

**NATURAL RESOURCES COMMISSION  
MEETING MINUTES  
September 10, 2020  
Conference Call/Virtual Meeting**

**Present for the Natural Resources Commission (commission)**

Carol Moncrieff Rose, chair  
David Nyberg  
J.R. Richardson  
Keith Creagh  
Louise Klarr  
Chris Tracy  
Mike Lashbrook

**Present for Department of Natural Resources (department) Staff**

Peter Manning, legal counsel, Office of the Attorney General  
Daniel Eichinger, DNR director  
Trevor VanDyke, DNR director of legal and legislative affairs office  
Brooke Parmalee, DNR, legal and legislative affairs office  
Cheryl Nelson, executive assistant to the NRC

**Chair Moncrieff Rose** called the meeting of the commission to order at 9:00 a.m. **Rose** called for a roll call, all commissioners, the director and assistant attorney general were present. She then called for a motion to approve the day's agenda, commissioner **J.R. Richardson** made the motion to approve, commissioner **Klarr** seconded the motion, a vote was taken and the agenda was approved unanimously.

The next item on the agenda was the approval of the August 13, 2020, commission meeting minutes. **Chair Rose** called for a motion to approve the minutes; commissioner **Lashbrook** made the motion to adopt the August 13 minutes, commissioner **Klarr** seconded the motion, **Rose** called for additional discussion, there being none, called for a vote, which passed unanimously.

**COMMITTEE OF THE WHOLE**

**Director's Report**

**Fisheries Division Update:** Dr. **Seth Herbst**, regulatory affairs section manager, gave a presentation on the fish orders that will be brought for information at the October commission meeting which included:

- 1) Regulations on the take of Reptiles and Amphibians  
Fish Order 224.21
  
- 2) Hook and Line Restrictions During Walleye Spawning Runs  
Fish Order 226.21

3) Possession Limits for Fish  
Fish Order 248.21

**2007 Inland and 2000 Great Lakes Consent Decree Background:** **Dave Caroffino**, Tribal unit coordinator for the Fisheries division, spoke about the key legal concepts of the treaties which include that treaties are “supreme” law in the US Constitution, Tribes are sovereign governments and Tribal members are Michigan citizens and are domestic dependent nations. All of Michigan was ceded to the US via treaties.

**Caroffino** also shared information on the commission’s role in previous decrees, the rules of consultation and how regulation changes work within that consultation.

**Director Eichinger** added that the treaty negotiations are being worked on under a confidentiality agreement so they are not allowed to share which items are being negotiated at this time. The department or the Attorney General’s office may be able to disclose some of the items closer to the final agreement time during a closed session of the commission. The department is hopeful that an agreement will be reached by the end of the calendar year.

**Phase II Deer Regulations:** **Sarah Cummins**, policy and regulations unit manager from the Wildlife division, shared the division’s regulation policies, the timing and need for consistency in maintaining regulations. **Cummins** spoke of the benefits to both the department and the public of the three-year regulation cycle and why there can be a need for out-of-cycle regulation changes. **Cummins** also shared information on the sprint team, who is represented by numerous staffers from the department that work on outreach and education for the public. The director added that if the commission would like any additional items looked at for this phase that they share their suggestions as soon as possible so that staff can start looking into those. **Commissioner Creagh** asked questions regarding a universal registration versus kill tags and what would happen if the commissioners heard additional items during the November hunting seasons that they would like added to Phase II of the deer regulations. **Eichinger** assured them that there would be time in the window to add those items as they could be acted on as late as March, 2021. **Cummins**, in response to the universal registration added that kill tags would still be needed and that the universal registration would assist when deer went to processors or taxidermists.

The director’s report ended at 10:30 a.m. at which time chair **Rose** did another roll call with all commissioners still in attendance.

**PUBLIC APPEARANCES BEFORE THE NRC**

**(Brooke Parmalee** read the official timekeeping procedures and guidelines for the meeting’s public appearances which began at 10:31 a.m.)

**Bob O’Dell** spoke on fish order 210.21, Designated Trout Streams, that included closing an additional 200 feet of the Betsie river. He said that ethical fisherman will not take a salmon from that designated area. He suggested making that area no kill, then fish can’t be kept no matter how they are hooked.

**Bee Friedlander** from Attorneys for Animals spoke about wolf management in Michigan. Ms. Friedlander is not in favor of a wolf hunt if they are delisted.

Frank Fugate voiced his opinion on fish order 219.21, Designated Trout Streams. He also does not want to see the additional 200 feet on the Betsie river closed to fishing.

**Chair Rose** adjourned the public appearances portion of the meeting at 10:40 a.m. and called to order the regular meeting of the NRC at 10:41 a.m. She asked for another roll call of commissioners and noted that all who were present at the Committee of the Whole were present for the regular meeting.

**REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION**

**NEW BUSINESS**  
**NATURAL RESOURCES COMMISSION**

**Chair Rose** read the new business for the commission, which may be acted upon at the October 8, 2020 commission meeting:

**Regulations on the Take of Reptiles and Amphibians, Fish Order 224.21**

**Hook and Line Restrictions During Walleye Spawning Closures, Fish Order 226.21**

**Possession Limits for Fish, Fish Order 248.21**

**NEW BUSINESS**  
**DIRECTOR**

**Chair Rose** read the new business for the director, which may be acted on today.

**LTA 20160169: Sale of Surplus DNR-Managed Land, Forest Resources Division Schoolcraft County**

**LTA 20200047: Sale of Surplus DNR-Managed Land, Forest Resources Division, Iron County**

**LTA 20200146: Gift of Land – Marathon Oil, Parks and Recreation Division, Wayne County**

**LTA 2020096: Release of Reverter – Whitefish Township, Forest Resources Division, Chippewa County**

**Director Eichinger** indicated that he would be signing these land transactions.

**OLD BUSINESS**  
**NATURAL RESOURCES COMMISSION**

**Special Hook Size Fishing Regulations, Fish Order 202.21**

**Commissioner Lashbrook** made a motion to adopt Fish Order 202.21, Special Hook Size Fishing Regulations. **Commissioner Klarr** supported the motion. **Rose** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Designated Trout Streams, Fish Order 210.21**

**Commissioner Nyberg** made a motion to adopt Fish Order 210.21, Designated Trout Streams. **Commissioner Tracy** supported the motion. **Rose** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Bow, Spear and Crossbow Fishing Regulations, Fish Order 219.21**

**Commissioner Nyberg** made a motion to adopt Fish Order 219.21, Bow, Spear and Crossbow Fishing Regulations. **Commissioner Lashbrook** supported the motion. **Chair Rose** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Spawning Closures, Fish Order 204.20A**

**Commissioner Nyberg** made a motion to adopt Fish Order 204.20A, Spawning Closures. **Commissioner Klarr** supported the motion. **Chair Rose** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**OLD BUSINESS**  
**DIRECTOR**

**Chair Rose** read the old business for the director and asked if he would be signing Fish Order 243.20, State-Licensed Commercial Fishing. **Director Eichinger** indicated that he would be holding the order over until October as there is legislation pending that may change this order.

**State-Licensed Commercial Fishing, Fish Order 243.20**

**COMMISSIONER REPORTS**

**Commissioner Tracy** has received many emails on the changes on deer check stations and he wanted to hear from the department on that issue. The director said that the department will shortly be releasing information regarding locations and times of deer check stations. **Deputy director Shannon Lott** provided additional input regarding the check stations and complying with COVID 19 policies and procedures.

**Tracy** added that he is looking forward to hearing the early elk season harvest numbers at the October meeting.

**Commissioner Creagh** continues to get compliments on the department's grouse enhanced management areas (GEMs). He heard there was a USDA meeting relative to CWD in northern lower peninsula and would like to get an update on CWD numbers and what role the commission can play. **Creagh** added that the state did not meet their goals for antlerless harvest in CWD areas in 2019, the department did meet the 1.1 to 1 goal but fell short of the discussed but not adopted numeric goal, and indicated that we need to continue to know the triggers on the mitigation strategy and what antlerless harvest numbers should be in the future, this could assist hunters with their harvest goals.

**Commissioner Klarr** was part of a meeting with the UP Habitat Group, noting that the group has been and is very effective and thorough. The group may be encompassing the northern

lower peninsula in the near future. They want to have more focus on larger projects, deer camp surveys went well and their next meeting is scheduled for early December. She took part in ruffed grouse society dog trials in Jackson this past month, that was a lot of fun. There will be a MSPAC meeting next month.

**Commissioner Lashbrook** congratulated **Rose** on her appointment as chair. He is looking forward to fall and the seasons that open and getting out into the outdoors.

**Commissioner Nyberg** thanked **Dave Caroffino** and the director for the consent decree presentation saying that it was very informative on how the commission's role plays into the treaty negotiations. He mentioned wanting to have dialog with the chair and the department on committee structures and having a policy manual, citing the UP Habitat Committee and how it works well in conjunction with the commission.

**Chair Rose** heard from stakeholders about the shortening of muzzleloader seasons and how drawings will be held at managed waterfowl areas. **Rose** visited a deer co-op in the northern lower peninsula noting that they had a very good presentation and discussion. A Federal review committee joined the tour as well and were pleased with the property owners and adjourning adjacent property owners.

**Director Eichinger** said that because of COVID 19, this may be an unusual deer season, things will differ and the department will have to keep up with its standards on services and activities. He was able to spend time on the Au Sable and caught a nice brown trout. Looking forward to small game season and getting out with his dog.

### Next Meeting

**Chair Rose** shared that the next meeting of the commission will be held on Thursday, October 8, 2020 and will once again be in a virtual format.

### Adjournment

**Commissioner Klarr** made a motion to adjourn. **Commissioner Lashbrook** supported the motion and the meeting was adjourned at 11:17 a.m.



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Carol Moncrieff Rose, NRC Chair



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Daniel Eichinger, DNR Director

DATE: \_\_\_\_\_  
October 8, 2020