

**ADVISORY COUNCIL**  
January 11, 2017 Meeting Minutes

**ADVISORY COUNCIL MEMBERS PRESENT**

Patrick Early, Chair  
AmyMarie Travis Lucas, Vice Chair  
Bart Herriman

**NRC, DIVISION OF HEARINGS STAFF PRESENT**

Sandra Jensen  
Scott Allen

**DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT**

Cameron Clark	Executive Office
John Davis	Executive Office
Chris Smith	Executive Office
Linnea Petercheff	Fish & Wildlife
Mark Reiter	Fish & Wildlife
Amanda Wuestefeld	Fish & Wildlife
Libby Gamboa	Legal

**GUESTS PRESENT**

Jack Corpuz                      Herb Higgins

**Call to Order**

Patrick Early, Chair, called the meeting to order at 10:03 a.m., EDT, at the Fort Harrison State Park Inn, 5830 North Post Road, Roosevelt Room, Indianapolis, Indiana. With the presence of three members, the Chair observed a quorum.

**Election of Officers (Chair and Vice Chair)**

Bart Herriman nominated to re-elect Patrick Early as Chair and AmyMarie Travis Lucas as Vice Chair. Upon a voice vote, the motion carried.

**Reports of Deputies Director**

John Davis, Deputy Director for the Bureau of Lands and Cultural Resources, provided his report. He noted that the Department of Natural Resources (Department) Division of State Parks

celebrated 100 years of operation while the State of Indiana celebrate the Bicentennial of statehood. He stated that in 2016 there were many activities, dedications, openings, and re-dedications that were part of the celebration of the Division of State Parks Centennial and the State of Indiana's Bicentennial. The final Centennial Legacy Project event was a ribbon cutting for the new Centennial Shelter at McCormick's Creek State Park on December 16, 2016.

Davis stated that the McCormick's Creek Centennial Shelter was designed by engineering students from Rose-Hulman Institute of Technology and Gonzaga University in partnership with the Department's Division of Engineering. The shelter is similar to those built by the Civilian Conservation Corps, but also distinctive in its shape and size. Director Cameron Clark gave a brief speech followed by a chili lunch and birthday cake provided by Canyon Inn at McCormick's Creek State Park.

Davis stated that the Division of State Parks hosted the National Association of State Park Directors. Representatives of the U.S. National Parks Service attended to help celebrate the birthdays of both the national and state park systems with tours and a dinner at Spring Mills State Park.

Davis stated that the occupancy at the State Parks inns have increased and noted that the business in the inns are up over 50%.

Davis noted that the Department does not own or maintain trails outside of the state parks. He said that those trails are owned and managed by private entities. He explained that entities may apply for trail maintenance funding through a federal matching program.

Chris Smith, Deputy Director of the Bureau of Water Resource and Regulation, provided his report. He stated that the Director of the Division of Oil and Gas, Herschel McDivitt, is retiring at the end of January 2017. He stated that the Division of Reclamation is reviewing the U.S. Department of the Interior's Office of Surface Mining Reclamation and Enforcement's proposed Stream Protection Rule, which was released by the from the on December 20, 2016. The final rule seeks to better protect streams, fish, wildlife, and related environmental resources from the adverse impacts of surface coal mining operations. The proposal would also provide mine operators with a regulatory framework to avoid water pollution and the long-term costs associated with water treatment. He stated that the Department is anticipating legal action and stated that North Dakota has filed as well as possibly two other states, are looking at the possibility of filing legal action.

Smith provided a legislative update. He stated that there are a couple bills regarding timber management and the conduct of Department business on those state owned properties. He noted a couple payment in lieu of taxes bills dealing with state properties, which are tax exempt. Smith stated that a bill is proposed regarding construction in a floodplain, which would lower the base flood elevation that the Department has some concerns over. The Department will present some bills including an annual ominous bill including but not limited to issues relating to boating; a clarification on want and waste; and moving certain fees out of statute and into the administrative code allowing the Commission to consider fee increases.

The Chair asked whether there was a proposed bill amending the "high powered rifle" statute, IC 14-22-2-8, which was added in the 2016 Legislative session.

Smith replied that there is no bills relating to high powered rifles and would not be included in the Department's omnibus bill. He noted that the omnibus bill is subject to amendment by the Legislature.

The Chair asked whether there had been any issues relating to the temporary amendment of 312 IAC 9-3-3 by emergency rule (LSA Document #16-263(E)) to authorize additional rifle and handgun calibers to take deer.

Reiter replied that no issues arose. He noted that according to the data there were twice as many people taking deer with rifles as the prior year and with no accidents.

### **Approval of minutes of meetings held on January 12, 2016 and October 12, 2016**

The chair called for a vote to approve the minutes of the meeting, held on January 12, 2016 and October 12, 2016, as presented. Upon a voice vote, the motion carried. John Herriman stated that he would abstain from voting because he was out of town.

### **Request for recommendation of approval of revisions to the Natural Resources Commission's nonrule policy document, Hunting, Fishing and Trapping Fees (Information Bulletin #54); Administrative Cause No. 16-164D**

Mark Reiter, the Director of the Division of Fish and Wildlife, presented the agenda item. Reiter noted that the Department is requesting to increase the annual resident fee by \$5 per license type for hunting, fishing, and the hunting/fishing combination. He stated that the Department is also requesting approval to increase the nonresident hunting license by \$20 and fishing license fees by \$10. Reiter stated that the Department is also requesting to establish a three-year resident fishing license, hunting license, and hunting/fishing license combination.

Reiter stated that churn rate for people purchasing fishing licenses is approximately 50%, meaning that people are purchasing licenses every other year. The churn rate for hunting is about every third year or approximately 30%.

The Chair asked if the Department still receives matching funds from the federal government.

Reiter answered in the affirmative. He also stated that the Department does certify lifetime license holders, and stated that as a rule, the Department will need to make at least \$1 for each lifetime license holder. He stated that the Department has lifetime licenses invested in Certificate of Deposits, allowing the Department to certify those holders.

Reiter stated that included in the nonrule policy document amendment is a proposed Resident Deer License Bundle/Fall Turkey Combination License for \$85 and Resident Three-year Fishing and Hunting License for \$87. Reiter stated that the Department picked those licenses that may have been underpriced. The nonresident license fees Indiana was underpriced when compared to

other surrounding states. Reiter stated that the Division of Fish and Wildlife estimated that it will need to increase its revenue by approximately \$2 million annually to stay solvent for the next five years. Reiter stated that without fee increases there will be more money going out than will be coming in. Reiter stated that the Department should work to build capacity in the programs that are offered to do more in conservation.

The Director of the Department, Cameron Clark, stated there are other states who have addressed the issue of funding for natural resources in a broader way. He stated the Department would like to sit down with the current Governor's administration to work on a funding plan for the Department.

Reiter stated that the number of hunter and fisherman anglers continues to decline. He stated that the Department will need a broader based constituency and more people make donations to conservation or license fees will be the only means of paying for conservation.

The Chair asked what other states were doing to address the rising financial cost for conservation.

Reiter stated that in the states of Arkansas and Missouri the agencies that are responsible for conserving natural resources receive a portion of the sales tax. He stated that it is less than 1% of the sales tax, but that provides hundreds of millions of dollars to their respective organizations.

Herriman stated that he would like to see the relevant organizations to form a coalition to assist in addressing financial concerns related to conservation.

Reiter stated that Indiana's Legislative Branch is not hearing feedback from its constituency on the importance of conservation. He stated that the Department should do more to educate the public on the importance of conservation.

Clark stated that he is optimistic that the Governor's Office will be open to listening to concerns from the Department and will help in coming up with positive solutions.

Davis stated there is cooperation between the Department's Divisions to address the issues relating to natural resources conservation with existing funding available.

Reiter stated that steady funding will determine the Department's ability to fund projects and to protect endangered species.

AmyMarie Travis Lucas stated that she understands the idea to be a more comprehensive plan to engage the public; educate them on the problems; and what can be done to address conservations concerns. She asked of the Department's public information strategy.

Reiter stated that conservation is benefitting everyone, but only the hunters and fisherman anglers are paying the cost of conservation.

Travis Lucas stated that the general public does not realize how big the Department is and all that ~~they~~ it does. She said that more awareness is needed to get the information to the public. She suggested some short term projects to increase awareness to bring in more funding for resources.

The Chair asked whether the Sportsmen's Roundtable was still active.

Clark stated that the Sportsmen's Roundtable either does not exist as an organization or is not as vocal as the group once was.

Herriman asked if the proposed fee increase were approved how would the Department compare with the surrounding states conservation program fees.

Reiter stated that the Department would compare the same or just below what other states' fees.

The Chair stated that in some of the surrounding states would be required a person to purchase a hunting license and purchase each tag separately.

The Chair called for a vote of the Advisory Council to recommend the approval of revisions to the Natural Resources Commission's nonrule policy document, Hunting, Fishing and Trapping Fees (Information Bulletin #54). Upon a voice vote, the motion carried.

The Chair asked for an update on bovine tuberculosis.

Reiter stated that the Department established a Bovine Tuberculosis Management Zone (BTMZ) by emergency rule (LSA Document #16-426(E)) encompassing southern Fayette County and all of Franklin County. A Bovine Tuberculosis Surveillance Zone was also established in northern Dearborn County. He stated that the Department obtained the samples needed is confident that bovine tuberculosis does not exist in the wild deer herd at any more than a quarter of one percent incidence. He stated that there were approximately 2,000 samples taken and no samples submitted tested positive for bovine tuberculosis. Reiter did note that there were some samples that were still outstanding, but that the Department is expecting the results of those samples to come back negative.

The Chair asked whether there were special permits being issued for the Bovine Tuberculosis Management Zone.

Reiter stated that the Department will issue landowners a special permit to take extra deer. He stated that this is only for a three mile radius around three cow farm herds that had previously tested positive for bovine tuberculosis. He stated that those landowners who receive a special permit would need to submit for testing any deer taken.

The Chair recognized Jack Corpuz

Jack Corpuz asked about the Department's funding source and costs relative to the Bovine Tuberculosis Management Zone and Surveillance effort.

Reiter stated that the funds used by the Department had previously been budgeted.

### **Adjournment**

The meeting adjourned at 11:12 a.m., EDT.