

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee July 31, 2024

**BOSTELMAN:** Morning, everybody. Welcome to the Natural Resources Committee. I am Senator Bruce Bostelman from Brainard. Representing 23rd Legislative District. And I serve as Chair of the committee. Today, committee will be hearing several gubernatorial appointments, which we will take up in the order posted. If you are testifying today, please fill out one of the green testifi-- testifier sheets that are on the table at the back of the room. Be sure to print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet-- if we have a page-- to the page or bring it up here to the committee clerk, please. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we get an accurate record. First, we will begin each hearing with app-- appointee's opening statement, followed by any proponent, opponent, or neutral testifiers. We will be using a three-minute light system for testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you have one minute remaining. And the red light indicates you need to wrap up your final thought and stop. Questions from the committee may follow. Also, committee members may come and go during the hearing. This is just part of the process, as senators may have other meetings to attend to. Just as a reminder to please silence or turn off your cell phones and that verbal outbursts or applause are not permitted in the hearing room. Such behavior may be cause for you to be asked to leave the hearing. Committee members with us today will introduce themselves, starting on my far left.

**FREDRICKSON:** Very far left. Good morning. I'm John Fredrickson. I represent District 20, which is in central west Omaha.

**BOSTELMAN:** Now my far right.

**BRANDT:** Senator Tom Brandt, District 32: Fillmore, Thayer, Jefferson, Saline, and southwestern Lancaster Counties.

**JACOBSON:** I'm Senator Mike Jacobson. I represent District 42, which is Lincoln, Perkins, Hooker, Thomas, Logan, and McPherson County.

**J. CAVANAUGH:** Senator John Cavanaugh, District 9: midtown Omaha.

**MOSER:** Mike Moser. I represent Platte County and most of Stanton County.

**BOSTELMAN:** Senator Moser also serves as Vice Chair of this committee. Also on my right is the committee legal clerk, Cyndi Lamm. And to my

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left is the committee clerk-- committee legal counsel, Cyndi Lamm; and to my far left is-- or, to my left is committee clerk Laurie Vollertsen. With that, we will begin our first appointment with Mr. Scott Smathers as the reappointment to the Natural Resources Commission. Mr. Smathers, good morning.

**SCOTT SMATHERS:** Good morning, Senator Bostelman.

**BOSTELMAN:** Welcome.

**SCOTT SMATHERS:** Chairman Bostelman, members of the committee. I'm Scott Smathers, S-c-o-t-t S-m-a-t-h-e-r-s.

**BOSTELMAN:** Please tell us a little bit about yourself and why you'd like to be reappointed, please.

**SCOTT SMATHERS:** Well, I know most of you know me from my years of executive director of Nebraska Sportsmen's Foundation. I've been involved in water in the state thanks to a former senator dragging me down this rabbit hole 15 years ago, with Senator Langemeier's LR study on water funding possibilities back in 2011 and '12. Then was selected to the Water Funding Task Force [INAUDIBLE] Senator Carlson to LB517 in 2012. And was a member of the Na-- the Water Funding Task Force for that year, where we established the Water Fun-- the Water Sustainability Fund. Then was appointed by Governor Heineman in 2013 to serve as a member of the Natural Resources Commission, representing outdoor recreational users. Was reappointed again in 2014 by Governor Ricketts, or 2016, one of the two. And then reappointed again by Governor Ricketts. And then my appointment expired in, in May of this year. And was asked to serve again. And then reappointed by the Governor, Pillen this time. So I'm ten years in, a little longer than that. Hoping this would be my last tenure to bring in some fresh blood after this. During my time on the Natural Resources Commission, I was an initial member of the rules committee, established all the rules for the Water Funding Task Force-- or, for the Water Sustainability Fund. Then served as chairman of the rules committee. Been on the scoring committee five times, chairman twice. Been vice chair, chairman of the Natural Resources Commission. I now serve in the capacity of legislative committee chair for the Natural Resources Commission. And the work I've done and been associated with my fellow members of the commission I've enjoyed thoroughly. It's brought some interesting conversations in water issues. And I'm very proud of the fact that our, our group has put aside stakeholder ownership and worked together to achieve goals that necessarily benefit each one of

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us [INAUDIBLE] individual stakeholder group [INAUDIBLE] but as a great and good for the state.

**BOSTELMAN:** Thank you. Are there questions from committee members?  
Senator Brandt.

**BRANDT:** Thank you, Chairman Bostelman. So you've been on this committee how many years?

**SCOTT SMATHERS:** Since 2000-- I was on the Water Funding Task Force in 2012. And then appointed in 2013 to the Water Sustainability Fund.

**BRANDT:** So what do you feel is the most consequential thing that, that your committee has done in the time that you've served on it?

**SCOTT SMATHERS:** Unify water users in the state to find common ground for positive projects for quality and quantity in the state.

**BRANDT:** Can you give me an example?

**SCOTT SMATHERS:** Well, we've done-- for Lincoln, we-- we're-- we came together for water quality projects here in the city of Lincoln. We worked on water quality for Hastings with the nitrate issues, with funding. We've done a, a large number of, of reservoir projects, some with containment, some with-- more with quality and quantity issues. I don't know the total number. I didn't look at, Senators, what we've been involved with since the beginning, but our application process has been anywhere from 15 applications a year to I think our high was 35 in the first or second year. And we've had three different directors, obviously, at the natural resources. And so we've worked with that staff and the state. And I'm proud of what we've done. We've put aside stakeholder disagreements and arguments for the most part and worked together to achieve a positive spending habit.

**BRANDT:** All right. Thank you.

**BOSTELMAN:** Other questions? Senator Fredrickson.

**FREDRICKSON:** Thank you, Chair Bostelman. Thank you for being here. And thank you for, for your extended service on the committee. I, I know you mentioned that you're hoping to get-- this might be your last time around the, the Merry-Go-Round, so to speak. What do you-- how, how do you sort of view-- and, and-- you know, one thing that I think a lot about is, in terms of, you know, time on committees, is the, the wisdom that you acquire while you're there, right, and sort of what

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you learn about that process and-- how do you voo-- view your role, if at all, as, as a possible mentor to maybe new members and, you know--

**SCOTT SMATHERS:** Very open to it. In fact, we recognize-- and we recognized as a core group six, seven years ago that a lot of us were aging out. A lot of gray beards. We needed to rebuild the bench. We needed to bring the next group of leaders in. The Water Academy has been very positive in that atmosphere. The NRDs have been very positive in that atmosphere of bringing some new talent in to help make decisions and being a mentor. We've tried that a lot with our new members of the Natural Resources Commission. Fairly successful. Some folks have a-- as you all know, once you get involved with some things, it's not exactly what you thought it may be. It's not just four meetings a year as, as the commission stated. We have a lot of work in between, especially if you're a committee member. It takes a lot of time. So some people aren't-- adapt to that. And that's the goal for me for the next four years, is to find the next set of bench strengths for all of us and bringing those folks in so that we know it's in good hands when we leave.

**FREDRICKSON:** Thank you.

**BOSTELMAN:** Senator Jacobson.

**JACOBSON:** Thank you, Chairman Bostelman. Mr. Smathers, I'm just-- you've been on for some time. I'm just kind of curious as to how you see the role, your role, and how the coordination of the commission, what the interaction is with the individual NRDs and how you see-- I, I think there's some that look at maybe some disconnect with, with all the various NRDs and whether there should be better coordination. Any thoughts on that issue?

**SCOTT SMATHERS:** So I understand, you mean the NRDs themselves?

**JACOBSON:** The NRDs, yes.

**SCOTT SMATHERS:** It's a large family, and I'm involved, obviously, in the outdoor industry-- well, totally retired a year ago, but I'm still members of boards. When you have that many diverse interests in, in, in desires and-- because we're a large geographical state-- sometimes not all needs are the same on the table. I can tell you that the NRD folks that I've worked with over the last 20 years are always up for the conversation of collaboration and what benefits east, west, and central may not benefit them at the particular time, but they know those stepping stones will lead to the future. I've traveled all over

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the country, and the NRD system, positives and negatives, is still the best system in the country, in my opinion, because it's a focused effort.

**JACOBSON:** Yeah, and I-- and I'm not questioning that. I guess I'm just really looking at, is there something more that can be done to in-- in-- increase efficiencies and make it work better?

**SCOTT SMATHERS:** That's an issue for the NRDs as far as how they work with each other. In my opinion, I think they have good leadership, but I think it's always the same is that-- we've watched the political climate change a little bit over the last five to ten years, obviously. I think they'll continue to work with each other. I think it's imperative for us for the Natural Resources Commission to be the leaders [INAUDIBLE] appointed individuals representing stakeholders outside the NRD system. So how we act is how they should act or, you know, follow or vice versa. If we're petty and, and looking at simple things, then that's what they're going to do because it's a simple road. So that's always been my focus with our groups that I represent, is that we look at the big picture. Tell our groups all the time: it's not always about us winning that day. We may win a year from now, if you will, if you want to count it as wins and losses. But I think the coordination and we have to have more of the cross-section of all these groups working together is my opinion, so.

**JACOBSON:** Thank you.

**BOSTELMAN:** Other questions? Seeing none. Thank you for your willingness to continue your service.

**SCOTT SMATHERS:** Thank you, sir. Appreciate it, Senator.

**BOSTELMAN:** I would ask if anyone would like to speak as a proponent for the reappointment of Scott Smathers to the Natural Resources Commission to please step forward. Any proponents? Anyone like to speak in opposition? Any opponents to the reappointment of Scott Smathers to the Natural Resources Commission? Anyone like to testify in the neutral capacity? Seeing none. There were no position letters received for the reappointment of Mr. Scott Smathers to the Natural Resources Commission. That will end our hearing on his reappointment. Next, we'll have the reappointment hearing for Mr. Stanley Clouse to the Natural Resources Commission. Morning and welcome.

**STAN CLOUSE:** Morning, Senators. Stan Clouse, C-l-o-u-s-e. I'm from Kearney. And the reappointment-- Scott took everything. I don't know

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what I can tell you because we've been in lockstep. Was the appointment for the, you know, the Water Funding Task Force as we worked through this. In many of the same scoring committees, all those same types of things that I've been a part of over the years. My representation is as the municipal water users. And as-- of course, Kearney is one of our larger communities of the state. Our water sustainability's important for our communities. Some of the projects that I've been referred to, small projects, small and large. In fact, we just had one a year or so go on the small town of Sargent and it wa-- had to do with flood control. And so instead of basing everything on the number of people per capita, one of the comments that I actually made in one of those committees, you know, they're taxpayers too. They're-- you know, they have a right to have access to some of this to support those small communities. We've had a lot of great projects involving the cities. Columbus, we did a flood control project there, Grand Island with the flood control. And then, of course when the-- you talk about water quality and groundwater sustainability, surface water sustainability, how we're doing with our recharge, it, it all ties into the importance for our municipal water supplies. And so I'd pay close attention to that. And so, as has, as-- again, Scott covered about everything that, that, that I would have because we've been in lockstep on a lot of these things over the years serving on these committees.

**BOSTELMAN:** OK. Thank you. Questions from committee members? Senator Jacobson.

**JACOBSON:** Thank you, Chairman Bostelman. Well, I just first wanted just to mention, thank you for your services, Mayor. I'm not quite sure how many years you've been mayor of Kearney now, but Kearney has certainly done well under your leadership. And, and I also would just-- want to note for the committee that you were in North Platte originally and, and you ended up moving to Kearney. So that's probably where some of that wisdom started. And then you just carried it on, so. Thank you for your service. And hopefully you'll be short-lived on this board and be joining us here in the Legislature soon, so.

**STAN CLOUSE:** Yeah. To that point, previous hearings-- I grew up in Brady, which is right on the Platte River. And my dad was-- worked for Central Nebraska Public Power and Irrigation District. So I've been in every hydro in the state, understanding how wa-- the importance of water to generation as a long-term NPPD employee. So water is critical to our state. So it's important that, that we manage it and take care of it. And then it's-- equally important is how do we allocate our recommendation for allocating those funds on those scoring committees.

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And we try to achieve a balance so that it's not all going to one or two areas but we're able to really support the rest of the state. So I think it's important having that breadth of an understanding of how our state is laid out. You know, 15 inches of rain in Scottsbluff versus 56 inches in southeast Nebraska. And how do you manage that? The difference between flood control and, and the nitrates and all those things. There's a lot that go into it. And the NRDs, I agree. I, I have a lot of respect for the NRDs. And they all have little different views on how they have to manage their respective areas. But I have a lot of confidence in working with the NRDs.

**BOSTELMAN:** Senator Brandt.

**BRANDT:** Thank you, Chairman Bostelman. Thank you for your, for your public service. We're in a special session now dealing with property tax. And when you get your tax statement in December, one of those lines on there is NRD. And do you feel in your experience there's room to manage the levy for the NRDs?

**STAN CLOUSE:** There, there's a lot of things when you look at those levies. And, of course, I've heard that everybody's going to have to tighten the belt a little bit. To each individual NRD, they're, they're at different rates. So it depends on what their needs are in their respective areas. When I look at the Central Platte NRD-- where we're at-- they cover a large area. And they have a lot of different aspects that, that they have to cover. You know, we're looking at, if you recall them, 2019, the floods that come through Kearney and, and the NR-- the hospitality sector. So we're working with that with JEO and [INAUDIBLE] and-- and so for them to manage their dollars, I think that, that's always a challenge because it's so diverse on the situation they deal with. Now, I can tell you as the city of Kearney, we're going to have to really tighten our belt too. So I think everyone's going to have to take a look at what they can cut. I, I don't necessarily see massive areas where they can because I'm not involved in that. My position has always been I don't want to-- as an elected official responsible for a city council and a city municipal government, I don't generally play in, in the sandbox of those other elected officials because I don't really have access to all the details that they may have and some of the challenges that they may get. But I think where we're headed with this body is we're all going to have to tighten it somehow.

**BRANDT:** All right. Thank you.

**BOSTELMAN:** Other questions? Seeing that as-- looking into the future, perhaps, in a sense, what do you see-- you're running for Legislature. And if you're elected, then you set then your replacement on the commission. What are the things that-- what are the attributes that you have or that that person has, though it-- that you would expect to, to be beneficial to the position you have right now?

**STAN CLOUSE:** Yeah. I think-- representing municipal water users, I would think that they would, would really need to have an understanding of how municipal government works and how the water supply works and your water and sewer and all those types of things. They need to have a good understanding of that, understanding how much water to use, where, where do you draw your water from. We've had situations in the north central part of the state where they're bringing it in from Yankton. And, you know, there's some silting issues, so how do they meet that water supply? How do they co-op to work through that? So I think that, that, as a municipal water user, you need to understand, how are you using water? What are you doing for efficient use of water? And, and, and again, that's just on the, the consumption side of it. So you also have to look at the, the flood control because we have a lot of areas that that is an issue. So I really think you need to understand the layout of your communities and all the other communities around the state. And you have to visit the state. You have to be in those communities. You have to understand where it comes from and the challenges that they face.

**BOSTELMAN:** Separate question from that completely. One thing that we, we see, especially in Lincoln is, is looking as the expansion need for water. Has the commission seen any more activity or requests in using, you know, gray water, you know, recycling water, those type of things to where those type of sys-- systems come into play?

**STAN CLOUSE:** I don't think-- I can't recall that we've seen anything in that regard. What we've-- have been looking at is the, the minerals and the-- and how do you get cleaner water. I think that's been some of the issues with the Lincoln water supply, is, how do you clean it up? And then, of, of course, you know, when you're piping it in from around Ashland and out of the Platte River up there, the challenges of the distribution and getting it here. And so we've had some of those over the years where we've worked with the city of Lincoln. But I haven't really-- I, I don't recall that we've seen anything on the reuse and recycling. Is that-- is-- that was your question?

**BOSTELMAN:** You know, the, the, the interest I have has been over the years with this body as, as we see bills come through, especially for



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exp-- need for more water, my question always is is, what do you do to conserve? What do you use-- are you using your gray water? Are you using those type of things? And when we started that a few years ago, there-- we didn't really have a lot of positive-- I didn't get a lot of positive feedback that that's really being looked at. So I was kind of curious if that's something that has started to, started to kind of percolate a little bit within the commission, seeing, seeing that type of discussion happening to where we see cities looking more to, you know, use, use more-- utilize more gray water, utilize that type of--

**STAN CLOUSE:** How do you-- how do you capture it probably is the bigger thing. How do you capture it? And then what do you do with that when you capture it? And what's the cost of, of that too? That's always the other side of it. There's a, there's a cost to all those things. And I'm, and I'm thinking on our water supply, we've invested, oh, gosh, probably \$30-some million in upgrading our water treatment systems so that when, when we return it to the river, it's better quality. So we've invested a lot, I know, in Kearney. And those are not cheap, the-- those types of, of systems, so.

**BOSTELMAN:** Senator Moser.

**MOSER:** A little bit unrelated to what else we're talking about, but no long-- as long as we have you here, how does Kearney finance water production and wastewater treatment? Do you sell bonds and then pay the bonds back by water and sewer rates or do you put sales tax money in or--

**STAN CLOUSE:** We have, we have a-- we have a very good bond rating because of where our-- our levy and, and the way that we manage our community with a low levy and-- so we've got a-- we can go out and get some pretty good bond returns. But, but we are looking at it through our fees, through our rates. And we've, we've done it in a way that it's not a single hit. We're scaling it over time so that we can get that paid. And we use the revolving fund from the state too, the low-interest revolving funds. We use some of that too.

**MOSER:** Well, I-- one of the reasons I was asking is we've had cities, counties come in asking for money from the Legislature for water treatment. And so they want people from the whole state to pay for treating water that they drink and then processing the water they use. And I know in Columbus-- as you indicated, I believe, you do in Kearney-- we sold bonds and we adjusted our rates to pay the bonds back. And that way, the people who use the water are paying to use it. So I was just curious if you had some--

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**STAN CLOUSE:** Yeah. And--

**MOSER:** --magical wand that--

**STAN CLOUSE:** The, the challenge you have is looking at when you [INAUDIBLE] on the bonds on your revenue stream for your city, city budgets. And our revenue stream is pretty solid. It is not totally dependent on property tax. In fact, it's our third lowest revenue stream. Our NPPD lease payment, which gives us very favorable bond ratings, and also the sales tax and how we leveraged the sales tax and, and how we, how we work that through capital improvements. We have one portion of the sales tax that's just for capital improvements. And that was voted on by our citizens. And so that's how we do a lot of our capital projects. We also put a process in there that we never exceed 35% on the indebtedness on that fund. And-- so we're able to have kind of a, a gap there that-- to give us a little more flexibility to buy equipment, to do some of the things we need to do for capital improvement. And, and oftentimes, we'll take tho-- that money, we'll put it away if we need to do a library expansion or we'll save for it. And then if there's federal grant opportunities, we have our match and we do our project and it's debt free.

**JACOBSON:** What's, what's your property tax levy in Kearney?

**STAN CLOUSE:** \$0.015.

**MOSER:** \$0.015?

**STAN CLOUSE:** Yeah. Oh, property tax? Oh, I'm sorry.

**MOSER:** Yeah, property tax.

**STAN CLOUSE:** [INAUDIBLE] sales tax.

**MOSER:** Yeah, not sales tax.

**STAN CLOUSE:** It's right at \$0.15.

**MOSER:** Still, it's--

**STAN CLOUSE:** Yeah. We have--

**MOSER:** 0.15%.

**STAN CLOUSE:** Yeah. We've kept it that way for-- well, since I've been on there, 20 years.

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**MOSER:** Thank you.

**BOSTELMAN:** Other questions? Seeing none. Thank you very for much for your willingness to--

**STAN CLOUSE:** Thank you all.

**BOSTELMAN:** --come in today and continue your service. I'd like to ask if anyone would like to testify as a proponent for the reappointment of Stanley Clouse to the Natural Resources Commission. Any proponents? Anyone like to testify in opposition to the reappointment of Stanley Clouse to the Natural Resources Commission? Anyone in opposition? Any neutral testifiers? There were no position letters for the record for the reappointment of Mr. Stanley Clouse to the Natural Resources Commission. And that will close our hearing on the reappointment of Stanley Clouse. Next, we'll have the appointment hearing for Kent McNeil to the Nebraska Game and Parks Commission. Good morning and welcome.

**KENT McNEILL:** Good morning, Chairman Bostelman and committee members. Thank you for having me here today. My name is Kent McNeil, spelled K-e-n-t M-c-N-e-i-l-l.

**BOSTELMAN:** Please go ahead.

**KENT McNEILL:** All right. Well, thank you. I appreciate your time to learn a little bit more about me and my passion to serve in this role as commissioner for Nebraska Game and Parks. As Senator Jacobson pointed out, there's a certain amount of knowledge that happens that begins in North Platte, and that's where my story begins. I was born there. That's my hometown. And as a young man, I grew up very quickly learning how enjoyable the outdoors is to recreate in, from hunting and fishing to cattle ranching. The rodeo, boating, and water sports all became part of my life at a very young age in places like the mudflats in McConaughy, the warm water reservoir in Sutherland for duck hunting, Lake Maloney, and many other assets, even going north to ice fish up in Merritt Reservoir in-- near Valentine on Pelican slough. It was just a great way to grow up as a young man and young boy to learn just how valuable that access to outdoor recreation is. As I moved across the state-- my family relocated to Grand Island, where I continued that passion in my middle school and high school years. Graduated high school from Grand Island and then moved very briefly for one year to Chicago my freshman year in college. And I learned very quickly how loss of access to outdoor recreation affected my happiness and my life. Returned back to Omaha and wrapped up my

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undergrad at the University of Nebraska-Omaha. And, and then from there was able to take my passion for outdoor recreation and turn it into a career. I started a independent bicycle retail chain that I grew across four states with six locations over 15 years. And in that service and building that business, I gave up my time serving with nonprofit organizations and advocacy organizations that worked on advocating for and stewarding these great places and experiences that outdoor recreation can provide. When I sold that company in 2017, I was serving on the board for the International Mountain Bicycling Association. It's an organization that I currently lead. I was asked to step off the board and lead the organization forward, and which I did that in 2018. And since then have been able to really expand my vantage point, traveling internationally and all across the country to see investments that are being made through unique models of public-private partnership into growing infrastructure and experiences of habitat and land conservation for outdoor recreation. And so I think with that experience and that lens. When I was in college, mountain biking became a sport I discovered while participating in sport clubs at the University of Nebraska-Omaha. And it led me into other forms of outdoor rec than hunting and fishing and the things that I grew up in love with in North Platte. It led me to parks like Ponca State Park, Indian Cave State Park, and, of course, Platte River State Park that were close to me in Omaha as I went to school. And it helped me understand that access to parks and recreation are also a really important piece of that puzzle. That being said, my work at IMBA has helped me realize that growing the diversity of outdoor recreation experiences and the access to them can really contribute to our state's economy and as well as to the na-- national economy. And I look forward to bringing that experience and those skill sets to the talented team that we have with-- within the Game and Parks Commission and, and the directors and staff to see how we might improve access and grow the diversity of outdoor recreation and experiences across the state. Thank you.

**BOSTELMAN:** OK. Thank you very much. Questions from committee members? Senator Brandt.

**BRANDT:** Thank you, Chairman Bostelman. It's refreshing to have somebody that owns a bicycle company be on Game and Parks. And your keyword was economic driver.

**KENT McNEILL:** Yes.

**BRANDT:** We have beautiful parks. We have immense, vast, open spaces. You start to see some of these things-- the gravel grinders will have

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a bike ride or that. Why doesn't Nebraska have a national or international competition here using our parks and trails? Do you have an opinion on that?

**KENT McNEILL:** I do. The good news is we do have a national championship for gravel racing out in Gering, Nebraska. That happened last year. It will happen again this year in September. As far as the parks and trails, I think that's one of the opportunities that exists before us, is with, with what we have in land mass and infrastructure, our trail systems aren't exactly at the level that they would need to be to attract that type of, of event. And I think more importantly, as an economic driver, it speaks to what I was alluding to, that if we look at our parks and what's in them for, for outdoor rec, I think there's a, a great foundation to build upon to bring in more diverse outdoor recreation pursuits with infrastructure build and with experiences that can surround those in that infrastructure to help drive travel and tourism and economic development, especially where those parks are located across the state.

**BRANDT:** Then while I've got you, my pet project is kayak trails.

**KENT McNEILL:** Water trails. [INAUDIBLE].

**BRANDT:** Yes. And we just need a little bit of money to make that happen. And we can have a test site down there in southeast Nebraska. So kind of file that away and we'll talk later.

**KENT McNEILL:** All right. I, I look forward to talking more about that.

**BOSTELMAN:** Other questions? So the national gravel-- like, I can speak from experience because my first experience with that was standing out in my yard at 7:00 in the morning and the first riders went flying by.

**KENT McNEILL:** Yup.

**BOSTELMAN:** I was like, what is, what's going on? And all day long, they were going by. And they actually ran in our area. So I live out by Brainard. And they've been in our area twice to run. And I know one individual specifically who did the long tour was-- it's-- I don't know-- is it 350 miles or something like that?

**KENT McNEILL:** Yeah, they, they have different distances, but the, the ultra distance is a good 350.

**BOSTELMAN:** Quite the rides for quite the thing. And there's a lot of riders. That, that's cre-- created a lot of opportunities there. One--

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I'm kind of curious. Since you've been involved in mountain biking, biking for a while, we have something that Game and Parks is responsible for that really belongs to the railroads, but, but Game and Parks is responsible for upkeep and maintenance of it, and that's called the Cowboy Trail.

**KENT McNEILL:** Yes, sir.

**BOSTELMAN:** Do you have any thoughts or ideas-- because right now, that really is a money drainer, I'd say, more than a money maker in a, in a sense of paying for itself-- the upkeep, maintenance. There is some economic benefit, maybe, to the local communities. So do you have some ideas on, on, on that opportunity that-- it seems like it's just sitting there that, that we just need to have the right ideas, the right concepts to bring something together.

**KENT McNEILL:** Yeah. No, I appreciate that. I, I certainly need to level up on the details of that project. But in general, trails themselves bring a certain amount of benefit. But when you take a comprehensive of, OK. That's the infrastructure. How do we make sure that the, the experience models around the-- that infrastructure drive that economic activity and then therefore create funding to help with the maintenance and, and long-term stewardship of those assets? So what I would be-- enjoy rolling my sleeves up and looking at is, what are those opportunities? Because people travel to outdoor recreation when the experiences are unique and they're marketed well and they understand it's more than just a trail. And I don't know to what degree we're doing that or what other additional opportunities there may be there, but it's certainly worth exploring because the ones that figure out how to market it and create those experiences tend to more than offset the maintenance needs of the infrastructure long term.

**BOSTELMAN:** Sure. You know one thing comes to mind right off is something-- my wife and I have been more involved with-- here recently is night skies, photography, astrophotography and that. I mean, you've got-- you've, you've got the skies there. You've got the place there to do that as to how do you attract folks that we-- both of those things into that area, maybe, an opportunity. Are there other things that you see maybe in other states that happens on our facilities, either our wild managed-- wildlife management areas or our parks or our lakes, those type of things, that you see that, that, that we could bring to Nebraska maybe that are not done currently?

**KENT McNEILL:** Well, I think-- obviously-- the obvious one is natural surface trail-based recreation. That goes beyond mountain biking. And

it-- and that leads to hiking, trail running, equestrian, motorized use, as well ATV, UTV exploration. Another unique one that I've always thought about-- and I was glad you mentioned it-- is we have a lot of beautiful scenic rivers and water trails and how we develop those systems and promote those. Those are unique experiences for Nebraska that, that, you know, I think created could be another addition to the diversity of outdoor rec experiences we offer. And looking at-- I'm also-- serve on the State Comprehensive Outdoor Recreation Plan Advisory Committee, looking at what both our residents want in terms of infrastructure really lead to the-- that type of diversity of experience in, in terms of what we see through the surveys. And it's just a matter of, of creating the infrastructure but also creating the funding mechanism, mechanisms and the public-private partnerships to stand up the economic activity around them so that the long-term maintenance and stewardship is also considered.

**BOSTELMAN:** Is there any-- on, on the mountain biking side, I'm kind of curious because we've had bills before this committee about motorized bikes on trails.

**KENT McNEILL:** Yep.

**BOSTELMAN:** How does that tie in? It's a-- is it a certain size of motorized bicycles that's allowed or not allowed, different type of opportunities for that?

**KENT McNEILL:** Yeah. It's a, it's a, it's a complex issue that's actually not that complex when you get into it. And so there's a-- in terms of the new technology in the e-mountain bike, e-bike category, there's a class one EMTB that is consistent with the nonmotorized experience. It's only pedal assist. It doesn't throttle like a motorcycle. The, the assist cuts out at speeds that human-power rec normally travel at. And so that's-- I find that usually completely suitable in nonmotorized areas. And then all the other classes tend to be better off in motorized access areas. And it's a-- there's the way that you can manage that technology so that you're-- again, it all comes back to the experiences you're creating. We want to protect the nonmotorized experience as well as the motorized experience. And there's-- depending on the technology, there's a place where those are appropriate and a place where they compromise those experiences.

**BOSTELMAN:** OK. Thank you.

**KENT McNEILL:** Mm-hmm.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee July 31, 2024

**BOSTELMAN:** Any other questions from committee members? No. Thank you very much for your willingness to serve. Thank you for coming in today. Yes. Would ask for anyone to testify as a proponent for the appointment of Kent McNeil to the Nebraska Game and Parks Commission. Any proponents? Anyone like to testify in opposition to the appointment of Kent McNeil to the Nebraska Game and Parks Commission? Anyone in opposition? Any neutral testifiers? We had one proponent position comment received by the committee. With that, we will end the hearing for the appointment of Kent McNeil to the Nebraska Game and Parks Commission. Thank you all for coming today. I would ask-- ask the committee to stay for an Exec Session. Will you clear the room, please?