

MINUTES

NATURAL RESOURCES COMMISSION

LANSING CENTER
333 E. MICHIGAN
LANSING

October 6, 2005

PRESENT FOR THE COMMISSION

Keith Charters, Chair
Mary Brown
Darnell Earley
Bob Garner, Vice-Chair
Jerry Hall
John Madigan

PRESENT FOR STAFF

Peter Manning, NRC Legal Counsel
Becky Humphries, Director
Dennis Fox, Chief of Staff
Mindy Koch, Resource Management Deputy
Dennis Fedewa, Chief Deputy
Patricia Stewart, Office of Communications
Other DNR Staff

COMMITTEE OF THE WHOLE

Chairman Charters called the Committee of the Whole meeting of the Natural Resources Commission (NRC) to order at 3:35 p.m. on Thursday, October 6, 2005. The Committee of the Whole is a working session of the NRC.

Captive Cervid Update

Director Humphries introduced **Commission of Agriculture Chairman Jim Byrum and former DNR Director Howard Tanner**, who also chaired the Chronic Wasting Disease Task Force (CWD Task Force). **Dr. Steve Halstead, State Veterinarian, and veterinarian Dr. Nancy Frank** from the Department of Agriculture, were also present.

Director Humphries said a national health plan is being addressed at the meeting of the International Association of Fish and Wildlife Agencies beginning in January 2006.

Wildlife Division Chief Bill Moritz provided an update on the privately owned cervidae (POC) program. The Wildlife Division mission statement is: "To enhance, restore, and conserve the state's wildlife resources, natural communities, and ecosystems for the benefit of Michigan citizens, visitors and future generations. This mission ties in with the privately owned cervidae facilities relative to protecting free ranging deer.

Dr. Moritz reviewed each of the 12 CWD Task Force recommendations and the DNR's response. A standing committee, including stakeholders and experts, to continuously meet and improve the CWD surveillance and response plan, will be established through the Governor's office soon. In early 2006 a group of experts in the area of CWD will be assembled to review current knowledge and critically review Michigan's program. A moratorium on animal importation was established in

2002. An audit of the captive cervid industry was conducted in 2004, and the final report was released in March 2005. A total of 160 hobby and exhibition facilities were not included in the audit. Discussions are ensuing relative to the future follow-ups to the recommendations including animal identification, program funding, development of a data base, and communication strategies.

Dr. Moritz presented an update on the POC audit. Action is moving forward to address 12 outstanding compliance issues identified by the audit, two of which are being resolved and/or have been resolved. Existing exhibition and hobby facilities will be audited in Fiscal Year (FY) 2006. Program activities slated for FY 2006 include: increased enforcement and compliance; complete the audit of the remaining facilities; revise the POC operational standards; finalize the national protocol for carcass handling; and jointly work with the Michigan Department of Agriculture on swine escape issues.

Chairman Charters vehemently stressed the urgency of addressing this issue. He stated that we are forcing compliance and addressing those who are not complying.

Director Humphries said this issue will be addressed at the meeting of the International Association of Fish and Wildlife Agencies in January 2006.

Director Humphries introduced **Keith Creagh, Michigan Department of Agriculture**.

Dr. Halstead said that over 3500 animals in POCs have been tested. Those activities, combined with bovine tuberculosis surveillance, have given him the opportunity to go to the facilities. CWD prevention is a very serious issue. **Dr. Frank** reviewed the targeted surveillance program in the POC areas and indicated that the targeted surveillance program is different from the random surveys. With the targeted surveillance program, there is a 95 percent confidence level to detect a 2 percent prevalence rate in POC. Approximately 350 POC facilities have been tested. Of those facilities that should have been tested and were not, the Department of Agriculture is asking why.

Discussion ensued regarding how or if a POC facility is to be depopulated. This issue is under discussion. **Dr. Moritz** stressed the importance of appropriate animal identification to be able to identify released animals. It is important for operators to understand that compliance is important and the regulation of POCs is not an attempt to put anyone out of business.

Dr. Tanner said the profit motive is strong for POC operations to illegally transport and move animals, and yet he believes this is one of the most important issues to be addressed.

Sam Washington, MUCC, is concerned that only approximately 50 percent of the POCs have been tested. He does not believe that a POC operator would be motivated to get his facility tested if it is known the disease exists at that facility. He strongly believes that every animal should be identified. This issue is of the utmost concern to Mr. Washington, and yet the process is taking too much time. He said this could be the most devastating deer disease in history. He stressed the importance of educating sportsmen and outdoorsmen on how to identify diseased wildlife. He recommended increase POC operator fees and said that there is a need to mobilize assuming a worst-case scenario.

Director Humphries said there is a CWD response plan in place. **Chairman Charters** does not believe the process is moving quickly enough and it is time to raise this issue to the highest priority.

Jim Byrum, Chair, Michigan Commission of Agriculture, said the cooperation between the DNR and Department of Agriculture is outstanding. He said it is important that the POC

operators have a change of opinion on the objective of this program. He also believes that livestock should be tested as well as free ranging wildlife. Disease prevention in wildlife and humans is absolutely essential. He said that the Department's cooperation is good

Director Humphries stated that this will be a huge effort. It is important to understand that states that have the disease have had it for a long time. There is a need to recognize this and do more. This issue needs to be dealt with nationally and even globally in order to protect the wildlife from disease. Unless there is that coordination, disease could come rapidly. Enforcement is also very important. She applauded the working relationship between the DNR and Department of Agriculture in Michigan and said that few other states have that same cooperative working relationship

DIRECTOR'S ACTION ITEMS

Director Humphries discussed changes to the proposed Director's Action Items as follows:

1. *Permission to Use State Lands Department Procedures, Fee Schedule, Forms and Implementation of the Rules for the Regulation of State Lands Administered by the Department of Natural Resources:* This item should have been listed as "FOR INFORMATION ONLY". It will be added for Action in November.
2. *Waters Where Northern Pike May be Taken at Any Size:* Remove Hamlin Lake from the Mason County listing.
3. *State Forest Land Exchange: Roscommon Forest Management Unit – Roscommon County, Land Transaction Case #20031018:* This item will be held over for consideration in November allowing the Department of History, Arts, and Libraries to review the property for tribal burial grounds.

* * *

The Committee of the Whole meeting adjourned at 4:10 p.m. and the Regular Meeting of the NRC convened at 4:30 p.m.

* * *

Michigan Wildlife Action Fund

Director Humphries said that there has long been a funding gap for the management of wildlife diversity. Thanks to the efforts of the International Association of Fish and Wildlife Agencies and the Teaming With Wildlife coalition, Congress passed the State Wildlife Grants program in 2001 to help close this gap. The intent of the State Wildlife Grants program is to prevent wildlife from becoming endangered and to conserve their habitats. In order to remain eligible for this funding, each state had to complete a Wildlife Action Plan.

She announced that Michigan was the first in the Midwest, and one of the first states in the nation, to receive approval. The goal of Michigan's Wildlife Action Plan is to provide a common strategic framework that will enable Michigan's conservation partners to jointly implement a long-term, holistic approach for the conservation of all wildlife species. Investment in the State Wildlife Action Plan is needed to conserve wildlife and revitalize natural areas.

The Michigan Wildlife Action Plan outlines actions developed by scientists, sportsmen, conservationists and members of the community, working together. Development was coordinated by the DNR with active participation from nearly 60 percent of the 203 conservation partners contacted – including state and federal agencies, tribal and local governments,

conservation organizations, academic institutions, private landowners and interested individuals. Planning began in March 2003, but the bulk of development was completed between September 2004 and May 2005, with thousands of hours spent on planning and development by 70 DNR employees. As communities grow, the Wildlife Action Plan can help fulfill the DNR's responsibility to conserve wildlife and the places they live for future generations.

Director Humphries introduced the Core Development Team, as follows:

- Amy Clark Eagle, Wildlife Conservation Strategy Coordinator, Wildlife Division
- Liz Hay-Chmielewski, Fisheries Specialist, Aquatic Liaison, Fisheries Division
- Karen Cleveland, All-Bird Coordinator, Wildlife Division
- Amy Derosier, Aquatic Ecology Associate Program Leader, Michigan Natural Features Inventory
- Matthew Herbert, Threatened and Endangered Species Assistant, Wildlife Division
- Raymond Rustem, Natural Heritage Unit Supervisor, Wildlife Division

She then introduced the Steering Committee, as follows:

- Gary Whelan, Statewide Hatchery Manager, Fisheries Division
- Cara Boucher, Forest Resource Management Section Manager, Forest, Mineral and Fire Management Division
- Patrick Brown, Director, Michigan Natural Features Inventory
- Patrick Lederle, Research and Technology Unit Supervisor, Wildlife Division
- Raymond Rustem, Natural Heritage Unit Supervisor, Liaison to Core Development Team, Wildlife Division

The Plan has been approved by the Core Development Team and Steering Committee. The NRC, Director Humphries and staff celebrated the finalization of the Plan.

* * *

Law Enforcement Division Chief Alan Marble introduced **Conservation Officer Damon Owens**.

PUBLIC APPEARANCES

Marilyn Carr
Jason Dinsmore, Michigan United Conservation Clubs (MUCC)
Dennis Grinold, Michigan Charter Boat Association
Ken Merckel, Michigan Steelhead Salmon Federation
Nick Ryan
Ron Spittler, Michigan Bass Federation
John Stears, Vicksburg
Peter Ter Louw, Southwest Michigan Land Conservancy
Jeness Wiegand, Brighton

Ron Spittler, Michigan Bass Federation and former Fisheries Division biologist, urged support of the proposed bass fishing regulations. He supports drop shooting and would like to consider using "catch and immediate release" as a phrase in regulations. He summarized data recently collected on 255 bass fishing tournaments over the past eight years that proves that the DNR staff are stewards of the resource. He announced that the Michigan Bass Federation has just established a bass conservation grant that will provide over \$100,000 per year toward the

bass program. They hope to get a grant approval that will assist Fisheries Division with the bass program.

John Stears, Vicksburg, believes he is uninformed on State trails plans and wants to be heard. Discussion ensued on his involvement in groups that address trails issues.

PARTNERS IN CONSERVATION AWARD – MUSKEGON AREA SPORTSMEN FOR YOUTH

Director Humphries awarded the Partners in Conservation Award to the Muskegon Area Sportsmen for Youth. President Mike Gebben received the award. This group of volunteers has organized and presented Sportsmen for Youth Day at P.J. Hoffmaster State Park for the past 12 years. Over this time, their efforts have provided opportunities for thousands of young people to experience the outdoor heritage that the Department of Natural Resources fosters and promotes. Annually, Sportsmen for Youth volunteers provide thousands of hours of service to the community and the DNR. The efforts of this organization have established numerous ties between the DNR and the local community, but none can be more important than the service Mr. Gebben has provided to bring such a positive experience to young people in West Michigan. **Director Humphries** thanked and congratulated the Muskegon Area Sportsmen for Youth for its efforts and accomplishments.

PUBLIC APPEARANCES continued

Dennis Grinold, Michigan Charter Boat Association, supported a total 25 percent reduction in salmon stocking in Lake Michigan as recommended by staff. He experienced the salmon population crash in 1987 and sees similar activity now.

Peter Ter Louw, Executive Director, Southwest Michigan Land Conservancy, supports the recommended boundary adjustment for Kalamazoo County. He applauded the land consolidation process overall and said the Gourdneck State Game Area has always been a significant hunting area. The Southwest Michigan Land Conservancy looks forward to playing a role in keeping this resource available for the future.

Jason Dinsmore, MUCC, commented that the DNR and Department of Agriculture did a great job in producing the CWD plan. He supported the Lakes Michigan and Huron chinook salmon stocking proposals. He also supported the coolwater regulations for catch and release seasons for bass.

Kelley Smith, Fisheries Division Chief, said that proposed stocking reductions in Lake Michigan are for the lake as a whole. There is a reduction agreement with the other states around Lake Michigan, but not agreement on who takes what share of the reduction. Staff is working closely with other states to determine percentages for each to achieve the 25 percent total reduction. He said that there is a lot of work to be done to reach agreement on a final tactical approach to the reduction.

Dr. Ken Merckel, Michigan Steelhead Salmon Federation, supports the proposed Lake Huron salmon stocking reduction.

Jeness Wiegand, Brighton, said the noise levels from the Island Lake Shooting Range have not been reduced and that noise needs to be addressed.

Chairman Charters reminded the NRC that the Island Lake Shooting Range issue is in litigation and that they were not to comment.

Marilyn Carr believes that lead waste is building at the Island Lake Shooting Range and does not believe the levels have been tested. She requested that sound issues from the Shooting Range be addressed.

Nick Ryan, student, supported the proposed bass fishing regulations including gear restrictions.

* * *

The Public Comment period was adjourned at 5:40 p.m. and the Regular Meeting of the Natural Resources Commission was immediately convened.

LAND AND WATER CONSERVATION FUND PROGRAM GRANTS TO LOCAL UNITS OF GOVERNMENT

Director Humphries announced the recommendations of the "Land And Water Conservation Fund Program Grants To Local Units Of Government." The DNR makes the grant recommendations to the National Park Service (NPS) for grants awarded from the Land and Water Conservation Fund. The recommendations total \$1,251,700 for 2005 funding and are listed as follows:

Cadillac - Keith McKellop Walkway Bridge
Decatur - Southside Park State Board Park
Frenchtown Township - Frenchtown Park Development
Ida Township - Ida Township Park Improvements
Iron Mountain - Iron Mountain Pavillion Renovation
Kalamazoo - Upjohn Park Redevelopment
Monroe County - Heck Park Project
Pigeon - Pigeon Recreation Park Improvements
Sands Township - Sands Township Recreation Area
Unionville - Unionville Village Park Multi-Use Path
Wakefield - Eddy Park Campground Improvements
Walkerville Public Schools - Walkerville Community Recreation Park

Director Humphries approved the above recommendations.

APPROVAL OF MINUTES - SEPTEMBER 8, 2005 NATURAL RESOURCES COMMISSION MINUTES

Commissioner Garner made a motion, supported by **Commissioner Madigan**, for approval. Motion unanimously carried.

APPROVAL OF MINUTES - SEPTEMBER 8, 2005 NRC POLICY COMMITTEE ON WILDLIFE AND FISHERIES

Commissioner Garner made a motion, supported by **Commissioner Earley**, for approval. Motion unanimously carried.

DIRECTOR ACTION ITEMS

Director Humphries stated her intent to approve all Director's Action Items **except:**

State Forest Land Exchange, Roscommon Forest Management Unit - Roscommon County, Land Transaction Case #20031018 which will be delayed for one month to allow the Department of History, Arts and Libraries to determine if there are tribal burial grounds on the property;

Permission to Use State Lands Department Procedure, Fee Schedule, Forms and Implementation of the Rules for the Regulation of State Lands Administered by the Department of Natural Resources, which should have been listed "For Information Only" and Action in November.

COMMITTEE REPORTS

NRC Policy Committee on Wildlife and Fisheries

Committee Chair Bob Garner opened the meeting at 12:45 p.m. at the Lansing Center, 333 E. Michigan Avenue, Lansing. Commissioners Hall and Madigan were also present for the Committee. Commissioners Charters, Brown and Earley were also present.

Steve Schmitt, DNR's Veterinarian, gave an update on the recent verification of Eastern Equine Encephalitis (EEE) in four deer in Kent County and one deer in Montcalm County. He also noted that CWD has been found in free ranging deer in West Virginia, Alberta and in a free ranging moose in Colorado. This is the first instance of CWD in free ranging deer in Alberta and the first in moose anywhere.

Chairman Garner welcomed former DNR Director Howard Tanner who was present.

Tammy Newcomb, Fisheries Division, gave a presentation on the reduction of Chinook salmon in Lake Huron with an update on the ecological changes that have occurred in Lake Huron, the guiding principles for managing the lake and the objectives for Chinook salmon stocking in Lake Huron. The talk revolved around the predator-prey relationships and the need to reduce stocking. Fisheries Division proposed to reduce the number of Chinook salmon stocked into Lake Huron by 50 percent, beginning in 2006 and keeping these reduced limits for five years. Information on the details of how this will be done, the monitoring plan and the amount of public involvement were discussed. The importance of the Chinook fishery to the Lake Huron communities was also a topic of discussion, with the recommendation from nearly half of the written input -that this proposal go forward.

Jim Dexter, Fisheries Division, presented the Lake Michigan Chinook salmon stocking reduction plan. He noted that Chinook salmon fishing in Lake Michigan has been phenomenal over the past two years, but this should not cloud the long-term need to address various management concerns. History of similar trends seen in the mid-1980s was brought up to note why action is now needed. The talk was very similar to the Lake Huron talk, but there was more discussion on inter-state ramifications and tagging needs. However, the biological aspects and changes in the predator-prey relationships were the key points. Fisheries Division is recommending a 25 percent reduction in Chinook salmon stocking in Lake Michigan to be implemented in 2006 and continue for five years. Support from constituent groups was noted by audience members, but they also wanted these reductions to be "adaptive" in case factors change prior to five years. The Division concurs and will maintain an adaptive approach to managing predator and prey species abundance in Lake Michigan through stocking changes.

Todd Grischke, Fisheries Division, gave a short presentation listing the various Fisheries Division orders being brought forth for action and information.

Mike Bailey, Wildlife Division, gave a listing and short presentation of the Wildlife Division items being brought forth for information. These included a change in a few Deer Management Units (DMUs) in the west UP Management Unit and a technical correction in the furbearer regulations regarding the "foothold only" requirement for bobcat trapping in the northern lower peninsula which had inadvertently been left out of Wildlife Conservation Order, Amendment 9, earlier this year.

Al Stewart, Wildlife Division, gave a presentation on the recommended spring 2006 turkey regulations and quotas. The only major changes are the expansion of hunt areas in Dickinson County and in opening all of southeast Michigan to hunting. There was also a consolidation of several smaller turkey management units into larger unit in southeast Michigan. Several of the Commissioners noted the fact that this was the first time in over a 100 years that the entire Lower Peninsula was open to turkey hunting.

Faye McNew, Wildlife Division, gave a short presentation on the extension of the interim order on mute swans. The mute swan management procedures have recently been updated and they are currently being reviewed. Once these procedures are approved, the interim order will be replaced with permanent changes as needed.

The meeting adjourned at 2:45 p.m.

NRC Policy Committee on Land Management

Chairman Keith Charters called the meeting to order at 10:30 a.m. at the Lansing Center, 333 E. Michigan Avenue, Lansing. Meeting Minutes are attached.

NRC Policy Committee on Technology, Information, Marketing and Education

Committee Chair Brown called the meeting to order at 9:30 a.m. at the Lansing Center, 333 E. Michigan Avenue, Lansing. Commissioner Charters was also present for the Committee. Commissioner Madigan was also present.

Tina Stojakovich, DNR, Office of Communications, reviewed the DNR Website. It is expected that by November 15, 2005, a new look will appear.

In a study done by Brown University, the DNR website was ranked 5th nationally based on navigability, latest technology and information offered. From April 2005 to September 2005, hits on the Learning Corner web page increased from 600 to more than 3,000.

Another topic of discussion was the Archery in Schools Program. Currently, 40 schools are participating in the program with more being brought aboard.

Commissioner Garner requested that the issue of the size of hunting licenses be addressed at a future meeting.

The meeting adjourned at 10:15 a.m.

* * *

COMMISSIONER REPORTS

Commissioner Hall grouse hunted and trout fished in the UP and received several calls regarding DNR issues - specifically hunters with disability issues. He noted that the issue of hunters with disabilities will be addressed during 2006.

Commissioner Garner received several phone calls regarding DNR matters.

Commissioner Madigan grouse hunted and fished in the UP; and fielded several calls on DNR issues – several of which were regarding wolves.

MINUTES
PAGE 9
OCTOBER 6, 2005

Commissioner Earley thanked the Director for accompanying him to a meeting in Muskegon County where one topic of discussion was local DNR related issues. Commissioner Earley began his career in Muskegon County.

Chairman Charters noted he had stopped at several DNR field offices and commented that some are not open to the public even though the DNR sign appears to "welcome" the public.

* * *

The meeting adjourned at 6:05 p.m.

Approval: _____
Date

Keith J. Charters, Chair

Rebecca A. Humphries, Director