

ADVISORY COUNCIL
Meeting Minutes August 8, 2023

ADVISORY COUNCIL MEMBERS PRESENT

Patrick Early, Chair
Bill Freeman, Vice Chair
Tim Karns

NATURAL RESOURCES COMMISSION STAFF PRESENT

Elizabeth Gamboa
Aaron Bonar
Scott Allen
Billie Franklin

DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT

Chris Smith	Executive Office
Ryan Mueller	Executive Office
David Bausman	Executive Office
Steve Hunter	Law Enforcement
Amanda Wuestefeld	Fish and Wildlife
Linnea Petercheff	Fish and Wildlife
Benjamin Erb	Fish and Wildlife
Courtney Weldon	Fish and Wildlife
Angie Haywood	Fish and Wildlife
Brad Feaster	Fish and Wildlife
Craig Jansen	Fish and Wildlife
Eric Fischer	Fish and Wildlife
Mitch Marcus	Fish and Wildlife
Dan Carnahan	Fish and Wildlife
Tanner Carlson	Fish and Wildlife
Phillip Kacmar	Fish and Wildlife
Tom Bacula	Fish and Wildlife
Theresa Bordenkecher	Fish and Wildlife
Joe Caudell	Fish and Wildlife
Zackary Delisle	Fish and Wildlife
Rod Edgell	Fish and Wildlife
Gerriann Albers	Fish and Wildlife
Whitney Wampler	Legal

GUESTS PRESENT

Scott Gray
Greg Schwipps
Josh Worth
Tyler Byrne
Andy Byrne
Max Winshell

Lynn Shaw
Ronnie Mays
Scott Salmon
Dan Boritt
Justin Browning
Jim Laudermilk

Jeremy Chase
Roger Richardson
Mike Dye
Kay Hawthorne
Tom Shevlot
Jim Bloom

Patrick Early, Chair, called the meeting to order at 10:01 a.m., ET, at the Atterbury Fish and Wildlife Area Meeting Room, 7970 S. Rowe Street, Edinburgh, Indiana. With the presence of three members, the Chair observed a quorum.

Consideration and approval of minutes for the meeting held on January 17, 2023

Tim Karns moved to approve the minutes of the meeting held on January 17, 2023. Bill Freeman seconded the motion. Upon a voice vote, the motion carried.

Reports of Deputy Directors

Chris Smith, Deputy Director of the Land Management Bureau, provided his report as follows:

The Garrison at Fort Harrison State Park is undergoing renovation. The HVAC is being replaced, restrooms are being remodeled, and the exterior of the building is being painted.

On August 4, 2023, the State Budget Committee (SBC) approved \$10 million for the President Benjamin Harrison Conservation Trust (PBHCT) to support the conservation of the natural and cultural heritage of Indiana. The SBC previously approved construction of a new visitors' center at the Jasper-Pulaski Fish and Wildlife Area. This building will be comparable to the building at Goose Pond Fish and Wildlife Area.

The budget from the last legislative session included another \$100 million in deferred maintenance for all state assets. The Department continues to work with the Indiana Department of Administration (IDOA) to prioritize project needs.

The 2023 budget also included \$5 million for the recovery of McCormick's Creek State Park following the March 2023 tornado. The public comment period has been completed for the restoration of the McCormick's Creek State Park campground. Bidding will begin to remove several thousand downed trees at the campground. The trees still standing will be tested for integrity. At over one hundred years old, the McCormick's Creek campground is the first state campground. The Department will examine opportunities to expand the campground to accommodate changes in campers.

In June 2023, the Department released an updated version of the “DNR App” to assist in locating Department properties for public access to hunting, fishing, and trails.

The July/August 2022 issue of *Outdoor Indiana* was nationally recognized for an article in the magazine titled “Indiana’s French Connection.” The article detailed the French connection to Hoosier roots. It was written by Managing Editor Marty Benson. The Graphic Designer was Erin Hiatt, and the photographers were Brent Drinkut and Frank Oliver.

On August 1, 2023, the application period closed for round four of grant funding for the Next Level Trails (NLT) program. The award recipients will be announced in December 2023. There was a total of 47 applications submitted requesting \$94.2 million in funding to build 81 miles of trails. The Department has \$30 million in grant funding to distribute for this round of grants. NLT has distributed over \$150 million in awards that funded 75 trail projects to develop 190 miles of trails.

Biologists with the Department and Purdue University recently documented a very young hellbender salamander in the Blue River while conducting routine surveys. This discovery is significant because it is the first time in over three decades that a young hellbender salamander has been found in the wild. The Department, the Indianapolis Zoo, and Purdue University have been working on a reintroduction program for the last several years. Hellbenders are sensitive to water quality and this discovery indicates the water quality of the Blue River is good.

The Division of Forestry planted 253,000 seedlings in Spring 2023 as part of the initiative to plant one million trees in five years. In four years, 964,900 trees have been planted. Smith thanked project partners Clif Bar Baking Company, White Oak Initiative, Hardwood Forestry Fund, Duke Energy, Huston Solar, and the Indiana Natural Resources Foundation.

Seven K-9 teams that completed the Division of Law Enforcement’s nine-week K-9 Resource Protection Program were recognized in a graduation ceremony this summer. The teams came from Indiana, Kansas, Oregon, and Utah. Indiana has twelve canine members distributed among the state’s law enforcement districts.

Ryan Mueller, Deputy Director of the Regulatory Bureau, provided his report as follows:

The Division of Reclamation has secured \$23 million contracts to plug orphaned and abandoned oil and gas wells statewide. This is the initial phase of funding authorized by a federal grant program that awarded Indiana \$25 million. Since January 1, 2023, nearly 140 wells have been plugged at a cost of \$5.7 million. The initial goal was to plug approximately 350 wells. The projects have been under budget so it appears the goal will be met. The Division has applied for a \$14 million grant for methane monitoring and reduction efforts. There are an estimated 1,400 orphaned and abandoned oil and gas wells statewide.

The Indiana State Fair is open Wednesdays through Sundays until August 20, 2023. The Department's building looks great with recent renovations to the roof, windows, flooring, restroom improvements, and a fresh coat of paint. The displays in the building have also been updated. The theme of the State Fair is "Celebrating Basketball: The State That Grew the Game," The Division of Historic Preservation and Archaeology created a display documenting the history of some of Indiana's famed high school basketball courts and fieldhouses.

Bill Freeman asked how the Department picked 350 oil and gas wells to plug out of approximately 1,400 wells. Mueller replied the Department looks at regional clusters of wells that need to be plugged as well as the severity of the wells. The worst wells are prioritized. When additional wells that need to be plugged are discovered while the contractors are in the field, the contractors will sometimes plug those wells while on site.

The Chair noted the Advisory Council (AC) does not vote on agenda items. Its role is to identify and discuss issues that may go before the Natural Resources Commission (Commission). The goal is for the AC and the Department is to review items and address any issues before those items go to the Commission for preliminary adoption. There are public hearing opportunities when a topic goes to rulemaking. The AC will report issues identified at the AC meetings to the Commission. Public speakers will get up to five minutes to speak. The Chair encouraged speakers to be concise and to not repeat statements from previous speakers.

Proposed Invasive Carp Harvest Permit Rule

Craig Jansen, the Invasive Carp Biologist with the Division of Fish and Wildlife, presented this item and gave a PowerPoint presentation. His presentation is summarized below:

The Division has conducted outreach to anglers and angling groups for input into implementing a permit to reduce carp population in Indiana waters. Anglers are concerned that there is sufficient oversight to minimize the impact to native species of fish. A major concern from anglers is the impacts of carp harvesting activities on native fish populations. The anglers want to be sure carp harvesters have no other fishing gear in their possession and that the carp harvesters are not in possession of native fish. The anglers would like a highly visible program to show that carp harvesting is occurring and to allow for participant accountability. Jansen believes those concerns have been addressed in the proposed rule.

Bycatch is a concern in carp harvesting, particularly with regard to catfish and shovel-nose sturgeon on the Wabash River. Kentucky's Asian Carp Harvest Program (ACHP) occasionally provides agents to ride along with carp harvesters to collect data on bycatch. Very few sport-fish native species are caught during carp harvesting. Survival of the fish caught and released is relatively high and the total number of sport fish being caught is relatively low.

The Ohio River Contract Fishing Program has observers on the boat with every carp harvester. The observer data has shown very little sport-fish bycatch. Non-carp fish that are caught and then returned to the water show a high rate of survival. A few more catfish have been caught in the Ohio River, but there is still a 99% survival rate of any blue fish caught. Fewer catfish have been caught under the ACHP, but the lowest survival rate is 95%. Participants in the ACHP are allowed to keep 35% of total weight in rough-scale fish (buffalo, common carp, and gar). Any fish harvested in this program is not counted in the bycatch numbers. Of the fish that are released, there is a high survivability rate. Paddlefish have a 50% survival rate, skipjack herring and chad have lower survival rates, but fewer of these fish are caught. In the Ohio River Contract Fishing Program, small-mouth buffalo accounts for about 24% of all fish caught. Silver carp account for about 68%. Small mouth buffalo have about 99% chance of survival upon release.

The Ohio River Basin Partnership includes the states in the Ohio River Basin, some federal partners, and universities that have taken an interest in researching and attacking the carp problem. There has been a lot of research on where the carp are moving, where they are spawning, and how quickly they are growing. The conversation has shifted to getting the carp out of the water and ensuring that efforts are effective. The data from Indiana's other state partners have shown that harvesting carp can be done safely with minimal impact to native fish. The permit is directed at reducing the carp problems. Tennessee, Kentucky and Illinois have carp harvesting programs. Indiana rules do not allow a significant number of carp to be harvested.

The proposed rules would not change current regulations. Anglers will still be allowed to bow fish for carp. The rule allows for additional gear to be used for the sole purpose of harvesting carp and allowing anglers to sell the carp.

The Department would like to issue a permit specific to harvesting Asian carp. Permit holders are defined as the person holding the permit. Gear would be limited to gill nets and seines, which are proven methods of effectively catching carp. Where carp fishing will occur will be defined in the rule to include waters with the most carp. By-catch is defined as anything that is not carp. Unpermitted helpers would be allowed on the boat to assist permit-holders but may not operate the boat without the permitted person on board. A person who has a revoked or suspended sports license cannot be an unpermitted helper.

The Department would control where the harvest can occur, the date and time of the harvest, and what type of gear can be used. The rules include a basic permit application which would include questions intended to gather information to be used in further developing the program. Permits won't be issued to anyone who has had a revoked fishing license.

Before fishing, permit holders would need to get prior approval from the Department as to when, where, and with what gear the fishing will occur to reduce potential conflicts. The Permit holders may only harvest and be in possession of Asian carp species. All by

catch must be released. Fishing gear must be actively attended, marked with floating buoys and identifying signage, and must be removed at the end of the day. Fishing may not hinder navigation of other boats.

Fishers are required to report daily effort and catch and include information such as where they fished, what equipment was used, the number of carp caught, and the amount of by-catch. Onboard and dockside inspection could be conducted at any time. The permit may be revoked for failure to follow the rules. Harvested Asian Carp could be sold or legally disposed of.

The Department will maintain the contact information for the permit holders. The Department will review and approve fishing requests unless a higher-than-normal bycatch would occur or if user conflict is likely to occur. Permit holders who consistently fail to submit required reports they would not getting permission to fish under the program.

The permit could be suspended, denied, or revoked if the participant fails to comply with the rules or provides false information. The permit is annual and expires on December 31 of the year the permit was issued.

Other states around Indiana are harvesting a lot more carp than Indiana. Illinois started allowing additional harvesting through an incentive program under their commercial fishing license. Last year Illinois harvested over a million pounds of carp in a big seining operation. Indiana needs to look at ways to incentivize people to fish for invasive carp and allow for large scale fishing harvest operations to attract processing operations to Indiana.

Freeman asked what the survival rate of a small mouth bass is caught by hook and line and released and how does that compare to the survival rate of by-catch in carp harvesting. Jansen answered the data would be difficult to get. A member of the public asked additional questions about by-catch mortality rates and further discussion ensued. Jansen noted that Ohio River program does not fish during the hot summer months.

The Chair noted that the public could speak on agenda items but would need to fill out a form and wait to speak in order.

Freeman asked what the cost of the permit might be. Jansen replied the cost would be minimal to cover administrative costs associated with permitting process.

The Chair asked if there were places to sell carp in Indiana. Jansen replied there are very few places in Indiana to sell the carp. There is a new small-scale business that processes carp into catfish bait. He said Illinois has been trying to get processors to reach out to the Wabash River fishermen. Setting up remote buying stations is not easy because the processors don't know if the fishers will have enough fish to fill a semi-truck load to take to the processing plant.

Freeman asked what the current incentive for carp harvesting is. Jansen replied carp are not worth much.

Freeman asked if it was clear that commercial fishers could not have sport fishing gear on the boats. Jansen replied that the issue is not directly addressed in the proposed rule. Commercial fishing rules say that no other fishing gear is allowed on the boat during commercial fishing activities.

Karns asked where the funding for Department ride-alongs would come from. Jansen replied that federal funds pay for the Invasive Species Unit. The Ohio River Basin has had an increase of funds over the last six or seven years. The funding for the ride-along observers would come from that.

Karns said he reviewed the draft rule language and he suggested the terms “consistently” and “excessive” be defined in the phrase: “permit holders consistently fail to submit required reports and excessive user conflicts” He noted the words “consistently” and “excessive” can be vague and subject to interpretation. He recommended revising the language to better define the standards.

The Chair recognized Mike Dye, who stated:

Dye is from Kentucky. It would be beneficial for Indiana to allow carp harvesters the ability to get a permit to fish for Asian carp. Dye would like to fish in the Wabash River. There are places in Kentucky that could process carp and trucks could be sent to the Wabash River if a bigger harvest was coming from Indiana. Dye indicated there is a market for Asian carp in Kentucky and occasionally buyers will pick up the carp.

Freeman asked why Mr. Dye fishes for carp and if he makes a profit fishing. Dye replied it depends on the day if he makes a profit.

The Chair recognized Andy Byrne, who stated:

Andy Byrne is from Indiana and supports commercial fishing of Asian carp. When the water temperature raises, the mortality rate for fish increases in a manner that correlates to the catch rate. He thinks commercial fishers are not going to request to fish in areas where they don't think there are going to be a lot of fish to harvest.

The Chair recognized Tyler Byrne, who stated:

Tyler Byrne is from Indiana. He fishes the Ohio River and supports the invasive carp program. Indiana is behind in addressing the Asian carp problem, but Byrne feels like this is a good first step. He doesn't think there will be a lot of commercial fishers until there are more incentives to draw them in.

The Chair asked Jansen if the Department could use federal funds to help pay people an extra incentive per pound for invasive carp. Jansen said the Department has been working closely with Illinois where there is an enhanced contract fishing program. This program allows commercial

fishers to harvest out of underutilized waters and pays the fishers ten cents per pound over the selling price of the fish. The Illinois program also gives a processors five cents per pound if they bought the fish ten miles from the water from which the fish were harvested. It might be possible to implement this program in Indiana.

Tyler Byrne added that he spoke with a Kentucky fish processor who said Indiana fishers would need to fill a semi-trailer with 40,000 pounds of fish every two days to make it profitable. This would work if several people were fishing at one time; however, an individual could not meet this demand.

The Chair asked if the Department was looking into an incentive or bounty for fishers to make it worth their while to fish Asian carp. Jansen said the Department would like to do a program similar to Illinois's program in Indiana and create an incentive for fishers to fish Asian carp. He said the Department needs to recruit more fishers to better attack the problem of invasive carp.

Proposed Catfish Rule Changes

Rod Edgell, Fisheries Research Supervisor, Division of Fish and Wildlife, presented this item and gave a PowerPoint presentation that highlighted the following:

A Citizen Petition for Rule Change was submitted by the Indiana Catfish Conservation Association (ICCA) in August 2021. The Department provided a report to the Commission in the spring of 2022. The Department continued to have meetings and discussions with AC members and ICCA members after submitting the report.

The ICCA requested three changes to the rule: 1) establish a ten fish daily bag limit; 2) lower harvest length limit for large catfish to one fish per day over 30 inches for blue and flathead catfish and 24 inches for channel catfish; and 3) ban interstate transport of live, adult catfish.

The Department is proposing: 1) establishing a ten-fish daily bag limit for recreational fishers that would not apply to commercial fishers and 2) reducing harvest length limit to one fish per day to 30 inches for blue and flathead catfish and one fish per day over 24 inches for channel catfish for recreational and commercial fishers, except on Ohio and Wabash River boundary waters.

This change in daily bag limit of 10 catfish matches the current regulation for lakes and reservoirs, has little impact on recreational anglers and would not apply to commercial fishers.

The reduced harvest length for larger catfish means channel catfish between 13 and 24 inches could be harvested along with one channel catfish over 24 inches. Harvested flathead and blues could be between 13 and 30 inches with one over 30 inches. These changes would not apply on the Ohio River and Wabash River boundary waters, which

are managed jointly by multiple states. A map was provided to demonstrate the regulations relevant to Indiana rivers and streams.

Smith requested information on discussions that have occurred with other states that share the boundary waters with Indiana. Edgell deferred to the question to Phil Kacmar.

Kacmar said he has had conversations with counterparts in Illinois, Kentucky, and Ohio and those states are not inclined to change their fishing regulations on the Ohio River and the Wabash River.

Freeman asked if one of each species could be caught or if a fisher would be limited to one larger fish per day. Edgell clarified that one of each species could be caught each day.

The Chair recognized Josh Worth, who is with the ICCA. Worth stated:

Worth thanked the Department for its time and communication. Worth supports the proposed changes but believes they fall short of what is needed. He noted the rules should be great for fisheries. He is concerned the rest of the proposals do not address the problem because they do not include commercial fishermen, who Worth stated are the biggest offenders. Commercial fishers should be subject to the same rules as recreational fishers. Commercial fisher nets and markers take up large areas preventing others from fishing and take an enormous amount of fish. ICCA is asking for common sense rules. Unlimited fishing is not sustainable, especially as fishing for catfish is more popular. It should not be acceptable for the Department to rely on old studies or say “there isn’t enough data.”

The proposed rule would not do anything to curbe the flow of fish to the pay lake industry which is drawing commercial fishers to Indiana because it is illegal in surrounding states. ICCA’s suggestion to ban interstate travel of live, adult catfish might be hard to implement, but it could be attainable and enforceable.

The Chair recognized Greg Schwipps, who is with the ICCA. Schwipps reported as follows:

Schwipps stated that at a previous meeting he incorrectly stated that Tennessee had banned the interstate travel of catfish. That is not correct. Since the meeting, Schwipps talked to a biologist from Tennessee who said Tennessee does not have that ban, but would like to. Alabama bans on interstate transport of live catfish over 34 inches.

Schwipps read an email from Scott Hale, a fishery director in Ohio written in 2010. Hale said “all fisheries regulations are a combination of biological and social considerations and the mix of the two simply depends on the issue of the fishery. Without people, there is no fishery. Therefore, components are either explicit or implied in all fisheries regulations.” Ohio’s bag limit is five catfish across all species and Ohio doesn’t allow commercial fishing. Hale noted that in the 1990s and early 2000s, large sport-caught catfish were illegally being sold to pay lakes. Hale considers this a problem. It would be difficult to gather information from a strictly biological perspective. Ohio banned transporting the large catfish because that’s what the people wanted. The studies and people support limiting the catfish harvest size, a catfish bag limit, and banning interstate transport of adult catfish.

The Chair recognized Scott Gray, who stated as follows:

As a dad who likes to take his kids fishing, it's harder to catch large fish. The problem is not about catching big fish, it's a problem catching all fish.

The Chair recognized Justin Browning, who stated as follows:

Browning is a concerned cat-fisherman from Ohio. His family owned a pay lake for 25 years. The fishers want meaningful change because there is a problem. Browning said the Department said that one percent of the fish were sold to pay lakes. Browning said that information is not accurate based on web posts from pay lakes.

The regulations do not mean anything and are not needed in the rest of the state of Indiana. The problem is that blue catfish are found only in the Ohio River and the tributaries off the Ohio River. The catfish is the only predator of the Asian carp, so keeping them in the water where carp are a problem is important. Taking the catfish out of the waters so anglers can have tournaments is doing nothing to protect the resource. The fishing in Indiana has gotten worse. He is seeing less fish in the Ohio River and the channel catfish are gone. Browning stated commercial fishers should also be regulated. Browning supports the citizen petition, but what the Department proposed means very little because it doesn't address the bigger problem.

The Chair recognized Andy Byrne, who stated:

Byrne is concerned that someone crossing the Ohio River to fish across state lines. He asked how many commercial fishers are licensed to fish on the Ohio River. Kacmar responded there are eight commercial fishers licensed to fish the Ohio River.

The Chair recognized Tyler Byrne.

Tyler Byrne asked when the fishing regulations last changed. Byrne also asked if recreational fishers catch more catfish than commercial fishers.

Jansen responded that the fishing rules were last updated in 2016. The change in the regulations could have impacted commercial fishing but there are some variations in the data. Jansen said some 2005 and 2006 data show that recreational fishers were harvesting two-thirds of the catfish while commercial fishers were harvesting one-third.

The Chair asked Andy and Tyler Byrne if they are commercial fishers and what kind of fish they targeted. Byrnes responded they target paddlefish. The Chair asked if they knew of other fishers who are catching large numbers of big catfish. The Byrnes do not see that. Commercial and trophy fishers want a healthy population of catfish.

The Chair clarified that AC is trying to balance the biology and the social issues.

Tyler Byrne added they do not know any other commercial fishers harvesting catfish. He added that commercial fishers want a healthy population of catfish, just like recreational fishers do.

Worth added that although Kacmar stated there were only eight licensed commercial fishers on the Ohio River, there are significantly more commercial fishers licensed to fish in the inlet rivers and tributaries. Last year there were 190 such commercial fishers.

Freeman asked if commercial fishers have any limits on the quantity of fish and the size of fish they can harvest. Jansen said there was not a restriction on the quantity, but fish under or over a certain size would need to be put back in the water except for one a day over the size limit. Commercial fishers sell big catfish to pay lakes and use the rest for personal use.

Freeman asked what the recreational fishers are advocating for.

The Chair answered that the recreational fishers want the commercial fishers to be held to the same limits as the recreational fishers. The Chair noted the Department and AC members have had conversations to gather information and weigh the needs of everyone to develop the best solutions. The Chair said the AC appreciates the public's input and passion on the topic.

The Chair recognized Mike Dye, who stated as follows:

Dye is the spokesperson for MC Fish Company in Milton, Kentucky. They are against further regulations. The continued regulations are hurting commercial fishing. Further regulations would shut down commercial fishing. Catfishing is not a problem on the Ohio River. Certain times of the year commercial fishers are not able to catch fish. River fishing is different than on lakes.

The data from Kentucky shows the catfish population is not being negatively impacted by commercial fishing. The fish biology conflicts with peoples' opinions and the Department should consider the biological data and take a stand.

The conflicts between commercial fishing and recreational fishing have gone on for thirteen years and the arguments are the same. If the Department continues with more regulations on the commercial fishing industry, the Department might shut down commercial fishing.

According to the U.S. Fish and Wildlife, the blue catfish is an invasive species and not native to Indiana rivers. Telling a person, they cannot transport a fish across state lines is infringing on their rights because it interferes with interstate commerce.

Some people overstock pay lakes but not everyone does. There is a legal issue when the state tries to decide how a person disposes of a fish they caught legally. Commercial fishing is not the only group destroying large numbers of fish. Dye said he has documentation of fishing tournaments impacting 85 percent of the catfish population.

Proposed Deer Hunting Rule Changes

Joe Caudell, Division of Fish and Wildlife, presented this item and gave a PowerPoint presentation that highlighted the following:

The proposed rule changes were written to simplify deer hunting without impacting the harvest. Changes include: establishing a statewide antlerless bag limit of six deer; converting county quotas to county antlerless bag limits, not allowing hunters to shoot antlerless deer with a firearm on Division of Fish and Wildlife (Fish and Wildlife) property; bundling crossbows into deer archery license; and changing deer license bundle license to one antlered and two antlerless deer.

The Department has already taken surveys and received public feedback on some of the major changes, The changes have been very popular. The six antlerless bag limits do not include reduction zones or a state park hunt. In those areas more than six can be harvested.

The reason the bag limit changes are popular is that the perception that deer are being overharvested. On average, statewide approximately 35 people a year harvest more than six deer.

Changing the per-county bonus system to total county antlerless bag limit is less confusing. The proposed antlerless county quotas have a map that lists the number of does allowed to be harvested in each county. The change would also remove bag limits on the number of deer that can be checked in on muzzleloader and archery licenses.

Not allowing hunters to harvest a doe on Fish and Wildlife properties with a firearm is needed because the current rule says a hunter cannot use the bonus antlerless license on Fish and Wildlife properties.

The proposed changes would allow crossbow equipment to be used with an archery license instead of requiring a separate crossbow license. Currently, the crossbow and archery seasons are identical.

Changes to the bundle license allow hunters to harvest one buck and two does. This simplifies what can be harvested so Fish and Wildlife can better analyze the harvest data to calculate catch per unit effort.

Other proposed changes include changes to the dates that tree stands can be left on public land in deer reduction zones, correction of two handgun cartridges, changing the muzzleloader regulations; and allowing a replacement antlerless deer when a harvested buck or doe is unfit for consumption. If a buck is not fit for consumption, the hunter could keep the antlers but take another doe to replace the meat.

Proposed changes to the deer reduction zones and the antlerless quota system are needed because Fish and Wildlife is no longer able to use temporary rules to establish deer reduction zones. Deer reduction zones are helpful in controlling populations in urban areas where there is less access to hunting and along highways with a higher average of deer/vehicle collisions. Data shows deer reduction zones along roads have resulted in a 20% reduction in deer-vehicle collisions. Fish and Wildlife plans to add more zones along roads in the future after more data is analyzed. Fish and Wildlife needs better reporting for where deer are harvested in the reduction zones.

Under current rules, determining a per-hunter total bag limit for a particular county is challenging. Fish and Wildlife want to move toward a “county-wide” bag limit which would include all deer harvested within the county. Data from previous harvesting reports would be used to determine the appropriate bag limit for each county based on the typical number of deer harvested in that county per hunter.

Freeman asked if a Brown County resident could only harvest four deer statewide. Caudell replied that a hunter could harvest a total of six antlerless deer statewide, including four from Brown County and two more in other counties. After harvesting six deer, the hunter would be done hunting for the season unless they were hunting in a deer reduction zone or reserved hunt on public land.

Karns asked if there was a way to tell if a deer has systemic infection or disease. Caudell explained that if the Department suspects a disease like bovine tuberculosis, then they will confiscate that deer. The hunter should have the opportunity to hunt another buck because in the case of bovine tuberculosis, the antlers would also be confiscated. However, if a deer has a systemic infection that makes the deer unfit for human consumption but does not impact the antlers, the hunter should only be allowed to harvest an extra doe to replace the meat that was confiscated.

The Chair recognized Tom Shevlot, who stated as follows:

Shevlot supports the archery changes. Shevlot asked if 35 hunters harvested more than six deer then why have a statewide antlerless bag limit of six deer. Shevlot asked if the tracking of deer harvest would remain unchanged.

Caudell said most hunters will not use all the quotas if they were higher. The Department hopes a statewide bag limit will help with hunter confidence and relieve fears of destroying the deer population. Caudell confirmed that the system would still track the number of deer harvested.

Freeman asked if the license system would change.

Caudell said the Department reviewed changing the license system, but a change would significantly impact the vision so the license system will not change except for merging the crossbow and archery license.

On a question from the public, Caudell explained that under current rules, two does and a buck or three does could be harvested under a bundle license.

The Chair recognized Lynn Shaw.

Shaw asked how often the deer population data is reviewed.

Caudell said the deer survey and harvest data is currently compiled and analyzed annually. In the future, there will be a lag in setting deer harvests because the bag limits can no longer be set by emergency rule.

Smith noted that during the last legislative session the temporary rule process was eliminated. Now the Department needs to go through the permanent rule process, which takes a little longer and is more reactive.

The Chair recognized Ronnie Mays.

Mays said deer firearm season always used to start the second Saturday of November when the rut was hot and now it starts on the third Saturday in November.

Caudell said the firearms season is the first Saturday after Veteran's Day (November 11) and as that day moves every year it occasionally pushes the start of the firearms season back a week.

Proposed River Otter Rule Changes

Geriann Albers, Furbearer Biologist, Division of Fish and Wildlife, presented this item and gave a PowerPoint presentation that highlighted the following:

In 1995, the Department worked with partners to reintroduce 303 river otters at twelve sites across the state. In 2005 river otters were removed from the endangered species list. In 2015, the Department opened its first regulated trapping season for river otters. The permanent rules included a two-otter bag limit for trappers. A state-wide quota of 600 was set by emergency rule. The quota was increased to 750 approximately two years ago. The permanent rules required online check-in within 24 hours of registering. The check-in was required so the Department could track when the state-wide quota was met and close the trapping season once it was met if necessary. Hunters are required to turn the carcass over to the Department within fifteen days of harvest and trappers are given a CITES tag for a pelt to legally sell the pelt. Carcasses are kept by the Department so the data can collect age data to create a population model.

The permanent rules being proposed include: the two-otter bag limit; state-wide quota of 750 otters; in-person registration; check-in; mandatory carcass turnover and the CITES tag for the pelt. The state-wide quota has previously been set by emergency rule. In 2015, sixty-six counties were open for river otter harvesting. Currently, seventy-eight

counties are open for river otter trapping. One change being considered is moving to opening all counties to river otters. The river otter population is doing well, and the Department does not have concerns of over-harvesting. Including all counties in the permanent rule would allow the counties that are currently closed to allow trapping if the river otter population becomes a problem for the county. Albers reported the proposals should not impact the river otter population.

Karns asked if the Department knew what caused the reduction of river otter population shown on the graph. Albers said the reduced population may just be natural cycling. Albers noted 2016 was a year that had a lower population also. Some years the river otters have a lower reproduction year but seem to bounce back the next year.

Karns also asked why some counties were closed to river otter trapping. Albers responded that the closed counties have lower observations of river otters in the county. Karns also asked how much have river otters “spread out” from the places where they were originally released. Albers stated river otter reintroduction has been successful. Most counties have a record of an otter. Only two counties do not have a record of river otters. River otters were taken off the special concern list in 2012. Karns further asked what kind of damage are caused by river otters. Albers said river otters like to eat fish in private ponds.

River otters can travel far through water and cross over land and sometimes get in private ponds and eat the fish. The Department does issue permits to people so they can deal with river otter conflicts, but not if the county is closed to trapping river otters. Opening the state to trapping river otters will allow the counties that are currently closed to be able to deal with otter conflicts. Albers confirmed the only way to harvest river otters is by trapping.

The Chair recognized Jim Bloom, who stated as follows:

Bloom is the Indiana State Trappers Association (ISTA) Director for the southeastern part of the state. He supports the Department’s rule changes for the trapping of river otters. Statewide rules would allow people to deal with problems occurring with otters.

Discussion on the Use of Cast Nets and Seines to Collect Minnows in Rivers and Streams in Indiana

Amanda Wuestefeld, Division of Fish and Wildlife, presented this item as follows:

The Department provided a report at the January Commission meeting on a Citizen Petition submitted by Chad Miller, a guide on Sugar Creek. Miller requested a rule that would ban netting on Sugar Creek, clearly define netting, and add grass carp to the list of exotic species not allowed to be released when caught. The Department recommended no changes to the rule. The petitioner was not provided with the opportunity to comment at the January Commission meeting, so the Chair requested a working group be established to address Miller’s concerns.

The Department working group included groups such as Friends of White River, Friends of Sugar Creek, Indiana Wildlife Federation. Commission member Bart Herriman has also participated in the discussions.

Everyone involved in the work cares about the issues and are passionate about finding solutions through short term and long-term actions plans. The Division of Law Enforcement is enforcing rules and looking for compliance when people are not abiding by the current rules. The Department is also looking at education opportunities so that people will better understand the rules currently in place as it relates to netting on Sugar Creek.

The intent of the current rule was to allow fishers to collect bait. People who use the rules to collect food are not using the rules in the manner in which the rules were originally intended. They are taking species not originally considered game species.

The petitioner is concerned that the netting is having a negative impact on the system. The Department responded by conducting a fish survey. The data from the survey is similar to historic data and the Department is not currently seeing a negative impact on the resources.

The Department's goal is to manage the resource, to keep the resource healthy, and to balance access to the resource. There is a diverse group of people wanting to use the resource on Sugar Creek and the Department will be evaluating the resource to determine if it can handle the diverse use or if regulations on the resource are needed. Gathering biological decision takes a long time and the Department is trying to do that. The Department is also continuing to look at short-term solutions.

Some people want a ban on netting and others want to leave the rule as is. The Department may look at putting a catch limit on collection of the fish. There have been suggestions of putting a size limit on the fish that can be collected. The issue with adding an additional size limit is the additional enforcement burden on the Division of Law Enforcement. Department staff. The Department is reaching out to user groups that use live bait to help determine reasonable limits. Questions will be included in the annual angler survey to get feedback on proposed limits. Wuestefeld commended Miller for his assistance in addressing these issues and appreciates Miller's participation in this process.

Freeman asked if netting live bait fish for consumption was a problem in other parts of the state. Wuestefeld responded the issue is not isolated to Sugar Creek but occurs all over the state.

Smith thanked the Division of Fish and Wildlife and the Division of Law Enforcement for the work on identifying and working to resolve the issues relating to netting.

Browning offered that he has seen the problem first-hand. Bait dealers have wiped out the creeks in his area. Without limits, people will abuse the system.

Adjournment

The meeting adjourned at 12:33 p.m., ET.

DRAFT