

ADVISORY COUNCIL MEETING

October 13, 2010

ADVISORY COUNCIL MEMBERS PRESENT

Patrick Early, Chair
AmyMarie Travis Lucas, Vice Chair
Bill Freeman
Donald Van Meter
David Lupke
Ross Williams
William Wert

NATURAL RESOURCES COMMISSION STAFF PRESENT

Stephen Lucas
Sandra Jensen
Jennifer Kane

DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT

John Davis	Executive Office
Ron McAhron	Executive Office
Cheryl Hampton	Executive Office
Laura Minzes	Indiana State Museum and Historic Sites
Bruce Beesley	Indiana State Museum and Historic Sites
Mark Reiter	Fish and Wildlife
Linnea Petercheff	Fish and Wildlife
Ginger Murphy	State Parks and Reservoirs
Dan Bortner	State Parks and Reservoirs
Marian England	State Parks and Reservoirs
Phil Marshall	Entomology and Plant Pathology

GUESTS PRESENT

Jodie Ellis

Call to Order by Chairman, Patrick J. Early

The Chair called to order the meeting of April 14, 2010 at 10:35 a.m., EDT, at the Fort Harrison State Park Inn, Roosevelt Room, Indianapolis, Indiana. With the presence of seven members, the Chair observed a quorum.

Approval of minutes of meetings held on April 14 and June 9, 2010

Donald Van Meter moved to approve the minutes of meetings held on April 14, 2010 and June 9, 2010. William Wert seconded the motion. Upon a voice vote, the motion carried.

Consideration and evaluation of the Ernie Pyle State Historic Site for deaccession

Bruce Beesley, Manager of Historic Sites with the Indiana State Museum, presented this item. He said at its May 2010 meeting, the Natural Resources Commission postponed until November action on deaccession of the Ernie Pyle Historic Site. Since the May meeting, the Friends of Ernie Pyle (the "FOEP") wrote to the Department to outline plans for future operation of the site. The FOEP plans to expand Board membership, both in number and in diversify of interest, to include local government, nonprofit organizations, veteran groups, journalists, and journalism education—newspapers specifically. The expanded Board would launch a national effort to raise funds for operation, but "more importantly to sustaining" the historic site. The FOEP plans to take advantage of volunteers "as much as possible" for site operation, such as for tours.

Beesley said the FOEP has also discussed including other groups to help market the historic site, including the IU School of Journalism and the American Legion, and to work with the Indiana State Museum to maintain and develop collections and exhibits. The FOEP would "like to attract national events", and would "eventually like to become an actual research resource for people who are interested in Ernie Pyle". Beesley said the Department is "much encouraged with the efforts" of the FOEP. He said the Department responded to the FOEP on September 13, agreeing to enter a Facility Use Agreement for the FOEP to use the site through 2010. The FOEP could provide tours, host events and programs, and hold membership meetings. The Ernie Pyle Historic Site has been opened periodically, and the FOEP has held four special events.

Beesley said the Department agreed to assist with marketing through the fall, and it has assisted with Dana Days, the Newport Hill Climb, and other events. The Department would help maintain the property until the end of the year. Beesley said the Department notified the FOEP regarding today's meeting and invited the members to voice additional concerns or questions. On October 8, "the FOEP voted officially" to accept the property. "There has been some talk about whether the property would be better transferred to the Town of Dana or to Vermillion County, or somebody like that, but [the FOEP] made an indication, now a formal vote, that the property is to be transferred" to the FOEP.

John Davis, Deputy Director of the Bureau of Lands and Cultural Resources, reported "Bruce Beesley drove the Jeep in the local parade. He has been doing a lot to solve this, and we feel really good. We feel like we are going to be able to go to the NRC next month and ask for the deaccession." He said there would also be a declaration of surplus so the Ernie Pyle Historic Site can be "moved to the official machinations that end up getting the title to the Friends group. We think this is going to be a success story."

Chairman Early said the Commission and the Advisory Council previously reviewed and discussed deaccession of the historic site. “When it went before the full Commission, there was a lot of concern of [the FOEP] not having an organized plan as to what would happen next.... It sounds like we are at a point where there is a suitable plan.”

Bill Freeman noted that artifacts are involved in the deaccession. He asked who would receive possession of the artifacts.

Davis responded the Department has retained six to eight items for display at the Indiana State Museum, one being the coat worn by Ernie Pyle and depicted in a famous photograph with Eleanor Roosevelt. “You can imagine this is a textile artifact. It needs the kind of care that only the Museum can ensure.” He said the Department would consider loans of these artifacts if appropriate atmospheric controls are installed at the Ernie Pyle Historic Site.

Freeman then asked, “So there is a plan to have a kind of memorial” in the Indiana State Museum.

Davis said the foundations for an Ernie Pyle display would be available at the Indiana State Museum, but it would not be a memorial. The Department would cooperate with the FOEP regarding future displays. The IU School of Journalism has renewed its interest and has asked whether artifacts would be available for display at Indiana University. “We could work that out providing, of course, that the right safeguards are there.” He said “hundreds of items” are displayed at the Ernie Pyle Historic Site.

Beesley explained the Indiana State Museum, as a part of its presentations for Indiana and World War II, has a section dedicated to Ernie Pyle. This section goes through regular rotations and was renewed recently.

Freeman said he did not want to “belabor the point, but...if there’s a collection of artifacts and somehow the Friends don’t make it, should those artifacts be somehow wrapped up into package that says if [the FOEP] ceases to exist, or something, that those artifacts go back to the State?”

Davis said, “No, that’s why we took the handful of things that we did.” The Department reviewed the collection and chose to retain items that were documented and represent important aspects of Ernie Pyle’s life. The Department is comfortable deaccessing items, and “their fate is out there”. The Department will set conditions “on their transfer, but not much.” He noted the location of the Ernie Pyle Historic Site is not Pyle’s birthplace.

Beesley explained that one of the Indiana State Museum’s goals is to be able to loan artifacts to the FOEP “even the artifacts that we felt the State needed to keep. We would like to get to a place where [the FOEP] has the kind of curation, the kind of security, and all those types of things, including environmental controls, that we would feel comfortable putting our artifacts back in there.”

Freeman said, “I applaud the hard work and the foresight.”

Davis said one benefit resulting from the process has been contacts made with other museums in the United States that have expressed an interest in Ernie Pyle. “There may be a relationship there that might end up being good for both” the FOEP and the Indiana State Museum.

Donald Van Meter asked whether the “idea that we are perfectly happy, in the future when they have the facilities, to do some loaning back for periods of time, that’s not in writing or anything?”

Beesley responded currently there is no formal agreement between the Department and the FOEP regarding the future loan of artifacts. Davis added, “If we were to loan something, we would put it in writing. There would be a very detailed document that would outline the safeguards.”

Van Meter said, “I can just see down the road that as DNR people change and as the people there onsite change,” there will be no one who “knows that, ‘Well, this was part of the thinking back in 2010.’ See what I mean? I can just see somebody getting into a bind.... [W]e should be aware that that could be an issue 25 years from now.”

Davis suggested perhaps the Department should have “something a little more formal to memorialize the Commission’s approval,” such as a resolution.

Van Meter said, “Or perhaps just in the minutes, I don’t know. Maybe that’s enough.”

Bill Freeman said, “I worry about unintended consequences if something like that where all of sudden 25 years from now they don’t have the right—maybe science has changed—the right facility to borrow” the artifacts.

Davis said that if there were a resolution or notation in the minutes, it could include language specifying site and time periods for any loans.

AmyMarie Travis Lucas moved to recommend approval of deaccession and conveyance of the Ernie Pyle State Historic Site. David Lupke seconded the motion. Upon on voice vote, the motion carried.

Consideration for recommendation of approval of amendments to 312 IAC 10 governing the removal of a logjam or mass in wood debris in waterways; Administrative Cause No. 10-063W

Linnea Petercheff, Operations Staff Specialist with the Division of Fish and Wildlife, presented this item. She said a 2010 statutory amendment exempted the removal of log jams and masses of wood debris from permitting requirements of the Flood Control Act, except for log jams in salmonid streams and natural, and scenic and recreational rivers and streams. The proposed rules would include a new definition for “mass of wood

debris”, which is a statutory term. At 312 IAC 10-4-5, specifications would be added for the issuance of a permit to remove a logjam or mass of wood debris from a natural, scenic, or recreational stream or river with equipment other than hand or handheld tools. Conditions would be “added to protect the spawning season for fish and limiting access.” In 312 IAC 10-5-0.3, references to a general license for logjams would be removed. 312 IAC 10-5-6 would be modified to approve the removal of a logjam, a general license with notice to the Department in a salmonid stream. “There are seven named salmonid streams...plus Lake Michigan, plus the put-and-take trout streams that are stocked each year.” 312 IAC 10-5-6.5 would be added to establish a general license with notice for the removal of a logjam or mass of wood debris in a natural, scenic, or recreational river or stream. “That would apply only for handheld tools used in the waterway. No work can be done from the bank, and no heavy equipment can be in the waterway. If they wanted to do that, they would have to get a construction in a floodway permit.”

The Chair asked, “What are we trying to regulate here? What are we trying to prevent from happening?”

Petercheff responded the Department is trying to keep heavy equipment from entering a designated natural, scenic, or recreational river or stream to remove a logjam or mass of wood debris without a full permit being issued where conditions would be added to provide for the protection of the fish, wildlife, and botanical resources. “There are a lot of concerns that we have each year about logjams in rivers, so people need to be able to remove them. We are trying to provide that ability, with notice, on the salmonid” streams and on the scenic streams.

Davis said the statutory amendments removed the Department from “permitting for the regular streams. Now we are writing rules that recognize that we are out of the permitting for regular streams, but we still have some special outstanding streams or some salmonids that were not removed” from permitting. A general license would be outlined so a person who applies those standards would not need an individual permit.

The Chair said, “Generally speaking, we’re just saying that in these specific streams, they can just remove the stuff by hand or with hand tools?”

Petercheff responded, “Right, for the natural, scenic, and recreational rivers and streams. For the salmonids, they would be able to use some additional equipment, but they would be limited to access from one side of the bank, only, and staying out of the spawning season unless there is a flood.”

Davis said, “And that’s what they can do without a permit. If they had to do something more, then they would have to apply for a permit in those streams.”

Dave Lupke asked how the proposed rule would impact counties and municipalities that use equipment on bridges to remove logjams.

Petercheff responded an existing rule allows the removal of logjams from a bridge without applying for a permit or obtaining approval from the Department “as long as [the equipment] stays on the bridge” and does not enter the waterway.

The Chair asked how the public or governmental entities know whether a stream has been designated as a salmonid or natural, scenic, or recreational.

Petercheff responded that the Commission at 312 IAC 7-2 identifies the waterways in the natural, scenic, and recreational river system—Blue River in Harrison, Crawford and Washington Counties; Cedar Creek in Allen and DeKalb Counties; and Wildcat Creek in Tippecanoe and Carroll Counties. The salmonid streams are listed at 327 IAC 2-1.5-5(a)(3). The Division of Fish and Wildlife would confirm this information on its website.

Lupke asked whether a canoeing group would need a permit to clear a logjam on Blue River, Cedar Creek, or Wildcat Creek.

Petercheff answered the logjam could be removed from the three creeks without a permit, but with notice to [the Department]. “Basically, they have to request approval from us—it’s not a full blown permit and no fee.”

Ron McAhron, Deputy Director, Bureau of Resource Regulation, said, “We wanted to be afforded the opportunity to see if there is some critical habitat there, so the notice provision gives us that, but it doesn’t require the full blown permit.”

William Wert recommended approval for preliminary adoption of amendments to 312 IAC 10 governing the removal of a logjam or mass in wood debris in waterways. Bill Freeman seconded the motion. Upon a voice vote, the motion continued.

Consideration for recommendation of amendments to 312 IAC 9-7-6 governing the taking of smallmouth bass in designated waters and largemouth bass in Big Lake and Crane Lake in Noble County by sport anglers; Administrative Cause #10-154D

The Chair explained that Advisory Council Member, Richard Cockrum, requested this item be deferred until the Advisory Council’s next meeting. The Chair indicated the Department’s Division of Fish and Wildlife agreed to the deferment.

AmyMarie Travis Lucas noted a typographical error on page three, 312 IAC 9-7-6(j), which states “...longer n ten (10) inches...”. She also noted irregular indentation formatting in the Department’s cover sheet.

John Davis said the errors would be corrected before the next Advisory Council meeting.

This item was then deferred to the Advisory Council’s December 8, 2010 meeting.

Consideration for recommendation of approval of amendments to the list of endangered reptiles and amphibians in 312 IAC 9-5-4; Administrative Cause No. 10-170D

Linnea Petercheff also presented this item. She said the Division of Fish and Wildlife's Reptile and Amphibian Technical Advisory Committee recommended amendments to the list of endangered reptiles and amphibians in 312 IAC 9-5-4. The four-toed salamander would be removed from the list and the plains leopard frog and mole salamander added. The Technical Advisory Committee includes Indiana herpetologists, primarily professors in universities and colleges, and the State Herpetologist. IC 14-22-34-11 requires the Department to review Indiana's endangered species list and to make needed amendments semi-annually. "Endangered species means a species or subspecies whose prospect for survival or recruitment within Indiana are in jeopardy or are likely within the foreseeable future to become so due to factors such as habitat loss, over utilization, effect on the wildlife of disease, pollution, or predation or other natural or manmade factors."

Petercheff said "extensive research" has been conducted regarding the four-toed salamander in the past five years. The four-toed salamander has been confirmed in seven new counties and reconfirmed in at least 20 counties throughout the State. This salamander lives along forested areas near springs, woodland and ephemeral wetlands and bogs, with distribution "scattered throughout the state, but "appears to be stable". The mole salamander is proposed to be added to the endangered list because "it's only known to exist in a single population in one county in southwestern Indiana." The mole salamander typically inhabits floodplain forests near gum and cypress swamps. "Because of its isolated, small geographic range, its narrow habitat tolerance, and small population size", the Department is requesting the mole salamander be added to the endangered species list. Several other States consider the mole salamander "in peril and vulnerable".

Petercheff said the plains leopard frog is proposed to be added to the endangered list based on new population information and habitat loss. Three recent surveys have not found a plains leopard frog in areas where the species was found in the past ten years. "Some of that land has been converted to agriculture and other uses so [the species] no longer exists." The plains leopard frog needs prairie, savannah, and grasslands to survive, and breeds in nearby marshes and ponds. "So with a few actual records now found in that limited distribution...and habitat loss", the Department requests the plains leopard frog be listed as an endangered species. She noted reptiles and amphibians that are native to Indiana can be sold in Indiana. "If they are not an endangered species, they are allowed to be taken from the wild for a year with hunting or fishing license."

Bill Freeman asked, "Are all these that are on the endangered species list naturally occurring in Indiana?"

Petercheff answered, "Yes, to my knowledge."

David Lupke asked whether the Department continues to conduct the volunteer amphibian surveys around Indiana.

Petercheff responded, “Yes, every spring.”

Donald Van Meter asked, “There’s no ulterior motive for doing this? In other words, there’s no big development that has been planned for years and all of a sudden somebody found one of these frogs or salamanders there, and this is going to stop all development?”

Petercheff said, “Not to my knowledge.” She explained the mole salamander was discovered in Indiana two years ago, but surveys and research were conducted for several years to locate additional populations.

Van Meter said, “It’s fine with me for one of these to stop a development from now on, once the law is in place, but I didn’t want this to be seen as some way of stopping something.”

David Lupke moved to recommend approval for preliminary adoption of amendments to the list of endangered reptiles and amphibians in 312 IAC 9-5-4. Bill Freeman seconded the motion. Upon a voice vote, the motion carried.

Information and Recommendation Item: Insect pests and firewood

Ginger Murphy, Assistant Director for Stewardship with the Division of State Parks and Reservoirs, introduced this item. She said she works with the Department’s interpreters and naturalists who are doing natural history interpretation, as well as the natural resource managers and cultural resources on the Department’s properties. She updated the Advisory Council regarding the movement of firewood in Indiana that will affect Department properties.

Murphy said there are approximately 400 different insect pests, such as the gypsy moth and the emerald ash borer (“EAB”), which have been brought into the United States and feed on trees and shrubs, and which can be transmitted in firewood and can adversely impact Indiana’s forest resources. The Department has a policy regarding bringing firewood onto its properties, but it is seeking recommendations from the Advisory Council regarding a “potentially broader regulation of firewood movement in Indiana that would help protect our forest resources in the State, not just our parks, our reservoirs, and our forests, but on private land as well”.

Phil Marshall, State Entomologist and Director of the Division of Entomology and Plant Pathology, said insect pests can move through, in, or on firewood. In recent years, the primary agency focus on DNR properties has been to resist the spread of the EAB. The EAB was first detected in a campground that “got into the State by firewood”. Of the first six Indiana locations infested with EAB, three were in campgrounds, and one other was “aided in the movement by firewood”.

Marshall said another insect pest of concern is the Asian long-horned beetle, which was first detected in the Chicago area, and has now been located in Massachusetts, New York,

and New Jersey. Sugar maple is the primary host for the beetle. Marshall said Indiana has an “external quarantine”, by emergency rule, on the Thousand Cankers Disease of black walnut trees. The disease is a “major threat to Indiana’s walnut industry”, has been found in Tennessee, and can move with firewood. Marshall listed several examples of other pests that can move by firewood.

David Lupke asked, “How much problem is there with the movement of Christmas trees, nursery stock, and unprocessed logs in and out of the State?”

Marshall responded nursery stock is the “least problem” because the nurseries are inspected every year. Christmas trees are inspected if the trees will be moved out of the pine shoot beetle regulated area. He said unprocessed logs are “a problem...but that’s mostly managed by” controls on EAB. The Department has “good cooperation from the timber industry”, which is “working well” with compliance agreements to manage particular pest concerns that can move through logs.

Ginger Murphy said the Department’s internal firewood policy has “really been managing” for EAB in state parks, reservoirs, state forests, and fish and wildlife areas. “To look at this from a broader perspective, there are other things coming down the road that are potential problems so we are looking at a way to manage beyond [EAB] in terms of firewood and still allow people ways to have campfires.” The current DNR firewood policy seeks to prevent the entry into DNR properties of any hardwood firewood from a county that is quarantined for EAB or from a county where EAB has been detected. “We did it that way because we can look at license plates..., but it’s still kind of an honor system”. She said the Division of Entomology and Plant Pathology inspects local vendors in a county even if there is an EAB quarantine “so there’s a State compliance stamp now that a local vendor, a mom-and-pop vendor across the street from Spring Mill State Park, can get that their wood is inspected and they know how to manage it so we can allow that wood to come in, but they have to have a copy of that stamp with the wood when it comes in.” Murphy said a Federal compliance stamp is also available for local vendors that allows wood to move across a state line. “Usually you see those [Federal stamps] on firewood that you buy at Wal-Mart or Kmart or the grocery store.” Kiln-dried scrap lumber is also allowed into Department properties. “We’ve tried to provide some flexibility in the policy to let as many people bring their wood in as possible. It’s still tough to enforce.”

Murphy said the Department is looking to draft a policy that is “more effective not just for EAB, but for all firewood issues and all insect pests.” Several options have been discussed within the Department.

She said the first option would be “just to do nothing. We could just forget about the internal policy and let the firewood come in from wherever and not take into consideration insect pests.”

Murphy said a second option would be to “keep doing what we are doing with our current policy, but there’s more and more counties added every year to the list where EAB is

found. It's tougher and tougher for our gate attendants to manage that, to enforce it." She said the Department would confiscate the wood if it is from a county that has been quarantined, manage it, and burn it. "It's complicated to do that, but we could continue to maintain our current policy".

A third option would be for the Natural Resources Commission to adopt a rule, based upon the authority to govern DNR properties, that "gives it a little more teeth" and would allow only firewood to be brought onto a DNR property that has a State or Federal compliance stamp. "That's one option that we looked at pretty closely." Since the Division of Entomology and Plant Pathology has a procedure for local vendors to become certified, that "takes the issue away of the mom-and-pop vendors not being able to sell firewood outside the park." Murphy said this option could have a favorable impact, but an education initiative would be needed for those who live in an area not quarantined. "It is a good option for management and it gives some teeth to the policy in terms of working with our Indiana Conservation Officers to enforce it."

Murphy said a fourth option is a broader rule based on the statutory authority in the entomology statutes for the control of pests or pathogens. A rule could be adopted to govern the movement of firewood throughout Indiana, including a requirement that all firewood sold in Indiana be heat treated.

Phil Marshall reported that Indiana is not the only State addressing firewood issues. Kentucky has a policy that prohibits bringing hardwood firewood onto its properties, especially from EAB quarantined areas. Michigan's policy is similar to Kentucky's. Since Michigan is a "two land based State", it does not allow firewood to be carried across the bridge into the Upper Peninsula. Wisconsin has a rule that firewood must originate within 25 miles of the property except in areas where EAB has been found. New York has the "best and the most stringent" approach and requires all firewood to be heat treated, but "mom-and-pops" can move firewood "under a local permit within 50 miles" of origin. Florida has check stations and requires permits and master permits to move commercial and noncommercial firewood into Florida. Florida also has a 50-mile radius for movement of firewood within its boundaries. Marshall said Indiana's proposals are in line with the recommendation of the USDA's National Firewood Taskforce to establish State regulatory programs in so all firewood is labeled, permitted, and treated, along with voluntary compliance and public education.

AmyMarie Travis Lucas said it was important to protect Indiana's forests for "people to use them and also for the industry that sells wood and furniture", but she expressed concerns regarding the impact on cost of camping activities. "What do you think this will do to firewood prices? Is this going to put it out of the range of a family to be able to have a little campfire?"

Phil Marshall answered that because firewood is available at Wal-Mart, Kmart, and other commercial vendors any increase in costs would probably not have an impact regarding a family's ability to buy firewood for camping. The Federal stamp does not add a "large

amount of cost” to the bundle of firewood, and there is no fee for local vendors near Indiana’s state parks to obtain the Department’s firewood compliance agreement.

Travis Lucas asked, “So for [Option] Three versus [Option] Four, [Option] Three would keep the price down for the average camper substantially more because [Option] Four is talking about heat treating everything, right?”

Marshall responded that requiring heat treatment for all firewood would increase costs, but “that’s just one method within the rule. We may not just limit to that only.”

David Lupke said “considering the evidence that many of the infestations have come from firewood in campgrounds, and the economic costs of both the loss of the trees and the treatments to manage the pests,” Option Three “is a very acceptable minimum. I think that that level is not really asking that much of society.... It may, in fact, provide some opportunities for sort of mom-and-pops to open around the campground facilities and be the local supplier and provide additional revenue for a community in that area.”

Marshall responded the Department would like to “emphasize local firewood as much as we can.”

Bill Freeman reflected that forestry is the “largest agriculture industry in Indiana”, and the movement of firewood is the “number one” cause of infestation. “To me, the only way you are going to stop the unsuspecting, innocent guy that is going to bring it in is to have a complete ban on non-local firewood or non-treated firewood.... I think you are going to find the industry... [is] going to be very cooperative because it’s their livelihood”. He recommended a “complete ban” of the movement of firewood, requiring Federal or State stamps for all firewood, or requiring heat treating for all firewood sold in Indiana. “I don’t think you can be firm enough, otherwise you are going to destroy the largest agriculture industry.” He suggested tree tops leftover from harvesting in State Forests could be cut into firewood for sale on Department properties.

John Davis said that the Department utilizes firewood that comes off the State Forests, but “we don’t cut anything in the State Parks. Anything that falls in the State Parks is left in the State Parks”. He explained that State Forests are “opened up” to firewood harvest. “We can explore if there is a kind of an end game to the harvest. That might be worthwhile.”

William Wert asked whether local firewood vendors that have received Department certification are re-inspected periodically.

Marshall responded the Division of Entomology and Plant Pathology notifies vendors three months in advance of license renewals, and before renewals are approved, its staff conducts a re-inspection. DNR property managers identify the local firewood vendors which might seek certification. The Division does not have sufficient staffing to inspect firewood individuals could bring onto a DNR property.

Donald Van Meter urged the Department in developing a rule proposal to identify terms that are likely to be effective. Even if the terms might seem “a little harsh right now—harsh to the public”, a regulatory structure should be designed to “take care of the situation into the future.” He said the Department and Commission should avoid developing a rule that would likely be seen as ineffective “five years after adoption.”

John Davis invited the Advisory Council members to contact the Department with additional feedback regarding the movement of firewood in Indiana.

Information Item: Commission Initiatives and Rule Making

The Chair reported that professionals in the Department recently observed a dog running enclosure in Linton, Indiana as background to consideration of the potential need for new rules as previously considered by the Advisory Council. He asked Linnea Petercheff to provide a brief overview.

Linnea Petercheff said in September, she and Major Steve Hunter attended a field trial held in Linton. There were three scheduled field trial events held per year at the facility. The Linton running pen is a “300 plus acre enclosure with about an eight foot fence all the way around.” She and Maj. Hunter were allowed to enter the enclosure after the field trial event. “You could see the hideouts for the coyotes, the escape cover. They had the barrels in there, and lots of different things. It’s really thick brush, wooded area most of it inside the pen. We witnessed some coyotes being chased by dogs, and we saw a coyote duck under cover and the dogs run right by...and then [the dogs] picked up a scent of another [coyote], and they run along.”

Petercheff said, “We didn’t witness anything that showed any coyotes killed or attacked in some way,” but they were informed a coyote was killed in the April field trial event held at the same enclosure. “Two packs of dogs ended up on the scent of the same coyote, and ended up just cornering one.” She said there are a lot of dogs released at one time, but the Linton facility is a large pen. “We didn’t witness anything that appeared to be problematic at that event.” She said there were field trial judges throughout the enclosure during the event.

Petercheff noted the Department is currently reviewing rules governing running enclosures and is drafting rules to help provide for the welfare of the coyotes. She said the agency wanted to assure the coyotes “would have plenty of escape cover”. and consideration was being given to supporting principles of “fair chase”.

The Chair said he believed the magnitude of the running enclosure issue in Indiana is “certainly not the same as it is other places. We are trying to come up with a way to regulate it and make sure that it doesn’t turn into that, as opposed to just totally banning it, because it does appear that there are some field trial aspects to it. It’s a lot more about the dogs and the field trial part than it is about massacring coyotes that have no chance of getting away.”

AmyMarie Travis Lucas asked about the number of coyotes within the enclosure.

Petercheff said the Linton operator said 50 coyotes were released in the enclosure over a “course of a couple months”. She said she was uncertain of the exact number currently living there. “I’m sure there is some natural death from numbers that have been released in previous years.”

David Lupke asked whether the enclosure operator now had a system to prevent the situation that occurred in the April field trial event. “If a chase goes wrong, do they have any means of stopping it?”

Petercheff responded, “I don’t know if they could stop it. If you’ve got two packs of ten dogs each, and they come on the same coyote, I’m not sure a couple of people could call off all the dogs soon enough.” She was informed the field trial judges “tried to do their best to get the dogs away, but I think they just dispatched the coyote.” In the spring, there is less natural cover “so it’s going to be easier for the dogs to see the coyotes and vice versa.” Limiting the number of dogs participating in an event, or providing more man-made cover during the spring, may be considered.

Chairman Early then provided an update regarding proposed rule amendments governing deer hunting. The Commission gave the amendments preliminary adoption in July. The proposal was “intended to try to target larger harvest of does particularly...and try to take perhaps some of the pressure off the buck population converting it over to the doe population.” Some of the proposed rule amendments are “not very popular from a social standpoint. They may be very sound biologically, but they involve some changing of seasons and shortening of seasons.” The Department is being “very responsive” to public feedback. “It’s hard to measure the social impact until you actually get something out in front of people.” He said the Department is considering modifications to the proposal.

Donald Van Meter said, “Everybody knows that in the natural resources management business, social issues are a major factor. They are becoming more and more of a major factor.” He asked whether the Department employs a social scientist.

John Davis responded the Department does not have a staff member that is a social scientist. “But we certainly we have a lot of discussion about how these things work.”

Van Meter said, “I think it’s something down the road that may become more important to give this pretty serious thought”.

Ron McAhron said that the Department reviews potential social impacts during the process and at the “tail end as well, as we run into circumstances.” He said “it’s a good part of John [Davis’] and my job is to try to address those,”

Adjournment

At 12:02 p.m., EDT, the meeting adjourned.