

## MINUTES

### NATURAL RESOURCES COMMISSION

May 12, 2016  
MSU Diagnostic Center  
4125 Beaumont Road, Lansing, MI 48910

#### Present for the Natural Resources Commission

John Matonich, chair  
J.R. Richardson, vice-chair  
Vicki Pontz  
Rex Schlaybaugh  
Christine Crumbaugh  
Tim Nichols

#### Present for DNR staff

Bill Moritz, DNR director  
Marc Miller, DNR regional initiatives deputy  
Mark Hoffman, DNR deputy director  
Robert Reichel, legal counsel, Office of the Attorney General  
Dennis Knapp, DNR chief of staff  
Cheryl Nelson, executive assistant to the NRC

#### COMMITTEE OF THE WHOLE

**Chairman John Matonich** called the Committee of the Whole meeting to order at 3:21 p.m.

**Law Enforcement Division Lifesaving Award** Law Enforcement division chief **Gary Hagler** introduced CO **Ben Lasher**, who was presented the Lifesaving Award for his actions in saving an individual who had suffered a self-inflicted gunshot wound in St. Clair County on the opening day of deer season 2015. **Hagler** congratulated the officer for his successful lifesaving efforts. He also recognized **CO Lasher's** family for their support.

**Parks and Trails Update** **Jackie Blodgett** from the Parks and Recreation division provided updates which included the announced dedication and reopening of Big Oaks Equestrian Campground on May 7. She shared that bus service has started on Belle Isle. Lodging numbers for the year so far are up 12%, harbor slips are slightly down at 1.9%, ORV registrations are up 2%, trail permits up 13%, recreation passport at 26.2% for the year. The National Guard unit from Sault Ste. Marie will be helping with Lime Island projects. **Gary Jones** from Waterloo Recreation Area was recognized at the 2016 Pure Michigan Governor's Conference as a star of the industry.

**Terrestrial Invasive Species State Management Plan Overview** **Sue Tangora** from Forest Resources division presented information on Michigan's first terrestrial invasive species state management plan. The departments of Agriculture, Environmental Quality and Natural Resources developed this plan, which also included input from the department of

Transportation. The plan focuses on preventing invasive species from coming to the state, early detection and response. The plan is needed as invasives cause significant impacts to the economy and human health. The plan is complimentary to the Aquatic Invasive Species state management plan. The public review process is slated to be completed in June. It will help citizens, help elected officials and will provide guidance to the invasive species team. There are four goals with six activity areas; they include prevention, early detection and response, control and restoration and collaboration to share resources, knowledge and skills. **Tangora** shared that the plan will be finalized this summer and will be updated every five years. **Director Moritz** included that there is an annual appropriation of nearly \$5 million to take a serious crack at invasive species.

**Invasive Species Annual Report** Fisheries division chief **Jim Dexter** presented the annual report on Michigan's Invasive Species program which is an effort of the Quality of Life departments. Goals include prevention, limit dispersal, develop detection and response plans, management and control. In its first year of funding, this program has exceeded all its goals. It has enabled the state to establish 12 cooperative invasive species management areas, which are organizations that fight the spread of invasive species. Outreach efforts engaged nearly 1.5 million Michigan residents (original goal was to engage 750,000) to help identify, report and manage invasive species. **Dexter** added that good work has been done over the past year and it will continue.

**Oil and Gas Lease Auction Results** Minerals Management section director **Mark Sweatman** provided an update on the May 4 auction. 458 parcels were nominated; there were 193 offerings on those parcels. 16,700 nominated acres, 11,000 acres leased, 71% nominated acreage was bid on versus 40% at the last auction. Nominated parcels were 95% successful. \$746,500 was generated in bonus bids. The next lease auction will be in the fall; nomination period ends June 10.

**Legislative Report** **Trevor VanDyke**, Legislative and Legal Affairs Office director provided a written report of legislation related to the department. In addition to the written report, **VanDyke** provided updates on recent legislative highlights.

#### **Committee Reports:**

**NRC Policy Committee on Wildlife and Fisheries** Commissioner **Rex Schlaybaugh** stated that they received updates from Wildlife and Fisheries divisions, which included the fishing tournament information system along with information on the dedication of the research vessel, R.V. Tanner. Much time was spent Fisheries Order 200.16A regarding chumming. The committee asked **Dexter** to revise the proposed order to ban chumming on Muskegon, Pere Marquette and Big Manistee rivers. The final decision will be before the full commission in Gaylord on June 9. Wildlife division chief **Mason** shared information regarding the upcoming orders. The committee received a report from **Adam Bump** regarding furbearer items that will be up in 2018. **Dan Eichinger** from MUCC presented a report on deer hunting retention along with **Dr. Brent Rudolph**. **Karen Cleveland** reported on cormorant management efforts. A report regarding white nose syndrome in bats was presented by **John DePue**. The committee was provided information on centerfire rifle use at night, noting that the groups have been good to work with and have provided excellent information. The committee believes they have been helpful and thorough, the committee recommended that they will continue to consider this issue for the near term. MUCC will be considering this issue at its annual convention and the committee would like to see where they are with this issue, Wildlife division has concerns over

management responsibilities, i.e., the unintended killing of a wolf. The committee would like more time to talk and think about this issue. **Matonich** added with regard to the chumming option, he would like to have Fisheries present an approach which is more focused; he would like that option created and put in the order.

**NRC Policy Committee on Finance and Administration** Commissioner **Christine Crumbaugh** stated the committee received annual reports from Wildlife, Fisheries and Forestry. She highlighted goals that were shared across the divisions including managing resources sustainably, managing proactively instead of reactively on emerging issues, and managing with partners. They also received a budget and audit update from the Finance and Operations division. The department will be hosting auditors from the Office of Inspector General, along with an IT audit on the central registration system.

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

(**Dennis Knapp** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 4:05 p.m.)

**Dale Hendershot/Mike Thorman** (Michigan Trapper and Predator Callers Association (MTPCA)/Michigan Hunting Dog Federation) **Hendershot** mentioned that his group supports Michigan Bow Hunters regarding the pneumatic airbow. They are also in full support of the furbearer regulations as brought forward today. Both men were pleased that the commission has looked at the issue of the kill tag for bobcats. **Thorman** added that this will help policing the take of bobcats. They think the population is down, and that many are being taken illegally. He talked about getting a stand-alone license for bobcats for the regulation year of 2018. **Hendershot** added that they do not want to see anyone poaching. It needs to be controlled.

**Steven Kuieck** from RiverQuest Charters, asked for rule changes prohibiting chumming. He provided stats from other states. He also added that chumming has a negative impact on the fishery.

**Mark Guzniczak** from the Muskegon River Fishery & Sporting Alliance spoke in favor of prohibiting chumming using a surgical approach.

**Jay Allen** came before the commission to provide his view in regard to prohibiting chumming. He mentioned tourism dollars that support local businesses. He believes a conservative approach will be the best. **Allen** added that it is seen as unsporting in other states. Angler participation would be at its highest when all sporting techniques are on a level playing ground. Allowing this practice to remain legal throws at least half of this valuable commodity away. He stated that it's not necessary to chum to catch fish. **Allen** said that the logical conclusion will be a ban on chumming.

**Pete Miller** also came before the commission to discuss chumming. He believes that steelhead are a prime jewel in the state. He does not recommend a surgical approach; **Miller** would like to see a complete ban on all trout streams in Michigan.

**Joshua Zuiderveen** has no moral or ethical issue with chumming. He asked what the commission would like the future of fishing to look like. Our resources are something we need to think about as an asset, that the state nurtures. His conversation indicated that he is against chumming as it is not fair to all fishers, that it creates an artificial feeding pattern for fish.

**Steven Mondreloa**, spoke in favor of chumming. He talked about limited opportunity, that banning chumming would turn people away. **Mondreloa** believes that a guide's obligation to the state should be how to turn more people on to fishing. He believes that it is a huge economic boost for communities.

**Mike Batche** shared the testimony of **Dr. Ian Davison** which indicated that **Dr. Davison** is against the practice of chumming. **Mr. Batche** shared his beliefs are that chumming should be banned.

**Sam Morello**, president of Michigan Bow Hunters, provided information along with results of the survey Michigan Bow Hunters recently completed. He made a recommendation last month for antler point restrictions (APR) in the Upper Peninsula (UP), combo license holders. They recommend reinstating the doe option in the archery hunt in the UP. This would give the single and the combo license holders' reciprocity. They believe that this could help the buck:doe ratio in the UP and protect the resource. Regarding pneumatic arrow launchers; he has spoken with a couple of different organizations in the state who would also like to see the use of these devices prohibited in archery seasons.

**Jim Sweeney** from Concerned Sportsmen of Michigan shared his concerns that the harvest regulations in the bovine tuberculosis (bTB) zone may be contributing to the increase in prevalence rates. He spoke on the hunter's choice regulations that are in the bTB area and believes that increasing the number of older bucks in the herd can potentially increase the average herd prevalence rate for bTB and CWD. In light of the alarming jump in prevalence rates that occurred last year, he stated that it seems questionable to continue hunter's choice regulations, when they appear to be having a demonstrably negative impact on attempts to decrease the level of bTB. **Sweeney's** group is asking the commission to take another look at the hunter's choice regulations that are currently in place in the TB zone and give consideration to rescinding those regulations. They would support adopting the same regulatory approach that has been taken in the CWD containment zone.

**Kevin Cawley** came before the commission to talk about the fishery. He spoke about the passion for fishing and mixed messages and conflicts. He stated that fishing for most people is about the joy of going fishing and catching fish. He spoke about fishing on piers, and bait dying off. Cawley stated that fishing with gobies goes on all the time, although it is illegal. He feels that baiting with them should be allowed. Otherwise the department is losing licenses and sales.

**Dave Peterson** Great Lakes Council of the International Federation of Fly Fishers came to speak about the chumming issue. They recommend that the commission ban chumming on all trout streams in the state. It creates a disproportionate access to the resource.

**Walt Grau** president of the Michigan River Guides Association came to speak about chumming. With regard to the Pere Marquette river, their group would like to see chumming banned.

**Ray Danders** came before the commission to share his comments on chumming. He thinks that we should provide a technique that will get more people to fish.

**Amy Trotter**, MUCC, Deputy Director, provided the commissioners with a booklet on the MUCC convention next month. She extended an invitation for the commissioners to attend. **Trotter**

stated that there are 26 resolutions that MUCC members will be working on at the convention. She noted that MUCC supports the CWD amendment and would support more funding for the department for management of this disease. She also talked about the restriction of baiting and feeding and asked the question; at what point will the commission consider an entire ban on baiting again.

**Dr. Brian Burroughs**, Executive Director, Michigan Trout Unlimited, shared a couple of thoughts on chumming and stated that there are no management objectives. He spoke about customer satisfaction. **Burroughs** commented that 10 percent of anglers catch 90 percent of the fish. Trout Unlimited would support the commission moving forward on this issue.

**Dan Kimmel**, Conservation Director, Michigan BASS Nation, talked about the positive impact of having over 1600 tournaments in the system. He discussed getting more bass tournaments added by opening the season the end of April. Many angler days are being lost to Indiana and Ohio because they have year-around bass fishing and many bass anglers want to participate in tournaments with significant prizes. **Kimmel** also added that BASS Nation would be the first to say anything if there was an impact to the bass population. He also added that Michigan anglers leave the state to fish tournaments the way they want to fish tournaments. **Kimmel** said that Michigan anglers should be fishing in Michigan because the science is in their favor.

**Mark Chmura** came before the commission to talk about chumming. He said that there is no problem on the Manistee River and feels that chumming should be allowed to continue. There are no studies to prove that chumming hurts the environment. **Chmura** thinks this problem occurs when many boats are put in one small area. If chumming helps to get someone a fish, they are being a teacher, teaching the customer so they will be able to go out and fish on their own. He stated that this regulation only protects a certain amount of people.

**Marvin Simons**, owner of Huron Tackle Company came before the commission to speak about chumming. He is in the salmon egg business noting that some eggs come from the department's hatcheries. All of his eggs have been certified as having no VHS. He doesn't sell many for chum, he believes that the commission is getting misinformation. He does sell to bait companies. His eggs are certified and treated with iodine. He believes he sells 80 percent of the eggs in the Great Lakes.

**Merle Jones**, Michigan Predator Hunters for Centerfire at Night, stated that per the department's Wildlife division, centerfire rifle use is not likely to have large scale impact on coyote populations and no indication that these would result in measured impact of desired outcomes. He asked a question concerning the wolf situation; if it is so volatile that the department is worried about accidental shootings, why were changes made to coyote regulations. **Jones** added that a year-around coyote season increases the chance for an accidental wolf kill, it doesn't matter what type of rifle used. His group would love to help in taking coyotes that are causing damage, he asked that the commission make a decision using sound science. **Richardson** added a comment concerning the possibility a pilot program, and being able to measure the deliverables. **Matonich** added that he appreciates the passion and diligence.

**Harvey Warrick** came before the commission to discuss chronic wasting disease (CWD). It is a concern, he asked if it were a threat to human health or is it going to decimate the deer population. He suggested that the department take second look at disease and ask what

benefit, what it is costing and consider another theory, putting a little copper in salt block may cure CWD.

**Chad Betts** stated that chumming isn't a failsafe method as a fishing practice, it's used in a combination with other things. He discussed fishing with beads that go along with chum and work well. **Betts** added that this is a great way to get kids interested and hooked on fishing.

**Mark Byford** is a fisher who has chummed and fly fished for steelhead, for guys like him, they go where they can catch fish. Guys don't fish in Michigan to spend a lot of money to catch just one fish. Before you give the technique of fishing with beads and chum up know that it works when used properly. **Byford** asked the commission to think about the economic effect.

**Chairman Matonich** adjourned the public appearances portion of the meeting at 5:55 p.m. and called to order the regular meeting of the NRC at 5:55 p.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

#### FOR INFORMATION ONLY - NATURAL RESOURCES COMMISSION

**Matonich** reviewed the items up for information only.

#### *Furbearer Regulations Wildlife Conservation Order Amendment No. 8 of 2016*

#### *Statewide Trout, Salmon, Whitefish, Lake Herring, and Smelt Regulations Fisheries Order Amendment 200.16A*

#### NATURAL RESOURCES COMMISSION ACTION ITEMS

#### Approval of Minutes, April 14, 2016 Natural Resources Commission Meeting

**Commissioner Pontz** made a motion that the minutes of the April 14, 2016 NRC meeting be approved. **Commissioner Crumbaugh** supported the motion. **Matonich** called for discussion, **Nichols** and **Richardson** abstained, as they were not present at the April meeting. There being none, a vote was taken and the motion carried unanimously.

#### Fall Turkey Regulations and License Quotas Wildlife Conservation Order Amendment No. 6 of 2016

**Commissioner Schlaybaugh** moved that Wildlife Conservation Order Amendment No. 6 of 2016, Fall Turkey Regulations and License Quotas be adopted. **Commissioner Crumbaugh** supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

#### Chronic Wasting Disease Response Measures Wildlife Conservation Order Amendment No. 7 of 2016

**Commissioner Schlaybaugh** moved that Wildlife Conservation Order Amendment No. 7 of 2016, Chronic Wasting Disease Response Measures be adopted. **Commissioner Nichols**

supported the motion. **Matonich** called for discussion, there being none, a vote was taken and the motion carried unanimously.

### DIRECTOR'S ACTION ITEMS

**Director Moritz** listed the "for action" items on the agenda and indicated that he would approve all items.

Consistent with policies already in effect, the director stated that he had authorized a 40 percent discount for antlerless deer licenses for disease control in areas affected by CWD.

### COMMISSIONER REPORTS

**Commissioner Pontz**, along with the Great Lakes Leadership Academy went to Tawas Bay lighthouse, she gave kudos to **Chuck Allen**, it was a great tour and opportunity to see the treasures we have in Michigan. She will be attending the Trout Unlimited banquet in Gaylord.

**Commissioner Schlaybaugh** attended many events in the Gaylord area for the traditional opening of trout season. He will be attending the reunion the 10<sup>th</sup> anniversary of the MSU Fly Girls, where they take the graduate students fly fishing.

**Commissioner Crumbaugh** noted that she attended Let 'em Go, Let 'em Grow summit.

**Commissioner Richardson** attended several banquets, noting that it's inspirational to see how much money the groups can raise for their cause along with their dedication.

**Commissioner Nichols** has been working with the union sportsmen's alliance and the department trying to coordinate a couple of volunteer work details. He has been in discussion with the Ingham county drain commissioner in regard to the Montgomery drain project and hopes to have him do a presentation at a future commission meeting. With the help of MSU Board of Trustees, Trout Unlimited and the department, the Red Cedar River is now open to the public for fishing for the fourth year. **Nichols** added that people are appreciative of that action taking place.

**Director Moritz** had a day on the Detroit River catching walleye. That morning was the Legislative Sportsmen's Caucus which is an important event that brings the sporting community together with legislators and the department.

**Chairman Matonich** attended a Safari Club dinner in Escanaba, two UP habitat workgroup meetings, UPSA meeting in Iron Mountain, spoke at the Walleye for Tomorrow banquet in Wakefield, and also attended the Delta County conservation district meeting where they are working with private landowners to better optimize their habitat.

**Next Meeting**

**Chairman Matonich** announced that the next meeting of the NRC is scheduled for Thursday, June 9, 2016 at Jay's Sporting Goods, 1151 S. Otsego Avenue in Gaylord. Committees meeting in June will be the NRC Policy Committee on Wildlife and Fisheries and the Michigan State Parks Advisory Committee.

**Adjournment**

**Commissioner Crumbaugh** made a motion to adjourn. **Commissioner Nichols** seconded and the meeting was adjourned at 6:06.

APPROVED: Date: 6/9/16

  
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John Matonich, NRC Chairman

  
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Dr. William E. Moritz, DNR Director