

MINUTES
NATURAL RESOURCES COMMISSION MEETING
January 9, 2020
Michigan State University-Veterinary Diagnostic Laboratory
4125 Beaumont Road
Lansing, MI 48910

Present for the Natural Resources Commission

Rex Schlaybaugh, chair
John Walters
Anna Mitterling
Keith Creagh
David Nyberg
Chris Tracy

Present for Department Staff

Peter Manning, legal counsel, Office of the Attorney General
Dan Eichinger, DNR director
Trevor VanDyke, DNR legal and legislative section director
Stacy Welling Haughey, DNR UP coordinator
Brooke Parmalee, DNR legal and legislative affairs office
Cheryl Nelson, NRC executive assistant

COMMITTEE OF THE WHOLE

Chair Rex Schlaybaugh called the Natural Resources Commission (commission) meeting to order at 12:33 p.m.

Director's Report

Director Eichinger congratulated commissioner **Schlaybaugh** on being appointed chair of the Natural Resources Commission (commission) on December 18, 2019, by **Governor Gretchen Whitmer**. **Schlaybaugh** was originally appointed to the commission by former **Governor Rick Snyder** in 2012 and reappointed by **Snyder** again in 2015.

Chair Schlaybaugh next introduced the commission's newest member; **Anna Mitterling**. She was also appointed by **Governor Whitmer** on December 18, 2019. She is an avid hunter which led to her desire to learn how to manage the deer population and work with Michigan's hunting community. **Mitterling** began her career in the department's Wildlife division, moving on to work at MUCC as the wildlife deer cooperative coordinator and she currently teaches Environmental Science at Lansing Community College.

Public Act (PA) 288: Land Use Order of the Director No. 2 of 2020 **Scott Whitcomb**, the department's public land and wildlife specialist provided the commission with an update on PA 288 noting that the inventories are completed each year in an effort to fine-tune the online maps throughout the state on which roads are opened or closed to off-road vehicle (ORV) use. This land use order will be for Director's action in February and the updates will be published online by April 1, 2020.

Legislative Report Craig Brunet, the department's legislative liaison provided a detailed written summary of the legislative actions that may affect the department along with the department's position on the proposed legislation.

Committee Reports

NRC Policy Committee on Wildlife and Fisheries: Commissioner Walters said that Fisheries chief **Jim Dexter** provided a brief update on fisheries order 206.20 regarding the protection of bluegill in Walled lake in Pigeon river country. Next, acting Wildlife chief **Dan Kennedy** shared the Pure Michigan hunt statistics, noting that the sales were 29 percent over the five-year average. He also talked about the 2020 proposed orders schedule. Deer and elk specialist **Chad Stewart** presented the 2019 late season elk summary along with the totals for the entire 2019 elk season.

PUBLIC APPEARANCES BEFORE THE NRC

(**Stacy Welling Haughey** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 12:59 p.m.)

Paul Zagata spoke to the commission regarding his concerns on the proposed forest road changes (PA 288) specifically in the Pigeon river country state forest.

Erik Schnelle, president of the Michigan Quality Deer Management Association (QDMA), shared QDMA's 2020 goals that have an emphasis on education.

Beatrice M. Friedlander, president, Attorneys for Animals, spoke about two concerns; lack of representation of wildlife advocates and non-consumptive users of our parks, wildlife areas and other natural resources areas in Michigan, and the continuing emphasis on consumptive users resulting in missed opportunities to encourage other recreational activities.

Molly Tamulevich, Michigan state director, Humane Society of the United States, addressed the commission regarding wildlife killing contests in Michigan and some of the unsportsmanlike behavior by contest participants.

David Vietti, president, DeLodder's Conservation Association, spoke about the baiting ban and that his group is not convinced that as it stands is meeting the intended goals.

Sam Morello, past president, Michigan Bow Hunters Association, proposed three items to the commission; open a special hunting season to include all of zone 3, they would like the commission to add another classification inside of the bow season to have stand-alone seasons for traditional bows and another for crossbows, and they would like the doe harvest and equipment reinstated in zone 1.

Chair Schlaybaugh adjourned the public appearances portion of the meeting at 1:33 p.m. and called to order the regular meeting of the commission at 1:34 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

NATURAL RESOURCES COMMISSION FOR INFORMATION ONLY

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

NATURAL RESOURCES COMMISSION – ACTION

Approval of Minutes, December 12, 2019, Natural Resources Commission Meeting

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

FOR INFORMATION ONLY – DIRECTOR

Chair Schlaybaugh read the item up for information only.

**Public Act (PA) 288 of 2016; Forest Road Inventory Update, Land Use Order of the
Director Amendment No. 2 of 2020, FOR INFORMATION ONLY**

DIRECTOR – ACTION

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

Chair Schlaybaugh called for a closed session as permitted under section 8(h) of the open meetings act to consult with counsel on a memorandum of advice provided to the commission on December 12, 2019, which falls under the attorney/client exemption, section 13(1g) of the Freedom of Information Act. **Commissioner Walters** supported the motion. **Schlaybaugh** called for discussion, there being none, a vote was taken and the motion carried unanimously.

The closed session was called to order by **Schlaybaugh** at 1:37 p.m.

Chair Schlaybaugh reconvened the regular meeting of the commission at 2:40 p.m.

NATURAL RESOURCES COMMISSION – ACTION OLD BUSINESS

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

Commissioner Tracy made a motion that Fisheries Order 200.20, Statewide Trout, Salmon, Whitefish, Cisco, Grayling and Smelt Regulations be approved. **Commissioner Walters** supported the motion. **Schlaybaugh** called for discussion, at which point commissioner **Walters** made a motion to amend Fisheries Order 200.20 by removing all 10 bag-limit waters in the Upper Peninsula. **Commissioner Nyberg** supported the motion. **Schlaybaugh** again

called for discussion, at that point commissioners **Nyberg, Tracy, Walters, Schlaybaugh** and **Mitterling** shared their thoughts on this fisheries order. **Chair Schlaybaugh** called for additional discussion on the amendment only, there being none, a roll call vote was taken as follows; **Mitterling**-yes, **Walters**-yes, **Nyberg**-yes, **Creagh**-no, **Tracy**-no, **Schlaybaugh**-yes. The motion to amend Fisheries Order 200.20 passed 4-2. Next, **Schlaybaugh** called for a roll call vote on the order as amended; **Mitterling**-yes, **Walters**-yes, **Nyberg**-yes, **Creagh**-yes, **Tracy**-no, **Schlaybaugh**-yes; Fisheries Order 200.20 passed as amended 5-1.

Commissioner Reports

Commissioner Walters wished Michigan a happy 183rd birthday on January 26. He is still playing on a curling team and headed to Lewiston to begin his eighth year participating in this sport.

Commissioner Nyberg said that the weather conditions in the UP were bad over the holidays for ice fishing. He encouraged all to be safe when out on the ice angling.

Chair Schlaybaugh spent black powder season in southern Michigan and saw many deer along with other wildlife; it was a great time to be in the woods. He is looking forward to the opening of brook trout season in the near future.

Commissioner Mitterling was able to get in a couple of deer hunts.

Director Eichinger said that the department will be putting out press releases regarding hunting, fishing and safety due to the weather and reminded all to watch for those releases.

Commissioner Tracy was successful in his first elk hunt, harvesting a cow elk in the Atlanta area.

ANNOUNCEMENTS

Next Meeting

Chair Schlaybaugh announced that the next meeting of the NRC is scheduled for Thursday, February 13, 2020, at Lansing Community College's downtown campus in the Michigan room, which is located in the Gannon building, 422 North Washington Square, Lansing. Committees meeting that day include the Michigan State Parks Advisory Committee and the NRC Policy Committee on Wildlife and Fisheries.

Adjournment

Commissioner Tracy made a motion to adjourn. **Commissioner Walters** supported the motion and the meeting was adjourned at 2:59 p.m.

George Heartwell, NRC Chair

Daniel Eichinger, DNR Director

DATE: _____

