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Natural Resources Committee  
May 26, 2015

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[CONFIRMATION]

The Committee on Natural Resources met at 12:00 p.m. on Tuesday, May 26, 2015, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Ken Schilz, Chairperson; Curt Friesen, Vice Chairperson; Dan Hughes; Jerry Johnson; Rick Kolowski; John McCollister; and David Schnoor. Senators absent: Brett Lindstrom.

SENATOR FRIESEN: Good morning, everyone. And we will...I will call the committee meeting to order and we will get started here. I think Senator Schilz will be here shortly. I will let everybody introduce themselves quickly as we move around the table and then start with Senator Kolowski.

SENATOR KOLOWSKI: Rick Kolowski, District 31, Omaha.

SENATOR JOHNSON: Jerry Johnson, District 23, live in Wahoo.

SENATOR HUGHES: Dan Hughes, District 44, southwest Nebraska.

SENATOR FRIESEN: And I would be Curt Friesen, District 34. And we have Barb Koehlmoos as clerk. And we will start...right now the call in...I don't know who is on the line with us.

[CONFIRMATION]

BARB KOEHLMOOS: John Kinter is on the line. [CONFIRMATION]

SENATOR FRIESEN: John Kinter. So hello, Mr. Kinter. [CONFIRMATION]

JOHN KINTER: Good afternoon, Senators. [CONFIRMATION]

SENATOR FRIESEN: We will get started here. And I am the Vice Chair and we'll get started without Senator Schilz and he will be joining us shortly, I hope. And so I guess I will just ask you to start and kind of give a presentation of what you would like to let us know about you and your plans for the appointment. [CONFIRMATION]

JOHN KINTER: (Exhibit 1) Sure, no problem. Thank you for taking the phone call and allowing me to call in instead of showing up today, I appreciate that. Again, my name is John Kinter, J-o-h-n K-i-n-t-e-r. This will be my third nomination from the Governor for the Environmental

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Quality Council, so I appreciate the honor and continuing with that position. Just a little bit of background on myself. I currently do work for Nucor up in Norfolk, Nebraska; I'm their environmental manager, been with Nucor for about ten years. Prior to that, I worked for Archer Daniels Midland in Columbus for six years. And then also spent some time with the state of Nebraska after graduating from the University of Nebraska-Lincoln with a degree, a bachelor of science in environmental studies. Also have my masters from Wayne State, and an MBA from Wayne State. For my personal family life, I'm married and have two sons...two boys, one is ten and one is seven. And we currently live and reside in Norfolk, Nebraska. And as I mentioned earlier, this will be my third rotation with the Environmental Quality Council, representing heavy industry. And I feel that the council plays a valuable role in keeping a balance between industry needs and being regulated. And then also protecting the environment of the state of Nebraska; which I've lived in Nebraska since 1993, so it's pretty much considered home for me. So I value the recreational opportunities and hunting opportunities that Nebraska presents and do have interests in keeping Nebraska healthy in those regards for a long future and also for my boys so they can have those same opportunities that I have. So I guess that's a short presentation, but, again, appreciate the recognition, Vice Chairman, and hope to continue working with the council. [CONFIRMATION]

SENATOR FRIESEN: Okay, thank you, Mr. Kinter. Any questions from any of the other committee members? Senator Johnson. [CONFIRMATION]

SENATOR JOHNSON: Thank you. And, John, welcome via the teleconference; we appreciate you taking that time. Wondering, you've been on the Environmental Council for several years. We hear a lot about overregulation and that. How do you think the Nebraska regulations are doing in comparison to what the federal has...bringing to us. Do we overregulate? How do you think we handle that part of it? [CONFIRMATION]

JOHN KINTER: Well, for the most part, I do feel that Nebraska has followed the federal lead, as far as adopting regulations that are similar in nature. However, there are certain times when, I think, there is requirements for the state of Nebraska to change...not necessarily overregulate, but based on the environment that we have here, I can think of the combined animal feeding operations and a lot of the permitting that went on there. There are similar stringent rules in those regards. But overall, I think Nebraska has done a good job of mirroring what the federal rules are doing and what they're trying to do. As far as...the over burdensome of the federal rules that are coming our way with the clean power rule and ozone containments and those types of things that are coming up, I've always supported Nebraska challenging some of those rules on the federal level and seeing if we can get some relief. [CONFIRMATION]

SENATOR JOHNSON: Thank you. [CONFIRMATION]

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JOHN KINTER: Um-hum. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Senator Johnson. Any other questions from the committee? Senator Kolowski. [CONFIRMATION]

SENATOR KOLOWSKI: Thank you. John, good morning, and I just wanted to ask you...you're in your...this will be your third term. [CONFIRMATION]

JOHN KINTER: Yes. [CONFIRMATION]

SENATOR KOLOWSKI: And what would you consider to be the top one or two successes that you've been involved in over your first two terms? [CONFIRMATION]

JOHN KINTER: Oh, I think, maybe not anything specific that comes to mind right now, but always having a part in, as we were just talking about, the overregulatory part, but the council plays a role in making sure that there's balance within Nebraska and being able to represent heavy industry with those interests in mind. A couple things that I guess come to mind, it's always an opportunity for us to, you know, give input back to the DEQ on how the public process works. And I know over the last couple terms and something that I'm proud of that we've had input in along the way is to help DEQ better understand and work with the regulated community as far as giving advance notice of when changes to their different titles or different rules are going to be changing and allowing more of an open public process to happen so every stakeholder has an interest in commenting on the rules. And the DEQ has gotten much better over my two previous terms in working with the regulated community and allowing for that input to happen prior to coming to the council, because once it comes to council, either we approve it or we deny it. And we've had many recent success stories because there has been that public input process happening where we've been able to approve the rules because the DEQ has sat down with the regulated community and worked it out. So I guess that is one specific example that I can think of that I'm pretty proud of that we've been able to accomplish that. [CONFIRMATION]

SENATOR KOLOWSKI: Thank you. [CONFIRMATION]

JOHN KINTER: Um-hum. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Senator Kolowski. Any other questions from the committee? Seeing none, we will take any other testimony in support of Mr. Kinter. Seeing none, is there any

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testimony in opposition? And I see none. Is there any in the neutral capacity? I see none. Thank you, Mr. Kinter, for... [CONFIRMATION]

JOHN KINTER: Thank you, Senators; appreciate the opportunity. [CONFIRMATION]

SENATOR FRIESEN: All right, thank you very much. [CONFIRMATION]

JOHN KINTER: All right, good afternoon. [CONFIRMATION]

SENATOR FRIESEN: We will close the testimony on Mr. Kinter. And I will...  
[CONFIRMATION]

SENATOR SCHILZ: Go ahead. No, you go ahead, because I'm going to have to leave here just real quick, so. [CONFIRMATION]

SENATOR FRIESEN: Okay, we will move on to the next candidate for confirmation is Ronald J. Sheppard. [CONFIRMATION]

SENATOR HUGHES: He looks an awful lot like Matt Williams. (Laughter)  
[CONFIRMATION]

SENATOR SCHILZ: He's in trouble then, right? (Laughter) [CONFIRMATION]

SENATOR HUGHES: Poor guy. [CONFIRMATION]

SENATOR WILLIAMS: (Exhibits 2 and 3) Don't ask me any questions. (Laughter) Vice Chairman Friesen and members of the group, I'm Matt Williams, M-a-t-t W-i-l-l-i-a-m-s, and I'm here today to support Ronald Sheppard, Dr. Sheppard, from Callaway, Nebraska, for the Environmental Quality Council. He's been on the council since 2011. And he is sorry that, because of his medical practice in Callaway, he was not able to be here today to support himself. But he did give me some information to share with you. He was born in New Jersey but came to Nebraska in 1974. He received his BS degree from Rutgers University and his MD from New Jersey College of Medicine in 1971 and completed a rotation in New Mexico. He practiced in New Jersey for a few years before moving to Nebraska in 1974. Since being a farm boy in New Jersey, which he says is an oxymoron, he's appreciated good animal husbandry and sound land management practices. It would have been impossible for him not to be cognizant of the human imprint on our environment. He's attended 15 Water Environment Federation technical meetings

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over the past 20 years, which has greatly enhanced his appreciation of the worldwide environmental problems. He's also been on the board, as I mentioned, since 2011, and he's hopeful that his training as a physician will continue to assist him in serving on that group. I have made several contacts with Dr. Sheppard over the last couple of weeks, and also, have had the opportunity to visit with some fellow medical people in the Custer County area that strongly support him. He's been a family practice doctor for now over 40 years in Callaway, and his practiced and planning to continue that for as long as he can. So I would strongly recommend his confirmation to this position. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Senator Williams. Just to make it clear, I guess, he was not able to attend today, so you were speaking on his behalf. [CONFIRMATION]

SENATOR WILLIAMS: Yes. He asked me to speak on his behalf. [CONFIRMATION]

SENATOR FRIESEN: Right. Do we have any other people who wish to testify in favor of this appointment? Seeing none, are there any who wish to testify in opposition? Are there any who wish to testify in a neutral capacity? Seeing none, we will close the hearing on Ronald Sheppard. [CONFIRMATION]

SENATOR WILLIAMS: Thank you. [CONFIRMATION]

SENATOR FRIESEN: Okay, at this time we will look at Douglas M. Anderson's appointment. Welcome. [CONFIRMATION]

DOUG ANDERSON: (Exhibit 4) Good afternoon, Senators. It's a privilege and honor to be able to sit and address you today. My name is Doug Anderson, D-o-u-g A-n-d-e-r-s-o-n. I live in Aurora, Nebraska. This will be my third term, if appointed to the council. I lived in central Nebraska the majority of my life. I was a graduate of the University of Nebraska-Lincoln with an animal science degree. When I first got out of college, I did a stint as an engineer, actually, with the state of Nebraska, Department of Roads until taking employment with the Iams Company in Aurora, which was built in 1985, and spent 20 years with Iams. Successfully helped them in the transition to Proctor and Gamble. And from that point, I transitioned to the ethanol industry which I spent 10 years with the ethanol space here in Nebraska. I'd like to think that I played a role in the success of the industry. I managed a lot of the facilities in central Nebraska in Wood River, Ord, Central City, and in other states. Unfortunately, the plant I was at in Wood River, we hit the times of high-priced corn which didn't do us a lot of favors at that point. And at that, I transitioned into...spent a little time in logistics, and now I'm currently working for Performance Plus based out of Palmer/Grand Island, working on cattle mineral and also their new deer feed product. So continuing to try to do everything I can for agriculture. It's very, very important to

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me and I want to stay in central Nebraska to finish out my career. And I'm a recent grandfather. And the environment is very, very important and agriculture is very, very important to me, especially in all Nebraska, but I think it's a very, very good industry and I'm very much for it. One of the reasons I want to be on the council again is...as I found the time to be extremely rewarding. I think we've got a very strong council right now. I spent a lot of time early on trying to get a lot of industry just to realize that the department is not your enemy, they're your friend as well; you just need to speak to them. So we did a lot of work in the ethanol space, both ways, getting the department to come on-site and so forth and just trying to create that dialogue. And I found the department to be very good. They'll listen and they'll take things into mind. So that's very, very important to me. And even though I'm not in the ethanol space anymore, I still keep in close contact with others and try to continue to tell them--the regulations are, you just need to speak and voice your opinion. In the same token, the way you run your facility makes all the difference in the world. So thank you for the opportunity. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Mr. Anderson. You sound like you have a well-varied background. [CONFIRMATION]

DOUG ANDERSON: Um-hum. [CONFIRMATION]

SENATOR FRIESEN: Are there any questions from the committee? Seeing none, I guess I'll just ask you a little bit some of the questions that came before was what do you find is most challenging, probably, looking ahead as to what you might be dealing with?  
[CONFIRMATION]

DOUG ANDERSON: I think that the biggest thing that we all have to face is making sure that the regulations take care of the environment, while they also keep it so that industry can maintain what they need to do. And industry needs to speak out and they need to understand when you're in tight...for instance the ethanol industry, when you're in tight margin type, you know, industry, it's very important that you have that dialogue. I think it's very important, we all want to do what's right for the environment, and we want to do what's right for the state. So it's a matter of having that open communication. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Mr. Anderson. Seeing no other questions, we thank you for your testimony and we'll open it up to any other proponents of Mr. Anderson. Seeing none, are there any who wish to testify in opposition? Seeing none, is there any in the neutral capacity? Seeing none, we will close the hearing on Mr. Anderson. [CONFIRMATION]

DOUG ANDERSON: Thank you very much. [CONFIRMATION]

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SENATOR FRIESEN: Thank you very much. [CONFIRMATION]

DOUG ANDERSON: Thank you. [CONFIRMATION]

SENATOR FRIESEN: We'll now open the hearing for Jeremy Buhl for the Environmental Quality Council. State your name and spell it please. [CONFIRMATION]

JEREMY BUHL: My name is Jeremy Buhl, B-u-h-l. [CONFIRMATION]

SENATOR FRIESEN: Thank you very much. [CONFIRMATION]

JEREMY BUHL: (Exhibit 5) It's an honor for me to be here today. Thank you very much, appreciate it. Again, my name is Jeremy Buhl. This would be my first appointment for the EQC, or Environmental Quality Council. A little bit about myself: from a farm in northeast Nebraska originally, started there in the '70s and '80s, but from there grew up on the farm. Went to the University of Nebraska; that seems to be a recurring theme for a lot of us. But got a agriculture...received a agricultural degree from the University of Nebraska. After graduation, became an agronomist for...actually in the cooperative system; worked in the...what you'd call an ag retail setting for a number of years: corn, soybean, agriculture also in northeast Nebraska. From there, went to work with a fertilizer manufacturer. And then with my current position...or with my current company, an actual pesticide or crop protection...plant protection manufacturer. And I currently work for PBI-Gordon which is a medium-sized pesticide manufacturer. We make crop protection products and plant protection products in the agricultural turf and ornamental businesses, both in consumer, farm, agriculture, all different facets of the business. I've been an agronomist, certified, since 1998. So I'm also well-versed in the science behind crop production and plant protection. I currently live in Omaha with my wife and son. And I wanted to be on the Environmental Quality Council because, you know, I have a keen interest in agriculture and crop protection, you know, as it...you know, because of my profession of course, but I also have a great love and a big interest in protecting the resources of Nebraska and the Midwest. And I want to help to find the right balance in protecting both. So that's why I'm here. [CONFIRMATION]

SENATOR FRIESEN: Thank you very much, Mr. Buhl. Are there any questions from the committee? Senator Johnson. [CONFIRMATION]

SENATOR JOHNSON: Thank you, Mr. Buhl. As a new appointee, I think you probably fill a gap...maybe it's not a gap, but at least, definitely an area...business and industry that's needed on the council. Just a little bit of the process, did you seek this or how did your name come up before the Governor? [CONFIRMATION]

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JEREMY BUHL: I did seek this, yes. [CONFIRMATION]

SENATOR JOHNSON: You did? Okay. [CONFIRMATION]

JEREMY BUHL: Yes. I filled out the on-line form and sought the appointment.  
[CONFIRMATION]

SENATOR JOHNSON: Okay. [CONFIRMATION]

JEREMY BUHL: And then it went on from there. [CONFIRMATION]

SENATOR JOHNSON: Okay, thank you. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Senator Johnson. Senator McCollister. [CONFIRMATION]

SENATOR McCOLLISTER: Yes, sir, thank you for appearing. [CONFIRMATION]

JEREMY BUHL: Thank you. [CONFIRMATION]

SENATOR McCOLLISTER: Vice Chair. Given your background in herbicides and farm chemicals like that, do you see a conflict of interest with this particular position that you're seeking? [CONFIRMATION]

JEREMY BUHL: I don't. To expound a little bit, I would if, for two things, I would if the company I work for manufactured pesticides in the state of Nebraska. And also if this committee oversaw pesticide programs and labeling. However, those two things don't happen. So, no, I don't for those two reasons. Does that make sense? [CONFIRMATION]

SENATOR McCOLLISTER: Yeah. Let me ask a follow up then. [CONFIRMATION]

JEREMY BUHL: Okay. [CONFIRMATION]

SENATOR McCOLLISTER: So there's been no instances where the committee has gone in or looked at some chemical violation and determined whether a probable violation occurred or anything of that nature that could, maybe, given your background, would display a certain biases? [CONFIRMATION]



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JEREMY BUHL: It would not display a bias. In fact, because of my background, I typically am actually harder on the industry a lot of times, but...and in...and to my knowledge there hasn't been any cases where the company I worked for or any associated businesses have been involved in anything that the DEQ have had any relation in. Is that what you mean? [CONFIRMATION]

SENATOR McCOLLISTER: Yeah. Yeah. How many years have you been with the DEQ? [CONFIRMATION]

JEREMY BUHL: I haven't been. I...this is new. [CONFIRMATION]

SENATOR McCOLLISTER: So you're a new appointee? [CONFIRMATION]

JEREMY BUHL: This is new. This is new. [CONFIRMATION]

SENATOR McCOLLISTER: Thank you. [CONFIRMATION]

JEREMY BUHL: And I've been with PBI-Gordon six years. [CONFIRMATION]

SENATOR McCOLLISTER: Okay. Thank you. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Senator McCollister. Any other questions from the committee? [CONFIRMATION]

JEREMY BUHL: Just to alleviate any concerns, I believe I can and will be extremely fair to both industry and to the resources of the state of Nebraska. I mean, I value them very highly and I want them protected. I'm not going to ever look at or do anything to put those at risk. [CONFIRMATION]

SENATOR McCOLLISTER: Thank you, sir. [CONFIRMATION]

JEREMY BUHL: Thank you. [CONFIRMATION]

SENATOR FRIESEN: Why don't...I mean, in your position on the Environmental Quality Council, I mean, you do not directly control the DEQ, which would... [CONFIRMATION]

JEREMY BUHL: Exactly. [CONFIRMATION]

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SENATOR FRIESEN: ...do investigations on that level. [CONFIRMATION]

JEREMY BUHL: No, I understand. I just... [CONFIRMATION]

SENATOR FRIESEN: Thank you, Mr. Buhl. [CONFIRMATION]

JEREMY BUHL: Just a statement I wanted to make. [CONFIRMATION]

SENATOR FRIESEN: Yes. You have a good background for the job. Thank you very much and we will now open up the hearing to anybody who wishes to testify in support. Seeing none, are there any who wish to testify in opposition? Seeing none, anyone wish to testify in a neutral capacity? I see none. Thank you very much. We will now close the hearing on Mr. Buhl. Thank you. [CONFIRMATION]

JEREMY BUHL: Thank you. [CONFIRMATION]

SENATOR FRIESEN: Next, Mr. Dennis Grams. Welcome. [CONFIRMATION]

DENNIS GRAMS: (Exhibit 6) Thank you. Thank you, Senator, members of the committee. My name is Dennis Grams, G-r-a-m-s. You have to excuse me, I've got allergy/cold and the voice may just disappear. It doesn't mean I'm done. I just want to thank you for giving me the opportunity to come in today and chat with you about this Environmental Quality Council. I did apply for the position. I feel my whole career has been in the environmental field. And Nebraska has been extremely good to me. And I feel like I want to give back somehow, and this is one opportunity to use some of my background to give back to the state and put in some time. So that's why I did seek out to get on the council. Personal background: I'm retired, work occasionally on projects...environmental projects. The last one I finished up with last fall, September, a project. And you, I believe, have my resume. I've just got some notes on my resume. I can point out different spots for you. But as far as the personal side goes, I'm married to my wife, Lyn; been married 30 years last fall. And we have four kids, one girl, three boys. They're in Lincoln, Omaha, Chicago and Arizona; ten grandkids from 3 to twins that are 20. So we got...family gatherings are quite chaotic. (Laughter) I think you guys all understand that. I was born and raised in Lincoln; been a lifelong resident of Nebraska except for two years. When I graduated from college, I wanted to be an airplane test engineer; went to Florida. That's all I ever wanted to do, and I just hated it. It was not at all what I wanted to do after I did it. So should never have left. And I was back here for my brother's wedding and I saw an advertisement for an air pollution control engineer. Never heard of it; it was just the Clean Air Act had just passed, this was about, I think, '69. And my brother had me come back to be in his wedding and I went

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down and interviewed and became Nebraska's first air pollution control engineer. And that got kicked me off into the environmental field which I've been in that for about 45 years now, off and on. And...well, I'll go through some of the employment stuff here in a minute. As far as me, I enjoy golf, but I'm just a terrible golfer; I just won't give up...probably should. We live on an acreage and love to do anything with a tractor; got a tractor and my wife doesn't know it's bigger than I really need to have. (Laughter) This isn't public record, right? [CONFIRMATION]

SENATOR McCOLLISTER: Yes, it is. [CONFIRMATION]

DENNIS GRAMS: Oh, it is? Oh great. [CONFIRMATION]

SENATOR McCOLLISTER: It's on the record now. She can read that. [CONFIRMATION]

DENNIS GRAMS: There goes my tractor. (Laughter) And I like doing that kind of stuff, building things. I always have something under construction. On my educational background, page 3 of that resume, just shows that I'm a mechanical engineer, got a bachelor's degree in mechanical engineering in '69. And then I went back, as I worked part-time, I went back to school in '75, got a master's degree. The reason I point that out is this position on the council is a professional engineer representative. So you need to be in professional engineering organizations. And the other thing I'll mention is I'm a 42 years licensed professional engineer in Nebraska. So that includes...also I'm an environmental health registered specialist with the health department and board-certified environmental engineer with the American Academy. So that probably qualifies me to be...to sit in the professional engineer's spot. My employment history, on page 1 and 2 of that resume, the last thing on page 2 is the job I had as the test engineer that I just didn't like and came back. And then it starts in on my environmental career from there on. And I was...when Department of Environment...it was Control in those days, it was created, the air pollution division director didn't like being in a department, his ego wouldn't take that, so he quit. And Jim Higgins, I don't know if any of you remember Jim Higgins, he was the first director of DEQ and he was a retired Army colonel, pretty gruff guy, nice guy, but he called me in after this other guy...my boss had left; he said--Grams, how would you like to be the division director for the air pollution division and get paid to do that? Or how would you like to do that work and not get paid for it? So I volunteered to be the division director. (Laughter) That started moving me through the management system in this stuff. And that was...a few years after that, I went down to City/County Health Department here, ended up director of the environmental health programs here in Lancaster County. Governor Kerrey recruited me to be the DEC director back when he came in as Governor. And I worked for him for three years; and then Kay Orr, Governor Orr, worked for her for four years and decided I wanted to go out in the private sector. Well, that was like a test engineer, I hated that too. I didn't like that part. Did that for two years, seven months; and Senator Exon and Senator Kerrey then recruited me to become the EPA guy

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in Kansas City, the regional administrator. And I did that for seven years. The presidents changed, both positions changed, and went to work here in Lincoln consulting with Olsson Associates. And then doing the same thing on my own. I taught environmental...tanks, tank program, there's a federal program. Nebraska hasn't passed the legislation yet, but it's supposed to be everywhere in the country and how to operate and use fuel tanks and gas stations and that. I taught all over Kansas and some in Louisiana. And I also...my last big project was one of the Kiewit facilities in California discharged illegally and had a \$5 million fine and they told Kiewit they had to hire an independent monitor. Well, nobody knew what that was, so I got that spot. And I worked for EPA in Washington watching Kiewit while they were on probation, writing reports. And that was...ended last fall. All through this last ten years, I've been on the board of directors of the Nebraska Economic Development Corporation, which is a small business administration 504 loan program; doesn't use tax money, it's low interest loans and the money comes from bonds, they sell bonds. Our group is, probably, either one or two top in the country; they've gotten awards. This little group, and there's the president of that group right back there, Scott Sailors. Somehow they are always at the top of the country. When the economy was bad, loaning went crazy. And we have huge amounts of loans out. It's just a real...it's fascinating, coming from the environmental world, to see this development and that happening, really interesting. So, I will stop there. I do have...you know, I'd better stop. I was going to say I had a couple of goals being on the council. I've always tried to...and it hasn't always been successful, but to encourage flexibility, innovation, and common sense in enforcement especially. And in the regulatory arena, I would try to encourage regulations that show some flexibility and innovation and common sense in the way they're drafted. I want to be able to help provide the department with the tools, the regulatory tools they need to meet the goals and the standards and things that Nebraska has to meet. And the key part of my job would be to be the go-between between the professional engineers and the council. And I'd try to do that through their organization and bring any input as they go. So... [CONFIRMATION]

SENATOR FRIESEN: Thank you. [CONFIRMATION]

DENNIS GRAMS: ...really look forward to doing this. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Mr. Grams. [CONFIRMATION]

DENNIS GRAMS: Thank you. [CONFIRMATION]

SENATOR FRIESEN: I've rarely heard the words "EPA" and "common sense" used in the same phrase, so I appreciate that. [CONFIRMATION]

DENNIS GRAMS: That's exactly...that's what my speeches used to say. [CONFIRMATION]

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SENATOR FRIESEN: Senator McCollister. [CONFIRMATION]

SENATOR McCOLLISTER: I was going to mention the very same thing. But, no, you have a particularly rich, rich resume and a wealth of experience so I'm grateful that you're willing to do this. Thank you very much. [CONFIRMATION]

DENNIS GRAMS: Thank you. Thank you, appreciate that. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Senator McCollister. Any other questions from the committee? Seeing none, it looks like you have a very extensive background, so wish you well. Thank you very much. [CONFIRMATION]

DENNIS GRAMS: Thank you very much. [CONFIRMATION]

SENATOR FRIESEN: Is there anyone in the audience who would like to testify in favor of Mr. Grams? Seeing none, are there any who wish to testify in opposition to Mr. Grams? Seeing none, anyone wish to testify in the neutral capacity? Seeing none, we will close the hearing. Thank you very much, Mr. Grams. [CONFIRMATION]

DENNIS GRAMS: Thank you. Appreciate your time. [CONFIRMATION]

SENATOR FRIESEN: Next on the agenda, John Turnbull. Welcome, John. [CONFIRMATION]

JOHN TURNBULL: (Exhibit 7) Senator Friesen and others, I'm glad to be here today. I'm John Turnbull, J-o-h-n T-u-r-n-b-u-l-l. This will...if appointed, this will be my third term on the Environmental Quality Council. I first came on in 2006 to fill an unexpired term of a person who had resigned. I represent conservation on the council. My interests in conservation started when I was in grade school. I lived with my grandparents in Jefferson County near Fairbury. My grandfather spent a lot of time with me talking about conservation: terraces, waterways, water conservation, and so on. Did go to grade school in that area. My mother moved to California in 1957, took me 20 years to figure out why, but it was because of the '56 drought and there wasn't enough farm income to support two families on the place. So I graduated high school in California; came back to the University of Nebraska and got a degree in agronomy. From there, went in the Army for three years flying helicopters overseas. And finished out a military career with the Nebraska Army Guard, flew with them as a citizen soldier up until 1998. I worked for bluegrass turf production farms in Washington State and in Colorado as a general manager and farm manager of those firms. So got some experience at private business. I've been managing natural resource districts for almost 40 years. I started at Tri-Basin NRD at Holdrege in the

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summer of 1975 and came to York in 1978 and have been a manager of that district since then. Married 46 years; we have four children. They are scattered all over from Germany to Texas to Colorado to, finally, we have one now living close to us at home. I have been able, I hope anyway, with my tours on the council to help others understand about Nebraska's natural resource districts and about water management and, certainly, about conservation. And I think that's an important thing that the council does have representatives from various industries and various backgrounds in the state because it gives us a lot better information to hear from folks in those various fields before we have to make our decisions on proposed rules and regulations. And with that I'll close and be glad to answer your questions. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Mr. Turnbull. Any questions? Senator McCollister. [CONFIRMATION]

SENATOR MCCOLLISTER: Yeah. Thank you very much, John, welcome back. I'll ask you the same question I asked Mr. Buhl. You see any inherent conflicts between your job with the NRD versus this appointment? [CONFIRMATION]

JOHN TURNBULL: No, I don't. The districts, I think have gotten along very well with the Department of Environmental Quality; the department is a good agency in the state; good to work with. We deal with water quality regulations at the district level. And, of course, the department does here at the state level. I don't see a conflict between those. [CONFIRMATION]

SENATOR MCCOLLISTER: Has your NRD ever had any environmental issues that have come before the DEQ? [CONFIRMATION]

JOHN TURNBULL: Not that have come before the council, no. We, of course, have high nitrates in a lot of area of our district because it's heavily irrigated. And we have extensive regulations on managing those nitrates and have worked with the staff at DEQ to come up with those regulations, and also on chemigation regulations as they've gone through the years. So, yeah, I don't see a conflict there. [CONFIRMATION]

SENATOR MCCOLLISTER: Thank you very much. [CONFIRMATION]

JOHN TURNBULL: But there has to be open discussions between the department and the districts to get these things to work. And it's things that the council needs to understand. Of course at the council level, we're given a draft set of regulations. And as Mr. Kinter said earlier today, we have to vote those up or down. We really are...we're not in the administration or the

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oversight of the department itself, but just strictly dealing with the regulations.  
[CONFIRMATION]

SENATOR McCOLLISTER: Thank you. [CONFIRMATION]

SENATOR FRIESEN: Thank you, Senator McCollister. Any other questions from the committee? Well, having worked with Mr. Turnbull for a number of years on the Upper Big Blue, I would also give you a very strong endorsement of support. So good luck in your appointment and you will serve well. Thank you for your testimony. Are there any others who wish to testify in support of Mr. Turnbull? I see none. Are there any who wish to testify in opposition? Seeing none, anyone wish to testify in a neutral capacity? Seeing none, we will now close the hearing. Thank you, Mr. Turnbull. [CONFIRMATION]

JOHN TURNBULL: Thank you for your time. [CONFIRMATION]