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MINUTES

October 21, 2016

The Nebraska Game and Parks Commission met in the River Bluff Room at the Missouri National Recreational River Resource and Education Center located in Ponca State Park, Ponca, Nebraska 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 October 5, 2016.

The meeting was called to order at 8:00 A.M. Chairman Spurgin advised this meeting was being held in conformance with the State Open Meeting Act and the act was available for review on the table in the back of the room. The Commissioners introduced themselves and made a statement about activity in their districts. Members present were Rex Fisher, Omaha; Kent Forney DVM, Lincoln; Norris Marshall, Kearney; Dan Kreitman, Wahoo; Mark Spurgin, Paxton; Bob Allen, Eustis; Mick Jensen, Blair; and Pat Berggren, Broken Bow. Dick Bell, Omaha; was absent.

After his introduction, Director Jim Douglas thanked Jeff Fields and all of the Ponca Park staff for hosting the Commission meetings and dinner the previous evening.

Chairman Mark Spurgin presented a Resolution of Appreciation to the Better Ponca Foundation for their partnership and support of Ponca State Park and the Ponca Outdoor Exposition. Treasurer Tammy Brook was present to accept the award.

The Commissioners recognized the service of fellow Commissioners Kent Forney and Mick Jensen, whose terms expire in January by presenting them with individual resolutions of appreciation and kind words.

Minutes of the business meeting held August 18, 2016 were reviewed.

Motion by Dr. Forney and seconded by Mr. Marshall to approve the minutes. Voting aye: Jensen, Forney, Berggren, Fisher, Marshall, Kreitman, Allen, and Spurgin; Bell absent. Voting nay: None. Motion carried.

Financial vouchers for August and September were reviewed.

Motion by Mr. Kreitman and seconded by Mr. Jensen to approve the

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financial vouchers. Voting aye: Forney, Fisher, Marshall, Kreitman, Allen, Jensen, Berggren, and Spurgin; Bell absent. Voting nay: None. Motion carried.

Director's Report

Director Douglas stated he did not have anything to add to his comments earlier.

End Director's Report

Chairman Spurgin read the staff recommendation to call for Public hearing at the January Commission Meeting to consider amendments to Chapter 3, Boating Regulations, Section 015 Special Rules and Regulations for Non-public Lake Associations.

Motion by Dr. Forney and seconded by Mr. Berggren to approve staff recommendations. Voting aye: Fisher, Berggren, Jensen, Marshall, Kreitman, Forney, Allen, and Spurgin; Bell-absent; voting nay: None. Motion carried.

Chairman Spurgin read the staff recommendation Call for Public hearing at the January Commission Meeting to consider amendments to Chapter 3, Boating Regulations, Section 017 Boating Safety Education.

Motion by Mr. Berggren and seconded by Mr. Fisher to approve staff recommendations. Voting aye: Jensen, Marshall, Kreitman, Forney, Allen, Berggren, Fisher, and Spurgin; Bell-absent; voting nay: None. Motion carried.

Keith Cline was present to thank the Commission for their assistance with legislation which allows special needs individuals the ability to get a hunter's education exemption certificates and enables them to participate in mentored hunts. He shared photos of happy hunters (and the volunteer assistants) that have enjoyed hunting success since the exemptions were made available. He also asked the Commission to consider a designated season for special needs hunters as they do in Iowa, preferably the third weekend in September to the first of October.

Chairman Spurgin opened the public hearing to consider amendments to Chapter 4, Wildlife Regulations, Section 001, General Regulations Governing Wildlife Species at 8:35 AM. Alicia Hardin presented staff recommendations to approve changes clarifying language allowing controlled shooting areas to sell gamebirds for certain uses, allowing depredation orders to be approved on line for Wildlife Damage Control Permits for Canada Geese via registration with the U.S. Fish and Wildlife Service, as well as other minor changes. There was no public comment; the public hearing was closed at 8:43 AM.

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Motion by Dr. Forney and seconded by Mr. Allen to approve staff recommendations. Voting aye: Berggren, Fisher, Jensen, Marshall, Kreitman, Forney, Allen and Spurgin, Bell-absent, voting nay: None; Motion carried.

Chairman Spurgin opened the public hearing to consider amendments to Wildlife Regulations, Chapter 4, Section 005 Regulations related to shooting hours of upland game (not including turkey, coots, and migratory waterfowl), Furbearers, Cottontail, Rabbit, and Squirrels at 8:45 PM. Karie Decker presented staff recommendations to change the season shooting hours to sunrise for Rail, Snipe, Woodcock, Dove, Grouse, Pheasant, Quail, Partridge, Cottontail Rabbit and Squirrel. There was no public comment; the public hearing was closed at 8:53 AM. The Commissioners shared various opinions from not changing the hours at all to changing them to as late as 10AM. Mr. Marshall feels it should be re-visited after communication with local businesses.

Motion by Dr. Forney and seconded by Mr. Marshall to reject staff recommendations and staff to return sometime later with further recommendations. Voting aye: Fisher, Jensen, Marshall, Kreitman, Forney, Allen, Berggren and Spurgin, Bell-absent, voting nay: None. Motion carried.

Chairman Spurgin opened the public hearing to consider amendments to Chapter 4, Wildlife Regulations, Section 014, Mountain Sheep at 9:15 AM. Kit Hams presented the status of Bighorn Sheep herds in Nebraska and made staff recommendations to offer one lottery permit for Nebraska residents and one auction permit for residents or non-residents. There was no public comment; the public hearing was closed at 9:23 AM.

Motion by Mr. Marshall and seconded by Mr. Allen to approve staff recommendations. Voting aye: Jensen, Marshall, Kreitman, Forney, Allen, Berggren, Fisher and Spurgin, Bell-absent, voting nay: None. Motion carried.

Chairman Spurgin opened the public hearing to consider amendments to Chapter 4, Wildlife Regulations, Section 019, Area-Specific Regulations at 9:30 AM. Alicia Hardin presented staff recommendations to reduce the camping time limits at 39 Platte River Valley Wildlife Management Areas along the Interstate 80 corridor to three consecutive days over a six day period and prohibit camping at five wildlife management areas (Birdwood Lake, Bufflehead, Fremont Slough, Kea Lake, and Kea West) along that same corridor to control trash and "squatting" issues at those locations and make those areas more enjoyable for the general public. There was no public comment; the public hearing was closed at 9:41 AM.

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Motion by Mr. Allen and seconded by Mr. Fisher to reject staff recommendations. Voting aye: Marshall, Kreitman, Forney, Allen, Berggren, Fisher, Jensen and Spurgin, Bell-absent, voting nay: None; motion carried.

After a brief recess, Chairman Spurgin opened the public hearing at 9:51 AM to consider amendments to Chapter 5, Park Regulations, Section 001 General regulations governing the administration and use of state park property, regarding the increase in fees for state parks, state historical parks and state recreation areas for the annual, temporary (daily) and duplicate park entry permits; and the creation of motor vehicle park entry permits and fees for vehicles not registered and/or licensed in Nebraska (out of state vehicles). Jim Swenson presented the staff recommendations to increase fees for motor vehicle park entry permits. For vehicles registered in the state of Nebraska new fees are annual \$30.00, daily \$6.00, and duplicate annual \$15.00 to reflect the new minimum fees established by LB745. LB122 passed in 2003 allowed for different park entry fees for out of state vehicles, the recommended fees for vehicles not registered in the state of Nebraska are \$45.00/annual, \$22.50/duplicate, and \$8.00/daily. Additionally, free replacement permits in the event of a windshield replacement will require presenting more than half of the existing permit. State statute does not have provisions for free permit replacement in the event a vehicle is sold or traded.

Diana Kincaid Dakota City, NE was present to speak in favor of the increases. As a member of the Ponca Expo Club, she stated that she did not believe the increases would be detrimental, given the great value that state parks are for the many opportunities and experiences they offer.

Matthew J Volenec of Madison, SD was present to express his opposition to the out of state increases, citing he felt it would have a negative impact on out of state visitors. He said he had started coming to Nebraska after South Dakota raised their fishing permit fees to high and now he may go to Kansas instead. There was no other public comment; the hearing was closed at 10:08 AM.

Motion by Mr. Kreitman and seconded by Mr. Jensen to approve staff recommendations. Voting aye: Kreitman, Forney, Allen, Berggren, Fisher, Jensen, Marshall, and Spurgin, Bell-absent, voting nay: None, motion carried.

Kit Hams was present to give a big game update. Hunters are enjoying successful harvests. Over all, Elk harvest is up, although bull harvest numbers are down slightly. Pronghorn and deer harvests are pretty consistent with last year. They are estimating deer harvest numbers will exceed last year.

Jim Swenson presented staff recommendations for the approval of acquisition of 57+ acres in Cass County adjacent to the Commission's Platte River State Park. Staff recommends approval and designation of this area as an addition to the Platte River State Park. This is property the Commission is currently leasing to pasture the horses from the Park and would make a good addition to the property.

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There is a perpetual access agreement to allow direct access to the property from the Park, as well as county road access to the property. Motion by Mr. Marshall and seconded by Dr. Forney to approve staff recommendations. Voting aye: Forney, Fisher, Marshall, Kreitman, Allen, Jensen, and Spurgin; Bell absent. Voting nay: Berggren. Motion carried.

Michelle Stryker reviewed staff recommendations for the approval and adoption of the Lake McConaughy/Lake Ogallala Management Plan 2017-2037. Stryker reviewed some of the information shared at the last meeting and the activities that had taken place since, including meetings with the U.S. Fish and Wildlife Service, Central Public Power and cabin owners to address their questions and concerns. She stated the master plan will guide activities to create the desired future conditions for the area. There will be annual implementation plans to address each phase and other needs that may arise, which will involve the same participants involved in creating the overall plan.

Motion by Dr. Forney and seconded by Mr. Fisher to approve staff recommendations. Voting aye: Fisher, Jensen, Marshall, Kreitman, Forney, Allen, Berggren and Spurgin, Bell-absent, voting nay: None. Motion carried.

Christy Rasmussen presented staff recommendation for Commission approval and adoption of an amended fee schedule for the Nebraska Outdoor Education Center. This schedule includes a reduction in certain fees and the creation of new fees for a second patron lane, and two and four hour rates for group functions. The changes are being recommended to make the facility more competitive with similar venues in the area.

Motion by Mr. Marshall and seconded by Mr. Berggren to approve staff recommendations. Voting aye: Jensen, Marshall, Kreitman, Forney, Allen, Berggren, Fisher and Spurgin, Bell-absent, voting nay: None. Motion carried.

Director Douglas shared the proposed meeting schedule for the 2017 Commission meetings. After some discussion, everyone agreed on the following schedule: January 19 & 20 in Lincoln, March 16 & 17 in Grand Island, April 20 & 21 in Norfolk, June 21 & 22 in Scottsbluff, August 16 & 17 in North Platte, and October 19 & 20 in Omaha.

Executive Session

Motion by Mr. Jensen and seconded by Mr. Berggren to go into executive session for the purpose of discussing potential litigation at 11:05 AM. Voting aye: Marshall, Kreitman, Forney, Allen, Berggren, Fisher, Jensen, and Spurgin; Bell-absent, voting nay: None. Motion carried.

The meeting was re-convened and a motion made by Mr. Forney and seconded by Mr. Berggren to leave executive session at 11:42 AM. Voting

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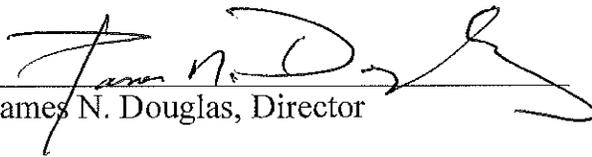
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aye: Kreitman, Forney, Allen, Berggren, Fisher, Jensen, Marshall, and Spurgin; Bell-absent; voting nay: None. Motion carried.

Motion to adjourn.

Motion by Dr. Forney and seconded by Mr. Jensen to adjourn the meeting at 11:47 AM. Voting aye: Forney, Allen, Berggren, Fisher, Jensen, Marshall, Kreitman, Forney and Spurgin; Bell-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 October 21, 2016.


James N. Douglas, Director