

NATURAL RESOURCES COMMISSION

Meeting Minutes, March 24, 2026

MEMBERS PRESENT

Bryan Poynter, Chair
Jane Ann Stautz, Vice Chair
Alan Morrison, Secretary
Carl Wodrich
Noelle Szydlyk
Laura Hilden
Jeff Stallman
John Wright
Phil French (online but no video, therefore, could not vote)

DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT

Chris Smith	Executive Office	Holly Lawson	Communications
Greg Sorrels	Executive Office	Steve Weinzapfel	Reclamation
Madalynn Conner	Executive Office	Jet Quillen	Law Enforcement
Lisa Anderson	Legal	Ronald Hellmich	Fish, Wildlife, Nature Preserves
Whitney Wampler	Legal		
Rebecca McClain	Legal		

GUESTS PRESENT

Teresa Giller
Samantha Chapman

Bryan Poynter, Chair, welcomed everyone and thanked them for coming. The Chair called to order the regular meeting of the Natural Resources Commission (Commission) at 10:00 a.m., ET, on March 24, 2026, at Fort Benjamin Harrison State Park, The Garrison, 6002 N. Post Road, Indianapolis. The Chair noted that some attendees were online. With the presence of eight (8) members, the Chair observed a quorum.

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

The Chair then asked Precious Johnson if anyone asked to speak. She replied no.

APPROVAL OF MINUTES

The Chair asked for a motion to approve the Commission's January 20, 2026, meeting minutes.

Alan Morrison moved to approve the minutes as submitted. Jane Ann Stautz seconded the motion. Bart Herriman abstained from voting as he was not present for the January 20, 2026, meeting. Upon a voice vote, the motion carried.

ELECTION OF OFFICERS

The Chair mentioned that election of officers is typically done in January, however, it will occur at this meeting. The Chair then asked for a motion for a slate of officers. John Wright made a motion to nominate: Bryan Poynter, Chair; Jane Ann Stautz, Vice Chair, and Alan Morrison, Secretary.

The Chair then asked for a motion to approve this slate of officers. John Wright moved to accept the slate of officers. Bart Herriman seconded the motion. Upon a voice vote, the motion carried.

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

Alan Morrison, Director of the Department of Natural Resources (Department), provided his report, which is summarized as follows:

Morrison thanked the Chair and greeted everyone. Morrison noted the many successes of the Department and summarized them as follows.

From law enforcement. First, the Department broke ground on District 6 headquarters and officers will no longer have to work out of FEMA trailers. This was done in conjunction with the Department of Corrections and DNR Forestry Division. Second, the UAV (drone) program conducted three thousand ninety-five (3,095) flights, total flight distance of three thousand seventeen (3,017) miles, where they took nine thousand eight hundred thirty-seven (9,837) photos and seven hundred forty-one (741) videos. This UAV program has led to more than thirty-one (31) missing persons located, including twenty-four (24) juveniles, who were all found alive and well. In 2025, the Department successfully tracked nine (9) whooping cranes with malfunctioning transmitters. Third, law enforcement has conducted a public safety dive school, which added eight (8) new divers. There are now forty-one (41) certified divers currently serving statewide. Fourth, the Hunt for Hunger Program expanded to fifty-one (51) participating processors, which is an all-time high. Morrison then described the Hunt for Hunger Program. Fifth, twelve to fifteen (12-15) conservation officers were deployed to Kentucky in February 2025 to assist after the floods. Sixth, the Department's Turn in a Poacher Program had three hundred forty-three (343) online submissions, the tip hotline received three thousand eight hundred thirty-six (3,836) phone calls, total reward payouts of six hundred dollars (\$600), and the Department has an eight percent (8%) increase in total reports compared to 2024. Seventh, for hunter education, the Department hosted three hundred thirteen (313) in-person classes which included over fifteen thousand (15,000) students. At the youth camps, the Department had over two hundred fifty (250) students. Morrison then invited Jet Quillin, DNR Law Enforcement, to speak.

Jet Quillin presented on the National Archery in the Schools Program. Quillin stated that the Department held the state tournament last Saturday March 21, 2026, at the Indiana State Fairgrounds, which was the twentieth (20th) time the Department has done so. Over six hundred (600) schools participated, with over two thousand one hundred (2,100) students qualifying for the target shooting portion and seven hundred (700) students qualifying for the 3D target shooting portion. Quillin then explained the tournament and mentioned that it is a long day, and many vendors come out to support as well. Quillin noted that Castle High School won the high school portion of the tournament. Alan Morrison noted that the national tournament will be held in Louisville, Kentucky this year in a few weeks.

From the Department's Division of Fish, Wildlife, and Nature Preserves. First, the Department is launching a new licensing system called Go Outdoors. Second, the Department collected thirty thousand dollars (\$30,000) in donations from customers rounding up their transactions. Third, there have been key species recovery work including muscles, crayfish, frogs, hellbenders, wood rats, and Franklin ground squirrels.

From the Department's Division of Forestry. First, the Department provided counties with three hundred fifty-seven thousand twenty-nine dollars (\$357,029) to support rural fire service. Of every board foot of timber that is cut within each county in our state forest, fifteen percent (15%) goes back to that county. Second, the Department completed one thousand four hundred thirty-one (1,431) acres of invasive species treatments.

From the Department's Division of State Parks. First, the expansion to the Lincoln Amphitheater at Lincoln State Park. Morrison noted how beautiful it is and that they have a great set of shows and concerts coming up. Second, the Department introduced forty-five (45) track chairs to use at state parks, there will be at least one (1) chair at each park. This was made possible through the grant from the Lilly Endowment.

From the Department's Division of Land Acquisition. In 2025, the Department had twenty-two (22) fee simple acquisitions for nine hundred eighty-four (984) acres, seventeen (17) conservation easements, equating to one thousand nine hundred forty-five (1,945) acres, and nineteen (19) easements granted across Department owned land.

From the Department's Division of Reclamation. First, the Department performed twelve thousand two hundred nineteen (12,219) oil injection and gas well inspections, as well as two thousand eight hundred eighty-eight (2,888) storage facility inspections. Second, the Department plugged twenty-eight (28) wells, restored two (2) fluid facilities, and received seventy-three thousand eight hundred dollars (\$73,800) in penalty payments. Third, the Department is still working toward obtaining primary enforcement authority over Class VI injection wells from the U.S. Environmental Protection Agency (EPA).

From the Department's Division of Water. Staff assisted local officials in Vanderburgh and Warrick counties in the formation of the Pigeon Creek Watershed Development Commission, which is the first of its kind.

From the Department's Division of Historic Preservation and Archeology. First, the Department assisted in legislative changes to the residential historic tax credit program to increase the number of homeowners benefiting from the program without increasing costs. Second, for the Wabash River Heritage Corridor Fund program, two (2) of the eight (8) projects are complete with another two (2) projects nearing completion. Nearly four hundred twenty-four thousand dollars (\$424,000) of the six hundred thousand dollar (\$600,000) grant pool has been dispersed, leveraging more than one hundred forty-seven thousand dollars (\$147,000) in local matching funds.

From the Department's MIS Division. Morrison states that MIS is the Department's IT division. First, the Department has removed fifty (50) sites from the IoT backbone, thus removing one hundred six (106) IoT devices costing three hundred seventeen dollars and forty-nine cents (\$317.49) each per month, total yearly savings of four hundred three thousand eight hundred forty-seven dollars (\$403,847) in operating costs. Second, Department staff buried eleven thousand five hundred (11,500) feet of fiber at Charlestown and Brown County State Parks, costing seventeen thousand eight hundred seventy-seven dollars (\$17,877) to the Department, saving the Department nine hundred eighty-two thousand one hundred twenty-two dollars (\$982,122) of a one-time cost. Annually, from the changes MIS has made, we are saving seven hundred eighty-three thousand nine hundred sixty-three dollars (\$783,963).

From the Department's Division of Entomology and Plant Pathology. First, staff scraped fourteen thousand one hundred eighty-eight (14,188) spotted lantern fly egg masses, which equates to five hundred thousand (500,000) insects destroyed. Second, four thousand seven hundred seventy-four (4,774) tree of heaven were documented at eight hundred twenty-four (824) locations in forty-five (45) counties throughout the state.

From the Department's Legal Division. First, the property and card holder audits piloted with electronic functions, which led to a major paper reduction. Second, the legal team is still working toward obtaining primacy for regulating carbon sequestration projects. Third, legal is working with staff on Indiana Finance Authority water infrastructure modernization supported across state park properties. Fourth, the process for real property transactions with land acquisitions was streamlined through SCM for transparency and consistency. Fifth, the Access to Public Records Act (APRA) workload is being managed while request volume continues to increase.

From the Department's Administrative Bureau. First, staff reconciled a fourteen million dollar (\$14,000,000) projected operating budget shortfall. Second, the Department reorganized the Administrative Bureau. Third, the Department purchased fifty (50) Department law enforcement vehicles and reissued thirty (30) vehicles across the Department. Fourth, the Department initiated the digitization of all Department engineering drawings. Fifth, the Department completed the design for McCormick's Creek State Park and Ferdinand State Forest campgrounds. Sixth, construction of contracts awarded for the installation of twenty-one (21) playgrounds on Department properties. Seventh, Department staff performed eight thousand six hundred ninety-eight (8,698) accounts receivable deposits, entered twenty-seven thousand nine hundred ninety

(27,990), and approved, twenty-seven thousand eight hundred thirty-two (27,832) accounts payable vouchers, and processed two thousand one hundred eighty-two (2,182) travel authorizations and expense reports.

Morrison again thanked everyone for their work and effort.

Chris Smith, Deputy Director of the Lands and Cultural Resources Bureau, provided his report, which is summarized as follows:

First, Smith mentioned that Ryan Mueller, Deputy Director of the Resource Management Bureau, is not present today and Smith will give his report as well.

Normal spring maintenance has commenced to get properties ready for visitors. This includes prescribed burns and invasive species control. Staff will conduct a nine hundred (900) acre burn on March 25, 2026, at the O'Bannon Woods Harrison Crawford complex in Harrison County.

Through the Natural Resources Foundation, teachers can apply for a grant for their K-12 students to take a field trip to a state park property for the 2026-2027 school year. The maximum grant amount is five hundred dollars (\$500) to help cover transportation costs, programming fees, and other related expenses. Applications are being accepted through the end of April. Schools will hear back in May.

Again, forty-five (45) track chairs were delivered to be distributed to each state park and inn. A track chair is an all-terrain electric power wheelchair that helps people with limited mobility safely explore trails throughout Department property. The track chairs again were made possible through funding from a one million dollar (\$1,00,000) grant of the fifty million dollar (\$50,000,000) Lilly Endowment in 2024. The forty-five (45) new chairs will supplement the thirteen (13) chairs we already have in our inventory.

Spring LARE grants have been awarded. These grants have funded forty-eight (48) projects throughout the state. The spring round focuses on sediment removal and log jams, as well as aquatic weed control. The second round is focused on biologic and engineering grants.

The Department implemented the rule that created the invasive carp harvest permit. Permit opens avenues for large-scale removal of invasive carp which fosters economic opportunities and helps protect native fish populations. Smith gave a brief history on invasive carp in the Midwest. The Department is looking forward to more commercial fishers coming in.

Smith visited the Vallonia Nursery last week to see them in full swing fulfilling orders. The Indiana nursery program began at the turn of the century. The first nursery was at Clark State Forest. Today, the Department operates two nurseries, the Vallonia Nursery and the Jasper-Pulaski Nursery. Through these nurseries, the Department produces and sells approximately three million (3,000,000) seedlings annually. The Department has

sold up to seven million (7,000,000) seedlings in boom years. The Department of Corrections has provided some inmate labor to help with planting.

Chris Smith for Ryan Mueller, Deputy Director of the Resource Management Bureau, provided his report, which is summarized as follows:

Smith switched to the report for Deputy Director Mueller. In April 2025, Governor Braun created Executive Order 25-63 which directed the Division of Water to complete a statewide water inventory and management plan. Water staff are holding stakeholder input workshops around the State, these workshops will be held in person over the next two months and there will be a virtual workshop scheduled for May 19, 2026. This information will be presented to the Governor and the General Assembly before December 31, 2026.

The Division of Reclamation's Oil and Gas program continues to plug orphaned and abandoned oil wells across the state. Initially, Indiana received twenty-five million dollars (\$25,000,000) in federal grant money to plug nearly three hundred sixty-six (366) wells. The program has already plugged four hundred fourteen (414) wells to date. This accounts for nearly one-third (1/3) of orphaned and abandoned wells in the State.

Smith mentioned that Morrison already touched on spotted lantern flies, but Smith reiterated that spotted lantern flies remain a huge issue. Smith also mentioned Asian bush honeysuckle and Callery pear as invasives that pose a major issue in Indiana.

Greg Sorrels, Deputy Director of the Administration Bureau, provided his report, which is summarized as follows:

The Administrative Bureau continues to work on the Indiana State Board of Accounts and Controller audits. The Department has completed six (6) audits including the comprehensive fish and wildlife audit. Sorrels thanked staff for their help and participation.

The annual financial report will begin soon.

The Department hosts a quarterly staff meeting and staff have reported they appreciate said meetings.

The safety and training section has created a year-long lunch-and-learn training series.

The Department continues to manage fifty (50) vacancies. The Department currently has one (1) vacancy they are ready to fill. For intermittent staffing, 2026 will be similar to 2025. The Chair asked how many positions the Department is expected to hire for intermittent staffing. Sorrels responded that about one thousand (1,000) positions will be filled for intermittent staffing.

The older law enforcement vehicles are being retrofitted for use by other divisions.

Capital projects include the Falls of the Ohio Pavilion, the Patoka Lake Raptor Center, and the Mississinewa Wildlife Barn. There will not be a single penny of state funds used as each of these projects has raised the money independently.

Budget preparations for 2028-2029 have begun. Staff are doing facility condition assessments.

CHAIR AND VICE CHAIR

The Chair asked if Phil French was able to log on via zoom. Whitney Wampler stated that because French was unable to turn his camera on, he would be unable to vote during today's meeting.

Information: Consideration of 2026 meeting dates:

The remaining 2026 Commission meeting dates are May 19, July 21, September 15, and November 17. All meetings, except the July 21 meeting, are scheduled to be held at Fort Harrison State Park, The Garrison. The July 21 meeting is scheduled to be held at the Potawatomi Inn at Pokagon State Park.¹

AOPA Committee Update:

The Chair asked Jane Ann Stautz, Vice Chair of the Natural Resources Commission and Chair of the AOPA Committee, for an update. Stautz stated that the AOPA Committee has not met. Stautz mentioned the possibility of one item but said she will update the Commission upon any changes.

Natural Resources Advisory Council Update²:

The Chair asked for an update on the Natural Resources Advisory Council. Morrison asked Stephanie Flittner to weigh in. Flittner stated that the Natural Resources Advisory Council was wound down. Patrick Early, the Chairman of the Advisory Council, retired. Therefore, the Advisory Council is down to eleven (11) board seats. The Chair asked Flittner if the Natural Resources Advisory Council needed to remain as an agenda item. The Chair and Flittner agreed that if the Natural Resources Advisory Council does not exist then it likely does not need to remain on the agenda as an item.

¹ The July 21, 2026, Commission meeting will now be held at The Garrison at Fort Harrison State Park at 10:00 AM instead of at Pokagon State Park.

² The Natural Resources Advisory Council typically consists of seven (7) members appointed by the governor. Currently, there are only three (3) members which does not constitute quorum if the Advisory Council were to have a meeting. The Advisory Council has not met since 2024.

DNR Legal Team Update:

The Chair pointed out that Lisa Anderson will be taking over for Whitney Wampler, upon Wampler's exit from the Department. Wampler announced that she will be the new city attorney for Fishers. The Chair then pointed out Precious Johnson who is a paralegal and has been with the Department for many years.

The Chair then had Lisa Anderson introduce herself. Anderson stated that she is a staff attorney with the Department and she started her position in October. Prior to her role as staff attorney, she worked as an intern for the Department for over one (1) year. Anderson stated that she will be covering rulemaking for the Department while the Department searches for Wampler's replacement. Anderson stated that she graduated from law school in May and passed the Bar exam in July. The Chair then thanked Anderson.

DNR, LEGAL DIVISION

Consideration of petition for Rule Change of Idle Zone in an area commonly known as "Party Cove" on Morse Reservoir, Noblesville, Indiana.

The Chair called Rebecca McClain to present.

Rebecca McClain, Assistant General Counsel- Regulatory Bureau, presented the Rule Change of Idle Zone in an area commonly known as "Party Cove" on Morse Reservoir, Noblesville, Indiana for consideration of petition and a summary of her report follows:

McClain thanked the Commission. McClain stated the Department received the petition in March 2025. Deputy Director Chris Smith assigned McClain and Lieutenant Wuestefeld to look at the petition. The main issue in the petition was expanding an already existing idle zone, the permit sought to provide boaters and recreators with more security and safety when socializing. The Department is requesting an amendment to the existing 312 IAC 5-9-3 on Morse Reservoir to expand this idle zone.

The Chair asked if there was any remonstrations. McClain answered no. The Chair then thanked McClain and asked if there was a motion to accept the rule change proposal as presented.

Noelle Szydlyk moved to accept the rule change proposal as presented. Alan Morrison seconded the motion. Upon a voice vote, the motion carried.

DNR, DIVISION OF STATE PARKS

The Chair invited Ron Hellmich to present.

Consideration of the dedication of Jack and Sue Ulrich Nature Preserve in Franklin County.

Ron Hellmich, assistant director of the Division of Fish, Wildlife, and Nature Preserves, presented The Jack and Sue Ulrich Nature Preserve for consideration of dedication and a summary of his report follows:

Hellmich briefly introduced himself. Hellmich stated that this is the presentation for the dedication of Jack and Sue Ulrich Nature Preserve in Franklin County. The proposed thirty-nine (39) acre nature preserve is located in Franklin County within the Switzerland Hills Section of the Bluegrass Natural Region. The uplands in the southwest half are generally dry-mesic to mesic forest. The overstory is dominated by large, mature White Oak, Shagbark Hickory, and Sugar Maple that are widely spaced. The midstory is dominated by Sugar Maple. The lower slopes contain full canopy forest dominated by Eastern Red Cedar and Sugar Maple. This site is significant as it is the first nature preserve dedicated in Franklin County. This parcel has been enrolled in the Classified Forest program, and the family has never harvested live timber on the land. The family further stated that previous owner also never harvested any trees. No tree stumps were observed. Many of the mature trees are over twenty-four (24) inches in diameter. It is owned by the Indiana Department of Natural Resources. The family did a straight donation to the state for this property.

The Division of Fish, Wildlife, and Nature Preserves recommends dedication of this site as a State Nature Preserve.

The Chair thanked Hellmich and asked if there were any questions. The Chair then asked if there was a motion to accept the consideration of the dedication of the Jack and Sue Ulrich Nature Preserve as presented.

Jane Ann Stautz moved to accept the consideration of the dedication of Jack and Sue Ulrich Nature Preserve as presented. Laura Hilden seconded the motion. Upon a voice vote, the motion carried.

The Chair asked if the Department could provide a legislative update for all bills impacting the Department. Morrison said yes.

DNR, LEGAL DIVISION

Consideration of Hearing Officer report on rule processing, public hearing, and hearing officer analyses with recommendation regarding final action to add rules to 312 IAC 30 governing Underground Storage of Carbon Dioxide. The permanent rule package adds rules regarding involuntary integration and certificates of project completion.

Whitney Wampler, Hearing Officer and Assistant General Counsel for the Administrative Bureau, presented the report of rule processing, public hearing, and hearing officer analyses with recommendation regarding final action to add rules to 312 IAC 30 governing Underground Storage of Carbon Dioxide and a summary of her report follows:

The proposed permanent rule package contains additions to 312 IAC 30 specifically regarding involuntary integration and certificates of project completion. Involuntary integration is the involuntary consolidation of neighboring tracts of land and mineral rights by a state agency to allow for the joint development of carbon sequestration projects even when some landowners object. The primary purpose is to ensure that regulatory spacing requirements for wells are met, to prevent resource waste, and to enable operators to develop resources under properties whose owners refuse to participate voluntarily. Due to the nature of the projects, involuntary integration is a common practice among states with these projects, it is also commonly used in oil and gas projects. No owner or operator is required to use involuntary integration. The threshold set under Indiana Code 14-39-2 is that at least seventy percent (70%) of pore space owners must voluntarily consent to a project.

Upon completion of a carbon sequestration project, certificates of project completion, under Indiana Code 14-39-2-13, provide a storage owner or operator who meets the requirements of the U.S. EPA and the Indiana Code with the option to place long-term liability for carbon storage on the State of Indiana. There is no requirement that an owner or operator obtain a certificate of project completion. Other states have the same or similar options regarding the transfer of liability to the State upon issuance of a certificate of project completion.

These rules were drafted with the rule package that came before the Commission, and passed on final adoption, on July 15, 2025. Due to the nature and scope of these proposed permanent rules, the Department submitted to the budget committee for review and approval prior to submitting the rules to the Indiana Register for a first comment period. The Department received approval to proceed by the budget committee and the Office of Management and Budget as well as the State Budget Agency. 312 IAC 2-2-4(a) states the Secretary of the Commission may approve the rules for preliminary adoption. Secretary of the Commission, Alan Morrison, signed off on preliminary adoption of the rules November 20, 2025. The rules and regulatory analysis were submitted to the Indiana Register on November 20, 2025. The first public comment period ran from December 10, 2025, through January 14, 2026. The first public hearing was held at the Garrison at Fort Harrison on January 14, 2026, from 6:00 PM to 8:00 PM. The first public comment period was thirty-five (35) days. The statute requires a thirty (30) day comment period. Due to the Department receiving substantive comments during the first comment period, a second comment period and public hearing were statutorily required. No changes were made to the rule as a result of the comments that were received during the first comment period. The notice of second public comment period and public hearing were filed with the Indiana Register. The second public comment period ran from February 11, 2026, through March 16, 2026. The comment period was thirty-three (33) days. The second public hearing was held on March 16, 2026, from 2:00 PM to 4:00 PM at the Fort Harrison Inn in the Roosevelt Room. There were no changes made to the proposed rules following the second comment period and public hearing.

The Department requests approval of the proposed permanent rules for final adoption by the Commission.

The Chair thanked Wampler and asked if there were any questions.

Bart Herriman first asked whether the seventy percent (70%) number that Wampler referenced is the same for oil and gas. Wampler stated that the seventy percent (70%) threshold is found in Indiana Code 14-39-2 which was statutorily adopted by the General Assembly in 2022.

Herriman stated that the certificate of project completion and the State taking over all responsibility feels like a big issue. Herriman asked why the legislature did not speak to that. Wampler replied that she drafted the legislation for the Legislative Services Agency in 2022 but can't share specifics because of attorney client privilege. Wampler stated that certificates of project completion are common in every state what has passed legislation for carbon sequestration.

Herriman asked whether there are fees or insurance or if there is any type of fund paid into by these operators. Wampler replied that there is a long-term liability fund that is in the Indiana Code which the operators are required to pay into every year. Operators are also required to have insurance through the length of their projects. The specifics for obtaining financial assurance from owners and operators are contained within the rules and the statute requires that owners and operators have the financial ability to facilitate a carbon sequestration project.

Jane Ann Stautz asked whether there has been an analysis on the assumption of risk and potential liability that the State would be assuming upon the issuance of a certificate of project completion. Wampler replied that she was unsure what had been discussed at the General Assembly. Wampler states that the General Assembly is a separate branch of government.

Stautz asked with regard to equitable compensation and the determination of that, whether there will be additional guidance on how that will be determined. Wampler stated that when the rules were adopted in 2023, the General Assembly passed HEA 1623, and the Department was given the impression that they must remove as much subjectivity as possible. The equitable compensation determination was the first step to remove subjectivity. Any individual that is involved can then appeal that to OALP and up the chain into judicial review.

The Chair asked to be brought up to speed and stated that the rules were adopted preliminarily on November 20, 2025. Wampler stated that is correct. The Chair then asked what 312 IAC 2-2-4(a) says specifically. The Chair stated that he was unaware that the rules only came before the NRC for final adoption and not preliminary adoption. Wampler stated that 312 IAC 2-2-4(a) says that the Secretary of the Commission may approve a rule for preliminary adoption. Wampler further explained that the Department previously had the Director of the Division of Hearings preliminarily sign off on readoptions as long as they met certain criteria. Wampler stated that the Department currently uses the same form that was previously used for readoptions only, and the Department has been doing preliminary adoption this way since July of 2025.

The Chair asked if other rules have been preliminarily adopted. Wampler said yes, then stated that packages for invasive carp, scheduled hunts for population management, and the fees package that increased non-resident fees were all preliminarily adopted in the same fashion.

The Chair asked if this will be the protocol moving forward. Wampler said yes because the Indiana Code was amended in 2026 during session and allows for preliminary adoption signoff by the Secretary. Wampler then explained that Governor Braun adopted an executive order in early 2025 which required all executive agencies to reduce their regulations by twenty-five percent (25%) by January 1, 2029. Any rules considered redundant, obsolete, non-substantive, or rules considered unnecessary by each Department will be repealed. The piece regarding preliminary adoption signoff by the Secretary of the Commission was moved to the Indiana Code to reduce regulations in the rules and comply with the executive order.

The Chair asked for clarification that all rules will be preliminarily adopted in this fashion and the first time the NRC approves or disapproves the rules will be at final adoption. Wampler said yes, and that the rule allowing the Secretary of the Commission to sign off on preliminary adoption was actually adopted in 1996. Wampler then clarified that it is her understanding that the Secretary has been able to sign off on preliminary adoptions since 1996.

The Chair stated that he didn't recall a time when final adoption was the first time the Commission approves or disapproves of the rules. Wampler stated that she does not know how it has been done prior, however, the rule allowing for the Secretary of the Commission to signoff has been in place since 1996, it has been readopted, and it has not been amended. Wampler stated that for timing purposes, and because the Department has received approval from OMB/SBA, it proves more time effective to have the Secretary of the Commission signoff on preliminary adoptions.

The Chair asked for the Commission to be notified of rules being preliminarily adopted by the Department. Wampler agreed.

The Chair again clarified that the first time the Commission will see the rules for action is at final adoption. Wampler agreed and mentioned that the rules are posted to both the Commission's website and the Indiana Register.

The Chair asked again for the Department to send notice to the Commission whenever a preliminary adoption item has occurred. The Chair noted that this is especially important for complex rule packages. The Chair then asked Wampler to clarify attendance at the public hearing. Wampler noted that two (2) people attended the in-person public hearing in January and twenty-two (22) people attended virtually. Wampler stated that eleven (11) or twelve (12) comments were made. Wampler noted that no one attended the March meeting in-person and one (1) person attended online and made one (1) comment.

Bart Herriman asked if the transferee is considered a legal entity or if it also encompasses the owners, members, shareholders, partners, etc. Herriman pointed out that it would be bad if a corporation was allowed to get a permit if the shareholders had a history of violations even if the corporate entity did not. Herriman stated that he believes piercing the corporate veil and looking into shareholder violations should be part of the review process. Wampler stated that the transferee information is the same as what was approved in the rules in July of 2025. Wampler further stated that the transferee provisions are almost identical to the oil and gas rules and the

words mirrored of each other. Herriman sought clarification on if the Department will look beyond the corporate shell. Herriman referenced a list kept in the oil and gas database which provides specific persons and entities which have committed violations in the past. Wampler stated that the rules require an owner or operator to provide the name and contact information of each responsible officer acting on behalf of the transferee. Wampler added that she assumes the process will be very similar to oil and gas because that is where the rules came from with the language slightly adjusted.

Jane Ann Stautz added that this could be an opportunity for future amendment.

Wampler stated that the Department is seeking primary enforcement authority (primacy) from the U.S. EPA for Class VI wells. Wampler stated that additional rules will be forthcoming and the rules in front of the NRC today are just a piece of the rules which were approved in July of 2025. Wampler stated that these rules could not be adopted with the rules in July of 2025 because they required review by the budget committee. A bill passed this year which gave the Department statutory authority to adopt rules which pertain to primacy. Many of the rules will be updated as a result of the primacy rules being implemented.

Stautz then asked what the timeline is for that. Wampler stated that the Department is in the process of drafting the primacy rules and they are almost ready for EPA review. The hope is that they are able to be adopted before the end of session next calendar year. Timing will depend on feedback from the EPA and timing of going through the rulemaking process with OMB/SBA and the budget committee.

Bart Herriman asked about the disqualifying factors specifically referencing the transferee demonstrating a pattern of willful violations that result in damage to the environment. Herriman stated it feels like a low bar to him. Herriman suggested striking the word “willful” or perhaps getting rid of the section on damage to the environment all together. Stautz asked for clarification. Herriman stated that he would like to strike the word “willful.”

The Chair asked if this can be amended. Wampler stated that the Indiana Code allows for amendment only during the public comment periods and public hearings.

The Chair asked who was in the internal and external working groups. Wampler stated that the internal group consisted of the Department’s Legal Division and the Division of Reclamation. The Chair asked who specifically. Wampler stated that in 2023 it would have been her; David Bausman, former general counsel; Danae Schneck, carbon program coordinator; and Steve Weinzapfel, Director of the Division of Reclamation. The Chair asked who was in the external working group. Wampler stated Vault, Wabash Valley Resources, POET, Duke Energy, Farm Bureau, and other industry groups.

Jane Ann Stautz asked for clarification for next steps for final adoption as she believed they could remand them before final adoption. Wampler stated that the Commission has not been able to make changes before final adoption at least since HEA 1623 passed in 2023. The only time the rules can be amended is during the public comment period or public hearing. Herriman added that previously the Commission voted on preliminary adoption and asked for additional

clarification on the role of the Commission. Wampler stated that the Commission can either vote for or against it today, but the Indiana Code does not allow for amendment of rules except during the public comment period and public hearing. Wampler added that all comments made during the public comment period and public hearing are taken into consideration and then it is determined whether or not there will be a change to the rules.

Wampler stated the previous carbon package had two rule changes that were based on feedback that was received during the public comment period. Noelle Szydlyk stated that she thought there were no changes made after the comment period. Wampler agreed and clarified that she was referencing the package that was approved in July of 2025.

The Chair then asked if there was a motion to accept the Hearing Officer report as it was presented.

Alan Morrison moved to accept the consideration of Hearing Officer report on rule processing, public hearing, and hearing officer analyses with recommendation regarding final action to add rules to 312 IAC 30 governing Underground Storage of Carbon Dioxide as presented. Jeff Stallman seconded the motion.

Jane Ann Stautz asked for additional clarification of process for when a bill is before the Commission and there may be a warranted change or recommendation to improve the rule for the benefit of Hoosiers. Stautz asked how to take that into account other than by voting against the rule package. Wampler replied that the options are to vote in favor, vote against, or table the discussion until the next Commission meeting. Wampler stated that for any agency to draft rules, there must be a public comment period and public hearing. If any substantive comments are received, then a second public comment period and public hearing must be held. Stautz then asked what happens if the Commission chooses to table it. Wampler replied that the Department may choose to either hold another public comment period and public hearing or re-present the rules as they were heard today at the Commission meeting in May.

The Chair asked if the discussion was tabled, how the Department would incorporate the Commission recommendations. Wampler replied that a Commission member, or citizen, would need to make a comment during a public comment period or public hearing. Jeff Stallman then asked how the Department decides whether to hold another public comment period and public hearing. Whitney said the Commission would have to ask the appropriate parties at the Department. Stautz clarified the process stating that if the Commission tables this, they would then recommend to the Department to hold another hearing at which time a citizen or member of the Commission would have to bring the recommendation made here today to improve the proposed rule. Then the Department would have to determine whether or not to incorporate or integrate that into the rule change to then bring the final rule as potentially amended back to the Commission for approval. Wampler agreed that is one option.

The Chair asked for clarification that the Secretary of the Commission can or may preliminarily adopt rules. Wampler clarified that the Secretary has been able to preliminarily adopt rules since at least July 1, 2025. The Chair asked if this decision would be made on a case-by-case basis. Wampler stated that is not her decision. The Chair asked Wampler for her interpretation.

Wampler stated that she only follows the Indiana Code. Wampler explained that the Indiana Code controls and the administrative code is a supplement. If there were to be changes in rule, they would need to be made by either the IEDC small business ombudsman or they have to be requested during the public comment period and public hearing.

Bart Herriman stated that preliminary adoption should go through the Commission for complicated issues like this.

The Chair stated that the motion has been moved and seconded and asked if there are other questions.

Jeff Stallman again asked for the options. The Chair stated that there has been a motion and if there is no further discussion they can vote.

The Chair stated that the vote will be done by roll call. Lisa Anderson called names for roll call and the Commission members voted as follows:

Bryan Poynter: aye
Jane Ann Stautz: aye
Alan Morrison: aye
Carl Wodrich: aye
Noelle Szydlyk: aye
Laura Hilden: aye
Jeff Stallman: aye
Bart Herriman: nay
John Wright: aye

The Chair asked for the vote. Lisa Anderson stated eight (8) ayes, one (1) nay, the vote carries. The Chair then thanked everyone.

Jane Ann Stautz asked on behalf of the Commission that the Department summarize what the options are in the process for rules that come before the Commission as far as what can be approved, amended, tabled, and what those steps are. The Chair agreed.

Closing remark from Chairman Poynter:

The Chair made a closing statement which is summarized as follows:

Since 1965, the Natural Resources Commission has served the State with diligence, integrity, and a deep respect for the process and people. The Chair is disappointed and frustrated. House Bill 1003 sought to remove the Commission and the Chair stated there has been a posture of neutrality by the Department. The Chair noted that actions speak louder than words and there has been a lack of respect toward the Commission. The Chair noted that it appears the Commission will have little understanding of what is happening in the rules process until the Commission is asked for final adoption. The Chair notes that it is not good stewardship or partnership and states this is unacceptable. The Chair asked what the role of the Commission is if they are excluded from the process and what other

efforts will be made in the future to bypass the Commission. The Chair stated it is disappointing and disheartening to feel that the work and role of the Commission are no longer appreciated or seen as necessary. The Chair stated that the Commission was created to provide oversight, guidance, and accountability by statute. The Chair stated that present decisions are being made independently and the Commission is being left in the dark. The Chair stated that this undermines trust and is a disservice to the people. The Chair stated that groups and stakeholders who have supported, worked with, and argued with the Commission are needed now more than ever, and he seeks to strengthen those relationships and not create distance. The Chair believes this can change. The Chair again asked the Department for notice of preliminary adoption.

The meeting was adjourned at 11:21 a.m., ET.