

Eastern Upper Peninsula Citizen Advisory Council

October 21, 2010

6:30-8:30 p.m. (EDT)

Luce Mackinac Alger Schoolcraft (LMAS) District Health Department

14150 Hamilton Lake Road, Newberry, Michigan

Meeting Minutes

EUP-CAC Members Present

William Becks
Tom Buckingham
Al Colegrove
Bob DeVillez
Dale DuFour
Ginny Giddings
Mike Lawless
Glenn Moll
Richard Pershinske
Chad Radka
Steve Rodock
Jim Rutledge
Doug Scheuneman
Tom Schweitzer
Steve Walker

EUP-CAC Members Absent

Jim Duke
Fred Gregg
Lester Livermore

Department of Natural Resources and Environment (DNRE) Staff Liaisons

Stacy Welling, Upper Peninsula (UP) Regional Director, Marquette
Brian Brady, Air Quality Division, Gwinn
Clif Clark, Remediation Division, Gwinn
Jim Hooker, Recreation Division, Newberry
Joe Maki, Office of Geological Survey, Gwinn
Ann Mattson, Administration, Newberry
Terry Minzey, Wildlife Division, Newberry
Acting Lt. Chris Morris, Law Enforcement Division (LED), Newberry
Dennis Nezich, Forest Management Division (FMD), Marquette
Jay Parent, Water Resource Division (WRD), Gwinn
Steve Scott, Fisheries Division, Newberry
Richard Stevenson, Forest Management Division (FMD), Newberry
Penny Bacon, Executive Division, Marquette

Call to Order:

The Eastern Upper Peninsula (EUP) Citizen Advisory Council (CAC) meeting was called to order at 6:30 p.m. by **Chairman Dick Pershinske**.

Adoption of Agenda:

Steve Rodock made a motion to adopt the agenda. **Bill Becks** supported the motion. Ayes: All. Nays: None. Motion carried.

Approval of Previous Meeting Minutes:

Dale DuFour made a motion to approve the August 19, 2010 meeting minutes as amended. **Bill Becks** supported the motion. Ayes: All. Nays: None. Motion carried.

Public Comment:

Kip Cameron would like to know if the Department is going to charge fees for commercial guides in 2011. It was noted this is an agenda topic tonight.

Reports:

Stacy Welling, UP Regional Director said at the August CAC the Council's resolution on feral swine did not pass. The Council's recommendation was to work with the different stakeholder groups. The Department has decided to meet with different stakeholder groups and has delayed the decision on feral swine until the November NRC meeting.

Stacy said the December CAC meeting will be the last meeting for some of the Council members, as some members have indicated they are not going to reapply. Because the Department is a different agency from when the CAC's where first started, we want to make sure the Councils are reflective of the entire agency. We are accepting new applications for Council membership until November 22. Stacy introduced Warren Suchovsky, the facilitator for the WUP-CAC. Stacy introduced Becky Patrick; Lake Michigan regional director and Robert Wagner, Lake Huron regional director. Stacy noted the availability of two handouts tonight: the Natural Resources Trust Fund and the wolf delisting process.

Chairman Pershinske said in regards to wolves, it seems like we went through this process in 2006. **Terry Minzey** said it appears the U.S. Fish and Wildlife Service will delist the wolf and relist it and use a genetic basis for relisting. If so, the wolves in Michigan, Minnesota and Wisconsin will not be among the relisted animals. Those wolves are genetically distinct from animals in other areas. The request from Minnesota was to delist the Minnesota wolves which included the wolves of all three states. Terry said that's the difference this time but it may take a couple of years to get this done. **Chairman Pershinske** encouraged the audience to contact their legislators regarding the wolf delisting and how important it is to the UP.

Division Staff Reports were provided to the Council members prior to the meeting.

The following staff had updates to their written reports:

Acting **Lt. Chris Morris**, Law Enforcement Division said in bear season they received some complaints from bear hunters regarding commercial guides. The hunters, who waited several years before drawing a kill tag, baited a half mile off the road but the commercial guides would bait near the road cutting the bear off from the hunter. Officers also received reports that commercial guides had more than 12 bait stations. Lt. Morris said a hunter can establish three bait stations and a commercial guide can have twelve. The commercial guide can hire an assistant and establish more bait stations if they have the clients. Discussion followed on commercial guides and the number of bait stations. **Chairman Pershinske** said this topic will be added to future CAC agendas. **Terry Minzey** suggested inviting the bear management specialist from Lansing to a meeting. **Chad Radka** added: perhaps Kip Cameron a commercial guide could attend the meeting and provide input.

Bill Sterrett, FMD said he is here tonight with the audit team for the forest certification audit of the state forest and also for the biodiversity stewardship presentation.

Steve Scott, Fisheries Division said he had nothing new to add to his written report.

Jay Parent, Water Resource Division said he had nothing new to add to his written report.

Jim Hooker, Recreation Division said he is here on behalf of Gary Ellenwood. Jim said the recreation passports went on sale October 1. Since October 1, Tahquamenon Falls State Park has sold 788 recreation passports at \$10 each.

Two new boat access sites are planned for the EUP: Kemps Point, near Barbeau on the St. Mary's River in Chippewa County and on the Pine River, east of Hessel, where the river crosses M-134 in Mackinac County. Also a major upgrade is planned for the Detour Harbor in 2011. It will include dredging, new floating docks, remodeling and utility upgrades.

Richard Stevenson, Newberry Unit Manager, FMD is here to answer questions after Dennis Nezich leaves with the audit team to finish the certification audit.

Kristen Mattson, Inventory and Planning Specialist for the EUP said she will be giving the presentation on BSA's.

Dennis Nezich, Forest Management Division said there is over one million acres of state forest land in the EUP. One way we know the state forest is being managed sustainably is because it's certified to two forest certification standards; the forest stewardship council standard and the sustainable forestry initiative standard. Every five years requires a recertification, Dennis said they are in the midst of an audit. He added three of the five auditors are here tonight.

Dennis said Richard Stevenson is the new unit manager at Newberry and they are in the process of filling the fire officer supervisor position in Sault Ste. Marie and a fire officer position in Shingleton. Dennis said timber sale receipts statewide were almost at a record high. **Glenn Moll** asked if the timber sale volume was steady. Dennis said their annual target, as specified in their statewide management plans is 53,000 acres. This year they offered 54,000 acres. **Steve Walker** asked if timber sales were being bought by local buyers or foreign buyers. Steve said the local buyers on Drummond Island are being priced out of the market which results in loss of jobs. Dennis said he would research local versus foreign buyers and provide that information to the Council.

Clif Clark, Remediation Division said he had nothing new to add to his written report.

Joe Maki, Office of Geological Survey said he had nothing new to add to his written report.

Brian Brady, Air Quality Division said the permit for the Frontier Cellulose Ethanol plant at Kinross was issued in August.

Terry Minzey, Wildlife Division said that for the first time since 1997, in Michigan there was a sharp tailed grouse hunting season in the EUP. He added some of the support for that hunt came from this Council. Terry thanked the Council for their support and he thanked Bill Becks for getting access to some property for a sharp tail hunt.

Terry said when he started in this unit, he promised more access to the DNR especially in the far eastern UP. He invited Commissioner Frank Wheatlake and Russ Mason, Chief of the Wildlife Division and they attended one of the far eastern coalition meetings.

Terry said the bear harvest is up quite a bit compared to last year in the EUP. Yesterday, they collared 4 wolves: two in the northern Lower Peninsula, one near Cut River and one north of Eckerman.

Ann Mattson, Administrative Division said she had nothing new to add to her written report.

Old Business:

Update of the Non-Industrial Private Forestry (NIPF) Coalition: **Dennis Nezich** said a NIPF Coalition meeting was held on August 20. From that meeting, it was clear that there is not full consensus for moving forward with a formal MOU at this time. In lieu of that, members thought they should prepare a basic "directory" of information about the members of the Coalition, who they are and what they do (individually and jointly, in their own words) related to the goals of the Coalition. Discussion also occurred in regard to potentially organizing a state level educational conference/event.

Update on the Deer Management Plan (DMP): **Terry Minzey** said the umbrella DMP is complete. The regional deer advisory teams (RDAT's) will help mold the deer regulations for the UP. The applications to apply to be a RDAT member are available on-line.

Terry said the Department and MSU have collaborated to put together a deer web site. It should be on-line by November 15 and will include everything from basic biology to hunting regulations. As soon as it's available, Penny will send out the web address to the Council.

Update on the Michigan State University (MSU) Survey for the Strategic Planning Process for Wildlife Division: **Terry Minzey** said the strategic management plan is almost complete. Terry said the draft Guiding Principles and Strategies (GPS) is available on-line for review and comments will be accepted until October 29. The draft GPS identifies goals, objectives and strategies. Terry said the plan is broad and very encompassing. There is an implementation team reviewing each aspect of the plan. Terry added not all aspects of the plans apply to all parts of the State. The implementation team is looking at each Region to see what part of the plan each Region owns. They are also determining how to align the Division to meet the needs within the document. Terry said there is potential to go back to the old regional structure or something similar versus managing deer identically statewide. Discussion followed on funding, public input and partnerships.

Deer Advisory Teams: **Stacy Welling** said there are three deer committees. The Regional Deer Advisory Teams (RDAT's) are being developed through Wildlife Division. The teams are permanent with members serving terms. There will be one team each in the UP, northern LP and southern LP. At the August CAC meeting the Council recommended Tom Buckingham as the Council's representative on the RDAT. Stacy said other Council members who are interested can also apply to be members of the RDAT.

The deer subcommittee will continue to meet regarding local and regional issues related to deer management.

The Antler Point Restriction (APR) work group is a temporary group. The group had their first meeting in October and will provide recommendations to the NRC in May 2011.

New Business:

Commercial Hunting Guide Regulations on State Land and Commercial Forest (CF) Land: **Stacy Welling** said the Department was receiving questions about this topic from both sides of

the issue. In July, there were three public meetings in Newberry, Crystal Falls and Johannesburg. Stacy said they wanted to clarify what are the allowable activities on CF lands and also gain public feedback on commercial hunting and guiding using public lands.

Stacy said the CF act is statute. If commercial baiting or guiding occurs with the landowner's permission the landowner is in violation of the CF statute and administrative rules. If the commercial baiting and guiding occurs without the landowner's permission and the landowner notifies law enforcement, those conducting the activities may be in violation of trespass and/ or littering laws.

Commercial guiding on state land is an administrative rule. A work group was established in 2002 to develop a process for authorizing commercial use on state lands and historically we provide authorization for some activities through use permits, leases, and concessionaire agreements. Guiding on state land for commercial purposes without written permission has been illegal for many years. On October 15 there was a meeting in Newberry that was focused on stakeholders to discuss administrative rules but the CF statute was not discussed. There will be future public meetings on the administrative rules. Stacy said they plan to poll the guides again to gather input and next year the Department may begin a multi year authorization process for commercial guiding activities through leasing.

Kip Cameron asked if the Department would be charging fees for commercial guiding on state land. **Stacy Welling** said that hasn't been decided yet. **Tom Buckingham** said he received some questions asking if driving across commercial forest (CF) lands is permissible; can you trap on CF lands, leave traps overnight, bait, and must it be written permission. **Richard Stevenson** said if the CF landowner opens their roads for public use – then its okay. If they close their roads – then the public can't use their roads unless they have their permission. The law requires walk-in access only. Richard said in the legislation, trapping is not specifically stated but trapping is determined to be part of hunting. Trapping is allowed on CF lands but as with hunting and fishing activities on CF lands it is day use only. Traps must be removed at the end of each day unless you have written permission from the landowner. Richard said the permission must be written – something the landowner has signed giving the person permission. **Chris Morris** added officers are not patrolling CF lands looking for traps; the complaint has to come from the landowner. Discussion followed on what constitutes written permission.

Joe Caswell said he thinks the commercial landowners are getting tax breaks but as a tax payer he is only allowed foot access. He feels that should be changed. **Stacy Welling** said the CF rules are law by statute. The Department is looking at the administrative rules. There will be public meetings on the administrative rules and we'll keep you informed of the meetings. Stacy suggested that the Council members and the public become engaged in the process.

Chairman Pershinske said we'll keep this as a continuing agenda item and have updates as this process moves along. **Glenn Moll** suggested a brief presentation of the commercial forest act at a CAC meeting.

NRC Commissioners: **Stacy Welling** said the Director responded to the Council's resolution regarding the reappointment of Commissioners John Madigan and J. R. Richardson. There is a copy of the letter from the Director in your meeting packet. The Senate has again denied the Governor's reappointment request. The appointments will be left up to the new administration.

Youth Hunt: Stacy said the Commissioners have asked for the Council's input either as a group or as individuals on the youth hunt. It seems the youth hunt is a controversial issue, some like

the youth hunt and some would like to see the youth hunt changed. **Chairman Pershinske** referred this to the CAC deer subcommittee and asked the Council members to provide their input to Tom Buckingham. Stacy will provide contact information to the NRC for individuals wishing to submit comments directly to the NRC.

Forest Certification Audit: **Robert Hrubes** said he is with Scientific Certification Systems. They are a certification body and they are one of the two organizations contracted by the DNRE to conduct the five year certification evaluation. They are in the middle of the week long audit. He added the state forest is certified to two standards; the forest stewardship council and the sustainable initiative standards.

Biodiversity Stewardship Areas (BSA's): **Kristen Matson** gave a power point presentation on BSA's. Kristen said this initiative is about identifying, restoring, and managing those places in Michigan that collectively represent the diverse nature of our state's biological heritage. Management and long-term conservation of these places will help to ensure that they continue to live, grow and develop into their potential and it will allow future generations to continue to enjoy and benefit from the resources they provide. But no one organization, agency or individual can do this alone – we must partner together to ensure success.

Beginning in February or March 2011, there will be proposed BSA's for the EUP and WUP made available for public comment. Kristen encouraged the Council to be involved in the public review, whether as individual members, or all together.

Steve Walker asked if the BSA's would be set asides. **Kristen Matson** said no, those areas would still be managed for timber sales, prescribed burns and other management activities. **Dennis Nezich** added when the Department was going through this process – land use was a big topic – it was recognized that you cannot stop all land uses but could allow those activities that do not excessively harm the BSA desired future conditions. The Department isn't going to dictate to the private landowner how they should manage their lands, but will offer suggestions and guidance. **Warren Suchovsky** said it was his understanding the group also took into consideration the social and economic impacts of BSA's. **Dennis Nezich** said the core design teams charge was to nominate the areas based on ecological considerations. The Department is now looking at economics and social parts and they may modify the recommendations. In the northern LP the Department scaled back nominations significantly, by almost 50 percent based upon social and economic impacts. Dennis added there will now be public meetings to get public input. **Steve Rodock** asked how much effect the public comment will have when you've already spent considerable time nominating these areas. Dennis said the public comments are significant and will influence the nominations. **Chairman Pershinske** said as this process moves forward the Council can play a vital role. We represent diverse stakeholders as well as general citizens.

Next meeting:

The next EUP-CAC meeting is scheduled for Wednesday, December 8, 2010 from 6:30-8:30 p.m. (EST) at the LMAS District Health Department office in Newberry.

Public Comment:

Joe Caswell asked why some roads are bulldozed shut that have been opened for years.

Richard Stevenson said sometimes roads are closed after a timber sale or for other reasons. Some roads are closed by Director's Orders or by emergency closures.

Council Members Closing Comments:

Chairman Pershinske asked the Council to submit their comments regarding the youth hunt to Tom Buckingham by the end of November. **Chairman Pershinske** thanked Steven King for the substantial increase of media coverage on the Council.

Jim Rutledge said the recruitment of youth in all outdoor activities is a problem, especially in hunting. He thinks it's a shame that some people complain about the youth hunt. Youth need mentors and family members. Jim hopes the Council ultimately endorses the youth hunt.

Tom Schweitzer said he is resigning from the Council in December at the end of his two year term. He said it's been an honor and privilege to serve on the Council. Tom represents the Manistique Lakes; he would like to see the pike size reduced from 24 inches to 20 inches. He feels if you hook a smaller pike by the time it's released it dies anyway. Tom would also like to stop the plantings of muskies in South Manistique Lake. He feels muskies are eating all the perch.

Steve Rodock thanked the Soo Area Sportsmen's Club and especially Al Colegrove and the Straits Area Sportsmen's Club for their help with the Ruffed Grouse Society youth hunt. This year they had 18 youth participate; the youth shoot clay targets and then hunt birds behind dogs. Almost all of the youth had success in shooting a bird.

Al Colegrove said the Straits Area Sportsmen's Club planted oak trees with funds from the deer range improvement fund (DRIP).

Meeting adjourned at 8:43 p.m.