

Western Upper Peninsula Citizen Advisory Council

Regular Meeting

Monday, May 18, 2009

Konteka

400 Main Street, Mineral Circle Plaza, White Pine

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

Minutes

WUP CAC Members Present:

Robert Black

Donald Britton

Marcy Cella

Floyd Dropps

Shawn Hagan

Fred "Mick" Jarvi

Lorana Jinkerson

David Johnson

Martin Johnson

George Lindquist

Rory Mattson

G. Dale McNamee

James Schmierer

Robert "Skip" Schulz

Dennis Stachewicz, Jr.

Warren Suchovsky

Philip Wirtanen

WUP CAC Members Absent:

Pete Jandro

Tony Kakuk

Chauncey Moran

Department of Natural Resources Staff Present:

Stacy Welling, Upper Peninsula (UP) Field Deputy, Marquette

Craig Albright, Wildlife Division, Escanaba

Debbie Begalle, Forest, Mineral and Fire Management (FMFM), Marquette

Rich Hill, Parks and Recreation, Marquette

Tim Melko, Land and Facilities, Marquette

Jessica Mistak, Fisheries, Marquette

Lt. Tim Robson Law Enforcement Division, Marquette

Penny Bacon, Executive Division, Marquette

The Western Upper Peninsula (WUP) Citizen Advisory Council (CAC) meeting was called to order at 6:35 p.m. by Warren Suchovsky.

Adoption of the Agenda: Warren suggested holding public comment based on ORVs until after the presentations by Skip and Debbie. Motion was made to approve the agenda as printed. Motion was supported and passed.

Approval of Previous Meeting Minutes: Motion was made by **Marty Johnson** to approve the minutes as corrected. Motion was supported by several Council members. Motion passed.

Public Comments:

Pat Kitzman feels that Commercial Forest (CF) lands should be open to all uses and said some CF owners are charging people to hunt on CF lands contrary to the CF Act. Mr. Kitzman is concerned with the lack of funding for DNR fire suppression. He feels the public should have a say in what programs get budget cuts. He added CF owners don't pay taxes for fire suppression and feels they should be taxed for fire suppression.

Chris Wirtanen said Lake Gogebic has an elite jumbo perch fishery but would like the bag limit reduced to 10 perch.

Reports:

Warren Suchovsky asked the Council members to complete and return the surveys for potential agenda items and improving the CAC meeting process. Warren will compile the surveys and will send the results to the Council members before the next meeting. Warren also sent an email to the Council asking the members to appoint themselves to subcommittees regarding deer issues that were identified at the January CAC meeting. Craig Albright will be the lead DNR staff person on the subcommittees plus other DNR staff will be involved as appropriate. Discussion followed regarding the need for three subcommittees on deer issues, emailing your input on other topics, and is the subcommittee meetings in violation of the open meetings act. Stacy Welling will check on the open meetings act.

Stacy Welling, UP Field Deputy, welcomed Bob Black from Iron County as a new member to the Council. Also Tony Kakuk from Menominee County is a new member but could not attend tonight's meeting. Stacy said the members are chosen by an independent group based on geographical location and interest in the resource. Stacy said an Executive Order was issued last week; the biggest hit for Department was a \$5 million cut of the 21st Century Job Funds, which will effect hurt change regeneration.

- State employees will take 6 unpaid days off work. There will also be purchase and travel reductions.
- Six state forest campgrounds were closed in the UP.
- At the May Natural Resources Commission (NRC) meeting the NRC split Deer Management Unit (DMU) 49 into two DMU's, 249 and 349 because part of that unit was agriculture based.
- At the June NRC meeting the Commission will take action on the proposed furbearer regulations. Commissioners Richardson and Madigan would like your input on the proposed regulations, please send your comments to Warren by June 1.
- Also note the handout on the gray wolf status explaining the delisting process. The DNR doesn't regulate wolves as a game species.
- At the May NRC meeting the Director signed a land use order regulating ORV use inside of Twin Lakes and Baraga State Parks. This is a pilot project.
- At the June NRC meeting the Commission will take action on the Pure Michigan Hunt, it's a \$4 non-refundable application, which is a basically a lottery system for hunting licenses.

- Michigan Natural Resources Trust Fund Board will meet June 17 at 9 a.m. at the Little Bear East Conference Center in St. Ignace.
- The NRC will meet October 8 in Ontonagon.
- The EUP-CAC will meet Thursday, May 21 in Newberry. Their agenda items include: sharp-tailed grouse management, supplemental feeding, and non-industrial private forestlands.

Stacy recognized Dave Cella as going above and beyond saving a life this week. On the afternoon of Wednesday May 13, Dave Cella was heading out to the Huron River to prepare a site for a DNR steelhead plant. Dave knew there was only one camper staying at the nearby Big Eric's campground and Dave drove into the campground to tell the camper about the upcoming next-day fish plant. The camper had fallen inside his trailer and had a serious head wound. Dave rushed him to the local hospital and then the man was transported to Marquette General. On behalf of the Department, Stacy thanked Dave and awarded him with a plaque on behalf of the Department.

DNR Division Updates:

Jessica Mistak, Fisheries said there was a follow-up meeting regarding the walleye stocking issue in Dickinson and Iron counties. Fisheries Division is going to reevaluate the Northern Lake Michigan walleye stocking plan a year early. According to Jim Dexter the plan will be reviewed at their July planning meeting and their goal is to have the revised plan ready next winter so they can begin implementing any revisions for 2010. Fisheries Division instituted new Statewide trout regulations in April 2000. They've evaluated how the trout population responded to the new regulations and the revised statewide trout regulations proposals are on the DNR web site. The comment period is open through June 5, 2009. With the budget crunch, Fisheries Division is focused on efforts that are federally funded or where they have federal matching dollars. Some of the surveys that didn't receive federal funds were put on hold. Spring fish stocking is almost complete. There are several chinook net pens in place, one in Marquette, Big Iron River, and the Black River. The net pens are in conjunction with different sporting groups.

Tim Melko, Land and Facilities said his staff provides customer service, support staff to other divisions, maintenance of facilities and helps with the purchasing process. Bear and elk applications are on sale through June 1. State employees will have 6 furlough days, 1 in June, 2 in July, 2 in August, and 1 in September. Press releases will announce the office closures.

Debbie Begalle, WUP District Supervisor for FMFM, said twelve State Forest Campgrounds have been closed statewide, six of those are in the UP including Pike Lake and North Horseshoe Lake in Marquette County and West Branch in Dickinson County. A biodiversity plan is being created to identify unique forest communities that have special attributes, especially in the WUP. The public meetings are scheduled for Tuesday, June 2 at Northern Michigan University and Wednesday, June 3 at Michigan Tech University from 6-9 p.m.

Craig Albright, Wildlife Division said \$1.50 from every deer hunting license sold goes into the deer range improvement fund (DRIP). This fund was created in 1970 to manage State forestlands; they work in conjunction with foresters on timber sales and projects

that would benefit deer. Recently the DNR Director thought it would be a good thing if they could partner more openly with clubs and organizations, so this year \$50,000 of the DRIP program was set aside for clubs to apply to do cooperative projects. They received 9 applications that are being evaluated and the money will be awarded by the end of this month. The clubs are applying to plant apple trees, oak trees, and to create herbaceous openings for deer. The USDA Wildlife Services is the federal agency that conducts cormorant control. Last week in the Bays de Noc area near Escanaba they started oiling eggs, they'll be doing that every other week until mid June and after that they will begin lethal control on adult birds through shooting, with a goal of 50 percent reduction in cormorant numbers. This will be the fourth year they've been working on that project. A major study of whitetail deer and their predators is being conducted in the central UP, it began in March with the trapping of whitetail deer; 25 pregnant whitetail deer are wearing radio transmitters and implants that will tell them when fawns are born. Those fawns will be captured once they're born and will be fitted with radio transmitters that will tell if they die. It will allow researchers to go in there and determined the cause of death. Concurrently the research team has radio collared 2 gray wolves, 3 coyotes, 3 bobcats and now will focus on black bears.

Dave Johnson asked how the predator study is being funded. Craig Albright said it's being funded by several sources, Safari Club International, Michigan Involvement Committee, Mississippi State University, and the DNR, it's about \$300,000 a year for 3 years. Some of it comes from the Pittman-Robertson fund and 7 percent from state license fees.

Rich Hill, WUP District Supervisor, Parks & Recreation, said one of their larger construction projects this year will be a major redesign and reconstruction of the boat launch at the access site in Bergland. The Director signed a Land Use Order to allow the operation of ORVs within Baraga and Twin Lakes State Park, to and from campsites, and to access trails and trail heads with the hope to promote more use of those Parks and to give people another outdoor recreational opportunity. There are numerous special events at State Parks listed on the DNR web site. The Recreation Passport is in the form of a bill in the House and the Senate and is out of committee. The House bill is exactly as proposed by the Citizens Committee for State Parks. The Senate bill is different, instead on having an opt out clause, the bill has an opt in clause.

Rory Mattson asked if there would be random license plate checks. **Lorana Jinkerson** suggested a different color yearly license tab on license plates for those who opt in. Rich said there would be random license plate checks and added if the Recreation Passport proposal passes; it would become effective January 1, 2010. For the latest updates on the Recreation Passport, a web link to Our Michigan Parks will be emailed to the Council members.

Approval of Previous Meeting Minutes:

Dale McNamee made a motion to approve the joint EUP-WUP CAC meeting minutes from March 19, 2009. Motion supported by **Mick Jarvi**. Motion passed.

Discussion ensued on having Al Stewart provide a presentation on the Woodcock Initiative at the September meeting. There are conflicts with the September meeting date. Mick Jarvi would like to have the September meeting in the Keweenaw.

Presentation on Bears:

Doug Wagner, Wildlife Biologist, provided a historical overview on bears, bear population goals, bear hunting licenses, bear management units, bear hunting periods, and bear license allocations, quotas, and preference system.

In the WUP, they have collared bears since 1990 to maintain a pool of foster sows to place orphan cubs. Since then they have handled 400 bears, 142 den checks, and 12 orphans have been placed.

Bear Plan Overview – Adam Bump:

Adam Bump said they spent the last year developing a strategic statewide bear plan. Last August, they had some regional issue scoping meetings, where they looked at issues people had with bears in general. A bear consultation team was developed, 19 stakeholder groups were represented. They asked them to put together a set of recommendations to help resolve the issues that they heard about in August. A series of open houses were held in January and February across the State where the plan was rolled out and opened for public comment. The bear management plan is on the June NRC agenda for the Director's action.

The Bear Management Plan Has Four Overall Goals:

- Maintain a Sustainable Population
- Facilitate Bear Related Benefits – observing and hunting bears
- Minimize Bear Related Conflicts – to make sure people don't hate bears
- Conduct Science Based Management

Seven Objectives of the Bear Management Plan

- Use Hunting and Maintain Bear Populations Within Social and Biological Limits:
Encourage agency and public participation to help establish hunt seasons and regulations
- Manage Social Aspects of Bear Recreation to Reduce User Conflicts and Maintain Recreational Opportunities:
 - To maintain hunting opportunities
 - Try to reduce conflicts between houndsmen and baiters
 - Season structure and timing changes – this year the quiet period was extended to 5 days prior to the start of the season in both Peninsulas. In the Lower Peninsula a bait only day was added.
 - Reduce trespass conflicts between bear houndsmen and private landowners
 - Reduce conflicts related to bear baiting regulations – this year a person can have a total of 12 bear baits
 - Encourage the retention of hunting opportunities – maintain bear populations and access
- Increase Public Awareness and Understanding of Bears and Bear Related Issues:
Work with partners to develop and implement a bear information and education based program
- Maintain Active Bear Research and Monitoring Programs:
Monitor the abundance and health of bears
Investigate biological and social factors relevant to bear management

- Maintain Habitat Necessary to Sustain Desired Bear Populations:
- Achieve Compatibility Between Bear Distribution Abundance and Social Carrying Capacity:
- Manage Negative Bear – Human Interactions:
 - Timely and professional responses to reports of bear damage
 - Develop nuisance guidelines

The goal of the plan is to manage for as many bears as possible.

George Lindquist said UP Whitetails Marquette County would like to know why you're in Lansing when 90 percent of the bear population is in the UP. George said more bear tags are needed in the first hunt period and more hunting opportunities

Marty Johnson made a motion to extend the meeting by a half hour.

2009 ORV Programs and Event Permits – Debbie Begalle:

Debbie said an event permit isn't just required for a motorized event. An event permit is required for any organized, consolidated, scheduled meeting or occurrence on state owned land and it involves a fee or donation or the number of people is more than 20. It's unlawful to hold an event unless you have a permit. There are some exceptions, they may be able to waive the requirement for an event but the application has to be reviewed. The application is reviewed by the local area unit manager, wildlife biologist, law supervisor, and the FMFM district supervisor. Numerous items are taken into consideration: conflicts of users, safety of the users, and the impact on the resource, who's involved, charging a fee or donations, signs, selling food and alcohol, how many days, twenty or more participants. The fees range from \$50 to up over \$1,000. The fee may be waived for a low impact event. In the case of an ORV or snowmobile event, the registration and trail sticker fees are taken into consideration.

ORV Management – Rob Katona:

The final draft of the ORV management plan was supported by the FMFM management team and was approved by the NRC in May 2008. Eleven topic areas were developed but at this meeting the ORV signing and event permits will be addressed.

The Department will initiate the use of higher visibility sign styles; supports combining signs between motorized recreational programs to alleviate user confusion and reduce the amount of redundancy; and will initiate the process of removing trail signs from trees onto sign posts.

The Department recognizes the need to expand riding opportunities to meet the increase in demand. The projected goal is to develop 25 percent more trails than what is currently on the ground statewide at this time. Development of destination trails which will require partnerships with other land managers and private land owners for connectivity trails will be pursued.

The Department will evaluate the event permit applications for motorized events on state owned lands. The preference is to have those events on designated ORV systems and state forest roads but will be evaluated on a case to case basis.

A motorized sign group was developed in the spring of 2008, which includes recreational staff, Law Enforcement and fire supervisors that perform trail inspections. They want to get as much input from the direct staff as possible with the purpose of combining sign requirements of snowmobile and ORV programs to reduce duplication of signage and alleviate confusion and provide for a more user friendly product. The proposal has been approved in concept by the FMFM management team in March and reviewed by the ORV advisory board and they recommended moving ahead with the 18 inch stop ahead sign. The cost associated with implementation will exceed \$1 million but funding isn't available at this time. They are spending more in the ORV program than they are bringing in, so they'll look for alternate funding sources such as a fee increase for ORV stickers.

Related recommendations: ORV trail confidence markers should be easily distinguishable from the snowmobile trail markers and have a very high visible background, and indicate the type of vehicles that are allowed on that specific trail. Stop ahead signs should become mandatory on ORV trails. They are proposing yellow vertical signs place on either carsonite or wooden posts and would inform the users what is allowed on that specific trail. If the recommendation team approves the placement of the ORV trail signs the signage will occur as a phase in project and may take 2 to 3 years to complete depending on funding.

Rob thanked Skip Schuz and Mi-Trale and all of the volunteers that helped with developing connectivity routes and for developing a map that has aided ORV users in their travel plans and provided confidence in their location as they travel the routes and trails in the WUP.

New Business - ORV Trail Identification and Signage – Skip Schulz:

Skip Schulz thanked the DNR staff for working with Mi-Trale. With the sport growing and the trend going to longer distance riders, the riders want detailed maps with trails that coincide with the maps. Skip said the ORV confidence markers can only be placed on designated trail. There are 1,000 miles of trails but only a little over 100 miles that are designated. The US Forest Service and the snowmobile trail program use a number system. Numbers can't be used for ORVs because not all snowmobile trails can be used for ORVs. Mi-Trale uses alphabetical letters in place of using numbers. This alleviates the confusion as to whether a trail is just for snowmobiles, just for ORVs, or for both. They're trying to help the snowmobile clubs, they're helping the landowners, so they're not going places they don't belong, and it also helps emergency personnel in emergency situations.

Currently the DNR requires any organized group of over 20 riders to apply for a special ORV group permit; the cost is \$50.00 but they've already paid for ORV sticker. They all agreed that if it's a commercial operation they should pay and apply for a permit but not for a group of family and friends in a club coming together for a ride. The event permit application and fee hurts the tourism industry and the DNR.

Mi-Trale is asking the WUP-CAC for support to allow Mi-Trale to keep their signs in place, and to use the Mi-Trale signing program as the pilot instead of doing more studies.

Debbie Begalle said they are working on a letter to give permission to allow Mi-Trale to leave the signs in place until they have a sign system. Debbie said it will probably be restricted to the current signs in place and doesn't allow for expansion at this time. Debbie also clarified this is not a study or a pilot project.

Public Comment:

John Sayre said the economics here are similar to West Virginia. ATVs have become a tremendous revenue source for the state of West Virginia, the annual fee is \$64.00 and the trails are well marked and very consistent. He feels Michigan could have the same.

Gene Sly said there is an extreme need for trails in Baraga County and they especially need connective trails.

Michael Sabo supports joint signage for ATV and snowmobiles. He said the ATV program needs designated maintenance money.

Maureen Sayre supports the Mi-Trale signs because they help in emergency situations. Please use the Mi-Trale sign system.

Keith Meyer supports the Mi-Trale signs and said the signs are very helpful in emergency situations.

Jerry Yaklyvich said Skip secured the easements with private landowners. He supports Skip and the Mi-Trale signs.

Motion to Support ORV Trail Identification and Signage Motion:

The WUPCAC strongly urges that a uniform trail marking and identification system be developed for Michigan. The State ORV Advisory Council working with local groups and appropriate DNR Staff should take the lead in designing this program.

The WUPCAC strongly urges that the consistent ORV Trail Marking System used on the Michigan DNR Designated ORV Trails and the Mi-Trale Non MDNR Designated ORV Trails in Houghton, Baraga, Ontonagon, Iron, and Gogebic Counties remain in place until a specific Michigan Designated ORV Trail/Route and Non-Designated ORV Trail/Route System is in place.

Skip Schulz made a motion to support. The motion was supported by several Council members. Motion passed.

Motion to Support ORV Use on State and Federal Highways:

The WUPCAC strongly urges the DNR to work with the Department of Transportation and the Legislature to develop regulations that would allow ORV's to use these bridges.

Stacy said this is legislative and is not under the Department's control but the information can be provided to the Legislators. Warren added the Council will address this with the Legislators.

Don Britton added that snowmobiles can use the state highway right of ways but ATVs can't so there is more to this than going across bridges. Warren said the real crux is that the Council encourages the proper organizations to work with our Legislators to address

the various issues involved with this. Don would like to discuss these topics at the next CAC meeting; state and federal highways, signage, and designated and non-designated trails

Skip Schulz made a motion to support. Motion was supported by **Bob Black**.

Rory Mattson asked if there was a problem with the width of trails for the ATVs with two-seats and shouldn't the trails be open to all ATV's. Skip said it's a problem on federal land but it's defined on state trails. Skip added some trails can't be widened.

Phil Wirtanen asked if there was an ORV Advisory Committee that would deal with these issues. Warren said the Council will bring these suggestions to them. Stacy asked if these suggestions should be given to the ORV Advisory Council with an FYI to the Director and the NRC.

Dave Johnson would like to add Don Britton's topics to the next meeting agenda.

Motion passed.

Motion on Event Permits:

The WUPCAC recommends that the DNR use 75 as the minimum number of participants (participants is defined as the number of vehicles not operators and passengers) before an event permit is required for ORV use on State designated trails, with the exception of commercial use or an event that charges a fee. (A charity event would be included as an event requiring a permit. A business that charges for a ride would also be in this category.)

Dale McNamee made a motion to support. **Rory Mattson** supported the motion. Motion passed.

Bob Black said there is another issue, most of the UP counties you can ride an ORV on the side of the road but not all counties agree. There needs to be one UP with one rule.

The next meeting is scheduled for July 20. **Marty Johnson** made a motion to have the July meeting in Gogebic County. The motion was supported by several Council members. Motion passed.

Mick Jarvi would like the September meeting in Keweenaw County. Discussion followed regarding the date of the September meeting. No meeting date was scheduled. Motion was made to have the September meeting in Keweenaw County. **Shawn Hagan** supported the motion. Motion passed.

Council Member Closing Comments:

Marcy Cella thanked the DNR staff for meeting at the mouth of the Huron River. She said they addressed their issues and will bring them answers.

Dale McNamee said Stacy Welling did a tremendous job for them on a problem they had with area brown trout plant.

Marty Johnson would like to chair a subcommittee on deer management issues.

Dennis Stachewicz would like to have a first read and presentation on the agenda items and then take the information back to our groups and organizations to make an informed decision.

Marcy Cella made a motion to adjourn the meeting. Motion supported by several Council members.

Meeting adjourned at 9:41 p.m. EDT