyway, things are working well for us. I might mention that I think probably more so than most people on the council, I personally have interacted with the Department of Environmental Quality a tremendous amount; it is almost a daily affair in our business. As environmental consulting civil engineers, we deal with the department's rules and regulations and staff on a daily basis. And I'm very knowledgeable of how the system works and very knowledgeable about the regulations and how they affect our clients. And our client base is a very good cross-section of Nebraska who are affected by regulations and rules that are promulgated by EPA and DEQ. We work for a lot of small towns and larger communities like Scottsbluff and small towns like Broadwater where they are directly impacted, extensively impacted by rules and regulations that are passed down by the council and by the department. And I guess finally the last thing I would add is I've been on the council long enough that I feel like it...you know, it takes a term or so to figure out how the thing works and how the system works. It's kind of like being in office, by the time you learn how to do it, you have an election. So fortunately we don't have to go through that. So I hope I...hope that summarizes in a few words how I feel about my position on the council. [CONFIRMATIONS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

SENATOR LANGEMEIER: Very good. Are there any questions for Mr. Baker?
[CONFIRMATIONS]

JOHN BAKER: No, I really don't have any questions. I enjoy being on the council.
[CONFIRMATIONS]

SENATOR LANGEMEIER: No, we're going to ask you questions. [CONFIRMATIONS]

JOHN BAKER: Oh sure, go right ahead. [CONFIRMATIONS]

SENATOR LANGEMEIER: We're going to change this a little bit. Senator Carlson has the first one. [CONFIRMATIONS]

JOHN BAKER: Yes, sir. [CONFIRMATIONS]

SENATOR CARLSON: Thank you, Senator Langemeier. John, I'm going to ask you a question and if it's not in your comfort zone, don't feel...or feel free to say so, but do you believe that DEQ has sufficient authority as far as pipelines are concerned? Do you feel that extra legislation would be appropriate? What's your thoughts on that?
[CONFIRMATIONS]

JOHN BAKER: As far as what are concerned? [CONFIRMATIONS]

SENATOR CARLSON: Do you feel like the control and authority that DEQ has concerning pipelines--and of course we've got TransCanada--do they have sufficient authority or do you think that there should be legislation to provide additional regulation?
[CONFIRMATIONS]

JOHN BAKER: My personal opinion and my professional opinion is I think they should probably have a little more teeth as a department to deal with issues like that.
[CONFIRMATIONS]

SENATOR CARLSON: Okay. You would favor some additional authority for DEQ?
[CONFIRMATIONS]

JOHN BAKER: Yes, I would. [CONFIRMATIONS]

SENATOR CARLSON: Okay. Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: Other questions? Seeing none, thank you very much. It's that simple. Thank you for your participation, Mr. Baker. [CONFIRMATIONS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

JOHN BAKER: Well thank you for allowing me to do it this way over the phone. I had surgery two weeks ago so trekking to Lincoln would have been a tough deal for me, so I really appreciate this. [CONFIRMATIONS]

SENATOR LANGEMEIER: Well we appreciate you participating this way. And thank you for your previous service and look forward to the future. [CONFIRMATIONS]

JOHN BAKER: Thank you very much. [CONFIRMATIONS]

SENATOR LANGEMEIER: Thank you, Mr. Baker. [CONFIRMATIONS]

JOHN BAKER: All right. [CONFIRMATIONS]

SENATOR LANGEMEIER: You've heard the opening on the appointment of Mr. John Baker as a reappointment to the Environmental Quality Council. Is there anyone that would want to testify in support of his nomination? Seeing none, anyone want to testify in opposition? Seeing none, is there anyone that would like to testify in a neutral capacity? Seeing none, we'll close the hearing on Mr. Baker. Now we will open the hearing on Mr. Don Williams who is a reappointment and he is going to come to us via the phone as well. For those of you in the crowd this is pretty painless process. All reappointments. (Waiting for phone connection with Mr. Williams.) Good afternoon. Is this Mr. Williams? [CONFIRMATIONS]

DONALD WILLIAMS: (Via telephone) Yes. [CONFIRMATIONS]

SENATOR LANGEMEIER: Well welcome to the Natural Resources Committee of the Nebraska Legislature and we're here to have a hearing on your reappointment to the Environmental Quality Council and the committee is here and if you would start off by telling us a little bit about yourself; as a reappointment, tell us a little bit about what you've enjoyed on being part of the Environmental Council and what you hope to see in the future. [CONFIRMATIONS]

DONALD WILLIAMS: (Exhibit 2) Okay. I've been in the fertilizer and crop production chemical business since I got out of college. I had three years of service in the military and then right back into the business. In 1997 I was able to buy my own business here in Orchard. I'm 61 years old so I hope not to be here too much longer; want to retire some day. The council, you know, we deal in so many different areas, I find that very interesting, very educational, other than my area of expertise in chemicals and what have you, we get into all the issues, and that's the thing I thoroughly enjoy on the council is getting involved in all the other issues and understanding and learning from the other council members. [CONFIRMATIONS]

SENATOR LANGEMEIER: Okay. Are there any questions from the committee? Senator

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

Carlson would like to ask you a question. [CONFIRMATIONS]

SENATOR CARLSON: Thank you, Senator Langemeier. Don, I asked this of John and I'm going to ask you as well. Having served on the Environmental Quality Council, and you're well aware of the pipeline that's coming through Nebraska, do you feel like the authority that DEQ has to oversee these kinds of projects is sufficient? Should there be additional authority? And what do you think about legislation separate from that as being appropriate for regulation on pipelines? [CONFIRMATIONS]

DONALD WILLIAMS: One problem I see, and if I could address it in general, the pipeline in an area that is kind of a specialty area, but in all of our rule-making process and the legislation that comes to us, the thing that is a little bit frustrating to me in my particular industry especially, and I'm sure it's the same in the others, whether we're talking about septic tanks or pipelines, what we're talking about is the appropriations to be able to follow up and implement these rules and then do the inspection to make sure they're being followed. I think the authority to do that is fine and it's legislated and it's all in place. But then actually having the funds to hire inspectors and to follow up on it, make sure it's being done right, I think we're lacking in that area. [CONFIRMATIONS]

SENATOR CARLSON: So your opinion would be that if there were more funds available that would help DEQ and probably fill in the obligations that the state might have. [CONFIRMATIONS]

DONALD WILLIAMS: Yes, I do. We look at compared to Department of Ag, you know, we have inspectors out checking the...to talk about my industry, inspecting the fertilizer, make sure the analyses are right; inspect the processes we are going through. And with DEQ we have diking in place to protect the environment, but we don't have any inspectors that actually come out and see if my diking is done properly and if I'm following the rules and regulations that I'm supposed to follow. So that's the area. And I think it's lacking in all areas. I speak to mine because I'm more familiar with it, but I think we need, somehow, to put the funds in place to hire the inspectors to go out and do random calls to make sure that we're following the procedures that have been put in place. [CONFIRMATIONS]

SENATOR CARLSON: Then, I think by your comments, you're saying that what the Department of Agriculture does in their inspections and so forth is adequate? [CONFIRMATIONS]

DONALD WILLIAMS: Yes, I do, yeah. [CONFIRMATIONS]

SENATOR CARLSON: Okay. Thank you. [CONFIRMATIONS]

DONALD WILLIAMS: You bet, thank you. [CONFIRMATIONS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

SENATOR LANGEMEIER: Very good. Are there other questions? Seeing none, with that we want to thank you, Mr. Williams, for coming to us via the telephone and look forward to seeing you in the future. [CONFIRMATIONS]

DONALD WILLIAMS: Okay. Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: Thank you. [CONFIRMATIONS]

DONALD WILLIAMS: Bye. [CONFIRMATIONS]

SENATOR LANGEMEIER: You have heard the introduction for Mr. Williams, the Environmental Quality Council. Is there anyone that would like to testify in support? Seeing none, is there anyone that would like to testify in a neutral (sic) capacity? Seeing none, anyone what to testify in a neutral capacity? Seeing none, that concludes the hearing for Mr. Williams. Now we will move on to those who have attended in person. You always get more questions in person, but we do appreciate you showing up in person. Mr. Anderson is first. Welcome. [CONFIRMATIONS]

DOUGLAS ANDERSON: Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: And same questions, if you tell us a little bit about yourself and what you've enjoyed on the board and what you think the future holds. [CONFIRMATIONS]

DOUGLAS ANDERSON: (Exhibit 3) Okay. My name is Doug Anderson. I'm a graduate of the University of Nebraska; Animal Science major. I've been in manufacturing for 26 years; spent 20 years working for the Iams, Proctor and Gamble Corporation making Iams pet food out in Aurora. Left Proctor and Gamble to come into the ethanol industry in 2004 and been a proud member of the ethanol industry ever since. And I'm currently with the facility in Wood River, Nebraska. The thing that I've enjoyed the most about that being aligned with ethanol is what we're doing for agriculture as far as with the commodities and such, the cattle feed, and so forth, we produce. And very proud of what we do as an industry. As far as the department, what I look forward to, I've always found to have a very good relationship with the department. I think sometimes get a little misunderstood in regards to...people in the field don't understand as much so I try to find myself as an advocate making people understand that they are doing everything they can to make Nebraska's environment better. And what I hope to bring to the council is continued...what...as things happen, what it does to our particular industry and try to pass that dialogue along. But I've always found the department to be very proactive and I enjoy working with them very much. [CONFIRMATIONS]

SENATOR LANGEMEIER: Very good. Are there any questions for Mr. Anderson? I

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

know what Senator Carlson's is, so we're going to start with Senator Dubas.
[CONFIRMATIONS]

SENATOR DUBAS: Thank you, Senator Langemeier. Doug, welcome, nice to see you.
[CONFIRMATIONS]

DOUGLAS ANDERSON: Nice to see you again. [CONFIRMATIONS]

SENATOR DUBAS: In regards to the ethanol industry, are there any challenges that DEQ is looking at, again in regards to the ethanol industry or things are going well between the regulations they have in place and what you're having to do in your industry? [CONFIRMATIONS]

DOUGLAS ANDERSON: The regulations are in place; I think they're fine for the industry. The biggest challenge that we have right now with the higher commodity prices, of course, when we need to do additional testing and such, it does have an impact on the bottom line, but everybody understands. And also the folks understand if you apply BMP, or best management practices, you can work with the department openly. And I've always found that to be...I always find myself telling people that it's...the department is just trying to do their job. They're easy to talk to. Mike and his group do an excellent job. [CONFIRMATIONS]

SENATOR DUBAS: With the advancements in technology as far as ethanol production, has that made it easier to work with DEQ as far as your ability to stay in compliance with their regulations? [CONFIRMATIONS]

DOUGLAS ANDERSON: I've always...as I said, I've always found the department if you simply pick up the phone and call and ask those questions, they're readily available to help. And I found that in every plant that I've been in in Nebraska and that's four in Nebraska. So once again, I look at it as a real positive thing and the more we can educate the better everybody will be. [CONFIRMATIONS]

SENATOR DUBAS: All right, thank you very much. [CONFIRMATIONS]

DOUGLAS ANDERSON: Um-hum. [CONFIRMATIONS]

SENATOR LANGEMEIER: Senator Carlson. [CONFIRMATIONS]

SENATOR CARLSON: Thank you, Senator Langemeier. Doug, you heard the questions I asked the others. First of all, do you believe that DEQ has enough regulative authority on pipelines? Secondly, would they need more? And third, would other legislation be appropriate or helpful? [CONFIRMATIONS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

DOUGLAS ANDERSON: I believe that the department needs to have more teeth behind them to be able to deal with that. There's a lot of concern out in Nebraska right now, and I think if they could have...if there were more funds available, more inspectors, those kinds of things, be very beneficial. [CONFIRMATIONS]

SENATOR CARLSON: Okay. Thank you. One other question, what...at your location, how many gallons of water does it take for a gallon of ethanol? [CONFIRMATIONS]

DOUGLAS ANDERSON: Our daily consumption of water is about 1.1 million gallons and we'll produce about 330,000 gallons of ethanol. [CONFIRMATIONS]

SENATOR CARLSON: So about three to one. What happens to the water you use? [CONFIRMATIONS]

DOUGLAS ANDERSON: A lot of it evaporates through the cooling tower. [CONFIRMATIONS]

SENATOR CARLSON: Okay. [CONFIRMATIONS]

DOUGLAS ANDERSON: And that's something that all...and once again, as far as the industry, there's not a plant in the United States that's not working on everything they can do to enhance the efficiency; continue to bring on better technology; and that's the one thing, the industry is growing relatively fast, but I think all the plants are doing everything they can to be good environmental citizens. [CONFIRMATIONS]

SENATOR CARLSON: Thank you. [CONFIRMATIONS]

DOUGLAS ANDERSON: Um-hum. [CONFIRMATIONS]

SENATOR LANGEMEIER: Senator Haar. [CONFIRMATIONS]

SENATOR HAAR: Sir, I notice one of your employments was in Marion, South Dakota. [CONFIRMATIONS]

DOUGLAS ANDERSON: Yes, sir. [CONFIRMATIONS]

SENATOR HAAR: I was born in Freeman, born and raised in Freeman. [CONFIRMATIONS]

DOUGLAS ANDERSON: Nice town. [CONFIRMATIONS]

SENATOR HAAR: Fred Haar Implement Company are my relatives. [CONFIRMATIONS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

DOUGLAS ANDERSON: Yeah, they're good. [CONFIRMATIONS]

SENATOR HAAR: How interesting. Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: Senator Christensen. [CONFIRMATIONS]

SENATOR CHRISTENSEN: Thank you, Chair. Thank you. Since you mentioned alcohol is three to one on gallons of water to gallon of fuel, what is petroleum, do you know? [CONFIRMATIONS]

DOUGLAS ANDERSON: That I do not know. [CONFIRMATIONS]

SENATOR CHRISTENSEN: Because I know it is larger than that, I just didn't know the exact number. I just thought that should be on the record too. [CONFIRMATIONS]

DOUGLAS ANDERSON: Okay. [CONFIRMATIONS]

SENATOR HAAR: Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: Any other questions? (Buzzing noise in room) Seeing none, we got the school buzzer there. Thank you very much for your testimony. [CONFIRMATIONS]

DOUGLAS ANDERSON: Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: You have heard the opening on the reappointment of Mr. Anderson to the Environmental Quality Council. Now will move on to testifiers. Is there anyone that would like to testify in support? Seeing none, is there anyone that would like to testify in opposition? Seeing none, is there anyone that would like to testify in a neutral capacity? Seeing none, that concludes the hearing. Now we'll move to the next one; Mr. John Kinter. Did I say that right? [CONFIRMATIONS]

JOHN KINTER: Yes. Yes. [CONFIRMATIONS]

SENATOR LANGEMEIER: Got one right today. Mr. Kinter is a reappointment to the Environmental Quality Council. You served one term, is that right? [CONFIRMATIONS]

JOHN KINTER: Yes. Um-hum. [CONFIRMATIONS]

SENATOR LANGEMEIER: Tell us a little bit about yourself; what you like and what you hope to see in the future. [CONFIRMATIONS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

JOHN KINTER: (Exhibit 4) Good afternoon. John Kinter, graduate of University of Nebraska and also Wayne State with my MBA. Started my professional career working with DEQ as an inspector and started for a few years; then worked with Minnesota Corn Processors and ADM, Archer Daniels Midland in Columbus, for about six years and now I'm with Nucor Steel in Norfolk, Nebraska. And all my professional career has been focused on environmental; environmental management and environmental compliance. So working with the council in this capacity has been, quite frankly, fun for me. We see a lot of DEQ folks; see a lot of DEQ inspectors; so this is my chance to ask questions of Mr. Linder and the folks at DEQ and make sure that the regulations that the council is passing, what type of impact does it have on heavy industry. I feel...firmly believe that I do represent heavy industry on the council and it's important that heavy industry has a say in what we do pass as far as regulations are concerned. And moving into the future, of course, just since my experience is in environmental, I deal with environmental compliance on a daily basis at Nucor. I feel I do have a lot of experience and expertise that I can bring to the council to...different, various opinions on certain issues that come across. [CONFIRMATIONS]

SENATOR LANGEMEIER: Very good. Are there any questions? Senator Carlson.
[CONFIRMATIONS]

SENATOR CARLSON: Thank you, Senator Langemeier. And, John, you've heard the other questions I asked concerning DEQ; what would be your response?
[CONFIRMATIONS]

JOHN KINTER: In regard to the pipeline, I personally don't have an opinion on that. I feel that it is up to the Unicameral, of course, to decide whether DEQ has the proper authority. And if the Unicameral doesn't think so, I'm sure that's something the council will be talking about in the near future. As far as the existing regulations, again we deal with environmental issues with Nucor on a daily basis. I think the biggest concern we have from an industrial standpoint is EPA's presence and what's going on in regards to the climate change. They rule in such that PSD Tailoring Rule that you folks have maybe heard a little about, DEQ doesn't really have any authority when it comes to that. It's being passed along from EPA. And just managing that on a state level, I think it can be difficult for a department that is...I don't want to say understaffed, but it's staffed accordingly right now, but with the new rules coming on, I think that's going to be an issue for the department is are how are these new rules going to be enforced.
[CONFIRMATIONS]

SENATOR CARLSON: One other question; we feel the Unicameral is a good form of government if you have a good state senator. Do you have a good one?
[CONFIRMATIONS]

JOHN KINTER: We have a great senator. [CONFIRMATIONS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

SENATOR CARLSON: Good, okay. Thank you. [CONFIRMATIONS]

JOHN KINTER: Very, very, very good senator, yes. His son and my son play t-ball together as well so we...yes. And we appreciate him very much; he represents Norfolk and Madison County very well. [CONFIRMATIONS]

SENATOR CARLSON: Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: Just one clarification, you live in Woodland Park, correct? [CONFIRMATIONS]

JOHN KINTER: No, no. I live in Norfolk. [CONFIRMATIONS]

SENATOR LANGEMEIER: Okay. You have in here that you're... [CONFIRMATIONS]

JOHN KINTER Nucor is located in Stanton County. [CONFIRMATIONS]

SENATOR LANGEMEIER: Oh, business address, okay. [CONFIRMATIONS]

JOHN KINTER: But I live in Norfolk, yes. [CONFIRMATIONS]

SENATOR LANGEMEIER: Okay. Very good. Are there any other questions? Senator Dubas. [CONFIRMATIONS]

SENATOR DUBAS: Thank you, Senator Langemeier. Thank you, Mr. Kinter, for coming today. We know what the challenges are in regards to water and the ag industry; are there any particular challenges with your industry in dealing with water? [CONFIRMATIONS]

JOHN KINTER: Water for us is, of course, very important as you can imagine. We melt steel at 3,000 degrees so we use quite a significant amount of water to cool our facility down. We do have...we are an ISO certified company so we have goals that we meet, which we achieve to try to reduce our water consumption. Water quality for us isn't as big of an issue as far as what we're bringing in, but very important as far as what we discharge. We do have our own little waste water treatment facility that we have on plant site. So as far as the TMDLs, and some of the things that are coming our right now, you know, it does affect us of course, but we watch that real close. [CONFIRMATIONS]

SENATOR DUBAS: Are you able to recycle a lot of your water? [CONFIRMATIONS]

JOHN KINTER: Correct. All of our systems...Mr. Anderson alluded to that as well, our

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

cooling tower systems. We do have recycling rates of three, four times, so meaning we'll recycle that water three or four times before we discharge it. And it's a cost-savings for us as well, of course. [CONFIRMATIONS]

SENATOR DUBAS: Thank you very much. [CONFIRMATIONS]

JOHN KINTER: Yeah, sure. [CONFIRMATIONS]

SENATOR LANGEMEIER: Very good. Are there any other questions? Seeing none, Mr. Kinter, thank you very much for your testimony. [CONFIRMATIONS]

JOHN KINTER: Thank you. [CONFIRMATIONS]

SENATOR LANGEMEIER: You have heard the opening on the reappointment of Mr. Kinter to the Environmental Quality Council. Is there anyone that would like to testify in support? Seeing none, anyone want to testify in a neutral capacity? Oppositions first. Seeing none, neutral? None. That concludes the hearing. For those of you watching this on-line, that's pretty typical. So we appreciate that. And our final...oh, I'm out of sheets, my final one is Mr. John Turnbull who is a reappointment to the Environmental Quality Council. That's it, okay. Welcome. [CONFIRMATIONS]

JOHN TURNBULL: Good afternoon, Senator Langemeier, and members of the committee. [CONFIRMATIONS]

SENATOR LANGEMEIER: Welcome back, we see you frequently. [CONFIRMATIONS]

JOHN TURNBULL: Yes. [CONFIRMATIONS]

SENATOR LANGEMEIER: Can you tell us a little bit about your experience on the Environmental Council and what you hope to do in the future. [CONFIRMATIONS]

JOHN TURNBULL: (Exhibit 5) Sure. Graduated from University of Nebraska, degree in agronomy; spent three years of active duty in the Army and about six years in private business as manager of a small company producing turf grasses and then started managing natural resource districts in 1975, 36 years ago, still at it; Holdrege and York. Spend a lot of time around the family with conservation before I got into natural resource districts so I guess that's been my career. I was originally appointed to the council as to fill a vacancy in 2006; served a short 1-year term and then reappointed and then this would be the second reappointment that you're considering today. Represent conservation, so what I like to do or try to do is to represent soil and water conservation issues before the council, look at water quality and those kinds of things, that's more my specialty. Of course, we deal on a great variety of things; air quality, which I don't have any background in, so I scramble for some of those things. But I think

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

my main goal is just to try to help the council adopt reasonable and sensible rules for whatever is we're required to deal with. [CONFIRMATIONS]

SENATOR LANGEMEIER: Very good. Are there any questions? Senator Carlson. [CONFIRMATIONS]

SENATOR CARLSON: John, you know the question with DEQ and how would you respond? [CONFIRMATIONS]

JOHN TURNBULL: Well, I guess I would be the same as Mr. Kinter and that is, I don't really have a personal opinion on whether the pipeline should or should not be. But I think that if the Legislature makes the decision that there needs to be more oversight on various types of pipelines, then we in the Environmental Quality Council are going to have deal with regulations to carry that out. And I don't think it would hurt anything if we took a look at beefing some of those up. People are concerned about it; people sit on both sides of the fence and we just need to be able to reassure the public that we're taking good care of what we've been charged with. [CONFIRMATIONS]

SENATOR CARLSON: Okay, thank you. Would you agree that you got your start in NRD work in the garden spot of Nebraska? [CONFIRMATIONS]

JOHN TURNBULL: Oh certainly. [CONFIRMATIONS]

SENATOR CARLSON: Holdrege. (Laughter) The other thing, simply a statement about John, it's been fun to get to know him over these past several years. John is a man that knows how to work the work that he does. When he sees a problem, he jumps in and takes care of it. And I know that one of the things that he had to address were some groundwater depletions and his NRD has certainly taken that on and did not let it become a big problem. So I appreciate the work you've done. [CONFIRMATIONS]

JOHN TURNBULL: Thank you. Just as a quick note, my staff told me this morning the spring water level readings are up from 12 months ago. So we're in good shape this year. [CONFIRMATIONS]

SENATOR LANGEMEIER: Very good. Other questions? Seeing none, and where you got started, we will not hold that against you. [CONFIRMATIONS]

JOHN TURNBULL: Thank you, Senator Langemeier. [CONFIRMATIONS]

SENATOR LANGEMEIER: Does explain some things, but...just kidding. Well thank you very much for your testimony. Very good. You've heard the opening on mister...the appointment of Mr. John Turnbull to the Environmental Quality Council. Is there anyone that would like to testify in support? Anyone that would like to testify in opposition? No.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Natural Resources Committee
May 02, 2011

Anyone what would like to testify neutral? No. That concludes our hearing. Thank you all very much for coming down, we appreciate it. [CONFIRMATIONS]