

Pigeon River Country Advisory Council



Meeting Minutes

Location: Zoom Virtual meeting

Date: Thursday, January 21, 2021

A meeting of the Pigeon River Country Advisory Council (P.R.C.A.C.) was held on Thursday, January 21, 2021 via Zoom due to the COVID-19 Pandemic. Chair Paul Rose called the meeting to order at 5:00 p.m., then led all in the Pledge of Allegiance.

MEMBERS PRESENT:

Paul Rose, Rique Campa, Don Horrocks, Barb Curtis, Randy Keen, Sandy Franz, Bill Wood, Conan Smith, Greg Walz, Bill Loney, Doug Reeves, Brent Shank, Ken Glasser and Drew YoungeDyke.

MEMBERS ABSENT:

Brian McPhail, Lisha Ramsdell and Dave Smethurst

EX-OFFICIO & DEPARTMENT STAFF PRESENT:

Cody Stevens, Brian Mastenbrook, Jessica Greenwald, Kerry Wieber, Kelly Kinser, Sam Black, Jillane Egleston, Rick Henderson, Madeline Jazdyk, Andy Stempky, Mike Shelton, C.O. Tom Oberg, C.O. Eric Bottorf, and Karen Chapman.

EX-OFFICIO ABSENT:

Tim Cwalinski.

OTHERS PRESENT:

Samantha Peterson, Mike Koskus, and Ethan Winchester.

INTRODUCTIONS – PAUL ROSE:

Chair Paul Rose conducted a roll call of advisory members (confirming a quorum) and general attendees before welcoming all to the January 2021 meeting of the Pigeon River Country Advisory Council. Paul thanked everyone for keeping the council together and moving forward during these challenging COVID times. Recognition and thanks were extended to Heather Shaw for her service on the advisory council; she is stepping down due to professional reasons. Recognition and thanks were also extended to Rob Pallarito for his service on the council, Rob is also stepping down. Welcome was given to Ken Glasser, who is replacing Rob as the representative from the Otsego County Board of Commissioners. Of note, Ken was a past chair of the P.R.C.A.C.

AGENDA:

Rose called for a motion to approve the agenda, motion made and seconded. There being no further discussion offered, all members present voted in favor to approve the agenda as presented.

MINUTES:

Rose called for a motion to approve the minutes from the October 22, 2020 meeting. There were no additions, deletions or corrections offered, the motion was made and seconded, all members present voted in favor to approve the minutes as presented.

P.R.C.A.C. APPOINTMENTS:

Heather Shaw has stepped down from the council for professional reasons. Her term expires 12/31/2021, and to date the position has not been filled. Ken Glasser is replacing Rob Pallarito as the representative from the Otsego County Board of Commissioners.

CHAIR AND VICE-CHAIR YEAR TWO CONFIRMATION VOTE/PROCESS:

In 2018, the P.R.C.A.C. Articles of Organization were amended to limit the term of service of the council Chair to two 2-year terms. Since the original Articles require an annual vote, it is necessary for a confirmation vote in the second year of a 2-year term. Rose called for a motion to confirm the second year of the terms of service for the Chair (Rose) and Vice-

Chair (Campa) which expire January 2022. As a reminder, this will be Chair Rose's final term of service in accordance with the term limits set forth in the Articles of Organization. The motion was made and seconded, all members present voted in favor to confirm the terms of the Chair and Vice-Chair.

PUBLIC COMMENT:

Mike Koskus commented that having served as a past chair of the P.R.C.A.C., he has always kept an interest in the P.R.C.S.F. He participated as a citizen at the Resource Use & Extraction committee meeting of October at which there was discussion about marginal wells and the abandoning of wells. Harry Faulkner, C.E.O. of Lambda was present at this discussion. The meeting ended with a suggestion that at the next meeting, Harry Faulkner would provide information to better clarify marginal wells and a plan to shut wells. It was further decided that the Resource Use & Extraction committee form a sub-committee to discuss marginal wells and the shutting of wells. The sub-committee consists of Scott Whitcomb, Sandy Franz, Joe Jarecki, Paul Rose, Rick Henderson, Mindy Koch and others. At the January 15, 2021 meeting, Harry Faulkner delivered a PowerPoint presentation on behalf of Lambda.

No other public comment was offered.

COMMITTEE REPORTS

FOREST COVER & WILDLIFE MANAGEMENT – DOUG REEVES:

Doug reported that a meeting of the Forest Cover & Wildlife Management committee took place on January 7, 2021. At that meeting, Dan Heckman, DNR Forest Resources Division gave a presentation on the State Forest Management Plan revision. The goal of the revision is to create a new State Forest Management plan that will ensure Michigan residents, stakeholders, partners and industries are confident that the DNR will sustainably and responsibly manage state forest land on their behalf. The department is using a more sophisticated modeling software and process, which will incorporate additional wildlife considerations. Another part of this is to develop monitoring tools and processes. Next, a draft of the new management plan will be written, which is estimated to be completed by October 2021. The department will be engaging with stakeholders and the public throughout the entire process. Looking at three timeline scenarios, from 150-200 years out, 10 years out and annual planning horizons. The pilot model was developed for the P.R.C.S.F. and testing has been ongoing. Stay tuned for more details as

the project moves forward, information can be found at www.michigan.gov/dnr - Regional Forest Management Plans.

Before moving on to the next committee report, Chair Rose reminded all that the council has a clear role in the discussions involving mineral extraction in the P.R.C.S.F. In the original 1974 DNR Director charges to the P.R.C.A.C. included the statement “appraise ongoing management programs in terms of the effectiveness in meeting the objectives of the conceptual plan” – i.e. the Concept of Management. The 2007 Concept of Management states that “as the production of oil and gas declines from wells it becomes important to manage the timing and procedures for the abandonment of the wells and restorations of the site.” In the 1980 Ingham County Circuit court judgment it states the “P.R.C.A.C. is to be consulted on oil and gas exploration and development matters including the closure of sites.” With this in mind, the council is not overstepping any boundaries in this matter.

RESOURCE USE & EXTRACTION – SANDY FRANZ:

Sandy Franz provided the background details that resulted in the draft document titled “PRCSF – Oil & Gas Production Fulfillment Resolution” (attached Exhibit A) that was emailed to members for review on Tuesday, January 19, 2021.

When Lambda came on board as the third operator for the wells in the consent area, the Resource Use & Extraction committee held a meeting in July 2019, which included council members, DNR, E.G.L.E., and Harry Faulkner, Lambda C.E.O. One of the goals of the meeting was to make sure the operator understood that the wells in the consent area were under additional legal and administrative controls than other wells in the state. There was a great deal of discussion on marginal wells. At the next meeting, it was suggested by Harry Faulkner to form a small working group of people familiar with the issue. There have since been two meetings of the small working group, one in November 2020, and one in January 2021. At the November 2020 meeting, Harry Faulkner suggested that it might be possible for Lambda to offer a definitive timetable for plugging the wells in the consent area, then moving on to a definitive timetable that might give an end date for oil & gas production in the consent area. Please note that these were discussions only, the committee has no authority to make a “deal”. The Environmental Impact Statement that was prepared in December 1975 had a proposed timeline that states exploratory wells would be drilled in 1974, then went through various states of production and developing the field with the goal that oil and gas production would be completed by 2000. The concept is that the resource would be explored, developed, and extracted with oil and gas activity in the P.R.C.S.F. having an end date. The reality on the ground has proved to be something different. In response to the current situation, it was decided that

a policy resolution would be appropriate for the P.R.C.A.C. Thus, the purpose of the resolution is to request the DNR Director to empower the DNR, the State of Michigan and other necessary state entities to pursue these discussions to give weight and authority to this process.

Much discussion on this topic ensued. After all discussion concluded, Sandy Franz made a motion that the advisory council adopt as written the draft "Oil & Gas Production Fulfillment Resolution". Don Horrocks seconded the motion. Sandy Franz read the last two paragraphs of the draft resolution. There being no further discussion offered, Rose called for a vote on the motion, there was unanimous approval.

Cody Stevens then offered that E.G.L.E. should be added to line 35/36 of the second to last paragraph in the resolution. It was agreed that that change should be incorporated.

Rose called for a vote on the motion as amended, which again passed unanimously.

Madeline Jazdyk, E.G.L.E. reported that Charlton 4 is still moving towards closure. Also, around Thanksgiving of last year, there was a new permitted well in the annexed area of the Pigeon. If this well is drilled, it should be located in section 22 of North Charlton Township, on private property, with the S.O.M. owning mineral rights.

SPECIAL COMMITTEE REPORTS

DISCOVERY CENTER – SANDY FRANZ:

Sandy reported that the D.C. has been closed due to COVID-19, normally they would open on the weekend of trout opener (APRIL), but they have not yet made that decision for 2021. They are working with the Odawa Tribe in Harbor Springs to create a new exhibit about the Native American presence in the P.R.C.S.F., and also developing an exhibit of the history of the D.C. building as a Fisheries research station. Working with Sandra Clark at Michigan History Center on implementation of the Michigan Natural Resources Trust Fund grant received last year.

PIGEON RIVER COUNTRY EQUESTRIAN COMMITTEE – BARB CURTIS:

Barb reported that the committee was scheduled to meet in November 2020. Several members were not able to attend for various reasons, and it became obvious there would not be a quorum, so the meeting was cancelled. The meeting is being rescheduled.

OLD BUSINESS

PRC UNIT MANAGER POSITION UPDATE – CODY STEVENS:

Cody reported that the Unit Manager position is steadily moving forward. It should be posted for applicants to apply in the next two weeks. Hopefully within the next couple of months the position should be filled.

PROJECT UPDATE ON TUBES AND CORNWALL FLOODING PROJECTS – LISHA RAMSDELL:

Per Lisha Ramsdell email report dated January 21, 2021, as read by Karen Chapman.

“Cornwall: We have engineered designs completed and the permits are under review by DNR Natural Rivers Program and Department of Environment, Great Lakes and Energy. In early December we had an onsite contractor meeting and received 3 bids back. All of the bids were significantly higher than what our engineer estimated. We are currently working with the DNR to seek an additional \$600,000 of funds for the project. It is unlikely that any significant project work will take place on the flooding this year. The Cheboygan County Road Commission is still planning to replace the Tin Bridge Rd. culvert downstream of Cornwall in 2021, which is an important first step of the project. We’ll keep everyone updated as we learn more about the funding and permitting.

Ford Lake Road/Pigeon River Timber Bridge Project: As many of you know this site washed out in a flood event in late October. The road has been closed and will likely remain that way until the new timber bridge structure is installed. The funding, permit, contractors, etc. are all in place for this to be restored in 2021. The road commission was originally planning to start construction after July 4th weekend, but is looking to move that date to late spring because of the current road closure and disturbance to the site. A specific construction start date has not been determined yet, but when it does, I will let you know. After the flooding our staff went to the site and based on course estimates determined that over 400 tons of sediment were washed into the river from the old campsite (site 19), roadway, as well as erosional holes on the road shoulders and between

the culverts. I've attached some photos of the site. When I get a chance, I will link more photos on the P.R.C.A.C. Google drive."

CHAIR'S COMMUNICATION WITH THE DIRECTOR – PAUL ROSE:

Paul reported that he has been in communication with Director Eichinger and provided a list of action items, chief among them was the status of the P.R.C. Unit Manager position, oil and gas issues, council appointments, and a variety of land use management orders. Most of the items have received follow-up, any items that have not been addressed will be transmitted to the new P.R.C. Unit Manager.

NEW BUSINESS

LAND STRATEGY UPDATE– KERRY WIEBER:

Kerry reported that following her land strategy presentation at the October 22, 2020 P.R.C.A.C. meeting, the Land Strategy sprint team was fully in the engagement period on draft components to the land strategy update and were accepting comments from stakeholders and the public until the end of October. Over 570 comments were received on those draft components, over 200 of those were considered to be actionable and could be incorporated into the document. All the comments were evaluated by the land strategy sprint team, and a comprehensive draft document was developed by the end of the year. It was then sent out to department staff for internal DNR review. At the same time the land strategy sprint team also took a hard look at the strategy they developed. Quite a few changes were made to the draft document, which was again made available on January 19, 2021 for stakeholder and public review and will be accepting comments through February 12, 2021. The comprehensive draft document is available for review and to offer feedback via link to a survey or a link to the email address at www.michigan.gov/publiclands.

Kerry also reported on the Black River Ranch acquisition project, for which the council provided a letter of support in September of 2020. The requests for the majority of funding have been submitted.

EX-OFFICIO REPORTS

PRC UNIT REPORT – CODY STEVENS:

Cody reported that forest inventory and timber sale preparation are steadily moving forward. We are still down one forest technician position, but that may change.

WILDLIFE REPORT / ELK HUNT UPDATE – BRIAN MASTENBROOK:

Brian introduced Jessica Greenwald, new Wildlife Technician for the PRC, replacing Mark Monroe. The department also hired a new Wildlife Technician in the Atlanta Unit. Huron Pines has been working with a wildlife habitat grant to develop restoration of well pad methods. This project is now going on its fourth year, a lot has been learned about restoring those sites back to a state that contributes positively to the ecology of the forest. Elk season – there was no in-person orientation this year, hunters were given YouTube videos to watch, and asked to sign an affidavit acknowledging they understood all the information presented. A Virtual open house was held for hunters, there was no elk check at the Atlanta Wildlife garage, it was done in the field. During the December hunt, 132 elk were harvested, consisting of 46 bulls, 72 cows and 13 calves. Including September and December hunts, a total of 214 elk were harvested. These are higher numbers than in past years, trying to move the population to the goal range. The next elk survey is planned for January 2022. With regards to deer season, Brian noted that license sales were up. However, based on his non-scientific annual camp survey, he noted that deer camp numbers within the P.R.C.S.F. were down.

RECREATION REPORT – KELLY KINSER:

Kelly reported that since permanent staff is now working during the winter, they have noticed an increase in winter camping at the P.R.C.S.F. Staff has been plowing some of the campgrounds open to allow access. One of the big projects currently in process is the removal of the bridge over the Pigeon River at Pine Grove campground. The Trails division has hired C2AE, a consulting firm out of Gaylord to look at the installation for the bridges that have been removed along the High-Country Pathway. There are 4 bridges that are going to be replaced, the one just removed at Pine Grove, the bridge over the Black River that was taken out a few years ago, the small bridge at Pickerel Lake Pathway, and the bridge at Tubb's Creek. C2AE has been reviewing these locations to identify appropriate sites for the bridges to be placed.

LAW ENFORCEMENT UPDATE – LED:

C.O. Tom Oberg reported that even with deer camp numbers being down, there was a lot of activity on opening day, particularly on Tin Shanty Road. There were no incidents of note during deer season. Elk season – there were a few incidents, including 3 accidental double-kills, other than that no other major incidents. Working on a few snowmobile complaints from last year. Another update from last year, 3 people were arrested and are due for arraignment in court during the week of January 25, 2021 for the 3 elk that were poached off of Bobcat trail last year.

FUTURE AGENDA ITEMS:

Please forward any future agenda items to Paul Rose.

The next meeting is scheduled for 5:00 p.m., Thursday, April 22, 2021.

ADJOURN:

Meeting adjourned at 7:05 p.m.

RESPECTFULLY SUBMITTED,

KAREN CHAPMAN, DNR