

## MINUTES

### NATURAL RESOURCES COMMISSION

November 10, 2011

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

#### Present for the Natural Resources Commission (NRC)

Mary Brown  
Hurley J. Coleman  
John Madigan  
John Matonich  
J.R. Richardson  
Frank Wheatlake

#### Absent

Timothy L. Nichols, Chair

#### PRESENT FOR STAFF

Rodney Stokes, Director, Department of Natural Resources  
Debbie Whipple, Executive Assistant to the Natural Resources Commission  
Stacy Welling, Upper Peninsula Regional Coordinator  
Peter Manning, Legal Counsel, Office of the Attorney General  
Other Department staff

### COMMITTEE OF THE WHOLE

In the absence of Natural Resources Commission (NRC) Chairman Tim Nichols, NRC Vice Chairman Frank Wheatlake called the Committee of the Whole meeting to order at 3:00 p.m.

#### DIRECTOR'S REPORTS

##### Legislative Update

**Gary Owen, DNR Legislative Liaison**, reported that HB 4684 was introduced in the House Natural Resources Committee by Representative Greg McMaster that essentially stated that equine users could use any place on state land where horses had been in the past and included a section that said the DNR shall not restrict the use of equine activity anywhere that a horse has ever been. **Owen** said the bill was amended in committee but not voted on. The amendment basically took out the language that

restricted the DNR's ability to limit equine activity on state land and added language that said nothing under this section would be able to force the DNR to do anything that may put them into diversion of funding. **Owen** said he testified during the meeting and made it clear that the administration and Director Stokes are committed to working with the equine community on areas within the Pigeon River and elsewhere in the state.

**Owen** also provided a written update on the following legislation:

- SB 412 – Turkey License Fee (Sen. Darwin Booher)
- HB 4927 – Illegally Baiting Game Penalties (Rep. Rick Olson)
- HB 4913 – Commercial Forestland Withdrawal (Rep. Frank Foster)
- HB 4917 – Transport of Crossbows (Rep. Peter Pettalia)
- HB 4298 – Granting Easements on state of Michigan land (Rep. Steven Lindberg)
- HB 4969 and 4970 – Tax Exemption for Forest Land (Rep. Frank Foster)
- HB 4302 – Qualified Forest Property Recapture Tax (Rep. Ed McBroom)
- HB 4684 – Pack and saddle Trails (Rep. Greg MacMaster)

### **Introduction of Kathleen Eriksen, New Marketing and Outreach Division Chief**

**Director Stokes** introduced **Kathleen Eriksen**, a native of Jackson, Michigan, as the new chief of the DNR's Marketing and Outreach Division. **Stokes** said **Eriksen** has more than 14 years experience working in economic development and marketing for communities in Michigan and California, and he is confident in her ability to reach new audiences and strengthen DNR partnerships. **Stokes** said **Eriksen** will play a critical role as the DNR works to attract more people to the state's outdoor recreation.

**Eriksen** said she is thrilled to be back in Michigan and looking forward to working with DNR staff on all the wonderful things they are already doing to promote the natural resources in the state.

### **National 2011 Gold Medal Award for Excellence in Park & Recreation Management**

**Director Stokes** announced that the National Recreation and Park Association and the American Academy for Park and Recreation Administration have presented the Michigan DNR and Parks and Recreation Division with the national 2011 Gold Medal Award for Excellence in Park and Recreation Management.

**Stokes** offered his congratulations to the Parks and Recreation Division and staff throughout the entire department for their commitment and passion to Michigan's resources and to excellent customer service.

**Commissioner Coleman** stated that during the past 25 years, he has been involved with local, county and state parks and recreation agencies and has participated in the National Parks and Recreation Association. He said the award is the absolute highest honor that any agency can receive for recognition of excellence in parks and recreation.

### **Recreation Passport Grants Update**

**Director Stokes** announced that 24 community park and recreation facilities across the state will share nearly \$600,000 in grants generated by the first year success of the DNR's Recreation Passport. Grants range from a minimum of \$7,500 to a maximum of \$30,000. **Stokes** explained that the grants management section received and evaluated 50 grant applications for a total requested amount of \$1.2 million for a broad range of public recreation projects, including playground equipment, picnic tables and shelters, renovation of bathroom facilities, tennis and basketball courts, skate parks and improved access for those with disabilities. The full list of recipients, grant amounts and descriptions of projects is on the DNR Website at [www.michigan.gov/dnr-grants](http://www.michigan.gov/dnr-grants).

### **Great Lakes Restoration Initiative Grants Update**

**Director Stokes** reported that the United States Department of Agriculture Forest Service Great Lakes Restoration Initiative announced 22 grant recipients in seven Great Lakes states and that Michigan had the most number of recipients with seven projects. He said the total amount of money awarded is just over \$3.7 million, and Michigan's portion of that amount is over \$1.5 million – the highest of all the states. All of the projects focus on planting more trees, and the money awarded will be pumped directly into the local economy.

### **Senator Tom Casperson**

**Commissioner Wheatlake** acknowledged **Senator Tom Casperson** who was present and asked the senator if he would like to make any comments. The senator replied that he did not.

### **Land Transactions Update**

**Director Stokes** highlighted two of the six land transactions for approval in November. He said each of the two acquisitions is a large track of land in the Upper Peninsula, and the total acreage being acquired is approximately 3,650 acres. He described the first transaction as 1,280 acres being acquired in Marquette County with \$1.4 million from the Natural Resources Trust Fund. He said the primary purpose for acquiring the property is for its excellent wildlife habitat, and noted that it will be managed by the DNR Forest Management Division. **Stokes** described the second acquisition as 2,354 acres of land in two separate parcels located along the Menominee River that together provide approximately 6.5 miles of river frontage. The properties are referred to as the Quiver Falls and Piers Gorge tracts and cost just over \$2.5 million, also from the Natural Resources Trust Fund, with some additional funding from the Land Exchange Facilitation Fund. This property offers spectacular scenery, including rapids and waterfalls, rocky gorges, and wildlife viewing as well as fishing. It will be managed by the DNR Parks and Recreation Division in partnership with the state of Wisconsin's Department of Natural Resources, which owns almost all the property on the other side

of the river. **Stokes** added that each of the land transactions was discussed with state Senator Casperson, and the acreage cap in his bill reflects the transactions as Trust Fund acquisitions currently in process.

**Commissioner Wheatlake** asked if the highlighted parcels acquired were outside the boundaries established during the land inventory. **Director Stokes** acknowledged that the parcels are outside the established boundaries but are opportunities for additional recreation areas and also provide a unique recreational experience, particularly with the rapids, which our parks system doesn't have. **Stokes** said it also was a great opportunity to co-manage a recreation area with an adjacent state. **Stokes** confirmed that the acquisitions do not change the mandate to acquire land only in the defined boundaries.

### **Todd Kalish Recognition**

**Director Stokes** recognized **Todd Kalish**, DNR Fisheries Division Lake Erie Basin coordinator, who was honored by the Michigan Association of Townships and Grand Traverse County with the Frank Purvis Stewardship Distinguished Service Award for his leadership and dedication to volunteerism and civic engagement on the Boardman River Dams Committee. **Stokes** congratulated **Kalish** who was not able to attend the meeting.

### **Pheasant Restoration Initiative Update**

**Russ Mason, chief of the DNR Wildlife Division**, was called on to give an update on the Pheasant Restoration Initiative. **Mason** reported that good progress was made in 2011 at Lake Hudson, Verona and Maple River. He mentioned that Pheasants Forever has hired a new state biologist to replace Mike Parker who was hired by the DNR as a hunter access biologist, now a private lands biologist. **Mason** noted that an open house was held recently at Maple River for Pheasants Forever chapters from across the state to explain what has been happening at Maple River and to invite them to work as volunteers on state land to improve habitat for pheasants. **Mason** also reported on the first cooperative outside of Lake Hudson – private land owners working with the DNR to provide better habitat for pheasants.

### **Announcement of Department Organizational Changes**

**Director Stokes** announced some major organizational changes that will be taking place within the DNR to help the department strengthen its role in Michigan's natural resource-based economy and better promote our state as a top destination for outdoor recreational opportunities.

**Stokes** reported that effective January 8, 2012, he is abolishing the Forest Management Division and establishing the Forest Resources Division, which will manage state forests and work closely with the Michigan Forest Product Council, the Forest Management

Advisory Council, the newly established Timber Advisory Council, and other key industry partners.

**Stokes** said he also is creating the Office of Land Administration, which will include oil, gas, and mineral responsibilities along with real estate, including the issues of trespass, easements and use permits.

The director went on to say that personnel and functions of the Forest Management Division's recreation and trails section will be transferred to the DNR Parks and Recreation Division. He said this move will help the DNR to better promote and establish Michigan as the "Trail State."

**Commissioner Wheatlake** asked how these changes will affect the Michigan Snowmobile Trails Advisory Council. **Stokes** replied that recreation programs will be moved to the Parks and Recreation Division under the direction of Chief Ron Olson.

### **Emily Bee Recognition**

**Director Stokes** recognized **Emily Bee**, a 10<sup>th</sup> grade student at Hartland High School in Livingston County, for her October 8 world championship win at the *National Archery in the Schools Program* world tournament at Disney World in Orlando, Florida. **Stokes** presented **Bee** with a white pine plaque from the DNR and the NRC for her outstanding accomplishments in archery and congratulated her on being the first *National Archery in the Schools Program* female world champion from Michigan. **Stokes** read a letter to Emily from Governor Rick Snyder, congratulating her on her achievement.

The director also thanked DNR staff member **Mary Emmons** for her dedication and commitment to the *Archery in the Schools Program*.

### **Turkey Patch Award Presentation**

**Tony Snyder, Michigan State Chapter President of the National Wild Turkey Federation (NWTf)** gave a brief summary of the wild turkey management cooperator patch program and recognized **Viktorija Basso** from Lake Orion High School as the 2012 turkey patch contest design winner.

\* \* \*

### **PUBLIC APPEARANCES**

**Wallace Walter, Mio**, spoke in favor of deer baiting. He would like to see baiting opened up in Oscoda County for a two-year trial period.

\* \* \*

**Commissioner Wheatlake adjourned the public appearances portion of the meeting and called the regular meeting to order at 3:55 p.m. He noted that all members who were initially in attendance are currently present.**

## **NATURAL RESOURCES COMMISSION ACTION ITEMS**

### **Approval of Minutes, October 13, 2011, NRC Meeting**

**Commissioner Coleman** made a motion, supported by **Commissioner Matonich**, that minutes of the October 13, 2011, NRC meeting be approved. Motion carried unanimously.

### **Amendment to Deer Baiting Ban Area in the Lower Peninsula Wildlife Conservation Order Amendment No. 16 of 2011**

**Commissioner Madigan** made a motion that Wildlife Conservation Order Amendment No. 16 of 2011 be adopted. **Commissioner Richardson** supported the motion and **Commissioner Wheatlake** called for discussion. He asked **Commissioner Madigan** to explain what will happen if the amendment is adopted.

**Madigan** explained that the existing order closed off six counties to baiting. After a review by the Department of Agriculture and Rural Development and the split-state status, this amendment will reopen Presque Isle County and the lower half of Iosco County to baiting.

**Commissioner Matonich** commented that the new order does align itself more closely with the accredited zones for TB recently renamed within the state.

**Commissioner Wheatlake** said he is concerned with the enforcement issue for baiting ban violations and opposes the amendment, which he feels will reopen this area without having the proper penalties in place to enable law enforcement to do its job.

**Commissioner Wheatlake** called for a roll call vote with the following results:

Commissioner Brown – no  
Commissioner Coleman – yes  
Commissioner Madigan – yes  
Commissioner Matonich – yes  
Commissioner Richardson – yes

Motion passed on a vote of 4-1.

## **FOR INFORMATION ONLY ITEMS – DIRECTOR**

**Director Stokes** listed the Director's *For Information Only* items as:

- Statewide Trout, Salmon, Whitefish and Lake Herring Regulations (FO-200)
- Waters Closed to the Taking of Minnows for Personal Use (FO-203)
- Spawning Closures (FO-204)
- Regulations for the Taking of Minnows for Commercial Purposes (FO-216)
- Spearing Regulations - Statewide (FO-219)
- Fish Disease Control (FO-245)

## **DIRECTOR'S ACTION ITEMS**

**Director Stokes** indicated he will sign all Director's action items, including all land transactions, for November.

## **COMMITTEE REPORTS**

### **NRC Policy Committee on Wildlife and Fisheries**

**Commissioner Madigan** reported that an update on wolf funding was given by **Russ Mason**; discussion was held on the deer baiting issue in northeast Michigan; **Jim Dexter** gave an update on fisheries orders; and the antler point restriction procedure was reviewed. **Madigan** indicated that **Russ Mason** will present more information on antler point restrictions at the December 8 Wildlife and Fisheries committee meeting in order to move the process forward.

## **COMMISSIONER REPORTS**

**Commissioner Matonich** reported that he and **Commissioner Richardson** attended the MI Trail organization's annual meeting at Bruce Crossing on October 15 and had an opportunity to address the group. On November 1, **Matonich** attended a Mentored Youth Hunt Workgroup meeting in Lansing and reported that members of the group will attend the December NRC meeting to give a presentation and make recommendations in the T.I.M.E. committee. **Matonich** also attended his second TB Advisory Team meeting on November 2 at the Agriculture facility in Atlanta, Michigan, as the NRC representative. The new state status was discussed, where Michigan went from 15 TB-free counties to 72 TB-free counties.

**Commissioner Madigan** noted that he attended an event in Rogers City, which honored former NRC Commissioner Harry Whitely.

**Commissioner Coleman** voiced a “pet peeve” of his. He said he has been part of the commission for a number of years and expressed his concern about how things are done. He said he’s not convinced that the commission always makes the best decisions. He thinks the commission should be more focused on the state of Michigan and not the rest of the country. In particular, he’s not completely comfortable with the action the commission has taken on the deer baiting issue. He feels deer baiting has a major impact on the economy in the state. He would like more information to help him understand how the commission comes to its decisions. **Coleman** commended the department for its leadership in getting more young people involved in the outdoors.

**Commissioner Brown** acknowledged the Michigan State University Fisheries and Wildlife class of Pat Stewart and asked the students to come forward as a group and introduce themselves.

**Commissioner Wheatlake** announced that committees meeting at the December 8, 2011, NRC meeting are the NRC Policy Committee on Wildlife and Fisheries and the NRC Policy Committee on Technology, Information, Marketing and Education (T.I.M.E.).

The next regular meeting of the commission is scheduled for **Thursday, December 8, 2011, at the Diagnostic Center in Lansing.**

**Commissioner Matonich** made a motion to adjourn. The motion was seconded by **Commissioner Brown** and unanimously passed. The regular meeting of the NRC was adjourned at 4:20 p.m.

\* \* \*

APPROVED:  
Date: \_\_\_\_\_

\_\_\_\_\_  
Timothy Nichols, Chair

\_\_\_\_\_  
Rodney A. Stokes, Director