

Members

Sen. Harold Wheeler, Chairperson
Sen. Becky Skillman
Sen. Allie Craycraft
Sen. James Lewis
Rep. Markt Lytle
Rep. Dale Sturtz
Rep. Richard Mangus
Rep. Phyllis Pond



NATURAL RESOURCES STUDY COMMITTEE

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MEETING MINUTES¹

Meeting Date: October 4 & 5, 2000
Meeting Time: 1:00 P.M.
Meeting Place: Brown County State Park, Abe Martin Lodge
Meeting City: Nashville, Indiana
Meeting Number: 4

Members Present: Sen. Harold Wheeler, Chairperson; Sen. Becky Skillman (Oct. 4); Sen. Allie Craycraft; Sen. James Lewis; Rep. Markt Lytle; Rep. Richard Mangus; Rep. Phyllis Pond.

Members Absent: Rep. Dale Sturtz (Oct. 4 & 5); Sen. Becky Skillman (Oct. 5).

Senator Wheeler called the meeting of the Natural Resources Study Committee (Committee) to order at 1:15 p.m. After an introduction by Committee members the chairman received testimony from witnesses.

Senator James Merritt, Jr., Senate District 31

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Sen. Merritt passed out copies of SB 615 from the 1999 Session that would have created a new Department of Indiana Heritage. The bill, which passed the Senate, would combine all areas of State government that preserve Indiana heritage into one agency. This would include historic sites, archaeology, historic preservation, the Historical Bureau, the State Library, and public records. Combining these tasks into one agency would help coordinate preservation efforts, provide the public with better access, and allow money to be better spent. Though Sen. Merritt would like the Indiana State Museum to be part of the new department, he indicated that he was planning to leave it out of his next legislative draft to remove some objections that have been raised in the past. Sen. Merritt told the Committee of incidents in which state archives have been damaged in the past.

John R. Molitor, Historic Landmarks Foundation of Indiana

Mr. Molitor stated that 32 out of the 50 states have some kind of historical division. Illinois and Michigan have agencies very similar to Sen. Merritt's proposed Department of Indiana Heritage. These historical divisions coordinate their efforts more effectively, increase public awareness, and have had increased access by the public. A new Department of Heritage would not increase state costs, but would likely be able to secure more private donations.

Reed Williamson, President, Historic Landmarks Foundation of Indiana

Mr. Williamson testified that the Historic Landmarks Foundation of Indiana has examined other states' approaches to coordinating historical state agencies and the Foundation has conducted focus groups to determine what citizens want from Indiana concerning state-run historical agencies. Currently, 22 different divisions have responsibilities that include Indiana history and heritage. The divisions have not been reorganized to help them meet their current responsibilities. A new Department of Heritage would consolidate the responsibilities down to five divisions and provide the public with a central access point to receive information.

Rosemary Miller, Monroe County

Ms. Miller was the founder and first president of Bloomington Restoration, Inc. This historic group was initially formed to save the old Bloomington Court House. The Historic Landmarks Foundation of Indiana has taken the central role of being the place from which people can get information about Indiana history and buildings. However, this is a role that the State of Indiana should be filling - not a private organization. She believes a central department would help communities with historic preservation projects.

Steve Wyant, Director, Bloomington Restoration, Inc.

Mr. Wyant indicated that the Indiana Rehabilitation Tax Program is not working well. There is currently a four year backlog until tax filers can receive their tax credit. This backlog has made it harder to encourage private building owners to participate in rehabilitation of historic buildings. Indiana heritage is just one of the many responsibilities of the Department of Natural Resources (DNR) has many responsibilities - a new department would make Indiana heritage a primary focus and allow DNR to focus its resources in other areas.

John Davis, Deputy Director, Department of Natural Resources (DNR)

Responding to questions of the Committee, Mr. Davis stated that DNR had been founded in 1965 and that government should always look for ways to be more efficient. DNR currently works under interagency agreements with other agencies to coordinate activities. He expressed concern with splitting off certain historical areas from DNR that also affect other functions of DNR (e.g. land management, permit coordination).

Suzanne Mittenthal, Executive Director, Hoosier Hiker's Council

Ms. Mittenthal indicated that the Hoosier Hiker's Council was founded in 1995 and is comprised of walkers, runners, car campers, and backpackers. They seek to preserve and expand hiking trails in Indiana. A priority of the Council is to extend the Knobstone Trail as a hiking only trail. If completed and connected with other trail segments the Knobstone Trail would be about 150 miles long. A trail of that size would give Indiana a nationally recognized trail. About 2/3 of the trail has been completed with a combination of public and private money. The Council would like the General Assembly to approve the Knobstone Trail extension and appropriate the money to make the expansion possible. Much of the land needed to connect existing segments of the trail are undeveloped, but if the State waits too long new development may prevent the trail from being completed in a cost-effective manner.

Steve Morris, Streams and Trails Section Chief, DNR

Mr. Morris indicated that federal funds may be available to expand the Knobstone Trail, but that the federal government gives priority to multi-use trails instead of single-use trails (e.g. hiking only). The Knobstone Trail is about 58 miles long and extends through areas owned by the Division of Forestry and the Division of Fish and Wildlife. In 1996 a draft plan was created that would have extended the trail and purchased property that could be used for other purposes at a cost of about \$10 million. This plan was not approved by DNR.

In response to a Committee question, John Davis stated that Heritage Trust money has been used to fill in gaps in trails through the purchase of easements and land acquisition. Also, the land where the trail needs to be extended is "topographically challenged" making cost-effective expansion difficult.

Michael Fulton, Member, Hoosier Hiker's Council

Mr. Fulton stated that he supports extending the Knobstone Trail as a hiking trail. He stated that horse trails have higher maintenance needs than a single-use hiking trail.

Mary Perez, Member, Hoosier Hiker's Council & Walking Women Club

Ms. Perez stated that the current Walking Women Club has 75 members from several counties. The trails the women have used have brought communities together and an extension of the Knobstone Trail will further benefit the surrounding communities.

Tom Conner, Member, Hoosier Hiker's Council

Mr. Conner stated that he is an avid hiker. Horse riders and hikers have different needs so he did not see a problem creating separate trails. He also stated that horse trails require a higher level of maintenance to assure the trail is fit for hikers.

Greg Hershberger, Indiana Trail Riders Association

Mr. Hershberger stated that every group would like to have a trail that was designed for their group's users, however, the movement is towards multi-use trails. How much maintenance a trail will need is based less on how the trail is used, but rather how well the trail is planned and installed and whether there are enough trail miles available to spread out the concentration of use.

The Committee members suggested that the various trail groups continue to work with DNR to develop specific proposals.

Representative Robert Cherry, House District 53

Rep. Cherry began his presentation by telling the Committee of some of the good work DNR Conservation officers have done in apprehending individuals engaged in timber theft. He stated that timber theft is an ongoing problem that has become worse in recent years. After meeting with Conservation officers, timber owners, and the Forestry Association, Rep. Cherry had developed two proposals:

- 1- Hire two Conservation officers whose only duty is timber theft cases and other timber related issues (e.g. tree spiking).
- 2- Increase the penalty for the second offense of timber theft from a Class C misdemeanor to a Class D felony.

Current law requires a person convicted of timber theft to reimburse the owner three times the value of the timber, but in most cases the thieves do not have the money to make restitution.

Rep. Lytle supported the proposals but stated that at least three Conservation officers were needed to concentrate on timber theft.

Captain Michael Crider, Law Enforcement Division, DNR

Capt. Crider testified that the same people repeatedly violate the existing laws. He would like to see the second offense of not being a licensed and bonded timber buyer raised from a Class B misdemeanor to a Class D felony. This would reduce repeat offenders since current law prohibits convicted felons from obtaining a license. Having a bond protects landowners. Timber investigations require lots of time and special knowledge on behalf of the officer. Conservation officers often have to leave other field duties for several months while conducting timber investigations.

Ray Moistner, Indiana Hardwood Lumberman's Association (IHLA)

Mr. Moistner stated that IHLA and DNR know who the illegal timber buyers are, but the laws need to be strengthened to remove these people from the timber business. The IHLA supports the proposals made by Rep. Cherry.

Larry Macklin, Director, DNR

Mr. Macklin confirmed that timber theft is an important issue in Indiana. Various other timber related issues are a growing concern (e.g. tree spiking, eco-terrorism). If more Conservation officers are not added to investigate timber issues, DNR will redirect personnel to effectively address the timber issue.

Jack Nelson, Division of Forestry, DNR

Mr. Nelson stated that timber is Indiana's 4th or 5th largest industry. In the 1980's 400-500 complaints were filed against timber buyers and sellers. Most of those complaints were against the same group of individuals. The state needs Conservation officers who specialize in timber investigation and laws that remove the repeat offenders.

John Seifert, President, Indiana Forestry and Woodland Owners Association

Mr. Seifert made a Powerpoint presentation to the Committee entitled Indiana Sustainable Forestry Initiative (Exhibit #A). Indiana ranks 3rd nationally in hardwood lumber production. Wood is a renewable resource but each year the amount of forest land in Indiana committed to current and future timber needs diminishes. He stated that changes were necessary to the Indiana Classified Forest Program to provide for stable forest production in the future. Mr. Seifert concluded by presenting a plan to create an Indiana Sustainable Forestry Board that would assess harvested timber at a rate of \$0.02 per board foot. The money raised would be used by the board to do the following:

- Purchase forest land development rights.
- Provide cost share funding for private forest land management.
- Market and promote Indiana hardwood lumber.
- Research and education into hardwood lumber issues.
- Administration and enforcement.

Jack Nelson, Division of Forestry, DNR

Mr. Nelson indicated that he administers the Indiana Classified Forest Program. Indiana was originally about 90% forest. By 1921, the year the Indiana Classified Forest Program was begun, the amount of forest area in the state had been reduced to about 6%. About 6,500 landowners currently participate in the program.

Dan Ernst, Division of Forestry, DNR

Mr. Ernst stated that each year thousands of acres are added and removed from the Indiana Classified Forest Program. Owners can opt out of the program. Pressure from development is great to remove forest land from the program. There is also a federal program (i.e. Forest Legacy Program) in place to preserve forest land. A think tank recently predicted that by 2050 worldwide demand for food will increase three times from current levels and demand for wood will increase 10 times.

John Davis, Deputy Director, DNR

Mr. Davis explained to the Committee that when DNR managed forests are harvested 15% of the proceeds are shared with the host county.

Rep. Lytle raised the issue of deer bow hunting in Clifty Falls State Park. Local bow hunters who are not members of the state bow hunters association have been precluded from participating in the hunts because they have not taken the association's safety class. Rep. Lytle would like bow hunters who pass a DNR hunting safety class to be eligible for future bow hunting in state parks.

The Chairman recessed the Committee meeting until 9:15 a.m. October 5th.

Doug Baird, Park Manager, Brown County State Park, DNR

Mr. Baird stated that Brown County State Park is Indiana's largest state park, containing nearly 15,700 acres. The park has been in operation since 1929. There are about 70 miles of horse trails and over 12 miles of hiking trails through the park. Lodging facilities include year-round camping, cabins, and the Abe Martin Lodge. The park contains a variety of wildlife, including wild turkeys. October is the Park's busiest month. The weather and color of the fall trees in October has a large impact on the park's yearly revenues.

John Davis, Deputy Director, DNR

Mr. Davis updated the Committee on DNR's land acquisition report (Exhibit #B). There have been 246 land transactions. The amount of management needed by DNR to maintain these properties can be broken down as follows: 52 require a high level of management; 116 require little management; and 78 require no management (e.g. easements). Currently, DNR owns about 350,000 acres of land with about 25,000 acres having been provided through Heritage Trust purchases. DNR also manages about 100,000 acres that are owned by the federal Army Corps of Engineers. DNR's largest purchases of land came in the 1930's, usually through tax sales. Heritage Trust is not required to call county officials before buying new property, however, the director has issued a new policy requiring the county commissioners, the local State Representative, and the local State Senator to be contacted before purchasing new land. Public meetings are usually not held because of the willing buyer and seller situation. A public meeting may also cause land speculators to become involved causing the purchase price to be increased. Not many landowners donate their land to DNR except when a partial donation is needed to leverage other funds for the purchase.

Senator Wheeler announced that tours of Brown County State Park and Yellowwood Forest would be available to anyone interested.

The meeting was adjourned at 10:00 a.m.