

## **Eastern Upper Peninsula Citizen Advisory Council**

February 17, 2011

6:30-8:30 p.m. (EST)

Luce Mackinac Alger Schoolcraft (LMAS) District Health Department

14150 Hamilton Lake Road, Newberry, Michigan

### **Meeting Minutes**

#### **EUP-CAC Members Present**

William Becks  
Tom Buckingham  
Eugene Patrick Carr  
Jim Duke  
Ronald Ford  
Ginny Giddings  
James Hoy  
Mike Lawless  
Glenn Moll  
Mike Patrick  
Richard Pershinske  
Ed Radecki  
Chad Radka  
Steve Rodock  
Doug Scheuneman

#### **EUP-CAC Members Absent**

Bob DeVillez  
Dale DuFour  
Gary Gorniak  
Lester Livermore  
Steve Walker

#### **Department of Natural Resources and Environment (DNRE) Staff Liaisons**

Stacy Welling, Upper Peninsula (UP) Regional Coordinator, Marquette  
Debbie Munson Badini, Communications Representative, Marquette  
Lt. Skip Hagy, Law Enforcement Division (LED), Newberry  
Christina Hammill, Administration, Newberry  
Rich Hill, Recreation Division, Gaylord  
Terry Minzey, Wildlife Division, Newberry  
Dennis Nezich, Forest Management Division (FMD), Marquette  
Jay Parent, Water Resource Division (WRD), Gwinn  
Steve Scott, Fisheries Division, Newberry  
Jon Spieles, Office of Marketing, Education and Technology, Newberry  
Chuck Thomas, Environmental Resource Management Division (ERMD), Gwinn  
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. EST by **Chairman Dick Pershinske**.

#### **Introduction of Special Guests:**

**Stacy Welling** said some of the special guests were invited to answer questions that were brought up at the last EUP-CAC meeting. Stacy introduced DNR Director Rodney Stokes, Mary

Dettloff, Press Secretary, Lynne Boyd, Chief, Forest Management Division, Brian Roell, Wolf Specialist who will provide an update on the wolf delisting process, Lt. Tim Robson, LED specialist on the Commercial Forest Act, and Scott Heather, Forest Management Division with the Commercial Forest section.

**Introduction of New Council Members:**

**Stacy Welling** said Council members are on two and four year rotating terms and are selected based on geographical distribution and organizational representation. The goal of the Council is to advise the Department on emerging issues in the region. Stacy introduced new council members: Ronald Ford, James Hoy, Ed Radecki, Mike Patrick, Pat Carr and Gary Gorniak, who couldn't be here tonight. Renewed members: Jim Duke, Mike Lawless, Bill Becks, Glenn Moll and Dick Pershinske.

**Adoption of Agenda:**

**Chairman Pershinske** proposed adding a new agenda item - "Chair Comments" to every meeting agenda to briefly bring issues to the Council that may have been addressed earlier or perhaps to be addressed in the future. **Steve Rodock** made a motion to adopt the agenda as amended. **Mike Lawless** supported the motion. Ayes: All. Nays: None. Motion carried.

**Chair Comments:**

**Chairman Pershinske** said in regards to feral swine, a past resolution requesting the Department to create dialogue with stakeholders to possibly propose some rules and regulations. Former Director Rebecca Humphries signed an order that becomes effective in July, which would declare the Feral Swine as an Invasive Species. **Director Rodney Stokes** said a bill will be introduced soon in the legislature that will regulate the industry. If that bill is passed and if the requirements we requested remain in the bill, there will not be a need for us to move forward with the order in July.

**Chairman Pershinske** said the second issue is regarding the use of pest control devices such as cracker shells and propane cannons, which would no longer be allowable for management use after May 1<sup>st</sup> according to ATF. Dick said this is a federal issue and the American Farm Bureau has taken a lead role on this issue. He added ATF claims they do not have the authority to grant an exemption for the use of the devices. An amendment to a Senate Bill is being proposed to allow ATF to have the exemption authority.

**Approval of Previous Meeting Minutes:**

**Steve Rodock** made a motion to approve the December 8, 2010 meeting minutes as amended. **Bill Becks** supported the motion. Ayes: All. Nays: None. Motion carried.

**Public Comment:**

**Mike Brown** said recently the Department put up a large barrier at the end of Coast Guard Road to stop ORV's from entering the beach. He supports efforts by the Department and others to keep ORV's off beaches and out of wetlands. Mr. Brown thinks there could have been a better way to approach it than blocking off the trail and still provide access to fishermen and agate hunters. Mr. Brown wrote a letter to the editor asking for some feedback. Mr. Brown said he has been told by two Department supervisors that the Department is not going to respond to his letter. Mr. Brown asked how the Department is going to get the word out. According to Mr. Brown, the first time people will find out about the barrier is when they use the trail this year.

**Dennis Nezich** provided a handout on the coastal management zone program grant which in part paid for the barrier. Dennis added the Department plans to publish an article in the

newspaper to inform the public about the barriers but they don't intend to specifically respond to Mr. Brown's letter to the editor. Dennis also added the Department intends to put up signs in those areas. **Mr. Brown** said there needs to be consideration for the other user groups not only ORV users. Dennis said the Department applied for a coastal management zone program grant in conjunction with the Luce County Planning Department and public meetings were held to gather public input. **Debbie Munson Badini** said they plan to publish a newspaper article on the barriers to inform the public about the barriers rather than a letter to the editor where the amount of space is limited.

**Paul Gaberdiel**, Forest Management Division explained the location of the barriers and the areas that are protected by the barriers. Paul said they intend to put up signs this spring in those areas. It was also noted that the areas can still be accessed by foot.

**Jim Brettner**, President of Educating to Control Off Road Damage (ECORD) of Luce County said his group educates and inform riders of regulations in an effort to reduce environmental resource damage. They've created their own flyer which includes some of the state laws and Luce County ordinances. They also distribute the Department's ORV regulation handbooks. Mr. Brettner said according to court records from 2007-2010 citations were down 84 percent. He attributes this to the educational programs, law enforcement, and forest management.

**Division Staff Reports** were provided to the Council members prior to the meeting. Due to time constraints, **Chairman Pershinske** requested staff report updates only or introduce themselves to the new Council members.

**Stacy Welling**, UP Regional Coordinator said the WUP CAC met in Crystal Falls on January 24; agenda items included invasive species, moose legislation, walleye stocking in Bays de Noc and inland lakes, and changes to their bylaws/ meeting agenda. Their meetings will now begin at 6 p.m. and public comments at the beginning of the meeting will be limited to agenda items only.

**Rich Hill**, Straits District Supervisor, Recreation Division.

**Christina Hammill**, Administration Division.

**Debbie Munson Badini**, Communications Representative for the Upper Peninsula.

**Rodney Stokes**, Director for the Department of Natural Resources.

**Brian Roell**, Wildlife Biologist and wolf specialist, Marquette.

**Kristie Sitar**, Wildlife Biologist, Newberry.

**Terry Minzey**, EUP Wildlife Supervisor, Newberry.

**Lynne Boyd**, Chief, Forest Management Division Lansing.

**Steve Scott**, Lake Superior Basin Coordinator, Fisheries Division.

**Lt. Skip Hagy**, Law Enforcement Division, Newberry said he is the new Lieutenant for the EUP.

**David Jentoft**, Wildlife Biologist, Sault Ste. Marie said he will provide an update on the EUP deer camp survey.

**Dennis Nezich** acting EUP District Supervisor, Forest Management Division, said this is his last CAC meeting. Steve Milford will be the new EUP District Supervisor effective March 6, 2011.

**Chuck Thomas**, acting District Supervisor, Environmental Resource Management Division said the big changes to the solid waste program in the UP, is the complete retirement of all the UP staff and their positions will not be replaced.

**Jay Parent**, Water Resource Division said they have two levels of permits; one that requires public notice and the other is minor projects. All of the minor projects have been rewritten and are on public notice right now for public review/ comment. Jay said at his first CAC meeting the Council passed a resolution to move his job to Newberry. The Division had a retirement and

their Management Team agreed to move the position to Newberry but due to budget constraints the filling of the vacancy has been postponed.

**Stacy Welling** welcomed Senator Tom Casperson to the meeting.

**Old Business:**

**Update of the Non-Industrial Private Forestry (NIPF) Coalition:**

**Dennis Nezich** said he contacted Amy Trotter from MUCC to get an update on the NIPF coalition. The group is hosting a forestry conference on March 16 in Lansing. This is a meet and greet, networking type event primarily for new legislators but will also include people from the timber industry. Also the group spent some time on the qualified forest program in terms of looking at legislation and possibly submitting some recommendations.

**Update on the Regional Deer Advisory Teams (RDAT):**

The RDAT representatives for the UP have been selected. **Terry Minzey** said they wanted representation across the UP from a variety of groups, and hunters at large that don't necessarily participate in groups, and also CAC representation on the RDAT.

- Bill Becks, Soo Area Sportsmen's Club
- Tom Buckingham, EUP-CAC
- Thomas Cogswell, Ontonagon County
- Ivan Darling, Hiawatha Sportsmen's Club
- Kevin Erickson, representing hunters at large, Luce County
- Al Ettenhofer, UP Whitetails
- David Johnson, Wildlife Unlimited, Dickinson County
- George Lindquist, WUP-CAC
- Rory Mattson, UP Sportsmen's Alliance
- Michael Murphy, representing hunters at large, Luce County
- James Snowden, Michigan Crossbow Federation, Dickinson County
- Paul Szymanski, Delta County
- Richard Taylor, Baraga County

The RDAT's first meeting is tentatively scheduled for February 26.

**Update on the Guiding Principles and Strategies (GPS) for Wildlife Division:**

**Terry Minzey** said Wildlife Division is reviewing what they currently do and how that fits or doesn't fit within the plan and what they aren't doing but need to do. The next step will be to prioritize those to determine exactly what they are going to do on the landscape in Wildlife Division. Also, there is a realignment of the division, which has been sent to the Department of Management and Budget for approval. If approved, the Division will return to a regional base approach to wildlife management. The UP will be one region with one supervisor, one region in the northern Lower Peninsula, and two regions in the southern Lower Peninsula.

**Update on the Wolf Delisting:**

**Brian Roell** provided historical information on the wolf population in Michigan. Last winter the count was at 557 for the UP, excluding Isle Royale. As the numbers of wolves increased the growth has decreased. Brian said we are basically reaching the saturation point of wolves.

Brian explained how many times the wolf has been delisted and relisted on the Federal endangered species list. In 2003, the US Fish and Wild Service (USFWS) developed an Eastern distinct population segment but later was scaled down to the Great Lakes population. A private group in Minnesota along with Minnesota and Wisconsin filed a petition. On September

8, 2010 the USFWS said their petition warrants delisting and are taking steps to move forward with the delisting process. Brian expects a ruling sometime in April. After the ruling, the USFWS will hold public meetings across Michigan, Minnesota and Wisconsin and accept written comments as well.

Brian said the USFWS is talking about genetics of wolves and it looks like they are going to recognize the eastern and the western wolf, we have both in Michigan. If so, the USFWS may go back to the original listing from 1974, correct the mistakes and basically exclude the Great Lakes from the original 1974 listing. The Department has a wolf management plan in place, which insures a self sustaining wolf population, which performs an ecological function on the landscape minimizing public intolerance. Brian said they haven't been able to fully implement the plan due to the flip-flopping back and forth on the endangered species list. Questions and answers followed.

#### **Update on the Commercial Forest Act:**

**Scott Heather**, Forest Management Division, explained some excerpts from the commercial forest (CF) statute, CF administrative rules, court rulings and an Attorney General Opinion. Scott said all of these provide direction as they implement the CF program. The statute is law and the statute has to grant a Department the authority to promulgate rules. The administrative rules are primarily designed to explain the statute. The administrative rules can not overstep the statute. The Department is in the early stages of reviewing the current administrative rules as some of the administrative rules are in now conflict with the change in statute.

Other key aspects:

- Commercial forest land is private property
- A landowner has the right to put up a gate to restrict access even if the road has been open for 30 years. Forever rights don't exist no matter how long the road has been used.

Questions and answers followed.

#### **Report from the Subcommittee on Administrative Rule Changes:**

**Chad Radka** said in regards to access to commercial forest lands, the public understands they can hunt and fish but they don't understand why they can't use the roads. The Council is getting the same questions from the public at every meeting. The subcommittee recommended clarification in published material, make it consistent and precise for the public and enrollee to understand.

**Scott Heather** said Shirley Businski, Commercial Forest program specialist has a copy of the subcommittee's recommendations and she'll be working with LED and Wildlife Division to see where we can clarify things and perhaps create a frequently asked question page on our web site. **Lynne Boyd** said there will also be clarification in the next hunting guide. Also, **Debbie Munson Badini** suggested creating a brochure or expanding the information on the web site. **Chairman Pershinske** said he'll keep this as an open agenda item.

#### **New Business:**

##### **Election of Officers:**

**Chairman Pershinske** said according to the bylaws, election of officers shall take place at the first meeting of the calendar year. **Chairman Pershinske** said since we have six new members should we postpone or hold the elections. **Ron Ford** made a motion to keep the existing officers Dick Pershinske, Chair, Glenn Moll, Vice-Chair and Ginny Giddings, Secretary. **Steve**

**Rodock** supported the motion. Ayes: All. Nays: None. Absent: Bob DeVillez, Dale DuFour, Gary Gorniak, Lester Livermore, Steve Walker. Motion carried.

**EUP Deer Camp Survey Results:**

**David Jentoft** said participation in the deer camp survey has been increasing every year. This year 561 hunters and 129 camps participated in the survey. The survey covers DMU's 048, 349, 249, 017 and 117. Buck observations per hunter for the firearm season increased 11 percent from 2009. Observations per hunter increased in all DMU's except 117. Overall deer sightings per hunter day increased in all DMU's. Fawn observations increased in all DMU's. Hunter success increased in three DMU's, remained similar in DMU 048, and decreased in DMU 117. 57 percent of the camps reported fewer deer, 32 percent reported the same and 12 percent reported more deer. Coyotes top the list of mammals sighted, followed by wolves, marten, foxes, bobcats, and fisher.

If interested in participating in the EUP deer camp survey, please contact David Jentoft.

**Difference Between Upper Peninsula and Statewide Crossbow Regulations:**

**Terry Minzey** said the Natural Resources Commission (NRC) had passed crossbow regulations that allowed hunters 50 years or older to use crossbows and would remain in effect for three years, which was supported by UP sportsmen. At the August NRC meeting, there was support by UP hunters to keep the 50 year age limit and not allow crossbow use after the firearm season. Primarily they were concerned about the impact of migrating deer in the deer yards. Terry said other folks in other parts of the state wanted to lower the age to use crossbows to 10 years old. Both of the UP Commissioners and Commissioner Wheatlake voted against the changes but were out voted 4-3 to lower the age limit but crossbows can not be used in December in the UP.

**Changes to the Hunting Guide After Publication:**

**Debbie Munson Badini** said regulation changes come before the NRC throughout the year and sometimes changes are made after the guidebooks are printed. Printing deadlines are set to allow time for guidebook distribution to license vendors before the season opens. Changes are communicated through the media, online, through outreach efforts, and customer service. Debbie provided some examples of changes in 2010 and how the Department notified the users of those changes. Debbie explained some of the communication challenges the Department is working on to overcome and said Director Stokes has identified improved customer service as a major goal he intends to address.

An example of addressing a challenge happening this year is a change in the Lake Erie walleye bag limit that will happen after the 2011 fishing guide is printed. The 2011 Fishing Guide will note the upcoming change and detail where anglers can get updated information. An internal workgroup has devised a communication plan to address the change which includes; flyers distributed by creel clerks and sent to SE Michigan bait shops, use of traditional and social media, web updates, 1-800 number with a pre-recorded message, direct email to license holders, Retail Sales System message to license vendors, and letters to all charter boat captains in SE Michigan.

**Next meeting:** **Chairman Pershinske** said the next meeting is scheduled for Monday, March 21, 2011. This will be a joint meeting with the WUP-CAC in Marquette. Please send agenda items to Chairman Pershinske. **Stacy Welling** said the CAC charter states after two years the Councils will review the operations and the functions of the CAC's. She suggested this as a potential agenda item for the joint meeting.

The remaining 2011 EUP-CAC dates:

- Thursday, April 21, 2011
- Thursday, June 16, 2011
- Thursday, August 18, 2011
- Thursday, October 20, 2011
- Thursday, December 15, 2011

**Public Comment:**

**Senator Tom Casperson** said he is here to listen and he added as the chair of the Natural Resources and Environmental Policy Committee they need to hear from the public.

**Director Rodney Stokes** said he appreciates the Council's time. Director Stokes said this is another voice the Department can listen to so we can make good informed decisions as we manage your natural resources.

**Joe Caswell** said he would like to know about the removal of beaver dams at the next meeting. **Chairman Pershinske** said the removal of beaver dams would be an agenda item at the next meeting.

**Council Members Closing Comments:**

**Jim Hoy** asked about pike and muskie management. **Steve Scott** said this is the second time it's been on the web for public review. The comments will be reviewed and a review of the current regulations to see if it's appropriate to change them. Steve said they have a coolwater steering committee, which are members of the public that are involved in coolwater species; they'll also work with that group to see if there is need or desire to change the current pike and muskie regulations. **Jim Hoy** requested pike and muskie management as an agenda item at the next meeting.

**Mike Patrick** said some people would like to see the perch spawning season closed in Les Cheneaux Islands along with pike and walleye season to allow the jumbo perch to spawn. **Chairman Pershinske** said this topic will be added to the next meeting agenda.

Meeting adjourned at 9:00 p.m.