MINUTES

NATURAL RESOURCES COMMISSION MEETING

October 12, 2017
Thunder Bay National Marine Sanctuary
500 W. Fletcher Street
Alpena, MI 49707

Present for the Natural Resources Commission

John Matonich, chair
J.R. Richardson, vice chair
Rex Schlaybaugh
Christine Crumbaugh
Chris Tracy

Present for DNR staff

Peter Manning, legal counsel, Office of the Attorney General
Bill O'Neill, DNR deputy director
Trevor VanDyke, DNR legislative/legal director
Brooke Parmalee, DNR legal staff
Cheryl Nelson, executive assistant to the NRC

COMMITTEE OF THE WHOLE

Chairman John Matonich called the Committee of the Whole meeting to order at 2:21 p.m.

The chairman presented a resolution of appreciation to **Jeff Gray**, superintendent, **Andrew Augustyn,** visitor experience manager, along the entire staff of Thunder Bay National Marine Sanctuary for the great accommodations provided for the meeting.

Introduction to Thunder Bay National Marine Sanctuary **Jeff Gray** welcomed the audience and commission to the sanctuary and shared the sanctuary's mission and how that aligns with research and tourism.

Parks and Trails Update Parks and Recreation division (PRD) chief **Ron Olson** provided information that August recreation passports eclipsed 41%, making the fiscal year up over 35%, with over 7.8 million vehicles. **Olson** recapped camping numbers which were up 11.7%; harbor nights were up 42%, ORV permits up 5.7%, and trail permits were up 8.4%. The camping/lodging surveys have been coming back with a 90% satisfaction rate. This is the first year for satisfaction results and they are at 87%. **Olson** added that next year there will be no restrictions on firewood, education on invasives will be stepped up. He also talked about the media discussion on the Grand Prix on Belle Isle, who proposed to extend their agreement which expires in 2018 and they hope to have it wrapped up by the end of 2017. **Olson** reported that a 93 pound Petoskey stone that was removed illegally from Lake Michigan will be on display at the Outdoor Adventure Center.

Renaming of Lakelands Trail State Park to Mike Levine State Park **O'Neill** introduced **Mike Levine** and noted that he has recently pledged $5 million to expand and improve three trails; the Lakelands Trail State Park, Great Lake to Lake Trail Route 1 and the Iron Belle Trail. **Olson** shared that **Mike** is a passionate, active partner in Michigan trails. He presented an award to **Mike** for his dedication to and tireless support of Michigan's trail system.

Bob Wilson, executive director of the Greenway Alliance added that **Mike's** contributions have truly made a difference, who wants to make our lives as Michiganders better.

CWD Symposium Update and Interim Order No. 1 of 2017: Chronic Wasting Disease Response Measures for Deer in Kent and Montcalm Counties **Deputy Director O'Neill** thanked Wildlife **chief Mason**, **Dr. Kelly Straka** and **Chad Stewart** for putting on the symposium. **Chad Stewart** shared information on the recently held symposium on Chronic Wasting Disease (CWD) and the select speakers who provided input at the conference. There were researchers, stakeholders, along with specialists from Wisconsin, Wyoming, Missouri and Pennsylvania. **Stewart** added that this was the most comprehensive symposium to be held in nearly 10 years with some extremely interesting panel discussions. In total, there were 194 attendees, plus 200-300 additional livestream viewers. The symposium was funded by many sponsors who **Stewart** thanked for their partnership. He said now the focus shifts to the working group of nine members who will be making recommendations to the commission moving forward. These recommendations will be presented to the commission by the end of December, with a formal presentation at the January 2018 commission meeting.

Public Act (PA) 288 Update **Deb Begalle** chief of the Forest Resources division provided an update on PA 288 and what the unique aspects of the plan currently include; consolidated motorized vehicle use restrictions, in which the department will post which roads are opened and which are closed. The land use order (LUOD) will allow ORVs to access frozen waters to facilitate ice fishing and restrictions will stay in place in the Pigeon River County for retrieval of elk only, accompanied by department staff. 7600 miles have been mapped to date with 87% of forest roads to be open. A press release was released a week prior stating that public comments will be received until November 16. This LUOD will be presented to the Director for approval at the December 2017 commission meeting.

Law Enforcement Division Lifesaving Awards; Officers Paul Fox and William Webster Law Enforcement division chief **Gary Hagler** presented lifesaving awards to conservation officers (COs) **Paul Fox** and **William Webster**. **Fox** saved a woman who had fallen through the ice on a lake in Presque Isle county. Conservation Officer **Bill Webster** saved a suicidal person in a remote area of Alpena county. **Hagler** and **O'Neill** thanked both COs for a job well done.

Legislative Report **Trevor VanDyke,** director of the Legal and Legislative office provided a written report of legislation related to the department. In addition to the written report, **VanDyke** provided updates on recent legislative highlights.

Committee Reports:

Michigan State Parks Advisory Committee: Commissioner Tracy shared that the committee received a report on PRD's Environmental Sustainability Path, which was done by the Green Initiatives team. Management plans for Port Crescent and Sleeper state parks were reviewed. They received additional information on the department's management of the invasive species;

Hemlock Woolly Adelgid, which weakens and kills hemlock trees. A resolution was passed asking the department to convene a task force to educate the public. The committee also received reports on PA 288, and the legislation on e-bikes.

NRC Marketing, Partnership, Outreach and Youth Advisory Committee was held jointly with the Michigan Travel Commission. **Matonich** shared that there was discussion on several items including the strategic plan for the Pure Michigan campaign; a report on invasive carp; the State Comprehensive Outdoor Recreation Plan and the department's efforts to promote snowmobiling in Michigan.

NRC Policy Committee on Wildlife and Fisheries: Commissioner Schlaybaugh shared that they received a report from Fisheries chief **Jim Dexter** on egg take at weirs, and that the New Zealand mud snail has now been found in the upper Manistee, Pere Marquette, Boardman and AuSable rivers. The committee was also updated on several upcoming fish orders. Wildlife chief **Mason** provided a report on the recently held CWD Symposium, the finding of a CWD-positive deer in Montcalm county, a report on the fall elk season and a presentation by **Dr. Kelly Straka** and **Dr. Richard Smith** about bovine TB in the state's deer and cattle herds.

PUBLIC APPEARANCES BEFORE THE NRC

(Brooke Parmalee read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 3:24 p.m.)

Doug Audette brought awareness that will affect forestry in Michigan. He runs a bio-mass plant in the area; a company that provides base-load renewable energy which is made by using waste wood out of the forest. It keeps the woods cleaned up for replanting. There is an avoided cost case coming up where they may get an unfavorable ruling; they won't get an avoided cost that will allow them to keep operating. Every ruling to date doesn't appear to be in their favor. **Audette** asked for ancillary benefits that revenue stay in their communities. They want to receive fair avoided costs. He was appearing to ask for the help of the department and commission. **Richardson** said that he would bring this to the Timber Advisory council.

Chuck Smith representing Michigan Chapter 58, Inc., charter captains said that his club is worried that catch and immediate (CIR) of muskies would hurt the fish. Smith talked about the VHS that had killed many fish this past year. They have set up a website since the last meeting that has over 530 signatures against CIR in Lake St. Clair, with only three voting for CIR. They are worried about CIR and the possibility of getting VHS again.

Jason Quintano, Vice President, Lake St. Clair Muskie Charter Boat Association, says that this organization does not want CIR in Lake St. Clair. It's a unique, self-sustaining fishery and that CIR would be detrimental to natural reproduction. They have collected over 500 signatures against the proposed CIR. **Quintano** asked the commission to keep Lake St. Clair exempt from this order.

Brad Smith, president of the Michigan-Ontario Muskie Club said that this club is against CIR in Lake St. Clair. He said that there is a lack of data to support or denounce this proposal and that survey results indicate that 75% of the muskie fishing community doesn't want this change. **Smith** said that it should be more of a democratic process, starting with the small inland lakes, not a large one such as Lake St. Clair. He does not feel that this is protecting or preserving the species.

Jeremy Werth is a fourth generation dairy farmer but is concerned about bovine TB. His herd of 650 were found to be positive and depopulated. This was devastating. The disease follows the infection of the deer herd in their area within a two-year cycle. He suggested a collaborative effort with DNR, MDARD, MUCC, QDMA and producers to get data from hotspots. If that is found they can stop the spread of TB.

Kevin Small from Michigan Cattlemen's Association, is a local cattle producer who has seen TB in his herd twice, in 2000 and 2010. **Small** said that getting TB information early enough would help prevent this. There are DNR/MDARD staffers who make good decisions on deer and livestock management. He also suggested that the various groups, departments and stakeholders work together to provide inroads into the program to change TB management and transmission between species.

Christian Tollini from the Michigan Cattlemen's Association, said that his family's farm was also depopulated in 1999 due to the finding of two TB positive head of cattle. He said that with increased infection rates, unless it is managed there will never be a decline in the disease. **Tollini** asked for an aggressive move to eliminate this disease. He would like to see a complete baiting and feeding ban; fines for baiting/feeding be raised to same rate as poaching; get the deer population down in this region by working in cooperation with USDA Wildlife Services.

Bernadette Schuelke from the Center for Education, Wildlife and Research came to share a solution. Alban Center for Wildlife and Research, which is located in the center of DMU 452, can use technology to get the hotspot data. Because they are local, hunters and farmers are more familiar with them. They could look at types of feeding that would pull deer away from cattle farms. They want to educate and have deer co-ops come together to share information. **Schuelke w**ants to make everyone aware that this partnership can exist.

Dave Post, village manager from nearby Hillman talked about the importance of forest management to the area. The village would to see the forest industry stay vital in their area.

Amy Trotter, MUCC's deputy director, reiterated that statute directs the commission that laws are to be made with the best use of sound science. She feels that baiting and feeding is one of the riskiest behaviors in Michigan when it comes to deer and disease transmission. They are concerned about waiting to put the baiting ban into effect on January 2 because of the finding of CWD in Montcalm county. **Trotter** feels waiting to implement the ban violates the CWD plan. **Commissioner Tracy** asked if it was MUCC's position to get rid of baiting and feeding in the entire state. **Trotter** responded yes for the purpose of deer hunting and the disease vector. MUCC would like to see it go into effect by November 15. **Trotter** also talked about the need for stronger social science with regard to the muskie in Lake St. Clair. The department should do a more in depth survey first.

Mark Whitman who is a snowmobiler, ORV rider and equestrian believes it would be a mistake to prevent equestrian riding because of PA 288 in Big Oaks. The Equestrian Friends Group of Big Oaks said that they gotten no response on PA 288, their trails are not on the maps. The entire park is open to ORVing. The group thinks this is a big mistake. They want a department representative to go through the park with them; they want to work with them to make sure the right trails are mapped correctly. **Whitman** also asked that the decision be held until this meeting is held. **Begalle** noted that the local supervisor of the campground would be contacting him and that she and **Anna Sylvester** would speak to him after the meeting.

Perry Wood from Anchor Creek Wildlife Co-op thanked the commission for viewing their co-op. The members that attended the meeting the previous day were very positive and believe they are going in the right direction. **Matonich** suggested that he see **Drs. Straka/Smith's** presentation.

Dick Zook shared his thoughts on the CWD Symposium. He thanked the commission and staff, he felt it was a very professionally-run meeting with much good information shared. Three items were emphasized; deer population control, importance of communication and that immediate action necessary and urgency. **Zook** said that this will be a benefit moving forward.

Chairman Matonich adjourned the public appearances portion of the meeting at 4:22 p.m. and called to order the regular meeting of the NRC at 4:23 p.m. He noted that all commissioners who were present at the Committee of the Whole were present for the regular meeting.

REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

FOR INFORMATION ONLY - NATURAL RESOURCES COMMISSION

Matonich reviewed the items up for information only.

Statewide Trout, Salmon, Whitefish, Lake Herring, and Smelt Regulations, Fisheries Order 200.18

Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes, and White Bass, Fisheries Order 215.18

Bow, Spear, and Crossbow Fishing Regulations, Fisheries Order 219.18

Regulations on Freshwater Mollusks, Fisheries Order 228.18

Netting Regulations, Fisheries Order 229.18

Schlaybaugh would like a memo that highlights the changes that have been made on the Bay City/Tobico Marsh amendment.

NATURAL RESOURCES COMMISSION ACTION ITEMS

Approval of Minutes, September 14, 2017 Natural Resources Commission Meeting

Commissioner Crumbaugh made a motion that the minutes of the September 14, 2017 NRC meeting be approved. **Commissioner Tracy** supported the motion. **Matonich** called for discussion, there being none a vote was taken and the motion carried unanimously.

Special Hook Size Fishing Regulations

Commissioner Tracy moved that Fisheries Order 202.18, Special Hook Size Fishing Regulations be adopted. **Commissioner Crumbaugh** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Spawning Closures

Commissioner Schlaybaugh moved that Fisheries Order 204.18, Spawning Closures be adopted. **Commissioner Tracy** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Michigan-Wisconsin Boundary Waters Regulations

Commissioner Schlaybaugh moved that Fisheries Order 205.18, Boundary Waters Regulations be adopted. **Commissioner Crumbaugh** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Special Fishing Regulations for Warmwater Species on Select Waters

Commissioner Schlaybaugh moved that Fisheries Order 206.18, Special Fishing Regulations for Warmwater Species on Select Waters be adopted. **Commissioner Crumbaugh** supported the motion. **Commissioner Richardson** made a motion to amend Lake Ottawa in Iron county, it would stay as a catch and keep lake. **Schlaybaugh** supported the amendment to the motion. **Matonich** called for discussion on the motion to amend, there being none, the motion to amend was carried. With the amended motion, **Matonich** asked for further discussion on the amended motion, there being none, a vote was taken and the motion carried unanimously.

Designated Trout Streams for Michigan

Commissioner Schlaybaugh moved that Fisheries Order 210.18, Designated Trout Streams for Michigan be adopted. **Commissioner Tracy** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Sturgeon Regulations

Commissioner Schlaybaugh moved that Fisheries Order 240.18, Sturgeon Regulations be adopted. **Commissioner Crumbaugh** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

FOR INFORMATION ONLY – DIRECTOR

Deputy Director O'Neill listed the "for information only" items on the agenda.

DIRECTOR'S ACTION ITEMS

Deputy Director O'Neill listed the "director's action" items on the agenda and indicated he would approve all items on behalf of director **Creagh**.

COMMISSIONER REPORTS

Commissioner Schlaybaugh said that he spent two days at CWD Symposium, and that a great job was done both organizing and conducting. In addition, he spent a week in Montana on trout waters and discussed some of their regulatory approaches.

Commissioner Crumbaugh also attended the CWD Symposium, saying that a great job was done. She said that bringing together all those experts was a showcase of excellence and she thinks there will be great collaborations in the future. She thanked the Alpena CVB and Thunder Bay for hosting this meeting.

Commissioner Richardson attended a UPSA meeting raised over $15,000 to support UP habitat.

Commissioner Tracy thanked COs Fox and Webster for all they do to protect us.

Deputy Director O'Neill thanked the commissioners for all the meetings that they have attended on behalf of the department over the past month.

Chairman Matonich thanked the Thunder Bay staff, and added that he too, attended the CWD Symposium.

Next Meeting

Chairman Matonich announced that the next meeting of the NRC is scheduled for Thursday, November 9, 2017 at the MSU Veterinary Diagnostic Laboratory, 4125 Beaumont Road, Lansing. The committee meeting in November will be the NRC Policy Committee on Wildlife and Fisheries.

Adjournment

Commissioner Schlaybaugh made a motion to adjourn. **Commissioner Tracy** seconded and the meeting was adjourned at 4:37 p.m.

APPROVED: Date: 11/9/17

John Matonich, NRC Chairman

Keith Creagh, DNR Director