

**MINUTES**  
**NATURAL RESOURCES COMMISSION**  
**June 14, 2018**  
**Lansing Community College**  
**515 North Washington Square**  
**Lansing, MI 48933**

**Present for the Natural Resources Commission**

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

**Present for DNR staff**

Peter Manning, legal counsel, Office of the Attorney General  
Keith Creagh, director  
Bill O'Neill, natural resources deputy director  
Bill Moritz, special projects  
Trevor VanDyke, legal/legislative director  
Stacy Welling Haughey, UP coordinator  
Brooke Parmalee, legislative assistant  
Cheryl Nelson, executive assistant to the NRC

**COMMITTEE OF THE WHOLE**

**Chair Vicki Pontz** called the Committee of the Whole meeting to order at 3:00 p.m.

**Director's Report**

**2019 Budget Update** **Erik Eklund**, the department's budget officer from the finance and operations division provided an update on Fiscal Year 2019 budget, which has been approved by the Legislature and is before **Governor Snyder** for signature. **Eklund** also provided a status update on the steps taken with House Bill 5578, which was passed on April 24 and Senate Bill 862 that was passed on May 3. Conference Senate Bill 848 was adopted on June 12, this enrolled Senate Bill must be signed by the Governor within 14 days from the date presented.

**Eklund** reviewed the conference report of the executive budget, highlighting several particulars including funding for additional conservation officers, funding to combat various wildlife diseases, funding to negotiate and implement the 2020 Great Lakes Consent Decree, funding to improve Mackinac State Historic Park Experiences, funding to operate and maintain state parks, boating access sites and state forest campgrounds, along with funding to improve off-road vehicle (ORV) trails. It also includes funding to improve snowmobile trail riding experiences, numerous infrastructure improvements and specific Legislative priorities, such as Grand Rapids

dam removal, a swimmer's itch pilot program and PFAS studies, to name a few. **Director Creagh** commended **Eklund** and team on a job well done.

**Blue Ribbon Advisory Group State Game Areas Update** **Steve Chadwick**, assistant chief of the wildlife division, provided an update on the state game area Blue Ribbon Advisory panel. **Chadwick** shared recent successes which included partnerships to improve habitat, expansion of youth hunting opportunities, expansion of birding opportunities, and chances for youth to do work on state game areas. **Chair Pontz** added that it was very impressive to see a volunteer panel go from idea generation to actual implementation on the ground.

**Chronic Wasting Disease (CWD) Update** Deputy director **Bill O'Neill** and wildlife division's deer and elk specialist **Chad Stewart** talked about the process and what to expect over the next couple of months. **O'Neill** said that the commission could expect more conversation in July with decisions in August. **Stewart** said that the department is developing a number of metrics to measure success in achieving the department's goal for CWD management.

**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:**

**NRC Policy Committee on Finance and Administration:** **Commissioner Crumbaugh** shared that the committee received the \$30.6 million spend plan for fisheries division from **Chief Dexter** and key outcomes based on division goals. **Chief Mason** also shared the \$50.5 million spend plan for the wildlife division, which includes more than \$4.2 million in disease management spending. **Erik Eklund** provided an update on the department's Fiscal Year 2019 budget.

**Michigan State Parks Advisory Committee:** **Commissioner Klarr** said that the committee received a report on the Belle Isle State Park master plan and on all the work that has occurred there. It is the most-visited state park with 4.2 million annual visits. **Chairman Michelle Hodges** from Belle Isle Conservancy shared some details on the partnership between the Conservancy and Belle Isle State Park. **Gerald Fisher** from the Oakland County Parks Commission and parks and recreations' **Jason Fleming** talked about the partnership between the two governments to create an ORV park in Oakland county. The committee also received a parks update from **Chief Olson**.

**NRC Policy Committee on Wildlife and Fisheries:** **Commissioner Schlaybaugh** shared that chief **Dexter** provided a review of spring egg-take efforts for steelhead and walleye. **Dexter** also said that there had been an outbreak of epizootic epitheliotropic disease virus at the Marquette State Fish hatchery, the prevalence is low, but its presence means that the department cannot partner with the U.S. Fish and Wildlife Service on marking these fish, the department will now be limited on the number of fish that can be marked in the future. **Dexter** also talked about an emerging concern regarding a twenty-mile stretch on the North Branch of the Au Sable river, there is an extremely low density of Lake Trout. **Nick Popoff** provided an overview of upcoming changes to the fisheries orders for 2019, and it was noted that this was his last meeting with the department, he is moving with his family to the east coast. **Jim**

**Francis** discussed a report on spearing for muskies in Lake St. Clair, based on mixed responses from constituent groups, the division does not recommend moving forward with a spearing season.

Wildlife division chief **Mason** gave a report on the most recent wolf population survey that indicated that the population is healthy and stable. **Mason** also shared that the bear management plan will be updated, and **Brian Frawley** presented the 2017 deer survey results.

### PUBLIC APPEARANCES

(**Stacy Welling Haughey** read the public appearances guidelines which began at 4:34 p.m.)

**John, Bear Claw, Wagner** provided a handout for the commissioners. He is opposed to a baiting ban and does not feel one would be effective. **Mr. Wagner** shared several ways that disease transmission can occur that he feels are significant. He thinks a baiting ban will destroy the industry.

**Bob Fisher** from Newaygo county said that he generally agrees with the recommendations but favors a statewide ban for baiting, he would also like to see bait allowed for youth hunting in the entire state during the Liberty hunt. Teaching youth to make ethical shots isn't easy and feels that disabled and youth hunters would benefit from a static target rather than a moving target. He would like to see the numbers for those hunters increase. **Fisher** would like hunters to be allowed to bait ahead of time from Thursday prior through the end of the Liberty hunt. **Fisher** also shared some concerns regarding allowing all firearms in muzzleloader season in the CWD zone. All zones must be consistent. He would like to see the either tag for private land and public land in CWD zone should have antlerless tags.

**Jeff Anthes** from Bacon Creek Co-op in Montcalm county would like to see antler point restrictions (APRs) for protection of younger bucks. It is practiced in his co-op. **Anthes** said his co-op will not work with the department if these regulations pass as written. Baiting does not mean anything, he wants recommendations their co-op can work with. He said that the department needs to start worrying about what they are going to do with the deer herd. **Anthes** said the herd has been mismanaged for years. He would like to see the protection of younger bucks with APRs. It's about shooting the right deer, not all the deer.

**Jim Sweeney** from Traverse City representing the Concerned Sportsmen of Michigan requested two changes that he would like the commission to consider; the proposed 13-county CWD management zone is too conservative. **Sweeney** would like to see a CWD containment zone that includes a buffer around the core area, comprised of counties where the disease has not spread to yet. Next, **Sweeney** said that the proposal to re-instate the four-point APR on the restricted tag in the CWD zone makes no sense. **Sweeney** added that there is no place for a regulation that offers protection to yearling bucks.

**Tony Smith** of Eaton county talked about the elimination of the sex/age/kill model in 2006. He would like to see the antlerless season lengthened by seven days. **Smith** would like to see a ten-day muzzleloader season in all three zones and expansion of the late antlerless season.

**Greg Eagle** from Midland representing the Michigan Resource Stewards (stewards) presented a resolution on behalf of the stewards which encourages the department to work more closely with the Department of Environmental Quality (DEQ) focusing on legislative priorities.

**Dale Hendershot**; Michigan Trapper and Predator Callers, representing the Upper Peninsula (UP) where there is an issue on public land with unscrupulous guides and bobcat hunting. On the fisher/marten issue, they have been waiting on a new model, trappers are seeing more on the ground than what department believes is on the ground. They are willing to see a shorter season, not nine days, they would like a 10-day season so that it encompasses two weekends, which would allow for more youth hunting. **Commissioner Richardson** clarified **Hendershot's** comments regarding taking one bobcat on private and one bobcat on public lands.

**JP VanOstenberg**, representing the Michigan Muskie Alliance (alliance), shared a handout on the muskie spearing season on Lake St. Clair. The alliance supports sound science and management. They support the fisheries recommendation against a trial spearing season for muskies on Lake St. Clair. **VanOstenberg** stated that the muskie is worth more alive than not. Michigan Muskie Alliance opposes any expansion of muskellunge harvest and spearing in the state of Michigan.

**Dave Buikema** from Mecosta County of the Southern Mecosta Whitetail Management Association, said that they have over 15,000 acres in the co-op. **Buikema** shared that this co-op would like to see an APR with only one buck allowed, that has to have four points to a side. They want bigger bucks so the co-op members would shoot more does.

**Dan Eichinger**, director, and **Amy Trotter**, deputy director, representing MUCC; **Eichinger** said that MUCC is generally supportive of the package as presented. He offered some ideas to enhance the package; the need to establish goals and metrics are important especially with the harvest of antlerless deer, but clarity is needed for the hunting public, establishing very specific deer management units (DMUs) with DMU harvest goals for antlerless deer would be very good for the transparency process. **Eichinger** said most are willing to harvest more antlerless. He said that MUCC has no current position on APRs, they want a regulatory package to get as many people to join us on the same side of the table to combat CWD. They need to understand how APRs work with a disease context; look at to sustain hunter retainment to increase antlerless harvest. **Eichinger** also added that a baiting and feeding ban is a good thing for the Lower Peninsula. Response efforts are dependent on hunter harvest and could alienate the hunting community. Many pathways are needed to keep people in the woods and to drive antlerless deer harvest. **Eichinger** talked about the deer co-op program and what's going to happen in the long-term, this network has a built-in infrastructure that can be used in the long-run. They would like the commission to establish good hunter objectives, liberalized seasons, and give consideration on how APRs work in the disease context.

**Trotter** reminded about the annual conference the next week in Clare where they will be debating on deer extensively. There are several resolutions on deer before them, which would need to have a 2/3 majority to bring forward to the commission.

**Doug Roberts**, president, United Deer Farmers (UDF), said that urine is the lowest on the list for transmission of disease, which is mostly found in the carcasses. They oppose a complete ban in the 13-county area because it has not been proven that urine spreads CWD. The ATA

Industry has a live test that is now 80 percent accurate. They want to be part of the process and solution. They are testing to see if they can breed white-tailed deer that are resistant to CWD. The UDF is working with QDMA to educate hunters in the state regarding CWD, carcass disposal, and processing meat.

**Spencer Berman**, a charter boat captain on Lake St. Clair, representing the Lake St. Clair Charterboat Association, opposes muskie spearing. No change with tribal spearing. They push 100% catch and release; no harvest takes place. If you want to see good catch rates, you need to let the fish go. **Berman** asked the commission to consider the impact on the fishery and a potential decline.

**Elliott Hubbard/Wayne Steerzer/Mark Lemke**, representing Thumb and Blue Water QDMA's asked for APRs in the thumb 5-county disease-free area; Sanilac, Huron, Tuscola, Lapeer, and St. Clair counties. They would like APRs implemented for the 2018 season in this area. They want to be pro-active, act now before an emergency arises. They asked for a five-year trial, creating a realistic goal for after the five year period. Keep hunters involved, get real-world data. The men asked for immediate action and are willing to work with the commission.

**Erik Schnelle/Michael Goyne, Michigan QDMA** provided a handout. They would like to see the base regulation include; urine restrictions-ATA certified and synthetic only, baiting and feeding ban (13 county CWD area and bovine TB DMUs 487/452), carcass movement restrictions (5-county CWD area), new reduced cost private land antlerless license, and the option to harvest an antlerless deer using any buck tag, in the 13-county CWD area and bovine TB area. They would also like to see a two-year implementation for APRs. They are asking for an immediately-approved thumb area APR initiative. QDMA is committed to working with the department and commission on disease control management in Michigan

**Brian Murphy**, CEO, QDMA and **Josh Hillyard**, director, Region 3 QDMA. **Murphy** said that he has witnessed the devastation that CWD has caused. He shared hunter number figures and said that Michigan is losing hunters faster than any other state currently. **Murphy** said that strong hunter support is needed and that's where QDMA can come in. They can be a strong partner. He said that they are in agreement with the proposal presented by **Mr. Schnelle** and **Mr. Goyne**. **Murphy** added that a statewide hunter educational program is needed and they can help on a educational campaign. He also asked the commission to move fast on the thumb area initiative. He asked that the commission give full consideration of the human dimensions of this issue.

**Ken Samyn**, president, Northern Jack Pine QDMA in Ogemaw county is passionate and sincere. He believes in communication and asked that the commission give APRs a try.

**Mel Smith** from Montcalm county said that a comprehensive plan is needed and that the submitted regulations have a few good points but if it goes through as written hunters will be lost. He would like to see hunters given incentives, with APRs being an incentive.

**Richard P. Smith** from Marquette opposes the four points on a side in the CWD area. A high percentage of yearling bucks have the disease and passing them up goes against science. **Smith** said that changes in regulations need to be made this fall. **Richardson** thanked him for attending and sharing his comments.

**Don Everhart** from Alma said that the best information is needed and he doesn't know if we currently have the best information. He would like to make a combo license good for one buck/one doe and the doe would need to be brought in for testing before being issued another license. He talked about getting good data and having a real-time data app. **Everhart** said that they should consider taking forward to local high schools, they have some extremely bright students, run a seminar about the problem, and ask the kids to work on a solution.

**George Lindquist** from Marquette county said he is frustrated. He has been involved in tract surveys about deer for many years. In 2000, 71 percent of those surveyed thought the department should restrict the harvest of yearling buck. He thinks the way things go it's the minority rule, how can 35 percent stop the APR? Why all the hoops that stop things from happening? In 2007, 82 percent were concerned with the number of bucks. 72 percent were concerned with the number of mature bucks. This is the only thing where the hunters agree, they want to see a better ratio of buck/doe. Average doe is twice as old as any buck. We shouldn't worry about yearling buck spreading disease.

**Joel Piatek** from Harsens Island and is representing Michigan-Ontario Muskie Club, asked that the commission not approve the spearing of muskie on Lake St. Clair.

**Brad Koehn**, from Lake St. Clair Muskies, Inc. said that his group is opposed to muskie spearing on Lake St. Clair.

**Ron Shaver** said that he feels the recommendations fall short to deal with CWD. He doesn't find reference to testing other than the core area. It should be in 13-county CWD area and that antlerless harvest seems to ignore prevalence rates. He would like baiting and feeding to include small food plots.

**Bernie Shaver** from Gratiot county said there is a low population of deer on his property. Goals to preserve for future generation are very important to him. He would like to see no four-point restriction on second license. **Shaver** said that it is important to maintain low prevalence rate, but there is a need to increase the potential for the number of bucks in the core areas.

**Mark Spencer/Ed Kramer** from Brevort said that 99 percent of the trappers in the UP do not agree that fisher/marten populations are hurting. They like the second marten, but it did cost one-third of the season and they would like two weekends help get youth out. Regarding bobcat, there are plenty of bobcat, but around November 1 they migrate to private lands, because of more activity in the woods. They prefer the second cat on private land.

**Capt. Matt Firestein** from Lake St. Clair, is a passionate guide said that any regulation that wouldn't enhance the fishery should not be approved. He asked the commission not approve spearing on Lake St. Clair.

**Jerry Keck**, from U.S. Sportsman's Alliance in the thumb, has a co-op where they believe every deer has value, they shoot to eat. He doesn't support four-points or better in core areas, saying that bucks are two to three times more likely to spread disease. **Keck** said that we can't worship antlers and beat the disease.

**Mike Shippa** spoke about furbearer issues noting that he is in agreement with having the second tag for bobcat for private land and would like two weekends for the fisher/marten season.

**Leon Hank** is the national chair of QDMA from Holt and is a proud lifetime member of MUCC. He is a staunch advocate for APRs. He hopes the like-minded groups have demonstrated the significant resources and a very useful plan. **Hank** continues to offer any support to the department and the commission. QDMA wants to partner with the department. He offers their resources to help partner on this issue. We need to change the culture, need to shoot a lot more does to help solve this disease problem.

**Bill Bivens** has hunted for over 60 years and is part of a co-op. Michigan has a great resource, that is a challenge to manage. **Bivens** said that there is a need to shoot more does, we need to set the course for deer hunting in Michigan, it will make a difference.

**Chair Pontz** adjourned the public appearances portion of the meeting at 6:54 p.m. She noted that all commissioners who were present at the Committee of the Whole are present for the regular meeting of the Natural Resources Commission, which began at 6:55 p.m.

## REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

### I. FOR INFORMATION ONLY – NATURAL RESOURCES COMMISSION

Antlerless License Quotas, Wildlife Conservation Order Amendment No. 11 of 2018, FOR INFORMATION ONLY

Chronic Wasting Disease Regulations, Wildlife Conservation Order Amendment No. 12 of 2018 FOR INFORMATION ONLY

### II. NATURAL RESOURCES COMMISSION ACTION

Approval of the May 9-10, 2018 Natural Resources Commission Meeting Minutes

**Commissioner Tracy** made a motion that the minutes from the May 9-10, 2018 be approved. **Commissioner Schlaybaugh** seconded the motion. **Chair Pontz** asked for discussion, there being none, a vote was taken and the item passed unanimously.

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

**Commissioner Schlaybaugh** made a motion to suspend Fisheries Order 200.18A, Statewide Trout, Salmon, Whitefish, Lake Herring and Smelt Regulations, the department is in continuing negotiation with the Tribes. **Commissioner Crumbaugh** seconded the motion. **Pontz** asked for discussion, there being none, a vote was taken and the motion to suspend the order passed unanimously. Later, **Trevor VanDyke** asked for a clarification of wording regarding suspending or withdrawing this order. **Commissioner Tracy** made the motion to change the wording from suspend to withdraw, **Commissioner Crumbaugh** seconded that motion, **Pontz** asked for discussion, there being none a vote was taken and the motion to withdraw the order passed unanimously.

Furbearer Regulations, Wildlife Conservation Order Amendment No. 7 of 2018

**Commissioner Tracy** made a motion that Wildlife Conservation Order Amendment No. 7, Furbearer Regulations be approved. **Commissioner Crumbaugh** seconded the motion. **Chair Pontz** asked for discussion; **Commissioner Richardson** made a motion to amend by changing the open season for taking fisher and marten by trapping from the first Friday in December through eight days after in all of zone 1, except Drummond Island, to the first Friday in December through nine days after in all of zone 1, except Drummond Island. Commissioner Richardson continued this motion to change the one bobcat season limit per licensed resident furharvester except an individual shall take not more than one bobcat from bobcat management unit B and not more than one bobcat in bobcat managements units C, and D, E, and F combined. A licensed resident furharvester taking a second bobcat in bobcat management unit A shall take a bobcat on private land only, excluding commercial forest land. A resident who intends to hunt or trap bobcat shall request and be issued up to 2 free bobcat kill tags be approved. **Commissioner Walters** seconded the motion to amend. **Pontz** asked for discussion, there being none, **Pontz** asked if all agreed to the amendment. There being no further discussion a vote was taken on the order as amended and the amendment passed unanimously.

Squirrel Season Dates, Wildlife Conservation Order Amendment No. 8 of 2018

**Commissioner Schlaybaugh** made a motion that Wildlife Conservation Order Amendment No. 8 of 2018, Squirrel Season Dates be approved. **Commissioner Crumbaugh** seconded the motion. **Pontz** asked for discussion, there being none, a vote was taken and the amendment passed unanimously.

Open/Closed Deer Management Units, Wildlife Conservation Order Amendment No. 9 of 2018

**Commissioner Schlaybaugh** made a motion that Wildlife Conservation Order Amendment No. 9 of 2018, Open/Closed Deer Management Units be approved. **Commissioner Tracy** seconded the motion. **Pontz** asked for discussion, there being none, a vote was taken and the amendment passed unanimously.

Falconry Season Dates for the Take of Certain Migratory Birds Technical Amendment, Wildlife Conservation Order Amendment No. 10 of 2018

**Commissioner Schlaybaugh** made a motion that Wildlife Conservation Order Amendment No. 10 of 2018, Falconry Season Dates for the Take of Certain Migratory Birds Technical Amendment be approved. **Commissioner Crumbaugh** seconded the motion. **Pontz** asked for discussion, there being none, a vote was taken and the amendment passed unanimously.

**III. DIRECTOR – ACTION**

**Chair Pontz** asked the director if he planned to sign all items up for his approval. He indicated that he would be approving all presented.

**IV. COMMISSIONER REPORTS**

**Commissioner Schlaybaugh** and **Chief Dexter** gave a talk to a group of Trout Unlimited chapters on fisheries.

**Commissioner Walters** was a guest speaker at ribbon cutting for Pigeon River Country Discovery Center, spoke at the rotary club of Gaylord on CWD and bovine TB. He fished Sunday with **Senator Stamas**, and he and **Commissioner Schlaybaugh** are engaged with stakeholders on data collection on the North Branch of the Au Sable.

**Commissioner Richardson** thanked all the UP groups working together on furbearer regulations. Thanked all for the engagement on the CWD regulations.

**Commissioner Klarr** shot a turkey on opening day.

**Commissioner Tracy** provided update on the new Outdoor Recreation Advisory Council and thanked all for support of new advisory council. A couple members of the group will be going to national summit in NC. They will meet again in September. **Creagh** asked to have an informal gathering of that group and the commission.

**Director Creagh** said that the department was successful in getting the SAFE program under the farm bill (\$63 million on 41 counties in southern Michigan) that will help pheasant restoration initiative. He specifically thanked **Mike Parker, Al Stewart** and **Steve Shine** for a job well done.

**Chair Pontz** works with the DNR community engagement planning team and had meetings with different QDMA members. She is working with Cornell University to include natural resources into their statewide leadership program. Also talked to MUCC and their co-ops regarding managing CWD. She also met with **Dr. Kroll** to hear about different approaches to CWD. She thanked all stakeholders, commissioners and staff for their work on the current issues.

#### NEXT MEETING

**Pontz** announced that the next meeting of the Natural Resources Commission is scheduled for Thursday, July 12, 2018 at Lansing Community College 515 N. Washington Square, Lansing. The committee meeting that day will be the NRC Policy Committee on Wildlife and Fisheries.

#### MOTION FOR ADJOURNMENT

**Commissioner Schlaybaugh** made a motion to adjourn the June 14, 2018 Natural Resources Commission Meeting. **Commissioner Tracy** seconded the motion and the meeting was adjourned at 7:10 p.m.

APPROVED: Date: \_\_\_\_\_

*July 12, 2018*

  
\_\_\_\_\_  
Vicki Pontz, NRC Chair

  
\_\_\_\_\_  
Keith Creagh, DNR Director