

MEETING MINUTES
FOREST MANAGEMENT ADVISORY COMMITTEE MEETING
January 12, 2011
MICHIGAN UNITED CONSERVATION CLUBS
2101 Wood Street, Lansing
1:00 – 4:00 p.m.

FMAC MEMBERS PRESENT

Mr. Bill Botti, Vice Chair, Michigan Forest Association
Ms. Lynne M. Boyd, Forest Management Division, Department of Natural Resources and Environment (DNRE)
Mr. Warren Suchovsky, Suchovsky Logging
Mr. Desmond Jones, Michigan Tree Farm
Mr. Marvin Roberson, Sierra Club
Mr. Stephen Shine, Department of Agriculture
Dr. Margaret (Peg) Gale, Michigan Technological University
Mr. William Manson, Michigan Snowmobile Association
Mr. Gary Melow, Michigan Biomass
Ms. Amy Trotter (Spray), Michigan United Conservation Clubs
Dr. Donna LaCourt, Michigan Employment Development Corporation
Ms. Kim Korbecki (Assistant), Forest Management Division, DNRE

FMAC ADVISORS PRESENT

Mr. Barry Paulson, United States Department of Agriculture (USDA), Huron-Manistee National Forest
Mr. Andy Henriksen, USDA Natural Resources Conservation Service

PUBLIC ATTENDEES / GUESTS

Mr. Mike Ross, R.M.G. Family Sugar Bush
Mr. Derek Ross, R.M.G. Family Sugar Bush
Mr. Bill Sterrett, DNRE
Mr. Mike Hanley, DNRE

I. Welcome

Vice Chair Botti called the January 12, 2011 Forest Management Advisory Committee (FMAC) meeting to order at 1:00 p.m. He welcomed all in attendance, including Mr. Mike Ross and his son Derek Ross who attended the meeting to give a presentation on sugar bush.

II. Action Items

Adoption of Meeting Agenda

Vice Chair Botti asked for comments on the January 12, 2011 FMAC meeting agenda. **Ms. Boyd** brought up a memorandum regarding timber production targets that was follow-up from the November 10 FMAC meeting. **Ms. Boyd** read the memorandum to the FMAC, indicating that it would be addressed to Director Dan Wyant, DNRE, with a copy to Director-Designate Rodney Stokes, and Ms. Sharon Schafer, Chief, Budget Services, DNRE.

Vice Chair Botti asked the FMAC if they supported signing the memorandum as presented. All were in favor. **Vice Chair Botti** signed the memorandum to be sent to Director Wyant.

MOTION: Ms. Boyd moved to adopt the January 12, 2011 FMAC meeting agenda as presented; supported by **Mr. Shine**.

Motion to adopt the January 12, 2011 meeting agenda passed unanimously.

Adoption of November 10 FMAC Meeting Minutes

Vice Chair Botti asked for comments. **Ms. Boyd** commented that she had answers to questions that were raised at the November 10 meeting regarding the Right to Forest Act review. **Vice Chair Botti** requested a motion to approve the minutes as presented, prior to the Right to Forest Act discussion.

MOTION: Mr. Suchovsky moved to adopt the November 10, 2010 FMAC Meeting Minutes, as presented; supported by **Mr. Manson**.

Motion to adopt the November 10, 2010 FMAC meeting minutes passed unanimously.

Right to Forest Act Review (Responses to Questions raised at the November 10, 2010 FMAC Meeting)

To the question presented by Mr. Suchovsky, "...if there is a role in state government to perform field investigations on complaints..." **Ms. Boyd** responded that the statute does not include the ability for state government to perform field investigations on complaints or any other auditing function. **Mr. Suchovsky** asked if this is something the FMAC should consider pursuing in the future. **Ms. Boyd** stated it would require a change in statute. **Mr. Shine** remarked that on the Agricultural side, they also do not have the authority to enforce what happens on private land, but they will approach the landowner with a reported problem. It is up to the landowner if they wish to cooperate. If the landowner allows the Agricultural staff to determine their land is in compliance, they are then protected from nuisance lawsuits.

In response to Mr. Melow's statement "...the Department's obligation may be to inform of existence of the act via website or in another form..." **Ms. Boyd** responded that the Right to Forest Act is listed on the DNRE website under Private Forest Land Programs (Forest, Land & Water; Forest Management and Planning; Private Forest Land Program).

To the question presented by **Mr. Suchovsky** "...if forest management activities could be added to the GAFMPs..." **Ms. Boyd** responded that the language does not say we cannot add to it, but the FMAC would need to discuss it.

III. Public Comment

None

IV. FMAC Membership Issues

Ms. Boyd reported that Mr. Thomas Barnes, the FMAC's Chair, had resigned and that the FMAC needed to address this issue. She referred to the FMAC Bylaws, Article IV – Officers, Section 4 which states "The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence." She stated that one option would be to ask Vice Chair Botti to take over as Chair for the remainder of the term. **Mr. Roberson** stated he thought the role of Vice Chair was to fill in for the Chair in his or her absence.

MOTION: Mr. Roberson moved to elect Mr. Botti as Chair for the remainder of the term, supported by **Mr. Jones**.

The motion to elect Vice Chair Botti as Chair passed unanimously.

A discussion took place regarding the appointment of a new Vice Chair. **Chair Botti** asked for volunteers or if anyone was interested in running for Vice Chair. There was no one.

MOTION: Chair Botti moved to appoint Mr. Suchovsky as Vice Chair; supported by Dr. LaCourt.

The motion to appoint Mr. Suchovsky as Vice Chair passed unanimously.

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Ms. Boyd asked the FMAC to think about the vacant committee position for representing the logging industry. Dr. Kahl resigned from the FMAC, and Heart of the Lakes notified Ms. Boyd that they no longer wish to participate. When the FMAC was established, it was 4-year appointments or until replaced by the Director. **Ms. Boyd** stated that if anyone currently on FMAC wants to be replaced, that can be done.

At the beginning of the FMAC, the bylaws spoke to the representation of the committee. It goes back to the Right to Forest Act, indicating who must be represented. The Director's wishes were also taken into consideration. At this point the FMAC is growing smaller, and certain groups have no representation. **Dr. Gale** requested that Ms. Boyd send a list of groups that are not being represented to the FMAC, and the FMAC could converse via e-mail on this subject. **Ms. Boyd** agreed to this, and stated that it will be up to Director-Designate Stokes to appoint people, but she will pass on the recommendations of the FMAC to the Director. **Ms. Boyd** asked the FMAC to send nominations to Ms. Korbecki. **Mr. Suchovsky** commented that Mr. Barnes had represented the industry, and if the Forest Products Council was interested in having someone on the FMAC, he would support it. **Mr. Melow** stated that there is an increased interest in manufacturers, chippers, grinders, etc. He commented there are a large number of these types of businesses in Michigan, and perhaps this should be taken into consideration when making recommendations for FMAC members. **Mr. Suchovsky** moved to extend the FMAC's thanks to Dr. Kahl and Mr. Barnes. **Ms. Boyd** commented she would take care of preparing the letters.

V. Sugar Bushing – Mike Ross; R.M.G. Family Sugar Bush

Chair Botti introduced Mr. Mike Ross and his son Mr. Derek Ross to speak to the FMAC on the subject of the sugar bushing industry.

Mr. Ross reported that sugar bushing is the second largest industry in the state. His purpose for presenting to the FMAC was to discuss opportunities to expand the maple industry in the state. He stated his desire is to make people more aware, and has been doing this by holding seminars and attending meetings. He also would like to try to make more land available, both public and private, to tap. **Mr. Ross** commented that he has been having difficulty finding land that is economically viable, and he is also pursuing funding.

Mr. Ross reported there are currently two Bills that have been introduced, one in the house and one in the senate, which would provide \$5 million per year for five years for states to assist the industry. The states that will receive these funds are states that are prepared and ready to distribute the funding. He reported that Vermont wants part of its funding to go to marketing and research. **Mr. Ross** stated he would like Michigan to be organized and prepared to receive funding if the Bill passes.

Mr. Ross stated a portion of the funding would go for subsidizing rent for tapping, as well as research and marketing. Vermont currently uses 2.1% of its trees, and Quebec produces 75% to 80% of available maple each year. He stated that if Michigan could increase its production, it would create jobs in the state. He commented he could see the DNR as an instrument in this for both guidance and possible state land for tapping.

Mr. Ross stated that loggers often have difficulty with tapping ruining the trees. He reported that ambrosia maple is actually worth more because of the scarring. Michigan has more maple trees than all other states with the exception of New York. He stated that Michigan utilizes .14% of its

maple, while Quebec utilizes over 35% of its maple. **Mr. Ross** reported that using more maple trees will create jobs as well as providing a consistent income for the state.

Chair Botti asked Mr. Ross what he was asking from the FMAC. He commented that Mr. Bill Sterrett, DNRE, had attended this meeting to answer questions regarding the state's perspective as well as its policy toward tapping. **Mr. Sterrett** reported that the DNRE currently handles these requests on a unit-by-unit basis, and a case-by-case basis. All requests are inspected by DNRE staff. He currently does not know of any maple tapping taking place on state land at the current time. **Mr. Sterrett** stated the DNRE's concern is to avoid tapping into future veneer trees. He commented that for the vast majority of state land, he doesn't see much applicability for sugar bushes.

Mr. Ross reported that the last maple sugar operation that was on state land was 7 or 8 years ago. The problem with state guidelines is you have to take everything with you when you leave each year, which is not viable. He stated he is looking for land that the state will agree to tap for 20 or more years. He reported that a 30,000 tap operation yields approximately \$1.2 million once the operation is completed. **Mr. Manson** asked about leaving production onsite. **Mr. Ross** responded the tubing is suspended and that tappers try to take good care of the woods because that is where their money comes from.

Ms. Boyd stated the DNRE has limited knowledge of sugar bushing. She does not know if certain lands, such as fish and game and hunting lands, would allow tapping. **Mr. Manson** asked what happens if the tubing breaks. **Mr. Ross** explained that he looks at the lines all of the time, as does any good-sized company. He uses a vacuum system.

Mr. Sterrett asked Mr. Ross what is ideal land, and if he can truck the maple syrup. **Mr. Ross** responded that it can be trucked, but pumping it is much more economical. Sap is considered a perishable good, and the industry would not haul raw sap. **Mr. Sterrett** stated that there is some fairly isolated state land. **Dr. Gale** asked what the potential of state land not producing veneer or desired future conditions is. **Mr. Sterrett** answered he could look at some reports to get a more accurate response, but at most sites where it is good to grow maple it is also good for other wood uses. **Dr. Gale** suggested that high deer population sites might make good maple sites. **Mr. Sterrett** stated that the way he understands maple is produced is not conducive to the state's management practices.

Mr. Suchovsky commented that he thinks there is a potential for tapping. He stated the DNRE needs to look around the edges of trees; there are a lot of wildlife openings with maples on the edges of sites. There is an issue of a minimal streak in wood, but he does not see the tap holes as a problem in the logging industry. He remarked that the state needs to begin to look less in the future to paper, and more to chemistry which is the category sugar falls into. **Mr. Suchovsky** asked if tapping would be allowed on CFA lands. **Ms. Trotter** responded there is no commercial or agricultural activity allowed on CFA lands. **Mr. Suchovsky** commented that he thought this should be considered. **Mr. Hanley** stated that tapping on CFA lands would require a change in the statute. **Dr. Gale** suggested there may be some opportunity for sugar bushing with the Department of Agriculture becoming the Department of Agriculture and Rural Development.

Mr. Henriksen stated there are a few loggers in the Upper Peninsula who plan on tapping this year. **Mr. Ross** commented that 60 acres of tapping is a year-round job for one person.

Dr. LaCourt stated in terms of funding, the Department of Agriculture or another state agency would most likely have to administer the federal monies. It would not be the DNRE.

Ms. Boyd spoke to the multiple-use of the forest, and asked Ms. Trotter what her thoughts were on the complaints that tapping may arouse. **Mr. Roberson** commented that people have complained about the tubing being left in the woods. **Ms. Trotter** stated she would suspect there would be

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some pushback from it. **Mr. Roberson** remarked that he supports expanding the maple sugar industry, but sees it as a problem on state land. **Dr. Gale** suggested an assessment to determine the potential of sugar bushing.

Mr. Sterrett commented that as far as a state resource, sugar bushing is as rare as it is on private lands. On a broader scale, state land has a lot of other interests. He suggested there may be more opportunities on private lands. **Ms. Boyd** asked if by using the data available to the DNRE now, if we could figure out what state land is available. **Mr. Sterrett** responded that the DNRE does not inventory for sugar maple.

Mr. Manson asked about the vacuuming and whether the tubing can be taken down. **Mr. Ross** responded that the industry has reduced the tubing by 35% by putting some underground.

Chair Botti stated that he did not get the sense that any of the FMAC members were opposed to tapping. He asked the DNRE to reexamine its policy. **Mr. Sterrett** responded that he would take a look at the current DNRE policy, which is outdated. **Ms. Boyd** remarked that the DNRE is not opposed to looking at it, but would like to ask the FMAC how much effort they would like to put into this subject when it is going to create conflict with competing use of state land. **Dr. Gale** suggested Ms. Boucher and Ms. Boyd talk with Vermont to find out about the economics of it. **Ms. Boyd** stated that Mr. Sterrett's staff could do that as well as talk with New York and Maine.

Mr. Melow asked if the subsidies would be available to private landowners; the response was yes. **Mr. Melow** stated that having been involved in one subsidy program in the past, he would not recommend it. He suggested that the Department of Agriculture might be more prepared to manage a crop subsidy program.

Chair Botti thanked Mr. Ross and Mr. Derek Ross for their time and the presentation.

Mr. Roberson informed the FMAC that Mr. Glen Sheppard of North Woods Call passed away on January 5. He told the committee if they had any words or stories they would like to send in remembrance of Mr. Sheppard, to send them to him and it would be included in the final issue of the paper.

VI. Standing Discussion Items

- **Legislative Update**

Ms. Boyd informed the FMAC that the legislative update was included in their meeting packet. She asked if there were questions or concerns; there was none.

- **NRC Budget Report**

Ms. Boyd informed the FMAC that the NRC budget report was also included in their meeting packet. Again, there were no questions or concerns.

Chair Botti asked about the replacement of recent retirees in the DNRE. **Ms. Boyd** responded that the DNRE had been given 1 to 2 filling authorization. Responding to a question regarding using the forest development fund for contracting, she stated that the savings from the retirements in the general fund is gone. With contracting it is different because of the regulations. Staff must be provided to oversee the contracts. The DNRE has contracting being done at this time, but it may be at its limit for now.

Ms. Boyd reported that the Forest Management Division had recently hired 10 new field Foresters, and a few other positions are in the process of being posted. **Mr. Roberson** asked what will be happening with the DNRE once the separation of the DNRE and the Department of

Environmental Quality (DEQ) takes place. **Ms. Boyd** responded that as of today, Director Wyant issued an order stating that the Forest Management Division and the Recreation Division is now back under Natural Resources, and Ms. Mindy Koch is the Deputy in charge. Mr. Frank Ruswick has moved to the office of Great Lakes. The DNR side basically went back to the way it was before Governor Granholm merged the two departments. On the DEQ side, some divisions were combined, so there will be a new structure but the programs will remain the same. In regard to the division of DNR and DEQ again, **Ms. Boyd** reported the Legislature must wait 60 days from when the division of the departments take place to take action, if they so choose. Also, the Director of the DNR will still be Governor appointed, and the NRC was not restored so they will be dealing mostly with game and fish.

- **Improving Public Process**

Mr. Suchovsky remarked that improving the public involvement process is something that the FMAC needs to continue to focus on, especially in light of the closures and part-time hours of field offices. **Dr. Gale** asked about the DNR website. **Ms. Boyd** reported that the website is being worked on. The DNR staff has some pages ready to be launched, but the actual launch is done by the Office of Management and Budget. **Dr. Gale** commented that once the website does go live, it may be a beneficial tool in the process of public involvement.

- **Biodiversity Conservation Update**

Ms. Boyd reported that the public comment period ends on Friday, January 14 for the Northern Lower Peninsula. Department of Natural Resources and Environment staff is working on summarizing the comments that are received. Ms. Boyd wants to look at the fatal flaws. Once the comments are compiled, they will be presented to the FMAC as well as other groups. There is no timeline for the Living Legacy program at this time. It is the hope of the DNRE to have the summarization and recommendations to the Statewide Council by the beginning of February. In the meantime, DNRE staff continues to work toward achieving a biodiversity network.

Ms. Trotter reported there will be a Forest Land Conference held on March 16 at the Lansing Radisson. The primary target audience is the Legislature. It will be informative for them to learn how the industry works, and how the DNRE works with the state forests and the industry. Lunch and a networking cocktail hour are planned. Governor Snyder has been invited. **Ms. Spray** sees this as an opportunity to meet the incoming Legislators and to educate them on this subject.

- **USFS Personnel Update:**

Sue Spear, Forest Supervisor on the Ottawa National Forest, has accepted a new position as Assistant Director, Strategic Planning, Budget and Accountability in the Washington Office. Sue has already reported to Washington.

Tom Schmidt, Forest Supervisor on the Hiawatha National Forest, has accepted a position as Deputy Regional Forester for the Northern Region (MT, N. ID and ND). Tom reports to Missoula, MT in late February or early March.

Both positions are expected to be filled in the weeks ahead.

Huron-Manistee National Forest's Lawsuit:

The Huron-Manistee National Forests have initiated preparation of a Supplemental Environmental Impact Statement (SEIS) in response to a decision from the United States Court

of Appeals for the Sixth Circuit. The Court found a number of deficiencies in the recreation analysis performed as part of our 2006 Forest Plan Revision. Specifically:

- The Forest Service's (Service) estimates of snowmobiles and cross-country ski visitors to the Forests are arbitrary. Thus the Service failed to comply with 219.21 (a) (2) requirement of a demand-supply analysis.

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- The Service has not complied with the requirement that it coordinate recreational planning with that of the State of Michigan with the aim (to the extent feasible) of reducing duplication in meeting recreation demands with respect to hunting and snowmobiling.
- The Service's reasons for keeping pre-designation and club trails open to snowmobile-use are arbitrary, thus failing to comply with a mandate to minimize conflicts between off-road vehicle use, and other uses and interests of the Forests.
- The Service violated the National Environmental Policy Act when it failed to consider whether to close Primitive and Semiprimitive Nonmotorized Areas to gun hunting and snowmobile use, as Meister proposed.

The DNRE is a cooperating agency and has named two DNRE staff (Rex Ainslie and Tom Haxby) as representatives on the interdisciplinary team to assist the Forest Service in development of the SEIS. The Service will be writing a supplemental for the portion of the forest plan that was in violation.

- **Miscellaneous**

Mr. Suchovsky reported that Mr. Barnes had been the representative for MAT; Mr. Suchovsky will be picking up some of those responsibilities.

VII. Next Meeting Date / Agenda Items

Agenda Items:

Deer Numbers – problems deer cause and money lost

BCAP Program

Guidance on Woody Biomass

What is considered an eligible plant?

Private Wood Lots – September meeting

Urban Forestry – Kevin Sayers / Barry Paulson – July Meeting

Invasives will be combined with Asian Longhorn for May Meeting

Mining Activity – possible future meeting

VIII. Adjournment

Chair Botti adjourned the January 12 Forest Management Advisory Council meeting at 3:24 p.m.