

**Eastern Upper Peninsula Citizen Advisory Council
McMillan Township Hall (Community Building)
405 Newberry Avenue, Newberry, Michigan
May 21, 2009
Meeting Minutes**

EUP-CAC Members Present

William Becks
Tom Buckingham
Al Colegrove
Lisa DenBoer
Bob DeVillez
Jim Duke
Nathan Fazer
Ginny Giddings
Mike Lawless
Lester Livermore
Glenn Moll
Brenda Owen
Richard Pershinske
Steve Rodock
Jim Rutledge
Tom Schweitzer

EUP-CAC Members Absent

Dale DuFour
Fred Gregg
Doug Scheuneman
Steve Walker

Department of Natural Resources Staff

Stacy Welling, Upper Peninsula (UP) Field Deputy, Marquette
Gary Ellenwood, Parks & Recreation, Newberry
Ann Mattson, Office of Land & Facilities, Newberry
Conservation Officer (CO) Derrek Miller, Law Enforcement Division, Newberry
Terry Minzey, Wildlife Division, Newberry
Mike Paluda, Forest Mineral & Fire Management (FMFM), Marquette
Steve Scott, Fisheries Division, Newberry
Penny Bacon, Executive Division, Marquette

Call to Order:

The Eastern Upper Peninsula (EUP) Citizen Advisory Council (CAC) meeting was called to order at 6:30 p.m. by Chairman Dick Pershinske.

Amendments to the Bylaws:

The proposed amendments to the bylaws: Article V – Meetings, Section 5: Official Records, second paragraph, add sentence: A MDNR staff member will take minutes during the COUNCIL meeting. Article IV – Officers, Section 5: Secretary, first sentence change the word shall to may: The Secretary may take minutes of the meeting. Retain second sentence as is: The Secretary shall in the absence of the Chairperson and Vice Chairperson, perform the duties of the Chairperson.

Steve Rodock made a motion to amend the bylaws as noted. **Tom Buckingham** supported the motion. Ayes: All Nays: None. Motion carried.

Adoption of the Agenda:

Lisa DenBoer made a motion to adopt the agenda as printed. Motion supported by **Steve Rodock**. Ayes: All Nays: None. Motion carried.

Approval of the April 16, 2009 Meeting Minutes:

Corrections to the minutes: add Jim Rutlegde as present. Page five, third paragraph, third sentence delete "hired and"; page seven, supplemental feeding, fifth line, change T45N through T47N to T44N through T45N (but should be noted correctly as T43N through T44N). Last sentence in the same paragraph delete "is the only geographically known" and add "migration." Page six, second paragraph, change ten days to seven days.

Steve Rodock made a motion to approve the minutes as amended. **Bob DeVillez** supported the motion. Ayes: All Nays: None. Motion carried.

Dick Pershinke asked the public to hold comments regarding the non-industrial private forest (NIPF) until that agenda item.

Public Comment:

David Dake, President of the Luce County Amateur Radio Society and the Luce County Emergency Coordinator for Amateur Radio has heard the Department of Natural Resources (DNR) is going to dismantle the radio tower at the south station in Newberry. The amateur radio repeater is located on the tower and is an ideal location to service Luce County and the surrounding area. Mr. Dake would like the DNR to reconsider their decision. If the decision is final, he would like to be notified of the timeline to find a new location for their equipment and would also like the opportunity to acquire any unneeded equipment.

Stacy Welling said Les Homan is the lead person on this issue but he is currently working on a forest fire. **Mike Paluda** said the Department is no longer using 4 or 5 towers throughout the State. They've been declared unsafe and plans should be made to dismantle the towers. **Dick Pershinske** said this can be carried forward to the next meeting for follow-up.

Reports:

Stacy Welling, UP Field Deputy welcomed Ginny Giddings as the newest Council member. Ginny Giddings is a school teacher for the Newberry system. The Council members are selected by an independent group and the Department, based on a balanced geographical location and their resource background. Stacy said an Executive Order was issued two weeks ago; the biggest hit for the Department was access to almost \$5 million of the 21st Century Job Funds, which will affect FMFM. The DNR only receives 4 percent of the general fund revenue, so the DNR cuts may seem smaller than other State departments.

- Twelve state forest campgrounds were closed statewide, six in the UP: Little Brevort Lake South, Mackinac County; Shelldrake Dam, Chippewa County; Headquarter Lake, Luce County; Pike Lake and North Horseshoe Lake, Marquette County; and West Branch, Dickinson County. They were closed

- based on cost of operation, revenue generated, proximity to other campgrounds both public and private, and recreational opportunities.
- State employees will take 6 unpaid days off this fiscal year, which ends September 30. Press releases will be issued announcing office closures for the six furlough days.
 - At the May Natural Resources Commission (NRC) meeting the NRC split Deer Management Unit (DMU) 49 into DMU 249 and DMU 349.
 - At the June NRC meeting the Commission will take action on the Pure Michigan Hunt to recruit new people to the sport, it's a \$4 non-refundable application, which is a basically a lottery system for hunting licenses.
 - Also note the handout on the gray wolf status explaining the delisting process. The DNR doesn't regulate wolves as a game species the Legislature would need to reclassify wolves as a game species. In cases of depredation, the DNR has the authority to use lethal control.
 - At the June NRC meeting, the Commission will take action on the proposed furbearer regulations. Commissioners Richardson and Madigan would like The Council's input on the proposed amendments, please send your comments to Dick and Stacy by June 1.
 - At the May NRC meeting the Director signed a land use order regulating ORV use inside of Twin Lakes and Baraga State Parks. This is a pilot project.
 - The Michigan Natural Resources Trust Fund Board will meet June 17 at 9 a.m. at the Little Bear East Conference Center in St. Ignace.
 - The WUP Biodiversity group is having a public input meeting at Northern Michigan University on Tuesday, June 2 and at Michigan Tech University on Wednesday, June 3 from 6-9 p.m.
 - The WUP-CAC met on Monday, May 18 in White Pine, the agenda topics included the event permitting process for using State land, update on the bear management plan, and the ORV signage issue with the Mi-Trale group.

Stacy welcomed Representative Lindberg to the Council meeting.

Steve Scott, Fisheries said the US Fish and Wildlife Service decided not to list the coaster brook trout on the threatened and endangered species list. The main reason was they couldn't separate genetically out a coaster brook trout from any other brook trout but they will continue monitoring. In 2000, the trout regulations were separated into seven different categories. They reviewed the fish population trends and found some of those categories weren't doing what they thought they would do. The new proposal condenses the trout streams into three categories. The new proposed trout regulations for streams are listed on the DNR web site. Comments can be submitted on-line through June 12. If the trout regulations are adopted they will go into effect on April 1, 2010. **Jim Rutledge** asked if the pike regulations were moving forward. Steve said the northern pike and muskies management plan was also on the DNR web site but any changes to the pike regulations probably will not happen in 2010.

Ann Mattson, Land and Facilities said their focus is on customer service, facility maintenance and providing support to other Divisions. Bear and elk applications are on sale through June 1.

Gary Ellenwood, Parks & Recreation Division said for the last ten years they've been using a successful campground reservation system but are experiencing some implementation problems from a software upgrade. They've filled the supervisor position at Brimley State Park, the harbor master position at Detour State Harbor, and a seasonal administrative assistant at Tahquamenon Falls State Park. Kaks and Twin Lakes boat access sites are temporarily closed for renovations. The access sites should be reopened by the middle of June. There's a new cabin at the river mouth campground at Tahquamenon Falls State Park.

Discussion followed on the proposed Recreation Passport and random license plate checks. **Representative Lindberg** said there are two bills, one in the House and one in the Senate; one bill you are automatically included and the other bill you would have to enroll.

Mike Paluda, FMFM provided an update on the recent fires. The fire near County Road 581, south of Ishpeming: about 500 people were evacuated; flames were reported at 60-80 feet; about 33 structures were lost which included 12-15 primary residences; and the acreage was estimated at 775 acres. In Baraga, the fire consumed 400 acres and 1 structure was lost. Schoolcraft County has been operating Merwin Creek campground for several years for the Department under a permit. They are converting the permit to a long term lease and also they're working with the County to take over Mead Creek. Mike said \$1.62 of your Michigan taxes goes to support DNR programs. Almost 7 million trees were raised and lifted at the State Nursery in Manistique for spring planting. Mike said Steve Walker and members from his group helped to place signs on the newly designated 47 mile ORV route on Drummond Island. In the WUP, there is consistent interest in ORVs and some controversy regarding ORV routes and trails on private and public lands. The State trail system is on public lands but changes in the ORV law two years ago allowed that to change. The new ORV plan was approved in May 2008 and required a 25 percent increase in trail mileage and expansion onto private lands. They are dealing with such things as; how much money can you invest on private lands for a public trail system that is going to be part on public and part on private lands, easements, 10 year lease or a one year permit. In parts of the WUP they are anxious to get this moving ahead. Whatever is done in the WUP will probably set the stage for what is done in other parts of the State.

Jon Spieles, Office of Communications said he oversees educational programs in the UP and the northern Lower Peninsula. They had 65 seasonal employees go through training to work as educators in State Parks and State Fish Hatcheries. On Friday, July 10, from 7-9 p.m., at the Lakeview Arena in Marquette, they'll host Mark Duda, Executive Director of Responsive Management, a national expert in hunting recruitment and retention. His talk is titled the Future of Hunting: Hunting in America and Research-Based Recruitment and Retention Strategies. Mr. Duda will present an overview of hunting participation in the US and provide recommendations for hunter recruitment and retention.

CO Derek Miller said they've been working to protect the recent spring fish stockings and answering questions on stream restrictions. Since the snow has gone, they consistently have one ORV accident every weekend. They've been working on protecting the Sleeper Lake area from ORV damage as well as streams and lakes. They've also had a few marine rescue missions.

Terry Minzey, Wildlife said the antlerless deer license will increase from \$10 to \$15 this year. The proposed Pure Michigan Hunt is a lottery: \$4 application; 3 winners; winners will need to purchase elk, bear, antlerless deer (for areas open to antlerless hunting), and spring and fall turkey licenses but the licenses won't count against preference points for bear or elk. The hunt is also open to non-residents but they wouldn't be eligible to hunt elk. This is a proposal and is on the June NRC agenda for action. The proposed furbearer regulations recommend a change in the season length for bobcat and changes to the dryland body gripping traps. DMU 49 was split into DMU 249 and DMU 349, Borgstrom Road is the boundary that splits the new DMUs. This year antlerless tags are not recommended for DMU 249 but antlerless tags are recommended for DMU 349. The Bear Management Plan was reviewed at the May NRC meeting and is an action item at the June NRC meeting. Crow season was expanded to include February and March in the UP.

Old Business - Non-Industrial Private Forestland Plan:

Rory Mattson said the Michigan Association of Conservation Districts (MACD) put this proposal together, in their meetings they included the DNR by having two service foresters, Tom Stone and Steve Kalisz, consultants, wildlife groups, environmental groups, and they contacted forest product industries and others. They never meant this to be the final plan for the State of Michigan (SOM) and it wasn't an attempt to take any money from the DNR. They were looking for new money and cooperation. It's no way intended to replace current DNR foresters working on NIPF. He added the MACD has had a good relationship working with DNR service foresters.

Rory provided a handout with statistics stating that 40 percent of the UP is owned by NIPF landowners; letters of support from Tom Stone and Steve Kalisz, DNR Service Foresters; Dale McNamee, President of Upper Peninsula Sportsmen's Alliance and Dean Francis, Upper Michigan Land Management & Wildlife Services, a private forestry consulting firm. When they met with Becky Humphries in December, they talked about a plan but it wasn't totally done; the MACD didn't have the plan done until March. At that meeting they provided information sheets but there is only one plan. They are not asking for the Council to support the plan; there are too many unanswered questions in the plan; like funding. They are asking the Council to support the concept of four pilot programs in the UP delivered through Conservation Districts (CD) in partnership with the DNR, Michigan Department of Agriculture (MDA), and Natural Resources Conservation Services (NRCS) but working with forest industry in spurring the private sector through consultants, loggers, and contractors for plan writing and other services. The only thing the Districts are going to do is create a database type map for any new bio-mass industries. Everything else would be pushed to the private sector to help bolster the economy and the forest product industries.

Rory has a position statement from Larry Leafers, Michigan Society of American Foresters (MiSAF). Larry believes that MiSAF would be supportive of programs for NIPF in concept we think MiSAF, MACD, MDNR, consulting foresters and others should work together to improve management of these lands but they are not in support of our proposal. Because the proposal doesn't spell out the role of consultants, Michigan State University Extension, etc. Rory said they didn't feel they should be the ones to tell them what to do. They are asking the Council to support the concept to move ahead.

Rory Mattson said they are lobbying-encouraging to keep the service forester positions and increase the number to at least 10 positions. Their goal is to have 10 DNR service foresters working with 15 to 16 district foresters but with the budget situation that's probably not going to happen.

Lester Livermore asked what makes your organization uniquely qualified over the DNR or private industry. Rory said 20 percent of NIPF landowners are managing and 12 percent have a plan, but 80 percent of NIPF landowners are not being reached. How does a landowner know to look for a qualified forester or what if they don't want to pay a consultant 20 percent for a timber sale? If they call a DNR service forester or a district forester, they're not there to say you need a timber sale. **Lester Livermore** asked if they are suggesting subsidizing the 20 percent that currently hire foresters by us paying into it. **Rory Mattson** said they are actively encouraging the Legislators to look at NIPF in the SOM to offer management and technical assistance.

Tom Buckingham asked if Rory Mattson had a complete proposal that he wanted the Council to consider. Rory said this is the final MACD proposal. Discussion followed on whether or not the Council had the final proposal. **Lester Livermore** asked what is the Council approving. Rory said to approve the concept of four pilot programs in the UP delivered through Conservation Districts in cooperation and partnership with the DNR, MDA, NRCS and putting all of the applications of NIPF to the private sector; consultants, loggers, forest industry and contractors.

Public Comment on NIPF:

Greg Stoll said private land management has been under funded forever. As a private consultant, Mr. Stoll never felt the CDs were interfering with him but provided education and information to the landowners. He said they talk a lot of landowners into getting more help, whether it was through stewardship programs or other programs; DNR or private consultants. He thinks getting more help is very valuable.

Jerry Grossman, President of Grossman Forestry Company asked the Council not to support this program/concept based on the fact it will be highly competitive with existing services. The proposed concept would compete directly with and supplant private investment in private forestry services leaving Michigan landowners with less service capacity because of the competitive nature of this concept. For every public dollar invested in this type of program, the private sector will pull back several dollars; the net change will be zero. A much better policy is to encourage the private sector to invest in our forests and investments in natural resource service providers. Private natural resources companies have expanded even in this tough economy. Encouragement for these investments have come from the DNR and US Forest Service. The quantity and quality of management services will continue to expand as long as private companies feel they have a future in Michigan. He asked the Council to vote against the concept because it will decrease services for Michigan landowners.

Mike Lawless said his experience with CDs encouraged him to contact consulting foresters and they provided a list of consulting foresters. Mr. Grossman said this concept is to put government boots on the ground to do his job and what his company provides.

David Fehringer, Forestland Group said the government shouldn't be competing with private industry. He supports providing education. Stewardship plans should be done by consulting foresters not service foresters. He said people shouldn't be rewarded with free services when other people are willing to pay for this service. The concept doesn't make sense.

Todd Miller said the number of professional consulting businesses in Michigan have doubled in the last 10-15 years.

Tom Buckingham read a letter from the Michigan Association of Timbermen (MAT). The MAT value the assistance provided to Michigan's NIPF landowners by the CD resource professionals and the SOM foresters. Unfortunately, over the past several years the amount of free or low cost forestry assistance provided to our NIPF's from the State has diminished greatly. This void has been filled by the CD. It has come to our attention that the CD would like to increase their role in providing free or low cost forestry assistance to the NIPF's. Currently we've seen at least three different proposals that the CD's have drafted. Unfortunately, we do not know which proposal is the working copy that everyone is providing comments. MAT has no position regarding the CD's proposals at this time. We do believe that our NIPF landowners should have available to them an avenue to seek professional forestry advice at little or no cost for their initial consultation. Once we receive a final draft we will provide comments as well as a position. Tom said if you want support from us we need a very clear and concise proposal.

Bob DeVillez attended the Michigan Forest Association (MFA) Board meeting. He provided all of the documents the Council received for discussion. Bob read this statement: The MFA board considered the private lands proposal from the conservation districts and concluded they could "not support the Conservation districts' forestry assistance proposal at this time because it's unclear and it is not inclusive of all forests interests." There was some confusion over what is included in the proposal. However, the board endorses the perceived purpose of their effort, i.e., to bring technical forestry assistance to non-industrial private forest owners. Bob said the MFA authorize him to vote no on any proposal tonight.

Brenda Owen represents the MiSAF and has received a position statement from Larry Leafers, Chair of Michigan's Chapter, which was distributed to their Executive Committee. Two Executive team members abstained due to potential conflict of interest because they are DNR employees. The statement: MiSAF is supportive of programs for NIPF lands management, "in concept." We think that MiSAF, MACD, MDNR, consulting foresters and others should work together to improve management of these lands. We do not have a position on the structure of those roles. The MACD NIPF program describes specific roles for several parties and does not mention other service providers. Therefore, MiSAF would not be supportive of the program as is now presented. All of the organizations involved in providing NIPF programs should be involved in indentifying principles and goals and their respective roles and implementing them. Brenda said they also have a NIPF position statement from MSAF on their state web site.

In addition to the information provided tonight, **Dick Pershinske** noted the proposal submitted by Steve Rodock, Glenn Moll and Brenda Owen and the handout on the timeline of events that started in 2008 with references of a coalition representing several

groups. Discussion followed on supporting the concept and if supported where does the proposal go from here as this is an Advisory Council to the DNR, our Councils' advice goes to the DNR. It was noted the support would be acknowledged at the Legislative level.

Lester Livermore made a motion not to support the concept as proposed by Mr. Mattson. **Bill Becks** supported the motion.

Discussion followed on Roberts Rules of Order and abstaining votes. It was noted that a Council member can not abstain unless they are going to benefit directly from the vote. **Dick Pershinske** asked for a point of clarification. Do we want to address the issue since there is a viable organization entity (coalition) involved in working on these issues? It was noted this should be a separate issue. **Ginny Giddings** is a land owner interested in managing her land and likes the idea of having a third party who would provide a holistic view. **Bob Devillez** said the MUCC sub-group and the MACD proposal are trying to do the same thing but going in different directions trying to find funding. **Lester Livermore** said he doesn't support Mr. Mattson's proposal but supports education and management.

Motion of the floor is not to support the concept.

Ayes: 14 Nays: 4. Opposed: **Jim Duke, Nathan Fazer, Ginny Giddings, and Mike Lawless**. Motion carried.

At 8:30 p.m. **Chair Pershinske** asked to the Council members to continue the meeting. It was agreed to continue past 8:30 p.m.

Steve Rodock made a motion to support a coalition or some policy position to support the efforts of the MACD. After discussion it was decided to use the first two paragraphs from the proposal submitted by Steve Rodock, Glenn Moll, and Brenda Owen as follows:

The EUP-CAC recognizes that management of nonindustrial private forestland is important to EUP of Michigan and the State of Michigan from the standpoint of environmental protection, maintaining and improving wildlife habitat, and from the standpoint of future timber supplies. Since approximately half of the forestland in Michigan is owned by nonindustrial private landowners, the health and productivity of these forests is important economically and socially.

Therefore the EUP-CAC encourages the Michigan DNR (MDNR) to aggressively pursue its efforts to develop Michigan's traditional partnerships that have well served private landowners. The EUP-CAC also encourages MDNR to continue and improve education and incentives to private landowners promoting good forest management which will provide benefits such as clean air, pure water, wildlife habitat, and recreation for society.

Tom Buckingham supported the motion. **Lester Livermore** said Conservation Districts are an important partner in managing the resources. Ayes: All Nays: None. Motion carried.

Sharp-tailed Grouse Management – Terry Minzey

Wildlife Division is planning to make a proposal to the NRC to open a limited sharp-tailed grouse season for 2010. They have baseline data to monitor inside and outside the

proposed hunting area. They also have general support from the EUP Sportsmen's groups. They will remain very conservative before expanding and to make sure the viable population is not impacted. They will recommend a two week season at the end of October with a bag limit of 1-2 birds per day. This will create another hunting opportunity.

Dick Pershinske asked the Council if they wanted to make a recommendation on the proposed sharp-tailed grouse season. **Al Colegrove** made a motion to support the recommendation. **Bill Becks** supported the motion. Ayes: All Nays: None. Motion carried.

Items Tabled to the Next Meeting: supplemental feeding; update on the deer management plan: and who's responsible for removal of dead deer carcasses.

Next Meeting:

Tom Schweitzer would like to hold the next meeting at the Community Building in Curtis. Tom would like Darren Kramer to attend the meeting to answer any questions pertaining to the management of the Manistique Lakes. The next meeting is scheduled for Thursday, July 16 at 6:30 p.m.

Council Members Closing Comments:

Bill Becks said the DNR needs more money. He suggested each Council member or their group/organization contact their Legislators to raise hunting and fishing fees in Michigan.

Lisa DenBoer said the Wind Energy Resource Zoning Board has a draft plan and the top 4 wind energy resource farm sites are not in the UP.

Meeting adjourned at 8:50 p.m.