

Western Upper Peninsula Citizen Advisory Council (WUPCAC)
Meeting Minutes-APPROVED 12/5/22
Wednesday, July 20, 2022
5:00-7:30pm Central / 6:00-8:30pm Eastern
Michigan Tech University, Memorial Union Building, Houghton

Council Members Present

Erik Bessonon	Mike Holmes	Carol Mason Sherrill
Floyd Dropps	Dave Johnson	Travis Smith
Barb Gajewski	Horst Schmidt	Tom Solka

Council Members Absent/Excused

Dave Hall	Chauncey Moran	Skip Schulz
George Lindquist	Mary Peterson	Warren Suchovsky-Vice Chairman
Jim Lorensen-Chairman	Kirk Schott	

Department of Natural Resources (DNR) Staff & Guests

Brad Carlson, Forest Resources Division, Baraga
Kristi Dahlstrom, Executive Division, Marquette
John DePue, Wildlife Division, Baraga
Stacy Haughey, UP Field Deputy, Executive Division, Marquette
Rob Katona, UP Trails-Parks & Recreation Division, Marquette
David Lemmien, UP Wildlife Supervisor, Wildlife Division, Sault Ste. Marie
George Madison, Fisheries Division, Baraga (via phone)
Sgt. Marc Pomroy, Law Enforcement Division, Houghton County
Doug Rich, Parks & Recreation Division, Baraga

Call to Order/Pledge of Allegiance/Introduction of Council Members

At 6:00pm Eastern, **Mr. Tom Solka** called the meeting to order in the absences of Chair Jim Lorensen and Vice Chair Warren Suchovsky who were both unable to attend. **Mr. Solka** welcomed everyone in attendance and led the Pledge of Allegiance. Introductions of Council members, DNR staff and public attendees took place.

Adoption of Agenda

Mr. Solka noted there will be three public comments this evening. He asked the Council if there were any further additions or revisions to the agenda; none were brought forth. **Mr. Schmidt motioned to accept the agenda as amended; Mr. Johnson supported the motion. Ayes: All. Nays: None. Absent: See page 1. No further discussion. Motion carried.**

Approval of Previous Meeting Minutes

Mr. Solka asked if there were any further changes to the May 17, 2022, meeting minutes which were distributed to the Council via email for review. **Mr. Johnson motioned to accept the minutes as submitted; Mr. Dropps supported the motion. Ayes: All. Nays: None. Absent: See page 1. No further discussion. Motion carried.**

DNR Reports from Division Staff & Follow-Up from Last Meeting

Written staff reports were provided to Council members on July 13, 2022. The following brief updates were added.

1. Ms. Stacy Haughey, UP Field Deputy:

- The UP Citizens' Advisory Councils (both eastern and western councils) have been in existence for 14 years, meeting publicly once a month across the UP (175 meetings to date). Together, the UPCAC's have

submitted over 100 resolutions to the Director on a variety of natural resource topics. Council members and staff were thanked for their participation over the years.

- A special welcome was given to past WUPCAC member Mr. Larry Heathman, who was in attendance, as well as new UP wildlife supervisor Mr. Dave Lemmien. Mr. Lemmien fills the role left by Mr. Terry Minzey who retired.

2. **Mr. Doug Rich, Parks & Recreation Division:**

- The Lt. Governor visited the Porkies last weekend. It was the first time he had ever been to Lake of the Clouds and was astounded by the view.

3. **Mr. Brad Carlson, Forest Resources Division:**

- Forest management recommendations are presented at open houses - informal sessions that give the public the opportunity to speak with foresters, wildlife biologists and other resource professionals. Please spread the word. If anyone would like to provide comments for a respective forest management unit in the western UP, please contact Mr. Tom Seablom for more details.
- **Mr. Bessonon** asked about the new ownership at the Escanaba and Quinnesec paper mills and if a change in demand has been seen from the new owner. **Mr. Carlson** replied there has been no changes seen in the last bid opening. The number of bid openers was 6-12 which was a good turnout.
- **Mr. Schmidt** asked if there are any issues with wildfires in the western UP. **Mr. Carlson** noted there are no issues in the western UP; however, there is a fire currently contained in the eastern UP.

4. **Sgt. Marc Pomroy, Law Enforcement Division:**

- There were no additional updates to the Law Division written report.
- **Mr. Schmidt** asked about the number of rescue calls in the western UP. **Sgt. Pomroy** stated he has not seen any higher trends than normal. Calls typically increase when weather is warmer.

5. **Mr. Rob Katona, Parks & Recreation Division-UP Trails:**

- There were no additional updates to the Trails written report.

6. **Mr. John DePue, Wildlife Division:**

- The open comment period for the revised wolf management plan is open until August 4. Those interested in providing comments can do so on the website.
- Today alone, three calls were received from out of state hunters interested in hunting grouse in the UP. There was an increased interest seen last year as well. This can be partly attributed to the GEMS sites in the UP as word is spreading. Hunters from Georgia, Kentucky, and Wisconsin are making the trip to hunt grouse in the UP and providing a large boost to the UP economy.
- **Ms. Mason Sherrill** asked about the status of White Nose Syndrome in UP bat colonies. **Mr. DePue** stated he is the state program lead on bats. He discussed the types of surveys used and the monitoring of bats during the winter months when they are dormant. Preparation work for surveys will begin next summer. The DNR partners with the KBIC and Forest Service to conduct acoustic monitoring surveys. This past winter, when comparing trends over the last 5-6 years, UP bat populations have stabilized. It is great to see the downtrend has stopped, however, levels are still very low. **Ms. Mason Sherrill** asked if there have been any new developments in treatments and how the community can help. **Mr. DePue** stated staff work with several universities and researchers to mitigate WNS and new medicines/inoculations and cleansing methods are looking promising. He stated it is difficult for the broader community to have an impact; however, he encourages educational presentations which can help immensely. Bat boxes can also be a helpful tool. He reminded folks to encourage others to stay out of abandoned mines in the winter which

keeps bats undisturbed and reduces their reserves. **Mr. Solka** suggested Mr. DePue be invited back to a future meeting to provide a full presentation on the status of bats; the Council agreed.

- **Mr. Dropps** asked for an update on the possible bear attack in the western UP. **Mr. DePue** stated he received an initial report from relatives of a fisherman who was in the hospital. He and CO Lasanen investigated the suspected site of the attack that same evening to look for evidence and even went back a second time to gather additional information. After several conversations with family members, a review of injuries, timeline of events, and discussions by COs with the attending physician and the injured person, there was no evidence at the site or through the investigation that supported an alleged bear attack. **Sgt. Pomroy** confirmed Mr. DePue's account and indicated if an interaction with an animal was determined, there would be a number of steps taken.

7. **Mr. Dave Lemmien, Wildlife Division:**

- **Mr. Lemmien** indicated he is based out of the DNR Sault Ste. Marie office and has been in the position for six weeks with two of them traveling around the UP. If there is an interest to meet with him, feel free to contact him at any time.
- He has been with the DNR for 28 years and had previously worked at the Newberry Office for 6 years. He is happy to forge to relationships with the Council on topics important to members.

Mr. Solka thanked all the staff for participating and their willingness to take questions from the Council.

Public Comment on Agenda Items Only

Mr. Solka opened the floor for public comments on agenda items only. He noted another public comment section is available at the end of the meeting for all other topics.

1. *Mr. Jeff Radcliff, Executive Director of the Keweenaw Development Alliance:* Mr. Radcliff spoke of the significance of Buffalo Reef to the Keweenaw community and encouraged the Council's support for continued state funding to see the project through. He also spoke about the forest acquisition project in the Keweenaw which includes 32,000 acres of TRG forest land. The goal is to create a recreation area to support what is already a huge recreation area. He stated the DNR has expressed interest in 9,000 of the 32,000 acres and has made a request for trust fund dollars for the first 5,000 acres. He asked for the Council's support for this important DNR project.
2. *Mr. George Madison, DNR Fisheries Division (via phone):* **Mr. Madison** stated he was unable to attend this evening's meeting due to another meeting out of town and wanted to provide DNR feedback on the proposed resolution by the WUPCAC Fisheries Committee regarding muskies on the Cisco Chain of Lakes. He noted the Council's proposed resolution is written from a perspective of someone that knows the large lake chain and its boundaries; however, the boundaries between Wisconsin and Michigan water are often mistaken. The DNR receives a lot of calls for this area to clarify boundaries and regulations. From a legal perspective, enforcement is difficult to uphold because of the confusing law and boundaries. Michigan has a different size category for musky which is illegal in Wisconsin. When there are shared waters between the two states, the DNR tries to be similar in regulations. As a biologist, he would appreciate protecting muskies from over harvest.
 - **Mr. Johnson** noted there have been only 30 muskies registered from this chain last year and doesn't understand the need for this type of protection.
 - **Ms. Gajewski** asked if the goal is to have regulations for all species the same with Wisconsin on boundary waters. **Mr. Madison** indicated they have been working since the 80s to have common regulations between the two states. Discussion ensued.

- **Mr. Johnson** asked what the musky take is in Wisconsin compared to Michigan. **Mr. Madison** indicated he did not know as Wisconsin does not require mandatory registration like Michigan does. **Mr. Johnson** stated it is one musky a day in Wisconsin versus Michigan allowing one musky a year.
- **Mr. Holmes** stated there is no prevention from an angler catching a musky on the Michigan side and saying they caught in on the Wisconsin side. **Mr. Madison** noted it is the responsibility of an angler to know the regulations for where they are fishing at all times.
- **Mr. Solka** stated, for the benefit of the audience, further discussion on this topic can take place when it is discussed later on the agenda.

3. *Boundary Waters Musky Club Letter:* **Mr. Solka** stated the Council does not typically accept letters or email as public comment. The letter that was received earlier was shared with the Council by email. He noted the letter indicates the club is in favor of the regulation change to a 50-inch size limit.

Mr. Solka noted for the benefit of the general public that one of the historic reasons for the Councils to be in existence is to have input on a variety of matters and it is not unusual for Council members to disagree with staff and vice versa.

Old Business

1. UP Chronic Wasting Disease Taskforce Meeting Update (Ms. Haughey)

- The UP CWD Taskforce met on June 1st to discuss feedback regarding confusion on the baiting and feeding regulations and a possible sunset. At the July 2019 NRC Meeting, Commissioner Nyberg proposed an amendment to add a sunset clause that would cease the baiting and feeding regulation (in the UP core CWD surveillance area) if a second case of CWD was not found in three years. Some individuals understood that this amendment passed; however, the NRC did not approve it.
- A copy of the July 2019 NRC minutes was shown on screen as well as the current regulations on baiting and feeding in the UP core CWD surveillance area that are still in effect.
- **Ms. Haughey** indicated a need to improve messaging in the future when and if a sunset is or is not approved.

2. DNR Response Letter Received Regarding Joint UPCAC Resolution Regarding Fisheries Budget (Ms. Haughey)

- A copy of a response from Chief Jim Dexter, Fisheries Division Chief, to the May 2022 Joint UPCAC resolution regarding a request to direct monies from the division's proposed \$30 million one-time budget allocation to enhance walleye rearing and ponds.
- The response noted the intent of the proposed one-time General Fund investment is to address deferred infrastructure needs, improve energy efficiency, and enhance biosecurity at state fish hatcheries, including construction of a coolwater fish production facility at the Wolf Lake hatchery to better support walleye, northern pike and muskellunge production. The allocation was recently approved by the legislature and is awaiting the Governor's final approval.
- The letter further describes enhancements recently completed for walleye and muskellunge rearing at the Thompson hatchery.
- The response was directed to and shared via email with the EUPCAC, as well as the UP Sportsman's Alliance (UPSA) who also submitted a similar resolution.
- **Ms. Haughey** asked if there were any questions; none were brought forth.

New Business

1. Western UP Invasive Species Update from MTU's KISMA (Keweenaw Invasive Species Management Area)

(Student Representatives)

- **Ms. Haughey** introduced students from the KISMA program at MTU. According to Mr. Ryan Wheeler of the DNR's Wildlife Division, "KISMA receives base funding from the DNR Invasive Species Grant Program. It is the goal of the DNR to cover the state with CISMA's."
- The students, speaking on behalf of Dr. Sigrid Resh, KISMA Coordinator and Research Asst. Professor at MTU, who was out of town, provided a slide presentation and overview of the work of the group which covers Keweenaw, Baraga and Houghton Counties. Their mission is to facilitate cooperation and education among partners (the DNR is one of many), prevent and manage invasive species across land ownership boundaries, and foster native aquatic and terrestrial communities. Funding for their program comes from the Great Lakes Restoration Initiative, EPA, US Forest Service, National Park Service and the Michigan DNR.
- What are invasive species: Species that are not native to Michigan and need to cause harm to ecology, economy, or human health. Examples of those that are not native and harmful include autumn olive, buckthorns, Japanese barberry, knotweeds, invasive thistles, and invasive honeysuckles.
- Why care about invasive species: Loss of ecosystem services to all animals including humans in terms of food, clean water, fiber, medicine, and just pure enjoyment of nature. The invasive impacts on terrestrial, aquatic and combined were explained.
- KISMA projects include Terrestrial Invasive Species (annually since 2017), Knotweed (2021-2023), Invasive Phragmites (2022-2024), European Frog-bit (2021-2023), Boat Wash Outreach (annually since 2021)
- Terrestrial invasive species: Priority species are woody invasives like barberry, buckthorns, and autumn olive. Herbaceous invasives such as knotweeds, purple loosestrife, garlic mustard, poison hemlock, wild parsnip, and butterbur. Seasonal crew provides education and outreach to property owners and managers to help identify and treat priority invasive species.
- Project goals, description, pictures, habitat, and spread were provided for each of the three priority species in KISMA's coverage area: Giant and Japanese Knotweed, Invasive Phragmites and European Frog-bit.
- Mobile Boat Wash Outreach: In 2019, it became Michigan law that boaters must ensure plants and aquatic organisms are free of their boats and trailers when transporting them. KISMA provides Clean, Drain, Dry education to local recreators and holds local events to wash-off visible and microscopic invasives. 13 events were held in the summer of 2021 and 10 events were hosted in the summer of 2022 with 5 more scheduled.
- Local contacts and resources were provided: Dr. Sigrid Resh at kisma.up@gmail.com; local CISMAs at www.michiganinvasives.org; and Midwest Invasive Species Information Network at www.misin.msu.edu.
- Questions:
 - **Ms. Gajewski** asked if there are any preliminary results available on psyllids, which feed on the sap of the knotweed, diminishing its energy supply and ultimately killing the plant. The students replied they recently found success in overwintering psyllids last year and they are hoping to have establishment in a couple of years.
 - **Mr. Schmidt** asked if sweet pea is invasive. The students stated it may be an exotic and it is not ranked as high risk. They suggested he contact Dr. Resh for more information.
 - **Ms. Gajewski** asked for a description of MISIN. The students indicated it is a large educational resource for invasives, including great resources for aquatic fish as well.
 - **Ms. Mason Sherrill** stated it is heartening to see young people working on invasives as she has been working on it for years.
- **Mr. Solka** thanked the students for their presentation stating the graphics were excellent and he found it simple to understand. He stated it was enjoyable to watch future leaders in the natural resource field.

2. Property Rights Along Shorelines (Great Lakes vs Inland Lakes) (Various Division Staff)

- **Ms. Haughey** indicated this was a topic at the EUPCAC June meeting and many found it beneficial. She provided the following information which was also included as a handout in the meeting packets.
- *Great Lakes:* The water in the Great Lakes is owned by the general public according to the Public Trust Doctrine. Neighboring property owners do not own the water or land under the water. The boundary line between the public trust land and water and the “upland” that can be privately owned is the Ordinary High-Water Mark (OHWM). A Department of Environment, Great Lakes, and Energy’s pictorial description of OHWM was displayed as well as other definitions from various online sources. It explained the Great Lakes differs from inland lakes in that private property owners have to let people pass through on the beach below the high-water mark. Those passing through cannot loiter, picnic, sunbath or pick rocks, for example.
- *Inland Lake Shoreline Ownership:* The general rule for riparian rights is ownership for inland lands is a pie shape from land to the center of the lake. A handout from the Michigan Lakes and Streams Association explaining riparian rights in detail was provided to council members. (<https://mymlsa.org/government-and-legal-issues/riparian-rights-in-michigan/>). A retired attorney on the EUPCAC indicated this was the best handout that he has encountered on the topic.
- Discussion ensued from various divisional DNR staff regarding their experience dealing with complaints and questions. **Ms. Haughey** indicated law enforcement can always be contacted for further details.

3. Council Feedback & Suggestions for Future Topics (Ms. Haughey)

- **Ms. Haughey** indicated she would like to solicit input and feedback from both Council members and DNR staff on how to make the council meetings more effective and/or more efficient as well as thoughts on future topics. Currently, staff attend 6 meetings a year in the western UP; one of the division chiefs has suggested that staff attend less meetings or meetings only have one division represented per meeting. Comments and suggestions included the following:
 - Topic suggestions:
 - Bats, White Nose Syndrome, outreach, training and status.
 - The WUPCAC had a presentation on carbon credit and the benefits, but no discussions on the problems with carbon credits and fair treatment. Would like to get more balanced information.
 - More information and funding status of the Buffalo Reef issue.
 - A presentation on wood ticks and Lyme’s disease, the continued growth of the spread of ticks.
 - Outline of where the funding is going to from the Michigan Natural Resources Trust Fund and how it benefits the UP (for ex. \$5 million going to the Keweenaw land package).
 - Update on the proposed shooting range in Marquette County. A field visit to the shooting range would be informative as well.
 - Ice spearing for lake trout.
 - Would like to hear more about other species of fish and not the same species all the time. A good overview of popular species of fish and why they are popular would be interesting.
 - Council meeting format comments:
 - It is extremely important for staff from all divisions to share information with the Council on important issues and topics to help Council members field questions and comments from those in the community.
 - Agree with the first comment. Many times, topics run into other divisions and are intertwined and if the correct divisional staff person isn’t there to answer the question, the public will lose interest and not get their questions answered.

- If staff members are going to attend and have nothing to say, then it would be easier for them to attend by Zoom.
- **Mr. Solka** thanked everyone for their suggestions as there are probably a year's worth of topics to learn more about. He encouraged the Council to reflect on the productivity of these meetings and if there are any additional suggested changes that might be helpful to let Ms. Haughey know.

Reports from Committee Meetings Held

Acting Chair Solka opened the floor for reports from the following Committees:

1. **Fisheries (Mr. Dropps):**

- A proposed resolution regarding a submitted musky regulation on the Cisco Chain of Lakes by the DNR Fisheries Division was forwarded to the Council last week for review and consideration. The committee is asking the Council not to support the DNR's proposed regulation change of a 50" inch size limit for musky on this body of water.
- **Mr. Dropps** reported the fisheries committee met to discuss the proposed regulation. He provided an overview of the Cisco Chain of Lakes showing a map of the area with three boat landings pointed out. He indicated it is not difficult to know where the Wisconsin boundaries are citing even GPS will provide alerts and stated this is one of the reasons the DNR was using to change the musky size limit. Another concern of the DNR was keeping older fish. He noted Wisconsin has a one fish limit of 50 inches per day whereas Michigan's current limit is 42 inches and only one per year. **Mr. Holmes**, a member of the DNR warmwater steering committee, offered a historical view of the size limits for this area.
- **Ms. Mason Sherril** asked if the committee is talking about keeping trophy fish or eating fish; **Mr. Dropps** stated it is in the eyes of the beholder, but most anglers do not keep them.
- **Mr. Bessonen** asked what the Michigan regulation is for musky; **Mr. Dropps** stated it varies based on the body of water.
- Discussion ensued with a comparison of language between the Wisconsin and Michigan digests for boundary water fishing.
- **Mr. Solka** asked for action on the resolution. **Mr. Dropps** stated he would like to make a few wording revisions in the draft resolution without changing its intent. **Mr. Bessonen motioned to approve the resolution, with the minor wording changes, not to support the proposed musky regulation change to 50 inches for the Cisco Chain of Lakes; Mr. Johnson supported the motion. Ayes: All. Nays: None. Absent: See page 1. No further discussion. Motion carried unanimously.**
- Referring to the Boundary Waters Musky Club Letter mentioned earlier in the meeting, **Mr. Dropps** stated the club indicated they were left out of the discussion on this issue; however, he noted the club president was present at the UPSEA's quarterly meeting where a vote not to support this change was taken and he dissented.
- Regarding additional committee discussion, **Mr. Dropps** noted Mr. Patrick Hanchin sent out to the Lake Superior Advisory Committee a copy of a report on DNR walleye stocking. If anyone would like a copy, please contact Mr. Dropps. He noted all inland walleye waters were stocked, and the Thompson Fish Hatchery experience a failure in raising fingerlings. He also spoke about recent pike regulation changes in relation to the Council's submitted resolution on the same.

2. **Trails/Recreation/Law (Chair Lorenson):** No report at this time.

3. **Wildlife (Mr. Lindquist):**

- The next Bear Forum meeting will be held on August 26 at Little Bear Arena East in St. Ignace. The next year's regulations will be discussed.

Next Meeting

1. Next Meeting Date:

- **Mr. Solka** noted the next meeting was scheduled for Thursday, September 22, 2022 in Ironwood. However, it has been brought to the Council's attention that a Joint UPCAC Meeting is scheduled for two weeks later on October 12th and a regular meeting scheduled again for November 2, 2022. He asked the Council for guidance on their preference to hold or cancel the September meeting. The Council agreed to have Ms. Dahlstrom send out a poll to gauge preferences and a decision will be based on the results.
- **Ms. Haughey** noted the UP NRC Meeting will be held in Marquette on October 13th and encouraged the Council to attend if their schedules allow.
- **Mr. Bessonen** noted the November 2, 2022, meeting scheduled to be held in Escanaba is in conflict with a popular sportsman's banquet the same evening. He suggested moving the date. **Mr. Solka** asked Ms. Dahlstrom to poll the Council on this request as well.

2. Items for Next WUPCAC Meeting Agenda: **Mr. Solka** noted several suggestions provided earlier will be given consideration for the next agenda.

Public Comments (On Any Topic)

Mr. Solka opened the floor for public comments on any topic.

1. *Mr. Brad Barnett, Executive Director of Visit Keweenaw:* Mr. Barnett spoke about and asked for Council support of two specific projects in the Keweenaw, the first being the completion of Houghton Douglass Falls as a scenic site and viewable location. It is Michigan's tallest waterfall. The DNR received a trust fund grant for \$300,000 to develop the site. It is an incredibly important tourist attraction and would generate \$1.2 million in additional revenue to the area. Construction will most likely not be seen until 2024; the cost of inaction is not helping the community. The second project is Trail #3 which was damaged by the floods and not yet repaired. It is costing local businesses a significant amount of revenue each year. A copy of a resolution asking the DNR Director to repair one of the prime revenue areas will be forwarded to the Council if desired.
2. *Mr. Jerry Wuorenmaa, Executive Director of WUPPDR (Western Upper Peninsula Planning & Development Region office):* Mr. Wuorenmaa stated his office covers six western UP counties with economic development being one of their main priorities. They support both Mr. Radcliff and Mr. Burnett's areas as well. He asked that the DNR make sure the Keweenaw land acquisition is a priority and to continue working towards keeping this land public. He indicated there isn't as much public land in the Keweenaw as one might think.

Council Closing Comments

Mr. Solka opened the floor for closing comments from the Council; none were brought forth.

Adjournment

Mr. Solka thanked everyone for attending the meeting. The meeting adjourned at 8:41pm Eastern/7:41pm Central.