

Transcript Prepared by Clerk of the Legislature Transcribers Office
Appropriations Committee October 4, 2019
Rough Draft

STINNER: [RECORDER MALFUNCTION] introduced LR211 to examine alternatives for funding the Nebraska Tree Recovery Program. Due to severe weather conditions, disease, and invasive species the states localities are experiencing a rise in tree mortality. Many local governments have been unable to decisively deal with this problem due to insufficient fundings to remove, dispose of, and replace trees situated on public land. Presenting a liability and a safety problem. This is why I'm seeking input from stakeholders today on specific conditions experienced at the local level contributing to tree mortality, the hazards this presents, current mitigation, and resiliency efforts to combat tree mortality and what the state can do to help with these efforts. It is my intent to pursue an innovative solution to this problem using underutilized funds under the Federal Emergency or FEMA Resiliency Administration. They have a risk mitigation program. This study will identify the availability and eligibility requirements for various grant programs under the Resiliency Administration, as well as other strategies to leverage additional financial resources for the Tree Recovery Program. Any additional input on what the state may do to meet these eligibility requirements or leverage additional resources will be incorporated into my effort throughout the course of the study. Thank you for your time and attention today as we hear from stakeholders behind me on their work of environmental mitigation, resiliency, and conservation.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

Thank you and I will welcome any questions. I do want to add with the flood and the idea that we're probably going to have high water once again, when you look at the canopy, the trees, there one of the solutions to mitigating some of the flood prospects that we have. So FEMA does fit into that solution. It is a risk mitigation solution. Anyhow, questions?

BOLZ: Senator Stinner, would you just tell me just a little bit more about the FEMA risk mitigation funds. Are they grants? Are they matching funds?

STINNER: They are, they are grants. They are supposed to be grants. There may be some other additional funds. But that's one of the things we-- we're gonna continue to research.

BOLZ: OK. Thank you, Senator. All right. I think we have invited testimony only and the first invited testimony on my list is from Vice Chair Deborah Eagan of the Lower Platte South.

DEBORAH EAGAN: Good morning.

BOLZ: Good morning.

DEBORAH EAGAN: I'm Deborah Eagan, D-e-b-o-r-a-h E-a-g-a-n. I'm vice chair of the Lower Platte South NRD in Lincoln presenting testimony today concerning LR211 on behalf of the Lower Platte South Natural Resources District. We are very proud of the past tree planting

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

efforts of all Nebraskans. Our urban forests provide many benefits to our cities and towns and our rural forest resources also provide many benefits such as wildlife habitat, wind breaks, flood control, and conservation. This NRD offers several programs to assist with tree planting in both rural and urban settings. We also partner with the university to provide a forester to assist landowners with their tree planting and management needs. Locally, we are very concerned about the increased tree mortality due to the Emerald Ash Borer and the increased danger to the public as these ash trees health declines, they also pose an increased safety hazard. The potential for serious injury especially on public property such as parks and street right-of-way is concerning. Weakened trees are more susceptible to falling on cars, buildings, and especially people. This is especially true during high winds, thunderstorm wind, and severe winter storms. This past legislative session, this NRD supported LB552 and recognized the need for additional funding for the Nebraska Tree Recovery Act. We are currently updating the Hazard Mitigation Plan for this NRD and local communities such as Lincoln, Plattsmouth, Hickman, Louisville, and Waverly. We will include a risk assessment of the impacts of the Emerald Ash Borer in the updated Hazard Mitigation Plan and we will support future efforts to make this hazard eligible-- make the hazard eligible for FEMA Hazard Mitigation Assistance Funding to our communities. We support all efforts by the state to obtain funding assistance through the Federal Emergency Agency's Resilient

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

Administration. We feel Nebraska has a good culture of preparedness and are hopeful that FEMA funding can be obtained to assist with state and local efforts to assist the Tree Recovery Act. Thank you.

BOLZ: Thank you. Questions for this testifier? Thank you for coming today.

DEBORAH EAGAN: You're welcome. Thank you.

BOLZ: Further invited testimony. Mr. Berge is next.

JOHN BERGE: Good morning.

BOLZ: Good Morning.

JOHN BERGE: I've hit that point in life where I don't know whether the classes are helpful or hurtful to me right now. My name is John Berge, J-o-h-n B-e-r-g-e. I want to thank, Senator Stinner, for the opportunity to testify on this important legislative review and for his foresight in introducing this important review and to provide direction to the Legislature on potential funding sources for the Tree Recovery Act. I'm John Berge and I serve as the general manager of the North Platte Natural Resources district in Scottsbluff, Nebraska. As you know, NRDs are charged with 12 areas of responsibility under state law. Among them are erosion and prevention control, flood prevention and control, soil conservation, and forestry and range management. We have developed a robust Conservation Tree Program in our NRD that both

Rough Draft

directly and indirectly addresses these areas of responsibility, but we are challenged to do more. In western Nebraska, we have seen disease and pests claim trees without a methodical remediation plan, which the Tree Recovery Program attempts to address. The Dutch elm disease in my youth wiped out thousands of acres of tree rows in the Panhandle and the pine bark beetle infestation spreading from the Pine Ridge southward will continue to have a devastating impact on the coniferous forest to the north. Couple those examples with the immediate threat of the Emerald Ash Borer to the east and the damage and disease to other native species that are exacerbated by extreme weather in our urban forests, and you begin to have a clear understanding of the increasing challenge faced by political subdivisions in developing and, most importantly, funding a Tree Recovery Program at the, at the local level. Damaged forests have a direct and immediate impact on erosion control, water quality, livestock and wildlife shelter and food sources, and soil health. Two years ago, our board of directors was contemplating a significant change in policy as it related to tree recovery. It was our interest to develop a robust Urban Forestry Program to complement much of the good work that was being done by the Nebraska Forest Service which would include completing a tree inventory of the area including information on trees that were diseased or dying. Our efforts were fourfold: complete tree inventories of each incorporated community in the district, primarily on public property, but also a category for

Rough Draft

dead or dying trees on private lands. Our efforts here were to proactively determine the health of the urban forest and identify hot spots, hot spots where there, where there may be clusters of dead and dying trees that required intervention from a certified arborist. We-- we're going to set a goal of 100 percent Tree City USA designations for each incorporated community in the district by 2020. And we further contemplated establishing a North Platte NRD designation to coincide with the Tree City designation in the hopes that we could obtain more uniform management of landscapes in our communities and standardization of ordinances related to trees. The first two goals would be used to prioritize a funding program of tree removal through NRD cost share, coupled with tree planting to replace the trees and to enhance the forest. We anticipated using a 75 percent cost share for removal and 25 percent cost share for planting. And our hope was that after a year that we could leverage that investment with outside funding sources to grow the program to fit the needs of our communities. Because our efforts were focused on the removal of dead and dying trees, we were hoping to educate the public about the value of the resource. We even contemplated working with the Nebraska Forest Service Wood Utilization Program to access a small mill to be used for this purpose. And any "unmillable" wood or slag would have been transformed into pellets for ground fuel to be used in wood fire energy. We anticipated the cost for this program at \$100,000 a year. Unfortunately, for a relatively small political subdivision that was a

Rough Draft

bridge too far given the public's opinion on property taxes and our ability to leverage funds was limited because programs are not accessible and not funded at an appropriate level. Additionally, and most importantly, our ability to match these programs is limited as our levy authority for water management was being phased out by the Legislature requiring us to redirect prioritized funds for these purposes to water programs. This important initiative did not move forward, and our forests continue to suffer. The effort in this legislative review is an important one to ensure that local and state funds can be leveraged to bring in federal resiliency dollars to address these critical needs. This should not just be a regional or state priority, but a national priority as we seek to mitigate the effects of specific pests and disease and extreme weather, all of which are directly related to a changing climate, which is what these resiliency dollars were meant to address when they were established. I'd be happy to take any questions.

BOLZ: Thank you. Go ahead, Senator Clements.

CLEMENTS: Thank you. Thank you, Mr. Berge. I noticed you talked about the value of the resort-- source of the dying or dead trees. What is the value? Where could they be used?

JOHN BERGE: Well, I think there's, there's two different values. There's the value of the tree in the ground, that is shade, reducing

energy costs, cleaning water stabilization to avoid erosion, that sort of thing.

CLEMENTS: I understand that. I was wondering about the dead tree.

JOHN BERGE: Yeah, so the dead tree-- I'll just give you a quick example. And Mr. Erixson, who I believe testifies after me, can probably be more specific to it.

CLEMENTS: OK.

JOHN BERGE: Chadron State College, which is a college about 90 miles north of my home in Gering, both heats and cools their entire campus by using wood fire energy and have for about 20 years. And they use slag from the national forest, the Pine Ridge Forest, predominantly to do that. They use pellets and, and slag from that forest. So the value there is-- you know, essentially a renewable resource of energy for that particular college campus, but there's other value as well. A lot of that wood could be milled and used in construction. We have, as I mentioned in my testimony, we have still tens of thousands of acres of tree rows of Dutch elms that have been dead for as long as I've been alive. And the, the antithesis of their value is the fact that they are a fire hazard, they are a falling hazard, as the previous testifier mentioned. So I don't know that I can put a dollar figure on it. I think Mr. Erixson probably can. But I know that there is an opportunity there with a lot of those dead and dying trees to use them

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

for something more beneficial than-- you know, simply hanging
Halloween decorations.

CLEMENTS: OK. Thank you.

BOLZ: OK. Thank you for your testimony today.

JOHN BERGE: Thank you.

JOHN ERIXSON: Good morning.

BOLZ: Good morning.

JOHN ERIXSON: Senator Bolz, members of the Appropriations Committee, my name's John Erixson, J-o-h-n E-r-i-x-s-o-n. I am the State Forester and director for Nebraska Forest Service. The opinions shared today are my personal views as someone with 30-years experience practicing forestry. In my testimony, I do not represent the University of Nebraska. Thank you for the opportunity to come here today and speak to the committee on LR211. As I am testifying in a neutral position, my purpose today is to provide the committee with information regarding the threats to our community and rural trees and forests. Nebraska's forest and trees are at risk from several hazards including invasive and natural pests, severe weather, and wildfires. The Tree Recovery Act of 1994 was originally funded in response to severe weather events that killed millions of trees across our state. It proved to be a beneficial program helping communities respond to

Rough Draft

disasters by bringing beauty back to these storm ravaged areas. In Nebraska, 7 percent of our land covers is covered with trees or land with trees totaling about three and half million acres. There are about 850 million live trees in Nebraska, 85 percent of these trees are on private land and our forests are capable of producing 64 million cubic foot of forest products on an annual basis. Community forests comprise about 7-- 470,000 acres in 532 communities. There's about 13.3 million trees in those communities and about 900,000 of those are ash. It will cost our communities \$270 million to remove, dispose of, and replant 256,000 public ash trees in virtually every community across our state. Private trees will cost homeowners an additional \$686 million to remove, and dispose of, and replant those trees. Beyond our communities, there's an additional 43 million ash trees in our forest. Nebraska community trees provide about \$98 per year in annual environmental benefits. They do this by removing air pollution, storing carbon, sequestering new carbon, reducing energy consumption, and providing oxygen. In order for us to capture this value, we must have a sustainable forest in our communities and our rural settings. To accomplish this, we must manage our forests to keep them healthy. It requires preemptive action at times, including managing forest fuels before the lightning strikes or removing an ash tree before EAB is confirmed in a community. Each of these actions save us money overall for not only our communities but the landowners in the state. The Nebraska Forest Service is assisting communities and

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

landowners by providing some grant dollars from federal sources to assist in planting of community trees and management of rural landscapes. Some of these include our Full Circle benefits grant, which focuses on managing community trees; ten largest communities grant, which focuses on planting trees in our largest communities; our wildland urban interface grants that focus on reducing fuels in areas that have community wildfire protection plans. In addition, we're working with the Arbor Day Foundation to provide funding to different communities for EAB recovery. This is foundation funding that's available for use on private and public lands for replanting only. Some of the challenges with these grants is we encounter issues with funding levels, the match requirements are sometimes a challenge, and restrictions related to how we can use these funds. They also do not allow us to assist with the removal, disposal, and utilization of some of the community ash trees. When faced with nearly a billion dollars in funding needed for EAB alone, these grants only scratch the surface. So as Nebraska continues to work to slow the spread of problematic insects and disease, reduce the risks to life and property from wildfires, Nebraska Forest Service is committed to help in any way possible. Our department knows these events are pivotal to the health, the viability, and the safety of our communities and citizens. So thank you for your time. I'd be happy to answer any questions.

BOLZ: Go ahead, Senator Hilkemann.

HILKEMANN: Just two quick questions. It's my understanding, we went through the Dutch elm disease some years ago, that the Dutch elm were kind of at the end of their life cycle as I understood, and that's, that's a big reason why with that was such a widespread disease and was easily transported. We have the pine beetle that's been out in Summit County in Colorado that destroyed a lot of the forest there. I understand that, again, was an aging-- those trees were near the end of their life cycles. The elm or the, the Ash Borer, these are not trees that are near the end of their life cycle, a natural life cycle. Is that correct?

JOHN ERIXSON: That's correct. These, these trees could live without EAB another 100 years even, so they're, they're not. And with, with mountain pine beetle and lodgepole pine-- lodgepole pine is a tree that lives probably 70 to 90 years, and as it approaches that end of its life cycle it becomes more susceptible to other pathogens that are out there or insects that are out there that essentially take those trees out, a fire doesn't do it. Ponderosa pine is a longer lived species and it, it-- with what you saw in the west with mountain pine beetle epidemic, those trees were not near the end of their, their life cycles for ponderosa pine. That was a insect problem that-- where the population exploded and it wiped out most of the pine in the west.

HILKEMANN: OK. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

BOLZ: Further questions? Thank you.

JOHN ERIXSON: Thank you.

MARY BAKER: Good morning. Thank you to Senator Stinner for the invitation this morning and the Appropriations Committee for hearing our testimonies this morning. My name is Mary Baker, M-a-r-y B-a-k-e-r. Currently, I'm the resiliency strategist for JEO Consulting Group. Our home office is in Wahoo. I work out of the Lincoln office. We serve communities all across the states in Nebraska, Iowa, and Kansas. Over the past year-- or before the past year I should say of working with JEO. I was the State Hazard Mitigation Officer. I worked for NEMA here in the state, Nebraska Emergency Management, and that's under the military department as many of you know. I served the state for over 12 years. During that time I worked 7 years for NEMA, 2 years in the public assistance section and 5 years running the state mitigation program. During my tenure I was able to work with multiple different agencies and organizations in various state and federal programs to include working with the State Forestry Department, the State Game and Parks, and the 23 Natural Resources Districts in our great state. As my colleagues have testified so far today, our state is facing a crisis of unprecedented proportions concerning our tree stock and our, our forest inventory. As a fourth-generation farmer, I know all too well the importance of our state's trees and the forest areas. The disease and insect infestations that are killing our trees

Rough Draft

at an alarming rate, and the wooded areas that are already plagued by dead trees have occurred largely due to age and some due to natural causes as was mentioned earlier the disasters and the natural causes are, are great right now. I believe we need to fight this on two fronts: one, to directly address the spread of the Emerald Ash Borer on the eastern end of our state; and two, to also proactively remove and dispose of the already dead trees across our state and in our countryside and in our urban areas. Over half of the 48 states, the lower 48 are infested with EAB. We know this insidious little Ash Borer is in at least 7 of our 93 counties and spreading. There is a ring of about nine counties around this eastern group that probably could be really preemptive as possible in removing the ash trees in their communities and across the countryside as quick as they can. Unfortunately, this task is overwhelming. As Director Erixson mentioned, it's millions of dollars to remove these trees for all of our counties let alone-- you know, nine and and the seven that are, are currently fighting the infestation really hard. But if they can be successful, they can perhaps give the rest of the state a chance to get ahead and a head start on their preemptive measures. Over the past few years, I've had the opportunity to travel all across our state with the Emergency Management Agency. I've worked two natural disasters from Pilger tornado to the horrific wildfires of 2012 when we had our last drought in the Panhandle. Lately, I've really become increasingly alarmed at the quantity of dead trees that are littered

Rough Draft

among our forests and trees and wind breaks all along our highways, around our ranches and farms, and I really think we need to find ways to remove these clusters of dead trees and the dying stock before they become just fuel for the next wildfire season. Of course, to address this issue properly we need funding. It's always about funding and finding a way to put your money where your top priorities really are both at the state and local level. I believe there are opportunities outside of the State Tree Recovery Program and the-- what the NRDs are doing that can be applied for and brought into to bear some of the burden for the true problem in our state that can help support those programs. The state is a leader in many ways and one of them-- excuse me, is through our FEMA approved local mitigation plans. We have 21 regional multi-jurisdictional, multi-hazard plans for our counties and communities across our state. Fourteen of these 21 plans are championed by the corresponding Natural Resources Districts, and the other seven are led by the local emergency management professionals for those areas. In these plans we address hazard risk, community capabilities, and the formulation of strategies mitigation actions that will potentially address any of the identified shortfalls. This includes the analysis of invasive species and addressing wildfire risk assessments that directly deal with the subject at hand today. Some of the approved FEMA mitigation measures to combat these hazards would include: hazardous fuels reduction and the creation of defensible space around our communities and structures and facilities and the

Rough Draft

homes of our citizens. Defensible space really is just creating a buffer zone around structures. It can be natural or man-made where material is capable of allowing a fire to spread unchecked if not treated and cleared out. The rate of-- that would reduce the rate of intensity in advancing wildfires. This protective ring reduces the risk and-- to the facility and minimizes the chance of loss of life. It also gives the firefighters more time to combat the fire and do so with amplify-- without the amplified risk of worrying about a home full of people or a barn full of livestock on top of fighting the fire itself. These measures are crucial when we have multiple homes and structures that are embedded within our tree stock and forest areas. Another option is the hazardous fuels reduction method, it goes beyond the immediately adjacent area to any structures that goes up to two miles away and involves removing and modifying vegetation fuels, that if ignited would pose a significant risk. FEMA would not do projects that are on federally held land, but all property that is state and locally held would be eligible for these projects.

BOLZ: I would just note that you've reached your red light--

MARY BAKER: Oh, OK. Sorry.

BOLZ: --if you want to kind of wrap up your final comments.

MARY BAKER: You bet. You bet. Basically these programs that are available would be available at a 75 percent cost share. There are two

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

of the main ones are the Hazard Mitigation Grant Program and the Pre-Disaster Mitigation Grant Program. I do have flyers on those that I can give the committee as well. Both of those programs are available right now through Nebraska Emergency Management. They can be applied for by any eligible participant, and that is anybody that's participated in their local mitigation plan. And that's really the majority of the people across the state and majority of the public entities that could apply for that including the Natural Resources Districts and the counties. So those are the opportunities I think that are out there. There are millions of dollars available in these federal funds. They do have to be applied for. They do have to be-- you know, sought after by the local constituents, but I believe that would give us a, a huge cost share offset at 75 percent for us to be able to remove and dispose of the trees that are really not being useful in our tree stock. Any questions?

BOLZ: Very good. Thank you very much. Go ahead, Senator Dorn.

DORN: Just a quick question. Do you know of anybody or any government entity that is working to get those grants or have those grants?

MARY BAKER: Right now, I do not. I do know that the Tree Recovery Program has been funded twice before under the Hazard Mitigation Grant Program through our state in previous years. I don't know that it's

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

being pursued currently, but I do know that it has-- there is a precedence of using the funds before.

BOLZ: Thank you.

MARY BAKER: Um-hum.

BOLZ: And, and the-- you said 75 percent which means the--

MARY BAKER: Yep.

BOLZ: --local subdivision would have to identify the remaining 25.

MARY BAKER: Right. Right. The local community or the NRD would have to pay for the 25 percent of the non-- they call it nonfederal share. So technically it could be anything as long as those funds weren't federal money. So you couldn't use, for instance, the forestry department's federal money to offset that federal grant. It would have to be state or local or private.

BOLZ: So if we were to identify state dollars,--

MARY BAKER: Um-hum.

BOLZ: --they-- those would be appropriate for matching funds.

MARY BAKER: Yes, it certainly would.

BOLZ: All right. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Appropriations Committee October 4, 2019
Rough Draft

MARY BAKER: Thanks.

BOLZ: Any further testifiers?

JEFF BRADSHAW: Chairman Stinner and members of the Appropriations Committee, good, good morning. I am Dr. Jeff Bradshaw, J-e-f-f-B-r-a-d-s-h-a-w, and I'm a research and extension entomologist at the University Nebraska-Lincoln's Panhandle Research and Extension Center in Scottsbluff. Mr. Chairman, as a constituent of yours, it's a particular honor for me to come to you today. I'm grateful for your leadership and to this committee for its work in creating a bright future for Nebraska. Today, I'm testifying as a research-based, scientific expert and not representing the University of Nebraska in my testimony. And that is I'm here to inform science-based policy as an expert in insect biology, ecology, and management. My view is that the Nebraska Tree Recovery Program is a vital tool to help Nebraskans prepare for our future climate. Allow me to explain why. Nebraskans confront economic challenges that invasive species and outbreak-prone insect pests have on our agriculture and natural resources. An average of 2.5 novel forest insect pests and pathogens establish populations in the U.S. each year. These successful introductions primarily occur as collateral risk from global trade. Global trade is critical to the economy of our state; however, pest introduction rates are likely to increase with trade. And what does this have to do with trees? A primary route for many exotic and invasive species in North America is

Rough Draft

through shipping. Many shipping materials are made of wood products such as crating, pallets, and dunnage. The pests within this material are rapidly distributed throughout our interstate transport systems. Trees and tree stands have relatively long regeneration times and so responding to outbreaks of pests in these systems is often logistically challenging and costly. While we anticipate increases in introduction rates, we also anticipate improved survival of introduced pests due to our changing climate. From the data presented in the 2014 report, *Understanding and Assessing Climate Change* published by the UNL Institute for Agriculture and Natural Resources, we can expect pests to have greater survival and more generations, and we can expect, we can expect changed plant host quality that improves conditions for pests such as mountain pine beetle. For example, the long frost period in North America continent has long regulated pest populations in favor of the ag and natural resource economy of the Midwest. The seasonal pulse has shielded us from pest outbreaks and protected us from invasive insects found in warmer climates where we engage in global trade. The negative impacts in the U.S. from invasive or outbreaks species on trees is substantial, affecting more than 50 million acres and costing more than \$2 billion annually. In Nebraska, we are facing the potential loss of \$97 million per year and benefits from ash trees and \$7 to \$17.5 million in pine sawlog value to landowners due to the Emerald Ash Borer and mountain pine beetle, respectively. And I have those specimens passing around now. While our

Rough Draft

current climate in Nebraska appears to be mostly keeping mountain, mountain pine beetles in check, we may only be one drought away from an outbreak. On the other hand, the eastern invasion of the Emerald Ash Borer is unavoidable and its impact is expected to overwhelm municipal budgets. Eradication efforts have long since been abandoned due to the difficulty in detecting and delineating infestations. Emerald Ash Borers attack living, healthy trees, but by the time symptoms appear, treatment can be too late. Healthy trees can be effectively protected with some insecticide treatments. However, if it were feasible to protect every ash tree in Nebraska with a 4 percent solution of emamectin benzoate, the total cost would be \$10 to \$222 million every two years. Senators, experts indicate that it is likely that the Emerald Ash Borer will extirpate one of the most widely distributed trees on our continent. The Nebraska Tree Recovery Program provides the state with a practical response to help our communities retain property value, maintain lower annual cooling and energy costs, reduce contributions to atmospheric carbon emissions, and reduce annual stormwater runoff while ensuring safe properties. I stand ready with 380 other research and extension professionals to be a catalytic partner with you to help Nebraska solve these challenges and help our state be successful. I hope this testimony provides input on Nebraska's need to examine alternatives for funding the Nebraska Tree Recovery Program, and I appreciate this committee's service to the

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

state of Nebraska. Thank you for your consideration, and I'll be happy to answer any questions.

BOLZ: Very good. All right. Go ahead, Senator Dorn.

DORN: Unless you have one, go ahead.

BOLZ: Go right ahead.

DORN: The Emerald Ash Borer and, and the progress of that, what-- give us a little update-- or I don't know maybe should ask one of the other speakers, where are we at today and what is the time line going forward when we will be at maybe a 50 percent depopulation? I mean-- you know, tree loss or--

JEFF BRADSHAW: I'm not sure if we have somebody with the forest service today that would be better--

DORN: Should I ask one of the others?

JEFF BRADSHAW: --able to address that question.

DORN: Yeah.

JEFF BRADSHAW: Right now, I believe the Emerald Ash Borer has only been intercepted on the eastern end of the state.

DORN: Right.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

JEFF BRADSHAW: And you know, closest to our area, I think it's been intercepted in Colorado as well.

DORN: But at some point in time going forward here we're, we're, we're gonna really start to notice a lot of trees not greening out or dying or whatever.

JEFF BRADSHAW: Yeah, it takes about three to four years for the Emerald Ash Borer to establish to the point in the tree where you start to see symptoms. And I understand the symptoms are, are fairly aggressive and rapid onset.

DORN: OK. Thank you.

BOLZ: Thank you for your expertise.

JEFF BRADSHAW: Thank you.

BOLZ: Do I have further testifiers on this LR? Good morning, Commissioner.

SEAN FLOWERDAY: Good morning. Good morning, acting Chairwoman Bolz and members of the Appropriations Committee. My name is Sean Flowerday, that's spelled S-e-a-n F-l-o-w-e-r-d-a-y. I'm a member of the Lancaster County Board of Commissioners, and I'm here to testify regarding LR211. Following the historic bomb cyclone weather event Nebraska experienced earlier this year, Lancaster County had close to 22 bridges closed and more than another 50 bridges that remain on our

Rough Draft

scour critical and scour susceptible watch lists. Frankly, Lancaster County got off easy, too, compared to many Nebraska communities. It doesn't overstate the situation to say the county infrastructure across the state was shattered and left in literal pieces. To address the situation, Lancaster County allocated a historically large 3 million additional dollars to road and bridge repair in the 2019-2020 budget. But frankly, that figure is less than half of what we need to handle all the repairs following the previous winter. I bring up our infrastructure crisis because in such budget tight times, our local counties and municipalities are forced to perform infrastructure and budgetary triage. We prioritize keeping farm-to-market routes open and bridge repair in order to keep local communities moving. What happens is the removal, disposal, and replanting of trees damaged by storms and infestations falls down our priority list. Many counties and smaller municipalities simply cannot keep up with the job without further financial assistance. This eventually leads to public safety hazards, it negatively impacts the quality of life in our counties from increased fire hazards, to deteriorating wind breaks, to increased erosion concerns, and bridges that are damaged by dead trees left in our creeks and streams. Nebraskans suffer when we do not address tree mortality sufficiently. I thank, Senator Stinner, for recognizing this need and exploring this issue. I urge you on behalf of Nebraska taxpayers to find a way to leverage additional economic resources, likely through federal assistance, for the Tree Recovery

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

Program. These concerns are real and they have a real impact on the budgets and safety of Nebraskans. Fundamentally, I'm not an expert on this issue and I'm not gonna try to pretend to be. You've got half a dozen experts behind me who can tell you what you need to do. I'm here to tell you that if this issue isn't addressed and it falls to local political subdivisions we will not be able to keep up with it.

BOLZ: Go ahead, Senator Dorn.

SEAN FLOWERDAY: Be, be happy to answer any questions.

DORN: The reason I bring-- the question is-- you know, 75 percent matching fund--

SEAN FLOWERDAY: Right.

DORN: --that we've talked about earlier. Right now your county doesn't have anything or any--

SEAN FLOWERDAY: We had--

DORN: --agenda to appropriate the other 25 percent or anything.

SEAN FLOWERDAY: Right. We had a \$18 million budget shortfall this year--

DORN: Yeah.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Appropriations Committee October 4, 2019

Rough Draft

SEAN FLOWERDAY: --that we had to make up for. We had to raise our property tax levy because of that. So it's, it's tight times on the county level.

BOLZ: Very good.

SEAN FLOWERDAY: Thank you very much.

BOLZ: Thank you, Commissioner. Do I have one final testifier this morning?

KEVIN POPKEN: Good morning. My name is Kevin Popken, P-o-p-k-e-n. I'm here on behalf of the Nebraska Arborists Association. I'm the president of our state association. Much of our function on the state level is-- you know, the training of arborist and certification of arborists across the state of Nebraska. The Emerald Ash Borer, it's, it's been already discussed is-- ash trees within our community comprise up to 20 percent of our urban forests that are currently being affected and under disease an infestation of invasive species and, of course, extreme weather events that we're experiencing with the recent flooding and also many of the storm-- you know, severe storm events we're losing as we've already discussed the-- you know, trees at an unprecedented rate. Much of the-- of course, the concern from our side is, of course, funding for-- you know, as has been mentioned removals-- you know, removal of these hazardous trees. One thing that should be also noted about ash trees, they, they don't stay

Rough Draft

in the-- they won't stand in the forest or a setting like this for very long. Once they're, they're damaged, ash trees often suffer from what we called catastrophic stem failure. So after a very few short years of an infestation they become no longer safe and create-- you know, significant liability. Other trees like say, like an elm tree or some oak trees or cottonwoods you see oftentimes can be "barkless" in a, in a grove for some time. So these aren't trees that will-- you know, stay in the landscape setting for a long time and not pose a hazard even as a dead tree they quickly become hazardous. For our-- you know, for our arborist, rule of thumb-- you know, is if it's even-- you know, 20 to 30 percent canopy loss, we don't-- a good company will not put a climber in a tree like this. So then we rely upon mechanical equipment, lifts and things to safely remove a tree. So these not only pro-- you know, create a problem or a crisis within-- you know, just the dead trees, but they themselves are becoming a crisis for-- you know, climbers and those who are removing them. I will say, though, too, we are experiencing high numbers of arborists are coming into the field, young men-- young people that-- we've just recently had a, a-- one of our classes where we had the like the largest attendance-- just this past week we had the largest attendance of new arborists coming into the field. We have several hundred across the state that we're-- you know, currently training and so with proper funding we do have some great-- you know, there are some positive sides-- there's some good people coming in to help

Rough Draft

mitigate some of these risks. Within our organization-- and like I said-- you know, our-- we try to educate-- employ those and prepare them for these such risks, tree companies that are poised to handle and removal problem trees and wood waste. As I mentioned we-- their investments in crane operate-- you know, in cranes and lifts to help remove these effectively but they're also an enormous investment on the part of individuals and-- you know, the companies that they represent. We would also like to seek opportunity to find a solution for the tree waste problem. The trees-- the disposal sites that are gonna quickly become overwhelmed with tree waste. And so it's necessary to find a source or an outlet for these-- you know, for the tree waste. And I think there are potential sources for renewable-- whether it be renewable energy or even in the case of like Costco for up here that is opening up in Fremont area, there is a need at the Costco plant there in Fremont, for example, that needs wood dry woodchips for, for barns and current sources of kiln dried dimensional lumber, its waste is not always sufficient in our area. Wood from these urban trees could easily meet that demand if logs can be debarked and dried and shipped-- you know, to specifications needed. And there are companies-- larger companies that are doing shipping and looking into this to provide that type of utilization of some of the wood waste. If we can get to a point where some of the costs are covered by that, that would be ideal for-- you know, not only-- you know, funding reasons but also an incentive to, to take care of some

Rough Draft

of the wood waste. We would seek-- you know, really primarily, of course, you know, funding for removal of diseased and damaged trees-- you know, for-- and then also for planting, not only as mentioned-- you know, we're, we're big as an arborist state, we are big on planting trees, but we also would want to seek some funding for maintenance of those trees once they're planted. Oftentimes trees are-- people are excited about on Arbor Day to plant trees, but then they're often neglected in the landscape. Nebraska once was rather treeless. We've done a great job of-- you know, bringing in trees. I think we need to always consider funding for-- you know, replacement trees and, and have a hope towards the future as to-- you know, what that would look like and repopulate the city-- this great state with-- you know, trees as well. So-- and then, of course, some funding to research-- you know, the-- again, the option to dispose of tree waste and effectively-- you know, manage that as well. So thank you very much. I can see I've got my red, red light here so any questions?

BOLZ: Seeing none, thank you for your testimony.

KEVIN POPKEN: All right. Well, thank you very much.

LYNN REX: Senator Bolz, members of the committee, my name is Lynn Rex, L-y-n-n R-e-x, representing the League of Nebraska Municipalities. We just want to briefly make a statement and thank Senator Stinner and this committee for looking at this important issue. It will take on

Rough Draft

increasing importance. I just talked to John Erixson a minute ago just to see how far west he thought this has gone. And he said Saunders County, and we've heard from the city administrator of Wahoo, Nebraska, that this Emerald Ash Borer is certainly there already. And the first five years or so you don't see a great effect, but it starts deteriorating. And just as a property owner in Lincoln, I have three ash trees and it's a \$750 a year to get those treated. And there's no guarantee that it's going to have a great effect, but at least you make the effort I guess. Lincoln also has an Adopt-a-Tree program, so they're trying to encourage property owners to take care of the ash trees that are on the city's right-of-way, not on their own property. And I think that that has been somewhat successful in terms of encouraging people to do that. But this is a safety issue, first and foremost, it's not just what the appearance is, it's also a safety issue. And that's really why it's so important to do this. So thanks to Senator Stinner and all of you for looking at this important issue. Thank you.

BOLZ: Thank you. Senator Stinner, would you like to close?

STINNER: I think I'll waive closing at this hour.

BOLZ: Very good. I think that closes our hearing, thanks to everyone for testifying today.