

DNR

Indiana Department of Natural Resources

March 1, 2012

Ms. Nirenberg:

This is to provide an update on your request (1/8/12) under the Indiana Access to Public Records Act for certain specified documents pertaining to the management of nuisance wildlife at Indiana State Parks and other properties managed by the Indiana Department of Natural Resources.

To begin with, the term "Nuisance Wildlife Management Program" is incorrect. There is no formal program by that title despite its inadvertent use in prior correspondence. Rather, the DNR for several years has authorized individual park property managers to address nuisance wildlife problems on an as-needed basis through use of the emergency rule process.

With respect to your public records request, what follows is a point-by-point list of what documents we have been able to collect (number of pages in parentheses):

1. Any/all governing documents, policies, procedures, etc., surrounding the Nuisance Wildlife Management Program.

- Two citations of Indiana Administrative Code relative to nuisance wildlife (4 pages)
- Three citations of Indiana Code relative to nuisance wildlife (6)
- Copies of emergency rules under the above codes authorizing measures for dealing with various nuisance animals, various years; including new rule for 2012. (22)

2. Copy of all documentation that limits the activities of trappers on state land.

In addition to items under Item No. 1:

- Undated Division of Reservoir Management document (2)
- DNR memo and policy on disposal of nuisance animals, Aug. 30, 1997 (7)
- DNR memo on nuisance animal disposal policy, Oct. 16, 1997 (1)
- DNR memo on nuisance animal disposal policy, March 7, 1998 (2)
- Authorization letters for various trappers (32)
- Property regulations handbook (23)

3. Complete list of all trappers active in this Program.

State parks opting to use the emergency rule that authorizes trapping to address nuisance wildlife typically make direct contact with local trappers. Consequently, there is no "list" of participants and APRA provides under IC 5-14-3-3(f) that "a public agency is not required to create or provide copies of lists of names and addresses ... unless the public agency is required to publish such lists and disseminate them to the public under statute." Since there is no publishing requirement under the emergency rule, the DNR is not compelled to create the list requested.

Nevertheless, the authorization letters listed in Item No. 2 provide the names of individuals who have participated in past years.

4. Complete list of designated trappers for each state park or other state lands.

As with Item No. 3, each park makes its own arrangements with local trappers and there is no "list" of designated trappers. APRA provides under IC 5-14-3-3(f) that "a public agency is not required to create or provide copies of lists of names and addresses ... unless the public agency is required to publish such lists and disseminate them to the public under statute." Again, since there is no publishing requirement under the emergency rule, the DNR is not compelled to create the list requested.

Nevertheless, the authorization letters listed in Item No. 2 provide the names of individuals who have participated in past years.

5. Complete list of all of the people on the "team" who are alleged "reviewing their trapping practices."

Although this also may be exempted under IC 5-14-3-3(f), DNR personnel who reviewed trapping practices at state parks included Dan Bortner, John Bergman, Ginger Murphy, Terry Coleman, Steve Lemen, and Mike Mycroft. In addition, Linnea Petercheff and James Kershaw were consulted.

6. Any annual reports required to be provided by the trapper(s) for all years wherein annual reporting was required.

Although participating trappers have not been required to submit reports, some information does exist in written form (Nuisance Wildlife Animal Control annual reports, emails from park staff), plus a chart showing results from 2011.

- Emails from park staff and Nuisance Wildlife Animal Control reports (15)
- Chart of 2011 results (1)

7. Any minutes of meetings surrounding the Nuisance Wildlife Management Program.

The review referenced in Item No. 5 was conducted at one or more of the weekly meetings of DNR Division of State Parks & Reservoir senior staff. The staff does not keep minutes of those meetings, which generally cover topics related to the management of state parks.

8. Complete list of upcoming meetings and all active participants.

There are no scheduled upcoming meetings on this topic.

9. Copies of guidelines and/or standards used for gauging the effectiveness of the Nuisance Wildlife Management Program.

There are no standard guidelines. Because local conditions vary from park to park, site managers and staff are given broad latitude to determine if issues exist at their respective properties based on reviewing trapper success data and verbal complaints from visitors. To that end:

- Emails from property staff in 2006 (17) (Note: Emails provide information from parks that did/did not have raccoon trapping activity in 2005-06, if a problem still exists, and if the parks plans to participate in raccoon trapping in future years.)
- Spotlight survey report from Whitewater State Park (1) (Note: Shows raccoon sightings in years before and after implementation of trapping.)
- Memos to Potato Creek State Park staff on raccoon tracking (3) (Note: See Item No. 11 for results of spotlight survey at Potato Creek.)

10. Copies of all public notifications surrounding the Nuisance Wildlife Management Program and proactive measures employed by IDNR or state park management to alert the public as to the presence of these dangerous devices.

Notice of this and other temporary rules are, as always, available to the public under the Temporary Rules link on the Natural Resources Commission website (<http://www.in.gov/nrc/2376.htm>).

The rule authorizing the trapping of nuisance wildlife in State Parks has been posted at that website each year, including the updated version that went into effect Jan. 13, 2012.

Under the new emergency rule, signage will be displayed at park properties. Documents in Item No. 1 include the recommended wording for this signage.

11. Copy of all records, notes, documents, etc., that refer to the Nuisance Wildlife Management Program, especially as it pertains to how the Program was first implemented and the justification for its need.

Items include:

- Purdue Veterinary Medical Update/Summer-Fall 1988 on raccoon roundworm (1)
- Indiana Prairie Farmer report, Jan. 3, 1987; (1)
- 1993 Report of the AVMA Panel on Euthanasia; (21)
- Memo to DNR field staff regarding raccoon roundworm, May 1, 1997 (2)
- Indianapolis Star article on raccoon roundworm, May 18, 1997 (2)
- DNR information sheet on raccoon roundworm, August 1998 (2)
- Response report on raccoon rabies from Ontario, Oct. 19, 1999 (13)
- Internal DNR memo on survey of raccoon problems; July 9, 1997 (1)
- Application for Wild Animal Control Permit, Dunes SP; Aug. 25, 1997 (1)
- DNR email to park staff regarding spotlight surveys; April 1, 2003 (6)
- Spotlight survey reports from Potato Creek State Park (3)

12. Copy of all official complaints from the public that stipulate raccoon, and any/all other animals that were allegedly a nuisance on park properties, including Versailles State Park.

- Customer complaints, staff emails (30)
- Raccoon tracking form memo at Potato Creek SP (3)

13. Copy of the Fish & Wildlife Federation's national guidelines allegedly used by participants in this Program to guide trap placement.

In previous correspondence, you were directed to the Association of Fish & Wildlife Agencies for this information. As a reminder, those documents are found at http://jjcdev.com/~fishwild/?section=best_management_practices.

14. A copy of e-mails, letters and/or official complaints received from Melodie Liddle regarding the tragic loss of her beloved dog.

- Two emails (2)

15. The anticipated date for the determination of this Program review.

The new rule was signed Jan. 13, 2012 and is effective through Jan. 14, 2013

16. Any/all regulations pertaining to the Program.

We believe this is covered in responses 1 through 15.

In summary, there are 224 pages available for your review.

You may visit the DNR office in Indianapolis to inspect those documents, or you can choose to have the DNR send you all of the documents or only the ones you select.

If you choose the former, any documents you wish to have copied will carry a 10 cent per page fee.

If you choose the latter option, the copying fee is 10 cents per page, plus postage. Payment is required in advance.

Sincerely,



Phil Bloom
Director of Communications
Indiana Department of Natural Resources