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Natural Resources Committee
January 21, 2015

[LB142]

The Committee on Natural Resources met at 1:30 p.m. on Wednesday, January 21, 2015, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB142. Senators present: Ken Schilz, Chairperson; Curt Friesen, Vice Chairperson; Dan Hughes; Jerry Johnson; Rick Kolowski; Brett Lindstrom; John McCollister; and David Schnoor. Senators absent: None.

SENATOR SCHILZ: Good afternoon, everyone, and welcome to the Natural Resources Committee for the first hearing of the One Hundred Fourth Legislature. My name is Ken Schilz, Chair of the committee from Ogallala. I represent District 47. I'll take a little time first to introduce my fellow committee members. To my far left is Senator Rick Kolowski, District 31, from Omaha; next to him is Senator John McCollister, District 20, Omaha; next to him is Senator Dave Schnoor, District 15, Scribner; and next to him is Senator Brett Lindstrom. Did I get that mixed up?

SENATOR LINDSTROM: We mixed it up.

SENATOR SCHILZ: I'm sorry. Did you guys trade?

SENATOR LINDSTROM: We mixed, yeah, we mixed it up. Sorry about that.

SENATOR SCHILZ: Hold on, let me write this down--demerit, (laughter) Lindstrom, Schnoor.

SENATOR SCHNOOR: There you go.

SENATOR SCHILZ: Omaha, Scribner. Okay. And then, let me make sure I got this right. To my far right I have Senator Dan Hughes from District 44 and Venango, and I'm going to look and make sure. Next to him is Senator Jerry Johnson from District 23, Wahoo, who's also the Chair of the Ag Committee; and then Senator Curt Friesen, who is also the Vice Chair of the committee from District 34 from Henderson. To my far right is Barb Koehlmoos. She is the committee clerk for the committee. And to my immediate left is Laurie Lage, the legal counsel. We have two pages today: Jake Kawamoto from Omaha, he's a sophomore at UNL in political science; and J.T. Beck from Centreville, Virginia, he's a senior at UNL in political science as well. Today we will discuss one bill, LB142, that would create the Aquatic Invasive Species Program and provide funding. And if you're planning on testifying, please pick up a green sheet in either corner of the room. And if you do not wish to testify but would like your name entered into the official record as being present at the hearing, there's a form on the table that you can sign and this will then become a part of the official record for the hearing. Please fill out the sign-in sheet before you testify. Please print. It is important to complete the form in its entirety. And when it's your turn to testify, give the sign-in sheet to the committee clerk

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and this will help us make a more accurate public record. If you do not wish to testify, you may submit comments in writing and have them read into the official record as well. If you have handouts, please make sure you have 12 copies for the pages to hand out, and if you don't, we'll take care of that the first few times. But try to make it a plan that if you're testifying before the committee that you have those copies ready and available. When you come to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name, even if it's an easy name. And remember, these microphones are extremely sensitive and so you don't need to move them any way like that. They will pick up everything, including when people lean next to each other up here and whisper things too. That can be heard as well, so be careful, guys. Please turn off your cell phones or set them to silent or vibrate. And please keep your conversations to a minimum. And if you have a phone call or anything else, please take them out into the hallway. No displays of support or opposition to a bill, either vocal or otherwise, is allowed at a public hearing and we will enforce that. The light system, and in the Natural Resources Committee we are going to use the light system, you'll be given a total of five minutes to make your point to the committee. Light will start out green and then when you have spoken for four minutes it will change to orange or yellow, and at that point please conclude your remarks. And when the five minutes are up, the light will change to red and you will be asked to stop. So try to make sure that you can fit everything within there. And, of course, if somebody forgets to spell their name, I'm going to stop and interrupt you, so don't take that the wrong the way. I'm just making sure we get it in the right...right to do that. And just so everybody knows, we demand decorum here in the Natural Resources Committee, so everybody keep a level head, everybody do what they're supposed to do, and then I won't have to kick anybody out or make the Red Coats kick anybody out. So I'd appreciate that. And with that, I think if Laurie is ready, I think she is going to go ahead and introduce LB142 for the committee today. Ms. Lage, if you would, please, if you're ready.

LAURIE LAGE: Yep. [LB142]

SENATOR SCHILZ: Okay. [LB142]

LAURIE LAGE: I am. Thank you, Senator Schilz and members of the committee. My name is Laurie Lage, L-a-u-r-i-e L-a-g-e. I'm committee counsel for Natural Resources, here to introduce LB142. LB142 creates the Aquatic Invasive Species Program and places a fee on motorboat registrations and renewals in Nebraska to fund the program. The bill authorizes fees of at least \$5 but no more than \$10 per vessel registering or renewing in Nebraska, and would require that out-of-state motorboat owners pay a stamp fee of at least \$10 but no more than \$15 for motorboats as they will be operating in Nebraska waters. These fees will contribute to the \$330,000 cost to the Game and Parks Commission for carrying out its duties under the program, which include monitoring and sampling Nebraska waters for invasive species, hiring personnel, buying inspection and decontamination equipment, and providing enforcement, education, and

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research services relating to aquatic invasive species. There is one technical item that I would like to point out with the language. In the State Boat Act and in the language of this bill the terms "motorboat" and "vessel" are used interchangeably, though they have different definitions in different parts of the statute. I've talked to the Game and Parks Commission and the Invasive Species Council, and someone is going to address the definition that needs to be used so we can make sure we are intending to accomplish what the bill wants to do. Representatives are here from the Game and Parks Commission and the Nebraska Invasive Species Advisory Council to explain the bill and its provisions in more detail, so I will stop here and turn it over to them unless the committee has any questions. [LB142]

SENATOR SCHILZ: Thank you, Ms. Lage. Any questions? Seeing none, thank you for your opening. At this point, we'll take the first proponents of the bill. Good afternoon, Ms. Decker. How are you? [LB142]

KARIE DECKER: (Exhibits 1 and 2) Good afternoon. Good. Chairman Schilz and Senators of the Natural Resources Committee, my name is Karie Decker. It's K-a-r-i-e D-e-c-k-e-r. I serve as an assistant division administrator for the Nebraska Game and Parks Commission. I'm here testifying on behalf of the commission in support of LB142. Aquatic invasive species are exotic or nonnative aquatic organisms which pose a significant threat to the aquatic resources, water supplies, and water infrastructure of this state. They are a source of significant ecological and socioeconomic problems across the U.S. costing more than \$20 billion annually. In Nebraska, we rely on limited water resources for a number of activities. Invasive species, such as zebra mussels, Eurasian water milfoil, and Asian carp, can threaten the quality and availability of that resource. In 2012, the Nebraska Legislature passed a bill that gave the Nebraska Game and Parks Commission the regulatory authority to protect the state from aquatic invasive species. Those statutes and subsequent regulations make it unlawful for any person to possess, import, transport, or release aquatic invasive species into waters of the state. It allows for boat inspections, decontaminations, and other preventative measures to protect our water resources. However, little funding currently exists to implement this program. Nebraska has a unique opportunity to prevent the spread of one of the most destructive aquatic invasive species--the zebra mussel. Zebra mussels affect all water users by attaching to any substrate in the water. They can clog irrigation pipes, hydropower cooling systems, water treatment facilities, in addition to degrading the ecosystems in which they live. So far, Nebraska has been fairly lucky with few infestations. The proposed legislation would collect an aquatic invasive species fee of \$5 to \$10 from resident boaters when they register or renew their boat registration. Resident boat registrations are valid for three years, so this fee would cost boaters approximately between \$1.66 to \$3.33 annually. In addition, nonresident boaters would be required to purchase an annual aquatic invasive species stamp costing \$10 to \$15, and they would display those on their boats. Fees collected under this legislation would be deposited into the Game Fund to be used to implement aquatic invasive species

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regulations, including boat inspections, purchase of decontamination equipment, research and monitoring, outreach materials, and contingency funding for future infestations. Programs in neighboring states have proven the effectiveness of education and boat inspection programs in the prevention of aquatic invasive species, like zebra mussels. The proposed legislation and program implementation is modeled after the successes in these states. We thank Senator Schilz for introducing this important bill, as it gives Nebraska an opportunity to prevent the introduction and spread of many of these species. Given the impacts to one of our most valuable resources--water--we encourage the Natural Resources Committee to consider advancing LB142. And I will clarify one of the questions that Ms. Lage had about the definition of "vessel" versus "motorboat." The intent is to correct that language so that "motorboat" is the term that we use. Motorboats are those that are charged a registration fee. Not all vessels are charged a boater registration fee, like kayaks and things like that. So "motorboats" would be the term that we would use. [LB142]

SENATOR SCHILZ: Great. Thank you. Any questions for Ms. Decker? Senator Schnoor. [LB142]

SENATOR SCHNOOR: What is the current fee right now for registering boats? [LB142]

KARIE DECKER: For registering boats in Nebraska, it varies by the size class of the boat. So for most of our boaters, it's \$23 for every three years. You get to a larger size class boat, it's \$40, and so on. But most of our boaters pay \$23 every three years. [LB142]

SENATOR SCHNOOR: Oh, so it's just \$5 more on top of that is what we're... [LB142]

KARIE DECKER: Correct. [LB142]

SENATOR SCHNOOR: What...does that also include I guess what I would call Jet Skis? Is that considered a motorboat as well? [LB142]

KARIE DECKER: Jet Skis do register their watercraft, yep, and they are...it depends on what size class they fit in. They would probably be in the one that's cheaper than the...what most boaters have in the state, a class lower. [LB142]

SENATOR SCHNOOR: Okay. Thank you. [LB142]

SENATOR SCHILZ: Thank you. Senator McCollister. [LB142]

SENATOR MCCOLLISTER: Is there a preexisting program because I know there is some Game and Parks participation in this program that exists now? [LB142]

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KARIE DECKER: Sure. The Game and Parks Commission currently funds a position that's housed at the university. That position helps coordinate activities of the Nebraska Invasive Species Advisory Council, which was set up in 2012 during the Legislature. They also help bring in grants to conduct activities, like some boat inspections we do have some staff out there that are hired through that program. But it's only grant funded, and as grant funds are available. [LB142]

SENATOR McCOLLISTER: Assuming this is passed, do you anticipate hiring additional personnel? [LB142]

KARIE DECKER: Absolutely. We anticipate hiring a person who would be full-time focused on aquatic invasive species prevention, in addition to up to ten or even more, depending on additional grant funds, making up to ten temporary staff to conduct boat inspections and provide outreach to boaters. [LB142]

SENATOR McCOLLISTER: Finally, how do the proposed fees compare with other states surrounding Nebraska? [LB142]

KARIE DECKER: Great question. We have modeled our fees after a program that they have in Wyoming, and there is a sheet that I handed out to all folks, that shows the comparison of the invasive species program budgets, and it's in a big table. You can see that the total budgets that... [LB142]

SENATOR McCOLLISTER: Yeah. [LB142]

KARIE DECKER: ...that states are contributing to that. When we look at the fees, for example, for Wyoming, they also charge residents and nonresident boaters a fee and have a stamp for that. For resident boaters it is, for motorized boats, it's \$10 and for nonresident boaters in Wyoming it's \$30 a year. [LB142]

SENATOR SCHILZ: Senator Kolowski. [LB142]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. Ms. Decker, on the one person you're looking at hiring for prevention situations,... [LB142]

KARIE DECKER: Uh-huh. [LB142]

SENATOR KOLOWSKI: ...what do you do when it already exists and what response teams or anything else that you might have do you have available that would go to a Lake Zorinsky, that was drained, which is...I live right next to it and it had the zebra mussel issue. [LB142]

KARIE DECKER: Right. [LB142]

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SENATOR KOLOWSKI: And it's refilled again. But I don't think they've discovered any coming back at this point in time but we hope that stays. What do you...what else...who else do you have to help respond to those emergencies when they're found? [LB142]

KARIE DECKER: Currently, we work with whatever entity also has a stake hold in that property, so, for example,... [LB142]

SENATOR KOLOWSKI: City of Omaha. [LB142]

KARIE DECKER: ...uh-huh. When we worked on Lake Zorinsky, it was actually a property that was owned by the Corps of Engineers. The fisheries was managed by Game and Parks and the facility and whatnot was managed by the city of Omaha. [LB142]

SENATOR KOLOWSKI: Uh-huh. [LB142]

KARIE DECKER: So we worked very collaboratively in that effort. Zorinsky was a unique situation where we were able to drain and freeze out the zebra mussels. For future infestations, if they were to infest something like Lake McConaughy, lowering and freezing that, you know, Lake McConaughy is not an option. And what we've learned from other states is if a large important reservoir like that does get infested, until there's some other options, from chemical treatments to biological treatments that they are currently researching, until we reach that point, containment is our best option and trying to contain it in that one reservoir and keep it from spreading elsewhere. [LB142]

SENATOR SCHILZ: Senator Schnoor. [LB142]

SENATOR SCHNOOR: One more question. Could you give us just a basic lesson? I mean obviously aquatic invasive species could be several different...cover several different areas, I guess. But the most common one we always hear about is zebra mussels. Can you tell us what that does to a lake? [LB142]

KARIE DECKER: Sure. Yeah, you're right, zebra mussels do sort of get the headlines frequently. There are a suite of species that would be covered under this funding source to be able to prevent their introduction. Zebra mussels are small and prolific. Once they get into a system, they reproduce very prolifically and have hundreds of thousands of them in an area very quickly. They are filter feeders, and so they pull in the water from where they're living and filter out the food resources that fish would normally rely on. And a lot of times in areas and reservoirs that have zebra mussels, for an extended period of time you see this clarifying of the reservoir because they're pulling out all of the nutrients and the food that would otherwise be used for fish. So that's from an ecological perspective. From more of a socioeconomic perspective, recreationally they

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become hazardous. We know in Kansas, you know, as these things die over the years, they wash all along the shore. And they are, they're a little mussel, and so they have sharp edges on that mussel. And there's efforts on Kansas beaches to clean them up and keep them off the beaches. And then we have the economic impacts to a lot of our water-using facilities, whether that be power plants, water treatment facilities, irrigation canals. So does that help answer your question, a little more background on that? [LB142]

SENATOR SCHNOOR: Very much so. Thank you. [LB142]

SENATOR SCHILZ: Senator Kolowski. [LB142]

SENATOR KOLOWSKI: Thank you. Is there anything that eats them? [LB142]

KARIE DECKER: That's a great question. They're native to Eurasia, in that area, and one of the main predators over there is a goby. It's a type of fish. And so a lot of folks have asked, well, why don't we just introduce that goby. And, you know, we get sort of the same string of problems that would come with that. [LB142]

SENATOR KOLOWSKI: Like an Asian carp invasion then again? [LB142]

KARIE DECKER: Sure. And there are some of our native fish that will eat them, some catfish and every once in a while. But not...they're not a preferred diet by any means. [LB142]

SENATOR KOLOWSKI: A little hot sauce on it. [LB142]

KARIE DECKER: Yeah. [LB142]

SENATOR SCHILZ: Little hot sauce? (Laugh) Senator Johnson. [LB142]

SENATOR JOHNSON: Yeah, thank you, Senator Schilz. Thank you for coming in. Last summer, every year we have a Council of State Governments and I sit on the Natural Resources Committee there. And people northeast of us in the Great Lakes area talked about it extensively. And I know they're trying to do as good a job as they can do to control it. Is that the natural flow of the mussel? And are we seeing, and maybe somebody else can answer this if you can't, are we seeing a reduction? Are we doing a good job or is it still increasing in numbers in Nebraska? [LB142]

KARIE DECKER: Yes. That's a good question to know that, you know, if we fund a program like this, is it effective. There's a map on the back of that colored sheet I handed out that shows the spread of zebra and quagga mussels, so there's sort of a cousin species called quagga mussels that are very similar. You can see the spread.

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And what we're noticing, after several years in Colorado and Wyoming and a lot of the western states have taken a very strong front on preventing their introduction. And we can see that that is seemingly working. There's a lot of money going and a lot of effort going into those western states to prevent that map from becoming red all over the western states. [LB142]

SENATOR JOHNSON: Right. [LB142]

KARIE DECKER: And it is effective. Most of it is boater awareness. [LB142]

SENATOR JOHNSON: It appears we're being proactive in we've only got one or two little dots here. [LB142]

KARIE DECKER: Yeah. [LB142]

SENATOR JOHNSON: I guess just speaking from that meeting, I know the people in the red area are really concerned of what's happening to them and don't want it to happen to somebody else. So it is a big issue. [LB142]

KARIE DECKER: Yep, they're doing what they can to keep it from leaving their state,... [LB142]

SENATOR JOHNSON: Yeah. [LB142]

KARIE DECKER: ...so it would be good for us to do something similar. [LB142]

SENATOR JOHNSON: Thank you. [LB142]

SENATOR SCHILZ: Senator Friesen. [LB142]

SENATOR FRIESEN: Thank you, Mr. Chairman. This whole program is basically preventative and to keep it from being infested. And down the road additional dollars, if we have a contamination, will be needed I take it? [LB142]

KARIE DECKER: Yeah. [LB142]

SENATOR FRIESEN: So when a person applies for this permit, are they going to be sent educational materials, too, on how to clean your boat and...? [LB142]

KARIE DECKER: Absolutely. [LB142]

SENATOR FRIESEN: Okay. [LB142]

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KARIE DECKER: And that's really one of the integral parts of the boat inspection program is we teach the boaters how to do it themselves so that we spend less time inspecting them while they're waiting to launch in the waters. And they show up to the reservoirs clean, drain, and dry, which is a campaign that's gone nationwide now, to make sure that boaters are aware of what they need to be doing. Yeah, definitely there would be a huge education and outreach campaign along with that, everybody who purchases that. And included in these funds are some operating costs for our outreach efforts. [LB142]

SENATOR FRIESEN: Okay. [LB142]

SENATOR SCHILZ: Thank you. Senator Kolowski. [LB142]

SENATOR KOLOWSKI: From your...the aspect of trying to clean your boat and all the rest, facility-wise, where do we sit or what needs to be put in place, sprayers or hoses and dock areas and all the rest? I just think of the boat users coming off, and if they're heading home they don't clean it properly. They don't do all the things that might be necessary. What other costs or directions might we need to go to try to make this more complete? [LB142]

KARIE DECKER: I think it's a great question. We try to make this process as streamlined and easy for boaters as possible. We want boaters to still use our reservoirs and come to our state. So we've taken on some things that other states are doing and what our regulations...how the regulations read is a boat just needs to make sure that they are not carrying any water in a live well, for example. So they drain their live well. They drain the engine compartment if there's remaining water in there. And then they do a quick inspection around their boat, look for plants, so plants is one we often forget about, look for aquatic weeds that might be hanging off of their boat. It really is a three- to five-minute quick process for a boater and at this point I don't anticipate, you know, building any sort of facilities at our current reservoirs to incorporate that. If we were to get one of our major reservoirs infested with zebra mussels then, you know, some of that contingency funding could address something like that to provide some way for boaters to actually leave the reservoir clean. [LB142]

SENATOR KOLOWSKI: Thank you. [LB142]

SENATOR SCHILZ: Thank you. Anybody else? Ms. Decker, can you just kind of really quick give us an idea of what your efforts are today and what you're able to do today, and then compared to what...I know you've said what this will do, but I just want to know where we're at today. [LB142]

KARIE DECKER: Sure. The current program that we have today is really spread all over the place. The Game and Parks Commission provides funding for a person to...this

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individual in part coordinates activities of the Invasive Species Council, but also divides their time with aquatic invasive species and terrestrial invasive species, helping with education about how to keep all invasive species from spreading. Through grants with the Nebraska Environmental Trust and the U.S. Fish and Wildlife Service, we are able to hire a limited number of people to go to boat ramps and interview boaters about this, the aquatic invasive species, to help educate them about the problem and to do some limited boat inspections. So at most we've had six to seven temporary technicians out for two or three months of the year, and it's only at a couple of our reservoirs. Obviously, those six or seven people can only be spread so far. The funding that we would bring in through this proposed legislation would allow us to focus an individual entirely on aquatic invasive species as well as hire additional, those additional ten temporary staff over a five-month period and have them at...obviously can't spread ten people all over the state but have them really at our high-risk lakes. We look at lakes that receive a lot of nonresident boaters. We look at lakes that have the substrate available for zebra mussel infestation, that we see that turnaround, that we would predict we would get the highest risk of infestation at those reservoirs. We would target those. And with this funding, we'd be able to increase those staff and increase the areas that we can cover. We'll be able to increase our ability to respond to a contamination, an infestation. We'd increase our capacity to conduct outreach sessions, workshops, train boaters on what they need to do, really build our capacity to reach as many boaters as we can in the state, both residents and nonresidents, be able to communicate to nonresidents about the program that we have as well. [LB142]

SENATOR SCHILZ: Great. Thank you. Any other questions? Ms. Decker, thank you for your testimony today. [LB142]

KARIE DECKER: Thank you. [LB142]

SENATOR SCHILZ: Next proponent. Good afternoon. [LB142]

ALLISON ZACH: Good afternoon. [LB142]

SENATOR SCHILZ: Go ahead. [LB142]

ALLISON ZACH: (Exhibit 3) My name is Allison Zach and I coordinate the Nebraska Invasive Species Program. My name is spelled A-l-l-i-s-o-n Z-a-c-h. I'm testifying today on representation of the Nebraska Invasive Species Advisory Council in support of LB142. The council was created through legislation in 2012 and is comprised of Governor-appointed members, which include state and local resource agency staff and public interest members. The council meets on a monthly basis and provides legislative recommendations to the senate Agriculture Committee on invasive species issues of concern. The council is concerned that aquatic invasive species threaten to infest Nebraska's water bodies due to the rising number of infestations in Nebraska and in

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neighboring states. Aquatic invasives are highly transmissible and are spread by boats and anglers on watercrafts, trailers, equipment, and in bait buckets. Invasive species are highly adaptable and compete with native species for habitat and food sources. This can affect the quality of fishing and recreational opportunities. Nebraska has several aquatic invasive species which threaten our recreational lakes and our water systems, including power plants, irrigation systems, and utility water systems. Please see the handout of the photos that was just handed to you. These are impacts caused by aquatic invasive species. You can see invasive mussels called zebra and quagga mussels clogging pipes in as little as six months. You will also see that there are...they can clog pipes in as short as one month. Power plants' costs, because of mussel removals, at hydropower plants can be up to \$83,000 a year, \$145,000 for fossil fuels, and \$822,000 at nuclear power plants, and that would be per facility for mussel removals. There is currently no treatment which eradicates these mussels. Maintenance is required on these facilities each year to manually remove the mussels from clogged pipes. Millions of dollars is currently being spent on research to find a method to eradicate these mussels. Currently, Nebraska has one zebra mussel infested water--Offutt Air Force Base Lake in Bellevue, Nebraska. Lake Zorinsky was lowered in 2010 to freeze out zebra mussels, and since that time we have not found them in the lake. Recently, a zebra mussel was found in a marina on Lewis and Clark Lake on the South Dakota side, a popular lake used by Nebraska residents. Again, looking at the photo, you'll see a lake in Blair, Nebraska, which is infested by an aquatic invasive plant. It has been shown that aquatic invasive plants can reduce waterfront property values by up to 16 percent. It's been demonstrated in several neighboring states that formal aquatic invasive species prevention programs with secured funding can inhibit the spread of aquatic invasive species. If you look at that, the other handout I gave you, there's a state map of Kansas. And what this shows are the 23 water bodies in Kansas with zebra mussel infestations. We can see that this is an example of what could happen in Nebraska if we do not secure a funding source and a formal boat inspection program being implemented. Prevention efforts have been shown to be more effective to control aquatic invasive species than eradication efforts. There are limited choices in eradication for the majority of aquatic invasive species and having a boat inspection program will protect our waters until research finds an effective control to contain or eliminate infestations of these invasive mussels and other aquatic invasive species. Grant funded employ by technicians this summer to interview boaters to see if they would support an increase in boater registration to fund an aquatic prevention program was supported 90 percent by respondents. So we surveyed about 1,900 boaters and 90 percent supported an increase in boater registration for an invasive species prevention program. The funding for seasonal technicians currently expires in 2016. Therefore, this increases the urgency to pass legislation to secure funding and implement a formal boat inspection program in Nebraska. Thank you for your consideration of LB142 and we encourage you to advance it. [LB142]

SENATOR SCHILZ: Thank you, Ms. Zach. Any questions? Yes, Senator Hughes.

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[LB142]

SENATOR HUGHES: Yes. Thank you, Allison. You mentioned several times there is research being done. Where is that being done and do you know what kind of dollar figure? And is that state funded, federal funded? [LB142]

ALLISON ZACH: Yeah. For zebra and quagga mussels, the Great Lakes have had infestations for a long time now so they are currently putting millions of dollars into research to find a chemical or a natural way to control zebra mussels, specifically. And there's currently look at a dead bacteria, which would not affect humans or other species, but would affect zebra mussels and quagga mussels and kill them. And that was recently approved by the EPA for use in lake systems. They're currently doing testing on that, so that we would see if it's feasible in a lake situation to treat zebra mussels, but (a) we don't know the cost and (b) research is looking like you would have to repeatedly treat these to control the zebra mussels over time. So we are not within the finish line to see something that's going to work. In addition to zebra and quagga mussels, there's also research on how to control these invasive aquatic plants that you see in those pictures. They're doing a lot of research on those as well because it's so devastating. Once they're in your lake, you're kind of at their mercy, you know, type of thing. So Great Lakes is providing the majority of the funding, it's millions of dollars, into zebra and quagga mussels and other research like that. [LB142]

SENATOR HUGHES: Thank you. [LB142]

ALLISON ZACH: Thank you. [LB142]

SENATOR SCHILZ: Thank you, Senator Hughes. Any other questions? Seeing none, thank you for your testimony. [LB142]

ALLISON ZACH: Thank you. [LB142]

SENATOR SCHILZ: Next proponent. Mr. Sheets, good afternoon. [LB142]

WES SHEETS: (Exhibit 4) Good morning. Chairman Schilz and members of the committee, my name is Wes Sheets, spelled W-e-s S-h-e-e-t-s, and I appear before the committee representing the Nebraska Division of the Izaak Walton League of America, which is a mouthful, to say the least. I intend to be very brief but certainly want to extend to you our support for consideration of LB142, and certainly thank Senator Schilz for bringing it to you to consider. LB142 represents a continuing process that will protect some of our favorite natural resources. The Izaak Walton League is made up primarily of hunters, fishermen, and other outdoor recreational type folks. We depend on and enjoy some great resources in Nebraska and we'd just like to make sure that we don't see the invasion of some of the things like you've been hearing about--quagga mussels

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and zebra mussels and Asian carp and any number of other things. I came to this state about 50-some years ago as a working fisheries biologist for the Fish and Game Department. I've since retired and have enjoyed some of these resources quite a bit. I don't know a lot about quagga mussels or zebra mussels, but I can tell you the folks behind me that you've just heard from really do. Our Izaak Walton organization really do believe, as Senator Friesen I think pointed out, that an ounce of prevention may be worth a pound of cure, and so anything that we can do in this state to slow down the advance of some critter that's out of place. I'm sure there are places where zebra mussel is not a problem, but, you know, lots of organisms, once they get transplanted into a favorable environment, will just profusely expand into a problem. And it may take a number of years till the natural predators move in on top of them and things become in somewhat of an ecological balance, so. But in the meantime, very significant economic and other very important aspects can be lost because of that invasion. So nationally, our league, and it is a national organization of which there are about 18 chapters from Imperial to Wayne and across the state of Nebraska, we recognize that and urge that governments fund research and study these problems and do what we can to keep things as economically feasible and as quality as we can to enjoy for the rest of our life. I'd just tell you that we are confident that a majority of the boat owners and other users will support these fees. I'm a private boat owner and I certainly do. I know a little bit about zebra mussels and what they can do to power plant intakes and I would not want to be responsible for any of those huge impacts that might arrive from an invasion of one of these critters. I guess finally we would just like to support the emergency clause on this proposition. It's nothing particularly new and we think that it's...the quicker we can respond to the potential problems that might exist, the better off the state of Nebraska will be in the future. I guess I'd thank you for the opportunity to appear before the committee and would really urge that the committee look favorably on it and support its passage in the Legislature. So thank you for the opportunity to be here, Senator. [LB142]

SENATOR SCHILZ: Thank you, Mr. Sheets. Any questions? Senator Johnson. [LB142]

SENATOR JOHNSON: Thank you, Senator Schilz. Brought up a thought, do most of the registrations happen right before the season starts as far as recreation, or do most of them happen in January? When you brought up the emergency clause, it made me think of that. So it's important for us to get it as early as we can but will we miss a lot of them even as late as we might be with this legislation? [LB142]

WES SHEETS: Well, Senator, I don't know the real answer to that. I would...hadn't thought about the income or the money. I was thinking primarily of the logistics of getting things on the ground. One of the things that our organization has done for a number of years is promoted the education of these problems with...set up an education and a boat inspection base on a boat ramp up at Yankton at Lewis and Clark Lake. And so we've been passing out literature and looking at boats as a citizens group, trying to

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prevent. So my thrust is that the emergency is imminent and that the quicker we can let these guys get a really good education program, why, the better off the future will be for us. [LB142]

SENATOR JOHNSON: Get her done. [LB142]

WES SHEETS: So I hadn't thought about the money, but the money is important here. [LB142]

SENATOR JOHNSON: The money has got to come too. [LB142]

WES SHEETS: Yeah. It's got to have that. [LB142]

SENATOR SCHILZ: Thank you, Senator Johnson. Any other questions? Seeing none, thank you for your testimony. [LB142]

WES SHEETS: Thank you, Senator. [LB142]

SENATOR SCHILZ: Appreciate it. Next proponent. Senator Stuthman, welcome back. [LB142]

ARNIE STUTHMAN: Thank you. It is a pleasure to be back here, but I'm glad I don't have to wear the tie. (Laughter) I'm on this side of it now, right now. For the record, my name is Arnie Stuthman, A-r-n-i-e S-t-u-t-h-m-a-n, and I am supporting this bill. Why do I support this bill? I serve on the invasive species board as a public interest individual. And I see that, you know, if Nebraska doesn't do anything, we're going to have major problems with our lakes and for the people that enjoy the recreation of boating. Also, what I really appreciate in this bill is the fact that the people that enjoy this type of recreation will be paying a small fee. The people of the state of Nebraska will not be paying, everybody will not be paying, but if you have a boat and enjoy that type of recreation you're going to be supporting this. If we don't do anything, we're going to have major problems. As you see in some of those pictures that you have there, other states around us have a major problem. And we're very fortunate in Nebraska at the present time that we don't have much, if any, of that zebra mussel at the present time. I just feel that it's a fee and fees, you know, are paid by the individuals that want to do it. It's not a tax. So I just feel that this bill should be pushed on, moved out of committee. And I would really appreciate that if you could move it out of committee as soon as possible because of the fact that there's going to be, with my prior experience, you know, the sooner you can get something out on to the floor for debate and get it behind us, and I think that's very important. I enjoy serving on this board. It's something that I had never thought I'd have any interest in. But I went over the list of boards that needed people on and I thought this would be a good way to still keep active. And I think I really enjoy that part of it. I forgot when I started, and I apologize to all of you senators, that I

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didn't address you as honorable senators, and that is really the appropriate way, but you know, I'm pretty nervous up here. (Laughter) But in closing, as I said before, I would appreciate, you know, that this bill get moved on mainly because of the issue that we have. It needs to be taken care of now. Let's not wait till next year because, you know, I am sure that within a year there's a possibility of some coming into one of the lakes again, and that could be very detrimental to the recreation of the state of Nebraska. So with that, I'd ask that you move this out of the committee, on to the floor for debate as soon as possible. With that, I would hope to answer any questions. [LB142]

SENATOR SCHILZ: Thank you, Senator Stuthman. Any questions for Senator Stuthman? Did a great job. Seeing none, thank you for your testimony. Thanks for coming down. [LB142]

ARNIE STUTHMAN: You're sure welcome. Nice to be back for a little while. [LB142]

SENATOR SCHILZ: There you go. You're welcome back anytime. Other proponents? Good afternoon. [LB142]

TERRY JULESGARD: (Exhibits 5 and 6) Good afternoon. Senator Schilz and members of the Natural Resources Committee, my name is Terry, T-e-r-r-y, Julesgard, J-u-l-e-s-g-a-r-d. I am general manager at the Lower Niobrara Natural Resources District, and I've been appointed by the Governor to serve as the NRD representative on the Nebraska Invasive Species Advisory Council. I'm here to testify in support of LB142, the Aquatic Invasive Species Program, and provide funding to do the efforts needed to get a handle on these invasive species. Invasive species, like zebra and quagga mussels, cost millions of dollars to manage once a water body is infested. So our best management is to do everything possible to prevent the movement of these and other aquatic invasive species from one body to...one water body to another. Through the work of the Nebraska Invasive Species Advisory Council and our project coordinator in raising public awareness and the ability to identify invasive species, we have become painfully aware that Nebraska is not going to be immune to infestations of invasive species with the large infestation of zebra mussels at the Offutt Air Force Base. And even though it's a single adult zebra mussel that was found up on Lewis and Clark Lake on our northern border, it has now been tagged as an infested water body. In order to combat these and other invasive species, Nebraska, like other states, needs to have a dedicated funding source. Technicians working with the Niobrara Council, with our advisory council, have conducted surveys of over 1,800, and 90 percent of the people support an increase in boater registrations to fund the prevention of the spread of these invasive species. LB142 provides the funds needed to move Nebraska forward in reducing the spread of aquatic species, and I encourage the committee to move this bill forward. I also was given a letter from the Upper Niobrara White that they've also submitted this in support of LB142. [LB142]

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SENATOR SCHILZ: Okay. Thank you, Mr. Julesgard. Any questions? Senator Friesen. [LB142]

SENATOR FRIESEN: Thank you. Do the NRDs have any programs in place to protect any of their reservoirs? Have they addressed this at all in any of their water quality programs? [LB142]

TERRY JULESGARD: I imagine if a district...it would have to be identified with that district, that's a district-managed lake. They would be involved in, if there is an issue, they'd be involved in helping with the cleanup in that. So it would be basically an individual, as needed, by the districts. [LB142]

SENATOR FRIESEN: Any education programs that you might have taken part in? [LB142]

TERRY JULESGARD: We don't have really any at this time. I mean it's something that we'll probably...well, I know in our district there, being close, we're up on the Niobrara there, being close to Lewis and Clark Lake, I'm sure that we're going to be...help as much as we can in raising the awareness of the potential infestations. And our district has a regional or a public water supply system, as does the Lewis and Clark NRD, who gets their water directly out of Lewis and Clark Lake. And so I'm sure there will be a big awareness of trying to keep that infestation that they found there as localized as possible so it don't affect their intakes, so. [LB142]

SENATOR FRIESEN: Okay. Thank you. [LB142]

SENATOR SCHILZ: Any other questions of Mr. Julesgard? Senator Kolowski. [LB142]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. Terry, on the zebra mussels or any others like this, it seems like we're almost...I'm having difficulty trying to keep up with what's taken place across the country. We hear about ash borers and how they're approaching Nebraska now, and begging people not to move firewood from state to state or town to town. [LB142]

TERRY JULESGARD: Correct. [LB142]

SENATOR KOLOWSKI: And it seems like we're...it's an insurmountable kind of task because we're not going to stop every vehicle and check it for firewood, or any camper and everything else as it's going on. So it seems inevitable we're going to be struck with and suffering from these issues over time. The ash borers, you know, it's close. [LB142]

TERRY JULESGARD: Uh-huh. [LB142]

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SENATOR KOLOWSKI: And it's getting closer every year. Is there any...is this small amount of money we're trying to collect from a boat on a cleanup situation in the state of Nebraska, is that going to be enough to deal with this? Or are there plans bigger than this but we're just not putting the plan together or asking for the money to get it done because it wouldn't fly with the public? Anything else out there besides this feeling that we're just not going to get through this? [LB142]

TERRY JULESGARD: Yeah, I understand your concern, Senator. And, no, this probably isn't enough money, but it is a place to start. And if we don't start somewhere, we're not going to get ahead of it. Trying to keep, like you, the emerald ash borer or the pine wilt or... [LB142]

SENATOR KOLOWSKI: You bet. [LB142]

TERRY JULESGARD: ...whatever other things that have come on, you know, we deal with those problems as they get here and that's one thing Nebraskans have always been good about, dealing with the issues that come. And I think that if we get some money to get started, keep...get the awareness rose so everybody is aware of it, I think we're going to be...that just precipitates being able to, okay, we have this issue, we're going to need some more funding. It opens up some avenues for additional funding for managing these issues. [LB142]

SENATOR KOLOWSKI: Well, I have no problem with the bill, and I'm...in fact, I'm for it. And when that hit Lake Zorinsky and the damage it did there, and draining that and having to look at that hole in the ground for a year till we could refill it again was not pleasant as a recreational user of that facility. I guess I'm asking is the bill asking for enough? Is there enough being asked for that will make a dent or are we just playing around a loose edge and if we had more we could do more and have a better chance of stopping things? [LB142]

TERRY JULESGARD: I think this bill is, for what we have planned right now and with being able to maybe increase the, you know, up to parts of it, I believe that we've started out at a reasonable level that will get us a good start. And then as we identify more situations, we have the flexibility in there to... [LB142]

SENATOR KOLOWSKI: True. [LB142]

TERRY JULESGARD: ...to move that up. And it also gives us, with most monies there's always if you have some type of matching funds, there's usually other monies out there that you can go after to help in specific situations. So this gives us what we need now to get what we...to get started on it. [LB142]

SENATOR KOLOWSKI: Well, especially the Great Lakes, it's right smack in the middle

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of the Big Ten country and we've got a lot of major universities throughout that area. Is anyone trying to work on something that may counter this, in all of your research or connections, readings and all the rest? [LB142]

TERRY JULESGARD: They've answered it. You know, the others before probably are more experienced in that, me being an NRD guy, you know,... [LB142]

SENATOR KOLOWSKI: Sure. Sure. [LB142]

TERRY JULESGARD: ...dealing with the water stuff. But so I believe that there is, and I'm sure that if we find any other we'll encourage that to be done, so. [LB142]

SENATOR KOLOWSKI: Thank you. [LB142]

TERRY JULESGARD: Senator. [LB142]

SENATOR SCHILZ: Thank you, Senator Kolowski. Any other questions? Seeing none, thank you for your testimony. [LB142]

TERRY JULESGARD: Thank you. [LB142]

SENATOR SCHILZ: Other proponents? Mr. Buettner, welcome. [LB142]

JEFF BUETTNER: Good afternoon, Mr. Chairman and members of the Natural Resources Committee. My name is Jeff Buettner, it's spelled J-e-f-f B-u-e-t-t-n-e-r, and I'm the public relations coordinator for the Central Nebraska Public Power and Irrigation District based in Holdrege, and I thank you for the opportunity to provide testimony in support of LB142, introduced by Senator Schilz. As the owner and operator of Lake McConaughy, Nebraska's largest reservoir, Central is understandably concerned about the vulnerability of facilities associated with the reservoir. Lake McConaughy is a popular destination for many out-of-state boaters, as Senator Schilz can attest, as well as resident boaters. Boats and the trailers on which they are transported, as you've heard before, are perhaps the most common method of conveyance of invasive species. When the boat is transported from another infested body of water, the organisms hitch a ride, so to speak, either attached to the vehicles as larva in the live wells or in the bilge water within the boat. An unquestioned potential exists that zebra and quagga mussels, as well as other aquatic invasive species, could be introduced to Lake McConaughy. The presence of mussels has been documented in Omaha area lakes, in neighboring states including Colorado, Kansas, South Dakota, Iowa, and Missouri. The identification of the invasive mussels in Colorado waters is of particular concern to us because the majority of the visitors to Lake McConaughy do come from that state. And according to a report from the Game and Parks Commission just last summer, a UNL technician doing field work at Harlan County Reservoir near Alma

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encountered a boat with attached zebra mussels. Before it was allowed to launch, it was determined that the mussels were dead and sufficient drying time had occurred to prevent introduction of the mussels to the water. But we would categorize this as a near miss. It's not too difficult to imagine a boat carrying live zebra mussel larva could be trailered from Harlan County Reservoir in south-central Nebraska out to Lake McConaughy, Johnson Lake, or any of the other many lakes associated with our canal system, which in turn could lead to infestation of the many supply canals, irrigation canals, and hydro plants along our system that receive water from Lake McConaughy. It has been documented how mussels can damage fisheries, foul reservoir shorelines, clog hydro plants and diversion and water control structures on canals, and obstruct cooling water intakes at power plants that rely on water from the reservoirs for cooling purposes. The former coordinator of the Nebraska Invasive Species Project, and you heard from her first, Ms. Decker, a couple years ago told Central personnel that inadvertent human transport is the main pathway for introducing zebra mussels to other lakes. Further, she said, there would be no way to eradicate the mussels if they gained a foothold in Lake McConaughy. At that point, she continued, we could only hope to contain them, and even that would be expensive for Nebraska. A more preferable scenario would be one in which efforts of an Aquatic Invasive Species Program is funded to lead efforts to prevent the introduction of the invasive species to Nebraska's waters. Nebraska's waters are considered a public resource, providing all manner of benefits to the public. The state or its various political subdivisions is charged with the task of regulating, allocating, and managing water resources. Central has contributed more than \$10,000 in each of the past couple years to the effort, but ultimately we believe it is in the best interests of Nebraskans for the Legislature to take steps necessary to fund the protection of the state's waters as well as the power, irrigation, municipal, and recreational infrastructure that rely on those waters. And that concludes my testimony. Available to ask any questions. Keep in mind, I'm not a biologist. (Laughter) [LB142]

SENATOR SCHILZ: Thank you, Mr. Buettner. Any questions? Senator McCollister. [LB142]

SENATOR McCOLLISTER: Have you any contingency plans if the invasive species had in fact invaded McConaughy? [LB142]

JEFF BUETTNER: I'm not aware of any right now. I would have to check with our biologist. We do have a biologist on staff. I'm not aware that we do, no. [LB142]

SENATOR McCOLLISTER: Do you have an inspection program at all... [LB142]

JEFF BUETTNER: Yes, absolutely. [LB142]

SENATOR McCOLLISTER: ...for boats that come into the lake? [LB142]

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JEFF BUETTNER: Well, I thought you were going to say for facilities. Game and Parks Commission does inspect, the way I understand it, some boats that launch at Lake McConaughy, but Central itself does not. We lease all of the recreational area at Lake McConaughy to Game and Parks Commission and then they provide the management of the recreational facilities. [LB142]

SENATOR McCOLLISTER: How many launch sites do you have on McConaughy? [LB142]

JEFF BUETTNER: Oh, goodness, I would say a dozen or more, including the fact that in some areas they launch from the beach if they have to, so. [LB142]

SENATOR McCOLLISTER: Have you ever given any thought to reducing the number of launch sites to enhance your inspection program? [LB142]

JEFF BUETTNER: Well, again, we don't have an inspection program. So I would say up at Lake McConaughy, given the number of recreators that come, that we experience at the lake on occasion, especially holiday weekends, that it would be kind of counterproductive to reduce access to the lake. [LB142]

SENATOR SCHILZ: First, Senator Schnoor. [LB142]

SENATOR SCHNOOR: Jeff, we tend to, I don't know, I always automatically look at this as a...from a Game and...not that I'm a Game and Parks guy, but from a Game and Parks perspective. [LB142]

JEFF BUETTNER: Uh-huh. [LB142]

SENATOR SCHNOOR: But you talked about irrigation and, honestly, it's something I never thought of, but what will this do to an irrigation canal and an irrigation system... [LB142]

JEFF BUETTNER: Well,... [LB142]

SENATOR SCHNOOR: ...or, you know, I guess getting down to a farmer and his center pivot? [LB142]

JEFF BUETTNER: Yeah. It depends. It would have to move downstream, of course. But the things that I was referencing are particularly the check structures, the control structures that take the water to the fields. And then you can think about the pipelines. We've got hundreds of miles of pipelines that could also be affected. And right down to the turnouts themselves, that theoretically, if the larva were carried that far down the

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system, would also suffer the consequences. So, yeah, our irrigation facilities are definitely a concern as well. [LB142]

SENATOR SCHNOOR: But to date, there's no signs that that has happened yet. [LB142]

JEFF BUETTNER: No. [LB142]

SENATOR SCHNOOR: Okay. [LB142]

JEFF BUETTNER: No. [LB142]

SENATOR SCHNOOR: Thank you. [LB142]

JEFF BUETTNER: Thankfully. [LB142]

SENATOR SCHILZ: Senator Kolowski. [LB142]

SENATOR KOLOWSKI: Thank you, sir. Jeff, does it make a difference because McConaughy generates electricity and the turbines and all that with water rushing through, compared to a more placid lake, Zorinsky, you know, which doesn't have much overflow? It's very slow, gradual, compared to the rapid nature of what McConaughy is... [LB142]

JEFF BUETTNER: Uh-huh. Uh-huh. [LB142]

SENATOR KOLOWSKI: ...with the water moving rapidly. [LB142]

JEFF BUETTNER: That's a good question. The way our biologist explained it to me, because the intakes to the hydro plant are at the very bottom of Lake McConaughy,... [LB142]

SENATOR KOLOWSKI: Uh-huh. [LB142]

JEFF BUETTNER: ...that would be an unlikely source of infestation, but... [LB142]

SENATOR KOLOWSKI: Because of depth more than anything else? Thank you. [LB142]

JEFF BUETTNER: Yes, mostly because of depth. I mean it's, when it's full, it's more than 140-feet deep. [LB142]

SENATOR KOLOWSKI: Got it. [LB142]

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JEFF BUETTNER: But there is the shoreline and then there are those, once it gets past Kingsley Hydro Plant, now you've got Lake Ogallala which lies below Kingsley Dam,... [LB142]

SENATOR KOLOWSKI: Yeah. [LB142]

JEFF BUETTNER: ...which is, as you said, a much more placid lake. [LB142]

SENATOR KOLOWSKI: Placid, yeah. [LB142]

JEFF BUETTNER: And, you know, once they gain a foothold in any part of the system, who knows where it's going to stop? One of our biggest concerns is not necessarily the outlet works, but the beaches. Despite the fact that it goes up and down, I've seen pictures of lakes where the remnants, the shells of these quagga mussels, create all kinds of hazards for people that want to use the beaches for recreational purposes. [LB142]

SENATOR KOLOWSKI: Thank you. [LB142]

JEFF BUETTNER: Yeah. [LB142]

SENATOR SCHILZ: Thank you, Senator Kolowski. Any other questions? Seeing none, thank you for your testimony today. [LB142]

JEFF BUETTNER: Right. Thank you. [LB142]

SENATOR SCHILZ: Next proponent. Good afternoon. [LB142]

JUSTIN KING: (Exhibits 7 and 8) Hello. Chairman Schilz, members of the Natural Resources Committee, my name is Justin King, J-u-s-t-i-n K-i-n-g. I work as an environmental specialist for Nebraska Public Power District. I am a native Nebraskan. I have a master's degree from UNL in wildlife biology and have worked at NPPD's environmental department for 22 years. Also, I am a board member of the Nebraska Invasive Species Council and of the Governor's Council to Keep Nebraska Beautiful. NPPD is concerned about aquatic invasive species and their potential impact on operations. Aquatic invasive species, such as Asian clams, zebra and quagga mussels, and Eurasian water milfoil, can infest power plants and plug up their piping. They can also affect operation of our canal systems by restricting water flow and cause control gates to jam. Currently, NPPD spends about \$60,000 a year to control Asian clams at our facilities, and \$20,000 a year monitoring for all aquatic invasive species. NPPD supports the implementation of the Aquatic Invasive Species Program and supports funding to be used to detect, research, control, and raise public awareness of aquatic

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invasive species. We do have one concern we would like to raise regarding LB142. We believe that all of the fees collected for the Aquatic Invasive Species Program should be dedicated to the program. As written, the bill provides that the funds may be used for the program. NPPD believes the funds, which will be collected from in-state and out-of-state boaters, should be dedicated to the Aquatic Invasive Species Program. We encourage the Natural Resources Committee to advance LB142 with dedicated funding to aquatic invasive species. Thank you for your time and I'd be glad to answer any questions. [LB142]

SENATOR SCHILZ: Thank you, Mr. King. Any questions? Senator Hughes. [LB142]

SENATOR HUGHES: Thank you, Mr. Chairman. In here you say NPPD is spending \$60,000 a year to control the Asian clams at your facilities. What is that? What are you doing to control? [LB142]

JUSTIN KING: Specifically at our Gerald Gentleman Station, which is our large, coal-fired power plant by Sutherland, Nebraska, we have Asian clams in that Sutherland Reservoir and in the canal system around there, and they have been getting into the plant. And twice a year we conduct a mitigation where put a molluscicide into the internal piping of the plant, close it off, allow it to sit there, kill the Asian clams, and then open it back up and flush it, and we do that twice a year and it costs about, the engineer told me, about \$30,000 a year, between cost of the molluscicide and engineering, you know, time and labor. [LB142]

SENATOR HUGHES: So this is a chemical treatment that will kill this type of mussel. [LB142]

JUSTIN KING: Yes. [LB142]

SENATOR HUGHES: Okay. So there is hope. [LB142]

JUSTIN KING: Hope to control them at least. [LB142]

SENATOR SCHILZ: Thank you, Senator Hughes. Any other questions? Senator Kolowski. [LB142]

SENATOR KOLOWSKI: Is there any use for the shells? [LB142]

JUSTIN KING: That has been looked at, especially in the canals where if you saw the picture of where they're so dense, and they're...it's calcium. [LB142]

SENATOR KOLOWSKI: Sure. [LB142]

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JUSTIN KING: They've talked...it's been kicked around of trying to drop, you know, machinery in there and scoop up the shells and grind them up for like a fertilizer or something... [LB142]

SENATOR KOLOWSKI: Uh-huh. [LB142]

JUSTIN KING: ...to that effect. But nobody has looked...so far, nobody has looked at very serious as far as cost to get them out of the canal and to... [LB142]

SENATOR KOLOWSKI: Sure. [LB142]

JUSTIN KING: ...process them. [LB142]

SENATOR KOLOWSKI: Just asking. Thank you. [LB142]

JUSTIN KING: Yep. [LB142]

SENATOR SCHILZ: (Exhibits 9, 10, 11, and 12) Thank you, Senator Kolowski. Any other questions? Seeing none, thank you for your testimony today. Appreciate it. Any other proponents? Proponents? Okay. We have a few letters of support: one from Eric Zach, the Nebraska Chapter of the Wildlife Society; Rob Schultz with the Nebraska Weed Control Association and North American Invasive Species Management Association; Scott Smathers with the Nebraska Sportsmen's Foundation; and Tony Barada with the Nebraska Chapter of the American Fisheries Society. All put in letters of support so those will be entered into the record. Do we have any opponents today to the bill? Any opponents? Seeing none, any neutral testifiers? And with that, seeing none, that will end the hearing on LB142 and I would ask that we have a motion to go into Executive Session. We would ask the folks that are here from the Game and Parks Commission to stick around to give us a private briefing. Thank you very much everyone and have a good day. [LB142]