
NATURAL RESOURCES COMMISSION

Information Bulletin #55

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SUBJECT: Citizen Comments to Hearing Officers

1. Purposes

The primary purpose of this personnel directive is to encourage consistency, transparency, and efficiency in the development of hearing officer reports by employees of the Division of Hearings to the Natural Resources Commission. An employee of the Department of Natural Resources or another person making a report to the Commission may also consider this directive as guidance.

2. Anonymous Comments

(A) A hearing officer shall not include comments in a report, or consider the comments in an analysis, unless made by an individual who provides:

- (1) The individual's name. An individual who uses a pseudonym does not satisfy this requirement unless the pseudonym is that of a recognized journalist or author.
- (2) At least one of the following:
 - (i) For an Indiana resident, the city, town, or county of residence.
 - (ii) For a nonresident of Indiana, the state of residence.

(B) If an individual described in subdivision (A) offers a comment in person, by telephone, or by e-mail, the hearing officer should make a reasonable effort to encourage the individual to provide information sufficient to resolve any anonymity.

3. Receipt of Electronic Comments (E-Mail) and Improved Mechanisms

The current practice is to establish an e-mail linkage through the Commission's website for a person to comment to a hearing officer with respect to rule proposals or other matters having the likelihood of significant public interest. The practice requires the Division of Hearings to open, copy, and insert the e-mail in a hearing officer's report. In addition, the Division of Hearings typically prepares an acknowledgement for receipt of the e-mail and forwards the acknowledgement to the sender. Particularly for matters of great public interest, the practice is inefficient.

The Division of Hearings is directed to explore access to and implementation of improved mechanisms for the Commission's website by which to receive and acknowledge the receipt of citizen comments. Included may be a template with required fields for the name and address of the person making the comment, as well as for automatic acknowledgement of the receipt of the comment and for its automatic inclusion in the hearing officer's report.

4. Continuing Updates

The Division of Hearings shall periodically update the Natural Resources Commission concerning challenges and opportunities with respect to receipt and incorporation of citizen comments in hearing officer reports, particularly as the challenges and opportunities result from advancing electronic technology. The first update shall be provided not later than March 2009.

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