

MINUTES

NATURAL RESOURCES COMMISSION

APRIL 2, 2009

LANSING CENTER
333 E. MICHIGAN
LANSING

PRESENT FOR THE NRC

Keith Charters, Chair
Mary Brown
Hurley Coleman
John Madigan
J. R. Richardson

ABSENT FOR THE NRC

Frank Wheatlake, Vice-Chair

PRESENT FOR STAFF

Marie Shamraj, Legal Counsel
Jim Riley, Legal Counsel
Rebecca Humphries, Director
Rodney Stokes, Chief of Staff
Mindy Koch, Resource Management Deputy
Stacy Welling, Upper Peninsula Field Deputy
Dan Eichinger, Legislative Liaison
Teresa Gloden, Assistant to the NRC
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 3:00 p.m.

DEAN MOLNAR, NEWLY APPOINTED ASSISTANT CHIEF, LAW ENFORCEMENT DIVISION

Gary Hagler, Chief, Law Enforcement Division, introduced **Dean Molnar**, recently appointed Assistant Chief, Law Enforcement Division. **DIRECTOR'S ACTION ITEMS**

Commissioner Coleman noted that a great deal of work and efforts went into developing the Parks and Recreation Division 2009-2019 Strategic Plan and commended staff and others for those efforts.

Director Humphries said she would withdraw the following item per the request from Oakland County: “**Parks and Recreation Easement Exchange, LakeLand Trail State Park – Oakland County, Land Transaction Case #20070359.**”

Chairman Charters noted that the land transaction, “Sale of Surplus State-owned Land-Land Consolidation Phase III Parcel,” was a good transaction.

Director Humphries noted that a Director’s Interim Order has been developed to designate the gray wolf as a protected animal consistent with Michigan’s Wolf Management Plan after the gray wolf comes off the federal and state endangered species lists. This protection recognizes the ability of an owner of livestock and domestic dogs to kill a wolf in the act of preying upon these animals. **Director Humphries** stated her intent to sign this Interim Order.

LEGISLATIVE UPDATE

Dan Eichinger, Legislative Liaison, presented the following Legislative Update:

State Park Passport Package: **SB 388** (Birkholz), **SB 389** (Basham), **HB 4677** (Warren), and **HB 4678** (Meekhof): This package of bills implements the recommendations of the Citizens Committee for Michigan State Parks, relative to adding an optional \$10 fee to each licensed vehicle registration. A joint hearing of the House Great Lakes and Environment Committee and Senate Natural Resources and Environmental Affairs Committee convened yesterday morning to begin taking testimony on the package.

Among those presenting were **Commissioners Coleman and Brown**, and the committees received a copy of the letter prepared by **Chairman Charters**. The vast majority of the testimony offered was in support of the package. Notable opposition came from the Secretary of State, Michigan Municipal League, and County Road Association of Michigan.

The Chairs, Representative Warren and Senator Birkholz, have indicated at least one additional hearing will be held prior to scheduling a vote to report the bills to the floor of their respective chambers. **HB 4199** (Lahti) - prohibits the launch of watercraft in waters in the State of Michigan if an aquatic plant is attached to it. The bill was substituted in committee to provide for a \$100 fine for violation. The bill was passed by the House and transmitted to the Senate.

HB 4507 (Espinoza) - would expand upon a bill passed last year allowing local units of government to adopt ordinances allowing the travel of ATVs/ORVs on the extreme right of the road right of way. The bill adds four counties to the list of those eligible to pass such an ordinance: Huron, Tuscola, Sanilac, and St. Clair. The bill passed the House and has been transmitted to the Senate. The Department adopted a neutral position on the legislation.

HB 4579 (Warren) - makes additions and deletions to the list of invasive species. The bill removes the yellow-flag iris and adds several invasive mollusks and aquatic plants. The Department supports this legislation and its Senate twin, **SB 280** (Van Woerkom). The bill was reported by the Great Lakes and Environment Committee, passed the House and has been transmitted to the Senate.

SB 322 (McManus) - makes appropriations for the Michigan Natural Resources Trust Fund. That bill is scheduled to move today on the House floor. The bill was reported with recommendation by the Appropriations Committee without amendment or substitute.

HB 4610 (Moore) - seeks to undo the Department's actions of the previous year relative to the trail and riding opportunities on State land. The bill specifically requires that all trails and "other areas" opened for pack and saddle animals prior to May 7, 2008, are to remain open and accessible to those animals. Further, by July 31 of this year, you, the Commission, are to establish a network of trails on state owned land for pack and saddle animals.

SB 280 (Van Woerkom) - makes identical changes to the invasive species list as **HB 4579** (Warren). Senator Van Woerkom offered this bill in the previous session. This bill has been reported by the Senate and referred in the House to the committee on Great Lakes and Environment.

SB 164 (Barcia) - allows the Department to issue crossbow permits for temporary disabilities. This bill, a reintroduction from last year was reported by committee on Hunting, Fishing, and Outdoor Recreation and is awaiting a vote on the floor of the Senate.

SB 349 (Barcia) - would eliminate the ceiling that currently restricts discounts for hunting and fishing licenses. Further, the bill provides the Department with the authority to establish discounts for management purposes, in addition to marketing purposes. Lastly, the bill eliminates language specific to providing discounts for antlerless deer and replaces it with language that conceivably could encompass all game animals. The bill was reported by the committee. Hunting, Fishing, and Outdoor Recreation and is awaiting a vote on the floor of the Senate.

SB 409 (Barcia) - would give the NRC the authority to issue a license to span multiple seasons.

The House and Senate are scheduled to adjourn after today for a two week, in-district recess.

INTRODUCTION OF DONNA STINE

Director Humphries introduced **Donna Stine** who was recently appointed as the Governor's Policy Advisor for Environment, Natural Resources and Agriculture.

WASHINGTON D.C. REPORT

Director Humphries brought attention to the report from **M. Carol Bambery, General Counsel, Association of Fish and Wildlife Agencies**. She noted that the Association's biannual meeting was held during the North American Wildlife and Natural Resources Conference in March in Washington D.C. **Director Humphries** and several DNR staff members were able to attend and participate in committee meetings. Highlights of the meeting were included in **Ms. Bambery's** report.

SPEND PLAN

Sharon Schafer, Chief, Budget and Support Services, reported minimal changes in the Spend Plan from the reports on March 5. Some reduced spending has occurred, resulting in the reduction in mileage charge to the Department. The DNR divisions have been asked to hold those savings rather than spend them.

Commissioner Richardson thanked the budget staff for coming to Marquette and presenting budget information. He said it was a good presentation and was well received.

TOWN HALL MEETINGS – CONSERVATION PRIORITIES

Director Humphries said over the next two weeks, the DNR would be hosting a series of public meetings across the state to discuss conservation priorities for the DNR and the State of Michigan. These town hall meetings will be led by Director Humphries with the assistance of the Michigan State University Extension Service.

RECOGNITION – MARIE SHAMRAJ, OFFICE OF THE ATTORNEY GENERAL

Director Humphries said she often speaks about conservation officers or biologists or communication assistants being on the frontlines of protecting and conserving our natural resources. For the last five years, the DNR has had a strong partner and ally on the frontlines in the courtroom – Marie Shamraj of the Attorney General's Office.

Marie's work with the DNR has included several cases and controversial issues. However, the pinnacle of her involvement with the DNR has been the 2007 Inland Consent Decree. Along with her colleague Chris Dobyms, Marie became involved in the inland aspect of the 1836 Treaty in June 2004. They became the primary litigation team for the DNR by navigating and negotiating a solid agreement that formally recognizes and defines the inland hunting and fishing rights of five Native American tribes in Michigan and allows the DNR to continue to regulate the take of fish and game in this state.

Unlike Michigan's neighbors, Wisconsin and Minnesota, who ended up in court over treaties, the Consent Decree allowed the tribes to continue their historic practices while not impacting the general public's ability to hunt and fish. Former DNR Wildlife Chief Bill Moritz, now with Safari Club International, said that Marie was the glue that held the team together, during the Consent Decree negotiations, keeping the team on track and on task.

Diligent, detailed, hardworking, organized – these are the words any DNR employee who has had the pleasure of working with Marie has used to describe her dedication to our agency and our state's resources. Marie has been the DNR's go-to person in the Attorney General's office for burning bans and when we were sued over the baiting ban. In each and every case, Marie handled our issues with the utmost professionalism, successfully managing to provide great legal counsel and protect the natural resources of our state.

Director Humphries personally thanked Marie for her dedication to the DNR and our issues. On May 1 (her effective retirement date), the DNR will be losing a true leader on natural resources issues on the front lines.

Ms. Shamraj said she has enjoyed working with DNR staff but looks forward to retirement.

* * *

The Committee of the Whole meeting adjourned at 3:30 p.m. and the Public Appearances portion of the meeting convened at 3:45 p.m.

PUBLIC APPEARANCES

Tim Cospers
Loren Gardner, Traverse City
Joe Hudson U.P. Bear Houndsmen
Nancy Hudson, U.P. Bear Houndsmen
Bob Jacobson, Michigan Conservation Foundation
Greg Klang, Traverse City
Jim Maturen, Michigan Wild Turkey Hunters Association
James Mauer, Lake Odessa
Bob Morgan
Vincent Nevins, Ionia
Jack Nowland, Traverse City
Ed Spinazzola
Amy Spray, MUCC
Mike Thorman, Michigan Hunting Dog Federation
Jaimie Wright, Gold Prospectors Association of America

Jim Maturen, Michigan Wild Turkey Hunters Association, said for 26 years the Association has been a key player in turkey management. In Michigan's Thumb area, one used to be able to get permission to hunt on private lands. He said that is more difficult to do now if you are not a landowner. **Mr. Maturen** supports management of the state forest and state lands to retain and recruit hunters. **Chairman Charters** asked if he had made the same request of the federal forests. Mr. Maturen said no and that they had given up on the federal government.

Bob Jacobson, Michigan Conservation Foundation, strongly recommended the NRC extend its opposition to turning over protection of Michigan's wetlands to the federal government.

Amy Spray, MUCC, commented as follows:

- **Deer Management**: MUCC supports the DMU Boundary Changes. Work will begin soon with the Deer Advisory Team to discuss “bigger picture” strategies and to bring back recommendations later in the year.
- **Bear Regulations**: MUCC supports Option C. She said enforcement is the key relative to bear guides.
- **Panning and Sluicing**: MUCC supports the proposed Land Use Order on Panning and Sluicing of Gold.
- **Field Trial**: MUCC supports as long as it is clear that this only relates to taking of quail.
- **Crows**: MUCC supports regulations to expand crow hunting opportunities.

Ms. Spray noted that MUCC has communication tools to assist in disseminating information and offered to assist the DNR in this area.

Jaimie Wright, Gold Prospectors Association of America, supports the Director's Land Use Order to regulate the use of lands in the State of Michigan for recreational panning/sluicing of gold and other minerals. He pans and sluices and wants to continue to enjoy his hobby.

Tim Cospers thanked the NRC for its April action on the crossbows regulation. He recommended that the regulations for guides for bear hunts be reviewed. **Director Humphries** said all guide regulations will be reviewed. **Commissioner Brown** said these regulations need reviewing and said she believes that anyone who gets a financial benefit from guiding should have regulations. **Chairman Charters** said the review should include deer, elk and river guiding also.

Ed Spinazzola supports the NRC decision on the crossbows regulation; supports comments made previously in the meeting by Jim Maturen; and reviewed a hypothetical process to develop food plots on public lands. **Commissioner Brown** asked how long it would take to develop a food plot on public land. **Mr. Spinazzola** responded that it would take longer to find a spot to place the food plot than it would to develop it. **Chairman Charters** expressed concern with the practicality of his proposal, specifically if someone developed a food plot then found the area was full of other hunters when they went to hunt that area.

Marie Shamraj, Legal Counsel, Office of the Attorney General, noted that the upcoming public appearances were signed up to discuss a matter that is currently in litigation, and recommended the NRC not react or reply in any way to the comments.

Jack Nowland, Traverse City, supported the DNR's denial of expanding the swim area on West Bay in Traverse City.

Greg Klang, Traverse City, supported the DNR's denial of expanding the swim area on West Bay in Traverse City and does not support prohibiting boaters from utilizing these waters.

PARTNERS IN CONSERVATION AWARD PRESENTATION

Director Humphries presented the Partners in Conservation Award to the Friends of Sleepy Hollow State Park. **Barry Jubek** and other members of the Friends of Sleepy Hollow State Park were present to receive the Award.

The Friends group has provided support for special projects that make Sleepy Hollow State Park a special place, such as: raising over \$12,000 towards a play structure in the park; raising additional funds toward: a wheelchair for park users; an electric powered cart for disabled park patrons' use; an Automatic External Defibrillator for park use; development of a community 'Back Roads' brochure listing rural businesses near the park; 500 cubic yards of additional beach sand resulting in almost immediate increase in beach use at the park; and various programs such as fishing tournaments, Explorer Guide events, youth outings, and search and rescue dogs.

The Friends also organized events such as: the "Take-a-Sack" program, which raised sponsorships for trash bag dispensers for public use throughout the park; the annual "Harvest Days" and "Ichabod Crane Days" fall festivals, which attract an average of 1,000 campers and visitors annually; annual "Park Clean Up Days," to beautify the park by cleaning up campgrounds, trails, roadways and the lakeshore, enlisting other volunteer groups such as local Boy and Girl Scout groups; and planting over 300 trees and various flowers, throughout the park, with the support of local Eagle Scouts, to enhance the attractiveness of the park.

Other notable events that your group has participated in to engage our youth in the outdoors include: "Volunteens" and "Teens" Groups, Kids Camps, and Therapeutic Recreation Group camping excursions, held in July and August of last year, in cooperation with the Lansing Parks and Recreation Department, which attracted over 600 disadvantaged or disabled youth in the Lansing area and other urban cities.

The Friends also received a Michigan Recreation and Park Association (MRPA) Community Service Award in 2008 for all of the same reasons they received the Partners in Conservation Award. **Director Humphries** said the Friends' efforts have truly shown that through partnerships and public stewardship, working together to achieve the common goal of fostering Michigan's natural resources and our youth can be accomplished. She thanked members of the Friends of Sleepy Hollow State Park for their hard work and dedication to investing in youth, and for preserving our natural resources for future generations.

Barry Jubek said they are fortunate and glad a park is close to the Lansing area and said he enjoys seeing park visitors enjoy the fruits of their efforts.

PUBLIC APPEARANCES (continued)

Loren Gardner, Traverse City, emphasized boating safety and supported the DNR's denial of expanding the swim area on West Bay in Traverse City.

James Mauer, Lake Odessa, opposed the proposed Field Trial Area Regulations, Wildlife Conservation Order, Amendment No. 3 of 2009 because it encompasses large portions of the park and limits non-trialers from using the areas while field trials are occurring.

Vincent Nevins, Ionia, supports field trials but said the field trialers bully those who want to run their dogs during a field trial event. **Ron Olson, Chief**, said 16 field trial events have been held at Ionia Recreation Area and said some conflicts have occurred between field trialers and the public using the park to run their dogs. Hunting pheasants and birds during field trial events is allowed.

Bob Morgan is pleased with the crossbow decision made by the NRC in March. He recommended putting a size limit on antlers for better breeding and bigger deer in the Lower Peninsula. He believes this would make hunting more enjoyable. He does not support a two buck limit.

Mike Thorman, Michigan Hunting Dog Federation, and a member of the Bear Consultation Team, supported approval of the Bear Consultation Team recommendations followed by a study to resolve outstanding issues.

Joe Hudson U.P. Bear Houndsmen, and a member of the Bear Consultation Team, said if the NRC believes there are too many bears in the White Oak Unit, why doesn't the NRC believe there are not enough bears in the U.P.? He said there will be legislation proposed on the participation license.

Nancy Hudson, U.P. Bear Houndsmen, supports the recommendations of the Bear Consultation Team and asked the NRC to also support them. She thanked Commissioner Madigan for attending their annual meeting recently in the U.P. She also recommended that hunting guides be regulated.

* * *

The Public Appearances portion of the meeting adjourned at 5:05 p.m. and the Regular Meeting of the NRC convened immediately thereafter.

* * *

APPROVAL OF MINUTES – MARCH 5, 2009 NATURAL RESOURCES COMMISSION MEETING

Commissioner Brown made a motion, supported by Commissioner Richardson, for approval. Motion unanimously carried.

TAXIDERMY REGULATIONS, WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 1 OF 2009

Commissioner Madigan made a motion, supported by Commissioner Brown, for approval.

Commissioner Madigan said the present amendment to Section 5.31, Subsection (4)(b) iii prohibits taxidermists in facilities without captive cervids on their premises from using animal parts as food for animals. The Michigan Taxidermy Association has stated this would prevent them from using safe scrap meat products as pet food. The DNR's wildlife veterinarian has also stated this to be a low risk for spreading of diseases to wild animals. Also, these animals are legally required to be from areas documented not to have chronic wasting disease. Providing a means for allowing scrap meat to be fed to pets, but preventing on-the-ground disposal of brain or spinal tissue will continue the protection of Michigan's wild animal population.

Commissioner Madigan made a motion, supported by Commissioner Brown, to amend Wildlife Conservation Order, Amendment No. 1 of 2009 so that Section 5.31, Subsection (4) (b) iii reads, "Not provide animal parts from deer, elk, or moose for use as food for other animals, other than deboned meat." Motion unanimously carried.

The motion to adopt Wildlife Conservation Order, Amendment No. 1 of 2009, as amended, unanimously carried.

Commissioner Madigan recommended no action be taken on "Field Trial Area Regulations, Wildlife Conservation Order, Amendment No. 3 of 2009," pending further discussion with the parties. Action will be scheduled at a later date.

ELK REGULATIONS AND LICENSE QUOTAS, WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 4 OF 2009

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

BEAR QUOTAS AND REGULATIONS, WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 5 OF 2009

Commissioner Madigan made a motion, supported by Commissioner Richardson, for approval of Option C. Commissioner Brown questioned if Option C mirrors the recommendations of the Bear Consultation Team. **Mike Thorman** said it is close.

Commissioner Madigan made a motion, supported by Commissioner Richardson, to amend Option C, Red Oak Bear Management Unit license quotas to 1700 with the understanding that research/surveys will be conducted in the Red and White Oak areas studying hunter success rates, and have this information available next year when considering the bear quotas and regulations. Chairman Charters said there is a definite need to obtain DNA sampling to determine if the club country is a population source for northern Lower Peninsula bears. Funding for this study is needed. **Commissioner Madigan** requested that the Bear Consultation Team assist in seeking funding for this testing. Motion to amend carried unanimously.

The Motion to approve Wildlife Conservation Order, Amendment No. 5, as amended, carried unanimously.

DIRECTOR'S ACTION ITEMS

Director Humphries stated her intent to approve all Director's Action Items on the Agenda except, "**Parks and Recreation Easement Exchange, LakeLands Trail State Park – Oakland County, Land Transaction Case #20070359,**" which she withdrew per request of the County.

COMMITTEE REPORTS

NRC Policy Committee on Parks and Recreation

Commissioner Coleman, Committee Chair, recapped the meeting agenda items: State Parks and Recreation Strategic Plan; Parks Funding Proposal; Urban Outreach Initiative; and Updates on Outdoor Recreation Programs/Recruitment Activities and Camping in State Parks and in State Forests. He said it was a good meeting. He commended Chairman Charters and staff for enabling the new program initiatives.

Chairman Charters thanked Commissioners Brown and Coleman and Dan Eichinger for attending and testifying before the joint legislative hearing on the parks bill and for keeping the issue moving.

Chairman Charters also commended Ron Olson for keeping the Parks and Recreation Division staff enthusiastic during a financially difficult time.

See attached Minutes.

NRC Policy Committee on Land Management (See Attached Minutes.)

NRC Policy Committee on Wildlife And Fisheries (See Attached Minutes.)

COMMISSIONER REPORTS

Commissioner Richardson commented that the Citizens' Advisory Council meeting held in the U.P. went very well. He commended Stacy Welling and Sharon Schafer for their presentations and participation and commended Director Humphries for reaching out to communities in the U.P. He also mentioned that the meeting of the U.P. Habitat Work Group went well.

Commissioner Coleman said that a bulk of the NRC activity is spent on sport related issues. He is excited that there is time being spent on outdoor recreation. He believes that the passport to parks is the most important connection to assure the maximum participation in recreational activities in the state.

Commissioner Madigan said the delay of the Field Trials Regulations confirms that the NRC public process works. He is glad to be a part of the process.

The meeting adjourned at 5:40 p.m.

MINUTES

NRC Policy Committee on Parks and Recreation

PRESENT FOR THE NRC

Hurley J. Coleman, Jr., Chair
Mary Brown
J. R. Richardson
Keith Charters

PRESENT FOR STAFF

Ron Olson, Chief, Parks and Recreation
Murdock Jemerson, Chair, Citizens Committee for Michigan State Parks
Other DNR Staff

Commissioner Brown called the Committee on Parks and Recreation of the Natural Resources Commission (NRC) to order at 9:05 a.m. on April 2, 2009.

State Parks and Recreation Strategic Plan

Paul Curtis, Parks and Recreation Division (PRD), who has been leading this effort, presented the PRD 2009 Strategic Plan. This Plan consisted of numerous telephone interviews, questionnaires, surveys of non-park users, and publicly held workshops. It also identifies tasks, and analyzes and refines the language to include and incorporate all comments and responses including: a need for a stable funding source; provides for more and better facilities and amenities; provides for better maintenance; creates and strengthens partnerships; increases the number of users; strengthens education and interpretation; expands recreation opportunities; and develops a marketing strategy. The PRD's Mission Statement has been modified to include the language in bold, "and to provide **access to land and water based** public recreation and educational opportunities." **Mr. Curtis** briefly reviewed the 12 goals of the Strategic Plan, which include:

Goal 1 - Take the best possible care of Michigan's natural and cultural resources in our parks and boating facilities;

Goal 2 - Establish and maintain long-term funding;

Goal 3 - Balance and expand recreational use with protection of the resources;

Goal 4 – In collaboration with the Office of Communication and stakeholders, improve and expand education and interpretation;

Goal 5 - Implement management practices to assess and sustain facilities;

Goal 6 - Develop a workplace environment that promotes creation of fond, memorable experiences for our customers;

Goal 7 - Strengthen safety and security;

Goal 8 - Make the development of partnerships a priority;

Goal 9 - Incorporate “universal access” to state parks and boating facilities and programs;

Goal 10 - Provide facilities that support emerging public recreation activities;

Goal 11 – In collaboration with the Office of Communication and stakeholders, promote PRD facilities and programs;

Goal 12 – In all strategic goals, target and focus efforts to engage people in the out-of-doors.

The DNR “Stretch” goals were also discussed and include revitalizing, expanding and diversifying its DNR’s user base; being a great place to work; promoting stewardship of Michigan’s natural resources through education, awareness and action; restoring, protecting and managing Michigan’s natural resources via ecosystem management; providing quality public outdoor recreation; and securing long-term sustainable financial support. The Strategic Plan goals reflect these Stretch Goals. This Strategic Plan will be monitored on a fiscal year basis to determine progress, and to be responsive to change. The Plan will be completely re-evaluated and affirmed (approved) every five years.

Commissioner Coleman asked if there have been any initiatives that were seen as “had to happen immediately,” that the Department is doing now? He responded green initiatives, expansion of other recreation opportunities that were not available previously, and introduction of disc golf.

Ron Olson, Chief, PRD, said the “outreach” program is picking up momentum and said the Vision 2020 Plan existed in the early 90’s, but strategic steps or a yardstick to measure progress were not in place. He said this Strategic Plan effort does this, and brings it into present day. **Commissioner Coleman** requested this language be included in the presentation. Does this study include good factual information on the participation that was within the facilities, i.e., the demographics, audience gaps and service gaps, so that we can have some actions toward specific gaps when presentations are made? Additional information needs to be developed in the Plan that would make the initiatives valid.

Parks Funding Proposal

Murdock Jemerson, Chair of the Citizens Committee for Michigan State Parks (CCMSP), discussed the CCMSP’s appearance before the House and Senate Joint Committee on Wednesday, April 1, to bring out the Recreation Passport Bills, and referenced the history of this initiative to establish sustaining funding for the state parks. The fee on license plate registrations has been questioned constitutionally. (To clarify, if there is a tax or required fee on a vehicle license registration that is not optional, the Constitution says the revenue must go to the Department of Transportation to fund highways.) The legislative lawyers have reviewed the Recreation Passport bills and

found them to be constitutional. They also received confirmation from an outside legal counsel as well. An Attorney General opinion has been requested. The task at hand now is to educate the community and our partners to get these bills passed. This Recreation Passport Bill is very important as it provides funding through the development grants to local units of government. Only 28 percent of the development grants submitted are actually funded, so the demand is great. It is expected the Recreation Passport will nearly double the funds currently available for development grants.

Urban Outreach Initiative

Carl Lindell, Bay City District Supervisor, addressed PRD's efforts in outreaching people who do not traditionally use parks. This effort specifically relates to PRD's Strategic Plan Goals: Goal 6, Objective # 6.1, "expand diversity in the workplace and in the members of the public who use state parks and boating facilities," and Goal 8, "make the development of Partnerships a priority." A successful partnership was established at Sleepy Hollow State Park in 2008 between PRD and the Lansing Parks and Recreation Department. In 2008, this partnership resulted in 700 visits from Lansing children, teens, and adults, and it is anticipated there will be nearly 900 visitors in 2009. In addition, visits from the Boys and Girls Club from Flint and Saginaw are planned to serve over 850 kids to participate in programs at Proud Lake, Holly, Seven Lakes, Bay City and Sleeper State Parks and Recreation Areas; 15 are programs currently scheduled with the Global Dads of America (a mentoring grass roots organization in Flint). There is also a "First Time Campers" program (modeled after a program in Maine) scheduled at a cost of \$20 per family at the following State Parks: Baraga, Bewabic, Wells, Bay City, Sleeper, Port Crescent, Holly, Young, Cheboygan, Hoffmaster, Pontiac Lake, Traverse City, Hayes, and Muskegon. This event will provide instruction on outdoor ethics, camping ethics, and how to set and disassemble camp with all camping equipment being provided. Outreach efforts have also been scheduled to include Big Brothers/Big Sisters of Saginaw at Bay City Recreation Area; and a camping program for The Links' "Services to Youth" camping event at Sleepy Hollow. The PRD is working on a sustainable model for outreach that can be replicated in other places throughout the state. Some of the limiting factors include providing trained staff as well as transportation costs.

Outdoor Recreation Programs/Recruitment Activities

Maia Stephens, Outdoor Recreation Programmer, emphasized that Strategic Plan Goals 8, 11, and 12 are important in promoting programs to our key users. Some upcoming events include our partnership with the Michigan Department of Agriculture for "Markets in the Park" at Van Buren and Sterling State Parks; a partnership with Macy's for Earth Day; a partnership with the Library of Michigan for a free one day pass to a state park. The PRD will be celebrating its 90th Anniversary Celebration on June 20 with free cake and ice cream at a majority of our state parks.

Natalie Elkins, Office of Communications, spoke about the 1251 kids who came through the pocket park urban outreach in Detroit during an eight-week period last year. This year over 2000 kids are anticipated to attend. Nationally, there is a "No Child Left Inside" movement to reconnect kids and nature, which promotes calmness and help fight obesity, and PRD has the perfect venue to get kids outdoors. Explorer Guides are

located in 41 state parks and recreation areas that spread the DNR message and environmental education as an added value to campers. The DNR also has 10 full-time interpreters in our parks, that are well informed able to answer questions and promote customer service.

The Central Reservation System is being updated and improved with the ability now to cancel reservations on-line, to include a hold time for requested sites, as well as a shopping cart feature. Currently, camping reservations are down 4.7 percent. The trend is positive since January of 2009; the camp nights reserved were down over 10 percent. Staff is working with Travel Michigan and watching the trends. The PRD will soon be offering a gift card and a PRD Welcome Kit.

Camping in State Parks and in State Forests

James Radabaugh, Forest, Mineral and Fire Management Division, said there are 145 state forest campgrounds open for the 2009 camping season. A brief construction project update includes: upgrades to campgrounds (fire rings, picnic tables, etc.) at Van Etten, Pickerel Lake, Ambrose Lake, and Tomahawk Creek Flooding, as well as a local road project at Kingston Lake, but alternate routes are available. These projects will be completed this year.

Since 2005, the trend for state forest campgrounds has been in decline in terms of campers and the number of days campers were staying. This could be the result of the increase in camping fees in the spring of 2007, as well as the closing of 20 state forest campgrounds that same year due to the general fund reduction. In 2008, there was a spike in fuel prices. This resulted in declining carry-forward balances as follows: in 2006 - \$212,353; in 2007 - \$200,157; in 2008 - \$76,329. Despite the downward trend, we are still able to sustain our fees and cover our costs, and will continue to monitor this activity.

Commissioner Coleman strongly urges PRD not to drop the word “urban” from our outreach initiative efforts.

Commissioner Coleman adjourned the meeting at 10:40 a.m.

Minutes

NRC Policy Committee on Land Management

Present

Commissioner Keith Charters, Chair
Commissioner J. R. Richardson
Commissioner Mary Brown
Commissioner John Madigan
Commissioner Hurley Coleman
Director Rebecca Humphries
Rodney Stokes, DNR, Chief of Staff
Mindy Koch, Resource Management Deputy
Stacy Welling, DNR, UP Field Deputy
Dan Eichinger, DNR, Legislative Liaison
Dave Freed, DNR, OLAF
Lynne Boyd, DNR, FMFM
Russ Mason, DNR, Wildlife
Pat Spitzley, DNR, Legal Services
Doug Reeves, DNR, Wildlife
Cindy Salmon, DNR, OLAF
Kelly Carter, DNR, Wildlife
Paul Yauk, DNR, Parks and Recreation
Deb Apostol, DNR, Grants Management
LuAnn Klont, DNR, Legal Services
Diane Gillespie Cook, Legal Services
Kerry Wieber, DNR, FMFM
Jamie Wright, GPAA
Katie Kahl, Heart of the lakes
Steve Sutton, DNR, Fisheries
Dave Fielder, DNR, Fisheries
Warren Suchovsky, Forestry Organizations
Tom Barnes, Michigan Association of Timbermen
Millard Holton
Earl Flegler, DNR, Wildlife
John Robertson, MUCC
Tom Wellman, DNR, FMFM
Ed Meadows, DNR, Office of Land and Facilities
Milt Gere, DNR, FMFM
Paul Yauk, DNR, Parks
Jim De Clerck, Saginaw Field & Stream
Rich Bowman, The Nature Conservancy
Jerry Crandall, MIRS
Chris Klaver, Gongwer
Amy Spray, MUCC

Chairman Keith Charters called the meeting to order at 10:30 a.m.

Conservation Easements Guiding Principles

Rodney Stokes, Chief of Staff, said his presentation is a follow up to the presentation of the same issues in February 2009. At that time, the NRC was asked to provide comments. Also, stakeholders were asked to provide comments on the Guiding Principles.

As we stated previously, fee-simple ownership is our highest priority. When fee- simple ownership is not an option, an easement will be considered based on the following criteria (with comments on each).

- **Public Access – Non-motorized public access is required at a minimum**
Works for larger scale easements, but should not be requirement for smaller easements; requirement could limit use of easements on other lands that DNR would like to protect; may jeopardize critical protection opportunities; easements without this requirement are more cost effective; DNR could acquire fee title in the future at lower rate due to easement; consider other exceptions to this requirement such as waive the requirement if easement provides important public benefit and consider exceptions for Michigan Natural Resources Trust Fund and Forest Legacy; requirement may severely limit use of easements as an effective conservation tool; requirement makes recreation the primary goal of DNR easements at the expense of conservation; requirement reduces the viability of programs like the Forest Legacy Program; recommend negotiating seasonal access for certain easements vs. year-round access.
- **The location needs to be relevant to our State Project Boundaries**
Best conservation opportunities may be outside of DNR project boundaries; Should consider easements when extraordinary conservation values can be protected.
- **Rights to be Negotiated**
Typically rights to revenue stay with the owner of the property, not the holder of the easement.
- **Funding/Monitoring Endowments**
Funding options might include revenue from the funding source (MNRTF or Forest Legacy).
- **Other Considerations**
Potential negative impact on local communities should be considered (percent of township or county land already publicly owned or covered by easement); Clarify roles of partners when the DNR is pursuing acquisition; recommend requiring management plan for working land conservation easements.

After reviewing the many comments received, we felt our guiding principles pretty much covered the comments received. Most focused on the public access portion.

Commissioner Madigan questioned whether the Kahmehameha easement included fishing under public access. **Mindy Koch** stated that it does.

There were also comments saying the Location needs to be relevant to State project boundaries; the best opportunities may be outside our project boundaries. **Rodney Stokes** said the Forest Legacy projects may be an exception to this Guiding Principle. The DNR will work with local units of government on this.

Revenue rights – When the DNR receives an easement, the mineral rights will be negotiated.

Funding/Monitoring Endowments – it is necessary to keep this language.

Other Considerations – Staff added the requirement of a management plan.

Rodney Stokes asked the NRC for its endorsement. **Chairman Charters** asked for 30 days to consider endorsement and suggested the Natural Resources Trust Fund Board should also give their approval. **Stokes** agreed that this could be placed on the May NRC agenda, as well as the Trust Fund Board agenda, for approval.

Chairman Charters reiterated that fee-simple ownership is the top priority. He agreed there are times when the DNR cannot get fee-simple ownership, and it is advantageous to do an easement for protection in perpetuity. It is important that the entity the easement is being purchased from is not taking advantage of the people of the state of Michigan and the land owner.

Commissioner Brown noted that places like Vermont are running into problems with easements being in perpetuity. We are wise to be cautious and up-front.

The four commissioners present agreed that this should be held until May for decision. **Chairman Charters** asked for hard copies of the PowerPoint for the NRC members and the MNRTF members.

1. HJR H and HB 4204 – Michigan Natural Resources Trust Fund Revenues

Rodney Stokes noted that HJR H was introduced by Representative Sheltroun and HB 4204, which is the enabling legislation for that, was introduced by Representative Calley. These would both alter the percentage of annual revenue spent by the MNRTF along with the allocation of that spending. The MNRTF currently spends about 33 and 1/3 percent of its money on projects, and 75 percent goes for land acquisition and 25 percent goes for development. This legislation would make more money available for recreation and less money available for land acquisition. It would also provide a significant amount of money for wildlife and fisheries management and habitat improvements, as well as local units of government. This would increase the amount from 33 and 1/3 percent to 50 percent available. Of the money available to be spent, no more than ¼ could be spent on recreation development and no more than ¼ on land acquisition (This would be an increase for recreation and a decrease for land acquisition.) Half of the money in any given year could be used for wildlife and fisheries management and habitat development.

If this is put on the ballot and approved by the voters, land acquisitions would go from \$30 million down to \$15 million, recreation development would go up from \$10 million to

\$15 million, and then hunting and fishing management and habitat development would go from zero to \$30 million. The corpus would receive \$60 million instead of \$80 million.

Rodney Stokes emphasized that if more of the money is allowed to be spent, this will reduce the time to get to the corpus cap of \$500 million. Currently the fund is at \$380 million.

Chairman Charters said a position should not be taken now.

Rodney Stokes said the DNR will keep the commissioners apprised on the stakeholders' comments.

Rich Bowman, The Nature Conservancy (TNC), said the TNC met three weeks ago and actually adopted a resolution opposing this legislation.

2. Recreational Panning/Sluicing of Gold

Tom Wellman, Forest, Mineral and Fire Management Division, noted that the DNR was contacted by the Gold Prospectors Association about the feasibility of allowing the use of pans, sluices, and dredging in the search of gold on state-owned segments of rivers. Michigan's glacial sediments contain small amounts of gold. When the DNR considered this it raised some issues like the possibility for additional sedimentation in the river, but it would be no worse than what a fisherman may cause. Use of a sluice would cause more problems than panning. The DNR drew the line on power dredging or a power sluice; the proposed Land Use Order would not allow for their use.

Panning would not be compatible if there were fresh water mussels present, or on natural rivers, trout streams or natural areas. It was decided to restrict the amount of gold taken to one-half ounce per year per person, instead of considering a mineral lease. The Department supports this proposal in an effort to get more people outdoors and using our natural resources.

Jamie Wright said his group has 50 active members, and statewide there are 300 members panning on private properties. The gold that is found is primarily on the west side of the state. It is not so much about finding the gold, but getting families together outdoors.

3. Policy and Procedure Reviews

Chairman Charters has reviewed these Commission Policies and noted they are primarily procedures and some are very outdated. **LuAnn Klont** provided copies of all of them for the Commissioners and **Chairman Charters** asked the commissioners to review these and asked the Director to designate someone in the department to work with him to get them updated. They are on the DNR website and the intent is to review and update them by June, 2009.

Chairman Charters adjourned the meeting at 11:45 a.m.

Minutes

POLICY COMMITTEE ON WILDLIFE AND FISHERIES

Cormorant Update

Karen Cleveland, Wildlife Division, provided an update on management of the double-crested cormorant in Michigan. In 2007, there were about 29,500 cormorant nests in the Great Lakes. In 2008, reduction efforts included killing 6,480 birds and the destruction or oiling of 17,177 nests. Also, last year there were 1,704 birds killed during harassment projects. The anticipated activities for 2009 include: continuation of 2008 projects; maintenance of reduced breeding colony size in specific areas throughout Michigan; continue Mississippi Flyway regional cormorant management planning; and amend the Michigan cormorant Environmental Assessment.

Dave Fielder, Fisheries Division, provided an update on cormorant and fisheries. They are beginning to see an increase of yellow perch in the Les Cheneaux Islands since the cormorant nests have declined. He explained that there are times and places when cormorant predation can impact fish populations. Control activities can be used to improve survival of fish in some locations.

Wolf Delisting

Christopher Hoving, Wildlife Division, provided an update on the state delisting of the wolf. Hoving provided a historical overview relating to the eradication and natural re-establishment of wolves in Michigan. On the morning of the NRC meeting, the USFWS published a rule in the Federal Register to delist the wolf in the Great Lakes and several western states. The rule will go into effect in early May 2009. Hoving outlined that the wolf is one of 12 state-listed species that will be removed from the list of threatened and endangered species. The estimated date for State delisting is April 22, 2009.

The Michigan Wolf Management Plan states that the wolf will receive protected status should endangered species protection be removed. The Wildlife Division will submit an amendment to the Wildlife Conservation Order for information in May and in action in June to designate the wolf as a protected animal.

Taxidermy Regulations

Mike Bailey, Wildlife Division, provided an overview of the proposed taxidermy regulation changes. There would be a two-tiered approach. The first relates to all taxidermists: they would need enhanced record-keeping requirements; there would be an increase in permit and tag fees; proper landfill disposal required for deer, elk, or moose parts; deer, elk, or moose parts from taxidermists for bait would be prohibited; and possession of carcasses from CWD positive areas would not be allowed.

The second tier of the regulation is related to owners of captive cervid facilities only. This regulation would do the following: prohibit live animal exposure to taxidermy waste and products; prohibit taxidermists from providing deer, elk, or moose parts for food; employ personal protective equipment, trash receptacles, and cleaning facilities.

Bailey explained one last amendment to the submitted proposal was to allow taxidermists without cervids to use animal parts as food (such as pet food).

Antlerless License Fee

Rodney Clute, Wildlife Division, outlined the proposed changes to the antlerless fees. The change includes reducing Deer Management Unit (DMU) 452 and Kent County antlerless license fees to \$10.00 resident and \$100.00 for non-resident licenses. Antlerless licenses valid for the other areas in Michigan would be full price.

Deer Management Unit Boundary Changes

Rodney Clute proposed changes to some DMU boundaries. In the northeast Lower Peninsula, create a DMU 487, which is multi-county DMU for private land only. In southern Michigan, create a DMU 486, which would be also for private land only and Kent County is excluded. This type of DMU would allow an individual with a private land antlerless permit to use within any county within that DMU. The other two DMU boundary changes are to split DMUs 62 and 49 into smaller units given habitat differences, land ownerships and deer numbers in those DMUs.

Late Firearm Antlerless Deer Season

Rodney Clute proposed that 12 DMUs be added to the late antlerless season. Those areas are over goal and would increase harvest opportunities. This proposal would also remove two DMUs.

Crow Regulations

Karen Cleveland outlined the current crow season structure and the proposed changes. In zones 1, 2, and 3, have the season from August 1 to September 30 and February 1 to March 31.

The Committee meeting adjourned at 2:55 p.m.