

NATURAL RESOURCES COMMISSION

January 17, 2017

MEMBERS PRESENT

Bryan Poynter, Chair
Jane Ann Stautz, Vice Chair
Cameron Clark, Secretary
Patrick Early
Phil French
Doug Grant
Laura Hilden
Bruno Pigott
Don Ruch
Mark Newman

NATURAL RESOURCES COMMISSION STAFF PRESENT

Sandra Jensen
Dawn Wilson
Jennifer Kane
Scott Allen

DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT

John Davis	Executive Office
Chris Smith	Executive Office
Joseph Hoage	Executive Office
Danny East	Law Enforcement
Linnea Petercheff	Fish and Wildlife
Amanda Wuestefeld	Fish and Wildlife
Dan Bortner	State Parks
Marty Benson	Communications
John Bacone	Nature Preserve
Matthew Rea	Legal
Elizabeth Gamboa	Legal

GUESTS PRESENT

Jack Corpuz Erin Huang
Noelle Szydlyk

Bryan Poynter, Chair, called to order the regular meeting of the Natural Resources Commission at 10:06 a.m., EST, on January 17, 2017 at Fort Harrison State Park,

Garrison, 6002 North Post Road, Ballroom, Indianapolis. With the presence of ten members, the Chair observed a quorum.

APPROVAL OF MINUTES

The Chair asked for a motion for the approval of the Commission's September 20, 2016 minutes.

Director Cameron Clark moved to approve the minutes of the meeting held on September 20, 2016, as presented. Donald Ruch seconded the motion. Upon a voice vote, the motion carried.

ELECTION OF OFFICERS

Doug Grant made a motion to slate the officers now standing to go into the next term—Bryan Poynter, as Chair, Jane Ann Stautz, as Vice Chair, and Cameron Clark, as Secretary. Patrick Early seconded the motion. Upon a voice vote, the motion was unanimously carried.

REPORTS OF THE DNR DIRECTOR AND DEPUTIES DIRECTOR

Director Cameron Clark provided his report. He noted that the Department of Natural Resources (Department), Division of State Parks celebrated 100 years of operation while the State of Indiana celebrated the Bicentennial of Statehood. The final Centennial Legacy Project event was a ribbon cutting for the new Centennial Shelter at McCormick's Creek State Park on December 16, 2016. The McCormick's Creek Centennial Shelter was designed by engineering students from Rose-Hulman Institute of Technology and Gonzaga University in partnership with the Department's Division of Engineering. Clark stated that there was a good turnout and the event was successful.

Clark stated that in 2017 the Department will be celebrating the 50th Anniversary of the Nature Preserves Act. He stated that Department had an opportunity to meet with Governor Eric Holcomb's administrative staff. The Department's budget has been presented to the Legislature's Budget Committee and is ready to be presented to the House Ways and Means Committee.

The Chair stated that he is looking forward to feedback on the communication between the Governor's Office and the Department. He congratulated Clark on his reappointment as DNR Director. The Chair recognized and thanked Dan Bortner and the Division of State Parks staff for the good work regarding the Centennial Legacy projects.

John Davis, Deputy Director for the Bureau of Lands and Cultural Resources, provided his report. Davis recognized and commended the Division of State Parks for hosting the National Association of State Park Directors meeting. Representatives from the U.S.

National Parks Service attended to help celebrate the birthdays of both the national and state park systems. There were tours and dinner at Spring Mill State Park.

Chris Smith Deputy Director, Bureau of Resource Regulation, provided his report. He stated that Herschel McDivitt, Director of the Division of Oil and Gas, is retiring at the end of January. Smith stated that the impact of the retirement will be a loss to the Department. He noted that the Department has started looking for McDivitt's replacement.

Smith noted that House Bill 1415 contains various natural resources matters including adding certain structures that are eligible for institutional road fund money on Department properties. HB 1415 provides that certain fees concerning fish and wildlife, entomology and plants, water resources, lakes and reservoirs, dams, flood control, mineral extraction, channels, and well drillers and pump installers are considered to be minimum fees. HB 1415 allows the Commission to set certain license and permit fees above the specific minimum fee. The bill requires that a hunter or trapper must make a reasonable effort to remove a crippled or killed animal from a hunting area; removes authority of the Director to furnish point of sale equipment to clerks and agents; repeals distinctive hunting and fishing license provisions and bonding requirements for agents who sell fishing and hunting licenses; provides that an importation permit is not required for game birds brought into the state under a game breeder's license; requires the Director to amend the state list of endangered species through rules; removes the requirement that the director prepare a summary report of the data used to amend the state endangered species list; allows the Department to use money in the water environmental fund to cover the costs of public awareness activities and certain litigation expenses; and removes expired language and makes conforming changes.

Smith stated that there are several timber management bills. SB 394 requires the Department to prepare and publish on its web site a cost-benefit analysis concerning the removal of merchantable timber from state forests. SB 420 requires the Department, before January 1, 2018, to designate at least one undivided area, comprising at least 10% of each state forest, as an old forest. Smith stated that House Bill 1089, authored by Rep. Jeff Ellington, would prohibit local units of government from regulating the sale or removal of merchantable timber from private property, and would prohibit local government units from charging a person a fee who sells or removes merchantable timber from private property, or requiring a bond for a road cut or other access to a highway that exceeds a fee or bond that the unit requires for new residential construction.

Smith stated that House Bill 1200, authored by Rep. Lloyd Arnold, addresses off-road vehicle safety. The bill requires off-road vehicle operators and riders less than 18 years of age to wear helmets. He stated that there are also four bills that address payment methods to counties for services provided to state properties. He stated that two of the bills are straight payment in lieu of taxes. He stated that there is one proposed bill that allows for a county option for a surcharge on a gate fee. The other proposed bill is calculated as a percentage of gross income for public safety fees. Smith stated that there are bills that would adopt and designate the state insect and the state mammal.

Patrick Early Chair, Natural Resources Advisory Council, provided his report. Early stated that the Advisory Council met on January 11, 2017. Patrick Early was re-elected as Chair and AmyMarie Travis Lucas as Vice Chair. Early stated that the Advisory Council considered and recommended the proposed amendments to the nonrule policy document, Hunting, Fishing and Trapping Fees (Information Bulletin #54), which he recognized as Item #7 on the Commission's agenda.

CHAIR AND VICE CHAIR

Updates on Commission and the AOPA Committee

Jane Ann Stautz, Chair of the Commission's AOPA Committee, stated that there is a meeting of the AOPA Committee scheduled to be held on January 31, 2017. Stautz stated that the last AOPA Committee meeting was held on October 28, 2016. At the October 28, 2016 meeting the AOPA Committee heard oral arguments on the Nonfinal Orders in the matters of: *Harston v. Bortner and DNR (Intervenor)*, Administrative Cause No. 14-114W and *Moss v. DNR*, Administrative Cause No. 13-134L. There was also discussion regarding proposed rule amendment adding 312 IAC 3-1-3.5 pertaining to the participation and representation in proceeding governed by IC 4-21.5-3.

The Chair recognized and thanked Dr. Donald Ruch for his contribution to and participation on the Commission. The Chair stated that Ruch's replacement, Jeff Holland, would assume his responsibilities for the Commission at the March 21, 2017 meeting.

Ruch stated that he appreciated and enjoyed working on the Commission. Ruch introduced his replacement for the Academy of Sciences representative, Dr. Jeff Holland, Associate Professor at Purdue University's Department of Entomology.

Holland introduced himself and stated he has been serving on the Academy of Sciences committee, which studies Indiana's natural areas. He stated that every year the committee organizes and conducts a "Bioblitz," a 24-hour biological survey of a given area. Teams with expertise in different types of living organisms are brought in to determine what species are present in the area. "These round-the-clock events are a quick and exciting way to learn about many different types of organisms, and to share expertise and enthusiasm for a favorite group of species." Holland stated that there are two Bioblitz events per year.

The Chair recognized Mark Newman, the Director of the Indiana Office of Tourism Development.

Newman stated that in December of 2016 the Indiana Office of Tourism Development (IOTD) published the Annual Economic Impact Study. The IOTD uses economic impact research data that is one year in arrears. The 2016 annual report was based on 2015 data. Newman stated that Indiana destinations welcomed 77 million visitors who spent over \$11 billion. He stated that 2015 was a good year for tourism leading into the 2016

Bicentennial year. He noted that IOTD staff attended the American Bus Association Marketplace held in Cleveland, Ohio. The Marketplace is the motor coach, travel, and tourism industry's premier event. Newman stated that this is an important trade association "because it is an event where decisions are made for outbound tour operators, who take group tours to destination throughout the United States." He stated that there are currently 19 people from the IOTD representing the state sharing what Indiana has to offer and networking with others in the tourism industry.

Newman stated that he and another staff member will be traveling to New York to attend the International Media Marketplace (IMM). The IMM is the industry's leading platform for travel and tourism brands to meet media. He said that his team will have another opportunity to share the assets and amenities that Indiana has to offer.

Newman thanked the Chair for his comments on the Bicentennial celebration of the State of Indiana and the Centennial celebration of the Division of State Parks. Newman recognized Noelle Szydlyk with IOTD. He stated that Szydlyk was in charge of the planning and implementation of the Bicentennial Torch Relay. He announced that Szydlyk will remain on staff in a newly created position, Director of Planning and Development for Outdoor Recreation and Sport Tourism. He stated that Szydlyk will promote Indiana's qualities and assets so that IOTD can better leverage outdoor recreation and sport tourism to increase visitors and revenue.

The Chair recognized Joe Hoage, Chief Legal Counsel for the Department. Hoage introduced Elizabeth Gamboa as a new attorney with the Department's Legal Division. He stated that Gamboa has prior experience with the Department of Child Services.

The Chair introduced Commission member, Bruno Pigott, Commissioner of the Indiana Department of Environmental Management (IDEM).

Pigott stated that he has worked for IDEM for 17 years in various capacities. Pigott stated that prior to becoming the IDEM's Commissioner he held the position of Chief of Staff and before that he had served in the Office of Water Quality as Chief for 11 years. Pigott stated that he looks forward to serving on the Commission.

Information: Remaining 2017 meeting dates (Fort Harrison State Park–Garrison, Indianapolis)

The Chair noted that the 2017 Commission meeting dates had been published.

March 21	July 18	November 14
May 16	September 19	

DNR, EXECUTIVE OFFICE

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

No items were identified for referral to the Advisory Council.

DNR, DIVISION OF NATURE PRESERVES

Consideration of the dedication of the Pisgah Marsh Nature Preserve, Kosciusko and Whitley Counties

John Bacone, Division of Nature Preserves, presented this item. He noted that the proposed nature preserve is part of the larger Pisgah Marsh Fish and Wildlife Area. It is located within the Northern Lakes Natural Region. Bacone stated that the acquisition was through a mix of Fish and Wildlife and non-game check-off funds. He stated that the preserve provides habitat for a number of state endangered wildlife species. Bacone recommended the Pisgah Marsh Nature Preserve be dedicated as a nature preserve.

Donald Ruch moved to approve the dedication of the Pisgah Marsh Nature Preserve. Vice Chair Jane Ann Stautz seconded the motion. Upon a voice vote, the motion carried.

Consideration of the dedication of Greenbrier Knob Nature Preserve in Harrison County

Bacone also presented this item. He stated that the proposed Greenbrier Knob Nature Preserve is composed of two separate tracts in Harrison-Crawford State Forest and Harrison County. Bacone stated that the proposed nature preserve protects mesic upland forest that borders the Blue River along with gravel wash sites and a very high quality example of a riverine limestone ledge community that hosts several rare and endangered plant species. Bacone noted that plant species include the state and federally endangered Short's Goldenrod that can only be found two places in the world. The nature preserve has other plants and animals that are rare or endangered. The nature preserve is owned and managed by the Department's Division of Forestry. Bacone recommended the Greenbrier Knob Nature Preserve be dedicated as a nature preserve.

The Chair asked why the Short's Goldenrod species is only located in two places in the world

Bacone stated that Short's Goldenrod has special habitat requirements to allow the species to survive and grow.

Donald Ruch moved to approve the dedication of the Greenbrier Knob Nature Preserve. Phil French seconded the motion. Upon a voice vote, the motion carried.

Consideration of the dedication of the County Line Glades Nature Preserve in Harrison County and Crawford County

Bacone also presented this item. He stated that the proposed County Line Glades Nature Preserve is composed of two separate tracts in Harrison-Crawford State Forest located in Harrison and Crawford Counties. He stated that the nature preserve protects limestone glades and adjoining dry upland forest with a diverse assortment of site indicator species. Bacone recommended the County Line Glades Nature Preserve be dedicated as a nature preserve.

Jane Ann Stautz moved to approve the dedication of the County Line Glades Nature Preserve. Donald Ruch seconded the motion. Upon a voice vote, the motion carried.

DNR, DIVISION OF FISH AND WILDLIFE

Consideration of approval of revisions to the Natural Resources Commission’s nonrule policy document, Hunting, Fishing and Trapping License Fees (Information Bulletin #54); Administrative Cause No. 16-164D

Amanda Wuestefeld, Assistant Director of the Division of Fish and Wildlife, presented this item. She noted that this item seeks to revise the Commission’s nonrule policy document, Information Bulletin #54, which provides hunting, fishing and trapping license fees. She stated that the proposed new licenses and fee increases originally proposed as part of this item are being withdrawn. Wuestefeld identified certain proposed amendments to the nonrule policy document the Division is recommending move forward at this time.

Wuestefeld recommended the following amendments to Information Bulletin #54 be approved with subsequent renumbering where required (~~stricken~~ language to be deleted and **bold** language inserted):

Natural Resources Commission
Information Bulletin #54 (~~Third~~ **Fourth** Amendment)
~~February 1, 2012~~ **License Year 2017**

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Section 2.

A. Resident License Fees

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(9) ~~Urban Deer~~ **Deer Reduction** Zone License - Twenty-four dollars (\$24).

...

(18) **Annual** Disabled American Veterans Hunting and/or Fishing License - Two dollars and seventy- five cents (\$2.75).

(19) **Ten-year Disabled American Veterans Hunting and/or Fishing License – Twenty-seven dollars and fifty cents (\$27.50).**

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B. Nonresident License Fees

...

- (15) Deer ~~Urban Deer~~ **Reduction** Zone License - One hundred fifty dollars (\$150).
- (16) Youth ~~Deer-Urban~~ **Deer Reduction** Zone License - Twenty-four dollars (\$24).

...

C. Apprentice Hunting Licenses

...

- (11) Apprentice Resident ~~Deer-Urban~~ **Deer Reduction** Zone License - Twenty-four dollars (\$24).
- (12) Apprentice Nonresident ~~Deer-Urban~~ **Deer Reduction** Zone License - One hundred fifty dollars (\$150).
- ...
- (32) Apprentice Nonresident Youth ~~Deer-Urban~~ **Deer Reduction** Zone License - Twenty-four dollars (\$24).

...

Section 4.

4. Duplicate Licenses

- (1) Resident Duplicate License – **Free if printed from on-line license account;** three dollars (\$3) **if purchased at a retailer**
- (2) Nonresident Duplicate License – **Free if printed from on-line license account;** three dollars (\$3) **if purchased at a retailer**

5. Effective Date

The effective date of the ~~third~~ **fourth** amendment to this bulletin is February 1, 2012 **April 1, 2017**.

Cameron Clark moved to approve the amendment to the Commission’s nonrule policy document, Information Bulletin #54, “Hunting, Fishing and Trapping License Fees” as presented. Jane Ann Stautz seconded the motion. Upon a voice vote, the motion carried.

Report from Department of Natural Resources regarding citizen petition for eastern snapping turtles to be taken that are less than 12 inches in carapace length; Administrative Cause No. 16-049D

Linnea Petercheff, Division of Fish and Wildlife, presented this item. She stated that the Commission received a citizen’s petition to amend 312 IAC 9-5-6 to allow the taking of eastern snapping turtles with a shell (or carapace) length of eight inches. Petercheff stated that the current rule, effective in 2015, allows the taking of eastern snapping turtles with a 12 inch minimum shell size. She explained that the 2015 rule amendment took effect after public comment period, which lasted several months and included multiple public hearings. Petercheff stated that the rule change was based on scientific research on the reproductive biology of snapping turtles.

Petercheff stated that because the 2015 amendment is consistent with current research, the Department does not support the change in the size of the length of eastern snapping turtles that can be taken from the wild.

Cameron Clark moved to accept the Department’s report and recommendation not to amend 312 IAC 9-5-6 to reduce the size of the carapace length of eastern snapping turtles that can be taken from the wild. Laura Hilden seconded the motion. Upon a voice vote, the motion carried.

NRC DIVISION OF HEARINGS

Consideration of report of rule processing, public hearing, and hearing officer analysis with recommendation regarding final adoption of amendments to 312 IAC 8-1.5-21.5, adding the definition of “state park”; LSA Document #13-368(F); Administrative Cause No. 16-056P

Dawn Wilson, Hearing Officer, presented this item. She stated the proposed rule is a new definition for “state park” and is proposed for the purposes of IC 7.1-3-17.8, effective on July 1, 2016. In July of 2016, the Commission granted preliminary adoption of the proposed amendment as 312 IAC 8-1.5-21.5. Wilson stated that all required approvals had been obtained throughout the process and the appropriate documentation has been maintained as required by statute and executive order. She noted that all statutory requirements have been fulfilled.

Wilson stated that a public hearing was held and no member of the public or the Department attended. She stated that the public comment period closed on November 18, 2016 and no comments were received.

Wilson stated that “state park” is not currently defined by statute or administrative rule. The proposed addition of 312 IAC 8-1.5-21.5, satisfies the requirements to establish a statutory criteria for defining “state park” for the purposes of IC 7.1-3-17.8. Wilson stated the proposed amendment is appropriate and is recommended for final adoption.

Cameron Clark moved to approve for final adoption amendments to 312 IAC 8-1.5-21.5, adding the definition of “state park”. Jane Ann Stautz seconded the motion. Upon a voice vote, the motion carried.

Consideration of report of rule processing, public hearing, and hearing officer analysis with recommendation regarding final adoption of amendments to 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8.; LSA Document #16-369(F); Administrative Cause No. 16-080P

Wilson also presented this item. She stated the proposed rule amends 312 IAC 8-2-5 to allow the possession or consumption of alcohol at the Indiana Dunes State Park as authorized by IC 7.1-3-17.8, as well as to offer clarification concerning the applicability of other portions of the rule to the Indiana Dunes State Park. The Commission gave preliminary adoption of the proposed amendment on July 19, 2016. Wilson stated that all required approvals had been obtained throughout the process and the appropriate documentation has been maintained as required by rule, statute, and executive order.

Wilson stated that December 1, 2016 was the deadline to submit public comments. The public comments were received through the Commission’s on-line rulemaking docket and by U.S. Mail and are included in the Hearing Officer’s Report.

Wilson stated that on November 29, 2016, a public hearing was held in Porter County at Woodland Park, in Portage, Indiana. She noted that the written comments and summaries of the oral comments received during the public hearing are contained within the Hearing Officer's Report.

Wilson stated that the 2016 Legislative Session of the Indiana General Assembly passed IC 7.1-3-17.8 into law, effective July 1, 2016. The proposed amendment of 312 IAC 8-2-5(1) is designed to implement this statutory change to make the current rule consistent with the Indiana Code. Wilson noted that the proposed rule amendment adds the authority to possess or consume alcohol at a Dunes' location "identified in a permit issued pursuant to IC 7.1-3.17.8."

Wilson stated that the proposed amendment clarifies that other portions of the rule generally applicable to all parks remain applicable to the Indiana Dunes State Park. The added phrase "Subject to subsection (4) and (6)" is intended to clarify that a person must not possess or consume an alcoholic beverage at "a swimming beach or pool" pursuant to 312 IAC 8-2-5(4) and "a designated youth tent area" pursuant to 312 IAC 8-2-5(6) at the Indiana Dunes State Park.

Wilson stated that the proposed addition of 312 IAC 8-2-5, as contained in the Hearing Officer's Report appears to satisfy the requirements to establish a statutory criteria consistent with IC 7.1-3-17.8 and add clarity to the other applicable locations upon which alcohol possession and consumption is not permitted. Public comments were received recommending other locations and restrictions upon alcohol use and consumption at the Indiana Dunes State Park. The Hearing Officer does not recommended that additional restrictions be considered at this point in time as it relates to this proposed amendment. Wilson stated that the proposed amendment is appropriate for the purpose proposed and is recommended for final adoption.

Cameron Clark moved to approve for final adoption amendments to 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8. Donald Ruch seconded the motion. Upon a voice vote, the motion carried.

Consideration of recommendation for final action on revision of nonrule policy document, Information Bulletin #61, Listing of Public Freshwater Lake; Administrative Cause No. 16-135A

Wilson also presented this item. She stated that IC 14-26-2-24(a) requires the Commission to maintain a nonrule policy document that lists the public freshwater lakes in Indiana. The nonrule policy document, Information Bulletin #61, provides the name of each public freshwater lake, the county and specific location within the county where the lake is located.

Wilson stated that Information Bulletin #61 was first adopted by the Commission in 2009 and has been, as anticipated, periodically amended by the Commission. She explained that the following are proposed in the sixth amendment to this bulletin:

1. Change “Zehner Millpond Lake” (Marshall County) to “Mill Pond” and to alter the description of the lake’s location for purposes of accuracy;
2. Amend the title of Section 4 from “Development of Listing” to “Listing of Public Freshwater Lakes”.
3. Relocate the history section to a new Section 6, titled “History”; and
4. Remove the requirement that the Department “update the Commission and propose any amendments to this document no later than January 1, 2017.”

Wilson stated that the changes made were drafted through consultation with the surveying staff of the Department as well as other staff members from the Division of Water. She said the proposed amendment appears to be appropriate and recommended the Commission approve the amendments as presented.

Donald Ruch moved approve amendments to the nonrule policy document, Information Bulletin #61, “Listing of Public Freshwater Lakes”. Phil French seconded the motion. Upon a voice vote, the motion carried.

Consideration of recommendation for final action on revision of nonrule policy document, Information Bulletin #13, Mediation in Administrative Proceedings before the Commission; Administrative Cause No. 16-119W

Sandra Jensen, Hearing Officer, presented this item. She stated that Information Bulletin #13 (“Bulletin”), addressing Mediation and Facilitation in Administrative Proceedings before the Commission was adopted by the Commission on August 1, 1996 following legislative enactment of IC 4-21.5-3.5, effective July 1, 1996.

Jensen stated that the proposed amendments significantly alter the format of Information Bulletin #13. She stated that the amendments bring the Information Bulletin into alignment with the structure of the majority of other Commission information bulletins. The discussion of the history of mediation before the Commission is also substantially reduced by the amendments.

Cameron Clark moved to approve amendments to nonrule policy document, Information Bulletin #13. Jane Ann Stautz seconded the motion. Upon a voice vote, the motion carried.

Consideration of recommendation for final action on revision of nonrule policy document, Information Bulletin #73, Dispute Resolution Services for Other State and Local Governmental Entities; Administrative Cause No. 16-118A

Jensen also presented this item. She stated that Information Bulletin #73 (“Bulletin”) was adopted by the Commission on March 18, 2014 following the 2012 and 2013 amendments of IC 35-44.1-1-3 and the 2014 addition of IC 4-21.5-3-8.5. Jensen stated that these statutory amendments support the concept that an employee of one state agency may provide assistance to another state agency and, in the appropriate context a “501(c)(3)” organization, during normal work hours without committing ghost employment.

Jensen stated that the Commission adopted Information Bulletin #73 as the written policy, required by IC 35-44.1-1-3(f)(4), authorizing an employee of its Division of Hearings (“Division”) to serve as mediator, administrative law judge, hearing officer, or in a similar capacity to assist with dispute resolutions on behalf of another governmental entity during normal hours of employment and specifies how much time may be spent conducting that work.

She stated that the Division participates in the Indiana Shared Neutrals Program under a Memorandum of Understanding (MOU), which was renewed by the Chair of the Commission on March 5, 2015. Jensen noted that through participation in the Shared Neutrals Program, the Division receives the benefit of mediation services provided by employees of other member agencies while also being obligated to provide mediation services for those member agencies. She stated that it is understood that each of the agencies participating in the Shared Neutrals Programs has also implemented a policy similar to Information Bulletin #73.

Jensen noted that the Division had the need to seek the appointment of a Special Administrative Law Judge to preside in an adjudicatory proceeding pending before Judge Stephen Lucas, at the time of his retirement in August 2014. In that instance, an Environment Law Judge of the Office of Environmental Adjudication (OEA) was willing to accept appointment as the Special Administrative Law Judge. The Commission Chair and the Commissioner of the Bureau of Motor Vehicles (BMV) executed a Memorandum of Understanding by which Judge Lucas served as a Special Administrative Law Judge in *Indiana Youth Group v. Bureau of Motor Vehicles* between May 23, 2014 and August 27, 2014. Information Bulletin #73 allowed Judge Lucas to expend up to 75 hours addressing this matter for the benefit of the BMV. According to records maintained by Judge Lucas, he actually spent only 40.7 hours in fulfilling these responsibilities.

Cameron Clark moved to approve amendments to nonrule policy document, Information Bulletin #73. Jane Ann Stautz seconded the motion. Upon a voice vote, the motion carried.

Consideration of recommendation for final action on revision of nonrule policy document, Information Bulletin #20, Ratemaking Process for Resorts and Marinas under Lease with the Department of Natural Resources; Administrative Cause No. 16-134P

Jensen also presented this item. She stated that Information Bulletin #20 (“Bulletin”), provides the process for the review of petitions for ratemaking at resorts and marinas that operate under lease agreements with the Department. She stated that the proposed amendments are technical in nature with the intent being to provide additional clarity to the petition submission and review process. She recommended approval of the fourth amendment to Information Bulletin #20.

Cameron Clark moved to approve amendments to nonrule policy document, Information Bulletin #20. Jane Ann Stautz seconded the motion. Upon a voice vote, the motion carried.

Adjournment

The meeting was adjourned at approximately 10:52 a.m., EDT.