

**MINUTES**  
**NATURAL RESOURCES COMMISSION MEETING**  
**October 10, 2019**  
**Lansing Community College West Campus**  
**Conference Rooms M119-120**  
**5708 Cornerstone Drive**  
**Lansing, MI 48917**

**Present for the Natural Resources Commission**

Vicki Pontz, chair  
Rex Schlaybaugh  
John Walters  
Louise Klarr  
Keith Creagh  
David Nyberg  
Chris Tracy

**Present for Department Staff**

Peter Manning, 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  
Cheryl Nelson, NRC executive assistant

**COMMITTEE OF THE WHOLE**

**Chair Vicki Pontz** called the Natural Resources Commission (commission) meeting to order at 10:01 a.m.

**Director's Report**

**Law Enforcement Division Lifesaving Award**

Law Enforcement division (LED) chief **Gary Hagler** presented a lifesaving award to conservation officer (CO) **Jeff Ginn** of Newaygo county for his response to a call of an unresponsive subject due to a possible cardiac arrest. **Ginn** was first on the scene finding the subject had no pulse and was not breathing; he administered chest compressions until EMS arrived. Due to his quick response, CO **Ginn** gave this subject a chance of recovery. **Hagler** thanked **Ginn** for his sacrifices for the department and the citizens of Michigan.

**Brook Trout Perspectives – MSU**

**Dr. Daniel Hayes** from MSU's department of Fisheries and Wildlife presented his review on brook trout bag limits in the Upper Peninsula (UP). He discussed the general background on bag limits, evaluation of the goals and objectives for the regulations in place, evaluation of prior and current evidence that these regulations were meeting their goals and objectives. **Hayes'** recommendations include gaining public trust, clearly identifying goals and to set specific objectives; keeping regulations as simple as possible. Thought should be given on the best method to measure their progress. **Hayes** added that a mix of regulations will provide the greatest benefits to all anglers and noted that habitat issues may cause challenges. **Creagh**

asked what other data is needed to determine a five or ten bag limit. **Hayes** said that more data may refine/reduce uncertainty, the bag limit is situational dependent upon the particular streams. **Creagh** asked what datapoints he would suggest, **Hayes** responded that understanding where angling-effort is high is where there will be the most impact.

### **Brook Trout Perspectives – Michigan Trout Unlimited**

**Dr. Bryan Burroughs**, representing Michigan Trout Unlimited (TU) presented their assessments on recent issues/timelines regarding the history between Michigan TU and the department. **Burroughs** cited social science considerations saying that the majority of anglers are opposed to the ten bag limit both statewide and in the UP and that the strongest support for that bag limit comes from anglers over 65. **Burroughs** said that the department needs to manage brook trout conservatively and work aggressively to enhance and protect the species.

### **Legislative Report**

**Chair Pontz** noted that the report was located in the commissioners' binders and would be posted on the commission's webpage after the day's meeting.

### **Committee Reports:**

**NRC Policy Committee on Wildlife and Fisheries: Commissioner Schlaybaugh** received weir and egg take updates from chief **Dexter** along with a lake trout catch and release issue and will be reported on again early next year. **Dr. Herbst** briefed the committee on fish order 200.20, Statewide Trout, Salmon, Whitefish, Cisco, Grayling and Smelt Regulations. Next they received the deer season forecast, EEE update, and that **Rex Ainslie** will be the acting Wildlife division chief. **Al Stewart** presented an update on the proposed 2020 Spring Turkey Regulations and the preliminary elk season results from **Chad Stewart**.

**Chair Pontz** recessed the Committee of the Whole at 11:38 p.m.

**Chair Pontz** reconvened the Committee of the Whole at 12:30 p.m.

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

(**Brooke Parmalee** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 12:31 p.m.)

**Erik Schnelle**, Michigan president of QDMA spoke on the topic "Good Deer Management is Good Disease Management" along with natural resources management. **Schnelle** spoke about habitat and the buck to doe ratio in order to keep a balanced herd. **Schnelle** stressed the importance of communication and education.

**Director Eichinger** thanked **Schnelle** for his comments, adding that the Marketing and Outreach division will be putting out numerous forms of media on the importance and benefits of doe harvest. He also noted that Wildlife data specialists **Sarah Mayhew** and **Brian Frawley** have been tasked to determine where the numbers are for the first few days of antlerless harvest compared to previous years; there will be in-season updates on chronic wasting disease (CWD). The department wants to have good data with good interpretations and where we are on-track after the first couple of days of the firearm season. **Schlaybaugh** thanked **Schnelle** for the information he and QDMA share with the department and the commission for their commitment make disease as risk-neutral as possible.

**Millard Holton** and **Hal Watts** together spoke about spending much time in the field and lakes and thanked the commission for all they have done to make hunting and fishing safer and more enjoyable. **Watts** said that there is room for improvement to increase recruitment for turkey hunting and talked about having Saturday openers to get more youth and workers into the field. **Holton** talked about letters he has sent to the director with turkey hunting proposals and is happy that two of them are in the information version of the spring turkey regulations. **Holton** reiterated all four of his proposals and said that we need to work together to increase hunter numbers.

**Pete Cornish** thanked the commission and director for signing the land use order for the Cornish state game area and requested a copy of the signed land transaction. **Cornish** said that the property is very near and dear to him and looks forward to seeing it be enhanced.

**Mike Riepen** came before the commission to ask them to change requirements for licensed dog tracking, specifically section 5(a) "tracker must successfully complete a basic test as administered by a department approved organization....." **Riepen** doesn't feel the proficiency test is necessary for tracking dogs; he said that it would be better if the tracker be tested so that they may be allowed to dispatch a wounded animal. **Tracy** asked if **Riepen** has been in contact with the Legislature as a law change would be necessary for the department and commission to move forward on making any regulation changes. **Riepen** was directed to speak with **Trevor VanDyke** regarding regulatory laws.

**Elliot Hubbard** from the thumb area spoke about deer management and CWD and its effects on the state. He said that numerous hunter groups are more than willing to help the department and the commission with the disease issues. He does not like limitless antlerless tags, a longer firearm season or lower license prices in the CWD management zone. **Hubbard** said that this could destroy the relationship between hunters, the department and the commission. He is happy that more is going to be done with communication on antlerless harvest. The director added that the department and commission have not been talking in absolutes, there is a lot that is unknown and that it is important to use the approach that there are some things that will have to be learned, some things will work and some won't. **Eichinger** continued by saying that the department and commission will have to continue to refine management, refine the understanding as we see how hunters respond to those regulations and how deer herds respond to those regulations. **Hubbard** thought that there could have been more communication with the general public, citing social media posts.

**Jim Sweeney** followed up on QDMA comments that he is in favor of regarding the antler point restrictions (APR)/CWD harvest and their proposed increase in antlerless harvest, and that protecting yearling bucks will have a negative impact in the CWD zone. He spoke on the framework that would provide that the experiment would be stopped if the antlerless harvest did not meet the disease prevalence rate. The research proposed by the Wildlife division doesn't address that concern with the 1.1 ratio. This is non-responsive to the amendment that the commission passed. **Sweeney** said that the Concerned Sportsmen of Michigan support framework as follows:

- Required minimum increased antlerless harvest of 3,200 in the three county experiment area
- Maintain additional original antlerless amounts as long as antlered harvest falls below projected three-year baseline

- If prevalence rates increase, minimum antlerless harvest would be recalculated on an annual basis. If not attained the experiment should be terminated.

**Sweeney** concluded by adding that the group would like the commission to set a hard number antlerless rate for the experiment.

**Ian Fitzgerald**, MUCC's policy analyst, asked the commission to move the opening day of the spring turkey hunt to a Saturday in turkey management unit ZZ only. **Fitzgerald** said that this would provide more opportunity for hunters. **Director Eichinger** said that this suggestion can be reviewed and discussed over the coming month before the amendment comes before the commission for action.

**Art Pelon**, president of the Michigan chapter of the National Wild Turkey Federation (NWTF) said that NWTF is in support of Wildlife Conservation Order Amendment No. 9 of 2019, Spring Turkey Regulations as written. He emphasized importance of managing for quality hunting.

**Pelon** added a couple of personal comments regarding out of state hunters who hunt his property because Michigan is their first choice. He is also in favor of moving the season into June as eight times he has harvested a turkey on the last day of the season in May. **Pelon** added that NWTF would like Monday kept as the opening day.

**Dale Hendershot** thanked the department for the conservation school and being able to train conservation officers about trapping; he suggested that the commission find the time to attend the next school. With regard to **Mike Riepen's** comments on dog tracking training, **Hendershot** believes it is a good idea to train the trackers so that they be allowed to dispatch a wounded animal.

**Bob Scriver** representing turkey hunters spoke on turkey regulations and would like to see over-the-counter sales for turkey licenses for the spring season.

**Robert Wrask** thanked the commission for moving youth hunt up a week and mentioned that stores are still selling corn, carrots, beets, etc., and wanted to know if the commission or department could do anything about that. **Commissioner Nyberg** said that the commission and department don't have the regulatory authority to regulate those materials.

**Chair Vicki Pontz** adjourned the public appearances portion of the meeting at 1:52 p.m.

#### **Presentation of Safari Club International (SCI) Michigan Involvement Committee's Hunter Survey Award**

The SCI Michigan Involvement Committee sponsors prizes for hunters who complete the annual deer harvest mail survey, ensuring that the department gets data needed to manage the deer herd. Each year the department randomly draws winners from a group of early responders to the survey. Presenting the gun to **Mr. Ron Helmboldt** of Manistee was president of the SCI Involvement Committee, **Mr. Bob Taylor** and **Mr. Rich DeLisle** from the Southeast Bowhunters chapter of SCI presented the bow to **Mr. Ervin Sparapani** of Iron Mountain.

**Pontz next called to order the regular meeting of the commission at 1:56 p.m. She 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**

**Spring Turkey Regulations, Wildlife Conservation Order Amendment No. 9 of 2019, FOR INFORMATION ONLY**

**Statewide Trout, Salmon, Whitefish, Cisco, Grayling, and Smelt Regulations, Fisheries Order 200.20, FOR INFORMATION ONLY**

**NATURAL RESOURCES COMMISSION – ACTION**

**Approval of Minutes, September 12, 2019, Natural Resources Commission Meeting**

**Commissioner Walters** made a motion that the minutes of the September 12, 2019, NRC meeting be approved. **Commissioner Nyberg** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Michigan-Wisconsin Boundary Waters, Fisheries Order 205.20**

**Commissioner Schlaybaugh** made a motion that Fisheries Order 205.20, Michigan-Wisconsin Boundary Waters be adopted. **Commissioner Walters** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Special Fishing Regulations for Warmwater Species on Select Waters, Fisheries Order 206.20**

**Commissioner Schlaybaugh** made a motion that Fisheries Order 206.20, Special Fishing Regulations for Warmwater Species on Select Waters be adopted. **Commissioner Walters** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes and White Bass, Fisheries Order 215.20**

**Commissioner Schlaybaugh** made a motion that Fisheries Order 215.20, Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes and White Bass, be adopted. **Commissioner Walters** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**DIRECTOR – ACTION**

**Pontz** listed the action items on the agenda, director **Eichinger** indicated that he would approve all items.

### **Commissioner Reports**

**Commissioner Schlaybaugh** reported that he had been grouse and woodcock hunting over the past month, attended a meeting of the Au Sable North Branch Foundation on what happen to fish in the spring on the north branch.

**Commissioner Walters** attended the Coldwater committee meeting in Gaylord where a study was discussed regarding the fish division's shock sampling that is done every other year. He and **Mrs. Walters** did much grouse/woodcock with much success. He has also still been trout fishing and welcomed Rex Ainslie, Scott Whitcomb and Brad Garmon to their new positions; he looks forward to working with them.

**Commissioner Klarr** attended a UP wildlife management group meeting were many items; **Terry Minzey** provided updates on the deer camp survey, UP CWD, riparian discussion on forestry management and winter habitat. The department is partnering with SCI with several items being worked on in the UP. After the Marquette commission meeting, she fished for a couple days on the Black river and was very successful. In Hillsdale, she was able to shoot with **Al Stewart**, his son and through a cooperative agreement with US Olympic team, she was able to also shoot with **Kim Rhodes**, an American double trap and skeet shooter and a six-time Olympic medal winner.

**Commissioner Nyberg** attended a meeting of the Fred Waara chapter of Trout Unlimited where the discussion was regarding habitat improvement projects in cold-water UP fisheries. He congratulated **Brad Garmon** on his new role and he is looking forward to welcoming him to UP for the Fresh Coast Film Festival and growing the outdoor recreation for consumptive and non-consumptive users in the UP.

**Commissioner Creagh** went fishing in Canada with good success; however the fishing is just as good, if not better in the UP. He appreciates the department and Eckler farms regarding attractants on ATA approval, contact and no contact. He did have the opportunity to sit in a tree to hunt. **Creagh** is interested in getting updates on potential on opt out house bills (state park bill) and lastly encouraged the commission to establish an amount of 13,000 in the APR experiment zone. **Commissioner Creagh** made a motion for a resolution changing the 1:1 ratio goal for the first year (2019-20) of the APR experiment be 13,000. **Commissioner Tracy** supported the motion. Much discussion ensued between the commissioners and the director.

**Commissioner Tracy** reiterated **Creagh's** original motion. **Commissioner Schlaybaugh** made a motion to amend **Creagh's** original motion so that the department, on an annual basis, provides information and data with respect to the experiment to determine if it has created an unaccepted level of risk regarding the spread of CWD. **Pontz** called for discussion. There being none, a vote was taken on the amendment to the resolution only, which passed unanimously. **Pontz** called for any discussion on the resolution as amended, **Schlaybaugh** said that this is very important and he would like the resolution taken back to the department and biologists to provide some wordsmithing, then make changes at that time. **Eichinger** added that if the commission wants the department to report back annually, the department will; he cannot see where a three year study could give them definitive answers in one hunting season. He doesn't see the need for the department to reword the resolution. **Pontz** called for any further discussion on the resolution as amended, there being none, a vote was taken with the results as follows: **Tracy** abstained, **Walters** voted no, **Schlaybaugh, Klarr, Nyberg, Creagh** and **Pontz** voted yes. The resolution as amended passed.

**Commissioner Tracy** thanked department staff for their assistance with the third annual Joe Johnson Memorial Hunt at the Gordon Guyer state wildlife area, specifically **Randy Heinze, Rachel Leightner, Mark Mills, Mark Sargent** among others, a success. There were 36 hunters and is a waiting list for 2020.

**Chair Pontz** congratulated the department on video on baiting and feeding, it was very well done. She will be hunting in the Ionia recreation area this year.

### **Next Meeting**

**Chair Pontz** announced that the next meeting of the NRC is scheduled for Thursday, November 7, 2019, at Lansing Community College's West Campus, Conference Rooms 119-121, 5708 Cornerstone Drive, Lansing. The committees meeting that day will be the Michigan State Parks Advisory Committee and the NRC Policy Committee on Wildlife and Fisheries.

### **Adjournment**

**Commissioner Walters** made a motion to adjourn. **Commissioner Klarr** supported the motion and the meeting was adjourned at 2:39 p.m.

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Vicki J. Pontz, Chair

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Daniel Eichinger, Director

DATE: \_\_\_\_\_