

**ADVISORY COUNCIL**  
Minutes of September 14, 2009

**MEMBERS PRESENT:**

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

**NATURAL RESOURCES COMMISSION STAFF PRESENT:**

Sandra Jensen  
Jennifer Kane

**DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT:**

John Davis	Executive Office
Chris Smith	Executive Office
Mike Crider	Law Enforcement
Bill James	Fish and Wildlife
Brian Schoening	Fish and Wildlife
Rhett Wisener	Fish and Wildlife
Jamie Smith	Fish and Wildlife

**GUESTS PRESENT:**

Barbara Simpson	Eric Simpson	Ed Devine
Rob Loser	Brian Nobbe	Paul Nobbe
Ryan Ison	Max Denton	Cookie Calihaa
Wane Monroe	Jerald Rosenbergher	Ken Yedlick
Sen. Jean Leising	John Helton	Craig Nobbe
Chris Schuck	Duane Riddle	Derrick Filkins
Frank Deutsch	Ted Reuss	William Geis
Shafter Sizemore	Bill Deatard	Kate Green
Tracy Morgan	Greg Morgan	Stanley Monroe
Mickey Wilson	John Goss	Rep. Bob Bischoff
Wayne Stemen	Raymond Morris	Nick Schroeder
Jim Vohland	Patti Beasley	Stephen Weber
Jeff Conrad	Todd Settle	Thomas Rosenbergher
Scott McDonough		

### **Call to Order by Chairman, Patrick J. Early**

Patrick Early, Chair of the Advisory Council, called the meeting to order at 6:05 p.m., EDT, at The Garrison, Fort Harrison State Park, 6001 North Post Road, Indianapolis, Indiana. With the presence of seven members, the Chair observed a quorum.

Donald Van Meter moved to approve the meeting minutes of August 12, 2009. AmyMarie Travis Lucas seconded the motion. Upon a voice vote, the motion carried.

### **Consideration of public comments received through the Fish and Wildlife Comprehensive Rules Enhancement Project regarding fishing-trout and salmon on the Brookville Tail waters; Administrative Cause 09-087D**

The Chair briefly explained the process of considering the suggestions received through the Fish and Wildlife Comprehensive Rules Enhancement Project regarding the subject category hunting birds. He said that 1,000 suggestions were received, and that, “we’ve tried to at least give every single one of those suggestions air time. So, we haven’t looked at anything and said, ‘This is a good idea or it’s a bad idea’. What we are doing is we are basically listening to everything people had suggested.”

The Chair concluded by explaining that after the Advisory Council’s October 14 meeting, the Advisory Council will make a recommendation to the Natural Resources Commission about “items that appear to have merit, which then starts a whole year long process. It’s not something that gets decided in any short period of time.” The Chair said that any rule proposal will take into consideration impacts on persons, biology, costs. “There are all sorts of things that come into play before the Natural Resources Commission would go ahead and start to change any of the rules.”

The Chair explained that the purpose of tonight’s public meeting is to provide an opportunity for persons to express their opinions about the suggestions received. He commented that since there were more than 200 suggestions received associated with the Brookville tail waters, a separate Advisory Council meeting was scheduled. The Chair explained that prior to any rules being changed, “there would be proposals and there would be more public hearings that people would be allowed to testify.”

The Chair explained that there was no rule proposal being considered at tonight’s meeting. He said that an issue has arisen regarding the placement of boulders within the Whitewater River. The Chair said, “That issue was not specifically something that we would have been dealing with as part of our fishing regulations overview. Whether there are boulders in the river or not has nothing to do with the fishing regulations.” The Chair noted, however, that there has been “enough back and forth” about this issue that the Advisory Council “felt like it might be appropriate for people, if they wanted to talk about that...we decided to go ahead and at least open up the issue to talk...about the boulder issue.”

John Davis, Deputy Director of the Bureau of Lands and Cultural Resources, said that the Department of Natural Resources has an interest in all of the suggestions received associated with the Fish and Wildlife Comprehensive Rule Enhancement Project. He explained that the Department of Natural Resources has an interest in impacts to navigable rivers as well as the Department's "landowner in trust" role for the people of Indiana. "We have that kind of neighbor function, as well as any permitting function that we would have for putting things in the floodway or affecting the floodway; that's a separate permitting piece." He said purpose of the Advisory Council meetings involved in reviewing the suggestions is focused on the regulations governing fishing or hunting. "That's really more what we are aiming at, and that is what the Chairman just explained well."

Davis said that the Department, as it relates to the proposed placement of boulders in the Whitewater River issue, "owes being a good and responsible neighbor" to the Brookville Park, Franklin County, and the City of Brookville. He noted that it was his understanding that Central Indiana Trout Unlimited has withdrawn its request to place boulders in the river. He also noted that the Department was "remiss" in scheduling tonight's meeting in Indianapolis rather than a location in the Brookville area. "That's a lesson that we take to heart".

Nick Schroeder, representative of the Central Indiana Trout Unlimited ("CITU"), stated "We are not going to continue the permitting process for the boulder placement at Brookville tail waters. He said a notice of the permit withdrawal was posted to CITU's Internet site. Schroeder said the permit withdrawal was a result of a meeting of CITU and "concerned citizens" from Brookville.

Davis suggested that a discussion regarding river habitat improvement and water-based recreation could occur at tonight's meeting.

The Chair said, "I think we do need to go actually, as we look into this further, we probably need to have a meeting down there with a set agenda where people really know that we are going to talk about habitat improvement and some of the things that could be done...I think that would be a more appropriate setting with plenty of public notice as opposed to talking about it more when we are talking about fishing regulations, which is why we are here".

The Chair asked Bill James from the Department of Natural Resources Division of Fish and Wildlife to provide a brief presentation on the status of the Brookville tail waters.

Bill James, Chief of Fisheries, said the Brookville tail waters is an "amazing" 1.8 miles of stream is "probably one of the most intensively studied 1.8 miles that we have." He said the brown trout fishery is "relatively young", and explained that the Department for the past three years has been involved in providing brown trout from a federal hatchery in Kentucky. He said the CITU, with support from other "trout enthusiasts" in the region, initiated the brown trout fishery. The Department stocks 1,500 rainbow trout in the spring for a "kind of put and take" consumptive trout fishery. Working with trout

enthusiast, the Department has stocked approximately 3,000 brown trout in the Brookville tail waters annually.

John Davis provided the Advisory Council with a schematic of the section of river at issue. He explained that the Brookville tail waters are located at the tail race of the Brookville dam and running under the State Roads 101, 252, and 52 (Main Street extended) down to join the West Fork of the Whitewater River.

James said the tail waters are “special” due to the fish congregating at the tail waters. “There is some fish loss out of [the Brookville] lake into the tail water, which provides some exiting opportunities for kinds of fish that you don’t find in every stream.” He noted that Brookville Lake is “well over” 100 feet deep, and the discharge out of the lake tends to be cold; “that’s what it takes to support trout year round.” James also noted that Indiana has “very few” streams that can support trout year round. James said the tail waters provides “great opportunity” for trout, walleye, small mouth, and a variety of other fish species.

James said that the Department has invested in fish stocking and has conducted fishery and angler surveys. He then introduced the South Region Fishery Supervisor, Brian Schoening, to discuss the “science part” of the Brookville tail waters. He noted that Schoening is a native of Brookville.

Brian Schoening said the Brookville tail waters is a “unique” fishery, in that Brookville Lake is the deepest reservoir in Indiana, and it is a multi-species fishery. He said the lake has been stocked historically with rainbow trout annually. He said that in 2001 CITU requested and was given permission from the Department to stock brown trout in the tail waters. Schoening explained that the Department conducts a brown trout study every summer, and it was noticed that the brown trout were surviving over the winter into spring. With this result, CITU requested an 18-inch minimum size limit on brown trout in 2005, which was codified as a permanent rule.

Schoening said that with the imposition of size limits fish stockpiling can result in the decrease of fish growth. He said that in 2007 the Department contracted with the federal hatchery near Kentucky’s Lake Cumberland to stock 3,000 brown trout as part of a mitigation project. Schoening also explained that the Department worked “closely” with the U.S. Army Corps of Engineers to regulate the temperature of the “day release” of water out of the lake. “Historically, that has been the hold up on maintaining trout year round”. He said summer water temperatures elevate and are too warm for trout to survive. Schoening explained that the Corps is cooperating with the Department in regulating the lake discharge in order to maintain water temperatures favorable to year round trout survival. He noted that the carrying capacity of the tail water is unknown. “Carrying capacities can run anywhere from 50 to 100 trout per acre...It could be that the 1,500 rainbows and the 3,000 brown trout going in there annually is more than it can support, but maybe it can support more”. He said the Department this year started data collection by clipping fins of brown trout that are used for stocking to track growth and survival rate. “So now we can follow that year class, and we are going to do that over

about three years...to make intelligent decisions on how to manage the fishery". Schoening said the "key" to the fishery is to "figure out" the mortality rate of the fish. He said that the mortality rate in stocked brown trout populations can reach 80%. Schoening said the Department has "decent" data on the density of the fishery. The studies show that there are approximately 15 pounds to 90 pounds of trout per acre. "It looks like everything is going fine right now." He noted that the size limit of trout imposed by rule is "more of a social issue than a biological issue."

David Lupke, Advisory Council member, asked whether there were signs of natural reproduction in the fishery.

Schoening answered, "We haven't seen any natural reproduction in the tail water." He said there is "anecdotal" evidence of some small fish that have been caught, but "is that just a small fish from the hatchery or is it natural reproduction?" Schoening noted that the temperature fluctuations and climate in the tail waters is unnatural and would be "unlikely" that the stocked trout would be able to sustain a population through natural reproduction.

Lupke said that he has visited the site twice, and in both visitations he observed "fishermen harvesting stringers of fish, mixed groupings of fish, but quite a few were browns under regulation size." He asked whether there was enforcement of the regulations.

Schoening said the Department conducted a creel survey last year. He said the survey results showed 58 harvested brown trout, with 35 being undersized. Schoening said that the area is patrolled by conservation officers, but "they can't be everywhere all the time."

Bill Freeman asked, "What is the issue then? If they are not going to produce naturally to maintain the population, and we are going to stock every year anyhow to get a population for fishing, is it just a question of what time of the month are we going to run out of fish?"

Schoening explained that the fish are surviving year round. He said there is a rainbow trout "put and take" fishery where 1,500 fish are stocked every year, which "most" are harvested in a "narrow window" of time between late April through the end of May. Schoening said the brown trout are stocked later in the year.

Freeman asked, "Biologically, then, what does it take to have the brown trout to be able to reproduce? Is that where the boulder concept came in?"

Schoening explained that the "boulder concept" was "just an idea that we had to do some fish habitat in the tail water." He explained that the tail water is an altered 1.8-mile long waterway. The waterway is separated from its watershed by the dam. "The inputs that a stream would normally get, such as large woody trees...rocks moving around, it is not happening there". He said there are some areas of the tail water where there is "not ...a

tremendous amount” of features. “The concept is pretty tested where you can increase carrying capacity within a stream by providing additional habitat features.”

John Bassemier asked whether the tail waters were over fished. Schoening said, “I can’t say that it’s over fished. Is it crowded? Yes, probably so...That is not an area that we really have any means to address”.

The Chair reiterated that there is no proposal being considered to change a rule or regulation. He then opened the floor for public comment.

Senator Jean Leising indicated that she resides in Franklin County and represents a portion of the county. She said that Franklin County citizens have contacted her regarding the subject matter. She said, “I know that we are not talking about boulders, but I was trying to figure out in my just common sense mind why we would place 75 boulders in 25 areas within the river when the DNR deemed that portion of the river navigable. But then I found out that the Army Corps didn’t deem it navigable so I was a little confused about that. I think that a lot of people maybe here tonight are still confused about that as well.”

Sen. Leising said that a “bigger” issue may be the proposed prohibition to bait fishing in the river. “Honestly, there are a lot of local people that I think use the river for bait fishing and actually consume that fish. I would hate to see a total ban on bait fishing, and I think a lot of the people that I represent would as well.” She noted that there is “serious concern” regarding potential damage to the Brookville Park if the boulder project had moved forward. “I don’t think we have to talk any more about that tonight, but that certainly was one that I received some very serious calls of concern about.”

Sen. Leising noted that there was a “lack” of information provided to the local community, the Town of Brookville and residents, regarding the project. She said the local community was “in the dark”. Sen. Leising also noted that the boulder project may have a “negative” impact on the recreational canoeing in Franklin County. “Canoeing has been a big deal for Franklin County for several years, and I know there are people here that can better talk to you about that, but I think certainly it would have a negative fiscal impact on the local community in that regard.”

Sen. Leising said, “I hope we can work this out. Obviously, it’s hard, I think, from a common sense standpoint, for local people to figure out why we are making these huge potential changes for fish that are not native and cannot re-populate on their own in that waterway.” She noted that the Department personnel “are much more abreast and knowledgeable” regarding the biological issues, but the community “is confused where all of this is coming from.” Sen. Leising said, “There always are at least two sides to every issue. A lot of times there are three or four at the Legislature, but we need to try to be civil to each other.” She concluded, “We should really take a serious look at doing something that’s not native.”

Sen. Leising thanked the Advisory Council, and stated, “I know the people in the next meeting that I have to leave for that happens to be in Brookville tonight, will be very happy that, at least at this point in time, the boulder project has been halted and that [the Advisory Council is] certainly listening to all sides in regards to the trout”.

Jim Suhre, President of the Brookville-Franklin County Chamber of Commerce and Executive Director of Canoe Fest, which is an annual canoe and town festival, stated that he would, however, speak as a private citizen. He stated that he represented the “Canoe Fest Against the Boulders”. Canoe Fest has no conflict with fishing regulations per say.”

Suhre said, “The whole reason for Canoe Fest is to bring people to the [Brookville] to spend their money. We are looking at incremental dollars pretty much anyway we can. Clearly, a fisherman’s dollar is the same as a paddler’s dollar. So we are not deaf to the idea of economic impact.” He said that in speaking with the canoe liveries, the liveries “alone bring perhaps 125,000 people a year to Brookville.” He noted that “as far as economic impact, we are looking at a ceiling in regards to that stretch of river. I mean there are really only so many people we are going to fit on there.” Suhre said, “I’m here speaking—even though Canoe Fest, per say, has no stake in fishing regulations—to relate to you that my town and county are enraged and they are very, very much against all of this.” He provided to the Advisory Council approximately 200 letters indicating opposition. Suhre also noted concern regarding the lack of newspaper publication of the tonight’s meeting.

Suhre noted an August 7, 2003 report, “*Survey of the sport fishery in the East fork of the Whitewater River Downstream of Brookville Reservoir*” by Doug Keller, the Department’s Aquatic Invasive Species Coordinator. (<http://www.in.gov/dnr/fishwild/3540.htm>). He said the report concludes that the Brookville tail water fishery is “diverse”. Suhre then read aloud portions of the online report.

Suhre concluded, “We have a situation where, because the law doesn’t require you all to notify us, and no one is saying anything improper went on, but because of that particular circumstance, because of the boulders, and because of that, you have many people, for lack of a better term, who are very angry. We respectfully request that you do not change how the river is. We like how it is. That will allow for the coexistence of all groups. And, I implore you to suggest that if you can make suggestions on the law, why don’t you throw a suggestion in on procedure that the Legislature take a look at notification of the towns?” He said, “fact of the matter is, it’s our home and we care a lot about it.”

Representative Robert Bischoff stated that he has been a legislator for 31 years and has represented the area for 31 years. He thanked the meeting attendees for their “strength and energy to come out here this evening and voice your concerns on this very emotional issue for the people of Brookville and the surrounding area...to let this Advisory [Council] know how important this issue is for your quality of life in Brookville and Franklin County”. Rep. Bischoff said that he has received telephone calls and “many” letters addressing the two issues from his constituents, one issue regarding placement of boulders in the tail waters and the other issue regarding fishing regulations.

Rep. Bischoff said that the placement of boulders in the East Fork of the Whitewater River was “unacceptable” noting the impact it would have had on canoe races in Franklin County, “the biggest event in Brookville during the year”. He thanked the Advisory Council for informing the attendees that the placement of boulders in the river was withdrawn. “I appreciate that so much.”

Rep. Bischoff said that the fishery in the Brookville tail waters has “been a treasure for those people there for generations, generations, and generations. A sport they not only like to do; it’s entertainment; it helps feed their families; it’s the joy of fishing. And, now, there is actually conversation that you want to take that away from those people in that geographical area there in Franklin County in the Brookville area”. He asked the Advisory Council to “use good judgment, have your meetings, and take a good long hard look at the issue”. He said the fishery is a resource that “means so much to this group of people that took time out from their busy schedules to come to Indianapolis here this evening. I want to thank you from the bottom of my heart. And, I realize how big an issue this is.”

Rep. Bischoff said, “It was said earlier here that those people do not want change on that issue. They would like to keep it the way it has been for many, many, many years...There is always a compromise...to hopefully work things out, but I can honestly say that in this situation it would be very difficult to have a compromise. I would like to keep it the way it is. For those trout fishermen, if they want to come in there and do what they have done in the past, that’s not been a problem”. He said that the local community “wants to keep that treasure, that resource that they’ve enjoyed for probably centuries. Let’s keep it the way it is.”

Rep. Bischoff said that he chairs the House of Representatives’ Natural Resources Study Committee, and indicated that the Committee is scheduled to meet tomorrow. “I’m going to bring this issue up and let the members know what the issue is here and what has happened. Again, I ask you to use excellent judgment and let’s not change something that’s been such a great asset for the people of that area.”

John Davis explained that the Department issued a statewide news release in February 2009 notifying that the Department was accepting suggestions regarding the hunting and fishing rules codified at 312 IAC 9. He explained that the 1,000 suggestions received were divided into categories based on the number of related suggestions. “I think this one had enough numbers that it seemed that it should be a separate public meeting.” He said the Advisory Council has held public meetings regarding suggestions received associated with hunting deer, hunting and trapping mammals (other than deer), birds, and licenses and permits. Davis said that the Advisory Council is “listening to everyone’s ideas.”

AmyMarie Travis Lucas, Advisory Council member, explained, “If I’m having a clear understanding, I’m understanding that the rules are to be reviewed every so often with public input and with DNR biologists to see if we are managing the resource



appropriately so that it can be prolonged into the future. If we find out something is being over fished or over hunted, that we can address that. And, that's part of the reason that we open this up for public comment." She added, "I just wanted to extend the fact that we are supposed to review these rules every so often. And, the best way we can do that do that is say, 'Hey, what do people think?' But we definitely do not have our minds set to change something or not to change something. Any time we do change things, we would do it based not only public sentiment, but also on sound science."

Bassemier asked, "So, if we get twelve people on a good day down there fishing, why is the State of Indiana spending all the money to put two non-native fish in a stream that it seems that the residents of the area don't even want; they'd just be happy catching the natural fish?"

Davis answered, "I'm not sure we have total agreement on the number of people fishing."

Schoening said the 2008 creel survey indicated that there were approximately 6,000 anglers throughout the course of the creel survey that used the tail waters and 3,000 of those anglers were trout anglers. He said the "typical" dollar amount used to calculate the economic activities from fishing is \$62 per day. He explained that the \$62 is based on a U.S. Fish and Wildlife survey conducted every ten years, which estimates how much a person spends to go fishing (including cost of bait, tackle, gas, lodging, and food). He said the \$62 spent per day translates into approximately \$186,000 of economic impact to the State "not particular to Franklin County".

Freeman asked Rep. Bischoff whether the local citizens "would be just as happy if there were no trout in the river? Do they even care about the trout locally?"

Rep. Bischoff answered, "I really don't want to speak for the residents there. I would rather you ask that question to one of them when they offer testimony. Again, I believe the bottom line is they would like to keep it the way it is now. Again, if there is trout there, fine, but let's let everyone do what they are doing right now."

David Lupke, Advisory Council member, noted that being an angler and a kayaker himself, and stated, "I know that these types of things can coexist quite well, and that habitat improvements on rivers for fish in Michigan have not in any way negatively impacted the recreational canoeists". He suggested that "non-confrontational" meetings be scheduled locally to include all interested parties. "The river is not only a local resource; it's a state resource, and thus, as was stated, the entire state does have an interest in this". Lupke said that the Advisory Council would "benefit" from the feedback from the discussions among all interested parties. Rep. Bischoff said the local community would "probably welcome some kind of dialogue".

The Chair reiterated that the Advisory Council "looked at every suggestion... Our job, as appointed volunteers, is to try to sort through all of these things for the sole purpose of trying to make sure that there are more and better recreational opportunities for people in Indiana. We don't have a dog in this fight. So, we are not here with any preconceived

notion. I want to make it clear; there is not a proposal on the table”. He added, “Regrettably, we should have had this meeting in Brookville”. The Chair explained that the Advisory Council plans to schedule another meeting in October to be held in Brookville in order to receive additional comment from the local community.

The Chair said that the Department can “certainly engage” in a habitat discussion. “But what we are doing today, we are just hearing both sides of an issue about whether or not there needs to be any changes to the fishing regulations and whether it makes things better for all of our constituents, the people in Franklin County and the people of Indiana.” He said, “Let’s accept the fact that if there is going to be any habitat discussions, it will be an open forum with DNR...But tonight let’s talk about opinions about whether or not there needs to be any changes to the fishing regulations.”

Brian Nobbe stated that “he grew up on the river.” He noted that the anglers, whether they are fishing for trout or other fish species, have “coexisted up to this point. I’m not sure why there is really even an issue of changing it, because it has been working all the way up until people want to change it.” He said the local community “like” to catch trout, but “they like to catch everything else, too.” Nobbe said he wants everyone to enjoy the river. “We like the trout, but we just like everybody having access to the river and being able to fish.” Nobbe noted that he takes his five children fishing, which involves a fishing rod and hooked live bait. He said that children “are not going to fly fish.”

Nobbe said that a park was built on the East Fork of Whitewater River, which provides access to fish. He noted that the West Fork of the river is privately owned. “You don’t have to go to the East Fork and ask anybody to fish. You can just go whenever you want and fish as long as you obey the law”. He suggested the trout bag limit be decreased to three fish and the length be increased to 20 inches. “I think everybody should have access to the river.”

Paul J. Nobbe, from Brookville, stated that he has “seen the river from before the lake and after the lake.” He complimented the DNR for the “tremendous” job managing the resource. Nobbe said he owns land along the Whitewater River, and owns, with his three sons, a convenience store near the river. “We would like to continue like it is...I think it’s a good deal for everybody, because it’s the only trout stream in southern Indiana...The only thing I don’t want to see is I don’t want a special interest group to come in and ...to make it so it’s their own private little river”. He concluded, “I would like to see it like it is. I mean, let everybody enjoy the river not just a select small interest group”.

Stanley Monroe indicated that he was born and raised in Franklin County. He noted that he has fished in rivers for 53 years, and “I would like to know what the difference is in a hooked fish? Does it make any difference if you hook it with a night crawler or a fly? It’s still a hooked fish, right?”

Lupke explained, “Because of live bait, fish tend to take live bait deeper. When they get it into their mouth, they tend to swallow it. An artificial fly tends to almost always gets caught on the outside of the mouth, around the rim of the mouth.”

Monroe said that he has seen rivers “crowded”, but has “never seen” the East fork of the Whitewater River “crowded at any point.” He said, “It seems to me they are wanting to come in and completely control our stream and root us out, the residents of Franklin County. They want to completely take over and then tell us how we can fish in our own stream.”

Jim Vohland said that he is a resident of Franklin County. He noted that 1.8 miles of river is approximately 10,000 feet, and controlling the number of anglers on the river “probably would be beneficial in that regard.” He said, “I think it has coexisted the way it is just fine for the past few years.”

Patti Beasley, representing Reel Women-Reel Men of Indianapolis, a fly fishing club, with 150 members that “frequent” the Brookville tail waters. “I fish it personally several times a week.” She said the suggestion regarding “artificial lures and flies only” was directed to protecting the trout fishery. “I keep hearing that the fly fishermen want this and the bait casters want that, and what we are talking about here, I think, or what we are missing is that we want to protect the trout fishery. We have to figure out how to do that”. She said the rainbow trout fishery was at one time a “put and take” fishery, but “what happens with the rainbow trout fishery is soon after it is stocked, it is depleted...I know that because I go back and I fish it and I can see a drastic drop in the number of rainbow trout that are left”. Beasley said the brown trout fishery is not being protected. “To say that we have a regulation that you can keep a brown trout over 18 [inches] is not really protecting it. Indeed, those fish are being harvested.”

Beasley said that she understands the local issues. “Unfortunately, it isn’t just about the local people; it is about the State; it is about the people who fish in all different ways; and it’s about protecting the trout”. She said the Brookville tail waters fishery is becoming “more and more” popular. “It is attracting fishermen from all over...The one thing that we do agree on is that it is a very unique fishery, but that’s not enough. We just can’t say that it’s unique, we have to do something to not only keep it going and make it a wonderful fishery, but also to enhance it”.

Beasley said, “It’s not the trout fishermen want boulders; it’s about we need to start doing something to help Brookville tail waters. We can no longer just dump fish in, have people take them home, and say, ‘Oh, Brookville is a great fishery.’ It is not unless we maintain it, unless we enhance it, and we take pride in that...I think we need to do that collectively”. She concluded that the suggestion for “artificial only” and a “catch and release where you can still have fishing that takes place right below the dam and down at the confluence, but perhaps have a section between the two roads, the bridges, that would be catch and release only that would provide that protection for the brown trout”.

Mickey Wilson, a lifelong Brookville resident, stated “When it comes down to it, ...fly fishing versus live bait fishing you are going to generate more money off of live bait fishing than you are for artificial fishing. You have to buy live bait every time you go pretty much”. He noted that he “does a lot” of fly fishing and live bait fishing. Wilson noted that the trout is non-native, but “we all enjoy them...but it shouldn’t be a political debate and it shouldn’t even have to come to this point. Why mess up a good thing? It’s been that way for years; it does not have to change. Nobody has to change anything”. He concluded that since the brown trout are not naturally reproducing and there is annual stocking, “So, why change it.”

Ryan Ison, a resident of Franklin County, noted that he and his family have caught 24-inch brown trout. “As far as that goes, [the brown trout] are maintaining. As far as producing more eggs, that’s pretty highly unlikely”. He noted that the area is a flood zone and the water levels fluctuate. “So, there’s not really a lot you can do other than what we are doing right now.”

Stephen Weber, from Brookville, stated that Brookville Lake was constructed mainly for flood control. “The lake has been very beneficial all the people that live along the river.” He stated that, as a lifelong resident of Brookville, he has observed that the town has “rejuvenated. The people in Brookville take a lot of pride in their town”. Weber said he has “bait fished” the river and has caught a variety of fish including bluegill, small mouth bass, and other species. “I have no interest in fly fishing.” He said, “Since there has been coexistence; and that the people with the trout want to promote their trout and try to work it in to have them do better, that’s fine. If it was approached like that, that would be fine, also.” Weber concluded, “A week after you would decide that we can’t bait fish anymore, there’s going to be ‘no trespassing’ signs put up...We want to preserve this and let everybody come and enjoy this river. I don’t want confrontation; I want everybody to be able to enjoy this”.

The Chair explained that the Advisory Council will schedule an October meeting to be held in Brookville.

Derrick Filkins explained that he manages a fishing-related business, “so I am very attentive to increasing the number of angling days”. He said that Indiana is “not known for fishing”, and increasing angling days increases the amount of money that flows into the state. “It also keeps some of our anglers leaving the state and fishing somewhere else”. Filkins said that he was “in support” of building any kind of fishery in the state that will either keep our anglers in Indiana or bring new anglers in. He said that taking one “small” piece of the river to make it a “very trophy” river is “very attractive” to anglers. “There is an enormous amount of food in the tail water; it will grow fish very rapidly and it will sustain their growth”. Filkins stated that the Brookville tail water is a state resource; “it belongs to everybody in the state of Indiana.” He reiterated that he supports increasing angler days, and when there is a “prime” fishery “people are going to come and use it, especially in the Midwest because we have to travel a long way to do quality fishing”.

Tag Nobbe, a lifelong Brookville resident, said he offers guide fishing on Brookville Lake, which is stocked with muskellunge, walleye, and striped bass. “I know a lot of people travel to Brookville [Lake] just to fish for walleye”. He said he and his customers “primarily” fish for walleye. He noted that the trout season begins on the last Saturday in April. “All the other fish...there’s no start date and no end date...so there is really no urgency to...get out there”. Nobbe suggested that the trout season be eliminated in or to “cut down” on the amount of trout being taken. “If you just don’t have a start date, then you are not going to have people rushing down there...to be first”.

Jeff Conrad, a member of Trout Unlimited and Indiana Smallmouth Alliance, stated that he is a fishing guide “mostly fly fishing, but I take spin fishermen and occasionally bait fishermen in my boat. I know the mortality rate of bait fishing.” He explained that the “kill ratio” on bait fishing is “somewhere in the neighborhood of 32% if the fish is deep hooked.” He said he supported the elimination of bait fishing and the use of artificial bait only.

Todd Settle, Brookville resident and member of the Central Indiana Trout Unlimited, said he was commenting as a “concerned citizen”. He said that “it seems to be widely understood”, that in looking at the resource and the associated scientific data the mortality with live bait fishing is “greatly exceeding” that of using artificial bait. He said Trout Unlimited’s goal is to protect the resource, the “cold water” North American fisheries. “Trout Unlimited is not concerned whether someone bait fishes, or spin fishes, or fly fishes.” Settle noted that Trout Unlimited in cooperation with the DNR has assisted in river stocking and monitored water temperatures.

Settle said, “If we look at this as a resource, and not at the users of the resource, it appears that eliminating a particular angling technique that has collateral mortality beyond just the harvesting of the fish that that angler is taking home with them, we need to address that because that has far reaching affects on the population of the stream, the efficacy of the programs, and the long life of this resource”. He said the suggestion to allow all angling techniques in certain sections of the river and restricting angling techniques in other river sections “is a compromise proposal that takes into account all of the users of the resource and the well being of that resource”.

John Helm, Brookville resident, said he has fished the Brookville tail water “many years and bait fished basically all my life”. He said the expense associated with fly fishing “would eliminate a lot of people from being able to fish those waters because of the hard economic times we are in”. He stated, “I’m not in it for the money; that’s not what it is all about. I spent many, many dollars, and will continue to do so, but I really have no reason anymore to get down there and spend my money on this. I guarantee you it is going to be a loss of a lot of income to all the people, the whole community, for people to just to restrict to a certain people and a certain clientele. I can’t go down there and spend my money on that”. Helm said that restricting a portion of the stream to artificial bait only would “harm me, my friends, and others that I’ve associated with throughout the years, to limit us on what we can do. And that is going to have a negative impact on the economy”.

Kate Green, Brookville resident, said that “being able to work together is a beautiful thing”, but the area that was suggested for restriction “is the entire stretch of the town park, which is where most kids and people want to go and fish”. She noted that the two areas suggested for “no restriction” are located at the dam and the confluence of the East and West Fork of the Whitewater River, which “happen to be the two most dangerous” parts of the river at certain times of the year. Green said that the Brookville Park is “90% of the river, so that’s a hard call to call it a ‘compromise’, in my opinion”.

Harry Graves, Brookville resident, said he was concerned about property rights and the potential impacts caused by amendments to hunting and fishing regulations. “I understand there are differences of opinion whether the river is navigable or nonnavigable. It makes a lot of difference in property rights.”

Ed Devine said he is a member of Trout Unlimited, but was commenting as citizen. He said that the Brookville tail waters became a trout fishery when the trout were first introduced ten years ago. “These trout need to be protected. It’s a unique situation down there”. Devine said that the discussion is not angler versus angler, but is “catch and release and artificials. You can fish and catch and release with anything”. He conclude, “I’m for catch and release, and so is my four year old daughter”.

Nick Schoeder, a member of Central Indiana Trout Unlimited, said, that the Advisory Council should consider that “Brookville is a little bit different than most resources in this state; it’s the only cold water fishery in Central Indiana. We know what it does for brown trout. We know that it brings and attracts a lot of attention”. He noted that the Brookville tail water is “number 15 spot for brown trout fishing in the Midwest in the wintertime”. Schoeder concluded that the tail water is “a special place and it needs special consideration”.

Scott McDonough, a resident of West Harrison, Indiana, he noted that the trout are “anything but a natural resources—two foreign species that have been brought in. They can’t breed”. He said that Brookville Lake is not a natural habitat for trout. “Why would we restrict or create any new restrictions to protect species that are not even a natural resource. It just seems to be beyond the prerogative of something the [Advisory Council] would want to tackle”.

Ryan Ison said that he has observed that since the water temperatures have been changed in Brookville Lake “we have just about destroyed our striper population. I don’t catch near like a used to catch them... You have to weigh it out. Are these trout really benefiting us or is it benefiting us more as Brookville Lake by keeping our striper population up?”

## **Adjournment**

The meeting was adjourned at approximately 8:49 p.m., EDT.

