MINUTES

NATURAL RESOURCES COMMISSSION

May 9-10, 2018
The Village at Grand Traverse Commons
Kirkbride Hall – 700 Cottage View Drive
Traverse City, MI 49684

Present for the Natural Resources Commission

Vicki Pontz, chair
J.R. Richardson, vice chair
Rex Schlaybaugh
Christine Crumbaugh
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
Bill Moritz, DNR special programs
Brooke Parmalee, DNR legal staff
Cheryl Nelson, executive assistant to the NRC

COMMITTEE OF THE WHOLE

Natural Resources Commission **Chair Vicki Pontz** called the Committee of the Whole meeting to order at 9:11 a.m. on Wednesday, May 9, 2018.

DIRECTOR'S REPORT-May 9, 2018

The first day of the commission meeting was filled with an extensive amount of information on goals for the management of chronic wasting disease (CWD) in the state of Michigan. The information-filled day had numerous outcomes including the ability to consider disease management comprehensively with input from public engagement meetings; the state of the current science on CWD, and recommendations from the CWD task force and potential regulatory options for addressing the management of the disease. Information presented included deer processing, carcass disposal and movement, biosecurity and handling, baiting and feeding industry products, hunter responses to management activities, other states' responses and where the state is with disease surveillance. There was also discussion on the length of seasons, antlerless quotas, antler point restrictions (APRs), special licenses and discounts, harvest incentives and bag limits, disease control permits and deer culling. Presentations provided on this date may be found on the commission's webpage; www.michigan.gov/nrc.

This portion of the director's report was recessed for the day at 4:42 p.m.

DIRECTOR'S REPORT-May 10, 2018

Chair Vicki Pontz reconvened the Committee of the Whole meeting at 12:32 p.m. on Thursday, May 10, 2018.

Chair Pontz presented **Meg Gutowski** and the staff of Kirkbride Hall a resolution on behalf of the commissioner for their hospitality during the two-day meeting.

Parks and Trails Update

Parks and Recreation division's (PRD) assistant chief **Jacklyn Blodgett** shared that on April 17 **Governor Snyder** attended the Iron Belle trail event where he recognized the Wilson Foundation and **Michael Levine** for funding commitments of approximately $10.5 million. The next phase will be $155 million for development, signage and to leverage for additional funding. The trail is about 68 percent complete. **Blodgett** reported about various spring cleanups at parks around the state. She provided the commission with division numbers, including that the recreation passport is up 2.4 percent, reservation nights are down one percent due to the change in the reservation policy, people are reserving what they need instead of blocking time, harbor reservations are up 16.5 percent, ORV sales are down 11 percent, due to ice and snow in April and snowmobile sales were up 11 percent. **Director Creagh** added information regarding stickering kayaks and canoes, the Waterways Commission passed a resolution on regulating pontoon boats, currently it is a flat fee of $23, and supporting expansion of the recreation passport to over 1300 boat launches which is consistent with actions before him.

Office of the Great Lakes (OGL) Update

Office of the Great Lakes (OGL) Director **Jon Allan** provided an update to the commission on recent happenings in OGL. Those included the success story of Cuttle creek sampling, work which was done to restore the St. Clair river area of concern; the Menominee fish consumption restoration, Saginaw Bay grant award of $980,000 to restore fish and wildlife habitat in the bay in Lake Huron, and the Racine water withdrawal application in which Michigan participates through the Compact Council and Regional Body process.

Wildlife Council Update

Director Creagh introduced **Ed Roy**, a member of the Wildlife Council for the past two years who thanked the commission for all they do for the state and its natural resources. He provided high praises for the work of GUD Marketing and noted that they received the Pace Award for the work they did on behalf of the Wildlife Council. Using GUD as a partner has been a good use of the sportsmen's dollars. **Roy** shared the presentation that has been shared with hunters and the target groups GUD is trying to work with. This presentation indicated that the message is getting through. **Director Creagh** enforced the initial intent of the council and their focus in different demographics around the state.

Duck Stamp Recognition

Christopher Smith was recognized by **Director Creagh** and the commission for his winning duck stamp photo. The Michigan Duck Hunters Association coordinates the Michigan Waterfowl Stamp Program in partnership with the department. This nonprofit organization is dedicated to waterfowl and wetland conservation with proceeds of the stamp and print sales going to fund the association's wetland habitat projects. **Creagh** and **Smith** thanked **Commissioner Richardson** for the idea and vision behind the **Governor Snyder's** duck

stamp. **Smith** also commended **Barb Avers,** the department's wetland and waterfowl specialist for being instrumental in the Duck Stamp process.

Bear Patch Recognition

Michigan Bear Hunters Association (MBHA) president **Tim Dusterwinkle** said that they took over the patch program in 2008 and has raised over $100,000 in sales, which is returned to the department for nuisance bear education, GPS collars, trail cameras, scholarships and prizes for bear hunting clinics. The patch program design contest is open to all Michigan K-12 students to submit a design drawing of the patch, currently they receive 20-25 per year. **Dusterwinkle** added that all youth bear hunters ages 10-17 are eligible to receive a free patch.

Forest Resources Division Update

Debbie Begalle, chief of Forest Resources division (FRD) provided an update on firefighting efforts by the division so far this season; 121 fires to date that have burned 760 acres. Her update also included information on a Memorandum of Understanding partnership with the state police; for using their helicopters along with our buckets; she added that this is a great partnership. With regard to prescribed fires to date; FRD has burned 48 fires for 3466 acres. **Begalle** included the division has been very lucky in that they have $1 million every year towards the purchase of new fire equipment.

Begalle provided details regarding FRD's 2017 accomplishment report. Of special note, FRD received a leadership award from their certification company for stewardship council, and they belong to the sustainable forestry initiative. The division has been certified since 2005.

Begalle shared information on the work begin done with the Good Neighbor Authority working in partnership with the US Forest Service helping them to meet their goals; last year FRD put up 1600 acres, this year that number should be 3400 acres; this should grow to 10,000 acres of forest management by 2020.

Lastly, **Begalle r**eported that the Arauco mill in Grayling, the largest continuous single-line particle board press in North America should start up this fall. They will employ 210 people and their investment will top $400 million.

Chronic Wasting Disease Review

Deputy director Bill O'Neill commended the workgroup for the time, energy and passion put into this project. They provided a list of goals that were categorized, with a different one being talked about each month. **O'Nei**ll talked about science-based strategy for regulations and management plans. Recommendations included at statewide ban on feeding and baiting, a statewide ban on the sale of bait, best management practices for carcass handling and disposal, expansion of CWD sampling protocol statewide, consideration of all management and regulatory tools including season timing, length, antler point restrictions, aggressive surveillance in disease areas and metrics for deer population management for disease transmission and risk reduction.

He reiterated the CWD Management Goals; preservation of deer hunting opportunities for future generations, slowing the spread of disease, maintaining low prevalence rates, continuation of a strong and transparent communication process and filling of information gaps in our knowledge of CWD science and management.

O'Neill also spoke about the public engagement and communications that have occurred to date within the state.

Legislative Report

Trevor VanDyke, Legal and Legislative Affairs director, provided a written report of legislation related to the department. In addition to the written report, **VanDyke** provided information on recent legislative highlights. **Director Creagh** added that staff has concerns with the water withdrawal legislation, stakeholder groups would like more predictability and transparency**; Jon Allan** of OGL will be one of the leads, with assistance from **Dr. Newcomb** and the DEQ. Voluntary wetland restoration bills will be very important to natural resources agencies; Ducks Unlimited has been very involved on how best to do voluntary wetland restorations in making sure we can improve the quantity and quality of the coastal wetlands in Michigan.

Committee Report:

Commissioner Schlaybaugh provided a summary of the presentations and discussions from the morning's session, which included egg take information and the status of the Arctic Grayling program. **Chief Dexter** provided an update on Michigan's fishing tournament data system, there are almost 1900 tournaments established for 2018. The committee also received updates on the turkey season, deer in the Upper Peninsula (UP) because of late snowfall; there will be an impact on population. The department will host the Eastern Elk Management Workshop; Michigan will be celebrating 100 years of elk in the state. Reports on squirrel season dates and furbearer regulations were also received.

Public Appearances Before the NRC

Tony Demboski, UPSA, thanked the commission and department for the communication and transparency that have greatly increased over the past eight years.

Al Ettenhofer, UPSA, thanked **Commissioner Richardson** for heading up the winter wildlife committee, he also thanked **Jim Hammill** and SCI, UP Whitetails, MUCC and UPSA, plus several individuals for their time and funding that they've put into the winter wildlife committee. In addition, he thanked the director for putting them in contact with grant-writing professionals, their assistance helped tremendously; now they have four different deeryards due to this program. **Mr. Ettenhofer** shared information on winter kill in the UP (over-winter loss) as well as Wisconsin CWD numbers. **Ettenhofer** would like the commissioners to work with private landowners so they will not lock the commission or the department out. His groups will work the department to educate those landowners. **Richardson** thanked both **Demboski** and **Ettenhofer** for all their hard work and support.

Ted Iorio said that he is confused and concerned about the publicity on the Sandhill crane and House Resolution 154. He asked about the media attention regarding their response to this issue. **Pontz** clarified the commission's position on a hunting season on Sandhill cranes.

Gretchen Iorio stated that the comments **Chair Pontz** shared are reassuring**.** She wants continued protection of the Sandhill crane.

Carol Schukra read her comments in advocacy of the Sandhill crane; she asked the commission not to put the species on the game species list.

Dr. William Scharf shared that he opposes House Resolution 154 and asked the commission not to put the Sandhill crane on the game species list.

Jim Squires compared Creutzfeldt-Jakob Disease (CJD) to CWD. He thanked the commission for the work that they have done on the CWD issue. He thinks that there is some tie-in with CJD and the fact that his friend who recently passed ate a lot of venison. **Squires** said that these are public health issues.

Mike Thorman from the Michigan Hunting Dog Federation spoke in reference to the Furbearer Regulations is concerned about the explosion of guiding for bobcats. They are asking for a quota of one cat. **Thorman** would like to see squirrel season match rabbit season. He feels this would be good for hunter recruitment; March would be a very good month for this season.

Tim Dusterwinkle from the Michigan Bear Hunters Association is concerned with the resource. They would like to see the bobcat as a stand-alone license and will be working through the Legislature on this.

William Gittlen does not want to see a hunting season on Sandhill Cranes.

Jim Sweeney from the Concerned Sportsmen of Michigan thought that the information received at the previous day's meeting will be highly beneficial. **Sweeney** feels that the best regulatory policy that fits the criteria for most efficiently removing the greatest number of diseased animals from the herd is the one that the department currently employs in CWD zones, which is to remove any antler-point restrictions (APRs) from both the combo tags.

Amy Trotter, deputy director, MUCC, provided an overview on hunting, harvest, and habitat when it comes to CWD. They believe that the desired outcomes in a disease management context should at least be: higher doe harvest to lower deer densities; improved habitat to disperse populations, continued hunter participation, and sufficient samples available for surveillance testing and a predictable turnaround of hunter-submitted samples.

Ashley Bur, policy assistant, MUCC Special Events provided each of the commissioners with an invitation to the June 22-24 MUCC Annual Convention in Clare. She also invited them to the annual charity shoot which will be held on Friday, August 10.

George Lindquist, shared his thoughts on CWD and road kill disposal; he doesn't think the department is currently testing around Wisconsin CWD zones. He also questioned roadkill disposal and what townships do or don't do with carcasses. **Lindquist** believes those carcasses should go to a landfill. From **Dr. Straka's** May 9 comments regarding knowing where hotspots are, if we know where then why isn't the department using sharpshooters. **Lindquist** thinks the department should be moving now on private land. He asked for more antlerless tags in the UP near the Wisconsin boarder. **Schlaybaugh** added that while the commission supports multi-year cycles on regulations, they will look at changes to the regulations outside of the cycle if necessary.

Ryan Ratajczak, MI QDMA, provided a comprehensive deer disease plan for Michigan. A few of the items in that plan were: control the spread by limiting movement of both live animals and carcasses, reduce spread through limitations on baiting and feeding, increase and improve wildlife habitat, increase harvest of antlerless deer, protect the majority of yearling bucks,

minimize yearling dispersal and increase landowner, hunter, farmer and state partnerships. All stakeholders must partner to create a comprehensive approach to fighting deer disease.

Bob Fisher, suggested to allow whatever firearms are legal in regular firearms season during muzzleloader season in any CWD zone. He said that this will increase hunter participation and youth recruitment in CWD zones. He also suggested the use of easily discernible boundary/zone lines. His final suggestion was to have a large CWD zone of approximately 20 counties. Any CWD positive deer within 10 miles are too close and are within reasonable yearling buck dispersal range and in range of bucks roaming during the rut. This would also keep the counties whole. **Fisher** also shared some thoughts on baiting, that the department should ban urine-based scents and to keep the opening day of firearm deer season on November 15, 2018, with a possible floating opener that would begin in 2020.

Dale Hendershot, MI Trapper & Predator Callers Association thanked **Adam Bump** for his professionalism regarding an exposed bait issue. They are at odds with department with recommendations for furbearer regulations. Three organizations agree to a 10-day season, move from 9 to 10 days. Regarding the bobcat, the groups would agree a second bobcat tag would be in the UP on private land only. **Hendershot** talked about discrepancies with the fisher/marten data. He was assured that by the next time this regulation rolls around new modeling information will be in use. **Richardson** asked that the order be amended to the 10-day as it returns for action.

Roy Dahlgren, District 3 UP Trappers, talked about the fisher/marten regulations; they would like to include two weekends to be able to include/recruit kids. For bobcat, he would like to keep bag limit at two, most populated areas are on private property. They would like to see one tag for anywhere and one tag for private-property only. They would also like to see more information on fisher, marten, bobcat; possibly use the deer camp survey. For nuisance beaver, control, make the permits the same as for deer, use as much of the animal as possible. For beaver they are not allowed to use any of it. They would like to see this changed.

John Gunville, brought up CITES tags and the issue that they have to travel quite a distance to get an animal tagged. He would like to see the otter bag limits increased.

Bernie Shaver talked about biosecurity and communication regarding CWD. **Shaver** would like to be able to find information on how to address disposal of gut piles, wounded deer and roadkill deer in the hunting guide. Can a head be sent in the core areas for testing and get results before the hunter takes the deer to the processor. He would at least like to see baiting banned in the core areas but prefers the entire state. **Shaver** would like to see the meat from clean tested deer go to people in need.

Andrew Milliron, a QDMA member, stated that the department needs to get ahead of diseases as best we can, and he would like to see baiting banned in the Lower Peninsula.

Jim Engel, District President from UP Trappers, said the group supports the 10-day furbearer season in Keweenaw county. UP Trappers also support the bobcat quota as presented, as long as they are allowed two on private land.

Julie Baker, director from the Michigan Songbird Protection Coalition said that Sandhill cranes are a vulnerable species and that she appreciated the commission listening to the people on this issue.

Ann Rogers Northern Michigan Environmental Action Council (NMEAC) said that she was encouraged to hear that decisions are utilizing science to make decisions. She wanted the commission to reject HR 154 and the hunting of Sandhill cranes

David Petrove from NMEAC asked that the commission protect the natural resources and not make the Sandhill crane a game species.

Mark Spencer from the Northern Great Lakes Fur Harvesters, a furharvester agent, said that in the past five years more fisher have been sent to the auction house. Fisher have moved from normal habitat to where there is more food sources for them. **Spencer** said that the surveys stopped in 2008 and that a new model needs to be created so that there will be accurate data. His group fully supports a second bobcat tag on private land.

Ed Kramer, Northern Great Lake Fur said that weather is a large factor in length of bobcat season. **Kramer** would like to see a 10-day season.

Joe and Nancy Hudson from the UP Bear Houndsmen Association talked about the steady decline of bobcats, they would like to see a limit of one bobcat.

Chair Pontz adjourned the public appearances portion of the meeting at 4:28 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 4:29 p.m.

REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

I. FOR INFORMATION ONLY – NATURAL RESOURCES COMMISSION

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

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

Open/Closed Deer Management Units (DMUs), Wildlife Conservation Order Amendment No. 9 0f 2018, FOR INFORMATION ONLY

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

II. NATURAL RESOURCES COMMISSION ACTION

Approval of the April 12, 2018 Natural Resources Commission Meeting Minutes
Commissioner Tracy made a motion that the minutes from the April 12, 2018 be approved. **Commissioner Walters** seconded. **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 table Fisheries Order 200.18A until June. **Commissioner Crumbaugh** seconded the motion. **Pontz** asked for discussion, there being none, a vote was taken and the motion to hold the order over passed unanimously.

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

Commissioner Schlaybaugh made a motion that to amend Wildlife Conservation Order Amendment No. 6 of 2018 by changing dates for a firearm exception from October 27 through November 9 to the last three full weekends, meaning Friday, Saturday and Sunday prior to November 10. **Schlaybaugh** added that this order is a culmination of a three-plus year process with a number of stakeholder groups to evaluate the process. There was not an agreement between all the groups, therefore **Commissioners Pontz, Crumbaugh** and **Schlaybaugh** worked on a version that allocated some of the benefits each group sought. **Commissioner Crumbaugh** seconded the motion to amend. **Pontz** asked for discussion, **Commissioner Tracy** asked what the change would be versus what was previously proposed; **Schlaybaugh** said that a quiet period that would run from October 27 through November 9; at that point they did not know that there was already a regulatory quiet period that began on November 10 through November 14 that extended the total quiet period from October 27 through November 14. Farm Bureau noted that this was a significant period of time to not to be able to dispatch animals without a firearm. The group valued having a quiet period in late October early November and most hunters value weekends. Focus was on the weekends for the farm/agriculture community to dispatch under the DMAP process. **Pontz** called for a vote on the motion as amended, a vote was taken and the amendment only passed unanimously. **Pontz** called for discussion on the order. **Schlaybaugh** then made a motion that Wildlife Conservation Order Amendment No. 6 of 2018 be approved as amended, **Commissioner Walters** seconded the motion. **Pontz** called for additional discussion, there being none, a vote was taken and the amendment passed unanimously.

Crumbaugh asked for clarification on decision tree, item 3, section c, the commission asked the wildlife division to review the decision tree for consistency.

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.

COMMISSIONER REPORTS

Commissioner Walters shared that he attended three banquets in the past month and a Timber Advisory Committee meeting. He is enjoying this responsibility.

Commissioner Schlaybaugh shared that he attended the Gaylord CWD public meeting; it was a very interesting meeting, he noted that the attendees were interested in how the department is going to deal with disease. **Schlaybaugh** also attended a Ruffed Grouse Society banquet and numerous activities related to the opening of trout season.

Commissioner Crumbaugh said that she has received some good input/questions from stakeholders on the CWD issue and that she values this input.

Commissioner Richardson said that he appreciates what the department is doing with regard to CWD and that he appreciates the time the commission is taking to work on this disease.

Commissioner Tracy thanked department for a very productive meeting on the previous day.

Chair Pontz thanked the commissioners for attending the various CWD meetings and thanked **Richardson** for chairing for her in April. Over the past month she attended joint WUP and EUP CACs where there was very sincere engagement between the department and stakeholders. She is working with wildlife staff on community engagement training.

NEXT MEETING

Pontz announced that the next meeting of the Natural Resources Commission is scheduled for Thursday, June 14, 2018 at Lansing Community College-West Campus in Lansing. Committees meeting on that day include the Michigan State Parks Advisory Committee, the NRC Policy Committee on Finance and administration and the NRC Policy Committee on Wildlife and Fisheries.

MOTION FOR ADJOURNMENT

Commissioner Tracy made a motion to adjourn the May 9-10, 2018 Natural Resources Commission Meeting. **Commissioner Crumbaugh** seconded the motion and the meeting was adjourned at 4:47 p.m.

APPROVED: Date: 6/14/2018

Vicki Pontz, NRC Chair

Keith Creagh, DNR Director