



2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641

MINUTES
April 19, 2023

The Nebraska Game and Parks Commission met in the meeting room at the Holiday Inn Express Fremont, 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 April 4, 2023.

The meeting was called to order at 8:00 A.M. Chairman Cassels 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 Scott Cassels, Omaha; Pat Berggren, Broken Bow; Doug Zingula, Sidney; Rick Brandt, Lincoln; Ken Curry, Columbus; John Hoggatt, Kearney; and Donna Kush, Omaha. Bob Allen, Eustis was absent.

Minutes of the business meeting held March 14, 2023 were reviewed.

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

Financial vouchers for March were reviewed.

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

Director's Report

Director McCoy thanked Park Superintendent Bill Booth, Parks Assistant Division Administrator Bill Oligmueller and park staff that hosted us for dinner and tour, including a demonstration of the new all-terrain track wheelchairs, at Fremont Lakes the day before.

The Director also gave a short permit system update and a brief update on the depredation landowner satisfaction survey.

McCoy also mentioned that Recovering America's Wildlife Act (RAWA) has renewed traction in Washington.

Director McCoy reviewed some of the upcoming events on the NGPC calendar, including the next Commission meeting that will be held in Alma at the Alma Country Club June 8 & 9, 2023.

End Director's Report

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Chairman Cassels read staff recommendations to call for a public hearing at the June meeting to consider comments to Fisheries Regulations Section 006 Sportfish.

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

Chairman Cassels read staff recommendations to call for a public hearing at the June meeting to consider comments to Wildlife Regulations Section 005 Game Birds (not including turkey, coots & migratory waterfowl), Furbearers, and Cottontail rabbit.

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

Chairman Cassels read staff recommendations to call for a public hearing at the June meeting to consider comments to Wildlife Commission Order C05 Game Birds (not including turkey, coots & migratory waterfowl), Furbearers, and Cottontail rabbit.

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

Chairman Cassels read staff recommendations to call for a public hearing at the June meeting to consider comments to Wildlife Regulations Section 037 Mountain Lions.

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

Chairman Cassels opened the public hearing to consider amendments to Commission Orders C03, Antelope, Deer Elk regarding changes to permit numbers, season dates, bag limits, and areas open at 8:15AM. Big Game Program Manager Luke Meduna reviewed staff recommendations. In general, there is an overall decrease in the numbers of big game permits that will be issued based upon lower population estimates, harvest data, and current social acceptance. Elk is the exception, with the recommendation to restructure the management units to help distribute hunters over the expanding elk range and increasing the numbers by 36 bull permits and 214 antlerless permits. Staff recommended two amendments to the proposed changes for corrections. The first is to fix a calculation error in C03.12C Unit 5 bull permits by changing 25 to 20. The second was an omission in Unit 14 section C03.12E6 of part of the boundary description, "west to West Wood Lake Rd." There was no public testimony for the record either in advance of, or during, the public hearing. The hearing was closed at 9:19 AM. Meduna addressed Commissioner questions and comments.

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Motion by Mr. Hoggatt, seconded by Mr. Brandt to approve staff recommendations with the proposed amendments: I propose we amend C03.12C Unit 5 general bull permits to 20. I also propose that we amend C03.13E6 to say: "Unit 14-The area in Nebraska within a line starting at the junction of US Hwy 20 and NE Hwy 14; west to West Wood Lake Rd.; west to US 83; south to US Hwy 30; east to NE Hwy 14; north to the origin and as described in Unit 15 (Co3.12E.15)". Voting aye: Kush, Zingula, Curry, Hoggatt, Berggren, Brandt and Cassels; Allen absent; voting nay: None. Motion carried.

Chairman Cassels called for a 10-minute recess.

Public Comment Period

Randy Chinn of Columbus was present to share his ongoing concerns about trespassers on riverbeds, especially when they drive their jeeps, ATVs, UTVs, etc., onto private property and tear it up. There has been an Attorney General decision given that operating motor vehicles on river bottoms is trespassing. The public can be on the water, but the land beneath is the property of the landowner. It was noted that across the state, County Attorneys have varying opinions on prosecuting these types of cases, which is leading to Chinn's frustration.

Planning and Programming Division Administrator Michelle Stryker reviewed the staff recommendations for Commission approval of a Board Resolution to apply for Transportation Alternatives Program grant funding through Nebraska Department of Transportation to surface 24.6 miles of Cowboy Trail from Rushville to Mile Marker 400.

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

Planning and Programming Division Administrator Michelle Stryker reviewed the staff recommendations for Commission approval of a Permanent Easement (9,668.20 SF) and Temporary Easement (1,878.09 SF) request from Nebraska Department of Transportation (NDOT) for work on the crossing of Highway 7 in Ainsworth, NE in Brown County, and the Cowboy Trail. The Temporary Easement will allow the trail to be diverted to allow continued use of the trail during construction. The Permanent Easement is required when NDOT works on Railroad owned property or land that could return to Railroad property.

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

Parks Division Administrator Jeff Fields reviewed staff recommendations that the Commission approve the designation of Phillips Canyon and Midway Lake as State Recreation Areas.

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

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Parks Division Administrator Jeff Fields reviewed staff recommendations that the Commission approve changes to the petty cash change funds at Lewis and Clark SRA, Louisville SRA and Kearney Outdoor Education Complex.

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

Furbearer and Carnivore Program Manager Sam Wilson presented the 2022 River Otter Season Summary. Otters continue to proliferate across the state providing opportunities for trappers. Staff will propose removing the harvest limit from Commission Orders in June, as trappers did not even harvest the limit of 125 in 2022 and the population continues to grow.

An overview of Northeast Region was provided by staff members Jeff Schuckman from Fisheries, Tyler Wulf from Parks, Lucas Negus from Wildlife and Amber Schilz of Fish and Wildlife Education. They highlighted the outdoor recreation and education opportunities found in that region.

Executive Session

Motion by Mr. Berggren and seconded by Mr. Brandt to enter executive session for the purpose of discussing personnel at 11:12 AM, asking the Director to participate. Voting aye: Curry, Hoggatt, Brandt, Berggren, Kush, Zingula, and Cassels; Allen absent; voting nay: None. Motion carried.

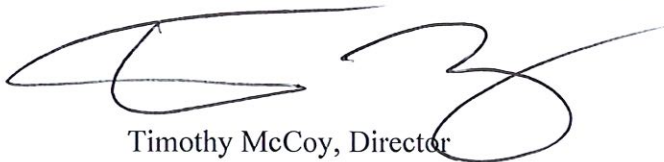
The Chairman called the meeting back into regular session at 12:00 noon.

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

Adjournment

Motion by Mr. Curry and seconded by Mr. Hoggatt to adjourn at 12:03 PM. Voting aye: Brandt, Kush, Berggren, Zingula, Curry, Hoggatt and Cassels; Allen 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 April 19, 2023.



Timothy McCoy, Director

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