

TITLE 312 NATURAL RESOURCES COMMISSION

Notice of First Public Comment Period

LSA Document #25-428

FEES; FINES; CIVIL PENALTIES; FINANCIAL BENEFIT LIMITATIONS; OTHER PAYMENT AMOUNTS

PURPOSE OF NOTICE

The Natural Resources Commission (commission), in coordination with the Department of Natural Resources (department), is soliciting public comment on amending rules at 312 IAC 1.5-2-5 and 312 IAC 1.5-2-7 regarding certain entrance fees for properties owned or managed by the department. The commission, in coordination with the department, seeks comments on the affected citations listed and any other provisions of Title 312 that may be affected by this rulemaking.

ADDITIONAL DOCUMENTS

Regulatory Analysis: 20250827-IR-312250428RAA

Notice of Public Hearing: 20250827-IR-312250428PHA

CITATIONS AFFECTED: 312 IAC 1.5-2-5; 312 IAC 1.5-2-7

AUTHORITY: IC 4-22-2-19.6; IC 14-10-2-1; IC 14-10-2-4; IC 14-19-3

OVERVIEW

Basic Purpose and Background

The commission, in coordination with the department, is looking to increase the fee for: (1) an annual pass for nonresidents from the current seventy dollars (\$70) to one hundred twenty dollars (\$120) a year; (2) entering Prophetstown State Park from the current ten dollars (\$10) to fifteen dollars (\$15) a day for each vehicle entering the property; (3) entering Indiana Dunes State Park from the current twelve dollars (\$12) to twenty dollars (\$20) a day for each vehicle entering the property; and (4) entering any other property owned or managed by the department from the current nine dollars (\$9) to fifteen dollars (\$15) a day for each vehicle entering the property. Due to budgetary constraints and inflating costs to maintain properties owned or managed by the department, an increase to certain fees is necessary. The proposed permanent rule affects nonresidents who enter certain properties owned or managed by the department and nonresidents who purchase annual passes from the department. There will be an increase to the entrance fee for each nonresident vehicle entering the property as well as to each nonresident who purchases an annual pass.

For purposes of IC 4-22-2-28.1, small businesses affected by this rulemaking may contact the Small Business Regulatory Coordinator:

Whitney M. Wampler
Assistant General Counsel
Administration Bureau
Indiana Department of Natural Resources
Legal Division
402 West Washington Street, Room W261
Indianapolis, IN 46204
(317) 941-4338
wwampler@dnr.in.gov

For purposes of IC 4-22-2-28.1, the Small Business Ombudsman designated by IC 5-28-17-6 is:

Caleb Wakeman
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(463) 269-2670
Ombudsman@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in IC 5-28-17-6, specifically IC 5-28-17-6(9), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

REQUEST FOR PUBLIC COMMENT

The commission, in coordination with the department, is soliciting public comment on the proposed rule. Comments may be submitted in one of the following ways:

(1) By mail or common carrier to the following address:

LSA Document #25-428 Fees; Fines; Civil Penalties; Financial Benefit Limitations; Other Payment Amounts
Whitney M. Wampler
Natural Resources Commission
C/O Department of Natural Resources, Legal Division
Indiana Government Center South
402 West Washington Street, Room W261
Indianapolis, IN 46204

(2) By email to wwampler@dnr.in.gov. PLEASE NOTE: Email comments will not be considered part of the official written comment period unless they are sent to the address indicated in this notice.

(3) Attend scheduled public hearing.

COMMENT PERIOD DEADLINE

All comments must be postmarked or time stamped not later than September 26, 2025.

The rule, Regulatory Analysis, appendices referenced in the Regulatory Analysis, and materials incorporated by reference (if applicable) are on file at the Department of Natural Resources, Legal Division, Indiana Government Center South, 402 West Washington Street, Room W261, Indianapolis, Indiana and are available for public inspection. Copies of the rule, Regulatory Analysis, and appendices referenced in the Regulatory Analysis are available at the Department of Natural Resources office on behalf of the Natural Resources Commission.

If the commission does not receive substantive comments during the public comment period or public hearing, the rule may be adopted with text that is the same as or does not substantially differ from the text of the proposed rule published in this notice.

PROPOSED RULE

SECTION 1. 312 IAC 1.5-2-5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 1.5-2-5 Fee for annual pass issued to nonresident

Authority: IC 4-22-2-19.6; IC 14-10-2-1; IC 14-10-2-4

Affected: IC 14-19-3-5

Sec. 5. The fee for an annual pass issued to a nonresident is ~~seventy dollars (\$70)~~ **one hundred twenty dollars (\$120)** a year. (*Natural Resources Commission; 312 IAC 1.5-2-5; filed Sep 9, 2024, 10:54 a.m.: 20241009-IR-312240164FRA*)

SECTION 2. 312 IAC 1.5-2-7 IS AMENDED TO READ AS FOLLOWS:

312 IAC 1.5-2-7 Nonresident fee to enter department owned or managed property

Authority: IC 4-22-2-19.6; IC 14-10-2-1; IC 14-10-2-4

Affected: IC 14-19-3

Sec. 7. (a) Except as provided in subsections (c) and (d), the fee for a nonresident to enter a property owned or managed by the department for one (1) calendar day is ~~nine dollars (\$9)~~ **fifteen dollars (\$15)** a day for each vehicle entering the property.

(b) The purchase receipt from paying the fee under subsection (a) acts as a pass to enter a property owned or managed by the department.

(c) The fee for a nonresident to enter Prophetstown State Park for one (1) calendar day is ~~ten dollars (\$10)~~ **fifteen dollars (\$15)** a day for each vehicle entering the property.

(d) The fee for a nonresident to enter Indiana Dunes State Park is ~~twelve dollars (\$12)~~ **twenty dollars (\$20)** a day for each vehicle entering the property. (*Natural Resources Commission; 312 IAC 1.5-2-7; filed Sep 9, 2024, 10:54 a.m.: 20241009-IR-312240164FRA*)