

MICHIGAN NATURAL RESOURCES TRUST FUND

BOARD OF TRUSTEES MEETING

Minutes of October 18, 2006 and November 9, 2006

Clarion Hotel and Conference Center, 3600 Dunckel Drive, Lansing (October 18, 9:00 AM)
Lansing Center, Governor's Room, 333 E. Michigan Avenue, Lansing (November 9, 12:30 PM)

The meeting of the Michigan Natural Resources Trust Fund (MNRTF) Board of Trustees commenced at 9:05 AM.

The following Board members were present:

Keith Charters
Bob Garner
Lana Pollack
Frank Torre (October 18 only)
Sam Washington

Also in attendance were various staff members of the Department of Natural Resources (DNR) and other interested parties.

I. ADOPTION OF MINUTES FOR MEETING OF AUGUST 16, 2006.

Chairperson Washington called for the adoption of the August 16, 2006 meeting minutes.

MOVED BY MR. GARNER, SUPPORTED BY MR. CHARTERS, TO APPROVE THE MINUTES OF THE AUGUST 16, 2006 MNRTF BOARD MEETING. PASSED.

II. ADOPTION OF AGENDA FOR MEETING OF OCTOBER 18, 2006.

Chairperson Washington called for the adoption of the agenda for the October 18, 2006 Board meeting.

MOVED BY MR. TORRE, SUPPORTED BY MR. GARNER, TO APPROVE THE AGENDA OF THE OCTOBER 18, 2006 MNRTF BOARD MEETING. PASSED.

III. PUBLIC APPEARANCES.

Mr. Steve Christiansen and Mr. Greg Julian, Leelanau County – 06-024, Veronica Valley Park, Leelanau County

Mr. Steve Christiansen and Mr. Greg Julian from Leelanau County, made a PowerPoint presentation in support of 06-024, Veronica Valley Park, Leelanau County. This is for the acquisition of 93.06 acres of land with over 47 acres of wetlands and Mebert Creek and a designated trout stream.

Mr. Christiansen stated that there is a building on the property that would be used for the Youth Fishing Education Center. Mebert Creek and ponds are used for the Kids Fishing Day. There are several ponds on the site. In addition, Mebert Creek is a designated trout stream. It is

anticipated that the Kids Fishing Day will continue and be partnered with other groups in the county to manage the ponds.

Meber Creek is in the Lake Leelanau watershed that flows to Lake Michigan. The overall corridor that the stream is in is a designated wildlife corridor. The bottom end of the corridor has already been preserved. Fishing on the creek is good for small trout. There are wetlands on the site that are within the wildlife corridor. There is also a mixture of grasslands, cattail areas and white cedar. This also is a floodplain area.

Mr. Julian added that the wetlands in the cedars area are a winter deeryard area.

Mr. Christensen continued by stating that the interpretive area for education would include hiking trails with wildlife and vegetation observation decks. The area could be used for local nonprofit organizations and schools for events, classes and field trips. In addition, local rod and gun clubs and other groups would like to use the park for educational seminars and workshops for fishing, an archery range and hunting.

Mr. Julian addressed the issue of hunting. The county recently passed a resolution allowing hunting in parks. The property is approximately 93 acres and there is plenty of room for hunting, as well as for other outdoor activities.

Mr. Christiansen continued by stating that the park would be unique to the county park system as it would provide a nature area, environmental education, hunting and fishing.

Mr. Charters asked how many acres were woodlands. Mr. Christiansen responded that approximately one-third of the property (30 acres) is wetlands, with approximately 30-40 acres of wooded land, with some streams on the property. The rest of the property is open grass land.

Mr. Charters asked about the Hunter Education program and wondered if Leelanau County was planning on conducting this. Mr. Julian responded that the Hunter Safety program is conducted by the DNR's Law Enforcement Division and volunteer instructors, of which he is a volunteer. Hunter Education classes could be held at the Youth Fishing Education Center.

Mr. Charters asked Mr. Jim Wood, Manager, Grants Management, DNR, about the county's interest payments (\$62,000). He wondered if they could use this as part of their match. Mr. Wood responded that would not be an eligible source of match.

Ms. Pollack asked about the area being a golf course. Mr. Julian responded that previously this was a local, family-owned golf course. It has not been used as a golf course for the last two seasons. The owner pulled out of the golf course business due to health reasons. Ms. Pollack asked what the county's intention was towards fee charging to use the park. Mr. Julian responded that the county does not intend to charge a fee. No use fees are charged for any of the county's parks. Ms. Pollack also asked if there was any history of contamination on the property. Mr. Julian responded none that he is aware of. The county went through a disclosure with the owner.

Mr. Garner asked where this property was located. Mr. Christiansen responded just south of Suttons Bay, on the east side of Lake Leelanau.

Mr. Charters asked what the cost of the property would be if it were not for the buildings and irrigation system for the golf course. Mr. Christiansen responded that the county had an appraisal done, but he is not sure what the weight of those features would be.

Mr. Murdock Jemerson, Director, Parks and Recreation, City of Lansing – 06-050, Hunter Pool Renovation, City of Lansing.

Mr. Murdock Jemerson, Director of Parks and Recreation, City of Lansing, made a presentation in support of 06-050, Hunter Pool Renovation. Mr. Dick Schaefer, Landscape Architect and Ms. Joan Nelson, Executive Director of the Allen Street Center assisted Mr. Jemerson in his presentation. Mr. Jemerson provided the Board with materials for their information.

Mr. Jemerson stated that the Hunter Park pool is not a traditional natural resource, but it is a natural resource for urban residents. The park was a 2005 recipient of the “Cool Cities” neighborhood in progress grant, a program launched by Governor Granholm. Low to moderate income citizens use Hunter Park, with 25 percent below the poverty level. In a 2004 buy-sell study, it was indicated that children 12 and under are moving into the east side of Lansing at twice the rate as the rest of the city.

The land that the pool sits on was an old gravel pit purchased by Mr. Hunter in 1872. The city acquired the 13-acre park in 1938 and turned it into a swimming pool in 1963. There is 4500 square feet of swimming surface. This past summer was the first time in approximately 30 years that the pool was closed because of the condition of the pool. There are over 9,000 children serviced by the pool. Lansing has two outdoor swimming pools. Use of the pool is free.

Mr. Jemerson further stated that the community is very supportive of Hunter Park. The park is the natural resource for the residents served. By providing funding, it is saved in perpetuity. The pool strengthens the community, as well as providing economic development, safety and security. Outdoor activities promote health and wellness. In addition, Hunter Park connects to the Lansing River Trail, which the MNRTF has provided funding.

Chairperson Washington stated that outdoor swimming pools are an important part of recreation, especially in the urban areas.

Ms. Nelson continued by stating the neighborhood has come together over the last two years to create the “Hunter Park Plan.” It was this plan that was the recipient of the “Cool Cities” award and a \$100,000 catalyst grant. This was the start of the implementation of nine improvements to the park. A path has been added and plans to put in a garden house this month. Other plans include putting up a green roof over the pool house and adding a picnic pavilion. All these plans are designed to provide an environmentally innovative and family-friendly park that promotes community health.

Mr. Vincent Delgado, Director of the Refugee Development Center, added the pool and park is important for refugee children in the area. The proposed improvements would serve as an “incubator” for children to learn about the environment and outdoor recreation.

Mr. Michael DeGrandchamp, Ms. Olga Stieve, Ms. Jenny Stezowski, Mr. Joe Stezowski and Ms. Maureen Lewandowski, Friends of Deerlick Creek – 06-210, Deerlick Creek Park Acquisition, South Haven Township

Ms. Maureen Lewandowski from the “Friends of Deerlick Creek, made a presentation in support of 06-210, Deerlick Creek Park Acquisition. This is the second year the township has applied to the MNRTF to acquire this property. The community is committed to this project more than ever. Maps and photographs of the area were provided to the Board for their information.

Ms. Lewandowski stated that most people think the City of South Haven consists of gated communities and high-priced housing along Lake Michigan. The lake is the draw to this community. The city is approximately one hour from Chicago. Over 52 percent of the housing in the City of South Haven is second homes and affordable housing in the city starts at approximately at \$250,000.

Ms. Lewandowski continued by stating that South Haven Township has a high poverty rate, with 45 percent of the residents living in the township. Deerlick Creek has been used over one hundred years as a beach, but it is not public. There are willing sellers on both sides that would sell the property. This would keep the property accessible and open for public use. This past year Casco Township, just north of South Haven, lost five of its access sites due to gated community development. They now have no access sites or parks along Lake Michigan.

Ms. Lewandowski stated the township realizes the value of Lake Michigan property, with beach front property going for \$20,000 per foot. She pointed out the parks located north and south of Deerlick Creek on the map provided to the Board. For parks located within the City of South Haven, there is a \$5.00 fee. Deerlick Creek would be free and accessible for all to use. Trails and other facilities would be handicap-accessible.

The township will provide a \$400,000 match. Local fundraisers have raised over \$10,000. A local excavator has committed to provide 100 percent of labor and equipment for park development. There have been numerous support letters and television coverage from residents expressing how much Deerlick Creek has meant to them.

Mr. Charters asked how much lake frontage was on Lake Michigan. Ms. Lewandowski responded 172 feet.

Dr. Dennis Guiser, Superintendent, Algonac Schools and Mr. Bill Jennings – 06-056, Algonquin Woods Nature Trail, Algonac Schools

Dr. Dennis Guiser, Superintendent of Algonac Schools, made a presentation in support of 06-056, Algonquin Woods Nature Trail. This project would be for the development of nature trails, interpretive signs, wildlife plantings, outdoor classrooms and educational facilities, pond dredging, wildlife enhancement, parking and access. This trail project would tie into the Bay to Bridge trail system. There would be parking and a trail head for entrance to the Bay to Bridge Trail.

Dr. Guiser stated that a naturalist has worked with the school district, as well as an architect to develop the site. There is a pond on the site, which is attractive for wildlife viewing. In addition, there is a classroom which the Rotary Club is buying the benches for the classroom. About 880 feet of the trail needs to be developed. The school district has applied for this grant two or three times, and they continue to work on the project. The area is barrier-free and some of the trail is

already in place. The school district is committed to continue development of the trail. Parking is handicap-accessible. In addition, a \$20,000 contribution was made by Waterfowl for the wood duck houses.

Mr. Bill Jennings stated that the project has a total community involvement. The school district has allowed the use of the land. The Youth Advisory Council of the St. Clair Community Foundation Fund provided the seed money of \$5,000 to get the site developed and have an architectural site drawing done. The parking area is free. The total area is 11 acres. The total scope of the project is \$62,400 and the MNRTF grant request is for \$33,700. Clay Township and other organizations are donating labor and materials for the project.

Mr. Gary Carlile, Director of Grounds; and Mr. Bill Nelson, City Manager, City of Dowagiac – 06-203, Dowagiac Youth Sports Park, City of Dowagiac

Mr. Gary Carlile, Director of Grounds for the City of Dowagiac, made a presentation in support of 06-203, Dowagiac Youth Sports Park. This project is for the acquisition of 35 acres, including five existing baseball fields. The property is for sale by second generation owners. The original owners leased the property for \$1.00 per year and now it is \$2,000 per year by the second generation owners. The property will be sold for a housing development if the city is unable to acquire it.

When the city's park and recreation plan was developed in 2002, there were two goals: to rehabilitate the city's existing community parks and to add acreage to the area known as Russem Fields to develop a youth sports park. Since that time the city has invested \$250,000 in the revitalization of its park system. The population of the City of Dowagiac is 6,147 and school district population is 14,900 and this is considered the service population for a sports area. Currently, there are 2,700 students in the school district, with 1,220 students participating in various sports activities. There is a need for additional sports facilities.

Mr. Carlile further stated that if this property is lost, they will strive to find another location. From a conservation standpoint, however, it is undesirable and perhaps unwise to lose an area in the community that has been used for sports since 1969, and go elsewhere and use up more land, time and money to build the same type of thing.

The project will provide five goals:

- 1) Preserve the original sports area known as Russem Field, which includes four junior fields, one senior field, two Challenger fields for children of special needs and populations, ADA-compliant restrooms, concession stand and parking. All fields, excluding the challenger fields, have irrigation, fencing and dugouts and storage areas.
- 2) Ability to continue to sponsor tournaments.
- 3) Provide recreational opportunities for special populations through the baseball Challenger Program and the AYSO VIP program.
- 4) Allow additional development of softball fields for the girls programs.
- 5) This will have zero annual cost to any unit of local government. All use sports programs operate independently.

Mr. Bill Nelson, City Manager for the City of Dowagiac, advised the Board that the city council has committed the local match to the project. If the city had to replace these facilities in another location of the community, it would be more costly than acquiring the existing property being used.

Mr. Garner asked how many acres are involved and what is the cost of the property. Mr. Nelson responded 35 acres and \$500,000 total cost. The city is asking the MNRTF for \$378,000. This would include the property and existing facilities on it. Mr. Garner asked if the facilities were built by the city. Mr. Nelson responded the facilities were built by the Youth Sports Organizations. They have been there since 1969 under a lease agreement and have developed all these facilities.

Mr. Richard Bahle, Township Supervisor; and Ms. Debbie Slocombe, Chair, Recreation Committee – 06-110, Herman Park Acquisition, Suttons Bay Township

Ms. Debbie Slocombe, Chair of the Recreation Committee, Suttons Bay Township, made a presentation in support of 06-110, Herman Park Acquisition. The township prepared a recreation plan in 2002, and in conjunction with the plan, the township did a poll of what the parks and recreation system was lacking. The Herman Park acquisition project was the number one priority for the community.

This is a rare opportunity to acquire 120 acres within walking distance to the Village of Suttons Bay. It is across the street from the elementary, middle and high school. There is a new senior living center that is within a block of the park. In addition, the park is within one hundred yards of the Leelanau Trail, which runs 15 miles through Leelanau County and connects with the TART Trail.

This property would preserve wetlands and has been identified as the highest priority conservation area within the Grand Traverse Bay watershed. In addition, it is a major tributary to Lake Michigan. It would preserve an ecological corridor that links Leo Creek and Mebert Creek watersheds. Leo Creek is unimpeded from head-to-finish with flourishing native brook trout, brown and steelhead trout and salmon.

Fifty percent of the property is high quality deeryard with large game hunting opportunities. In addition, there are opportunities to form a partnership with local archery and shooting organizations to put a shooting range on the site.

The property is located in a major migration corridor and hosts 140 species of birds and nests over 200. Seventy-five percent of the property is wetlands. The school district has stated they would use the area for educational purposes. The township would like to put in boardwalks and hiking trails. Also, there is 30 acres that is near the school where multi-use playing fields could be developed. Maintenance of the property would be shared with Suttons Bay Schools.

Educational opportunities for the property would be wetlands function, wildlife habitat and forest biodiversity.

Ms. Sandra Clark, Director, Michigan Historical Center – 06-126, Iron Industry Museum Interpretive Trail System, Department of History, Arts and Libraries

Ms. Sandra Clark, Director of the Michigan Historical Center, Department of History, Arts and Libraries, made a PowerPoint presentation in support of 06-126, Iron Industry Museum Interpretive Trail System. The Iron Industry Museum is located between Marquette and Negaunee. The museum project would be a geotourism project – taking historic resources and natural resources and combining them into a strong visitor experience, a stronger community recreational experience and an appreciation that leads to preservation.

The Michigan Iron Industry Museum has recently been expanded for more exhibit space. The museum was created in 1987. The location of the museum is the site of the first forged iron in Michigan. The museum contains artifacts, maps, photographs, documents and museum exhibits. In addition, research has been conducted by Michigan Tech archaeology field schools.

Ms. Clark further stated that the MSU Small Town Design Initiative helped create a plan for the museum that would include three trail loops (wetlands (80 acres), uplands (15-20 acres) and Carp River). This would include nonmotorized, biking, walking, and snowshoeing, and in the future, cross-country skiing. When cross-country skiing will be available, they will partner with the Noquemenon Trails System. Their system has a trail use fee.

Ms. Clark further stated that looking at the “bigger picture” of this project would be that the museum trails would connect to an existing snowmobile trail system. In addition, museum staff has been working with the Noquemenon Trail Network on connection routes and Lake Superior Community Partnership on the Iron Ore Heritage Trail.

The Iron Ore Heritage Trail is a 40-mile multi-use trail corridor that goes from Republic to Marquette Harbor with interpretive hubs and gathering places. The very first mine goes by this trail corridor, as well as the Iron Industry Museum, and mining communities. The trail will provide hiking, biking, snowshoeing, cross-country skiing, geology, natural features and wildlife.

Ms. Clark stated that what she is asking the MNRTF to do is partner with them in creating the pilot project that will demonstrate how natural and cultural/heritage resources can work together to form a 21st century model for the Iron Ore Heritage Trail that would appeal to both tourists and the people who live in the community.

Ms. Pollack had a question of clarification on the fees that would be charged and wondered what that meant for accessing the trail. Ms. Clark responded that fees would be charged when accessing for cross-country skiing. Ms. Pollack asked if snowmobilers would pay a fee. Ms. Clark responded that the snowmobilers can use the parking lot, but will not access the trails. The proposed trail will be nonmotorized. Ms. Pollack asked if you did not have skis, could you walk on the trail. Ms. Clark responded that someone could walk, bicycle, snowshoe, or hike on the trail. The fees that would be charged with the Noquemenon Trail are basically so the trail would be groomed for cross-country skiing.

Mr. Torre asked how much funding is being requested. Ms. Clark responded \$261,000 from the MNRTF. There is a large in-kind match from the museum staff, as they will do all the research, graphic design and all that is done on the interpretive end. The Michigan Historical Center Foundation will contribute \$75,000. This will build two miles of 12-foot wide handicap-access hard surface trail.

Mr. Charters asked if this is the first time that the Michigan Historical Center has tried to partner with the MNRTF. Ms. Clark responded yes. The Department of History, Arts and Libraries have submitted applications for the parks shared with the DNR. The museum is partnering with The Nature Conservancy on wetlands.

Mr. Steve Guthrie, Former Nuclear Regulatory Commission Inspector – 06-129, Big Rock Point Acquisition, DNR, Executive Division

Mr. Steve Guthrie, a former Nuclear Regulatory Commission Inspector, made a presentation regarding 06-129, Big Rock Point Acquisition. He was invited by Mr. Tom Bailey, Executive Director, Little Traverse Conservancy to provide his professional opinion on the safety and security of the area.

Mr. Guthrie stated that he has 30 years experience in nuclear power. His areas of expertise are in management and organizational effectiveness; and in safety and risk management. His specialty has been looking at activities and reviewing them for possible problems and stopping them before they do. He was the senior resident inspector for four years in the 1980s, which was prior to the era of spent fuel. In addition, he came to Big Rock for a six-week commitment and stayed six years to help with the decommissioning of the plant. He had line responsibility with the Consumers Energy system, but was never an employee.

Mr. Guthrie stated that all his views expressed to the Board today are based on his personal experience. He has reviewed records, reports, data and engineering evaluations. His opinions are as follows:

Regarding Operation:

- The Independent Spent Fuel Storage Installation (ISFSI) has been designed, constructed, tested, operated, maintained and protected in accordance with all federal and state regulations and accepted engineering and Quality Assurance codes and requirements.
- The ISFSI has been routinely monitored (daily, monthly and annually) and maintained in compliance with an established program of inspection and preventive maintenance. The facility has been built and maintained correctly. The appropriate steps are being made for an orderly transfer of ownership.

Regarding Siting:

- The ISFSI is situated on one of the few locations on the Consumers Energy property where wetlands protection is not at issue. This location was chosen specifically to take advantage of the topography to minimize radiological dose.
- The location has been tested with ground-penetrating radar and found to be geologically stable.
- The location respects the locations of archeological and cultural significance found on the property.
- The relatively remote ISFSI site, with its location well away from the lake shore and accessed by a dedicated service road, was selected in part to permit public use and/or development of the remainder of the property while the fuel was still stored on the site.

Regarding Radiological and Environmental Matters:

- A review of radiation exposure records from thermo-luminescent detectors (TLDs) mounted at various locations around the ISFSI and owner-controlled area shows that radiological dose to workers and members of the public is indistinguishable from naturally-occurring background radiation.
- Review of occupational exposure records for the employees maintaining and protecting the ISFSI shows zero doses. This is attributable to the efficiencies of the storage system containers, placement of fences and boundaries and appropriate procedural controls.
- The potential dose from the Big Rock fuel is very low because the fuel bundles were relatively small to begin with and have approximately two decades to decay and cool before being placed in the dry storage system. This, combined with the conservative design of the storage system, has led to conclude there are no credible accident scenarios which would result in release of radiation to the public or radiological contaminants to the waters of Charlevoix County or Lake Michigan.

Regarding Storage System Integrity:

- The storage system was constructed with a robust design with significant margin in all engineering parameters. It provides a suitable structure to contain the fuel bundles in a safe configuration, contains adequate shielding to hold radiological dose to a minimum and efficiently removes what little decay heat remains in the Big Rock spent fuel bundles.
- The components of the storage system, notably the canisters and concrete pad on which they rest, are constructed of concrete and stainless steel. Ongoing inspection programs and supporting engineering evaluations have determined all storage system components exposed to weather show no sign of degradation, corrosion or deformation.

Regarding Future Transportation:

- The ISFSI was designed, licensed and constructed such that the fuel bundles will not have to be transferred to another container for eventual shipment.

Regarding Physical Security:

- The original design met all requirements for physical security. The license conditions were reexamined in the approximately 18 months following September 11, 2001, and the appropriate upgrades were completed to comply with the post-9/11 requirements. It is protected by an adequate number of trained and equipped officers.

Mr. Guthrie concluded by saying that he would not hesitate to take his seven-year old daughter to the site as he knows exactly what is involved in the spent fuel storage facility.

Ms. Pollack asked if the site is so safe, why are there guard dogs and guns and other measures of security. Mr. Guthrie responded that most of the measures of security are required by the post-9/11 changes in government regulations. Prior to 9/11, there were not some of the security

requirements. Most of the remote readings for site and differential temperatures were going to be read remotely at the distribution station in Jackson. After 9/11, the Nuclear Regulatory Commission developed requirements, and plans were changed. Ms. Pollack asked if the guard dogs and guns were there per the law, and not security. Mr. Guthrie said he would never say that they were not there for security. Ms. Pollack asked if there was some risk of threat. Mr. Guthrie responded that the threat of this site is the same as the threat of other nuclear facilities nationwide.

Ms. Pollack asked about the negative price of \$30 million that Consumers Energy had to pay to assume responsibility for the site. She wondered if this was a standard price and also how they are priced. Mr. Guthrie responded that no utility company wanted to be in the business of spent fuel storage. Consumers Energy has entered into litigation with the Department of Energy to try and recover the cost of putting up a spent fuel system that they never should have had to build in the first place.

Discussion ensued on nuclear sites and the cost of spent fuel systems.

Ms. Pollack strongly questioned the price of this site, as the public is being asked to pay for land that is directly adjacent to a high level nuclear waste site that most of the public and politicians feel is too dangerous to go in the bottom of a mountain in Nevada. Mr. Guthrie responded that it is not the issue of it being too dangerous to put in the bottom of the mountain, but rather mismanaged. What should have been done years ago has not been done. Ms. Pollack does not feel this is a good deal. She feels Consumers Energy should give this land to the public.

Chairperson Washington asked how lethal is the material if something were to happen. Mr. Guthrie responded that there is an engineering evaluation that if the container were cut in half, the gases that would be released would not exceed the federal limits 100 feet away. The fuel at Big Rock Point sat in a spent fuel pool prior to decommissioning the plant for 20 years, and as a result, has had an opportunity to decay. There is a difference between a nuclear bomb and a nuclear plant and the fuel used in them bear no relation to each other.

Ms. Pollack asked about the intensity of what is left in the containers and asked Mr. Guthrie if he could provide this information to the Board. Mr. Guthrie suggested that this information be requested of Consumers Energy. This is public information and is probably available on the Nuclear Regulatory Commission's website.

Mr. Garner asked Mr. Bailey if there has been a formal appraisal of the property. Mr. Bailey responded the company has the appraisal information. There have been discussions on the fair market value of the property in accordance with the MNRTF's regulations. Mr. Garner asked if the cost of the property would be an estimate. Mr. Bailey responded yes.

Ms. Mindy Koch, Resource Management Deputy, DNR – Presentation of DNR Applications

Ms. Mindy Koch, Resource Management Deputy for the DNR, made a PowerPoint presentation outlining the DNR applications that have been submitted for possible MNRTF funding. Ms. Kerry Wieber of Parks and Recreation Division, DNR, assisted in the presentation. She also advised the Board that at the end of her presentation, Mr. Bill Schmidt from DNR's Office of Land and Facilities will be providing some additional information on the Trust Fund's relationship to the DNR's land consolidation efforts.

Ms. Koch stated that the criteria used in determining the high priority applications is the criteria developed by the MNRTF Board. The DNR also looks for sensitive features, critical habitat, public access and recreational opportunities. In addition, the DNR attempts to leverage funds by seeking other funding sources. Land rights are also taken into consideration and the DNR works with conservation easements.

Ms. Koch stated that the following are the DNR's **Tier 1 acquisition** applications (the highest priorities):

06-129, Big Rock Point Acquisition – Executive Office - \$3,000,000 (phase one). The appraisal information is a ballpark figure. It is believed that more detailed appraisal and dollar figure information will be available by the Board's December meeting. This acquisition is for approximately 420 acres with 1-1/2 miles of Lake Michigan shoreline. It includes critical habitat and species protection and would provide significant recreational opportunities.

The DNR has made an application to the Coastal and Estuarine Land Conservation Program (CELCP) for a three-year phased process (\$3 million each year for three years). The DNR has been ranked very high for the first and second round, according to the Department of Environmental Quality, where the application initially goes. Parks and Recreation Division would be the designated land managing division for the site

Concepts for the site include:

- Interpretation
 - Energy – Nuclear power history
 - Cultural – Little Traverse Bay Band of Odawa Indians history
- Eco-Tourism
 - Water Trail – kayaks, coastal trail stopover and camping, harbor crossing reenactments
 - Non-traditional Camping – yurts, cabins, teepees, family cluster camping opportunities
 - Mini-Harbor – for park users
 - Kayak and Watercraft Outfitting – rentals and tour guides
- Sustainable Park Design
 - Solar applications, photovoltaic cells, green construction
 - Sustainable financing – potential park operating endowment
- Traditional Recreation
 - Hunting, fishing, hiking, picnicking, etc.

Mr. Charters asked if the CELCP approves the grant, will the DNR still need the funding from the MNRTF. Ms. Koch responded yes. It would be \$9 million from MNRTF and \$9 million from CELCP. She will be able to provide a clearer figure at the December meeting.

Mr. Charters also asked about the management by Parks and Recreation Division, and wondered how it would be staffed. It has been difficult to fund staff for maintenance of the existing parks. Chairperson Washington concurred. Ms. Koch responded that the DNR is looking at partnerships for assistance in potential development and operation of the facility. We will not go in the red in our budget to develop another state park or to dilute existing state parks. Chairperson Washington asked if there was any private money involved in the acquisition. Ms. Koch responded not at this time. Chairperson Washington stated one of the reservations he

has had because of the nature of the site with the nuclear problems, he wants to see some funding, other than government and MNRTF funding, going into this acquisition. This will assure him that there are others in foundations that feel this acquisition is a worthwhile purchase. Ms. Koch stated that she will be challenged to provide some additional information on this fact at the Board's December meeting.

06-128, Kamehameha Schools Development Rights – Executive Office - \$1,100,000. This is the last phase of acquisition of a working forest conservation easement. This project was awarded grants in 2002 (\$4 million), 2003 (\$3 million), 2004 (\$3 million) and 2005 (\$5 million). The total project cost will be \$16.1 million.

06-142, Leelanau State Park Conservation Easement – Parks and Recreation Division – 2,043,800. This acquisition would provide a conservation easement on 51 acres and 1,400 feet of Lake Michigan shoreline to provide development rights and public access. This would be part of Leelanau State Park. There is critical habitat and species, as well as critical migratory bird stopover.

Ms. Pollack asked what the value of this property was. The property in 2004 was appraised at \$2.64 million.

06-141, State Park and Recreation Area Consolidation – Parks and Recreation Division - \$1,500,000. This project would provide priority in holdings or other key parcels of land located within and adjacent to state park and recreation areas to be acquired.

Mr. Charters asked if the Board could receive a list of which state parks would be involved with this project. Ms. Koch responded that a list of priorities could be provided.

06-135, Hackett Lake Conservation Easement – Forest, Mineral and Fire Management Division - \$2,600,000. This project is for the acquisition of a conservation easement on 640 acres within the Pigeon River Country State Forest boundary. The property includes a 30-acre lake. Conservation easement benefits include: provides wildlife and fisheries habitat; provides public access, including hunting and fishing; and consolidates management of state land within state forest boundaries.

06-137, State Forest Land Consolidation Initiative – Forest, Mineral and Fire Management Division - \$1,000,000. The state forests include approximately 3.9 million acres and are located in the northern two-thirds of Michigan. The goal of this initiative would be to acquire in holdings in the state forests to: consolidate state land within boundaries for more efficient management; secure wildlife habitat and public hunting; and expand forest recreation opportunities.

06-134, State Trailways Acquisition Initiative – Forest, Mineral and Fire Management Division - \$1,500,000. This project is for the acquisition of approximately 220 miles of rail corridors in the upper and lower peninsulas. The DNR is creating a comprehensive review and initiative related to the state's trailways to provide as much connection as possible between existing state trails and looking at other acquisition opportunities. The plan is in the development process at this time, but will be going out to the public for review.

Mr. Charters asked what the request was last year. Chairperson Washington responded that it was cut back last year. In answer to Mr. Charters' question, \$1.9 million was received last year. Ms. Koch also added that as far as management of the trails, non-profit organizations, clubs and volunteers do most of the trailways maintenance.

06-146, Wildlife Land Consolidation Initiative – Wildlife Division - \$1,000,000. The Wildlife Division manages approximately 400,000 acres. This project is to acquire private lands within dedicated boundaries of state game and wildlife areas. There are 99 state game and wildlife areas, located primarily in southern Michigan. Benefits for this acquisition include: provides wildlife habitat and public hunting; consolidates state land within boundaries for management; eliminates shooting safety zones and state acquisition funds leverage additional federal funds, such as NAWCA and Pittman-Robertson.

06-145, Winter Deer Habitat Initiative – Wildlife Division and Forest, Mineral and Fire Management Division - \$1,000,000. This project would be to acquire high priority winter deer habitat in the Upper Peninsula and Northern Lower Peninsula. Benefits for this acquisition include: protects critical winter deer habitat; consolidates state forest land; partnership with DNR, conservation groups and forest product industry; and combine with DRIP and federal funds.

06-131, Inland Waters Access Initiative – Fisheries Division and Parks and Recreation Division - \$1,000,000. This project is to acquire properties that provide access to inland lakes and streams statewide for public access. Fisheries Division is not a land-managing division. The DNR utilizes local partnerships to assist with access management and maintenance. Priority water bodies statewide have been targeted. Benefits for this acquisition include: provide new or enhance existing public access for fishing, hunting, boating, swimming and other types of recreation on priority waters statewide; and consolidate project boundaries where possible.

Ms. Koch advised the Board that the **Tier 2 acquisition** applications are as follows:

06-136, Bois Blanc Island Property Conservation Easement – Forest, Mineral and Fire Management Division - \$2,200,000.

06-138, Trisch Trust Property Acquisition – Forest, Mineral and Fire Management Division - \$975,000.

Ms. Koch stated that the following are the DNR's **Tier 1 development** applications:

06-130, Building Demolition Initiative – Executive Office - \$500,000. This project is for the demolition and removal of structures that are in disrepair on DNR-managed lands.

06-143, Mears State Park Accessible Walkways – Parks and Recreation Division - \$205,500. This project is to provide an accessible shore walkway, ADA picnic table area, Brock Dock deck to the lake and connections to camping and fishing.

06-144, Muskegon Winter Sports Complex Amenities – Parks and Recreation Division - \$189,200. This complex is located in the Muskegon State Park. The DNR has a partnership with the local community. The complex provides recreational opportunities that are unique in Michigan. The complex is used by Olympic athletes. The project would provide upgrades to the complex to include outdoor ice skating pavilion, year-round wheeled luge, and access to lighted cross-country skiing. There is one paid staff who works at the facility and 14 volunteers. The DNR will be receiving 60 percent local match for the upgrades.

06-140, Campground Utility Improvements – Forest, Mineral and Fire Management Division - \$500,000. This project is to provide sanitary upgrades in state forest campgrounds. There are 142 campgrounds with 3,383 campsites; 135 working wells, 270 vault toilets and two dump stations. Part of these funds will be used for ADA access.

06-139, Arbutus Lake State Forest Campground Improvements – Forest, Mineral and Fire Management Division - \$500,000. This project would rework the campground by providing lake access, repair roads, and safety issues on steep slopes.

06-147, Handicapped Hunting/Viewing Facilities – Wildlife Division - \$99,700. This project is to provide repair and maintenance to existing facilities and make ADA compliant. This would provide hunting and viewing opportunities for the handicapped.

06-132, Ralph A. MacMullan Conference Center Improvements – Office of Land and Facilities – 500,000. This project would upgrade the existing facility by increasing classroom size and equip to meet user group demand, update lodging facilities, enhance education opportunities, improve accessibility and make energy efficient and preserve historic structures.

06-133, Multi-Use Shooting Sports and Education Facility – Law Enforcement Division - \$500,000. This project is a partnership between the DNR and Michigan State University. The facility would be located on the campus of Michigan State University. It would provide an indoor air and small bore rifle range, indoor archery range, outdoor archery range and classrooms. This would be an accessible location and would provide educational opportunities for the hunting and shooting sports. It would enable Michigan State University to have a shooting team on campus.

06-127, Upper Peninsula Pocket Park Renovation – Office of Communications - \$178,300. This project would provide some renovation to the existing building to include a welcome center, display areas, interactive classroom, accessible restrooms and associated facility upgrades. The Pocket Park was opened in 1999.

Mr. Charters asked what the totals were for the DNR. Ms. Koch responded that approximately \$3 million for development and a little over \$15 million for acquisition is being requested.

At this point, Mr. Bill Schmidt from the Office of Land and Facilities outlined the land consolidation through lump sum process.

Mr. Schmidt stated he has worked for the DNR for 32 years under nine different directors. One thing that is consistent is the DNR's interest in the consolidation of land in all its project areas. The lump sum accounts have proven to be very successful in helping the DNR consolidate, or "block in," ownership all over Michigan. The lump sum accounts provide a readily-available funding source. Timing and location are two components in successfully acquiring properties. Without the lump sum process, opportunities for acquisition could be lost.

Mr. Schmidt provided an example of consolidation in the Allegan State Game Area. This is the largest state game area in the system, with 46,000 acres. Since 1972, 5,334 acres have been consolidated, at a total cost of \$4,816,400, by land consolidation. Location maps of the state game area were shown emphasizing the areas where properties were acquired with lump sum dollars and other accounts.

Consolidation helps the DNR by providing the following:

- Enhance management capabilities
- Protect existing investment
- Secure hunting opportunities – eliminate safety zones
- Reduce trespass
- “Lump Sum” facilitates consolidation

Mr. Schmidt concluded by stating that it is our duty to work with the land we have and protect it. The lump sum accounts have been successful in accomplishing this.

Chairperson Washington stated that he had approximately 20 cards from members of the audience wishing to make comments on Jean Klock Park, City of Benton Harbor. He asked the audience that had filled out a card on this issue to retire outside the meeting room and select five people, each of which will have five minutes to represent their point of view. Ms. Pollack suggested that the Board allow a total of 30 minutes for comments and not restrict it to five people. A member of the audience objected to these two options. Chairperson Washington agreed to allow each person who filled out a card exactly three minutes to make comments.

Mr. Frank Ettawageshok, Tribal Chairman, Little Traverse Bay Bands of Odawa – 06-129, Big Rock Point Acquisition

Mr. Frank Ettawageshok, Tribal Chairman of the Little Traverse Bay Bands of Odawa, made a presentation in support of 06-129, Big Rock Point Acquisition. The tribe is in support of the acquisition as they feel property of this size and with this much waterfront will not be available in the future. This property is within the tribe’s homeland territory on Little Traverse Bay. There are a number of archaeological resources on the property.

The Little Traverse Conservancy and the Little Traverse Bay Bands of Odawa have had a cooperative venture in property across from the Big Rock property. Two parcels of land have been put into the Susan Creek Nature Preserve. The land of the tribe has been put into federal trust. The tribe is prepared, at some point, to play a part in the funding of the Big Rock project. In addition, they have been in discussions regarding cooperative management of the property.

Mr. Tom Bailey, Executive Director, Little Traverse Conservancy – 06-129, Big Rock Point Acquisition

Mr. Tom Bailey, Executive Director of the Little Traverse Conservancy, deferred his comments, but stated that if the Board had any questions before their December meeting on the Big Rock Point Acquisition project, to feel free to contact him.

Mr. Tim Boyko, Retired Supervisor of Hayes Township – 06-129, Big Rock Point Acquisition

Mr. Tim Boyko, retired Supervisor of Hayes Township, made comments in support of 06-129, Big Rock Point Acquisition. He asked the Board for favorable consideration of funding for this project.

Ms. Connie Sattonstall, County Commissioner, Charlevoix County – 06-129, Big Rock Point Acquisition

Ms. Connie Sattonstall, County Commission for Charlevoix County, made comments in support of 06-129, Big Rock Point Acquisition. The county has passed a resolution in support of the project. There is a possibility that the county could take ownership and lease it back to the state.

Mr. Larry Sullivan, Planning Director, Charlevoix County – 06-129, Big Rock Point Acquisition

Mr. Larry Sullivan, Planning Director for Charlevoix County, made comments in support of 06-129, Big Rock Point Acquisition. This is one of the properties that the county identified for possible acquisition in their 1999 recreation plan. The county's budget would not support the cost of this acquisition. The county supports the state's acquisition of this property. The county is willing to enter into discussions regarding the state acquiring the property and turning it over to the county with a long-term lease back to the state, thereby avoiding payments in-lieu of taxes (PILT).

The property is adjacent to a nonmotorized trailway that goes from Charlevoix to Harbor Springs. The county is looking at developing another trail from Boyne City to Charlevoix. The county is also looking to acquire some property from the state through the consolidation process. Charlevoix County is also willing to seek out foundation dollars to assist in the acquisition or operational costs.

Ms. Pollack stated that she feels having an appraisal is important. There are many questions about the value of the property.

Mr. Tom Woiwode, Director, GreenWays Initiative – Community Foundation for Southeast Michigan

Mr. Tom Woiwode, Director of the GreenWays Initiative, provided the Board with an update of the process for greenways development in southeast Michigan, a seven-county region. He first advised the Board of this process at their February meeting. This process is now complete. Each of the seven counties in southeast Michigan outlined their visions. There is now a vision for southeast Michigan for greenways development throughout the region. All 250 municipalities within the region have had an opportunity to contribute. Each of the seven counties has developed their own greenways plan.

Mr. Woiwode stated that since the Board's February meeting, the Governor has announced her commitment to the statewide trailways initiative. In the past, Mr. Woiwode's organization has suggested that the Board develop a Special Initiative for southeast Michigan greenways. There now is a plan available to the Board and staff that can be used as a reference document to identify high-priority opportunities.

Mr. Woiwode urges the Board to adopt a Special Initiative for southeast Michigan greenways.

Mr. Kevin Anderson, City Manager, City of South Haven – 06-035, South Haven Area Recreation Park Acquisition, City of South Haven

Mr. Kevin Anderson, City Manager for the City of South Haven, made a PowerPoint presentation in support of 06-035, South Haven Area Recreation Park Acquisition. This is a regional project and includes three townships (Geneva, Casco, and South Haven), two counties (Allegan and Van Buren) and the City of South Haven.

Mr. Anderson stated that 51 percent of the households in the city are part-time in nature. Of the remainder of households, 52 percent of students receive a free or reduced lunch at school. Fifteen percent of the households make less than \$15,000 a year and 20 percent make \$30,000. Growth along the lakeshore is becoming more urban. The property is secured with an option to purchase (for two years). The property is 100 acres in size. If this property is not secured by July of 2007, it will be lost.

Plans include a hiking trail, archery range, and a small fishing pond.

Ms. Robin Abshire, Parks Director, City of South Haven – 06-035, South Haven Area Recreation Park Acquisition, City of South Haven

Ms. Robin Abshire, Parks Director for the City of South Haven, made comments in support of 06-035, South Haven Area Recreation Park Acquisition. She stated the city's request is for a small amount of money which will have a huge impact on the residents of Allegan and Van Buren counties. Both of these counties have been declared as underserved by the State of Michigan. This is the third time the city has put in an application for this project.

Ms. Abshire also stated that last year it was recommended that an archery range be put on the property. An archery range has been included in the development plans.

Mr. Klaus Heinert, Representing Parks and Recreation Committee, Elmwood Township – 06-083, Greilickville Harbor Park Development, Elmwood Township

Mr. Klaus Heinert made comments in support of 06-083, Greilickville Harbor Park Development, Elmwood Township. The township has gone through three years of recreational planning. The park would be on the urban fringe of the City of Traverse City. This is one of the last green spaces on the bay that the township is serving as a regional facility. This facility was funded 20 years ago with a MNRTF grant and was developed as a marina. The focus of the park now is as a swimming beach and many other aspects.

The township has partners, such as the Leelanau Land Conservancy, coming on board to help plan for the park. They wanted to see this park as a catalyst for the region.

Mr. Heinert further stated that the township has increased their match amount.

Mr. Garner asked if there have been problems with this marina over the last couple of years. Did the MNRTF help fund the marina. Mr. Heinert responded that the township is doing a joint application for Waterways Funds. Funds have been recommended pending the final decision by the Waterways Commission.

Mr. Mark Randolph, Executive Director, Grass River Natural Area, Antrim County – 06-014, North Shore Hunt Club Acquisition

Mr. Mark Randolph, Executive Director of the Grass River Natural Area, made comments in support of 06-014, North Shore Hunt Club Acquisition. There are six parcels in the project, with the largest being the North Shore Hunt Club. Five are on the right hand side of the river and the Hunt Club is the extensive wetland area across Lake Bellaire. The North Shore Hunt Club is 155 acres with .9-mile on Lake Bellaire and .5-mile on the Intermediate River. It also includes “Duck Island.” Five of the parcels include four of the last six undeveloped parcels on the mouth of the Grass River. The grant request is for \$2 million.

Chairperson Washington allowed Representative Alexander Lipsey to make his comments regarding TF89-114, Jean Klock Park, City of Benton Harbor, due to his schedule.

Representative Alexander Lipsey – TF89-114, Jean Klock Park, City of Benton Harbor

Representative Alexander Lipsey provided comments on the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. He is a neighbor of the district representing Jean Klock Park. He is sensitive that this area is depressed and there is need for jobs; however, he is sensitive to the use of maximizing the use of green space.

Representative Lipsey has not worked on this project in detail, although he has had contact from all sides, including the land conservancy. He urges the Board to look very carefully on this project. While this particular project may provide more jobs, it may also create more problems than it solves. The community needs to be listened to, as it has had a lot going against it over the years.

Ms. Laurie Gaetano, Parks and Recreation Director, Emmet County – 06-077, Camp Pet-o-se-ga Campground Facilities, Emmet County

Ms. Laurie Gaetano, Parks and Recreation Director of Emmet County, made comments in support of 06-077, Camp Pet-o-se-ga Campground Facilities. She wanted to thank the Board for their consideration of this project, and provide any answers to questions the Board may have.

Judge Ronald J. Taylor, Retired Circuit Judge for Berrien County – TF89-114, Jean Klock Park, City of Benton Harbor

Judge Ronald J. Taylor made some comments regarding the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. He was instrumental in organizing the “Friends of Jean Klock Park.” The group was organized to take issue with a different proposal that was presented for Jean Klock Park, which has since been resolved by litigation. The proposal that is currently before the Board is vastly different than the original proposal that the “Friends” were organized. He, and a number of the original plaintiffs, have changed their position of the appropriateness of the encroachment of the park for purposes of community development.

Judge Taylor pointed out the following facts:

- 1) The Harbor Shores development is going to have a major impact on the Benton Harbor scene. This city has been blighted and had difficulties over the years. He believes the Harbor Shores project provides an opportunity for jobs that has not existed for many years, and feels this opportunity should be looked at carefully.
- 2) The development of the Harbor Shores project revolves around a golf course project to be developed using the Jack Nicklaus organization to secure a signature golf course. The designation of a signature golf course is going to require some small usage of Jean Klock Park (22 acres). The greater good of the community for creation of jobs and growth in the community needs to be taken into consideration and balanced against the use of 22 acres of the park property, which essentially is a parking lot at the moment, for purposes of three holes of golf.
- 3) In addition to the small amount of parking lot area in the park, the developers have agreed to give the city 47 additional acres for the park.

Mr. Garner asked what weight was given to the covenant. Judge Taylor responded that the term "covenant" is kind of a misnomer because the original position that was taken in regards to the original lawsuit for Jean Klock Park was based on the assumption that the Klock family had, in fact, restricted the property to park land use only. As the litigation developed, it was learned that that was not true. Because of the way the original deed for the gift was written, the protection of the park never existed; therefore, it developed that the whole park was subject to potential commercial development solely at the discretion of the owner, which is the City of Benton Harbor. The "Friends of Jean Klock Park" found that unacceptable and that is what the litigation was about.

Judge Taylor continued by saying the result of litigation was what really protects the park today was a consent judgment entered into as a result of that lawsuit. The consent judgment retains jurisdiction over the matter, and in fact the methodology to decide one way or another whether this is going to be acceptable, assuming it is acceptable to the MNRTF Board, is going to be taking the matter back before the court for an amendment to the consent judgment. That would make it clear that the three holes of golf in fact are allowable in the park. It is a matter of what the consent judgment says and not what the original deed says.

Chairperson Washington asked if this was because of the requirement for the consent judgment that it be retained for public use. Judge Taylor responded yes. Chairperson Washington asked what specifically was public use defined as. Judge Taylor responded that there is some case law in Michigan that does say that a public golf course is an appropriate public park use. The issue is going to be whether this, in fact, is a public golf course, and there is a lot of debate about that. Obviously, it is going to be a high-priced golf course. The question is whether that qualifies under the cases that have held that it is appropriate for golf in a public park. The developers will tell the Board that there are plans to accommodate users. There is an effort being made to assure that the usage of the golf course will comply with the park use.

Ms. Pollack stated that there may be some wiggle room, if you are a lawyer or judge. When a person gifts their land to an entity in perpetuity, she cannot understand how the language would not reflect the donor's intention that it remain public forever. The real issue here is whether there is any integrity in what the Board does.

Judge Taylor responded that the issue of the Jean Klock Park lawsuit and the wording in the consent judgment is exactly the same as the deed. The State of Michigan is quite clear that unless there is a provision for a reverter in the deed that says if it is not done for its intended use, then it reverts back to the owner. The language in the deed says that it was close to the intent, but it was not mandatory. That was the glitch in the lawsuit and the problem today. The only thing protecting the park is the consent judgment.

Chairperson Washington asked, no matter how this issue is decided, if Judge Taylor is anticipating it is litigated. Judge Taylor does not anticipate a lawsuit, but what he envisions is that the approval of the MNRTF Board will facilitate the matter being taken to the court for approval under the consent judgment. This is not a new lawsuit, but simply under the retention of the jurisdiction of the original lawsuit. This will happen for sure if the MNRTF Board approves the conversion. The people who are against the conversion will have another chance in circuit court and not just before the MNRTF Board. In the event the MNRTF Board were to deny the conversion, he does not know what the litigation potential of that might be as that would be up to the lawyers who are involved in the development proposal.

Mr. Mark Mitchell, President, Alliance for World Class Communities – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Mark Mitchell from Harbor Shores Community Redevelopment, Inc., made some comments in support of the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. He reiterated the comments made by Judge Taylor in that this development would be for the greater good of the community. This project can be a catalyst and will be a great start to see the community transformed.

Mr. Mitchell urged the Board to approve the conversion request for Jean Klock Park.

Ms. Pollack stated she visited the park and it took her a long time to sort out the relationship between the Cities of St. Joseph and Benton Harbor. She asked at the end of the initial 20-year period when the brown fields are cleaned up, how much of the taxable property will remain in Benton Harbor and how much will revert back to St. Joseph for the benefit of the St. Joseph tax base. Mr. Mitchell responded that the tax base for St. Joseph is \$190 million, \$183 million for Benton Harbor and \$24 million for Benton Township. Ms. Pollack asked if this was the case after the reversion. Mr. Mitchell responded yes. Approximately 40 percent of the golf course project will remain with Benton Harbor's tax base. Mr. Mitchell also added with P.A. 425 (land transfer), St. Joseph is willing to forego tax collection on their waterfront properties (approximately 70 acres at the mouth of the St. Joseph and Paw Paw Rivers).

Ms. Pollack stated that it is her understanding that the reason that St. Joseph needs to transfer some of its land for 20 years during the cleanup and development period is that Benton Harbor, as an impoverished community, qualifies for federal and other funds for cleanup. St. Joseph does not qualify for these funds. Once this is cleaned up and developed, this goes back to St. Joseph. The land is only on loan while it is being cleaned up and not while it is generating long-term taxes. Is that an accurate statement? Mr. Mitchell responded that the total infrastructure for the project is primarily in Benton Harbor's interior. St. Joseph does not need that much infrastructure, and is willing to take on a level of debt for Benton Harbor to get the infrastructure installed. Essentially, St. Joseph could do a development deal on their own and not share any of the tax revenues from the three parcels to be applied to the Benton Harbor infrastructure. The St. Joseph parcels do not have deteriorated infrastructure. In fact, some have new roads and bridges.

Ms. Pollack asked about how long will it take to clean and build up the properties. Mr. Mitchell responded between seven and eight years for the physical build up and absorption of the development and the property taxes should repay the debt service on the infrastructure in about 18-1/2 years.

Mr. Geoffrey Fields, Attorney for the City of Benton Harbor – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Geoffrey Fields, attorney for the City of Benton Harbor, stated he did not submit the proposal, but was in attendance in the event the Board had any questions.

Mr. Leroy Harvey, Director of Youth Services – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Leroy Harvey, Director of Youth Services, provided some comments in support of the conversion of TF89-114, Jean Klock Park, City of Benton Harbor. Youth in the community want activities and Harbor Shores has already donated funds for improvements to the teen center. After-school activities in the teen center include life skill classes, weight lifting, swimming, basketball, tennis, and computer classes. At the Boys and Girls Clubs, there is a golf program called the “First Tee” to teach kids how to play golf. Most of the crime in Benton Harbor occurs between 3:00-7:00 PM. With these after-school activities, it is also helping the community as a whole.

Ms. Pollack asked if the conversion properties will allow for boardwalks so youth can fish. Is this because of the loss of the park? Mr. Harvey responded this could impact the whole community. Ms. Pollack stated that there are 40 acres that are going to be included in the new boundaries of Jean Klock Park. Virtually all of them are wetlands and none have skateboarding or other activities. It does not appear that the youth activities take place on the boardwalk on the wetlands, unless there is a fishing program. Mr. Harvey is talking about the project as a whole and how it would impact the surrounding areas in Benton Harbor. He also mentioned that the beach is not well used in Benton Harbor. The Harbor Shores project will benefit the entire community of Benton Harbor.

Mr. Dwight Mitchell, City Manager, City of Benton Harbor – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Dwight Mitchell, City Manager for the City of Benton Harbor, made comments in support of the conversion of TF89-114, Jean Klock Park, City of Benton Harbor. He agrees with Representative Lipsey’s comments that green space must be looked at carefully. The utilization of green space in this project convinced him that it was a project that was good for the community. It is his responsibility as city manager to make sure that citizens have an opportunity to grow, have employment, decent recreation opportunities, housing and law enforcement. He is convinced that the project will address all of these areas.

Jean Klock has become a one-dimensional park right now with the only activities taking place are swimming and sunbathing. Two years ago the city started to take a count of patrons of the park. Two years ago 1500 people paid \$1.00 to use the beach. Last year 1800 people bought tickets. Two events occur at the park annually, one being a blues festival. More people attended that one-day event (approximately 3,000 people) than patrons come to the beach all year long.

The 47 acres of mitigated parcels are going to do more than provide opportunities for people to fish and enjoy wildlife. It makes the beach much more than one-dimensional. There will be more opportunities within the acreage that could include boardwalks, basketball and other youth activities. The City of Benton Harbor is made up of 47 percent of people less than the age of 27 years old. We not only need to find employment for these people, but recreation opportunities as well.

Mr. Eddie Marshall, Commissioner, City of Benton Harbor – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Eddie Marshall, Commissioner for the City of Benton Harbor, made comments in support of the conversion of TF89-114, Jean Klock Park, City of Benton Harbor. He feels this is a good project. Nearly 82 percent of the citizens in Benton Harbor live below the poverty level. This development represents an opportunity for the community now and for future generations.

Mr. Marshall further stated that there has been a lot of speculation as to what this project will be and has created confusion. He feels this is a good project and should move forward.

Mr. Ralph Crenshaw, Commissioner, City of Benton Harbor – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Ralph Crenshaw, Commissioner for the City of Benton Harbor, made comments in support of the conversion of TF89-114, Jean Klock Park, City of Benton Harbor. He feels this project would address many of the issues that have faced Benton Harbor. He shares the passion for maintaining the green space for Jean Klock Park, however, none of the activities that the citizens are able to enjoy are being disturbed. There still will be almost 50 acres of green space to enjoy for picnicking, fishing, bike trails, boat launches and other activities.

The Harbor Shores project will enable the people in Benton Harbor to become economically uplifted.

Dr. Richard Brewer, Professor – TF89-114, Jean Klock Park, City of Benton Harbor

Dr. Richard Brewer made comments in opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. There is a mindset that no land is truly protected in the long run. There will always be developers. Land will be lost one piece at a time.

Dr. Brewer feels that Benton Harbor is the most abused city in Michigan and Jean Klock Park has been the target of some of this abuse. The Michigan Department of Transportation got some acres for a highway interchange that could have gone somewhere else. In addition, the city sold four acres for upscale residential development. At that time, there were promises that no one would come back and ask for more property. The result of this so far is that Jean Klock Park has been shrunken from 90 acres to 73 acres and now another 23 acres are being proposed to be lost.

Mr. Garner said the highway interchange was the beginning of the problems for Jean Klock Park. He asked if some of the land reverted back to the park or city. Ms. Pollack responded that the land reverted to the city, however, it is not part of the park. The park is going to get it as part of this proposal. If they are given 22.7 acres, they will get back what they originally had. This is close to the only nonwetlands part and on the edge of a busy highway. It makes a nice buffer for the park, but you don't put kids down there playing basketball or soccer.

Chairperson Washington asked when the original conversion was agreed to, was there a commitment made to not come back for other acres. Dr. Brewer responded that that was the language in the newspaper at the time. He personally has not seen the language of the decision. Chairperson Washington stated that this was the first he had heard of this commitment.

Mr. Jeff Noel, Whirlpool Foundation – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Jeff Noel from the Whirlpool Foundation, made comments in support of the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. The process for which this project was created goes back to the “Citizens for Progressive Change” who had meetings. The citizens voiced a decision and a desire to use the Ox Creek/Paw Paw River/St. Joseph River areas to develop jobs and recreational opportunities. They even cited the use of a golf course to stimulate development.

Two thousand citizens spoke to various groups in the community, and there were focus groups to try to bring the community together. Job creation, recreational opportunities, and use of the natural assets were all cited by the 2,000 residents that participated. When this project first came on the scene, Judge Taylor had concerns and expressed his opposition. He wanted to make sure if this park could grow, it should grow towards the waterfront because the use of the golf holes are not using the beach or bluff area. They are using the golf areas around the parking lot. Because of the process, parcels of land already sold to developers at a very high value were enrolled in the park so it could be enlarged to be unique.

Mr. Noel further stated that his foundation has already helped fund the rebirth of a recreation center within the community. All but one elected official voted in favor of this project. All elected officials in St. Joseph voted in favor. The county board of commissioners voted in favor. Benton Township voted in favor.

The Whirlpool Corporation is donating the land and said it would not be donated unless it could be enrolled in a project that would help Benton Harbor. The corporation has turned down offers to develop the property. The corporation is also enrolling property next to Silver Beach.

Ms. Pollack asked about the property Whirlpool was donating. She wondered what percentage of the new boundaries are already owned by the city and what percentage has been gifted by Whirlpool or other entities. Mr. Noel responded less than 12-13 percent of the land is currently owned by the City of Benton Harbor. Ms. Pollack stated that would make the maps the Board received wrong. Mr. Noel stated he would be happy to outline the properties for the Board.

Mr. Rahim Abdullah, Commissioner, City of Benton Harbor – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Rahim Abdullah, Commissioner for the City of Benton Harbor, made comments in support of the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. He feels this is the best opportunity he has seen that would stimulate growth and development for the citizens of Benton Harbor and surrounding areas. He is concerned with the generations of the future. Most of the people who oppose this project are retired. The people in his ward see this project as a benefit for the future, and an opportunity for those who don't have jobs to be trained to work.

This project would stimulate life, hope, growth and development in the city.

Ms. Pollack said the MNRTF Board is not here to judge an economic development plan, but rather to enhance and protect the public access to Michigan's outdoors. She asked if there was a high-end golf course in the area that was not doing well and had to make changes as they were not profitable. Mr. Abdullah responded that some citizens in the city argued about the need for this golf course. In the city there are young golfers. He understands there are some golf courses in the area that are not doing well. He feels, though, that once the interest of the younger generation grows and develops in this area, it will be different.

Ms. Bette Pierman, Member, Friends of Jean Klock Park – TF89-114, Jean Klock Park, City of Benton Harbor

Ms. Bette Pierman, a member of "Friends of Jean Klock Park," made comments in opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. She stated that in the 1960s, Jean Klock Park was used by a mass amount of people. The "Friends" is not opposed to the Harbor Shores proposed development in the city, improved education, job training, affordable housing and jobs for the citizens of Benton Harbor. The "Friends" are opposed to the apparent high jacking of the gift of Jean Klock Park that was given to the Benton Harbor children and citizens. They believe that this gift should be used to develop conservation education in the local schools and to develop an appreciation and value for the natural resources, habitat and wildlife in the area.

The fact that the leaders of the City of Benton Harbor do not appreciate or understand the value of the gift and are ready to give it away is proof that conservation education is an essential need in the Benton Harbor area schools and not a Jack Nicklaus golf course.

Ms. Carol Drake, Member, Friends of Jean Klock Park – TF89-114, Jean Klock Park, City of Benton Harbor

Ms. Carol Drake, member of "Friends of Jean Klock Park," made comments in opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. She stated in the letter the Board received from the "Friends" attorney, the conversion was a violation of the consent judgment. She further stated that Judge Taylor owns property adjacent to Jean Klock Park and his property values stand to appreciate. Judge Taylor also stated that the majority of plaintiffs were in favor of this conversion and that is not true.

Ms. Drake outlined the Board Policy for MNRTF funded replacement property. Fill was added to many of the properties. Although some of the properties are high level wetlands that will require Department of Environmental Quality (DEQ) permits to use for public access, many parcels are upland fill lands. Some parcels in question are contaminated. Under the Board Policy the mitigated lands do not fulfill the Board's requirements for replacement properties. Ms. Drake stated that based on Board Policy, the "Friends" urge the denial of the replacement property.

Ms. Drake stated that other communities have attempted to build golf courses on dunes and have struggled with maintenance issues.

Ms. Pollack asked if the replacement property was contaminated. Ms. Drake responded yes. Some of them were former industrial dumping sites. To what extent contamination exists has not yet been determined. Harbor Shores has repeatedly stated that they were contaminated and needed to be cleaned up.

Mr. Dennis Fedewa, Chief Deputy, DNR, responded that the issue of contamination in this development has been questioned, however DEQ has been involved in negotiations of what sites need to be cleaned up and to what degree. Yesterday, he talked with Mr. Skip Pruss, Deputy Director of the DEQ, and they have been involved in the discussions on this as to what cleanup procedures would have to be done. DEQ told staff that they feel the plan for the contamination cleanup is in place and that there were no unmitigated circumstances that they could not permit this project from an environmental standpoint.

Ms. Pollack said it was her understanding from talking to Mr. Pruss that they were going to be able to get the boardwalk permits. This is all beautiful wetlands, and if you can make it accessible for a boardwalk, she does not feel it is a fair exchange for the dunes that will be lost. She wants to know if there is contamination on the mitigation sites. Ms. Peg Bostwick, Chief, Wetlands, Lakes and Streams Unit, Land and Water Management Division, DEQ, was in the audience and responded that they expect to have an application pending on the entire project. She is not aware of any contamination issues with the mitigation properties. If there are contamination issues, they have not been brought to DEQ's attention. Ms. Pollack feels the parties involved are rushing into this. She feels there are too many questions and does not know why the Board has to vote on this today.

Chairperson Washington wondered if there is anything that DEQ is aware of that would prevent the permits that Harbor Shores wants to draw being drawn. Ms. Bostwick stated that DEQ has a major permit they have had for some time for the golf course. That was withdrawn some time ago. DEQ has continued to work on this project to avoid minimizing impacts. They anticipate that the application will formally be resubmitted in the near future and will be out for public notice. A couple of golf course holes are proposed in the conversion. DEQ District staff has been privy to the information regarding the parcels that would be donated to the park to replace what would be lost. The boardwalks through those parcels are not included in the current application for DEQ to develop the golf course. District staff advised that looking at the proposal in a preliminary way, they were not seeing any "red flags" coming up about the condition of those parcels.

Ms. Lorraine Jespersen, Member, Friends of Jean Klock Park – TF89-114, Jean Klock Park, City of Benton Harbor

Ms. Lorraine Jespersen, member of "Friends of Jean Klock Park" read a letter from Ms. Betty Lee Ongley, President of the Southwest Michigan Land Conservancy, expressing her agency's opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor.

Ms. Lea Anna Locey – TF89-114, Jean Klock Park, City of Benton Harbor

Ms. Lea Anna Locey, resident of the City of Benton Harbor, made comments in opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. Jean Klock Park is the city's most prized possession. It was a gift that was given by the Klock family in honor of their daughter for the community and residents to enjoy for all years to come. Benton Harbor treasures this gift.

She read an article that was published on the Harbor Shores website on September 5, 2006.

Ms. Locey further stated that Jean Klock Park is not the city's or anyone else's property to buy, sell, give away or lease.

Ms. Juanita Henry, Commissioner, City of Benton Harbor – TF89-114, Jean Klock Park, City of Benton Harbor

Ms. Juanita Henry, Commissioner for the City of Benton Harbor, made comments in opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. It is upsetting to her that a proposed development project in the city has been marketed without the full consent, knowledge or input of a representation sampling of the residents. The process that Harbor Shores has represented as being viewed and debated in open public meetings, and by local public officials, has been at a minimum. The commission, mayor and residents have been excluded in the critical steps of the development.

Ms. Henry feels Harbor Shores Development is taking advantage of certain opportunities for funding. Such funding is only applicable if the property is located in Benton Harbor. The city's status and eligibility is being used to benefit a developer whose desire to clean up a contaminated property in a municipality which is not eligible to receive certain taxpayers' funds, such as brownfield development funding.

In addition, the timely response to request written information by individual city commissioners has been to this date slow to nonexistent. Ms. Henry also stated that Harbor Shores Development does not have a city resident ownership representation or involvement on their board of directors.

Mr. John Egelhaaf, Executive Director, Southwestern Michigan Commission – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. John Egelhaaf, Executive Director of the Southwestern Michigan Commission, made comments on the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. The commission prepared a critique of the mitigation proposal. The Board has been provided a copy of this critique.

Ms. Pollack asked how closely the Southwestern Michigan Commission has been involved in this planning process. Mr. Egelhaaf responded that they are an economic development district of the EDA. As a result, EDA funds are available and projects are cultivated in the region. From that point of view, the commission has been involved, how they are structuring the funding process. As far as the actual land development, there are details that were new to the commission when doing the report. What the commission saw with the mitigation plan was a map and information was generated from his office to critique the map. The commission then had an exchange with Harbor Shores, whereby they produced information that helped the commission understand more clearly.

Ms. Pollack asked when the conversations began with Harbor Shores Development. Mr. Egelhaaf responded that the commission was asked to do this critique on a Wednesday and the actual mitigation critique was produced the next Tuesday. Ms. Pollack asked if the commission has been involved with the process for many months. Mr. Egelhaaf responded no. The critique that the Board has is the product of about five days of intensive work.

Ms. Pollack was concerned that a lot of established expertise in the region was never tapped. She was concerned if anyone looked at master plans and recreation plans and how this project would fit in regionally. Mr. Egelhaaf stated that the commission's involvement in Benton Harbor has always been a struggle as they hardly know the commission exists.

Ms. Pollack is concerned about chemical runoff, storm water management, dune collapse and other environmental management issues and wondered if the commission had a chance to consider those. Mr. Egelhaaf responded these were also issues they were concerned about. Ms. Pollack feels manipulated and does not know what the environmental impacts are for the proposed project.

Mr. Garner stated that DEQ still needs to review this proposal and would need to issue permits. If the Board approves the conversion today, there are many other steps Harbor Shores will need to take to develop their project.

Mr. Charles E. Henry, Sr. – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. Charles E. Henry, Sr. made comments in opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. He read his comments into the record from a prepared statement. He also provided approximately 1600 names, addresses and phone numbers of residents in opposition to the conversion.

Ms. LuAnne Kozma, Director, Defense of Place – TF89-114, Jean Klock Park, City of Benton Harbor

Mr. LuAnne Kozma, Director of Defense of Place, made comments in opposition to the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. She has been working with “Friends of Jean Klock Park” and residents of the City of Benton Harbor since June. She urges the Board to turn down the proposal today based on what is right for Jean Klock Park and based on what the Board already knows about the proposal.

At issue is the loss of public park land. The developers claim that the entire project, a golf course inside a park, is going to be the greatest city improvement that Benton Harbor has ever seen, but done very little to engage the public in this process. She pointed out the locations of the proposed golf course via a map. The public process has been very poor and not well publicized.

All of the covenants are still true—the historic deed is still in place. The consent judgment that was agreed to two years ago is still in place. The city has accepted federal and state funds for Jean Klock Park. Harbor Shores continues to feel that approval by the Board of this conversion is a “rubber stamp” to move forward with the project. The project conversion still needs to go through approval by the U.S. Department of Interior, National Park Services.

Chairperson Washington asked where the parking in the park currently is and where the proposed parking will be. He also asked where the proposed road into the park would be. Ms. Kozma, a member of the audience and Ms. Pollack pointed these out via the map.

Discussion ensued about the locations of the parking and road access. Mr. Mitchell also pointed out and answered questions about the locations of picnic pavilions, walking trails, etc. The dunes will not be removed; they serve as a natural buffer.

V. OLD BUSINESS.

Update on “Access to Recreation” Initiative – **TABLED FROM AUGUST 16, 2006 MEETING**

Ms. Vicki Anthes, Chief, Planning Section, Parks and Recreation Division; and Ms. Linda Hegstrom, Grant Coordinator, Grants Management, provided a PowerPoint presentation to update the Board on the “Access to Recreation” Initiative. Physical barriers and partnerships will be the focus of the presentation today.

Ms. Anthes stated the partnership consists of the DNR, the Kellogg Foundation, Midwest Community Foundation Ventures and the Michigan Recreation and Park Association (MRPA). There is a fundamental definition of universal access, which is to provide the opportunity for people of all abilities to have the same kind of outdoor recreation experiences.

The “Access to Recreation” Initiative involves a \$1 million per year grant to the DNR from the Kellogg Foundation for a period of three years. The recipient would be required to demonstrate universal accessibility beyond the minimum ADA requirements. The funds would be available for 2007 and 2008 MNRTF grant cycles. The Kellogg Foundation wants the DNR to model universal accessibility, not only for state facilities, but for local and national facilities as well.

Ms. Anthes further stated that the Kellogg Foundation is also interested in integrating universal design concepts into what the DNR does. The DNR complies with ADA, but this is to introduce new concepts.

The Special Initiative proposal involves three phases.

Phase One:

- **Introduce and Create Awareness** – the “Access to Recreation” Workgroup develops evaluation factors for MNRTF applications; and awards up to 30 additional points under the Special Initiative.
- **Leveraging Funds** – the purpose and goals are for local government to leverage both local match and MNRTF sources for the project; and for the DNR to develop a process to leverage only against the MNRTF funding.
- **Enhance Information** – revise 2007 MNRTF applications to provide guidance on developing a universally accessible project; submittal information to earn “Access to Recreation” points; and support MRPA training for local units of government and DNR staff.
- **Department Development** – expand to incorporate criteria into other DNR administered grant programs; and develop universal accessibility criteria and goals for DNR project planning and design.
- **Training and Connections** – incorporate information on planning and designing universally accessible projects by: in January, conduct DNR grant-writing workshops; DNR making presentation at the February MRPA annual conference; and highlighting the “Access to Recreation” Initiative on DNR’s grant web page and providing links to other web sites.

Phase Two:

- **Success Assessment** – following receipt of 2007 MNRTF applications, staff will evaluate Phase One effectiveness of: MNRTF application materials, DNR website, DNR training workshops, applicant response to Initiative, if Special Initiative achieved the objective, and other issues.
- **Adjust and Continue Initiative** – continue “Access to Recreation” Initiative in the next MNRTF cycle by revising DNR’s community recreation plan guidelines; supporting continued training by MRPA and demonstrating the “best practices” through DNR web page and other venues.

Phase Three:

- **Evaluate Initiative Impact** – assessment of the first two phases; showcase successful projects and opportunities to improve; implement additional direction in local recreation planning guidelines; assess MNRTF implementation components; evaluate other DNR grant opportunities for implementation of the Initiative; and assess the value of incorporating universal access into the core of the MNRTF goal of providing natural resource access.

Ms. Hegstrom outlined the criteria for the “Access to Recreation” Initiative. There are two ways an application for universally accessible projects can earn extra points: 1) 30 points for the “Access to Recreation” Special Initiative; and 2) projects that meet a minimum definition of universal accessibility will earn 40 extra points for local cash match, meaning a total of 70 points.

The criteria used for evaluating MNRTF applications are: Need for the Project; Site and Project Quality; Protection/Use of Significant Natural Resources; Use/Access to Inland Waters; and Hunting, Fishing and Other Wildlife Opportunities. The criteria for the “Access to Recreation” Special Initiative that was designed to augment existing MNRTF criteria are:

- **Need for the Project** – points awarded for increased public outreach, especially to disability groups and incorporation of suggestions into project design. Suggesting 5 to 10 additional points be awarded.
- **Site and Project Quality** – points awarded for quality of overall project in providing universal accessibility. Suggesting 10 additional points be awarded.
- **Access to Natural Resources** – points awarded for quality of the project in providing universal access to natural resources. Suggesting 5 to 10 additional points be awarded.

Ms. Hegstrom outlined the local cash match to receive extra points. When the application is evaluated, staff would determine if the applicant met a threshold of universal accessibility, which would make them eligible for the Kellogg Foundation funding. Under the proposed leveraging scenario, all eligible projects would receive half of their proposed local match and half of the MNRTF grant request from the Kellogg Foundation if they are chosen for funding. With this 50 percent contribution from the Kellogg Foundation, when added together with the remaining local cash match, the total match that would be put against the MNRTF request would always be about 56 percent, which would earn the applicant the maximum 40 points.

Discussion ensued on the Special Initiative—how much MNRTF would be paying, local match, and how the Kellogg Foundation portion is processed.

Chairperson Washington stated that one of the good things about this Initiative is projects that are handicap-accessible are also nonhandicap-accessible.

Ms. Pollack asked if any discussion has taken place with the Kellogg Foundation regarding financial access. One thing that could be undertaken is that no fees are charged to someone in a wheelchair or needs modified access or their attendants. Ms. Cindy Burkhour, “Access to Recreation” Coordinator for the Kellogg Foundation, responded that this whole concept is to provide access to everyone. This project is to make sure the recreation experience is available to everyone. There is not a requirement for the provider of the recreation experience to provide that at a different cost. No one can charge an additional fee or pass on the cost of accessibility to individuals with disabilities. Ms. Pollack says this explanation is fine, but she is still concerned about an entrance fee to use a facility. Ms. Burkhour stated that she would not be opposed to any efforts that the MNRTF Board puts forward in putting those types of requirements in their awarding of projects.

Ms. Anthes stated that the Kellogg Foundation would like some indication from the Board of support for this Initiative. The Foundation does have some reporting requirements of the DNR to show progress. The next report is due on October 31, 2006.

MOVED BY MS. POLLACK, SUPPORTED BY MR. CHARTERS, TO APPROVE THE PHASED IMPLEMENTATION OF THE “ACCESS TO RECREATION” INITIATIVE AS OUTLINED BY STAFF. PASSED.

2007 Draft MNRTF Criteria – TABLED FROM AUGUST 16, 2006 MEETING

Mr. Garner suggested, due to the number of people in the audience, that Agenda Item #3 – TF89-114, Jean Klock Park, City of Benton Harbor – **Conversion** be moved ahead of discussion of 2007 Draft MNRTF Criteria. The discussion of the criteria will take some time.

MOVED BY MR. GARNER, SUPPORTED BY MS. POLLACK, TO MOVE AGENDA ITEM #3 – “TF89-114, JEAN KLOCK PARK, CITY OF BENTON HARBOR – CONVERSION” TO AGENDA ITEM #2. PASSED.

TF89-114, Jean Klock Park, City of Benton Harbor – CONVERSION

Mr. Fedewa outlined the conversion request for TF89-114, Jean Klock Park, City of Benton Harbor for the Board. A formal conversion request was received by the City of Benton Harbor. The discussion on the conversion was tabled from the August 16, 2006 meeting. Staff has reviewed the formal submission of the conversion request and determined that there is a need for mitigation of approximately 22 acres and replacement of 47 acres.

The value of the property has been determined and an appraisal was submitted to the DNR and will be reviewed by the Office of Land and Facilities. The value has been appraised at \$1.3 million.

Mr. Fedewa stated that staff does not see any barriers for the Board to consider approval of the conversion request contingent upon a number of factors that still have to be completed. The lease agreement needs to be finalized between Harbor Shores Development and the City of Benton Harbor. Staff would suggest that contingencies be placed on any considered approval by the Board. This would not be precedent-setting. Staff would review the conversion contingencies and report back to the Board on a regular basis. The final review must be complete before sending to the National Park Service for their approval.

Mr. Charters asked why the MNRTF is involved in this mitigation. Mr. Fedewa responded that the MNRTF is involved because there were MNRTF dollars that went towards development of Jean Klock Park. Mr. Charters sees this park as an underutilized asset. It would still remain a beach, but there will be more recreational activities by allowing the conversion, in his opinion. There will be a lot of permit issues. That responsibility falls on the developer. It was the local unit of government that applied for the MNRTF grant, and in his opinion, it should be the local unit who determines the fate of Jean Klock Park.

MOVED BY MR. GARNER, SUPPORTED BY MR. CHARTERS, TO TAKE OFF THE TABLE (TABLED AT THE AUGUST 16, 2006 BOARD MEETING) FOR DISCUSSION AND DECISION OF THE CONVERSION REQUEST FOR TF89-114, JEAN KLOCK PARK, CITY OF BENTON HARBOR. A ROLL CALL VOTE WAS TAKEN. MS POLLACK VOTED NO. PASSED.

MOVED BY MR. CHARTERS, SUPPORTED BY MR. TORRE, TO APPROVE THE CONVERSION REQUEST FOR TF89-114, JEAN KLOCK PARK, CITY OF BENTON HARBOR, AS FOLLOWS:

THE MNRTF BOARD APPROVES THE CONVERSION OF 22.11 ACRES OF JEAN KLOCK PARK CONTINGENT UPON THE FOLLOWING:

- **STAFF'S REVIEW AND APPROVAL OF THE TERMS OF THE FINAL LEASE LANGUAGE CONVEYING CONTROL OF THE 22.11 ACRES OF JEAN KLOCK PARK;**
- **THE CITY'S SUCCESSFUL ACQUISITION IN FEE SIMPLE TITLE OF ALL PARCELS INCLUDED IN THE 47.47 ACRES OF PROPOSED MITIGATION WITHIN 90 DAYS OF EXECUTION OF THE APPROVED LEASE LANGUAGE;**
- **ANNUAL REPORTING BY THE CITY OF BENTON HARBOR TO THE MNRTF BOARD ON PROGRESS MADE IN THE HARBOR SHORES DEVELOPMENT PLAN, ESPECIALLY THOSE ITEMS INTENDED TO MITIGATE FOR THE CONVERTED LAND WITHIN JEAN KLOCK PARK; AND**
- **COMPLETION OF THE PROPOSED PATHWAY LINKING THE BENTON HARBOR COMMUNITY TO JEAN KLOCK PARK.**

Mr. Garner asked if another contingency could be placed on the motion regarding any judicial decision that might disrupt it. Mr. Charters said any judicial intervention would be the city's problem.

Ms. Pollack felt it was premature for the Board to vote on. She asked what the Board's policy was on threatened species. Mr. Wood responded that in the conversion policy itself, he did not believe there was any specific language directed at threatened or endangered species. Ms. Pollack asked the other Board members how they felt about approving a conversion that would destroy an endangered species. Mr. Garner said this would be covered under law anyway. If the project goes forth and permits are needed, and an endangered species is identified, if the city goes forth with the project there will be litigation. Ms. Pollack feels there are "red flags" on the conservation and environmental issues.

Discussion ensued regarding permit and environmental issues regarding the conversion.

Ms. Pollack read a portion of a letter received from Representative Alma Wheeler Smith concerning Proposal 4 (taking of property under eminent domain) and Proposal 1 (conservation and recreation funds can only be used for their intended purposes). She also read a portion of a letter from Mr. Gary Stock.

MOVED BY MS. POLLACK TO TABLE DECISION OF THE CONVERSION REQUEST FOR TF89-114, JEAN KLOCK PARK, CITY OF BENTON HARBOR, UNTIL THE DECEMBER 6, 2006 MNRTF BOARD MEETING. NO SUPPORT.

CHAIRPERSON WASHINGTON CALLED FOR THE VOTE TO THE PREVIOUS MOTION MADE BY MR. CHARTERS, SUPPORTED BY MR. TORRE, TO APPROVE THE CONVERSION, WITH IDENTIFIED CONTINGENCIES FOR TF89-114, JEAN KLOCK PARK, CITY OF BENTON HARBOR. A ROLL CALL VOTE WAS TAKEN. MS. POLLACK VOTED NO. PASSED.

2007 Draft MNRTF Criteria – TABLED FROM AUGUST 16, 2006 MEETING

Chairperson Washington asked if this criterion was for this year or next. Mr. Wood responded it was for next year.

Mr. Garner asked if a Board meeting could be arranged on November 9th to discuss this. He would like to spend a couple of hours discussing the criteria. The Natural Resources Commission meets on November 9th, but not until 3:00 PM. Chairperson Washington and Mr. Charters concurred that the criteria are very important and discussion is needed. Ms. Pollack suggested that Board members check their calendars to see if this date was available.

This meeting will be noticed for the public. Only remaining items not taken up on the October 18, 2006 agenda will be discussed.

Mr. Wood asked if the Board could approve one withdrawal under "New Business" prior to recessing.

NEW BUSINESS.

TF02-204, Acquisition on Mackinac Island, Mackinac Island State Park Commission – PROJECT WITHDRAWAL.

No discussion.

MOVED BY MR. GARNER, SUPPORTED BY MR. TORRE, TO APPROVE THE WITHDRAWAL OF TF02-204, ACQUISITION ON MACKINAC ISLAND, MACKINAC ISLAND STATE PARK COMMISSION. PASSED.

MOVED BY MR. GARNER, SUPPORTED BY MS. POLLACK, TO RECESS THE OCTOBER 18, 2006 MNRTF BOARD MEETING, AT THE CALL OF THE CHAIRPERSON. PASSED.

THE MEETING WAS RECESSED AT 2:46 PM

THE MEETING RECONVENED AT 12:36 PM, THURSDAY, NOVEMBER 9, 2006

Chairperson Washington called the meeting to order at 12:36 PM. He stated that this is not an independent meeting; it is the remainder of the meeting of October 18, 2006.

IV. OLD BUSINESS.

2007 Draft MNRTF Criteria – TABLED FROM AUGUST 16, 2006 MEETING

Mr. Wood outlined the proposed changes to the 2007 MNRTF criteria for the Board. These include the following:

- Criteria #1 – Need for Proposal; and Criteria #4, Protection and Use of Significant Natural Resources – **Changes to interpretation of the criteria.**
- Criteria #7 – **Replace “Economic Benefits of the Proposal” with a new criterion—“Access Opportunities”.**
- Criteria #3 – Site and Project Quality – **Split into separate criteria—“Site Quality” and “Project Quality”.**
- Criteria #10 – Local Match – **Increase the amount of additional match required to receive points from 1% to 5%.**
- Criteria #8 – Population Served by the Project; and Criteria #11, Oil and Gas Impacted Areas – **Reduce weighting.**
- Criteria #12 – **Update and reprioritize “Special Initiatives of the Board” to reflect higher prioritization of trail projects and include new initiatives related to projects near urban areas and projects that provide universally accessible opportunities to natural resource based recreation.**

Current Special Initiatives of the Board are as follows:

- **MNRTF Board Special Initiative #1 – Acquisition of land or development of trailways that provide linkages to recreation opportunities. Priority is placed on projects that provide connectivity to the state trail system.**
- **MNRTF Board Special Initiative #2 – Acquisition of lands open to hunting or development of hunting related recreation facilities, such as shooting ranges. Highest priority will be placed on lands in the Southern Lower Peninsula that are open to general hunting seasons and shooting ranges.**
- **MNRTF Board Special Initiative #3 – Acquisition of land within a DNR-identified winter deer yard as supported by the DNR’s Wildlife Division, or acquisition of land that connects or provides a buffer area to land with critical wildlife habitat or ecological values that are already in permanent protection.**

Proposed 2007 Special Initiatives of the Board are as follows:

- **MNRTF Board Special Initiative #4 – Acquisition of land or development of facilities in proximity to urban areas.**
- **MNRTF Board Special Initiative #5 – Development Only – Projects that provide a universally-accessible natural resource-based recreation opportunity, based on DNR-adopted criteria for universal accessibility.**

Mr. Charters asked if the Board has ever established a goal, as an example, access to Lake Michigan (every 5, 10, 25 miles)? Mr. Wood responded not to his knowledge. Mr. Charters asked if this would be an internal DNR request? Mr. Fedewa responded that he appreciates the Board’s notion of aligning criteria with goals. For example, Parks and Recreation Division has certain goals based on formulas they have developed. These are based on some criteria. Certainly if the MNRTF Board wanted to apply some goals, it should take into account other Departmental goals and what has been established and how much is being gained.

Mr. Charters asked if there was a goal for the Great Lakes. Is access based upon population, every 10 miles? Mr. Fedewa responded to his knowledge, there is nothing that specific. The goals are basically the number of access sites that are available on a population served with the area of the state. It is usually done on a per capita basis. Mr. Charters asked if the Board has a criterion regarding the number of access sites on waterfront. Mr. Garner stated that he felt this should be Natural Resources Commission policy. Mr. Charters agreed that it is more internal to the DNR with the goals. When the MNRTF Board asks if a waterfront meets access needs, staff can reference the specific criteria.

Ms. Pollack wholeheartedly endorses the “Access Opportunities” criterion. She wondered if the criteria will be relevant to the conversion decision. Mr. Wood responded that it could certainly weigh the review of the decision-making process.

Mr. Garner stated that the hunting Special Initiatives are of great interest to him. In addition, urban areas are of interest. When the MNRTF was created in 1976, this was a major point. In his opinion, all of these proposals seem to dovetail nicely.

Mr. Charters had a question about giving equal balance to renovation versus new facilities. He wants to make sure poor maintenance of a facility is not rewarded. Mr. Wood responded that this would be part of the staff evaluation to make sure that that was not the situation.

Chairperson Washington asked if there were any provisions for dispersal of project types. What if the top five or ten scoring projects are, for example, all river access projects. Mr. Wood responded there is not anything in the proposal that would do this specifically. Chairperson Washington is concerned that communities never receiving a grant should get funded. He is also concerned about a lot of funding going to conservancy efforts, not that that is bad. Mr. Charters stated that it is the discretion of the Board to approve funding for the projects. He cannot remember any time where the Board has totally followed the staff recommendations.

Ms. Pollack suggested a criterion that could be added that speaks to availability of general public access sites. This could be looked at county-wide. Mr. Charters stated that the Board can add a Special Initiative at any time. He would be happy to give the criteria some thought for the future. The 2007 MNRTF criteria needs approval today to enable materials to be prepared.

Ms. Pollack asked how access relates to economic access. She would like some recognition included for this aspect.

Chairperson Washington stated it is less of a challengeable process if the Board has some provision that enables them to broaden the base of what they are funding. He is looking for some "special circumstance" criterion that gives the Board written "license" to fund projects scoring below the cutoff line.

Ms. Pollack suggested an amendment under the new Criterion 7, "Opportunity to Provide Access". She proposed an additional 10 to 60 points be assigned to projects that have an inverse relationship to fees charged to use the facility. A park that charges fees would get 0 to 10 points and a park that does not charge gets 60 points.

Mr. Garner mentioned Mr. Charters' question about poor maintenance in facilities and was concerned about the Board paying for these renovations. He would not want to see facilities rewarded who did not charge and then let their facilities go in disrepair and did nothing to keep them attractive.

Ms. Pollack stated she is not interested in just having access for people in wheelchairs. She also wants access for people who cannot pay. She feels criteria should be developed to reflect this. She would like to see every community include in their application a statement of their plan to deal with people who cannot pay to use the facilities and they be awarded points accordingly. She would be happy to limit to parks and trails.

Discussion ensued on fee charges in facilities.

Mr. Charters suggested that a Board Special Initiative could be included to deal with the fee issue.

Ms. Pollack stated it was in her original proposal to have a sliding scale for points awarded.

Chairperson Washington asked if a Special Initiative were developed and a park charged \$1.00 admission and five years later they charge \$2.00, would that constitute a conversion. Mr. Wood responded that would not be a conversion.

MOVED BY MR. CHARTERS, SUPPORTED BY MS. POLLACK, FOR A MNRTF BOARD SPECIAL INITIATIVE TO AWARD ON A SCALE OF 5, 10 OR 15 POINTS TO COMMUNITIES WHO DO NOT CHARGE FEES TO USE THEIR FACILITIES.

Ms. Pollack feels the point system should be 10, 20 and 30. Mr. Garner stated that the Board will be reviewing the criteria again next year and suggested they stay with Mr. Charters original motion of 5, 10 or 15 points and see what develops next year.

MS. POLLACK VOTED NO ON MR. CHARTERS MOTION. PASSED.

Chairperson Washington asked for a motion to accept the 2007 MNRTF criteria.

Ms. Pollack asked that the approval be tabled until the December meeting in the interest of getting some unanimous support. She stated that she has had discussions with Mr. Wood regarding requiring communities to submit with their applications how they plan to deal with economic barriers to their project. This would inform the Board and staff as to what the financial barriers might be in terms of use. Mr. Garner asked if this would be specifically how much they charge. Ms. Pollack responded no, it would be more involved. Mr. Wood used Ingham County as an example. They have an entrance fee, but someone who cannot pay can still enter the park. Nothing special needs to be done.

Ms. Pollack added that it is more than what fees are charged. This would include if they have a policy for fees for low income, handicapped, etc.

Mr. Garner asked when the 2007 MNRTF criteria needed to be approved by the Board. Mr. Wood responded to include all this in the 2007 cycle, it would need to be approved today. If no decision is made, we will have to use the 2006 criteria.

MOVED BY MR. GARNER, SUPPORTED BY MR. CHARTERS, TO ACCEPT THE 2007 MNRTF CRITERIA, AS AMENDED. PASSED.

V. NEW BUSINESS.

2007 Meeting Schedule

Mr. Wood outlined the proposed dates for the 2007 MNRTF Board meetings. Traditionally, all meetings are held in Lansing, with the exception of the June meeting. This is the meeting where applicants are invited to make presentations to the Board on their acquisition projects. The meeting dates are as follows: **February 21, April 18, June 20, August 15, October 17 and December 5.** Except for the December meeting, they are all the third Wednesday of the month.

Mr. Wood asked the Board to adopt these dates and offer suggestions of where they would like to hold the June meeting. Mr. Garner suggested the meeting be at the Ralph A. MacMullan Conference Center. Ms. Pollack suggested meeting in Ludington.

Chairperson Washington asked that the dates of meetings be approved and the locations be decided at a later meeting.

MOVED BY MR. GARNER, SUPPORTED BY MS. POLLACK TO APPROVE THE 2007 MNRTF MEETING DATES. PASSED.

DNR Naming Policy Workgroup

Mr. Fedewa provided a PowerPoint presentation outlining the DNR Donor and Partnership Recognition Policy (naming policy). The DNR was not equipped with an up-to-date naming policy. The current Natural Resources Commission (NRC) policy dates back to 1978. The current policy dealt with two issues: naming after an individual and encouraging that meaningful names be placed on geographic locations.

The 1978 NRC policy discourages recognizing individuals or private sector partners; does not relate well to today's opportunity or need to diversify funding; and does not prompt proactive management of naming opportunities. Both the NRC and MNRTF policy are basically reactive in nature rather than proactive.

A draft has been established and is nearing completion. This draft is based on the principle of proportionality that a particular recognition would be proportionate to the actual value in line with what the DNR's goals and missions are.

Under the new policy, the DNR will proactively:

1. Identify donation opportunities.
2. Identify private-sector partnership opportunities.
3. Plan for the management of unsolicited donations, sponsorships and partnerships.
4. Determine limitations and procedures.

Mr. Fedewa further stated that if someone provided a donation to have a bench named for a loved one, Parks and Recreation Division could handle that. If a facility or parcel of land was to be named for someone in perpetuity, this would be the highest level of decision-making and would require approval of the NRC.

Under donation and sponsorship opportunities, the DNR would:

1. Identify facilities, activities, programs and events for which opportunities exist that meet DNR mission-related needs.
2. Specify funding requirements and partner recognition unique to each project.
3. Screen for potential conflicts.
4. Sensitivity to the impact of corporate logos and images of on-site recognition.
5. Publish donation opportunities.
6. Require agreements when appropriate.

For unsolicited offers, the DNR reserves the right to:

1. Reject any offer deemed inappropriate or without value to the DNR.
2. Provide public input on any offer in order to ensure transparency.
3. Offer the opportunity on a competitive basis to establish fair market value.
4. Require written agreements with terms, time limits and exit strategy clearly defined.

Chairperson Washington asked about the Fred Meijer White Pine State Park naming that occurred last year. In a circumstance like this naming, if the Board thought the value of the naming right was greater, would that be offered to other potential buyers? Mr. Fedewa responded if in fact the highest level of recognition would be naming something in perpetuity, it would have to meet all the criteria, such as transparency, public input, etc. An "endowment"

could be a small amount that does not contribute significantly to the maintenance of the particular facility, or an endowment could be significant enough that would take care of the maintenance for the foreseeable future, it might be worthy enough for considering higher levels of recognition. We cannot say yes or no unequivocally. We have to look at each opportunity on an individual basis.

Mr. Garner stated that one thing that needs to be done when establishing criteria for naming is unless it is being named with no donation attached (significant conservationist, for example), nothing should be allowed to be named in perpetuity. There should be some limit on how long the facility or property would be named for the individual. Mr. Fedewa responded that in the final draft that will be presented, the DNR will be asking for public input.

Mr. Fedewa continued by stating that no name of a donor or partner shall be attached to the following:

- Rivers, lakes or streams
- Historic sites or structures
- State Forests
- Waterfalls or geological features
- Lands and facilities previously named in recognition of an individual

Mr. Fedewa further stated that facilities named in recognition of a donor or partner will be subordinate to the existing name such as "Winchester Shooting Range" of Island Lake Recreation Area or "The Yamaha ORV Discovery Trail" within Copper Country State Forest.

Mr. Fedewa stated that staff has been working on this policy on almost a weekly basis. The next steps are review by the Management Team and Director Humphries. After their review, it will be reviewed by the Lands Committee of the Natural Resources Commission. The draft policy would then be presented for public comment.

Mr. Fedewa stated that after all review and comments were received, he would be coming back to the MNRTF Board, as well as the Waterways Commission and citizen committees on state parks, to articulate what the proposed draft contains and solicit their comments. At that point, it would be finalized and replaced as the new NRC policy.

Chairperson Washington asked if there was any way to make this a state policy on naming. Mr. Fedewa responded that the only way that could be done is establish it in the statute. In the case of the Fred Meijer naming, that was a statute. Regardless of the policy that exists now that prohibited the naming, it was superseded by legislation.

Ms. Pollack wondered about the costs by the donors involved in the naming. It appears from the policy that the DNR is proposing naming the facility after whoever gives the highest bid. Mr. Fedewa responded there are solicited and nonsolicited namings. For example, the DNR might be planning an event and feel manufacturers of sporting goods, ORV or snowmobiles could be involved in it and would contact them about a donation. In addition, corporations have also contacted the DNR on their own. The donors would need to go through a screening process. To answer Ms. Pollack's question, the DNR is not soliciting the highest bidder.

Ms. Pollack wondered if the naming of facilities or property was going to increase or decrease. Are we gaining control? Mr. Fedewa responded we are gaining control. The Legislature

requires the DNR to develop a policy and criteria. Mr. Charters also added with today's economy, we need to look for more financial partners, as the DNR does not get the General Fund contributions in the past. As far as Ms. Pollack's question, he feels the door has been opened by the Fred Meijer naming issue. Local governments and conservancies feel this may be an opportunity to secure matching funds for their projects. It is important that the DNR and MNRTF set up controls so it does not get out of hand. He does not feel accepting a donation for naming a facility or property is necessarily a bad thing.

Mr. Charters asked about projects purchased with MNRTF funds, does the Board have any control over the naming, or is it just the NRC. Mr. Fedewa responded that the MNRTF has its own policy and this would be the DNR's policy as approved by the NRC. Once the DNR policy is established, we want to align the MNRTF policy. We don't want them to be conflicting in nature.

Mr. Garner asked when this policy would be brought to the NRC. Mr. Fedewa responded that the initial draft has been finished. The Director needs to be briefed on it as well as discussion with the Management Team. Once it has been approved internally, it will be presented to the NRC at a committee level. This will be presented to the NRC preferably either December or January.

VI. STATUS REPORTS.

DNR Real Estate Report

Mr. Wood advised the Board that this report is included in their Board materials, and that Office of Land and Facilities staff were available to answer any questions the Board may have.

Local Projects Completion Report

Mr. Wood advised the Board that three acquisition and one development project have been completed.

2006 Applications Update Report

Mr. Wood briefed the Board on the 2006 applications update report. Staff has gone through all applications to make sure information is correct.

Mr. Charters stated that it was brought to his attention earlier today that the Board will be getting the final rankings around Thanksgiving. He mentioned that the Board used to get some indication in advance of this time. Mr. Fedewa responded that that was the preliminary scores and then technical assistance was done with the individual applicants. Mr. Charters does not agree with the Board getting the scores this late.

Mr. Garner stated that the Board has been holding a meeting the night before the December meeting that has acted as sort of an "appeals process" for applicants. He does not feel the Board has handled this as well as they could have. Mr. Charters asked about this meeting. Mr. Garner responded that it was aimed at applicants commenting about their project, and what the Board has been seeing is more presentations, some of them for the third time. In defacto, it has become an appeals process. This has been done for the last two years.

Mr. Charters asked if the applicant knows what their score is at the evening meeting. Mr. Fedewa responded that how a project scored is made available the morning of the regular December meeting. Mr. Garner and Mr. Charters commented they do not like that process.

Chairperson Washington stated that the reason for the night meeting was that there really is not anything in the system to allow Board members to discuss among themselves the pros and cons of the projects. That was supposed to be the purpose of the night meeting. There are some things where the Open Meetings Act is absolutely essential and others where it is a hindrance to serving the public. Any discussion of all Board members must be done in accordance with the Open Meetings Act and be open to the public. He feels there needs to be an opportunity for the Board to get together and “horse trade” and not to ask questions of the applicants.

Mr. Charters suggested that the night meeting be patterned after the NRC Committee of the Whole meeting, a working session of the Commission. The public can attend, but not comment. The NRC may solicit comments from the audience. Chairperson Washington stated that process would be his preference. He asked Mr. Wood if there was a requirement that public comments had to be allowed. Mr. Wood read the Board’s bylaws and it stated in part “...the Board shall provide an opportunity for public comment at all regular and special meetings.”

Mr. Garner suggested having the public appearances at the evening meeting.

Mr. Charters had more comments about the preliminary scoring of the projects. When this was available, Board members would be advised of the information if or when a community contacted them. Mr. Fedewa stated that was the process and the scoring is a two-tier process. In the initial scoring, the Board can be advocates. Staff’s role is to provide technical assistance to the applicant to modify their application to better the score for the final scoring.

Chairperson Washington asked if restrictions could be placed on applicants wishing to make a public appearance, such as no PowerPoints. Mr. Wood responded that their time could be restricted. Chairperson Washington asked if the Board could restrict repeat public appearances. Mr. Wood responded that the Board could again limit the amount of time for comment on a specific topic.

Chairperson Washington stated that public appearances will be based on the number of people who wish to speak. He asked if the Board can request no pre-registration for the meeting. Those wishing to make a public appearance would fill out a card at the evening meeting. This would give the Board an immediate number of how many people there will be. What he objects to is applicants who have been provided several opportunities to make presentations and then try to put in a last-minute pitch to sway the Board one way or another. That cuts into Board deliberation time. Mr. Fedewa responded that one thing the Board could consider is if the applicant has new information to provide to the Board that they be given the opportunity to make a presentation. Chairperson Washington stated he felt that was a valid point.

Chairperson Washington suggested that no one will be put on the agenda in advance to speak. People wishing to make a public appearance will fill out a card at the evening meeting. Anyone with new information on their project will be allowed to make a public appearance. Mr. Garner disagreed with this. He suggested that the evening meeting be scheduled for public appearance only and that the Board go through as many as possible. The meeting could be scheduled to end at 10:00 PM. All remaining public appearances will be heard the next day, if

necessary. The Board would have time at the regular meeting to deliberate on the projects. Ms. Pollack suggested that all public appearances be held at the evening meeting only.

Chairperson Washington stated he does not want to trade the time the Board has to make their deliberations for applicants to make a last-minute pitch for their projects that they have presented several times previously. He wanted to know how the Board can get around this fact. He felt that public appearances should be for the purpose of disputing the score the applicant's project received.

Ms. Pollack asked if the applicant has the scoring information the same time the Board receives it. Is it on the DNR's website? She feels the applicant should be given the information in enough time that if they see an error, they can come to the Board with that information. Mr. Charters wanted to know why it was not posted on the web. Mr. Wood responded a reason was the Board did not want the applicants contacting them directly. Board members responded that they still get contacted by some applicants.

Chairperson Washington asked for the December meeting only, to limit the evening session to only those applicants wishing to challenge or question the scoring of their projects. This is the information that the Board critically needs. Mr. Fedewa responded the Board has to allow public comments, but can be modified by the chair.

Discussion ensued as to why scores are not published on the website.

MOVED BY MR. GARNER, SUPPORTED BY MR. CHARTERS, THAT WHEN SCORES ARE AVAILABLE TO THE MNRTF BOARD THAT THEY BE PUBLISHED ON THE DNR'S INTERNET; AND THAT A DECEMBER 5, 2006 EVENING MEETING BE HELD, BEGINNING AT 7:00 PM, TO ALLOW FOR APPLICANTS TO MAKE A PRESENTATION TO APPEAL THEIR SCORE. NO PROJECT WILL BE ALLOWED MORE THAN FIVE MINUTES FOR THEIR APPEAL. PASSED.

Mr. Charters had to leave the meeting, but asked someone to provide him the information why the State Trailways Initiative lump sum account has so much money remaining.

Ms. Pollack wanted to request that staff provide the Board a change in the rule to allow the chairperson to vote on all issues, as opposed to the current rule that allows the chairperson to vote only to break a tie. Mr. Garner stated that he brought this issue to the Board two years ago and never got a second on it.

Financial Report

Mr. Wood advised the Board that hopefully staff will have the final figures for funding available for the 2006 funding cycle in the next week. Chairperson Washington asked what the estimated amount is. Mr. Wood responded \$24.8 million for acquisition and \$7 million for development.

Mr. Wood reminded the Board that at their December meeting, a new chairperson and vice-chairperson needs to be elected. Chairperson Washington has served two years and cannot be reappointed again.

Lump Sum Report

No discussion.

VII. OTHER MATTERS AS ARE PROPERLY BROUGHT BEFORE THE BOARD.

Chairperson Washington stated that he has had a couple of people wish to address the Board, which is out of sequence of the public commentary.

Reverend Edward Pinkney – TF89-114, Jean Klock Park, City of Benton Harbor

Reverend Edward Pinkney made some comments in opposition of the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. The City of Benton Harbor is 96% African-American with 70% of the residents unemployed. Ninety percent of the residents live below the poverty level. There are many other things needed for the community rather than a golf course.

Reverend Pinkney stated that the most of the residents in Benton Harbor do not play golf. The people who want this golf course do not live in the city. Developers are planning on building a bridge and other things to keep the residents of the city out.

Reverend Pinkney further stated that if the conversion was to provide something educational, that would be accepted. If the voters could have voted on this issue at the last election, it would have been rejected by the residents.

Ms. LuAnne Kozma, Director, Defense of Place – TF89-114, Jean Klock Park, City of Benton Harbor

Ms. LuAnne Kozma, Director of Defense of Place, made comments in opposition of the conversion for TF89-114, Jean Klock Park, City of Benton Harbor. The Board approved the conversion at their October 18, 2006 meeting, with contingencies. She advised the Board of three issues that have occurred since that meeting.

Ms. Kozma stated that Mr. Geoffrey Fields, attorney for the City of Benton Harbor, is trying to get out of meeting one of the contingencies by having all parcels purchased before the decision by the National Park Service. Also, the State Historic Preservation Office (SHPO) has indicated that a new historic assessment is probably going to be necessary before the proposal goes to the National Park Service. The Board and the DNR had not received the letter from SHPO to the Detroit District Corps of Engineers.

Ms. Kozma further stated that the Hitchcock Design Group map that she attempted to showed the Board previously, the conversion portion was much bigger than indicated. The developer did not want the Board to know about that. The SHPO points out the deficiencies in their letter. They have not determined the eligibility of the park. Before the conversion can be sent to the National Park Service, this has to be approved by SHPO.

Ms. Kozma further stated that the City of Benton Harbor does not have a recreation plan on file with the DNR.

Ms. Pollack asked what is the plan to make sure that the contingencies placed on the motion to approve the conversion are met. Mr. Wood responded that most of the contingencies will have to be in place before any package could be sent to the National Park Service for their approval. Also, staff will be reporting back to the Board when information on progress by the city is made. Ms. Pollack asked if the Board could be assured that nothing will be forwarded to the National Park Service for approval until every contingency is met and the Board is notified, even between

meetings? Mr. Fedewa responded he understands the sensitivity of this issue and that there is conditional approval on the conversion. Before it is forwarded to the National Park Service, the Board will be advised.

Mr. Garner stated that any concerns or information that Ms. Kozma wished to share with the Board could have been addressed by letter or email. He felt she has made many of the same arguments in opposition to this conversion as in the past.

VIII. ANNOUNCEMENTS.

The regular meeting of the Michigan Natural Resources Trust Fund Board is scheduled for 9:00 AM, Wednesday, December 6, 2006, Lansing Community College West Campus, 5708 Cornerstone, Rooms M-120, M-121 and M-122, Lansing, Michigan.

THE EVENING SESSION FOR PUBLIC APPEARANCES ONLY WILL BE HELD AT 7:00 PM, TUESDAY, DECEMBER 5, 2006, LANSING COMMUNITY COLLEGE WEST CAMPUS, 5708 CORNERSTONE, ROOMS M-120, M-121, AND M-122, LANSING, MICHIGAN.

ADJOURNMENT.

MOVED BY MR. GARNER, SUPPORTED BY MS. POLLACK, TO ADJOURN THE MEETING. PASSED.

The meeting was adjourned at 3:00 PM.

Sam Washington, Chairperson
Michigan Natural Resources Trust Fund
Board of Trustees

James Wood, Manager
Grants Management

DATE