

Eastern Upper Peninsula Citizen Advisory Council
Meeting Minutes
Thursday, October 20, 2011
6:30-8:30pm EST
LMAS District Health Department, Newberry, MI

Council Members Present

Bill Becks	Glenn Moll
Bob DeVillez	Mike Patrick
Dale DuFour	Dick Pershinske
Ginny Giddings	Ed Radecki
Gary Gorniak	Chad Radka
Jim Hoy	Doug Scheuneman
Michael Lawless	

Council Members Absent

Tom Buckingham	Jim Duke
Pat Carr	Ron Ford

Department of Natural Resources (DNR) Staff Liaisons

Stacy Welling, Upper Peninsula Regional Coordinator, Marquette
Kristi Dahlstrom, Executive Assistant, Marquette
Jim Dzelak, Parks & Recreation Division, Newberry
Christina Hammill, Facilities Management, Newberry
Steve Milford, Forest Management Division, Newberry
Terry Minzey, Wildlife Division, Marquette
Debbie Munson Badini, UP Communications Representative, Marquette
Steve Scott, Fisheries Division, Newberry
Sgt. Gerald Thayer, Law Enforcement Division, Newberry

Call To Order

The Eastern Upper Peninsula Citizen Advisory Council (EUPCAC) meeting was called to order at 6:30 pm EST by **Chair Pershinske**. Introductions of Council members were made.

Adoption of Agenda

Chair Pershinske noted that Mr. Moll requested the addition of *New ORV Legislation* to New Business. He asked if there were any other additions; none received. **Mr. Lawless** motioned to adopt the agenda with the noted addition; **Mr. DuFour** supported the motion. Ayes: All. Nays: None. Absent: Mr. Buckingham, Mr. Carr, Mr. Duke, and Mr. Ford. Motion carried.

Approval of Previous Meeting Minutes

Chair Pershinske asked the Council if there were any corrections to the minutes as presented. Mr. DuFour noted a few spelling corrections. **Mr. Beck motioned to approve the August 18, 2011 EUPCAC Meeting minutes as submitted with the noted corrections; Mr. DeVillez seconded the motion. Ayes: All. Nays: None. Absent: Mr. Buckingham, Mr. Carr, Mr. Duke, and Mr. Ford. Motion carried.**

Chair Comments

Chair Pershinske stated he did not have any items of discussion at this time.

Public Comments

Chair Pershinske asked the audience if there were any comments; none were brought forward.

Reports

1. Stacy Welling, UP Regional Coordinator: **Ms. Welling** noted that two Council members have resigned due to increased personal and work commitments: Mr. Steve Rodock and Mr. Doug Scheuneman. She stated that several applications have been received for the four open Council positions. The selection committee, which is made up of three public stakeholders and three DNR staff will be meeting on October 27th to review the applications. It is hoped that new members will be on board for the December meeting. Other updates included:
 - **Ms. Welling** noted that there is a map of cougar sightings in the U.P. and a moose hunt update included in the meeting packets. She thanked Mrs. Dahlstrom for emailing the handouts to the members for review prior to the meeting.
 - Regarding equestrian updates, at the NRC meeting, there was a proposal to open 3 new campgrounds in the Pigeon River area for equestrian use. In the U.P., a public meeting was held in October and another will be held in December regarding the Blueberry Ridge Pathway. Under state law, the DNR is required to re-evaluate the decision that closed Blueberry Ridge to equestrian use by January 2012. Please see Ms. Welling if more details are needed.
 - There is a handout from the April 2011 EUPCAC meeting on the invasive species order in the meeting packets. **Ms. Welling** reviewed the history since August 2010 on the feral swine issue (also included on the handout). She stated that the final extension on the order expired on October 8. Owners will have until April 1 to be in compliance. The legislature has been in process, but nothing has yet been finalized. **Chair Pershinske** asked what would happen if legislation came through. **Ms. Welling** replied that legislation would supersede the Director's order. **Mr. Moll** stated his understanding was that the Director's Order has taken effect on October 8th, but no enforcement will take place until April 1st; **Ms. Welling** agreed.
 - **Ms. Welling** stated that she contacted the internal lead on the BSA initiative. The timelines are drafted but they were not ready for this meeting. There has been no strong action taken since the last EUPCAC meeting. There may be more information at the December meeting to share.
 - **Ms. Welling** stated that a letter was distributed to the Council a few meetings ago regarding the lack of federal funding for response to wolf depredation cases. Funding expired on October 1st and there is currently no funding for these cases. **Mr. Minzey** stated that it will primarily impact Gogebic & Ontonagon Counties as most cases are in the western U.P. **Ms. Giddings** asked if this is where they are utilizing non-lethal methods. **Mr. Minzey** explained that the non-lethal program was a grant; it is not the same as what the federal funding was used for which was help with eliminating wolves, surveys, etc. **Chair Pershinske** stated that two bills (delisting) have been introduced with 50 co-sponsors, but the legislation is going nowhere. He further discussed what other states have been doing. **Ms. Welling** indicated that Wisconsin also lost their federal funding and Minnesota has maintained it.

2. DNR Division Reports: Written staff reports were provided to Council members on October 13, 2011. The following are current updates to those reports.

- Debbie Munson Badini, DNR Social Media Coordinator & UP Communications Representative: **Ms. Munson Badini** stated that she did not have any additions to her report; however, she encouraged everyone to watch and call in questions to the *Ask the DNR* show on November 3. It will be an hour-long show, talking about the upcoming deer season. There will be another show focusing on snowmobiling on December 1, which is during the next meeting; a replay will take place the next day at noon.
- Christina Hammill, Field Operations & Facility Management: **Mrs. Hammill** stated there is a new requirement for trappers; they must bring in entire skulls for sealing. She also indicated that there have been several incoming calls regarding the U.P. buck regulations. This is surprising being that this the 4th year for the regulations; there have been no changes. **Mr. Lawless** questioned if a recent news release was issued that may have caused the public some confusion; he is also getting questions in his store. **Ms. Welling** stated that there was an antlerless workgroup who gave a report on their suggestions (no actions) at the last NRC and maybe this caused the confusion. **Mr. Minzey** stated that it may have possibly come from UPSA who planned to propose some changes. **Mrs. Hammill** stated that their office has also been receiving calls on crossbow regulations and what tags to buy. **Mr. Caswell** from the audience asked why the new requirement for trappers was put out so late. DNR staff indicated that it is included in the trapping guide, but it is inconspicuous. **Chair Pershinske** stated there are concerns over the change in using animals for taxidermy purposes. **Mr. Minzey** stated that they are working out a more efficient process in the U.P. (Mr. Craig Albright & Mr. Brian Roell) that would allow the trapper to come in, take the animal to have it skinned out, and then bring back the skull for sealing. **Mr. Caswell** indicated he liked that process very well.
- Terry Minzey, Wildlife Division: **Mr. Minzey** indicated he wanted to expand on the Drummond Island planning process. He stated the process is half completed, having worked on fisheries, invasive species, natural systems, deer management, small game management, etc. During the first week of November, they will be discussing forest recreation such as ATV trails, snowmobile trails, etc. They are hoping the last big meeting will be in December with two more sessions for law enforcement and a tourism interface section. Once all the recommendations are completed, they will be put into a consolidated document and taken to the NRC. **Chair Pershinske** asked about the regional deer advisory team. **Mr. Minzey** replied that the biologist for the northern two-thirds of the state that was recently hired will be identifying a date when the group will be brought back together, possibly between deer season and the holidays. There was one meeting in the spring; it is hoped that the meetings will be held quarterly in the future.
- Steve Milford, Forest Management Unit: **Mr. Milford** added that they just completed an audit today and the results were good. Most of last year's issues were cleared and there were very minor issues this year. **Mr. Moll** asked if there were any audits in the U.P. this year. **Mr. Milford** replied that this year the locations were in the lower peninsula and next year it will likely be in the U.P.
- Jim Dzelak, Parks & Recreation Division: **Mr. Dzelak**, who is filling in for Rich Hill, stated he had nothing additional to add to Mr. Hill's report. **Mr. Patrick** asked about the local park grants totaling \$600,000. **Ms. Welling** stated that these grants will be forthcoming; she explained the Trust Fund grants that were approved for the U.P. totaled \$11 million. She

will touch base on the recreation passport at the next meeting. **Mr. Becks** stated that the recreation passport was mentioned in the media as exceeding the goal. He stated it is working and is a better deal than what was offered before; all agreed. **Ms. Giddings** questioned the diversion of a portion of the Trust Fund grant funding that was mentioned on public radio. **Ms. Welling** stated the grant funding is statutorily protected; once it has reached a cap, which it has, monies go to the park endowment fund. This funding includes oil, gas and mineral revenues.

- **Sgt. Gerald Thayer, Law Enforcement:** **Sgt. Thayer**, who is representing Lt. Hagy, stated that it was a busy summer. In the last 3-4 years, they have noticed fish tossed in the weeds near trout streams. This year, they put in an undercover patrol and a person was arrested who was caught catching fish, cutting them open to take the eggs, and tossing them in the weeds. When asked for identification upon arrest, the gentlemen pulled out his military ID instead of his Michigan driver's license to try to get off the hook. Although they absolutely respect the military for what they do, this person overstepped his bounds. He stated that Lt. Hagy wanted to mention that they are also dealing with issues regarding the youth age limit. Everyone has an opinion for and against it. It is a big and sometimes dangerous job for the officers. Also, the RAP Line (1-800-292-7800) is not just for poaching. If there are any concerns, please call that number. Sometimes the local officer can't be reached; don't wait or leave messages for them. Call the RAP line right away. A live person answers the call 24 hours a day in most cases. If it's very busy, leave a message and they will call right back. **Mr. Patrick** asked if a youth is hunting with a guardian, does that guardian have to sit with the youth. **Sgt. Thayer** replied that the guardian must be sitting right next to them; they cannot be using a radio or binoculars to watch the youth from another location.
- **Steve Scott, Fisheries Division:** **Mr. Scott** provided an update of the Fisheries Orders that were reviewed at the recent NRC meeting. He stated that a series of orders went to the Director for action and several for information only. Of the orders that were approved, most were existing regulations being renewed; Lake Gogebic and Bay de Noc were the only ones changed. He further explained the orders included as for information only; the orders were simplified by reducing the number of lakes with spearing regulations. **Mr. Patrick** discussed a situation in which unseen tribal gill nets marked with black buoys were causing severe safety problems. He questioned why the buoys aren't orange and if they can be changed. **Mr. Scott** stated that the marking of buoys is up to each individual tribe. The only marking needed is the ability to identify whose net it is. The DNR has no authority to regulate them. **Mr. Patrick** asked if the legislature can be utilized to get the regulation changed. **Sgt. Thayer** stated that a suggested change in the tribal regulations is best coming from the public. **Mr. Scott** stated there is a provision for a third-party negotiation process which is part of the treaty; Mr. Dennis Knapp in Lansing may be able to help facilitate. **Ms. Welling** stated that she has Mr. Knapp's contact information if needed. **Chair Pershinske** suggested working through the sportsmen's groups.

3. **Wildlife Division Realignment Plan Update:** **Mr. Minzey** stated that some positions have been filled, such as a manager position who guides field operations in the U.P. filled by Mr. Craig Albright, and others haven't yet, such as a biologist position. The Wildlife Division is currently facing an unexpected severe budget shortfall in this new fiscal year. Several factors causing the shortfall include the responsibility of paying for retirement benefits being shifted to the divisions and the reduction of Pittman-Robertson funding by \$3 million. In addition, without a

license fee increase since 1997, the division has been forced to spend down fund balances and now operate only on annual income. Budget meetings will be held to discuss the current situation. As far as the realignment plan, the hiring of a few positions has now been put on hold and implementation of some programs may see delays. He explained that hunter numbers are decreasing. One hunting license for \$15 dollars provides \$60 for the DNR. **Mr. Becks** asked if the Council has any power to make a recommendation to the legislature to increase license fees. It was felt that it is a bargain to hunt in Michigan compared to other states. **Ms. Welling** indicated that the Council can made a recommendation to the DNR; however, it may be more effective to work through each Council member's sporting group and send letters to stakeholders. She stated that the DNR is 96% self-funded; only 4% of general fund dollars go to the DNR.

Old Business

Improving Public Understanding: **Chair Pershinske** stated that this topic was deferred at the last meeting due to time constraints. He stated that he'd like members to brainstorm and state one item, pro or con, that is an issue of some significance to them or their group that they believe the council could review and/or address. **Ms. Giddings** stated that she'd like some time to think about what her item would be; other members agreed. **Chair Pershinske** asked the group if they would prefer to add this to the next meeting's agenda to allow more time for thought; members agreed to discuss it in December.

Ms. Welling stated public misconceptions can tend to give the public at large a negative impression of the DNR. Recent examples include cougar sightings and "killer bees". When the recent cougar sighting was confirmed by the DNR, the public view was that this was the first time the DNR had confirmed a sighting when it certainly was not. A map of confirmed cougar sightings is included the meeting packets. Regarding "killer bees", a woman came into the Baraga field office asking why the DNR had planted them. In actuality, very tiny insects were brought in to kill the ash borer. They do not look like a bee and are very hard to see. Sometimes, there are grains of truth in a few of the misconceptions. **Chair Pershinske** explained a similar example about the growing of honey bees. **Mrs. Hammill** stated that another recent misconception from the public is that conservation officers were taking samples of beets at bait piles.

New Business

1. *Deer Management Assistance Permits (DMAP):* **Mr. Minzey** stated that Wildlife Conservation Orders are used to establish any game management regulations. A section (5.80) of the Orders pertaining to Deer Management Assistance Permits (DMAPs) was included in the meeting packet as a handout. He presented history on DMAPs and reviewed item (2) on the handout. He stated that managers of CFA lands are requesting DMAPs to shoot deer out on a summer range because they might migrate to CFA lands in winter complexes. An increasing amount of conflict between hunters and CFA landowners has developed and he'd like to see the two groups come to an agreement. The orders do not address neighboring landowner objectives. He asked if it was appropriate to have the Council bring the two sides together to discuss the issue. **Mr. Becks** stated he thought the NRC did away with DMAP's some time ago; **Mr. Minzey** explained the NRC's past involvement in DMAP's. **Chair Pershinske** asked if he wanted a couple of members from each Council, in addition to those that are representatives on the RDAT to be a part of this meeting. **Ms. Welling** asked if this will be included on the RDAT

agenda at the next meeting in December. Discussion continued on the logistics of a potential meeting and the lack of science available to back up one decision over another without DNR staff present. **Ms. Welling** stated that she wasn't sure that it would be appropriate for the Council to facilitate a meeting between these two groups; rather, it may be better for this issue to be addressed at the RDAT meeting. **Mr. Minzey** stated he will ask Mr. Brent Rudolph to add it to the RDAT agenda. **Chair Pershinske** agreed, stating that both the East and West Council RDAT representatives would be present at the meeting. **Mr. Gorniak** asked how the landowners get their statistics that they need more permits for deer. **Mr. Minzey** replied that the AG producer determines crop damage and gives that information to the biologist. **Mr. Lawless** stated that when this issue first started, there was no science behind it; now there is. Discussion ensued regarding the agricultural and CFA differences. **Mr. Minzey** stated he will bring the information from this discussion to next RDAT meeting.

2. Law Enforcement Update (RAP Line, Poaching, Shining): **Sgt. Thayer** stated that he previously mentioned most of this update in his division report; however, he'd be more than happy to answer any questions. He reviewed shining regulations with the group. **Mr. Gorniak** asked how a concealed pistol license fits in with the shining regulations. **Sgt. Thayer** stated that in most cases, the situation would dictate the regulation. Discussion ensued. **Chair Pershinske** stated that the issue of shining is becoming more significant as most see it as purely recreational, but near homes, it's becoming hazardous. A change in the law may be necessary.

3. Sandhill Cranes/Crop Damage: **Mr. Hoy** stated that he wanted to discuss this issue with the Council to see if there was support for a recommendation to establish a hunting season for sandhill cranes. There are a tremendous amount of cranes. He brought his request to the Tahquamenon Sportsmen's Club. He understands that a permit can be obtained to shoot the sandhill cranes, but he's not sure how the process works. He asked Engadine farmers to come to the meeting to inform the Council of the problems they were having with the sandhill cranes. **Mr. Gribbell**, a farmer from the audience, reported the problems he has been having with the cranes, indicating they can take out a few acres at a time. **Mr. Hollnagle**, manager of the Luce County airport, also reported problems stating that at times there are quite a few cranes at the airport. The airport goes through a federal process, but they have to prove they are already harassing the cranes. There is an agricultural program in which they receive about \$400 a year to remove the cranes. **Mr. Gorniak** asked how many birds are typically at the airport; **Mr. Hollnagle** replied that it ranges between 50-200 cranes. He has to put out a notice to the airmen in Minnesota when he sees that many. They are costing the airport money. **Ms. Giddings** asked if the airport had obtained a lethal control permit. **Mr. Hollnagle** stated that they have in the past, but only two a day can be shot. They didn't get a permit this year as they went back to harassing them. Discussion continued. **Chair Pershinske** asked what action is needed by the Council. **Mr. Minzey** indicated that the sandhill crane falls under the migratory bird act and the legislature has to declare them a game species. A recommendation can be sent to the DNR Director. He stated he feels there are enough birds for a harvest without hurting the population. However, it may be difficult to get it through to a state vote. It is a worthwhile effort as the population problems will only escalate. **Chair Pershinske** added that the bulk of the problem comes from migration. Recently, he noticed about 500 birds sitting on 5 acres of land. **Mr. Hoy** stated that in his view, they are affecting the waterfowl hunting; there are so many sandhills that they clean the oats and corn out quicker than the

waterfowl can find it. **Mr. Lawless** asked if there is a problem in other parts of the state. **Mr. Minzey** stated that the southern lower peninsula is also experiencing this issue. **Chair Pershinske** stated that the Farm Bureau passes a resolution every year to make sandhill cranes a game species. **Mr. Hoy** thanked Mr. Gribbell and Mr. Hollnagle for coming at his request to inform the Council of the issues.

Mr. Hoy made a motion that the Council support and encourage the DNR to spearhead a legislative movement for the establishment of a sandhill crane season. Chair Pershinske asked if there was any discussion on the motion. **Mr. Devillez** asked if there was any science indicating that this species was increasing nationally. **Mr. Minzey** stated that he doesn't have that information available at this time; he noted there is a sandhill crane census. **Mr. Lawless** asked how many states have a season. **Mr. Minzey** stated Tennessee, the Dakotas, Nebraska, Montana, Wyoming; most western states. **Mr. Becks supported the motion made by Mr. Hoy. Ayes: All. Nays: None. Absent: Mr. Buckingham, Mr. Carr, Mr. Duke, and Mr. Ford. Motion carried.**

4. State Forest Campgrounds Update: **Mr. Milford** stated that in the past month, both the Parks Division and the Forest Management Division have met to develop a plan to be more efficient with the state forest campground program. A proposal was prepared and will be presented to the chiefs of both divisions; if approved, it will be sent to the Director for support. All of the campgrounds slated for closure last fiscal year will remain open; however, they are looking at difference efficiencies. For example, some campgrounds may change in size. **Chair Pershinske** asked if the plan includes provisions for townships; **Mr. Milford** replied yes. **Mr. Lawless** asked how the township process works. **Mr. Milford** stated that the township has to approach the local DNR management. It is a new process and the glitches have been worked out; Garnet Lake is a good example.
5. ORV Legislation: **Mr. Moll** stated that there are three bills being introduced in legislation regarding ORV use and ORV trail maintenance that he wanted to bring to the Council's attention. There are several aspects of these bills that he highlighted.
 - Liability coverage for trail grant recipients. The DNR grants certain groups and clubs agreements, which is different than a contract, and it covers expenses but doesn't provide any liability insurance. These groups do trail maintenance as a labor of love and don't make money at it. They would like to see some state insurance for personal liability.
 - One of the bills is asking for a fee increase to \$30, with a cost of living adjustment every five years. The current fee of \$16.25 is not nearly enough.
 - It is felt that there isn't enough enforcement and there should be more presence. Currently non-certified sheriff deputies can enforce snowmobile laws but not ORV laws. Changing the enforcement language in the ORV act so that it's the same as the snowmobile act regarding infractions would be helpful.
 - Some local communities have been selling stickers to allow users to ride on their municipal streets; that option will disappear with this legislation.
 - Users want event permits to be required for groups over 75. The DNR currently requires event permits for organized groups of 25 or more. The Forest Service is 75, and users would like the DNR to be at 75 also.

Mr. Moll stated he's not sure how far the bills will go, maybe nowhere. **Sgt. Thayer** stated, in regards to the enforcement, the budget affects all divisions, including law enforcement. The number of conservation officers is down. Luce County will be a one officer county as the second one is leaving. The sheriff's department does have ORV programs, but he is not sure how they are funded. Mackinac County and one other county have ORV officers paid by grant money. **Mr. Moll** stated that the ORV act enforcement language was fashioned after the motor vehicle code but the snowmobile act wasn't. Changing the ORV enforcement language and allowing non-certified part-time deputies to enforce ORV infractions, as they currently do snowmobiles and marine, won't satisfy the total need for increased presence, but will be helpful. Discussion ensued. **Mr. Lawless** asked what the Council's role will be in this legislation. **Chair Pershinske** stated this is for information only. **Mr. Lawless** discussed how hard it is to identify an ORV. With a fee increase, it should encourage the need for them to be more identifiable. **Mr. Moll** feels that an ORV should be registered. **Chair Pershinske** thanked Mr. Moll for providing the information.

Upcoming 2011 Meetings

Chair Pershinske stated that the last meeting of the year will be on Thursday, December 1; this is rescheduled from the original date of December 15.

Public Comment

A gentleman from the audience questioned what areas will receive monies from the recreation passport and when it will be distributed. **Ms. Welling** stated that a press release was initiated today that explained these details. A copy of the release was provided in the member packet. Mr. Radock provided the gentleman a copy as well.

Closing Comments from the Council

Chair Pershinske asked the Council members to bring ideas on agenda topics and thoughts back to the next meeting. He stated that suggestions can be related to what can be done better or what is being done well; the purpose is better relations with the public.

Mr. Hoy again thanked Mr. Jack Gribbell and Mr. Jay Hollnagel for coming to speak on his behalf in regards to the Sandhill crane issue.

Adjourn

There being no further business, **Chair Pershinske** adjourned the meeting at 8:40pm EST.