

# Western Upper Peninsula Citizen Advisory Council

## Meeting Minutes

Monday, September 28, 2009

Horizons Alternative High School (Mohawk School)

110 Stanton Avenue, Mohawk

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

### **WUP CAC Members Present:**

David Anderson

Robert Black

Donald Britton

Marcy Cella

Floyd Dropps

Shawn Hagan

Fred "Mick" Jarvi

Martin Johnson

George Lindquist

Rory Mattson

G. Dale McNamee

Chauncey Moran

James Schmierer

Robert "Skip" Schulz

Dennis Stachewicz, Jr.

Warren Suchovsky

Philip Wirtanen

### **WUP CAC Members Absent:**

David Johnson

Lorana Jinkerson

Tony Kakuk

### **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

Jessica Mistak, Fisheries Division, Marquette

Debbie Munson Badini, Office of Communications, Marquette

Lt. Tim Robson Law Enforcement Division (LED), Marquette

Penny Bacon, Executive Division, Marquette

The Western Upper Peninsula (WUP) Citizen Advisory Council (CAC) meeting was called to order at 6:32 p.m. by **Warren Suchovsky**.

### **Adoption of the Agenda:**

**Shawn Hagan** made a motion to adopt the agenda as printed. The motion was supported by several members. Ayes: All. Nays: None. Motion carried.

### **Approval of Previous Meeting Minutes:**

**Dale McNamee** made a motion to approve the minutes as amended. Motion supported by several members. Ayes: All. Nays: None. Motion carried.

**Public Comments:**

**Bob Meyers**, Charter Captain from Mohawk provided the Council with a list of coordinances where abandoned gill nets can be found in Bete Grise Bay. He would like the gill nets removed.

Bob Black suggested adding the list of coordinances to the meeting minutes and provide a copy of the minutes to the Great Lakes Indian Fish and Wildlife and other agencies.

**Reports:**

**Warren Suchovsky**, Facilitator will be proposing a change to the bylaws at the next CAC meeting. The proposed amendment to the bylaws would address the length of terms for new CAC members. This announcement stands as the first notice and will be presented as an action item at the November CAC meeting.

**Warren Suckovsky** welcomed new Council member Dave Anderson to the CAC. Dave said he lives in Wakefield and is currently serving his third term on the Gogebic County Conservation District. Dave is an active sportsman and is very active in his local conservation organizations. He is hoping to be able to give back so his kids can enjoy the natural resources.

**Council Committees Reports:**

**ORV – Snowmobile:** **Don Britton** attended the joint Snowmobile and ORV Advisory Board meeting in Lansing on August 5. They addressed ORV damage on snowmobile trails in the winter and ORV trail damage on private property in the summer. They are in the process of appointing a sign committee that will have the task of signing snowmobile and ORV trails and combining the signs for both. The committee will include Steve DeBrabander as the chair of the committee, Rich Filley from the snowmobile advisory committee and one person from the ORV Advisory committee member. Dr. Chuck Nelson will be conducting a survey on snowmobile and ORV trails. The survey report should be available at the December meeting. **Marty Johnson** asked if the DNR was raising the ORV trail sticker to \$30 and the snowmobile trail permit to \$35. **Don Britton** said the snowmobile trail permits have increased to \$35 and also requires a three year registration fee of \$30. **Dale McNamee** asked what does the money fund. Don believes \$5 of the registration goes into the permanent trail fund and the rest into law enforcement. The trail permit revenues are mostly used for trail improvement and permanent trails. Don Britton said the rate increase hasn't passed for ORV's. **Skip Schulz** said the ORV fees are not legislatively mandated where as the snowmobile fees are mandated. Mi-Trale and other organizations are asking for ORV fees to be mandated. **Lt. Tim Robson** said the current \$16.25 ORV trail permit is legislatively mandated. Debbie provided a breakdown on how the ORV trail permit fees are distributed. **Debbie Begalle** said the DNR is not part of it. Representative Sheltroun is opening up the revisions to the ORV law. Comments can be submitted on-line to Michigan Sportsmen's Forum.

**Warren Suchovsky** asked Stacy Welling to provide an update on Representative Sheltroun's bill.

**Deer Subcommittee:**

**Dennis Stachewicz** said the subcommittee met twice; once in Crystal Falls and once in Gladstone. Discussion topics included: supplemental feeding, baiting and feeding, and

habitat. The key to all of their discussions was habitat. In general the committee supports supplemental feeding and recommended no changes to the current rules on baiting. They are in the process of drafting a final recommendation on habitat. They drafted a white paper that was distributed to the subcommittee members. They had hoped to distribute the final recommendation at this meeting but in response to some concerns from some of the committee members, they are working on some wording changes. Dave Johnson recommended tabling the recommendation so the subcommittee can meet one more time to finalize the report before bringing the recommendation to the Council. Discussion followed.

The deer subcommittee report was removed from the agenda. It was kept in committee and will be reported at a later date.

**Reports:**

**Stacy Welling**, UP Field Deputy said all State departments have a shut-down plan, in case a budget agreement hasn't been reached or a continuation budget isn't place by October 1, 2009. The DNR budget includes components of the Department of Environmental Quality (DEQ) and History, Arts and Libraries (HAL). Also, the Lt. Governor stated he would like to see parts of the Department of Agriculture merge with the DNR. The DNR receives 4 percent of general funds, which amounts to \$1.65 per person, per year. The DNR may have restricted fund balances but these restricted funds can only be used for specific uses.

- The UP Habitat Work Group (UPHWG) meeting is scheduled for Wednesday, October 7 from 1-2:30 p.m. in Silver City. The Natural Resources Commission (NRC) meeting is scheduled for Thursday, October 8 in Ontonagon. As one of their agenda items, the NRC specifically asked for an update on the CAC's. Stacy would like input from the Council members for the presentation to the NRC. On behalf of the Department, Stacy thanked the Council members for their time and effort. The DNR made a commitment to this Council and to the Upper Peninsula to have Division representation at each meeting to provide updates, to listen, and to answer questions. Stacy said not all of the accomplishments are tangible but the Natural Resources Commissioners are asking for the CAC's opinion; Legislators are recognizing the CAC's, and the Division Chiefs are requesting input from the CAC's.
- To date, over 7,000 applications have been purchased for the Pure Michigan Hunt.
- At the September NRC meeting, Fisheries Orders were discussed and the Orders will be presented as action items at the October NRC meeting. At the August NRC meeting, Commissioner Frank Wheatlake asked if they ever discussed changing the start of the firearm deer season and requested biological information and background history. The requested information was provided to the Commission at the September NRC meeting. Out of 84 deer seasons, 78 have started on November 15. Stacy said from a personal view, she doesn't believe it will move forward.
- The EUP-CAC met on Thursday, September 17 in Engadine, agenda items included an update on the forestry coalition and the deer management plan; the two week March walleye season; Lake Superior lake trout bag limit; wildlife food plots and state forest campground closures.

**Craig Albright**, Wildlife Division said ruffed grouse season opened on September 15. They did their annual ruffed grouse survey in April and May and grouse are still on the cycle of abundance but may be near the peak of the cycle. Woodcock season is under way, woodcock is a migratory bird so they have more mortality sources to contend with and their population has been in a slow decline since the late 60's. In the WUP, the turkey population is estimated at over 14,000 birds, the fall turkey season begins on October 5. Due to snowfall and cold temperatures, the deer forecast for this year will be down compared to last year. The forecast is based on spring surveys where they look for dead deer and they also have a study involving radio collared animals in southern Menominee County. Craig said it was interesting to see how stressed deer were even that far south. Wildlife Division responded by reducing antlerless quotas. Due to the budget shortfall, deer check stations have been reduced by over 50 percent. The Baraga, Marquette and Newberry Operation Service Centers will be open during regular hours; the Root Cellar on Lake Gogebic will be opened on certain days; Stephenson field office will be closed entirely; and the Escanaba field office will only check deer during firearm deer season. They have a three year study in Menominee and Delta counties looking at predators of deer fawns and deer fawn survival as impacted by predators, by winter weather, and by habitat. They had 50 fawns radio-collared at the beginning of the summer, that number has been reduced by 40-50 percent by a combination of predation and accidents. In addition they have 16 radio-collared black bears; 8 coyotes; 3 bobcats and 2 grey wolves that are all being studied concurrently. They hope to better understand what's going on with the deer herd and if they have success, they might move the study to other snowfall zones. To a large extent the study is being funded by the Safari Club International. **Marty Johnson** asked Craig if the pheasant season is too long. Craig doesn't think so, due to the bird being very far north from their normal range and they don't believe the population will grow by cutting the season.

**Jessica Mistak**, Fisheries said in June they looked at increasing the lake trout bag limit from three to five in Lake Superior. Fisheries staff looked at more recent netting and creel data and found a decline in the large lake trout in the WUP. They also talked with the Tribes that fish in the west end and they've seen the same phenomenon in the large lake trout. Fisheries Division is proposing M-1, M-2 and M-3 will remain status quo with a three lake trout bag limit and for the east end of Lake Superior, increase the bag limit from three to five. They removed the Hamilton Dam on the east branch of the Fence River, which impounded up to two miles of the stream. On the Brule River, there was a large tree drop that was funded by WE Energies, the work was done in conjunction with the US Forest Service and Trout Unlimited to increase trout habitat on one mile of the stream. There is a proposal for two more years of work to increase the habitat to a total of three miles on the stream.

**Debbie Begalle**, FMFM said landowners with 20 acres or more can enroll in the qualified forest act. The landowner receives a property tax break and is required to have a forest management plan. The qualified forest applications are due on Thursday, October 1. The commercial forest requires 40 acres, applications are due on April 1 every year, the lands are reviewed and hearings are held. They were asking for comments on criteria to be used for state forest campground closures. Even though the DNR receives very little general fund revenue, a good portion of that revenue funds the recreation program which includes pathways and state forest campgrounds. If they don't receive general fund revenue or if there are general fund cuts, they will have to close

campgrounds, so they are trying to do it more holistically looking at several criteria factors. The Department makes decisions on forestry management treatments on state forest lands, these treatment plans are share with public at compartment reviews. A compartment review is scheduled for Escanaba on Wednesday, October 7. At the mouth of the Huron River, they have had problems with ORV's riding on the beach. They posted "No ORV's" carconite signs on the beach. Also, depending on funds and time, they hope to post informational boards.

**Rich Hill**, Parks and Recreation said statewide their revenues are up approximately 2 ½ percent. In the WUP, revenues are up approximately 10 percent. They just finished a dredging project at the Stonington Farmers Dock, on Bay de Noc. Their crew installed a boat ramp which became a usable site for the first time in about ten years. The improvements at the Bergland boat access site on Lake Gogebic are almost complete. This fall, they hope to start working on the Deer Lake site in Ishpeming. A few weeks ago, they had an open house at Lac la Belle, where a major upgrade is planned for that facility. A new boat ramp will be constructed and moved closer to the property line, the current dock structure will be removed, and a variety of slips will be added. These boating projects are funded by waterways funds.

#### **Special Presentations:**

##### **Conservation License – Shawn Hagan**

Shawn Hagan provided a presentation on his concept for a Conservation License. He said there are people utilizing the resources and not paying their fair share. This is one way everyone can pitch in and support the management and protection of the State's natural resources and it would help the Department fund some of those things not funded by current license fees. Montana has been doing this for several years. Shawn has floated this concept to Legislators but to date no one has taken action and moved Legislation forward.

This license would raise revenues for the use of state lands that otherwise would not receive stable revenue from its users. It recognizes those activities that have grown in recent years as compared to traditional hunting and fishing activities. It would raise awareness for the need to conserve and educate folks about our State's great natural resources.

The license holder would be permitted to:

- Operate a licensed vehicle on roads open to the public on state land.
- Access state lands open to the public for non-motorized activities such as hiking, bird watching, and berry picking.
- Access trail systems on state forest lands and those cooperator lands providing connectivity (purchased access or conservation easements) that allow for the development and maintenance of trails for non-motorized uses.
- Access day use only areas at State Parks and recreation areas.

Shawn proposes three categories for the conservation license:

- Youth ages 10-16 would pay \$3 per year which would include a junior small game license and junior fish all species license (may need to be \$1 for Conservation License, \$1 for fish all-species, and \$1 for small game hunting (via apprentice or hunters safety certificate)).
- Adults ages 17-64 the fee would be \$10 per year.
- Seniors 65 and over would pay a one time fee of \$10.

- A lifetime license would cost \$250.
- The fees would increase 10 percent every 5 years.

License fees would be collected through a number of options:

- An endorsement on the Michigan driver's license that would be renewed every three years with the driver's license.
- Replace the sportscard currently used for youths and non-residents with the Conservation License.
- Purchase a Lifetime License on-line or via mail to Lansing.

Penalties: \$50 ticket for the first offense for using state forest lands without a Conservation License; \$100 for the second offense; \$500 for the third offense and issue a Lifetime License.

The funding would go into several restricted funds. These restricted funds would be utilized through the supervision of the DNR for conservation of the State's natural resources.

The revenue would be a benefit to all natural resources found on State land, but benefit those resources that currently lack proper funding. Areas of revenue support would include:

- Assess, identify, and protect unique eco-systems found on state lands (Michigan Natural Features Inventory (MNFI)/HAL).
- Maintain and enhance the trails and the habitat associated with it (non-motorized uses that combine recreation with education).
- Create, maintain, and promote the use of non-motorized trails (cross country skiing, mountain biking, horseback riding, hiking).
- Support an education program to improve the recruitment of users and gain a greater appreciation for the State's natural resources.
- Fund acquisitions and conservation easements that would benefit public access for trail development and develop conservation of unique eco-systems for rare and threatened species.
- Support the conservation of our natural resources with a healthy DEQ and law enforcement budget.

In closing, Shawn reiterated the timing couldn't be more critical to get this done. He would rather see his money directly going into something he supports versus the general fund or a property tax increase that might trickle down to that resource.

Discussion followed to include an endorsement on the Michigan ID card, possibly using the current sportscard for non-residents, and the funding that would go to the DEQ would be to monitor air and water quality. Some Council members questioned why a person with a hunting license would also need to purchase the conservation license. Shawn said with the conservation license in place perhaps there would be less of a need to increase hunting and fishing fees or keep the increases to a minimum. There was some support for separate passes for each use versus the conservation license.

**Warren Suchovsky** asked Shawn to put together some language for the Council to consider at a future meeting.

**State Park Funding Update:**

**Rich Hill** said this started with a proposal from the Citizens Committee for Michigan State Parks (CCMSP), this group was established by the Governor in 2004. The committee looked at long term sustainable funding. This proposal would be a \$10 fee that would be collected when registering a motor vehicle and it would replace the current motor vehicle permit. The proposal also eliminates the boat access site annual and daily passes. All of the overnight fees and the non-resident fees would remain the same under this proposal.

There are four bills: House Bills 4677 and 4678 and Senate Bills 388 and 389. The bills are out of committee. There have been some changes in the Senate bills: including checking a box to opt in or to opt out, different stickers for your license plates, and includes a civil infraction of \$100 for entering a State park without the license plate sticker. The Department would have some ability to establish the means for people to sign up after the fact.

The CCMSP recommended the revenues realized from this approach be divided as follows: 50 percent for state park infrastructure; 30 percent for state park operations; 10 percent local unit, matching development grants; 7 percent for state forest campground and pathway's operations and infrastructure; and 3 percent for DNR cultural and historic park resources infrastructure and operations.

If there is 50 percent participation in the optional \$10 fee per license vehicle and once the estimated \$10.7 million lost for the resident sales of state park motor vehicle permits and the estimated \$1.03 million for the sales of Michigan boating access sites permits, is replaced and the Secretary of State is allocated an estimated 1 percent of all revenues for administration of the program, the new net revenue would be approximately \$24 million per year.

**New Business:**

**Deer Subcommittee Resolution:** Tabled to a future meeting.

**Hunter Orange Requirement on Blinds:** **Bob Black** thinks the Council could show the DNR, NRC, and the Legislators some quick solutions, what he calls "no brainers." **Bob Black** has seen incidents with portable camouflage pop-up blinds where you can't see hunter orange through the blind. He would like support from the Council for a hunter orange requirement on blinds. **Chauncey Moran** supports the idea with the exception of waterfowl and turkey hunting. **Bob Black** said if the Council supports the recommendation, the wording should be change to "when hunter orange is required." **Warren Suchovsky** said hunter orange is very important whether someone is in a blind or not. **Bob Black** clarified this requirement would only be needed on public property. **Rory Mattson** said this is a brainer, he contacted over 200 people and he didn't find one person that agreed with the hunter orange requirement on blinds. **Rory** asked if **LED** had statistics on how many hunters got shot in their blinds. **Lt. Robson** said he would check. No motion was made.

**Next Meeting Date, Time and Location:**

**Dennis Stachewicz** made a motion to have the next Council meeting in Dickinson County. **Marcy Cella** supported the motion. Ayes: All. Nays: None. Motion carried.

**Agenda Items for the Next Meeting:**

**Marty Johnson** would like to extend the five day quiet time for bear hunting. **Don Britton** will provide an update from the ORV and snowmobile meetings. **Dale McNamee** said depending on what happens at the October 8 NRC meeting, he may have a proposed alternate CWD plan to bring to the Council. **Phil Wirtanen** would like to have a presentation on Treaty rights at a future meeting.

**Council Members Closing Comments:**

**Rory Mattson** recommends increasing the length of the meetings or limit the agenda to one or two items.

**Mick Jarvi** said they should look at licensing bear guides which would require guides to meet certain standards.

**David Anderson** said he was happy that Fisheries Division looked at the lake trout population across all of Lake Superior and their proposed bag limit changes reflect the differences in the population.

**Marcy Cella** would like the CAC meetings to start ½ hour earlier.

**Floyd Dropps** said he likes the DNR reports but asked if the DNR staff reports could be emailed to the Council members before the CAC meetings. The Council members then could ask questions regarding the reports at the CAC meeting. Currently the DNR staff reports take ½ hour and this would save meeting time. Floyd said they spend a lot of time talking about DNR license fees, the Council needs to get the Legislators to act on the fee increases.

**Dale McNamee** suggested the Council conduct their business first before public comments.

**Dennis Stachewicz** said he likes the idea of the DNR putting their reports in writing, this would allow the Council to develop questions before the meeting. He said he was a little disappointed there wasn't more discussion and background information on the hunter orange requirement on blinds. He reminded the Council members they represent different committees and organizations and he feels there should be a little more consideration and more discussion.

**Skip Schulz** said he is not a fisherman or hunter; he relies on the other members for guidance when it comes to hunting and fishing. He spent many years trying to get the DNR to listen to him. This is the first time in 20 years that the DNR has listened to him.

**Phil Wirtanen** said the Council is making a difference. They are representing a variety of different organizations and they've touch on a number of resolutions. He feels the public benefits from listening to the DNR staff reports as well.

**Marty Johnson** appreciates the DNR efforts to work with the citizenry of Michigan. He thinks the comments at these meetings portrayed by the feedback they get from the DNR as to their positions on topics are very vital and important to the Council.

**Dale McNamee** said he thinks the CAC backing the motion on crossbows made a big difference in the crossbow regulation changes.

**Chanucey Moran** said the general public has a whole different perception of what the DNR does through the opportunities to interact through this Council. He feels the Council had come a long way and as time goes on there will be more accomplishments.

**Shawn Hagan** said the Council needs to address commercial baiting activities on state forest lands and commercial forest lands.

**George Lindquist** said the CAC meetings should start ½ hour earlier. He would like the DNR staff to email their reports before the meetings and have Stacy Welling provide breaking news at the meeting. This would provide more time at the meetings to ask questions.

**Bob Black** suggested the Council share ideas before the meeting that take five minutes or less. The Council members would share the idea with their organizations for feedback, bring the feedback to the meeting, and then the Council would make a decision.

**Warren Suchovsky** asked the Council members if they had a problem starting the meeting ½ hour earlier and if he could deter from the bylaw agenda format for the next meeting. No vote was taken but the members concurred.

**Warren Suchovsky** said his perception of the Department is that they have a lot of intelligent and well trained individuals. This may be a weakness that they may not listen to the general public. The general public has a lot of knowledge and empirical observations. The DNR needs to recognize the validity of what other observers see. Warren said, "They may have the missing link, we are all after the same thing, better quality resources for more people to enjoy forever." So please listen to them. He feels it goes across the board to all Departments and agencies.

**Marcy Cella** made a motion to adjourn the meeting. **Bob Black** supported the motion.

Meeting adjourned at 9:12 p.m.