



# Natural Resources Commission

## Meeting Minutes

Date: October 14, 2021

Time: 9:00 a.m.

Location: MSU Veterinary Diagnostic Laboratory  
4125 Beaumont Road  
Lansing, MI 48901

### Roll call

Present for the Natural Resources Commission (Commission):

- Carol Moncrieff Rose, Chair
- Tom Baird
- David Cozad
- Keith Creagh
- David Nyberg - absent
- J.R. Richardson

Present for the Department of Natural Resources (Department) Staff

- Dan Bock, Legal Counsel, Office of the Attorney General
- Shannon Lott, DNR Natural Resources Deputy
- Trevor VanDyke, DNR Director of Legal and Legislative Affairs Office
- Brooke Parmalee, DNR, Legal and Legislative Affairs Office
- Su Schrauger, Executive Assistant to the NRC

### Meeting minutes

Opening Comments:

**Chair Rose** called the meeting of the Commission to order at 9:00 a.m. with a request to silence cell phones. **Chair Rose** called for a roll call, and all Commissioners except David Nyberg were present. **Chair Rose** asked for everyone in the room to introduce themselves. **Chair Rose** called for a motion to approve the day's agenda, **Commissioner Creagh** made the motion to approve, **Commissioner Cozad** supported the motion. **Chair Rose** called for discussion, there being none, a vote was taken, and the agenda was approved unanimously.

The next item on the agenda was the approval of the September 16, 2021, Commission meeting minutes. **Chair Rose** called for a motion to approve the Commission meeting minutes. **Commissioner Baird** made a motion to approve; supported by **Commissioner Richardson**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion passed unanimously.

**Chair Rose** called for a motion to approve the Closed Session meeting minutes. **Commissioner Creagh** made a motion to approve; supported by **Commissioner Baird**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion passed unanimously.

## COMMITTEE OF THE WHOLE:

### Director's Report:

**Natural Resources Deputy Lott** appreciated meeting in person for the last couple months and thanked MUCC for live streaming the meetings. She announced she is filling in for Director Eichinger who is in Iceland for the Governor's Premier Group that meets every other year in different locations to take advantage of learning opportunities from other countries.

- i. [DNR Budget Update](#) (*Erik Eklund, Finance and Operations*)
- ii. [Fisheries Orders](#) (*Seth Herbst, Fisheries*)
- iii. [Saginaw Bay Walleye](#) (*Randy Claramunt, Fisheries*)
- iv. [Sandhill Crane Presentation](#) (*Barb Avers, Wildlife*)
- v. [Preliminary Elk Season Results](#) (*Chad Stewart, Wildlife*)

### Public Appearances Before the NRC

**Brooke Parmalee** read the official timekeeping procedures and guidelines for the meeting's public appearances.

- a. 5 Minute Comment
  - i. Mark Jones – Sandhill Cranes
  - ii. Mary Jones – Sandhill Cranes
  - iii. Nick Green, Michigan United Conservation Clubs - Sandhill Cranes
  - iv. Heather Good, Executive Director, Michigan Audubon Society – Sandhill Cranes
- b. 3 Minute Comment
  - i. Mike Riepen, Michigan Deer Track'n Hounds – Tracking Dogs
  - ii. Gary Gorniak, USPA – Wolf management
  - iii. Molly Tamulevich, Humane Society of the United States – Sandhill Cranes
  - iv. Dennis Eade – Steelhead
  - v. Chris Hillman – Sandhill Cranes

**Chair Rose** adjourned the public appearance portion of the meeting at 10:50 a.m. and asked for a 10-minute break before the regular meeting of the Commission. The regular meeting of the Commission was called to order at 11:02 a.m.

## REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

### New Business

- a. Director's Orders – **Chair Rose** noted there are no Director items under old business this month.

**Chair Rose** noted there are seven land transactions.

- b. Land Transactions
  - i. [Sale of Surplus DNR-Managed Land  
Parks and Recreation Division, Oakland County  
Land Transaction Case #20210075](#)
  - ii. [Conveyance of Easement on DNR-Managed Land](#)

- [Parks and Recreation Division, Cheboygan County](#)  
[Land Transaction Case #20200236](#)
  - iii. [Conveyance of Easement on DNR-Managed Land](#)  
[Parks and Recreation Division, Bay County](#)  
[Land Transaction Case #20210060](#)
  - iv. [Exchange of State Forest Land](#)  
[Forest Resources Division, Chippewa County](#)  
[The Patrick Exchange](#)  
[Land Transaction Case #20200238](#)
  - v. [Acquisition of State Forest Land](#)  
[Forest Resources Division, Delta County](#)  
[The Bennett and Cottrill Tracts – Lake Michigan Dunes and Swale Complex](#)  
[Land Transaction Case #20210102](#)
  - vi. [Acquisition of State Forest Land](#)  
[Forest Resources Division, Delta County](#)  
[The Brampton Township Tract](#)  
[Land Transaction Case #20210170](#)
  - vii. [Acquisition of State Forest Land](#)  
[Forest Resources Division, Crawford County](#)  
[The Sedorchuk Tract Land Transaction](#)  
[Land Transaction Case #20210179](#)

**Natural Resources Deputy Lott** indicated she would sign all the Land Transactions.

**Chair Rose** noted there are three NRC Orders up for information this month.

c. NRC Orders

- i. [Fisheries Order 202.22](#)  
[Special Hook Size Fishing Regulations](#)
- ii. [Fisheries Order 204.22](#)  
[Spawning Closures](#)
- iii. [Fisheries Order 206.22](#)  
[Special Fishing Regulations for Warmwater Species on Select Waters](#)

## Old Business

- a. Director's Orders – **Chair Rose** noted there are no Director items under old business this month.
- b. NRC Orders
  - i. [Fisheries Order 200.22](#)  
[Inland Rivers and Streams - Trout and Salmon Regulations](#)
    - **Chair Rose** called for a motion to approve Fisheries Order 200.22. **Commissioner Creagh** made a motion to approve; supported by **Commissioner Cozad**. **Chair Rose** then asked for discussion.
    - **Commissioner Rose** made a motion to amend Fisheries Order 200.22 to clarify the downstream boundary for the Little Manistee River; supported by **Commissioner Creagh**. **Chair Rose** asked for discussion. Following discussion, the motion to amend passed unanimously.
    - On behalf of **Commissioner Nyberg**, **Commissioner Creagh** made a motion to amend Fisheries Order 200.22 to add exceptions for establishing a daily possession limit of one (1) rainbow trout during the spawning period of March 15 through May 15 on several waters and also extend the upstream boundary for the Little Manistee River to Johnson's Bridge for this same time period; supported by **Commissioner Cozad**. **Chair Rose** asked for discussion. Following discussion on the proposed amendment, **Commissioner Baird** made a motion that this particular amendment, along with Fisheries Order 200.22 be tabled until next month; **Commissioner Cozad** supported the motion. **Chair Rose** then asked for discussion on the motion to table. Following discussion, the motion to table passed unanimously.
  - ii. [Fisheries Order 206.21](#)  
[Special Fishing Regulations for Warmwater Species on Select Waters](#)
    - **Chair Rose** called for a motion to approve Fisheries Order 206.21. **Commissioner Richardson** made a motion to approve; supported by **Commissioner Creagh**.
    - **Commissioner Richardson** made a motion to amend Fisheries Order 206.21 to remove the possession of two (2) Walleye from 13-15 inches and set the minimum size limit for Walleye at 15 with a daily possession limit of five (5) Walleye; supported by **Commissioner Cozad**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion to amend passed unanimously.
    - **Commissioner Richardson** made a motion to amend Fisheries Order 206.21 to implement no size limit on northern pike and allow up to five (5) northern pike in the daily possession limit with only one (1) greater than 24 inches on Lake Gogebic; supported by **Commissioner Creagh**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion to amend passed unanimously.
    - **Chair Rose** made a motion to approve Fisheries Order 206.21 as twice amended; supported by **Commissioner Baird**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion passed unanimously.
  - iii. [Fisheries Order 210.22](#)  
[Designated Trout Streams for Michigan](#)
    - **Chair Rose** called for a motion to approve Fisheries Order 210.22. **Chair Rose** made a motion to approve; supported by **Commissioner Cozad**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion passed unanimously.

- iv. [Fisheries Order 215.22](#)  
[Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes, and White Bass](#)
- **Chair Rose** called for a motion to approve Fisheries Order 215.22. **Commissioner Cozad** made a motion to approve; supported by **Commissioner Baird**. **Chair Rose** called for additional discussion. **Commissioner Cozad** inquired if this would be the appropriate order for potential regulation changes on the Saginaw River and other tributaries connecting to Saginaw Bay. Fisheries staff provided input. Following no further discussion, the motion to approve passed unanimously.
- v. [Fisheries Order 216.21](#)  
[Minnow, Wiggler, and Crayfish Regulations for Commercial Purposes and Waters that are Closed to the Personal Take of Minnows](#)
- **Chair Rose** called for a motion to approve Fisheries Order 216.21. **Commissioner Creagh** made a motion to approve; supported by **Commissioner Baird**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion passed unanimously.
- vi. [Fisheries Order 219.22](#)  
[Special Fishing Regulations for Bow, Spear, and Crossbow Fishing Regulation](#)
- **Chair Rose** called for a motion to approve Fisheries Order 219.22. **Commissioner Richardson** made a motion to approve; supported by **Commissioner Baird**. **Chair Rose** called for additional discussion.
  - **Commissioner Richardson** made a motion to amend Fisheries Order 219.22 to remove Lake Superior from waters open to underwater spear fishing; supported by **Commissioner Creagh**. **Chair Rose** called for additional discussion, there being none, called for a vote. The motion to amend passed unanimously.
  - **Commissioner Baird** made a motion to amend Fisheries Order 219.22 to add a three-year sunset to the underwater spear fishing regulations; supported by **Commissioner Cozad**. **Chair Rose** called for additional discussion. **Chair Rose** called for a vote. The motion to amend passed unanimously.
  - **Chair Rose** made a motion to amend Fisheries Order 219.22 to seasonally restrict harvest for Northern Pike using underwater spear, by creating the possession season of July 1 to March 15; supported by **Commissioner Creagh**. **Chair Rose** called for discussion. **Commissioner Creagh** motioned to make a potential amendment to Chair Rose's amendment; supported by **Commissioner Richardson**. After discussion, **Commissioner Creagh** withdrew his offer and **Chair Rose** called for a vote on the original motion to amend. The motion to amend passed unanimously.
  - **Chair Rose** stated there have been three amendments put forward by the Commission for Fisheries Order 219.22. **Chair Rose** called for additional discussion on the amended order, there being none, called for a motion to approve the order as amended. **Commissioner Cozad** made a motion to approve; supported by **Commissioner Baird**. **Chair Rose** called for a vote; Fisheries Order 219.22 as amended passed unanimously.
- vii. [Fisheries Order 226.22](#)  
[Hook and Line Restrictions During Walleye Spawning Runs](#)
- **Chair Rose** called for a motion to approve Fisheries Order 226.22. **Commissioner Cozad** made a motion to approve; supported by **Commissioner Baird**. **Chair Rose** called for additional discussion. There was discussion brought by **Commissioner**

**Cozad** regarding a future regulation change in the lower Saginaw River and requested that the order be held over. **Commissioner Cozad** requested that staff draft an amendment to remove the March 15 to the last Saturday in April spawning closure on the lower Saginaw River to the mouth of Saginaw Bay upstream to the Center Road Bridge in Saginaw County. After discussions with staff, **Chair Rose** called for a vote; the motion to approve Fisheries Order 226.22 passed unanimously.

viii. [Fisheries Order 252.22](#)

[Statewide - Lake Whitefish, Round Whitefish, Cisco, Rainbow Smelt and Arctic Grayling Regulations](#)

- **Chair Rose** called for a motion to approve Fisheries Order 252.22. **Chair Rose** made a motion to approve; supported by **Commissioner Creagh**.
- **Chair Richardson** made a motion to amend Fisheries Order 252.22 to expand the combined daily possession limit for Lake Whitefish, Round Whitefish, and Cisco to allow for an additional 10 Round Whitefish per day on Lake Superior waters only; supported by **Commissioner Cozad**. **Chair Rose** called for additional discussion. Following discussion, **Chair Rose** called for a vote. The motion to amend passed unanimously.
- **Chair Rose** called for additional discussion on Fisheries Order 252.22 as amended, there being none, called for a motion to approve the order as amended. **Commissioner Creagh** made a motion to approve; supported by **Commissioner Baird**. **Chair Rose** called for a vote; the motion passed unanimously.

c. [NRC Committee Structure](#)

**Commissioner Baird** made a motion to approve the recommendations set forth in the ad hoc committee's memo of October 6, 2021, for Chair Rose to appoint Commission members to those committees, and that the ad hoc committee on Committees be dissolved; supported by **Commissioner Cozad**. **Commissioner Baird** indicated the Commission needs to get back to some key committees in order to effectively do its work. **Commissioner Cozad** noted the re-implementation of the sub-committees will provide additional information currently in a more thorough manner and provide more transparency. After additional comments, **Chair Rose** advised members of the committees will be appointed and allotted time to communicate with appropriate staff and anticipates starting this new structure in January 2022. This will change the structure of the Commission meeting and the committees will meet in the morning, with the Committee of the Whole meeting in the afternoon. **Chair Rose** called for a vote; the motion to approve the recommendations on committee structure passed unanimously.

## Commissioner Reports

**Commissioner Baird** – He mentioned that there is grumbling about the continued closed sessions. There is quite a bit of litigation pending currently, and the only way to keep up with it is to talk to our attorney in a closed session to avoid waiving the attorney client privilege. There are ongoing matters so closed sessions will continue. He wanted to give kudos to the Fisheries Division for not only putting up with our amendments but for pulling off a special electrofishing population survey for the north branch of the AuSable. It was a great exercise and opportunity for folks to get together. In addition, that section of the AuSable has a terrific wild brook trout fishery and now brown trout fishery. Along with the AuSable Resiliency Project, Chief Dexter came through. The shocking crew included Chief Dexter, Todd Grischke, Randy Claramunt, and Fisheries Biologists Neal Godby and Tim Cwalinski.

**Commissioner Cozad** – He tipped his hat to the Fisheries Division as well as addressing Nyberg’s Steelhead amendment and his and **Commissioner Baird’s** concern about the Saginaw Bay Walleye fishery. The Fishery staff went above and beyond in a more than timely manner to help provide support as the Commission deliberated about those things. He attended the third AuSable Resilience and sustainability project and saw real progress. The project was spearheaded by the Director. He did not make it to the WMAC meeting in Ironwood with the number of other things going on.

**Commissioner Creagh** – He echoed his thanks to Fisheries. He also thanked Erik Eklund for giving the budget presentation that was illuminating. There was a land transaction with an issue raised that you never want to get between a buyer and a seller. I would encourage the department to be sensitive and cognizant, which they are, relative to commissions and fees and who buys what when. He suggested dog tracking be placed urgently on the agenda as it’s been kicked around for a long period of time. He encouraged the chair add that to the agenda. It’s been a great fall to spend some time in the woods chasing grouse and woodcocks.

**Commissioner Richardson** - He thanked the Michigan Legislative Sportsmen’s Caucus for sponsoring the breakfast this morning. It was good to be back with the legislators. If invited, he would encourage attending. It’s a good place to network. He thanked Jarod and Shannon for coming to the UP-Habitat Workgroup. It means a lot to that group to have you show up. He took part in the last three days of brook trout season.

**Chair Rose** – She was honored to be able to give a couple presentations on the history of the NRC. The first one was the MUCC’s Annual Convention and the second one was to present before Representative Howell’s Committee of Natural Resources and Outdoor Recreation. She hoped to participate in some salmon egg take with the staff in the Roger’s City area in the calcite mine but unfortunately had a prolonged and unexpected power outage, and she couldn’t get out of her house to participate. She thanked Olen Gannon of Fisheries Division and his team for offering up this unique opportunity. She offered kudos to the staff, and she’s looking forward to doing some turkey hunting this weekend. She looks forward to some of the wildlife issues coming up. She requested that we add use of certified dog trackers to find wounded game animals to the agenda in the coming months.

**Deputy Director Lott** – She was in the UP for several meetings including the UPCAC meeting that Commissioner Richardson mentioned and the UP-Habitat Workgroup and attended the MUCC Annual Convention. It was her first time out in 18 months and started with the UP.

Commission Closed Session

**Motion for Closed Session:**

**Chair Rose** moved that the Commission meet in closed session as permitted under section 8(h) of the Open Meetings Act to consider material exempt from discussion or disclosure by the Michigan Freedom of Information Act. Specifically, to consult with counsel regarding a memorandum provided to the Commission which falls under the attorney-client privilege exemption in section 13(1)(g) of the FOIA.

- A second by **Commissioner Baird**.
- Discussion - None
- The motion was approved.

During the closed session:

- Minutes of the closed session must be kept.
- No deliberations are allowed on the business before Commission.

Adjournment

**Chair Rose** asked for a motion to adjourn. **Commissioner Cozad** made a motion to adjourn the meeting. **Commissioner Baird** supported the motion. **Chair Rose** called for discussion, there being none, a vote was taken, and the motion carried unanimously. The meeting is adjourned at 2:33 p.m.

The next regular meeting of the Commission is scheduled for **Wednesday, November 10, 2021**, at the **Michigan Library and Historical Center Forum located at 702 West Kalamazoo Street, Lansing, MI 48915**.



Carol Moncrieff Rose, NRC Chair



Daniel Eichinger, DNR Director

DATE: November 10, 2021