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MINUTES  
January 20, 2023

The Nebraska Game and Parks Commission met in the 3<sup>rd</sup> floor conference room at Nebraska Game and Parks Headquarters in Lincoln, NE for the transaction of business, advance public notice having been given through release to news media and official public notice published in the Lincoln Journal Star on January 6, 2023.

The meeting was called to order at 8:00 A.M. Chairman Berggren advised this meeting was being held in conformance with the State Open Meeting Act and the act was available for review on the table at the back of the room. Members present: Chairman Pat Berggren, Broken Bow; Doug Zingula, Sidney; Rick Brandt, Lincoln; Ken Curry, Columbus; John Hoggatt, Kearney; Donna Kush, Omaha; Dan Kreitman, Wahoo. Scott Cassels, Omaha; and Bob Allen, Eustis, were absent.

Minutes of the business meeting held October 21, 2022 were reviewed.

Motion by Mr. Brandt and seconded by Mr. Hoggatt to approve the meeting minutes. Voting aye: Kush, Zingula, Curry, Hoggatt, Kreitman, Brandt, and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Minutes of the special meeting held December 9, 2022 were reviewed.

Motion by Mr. Kreitman and seconded by Mr. Curry to approve the special meeting minutes. Voting aye: Zingula, Curry, Hoggatt, Kreitman, Brandt, Kush and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Financial vouchers for October, November and December were reviewed.

Motion by Mr. Zingula and seconded by Mr. Brandt to approve the financial vouchers. Voting aye: Curry, Hoggatt, Kreitman, Brandt, Kush, Zingula, and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

#### Director's Report

Director McCoy thanked Mahoney Park staff and all staff that helped with dinner the night before at headquarters.

The Director presented a 45-year service award to Maintenance Supervisor Mark Dicke.

McCoy also shared information about a four-million-dollar grant award from the National Fish and Wildlife Foundation the agency received. He thanked staff for their work that resulted in bringing additional funds for conservation work in Nebraska with our partners and landowners.

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Director McCoy reviewed upcoming events and announced the next Commission meeting will be in Kearney in March, the date will be set later today.

End Director's Report

With a little time before the public hearing, Chairman Berggren moved to other items on the agenda and the read staff recommendation to call for a public hearing at the March Commission meeting to consider amendments to Commission Orders C06, Coot, Duck, Goose, and Crow.

Motion by Mr. Curry and seconded by Ms. Hoggatt to approve staff recommendations. Voting aye: Hoggatt, Kreitman, Brandt, Kush, Zingula, Curry and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Chairman Berggren read Staff recommendation to call for a public hearing at the March Commission meeting to consider amendments to Chapter 4, Wildlife Regulations, Section 001, General Wildlife Regulations.

Motion by Mr. Brandt, seconded by Mr. Zingula to approve staff recommendations. Voting aye: Kreitman, Brandt, Kush, Zingula, Curry, Hoggatt and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Chairman Berggren moved to item 15, to discuss a change of dates for the March Commission meetings.

Motion by Ms. Kush, seconded by Mr. Hoggatt to change the March meeting dates in Kearney to Monday, March 13 and Tuesday, March 14. Voting aye: Kreitman, Brandt, Kush, Zingula, Curry, Hoggatt and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Chairman Berggren opened the public hearing at 8:16 AM to consider amendments to Chapter 3, Boating Regulations, Section 012 Waters with Special Restrictions. Boating Administrator Jeff Clauson reviewed staff recommendations. No public comments were received, and no public testimony was offered. The public hearing was closed at 8:22 AM.

Motion by Mr. Zingula, seconded by Ms. Kush to approve staff recommendations. Voting aye: Brandt, Kush, Zingula, Curry, Hoggatt, Kreitman and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Public Comment Period-there were no public comments from anyone in attendance, but Jennifer Thomas from North Platte shared her public comment via email which was read aloud. Her specific concern is the staff recommendation to return the West Hershey WMA back over to NDOT. She understands there are access issues and suggested finding a solution for access, rather than to give the property back as there is so little public accessible property in Nebraska.

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Planning & Programming Division Administrator Michelle Stryker reviewed staff recommendation for Commission approval of local community grant awards for the FY2022 apportionment of the Land and Water Conservation Fund (LWCF) Stateside Assistance Program.

Motion by Ms. Kush, seconded by Mr. Brandt to approve staff recommendations. Voting aye: Kush, Zingula, Curry, Hoggatt, Kreitman, Brandt and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Planning and Programming Division Administrator Michelle Stryker reviewed staff recommendations for Commission approval of the ranking of the local outdoor trail projects for federal funding for Fiscal Year 2023 Recreational Trails Program (RTP) apportionment and unobligated funds from previous years.

Motion by Mr. Curry, seconded by Mr. Zingula to approve staff recommendations. Voting aye: Zingula, Curry, Hoggatt, Kreitman, Brandt, Kush and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Parks Division Administrator Jeff Fields was present to review staff recommendations for the Commission to approve an acquisition of 145± acres in Hall County adjacent to the Commission's Morman Island State Recreation Area. Staff recommends approval and designation of this area as an addition to the Morman Island State Recreation Area. The tract will be a transfer from the Nebraska Department of Transportation to the Nebraska Game and Parks Commission.

Motion by Mr. Hoggatt, seconded by Ms. Kush to approve staff recommendations. Voting aye: Zingula, Curry, Hoggatt, Kreitman, Kush and Berggren; Allen and Cassels absent; voting nay: Brandt. Motion carried.

Wildlife Division Administrator Alicia Hardin was present to review Staff recommendation for the approval of acquisition of 75.38± acres in Dawson County from the Nebraska Department of Transportation (NDOT). Staff recommends approval and re-designation of this area as Willow Island Wildlife Management Area (WMA). Staff also recommends approval of the transferring back to the NDOT the following properties originally deeded to Nebraska Game and Parks Commission by the NDOT: Big Springs WMA, Bittersweet WMA, Blue Heron WMA, Cattail WMA, East Cozad WMA, East Darr WMA, Overton WMA, the north portion of West Hershey WMA, and the southwest portion of West Maxwell WMA. In a discussion with the Commissioners, Hardin advised most of the areas that are being transferred back to NDOT do not have any public access as they are remnants of the NDOT's Right of Way along Interstate 80. Specific to the West Hershey WMA, there is no legal public access to the property and the on/off ramps on the interstate cannot be legally used for parking to access these areas. Hardin commented that that the neighbors to the West Hershey WMA were asked if they would allow public access to the area, but they declined. These land actions are also consistent with the Agency's Land Management Plan.

Motion by Mr. Curry, seconded by Mr. Zingula to approve staff recommendations. Voting aye: Zingula, Curry, Hoggatt, Kreitman, and Kush; Allen and Cassels absent; voting nay: Brandt and Berggren. Motion carried.

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Chairman Berggren called for recess; the meeting was reconvened at 9:25 AM.

Motion by Mr. Kreitman, seconded by Mr. Brandt to approve the 2023 slate of officers with Scott Cassels as chairperson, Doug Zingula as first vice-chair and John Hoggatt as second vice-chair. Voting aye: Kush, Zingula, Curry, Hoggatt, Kreitman, Brandt and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

Depredation Program Manager Dusty Schelbitzki gave an annual review of the depredation program and shared information about the work he and the depredation biologists are doing to work with landowners to alleviate issues with wildlife depredation. The agency has spent more than \$700,000.00 on depredation in the past year. The program is showing success, which is reflected by the decreasing number of calls from landowners seeking assistance with depredation issues.

Parks Division Administrator Jeff Fields and Fisheries Division Administrator Dean Rosenthal gave a “large projects” update on a number of projects within their divisions which are planned, in progress, and/or nearing completion that are not associated with the STARWARS projects. The list included many campground and parks improvements, sanitary sewer projects, water body habitat and access improvements, hatchery improvements, etc.

Committee Chairs gave reports on their respective committee meetings.

#### Executive Session

Motion by Mr. Hoggatt and seconded by Ms. Kush to enter executive session for the purpose of discussing personnel at 11:01AM, asking the Director to participate. Voting aye: Zingula, Curry, Hoggatt, Kreitman, Brandt, Kush and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

The Chairman called the meeting back into regular session at 11:15 AM.

Mr. Kreitman moved, and Ms. Kush seconded, to leave executive session. Voting aye: Curry, Hoggatt, Kreitman, Brandt, Kush, Zingula and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

#### Adjournment

Motion by Mr. Kreitman and seconded by Ms. Kush to adjourn at 11:24 AM. Voting aye: Curry, Hoggatt, Kreitman, Brandt, Kush, Zingula and Berggren; Allen and Cassels absent; voting nay: None. Motion carried.

I hereby certify the foregoing is a true and correct copy of action taken by the Nebraska Game and Parks Commission at its meeting held January 20, 2023.

A handwritten signature in blue ink, appearing to read 'Timothy McCoy', with a large, stylized flourish at the end.

Timothy McCoy, Director

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