

**Governor's Data Center Task Force
Meeting Minutes
Tuesday, September 22, 2026
BigIron Events Center
690 Stolley Park Road, Grand Island, NE 68801**

Members Present: Governor Jim Pillen, Emeka Anyanwu, Angi Burmeister, Dave Eigenberg, Javier Fernandez, Laura Demman (on behalf of Mark Hewett), Tom Kent, Chris Leitner, Heath Mello, Candace Meredith, David Miles, Mike Miller, Rick Nelson, Kevin Stocker, Doug Whitfield, John Winkler, Chuck Woodside, Micaela Wuehler.

Members Absent: General Anthony Cotton, Ron Kaminski.

Staff and Public Present: Director Jesse Bradley, Nebraska Department of Water, Energy, and Environment (DWEE); Isabella Peterson, DWEE; Cicely Batie, Governor's Policy Research Office; Nicole Sedlacek, Nebraska Public Power District (NPPD); William Feely; Pierce Gentry, Flatwater Free Press; John McNally, NPPD; Josh Eickmeier, Stark Power; Grant Schulte, Omaha Public Power District; Tim Hruza, Mueller Robak; Rick Kubat, Metropolitan Utilities District; Emily Haxby, Gage County.

Open Meetings Act Information: The meeting was called to order at 1:32 p.m. by Isabella Peterson. Peterson stated that the meeting was being conducted in accordance with the Nebraska Open Meetings Act and a copy of the current Open Meetings Act was available for inspection and review near the back of the room. Peterson stated that a public meeting notice was published in the Omaha World Herald newspaper and the Nebraska Department of Water, Energy, and Environment's website on September 15, 2026 in accordance with state law.

Task Force members introduced themselves and discussed why they accepted the opportunity to serve on the Task Force. Members reviewed the goals set out by the Executive Order creating the Task Force.

A copy of all presentations can be found on the Task Force webpage at:
<https://dwee.nebraska.gov/data-center-task-force> (September 22, 2026 Meeting Presentations).

Presentation – Water and Environmental Permitting Considerations: Director Jesse Bradley (DWEE) presented an overview of water management in Nebraska, noting that DWEE regulates surface water appropriations and statewide planning, while Nebraska's 23 natural resources district (NRDs) manage and regulate groundwater. Water is managed differently across the state, as water availability varies and noted that for surface water (permitted by DWEE), new users receive junior status. Existing data centers in Nebraska rely on local public water utilities whose water sources may vary. No data centers have applied for a surface water permit with

DWEE to date or utilize a groundwater source through a new self-supplied groundwater well to date.

Other environmental permitting needs were also highlighted including air quality permits and NPDES permits for cooling water or stormwater, depending on discharge methods. Emergency generators are the principal air-emission sources at data centers, often triggering air-quality construction permits and modeling requirements; boilers, cooling towers, and other equipment add smaller emission sources.

Presentation – Natural Resources District (NRD) Perspective: Dave Eigenberg (Upper Big Blue NRD General Manager) presented an overview of the UBBNRD large water user policy, first developed over twenty-five years ago in response to other proposed industrial large water uses (ethanol industry) in the district. In the district, a permit is required for all large water users (≥ 500 acre-feet/year). Hydrologic evaluations (groundwater modeling) assess impacts on domestic, municipal, agricultural, and industrial users. NRD boards review compliance with rules, hydrological studies, and public welfare factors before approving, conditioning, or denying permits.

Bradley referred to a handout summarizing available information regarding all 23 NRD large water user policies highlighting that each NRD may adopt their own regulations considering local conditions, including different definitions of what a “large water user” means. The handout is available on the Task Force webpage ([“NRD Large Water User Rule Summary Sheet”](#)).

Presentation – Energy Considerations: Utility Perspective: Nicole Sedlacek (NPPD Economic Development Manager) presented an overview of NPPD’s New Load Process (NLP) established due to large load growth beginning in 2023. The process ensures adequate planning for loads >1 MW, financial commitments for loads >5 MW, and transparency between utilities and developers. Recent legislative changes, including LB1010 and LB1261, now govern how utilities evaluate and negotiate with large-load customers, requiring disclosure of competing service requests, study fees, transmission and generation commitments, and—when applicable—allowing private, co-located generation for extremely large projects over 1,000 MW. The large load rate structure covers contractual terms, billing structure, operational considerations, market-based energy pass-through, and cost-allocation principles to protect existing customers. Large loads reduce the overall general firm power service (GFPS) rate growth because they share transmission and administrative costs with the statewide system.

Members acknowledged the significant growth in data center development and underscored the importance of clearly defining long-term economic development objectives for Nebraska communities. They emphasized the need to ensure appropriate protections for ratepayers and highlighted the value of utilizing public power’s flexibility to establish specialized rate structures for large-load customers. Members further noted that future discussions should include

distinguishing between client-owned and tenant-based data center models, with attention to the distinct community, operational, and financial risks associated with each.

Presentation – Planning and Zoning Considerations: Local Government Perspective: Candace Meredith (Nebraska Association of County Officials (NACO) Deputy Director) presented an overview of data centers and the county land use framework and handed out the NACO Land Use Permit Toolkit that was developed in response to LB663 (2026). The handout is available on the Task Force webpage ("[NACO Land Use Permit Toolkit](#)"). Local land-use authority is essential for evaluating large projects like data centers because each community faces unique economic conditions, infrastructure capacity, and land-use pressures. Nebraska's growth (particularly along the I-80 corridor) has increased development interest, but counties vary significantly in population, farmland reliance, and utility access, making one-size-fits-all standards ineffective. Comprehensive plans form the legal and practical foundation for zoning decisions, ensuring outcomes are evidence-based, defensible, and aligned with community priorities. Project size matters: small data centers may require minimal review, while large or hyperscale facilities demand in-depth evaluation of infrastructure readiness, water and cooling needs, road impacts, emergency response capacity, and long-term decommissioning. Counties must balance economic benefits with agricultural preservation and quality of life, engage both participating and non-participating landowners, and use clear, documented standards to make sound decisions. Community Benefit Agreements, now required by state law, can help address project impacts and support local services when proportional and properly structured.

Governor Pillen thanked the Task Force members for their participation in the meeting and requested that members submit agenda items for the upcoming October meeting.

The next meeting will be held on October 20, 2026 in Columbus. Peterson noted that all Task Force materials, including the PowerPoint presentation for this meeting will be available on the Task Force webpage at: <https://dwee.nebraska.gov/data-center-task-force>.

Public Comment

There was no public comment.

Adjourn

The meeting adjourned at 4:32 p.m.