



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



DANIEL EICHINGER  
DIRECTOR

November 17, 2022

VIA E-MAIL

Joint Committee on Administrative Rules  
Boji Tower, 3rd Floor  
124 W. Allegan St.  
P.O. Box 30036  
Lansing, MI 48909-7536

Subject: Session day waiver request

Dear Chairperson Bumstead, Alternate Chairperson Meerman, and committee members:

As the regulatory affairs officer for the Department of Natural Resources (DNR), I respectfully request that the Joint Committee on Administrative Rules waive the remaining session days under the authority provided in the Administrative Procedures Act of 1969, MCL 24.245a(1)(d), for the review of the following amended rules, which were submitted to the Committee on November 1, 2022:

Endangered and Threatened Species R 299.1021 through R 299.1028  
(#2022-11 NR)

The DNR is required under MCL 324.36503(1), to promulgate rules listing those species of fish, plants, and wildlife that are determined to be endangered or threatened within the state. The DNR is also required, under MCL 324.36503(2), to conduct a review of the state list of endangered and threatened species every 2 years and may amend the list as needed. The process of amending the ruleset began in 2019 when the DNR received recommendations from seven technical advisory committees. The rule amendment process was put on "hold" during the COVID-19 pandemic and associated staffing shortages. These unforeseen circumstances caused an additional delay in amending the ruleset, making it essential to amend the rules as soon as possible. The amendments are necessary to accurately reflect those rare species that require legal protection to prevent declines, extirpation, or extinction of their populations. Declining or extirpated populations can have a detrimental impact on the rest of the ecosystem. Providing legal protection for these rare species is necessary for their continued ability to sustain themselves successfully and ultimately provides all humans and wildlife with healthy ecosystems that provide clean air, water, land, food, medicines, and other products that are needed for the quality of life. If the rule set is not amended, some rare species would not receive the legal protection required to prevent declines or extirpation. Conversely, some species that no longer require legal protection would

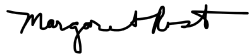
remain listed in the current rule set and take of those species would continue to be restricted.

The DNR held a public hearing on the proposed amendments on August 30, 2022. The DNR accepted public comments not only during the public hearing but also via email and mail. The DNR received no comments at the public hearing and received 17 comments during the written comment period. None of the comments received opposed the proposed amendments.

Given the upcoming end of the legislative session, the need to properly protect endangered and threatened species, protect the ecosystem as a whole, the desire to reduce regulatory burden, and the need to keep DNR staff and the public informed of the current list, the DNR respectfully asks that the committee waive the balance of the session days in the review period.

Thank you for your consideration of this request.

Sincerely,



Margaret (Meg) Rost  
Regulatory Affairs Officer  
Department of Natural Resources  
rostm@michigan.gov

cc: Timothy Reeves, Laura Sorrell, and Rachel Hughart, Legal Counsel, JCAR  
Administrative Rules Division, [MOAHR-Rules@michigan.gov](mailto:MOAHR-Rules@michigan.gov)  
Amy Bleisch, Department of Natural Resources  
Krista Hubbard, Department of Natural Resources  
Jennifer Kleitch, Department of Natural Resources