

MINUTES

NATURAL RESOURCES COMMISSION

June 14, 2012

MSU Diagnostic Center for Population and Animal Health
4125 Beaumont Road, Lansing, MI 48910

Present for the Natural Resources Commission (NRC)

Timothy L. Nichols, Chair
John Madigan
John Matonich
JR Richardson
Rex Schlaybaugh
Annoesjka Steinman
Frank Wheatlake

PRESENT FOR STAFF

Rodney Stokes, Director, Department of Natural Resources (DNR)
Bill Moritz, DNR Deputy,
Mark Hoffman, DNR Chief Administrative Officer
Dennis Knapp, DNR Chief of Staff
Stacy Welling, Upper Peninsula Regional Coordinator
Peter Manning, Legal Counsel, Office of the Attorney General
Other Department staff

COMMITTEE OF THE WHOLE

Chairman **Tim Nichols** called the Committee of the Whole meeting to order at 3:15 p.m.

DIRECTOR'S REPORTS

Budget Update

Erik Eklund, budget and federal aid section manager of the DNR Finance and Operations Division, presented an update on the fiscal year (FY) 2013 budget, noting that appropriations for the department are contained in House Bill (HB) 5365, which was enrolled and passed by the Legislature on May 31, 2012, and is on the governor's desk for signature. **Eklund** offered a side-by-side comparison of the original FY 2012 budget and what is contained in HB 5365 for FY 2013. He called attention to several items, including an increase of 27.6 percent in general fund monies, which he explained is partly due to \$3 million for a summer youth employment initiative that will focus on hiring at-risk youth in the areas of Detroit, Flint, Pontiac, and Saginaw, all four ranked in the top ten most violent cities in the nation by the FBI.

Audit Report

Sharon Schafer, chief of the DNR Finance and Operations Division, gave a summary of the recently released performance audit that was conducted by the Office of the Auditor General, covering DNR real estate transactions from October 2008 through August 2011.

Commissioner Wheatlake mentioned that although the audit report was good, an article in the Gongwer newsletter was critical of the DNR for not disposing of excess land that has been identified. **Wheatlake** thinks the department should do a better job of conveying the message to reporters before they have a chance to interpret the report themselves. **Director Stokes** agreed and said a phone call would be made.

Duck Lake Fire Report

Bill O’Neill, acting chief of the Forest Resources Division, gave a detailed report on the Duck Lake fire in the Upper Peninsula, stating it is the third largest fire in Michigan in the past 50 years and caused significant damages. He reported that 74 percent of the 21,000 acres burned is state forest land. He went on to say that 136 structures were destroyed, including 49 that were homes, cabins, a motel and a store; 23 garages; 38 outbuildings; and 26 campers.

Chairman Nichols also commented that during the fire, the DNR communications staff did an excellent job in keeping not only the NRC informed but also the general public. **Director Stokes** thanked **Ed Golder** and his staff who did an outstanding job in communicating updates.

Community Forest Meetings Update

Bill O’Neill reported that a series of forest community meetings were just completed across the state, where staff talked with customers and others about the DNR, the Forest Resources Division, and how Michigan’s forests are managed. Because of the great response, more meetings will be scheduled in the future to continue getting the word out on how decisions are made and also to get perspective from the timber community as well as private citizens.

Timber Advisory Committee

Commissioner Richardson asked **Bill O’Neill** to give a quick overview on the Timber Advisory Committee that met recently. **O’Neill** reported that forestry experts from around the state were brought in from Michigan Technological University, Michigan State University, retired DNR employees, and economists to talk about how Michigan can grow its forest economy. **O’Neill** said the family forest subcommittee met the day before and discussed how to put together a private lands forest management program for non-industrial private lands and offered recommendations. **O’Neill** praised **Richardson** for his leadership on the committee. **Richardson** thanked the Michigan United Conservation Clubs (MUCC) for their involvement.

Asian Carp Update

Gary Hagler, chief of the DNR Law Enforcement Division, reported that to help prevent the introduction or spread of Asian carp in Michigan, the Law Enforcement Division has been aggressively investigating ongoing Asian carp issues and working diligently to protect Michigan's natural resources. **Hagler** gave a couple of examples of how these efforts have paid off. He said his office is working very closely with the U. S. Fish and Wildlife Service on several issues regarding the illegal transportation of Asian carp in and through Michigan. He made it clear that any illegal importers of Asian carp caught in Michigan, violating the Invasive Species Act, will be handled with the full force of Michigan's justice system and the federal system as well.

Mentored Youth Hunt Report

Mary Dettloff gave a brief update on the mentored youth hunting program and shared several success stories that were sent in from kids and mentors during spring turkey season this year. Dettloff reported that from March 1 through June 14, a total of 2,283 mentored youth hunting licenses have been sold. **Dettloff** introduced **Miller Holton**, a grandfather who gave an account of his hunting experience with this 9-year-old grandson Ezra. He thanked the Commission for making such a rewarding experience possible and said it was one of the most memorable moments of his life even though he's hunted all over North America.

U.P. Trail Acquisition in Gogebic County

Director Stokes introduced **Steve Sutton** as the new manager of the DNR real estate section. **Sutton** mentioned the silent-bid land auction coming up on June 20 and running through August 1. He said the auction is being held in partnership with the Michigan Land Bank to help move some surplus property. **Sutton** also talked about a new 7 ½ mile rail-trail acquisition from Ironwood to Bessemer in Gogebic County in the Upper Peninsula. He asked **Roger Storm** of the DNR real estate section to come forward since **Storm** was instrumental in getting the deal put together, and **Sutton** wanted to recognize his efforts.

Changes to Mineral Leasing Program

Mary Uptigrove gave an update on two agenda items. She gave results of the May 8 auction for oil and gas leasing rights in state-owned minerals and also explained changes to mineral leasing programs.

Legislative Update

DNR Legislative Liaison **Trevor VanDyke** was at the Legislature due to the fact it was the last legislative session day before summer recess. He did, however, submit a written update on legislation concerning the department, and **Director Stokes** highlighted a couple of the items in **VanDyke's** report. **Stokes** commented on House Bill 5364, the capital outlay bill for the Natural Resources Trust Fund program, which has been held up in the Senate and Senate Bill 248, "the public land cap bill" that would

require the DNR to compile a land acquisition strategy and place a statewide cap of 4.65 million acres on state-owned land until May 2015.

Chairman Nichols asked if commissioners could receive a draft of the monthly legislative report prior to the NRC meetings. **Stokes** agreed to furnish the report prior to the monthly NRC meetings, beginning with the July 12 meeting.

Partners in Conservation Award

Direct Stokes presented the DNR's Partners in Conservation Award to the **Michigan United Conservation Clubs (MUCC)** for its long-time partnership with the department to make certain that conservation principles vital to the future of Michigan's great outdoors are upheld. **MUCC** is one of the nation's largest and most prominent statewide conservation organizations in the United States and this year is celebrating 75 years of conservation achievement. **Stokes** called **Erin McDonough**, executive director of MUCC, and **Paul Rose**, president of MUCC, to the front to accept a white pine plaque.

Recognition of Outstanding Outdoor Kids and Official Ice Cream Flavor of State Parks Winner

Maia Stephens, recreation programmer with the DNR Parks and Recreation Division, introduced the three Outstanding Outdoor Kids, **James McGrath**, 15 of Carleton; **Lexi Loehfelm**, 11 of Ada; and **Noah Ekdorn**, 12 of Roscommon. **Chairman Nichols** presented each with a certificate in recognition of their involvement in promoting healthy outdoor recreation and encouraging others to enjoy and participate in preserving Michigan's natural environment. **Maia** also served samples of the official ice cream flavor of state parks, Pure Michigan Caramel Apple, made by Hudsonville Ice Cream. She explained that Dawn Dummer of Houghton Lake had the winning entry (out of 4,000 entries) during a contest held in January. The three Outstanding Outdoor Kids chose her flavor as the winner from four finalists.

Chairman Nichols adjourned the Committee of the Whole meeting at 5:15 p.m. and moved immediately into public appearances.

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PUBLIC APPEARANCES

Joel Mikkelsen, of Muskegon, complimented DNR Parks Division employee **Anna Marie Bower**, for her work on the Hart-Montague rail trail. **Director Stokes** said he will pass the message on to Anna.

Jim Sweeney, of Traverse City spoke on behalf of Concerned Sportsmen of Michigan and voiced concerns regarding the connection of antler point restrictions and increased incidence of communicable disease in Michigan's white-tail deer population as well as the dairy and cattle industry. He urged the NRC to reexamine existing regulations and

evaluate the potential impact of any proposed regulations. He provided a White Paper, which examines the issue in depth and urged the NRC to consider proposed policy recommendations contained in the White Paper.

Ron Lanford, veterinarian in Coldwater and Lansing Chapter president of Safari Club International (SCI), supports a moose hunt in Michigan. He said Safari Clubs International have spent hundreds of thousands of dollars to get moose reintroduce into Michigan and the SCI chapters in Michigan would be more than willing to help with funding a moose hunt.

Tony Smith, representing the Southern Lower Peninsula Deer Management Initiative, said the group is requesting a further restriction on the combination license on the unrestricted portion of the license; would like more restrictions on the antler harvest to force more antlerless harvest. The group asked for immediate adoption of HC 4/4 for Zone 3 prior to the 2012 hunting season.

Michael Morgan, was upset with coon hunters hunting and retrieving their dogs on his property. **Commissioner Wheatlake** mentioned that this issue (entering or remaining on property of another) is a statutory law, and the NRC has no authority. He suggested **Morgan** contact his legislator. **Chairman Nichols and Director Stokes** asked **Officer Dean Molnar** of the DNR Law Enforcement Division to meet with **Morgan** to explain his options to remedy the situation.

Dick Zook from Roscommon County was representing the Mid-Forest Lodge regarding antlerless deer permits. **Zook** said the lodge requests the NRC approve the DNR's plan for antlerless deer permits on both public and private lands in Roscommon County. Members feel harvest of antlerless deer is essential for population control, balancing the deer herd, and forest and habitat regeneration.

Lincoln Rohn, Newago County, expressed his support for the hunter's choice initiative and asked the NRC to take the APR restrictions into consideration.

Bob Walker, representing the United Sportsmen's Alliance, said the APR proposal should follow the guidelines that are currently in place, which were adopted by the NRC December 8, 2011, on the recommendation of the APR Workgroup to improve the application process.

Matt Blakely, director of policy for **Representative Peter Pettalia** appeared on behalf of the representative who was in session. **Blakely** said the representative is asking for a further reduction of the non-baiting areas, including south of M-32 in Montmorency and Alpena counties, north of M-72 in Oscoda and Alcona counties, east of M-33 in Montmorency and Oscoda counties, and west of US-23 in Alpena and Alcona counties, which would allow baiting in all of Iosco County. **Blakely** said **Rep. Pettalia** is looking forward to working with the Commission to find solutions to the TB problem.

Therese Kline, Michigan Horse Council trail chair, thanked the Commission for six equestrian trails and reminded commissioners that next year the Michigan Trail Riders Association will celebrate 50 years of working with the DNR. Kline offered a personal thank you to the park manager at Ionia State Park who opened up the Group Camp Memorial Day weekend to campers who did not have reservations.

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Chairman Nichols adjourned the public appearances portion of the meeting and called the regular meeting to order at 6:03 p.m. He noted that all members who were initially in attendance are currently present for the regular meeting.

FOR INFORMATION ONLY – NATURAL RESOURCES COMMISSION

Chairman Nichols listed the *NRC For Information Only* items as:

Wildlife Conservation Order Amendment No. 10 of 2012, Waterfowl Regulatory Update: Early Seasons Hunting Regulations, Youth Hunting, Managed Area Shot Size

Wildlife Conservation Order Amendment No. 11 of 2012, Antlerless Deer License Quotas

NATURAL RESOURCES COMMISSION ACTION ITEMS

Approval of Minutes, May 17, 2012, NRC Meeting

Commissioner Schlaybaugh made a motion that the minutes of the May 17, 2012, NRC meeting be approved. **Commissioner Madigan** seconded the motion, and it passed, unanimously.

Wildlife Conservation Order Amendment No. 6 of 2012

Commissioner Madigan moved that Section 3.102, Subsection 10 of Wildlife Conservation Order Amendment No. 6 of 2012 be amended to state: *For deer management units 452, 486 and 487, a person may purchase up to a season limit of 10 private land antlerless deer hunting licenses until the quota has been met. For all other deer management units, a person may purchase up to a season limit of 5 private land antlerless deer hunting licenses until the quota has been met.* **Commissioner Matonich** seconded the motion, and it carried unanimously.

Commissioner Madigan made a motion to approve Wildlife Conservation Order Amendment No. 6 of 2012 as amended. **Commissioner Matonich** seconded the motion, and it carried unanimously.

Wildlife Conservation Order Amendment No. 7 of 2012

Commissioner Madigan moved that Wildlife Conservation Order Amendment No. 7 of 2012 be adopted. **Commissioner Wheatlake** seconded the motion, and it carried unanimously.

Wildlife Conservation Order Amendment No. 8 of 2012

Commissioner Madigan moved that Wildlife Conservation Order Amendment No. 8 of 2012 be adopted. **Commissioner Schlaybaugh** seconded the motion, and it carried unanimously.

Wildlife Conservation Order Amendment No. 9 of 2012

Commissioner Madigan moved that the first sentence of Section 3.4 of Wildlife Conservation Order Amendment No. 9 of 2012 be amended to read: *Only Michigan residents who will be at least 10 years of age by the first day of the first elk period may apply.* The motion was seconded by **Commissioner Matonich** and passed unanimously.

Commissioner Madigan moved that Wildlife Conservation Order Amendment No. 9 of 2012 be adopted as amended. **Commissioner Wheatlake** seconded the motion, and it passed unanimously.

Resolution to Recognize Michigan United Conservation Clubs (MUCC)

Commissioner Matonich made a motion to adopt a resolution recognizing the Michigan United Conservation Clubs for 75 years of partnership with the Natural Resources Commission and the Michigan Department of Natural Resources. **Commissioner Wheatlake** supported the motion, and it carried unanimously.

FOR INFORMATION ONLY – DIRECTOR

Director Stokes listed the Director's *For Information Only* items as Land Use Order of the Director Amendment No. 04 of 2012, Order to Regulate Use of Crystal Lake Boating Access Site, Benzie County; Land Use Order of the Director Amendment No. 05 of 2012, Order to Designate Rockport as a Michigan State Recreation Area, Presque Isle and Alpena Counties; Proposed Changes to Lease Restrictions for Mineral Leasing Program; and Chronic Wasting Disease (CWD) Plan Update

DIRECTOR'S ACTION ITEMS

Director Stokes indicated he will sign all Director's Action items for June, which include Statewide Trout, Salmon, Whitefish and Lake Herring Regulations (FO-200); Oil and Gas Lease Auction; and several land transactions.

COMMITTEE REPORTS

Michigan State Parks Advisory Committee

Commissioner Richardson, chairman of the Michigan State Parks Advisory Committee, reported that an update was given on the Blue Ribbon Panel on State Parks, which will meet again July 9 in Petoskey; a resolution was adopted in support of Phase I Management Plan for Hartwick Pines State Park and Sanilac Petroglyphs Historic State Park; and updates were given on Belle Isle, state forest campground transition, and ORV trails. **Richardson** noted there would be an ORV trail ride June 16 in the U.P. from Baraga State Park to Twin Lakes. He added that the committee heard a Pure Michigan Marketing Campaign presentation, and discussion was held on the committee's 2012 meeting schedule. The next meeting will be August 9, 2012.

COMMISSIONER REPORTS

Commission Matonich thanked the department for the great updates on the Duck Lake fire. He was passing through, and it was very valuable information.

Commissioner Richardson reported that the Governance Workgroup met Wednesday, June 13, and they will have recommendations for the full commission by September.

Commissioner Steinman reported that she attended the SCORP meeting in Kalamazoo and thanked the DNR for including as many partners as they did.

Director Stokes thanked Commissioner Madigan for hosting the Michigan Natural Resources Trust Fund board in Munising on Tuesday and Wednesday of the past week. **Stokes** also noted that the NRC commissioners put in a lot of time on things for the department, but they also do other things for their communities. While he was in Munising, he learned that a young girl had been bitten by a pit bull, and **Commissioner Madigan** offered his tour boats to anyone who wanted to take a ride for a donation to help pay for the young girl's medical bills, and over 900 people took part.

Nichols announced that the next regular meeting of the commission is scheduled for Thursday, July 12, 2012, at the Lions Club, 230 LeCroix, on Harsens Island in Lake St. Clair, and committees meeting will be the NRC Policy Committee on Wildlife and Fisheries and the Marketing and Outreach Advisory Committee.

Commissioner Madigan made a motion to adjourn. The motion was seconded by **Commissioner Schlaybaugh** and unanimously passed. The regular meeting of the NRC was adjourned at 6:20 p.m.

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APPROVED:

Date: _____

Timothy Nichols, Chair

Keith Creagh, Director