



NATURAL RESOURCES COMMISSION POLICY

1012 – Execution of Authorities Shared with the Director **(Revised: 09/12/2013)**

Supersedes:

N/A

Purpose:

The Natural Resources Commission has authority to regulate the taking of game as provided in the Natural Resources and Environmental Protection Act (NREPA) as amended, Section 40113a (MCL 324.40113a), and the taking of fish as provided by NREPA Section 48703 (MCL 324.48703a). The Department, through the Director, has authority to: manage animals and to issue and revise orders as provided by NREPA Sections 40107 and 40110 (MCL 324.40107 and MCL 324.40110); issue interim orders as provided by NREPA Section 40108 (MCL 324.40108); and to issue orders protecting fish, animals, or birds as provided by NREPA Section 41103 (MCL 324.41103).

This policy statement addresses the issuance of Interim and Protection Orders authorized pursuant to NREPA.

Definitions:

“Protection Order of the department” means an order of the department issued under NREPA Section 41103.

“Interim Order of the department” means an order of the department issued under NREPA Section 40108.

Policy:

The Commission shall, to the greatest extent practicable, utilize principles of sound scientific management in making decisions regarding the taking of game and fish, pursuant to Executive Order 2009-54, Section III.A.1 and NREPA, Section 40113a (MCL 324.40113a) and Section 48703a (MCL 324.48703a).

The Commission shall work collaboratively with the Director to develop Orders regarding the taking of game and fish, which shall be issued following a public meeting and an opportunity for public input.

The Director shall, to the greatest extent practicable, work collaboratively with the Commission in issuing a Protection Order or Interim Order and shall provide public notice consistent with NREPA Sections 41103 and 40108, respectively.

When circumstances warrant issuance of a Protection Order or an Interim Order (for example, in response to a public safety threat, outbreak of disease, infrastructure failure, or potential property damage) the Director may, as provided in Sections 41103 and 40108, modify an order issued under NREPA Section 40107, or Section 40113a, or Section 48703a. The Director shall notify the Commission, at the earliest practicable date, of the proposed issuance of a Protection Order or Interim Order. If a Protection Order or Interim Order is issued before it is presented at

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a meeting of the Commission, the Order shall be placed on the agenda for discussion at the next regularly scheduled meeting of the Commission.

An Interim Order shall be in effect for not more than 6 months.

A Protection Order shall not remain in effect for more than 5 years.

Related Reference:

Executive Order 2009-45 and 2009 - 54

Executive Order 2011-1 and 2011-2

1012 – Execution of Authorities Shared with the Director is hereby approved.

J.R. Richardson, Chair

Effective Date