

Tribal Co-Management Citizen Fishery Advisory Committee Terms of Reference, April 2024

Purpose

The purpose of this committee is to provide a forum for discussion and information exchange between the Department of Natural Resources (Fisheries and Law Enforcement Divisions) and stakeholders interested in implementation of court-ordered decrees (1836 Treaty area) and informal management agreements (1842 Treaty area) between the State of Michigan and Tribal governments. The goal of the committee is to improve relationships between DNR staff and stakeholders related to co-management of natural resources with Tribal governments. This will be sought through exchanging information related to co-management and for DNR staff to learn about priorities and concerns of stakeholders and resource users.

Committee Chair and Vice-Chair

The committee will be led by a Citizen Chair (Chair) and the Fisheries Division Tribal Liaison (Liaison). The Chair will be appointed by the Fisheries Division Chief (Chief) and serve for a period of two years. The chair may serve multiple terms.

A Vice-Chair will be appointed by the Chief and serve the same two-year term as the Chair. The Vice-Chair will serve in the role of the Chair if the Chair is absent, or the position becomes vacant.

Membership

All who are interested in the topics discussed by the committee may attend meetings and be a part of the membership. Committee members should have an understanding of (or be willing to learn) the history of State-Tribal relations in Michigan as it relates to Treaty reserved fishing rights and co-management of natural resources.

Area Representatives

From the committee membership, there will be approximately twelve (12) area representatives who will have the responsibility for voting on formal recommendations to Fisheries Division. These representatives will be chosen based on their areas of experience and/or interest. The following list may be amended as the need arises, but it initially will include, in no particular order:

1. Lake Superior
2. St. Marys River
3. Bays de Noc
4. Little Traverse Bay
5. Grand Traverse Bay
6. Leland
7. Southern Lake Michigan
8. Lake Huron
9. State Commercial Fishery
10. Inland 1836 areas
11. Inland 1842 areas
12. No affiliation

These Area Representatives will serve two-year terms. Each Area Representative may designate, at the beginning of their term, an alternate to serve in their place if they are unable to attend a meeting. The Chair and Liaison will keep the alternate list up to date with any changes provided by the Area Representatives. To ensure that only half of the Area Representatives are new in each subsequent year, Area Representatives 1-6 from the list above will have terms commencing with the first meeting of even years. Area Representatives 7-12 from the list above will have terms commencing with the first meeting of odd years. Initial appointments for Area Representatives 7-12 will be for three years. Area Representatives may serve more than one term and will be appointed by the Chief after nomination or an expression of interest to the Chair and Liaison. Vacancies through the resignation or removal of an Area Representative will be filled by the Chief for the remainder of the existing term.

Decision Making Process

Area representatives may vote on formal recommendations to Fisheries Division regarding issues discussed by the committee. When decisions are required, the following process will be followed:

- 1) “Will-live with” consensus: after a specified amount of discussion, all Area Representatives eventually agree with the decision. This is achieved by each individual noting that they “will live with” the decision. If one Area Representative does not agree with the decision, “will live with” consensus has not been reached. The Chair of the committee may decide to drop the recommendation or move to a consulting decision.
- 2) “Consulting Decision”: the Chair of the committee considers all options and the input of the committee regarding the recommendations and makes a final decision based on that input. If a consulting decision is made, and dissenting opinions should be accurately reflected in the minutes of the meeting, including the vote tally regarding the original recommendation.

Meetings

At minimum, two meetings will be held each year. Additional meetings may occur as needed and determined by the Chair, Area Representatives, and Liaison. Virtual meetings for issue-specific items that arise on short notice are encouraged. Area Representatives are expected to attend scheduled meetings, but if conflicts arise, their alternate may attend in their place and hold their voting right for that meeting. Repeated absences by Area Representatives may result in an appointment of a new individual to the position in question. Agenda items may be suggested by any committee member, and it will be the responsibility of the Chair and Liaison to assemble and distribute agendas to the committee membership in advance of each meeting.

Minutes

Staff from the Fisheries Division Tribal Coordination Unit will record minutes from each meeting. Every effort will be made to provide draft minutes to the committee within two weeks of the meeting. Edits and approval of final minutes may be made via email. If clarity is needed from the committee membership, the Chair and the Liaison may choose to hold final approval until the following meeting.

Information Exchange

Information to be shared during committee meetings includes, but is not limited to, annual harvest summaries of all species caught by State recreational, State commercial, Tribal commercial, and Tribal subsistence fishers; output from stock assessment models that are used to monitor Lake Trout and Lake Whitefish populations; harvest limits and associated documentation from the Technical Fisheries Committee; documents relevant to inland management of walleye and lake sturgeon; reports of law enforcement activity.

Expected Conduct Policy

All individuals associated with the committee are expected to conduct themselves in a kind and professional manner. Disagreements over substantive issues are occasionally expected and difficult conversations are welcomed, but disrespectful conversations are prohibited. The success of the committee is dependent upon healthy dialogue, mutual respect, diverse opinions, and open-minded conversations to promote understanding. Deviations from this standard will be addressed on a case-by-case basis and could include removal from the committee by the Chief.

Committee Review

The Chair, Liaison, and the Area Representatives will evaluate the effectiveness of the committee and recommend changes, if any, to these Terms of Reference at the last meeting of each odd year. If consensus cannot be reached, proposed changes will be provided to the Chief for a final decision.