

Au Sable River Citizens Fishery Advisory Committee

Meeting Minutes

Location: Grayling, Crawford Co. Library

Date: April 9, 2024

Participants: Matt Klungle, Terry Lyons, Tim Cwalinski, Neil Wallace, Karen Harrison, Andy Partlo, Andy Nuhfer, David Smith, Tom Wessels, Mark Johnson, Mark Luttenton, Joe Snapper, Lance Nelson, Josh Greenberg, Robb Smith, Thomas Buhr, Eric Braden, Pat Mordy, Jim Shiflett, Steve Sendek, Howard Johnson, Dick Buss, Bryan Burroughs, David Cozad, Luca Adelfio, Brian Dorr, Tom Baird

Meeting minutes

Welcome and introductions:

Terry Lyons (public chair) and Matt Klungle (DNR co-chair, DNR facilitator) welcomed the gathering to the initial meeting of the advisory committee. Each participant present introduced themselves and who they are affiliated with.

Explanation of history and purpose of CFAC, Area of Coverage:

Klungle and Cwalinski shared their vision for this group into the future using another DNR inland CAC (citizens advisory committee) as an example. The Northern Lakes CAC has been in existence since 2009. This CAC reviews fisheries topics (stocking, fish densities, invasive species issues, etc.) for the large lakes of the northern MI inland waterway (Black, Mullett, Burt, Crooked lakes) as well as for Long and Grand lakes near Alpena. The existing CAC has been a valuable tool for DNR and the stakeholders for those waterbodies and helps to share information and management reasoning between the public and the DNR. The vision is the same for the DNR and its many stakeholders in the upper Au Sable River drainage. DNR recognizes the many stakeholders and agencies within this new CAC. There are many moving parts and work efforts or concerns in this watershed, and this CAC will be a forum for formal sharing among all those involved.

A sub-committee consisting of some of the current members here today discussed the development of this overarching committee months prior. A major emphasis was that better timely communication is needed not only between stakeholders and the DNR, but also between

Upper Au Sable stakeholders. The sub-committee months ago also decided that the spatial emphasis will be on the Au Sable River and its tributaries upstream of Alcona Pond.

Terms of Reference introduction and finalization:

A DRAFT Terms of Reference was provided to participants prior to this initial meeting. It was also discussed at the current meeting, section by section.

Highlights and discussion include:

- Public vice chair was selected/volunteered (Karen Harrison).
- A significant role of public attendees (voting members) will be to digest meeting information and disseminate it back to the other stakeholders not in attendance or not voting members.
- This is not a DNR driven CAC. It is a shared CAC between the public and DNR. It only works if all stakeholders and the DNR work together to drive it.
- Meeting notetaker (Cwalinski) will provide meeting minutes back to the public chairs (Lyons/Klungle) as soon as notes are completed. The DRAFT meeting minutes will be provided to meeting attendees with a short time frame for edits. Once edits are completed/considered, they will then be inserted into the DNR CAC website for posting along with the meeting agenda (already on website). This will allow future members or those interested in seeing the progression of topics on the website.
- A question was raised as to the frequency and timing of meetings. Each participant was polled on this topic. Meetings should be agenda driven and be worthy of having a discussion. Most participants felt that two meetings per year would be needed, at a minimum. DNR personnel has some reservations over too many meetings due to larger coverage areas and personnel shortages. Meeting co-chairs will work collaboratively to create meeting worthy agendas. Topics for consideration can be provided to the co-chairs by voting members or the public.
- Concerns were raised on meeting frequency if decisions or topics emerge rapidly. Consideration can be given to impromptu virtual meetings at the discretion of the CAC co-chairs. In addition, small working groups/task groups can be formed to research, understand, or make recommendations to the overall CAC on various topics, if needed.
- Co-chairs will need to be flexible or adaptive to CAC needs in terms of topics and meeting frequency and type (virtual versus in-person).
- Terms of Reference will be tweaked for minor edits (Cwalinski) and provided to the co-chairs for final dissemination to CAC members as non-draft status.
- Co-chairs will determine meeting location together.
- See DRAFT Terms of Reference.

Role of public attendees:

This section was covered under the Terms of Reference review. Along with voting members and advisors, public observers are allowed to attend any meeting and participate.

Seating of voting members, appointment of advisors:

Discussion ensued that future membership and voting members could increase. This is recognized among the co-chairs. Also discussed was the actual voting membership list (including those who participated today) and how many voting members should be represented from each stakeholder group. Should only one voting member be included from each stakeholder group or multiple voting members from a stakeholder group due to unknown meeting attendance over time. The co-chairs felt that more voting members would probably be needed from each stakeholder group than fewer since voting topics will be uncommon, and this CAC was more about information sharing and dissemination. The starting member list was approved. Terry Lyons will share the approved list with the group (along with meeting minutes and final Terms of Reference).

Stakeholder Roundtable:

Mark Luttenton - Grand Valley State University

- Three graduate students starting in summer 2024 with three different projects. One evaluating genetics to evaluate effective population sizes of trout. One evaluating gene expression on responses to environmental stresses at age-1+. One student will be early life stage mortality events on trout. A small number of trout will also be collected from three river locations (near the military base) for metal analysis.

Josh Greenberg - Gates Lodge

- The new DNR inland guide reporting system seems reasonable but has concerns that the system will not provide much valuable information. Guides will be less willing to provide accurate information if done only once per month. Fishing activity was much higher following the onset of Covid and has come down a bit since then. Invertebrate hatches are trickling in right now. Concern over poaching in various open reaches of the river, including from Parmalee to Camp 10. This information will be shared with DNR LED.

Lance Nelson - Gates Lodge

- Shared Josh's view with the inland guide reporting system in that it is not robust enough as it is created currently. Reporting should be more daily and have greater metrics if it is to be used by DNR. Shared that fish abundancies appear healthy.

Robb Smith – Michigan TU

- Streamer fishing in the big water below Mio is producing average results. Suggests that poaching is still an issue on the big water below Mio and that DNR law enforcement is not sufficient in that reach. Disposition of dams, particularly Mio Dam, is the biggest topic in the watershed.

Thomas Buhr – Anglers of the Au Sable

- The organization usually conducts one project per year on the big water below Mio but are unsure on what will occur in 2024. Currently working to continue planting cedar trees below Mio. The South Branch Au Sable River has fished well recently.

Howard Johnson – Au Sable River Property Owners Association

- Looking for new board members following recent board retirements. Redd surveys continue on the South Branch in collaboration with Mason-Griffith and Mershon Chapter TU. Brown trout redd numbers were down 30% in 2023. Cedar tree planting and protection is needed and ongoing due to the lack of cedar tree natural regeneration. Working with DNR to plant on state land, along with private land.

Steve Sendek – Mason Griffith Trout Unlimited

- Observing better spawning activities of trout on upper river where habitat work was completed and on the Middle Branch Big Creek downstream of Big Creek Impoundment. Concerned with sand deposition issue on upper river near Frederic. Cedar trees are lost due to sand deposition and flooding in floodplain. Working directly with DNR Forestry Division to obtain appropriate land use permits and natural river permit to dredge sand in the disturbed area. EGLE permits also being sought. Approvals have been provided by DNR. Nuisance beaver trapping in the upper Au Sable watershed is increasing significantly. Steve has gone from receiving about a dozen complaints per year in the past to 80 this year. Beaver pelt prices are slightly higher in 2024, but still very low compared to historical prices. Some tributaries are still getting hit hard by beaver. More private river riparian's interested in in-stream habitat work than in past.

Neil Wallace – Anglers of the Au Sable

- Involved with short term rental ordinance which is not in compliance in Lovells Township.

Bryan Burroughs – Michigan Trout Unlimited

- Temperature logger initiative being developed for the Au Sable River by national staff.
- Dam removal initiative on a tributary to Big Creek near Luzerne.
- Working on two small dam removals with the America the Beautiful Grants including a Big Creek forestry owned dam and the Humbert Road Dam on the upper mainstem. The upper river dam is slated for removal in 2024.
- TU is about 50% done with the fish passage improvements on the East Branch Au Sable at the hatchery site.
- Has worked collaboratively with DNR on reviewing the carbon sequestration project proposed to DNR on state land in the North Branch drainage.
- TU has proposed a grant proposal to DNR for habitat mapping of the upper Au Sable/Manistee to determine wood salvage on state land for instream work.

- Submitted grant to State/Federal governments for examining the effects of didymo (invasive) on water quality parameters.
- Continued frequent involvement in the Au Sable River DNR structured decision-making process.
- Involved in the statewide Consumers Dam process to potentially sell dams.

Karen Harrison – Mason Griffith Trout Unlimited

- Working for all permits to remove sand in the MacArthur tract of upper river. Equipment purchased to do the work.
- River habitat work below Pollack Bridge on mainstem slated for work in 2024, including at 49 sites. Proposal to DNR for funding.
- Telemetry work on trout above and below East Branch hatchery site continues with Grand Valley State University.
- Fish electrofishing sites being considered by MGTU (have their own equipment) near the Hulbert Road site, possibly at Pollack Bridge, and at an old DNR index survey site at Wakui.
- Continued involvement in cedar tree planting, temperature logger placement, and invertebrate surveys.

Andy Partlo – Old Fly Shop

- Day to day working with anglers who are not represented at this CAC. Year around angling in many river reaches is a concern from many anglers, not allowing a down time for fish and fishing pressure, particularly in the spawning season.

Andy Nuhfer – retired DNR Fisheries Biologist

- More consideration should be given to examining young trout survival.

David Smith – Anglers of the Au Sable

- Beginning instream habitat work on the North Branch Au Sable with 180 structures from Twin Bridges to the Powerline, permits are obtained. Beginning survey to find legacy habitat structures. Entire North Branch surveyed for brown trout redds and showed a decline in redds. AOA had two electrofishing trainings (have own survey gear) in 2023. Invertebrate sampling completed and built six wader cleaning stations.

Tom Wessels – Au Sable North Branch Area Foundation

- Our first meeting of the foundation for the year was recently held. We are invested in many other projects and funding that have already been discussed today (redd surveys, electrofishing training, invasive species control, short term rental issues).

Mark Johnson – Great Lakes Council

- Fly fishing exposition this spring. Set up at Grayling hatchery for educational/casting skills. Have had many board meetings. People should visit the GLC facebook page for more information on our activities.

Luca Adelfio – U.S. Forest Service

- Manage much federal land along parts of the Au Sable River watershed. Have a Watershed Restoration Plan. Seeking out Wakely canoe landing improvements. Wood debris structures added to river reaches by Connors and Townline. Involved with cedar tree planting.

Matt Klungle – DNR Fisheries Division

- Fixed site trout population estimate site conducted in 2023 at North Branch Dam 4 historical sampling site. Survey will also be conducted in 2024 and 2025. High numbers of young fish generally found in 2023. There is a significant crack in the riser structure at Big Creek Impoundment. This structure is owned by DNR Fisheries Division. The outlet pipe and outlet embankment was replaced in recent years, but not the riser structure. Design and engineering for the replacement of Twin Bridges crossing on the North Branch will begin this year. Funding for design and engineering was through the EPA and GLRI funding.

Presentation and discussion of MUCC Big Water Regulation Change and Proposal – Pat Murphy (MUCC)

The proposal by MUCC members to change the Type 2 trout regulations on the mainstem from McKinley downstream to 4001 Landing was presented. Type 4 regulations were suggested as an alternative. Objectives for this proposal were to: 1) standardize with Type 4 regulations in many other lower river reaches, 2) partner with DNR to create more year around fishing opportunity for anglers, 3) regulation simplification. The resolution was adopted by MUCC in 2024.

This resolution was brought to the stakeholders and CAC for discussion and perspective.

Discussion on a proposed change from Type 2 to Type 4 regulations would involve lower size limits for trout, continued protection from harvest from fall through spring, but open catch and release opportunity all year. This reach of river has lower trout densities due to warmer water and other variables and is pressured less. Additional year around fishing could reduce pressure fall through spring in the gear restricted reach upstream. The lower reach of the big water below Mio (McKinley to 4001 Landing) typically sees more winter ice cover and harsh conditions due to its distance from Mio Dam and its relatively shallower and wider nature (during extreme winter cold spells).

Comments from stakeholders:

Buhr – could live with this regulation change if DNR LED could provide more enforcement, and if considerations were given to ice safety (anglers unknowingly floating downstream into safety hazards)

Smith – Would changing the regulations to Type 4 be appropriate? Could live with a change as long as more fishing opportunity provided.

Sendek – Regulations were created for the big water in 2000 during a larger review by DNR and the public. Type 2 regulations (closed fall through spring) were selected for this reach (McKinley to 4001 Landing) with ice conditions being a significant factor due to access concerns. Anglers could be trapped by ice if floating downstream. There is now some concern about our reliance on wild brown trout production since stocking has been discontinued and maintaining a closure (Type 2) during spawning season. Who would alert fishing drift boats/canoes about potential ice traps downstream if conditions were unsuitable during short reaches of the winter?

Burroughs – Appreciated the MUCC presentation and their objectives. Allowing anglers to fish without biological consequences is always a well thought out goal. There are pros and cons to such a proposed regulation change. Neither Type 2 (current) or 4 (suggested) regulations are perfect, but they are the suite of regulations available. This reach of river has lower trout densities, but excellent growth rates.

Greenberg – Offseason walleye and bait anglers could hinder brown trout survival if harvest increases. A change in regulations could also stimulate regulation changes in other watershed stream reaches. Concern over our newly found reliance on wild brown trout production below Mio and opening a reach with Type 4 regulations to year around fishing.

Lyons – Decades ago the public and DNR could not come to an agreement over Type 2 regulations for the entire reach below Mio. The historical view was that Type 2 regulations below McKinley (with their fall fishing closure) would act as a buffer to the gear restricted reach upstream (Mio to McKinley) by retaining a closed fishing period. Concern that there is no scientific justification to this proposal, which is what MUCC typically desires. New reliance on wild brown trout production from Mio to 4001 Landing doesn't align well with a proposal to open the lower reach to year around fishing and potential pressure on fall spawners.

Partlo – As a guide and shop owner, seeing a growing number of Au Sable River anglers that believe all year fishing on many reaches of the Au Sable River is tough on the fish. This is a growing concern.

The co-chairs agreed that there will be more discussion on this topic at the next CAC meeting. This meeting was to introduce the topic, capture conversation in meeting minutes, and allow time for stakeholders to discuss with their constituents prior to the next meeting. In summary, MUCC has adopted a resolution to change the trout regulations from Type 2 to possibly Type 4 regulations on the mainstem from McKinley Bridge to 4001 Landing. This MUCC resolution was provided to DNR Fisheries Division, which has brought the resolution to this CAC. DNR Fisheries Division seeks the input of the CAC stakeholders prior to any change being considered for future years.

North Branch Carbon Sequestration project proposal – Matt Fry (DNR Minerals Division)

DNR received a private proposal for a carbon free energy plant to be built on state land south of the town of Johannesburg. DNR issues land use permits for various activities and development but has been in the early stages of reviewing this type of proposal since this is unprecedented in Michigan. There is interest in using 15 acres to build the plant and producing 80 MW of net power production with a carbon capture aspect. The goal from the company is consistent with Michigan's plan to generate 60% of electricity from clean sources. The location proposed maximizes infrastructure already on site (powerlines, gas lines) north of Old State Road. The plant would burn state owned natural gas (turbines) and produce additional energy for nearby transmission lines. In order to strip the carbon (non-emissions) output, 1.3 million gallons per day of groundwater would be used in the cooling process. The carbon could be converted into sequestration for enhanced oil and gas recovery.

DNR Fisheries and other Divisions (DNR Forestry is the lead division in land use reviews) have been learning more about water withdraw impacts in the area based on the amount of water proposed. DNR will be allowing some site control for the company to investigate water impacts (test wells) but is not committing to a full use permit at this time. An option agreement would include testing to prevent adverse impacts to the aquifer and surface waters, the agreement of state of MI natural gas use, and greater than 95% CO₂ recovery and sequestration. Again, an option agreement does not ensure a least. Bryan Burroughs has also been brought in as a consultant on this topic since Bryan is very familiar with the Water Withdraw Assessment Tool. Bryan praised DNR for their transparency on this topic and to learn more about how such a proposal may or may not impact groundwater in the North Branch Au Sable drainage. DNR has asked for more input and modeling from EGLE on the matter and they provided it. Now DNR is asking for more specific water impact test data from the company and their consultants. DNR Fisheries Division is provided more temperature data for the North Branch Au Sable River to EGLE. The bottom line is: will 1.3 million gallons a day groundwater withdraw (and eventual loss through evaporation) have a significant impact on the North Branch and its tributaries? If this proposal was on private land, it would not even be reviewed by DNR.

DNR is reviewing this request closely, not just for impacts to groundwater and aquifers, but also from a landscape view. There are many energy demands, including for proposals on state land (solar, wind, etc.). The State of MI is looking for cleaner energy sources. DNR is giving the proposal its due diligence. The EGLE Water Withdraw Assessment Tool (WWAT) is not a perfect tool, so we are looking beyond it to get better answers (discussing with Trout Unlimited and EGLE).

Comments from stakeholders:

- Not one drop of water can be extracted from the North Branch Au Sable River watershed.
- Would the company be paying for such high water use? Possibly, through a lease.

- The North Branch watershed is fragile with many concerns and this sounds like an experiment.
- A new river gage (replacing the outdated one) needs to be reestablished on the North Branch.
- The WWAT doesn't measure water loss accurately for headwater streams. What about the potential for water loss at nearby wells?
- Concern over taking a precious resource such as cold groundwater and converting it to steam

Notes: Tim Cwalinski, DNR Fisheries Division