

**OFFICIAL MINUTES  
PIGEON RIVER COUNTRY ADVISORY COUNCIL  
JANUARY 21, 2011**

A meeting of the Pigeon River Country Advisory Council (PRCAC) was held on Friday January 21, 2011 at the Pigeon River Country Management Unit Headquarters. Chairman John Walters called the meeting to order at 6:30 pm.

**MEMBERS PRESENT:** John Walters, Mike Brown, Dick Myers, Mark Ennes, Jim Supina, Bob Hess, Paul Rose, Dave Smethurst, Ken Glasser, Arch Reeves, Eugene Horan, Rique Campa, Pete Gustafson, Randy Sanders

**MEMBERS ABSENT:** Carol Clute, Don Horrocks, Mike Castle, Jack Deming

**EX-OFFICIO PRESENT** Scott Whitcomb, Nick Torsky, Brian Mastenbrook

**EX-OFFICIO ABSENT:** Dave Borgeson, Rick Henderson

**OTHERS PRESENT:** Kerry Wieber, Harold Herta, Joe Jarecki, Judy Jarecki, Stuart Smith, Larry Klienhardt, Lance Weyeneth

**CHAIR'S OPENING REMARKS:**

The meeting came to order with the Pledge of Allegiance followed by introduction of attendees.

The Chair introduced and welcomed Kris Polus, the new Administrative Assistant at the PRC. Chairman Walters informed the attendees that PRCAC member Mike Castle's son was in a car accident in the Upper Peninsula and that we need to keep him in our thoughts. Also, member Carol Clute has resigned from the PRCAC. The council thanks Carol for her service and wishes her well. The DNRE Director will be seeking a new individual to fill this seat.

**AGENDA**

No changes.

**APPROVAL OF OCTOBER 15, 2010 ADVISORY COUNCIL MEETING MINUTES**

Motion by Glasser, seconded by Supina to approve the October 15, 2010 minutes. Motion carried.

**PUBLIC COMMENTS**

Larry Klienhardt spoke regarding a situation where a horse rider was cited for camping with horses in an undesignated area and that this citation was dropped by the court and the DNRE. He did not understand why this was dropped and felt strongly that these regulations should be followed and enforced otherwise there is no need for them. Scott Whitcomb explained that his information was the court date had been changed, but that the individual who was cited did not get informed of this change. The individual appeared at court and the Judge decided to dismiss the case due to the scheduling error because all parties were not properly informed. It had nothing to do with the DNRE deciding to dismiss this case.

**OLD BUSINESS:**  
**PRCAC Nominating Committee**

Dave Smethurst, Chair of PRCAC Nominating Committee moved that John Walters be nominated as Chair and Ricque Campa as Vice-Chair. Smethurst moved that the nominations be closed. Rose seconded. Motion carried.

Pete Gustafson made motion to elect John Walters as Chair and Rique Campa as Vice-Chair. Smethurst seconded. Motion carried.

Chair Walters indicated that anyone interested in sitting on a committee, ie Standard and Limitations, Oil and Gas, Wildlife Committees, etc. should see Scott Whitcomb or him. An email will be sent out to all council members on all appointments.

Glasser raised the question whether non-members sitting on any committees will be voting members. Chair Walters indicated that although the majority of all seats on committees will be made up of council members, that yes, non-members will be allowed to vote.

**2011 Meeting Dates**

Dates for council meetings were in the October Meeting notes. Dates were established and posted on the internet. Some discussion on changing the days of council meetings, but no change has occurred. The next meeting scheduled is April 15.

**Update on Proposed Song of the Morning Gas & Oil Well Developments**

Rick Henderson, Ex-Officio member was not present. John Walters reviewed the Department's action. The following is an excerpt from an email to Scott Whitcomb from Rick Henderson....."the Department issued the SOMR A1-30 gas well and the SOMR 4-30 SWD brine disposal well permits (Permits 60260 and 60261). The other 9 applications were denied based on the restrictions of the Pigeon River Country State Forest amended stipulation and consent order under the authority of Part 619 of the NREPA...."

Goldfinch Pipeline was applying for easements to cross the State land portion, but have not come in yet. Goldfinch may try another alternative, but as of today, they are still working out details and if the easements were to cross State land, the PRC Management Unit staff along with Fisheries and Wildlife staff would review all plans.

**Michigan Natural Resources Trust Fund Grants**

Kerry Wieber and Scott Whitcomb updated the council on land acquisitions and recreation development projects applied for under the Michigan Natural Resources Trust Fund.

Little Pigeon River Property – A \$1.8 million acquisition – 1,060 acres – north of Green Timbers. The offer has gone out to the land owner and the Department is awaiting a response. The property owner's name is Sheila Hamp.

Storey Lake Property – A \$ 5.5 million acquisition – 2,100 acres. Application has been submitted for this purchase and is pending. There are 6 wells on this property which have had little or no activity. The DNRE's goal is to acquire both surface and mineral rights. The Department tries to enter into agreements with prospective property owners to limit the extent of the development of mineral activities.

These properties are outside of the PRC boundary but would be managed out of the PRC Management Unit. They would not fall under the Concept of Management. Scott Whitcomb indicated that these large tracts of land would be managed like the other large tracts within the PRC, ie: Green Timbers, etc.

Smethurst requested to put the acquisitions of such large tracts surrounding the PRC boundary on a future agenda and invite someone from Lansing to attend such meeting. Smethurst requested suggesting to the Director the importance of changing the PRC boundary to include these properties so they do fall under the Concept of Management.

Paul Rose suggested that asking to change the boundary every time there is a chance of acquisitions bordering the PRC, could be counter productive for the PRC. He felt the Department may not look favorably to future acquisitions due to the time and effort it would take to change the Concept of Management every time.

The council's decision was to continue to stay informed and in touch with representatives from the DNRE regarding any upcoming acquisitions surrounding the PRC's boundary and whether or not to revisit the changing of the boundary issue with the Director on this.

PR Prop Acquisition – \$1 million - 480 acre parcel. This property lies adjacent to the PRC. It provides over a mile river frontage on the Pigeon River. The Little Traverse Conservancy has a Conservation Easement on this parcel. There are buildings on this property that will likely be demolished, per Department policy. The Department is looking at some options with the Conservancy, but cost is an issue.

PRC Upper Black River – \$2.2 million – 621 acres – This property would have both Black River and Saunders Creek access. An impoundment is on the property and Fisheries Division will be looking at removing the impoundment for better Fisheries Management. This property is within the Concept of Management.

PRC – Consolidation Initiative - \$1 million – This type of acquisition is for small private inholdings within and adjacent to the PRC. The Stevens Property – 40 acres, bordered by State Land, has gone to the Director for approval. A signed option is in place. At least 2 other offers are pending with details needing to be worked out. High mineral leasing prices have continued to prevent the Department from acquiring some private lands within the forest.

Paul Rose commented on the process of applying for trust funds. The amount that is actually awarded from the trust funds, is not necessarily the amount that is used to purchase the acquisition. The amount awarded from the fund would actually cover all costs, fees, administrative involvement and the actual cost of the property in question. The DNRE often uses the appraised value of the property for the purchase price.

#### Recreation Development for Public Use Facilities Grants

Scott Whitcomb reported that the PRC Visitor's Center was awarded a \$50,000 grant. This grant will be used for repair to the exterior log siding, parking lot upgrade, accessibility improvements and interpretative display improvements to provide better information about the Pigeon River Country to the public.

#### **NEW BUSINESS**

**Guiding Activities on State Land- Harold Herta, Recreation Division.**

Harold Herta, Recreation Division began his presentation reminding the Advisory Council to support and explained the importance of the Recreation Passport. Harold explained what this passport will do for all State Parks and State Forest Campgrounds.

Harold discussed the history of State land being used for commercial purposes without permission or a permit for many years. In 2002 the Department established a process and procedure for different types of use on state land. A policy and procedure was developed along with a fee schedule, guidance, instructions and conditions for many types of use on state land.

Commercial activities on State land include but not limited to canoe liveries operating their business at state access sites, ORV Events on state lands, Fishing Tours, Snowmobile Events, cross country ski trails on State land managed by private groups or other government entities, etc.

Harold explained the difference between Use Permits for a 1 year time frame, Leases covering more than 1 year up to 25 years and Concessionaire Agreements, which usually cover a 7 year period. Harold also mentioned that for the Department to issue any such use permits, leases or concessionaire agreements, they would have to fall within the mission of the Department.

Issues and concerns were brought to the Department on whether or not there should also be a Use Permit for Bear Guides and/or Elk Guides. The Department has been reviewing and setting up conditions, requirements, fees, etc. relating to this type of commercial use on State land.

The Department is looking at issuing bear guides and/or elk guides a Lease on State land for a 5 year period. The fees will be similar to the process we now use with use permits, ie, monitoring fees, land use fees, and a one time application fee.

Meetings and work groups are working through conditions and specifications that would be necessary for guiding hunts on State land. Some of the conditions will be to hold a \$250,000 general liability insurance policy and the Department is still looking at whether to charge the guides a bond requirement to hold against them for any type of resource damage that may occur from their use.

#### Timeline of Events:

- Feb – April 2010 – Notification went out to Guides
- July 2010 – Stakeholders meetings
- Dec 2010 – Polled guides on success
- Jan – March 2011 Final Meeting - Final conditions

Conditions and requirements set forth by the Department are being applied to all guides in any portion of Michigan on any State land they guide on. No State areas have been exempted from these conditions and no areas have been placed with special regulations, for example the PRC.

After discussion concerning the implications that these statewide leases have for guiding on State land and particularly in the PRC, the Department should have local input and have the ability to place certain conditions on them. John Walters indicated the Wildlife Subcommittee would be having an April meeting and that this topic would be placed on the agenda.

A Motion by Gustafson was made to recommend that Nick Torsky, Conservation Officer be placed as a member on the Commercial Use Work Group in Lansing which is setting up the conditions and requirements regarding guiding on State lands. This was seconded by Glasser. The Motion was carried.

## **SUBCOMMITTEE REPORTS**

### **State Forest Access Report –**

Whitcomb reported that the USFWS looked at the DNRE's equine access proposal to see if it was appropriate. We had input from resource staff, access committee and access stakeholders. There were some concerns on the motorcycle trail and some concerns by MCCC losing some trail access. Staff from the recreation division visited the area to observe the proposed reroute.

Staff has also looked at moving trails outside the boundary or provide additional single track trails outside boundary. We looked at dedicating some roads not on the access map, which would balance mileage of roads we want to close.

Chief Boyd and Bill O'Neill will review suggestions, notify all stakeholders and then take to a public meeting to get input from the public for the entire forest access plan. Looking forward to getting this approved, agreed upon and getting the LUOD and maps published.

Scott revisited some proposed road closures and revisited others to re-open. Maps will be sent when all approvals are made up thru the chain.

Original recommendation was to keep things status quo on trail access issues. By in large, hiking, mountain bikers, cross country skiers, snowshoes users, etc. are satisfied with the trails. The overall plan considers roads, horse trails, motorcycle routes and other means of forest access.

## **EX-OFFICIO REPORTS**

### **Law Enforcement Update –**

Deer Season had more enforcement issues this year than in the past. Many dealings with illegal access through berms and gates. People are using more permanent blinds on State land and bait piles. Nick mentioned a certain group of campers that have been coming to the PR for many years, had over \$2,000 in fines.

Nick mentioned that this year's Elk Hunt was one of the quietest in recent years in regard to violations. Snowmobile concerns have been limited so far this season. Problems that are occurring have to do with them riding in the wrong areas. Due to having more law enforcement present in the PRC, the public seems to be more alert and aware of the rules and regulations in the PRC.

### **Forest Management Division Update –**

Scott Whitcomb announced that Bill O'Neill is acting District Supervisor with the retirement of Dayle Garlock. Bill is also the Field Coordinator for the Lower and Upper Peninsula. The MDNRE will be split and will once again be the MDNR in March. Mindy Koch has replaced Frank Ruswick as the Resource Deputy for FMD.

### **PRC Unit Update –**

Since November through present, many personnel issues have affected the PRC Unit. We have had 2 retirements from the PRC office, Peggy Moczul and Don Mittlestat. Scott Whitcomb is now the Unit Manager for both Atlanta Management Unit and the PRC Management Unit. Kris Polus is now holding the position of Administrative Assistant at the Atlanta Management Unit and the PRC Management Unit. Kris will also be covering the Roscommon and Gladwin Management Units until a replacement is hired. We really don't have any concrete information on our future staffing plan.

Kris will end up working at the PRC Management Unit for 2 days a week and 3 days a week at the Atlanta MU. Don's position has been replaced with Sara Wall who is from the Minnesota DNR. In the Atlanta

MU, there will be 2 new foresters as well. The PRC Office is working on getting a T1 Line which will greatly improve the computer connection speeds and issues of connectivity at the PRC. An ORV Grant was received to put in more gateway signs around the PRC.

### **Wildlife Division Updates**

Brian Mastenbrook gave a report on the elk hunt for the September, October and December. The total number of elk killed for all seasons was 193. Brian discussed the different projects Wildlife Division has accomplished this past year. Projects highlighted were 937 acres had been mowed and/or planted, 470 acres had been burned and 330 acres of brush or tree clearing was accomplished to create openings or upland brush areas.

Brian commented on the early retirement and its effect on the Wildlife Division. He mentioned that Wildlife Division will be and is going through a major restructuring along with a new strategic plan in the works. No other details were available at this time.

Brian mentioned that deer check was down this year by approximately 15 percent at Gaylord. Brian is hopeful they will winter well with a good fawning season to come.

### **Fisheries Division Update –**

No fisheries representative for a report.

### **OTHER MATTERS**

- Update rosters of both the Advisory Council and of all subcommittees.
- Dave Smethurst remembered Glen Sheppard
- Mike Brown asked about an Oil & Gas Production Report – ask Council to have Randy Sanders review wells that aren't producing. Randy referenced a report that is written on production each August 16th and given to State. He responded that all Merit wells in the Forest are currently profitable.

### **FUTURE AGENDA ITEMS**

- Boundary issues of the Concept of Management within the PRC for all new land acquisitions - the Standards and Limitations Subcommittee will address this and bring back to the Council.
- Guiding Commercial Use/Lease Issues to be sent to Standards & Limitations Subcommittee.

### **ADJOURN**

Meeting Adjourned at 9:36 pm

Respectfully Submitted,

Scott Whitcomb, Secretary