

**NATURAL RESOURCES COMMISSION**  
Meeting Minutes, September 17, 2024

**MEMBERS PRESENT**

Bryan Poynter, Chair  
Dan Bortner, Secretary  
Brian Rockensuess  
Jessica Miller  
Noelle Szydlyk  
Patrick Early  
Bart Herriman  
Tom Kelley

**NATURAL RESOURCES COMMISSION STAFF PRESENT**

Elizabeth Gamboa	Scott Allen
Aaron Bonar	Chloe Perkins

**DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT**

Ryan Mueller	Executive Office	Carsten White	Fish and Wildlife
Chris Smith	Executive Office	Meagan Keen	Fish and Wildlife
David Bausman	Executive Office	Joe Caudell	Fish and Wildlife
Kirsten Haney	Executive Office	Trevor Laureys	Fish and Wildlife
Steve Hunter	Executive Office	Angie Haywood	Fish and Wildlife
Terry Coleman	State Parks	Thereesa Bordenkecher	Fish and Wildlife
Brandt Baughman	State Parks	Holly Lawson	Communications
Amanda Wuestefeld	Fish and Wildlife	Whitney Wampler	Legal
Brad Feaster	Fish and Wildlife	Lisa Anderson	Legal
Linnea Petercheff	Fish and Wildlife	Andrew Reuter	Nature Preserves
Andy Byers	Fish and Wildlife	Angie Plank	Water
Geriann Albers	Fish and Wildlife	Ken Smith	Water

**GUESTS PRESENT**

Craig Emig	Sheryl Musgrave	David Eichelberger
Steven Cobb	Charlie Mursheuh	Steve Carter
Leslie Bonilla	Samantha Chapman	Megan Freveleth
John Kefsenberger	Tim Wesco	Nick Erny
Ashley Bishop	Bella Foster	

Bryan Poynter, Chair, called to order the regular meeting of the Natural Resources Commission at 10:01 a.m., ET, on September 17, 2024, at the Fort Harrison Inn, 5830 North Post Road, Indianapolis, Indiana. With the presence of eight members, the Chair observed a quorum.

### **APPROVAL OF MINUTES**

The Chair asked for a motion to approve the Commission's July 16, 2024, meeting minutes.

Tom Kelley moved to approve the minutes as submitted. Brian Rockensuess seconded the motion. Upon a voice vote, the motion carried.

### **REPORTS OF THE DNR DIRECTOR, DEPUTY DIRECTORS, AND THE CHAIR OF THE ADVISORY COUNCIL**

Dan Bortner, Director of the Department of Natural Resources (Department) provided the following report:

The Department's Division of State Parks received a \$50 million grant from Lilly Endowment Inc. to be used to improve campgrounds, infrastructure, and new playground equipment. Some of the funds will be used for additional mobility devices to create more outdoor recreation opportunities for people with mobility challenges. Lilly Endowment Inc. is also investing in the National Park Service with \$100 million gift to the National Park Service Foundation and there are three national parks in Indiana.

Several of the Governor's Next Level Trails projects have begun construction including the Monon South Trail, the largest continuous trail in Indiana. The Monon South Trail broke ground on July 16, 2024. There is construction in all five counties where the trail is located, and a ribbon cutting is planned on the first open section of the trail in Orleans before the end of the year.

The Governor's \$25 million Next Level Conservation Trust (NLCT) continues to progress with approximately half of the projects processed and the other half to be completed by the end of 2026.

The \$27 million renovation of Spring Mill Inn at Spring Mill State Park has had challenges but is progressing with the goal of serving Thanksgiving dinner there this year. The site has been cleared and groundwork has been laid to begin construction of the new lodge at Potato Creek State Park.

The Department's building complex had high visitation at the Indiana State Fair with attendees learning about the states natural and cultural resources. The hands-on experiences included fishing in the fishing pond, archery, and outdoor programming with thousands coming through the doors, some of them experiencing what the Department offers for the first time. The Department staff dedicates a lot of hours preparing for the State Fair and Bortner thanked them for their hard work.

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

The Garrison at Fort Harrison State Park is under renovation including work to the restrooms, mechanical systems, and structural repairs. The work should be completed by October.

The first fall hunting season has begun with squirrel, dove, early waterfowl, and deer reduction zones. The public hunting draws have closed.

On July 11, 2024, Kyle Hammond from Fort Wayne caught a 9-pound, 11-ounce, Spotted gar while fishing at Chain-O-Lakes State Park, breaking the previous record of 6-pounds, 12-ounces. The video of the catch can be viewed on his YouTube channel, Indiana Kayak Fishing Journal. Hammond also holds the state record for Shortnose gar.

Division of State Parks fall camping will begin soon with fall and Halloween events scheduled across the system. Information on upcoming events is available on the Department's online calendar including the Candlelight Tour at Spring Mill State Park, which kicks off the Persimmon Festival in Mitchell, Indiana. September 28, 2024, is National Public Lands Day with several volunteer opportunities. The last free fishing day of the year at Department properties is also on September 28.

Construction has begun on the Indiana Golf Association's (IGA) Pete and Alice Dye Golf Center at the Fort Golf Resort. The Department is excited to be the new home of the IGA's administrative offices and the Indiana Golf Foundation Hall of Fame.

Twelve state organizations received over \$1.1 million in grants which will fund eighteen projects through the Department's Lake and River Enhancement (LARE) program. This round of grant-funded projects will benefit four lakes and nine river and stream systems in the state as well as five land-based projects to put practices into place to reduce sediment loads into waterways. Additional information on the projects and grant awards is available at: [lare.dnr.IN.gov](http://lare.dnr.IN.gov).

Smith introduced Ashley Bishop, current Governor's Fellow. She has been with the Department since July and will be returning to the Governor's Office at the end of September. The Governor's Fellowship Program provides a unique experience to learn and serve in various State agencies over the course of a year.

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

The Division of Reclamation continues to oversee the plugging of orphaned and abandoned oil and gas wells statewide. This is the initial phase of grant funding authorized by the Federal Infrastructure Act where participating states were awarded \$25 million each. As of September 9, 2024, 335 wells have been plugged at a cost of \$20.4 million. The Division is on track to plug nearly 365 wells, which exceeds the initial goal of 350 wells.

September is Indiana Archaeology Month. The Division of Historic Preservation and Archaeology (DHPA) coordinates the event to encourage Hoosiers to learn more about the discipline of archaeology, archaeological sites, and laws protecting those sites. The 2024 theme commemorates the State Archaeological Survey and marks the 100<sup>th</sup> anniversary of the first published survey reports. A list of events is available on the DHPA website.

On September 4, 2024, the Division of Water held its first division-wide public open house in Alexandria. It was the first in a series of events planned throughout the state. The goal of the open houses is to foster cooperation with residents and local entities participating in the National Flood Insurance Program while providing technical information and data to local officials. The initiative aligns with Senate Bill 412, passed by the Indiana legislature in 2023, which requires the Department to meet with local entities at least once every five years.

Kirsten Haney, Deputy Director of the Bureau of Administration, provided her report as follows:

The Department continues to experience steady revenue within fiscal year (FY) 2025, which started on July 1, 2024. The Department saw a total growth of eight percent within FY2025 compared to the same timeframe in FY2024.

The Department's partnership with Indiana Department of Administration (IDOA) for deferred maintenance funding remains strong and the Department is excited to re-open Spring Mill Inn later in the fall. There have been various deferred maintenance projects completed around the state including playground installations, smaller-scale building renovations, and trail improvements.

As of September 15, 2024, the Department had 1,294 regular positions filled of the 1,399 fulltime positions available. The Department is in the process of filling 48 of the 105 vacancies. The result is an adjusted vacancy rate of 4.57 percent. The Department's staffing level plan is to hold steady at the current vacancy rate to analyze and continue meeting operational needs.

The Department hosted State Budget Committee members and their staff for a tour of Cikana State Fish Hatchery and the renovation project at Spring Mill Inn. The Department presented to the State Budget Committee for approval to move forward with the Versailles Dam design work. The Department will present additional projects at the October Budget Committee meeting.

The Department has finished the FY2026 to FY2027 budget development process, The budget request has been submitted and additional information will be made available as the budget request goes through the process.

Patrick Early, Chair of the Advisory Council, reported that the Advisory Council has not met since the last Commission meeting.

The Chair noted the Commission meeting is being live streamed and there is information provided on the Commission's website for people who wish to make comments related to an agenda item.

#### **CHAIR AND VICE CHAIR**

##### **Information: Consideration of 2024 meeting dates:**

The remaining 2024 Commission meeting date is November 19 at The Garrison at Fort Harrison State Park.

##### **Updates on Commission and AOPA Committee**

Bart Herriman, of the AOPA Committee, reported that the AOPA Committee met on August 15, 2024, and one matter was heard and decided by the Committee.

#### **DNR, EXECUTIVE OFFICE**

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

Chris Smith noted that a water sale contract that will need action by the Advisory Council and a meeting will be scheduled.

#### **DNR, DIVISION OF NATURE PRESERVES**

##### **Consideration of the dedication of the Barnes-Seng Nature Preserve in Dubois County**

Andrew Reuter, Division of Nature Preserves, presented this item and reported as follows:

The proposed nature preserve is 172 acres of southern bottomlands comprising of wet-mesic floodplain forest with a diverse mix of southern trees and a large shrub swamp. The site has been a conservation target for four decades and protects a portion of a remnant natural area. A 2022 survey identified 90 species of vascular plants and eight of those were listed as endangered, threatened, or watch listed. A Copperbelly water snake was observed at this site.

The nature preserve is owned by the Department and managed by Glendale Fish and Wildlife Area. The Division of Nature Preserves recommends dedication of the site as a State Nature Preserve.

Bart Herriman moved to approve the dedication of the Barnes-Seng Nature Preserve in Dubois County. Tom Kelley seconded the motion. Upon a voice vote, the motion carried.

**DNR, DIVISION OF LAW ENFORCEMENT**

**Request for preliminary adoption to amend 312 IAC 4-4-6, 312 IAC 4-5-2, and 312 IAC 4-5-3 governing law enforcement hiring; Administrative Cause No. 24-LE-009**

Steve Hunter, Director of the Division of Law Enforcement, presented this item as follows:

The amendments remove the provision and definition of “spot appointment” from the rule which was originally adopted in 2013. If a Conservation Officer (CO) is moved within the Division, they are not able to go back to their position later because the position has already been filled. Spot appointments work better in larger agencies, but not in smaller agencies like the Department’s Division of Law Enforcement and has resulted in litigation and hostile work environment claims. There are other ways to accomplish temporary assignments without changing someone’s rank and displacing positions.

Proposed amendments include changing the hiring requirements to allow the Department the opportunity to select from a larger, more diverse, and qualified pool of candidates that may have better life experiences and interests. The changes will remove the college degree or prior military requirement from the rule. The changes would allow someone from another law enforcement agency who might not have a college degree or have served in the military to apply with the Department’s Division of Law Enforcement.

There were 25 COs hired in 2021 and four of those hired did not meet the education or military requirement. There were 15 COs hired in 2022 and two of those hired were also affected by the education or military requirement. Out of the six hired COs without military or college degrees, four were previous law enforcement officers and they all had natural resources interests and good work ethics. Approximately 2,000 people applied during the last hiring process and 28 recruits were accepted, which filled all the available CO positions.

Amendments include changing the residency requirement so that a tenured officer could be assigned to the county where they live if they are the best officer who applied in that county. This gives officers who apply some assurances that they will not have to uproot from their community if they are hired by the Department. The CO’s still must live within the county they are assigned to work.

Bortner noted the CO positions are highly sought after jobs and, with the proposed changes, the Department will get qualified people and will not be turning away those with experience that would make them successful CO’s and assets to the Department.

Brian Rockensuess moved to approve preliminary adoption to amend 312 IAC 4-4-6, 312 IAC 4-5-2, and 312 IAC 4-5-3 governing law enforcement hiring. Noelle Szydyk seconded the motion. Upon a voice vote, the motion carried.

**DNR, DIVISION OF FISH AND WILDLIFE**

**Request for preliminary adoption to amend 312 IAC 9 governing bobcats and adding a bobcat trapping season; Administrative Cause No. 24-FW-010**

Linnea Petercheff, Division of Fish and Wildlife, presented this item as follows:

In March 2024, the Indiana General Assembly passed Senate Enrolled Act (SEA) 241 directing the Department to establish rules for a bobcat harvest season by 2025.

Proposed changes to 312 IAC 9-2-3 would allow legally harvested bobcats and their parts to be sold. Proposed changes to 312 IAC 9-3-9 would allow dead bobcats that are found to be kept with a permit. Proposed changes in 312 IAC 9-3-18.1 would establish a bobcat trapping season in 40 southern counties allowing for one bobcat per trapper and a season quota of 250 bobcats.

The proposed changes to 312 IAC 9-3-18.4 remove bobcats from that rule, including removing the additional documentation requirements for bobcats since they would be able to be legally harvested. 312 IAC 9-10-4 would add bobcats to the list of species for which a game breeder's license is required, clarifies application requirements, and makes other changes to conform to the Indiana Rule Drafting Manual. Changes to 312 IAC 9-10-12 govern the Fur Buyer's license to clarify application requirements and remove requirements that bobcats be obtained from outside Indiana.

The Chair recognized Geriann Albers with the Division of Fish and Wildlife.

Albers stated the Department is proposing only bobcat trapping and the quota of 250 bobcats in the limited 40 counties is based on the population model that was developed in coordination with Purdue University. The data collected was oriented around the bobcat habitat and helps the Department understand the sustainable harvest and not the bobcat population. Albers said the population model is a conservative model, the Department is confident that the bobcat numbers are sustainable, and trapping will not negatively impact the population. Albers said cage traps, foothold traps, and cable devises are being recommended because these are the trap types that have gone through the best management practices research for trapping bobcats.

Herriman asked if bobcats have been identified in all 92 counties in Indiana. Albers stated bobcats have been reported in all but one county but trapping in the northern counties is not being recommended because they are emerging populations.

Brian Rockensuess moved to approve preliminary adoption to amend 312 IAC 9 governing bobcats and adding a bobcat trapping season. Tom Kelley seconded the motion. Upon a voice vote, the motion carried.

**Request for preliminary adoption to add 312 IAC 9-1-5.2, 312 IAC 9-1-11.2, and 312 IAC 9-2-17 and to amend 312 IAC 9-10-9 governing sick, orphaned, and injured white-tailed deer and wild animal rehabilitation permits to address Chronic Wasting Disease (CWD); Administrative Cause No. 24-FW-012**

Petercheff also presented this item as follows:

Chronic wasting disease (CWD) was detected in deer and the proposed rule change would reduce the movement of infected deer that may carry the disease to other areas. A fawn can be infected by its mother, but CWD is not detectable at birth and the concern is that a fawn with CWD will be taken to and released into a county where CWD is not present. The proposal is to limit the movement of fawns to people who have a wild animal rehabilitation permit and to restrict the areas where a deer may be released.

The proposed rule defines “chronic wasting disease positive area,” which is not just where CWD is found but also includes where CWD is likely to be found based on the model. CWD positive areas are currently in LaGrange, Steuben, Dekalb, and Noble counties.

The definition for “non-releasable” is being moved from 312 IAC 9-10-9 to the definitions section in 312 IAC 9-1-11.2. Proposed changes to 312 IAC 9-2-17 require sick, injured, or orphaned deer found in a CWD positive area to be given only to a permitted wildlife rehabilitator in that same county or to a wildlife rehabilitator in a CWD positive area. The proposed rule has other technical and conforming changes.

Bart Herriman moved to approve preliminary adoption to add 312 IAC 9-1-5.2, 312 IAC 9-1-11.2, and 312 IAC 9-2-17 and to amend 312 IAC 9-10-9 governing sick, orphaned, and injured white-tailed deer and wild animal rehabilitation permits to address Chronic Wasting Disease. Brian Rockensuess seconded the motion. Upon a voice vote, the motion carried.

**NRC, DIVISION OF HEARINGS**

**Consideration of Hearing Officer Report on rule processing, public hearing, and hearing officer analysis with recommendation regarding final action to amend 312 IAC 9-3-18.2, governing state-wide river otter trapping and establishing a state-wide quota for the river otter trapping season; Administrative Cause No. 23-FW-030**

Aaron Bonar, Hearing Officer, presented this item and reported as follows:

Proposed amendments to 312 IAC 9-3-18.2 create a statewide river otter trapping season with a state-wide quota of 750 river otters per season and an individual bag limit of two river otters.

The Commission preliminarily adopted the proposed rule in January 2024 and a public hearing was held on April 11, 2023, with one person attending. Several comments were received on the Commission’s rulemaking docket. After technical changes were made to



the rule, a second public hearing was held on August 26, 2024, where six people attended in person, one person attended virtually, and additional comments were received through the Commission's rulemaking docket. A summary of the comments is included in the Hearing Officer's Report.

The proposed amendments are needed to implement changes to the administrative rule as required under HEA 1623-2023. The Hearing Officer recommended final adoption of the proposed rule amendment.

The Chair noted the success of wildlife conservation, and that the river otter population has been well managed.

The Chair recognized Nick Erny, representing the Indiana State Trappers Association.

Erny said the Indiana State Trappers Association is in support of a river otter trapping season.

Tom Kelley moved to give final action to amend 312 IAC 9-3-18.2, governing state-wide river otter trapping and establishing a state-wide quota for the river otter trapping season. Brian Rockensuess seconded the motion. Upon a voice vote, the motion carried.

### **Consideration of the Hearing Officer Report to the Natural Resources Commission with Respect to the Establishment of the Pigeon Creek Watershed Development Commission; Administrative Cause No. 24-001W**

Bonar, Hearing Officer, also presented this item and reported as follows:

The request to establish the Pigeon Creek Watershed Development Commission (Pigeon Creek WDC) was submitted to the Commission by Vanderburg County on January 10, 2024. The Commission's Division of Hearings evaluated the request in accordance with Indiana Code (IC) 14-30.5-2, input was requested from relevant state, county, and city government entities, and responses are attached to the Hearing Officer Report as Exhibit C.

A public hearing was held on May 22, 2024 at the public library in Evansville and notice of the public hearing was published in the *Evansville Courier* on May 16, 2024. Testimony from the public hearing is outlined in the Hearing Officer Report.

The Department submitted a report to the Commission on July 12, 2024, attached to the Hearing Officer Report as Exhibit B. The Department recommended the proposed Pigeon Creek WDC be approved, flood damage and water quality plans be created in the future by the Pigeon Creek WDC, and other surrounding counties be brought into the Pigeon Creek WDC later.

Unlike conservancy districts, which need court approval, the Commission can create watershed development commissions. IC 14-30.5-2-2(e) has six criteria the Commission follows when deciding on the establishment of watershed development commissions and

are listed in Section III of the Hearing Officer Report. All six of the factors can be answered favorably with some recommendations such as addressing flood damage, drainage, and water quality issues and that Warrick and Gibson counties be added to the proposed commission in the future.

The Hearing Officer noted some spelling errors to be corrected in the report. The Hearing Officer recommended the Commission adopt the Hearing Officer Report as amended for the establishment of the proposed Pigeon Creek WDC.

Tom Kelley moved to accept the Hearing Officer Report with Respect to the Establishment of the Pigeon Creek Watershed Development Commission. Brian Rockensuess seconded the motion. Upon a voice vote, the motion carried.

**Consideration of Hearing Officer report, including findings and proposal to the Natural Resources Commission as to recommendations to the U.S. Army Corps of Engineers regarding Kent’s Harbor ratemaking petition; Administrative Cause No. 24-SP-014**

Chloe Perkins, Hearing Officer, presented this item and reported as follows:

On July 11, 2024, Kent Reineking, on behalf of Kent’s Harbor Marina (Kent’s Harbor) filed a Petition for rate increase. Due to questions related to the impact of HEA 1623-2023 on marina ratemaking, Kent’s Harbor was permitted to submit a petition after the January 1 deadline outlined in Information Bulletin (IB) #20.

Kent’s Harbor is seeking an average rate increase of 3.2 percent, slip renters were notified of the proposed increases on July 16, 2024, and no qualifying comments in support or opposition were received. The Department reviewed rates of comparable marinas, found them similar to Kent’s Harbor’s request, and that the proposed rates are reasonable and justified.

Kent’s Harbor’s last rate increase was 1.8 percent effective for the 2023 season. The Hearing Officer recommended the findings and recommendations be approved.

Brian Rockensuess moved to approve the Hearing Officer’s findings and recommendation to the U.S. Army Corps of Engineers, in the matter of rate making Petition for Kent’s Harbor. Tom Kelley seconded the motion. Upon a voice vote, the motion carried.

**Consideration of Hearing Officer Report on rule processing, public hearing, and hearing officer analysis with recommendation regarding final action to add 312 IAC 9-1-17 and to amend 312 IAC 9-2-15, 312 IAC 9-3-2 through 312 IAC 9-3-4 governing deer hunting and deer hunting licenses; and to amend 312 IAC 9-4-11 governing wild turkeys; Administrative Cause No. 23-FW-031**

Elizabeth Gamboa, Hearing Officer, presented this item and reported as follows:

The proposed rule would add 312 IAC 9-1-17 to define the term “youth” and amend 312 IAC 9-2-15 regarding hunter orange on ground blinds, 312 IAC 9-3-2 governing deer hunting licenses, 312 IAC 9-3-3 governing equipment used for deer hunting, 312 IAC 9-3-4 governing deer hunting season dates and bag limits, and 312 IAC 9-4-11 regarding substantive and conforming changes governing wild turkey.

The rule was approved by the Indiana Office of Management and Budget (OMB) and Indiana State Budget Agency (SBA) on December 20, 2023, and received preliminary adoption by the Commission on January 23, 2024. Technical and conforming changes were made to the original rule based on comments received from the Legislative Services Agency (LSA), which required additional approval by OMB and SBA. The additional approval was received on June 27, 2024.

There were three comment periods and three public hearings because of the technical changes made to the rule. Substantive comments were received during the first comment period requiring a second public comment period, and the third public comment period was initiated to allow for comments on the revised rule language. The rule was posted on the Commission’s rulemaking docket and was updated periodically throughout the process.

The proposed rule simplifies the deer hunting license process, clarifies bag limits for various hunts, and specifies the process when a hunter takes a deer believed to not be fit for human consumption. The proposed rule establishes deer reduction zones previously set by emergency rule, but due to HEA 1623-2023, the Department cannot use emergency rules to set the bag limits.

Several comments were submitted in support of and against the proposed rule changes and the comments and the Department’s response are included to the Hearing Officer Report as Exhibit B. The Hearing Officer recommended final adoption of the proposed rule amendments.

Brian Rockensuess moved to give final action to add 312 IAC 9-1-17 and to amend 312 IAC 9-2-15, 312 IAC 9-3-2 through 312 IAC 9-3-4 governing deer hunting and deer hunting licenses; and to amend 312 IAC 9-4-11 governing wild turkeys. Bart Herriman seconded the motion. Upon a voice vote, the motion carried.

**Consideration of Hearing Officer Report with Recommendation to the Natural Resources Commission regarding amendment to the Articles of Dedication of Springfield Fen Nature Preserve; Administrative Cause No. 24-NP-004**

Gamboa, Hearing Officer, also presented this item and as follows:

Springfield Fen Nature Preserve (Springfield Fen) was originally dedicated by the Commission in December 1987 and the requested amendment to the Articles of Dedication of Springfield Fen is to correct a legal description to make it consistent with the warranty deed.

Notice of public hearing was published in the *LaPorte County Herald* on June 6, 2024, and a public hearing was held on July 9, 2024, at the Division of Law Enforcement District 10 Headquarters. No members of the public were present at the public hearing and no comments were received.

The proposed amendments do not permit an impairment, a disturbance, a use, or a development of Springfield Fen inconsistent with the purposes of nature preserve statute. The Hearing Officer recommended approval of amendments to the Articles of Dedication of Springfield.

Jessica Miller moved to approve the Hearing Officer's Report with respect to the amendment to the Articles of Dedication of Springfield Fen Nature Preserve. Bart Herriman seconded the motion. Upon a voice vote, the motion carried.

The Chair asked Joe Caudell, Deer Biologist, with the Division of Fish and Wildlife, to provide additional information about epizootic hemorrhagic disease (EHD).

Caudell provided information as follows:

EHD is a virus that is spread from deer to deer through midges. During a drought more deer are concentrated around water sources causing EHD outbreaks. The Department watches for conditions and if 20 percent of the deer population is going to be affected, then the Department will lower the County Bonus Antlerless Quotas (CBAQ) in the impacted counties to offset the effect of the counties' EHD outbreak.

The outbreak ends after a good frost because it kills the midges. The Department will fly over areas to see what impact EHD is having on that area. In 2024, there was a significant EHD event affecting Allen, Porter, and Wabash counties and, while this outbreak is severe, it is expected to be less impactful than the 2022 outbreak in Franklin and Fayette counties. The Department relies on public reporting and there is an online public reporting system accessible at: [on.IN.gov/sickwildlife](https://on.IN.gov/sickwildlife) for reporting sick and dead wildlife.

### **Presentation on Division of Fish & Wildlife's use of the Lifetime License Fund for the purchase of the Busseron Creek Property.**

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

Anytime the Department would like to purchase land, the Department must make a request to the Commission. During the last budget cycle, the Lieutenant Governor put a line item in the budget to help the Department to purchase a tract of land known as Busseron Creek.

The Department leased and managed the property for 30 years before it went back to the coal company who divided the property up. There is an opportunity for the Department to purchase a 4,000-acre tract of the Busseron Creek property. The Busseron Creek property purchase came up because of the Sentinel Landscape Initiative, which is a coalition of federal agencies, state and local governments, and nongovernmental organizations that work with landowners to advance sustainable land management and protecting land around military installations and ranges.

The Department had set a \$10 million budget to purchase the property but the appraisal of the Busseron Creek property was \$12 million. The Conservation Fund purchased the Busseron Creek property initially for \$12 million and the Department is going to purchase the property from the Conservation Fund for \$10.8 million. The Conservation Fund will make up some of their bargain sale losses through a grant and they will protect the land close to Crane Naval Base.

The line item in the budget was \$1.5 million and the Department received a grant for almost \$9 million leaving the Department short by about \$361,000. The Department is requesting the \$361,250 from the Lifetime License Fund to finish paying the Conservation Fund.

Bortner noted that the Busseron Creek property would be able to be used by the public but the property itself will not be developed because the Sentinel Landscape Initiative is designed to protect the land around military bases.

Early asked how much money was in the Lifetime License Fund. Wuestefeld replied there is \$8 million in the Lifetime License Fund.

Smith noted the purchase of the Busseron Creek property is an action item and not an information item.

The Chair called for a motion to approve the use of the Lifetime License Fund for the purchase of Busseron Creek Property.

Tom Kelley moved to approve the use of the Lifetime License Fund for the purchase of the Busseron Creek Property. Pat Early seconded the motion. Upon a voice vote, the motion carried.

The Chair recognized Terry Coleman, Director of the Division of State Parks.

Coleman provided information as follows:

Director Bortner, Deputy Director Smith, and Division of State Parks staff attended the National Association of State Parks Directors Conference at Gulf State Park in Gulf Shores, Alabama. Lippert Components won the President's Award at the conference for their outstanding work and community service at Indiana's State Parks.

The meeting was adjourned at approximately 11:08 a.m., ET.