

MASTER PLAN ADMENDMENT OF ORANGEVILLE RISE OF THE LOST RIVER NATURE PRESERVE

**BEING EXHIBIT "A" TO ARTICLES OF DEDICATION
ENTERED INTO BETWEEN THE NATURE CONSERVANCY
AND THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF INDIANA**

The Master Plan for Orangeville Rise of the Lost River Nature Preserve, Orange County, Indiana adopted by the Natural Resources Commission on March 20, 1975, and recorded as a part of the Articles of Dedication for the Nature Preserve on June 18, 1975 in Orange County Record No. 28, page 351-59, is hereby amended by deleting in total such original Master Plan and by substituting the Amendment of Master Plan which follows.

1. This Master Plan applies to a Nature Preserve which contains a noteworthy geological feature, a site at which the underground Lost River comes to the surface. The preserve also contributes to the protection of the rare *Amblyopsis spelaea* (northern blind cave fish) and other cave fauna. In addition, the preserve contains some wooded land, several watercourses, and some old field.
2. This Nature Preserve is owned by The Nature Conservancy, a not-for-profit corporation of the District of Columbia. The Nature Preserve is located in Orangeville Township, in Orange County, Indiana, a more detailed description being contained in the Articles of Dedications of which this Master Plan is a part and to which it is attached.
3. As used in this Master Plan, "Department" means the Department of Natural Resources of the State of Indiana, or such other governmental agency as succeeds to its rights and duties (including particularly its rights and duties under the Nature Preserve Act, heretofore called "Act," and "Administrator" means The Nature Conservancy, or such other entity as succeeds to The Nature Conservancy's rights and duties, and "Nature Preserve" shall be that area described as such in the Articles of Dedication of which this is a part.
4. The custody, administration, and management of the Nature Preserve shall be the responsibility of the Administrator pursuant to the Act, and Articles of Dedication of the Nature Preserve, and this Master Plan. The Nature Preserve may be used for all purposes stated in the Act, but subject to the provisions of this Master Plan. Action required or permitted by this Master Plan may be taken only by the Administrator, or by parties designated in writing by the Administrator for particular actions. All provisions of the Master Plan shall be interpreted in the light of the basic intention of this Master Plan that the Nature Preserve shall be managed to preserve and enhance the geological feature it protects and the rare species which utilize the site. As such the preserve shall be dedicated for the purposes of the Act and in furtherance of the public policy of the State of Indiana as declared in the Act.

5. The primary visitor activities in the Nature Preserve shall be walking, observing, nature study, and scientific and educational projects. Such activities will be permitted to the extent such visitation is consistent with the above described management objectives.

6. No additional easement or right-of-way or other intrusion and no structure, development, impairment, disturbance, or use which is not permitted by this Master Plan shall be established or be allowed to continue.

7. Boundary markers and a boundary fence with necessary access gates may be placed around the perimeter. Such developments should be installed with the least possible disturbance to the soil, plants or animals.

8. Appropriate foot trails may be installed within the area of the Nature Preserve. Other developments, construction or improvements (including a parking lot) that are agreed upon, in writing, by both the Administrator, or its designee, and the Director of the Division of Nature Preserves of the Indiana Department of Natural Resources, or his designee, and are not inconsistent with the intent of this document, may also be permitted.

9. Cutting or planting of grass, brush or other vegetation, thinning of trees, and/or opening of scenic vistas, are permissible if approved as specified in paragraph 8 above.

10. Water levels shall not be altered intentionally except when essential for the restoration or maintenance of natural conditions, or in regard to any existing legal ditches. All alterations require joint approval of both the Department and Administrator.

11. Except as provided in this Master Plan, there shall be no removal or use of any natural material, product, or object in the Preserve, unless agreed upon by the Department and Administrator. Removal of natural material for specimens is disfavored (excepting as discussed elsewhere in this Master Plan), and shall be permitted, when permitted, for scientific purposes only. Approval of the Administrator must be obtained before any collecting is permitted on the Preserve. The Administrator shall inform the Department as to all research taking place on the Preserve, in order that the Department be properly informed as to the use of the Preserve. All activities, including both visitor use and scientific use shall be permitted only to the extent that the Preserve can tolerate them without substantial damage to the management objectives described in paragraph 4. All biological management of the Preserve, including prescribed burning and the removal of use of natural material, plants and animals, shall be done in accordance with a Management Plan, which shall be formulated by the Administrator and approved by the Department. Species of plants and animals which are declared as noxious by the State of Indiana, and aggressive exotic and native species which are detrimental to the quality of the Nature Preserve, may be controlled and removed in accordance with State Law. Herbicides proven to be effective and safe in natural area management may be used only if

directly applied to cut stumps or to the species to be eradicated. In the case of animals, the control and removal shall be by the most current acceptable methods, and in the most humane way possible. Absent written permission from the Department, no eradication not provided for in the Management Plan may be undertaken sooner than ten days after notice has been mailed to the Department, and may be done only in accordance with the most current information available on natural areas management.

12. Native plants and animals may be introduced into the nature preserve as provided here below. The provisions of this paragraph are intended only for those species whose populations are few and small, and thus vulnerable to population declines and possible extirpation from the State of Indiana.

If the Department and the Administrator agree, a species may be introduced to the preserve in order to re-establish a plant or animal population that was historically known to occur in what is now the nature preserve, but that no longer occurs there, or to establish a population of plant or animal that is now known or was historically known to occur in the same community type within a 50 mile radius of the preserve. Such introduction shall be limited to species which are considered rare, threatened, or endangered in Indiana according to the most current listing by the Department of Natural Resources.

13. Erosion and soil deposition may be controlled in a manner jointly agreed to by both parties.

14. The following activities are prohibited, except as otherwise described in the Master Plan, Management Plan, or Articles of Dedication, but their inclusion shall not restrict the right to prohibit other activities considered inconsistent with this Master Plan or the purposes of this Preserve: all terrain vehicles; snowmobiles; grazing by domestic animals; farming; surface mining for coal; quarrying; camping; fires; logging; vehicular traffic, except for parking areas, and for emergency or maintenance; hunting; trapping; and the removal, disturbance, molestation, or defacement of minerals, plants, animals, or natural features, except as provided elsewhere in this or appurtenant documents.

15. Both the Administrator and the Department shall periodically inspect the Nature Preserve to insure that the objectives for which the preserve has been established are served as well as possible.

IN WITNESS WHEREOF, The Nature Conservancy and the Department of Natural Resources of the State of Indiana have adopted this Master Plan as of the 2nd day of March, 1987.

STATE OF INDIANA NATURAL RESOURCES COMMISSION

James H Lahey, Chairman

ATTEST: James M. Ridenour, Secretary

THE NATURE CONSERVANCY

John Humke, Vice President

ATTEST: Jane Prohaska, Assistant Secretary

STATE OF INDIANA)

) SS:

COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared this 24th day of March, 1987 , James H. Lahey, Chairman, Natural Resources Commission, James M. Ridenour, Secretary, Natural Resources Commission, and Director, Department of Natural Resources, and John A. Bacone, Director, Division of Nature Preserves, Department of Natural Resources, all respectively known by me to be such officers of the Department of Natural Resources, and acknowledged their execution of the foregoing instrument to be their free and voluntary acts and deeds as such officers and for and on behalf of said Commission.

IN WITNESS THEREOF, I have hereunto set my hand and seal.

Eva G Barry, Notary Public

My Commission Expires: 9-5-87

County of Residence: Hancock

This instrument was prepared by W. William Weeks, attorney at law.