

Eastern Upper Peninsula Citizen Advisory Council (EUPCAC)
Meeting Minutes
Thursday, April 17, 2014
6:30-8:30pm EST
Comfort Inn, Newberry, MI

Chair: Dick Pershinske Vice-Chair: Glenn Moll Secretary: Tom Buckingham

Council Members Present

Keith Aldrich
Ivan Darling
Phil Dennis
Jim Duke
Gary Ellenwood
Jason Garvon

Gary Gorniak
Tim Hass
Jim Hoy
Bernie Hubbard
Michael Lawless
Glenn Moll

Dick Pershinske
Chad Radka
Richard Serfass
Jim Shutt
Mark Spencer

Council Members Excused/Absent

Tom Buckingham
Al Garavaglia
Ginny Giddings

Department of Natural Resources (DNR) Staff Liaisons

Kristi Dahlstrom, Executive Assistant, Marquette
Jim Dzelak, Parks & Recreation Division, Muskallonge Lake SP
Christina Hammill, Facilities & Operations, Newberry
Stacy Welling Haughey, U.P. Regional Coordinator, Marquette
Terry Minzey, Wildlife Division, Ishpeming
Jeff Stampfly, Forest Resources Division, Marquette
Steve Scott, Fisheries Division, Newberry
Sgt. Gerald Thayer, Law Enforcement Division, Sault Ste. Marie

Call To Order

The Eastern Upper Peninsula Citizen Advisory Council (EUPCAC) meeting was called to order at 6:30pm EST by **Chair Pershinske**. He introduced three new members: Mr. Keith Aldrich of Schoolcraft County, Mr. Ivan Darling of Mackinac County, and Mr. Mark Spencer of Mackinac County. Other Council members introduced themselves.

Adoption of Agenda

Chair Pershinske asked if there were any revisions needed on the agenda; none were brought forth. **Mr. Hass motioned to adopt the agenda as presented; Mr. Lawless seconded the motion. Ayes: All. Nays: None. Absent: Mr. Buckingham, Mr. Garavaglia, and Ms. Giddings. Motion carried.**

Approval of Previous Meeting Minutes

Chair Pershinske asked the Council if there were any corrections to the January 23, 2014 EUPCAC minutes; none were brought forth. **Mr. Lawless motioned to approve the minutes as submitted; Mr. Hass seconded the motion. Ayes: All. Nays: None. Absent: Mr. Buckingham, Mr. Garavaglia, and Ms. Giddings. Motion carried.** **Chair Pershinske** also asked the Council if there

were any corrections to the March 17, 2014 Joint UPCAC minutes; none were brought forth. **Mr. Moll motioned to approve the minutes as submitted; Mr. Duke seconded the motion. Ayes: All. Nays: None. Absent: Mr. Buckingham, Mr. Garavaglia, and Ms. Giddings. Motion carried.**

Chair Comments

Chair Pershinske noted a Wolf Management Advisory Council meeting will be held on Tuesday, April 22nd at 10am at the Little Bear Arena in St. Ignace. He also stated there has been a lot of attention given to the Graymont mining proposal and the Council will have a chance to provide input later on in the meeting.

Public Comments

Chair Pershinske asked if the two registered audience members who wished to comment would prefer to wait until the Graymont update is provided; they both agreed to wait.

Reports

1. **Stacy Haughey, UP Regional Coordinator:** **Mrs. Haughey** provided an update on the following items:
 - Regarding the Walther Farm project, she spoke with DNR Real Estate staff, and they have not yet received a proposal.
 - The requirements for an event permit have changed through recent legislation. The revised permit procedures and requirements are being reviewed through the DNR's Michigan Snowmobile & Trails Advisory Council (MSTAC). **Mr. Duke** noted that this agenda item was tabled at their last meeting and will be up for review at their next meeting on July 8th when all trail user groups will be represented.

2. **DNR Division Reports:** Written staff reports were provided via email to Council members on April 10, 2014. The following are current updates or comments provided.
 - **Terry Minzey, Wildlife Division:** **Mr. Minzey** spoke about the winter deer season and referenced the graph in the division report. This winter is shaping up to be as severe as the 1995-1996 winter. Last spring, 43 fawns were collared, 33 have perished and 10 collars slipped off. This winter, 45 adult does were collared and 26 are surviving right now (58%). There are a variety of mortality sources, although the high mortality relates to the poor physical conditions of these animals and some predation as well. **Mr. Minzey** updated the Council on the recent showing of the White-Nose Syndrome (WNS) in bats in Dickinson and Mackinac Counties, and possible a third county in the west U.P. (final test results not yet confirmed). Alpena County in the lower peninsula has also been confirmed. It is possible there will be a 90% decrease in Michigan's bat population and some species may be listed on the Michigan endangered species list as a result. **Mr. Minzey** indicated that he and Mr. Stampfly, along with others, have been asked to develop a plan of action. **Mr. Minzey** also noted survey numbers from this year's wolf survey will be updated at the Wolf Management Advisory Council meeting in St. Ignace on April 22nd.
 - **Mr. Serfass** asked if there is any sterilization requirement for those who have bat houses on their properties. **Mr. Minzey** indicated the WNS is a fungus that remains in the environment once it's there; there is no known treatment. Bats typically use caves, not bat houses, in winter seasons where the syndrome spreads.
 - **Jeff Stampfly, Forest Resources Division:** **Mr. Stampfly** noted prescribed burns began a month ago in southern lower Michigan, thus necessitating the transfer of some U.P. fire

staff to those locations. There has been an increase in funding from the Wildlife Division to fund more prescribed burns this year, with some scheduled for the eastern U.P.

- **Mr. Gorniak** asked what kind of trees are being lifted from the Wyman nursery (as indicated in the division report). **Mr. Stampfly** stated mostly red pine and jack pine.
- **Mr. Pershinske** asked about the number of fire officers. **Mr. Stampfly** indicated they will have the same number as last year, possibly being down one. Staffing continues to be inadequate; however, there is still hope for an increase in funding to add more officers.
- Jim Dzelak, Parks & Recreation Division: **Mr. Dzelak** stated he is filling in for Mr. Tom Paquin. **Mr. Dzelak** added several parks and units were scheduled to open this weekend; however, most across the U.P. and especially in the northern U.P. have been pushed back.
 - Mr. Caswell from the audience asked about a proposed ORV trail in the area; **Mr. Dzelak** stated he wasn't familiar with the situation and will get back to him after looking into it.
- Steve Scott, Fisheries Division: **Mr. Scott** stated the opener of trout season is a week away and the roads will not be open due to the lingering snow and spring melt. They are hoping for ice to be gone from the lakes by May 15th for the walleye opener.
 - **Mr. Hoy** asked if spawning is affected by ice on the lakes. **Mr. Scott** stated water temperature and daylight are factors that cause fish to spawn. There are occasions in which walleye and pike will spawn under the ice.
 - **Mr. Gorniak** asked about fish losses in shallow lakes. **Mr. Scott** stated shallow, organic lakes (20 feet or less) with a lot of weeds will typically have die off.
- Sgt. Thayer, Law Enforcement Division: **Sgt. Thayer** stated he is attending for Lt. Hagy who is at Belle Isle. He passed along a few updates:
 - The Law Enforcement Division is playing a large role in the security of Belle Isle. Some of the new recruits from the academy will be placed there. Two additional officers from the academy are slated for assignment in the eastern U.P.
 - The division is in dire need of additional snowmobiles and a few boats. The snowmobiles they currently have are from 2007 and are in bad shape. The division is receiving some additional funding; however, a majority of it is being used for equipment for the new recruits.
 - He stated Lt. Hagy passes along his thanks to those Council members who filled out the strategic plan survey he sent out, which included both good and bad comments.
 - With the extended ice fishing season, some ice shanties have been left out beyond the March 31st deadline. They have made a few exceptions because of the ice conditions, however, now that spring weather is upon us, they are ramping up enforcement efforts.
 - **Mr. Shutt** noted when the division is short for operational craft on the water, consider contacting the Michigan Charter Boat Association (Terry Walsh, President). Charter boat captions may be available and are more than willing to help. **Sgt. Thayer** stated he will pass this information along to Lt. Hagy.
 - **Mr. Hass** asked if it would be possible to see the breakdown on the good and bad comments provided on the strategic plan survey. **Chair Pershinske** also asked if the plan will be available for public scrutiny. **Sgt. Thayer** will relay these comments to Lt. Hagy.

- Mr. Caswell from the audience asked about particular cases involving tickets given or not given for burning. **Sgt. Thayer** stated he wasn't familiar with the cases and will look into it.

Old Business

1. **Graymont Proposal Status:** **Chair Pershinske** stated after Mrs. Haughey provides an update on this item, he will allow the Council time to voice their comments. Afterwards, he will allow time for two registered public comments.
 - **Mrs. Haughey** noted a handout in the meeting packets which includes a copy of the DNR website where information can be found about the proposal and on the other side, a listing of the 14-step review process for this proposal. As reported at the Joint UPCAC meeting in March, the proposal remains between steps 7-8. The Land Exchange Review Committee (LERC) met this morning and has once again tabled any decision. There were a few staff not able to be at the LERC meeting and field staff identified additional information they needed before presenting their decision. It has been a very intensive and thorough field review. Previously, timelines for a decision was stated; however, those timelines will now be pushed later. She believes the process will not be to the point of a public meeting until possibly June at the earliest. Staff are moving slowly and deliberately through this process. **Chair Pershinske** asked if the Michigan Geological Survey has been involved; **Mr. Stampfly** indicated he is not aware that they are, but they could be at the Lansing level though he is not sure. Mr. Caswell from the audience asked about mineral rights; **Mrs. Haughey** stated a decision hasn't been made to answer this question. She further explained the time needed to review this proposal. **Chair Pershinske** opened the floor for Council comments.
 - **Mr. Hass** stated in reviewing the proposals, he was alerted that Graymont can take a piece of property at their own whim and say the public can't use it. He is also concerned about the lifespan of 100 years and if Graymont will be there to clean it up afterwards. He referenced the cost of \$47.5 billion to clean up a mine in another location. What little money is made from royalties will not make up for the astronomical cost of cleanup. He thinks some of the royalty money should be put into a trust fund to pay for clean-up down the road. He stated he would recommend being against this project unless there is assurance that funding will be there to clean up the site when the mine is done.
 - **Mr. Shutt** stated he has some faith that the DNR is doing their due process with the proposal. There will be a time for public comment and there will be a time for legal issues. He doesn't think the Council is a forum to bring it to a head. As a Citizen's Advisory Council, members have a voice and are connected to the DNR, but shouldn't belabor the issue.
 - **Mr. Ellenwood** stated the DNR is at a crossroads to determine whether they will represent sportsmen as they have for generations or sell land to commercial businesses. He stated it remains to be seen where the DNR stands in the end.
 - **Mr. Serfass** stated he agrees with Mr. Hass regarding the restoration of the site. His main concern is wells. He doesn't know the company's history with wells and contamination. If Graymont contaminates the wells in the area, they should be responsible; however, there is no guarantee. He is all for jobs. There should be guarantees in place and money set aside to fix the problems as they occur.

- **Mr. Dennis** stated as society moves along through the years, there will be a need to utilize the resources and this project is underground. Voices need to be heard, as is being done now. Move forward to utilize the resources the best way possible.
- **Dr. Garvon** stated the Council has summed it up so far. It's an interesting project. Nothing moving forward due to the need to look at more things is a good sign. The DNR is putting the brakes on the review to look at it more. He advised to watch the process, be mindful of the consequences, and act as appropriate.
- **Mr. Radka** stated this is a big decision with recreation involved. Limestone is a natural resource and it's here. He wonders if people are willing to give up the U.P.'s natural resources to utilize another natural resource. He also has concerns with the clean-up knowing Graymont might not do it and not knowing who would take care of it in the future. The short-term effect might be a slight economic benefit, but the long-term will be clean-up. Creating a quarry isn't all that natural.
- **Mr. Gorniak** asked where the money goes if the sale goes through. **Mrs. Haughey** stated the mineral royalties would go into the Trust Fund, and the land sale profits would go into the land fund to be used in the future. **Mr. Gorniak** stated this was a touchy subject when he talked with people; some are for it and some are against it. He questioned how the area will benefit. Residents will have to put up with all the traffic and inconvenience. He asked if someone is looking out for the Rexton area and looking at the loss of land. He doesn't see any benefits. He questioned what Graymont has done in the past; **Chair Pershinske** stated these are questions that need to be part of the study.
- **Mr. Moll** stated it is difficult for him to form an opinion about the project. If the 100 years is a problem, maybe 50 years can be an option. He personally thinks 100 years is too long. He cannot imagine a company doing something like this without permits from the DEQ. He cannot see the DNR making a quick decision and he cannot make an informed opinion at this time.
- **Mrs. Haughey** reminded the audience that the Council's comments are a conversation about the issue. This is not the public meeting or forum for this proposal; the Council is just providing input in an advisory capacity to the DNR.
- **Mr. Lawless** stated there has been a lot of discussion on this proposal. Mines seem to always be in the wrong spot. People want the limestone, they just don't want it to come from their backyard. The approach from the DNR to slow the review process down and do it right is a good one. Mining has always been a part of the U.P.'s history.
- **Mr. Hoy** stated he also agrees with Mr. Hass. He wonders how big the Graymont project will get as he is aware of negotiations being held with private landowners as well. He also wondered if they have approached the township for a tax abatement. He stated 4,000 acres will be gone from public use in this proposal. The other 6,000 will be available to the public, but how will this be enforced? What does active mining mean? There may be projections, but he is not aware of whether this will help locally with schools or housing sales. And they stated only two new jobs will be created. Based on this, who benefits? The state benefits from royalties. There must be some spinoffs for jobs, but the proposal is not being very specific. He doesn't feel it's a fair trade for 4,000 acres.

- **Mr. Aldrich** stated he has read very little about this as he is a new member. Listening to the issues and concerns being pointed out, they need to be addressed and answered before a final decision is made. This is a big process; try to be right about it.
- **Mr. Hubbard** stated he was at one time a DNR forester for Mackinac County and spent a lot of time in the area covered by the proposal so he has a personal feeling about it. He also has a son that works in the mining industry. In Minnesota where his son worked, the rehab done to that area looked like it first did before the mine. His son currently works at the Humboldt mine and there are 500 people on that jobsite every day that weren't there a year ago. There are a lot of economic incentives coming to that area. He has good faith the DNR will make the right decision, having sat in these types of transaction meetings throughout his career.
- **Mr. Darling** stated he is all for using the natural resources and using them to the best advantage of humanity. He stated Mr. Hass made a good point, have to be positive that the corporation has the funds to put the area back together again after they've abandoned the site. If there is no surety, it shouldn't be done. He also believes the 100 year timeframe is appropriate for these types of developments. His biggest concern is water. The proposed property sits adjacent to the Hiawatha Club as well as recreational lakes. With an open pit mine or shaft mine nearby with constant pumping, he wondered if the lakes will disappear. There needs to be a good geological study done to see what will happen. As far as losing 4,000 acres of recreational hunting area, he thinks the U.P. can afford it. Clean-up money should be assured.
- **Mr. Duke** stated his concerns are geared more towards the recreational aspect than the environmental since he represents the snowmobile community. They have engaged in some private conversations with private concerns. Through the proposed area, there are major snowmobile and ATV trails that traverse through both the open and shaft mines. He is a little concerned, even though Graymont may promise now, that they won't receive ample notice to reroute the trails when necessary. He is not sure they are speaking the truth. Tourism is a major part of the revenue and livelihood in the U.P.
- **Mr. Spencer** stated he was involved with Graymont when they did the initial test drilling. His big concern is for the townships that don't have any zoning in place for mining. He stated Graymont's requirements will be whatever DEQ puts on them, which should include recovery money and township taxes for royalties. He doesn't trust Graymont. Regarding the acreage that will be open to recreation, he thinks it will fall upon the DEQ to put the exact statements on what's open and not open on the permits. The DNR could put something in the sale transaction, but he thinks it will be the DEQ who would enforce it.
- **Chair Pershinske** thanked the Council members for their comments. This is a unique process that they haven't done before and he thanked Mr. Hass for suggesting it. It brought about several questions and concerns for the field staff to look at through their review process. He feels the Council's comments reflect the thoughts and questions from individual citizens. He offered the opportunity for the two audience members to provide comment at this time:
 - *Mr. Joe Osborn of Hulbert* stated there should be an ongoing cleanup from Graymont as they go, whether they change sites or not and have regular inspections. If not, stop the progress, clean up, and then move on.

- *Mr. Don Frederick of Rexton* distributed a map to the Council members of the Rexton area and the proposed underground mine. He stated there are 83 homes and cabins in the area surrounding or directly in the underground area. He is very concerned about the property values and living inside a mining area. The selling of homes will be very difficult. He recited a portion of the DNR's land strategy, stating it says "to ensure disposal doesn't suppress local land values". He indicated this is the largest land transaction the DNR has ever done. Everyone is concerned about water wells. Many wells go down 150 feet and the mining is proposed at 150-300 feet. His water is at 140 feet and they have outstanding water now. The road Graymont plans on using was resurfaced 10-12 years ago and the roads will deteriorate in that area. They want to use US-2 as well, and it's a very busy road. The proceeds from the land sale, as he understands it, will be two-thirds to parks and recreation and royalties to the Trust Fund. No monies are coming back to the townships. It has a lot to do with people, not necessarily money. He is glad to see the Council discuss the issue.

Chair Pershinske closed further public comment as all who have indicated they wanted to speak were given ample opportunity. He stated the Council has spent considerable time on this topic and he senses the council is in no way ready to make any recommendation at this point. The Council will continue to be updated as the review process moves forward.

2. *New License Structure Update:* **Mrs. Haughey** stated the new structure began on March 1. An audience member stated he was dismayed in having to pay \$6.00 more for a fishing license. **Mrs. Haughey** replied the last time there was a license fee increase was in 1997; she compared the increase to gas prices 17 years ago. **Mr. Lawless** stated as a license agent, he really appreciates the new scale in how the license agents are paid. **Mrs. Haughey** stated the system was streamlined across the board, going from 200+ license combinations to just over 40, based on users who said the old system was too complicated.
3. *U.P. Deer Advisory Team (UPDAT) Update:* **Mr. Minzey** indicated the UPDAT has not met since the last EUPCAC meeting. There is a meeting scheduled on May 3 in Escanaba (NOTE: As of 5/1/14, the May 3 meeting was rescheduled to May 31.) The prime topic of discussion will be winter deer habitat. **Chair Pershinske** asked if there is any insight on what might or might not happen in terms of antlerless harvest for next fall. **Mr. Minzey** stated they have already made recommendations on which units will be open and explained the process. There will be no units in the eastern U.P. that will be open for antlerless permits. There may be five open in the western U.P. He estimated a 35% reduction (from 2012) in the deer herd this year, maybe more. **Mr. Gorniak** asked for actual numbers; **Mr. Minzey** stated they no longer develop population estimates and described the use of indices for determining population trajectories.
4. *Forestry Subcommittee's Recap of Presentations:* **Mr. Moll** distributed a handout recapping the educational presentations provided to the Council at the last four meetings. These presentations were developed by a small group of Council members interested in forestry. He provided a brief summary of each session: Silviculture and Forest Management, FIA-Forest Inventory, Social (Emotional Issues), and Financial Aspects of Forestry & Fire Management. **Chair Pershinske** thanked the subcommittee for putting together a great educational program for the Council. **Mr. Hubbard** asked if the Council could receive a printed copy of Forest

Management Division's newly published strategic plan; **Mrs. Haughey** will send the online link for the plan to the Council and have printed copies available at the next meeting.

New Business

1. **U.P. DNR Staffing:** **Mrs. Haughey** stated at the March Joint UPCAC meeting, there were several questions raised about where the funding from the new license structure was going. She referenced a handout in the meeting packets that provides a snapshot of staffing and new grant programs that have been made available. For example, monies were used to enhance habitat through a new wildlife habitat grant program and an aquatic habitat grant program. In the eastern U.P., the Hiawatha Club applied and received \$28,000 for habitat work. Overall, U.P. groups received over \$300,000 for habitat work. On the ground, some positions have already been hired and more will be filled.
 - Mr. Caswell from the audience asked why state money is going to a private club; **Mrs. Haughey** stated they applied for the grant program. There are several grant programs with joint partnerships, including clubs, throughout the state. **Mr. Minzey** added that with the license fee increase, monies were promised to be available for on-the-ground habitat work. The DNR is looking to do more habitat work, not only on state land, but on private land too. So much more can be accomplished with the help of partnerships from local organizations and the DNR needs their help.
 - Mrs. English from the audience asked who oversees the utilization of grant funds to make sure the projects move forward; **Mr. Scott** stated the DNR's Grants Section monitors all of the projects.
 - Mr. Caswell asked about cedar habitat; **Mr. Minzey** explained.
2. **Chronic Wasting Disease (CWD) Discussion:** **Chair Pershinske** stated those who attended the March Joint UPCAC Meeting heard an excellent presentation on CWD, and most are in agreement; it's not a question of if CWD will occur in the U.P., but when. The DNR's response plan would be triggered when CWD is identified in either a privately-owned or wild cervid within 10 miles of the Michigan border. CWD has a huge impact on economic and social issues and could be detrimental in the U.P. Dr. O'Brien, in his presentation at the March meeting, indicated help is needed to educate the public. **Chair Pershinske** stated his intent of putting this item on the agenda was to see how the Council can assist in developing something for public education. He stated there will be chaos if the response plan is implemented and the public doesn't understand what it is or why. **Mr. Hass** recommended a subcommittee be formed to gather thoughts and ideas to present to the Council as a whole. **Chair Pershinske** agreed and asked for 4-5 volunteers to serve on the subcommittee (those interested can email Mrs. Dahlstrom). **Mr. Minzey** stated he would be happy to work with the subcommittee to help guide scientific questions and understand the response plan. The link to the CWD webpage will be forwarded to the Council as requested.
3. **Updated U.P. Citizens' Advisory Council Charter:** **Mrs. Haughey** stated the U.P. Citizen's Advisory Council Charter was recently updated to reflect current language and practice. The document hadn't been revised since the former merger between the DNR and the DEQ. A copy was provided in the meeting packets.

Next Meeting

1. Next Meeting Date: **Chair Pershinske** noted the next regular meeting of the EUPCAC will be held on Thursday, June 19th at the City Community Center in Manistique. Further information will be forthcoming.
2. Topics for Next Meeting Agenda: **Mr. Hass** suggested a short presentation on black bears would be informational for the Council at a future meeting. **Mr. Hoy** suggested he'd like to hear about the biodiversity program and learn more about forest certification. **Chair Pershinske** mentioned that Lyme Disease may be a good topic as well.

Public Comments

Chair Pershinske opened the floor for additional public comments.

- Mr. Stephen King stated he is a township official and they do have planning and zoning ordinances in place. His township also passed a resolution in support of the Graymont proposal and so has Mackinac County. His understanding is that Graymont will be providing 4-6 jobs initially in the quarry and there should be additional jobs in trucking and possibly at Sand Products in Brevort. He has concerns as well, however. He stated Graymont says taxes won't go down, but he doesn't agree with that. Other than that, half his family is from the western U.P. in Ishpeming and Negaunee who are all living on underground mines.

Closing Comments from the Council

There were no further comments made.

Adjourn

There being no further business, **Chair Pershinske** adjourned the meeting at 8:46pm EST.