

**MINUTES**  
**NATURAL RESOURCES COMMISSION MEETING**  
**December 12, 2019**  
**Fifth Third Ballpark-Pepsi Stadium Club**  
**4500 West River Road, NE**  
**Comstock Park, MI 49321**

**Present for the Natural Resources Commission**

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

**Present for Department Staff**

Peter Manning, legal counsel, Office of the Attorney General  
Dan Eichinger, DNR director  
Shannon Hanna, DNR deputy director  
Trevor VanDyke, DNR legal and legislative section director  
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 12:34 p.m.

**Pontz** presented a resolution of appreciation to **Abby Wills**, events coordinator from Fifth Third Ballpark and the staff of the ballpark for assisting in the success of this meeting.

**Director's Report**

**Parks and Recreation Division (PRD) Land Use Order of the Director, PRD Management of State Forest Campgrounds** **Nicole Toman** provided information to the commission on the background for the land use order; the transfer from Forest Resources division to PRD and how the transfer of management would benefit the state forest campgrounds.

**Legislative Report**

**Director Dan 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.

**NRC Policy Committee on Wildlife and Fisheries** **Commissioner Schlaybaugh** reported that Fisheries division chief Jim Dexter spoke about a walleye management plan the division is looking at that is similar to northern pike and muskie, which would include catch and immediate release. Dexter also added that Walled Lake property in Pigeon river country will be acquired in 2020 and will provide for a unique angler experience, a regulation for information will be presented for information in January. **Chad Stewart** from Wildlife presented an update on the

2019 deer season including surveillance result objectives that are and are not being met. With regard to CWD, as of December 6, 15,831 deer were tested statewide; 38 deer tested positive for the disease. To date 154 deer have tested positive for CWD.

**Pontz** asked about the history of catch and release of walleye and pike, does history on fish show that they would be considered a food fish. **Dexter** said not to his knowledge.

**Schlaybaugh** added that this could have an adverse effect on the species; the key is to not do anything that would harm our natural resources.

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

(**Brooke Parmalee** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 12:46 p.m.)

**Craig Dicus** commended the commission for taking care of the health of Michigan's deer herd. He does not feel that baiting has much to do with hunter retention and youth hunters and suggested that the baiting ban be statewide. **Dicus** suggested getting youth interested by starting them out with small game hunting.

**Jim Sweeney**, Concerned Sportsmen of Michigan, shared concerns about the direction of deer management in Michigan and said that popularity of a recommendation should not be considered; decisions should not be made because of stakeholder group agendas. Sound science must be used. **Sweeney** talked about the double-standard between the Upper and Lower Peninsulas. **Sweeney** suggested that the commission get back to science-based management in Michigan.

**Todd Kempf** wants the commission's goal to be to create a healthy deer herd and believes that the buck to doe ratios are off with too many year and one-half old bucks breeding. **Kempf** doesn't want to produce a big buck state, he wants the department and commission to manage for a healthy herd.

**Erik Schnelle**, president, MI QDMA, updated the commission on the things QDMA is doing to help the hunting community; field to fork, venison donations are at record highs, hunter education and misconceptions of CWD, importance of doe harvest, hunting tactics and keeping people hunting and their chances of success, the importance of letting young bucks go, and restoring restrictions on the second tag on a combo license.

**Lincoln Rohn** spoke about historical traditions in Michigan and added that he is neither for nor against baiting. **Rohn** said that two gallons of bait is not a lot of bait and should be easy to enforce and may bring more deer in. He believes that people are going to continue to bait and therefore would like to see more harsh penalties for those who do not follow the regulations.

**Tom Antor**, a Kent county commissioner, spoke about antler point restrictions (APRs) and quality bucks. **Antor** believes that other states, specifically Pennsylvania, are keeping hunters in the woods is because of their aggressive stance on APRs. He spoke about outdoor shows in the Kent county area and the success of outfitters. He urged the commission to keep doing what they are doing in the state. **Antor** said that a bigger class of bucks provides more excitement.

**Donn Hinds** believes that regulated baiting should be allowed and that a baiting ban will do very little to slow the spread of deer disease, it will impact department programs, tourism, the agriculture community, recreational opportunities and the safety of people traveling on the state's roads. He said that Michigan Farm Bureau is in favor of regulated baiting, MUCC opposes baiting, as it needs to be science-based, not political. **Mr. Hinds** said that **Governor Whitmer** personally told him that she will veto the House/Senate bills on baiting solely on the premise that the decision rests with the commission per Proposal G, rather than the Legislature. **Hinds** said that the banning of bait will do very little to slow or prevent the spread of deer disease in Michigan. He added that it will however, impact department programs, tourism, the agriculture community, recreational opportunities and the safety of people traveling on our roads.

**Jenny Cook**, Michigan Equestrians, provided a handout that talked about Michigan and horse-related activities and rider opportunities and thanked the commission and department for their support. **Cook** added that horses and equestrians provide emotional, mental, physical and substance abuse therapy and that they produce economic value, education, employment, historical reflections, show, sport, tourism and travel for Michigan.

**Chair Vicki Pontz adjourned the public appearances portion of the meeting at 1:44 p.m. and reconvened the Director's report at 1:45 p.m.**

#### **Director's Report Continued**

**Thomas L. Washington Award for Lifetime Commitment to Conservation and Outdoor Recreation** **Chair Pontz** noted that this special award was named after the late **Tom Washington**, who was a lifetime member of both the Michigan Conservation Hall of Fame and Environmental Hall of Fame along with being a longtime executive director of the Michigan United Conservation Clubs. **Washington** built strong coalitions to win important protections for natural resources. **Tom Bailey** exemplifies **Washington's** ethic and ability and was chosen by the commission to receive the award. **Heidi Washington**, **Tom Washington's** daughter thanked the commission for the opportunity to be at the meeting and for keeping her father's legacy alive; **Tom Bailey** fits that legacy. **Commissioner Tracy** also shared several remarks regarding **Bailey's** numerous, impressive accomplishments and his commitment and dedication to Michigan's natural resources. **Pontz** read and presented the **Thomas L. Washington** award to **Tom Bailey**.

**Chair Vicki Pontz adjourned the Director's report portion of the meeting at 2:09 p.m. and called to order the regular meeting of the commission at 2:10 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 – ACTION**

**Approval of Minutes, November 7, 2019, Natural Resources Commission Meeting**

**Commissioner Tracy** made a motion that the minutes of the November 7, 2019, NRC meeting be approved. **Commissioner Walters** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Open and Closed Hunting Areas at Yankee Springs State Recreation Area, Wildlife Conservation Order Amendment No. 10 of 2019**

**Commissioner Tracy** made a motion that Wildlife Conservation Order Amendment No. 10 of 2019, Open and Closed Hunting Areas at Yankee Springs State Recreation Area, be adopted. **Commissioner Schlaybaugh** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the amendment was adopted.

**FOR INFORMATION ONLY – DIRECTOR**

**Chair Pontz** read the land use order up for information only.

**Parks and Recreation Division (PRD) Management of State Forest Campgrounds, Land Use Order of the Director Amendment No. 1 of 2020, FOR INFORMATION ONLY**

**DIRECTOR – ACTION**

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

At this point in the meeting, **Senator John Bumstead** was introduced and he thanked **Pontz** and **Schlaybaugh** for their years of service and hard work. **Bumstead** added that the people, the department and the commission need to be in touch with our legislators sharing and educating them on sound science. **Director Eichinger** added that the department and the commission have greatly appreciated the relationship with **Senator Bumstead**.

**NATURAL RESOURCES COMMISSION - FOR INFORMATION ONLY**

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

After reading the for information orders, **Chair Pontz** asked if there was any discussion. **Commissioner Tracy** said that it is the same order as 200.19 and that he had pulled together a timeline (October 5, 2012 through October 10, 2019) list of items that he found that pertained to the brook trout bag limit. **Tracy** requested that the list as well as the backup informational items be to these minutes (see Appendix A).

**Chair Pontz** called for any additional discussion. **Commission Walters** moved that the commission move into a closed session as allowed under section 8(h) by the Michigan Freedom

of Information Act (FOIA), specifically about the memorandum and advice from December 12, 2019, which falls under Attorney-Client privilege exemption 13(1)(g) of FOIA. **Schlaybaugh** seconded the motion. **Pontz** asked for additional discussion; there was discussion on moving forward and other business needed to be completed during this meeting, which was the **Washington** award; **Pontz** noted that the commission cannot discuss the fisheries order again until after the closed session. **Attorney General Manning** agreed with the chair. **Tracy** suggested that we finish the remainder of the meeting so others may leave. **Pontz** called for additional discussion, there being none a vote was taken and the motion carried unanimously.

### **COMMISSIONER REPORTS**

**Commissioner Schlaybaugh** attend Charlevoix-Emmet county ruffed grouse meeting where the chapter elected to rename it the Al Stewart Chapter.

**Commissioner Walters** shot a buck in Montmorency county that will be mounted from the bovine tuberculosis zone and will be hunting in the CWD zone in the upcoming days.

**Commissioner Klarr** spent four hours the previous day with UP Habitat group, who “have their ducks in a row.” Part of the discussion was that Weyerhaeuser sold all of their land to a group in New Hampshire that will be managed differently, the group is very happy to be partnering with this new company. After the last commission meeting she went to West Phalia and picked up a new English setter puppy. **Klarr** got a deer opening morning, has been duck hunting and is going to Oregon on December 13 to upland game bird hunt.

**Commissioner Nyberg** had a great time spending time afield deer hunting but has been unsuccessful thus far. There were three bucks harvested at his camp.

**Commissioner Creagh** made a trip to south America. **Creagh** did get a chance to do some walleye fishing on the Saginaw river, also did some grouse hunting on the west end of the UP and hunted mid-Michigan for deer. **Creagh** also gave kudos to the department on the pheasant release program, he continues to hear good stories about how this has made it easier to get youth out hunting, especially after school. He attended the Farm Bureau meeting where the hot topic was baiting. He would like to know more about where the CWD project is and what we've learned to date, possibly in the spring. He also thanked **Vicki Pontz** and **Rex Schlaybaugh** for their continued passion for the resources and dedication to the commission.

**Commissioner Tracy** also thanked **Pontz** and **Schlaybaugh** for all their hard work on the commission and wished all a merry Christmas and happy New Year.

**Director Eichinger** had a successful deer season, spent time at check stations in CWD core areas and watched great conversations between staff and the public. In Washington DC, the House Natural Resources Committee in Congress did a full markup on America's Wildlife Act, this legislation will add approximately \$30,000,000 to Michigan to focus on species of conservation need or species of great concern, that might possibly be listed as threatened or endangered. The Michigan Natural Resources Trust fund board meeting grants awarded the previous day. **Eichinger** wished all happy holidays and merry Christmas. He also added that

no announcements have been made with regard to other appointments to the commission and that **Pontz** and **Schlaybaugh** would be properly recognized in the near future.

### **ANNOUNCEMENTS**

#### **Next Meeting**

**Chair Pontz** announced that the next meeting of the NRC is scheduled for Thursday, January 9, 2020 at the MSU Veterinary Diagnostic Laboratory, 4125 Beaumont Road, Lansing. Committees meeting that day will be 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 4:20 p.m.

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Rex Schlaybaugh, Jr., NRC Chair

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Daniel Eichinger, Director

DATE: \_\_\_\_\_

Approved and signed copy of the December 12, 2019 NRC meeting minutes are located at the NRC office. For copies please call 517-284-6237 or email [nrc@michigan.gov](mailto:nrc@michigan.gov).