

MINUTES

NATURAL RESOURCES COMMISSION

April 12, 2018

MSU Veterinary Diagnostic Laboratory
4125 Beaumont Road, Lansing, MI

Present for the Natural Resources Commission

J.R. Richardson, vice chair
Rex Schlaybaugh
Christine Crumbaugh
Louise Klarr
Chris Tracy
John Walters

Present for DNR staff

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

COMMITTEE OF THE WHOLE

Vice Chairman J. R. Richardson called the Committee of the Whole meeting to order at 1:47 p.m.

DIRECTOR'S REPORT

Governor's Summit on Extractive Industries Update

Minerals director **Mark Sweatman** reported on the February 13 Governor's Summit on Extractive Industries that was held in Lansing and attracted over 250 attendees; including folks from the industry, academia, state offices, legislators and trade groups. Outcomes from the summit included providing an opportunity to build relationships between allied industries, a forum for conversations-including common visions, challenges, opportunities and public perception.

Parks and Trails Update

Parks and Recreation division (PRD) chief **Ron Olson** shared that PRD staff from the Grayling construction crew received the Miss Dig Award for their exemplary underground work, done with extreme diligence. **Olson** reported on the division's numbers; the recreation passport is up 30.7% compared to 28.5 in 2017, campsites number is flat due to the land use order that limits the amount of days a site may be reserved, harbor nights are up 12%, the snowmobile season was up 11.8%, ORV licenses are up 15.5% and trail use permits are up almost 5%. **Olson** clarified the use of firewood in state parks; there is no change, campers may still bring wood in, with the exception of the Upper Peninsula (UP). The parks are encouraging the purchase of local firewood.

At Porcupine Mountains Wilderness state park, Highland Copper has finished drilling, complied with all regulations and provided weekly reports to the department.

The previous Monday, PRD staff and **Olson** met with the Grand Haven Chamber of Commerce, **Senator Meekhof** and others to talk about Grand Haven state park and how to make it a better destination place. Parking availability has been expanded for year-round use at the park and there is a management plan in place to deal with the high water levels and the dune grass/seaweed problem. Lastly, **Olson** presented a memo in regard to the Michigan Waterways Commission's desire for considering a fee for paddle craft including kayaks, paddle boards, and canoes.

Commissioner Klarr asked about what would happen with Belle Isle state park after the 30-year lease is over. **Olson** shared that there are provisions for two-15-year extensions. A strategic plan for Belle Isle being completed now. He also added that Belle Isle attendance was up from the previous year with 4.2 million visitors in 2017.

Outdoor Advisory Council Update

Marc Miller, the department's regional initiatives deputy provided an update on the status of the new Outdoor Recreation Advisory council, which is being chaired by **Commissioner Tracy**. **Miller** said that the commission and the department have jointly appointed and established this council to provide greater engagement and support for economic development with the outdoor recreation business sector in Michigan. Confirmed members of the council represent CEOs, presidents and owners of outdoor recreation manufacturing, retail and the service sector as well as a community development financial institution and a major health care employer. **Miller** said that an announcement as to the membership of the council and their first meeting will be released by the end of May.

Office of the Great Lakes Update

Ronda Wuycheck, of the Coastal Management program manager in the Office of the Great Lakes provided an update on coastal programs, which were established in 1978. The program is partially funded by the National Oceanic and Atmospheric Administration. This program is in charge of coastal hazards, habitats, public access, water quality and coastal community development. Their mission is to protect, preserve, restore and enhance coastal communities,

Budget Update

Erik Eklund chief budget officer from the Finance and Operations division provided an update on the 2019 proposed budget. The department's fiscal year 2019 budget totals \$436.7 million, including \$47.3 million from the general fund. He provided a breakdown of several funding requests including, to protect wildlife and public health, ensure healthy and sustainable Great Lakes fish populations, protection of that natural resources and citizens of our state, improving snowmobile trail-riding experiences, and capital outlay expenses for state park infrastructure, recreational boating infrastructure, forest development infrastructure and waterfowl habitat. **Eklund** talked about the status of the budget approval process and legislative priorities.

Carp Challenge

Director Creagh said that **Governor Snyder** has been laser-focused on trying to build coalitions with surrounding states and provinces, as has the Legislature to find a solution to keep invasive carp out of Michigan. **Dr. Tammy Newcomb** then presented an update on the

Great Lakes Invasive Carp Challenge. **Newcomb** said that 353 solutions from 27 different countries were received. There were four finalists and six runners up. **Newcomb** thanked our partners and experts and the Michigan carp team for their dedication and hard work on the project. **Dr. Newcomb** was contacted within twenty-four hours of the announcement by the Army Corps of Engineers asking to schedule a meeting with the winners.

Director Creagh added that he appreciated **Newcomb's** hard work and dedication and thinking outside the box to work on finding a solution.

Fisheries Habitat Grants Fisheries division's resource analyst **Joe Nohner** talked about the fisheries grants programs and listed the grant recipients for 2017 for work ranging from walleye pond improvements to habitat improvement and erosion control to dam removal.

Turkey Patch Recognition Wildlife division's **Russ Mason** and **Al Stewart** along with **Art Pelon**, president of the Michigan chapter of the Wild Turkey Federation announced the winner of the 2018 turkey patch contest, **Jami Randolph**, a senior from Croswell-Lexington High School in Croswell, who was unable to attend as she was taking her SATs that day. For her design, she will receive \$100 and a certificate.

Bovine Tuberculosis Disease Surveillance Report Update **Dr. Dan O'Brien**, veterinarian from the Wildlife division and **Dr. Rick Smith**, Michigan Department of Agriculture and Rural Development's (MDARD) state veterinarian spoke about 2017 bovine tuberculosis (Btb) surveillance. **O'Brien** summarized that within the core area Btb prevalence was 2.3%, the highest it has ever been, outside the core area the prevalence was at 0.6%. The five-year prevalence trend is now increasing, approaching statistical significance in deer management unit 452 and is highly significant outside of it. **O'Brien** stated that if this increase persists, geographic spread is imminent. **Dr. Smith** covered MDARD's portion of the Btb discussion noting that in 2017 there were three infected herds, one each in Alcona, Newago and Lake counties. They are conducting circle testing in four different areas around the Btb positive free-ranging deer in the Btb zone. The department is updating the strategic plan with MDARD to present to the US Department of Agriculture. In addition, **Smith** provided a summary of the new zoning order signed with Wildlife Services for mitigation of all high-risk areas by December 31, 2019. Because Michigan exceeded the allowed three Btb cattle herds in area, MDARD is anticipating a new memorandum of understanding in 2018.

Chronic Wasting Disease (CWD) Farm Cervidae **Dr. Smith** along with the department's deputy director **Bill O'Neill** provided an update on CWD risk factors in farmed deer. **Dr. Smith** talked about the regulation responsibilities for the state's deer facilities and the responsibilities of both MDARD and the department. It was noted that Michigan has the most stringent requirements in the nation for farmed cervids; facilities must meet minimum requirements and farmed deer cannot be imported without a rigorous approval process by both departments.

Legislative Report **Anna Mooney**, legislative liaison, provided a written report of legislation related to the department. In addition to the written report, **Mooney** provided information on recent legislative highlights.

Committee Reports:

Michigan State Parks Advisory Committee: Commissioner Louise Klarr shared that they extensive overview of Senate Bill 763 and Joint Resolution O and what becomes of those monies if bills move forward. They did a review of the proposed Michigan Natural Resources Trust Fund grant applications-Land and Water Conservation Fund. The committee also received updates on the Iron Belle Trail, Ionia general management plan, issues of the day and a financial update.

NRC Policy Committee on Wildlife and Fisheries: Commissioner Rex Schlaybaugh said the committee received information on an upcoming fish order for Statewide Trout, Salmon, Whitefish, Lake Herring and Smelt and upcoming Wildlife Conservation Order Amendment; Deer Management Assistance Permits (DMAPs). The new order implements several consensus actions, the DMAP group members did not agree on the use of firearms during bow season. The commission received update on the turkey tract dedication at Barry Sate Game Area, and the UP Habitat Group. Chief Dexter gave a steelhead report on the marking program which is being done to enhance the management of steelhead.

PUBLIC APPEARANCES BEFORE THE NRC

(Brooke Parmalee read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 4:19 p.m.)

Keith Phelps shared his feelings on CWD and baiting, which he added, needs to be allowed throughout the state. He asked that solid and sound data be used to make the very tough decision on baiting in Michigan.

Marty Witberg from Montcalm County was born with muscular dystrophy and uses a specially outfitted wheelchair to hunt deer. He would like to see bailing allowed within a 20-foot area if the hunter is disabled. He does not believe that CWD can be spread from bait pile to bait pile.

Dale Hendershot, Michigan Trapper and Predator Callers Assoc., does not agree with the proposed regulation changes which will reduce the bobcat limit from 2 to 1 in the Upper Peninsula (UP). He questioned if only 55 were harvested in 2017 is there a need to decrease the bag limit. Regarding fisher and marten, he would like to see the marten quota increased by one. **Hendershot** said that the data is old and asked the commission to keep an open mind when voting on these regulation changes.

Sam Morello, President, Michigan Bow Hunters Assoc., talked about the DMAP regulation and stated that he, among others have the perception that the commission is biased toward business interests and not the sportsmen of Michigan. Michigan Bow Hunters association feels that this type of oversight is slanted towards the farmers of the state and away from the sportsmen who pay the bills with hunting license sales. They feel that the DMAP regulation change is not good for the sportsmen. The association collected approximately 1000 signatures in opposition of this regulation change.

Jim Sweeney, Concerned Sportsmen of Michigan shared his concerns on CWD and antler point restrictions (APRs) when it comes to finding an effective way to limit the spread of the disease. **Sweeney** commented that the focus now should be on removing the infected deer

from the herd. He feels that mandatory APRs pose a threat to efforts to limit the spread and prevalence of CWD should not be included in an effective management plan.

Julie Baker, shared how House Resolution 154 was brought forward to the House. She does not want toxic lead shot used to take Sandhill cranes. **Ms. Baker** is against House Resolution 154 to change Sandhill cranes and mourning doves to game species in Michigan.

Mrs. Rosseel-Jones spoke on the House Resolution 154, sharing her thoughts for opposing putting Sandhill cranes on the game species list.

Mr. Jones talked about genetic viability studies of the geographically distinct Eastern Population Sandhill cranes. **Jones** added that just because MUCC says that another state allows the hunting of Sandhill cranes, so should Michigan. This is not sound scientific management, which must be used to make a decision on the cranes.

Erik Schnelle, President, MI QDMA is committed to CWD research who are committed to funding \$1 million on deer disease and behavior over the next five years. They are also strongly advocating having the federal government earmark \$60 on deer disease. **Schnelle** closed by saying that MI QDMA looks forward to working with the commission to find the best possible solution for CWD.

Bob Jones, Michigan Bow Hunters, talked about DMAPs and appreciated being part of the DMAP group. He doesn't think there is even a need for this order. **Jones** doesn't feel that the risk/reward is there. He visited many farmers in southern Michigan and found none that are in favor of this regulatory change. **Jones** would like to see DMAPs in the pilot area only. He added that there are other times that crop damage permits should be used.

Amy Trotter, Deputy Director, MUCC, believes that CWD is a priority issue for their organization. She urged the commission to take the recommendations seriously. Regarding farm/deer issue; **Trotter** encouraged the department to work with MDARD, but they want to know what the department's biologists' and specialists' opinions with regard to the proposals and how they would like to change them, separate from MDARD. With DMAPs, approximately 10% of DMAP deer harvested with this exception, only marginal with pilot area. They would like to go back to October 1-14 as the designated quiet period along with November 10-15.

Andrew VerMeesch, Michigan Farm Bureau, DMAPs talked about loss in farmer's pocketbooks adding that we need to give them the tools to put pressure on deer to protect their crops.

Chauncey Moran, told the commission that he has issues with land use and leasing. He does not believe that people know their options when they own the surface land. **Moran** said that it would be a good PR move for the department to notify those property owners.

Ron Shaver, Michigan Sportsmen's Alliance, thinks #1 issue of CWD is to ban baiting statewide, he doesn't disagree, but he thinks there are other more-effective practices:

- Elimination of practices that increase herd age structure,
- Enhanced testing throughout the state,
- reduce populations where overpopulation occurs.
- Regarding funding, **Shaver** does not recommend license increase, but a voluntary contribution used solely for disease testing when purchasing a license.

He urged consideration for urgency for implementation for the upcoming seasons, error on the side of caution.

Bernie Shaver, said that registration fees for privately-owned farms don't bring in enough money to cover inspection expenses that must be done every three years. The registration fees need to be increased. *Shaver* added that hunting fees are reasonable; the brunt of the cost should be covered by the cervid business community and sportsmen. He wanted to know if DMU 452 will be expanded. To decrease costs in the Btb area he suggested testing every fifth or tenth deer.

Roy E. Stoltz has a farm in Saginaw county to grow deer bait. It's planted now, sold September through December. He wants to know now if the commission is going to ban baiting. Baiting has a direct impact on his business and he wanted a decision on the spot. **Stoltz** concluded by saying he was not happy with the day's meeting.

Allen Stanton, United Deer Farmers of Michigan told the commission of his organization's commitment to being a part of the CWD disease control and management.

George Quakenbush, Exec. VP, Michigan Cattlemen's Assoc. and **Kevin Gould**, Board of Directors, Michigan Cattlemen's Assoc. **Quakenbush** spoke about the prevalence of Btb in core area that has increased in the last three years. He wants to see an elimination of baiting and feeding immediately, increased hunter harvest, and the use of Wildlife Services to remove deer. **Quakenbush** has seen aggressive action in the moderated accredited zone requiring farmers to remove deer, and strict bio-hazard regulations to be able to sell cattle. He added that this is how the farmers are making a living and deer accessing their stored feed will be affecting their cattle. He urged the commission to be bold and take the steps to take action against Btb and CWD.

Gould talked about the fact that the Btb zone makes the state at risk of becoming a high-risk area, we aren't complying with the Memorandum of Understanding in place with the federal government. He said that the key is to be very proactive moving forward. **Gould** said that MDARD is doing this and asked the department and commission do basically the same thing and be aggressive moving forward.

Dick Zook shared his observations of the CWD public meetings; there was good attendance, presentations were pretty well accepted, most of the crowds were older citizens. **Zook** encouraged all to attend the upcoming commission meeting to learn more on what upcoming regulations could bring.

Vice Chairman Richardson adjourned the public appearances portion of the meeting at 5:50 p.m. and called to order the regular meeting of the NRC at 5:51 p.m. He noted that **Commissioner Tracy** had removed himself to attend a CWD Public Meeting in the Kalamazoo area, all other 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

Richardson reviewed the items up for information only.

Statewide Trout, Salmon, Whitefish, Lake Herring, and Smelt Regulations, Fisheries Order 200.18A, FOR INFORMATION ONLY

Deer Management Assistance Permit Regulations, Wildlife Conservation Order Amendment No. 6 of 2018, FOR INFORMATION ONLY

NATURAL RESOURCES COMMISSION ACTION ITEMS

Approval of Minutes, March 15, 2018 Natural Resources Commission Meeting

Commissioner Klarr made a motion that the minutes of the March 15, 2018 meeting be approved. **Commissioner Walters** supported the motion. **Richardson** called for discussion, there being none, a vote was taken and the motion passed unanimously.

Motion to Amend Previously Adopted Minutes of the October 12, 2017 NRC Meeting

Commission Klarr made a motion to amend the October 12, 2017 NRC meeting minutes to reflect under "NRC Action Items" *Fisheries Order 206.18, Special Fishing Regulations to Warmwater Species on Select Waters*, changing the sentence from "Commissioner Richardson made a motion to amend Lake Ottawa in Iron County, it would stay as a catch and keep lake" to "...it would stay as a catch and release lake" as it reads in the order. **Commissioner Walters** seconded. **Richardson** called for discussion, there being none, a vote was taken and the motion to amend passed unanimously.

Elk Regulations, Wildlife Conservation Order Amendment No. 4 of 2018

Commissioner Schlaybaugh made a motion that Wildlife Conservation Order Amendment No. 4 of 2018, Elk Regulations, be approved. **Commissioner Crumbaugh** supported the motion. **Richardson** called for discussion, there being none, a voted was taken and the motion passed unanimously.

Public Act 03 of 2018; Introduction of New 3-Day Nonresident Small Game License with Waterfowl License Issuing Rights, and Public Act 04 of 2018; Allow Mentored Youth Hunters to Purchase Additional Licenses, Wildlife Conservation Order Amendment No. 5 of 2018.

Commissioner Schlaybaugh made a motion that Wildlife Conservation Order Amendment No. 5 of 2018, Public Act 03 of 2018; Introduction of New 3-Day Nonresident Small Game License with Waterfowl License Issuing Rights, and Public Act 04 of 2018; Allow Mentored Youth Hunters to Purchase Additional Licenses, Wildlife Conservation Order Amendment No. 5 of 2018 be approved. **Commissioner Walters** supported the motion. **Richardson** called for discussion, there being none, a voted was taken and the motion passed unanimously.

FOR INFORMATION ONLY – DIRECTOR

Vice Chairman Richardson listed the "for information only" items on the agenda.

DIRECTOR'S ACTION ITEMS

Director Creagh listed the "director's action" items on the agenda and indicated he would approve all items.

COMMISSIONER REPORTS

Commissioner Schlaybaugh said that he is looking forward to opening of trout season.

Commissioner Walters had his first time experience of beaver trapping in Roscommon, learned a lot and had a great time. Last week attended the Timber Advisory Council meeting and is looking forward to participating more in the future.

Commissioner Klarr said that it was nice to see marketing staff at Tuesday evening CWD meeting. She added that educating the public is the key.

Commissioner Richardson appreciates when commissioners take the time to attend UP events, as do the residents of the UP.

Next Meeting

Vice Chairman Richardson announced that there would be a special work session of the NRC focusing on CWD scheduled for Wednesday, May 9 at Kirkbride Hall, The Village of the Commons, 700 Cottage View, Traverse City. The following day will be the regular meeting of the NRC, again to be held at Kirkbride Hall. The committee meeting in May will be the NRC Policy Committee on Wildlife and Fisheries.

Adjournment

Commissioner Klarr made a motion to adjourn. **Commissioner Schlaybaugh** seconded, and the meeting was adjourned at 5:57 p.m.

APPROVED: Date: 5/10/2018



Vicki Pontz, NRC Chair



Keith Creagh, DNR Director