

MINUTES
OFF-ROAD VEHICLE (ORV) TRAILS ADVISORY BOARD MEETING
Holiday-Inn Lansing West
7501 West Saginaw Highway
Lansing, Michigan
February 6, 2008

Chairman Ranney called the meeting of the Off-Road Vehicle (ORV) Trails Advisory Board to order at 6:30 p.m. on Wednesday February 6, 2008, in Lansing, Michigan.

Members Present:

Dick Ranney, Chair
Glenn Moll, Vice Chair
Amy Spray
Larry Harrington
Sheriff Scott Strait
John Bernard
Peter Wyckoff

Department of Natural Resources (Department) Staff Present:

Steve DeBrabander, Forest, Mineral, and Fire Management (FMFM), Lansing
Steve Kubisiak, FMFM, Lansing
Al Bavarskas, Law Enforcement Division (LED), Lansing

Chairman Ranney welcomed Amy Spray, Michigan United Conservation Clubs. Amy is a new board appointee representing natural resource conservation and environmental groups. **Mr. Ranney** introduced the other board members and audience.

MINUTES

Acknowledged Minutes of the November 8, 2007, ORV Trails Advisory Board Meeting.

Mr. Wyckoff noted a correction to the spelling of his name.

Mr. Harrington made a motion, supported by Mr. Moll, to accept the minutes of the November 8, 2007, Off-Road Vehicle Trails Advisory Board Meeting, as corrected. Motion unanimously carried.

The following items were added to the agenda under new business: Tree planting/trash pick-up, Correspondence, and HB 5640.

OLD BUSINESS

ORV Plan Update – **Steve DeBrabander** announced a revised draft Management Plan for ORV use in Michigan has been prepared. The revised draft plan can be viewed online by going to www.michigan.gov/dnr, then clicking on the Recreation, Camping & Boating link to locate the ORV/ATV page. Revisions to the plan were made in response to public comments on the initial draft plan that was presented to the public in August 2005. It also addresses other influences that have come into play since 2005, such as forest certification, legislative boilerplate language regarding trail expansion, and pending legislation concerning ORV operation on public roadways. Initial public comment on the revised plan may be submitted via e-mail at DNR-RVPlanComments@Michigan.gov,

until midnight EST, Feb. 20, 2008. The DNR will do a press-release. He noted the importance of resolving potential issues during the initial comment period before the plan goes to the Natural Resources Commission (NRC). The DNR will present the revised draft plan to the NRC for information in April 2008, at which time there will be additional opportunity for public comment. Final approval of the plan is scheduled for the NRC monthly meeting in May 2008.

Mr. Ranney thanked Mr. DeBrabander and Mr. Kubisiak. He said the Michigan Motorized Recreation Council (MMRC) met to discuss the plan. He suggested the plan be revised to include an action to review the ORV law with stakeholders, to identify areas that need to be changed.

Safety Education Update – **Sgt. Al Bavarskas** reported for the period October 1, 2006 through September 30, 2007, a total of 6,987 students were trained statewide in the ORV safety education program. A total of 250 classes were held. Training materials have been ordered and 100,000 copies of the Handbook of Michigan Off-Road Vehicle Laws have been received, with 10,000 copies distributed to date.

Mr. Ranney expressed concern with the ORV safety education and instructor training program. He believes the DNR is in violation of the law because it has not designated a state coordinator for the ORV safety education program that has successfully completed an ATV or ORV course.

Mr. Moll suggested the handbook be distributed with each ORV license just like the hunting and fishing guides, noting this was a recommendation of the ORV strategy task force and management plan.

Motorcycle Trail Director's Order – **Mr. DeBrabander** provided background and distributed a briefing paper and staff recommendation for a Land Use Order of the Director (LUOD) to protect existing trails designated for motorcycle use. The briefing paper can be viewed online by going to www.michigan.gov/dnr, then clicking on the Recreation, Camping & Boating link to locate the ORV/ATV page. The initial public comment period ends February 20, 2008. Comments may be emailed to Steve Kubisiak at kubisias@michigan.gov. There will be an additional public comment period, likely in April 2008, when the LUOD is on the Natural Resources Commission agenda.

Mr. Ranney said he believes the Silver Creek Trail should remain designated for motorcycle use only because only a small portion of it can be ridden with an ATV.

Mr. DeBrabander said field staff was adamant the entire trail can be ridden on an ATV and that is why the recommendation is to re-designate it as an ATV trail. He said it is important for everyone to understand this LUOD would not result in a loss of riding opportunity for either ATV or motorcycle trail riders. He noted the recommendation is not cast in stone and that is why we are taking public comment until February 20, 2008.

Trail Expansion Update – **Mr. Ranney** reported R.J. Witte has provided revised prioritized trail proposal maps on a compact disk (CD) to the trail analysts. **Mr. Kubisiak** reiterated that in addition to the maps, trail proposal forms must be completed for each proposal. The proposals will be reviewed according to the process and criteria outlined at the August 2007 board meeting.

NEW BUSINESS

Annual Election of Officers – **Mr. Moll** opened nominations for Chairperson. **Mr. Wyckoff** nominated Mr. Ranney with his acceptance, second by Mr. Bernard. **Mr. Moll** called for nominations three more times. No more nominations received.

Motion unanimously carried to re-elect Mr. Ranney Chairperson.

Chairman Ranney opened nominations for Vice-Chairperson. **Sheriff Strait** nominated Mr. Moll with his acceptance, seconded by Mr. Harrington. **Chairman Ranney** called for nominations three more times. No more nominations received.

Motion unanimously carried to re-elect Mr. Moll Vice-Chairperson.

2007-08 ORV Law Enforcement Grants – Al Bavarskas referred the board to a handout outlining the counties that received ORV law enforcement grants. **Mr. Ranney** asked what criteria was used to make recommendations concerning salaries and wages, and equipment purchases. **Mr. DeBrabander** noted staff from Grants Management could not attend this evenings meeting due to schedule conflicts. The board should provide their specific questions to Mr. DeBrabander in writing and he will forward them to Grants Management for response. Staff from Grants Management will be invited to attend the next board meeting to address any remaining questions if needed.

Tree Planting/Trash Pick-up – Thomas Dunn announced the Lansing Motorcycle Club in cooperation with the Cycle Conservation Club is planning the 4th annual tree planting event at the Leetsville ORV trailhead on April 27. A second tree planting event is in the planning stages for May in the Mesick area. **Bob DeVore** announced the Great Lakes Four Wheel Drive Association is planning a trash pick-up in Twin Lake area on April 19th.

Correspondence – Sheriff Strait reported he received a letter from James Brettner, of Newberry, dated 1 February 2008, providing a link to a website concerning ORV damage in Luce County www.lucecountyorvdamage.com.

Sheriff Strait reported he received an email from Mike Ostrowski, co-owner of ATV Nation, announcing they are planning a week long national trail riding event in the Curtis area June 21-28. **Mr. Kubisiak** said if state owned lands are involved the organization will need to apply for an event permit from the DNR. Sheriff Strait will forward the email to the DNR for follow-up.

HB 5640 – Amy Spray reported HB 5640 has been introduced, but has not been assigned to committee yet. The bill would allow unlimited ORV/ATV operation by individuals 60 years of age and older, and by persons with disabilities, in many areas. **Ms. Spray** said she is bringing this to the board for information only, and noted MUCC has concerns. She offered to report back to the board at a future board meeting if needed.

STAFF REPORTS

Forest, Mineral and Fire Management – Steve DeBrabander reported he is pleased to announce Rob Katona started work in the ORV trails program last week. Rob is stationed in Marquette and will focus heavily on the ORV program in the Upper Peninsula.

The first Long Range ORV Financial Planning Workgroup meeting will be scheduled later this spring.

The trail analysts are planning pre-season meetings. The schedule is expected to be firmed up over the next few weeks. Letters will be mailed to the primary and secondary grant contacts. It will be primary contact's responsibility to notify club members.

Mr. Kubisiak reported a total of 187,610 ORV licenses have been distributed as of February 3, 2008. He noted ORV license sales have remained stable over the past three years.

Updated ORV Maps are expected to be posted on the DNR website this spring.

Law Enforcement – **Sgt. Al Bavarskas** reported two individuals were arrested last year for causing environmental damage to wetlands on Drummond Island. The subjects were fined \$2650 each, served 5 days in jail, and were required to remediate the damage through the Department of Environmental Quality.

Sgt. Bavarskas reported the hiring freeze has been lifted and the Department has been approved to hire 20 new Conservation Officers. One of the new positions will oversee the marine, ORV and snowmobile enforcement and education programs.

Sheriff Strait reported that according to the Michigan State Police statistics there were 1,122 reported accidents involving ORVs, 175 on roadways, and 28 fatalities for 2007.

PUBLIC APPEARANCE

Mike Olmstead read the following statement. “As you know, as the result of a ticket written to a participant of the 2007 Drummond Island Jeep Jamboree that was later reversed because 1) the event was operating under a valid event permit and 2) the event was operating totally within the parameters of that permit, a coalition of interested parties, including the DNR, Drummond Island Off Road Club, Great Lakes Four Wheel Drive Association, as well as local Drummond Island businesses and business associations have been working diligently to establish an ORV Route trail system on Drummond Island which will meet the needs of the ORV user community, the local businesses and economy, and which will meet DNR management objectives.

We are seeking to establish the proposed ORV Route trail system on a series of trails that have been traditionally used by full-size four-wheel drive vehicles literally for decades. Although these trails are used and enjoyed by ORV enthusiasts, they are used - and have always been used - as much (or more) by local citizens and owners of land parcels in the remote areas of the Island. These traditional “jeep trails” (or other definition of a 4x4 route) and roads have allowed access to state and private land for a number of other reasons including hunting, camping, mushroom picking, fishing, etc.

The benefits of an ORV Route system should be obvious:

- A legitimate ORV Route system will bring much needed visitors to the Island. After the ticket written last year local businesses reported as much as a 50% drop in normal summer ORV traffic, significantly hurting the local economy. It has been reported that the ORV traffic has become the 'summer snowmobile season' to a lot of the resorts and businesses on the Island, and the loss of this business has been an economic 'hit' to the community.
- The establishment of an ORV Route system will clearly delineate exactly where a full-size ORV may legitimately operate, which benefits both the user and law enforcement because now both parties know exactly where they can legally operate a full size ORV.
- Failure to establish an ORV Route system could result in many property owners losing access to their property in some of the more remote areas of the Island, as well as cutting off general public access to thousands of acres of public land.

An effective ORV Route system must contain the following elements, and the proposed ORV Route trail system currently before DNR meets these criteria:

- Clearly defined & marked
- Provide trail riding alternatives for the user and a wide variety of 'decision points', i.e., intersections
- Provide challenging ride to the user community
- Allow users to take in the natural beauty of the Island
- Have enough trails and options to ensure that the ORV Route system is not taxed because of usage
- Be flexible and accommodating for special events (as in the past)

I think it is important to note that the Director of the DNR, Rebecca Humphries, wrote the following to Mr. Steve Walker of the Drummond Island Off Road Club on August 23, 2007: 'Drummond Island offers a unique opportunity for off-road use, and does a good job of marketing these opportunities... The Department looks forward to continuing to work internally and externally, with ORV groups and other interested constituents, to provide recreation opportunities on Drummond Island that are consistent with sound natural resource management and state law'.

With that mandate from the Director of the DNR written last August, and the 2008 ORV season knocking hard at the door, we ask the Advisory Board if inquiries could be made to determine what the status is of the current initiative to establish the ORV Route system on Drummond Island. We believe that all the essential elements are already in place: routing, support from key DNR agencies, statutory and administrative language that supports the initiative, and local and user group backing. It appears that all that is needed is to get the administrative wheels in motion to get this thing done.

Thanks in advance for the support, direction, and assistance of the Advisory Board.”

Mr. Kubisiak reported the Eastern Upper Peninsula eco-team has requested clarification regarding the definition of ORV Route. The Chiefs of FMFM and Law Enforcement Division will meet soon to address this topic and provide clarification back to the eco-team.

Lewis Shuler read the following statement: Advisory Board Members and guest. In 2008 the Cycle Conservation Club of Michigan is celebrating 40 years supporting Off –Road recreation in Michigan. As a family oriented non-competitive Off-Road non-profit organization. To commemorate this event we would like to provide CCC members and nonmembers information; local trail maps, Michigan ORV Rules and Regulation, CCC information including our Great Lakes Trail Rider magazine, offer voluntary sound tests and cold drinks at as many ORV parking lots around Michigan during the three Holidays; Memorial Day, 4th of July and Labor Day weekends as possible. Dates will include May 24-26, July 4-6, and August 30-31 and September 1. We are calling this the “Cycle Conservation Club Rolling Anniversary Tour.” CCC members would volunteer their time, be at a parking lot for a short time, then move to a different parking lot the next day in order cover as many parking lots as possible during the three holiday weekends. Coverage depends on the number of volunteers we have. We see this as a public service that would benefit both the CCC and the DNR. The public would be better informed about the CCC and about the Michigan ORV trail system. This project has been submitted to the Department for approval.

Meeting adjourned at 9:20 pm.

Next Meeting:

May 7, 2008 Lansing Holiday Inn West

Public Present

Lewis Shuler, Cycle Conservation Club (CCC)

Jim Miller, CCC

Thomas Dunn, AMA District 14/LMC

Mike Olmstead, Great Lakes Four Wheel Drive Association

Bob DeVore, Great Lakes Four Wheel Drive Association

Bruce Suydam, ATV Off-road Club