

**ENVIRONMENTAL ADVISORY COUNCIL**  
**Lansing, Michigan**  
**Thursday, April 16, 2009, 1:00 – 4:00 p.m.**

Environmental Advisory Council (EAC) Members in attendance: Jon Allan, Steve Chester, Brad Garmon, Jeff Haynes, Chuck Hersey, Brian Jonckheere, Mindy Koch, Adam London, Larry Merritt, Del Rector, David Rinard, Doug Roberts, Raymond Scott, Andy Such, Gildo Tori, and Paul Zuger.

Department of Environmental Quality (DEQ) Staff in attendance: Gerry Avery, Frank Baldwin, Jim Bredin, Liz Browne, George Bruchmann, Bill Creal, Amy Hicks, Hal Fitch, Jim Kasprzak, Lynelle Marolf, Frank Ruswick, Julie Sims, and Jim Sygo.

Guests: Donna Stine, Governor's office; Greg Sando, State Ombudsman; Susan Holben, Office of the State Ombudsman; Chris Klaver, Gongwer; and Karen Bouffard, Detroit News.

## **OPENING**

Frank Ruswick opened the meeting by welcoming everyone. EAC members, DEQ staff, and guests introduced themselves.

## **CURRENT ISSUES**

Director Steve Chester provided an update on a recent meeting with Senator Garcia and staff, Frank Ruswick, Jeff Haynes, and Andy Such, regarding the EAC guidance document recommendations. Frank Ruswick provided Senator Garcia with the draft memorandum to staff on how the EAC recommendations will be implemented. Senator Garcia seemed pleased and indicated he may schedule a subcommittee meeting in the near future for the DEQ to present the EAC guidance document.

Frank Ruswick provided an update on the wetlands program and the relinquishment of Part 404 authority under the Clean Water Act. There was a joint committee hearing in the House with the budget and policy committees, which generated a lot of questions. Since then, workgroups have been created to focus on people's concerns, with the program, and find ways to fund and retain it. Senator Birkholz and Representative Warren have discussed combining their efforts. The Land and Water Management Division (LWMD) prepared a Question and Answer Document to assist understanding how the program functions and the implications of relinquishing it.

A member asked for insight on the realignment of state agencies mentioned in the Governor's state of the state address. Director Chester described his understanding that the process is anticipated to be completed by the end of the year, but he has no further information.

## **MICHIGAN BUSINESS OMBUDSMAN**

Frank introduced Greg Sando, the state of Michigan Business Ombudsman.

Greg Sando described his appointment as ombudsman and how he can serve as another step to resolve disputes and misunderstandings as a neutral third party, and use creative methods to resolve disagreements. He explained that his office will provide another avenue or opportunity to take a look at issues and help to find win-win solutions to problems and help make the state more business friendly.

Greg explained that he is a state employee, his involvement will be statewide, and he expects much of his time to be spent on DEQ issues. He described his office being neutral and confidential and are still working through confidentiality laws, including the Freedom of Information Act (FOIA).

His office is currently preparing a communication plan which will include a Web site. He also explained some of the boundaries that may exist, including if a case is already in litigation or already in a legal process. Additionally, with only three staff in his office, there will be limitations on how many cases they can get involved in. Greg indicated that in most cases, complainants will need to use available means to resolve issues through the department process before his office will get involved.

## **NATURAL RESOURCE MANAGEMENT IN MICHIGAN**

Mindy Koch, Deputy Director of the Department of Natural Resources (DNR), presented and facilitated a discussion on the history of natural resource management, including a discussion on public lands; initiatives on ecosystem management, the land consolidation project, wildlife action plans, forest certification, and citizen advisory committees (CAC); and plans for the future challenges the DNR faces. Mindy shared an incredible amount of history of the DNR and various programs. Over the past thirty years, she has had the opportunity to hold various positions including working in coastal zone management, waste programs, Region III deputy director, legislative liaison, chief of the real estate division, and chief of forest mineral and fire management, among others.

Mindy explained that in 1837, the state started transferring lands into private ownership, primarily to be used for agricultural and timber land. There was approximately twelve million acres transferred. Unfortunately, much of the land was returned to the state due to the tax reversion process in the early 1900's, often in a deforested and degraded state. In 1903, people realized the system had to change and created the first state forest. People wanted public land that provided access to recreational opportunities and restoration.

Mindy further discussed a bit of history regarding the state parks system and why they were created. For example, Interlochen was created to protect the virgin pine forest while others were created to protect game, forest, lakes, and streams. Mindy discussed how there had been a decrease in abundance of wildlife from the early 1900's to mid 1950's. The hunters and anglers stepped forward to make a change, using the North American Model of wildlife management. Mindy recognized the importance of hunters and anglers and how we rely on them for their stewardship.

Mindy then transitioned from why programs were created to a discussion on the history and structure of the DNR. In the late 1800's, a boundary commission was formed to look at land to decide what should be retained, what would be sold, and how it would be used. In 1921, the state created the Department of Conservation. The department had nine divisions which is very similar to the current structure of the DNR.

Mindy presented an organization chart and explained how the Natural Resource Commission serves a staggered 4-year term, appoints the director of the DNR, and sets policy for the DNR. Mindy indicated that currently the DNR has roughly 1,300 employees, which about doubles during the summer. Director Chester added that the DEQ currently has about 1,300 employees.

The next portion of Mindy's presentation focused on major initiatives that are being worked on today, including ecosystem management, land consolidation, wildlife action plans, forest certification, and citizen's advisory committees.

The first major initiative Mindy discussed was ecosystem management, which started in 1997. Teams were established and were tasked to do ecosystem planning, including development of public involvement programs. The DNR is still working in this direction, but there is still a lot that needs to be done. Members noted that ecosystem management seems to provide an opportunity to get various interests together and should serve to break down management boundaries. Mindy indicated that the same organizational boxes exist, they perform more cooperatively.

This led to a discussion among the members regarding how staff currently addresses problem-solving and how that compares to the type of skill sets staff will need in the future. For example, in the past, education was very discipline-

focused (e.g., fisheries management). How will this disciplined-focused training relate to interaction among staff on the ecosystem level? Management is considering this issue, as well as the various goals, values, and work habits of individuals of various generations.

A member asked how decentralized is the decision-making process? Mindy explained that the DNR primarily consists of staff in the field. Staff has a significant amount of decision-making authority with limits and bounds set in Lansing.

Mindy continued with her presentation on current major initiatives with a discussion on the DNR's statewide forest management plan. The department just finished a statewide management plan incorporating all activities that occur in the forest. The DNR is now working on regional plans with more specific goals and objectives.

Another major initiative relates to land consolidation. Mindy discussed how the land acquired through the tax reversion process is sometimes scattered and of varying value for recreation and resource management purposes. The DNR has undertaken a process to review its holdings and focus ownership on consolidated properties with resource and recreational value and higher management potential. Parcels that do not meet these interests are sold, with income being used to acquire land in consolidated units.

The next major initiative discussed was development of the state wildlife action plan. This is a nationwide effort and creates a framework for the conservation of all wildlife species. It promotes maintenance of the ecological processes, focuses on habitat, and encourages a diversity of species. Mindy explained the federal government encouraged the states to do this and provided funding to prepare the plan.

A member asked how the DNR determines how much of a given resource is enough. Mindy explained that resource management goals are based on science, but also involve social and economic considerations.

Another major initiative presented was the process by which state forests are certified as being managed sustainably under scientific, social, and economic standards. The effort grew out of the demands of the market since some large forest product customers were requiring certification as a condition of buying forest products. Wisconsin, Minnesota, and Michigan certified because of this demand.

The last major initiative presented was the development of two citizen advisory committees in the U.P. These were established to help the DNR with communication issues in the U.P. The committees are now independent with their own agenda and bylaws, serving in an advisory capacity to the DNR. To

date, the DNR has received several compliments and the committees seem to be helping improve communication with the DNR's constituencies. The CACs address a variety of issues, including hunting, fishing, and recreation.

Mindy provided a handout of the resource assessment flow chart, which outlines the steps taken to evaluate state-owned forest land (390,000 acres annually). It is a very complex and time consuming. The state forest is separated into compartments and reviewed by various staff and the public is invited to participate. However, there are concerns with the process including the time invested by the DNR and extremely low public participation.

This led into a discussion among members about the public perception of both the DEQ and DNR and the role of public comment. Frank commented that the DEQ and DNR have very similar sets of issues relating to public involvement, although how we address them is somewhat different because the DEQ is regulatory with a structure based on due process considerations, whereas, the DNR is acting as a property owner with a structure based on trustee considerations. There was a discussion of the similarities and differences in public involvement practices in the two agencies because of this.

Mindy continued her presentation with a discussion of current challenges facing the DNR, including the decline in hunter and angler numbers, lack of stable funding, disease and invasive species, climate change, and nature deficit.

One fundamental point of discussion relevant to both departments pertains to how structural issues affect how our constituencies view the mission of the agencies. For example, the fee for service model creates problems because fee payers then feel entitled to certain services. This led to a discussion regarding how our current system potentially exacerbates the problem and encourages parochial decisions making rather than holistic decision-making.

An example of a challenge facing the DNR can be seen by the decline in hunter and angler licenses while off-road vehicle (ORV) usage is increasing. These two user groups have a very different perspective on the values of resources and how they should be managed. The DNR is concerned that the loss of hunters and anglers will diminish or shift the nature of the conservation ethic.

Other challenges presented include climate change, disease and invasive species, and a growing lack of understanding of nature among our society. Generally, people are thinking about these challenges and trying to learn how to meet them, yet this is difficult because they are largely still emerging issues.

Mindy concluded her presentation with a discussion about the future of the DNR and plans to continue ecosystem management and improving communication with constituent groups.

Recently, the DNR has held four town hall meetings across the state, facilitated by MSU extension staff. These meetings are being held to gain stakeholder input on what role they see for the DNR in the future. The meetings are an interactive round table format which has proven very effective. The DNR director, deputy director, and most resource management chiefs attend the meetings.

This led to a discussion of future direction of environmental and natural resource management, including moving toward more collaborative public involvement models. Some of the issues discussed regarding this direction included the perceived loss of decision-making control by the agency and a relative lack of staff with the necessary skill set. EAC members perceive the need to move in this direction because it is believed to lead toward better decisions and improved trust among affected interests.

Additionally, there was discussion about the likelihood of dramatic change in governmental services because of diminished funding. Members agreed that if funding levels reflect a societal decision and we need to understand the forces behind how society is viewing the need for governmental services. A question was raised regarding whether this problem will go away when the economy gets better. A member added that the loss of funding may only be symptomatic and we may be on the cusp of a monumental change in philosophy.

## **PROJECT PROGRESS AND FUTURE DISCUSSIONS**

Frank Ruswick noted there have been three major presentations so far to help scope this project including social forces and economic trends; history of the DEQ and nature of decision-making; and now, the history of natural resources management. The group will eventually need to look at these and other pieces of information and determine how to pull them together.

Members discussed the importance of the public feeling like they have a stake in what the DEQ and DNR do. The DEQ may need to work more on how to engage the public. Typically, staff face difficulties in conducting public meetings because of the limited role the law allows the public in DEQ decision-making. As a result, the public is generally not satisfied with the quality of public participation. Members agreed that helping provide the public with accurate expectations is important and we need to carefully consider what we are seeking, and hence the nature of those expectations, when we engage the public. Director Chester emphasized the importance of having the public trust in the system.

Members discussed that the changes needed are structural rather than incremental. Historically, changes have been incremental leading to the system we currently operate in; however, that does not necessarily mean the optimal system has been created.

Members discussed the need to think about who we are designing this for. The EAC may need to spend some time understanding the characteristics of young generations and the likely characteristics of future generations and suggested bringing in a cultural anthropologist to present to the EAC members.

It was suggested that at future meetings consider emerging decision-making models; discuss the erosion of public trust and why it occurred; and further discuss millennial demographic and cultural anthropology.

There was some discussion on the scope and timeframe of this project. For example, if this project plans to look at the future of environmental and natural resource management, how do we move forward when we are in a two-year cycle with the legislature? It was suggested that the EAC members need to remain open and to not limit options at this time and need to consider both the current needs and long-term future needs of environmental and natural resource management.

## **CLOSING BUSINESS**

Frank requested that members consider how we are approaching this project. He will send a request to EAC members and senior DEQ staff seeking their perspectives on whether other information is needed to assist in this project by bringing it into better focus.