

ADVISORY COUNCIL
Meeting Minutes June 12, 2024

ADVISORY COUNCIL MEMBERS PRESENT

Patrick Early, Chair
Bill Freeman, Vice Chair
R. Ross Williams
Tim Karns

NATURAL RESOURCES COMMISSION STAFF PRESENT

Elizabeth Gamboa
Aaron Bonar
Scott Allen
Chloe Perkins

DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT

Chris Smith	Executive Office
Terry Coleman	State Parks
Amanda Wuestefeld	Fish and Wildlife
Brad Feaster	Fish and Wildlife
Joe Caudell	Fish and Wildlife
Theresa Bordenkecher	Fish and Wildlife
Celena Langlois	Fish and Wildlife

GUESTS PRESENT

None

Bill Freeman, Vice Chair, called the meeting to order at 9:24 a.m., ET, at the Fort Harrison State Park Inn, 5830 North Post Road, Indianapolis, Indiana. With the presence of three members, the Vice Chair observed a quorum. Chairman Early joined the meeting late and assumed the Chair duties.

Election of Officers (Chair and Vice Chair)

Tim Karns moved to slate the officers now standing for the 2024 term - Patrick Early as Chair and Bill Freeman as Vice Chair. Ross Williams seconded the motion. Upon a voice vote, the motion unanimously carried.

Reports of Deputy Directors

Chris Smith provided the report for the Deputy Director of the Regulatory Bureau, as follows:

Ryan Mueller is meeting with the Great Lakes-St. Lawrence River Basin Water Resources Commission in Buffalo, New York to review water usage in the basin and discuss any potential issues.

This year the Division of Entomology and Plant Pathology staff have removed over 20,000 spotted lantern fly egg masses in several counties, with each mass containing forty eggs. The spotted lantern fly is invasive and detrimental to vineyards, orchards, and hardwood forest. The Division is working to detect the spotted lantern fly early and deter the spread.

The month of May was Historic Preservation month, which included the annual photo contest, and the theme was Indiana's Historic Scholastic Gymnasiums. Indiana is home to some of the largest high school basketball gyms in the country.

The Division of Reclamation received nearly \$25 million in federal funding to reclaim more former coal mines to their pre-mining statuses. The funding is part of a \$377 million grant that Indiana will receive over a fifteen-year period to reclaim former mined land. The Division are working with several contractors to prioritize the work that needs to be done. Before 1977 there was no requirement for mine operators to restore the property but now the mining companies must file a reclamation plan and there is a bonding requirement.

Freeman asked if the mining of limestone is regulated in a similar way to coal mines. Smith replied that coal mining is regulated by the Office of Surface Mining Reclamation and Enforcement (OSMRE) which does not oversee mineral mining. Smith Continue with the report.

The Division of Water completed a series of focus groups with consulting engineering firms to better understand the regulated community's needs. As a result of the focus groups, the Division made recommendations regarding timing and efficiency on completing application reviews and the issuance of permits. The Department of Natural Resources (Department) will issue a summary and have a discussion of any administrative rules or policies that need to be changed.

The Indiana Finance Authority (IFA), Indiana University (IU), the White River Alliance, and the Department are studying the water supply availability and demand at the Wabash River head waters in northcentral Indiana. The study will model fifty-year water demand compared to water availability to determine needs and the initial study will be available in the fall of 2024.

Freeman asked if there was a concern of a water shortage in the state. Smith said the best way to plan is a good understanding of what water resource exists and how much water is available. Smith added that recent projects would potentially move water outside the area its in short distances to other areas of the state and the study looks at the water assets, where potential growth is, and find the best opportunities to help with demand.

Williams asked if Lafayette was part of the water study. Smith said Lafayette and the Boone County area is also a focus of the current study.

The Chair asked about the status of the Advisory Council. Smith reported during the legislative session the Advisory Council was on a list of groups and committees being reviewed but the Advosry Council was not on the list of groups and committees to be eliminated when the bill passed out of the State Senate.

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

The Department with Pheasants Forever/Quail Forever dedicated 172 acres to expand the Willow Slough Fish and Wildlife Area bringing the property to more than ten thousand acres of important habitat in northern Indiana. Willow Slough Fish and Wildlife Area also recently celebrated its 75th anniversary and the completion of the renovation project at J.C. Murphey Lake.

The Indiana state record for yellow perch is 3 pounds, 2 ounces, caught by Blas Lara while fishing in Lake Michigan during the Mayor's Fishing Derby in Hammond set in April 2024. Hoosier angler Rex Remington caught an 8-pound, 4-ounce smallmouth bass on Monroe Lake on March 3, 2024, beating the previous record set in 1992.

The Division of Fish and Wildlife is looking for volunteers to help at the fishing pond at the Indiana State Fair which runs August 2 to August 18, 2024. The fishing pond is free for kids ages five to seventeen, teaching kids about fish biology, habitat, and how to fish.

A baby bison was born in Ouabache State Park and the mother bison is protective, so the Department has not been able to get close enough to identify the sex.

Groundwork has begun for the lodge at Potato Creek State Park. The site is being prepared by work crews, including moving the Whispering Winds Shelter.

The Fort Harrison State Park Inn has begun a roofing project. The Garrison will be closed in July for some needed updates including renovations to the restrooms and public spaces.

March marked one year since the tornado at McCormick's Creek State Park (McCormick's Creek). In the past year a timber salvage operation took place at McCormick's Creek campground and over 11,000 logs were removed. The Department is also working through the contracting process for the additional debris removal at the campground. Repairs have been completed on the family cabins and work is underway to repair and upgrade the Friendly Shelter to make it ADA accessible. Saw crews from multiple Department properties and Team Rubicon have amazingly cleared miles of trail on the McCormick's Creek property and seven miles of trails have reopened. The Department has engaged Schmidt and Associates to redesign the campground at McCormick's Creek, which was Indiana's first state park and campground. This is an

opportunity to renovate the campground to accommodate larger campers and provide modern amenities with current standards. The park is open, but the campground will remain closed.

On April 30, 2024, the Governor, with members from the Department, Town of Merrillville, and the Lake County Parks Department celebrated the official opening of the C&O Trail marking the 100th mile of trail in the Next Level Trails program. The Next Level Trails program has awarded \$180 million of funding to 89 different trail projects in the state and there will be 224 miles of trails when the project is complete.

The Department was busy during the total solar eclipse with guests on Department properties from at least 46 states, the U.S. Virgin Islands, and six foreign countries. A \$25,000 grant from Duke Energy Foundation allowed the Department to place 25 telescopes at park properties to be used during the eclipse and those telescopes will remain on the properties to be used in the future. The Department's Interpretive Naturalists presented 224 eclipse related programs with more than 16,000 visitor engagements. The Department had eight properties at capacity with eleven other properties that reached between 70 percent to 90 percent parking capacity, and field revenue for the eclipse day was over \$200,000, which compares to a holiday weekend. The overall impact was just under a million dollars to the Department with customers staying at the inns and campgrounds prior to the eclipse event date.

The Governor's Million Tree Initiative directed the Department to plant one million trees in five years and native trees were planted in forests, parks, and fish and wildlife areas across the state. The last tree was planted on the Statehouse Lawn. Private partners included Cliff Bar Baking Company, Duke Energy, Hardwood Forestry Fund, Huston Solar, the White Oak Initiative and Bowles Mattress Company.

The public comment period just closed for the Division of Forestry management plans for Yellowwood State Forest and the Department is in the process of responding to comments. The Department will use their own equipment to harvest the trees at Yellowwood State Forest eliminating concerns of bringing in invasive plant species and the monetization of the forest. The Department will mark the tracts, remove the trees, have a log yard sale after the trees are removed, and go back in to treat open areas for invasive plants and tree species.

Consideration and approval of minutes for the meeting held on August 8, 2023

Bill Freeman made a motion to approve the minutes of the meeting held on August 8, 2023. Tim Karns seconded the motion. Upon a voice vote, the motion carried.

Report to the Advisory Council and Approval of the Contract between the State of Indiana and the City of Brookville for Water Supply from Brookville Lake; Administrative Cause No. 24-WA-005

Celena Langlois, with the Division of Water, Water Rights and Use Section, provided her report as follows:

The water contract is a contract between the state and some of the state reservoirs that the Department sells water at not less than \$33 dollars per one million gallons of water.

The Brook Hill Golf Club Inc. (BHGC, Inc.) had a water contract set to expire in 2025. The City of Brookville purchased the Brook Hill Golf Course from BHGC, Inc. The City of Brookville requested a ten-year contract, with an annual limit of 25 million gallons of water a year, and the purpose of the withdrawal from Brookville Lake is for golf course irrigation and landscape needs.

The Department provides the raw water, and the City of Brookville would provide access points or treatment the water might need. The contract is estimated to bring in \$285 annually with the maximum being \$815 if the annual limits are met.

There were two public meetings in Union County and Franklin County on October 24, 2023. Two people were present and participated in the Franklin County meeting.

Brookville Lake has a firm yield from the volume of water supply storage is estimated to be 82 million gallons per day. Brookville Lake is currently 35 million gallons annually which is less than 1 percent of the estimated available water supply volume with the City of Brookville contract included.

Contract number BL 23-001 between the City of Brookville and the State of Indiana would allow the upkeep of the golf course. The Division of Water believes the volume of water available for water supply from Brookville Lake is adequate to supply the amount of withdraw and request the Advisory Council recommend to the Natural Resources Commission approve the water supply contract.

Smith noted that when the core reservoirs in Indiana were being built the Department worked with the U.S. Army Corps of Engineers to build an excess capacity just to supply water. Langlois added that Monroe Lake has the largest water withdraw in the state with 22 percent of the water supply being used annually.

Freeman asked if there were any issues with the previous contract being with a private entity and the new contract with the City of Brookville. Langlois responded, "there is not".

Bill Freeman made a motion to approve the Report to the Advisory Council and recommend to the Natural Resources Commission the Contract between the State of Indiana and the City of Brookville for Water Supply from Brookville Lake. Tim Karns seconded the motion. Upon a voice vote, the motion carried.

Report and Discussion on the detection of Chronic Wasting Disease and DNR's response

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

Chronic Wasting Disease (CWD) is a neurologic disease of deer caused by misfolded prions. CWD is infectious between deer. Deer can be infected at birth or soon after and death typically occurs two years after infection. The prions contaminate the soil. There is no cure or treatment for prion diseases and CWD is always fatal to deer.

CWD is in all the states around Indiana with a high concentration further north and is a threat to all white-tailed deer population. States have tried to manage the disease but attempts to slow or stop the spread of the disease have not been successful. The Department will focus efforts on learning to live with CWD where established but will attempt to control CWD where it is most likely to be effective.

CWD was found in northern Indiana near a deer population where CWD was found in Michigan. If CWD is found in a place where it is not expected to be found, the Department will get good population estimates of the deer in the area, temporarily ban feeding deer, have additional hunting seasons, get testing samples, and, in a limited area, utilize sharpshooting if appropriate if the prevalence is not more than one percent. The goal is to eradicate the disease if the apparent prevalence is less than one percent.

Because CWD was found in an area where it was expected to be, the Department created a permanent ban on rehabilitated fawn movement from the CWD area to the rest of Indiana. Also, in areas where CWD is expected, if prevalence is above five percent, the Department would allow cervid farmers to apply for a depredation permit to protect their livestock.

CWD is more prevalent in areas with high deer density populations because there is more deer-to-deer contact. The Department cannot detect CWD at low prevalences under one percent so the Department will use computer modeling to figure out the extent of the CWD.

Steps property owners can take to reduce the spread of CWD include prohibiting surface disposal of deer carcasses, not using natural-based lures, eliminating deer feeding, sampling and testing harvested deer, reducing deer density, and reducing the age structure of the deer herd. Oklahoma passed a bill allowing landowners to release captive pred deer that are CWD resistant into the deer population. In captive deer they can identify which deer are resistant to CWD and breed those deer that have the resistant genes.

The Chair asked how the Department found the CWD. Caudell said the Department test harvested deer by sending the samples to a lab and most of the testing samples come from a taxidermy partnership program.

The Chair said that CWD was unknown and now has infected deer and asked if CWD would eventually just be part of the deer population since it can't be stopped. Caudell said CWD

spreads at a slow rate but because of the deer population density in Indiana it will spread through the population relatively quickly and be a problem for all deer populations eventually.

The Chair asked if meat from a deer infected with CWD would be harmful to humans. Caudell said so far there is no direct evidence that links eating CWD-contaminated deer meat with contracting CWD.

Freeman asked if the federal government working on the CWD issue. Caudell said the USDA is funding research and provided funding for the genetic work on the deer that were resistant to the CWD prions. Caudell added that one thing that is being worked on is a better quick test.

Karns asked if the genetically resistant deer introduced to the herd would be a dominant gene. Caudell said the gene is not dominant but probably just not common because of natural selection, but in captive situations there is a hope the resistant gene is dominant.

Freeman asked what if nothing was done, would the deer all just get CWD and die. Caudell said No, because after a deer gets CWD they might live two and a half years, have offspring, and those deer would also have offspring. Caudell added maybe reduction in harvesting would be needed in future.

Karns asked if the prions could change or are they were consistent. Caudell said the CWD prions could evolve, and the resistant gene would no longer be resistant because of a different CWD strain.

Presentation and Discussion on Growth of RV sharing at DNR properties

Terry Coleman, the Director of the Division of State Parks presented this item as follows:

Regarding campsites and camping 312 IAC 8-2-11(f) says “A person must not lease or sublease a campsite or equipment on-site to another person.”

The Department is facing an issue that many other campgrounds in the country are facing where leasing opportunities, like the ones offered by Vrbo, have moved into the recreational vehicle (RV) market. A couple companies and private individuals are offering leased RV services and there are some pros and cons to this service.

The Division of State Parks will have a company or individual rent a campsite and then sublease that site and set it up for a glamping experience. The person renting the campsite might provide a camper that they come and set up for their sublease or they may provide a RV share to rent. The practice of sublease campsites or renting RVs constitutes doing business on public land without a license or permit. Another issue is that these companies are using the annual pass to come through the gate and set up the RV or campsite and those passes are not intended for commercial use.

The Division is now checking identification at the gate to make sure the person checking in is the person who rented the campsite.

In some cases, people are unaware they are violating any rules. An issue is an RV company may have several campsites and can't get all the RVs out in time after the subletter has checked out creating a problem for the next renter of a campsite.

The positives of companies or individuals setting up campsites and RVs is it gives people an opportunity to camp that don't have campers and gives a good positive experience. The Department will work to find a process and a good way to resolve the issue. The Department is exploring a possible fee to allow someone to set up a campsite and making sure the Department maximizes the positives while addressing the negative impacts.

The Chair asked if someone could go online and reserve campsites for several weeks or months at a time. Coleman said there is a policy where someone would not be able to rent a campsite for more than fourteen days.

The Chair asked if someone could rent more than one campsite at a time. Coleman replied that someone could rent more than one campsite because groups want to reserve and be close to each other, but the renter provides information on the people staying on each site.

The Chair asked if the Department knows if subleasing campsites is hurting business or is it helping with filling occupancy. Coleman said subleasing is probably helping the campground fill the occupancy or giving people who do not have a camper to experience camping.

Smith noted there is a process in place for people to do business on state property providing that business does not compete directly against the Department.

Freeman asked who checks and how does the Department know if someone has overstayed at the campground. Coleman said the Department can track a campsite and the people who are supposed to be on the site easily with the reservation tracking system.

Coleman said the Department would still require the renter who reserves the campsite be the person staying on the campsite, but the Department recognizes the positives of allowing RVs to be rented to the campers.

Karnes noted that once people figure out where the good campsites are it could turn into a campsite scalping system. Coleman stated the Department will not allow someone to rent a campsite and turn around to sublease the site for a higher price than the Department rents it for.

Karnes asked what the Department liability would be if they are allowing RV companies to operate, and someone is injured due to negligence or equipment issues from another company. Coleman said the Department is not interested in a contract with the other companies but instead making it a fee based keeping the relationship between the RV company and the RV renter.

Coleman said the more people the Department can get onto campsites and enjoy their camping experience is good for everybody. He said he welcomes good ideas on how to make the system work better for everyone. Smith noted the Department will be working on a process and once completed the Department would potentially bring it to the Advisory Counsel for review.

Adjournment

The meeting adjourned at 11:38 a.m., ET.