

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee May 21, 2025

**BRANDT:** Welcome to your Natural Resources Committee. We're going to forego the introduction that takes about five minutes to read. Basically, please turn your cell phones off. And when you come up to testify, introduce yourself and spell your first and your last name. The first appointment we will hear today is Joshua Andersen, Nebraska Environmental Trust. If you'd please come forward.

**SALLY SCHULTZ:** Senator, do you want to announce who's here?

**BRANDT:** Oh. Yes. Thank you. Thank you for pointing that out. If the committee could introduce themselves, starting on my left.

**CLOUSE:** Yes. Stan Clouse, from District 37: Kearney, Shelton, Gibbon. And I have to leave to go to Judiciary, so.

**HUGHES:** Jana Hughes, District 24: Seward, York, Polk, and a little bit of Butler. And I am so sorry. I have to leave too because [INAUDIBLE] my daughter. Peace out.

**DeKAY:** Barry DeKay, representing District 40, which consists of-- Jana, shh.

**BRANDT:** You can scoot over to the mic over there because she's gone.

**DeKAY:** Representing Holt, Knox, Cedar, Antelope, northern part of Dixon, northern part of Pierce Counties.

**JUAREZ:** Good afternoon. Senator Juarez, Legislative District 5: south Omaha.

**RAYBOULD:** Senator Jane Raybould, Legislative District 28 in Lincoln.

**BRANDT:** OK. And I'm Senator Tom Brandt, District 32: Fillmore, Thayer, Jefferson, Saline, and southwestern Lancaster Counties. Helping us today is counsel Cyndi Lamm and our clerk, Sally Schultz. And with that, please tell us a little bit about yourself.

**JOSH ANDERSEN:** Thank you, Chairman Brandt and members of the Natural Resource Committee. My name is Josh Andersen, J-o-s-h A-n-d-e-r-s-e-n. I have a copy of my testimony if you guys would like copies. I live at 2080 Road 307 in Edgar, Nebraska. This is the heart of the natur-- of the Rainwater Basin, which is identified as a biologically unique landscape in the Nebraska Game and Parks, Na-- Nebraska Natural Legacy Project. The land use in this area is predominantly row crop agriculture, sprinkled with shallow wetlands. The combination of these wetlands and lost grain from fields contributes to one of the largest

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wildlife migration spectacles on Earth. During the spring migration, you are likely to spot bald eagles, sandhill cranes, geese, ducks, and the occasional whooping crane. It is estimated that these temporary visitors number about 8.6 million as they migrate through in just a few weeks in the spring. Once our feathered guests have left and the fields have turned from brown to a sea of green, our landscape remains home to our resident wildlife. In the early dawn or dusk, you can hear the crowing and drumming wingbeats of courting ring-necked pheasants, the emphatic whistle of the northern bobwhite quail, or the jolt of a gobbler from his nighttime roost. This is my home and this is where I was raised. This is also where my wife and I chose to return to raise our four children on our diversified family farm, where we continue our family tradition of agriculture and land stewardship. I come from a family of serious conservationists. In 1924, my grandfather immigrated through Enle-- Ellis Island, eventually landing in Nebraska to farm. It was after persevering through the Great Depression and the Dust Bowl that my grandfather was awarded the Nebraska State Conservationist Award and the Nebraska State Tree Planter of the Year Award. My father was born on the family farm and was the first to earn a college degree. In 1962, he left Nebraska to work on the Mercury, Gemini, and eventually the Apollo space programs. After 15 years away from Nebraska, he returned to the family farm to raise his family. In 1992, my father began 15 years of service on the Rainwater Basin Joint Venture Board, where he represented local landowners and helped to promote and implement many local conservation projects. I grew up with these two fine men, and I'm grateful for the time I had with them and the passion for nature that they instilled in me. Similar to my father, I left the family farm to expand my horizons. And after earning an engineering degree, I moved to Oklahoma, where I gained ten years experience in private industry with experience in leadership, project management, and technical project and process development. I served in various capacities, from research and development to management. I was responsible for managing budgets, people, process improvements, and large projects. Now I'm fortunate to be back home in Nebraska with my wife and our four children on our family farm. Since coming home, I've served on several volunteer boards, from Boy Scouts, church, University of Nebraska extension board, our rural fire district board, and for four years on the Nebraska Environmental Trust. Sharing my love of nature, agriculture, my community, and balancing these important priorities is what interests me about the Nebraska Environmental Trust. I feel that my experiences can serve some value in this capacity. I believe that agriculture and conservation are complementary interests. Our heritage, way of life, and communities contribute to the values and success of our future generations. These factors must also be

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considered in any long-term public commitment, including conservation efforts. Thank you for this opportunity. And I'd be glad to answer any questions if I can.

**BRANDT:** OK. Let's see what we've got. Questions? And-- could you introduce yourself?

**CONRAD:** Sure. Hi. I'm Danielle Conrad from Lincoln. Thanks for being here, Mr. Andersen. So-- and-- you-- you're pre--you're, you're currently on the Environmental Trust Board. Is that right?

**JOSH ANDERSEN:** Yes. I filled a vaca-- vacated spot for four years-- Sherry Vinton from District 3, who's now the, the ag secretary. So I took her position-- or, was appointed to her position. Yeah.

**CONRAD:** Very good. OK. Well, thank you for, for helping me understand the background. Obviously, four years of experience on the board gives you a pretty good understanding of the landscape and the issues and the process. But it'll be no surprise to you, the Environmental Trust Board-- which, for most of its existence, operated in a pretty symbiotic way with all stakeholders and brought forward a lot of goodwill and important stewardship-- has been mired in controversy in recent years. So do you want to maybe explain for this committee how-- what your role in that shift of policy has been?

**JOSH ANDERSEN:** Well, the board has undergone some changes. And with change, there can be people that don't agree with change. Personally, I'm very proud of the work that the board and the staff has done to make our process more transparent, quicker. We're, we're, we're reacting quicker to grant applicants. And I think it's a lot better process than it was four years ago, so.

**CONRAD:** OK. And then just a follow-up question. So in the most recently adopted biennial budget that, at the direction of the governor, the Legislature actually removed a significant amount of funding from the Environmental Trust, did that concern you in any way? Were you supportive of that?

**JOSH ANDERSEN:** So I am--

**CONRAD:** I know you don't make budget decisions, but just trying to understand the advocacy role.

**JOSH ANDERSEN:** Yeah. So I am the chair of the Legislative Committee this year-- for this year. So we have had Legislative Committee meetings on this. And the position that the committee took was for-- to

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direct our executive director to go through the mechanics of each of the bills that had anything to do with the budget with the NET to, to make recommendations on whether these mechanics would even work or not. But it's kind of out of our purview as a board and as a committee to make pu-- public policy decisions. When it comes to, to money, that's your guys's--

**CONRAD:** Yes. Right. Yeah.

**JOSH ANDERSEN:** --job, so.

**CONRAD:** Right. Did you have concerns about that diversion of resource, though?

**JOSH ANDERSEN:** To be honest, I didn't really think about it in that-- in those terms--

**CONRAD:** Thank you.

**JOSH ANDERSEN:** --really.

**CONRAD:** Thank you, Chair.

**BRANDT:** OK. Any other questions? Senator Raybould.

**RAYBOULD:** Thank you, Mr. Andersen, for your willingness to continue to serve. And your pedigree on conservation is pretty, pretty stellar. Just to follow-up on Senator Conrad's line of what-- questioning is, you know, how does this limit the work that the Environmental Trust Board does in awarding grants for other projects?

**JOSH ANDERSEN:** I'm sorry. How does what limit it?

**RAYBOULD:** How does the, the funding being diverted-- or swept as part of what we did with the budget-- how does that impact the board's ability on granting requests from other organizations that, you know, play by the rules and they fill out the application and, you know, your team evaluates them and ranks them and awards them?

**JOSH ANDERSEN:** Correct. So, so the, the funding that would be available if it were less, it-- this is a competitive grant process, so we don't necessarily look at the funding. I think one thing that was done in the past was they just handed out all the funding no matter what. And our process is, is competitive in nature. That's the way it's designed. That's the way the Legislature set it up. We have a ranking criteria. We have a process that we follow. It's the same for every applicant. So

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I guess we don't really look at exactly how many dollars that we get. The, the lottery proceeds can go up and down in any given year anyway, so we just kind of-- we try to make the best use for the public-- of the, of the money that the public has trusted us to allocate to grants. So whatever that number is, is-- we'll do our very best to do that.

**BRANDT:** Yes.

**RAYBOULD:** I do have a follow-up question. So the, the guidelines or your-- the statutes that you follow, the board, do you have any requirements that you have to retain a certain amount of funding and carry it over to the next year?

**JOSH ANDERSEN:** I'm-- not, not that I'm aware of. I, I may be wrong, but I don't think we have to carry over money from one year to another. Is that what you're asking?

**RAYBOULD:** Yeah. Or, or do you typically try to, to spend it all and award it all? Or, or, or do your regulations require you to retain some?

**JOSH ANDERSEN:** I'd probably have to defer to our executive director on that, but I really don't think we have to carry anything over. The-- how much money gets spent is a function of the diversity of the grant applications and the number of grant applications and size of the, of the projects. So some years we may not spend it all; some years we may spend it. I will say that I've been very impressed with the increase in diversity in the applications that we've gotten over the years since we've been making some changes, so. And I think that's been very health-- very healthy.

**BRANDT:** Yes.

**RAYBOULD:** My last question. You know, as a state senator, I've gotten so many emails from constituents all across the state of Nebraska really concerned about the mission of the Environmental Trust Fund is being hijacked by us, the Legislature-- like, taking your money and sweeping it. And I know Senator Conrad, like-- have you-- I mean, has your organization been getting letters from people all across the state of Nebraska actually concerned about the same thing that we're getting? Or do you-- do--

**JOSH ANDERSEN:** I can't speak for our staff, per se, if you're talking about the NET and proper. But I actually get out and talk to a lot of people in my area about the projects that we do. In fact, I think you should have some letters of support from some people that I work with.

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But by and large, I have not heard any-- a, a, a resounding voice that we've deviated from the mission, which is to conserve and en-- enhance and restore the natural environment of Nebraska.

**RAYBOULD:** I know-- oops. I lied. I said I-- I do have one more question. I know that they took, like, millions from the Environmental Trust Fund and, and swept it into the state revolving fund for water support. You know, what-- they have the clean water and the drinking water funding that's about \$2.3 billion, \$2.6 billion in requests from all across the state. And so I guess the, the thing that-- as a Legislature, I have concerns-- and I know others have concerns-- not just Legislatures, other folks-- that they're taking funding and transferring it to, to the state to do part of the state's job. Your job is to really work with everyone across the state with environmental trusts that do that conservation that the Environmental Trust does so well. And personally-- and from a lot of folks-- I feel that they're diminishing your ability to do more good by taking away funds that you know how to distribute fairly. And so even though I support increasing the state's water revolving fund, which is woefully unfunded too, I just-- I don't know if you get frustrated-- I get frustrated that-- when I see what they do to you and derail your organization from doing more good. I mean, that's just a personal-- I don't know if you see or feel the same way I do or--

**JOSH ANDERSEN:** I, I, I don't-- I, I don't take it personal at, at, at, at all. I spend most of my time-- and I think most people on the board do-- trying to do the best job that we can do and making our process better and making more impact, getting a good value, a good return on the investment that we can, can make. And I think we really put our heads down and focus on that, and we'll let you guys worry about the rest of this.

**RAYBOULD:** OK. Fair enough. Thank you.

**BRANDT:** OK. Senator DeKay.

**DeKAY:** Thank you. Thank you for being here today. Just a couple kind of-- on the personal side of your-- you-- are you actively in the farming world now or--

**JOSH ANDERSEN:** Yes. That's 100% what I do.

**DeKAY:** Are you a dryland farmer, irrigated farmer, or both or--

**JOSH ANDERSEN:** Both. I'm in Clay County, so we have pivot, gravity, and then dryland also.

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**DeKAY:** And besides the way of life you're living now and the increase in income you're having from-- over being an engineer, how come you come back to Nebraska then?

**JOSH ANDERSEN:** I've been asked that question a lot, but there truly is no place like Nebraska. That's why I'm here.

**DeKAY:** And I'm assuming that's your family behind you.

**JOSH ANDERSEN:** You got it, yeah. Got a son, daughter, and my son's girlfriend. They're here to visit from Hillsdale College in Hillsdale, Michigan.

**DeKAY:** OK. Thank you.

**JOSH ANDERSEN:** Thank you.

**BRANDT:** I guess real quick: how is the search for the executive director going?

**JOSH ANDERSEN:** We, we have a, a robust plan in place, a schedule, and we have hired some help to, to help find candidates. So if this comes to-- if we go along the line of, of our schedule, we hope to have a candidate found by August, our August board meeting. So. We would then make a recommendation to the full board at that meeting-- hopefully have a candidate-- so the board would then have to vote.

**BRANDT:** All right. I see no other questions. Thank you. Are there any proponents? You can go ahead and take a seat back there. Any proponents? Any opponents? No opponents? Anyone in the neutral capacity? I see no one. Online comments: we had 4 proponents, 0 opponents, and 0 in the neutral capacity. And that will close our hearing on Mr. Andersen. Our-- you want to change the sign, Sally? And the next one will be Jesse Bradley. Mr. Bradley is the-- applying for director of the new, new Department of Water, Energy, and Environment. Welcome.

**JESSE BRADLEY:** Thank you. Good afternoon, Chairman Brandt, Vice Chairman DeKay, and members of the Natural Resources Committee. My name is Jesse Bradley, J-e-s-s-e B-r-a-d-l-e-y. I am honored to appear here today as Governor Pillen's nominee to serve as director of the newly formed Nebraska Department of Water, Energy, and Environment. In addition to this testimony, I've provided you a copy of my resume and some supplemental background materials. This merger represents a generational opportunity to elevate how Nebraska manages its water, energy, and environmental resources. It combines the strengths of the

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Department of Natural Resources and the Department of Environment and Energy to create a modern, unified structure to improve the management of Nebraska's water and natural resources while serving our state's people and industries for future generations. Over the past two decades, I have served the state of Nebraska through various leadership roles within the Department of Natural Resources and recently within the Department of Environment and Energy. I have led integrated water management planning, supervised surface water and groundwater programs, coordinated ins-- interstate compact compliance, and served as deputy director and at times interim director. In these roles, I've had the privilege of helping Nebraskans navigate some of the most complex water challenges, including successful implementation of Nebraska's integrated water management planning process and worked to secure Nebraska's water future such as the Perkins County Canal Project and regional drought planning activities. Nebraska faces growing challenges in water quality and quantity, energy resiliency, and environmental stewardship. These challenges don't exist in isolation and neither should the solutions. By aligning our programs under one umbrella, we can better address comple-- complex issues such as nitrogen management, drought planning, and long-term infrastructure investments. We will support this through enhanced coordination between local and state water managers, improving our planning efforts and permitting, and a renewed emphasis on education and innovation. In addition to our focus on water, the new department recognizes the critical importance of protecting Nebraska's air quality and land resources. Clean air and healthy soils are essential to public health and long-term viability of our agricultural economy and our quality of life. As we look to the future, we must be a strategic partner with our energy providers, supporting reliable, affordable, and sustainable production and use. By integrating these efforts within a single agency, we can take a more holistic, forward-looking approach to environmental protection and energy planning. As we build this department, we are committed to three enduring principles: customers, communication, and culture. We will always consider the impact of our actions on those who we serve, both inside and outside the agency. We will prioritize transparent, two-way communication with stakeholders and legislators. And we will cultivate a culture of scientific integrity, innovation, and public service. This is an exciting time for Nebraska. We are poised to lead, not just react, in managing our natural resources. I would be honored to continue serving the people of this state in this new capacity and work alongside all of you to fulfill the promise of this new department. Thank you for your consideration. And I'm happy to answer any questions you may have.

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**BRANDT:** All right. Let's see what we've got for questions. Senator Juarez.

**JUAREZ:** Thank you. Thank you, Mr. Bradley, for being here today. I have just a couple questions. And it really is a concern for me about the canal and that future project. And I have concerns because-- of course, I don't have a background, you know, in environment, per se. So what is your opinion-- because, you know, I've heard on the floor about whether or not-- do we really need a canal of the size that we're thinking about? Could we have something smaller? How would I be able to find out in the end really what's going to work for us and what will-- I don't want to waste our, you know, taxpayer dollars, right? So it's very concerning to me about the decision I might be faced and how can I make the right one. What, what do you recommend?

**JESSE BRADLEY:** Yeah. So I-- first of all, you know, Perkins County Canal Project is the most critical project going on in the state, in my opinion. You know, you, you have to as a state make, make-- take all necessary actions you can to protect your waters under these interstate compacts. You don't get sort of a second chance to do that. And so I think the canal is, first of all, required as the way in which we secure our water during the nonirrigation season on the South Platte River. With regard to your specific question about that incremental additional cost from building just the canal that's necessary to secure our right, what I would tell you is it's a small incremental additional cost to capture those additional surplus waters-- which we're entitled to under the compact-- and the return on that's going to be significant for the state of Nebraska. I can certainly share with you some reports and information that was provi-- that we've developed as we assessed the cost and benefits of this project and came to the conclusion that that additional incremental investment was well worth the benefits that it would return. So we have information available on sort of the cost and benefits of that additional investment to capture those surplus flows.

**JUAREZ:** OK. I, I would like you to get those reports to me. Thank you. And I have one more question, please. So in Omaha and in my district, we have someone who wants to be-- wanted to have a car shredder. And again, you know, as anything goes, you, you get various opinions. And of course, the person who ran for city council got financial backing from this entity that wants to put a car shredder in my neighborhood. And-- so how can I find out, you know, at the state level-- do, do you have information that can help me make a decision about whether or not a car shredder is OK, you know, in my district, that it's safe? You

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know, I'm concerned about the air quality. How can your department help me with that information?

**JESSE BRADLEY:** Sure. I mean, I'd be happy to visit with you and get you lined up, you know, with the folks in those programs that might have a nexus to a project like that, not knowing all the details of what they're planning. But, yeah, if there are certain-- there can be certain permitting requirements around air, depending on, you know, their operations. But we can visit about details of the operations and whether or not those would fall in any of those permitting programs.

**JUAREZ:** OK. Thank you.

**BRANDT:** OK. Other questions? Senator Moser.

**MOSER:** Following up on a question that Senator Juarez asked. The additional cost to build the canal to a little larger capacity, the number I recall was around \$61 million.

**JESSE BRADLEY:** That's correct.

**MOSER:** OK. That's a one-time cost, more or less?

**JESSE BRADLEY:** Yeah. That-- that's correct. I mean, it's a-- it's just that incremental additional cost to go up in terms of--

**MOSER:** And it's not likely to increase the maintenance of the canal a, a lot. I mean, it would make it possibly a little wider.

**JESSE BRADLEY:** Yeah. That-- that's correct. It-- it's-- it had minimal effect on operational cost.

**MOSER:** And we could get additional water forever.

**JESSE BRADLEY:** That-- that's correct. Yeah. It-- it's very important that we understand that this investment is a forever investment. You know, we-- the cost benefits I was referring to earlier, those were cost debt out over a 50-year term just to show that even in a 50-year term, that investment more than returns on the, the payment we make. But those go on forever. That, that benefit--

**MOSER:** Well, and the value of water continues to increase. And-- so-- well, I don't want to get into a political discussion here. We-- Senator Juarez and I can talk about that. Thank you.

**BRANDT:** Senator Raybould.

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**RAYBOULD:** Thank you, Mr. Bradley. Thank you for being here. And I didn't know your background was as a hydrogeologist. I think that's pretty important because the first word, or, you know, Department of Water, and, you know, we all recognize how important it is. I don't know if you can give, like, a one-minute update on how is it going with our acquisition of right of way and easements with our Colorado friends and some of our Nebraska farmers and ranchers. What percent have-- of land have we acquired or have contracts for right now?

**JESSE BRADLEY:** Yeah. With regard to the Perkins County Canal Project, we secured just under 90 acres of parcel in Colorado. We then went out and provided six Colorado landowners offers here at the beginning of the year. We did receive reply from a couple of them, but no-- nothing's closed. None of those offers have concluded.

**RAYBOULD:** OK. Thank you.

**BRANDT:** Senator Conrad.

**CONRAD:** Thank you, Director. Good to see you. No doubt you have an incredible background and considerable professional experience. Thank you also in your comments and your written materials for kind of highlighting some goals on the recently improved agency. I guess some people say merger. I'll just call it a rebranding. But I see that you have some very good, kind of 10,000-foot kind of policy goals that you've identified here in regards to the agency merger. But my question is much more specific. So the governor promised that along with this merger would come considerable cost savings to the taxpayers. We know that the merger bill initially actually cost money rather than saved money and then was neutral in its final iteration. So now that you would be officially at the helm and you've been at the helmet in I guess at least an interim way or formerly in your past director-- in your, your past role, how do you achieve the cost savings? What's the plan to do-- to identify redundancies, to shrink footprint, to save taxpayer dollars? Because that's not included here in your materials.

**JESSE BRADLEY:** Yeah. I mean, we're, we're working on that internally currently in terms of, you know, looking at functions that overlap. One example I can give you that's sort of tangible is, you know, both agencies would have had HR staffing, management positions. With the departure of one of the staff, we recognize that that was an opportunity to remove that redundancy. No longer need that position and that role. And able to save those dollars going forward. And so I think there will be other opportunities like that as we look at other areas of the department and kind of the administration pieces. And then, you

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know, just looking across the agency too of, how do we better align folks-- folks in different programs. I mean, you have to remember there's a fairly complicated mix, right, of cash funds, federal funds, general funds-- of course, general funds being the ones that actually get the most attention usually. And so if we can find ways to align folks that maybe were completely generally funded and we can get them to be supportive in some of the federal-funded efforts-- like, think about water planning. There's sort of state-funded efforts and then there's efforts that happen under EPA funding. If we can bring those teams together, that also can have its own sort of cost savings to the state as well. So I think those are opportunities. And then we're, we're going to continue to move forward and look at other ways in which the agency will save money long term as well. You know, we're, we're having conversations amongst the leadership, looking at, you know, reorganization right now. We're going to be, you know, visiting with staff about that next week, actually.

**CONRAD:** OK. So it's primarily through natural attrition is your plan?

**JESSE BRADLEY:** There's, there's, there's a element of that that certainly would be part of this. And then, you know, some realignment work too that might again look to take folks that are doing good work and realign them in programs maybe that have less impact on state budgets.

**CONRAD:** OK. And then I have two more. So you mentioned as well as part of the rebranding and merger that there'll be a water task force that's been ordained to help to address some key issues in natural resource stewardship and, and water planning, which are always good goals. I, I know that the meeting-- the very first task force meeting has been held. It was unclear whether or not that was open to the public or open to the press. We had some debate and dialogue during the, the merger-- legislation deliberation. Moving through that, that task force would be subject to tools of citizen engagement such as public records laws and open meetings laws. Is that your understanding?

**JESSE BRADLEY:** So what I would say is we haven't had a meeting of the task force yet. There was a meeting of some of the task force membership, kind of a core group that was more structured around planning for the first meeting. We will be holding the first task force meeting June 2 in Kearney, 10 a.m. We'll announce that out through a public notice. We will be following Public, you know, Meetings Act requirements, Open Meetings Act requirements. So there-- and it'll be, you know, opportunity for the public to comment on that process.

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**CONRAD:** OK. Thank you for that.

**JESSE BRADLEY:** And we do have a-- and we do have a website up now too where we've got, you know, some of the background materials for the task force and sort of a map that shows the membership of the task force across the state.

**CONRAD:** OK. Very good. And then the last question is just this has been widely reported in the press that recently President Trump decided to freeze a lot of federal funds, including federal funds that benefit critical areas within your department to assist with climate or water or ag. There seems to be some communications that were uncovered between the Governor's Office and agencies impacted by President Trump's hiring-- or, funding freeze where the governor's staff basically indicated that we shouldn't fight for those funds to help Nebraska farmers because it might, it might be a put-off to President Trump. So how-- what would be your perspective in a situation like that as an agency director if confirmed?

**JESSE BRADLEY:** Perspective on the security of federal funds? Is that sort of the question? So the-- I think where we're at-- you know, we're getting a little more clarity on different programs. You know, they're doing a review of all of the various programs, and so it kind of depends on specific programs. I would say, thus far, most of the programs actually are remaining intact. You know, the funding level's sort of TBD, I guess. But, you know, the, the funding we had and those resources that were held up for a while, those have largely been freed up. And we're moving forward with implementation of all those programs. I don't think there's anything currently that we're sort of delayed on. So that's, that's good news. You know, we'll continue to watch and monitor, you know, what's going to happen in kind of the future budget and what that might look like. And certainly, you know, we'll be reporting back to this group as we, you know, start to learn a little bit more of, you know, will there be federal dollars that are reduced and, and, you know, potential decisions that have to be made around those programs and what the, the sort of future of those are.

**BRANDT:** OK. Thanks very much. Thanks, Chair.

**BRANDT:** Senator DeKay? No? Real quick.

**RAYBOULD:** Just real quick. Just to follow up on the, the federal funding, have you heard that they are-- the federal government programming for, like, drink-- our drinking water, our clean water projects, or our lead service line replacement funding, has that-- have

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you heard one way or the other-- are, are those dollars still there or are they being held up or, or you're saying it's to be determined or--

**JESSE BRADLEY:** Yeah. No, no dollars are being held up today, but certainly we're, we're hearing different things, right, in terms of what budget proposals may or may not be going forward. So I, I don't think we're, kind of in the current fiscal year, that there's great concern. But, you know, going forward we'll have to continue to watch where the federal appropriation levels are and, you know, how that might affect programs we have. But we're, we're moving forward with, you know, programs like clean water, drinking water. Tho-- those programs are moving forward. They'll actually be presenting their annual plan to the Environmental Quality Council here in the next month.

**RAYBOULD:** So all those projects that we've approved, they-- the federal government have approved, those are still going forward, to the best of your knowledge?

**JESSE BRADLEY:** To the best of my knowledge, yes.

**RAYBOULD:** All right. Thank you.

**BRANDT:** OK. To follow up a little bit on what Senator Conrad brought up. The big farm one was-- RED ONE or ONE RED, is that still intact?

**JESSE BRADLEY:** So-- again, to, to the way-- we've been monitoring this one closely. What we understand the situation to be is Nebraska, we signed our contract for those funds before the end of last calendar year. And so those funds are obligated to the state of Nebraska. Our understanding in what's been discussed-- like in the House reconciliation bill, is that it's only those unobligated funds or-- that, that are sitting in the agency that are looking to be sort of taken back. So all indications today are that our obligated funds are intact and we'll con-- we'll be able to move forward with our grant.

**BRANDT:** OK. Then I would ask that you keep the committee updated on changes, particularly on-- significant changes on the federal funds and-- like, on the Water Quality Task Force. I know I-- I don't know if anybody else saw it, but I did receive an email on that [INAUDIBLE] meeting. And it is-- I believe it is open to the public. And just keep us updated maybe when the meetings are. And if, if somebody's district is close enough, I'm sure they'd be welcome there.

**JESSE BRADLEY:** Absolutely.

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**BRANDT:** And keep us updated on what the results are, or, or minutes, or, or what your, your situation is.

**JESSE BRADLEY:** Yeah. We'll, we'll plan to have-- all, all the meeting minutes will be up on the website publicly available. And certainly, you know, the task force will probably operate over a 12- to 15-month horizon, you know, meeting every quarter or so. And we'll keep you updated.

**BRANDT:** I see no other questions. And we will now ask for any proponents. Proponents? No proponents? Any opponents? Opponents? No opponents. Neutral capacity? I see no one to testify in the neutral capacity. And Jesse Bradley online had 1 proponent, 0 opponents, and 0 in the neutral capacity. And that will bring us up to our last appointment today. Mr. Manning, please come forward. Welcome. This is Matthew Manning. He is being appointed chief water officer of the newly created Department of Water, Energy, and Environment and serves at the pleasure of the governor. Mr. Manning is licensed to practice both civil engineering and law in the state of Nebraska, has worked in the engineering and construction fields over 40 years. He is currently employed as a senior project engineer with the Nebraska Department of Natural Resources. Welcome.

**MATTHEW MANNING:** Thank you. Good afternoon, Chairman Brandt, Vice Chairman DeKay, and the members of the Natural Resources Committee. My name is Matthew Manning, M-a-t-t-h-e-w M-a-n-n-i-n-g. Thank you for the opportunity to appear before you today. I am honored to be nominated by Governor Pillen for the position of chief water officer for the newly established Nebraska Department of Water, Energy, and Environment. I appreciate the trust and confidence this nomination reflects and for your thoughtful consideration. Along with my testimony, I have provided you with a copy of my resume for additional information. As a native Nebraskan, I was the youngest of eight children growing up on a family farm in Fillmore County and graduated from what was then Exeter High School and is now Exeter-Milligan/Friend. My early years served to instill the value of honesty and hard work while often helping with the family's agricultural-based operations and working for a local construction company. I received both civil engineering and law degrees from the University of Nebraska at Lincoln and am licensed to practice both professions in the state of Nebraska. Other licenses that I think are worth noting include a Class A commercial driver's license and a certified crane operator's license. I've acc-- I have accumulated more than 40 years of practical experience in infrastructure-related industries, including water resources. For the past two and a half years, I have served as the senior project engineer with the Nebraska

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Department of Natural Resources. In this role, I have managed several important water-related projects, including the Perkins County Canal Project, a critical effort to preserve the-- Nebraska's water security for generations to come. Prior to my service with the Department of Natural Resources, I worked at several Nebraska-based engineering and construction firms and also founded a heavy civil construction company that can com-- completed a wide range of public and private infrastructure projects across Nebraska and the Midwest. Over the years, many of the projects I was involved with were directly related to irrigation, water resources, flood control, and power. The merger of the Department of Natural Resources and the Department of Environment and Energy creates a great opportunity for improved water management and protections for the state of Nebraska. Addressing both water quality and quantity issues under one agency allows for more effective coordination while ensuring a continued focus on the important work of water planning, water administration, floodplain management, and dam safety. I am excited for the opportunity to be part of the new department's leadership team and look forward to working with various stakeholders, including the citizens of our state, as we move forward. With strong leadership, collaboration, and innovation, we have the opportuni-- opportunity to achieve some very big things in protecting and developing our natural resources environment and statewide economics. Thank you again for your time and consideration. I would be happy to answer any questions that you may have.

**BRANDT:** All right. Let's see what we have for questions. Senator Raybould.

**RAYBOULD:** Just a real quick question. Could you give us a two-minute update on where we are at on some of the environmental permit process for the Perkins Canal? Have the permits been submitted and are they under review?

**MATTHEW MANNING:** So permittingwise, we've been kind of working with the Corps of Engineers for the past 18 to 24 months kind of on an informal basis. We've been informed that the environmental impact statement process-- like, kind of the larger process-- would be the preferred route. And the way the corps-- federal government agencies kind of do that is they want the state to hire an independent, third-party consultant to kind of be their eyes and to look through stuff. I'm-- we are in the process of working with DAS to put out the RFP to get that firm on, on board. I think we're close. So sometime within the next month we should put out a notice to receive responses to get that, that firm on board. The process-- permit process then will take from-- estimated from what we worked through with the Corps of Engineers is

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about two to three years to get to the final decision. So that's kind of where we're at right now.

**RAYBOULD:** OK. Thank you. Oh. One other thing.

**BRANDT:** Yes.

**RAYBOULD:** You know, I love it when you give us updates. And I think before we started this session, we had a great update and a luncheon. I hope you'll continue that process because that's, that's really helpful. And I know you-- I think you opened it up to all the state senators.

**MATTHEW MANNING:** Yep. Nope. We try to--

**RAYBOULD:** That would be great.

**BRANDT:** And I can--

**MATTHEW MANNING:** We try to be as open as we can.

**BRANDT:** I can expound on that a little bit. We've got, like, six interim studies. And typically, if we hold hearings on that, it's like the Friday before a football game. Kind of works that way. So that might be a good time to give us a session update, maybe in September or October. I would say just keep that in mind. There is a lot of interest in the canal. It isn't all just we want to close the canal and take the money. Barring that, you know, we're building the canal is kind of how I see it. Are there any other questions here? Senator DeKay.

**DeKAY:** When it comes to the canal, with everything-- not going into all the details-- but everything that's involved with leading up to where we are now, where do you think a possible in-service date for the canal would be?

**MATTHEW MANNING:** Well, assuming the permitting process goes kind of how we worked through with the Corps, we're thinking 2032.

**DeKAY:** '32?

**MATTHEW MANNING:** Yeah.

**DeKAY:** Thank you.

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

**MATTHEW MANNING:** All right.

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**BRANDT:** Let's see if we have any other testifiers. Are there any proponents? Any opponents? Anyone in the neutral capacity? Seeing none. Online, we had 1 proponent, 0 opponents, and 0 in the neutral capacity. That will close our hearing on Mr. Manning. I would ask everybody to leave so we can go into exec session. Thank you.