

MINUTES
NATURAL RESOURCES COMMISSION MEETING
September 12, 2019
Northern Michigan University
Northern Center Ballroom I
1401 Presque Isle Avenue, Marquette, MI 48955

Present for the Natural Resources Commission

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

Absent

Chris Tracy

Present for Department Staff

Daniel Bock, legal counsel, Office of the Attorney General
Dan Eichinger, DNR director
Trevor VanDyke, DNR legal and legislative section director
Stacy Welling Haughey, UP regional coordinator
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 12:31 p.m.

Pontz presented a resolution of appreciation to **Julie Bonner**, conference and catering coordinator from Northern Michigan University (NMU) and the staff of NMU for assisting in the success of this meeting.

Director's Report

Recognition of Former NRC Commissioner J.R. Richardson

Director Eichinger, Chair Pontz and the commission honored former chairman and commissioner **J.R. Richardson** for his service to the commission and the department. **Eichinger** said that **Richardson's** commitment to Michigan's wildlife, fisheries, parks, and forests would benefit the state, its citizens and visitors for generations to come. **Pontz** thanked **Richardson** for his dedication, loyal service and passion in working to protect and preserve the magnificent beauty of Michigan's natural resources. **Richardson** was then presented with a white pine plaque recognizing him for his many years of dedicated service.

Recognition of Former Michigan State Parks Advisory Committee (MSPAC) Member Jim Hendricks

Commissioner Klarr, on behalf of MSPAC and the Parks and Recreation division (PRD), honored former member **Jim Hendricks** for his many years of enthusiastic participation on the committee advising PRD on management plans, policies and many other issues affecting Michigan's state parks.

MUCC Recognition of Stacy Welling Haughey

George Lindquist, president of MUCC, presented **Stacy Welling Haughey**, Upper Peninsula (UP) coordinator for the Michigan Department of Natural Resources (department) with MUCC's Unsung Hero award. **Lindquist** said that **Haughey** has been an integral connector of UP stakeholders, bringing understanding and two-way communication to the concerned people of the UP. **Lindquist** concluded by saying that MUCC applauds and thanks **Haughey** for her years of service to the department, Michigan's UP and all of the citizens of the UP who enjoy Michigan's outdoor heritage.

Legislative Report

Director Eichinger noted that the report was located in the commissioners' binders and would be posted on the commission's webpage after the day's meeting. **Pontz** asked about House Bill 4735, which prevents an individual from using information listing the location of game obtained under the Freedom of Information Act (FOIA) to take game; does this information have to be FOIA's or is it part of the public record, is this bill necessary. **VanDyke** explained that the results from the grouse-drum survey is public information, but the geographical information used to collect the survey data is not. Previously this information was released and an individual used it to hunt the survey area, which then skews future survey data. **Pontz** also asked about House Bill 4833 which prohibits the import or transfer of live cervidae from a chronic wasting disease (CWD) region; she wanted to be reminded what the current restrictions are. **VanDyke** responded that they are livestock and are jointly managed by the department and the Michigan Department of Agriculture and Rural Development (MDARD) and that he would research those and provide the current restrictions. **Schlaybaugh** would like to receive more specific information. **Eichinger** told the commissioners that once a bill analysis has been completed by the department they can make it available and walk through and explain what the intent behind the legislation might be.

Committee Report:

NRC Policy Committee on Wildlife and Fisheries

Commissioner Schlaybaugh shared that the committee received a report from chief **Dexter** on the Arctic grayling initiative, with an annual meeting of partners of the initiative taking place in October. **Dexter** also talked about brood stock development and pathogen control egg stock development on eggs brought back recently from Alaska. **Dexter** also indicated that all steelhead in the hatcheries are marked to better manage the species. **Dr. Seth Herbst** previewed recommended fisheries orders that will be up for action in October. **Schlaybaugh** added that the committee supported an amendment for fisheries order 210.20 on the Boardman river and updating several classifications within it due to dam removal. Wildlife chief **Mason** provided numbers on the successful 2019 elk season to date; 35 elk have been harvested. **Mason** shared his upcoming transition to a new position with the department and MSU's College of Agriculture and Natural Resources. He also briefed the committee on the recent successful CWD research conference at MSU. Wildlife biologist **John DePue** gave a report on white-nose syndrome in bats; what it is, what it does, its impacts and what the department is doing to combat the disease.

PUBLIC APPEARANCES BEFORE THE NRC

(**Stacy Welling Haughey** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 1:02 p.m.)

Roger Kerr, a retired fish manager from Wisconsin spoke about the ten brook trout bag limit in Michigan. He feels that the commission and department are giving in to social pressures to reduce that bag limit to five from Trout Unlimited.

Director Eichinger noted and welcomed **Governor Whitmer's** UP Director **Mike Prusi**, who had joined the meeting.

Jerry Peterson, a former fisheries biologist with the department is opposed to the ten-trout bag limit on brook trout as he believes there is a declining brook trout population in the UP as brook trout habitat is no longer a priority within the department. **Peterson** said that the money is there, volunteer assistance is there, but it just does not hold the same importance as it did when he was a staffer.

Seth Waters from Dark Waters Fly Shop and Guide Service, Iron River, told the commission that anglers come to the UP to fish for brook trout. His clients don't feel there needs to be a 10-bag limit, they come for the sport of fishing the brook trout. According to **Waters**, client opinion is that they won't come to the UP to fish if the limit stays at ten. He also said that there currently isn't the science that supports either a five or ten brook trout bag limit.

Jim Cantrill past president of the Fred Waara chapter of Trout Unlimited and is a member of Trout Unlimited's board spoke about the brook trout bag limit. **Cantrill** said that they are not opposed to any given bag limit on brook trout, but don't feel the science is there; it is more political science than natural science. **Cantrill** also spoke about climate change and the world getting warmer; brook trout are a sensitive species that need cold water which is normally found in head waters, to survive. **Cantrill** closed by saying what we do today will affect future generations.

Frank Peterson from Bay De Noc Great Lakes Sportfishermen's group and UPSA's fisheries committee talked about their support for the department's position on commercial fishing legislation and applaud the effort. They are disappointed in why they weren't brought into the discussion earlier. **Peterson** brought up what they believe is an oversight in the 2014 Scientific Fish and Wildlife Conservation Act, which says effectively that the commission has the authority to regulate sport fishing; they believe that because fishing whitefish has become more of sport-fishing that they should no longer be considered a commercial fish. They recommend that the regulation of what is now commercial fish be regulated by the commission.

Dean Dallavalle provided handout to the commission with regard to providing a youth bear hunt tag for each county (83) in the state to youth who had recently graduated the Hunter's Safety program. **Dallavalle** believes the next logical step would be for the commission to move forward and make his proposal happen.

Larry Mellstrom spoke about UP deer regulations and said that nothing positive has happened to change regulations in many years, citing the lack of good bucks in UP. **Mellstrom** feels current regulations are killing hunting in the UP.

George Lindquist, president, MUCC, thanked chief **Mason** for working with him and wished him luck on his upcoming career changes. **Lindquist** also talked about CWD and where the harvest focus should be.

Trevor St. John told the commission that he would like to see more commission meetings in the UP. He spoke about UP deer numbers and their impact on the landscape, deer browsing, forest regeneration and the low snowfall numbers in the southern portion of the UP. **St. John** said that liberalizing deer quotas, both buck and antlerless would be a positive move forward for forest sustainability in the UP.

Chauncey Moran talked about Wildlife Conservation Order Amendment No. 8 of 2019; Establish Hunting and Trapping at Watkins Lake State Park and County Preserve. He talked about the previous over-abundance of fishing on the lake there and current lack of fish. He also spoke about the over-lapping of hunting deer and the safety of waterfowl in the area. **Moran** agrees with the amendment as written but there should be room if an amendment is needed. There is an over-abundance of deer in the area.

Ian Fitzgerald, policy assistant, MUCC, said that the MUCC fisheries committee and the Lake St. Clair Walleye association are in support of the proposal increasing the daily limit of walleye on Detroit river from five to six fish which would standardize bag limits on Lake Erie, Detroit river, Lake St. Clair and St. Clair river corridor. **Director Eichinger** thanked **Fitzgerald** and MUCC for livestreaming the commission meetings.

Mike Taylor, treasurer, UP Whitetails spoke about CWD, the task force and working so that the UP does not suffer the issues Wisconsin has had with the disease. **Taylor** told the commission that we all need to work to educate the public better. He asked about the communication between the department and MDARD. The director spoke about shared responsibilities on privately-owned cervidae facilities with MDARD and how they work closely together. There are always opportunities to better increase communication. **Taylor** said the UP sportsmen's groups could be better utilized and offered their assistance to the department. **Pontz** commented that the commission and department appreciated that offer. She also thanked him for educating the public on CWD.

John Highlen, vice president, WAARA Chapter Trout Unlimited talked about the 10 brook trout bag limit and wants to see sound science used. He said that higher bag limits and habitat stresses may be detrimental to brook trout populations. **Highlen** said that a prudent course of action would be to go with a lower bag limit until a well-informed scientific decision may be made.

Bryan Reynolds, president of UP Whitetails invited commission to their banquet February 15, 2020. Regarding **Mr. St. John's** comments, he does not see the browsing problem that **St. John** mentioned. With regard to the next wildlife chief, they want to see a person who is passionate about deer hunting; they would also need to both fish and hunt.

Chair Vicki Pontz adjourned the public appearances portion of the meeting at 2:32 p.m. and called to order the regular meeting of the commission at 2:33 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

Michigan-Wisconsin Boundary Waters, Fisheries Order 205.20, FOR INFORMATION ONLY

Special Fishing Regulations for Warmwater Species on Select Waters, Fisheries Order 206.20, FOR INFORMATION ONLY

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, FOR INFORMATION ONLY

NATURAL RESOURCES COMMISSION – ACTION

Approval of Minutes, August 8, 2019, Natural Resources Commission Meeting

Commissioner Walters made a motion that the minutes of the August 8, 2019, NRC meeting be approved. **Commissioner Klarr** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Establish Hunting and Trapping at Watkins Lake State Park & County Preserve, Wildlife Conservation Order Amendment No. 8 of 2019

Commissioner Walters made a motion that Wildlife Conservation Order Amendment No. 8 of 2019, Establish Hunting and Trapping at Watkins Lake State Park and County Preserve be adopted. **Commissioner Schlaybaugh** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Spawning Closures, Fisheries Order 204.20

Commissioner Walters made a motion that Fisheries Order 204.20, Spawning Closures be adopted. **Commissioner Schlaybaugh** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

Designated Trout Streams in Michigan, Fisheries Order 210.20

Commissioner Walters made a motion that Fisheries Order 210.20, Designated Trout Streams in Michigan be adopted. **Commissioner Klarr** supported the motion. **Pontz** called for discussion, commissioner **Schlaybaugh** motioned to amend the order to remove Sabin Hydro pond and Boardman Hydro pond from the Boardman river in Grand Traverse county, within the Boardman river basin, commissioner **Walters** seconded the motion to amend, **Pontz** called for discussion on the amendment only, there being none, **Pontz** called for additional discussion, there being none, she called for a vote on the amendment as amended and the motion carried unanimously.

Sturgeon Regulations, Fisheries Order 240.19

Commissioner Walters made a motion that Fisheries Order 240.19, Sturgeon Regulations be adopted. **Commissioner Klarr** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

FOR INFORMATION ONLY – DIRECTOR

Chair Pontz read the item up for information only.

State-Licensed Commercial Fishing, Fisheries Order 243.19, FOR INFORMATION ONLY

DIRECTOR – ACTION

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

Commissioner Reports

Commissioner Walters attended the Au Sable river clean-up that was attended by over 300 volunteers. He visited the state park on Mackinaw Island and said that September 11 was a great day to be an American. Walters then wished all a safe and successful hunting season.

Commissioner Schlaybaugh went fly-fishing for eight days in Wyoming. While out there he had a conversation with the chair of the Wyoming commission on their state strategy for managing CWD. Wyoming does regional testing and surveillance and have developed training sessions through You Tube video showing the hunter how to remove infected tissue and send to lab. The department is monitoring those results. **Schlaybaugh** said that sharing information will allow the state to fight CWD the most effective way. **John** and **Rex** toured the Marquette fish hatchery the previous day.

Commissioner Klarr wanted to know if the commission would be moving forward on **Mr. Dallavalle's** recommendation on youth bear hunt. **Eichinger** recommended that **Mr. Dallavalle** has presented a more detailed program and would like to see them work on more specifics so that it can be brought to the bear forum.

Commissioner Nyberg thanked **Stacy Haughey**, **Kristi Dahlstrom** and **Cheryl Nelson** for assistance with previous evening's event. He and his family recently camped at Fort Wilkins State Park; he said that every state park he tried to get into was fully booked and something finally opened at Fort Wilkins, adding that they were surprised at what a nice park it is. Staff were awesome. He complimented Parks and Recreation staff division on their great work. He is excited about the department's new office of Outdoor Recreation. **Nyberg** apologized for missing UPSA meeting on August 10, he was taking part in his daughter's sixth birthday. He thanked all for coming to the UP and hoped they had a good time.

Commissioner Creagh harvested geese the previous week with his son-in-law and **Joe Robison** in southeast Michigan. He had a meeting with some consulting foresters and professionals, and because of some tariffs being put in place timber is being backed up significantly. **Creagh** suggested that some master plans need to be changed because there isn't the same market for oak and maple. He was included in a Tb conversation and appreciated the opportunity to be a part of that noting that there are opportunities to partner with USDA and MDARD on disease. Lastly, **Creagh** talked about the antlerless harvest numbers in CWD area; he asked if the department could establish a specific number for the first year. He would like information on the APR framework discussion next month.

Director Eichinger announced the appointment of Brad Garman to the new office of Outdoor Recreation Industry, this is a shared position between the department and the Michigan Economic Development Corporation. He also noted that **Dr. Tammy Newcomb**, the senior water policy advisor, has done an amazing job with many extraordinary issues, including Asian carp, invasives, PFAS, etc., so to assist with some of those responsibilities a new executive position was formed and **Scott Whitcomb** has been appointed as senior wildlife and public lands coordinator to work across divisions. He will also formalize CWD management actions that need to be taken. **Eichinger** closed by adding that Sunday is the opening of small game season; he is ready to get out there and hopes everyone else is.

Chair Pontz thanked **Nyberg** and **Haughey** for the incredible welcome to the UP the previous evening. She appreciated the opportunity to speak to people in an informal setting. She was involved in a program that links younger conservation employees with some more seasoned conservationists and looks forward to making sure those younger employees have the opportunity to learn from them. **Pontz** attended a rodeo at a county fair and the National Fiddler's Convention in North Carolina where she was introduced to fly fishing.

Next Meeting

Chair Pontz announced that the next meeting of the NRC is scheduled for Thursday, October 10, 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 2:56 p.m.



Vicki J. Pontz, Chair



Daniel Eichinger, Director

DATE: 10-10-2019