

**MINUTES**  
**NATURAL RESOURCES COMMISSION MEETING**  
**April 16, 2020**  
**Conference Call/Online Meeting**

**Present for the Natural Resources Commission**

David Nyberg, Vice-Chair  
John Walters  
Keith Creagh  
Chris Tracy  
Louise Klarr

**Present for Department Staff**

Dan Bock, legal counsel, Office of the Attorney General  
Dan Eichinger, DNR director  
Trevor VanDyke, DNR legal and legislative section director  
Brooke Parmalee, DNR legal and legislative affairs office  
Pam Vance, Recorder

The Michigan Natural Resources Commission (NRC) met in an online conference format today. **Director Dan Eichinger** started the meeting at 9:09 a.m. The **Director** stated that due to COVID-19 orders in Michigan, turkey hunters are being encouraged to hunt as close to home as possible. If a hunter's tag is farther away from their house, they should log onto [www.michigan.gov/huntlocal](http://www.michigan.gov/huntlocal) and convert the tag to something closer to home.

**Director Dan Eichinger** specified that **Governor Whitmer** had not appointed a chair for the commission at the present time, and the commission has the ability to appoint a vice-chair. **Director Eichinger** recommended nominating **David Nyberg** as vice-chair for the purpose of leading the current meeting. There was a motion from **Keith Creagh** and a second by **John Walters** to select **David Nyberg** as vice-chair for the meeting. The motion passed unanimously.

**COMMITTEE OF THE WHOLE**

**Vice-Chair David Nyberg** called the Natural Resources Commission meeting to order at 9:12 a.m. and turned the meeting over to **Director Dan Eichinger**. The **Director** called on **Fisheries Chief Jim Dexter** to present an update on fishing regulations.

**Director's Report**

**Fisheries Division Update**

**Dexter** announced that the DNR is printing less fishing guides each year and has encouraged the public to use the online versions of the guide for several years. The DNR will print 600,000 fishing guides this year, down from 1.2 million copies in the past. All DNR field staff have cards to distribute with an online address for the public to access the fishing guides.

The fisheries order proposal process was reviewed by **Dexter** for the commission, which typically takes 12 to 16 months to complete and includes biological and cultural concerns.

**Dexter** outlined lake trout and splake daily possession limit changes proposed for action at today's meeting.

**Dexter** introduced **Lucas Nathan**, DNR aquatic invasive species coordinator, who outlined a proposal to [add marbled crayfish to the list of prohibited species](#). That issue is eligible for director action at the May NRC meeting.

### **Wildlife Division Update**

**Acting Wildlife Chief Dan Kennedy**, Wildlife Division, reviewed small game and upland game bird regulations. **Kennedy** also mentioned the possibility of [extending the season for licensed shooting preserves](#), an issue eligible for director action at the May meeting.

**Chad Stewart**, DNR deer, elk, and moose program leader, and **Barb Avers**, DNR waterfowl and wetlands specialist, examined elk and migratory game bird hunting seasons and regulations proposed for action at the current meeting.

**Dan O'Brien**, DNR Wildlife Disease Lab, gave a summary of the 2019 Bovine Tuberculosis Surveillance.

### **PUBLIC APPEARANCES BEFORE THE NRC**

(**Brooke Parmalee** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 1:40 p.m.)

**Dale Hendershot**, MTPCA, supports the changes to the trapping and furbearing regulations.

**Ian Fitzgerald**, MUCC, urged the NRC to approve the small game regulations promoted in February, amending the order to include the platform hunting of all small game by any lawful method of take.

**Erik Schnelle**, QDMA, gave an opinion on the unbalanced harvest numbers of deer and how that contributes to the spread of disease. **Schnelle** thinks we need to have clear goals, communicate them to the hunters every season, and be able to provide a mid-season report.

**Commissioner Creagh** noted that the commission would be interested in knowing if Mr. Schnelle had any specific deer regulations in mind for the future on how to reach the 300 deer minimum in the three counties mentioned by Dr. O'Brien and Dr. Barr.

**Commissioner Nyberg** wondered if it would be appropriate to have the ATR work recommendations mentioned in September submitted to the NRC.

**Director Eichinger** responded that it has always been the intention of the DNR to bring those recommendations forward in the spring with the rest of the deer regulation package.

**Amy Trotter**, MUCC, was excited about the quick action by the DNR that changed turkey hunting regulations to adjust to the current situation. **Trotter** said the MUCC feels the boat launching restrictions are an overreach by Governor Whitmer and cannot support them.

**Brian Plank**, MCA, indicated there need to be fewer deer in the MAZ area to restrict potential cattle infection from them. **Plank** thinks the NRC should set goals in the MAZ, be accountable for them, and clearly communicate the goals to the hunters.

**George Lindquist**, MUCC, discussed COVID-19 issues and agreed with **Trotter** that the fishing issue is important and the problem of not being able to use motorboats.

**Ken Samyn** (QDMA) emphasized that critical information needs to be shared clearly and urgently for the QDMA to support the DNR.

**Vice-Chair Nyberg** adjourned the public appearances portion of the meeting at 11:03 a.m. and called to order the regular meeting of the commission at 11:08 a.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

#### NATURAL RESOURCES COMMISSION – FOR INFORMATION ONLY

#### Small Game and Upland Game Bird Regulations Wildlife Conservation Order Amendment No. 5 of 2020

#### NATURAL RESOURCES COMMISSION – ACTION

#### Approval of Minutes, February 13, 2020, Natural Resources Commission Meeting

**Commissioner Walters** made a motion for approval of the minutes from the February 13, 2020, NRC meeting. **Commissioner Creagh** seconded the motion, and the motion passed unanimously.

#### Approval of Minutes, March 19, 2020, Natural Resources Commission Meeting

**Commissioner Creagh** motioned to approve the minutes from the March 19, 2020, NRC Meeting. **Commissioner Walters** seconded the motion, and the motion passed unanimously.

#### Statewide Trout, Salmon, Whitefish, Cisco, Graying, and Smelt Regulations Fisheries Order 200.20A

**Commissioner Creagh** moved for a motion to adopt Fisheries Order 200.20A. **Commissioner Klarr** seconded the motion. Fisheries Order 200.20A was approved unanimously. This order restored previous daily possession limits for lake trout and splake in one fisheries management unit in Lake Huron (MH-1) and one in Lake Michigan (MM-4) effective immediately. The NRC had reduced the limits after the annual harvest had been exceeded since 2016 under the terms of a 2000 Consent Decree governing fish take.

#### Furbearer Regulations Wildlife Conservation Order (WCO) Amendment No. 1 of 2020

**Commissioner Klarr** made a motion to approve, seconded by **Commissioner Walters**. **Vice-Chair Nyberg** called for discussion. **Commissioner Walters** moved to amend WCO No. 1 of 2020 to add raccoon and possum to the list of species that can be taken at night from an elevated platform. The motion to amend was seconded by **Commissioner Creagh**. **Vice-Chair**

**Nyberg** called for discussion on the amendment but there was none. The proposed amendment by **Walters** to the Furbearer Regulations WCO No. 1 of 2020 was adopted. **Vice-Chair Nyberg** called for further discussion. **Commissioner Walters** moved to amend WCO No. 1 of 2020 to add bobcats to the list of species that can be taken during daylight hours by an elevated platform. **Commissioner Klarr** seconded the motion to amend, and the amendment was passed unanimously. **Vice-Chair Nyberg** asked for further discussion on WCO No. 1 of 2020 as amended. **Commissioner Tracy** responded that he had no problem with the order itself, but he did have concerns with the process. **Chris Tracy** commented that Furbearer Regulation information was shared to the Wildlife Committee meeting in February but not to the NRC; therefore, there is no public record to support how the NRC has come to the conclusion on this matter. He stated that he would vote “no” because of the process concern. There was no further discussion. A roll call vote was taken to reflect the record. Voting yes were **Commissioners Creagh, Klarr, Walters, and Nyberg**. Voting no was **Commissioner Tracy**. Wildlife Order Amendment No. 1 of 2020 was adopted.

#### **Use of Electronic Trap Monitors for Nuisance Animal Control Businesses Wildlife Conservation Order Amendment No. 2 of 2020.**

**Commissioner Walters** made a motion to approve and **Commissioner Klarr** seconded. **Vice-Chair Nyberg** called for discussion. **Commissioner Tracy** again had no substantive concerns but had a process concern as it was the same situation as the previous WCO. A roll call vote was taken and **Commissioners Creagh, Walters, Klarr, and Nyberg** voted yes. **Commissioner Tracy** voted no. Wildlife Conservation Order Amendment No. 2 of 2020 was adopted.

#### **Elk Regulations Wildlife Conservation Order Amendment No. 3 of 2020.**

**Vice-Chair Nyberg** called for a motion to approve. **Commissioner Walters** moved to approve and was seconded by **Commissioner Klarr**. **Vice-Chair Nyberg** called for discussion. **Commissioner Walters** commented that in review of Chad Stewart’s presentation, it was recognized that the herd was overpopulated, and there was a need to take a much more strategic approach in case the estimates were incorrect. **Commissioner Tracy** observed this regulation was presented during a committee of the whole, and there was a record of it. There was no further discussion, and a roll call vote was taken. All of the commissioners voted yes. Wildlife Conservation Order Amendment No. 3 of 2020 was adopted.

#### **Migratory Game Bird Hunting Seasons Wildlife Conservation Order Amendment No. 4 of 2020.**

**Commissioner Creagh** made a motion to approve, seconded by **Commissioner Klarr**. **Vice-Chair Nyberg** called for discussion, and **Commissioner Klarr** observed that it was difficult to get the regulations on your phone/device when hunting. **Vice-Chair Nyberg** called for additional discussion and there was none. A roll call vote was taken and approved by all. Wildlife Conservation Order Amendment No. 4 of 2020 was adopted.

## DIRECTOR – ACTION

**Vice-Chair Nyberg** asked **Director Eichinger** if he planned to sign all the action items on the agenda. **Director Eichinger** specified two items on the agenda that were for information only will be held over until next month: 1) Prohibited and Restricted Aquatic Invasive Species Order Amendment No. 1 of 2020 and 2) Open Season Extension Shooting Preserve Order Amendment No. 1 of 2020.

**Vice-Chair Nyberg** stated there were also several land transactions on the agenda and asked the **Director** if he intended to sign all of them. **Director Eichinger** responded that all the land transactions with the exception of Case No. 20190190, Parks and Recreation Division, Oakland County, Acquisition of State Parks and Recreation Land, the Goren Tract, would be approved. The Goren Tract Land Transaction would be held over until May.

**Vice-Chair Nyberg** thanked everyone for their cooperation under the current pandemic situation and particularly commended **Governor Whitmer** for her actions during the COVID-19 pandemic to keep everybody healthy and safe. **Vice-Chair Nyberg** acknowledged there were many complex issues to consider as Michigan is a diverse state. He also asked **Director Eichinger** if he would like to comment on Executive Order (EO) 2020-40 and the use of motorboats.

**Director Eichinger** responded by saying that the DNR continues to evaluate daily the opportunities that can be made open to the public. The Department has had to make some difficult decisions about the amenities that will be available day-to-day. The DNR had to assess if the places managed by the Department would promote the spread of the COVID-19 disease and if people were acting in a way that would spread the virus. It was decided that a recommendation for the boat launches to be closed for now had to be made to the Governor's Office. **Director Eichinger** defended the DNR's decision by stating that early next week, 2000 people in Michigan would have died from the coronavirus. Choices had to be made that would shorten the length of the disease in any way possible. He also stated the DNR's decisions will be based on the activities that contribute to the spread and increasing the impact of the virus.

He mentioned there were people that wanted to know why it wasn't decided to just make this a regional directive for southeast Michigan, since that's the area that has been the hardest hit. The DNR did not want to incentivize people to move the disease from one part of the state to another, so it was made statewide. The **Director** declared the DNR will support the Governor and help in any way feasible.

## Commissioner Reports

**Commissioner Creagh** supports the human aspect of the COVID-19 directives. The commissioners have heard the same type of feedback the Director has. The NRC has been contemplating a list of practices that would encourage social distancing when the virus improves. **Creagh** has also received questions about how the impact to the budget would affect the DNR, and he didn't have the information to respond to them.

**Commissioner Klarr** agreed with **Commissioner Creagh** and noted that she appreciated the way **Commissioner Tracy** was up front about the process being important and why he voted the way he did. She agreed that process is an important part of what the NRC does. **Klarr** was

grateful for all the work that had gone into the meeting in the last month and making the constituents able to present issues to the NRC.

**Commissioner Tracy** thanked all the people, the DNR, and the partners responsible for putting the online NRC meeting together.

**Commissioner Walters** echoed the sentiments from the other commissioners that described the COVID issue. He has been home for the past two months. He did go fishing last week with a fishing partner. They drove separately and stayed apart when fishing. They had a great time, and it was a welcome relief from the four walls of his house. He encouraged everyone to get outside and be active with safe distancing guidelines.

**Vice-Chair Nyberg** gave major kudos to the staff, DNR, and others involved in making the NRC meeting happen. He felt the meeting went very smoothly and noted that he was looking forward to getting back together in person. **Nyberg** thanked **Commissioner Tracy** for his candor about the reason for his votes. He also thanked everyone for a good meeting and remarked that he had appreciated the opportunity to chair the meeting.

**Commissioner Walters** said he greatly appreciated **Vice-Chair Nyberg** for leading the meeting today and the smooth way it came off.

**Director Eichinger** wanted to thank everyone for realizing the effort that went into making this meeting come together. He congratulated **Klarr** and her family, as she is a new grandmother. He also encouraged everyone to get outside and enjoy nature but to try to do it close to home.

### Next Meeting

The next regular meeting is scheduled for **Thursday, May 14** in Traverse City. The format and location for that meeting is fluid and subject to change. An announcement will be made in the coming weeks about the location and format of that meeting.

### Adjournment

**Vice-Chair Nyberg** asked for a motion for adjournment. **Commissioner Walters** made a motion to adjourn, and it was seconded by **Commissioner Klarr**.

The meeting was adjourned at 12:23 p.m. Eastern Time.



David Nyberg, Vice-Chair (Acting Chair)



Daniel Eichinger, Director

DATE: May 14, 2020