

NATURAL RESOURCES COMMISSION
Meeting Minutes, July 20, 2021

MEMBERS PRESENT

Bryan Poynter, Chair
Jane Ann Stautz, Vice Chair
Dan Bortner, Secretary
Bruno Pigott
Jennifer Jansen
Noelle Szydlyk
Marc Milne
Patrick Early
Bruce Walkup

NATURAL RESOURCES COMMISSION STAFF PRESENT

Sandra Jensen Dawn Wilson
Billie Franklin

DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT

Chris Smith	Executive Office
Ryan Mueller	Executive Office
Mike Smith	Executive Office
David Bausman	Legislation
James B. Brindle	Communications
Joe Caudell	Fish and Wildlife
Linnea Petercheff	Fish and Wildlife
Sam Whiteleather	Fish and Wildlife
Amanda Wuestefeld	Fish and Wildlife
Steve Hunter	Law Enforcement
Ronald Hellmich	Nature Preserves
Brandt Baughman	State Parks
Terry Coleman	State Parks
Christy Sorrels	State Parks

GUESTS PRESENT

Samantha Morton
Scott Salmon
Elizabeth Schnur

Bryan Poynter, Chair, called to order the regular meeting of the Natural Resources Commission at 10:00 a.m., ET, on July 20, 2021, at Fort Harrison State Park, Garrison, 6002 North Post Road, Ballroom, Indianapolis. With the presence of nine members, the Chair observed a quorum.

APPROVAL OF MINUTES

The Chair asked for a motion for the approval of the Commission's May 18, 2021 meeting minutes. Bruno Pigott moved to approve the minutes, as presented. Bruce Walkup seconded the motion. Upon a voice vote, the motion carried.

REPORTS OF THE DNR DIRECTOR, DEPUTIES DIRECTOR, AND THE CHAIR OF THE ADVISORY COUNCIL

Dan Bortner, Director of the Department of Natural Resources (Department), provided his report. He reported that DNR properties are continuing to greet numerous visitors. He offered that filling seasonal positions has been a challenge but that the Department of Corrections has offset some of the labor shortages.

Bortner reported the DNR chief legal counsel, Samantha DeWester has moved on to a new position outside of State Government.

Bortner shared that in May DNR officially opened the newly renovated Indiana Dunes pavilion.

Bortner discussed efforts being taken to slow the spread of Asian Carp and efforts to enhance DNR's partnership with the Nature Conservancy. Bortner further stated that DNR is making preparations for the Indiana State Fair.

Chris Smith, Deputy Director of the Land Management Bureau, provided his report. He reported that the songbird mortality event continues to be on the DNR's radar and it has recommended individuals to remove their birdfeeders. C. Smith stated that the Division of Forestry's application period for the Community and Urban Forest assistance grant program, that is open to communities throughout the state, will be open until August 13th and that round three of the Next Level Trails program, which consists of approximately \$35 million, will kick off a virtual application workshop on August 5th.

C. Smith noted that the Division of Nature Preserves staff discovered a new population of one of their most endangered insects, the Tiger Spiketail dragonfly, in Ripley County, which in one of only four locations in the state where the species is known to exist. He offered, also, that a bear sighting was reported in southern Indiana in Vanderburgh County and the bear is currently in the Davies County area.

Ryan Mueller, Deputy Director of the Regulatory Bureau, provided his report. Mueller stated the Division of Entomology staff had been notified of Gypsy moth damage in northern Indiana and the areas affected are outside of the treatment action zone. Staff are working with homeowners in those locations since they do not qualify for federal assistance.

Mike Smith, Deputy Director of the Bureau of Administration, provided his report. M. Smith noted that round two of the deferred maintenance projects has come to fruition. He reported that they have received \$52 million to address additional deferred maintenance projects statewide. They have closed out the fiscal year 2021 with no surprises and started the fiscal year 2022 in a relatively good place. He reported that as of July 1st, DNR had 1,177 positions filled and approximately 220 vacancies. He continued to state that they currently have close to 100 openings in the request to hire queue but are still having difficulty hiring people.

Patrick Early reported that the Advisory Council has not met since the last Commission meeting but are scheduled to meet on August 11, 2021.

CHAIR, AND VICE CHAIR

Information: Consideration of 2021 meeting dates:

The Chair noted that the remaining 2021 Commission meeting dates are September 21 and November 16. The Chair noted the possibility of the September 21st meeting being held at a DNR property and details will be forthcoming. Additionally, he shared his appreciation with the Commission on the agenda preparation.

DNR, EXECUTIVE OFFICE

Consideration and identification of any topic appropriate for referral to the Advisory Council

No items were identified for referral to the Advisory Council.

DNR, DIVISION OF NATURE PRESERVES

Consideration of the dedication of the Grand Prairie Nature Preserve in Lake County

Ron Hellmich, Division of Nature Preserves, presented this item. Hellmich stated this proposed nature preserve is located in Lake County and will protect 11.86 acres of wet prairie of the Chicago Lake Plain. It is owned and managed by the Indiana Department of Natural Resources under the administration of the Division of Nature Preserves. Grand Prairie is a remnant of the tallgrass prairie ecosystem thought to once cover 220 square miles in the United States of which there is only about 1% remaining.

The Division of Nature Preserves recommended the dedication of this site as a State Nature Preserve.

Bruno Pigott moved to approve the dedication of the Grand Prairie Nature Preserve. Noelle Szydlyk seconded the motion. Upon a voice vote, the motion was carried.

DNR, DIVISION OF FISH AND WILDLIFE

Report to the Natural Resources Commission on citizen petition to amend the rule on the collection of mussel shells, 312 IAC 9-9-3; Administrative Cause No. 21-FW-017

Joe Caudell, Division of Fish and Wildlife, presented this item. Caudell stated this petitioner is interested in changing 312 IAC 9-9-3 to allow the collection of mussel shells. The petitioner requested changes to the rule to allow individuals to collect up to ten (10) mussel shells per species for educational purposes. The committee reviewing this petition determined that a person doing this for a scientific study may obtain a scientific collection permit.

He explained that the non-game aquatic program also uses the mussel shells left on the stream banks for their surveys and the removal of shells by collectors would cause them to lose that ability to understand the historic distribution of the mussel shells.

Caudell went on to say that the other significant problem with this request is there are a lot of mussels that cannot be identified in the field without close observation and there are federally endangered mussel shells that are intermingled with other shells. He offered that the current rule does allow individuals to pick up the mussels and take photos for educational purposes.

Pigott asked if the petitioner understood that there is a mechanism to obtain a scientific study permit.

Caudell responded that they have communicated with the petitioner and the Petitioner now understands the importance of this procedure.

Caudell said the Department does not support the rule change to amend the collection of mussel shells.

Bruno Pigott moved to accept the Committee's Report and Recommendation regarding the citizen petition requesting to allow the collection of mussel shells. Patrick Early seconded the motion. Upon a voice vote, the motion was carried.

Request for preliminary adoption of amendments to 312 IAC 8-2; Department of Natural Resources property rules; Administrative Cause No. 21-FW-018

Linnea Petercheff, Division of Fish and Wildlife presented this item. The first proposal under 312 IAC 8-2-3 allows a tree stand or hunting blind being used for deer or migratory bird hunting

may be left on a DNR property overnight provided that a stand or blind is marked with that person's contact information or customer ID number. Additional authorizations will also allow a person to place a trail or game camera on designated DNR properties if the owner's contact information is identified on the camera.

Additional language prohibits a person from placing bait for wild birds or deer on DNR properties except for those exemptions listed in the rule.

The proposal in 312 IAC 8-2-10 makes clarifications on allowing shed deer antlers to be collected on DNR properties. Another change in this rule will also require a license from a department representative to use a magnet or magnetized equipment to remove an item from waters on DNR properties. This license clarifies that the magnet has to be carried and retrieved by hand.

The Chair asked what magnet fishing is.

Petercheff explained that it is basically using a fishing line, but it has a magnet on the end of it to retrieve scrap and other items from waterways.

Milne asked for clarification in the rule language if they are trying to limit the size of the objects that are being removed.

Petercheff responded that the rule language proposes that the magnet must be able to be carried and retrieved by hand without the assistance of motorized equipment.

Patrick Early moved to approve the preliminary adoption of amendments to 312 IAC 8-2. Jennifer Jansen seconded the motion. Upon a voice vote, the motion was carried.

DNR, DIVISION OF STATE PARKS

Consideration of fee changes for the Division of State Parks

Brandt Baughman, Division of State Parks, presented this item. He explained that State Parks operates several buoys and docks, offering a wide variety of slip sizes and amenities with features unique to each property.

Private marina operators utilize Information Bulletin #20, which allows for an informal process for the administrative review of ratemaking recommended for resorts and marinas under lease with DNR, many of which request a small incremental rate increase each year to remain competitive in today's market.

Baughman reported that over the past few years, the Division of State Parks has made significant efforts to improve its docks, with some being replaced and others upgraded but the rates have not been increased since 2005.

He explained that this request is to establish a range for rates that will allow for small incremental rate increases in the future. They are requesting a 20% increase across the board. These rate increase ranges will still be significantly less than the privately operated marinas and will allow for small incremental increases in the future.

He noted an error on the fee list for the 12ft x 20ft dock located on Brookville Lake – Fairfield, this should be listed as \$882.00 for the specific fee change.

Bruno Pigott moved to approve the fee changes. Noelle Szydlyk seconded the motion. Upon a voice vote, the motion was carried.

The meeting was adjourned at approximately 10:39 a.m., ET.