

**Minutes of the
Michigan Trails Advisory Council
July 6, 2017**

The regular meeting of the Michigan Trails Advisory Council (MTAC) was called to order by Chairman Frank Wheatlake at 10:00 a.m. on Thursday, July 6, 2017 at the Ralph A. MacMullan Conference Center in Roscommon. Members present: *Chairman Wheatlake, Sarah Nicholls, Tom Dunn, Jason Rolling, Mike Foote, Tim Kobasic, Bill Manson, Jim Dickie, and James Duke.* Absent: *Nancy Krupiarz.* Drew YoungeDyke resigned from the committee on 4/12/17.

The following Department of Natural Resources (DNR) staff was present: Paul Yauk, Barbara Graves, Kristen Bennett, Gregory Kinser, Nicole Toman, Steve Krzesicki, Anna Sylvester, Jessica Holley, Emily Meyerson, and Bill Sterrett.

ACTION ITEMS

MOTION: Mr. Tim Kobasic moved to approve the July 6, 2017 meeting agenda. The motion was seconded by Mr. Bill Manson and it carried unanimously.

MOTION: Mr. Tim Kobasic moved to approve the April 13, 2017 meeting minutes. The motion was seconded by Mr. Bill Manson and it carried unanimously.

UPDATES

Mr. Paul Yauk shared with the group that Mark Mandenberg, retired non-motorized grant coordinator, passed away last week. Mark was a great loss to the non-motorized trail program.

General Fund Update

Mr. Yauk reported that the upcoming budget bill includes \$5 million to help generate private dollars for the Iron Belle Trail. The Department is looking at it as a challenge grant for Iron Belle. Staff and communities around the state have done a great job in moving forward. Currently, seven million dollars is in the bill for state park infrastructure.

Recreation passport sales are up in all categories; 2.75% from last year. Lodging reservations are up 16% from last year, along with harbor and Belle Isle. ORV license sales are up 7.5%, trail permits 11.3%, snow sales are down 1.5% from last year. Mr.

Manson said they are 132 permits less this year than last year at 130,366. The Department will provide this report again at the October meeting.

Trust Fund Update

Mr. Yauk said they put several projects in for Trust Fund grants. These dollars, if awarded, will be used towards acquisition and development in the trail system. They will have answers later in the year. Mr. Yauk will bring the project list to the October meeting and will put together a letter from this committee for Chair Wheatlake's review.

Public Act 288 of 2016

Mr. Bill Sterrett reported that three public meetings were held in West Branch, Cadillac, and Gaylord with total attendance at 232 people. To date, they have received 206 e-mail comments, 400 comments from the website, and about 7,000 hits on the website. After the public comment period closes on July 15, the division will review the comments then meet with the other divisions. Ms. Jessica Holley said comments will be compiled, reviewed by all divisions, and then presented to the Director. They will then be discussed at the October 12 Natural Resources Commission (NRC) meeting. At the November 9 NRC meeting, the final decisions from the Director will be given. The public facing maps will be completed by the end of December.

When asked about cost, Mr. Sterrett and Ms. Holley said there is no funding source for the staff time involved among other things such as infrastructure. Chair Wheatlake suggested going to the legislature before the next budget round to lay out a budget for this project.

Mr. Tim Kobasic said, in relation to P.A. 288, he thinks it and other pieces of legislation that are unfunded mandates are bringing them back to crippling the DNR's function and progress. He handed out a copy of Resolution 12 (attached) which was passed by the Michigan United Conservation Club (MUCC) in June. The purpose of this was to send a clear message that it is not appropriate for these types of unfunded mandates to continue and to send a message back to the legislature to be prudent and fiscally responsible. He asked the council to consider an endorsement of the resolution by MUCC.

MOTION: T. Kobasic made the motion that the committee charge the Chairman to have an audience with the Governor and with the Director of the Department of Natural Resources to relay that this Council endorses Resolution 12 submitted by MUCC that is titled "Unfunded Mandates on the Michigan Department of Natural Resources." The motion was seconded by M. Foote and it carried unanimously.

PUBLIC COMMENT

Mr. Ronald Gribb said his biggest concern with the trail system is the lack of consolidated maps. He is asking the committee to go to the legislature to consolidate them. He also stated that ORVs on snowmobile trails are dangerous and to please consider making them one-way.

Mr. Paul Yauk said they realize mapping is an issue. They are meeting next week with staff to put together a plan to move forward and streamline the process. It is going to cost money and it is not cheap. Each program has a degree of accuracy. Ms. Kristin Bennett said the Marquette pilot was a sample. They need their processes to be smooth before they take on more data. The meeting is to get the internal process down, so when they ask the counties and locals for data, they can seamlessly send it out to the public. Chair Wheatlake asked them for a timeline. Mr. Yauk will provide the recommendations to the group.

BUSINESS ITEMS FOR DISCUSSION

Subcommittee Reports

Snowmobile Advisory Workgroup, Bill Manson

- They are spending 2.4 million on equipment.
- The LEAN meeting is looking at how to make the program work better. A recommendation was made to the Department to allow them to purchase refurbished equipment. The Equipment Subcommittee is working well with the Department on looking at value of equipment. It was also recommended to put signing and brushing money back to what it was in 2016.
- Recommendations were made to the Department to put GPSs in groomers.
- They had a joint meeting to see where they have strengths together and hash out weaknesses. A lot of their clubs are becoming combination clubs.
- They are presenting a formula to the legislature that is similar to the Pure Michigan formula.
- They had the lowest fatality rate at 5.

Off-Road Vehicle Advisory Workgroup, Tom Dunn, Chair

- Joint meeting – Some of the equipment is not conducive to their system. A lot of good comes out of the meetings, but there will always be some conflict.
- The ORVAW met via conference call on June 14. Jacklin Blodgett reported a 7.0% increase in ORV license sales through May from last year, and an increase of 10.7% in trail use permits (See Licenses and Permits Sales Reports on the Natural Resources Commission web page. This report is updated monthly). Revenue is up \$1.3M, expenditures are up about \$847K. They have granted out about \$2.2M for maintenance and development, restoration, law enforcement grants, and other law maintenance grants; another \$1.1M will be issued out soon. Tom would like a meeting with department staff to discuss this in more detail.
- ORV Permit Sunset – P. Yauk reported that they have a legislator that is looking at sponsoring a bill. Anna Mooney, Legislative Liaison for the department is making contact and they are moving forward. Chair Dunn said Senator Hansen has talked to the department and has received feedback. Senator Casperson is willing to sit down and talk as well. He made a big point that they are not looking to change anything, just remove the sunset.
- P.A. 288 of 2016 Department Update - The DNR Roads Web Map is now available on line and identifies which roads are proposed to be opened, closed, or seasonally closed to ORV use and can be found on the Road Inventory Project page at www.michigan.gov/forestroads. Public input can be taken online, in person, via email or regular mail. The comment period will close July 15. Project timeline is also available on the site.
- A motion was proposed and passed stating that; ORV funds should not be used to pay for the inventories or signing of the public roads open by P.A. 288 of 2016. The ORV fund cannot sustain the funding liabilities of maintaining, signing, repair, or enforcement of roads that are not part of the designated trail system.
- The ORVAW Subcommittee on the ORV Safety hand book has had some problems working with LED in regards to recommended changes to bring it up to date on current signage and laws. Working with the department to rectify.
- Updates were given on several projects, many have been completed and others have moved forward well. Since the meeting at least 2 major bridge projects have been completed in the Upper Lower Peninsula ahead of schedule and below budgeted projections.
- They received a first ever appropriation of \$4m to fund projects.
- Next meeting October 10, 2017 in the Upper Peninsula, location to be determined.

Equine Trails Subcommittee, Mike Foote, Chair

- They have not yet approached anyone on adding on more trails.
- Top three trail plan goals – nothing received from members yet.
- The economic impact study will begin this month.
- An update was given on the equestrian mapping project by department staff at the last meeting.
- He would like to get input from park managers on what they think about carts on their trails. He will work with Anna Sylvester.
- They have partnered with MSU on a public safety service announcement.

Changes to U.S. Forest Service Saw Policy

Ms. Kristin Thrall from the U.S. Forest Service reported that in July 2016, the agency revised the saw crosscut policy. They are slowly working to get everyone in compliance. Clauses will be put in the agreements. Anyone operating on US Forest lands has to be certified to their specifications. Whoever is operating the saw would be required to have certification and the certification is good for three years. Ms. Thrall will find out if the State's training would be sufficient for the U.S. Fed training.

P.A. 39 of 2017

Ms. Nicole Toman, Regulatory Unit Manager for PRD gave an update on P.A. 39. The act addresses rail trails and the department's continued ability to be able to acquire them and be the sponsor of them. The second is as it relates to liability for groups who are doing work on public lands, specifically trails, when they are not the owners of those properties. (See attached for P.A. 39 of 2017).

Fees Related to Event and Use Permits

Ms. Toman reported that there were discrepancies in the previous policy, so they streamlined it and made it more consistent. Now when looking at permits for PRD administered lands they look at the impact on the resources and the amount of dedicated DNR staff time. A value is assigned based on a number of factors (i.e., soil erosion, additional staff time).

STAFF REPORTS

Kristen Thrall, U.S. Forest Service – They were able to repair the Luzerne equestrian trail boardwalk, so it is open again.

Emily Meyerson, Parks and Recreation

- Three projects complete:
 - o Ham Creek ORV Bridge
 - o Lincoln Hills Bridge (Snowmobile, ORV and Non-motorized share it)
 - o 1.65 miles of the IBT along North Higgins Lake State Park. Ribbon Cutting was last Friday.
- Senator Wentworth called a meeting with MDOT and DNR to discuss filling the “Clare gap” between the Pere Marquette State Trail and the Pere Marquette Trail. After various discussions with MDOT, it looks like we will move ahead putting the trail in road right of way. DNR is helping to coordinate this effort with the City.
- Carmeuse (limestone quarry near Rogers City) did submit a Land Transaction Application to trade the DNR railroad property for a year round trail easement around the quarry. We have been working with them for quite a while so we are happy to take this step forward.
- With the MNRTF grants being delayed, many projects were delayed including the Otsego County Trail/IBT. This project will extend from the southern terminus of the North Central State Trail through Gaylord to Waters. It will improve the existing snowmobile trail and open it for year round use by non-motorized users. It will be entirely on an active railroad grade. Now that the money is moving forward, this project is full steam ahead as we have a lot of work to do with MDOT rail to get final approval. This is a great partnership project with Otsego County.
- The first large order of Pathway signs was submitted and should be delivered any day. A second order is going in this month. All signs should be installed prior to winter as we were able to fund some STW hours for pathway sign installation.

Kristen Bennett – Parks and Recreation, Iron Belle Hiking and Biking Trail

- A new 1.5 miles segment of the Iron Belle opened near Higgins Lake last Friday.
- They replaced a bridge over the Clinton River in Sterling Heights on the biking trail.
- Goal is to have about 20 more miles of trail completed by the end of this year. The trail is currently 70% done of the 2,000 miles.
- Had bikers and hikers out on National Trail Days. Iron Belle stickers were provided when participants sent pictures in. For the third year, 1,200 Scouts participated, hiking 6,709 miles; each received an Iron Belle patch.
- Four groups from Gogebic County planted seven types of native shrubs along a portion of the trail as well as seeds for a butterfly garden.
- They have a planned pedestrian bridge over the Swartz Creek and the Flint River as part of the Flint River revitalization project.
- Some of the Iron Belle team attended the American Trails International Trails Symposium in Dayton, Ohio, the Trenton Trail Town 101 and Trenton Summer Festival, and the Ann Arbor Green Fair to talk about the Iron Belle and how we are a national leader in collaboration in public and private partnerships.

- The fundraising committee is tasked with raising \$168M to leverage past and present grants. The total campaign for completing this trail is \$450M to do the 2,000 miles of trail. So far \$143,000 has been raised and there is another \$5M in applications out to various foundations and corporations. They are also doing a CrowdRise which is a crowdfunding platform to raise donations. Through this, they have raised \$2,200,000 since June!

Jessica Holley, Parks and Recreation

- Carsonite installation on ORV trails is moving along.
- They are focusing on ironing out the issues between LAW and Trails regarding the safety manual and other things.
- They have prioritized updating the sign manual.
- As part of the Snowmobile LEAN process, a team was formed to update the grants manual.
- Ten recommendations came out of the Snowmobile LEAN process and 6 action teams were established.
- Snow maintenance meetings are in October.
- There are many infrastructure projects going on this year: culverts, grading, etc.

Steve Krzesicki, Parks and Recreation

- The Baraga to Arnhem trail in the U.P. came under budget and they will be starting work for a number of culverts that have blown out and also trail repair. and blow out repairs.

Ms. Anna Sylvester reminded everyone to make sure they put in their comments on P.A. 288 this before the closing date.

Mr. Tim Kobasic thanked the department for moving two projects forward that were stalled.

Chair Wheatlake asked the council their thoughts about teleconferencing. All favored face to face.

Mr. Kobasic gave an update on the impact of SB 248.

Mr. Manson said they are on track with the Recreational Trails Program and have meetings scheduled for August.

There being no further business, the meeting was adjourned at 1:51 p.m.

Proposed Resolution #12
Requires 2/3 Majority

Submitted by: Paul Rose, MUCC Past President

MUCC Region: 4

Passed: MUCC Conservation Policy Board meeting, March 11, 2017

Title: **UNFUNDED MANDATES ON THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

1 **WHEREAS**, recently introduced and passed legislation has required significant expenditures of Michigan
2 Department of Natural Resources (DNR) funding for new field responsibilities for which no funding has
3 been provided, and

4 **WHEREAS**, one such example is House Bill 5275 (P.A. 288 of 2016) which requires that the DNR
5 complete a comprehensive road and trail mapping effort of the 4.6 million acres currently under State of
6 Michigan management, and

7 **WHEREAS**, this legislation alone will likely require costs well in excess of the \$500,000 estimated in
8 the legislation for which no funding was provided, and

9 **WHEREAS**, other recently proposed legislation such as Senate Bills 39 and 40 would have required
10 significant expenditures of DNR staff time and field resources for land management, land sales and
11 exchange activities which expand those currently performed for what would also be a reduced fee
12 structure, and

13 **WHEREAS**, legislation of this type requires the use of staff time for biologists, foresters and technicians
14 for activities which would be inadequately funded, potentially shifting these costs to budget sources
15 which include fisheries and wildlife management dollars. NOW,

16 **THEREFORE, BE IT RESOLVED** that Michigan United Conservation Clubs (MUCC) oppose or seek
17 to amend any legislation which requires the expenditure of Michigan Department of Natural Resources
18 funds for tasks or functions which may result in a diversion of hunting and fishing license revenue or
19 funding whose use may otherwise be restricted, and

20 **BE IT FURTHER RESOLVED** that any such legislation should include the appropriation of the
21 necessary supplemental funding in an effort to avoid such a diversion before it would be supported by
22 Michigan United Conservation Clubs (MUCC).

Proposed Resolution #12
Requires 2/3 Majority

Submitted: Paul Rose, MUCC Past President
MUCC Region: 4
Passed: MUCC Conservation Policy Board meeting, March 11, 2017
Title: **UNFUNDED MANDATES ON THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

Background/Problem:

Recently introduced and passed legislation has required significant expenditures of Michigan Department of Natural Resources (DNR) funding for new field responsibilities for which no funding has been provided. One such example is House Bill 5275 (P.A. 288 of 2016) which required that the DNR complete a comprehensive road and trail mapping effort of the 4.6 million acres currently under State of Michigan management. This legislation alone will likely require costs well in excess of the \$500,000 estimated in the legislation for which no funding was provided. Other recently proposed legislation such as Senate Bills 39 and 40 would have required significant expenditures of the DNR staff time and field resources for land management, land sales and exchange activities, which expand those currently performed for what would also be reduced fee structure. Legislation of this type requires the use of staff time for biologists, foresters and technicians for activities which would be inadequately funded, potentially shifting these costs to budget sources which include fisheries and wildlife management dollars.

Resolution Context:

- This resolution brings light to the issue of unfunded work that is obligated by the actions of the Michigan legislature through the passage of new state laws. In any given year, dozens of new Public Acts may be adopted which require new duties, functions, actions, reporting, or other activities. All of which are done at the expense of funded and currently identified priorities. This resolution compels MUCC to oppose any legislation which would result in the diversion of hunting and fishing license revenue, and also oppose any legislation that did not identify and provide for the funding of any initiatives not accounted for in the FY where they are expected to be undertaken.

MUCC Current & Past Policy Standings:

Arguments in Support of Resolution:

- The respective fiscal agencies for the Michigan House of Representatives and Michigan State Senate woefully underestimate the costs accruing to the DNR for legislation it is charged with analyzing. Moreover, fiscal analyses are rarely, if ever, referenced during debate or consideration of a bill in the committee hearing process. Additionally, fiscal

analysts are dependent upon department staff to estimate costs associated with different activities proposed under a piece of legislation and rarely conduct an independent analysis of fiscal impact. This resolution shines important and needed light on the costs associated with policy discussions that have impact on, but are never considered during the annual appropriations process.

Arguments in Opposition of Resolution:

- None

DNR RESPONSE #12:

The Department supports this resolution. However, the Department will continue to review legislation and determine the impacts both financially and programmatically in order to protect the natural resources of this state and will utilize appropriate funding sources in compliance with applicable state and federal laws and requirements.

Positions:

SUPPORT: The Department of Natural Resources; **MUCC Wildlife Committee supports, unanimously**

OPPOSITION:

NEUTRAL:

Requires 2/3 Majority

Submitted by: Paul Rose, MUCC Past President

Resolution #11

MUCC Region: 4

Passed: MUCC Conservation Policy Board meeting, March 11, 2017

Title: "SURPLUS" STATE OF MICHIGAN-OWNED PUBLIC LAND DISPOSAL PROCESS

1 WHEREAS, in 2011 Michigan United Conservation Clubs (MUCC) adopted a resolution which opposed
2 Senate Bill 248 (Land Cap Bill), and

3 WHEREAS, in 2012, SB 248 was signed into law by Governor Snyder with the commitment that a
4 strategic land plan be developed within two years which included a process of identifying "surplus" or
5 "excess" State lands, and

1 WHEREAS, this Public Land Management Strategy was completed in July of 2013 by the Michigan
2 Department of Natural Resources and presented to the State Legislature for approval, and

3 WHEREAS, legislation which included approval of this Public Land Management Strategy was never
4 bought out of House or Senate Committees for legislative consideration, and

5 WHEREAS, Senate Bills 39 and 40 proposed in the 2015-2016 legislative session would have required
6 that the DNR consider applications for land sales and exchanges which involved state-owned public lands
7 which have not been previously determined to be "surplus" or "excess," and

8 WHEREAS, a public engagement process has traditionally been employed in prior DNR "surplus" land
9 identification efforts, NOW

10 THEREFORE, BE IT RESOLVED, that Michigan United Conservation Clubs (MUCC) oppose any
11 legislation or other Department of Natural Resources administrative activities which would allow for the
12 sale or exchange of State of Michigan-owned or managed lands greater than 80 acres in size, or parcels
13 which would restrict public riparian access without having been previously designated as "Excess" or
14 "Surplus" through a transparent process which includes a local and regional Departmental review, as well
15 as a public comment or engagement process.

Proposed Resolution #11
Requires 2/3 Majority

Submitted by: Paul Rose, MUCC Past President
MUCC Region: 4
Passed: MUCC Conservation Policy Board meeting, March 11, 2017
Title: "SURPLUS" STATE OF MICHIGAN-OWNED PUBLIC LAND DISPOSAL PROCESS

Background/Problem:

In 2011, Michigan United Conservation Clubs (MUCC) adopted a resolution which opposed Senate Bill 248 (Land Cap Bill), and in 2012, SB 248 was signed into law by Governor Snyder with the commitment that a strategic land plan be developed within two years which included a process of identifying "surplus" or "excess" State lands. This Public Land Management Strategy was completed in July of 2013 by the Michigan Department of Natural Resources (DNR) and presented to the State Legislature for approval, and legislation which included approval of this Public Land Strategy was never brought out of House or Senate Committees for legislative consideration. Senate Bills 39 and 40 proposed in the 2015-2016 legislative session would have required that the DNR consider applications for land sales and exchanges which involved state-owned public lands which have not been previously determined to be "surplus" or "excess" and a public engagement process has traditionally been employed in prior DNR "surplus" land identification efforts.

Resolution Context:

- This resolution compels MUCC to oppose any sale or exchange for parcels greater than 80 acres in size or that provide public riparian access without having been designated by a public process driven by the DNR. In short, opposing a legislative designation of "surplus" or "excess" lands.

MUCC Current & Past Policy Standings:

- In 2000, MUCC approved a resolution that Seeks thirty-day notice on sale of public lands and an increase in the cap on Land Exchange Facilitation Funds from \$500,000 to \$2 million to assure all funds can be received to procure other lands.
- In 2005, MUCC approved a resolution requesting that MUCC be opposed to the disposal or trade of any parcel 40 acres or more that have public access via public roadways or a public right-of-way except where there is a sale or exchange which would better state access for the state of Michigan, and MUCC opposes the disposal or trade of any parcel that contains a creek, stream, river or lake frontage.
- In 2011, Michigan United Conservation Clubs (MUCC) adopted a resolution which opposed Senate Bill 248 (Land Cap Bill).

Arguments in Support of Resolution:

- The resolution emphasizes the need for a land management philosophy that is grounded upon objective review, protective of citizen interest, considers unique and large parcel proposals, and rejects legislative fiat to off-load large segments of publicly owned land.

Arguments in Opposition of Resolution:

- An argument could be made about the scale of acreage that meets a cut-off. As it is proposed here, that minimum acreage threshold is 80 acres, some may argue that is too permissive, while others may argue it is too restrictive.

DNR RESPONSE #11:

The Department currently has a process in place that meets the intent of this resolution. In order for land to be declared surplus, it is reviewed at the field staff level, including a local engagement component, with a recommendation to the Director. Proposed land transactions that involve surplus land appear on the NRC agenda under the Director's action item. There is a public comment period at every NRC meeting enabling the public to comment on proposed land transactions or any other subject matter.

Positions:

SUPPORT: **MUCC Wildlife Committee supports, unanimously**

OPPOSITION:

NEUTRAL:



US Forest Service

Cooperator Organizations and Volunteer Groups Saw Training Program Proposal Submittal Process

Cooperators, volunteer groups and individuals under agreements and operating chainsaws and/or crosscut saws on National Forest System lands will be trained, evaluated and certified in accordance with Forest Service Saw Policy Forest Service Manual 2358 (FSM 2358). These groups have three options to meet the requirements in FSM 2358:

- **Forest Service Saw Program (Option 1)**-Working in coordination with local and regional agreement administrators and local Agency staff, Regional Saw Program Managers can provide, upon request and based on availability of Agency funding and personnel, organizations/groups with appropriate training and evaluation opportunities. Successfully evaluated sawyers will receive certification.
- **Forest Service Saw Program (Option 2)**– The Forest Service Saw program can be implemented by Forest service volunteers, cooperators, consultants and/or contractors who are certified as C Sawyers or C Sawyer Evaluators who in turn can train, evaluate and certify their own organization’s members, other cooperating organizations, and/or Forest Service employees.
- **Cooperator Saw Program**-Organizations/groups proposing their own training, evaluation and certification programs will present their proposed saw training and evaluation program structure to the National Saw Program Manager who will consult with the Saw Program Technical Advisory Group (TAG) for review. Upon a successful review the National Saw Program Manager will approve the cooperator program through issuance of official correspondence. Once approved, the cooperator will coordinate with the appropriate Forest Service Regional Saw Program Manager(s) to conduct their program in accordance with FSM 2358 and Forest Service Handbook 6709.11 (FSH 6709.11)¹.

How to Submit Your Proposal

1. Prepare a cover letter describing the details of your proposed program including the following table and checklist information. Address the proposal package to:

US Forest Service
National Saw Program Manager
C/O Jonathan Stephens
1400 Independence AVE SW, Mailstop 1125
Washington, DC 20250

2. Fill out Table 1 completely. Use the Additional Information (block 9) to explain any of the information as needed.

¹ Cooperator saw programs must adhere to the same requirements and be equivalent in rigor and demonstrated saw proficiency levels as the Forest Service saw program requirements. Due to length of time this type of program can take to develop adequately, cooperators may want to strongly consider if other options can meet their needs (such as cooperators implementing the Forest Service Saw program) instead of creating their own separate programs.

US Forest Service Saw Program

Table 1 Partnership, Cooperator, Volunteer Group Saw Program Proposal Information

1. Organization/Group			
Name:			
Location:			
2. Forest Service Region(s) and Forest(s) of Operation			
Region:			
Forest:			
3. Primary Forest Service Agreement Manager			
Name:			
Phone:			
4. Forest Service Regional Saw Program Manager(s)			
Name:			
Phone:			
5. Organization/Group Lead Saw Program Contact			
Name:			
Phone:			
6. Certification Type/Skill Levels and Numbers of Sawyers Needed Annually:			
Number	CHAINSAW	Number	CROSSCUT
	A Sawyer		A Sawyer
	B Sawyer-Bucking Only		B Sawyer-Bucking Only
	B Sawyer-Felling and Bucking		B Sawyer-Felling and Bucking
	C Sawyer-Bucking Only		C Sawyer-Bucking Only
	C Sawyer-Felling and Bucking		C Sawyer-Felling and Bucking
7. Estimated Number of Sawyers Trained and Evaluated Annually			
8. Nationally Recognized Sawyer Training Course to be Used (list proposed modifications if any)			
Forest Service Chain Saw and Crosscut Saw Training Course (0667-2805-MTDC 2006)			
Wildland Fire Chain Saws S-212 (NFES 002660 2012)			
9. ADDITIONAL INFORMATION:			

3. Develop your saw program proposal to meet the standards identified in FSM 2358. Propose, include or complete the following requirements (address ALL items):

Revise, align or review existing cooperative agreement(s) to meet standards in FSM 2358.03 (3) and as per any additional Washington Office Grants and Agreements guidance.

Develop and attach with this proposal a table listing the authorities and any delegations necessary similar to FSM 2358.04 Exhibit 01. These authorities must align with language found in the FSM 1580 agreement (FSM 1509.11 sec. 91.2). The table will include the program managers, authorities, responsibilities, trainers and evaluators with certifications levels within the organization/group.

Describe responsibility of each position within the organization's saw program similar to FSM 2358.04a-2358.04m.

All Partners, Cooperators, or Volunteer Groups that receive approval for new training courses/programs will be required to use the National Sawyer Certification Database when it becomes available.

Definitions for critical terms must be developed if they differ from those found in FSM 2358.05.

Follow or develop similar qualification standards identified in FSM 2358.06, 2358.1 Exhibit 02 and 2358.3 Exhibit 06.

Follow or develop similar responsibilities and limitations, training, knowledge and skills to meet each skill level identified in FSM 2358.1.

Follow or develop similar sawyer training and field proficiency evaluation standards identified in FSM 2358.2.

Follow or develop similar revocation procedure identified in FSM 2358.22.

Follow or develop similar program monitoring and evaluation procedures identified in FSM 2358.3.

Follow or develop similar sawyer evaluation forms identified in FSM 23358.3 Exhibit 03 and 04.

Develop an incident and accident tracking and notification system.

How the TAG Reviews Proposals

- The National Saw Program Manager is the main contact for partners, cooperators and volunteer groups submission of program proposals for review by the TAG
- The TAG will select a subcommittee to review each submittal and make recommendations to the National Saw Program Manager

Approval

- The National Saw Program Manager is the responsible authority that will approve each NRSTC that meets the qualifications in FSM 2358

Act No. 39
Public Acts of 2017
Approved by the Governor
May 23, 2017
Filed with the Secretary of State
May 23, 2017
EFFECTIVE DATE: August 21, 2017

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Senator Hansen

ENROLLED SENATE BILL No. 118

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 72108 and 73301 (MCL 324.72108 and 324.73301), section 72108 as amended by 2014 PA 215 and section 73301 as amended by 2007 PA 174, and by adding section 73302.

The People of the State of Michigan enact:

Sec. 72108. (1) The department may do any of the following:

(a) Grant easements or, pursuant to part 13, use permits or lease land owned by this state that is being used for a Pure Michigan Trail for a use that is compatible with the use of the Pure Michigan Trail.

(b) Enter into contracts for concessions along a state owned Pure Michigan Trail.

(c) Lease land adjacent to a state owned Pure Michigan Trail for the operation of concessions.

(2) If the department acquires land, the director may state that the specified land is acquired for use as a Pure Michigan Trail. Following acquisition of land that the director states is acquired for use as a Pure Michigan Trail, any revenue derived from the land under subsection (1), except as otherwise provided by law, must be deposited into the fund.

(3) If the department enters into negotiations with a railroad for the department to become a trail sponsor under 16 USC 1247(d), the department shall comply with 49 CFR 1152.29(a)(2)(ii). The department shall assume full responsibility for any potential legal liability arising out of the transfer or use of the railroad right-of-way. In exchange for the department's assumption of liability, the railroad shall provide the department with the fair value of the department's assumption of liability. As used in this subsection, "fair value" means the value that the department and the railroad mutually agree accurately reflects the risk of liability assumed by the department.

Sec. 73301. (1) Except as otherwise provided in this section, a cause of action does not arise for injuries to a person who is on the land of another without paying to the owner, tenant, or lessee of the land a valuable consideration for the purpose of fishing, hunting, trapping, camping, hiking, sightseeing, motorcycling, snowmobiling, or any other outdoor recreational use or trail use, with or without permission, against the owner, tenant, or lessee of the land unless the injuries were caused by the gross negligence or willful and wanton misconduct of the owner, tenant, or lessee.

(2) A cause of action does not arise for injuries to a person who is on the land of another without paying to the owner, tenant, or lessee of the land a valuable consideration for the purpose of entering or exiting from or using a Michigan trailway as designated under part 721 or other public trail, with or without permission, against the owner, tenant, or lessee of the land unless the injuries were caused by the gross negligence or willful and wanton misconduct of the owner, tenant, or lessee. For purposes of this subsection, a Michigan trailway or public trail may be located on land of any size including, but not limited to, urban, suburban, subdivided, and rural land.

(3) A cause of action does not arise, for injuries to a person, against a person, other than a for-profit legal entity, with whom the owner, tenant, or lessee of land contracts to construct, maintain, or operate a trail or other land improvement used by the injured person as described in subsections (1) and (2), unless the injuries were caused by the gross negligence or willful and wanton misconduct of the person, other than a for-profit legal entity, with whom the owner, tenant, or lessee contracts.

(4) A cause of action does not arise against the owner, tenant, or lessee of land or premises for injuries to a person who is on that land or premises for the purpose of gleaning agricultural or farm products, unless that person's injuries were caused by the gross negligence or willful and wanton misconduct of the owner, tenant, or lessee.

(5) A cause of action does not arise against the owner, tenant, or lessee of a farm used in the production of agricultural goods as defined by section 35(1)(h) of the former single business tax act, 1975 PA 228, or by section 207(1)(d) of the Michigan business tax act, 2007 PA 36, MCL 208.1207, for injuries to a person who is on that farm and has paid the owner, tenant, or lessee valuable consideration for the purpose of fishing or hunting, unless that person's injuries were caused by a condition that involved an unreasonable risk of harm and all of the following apply:

(a) The owner, tenant, or lessee knew or had reason to know of the condition or risk.

(b) The owner, tenant, or lessee failed to exercise reasonable care to make the condition safe, or to warn the person of the condition or risk.

(c) The person injured did not know or did not have reason to know of the condition or risk.

(6) A cause of action does not arise against the owner, tenant, or lessee of land or premises for injuries to a person, other than an employee or contractor of the owner, tenant, or lessee, who is on the land or premises for the purpose of picking and purchasing agricultural or farm products at a farm or "u-pick" operation, unless the person's injuries were caused by a condition that involved an unreasonable risk of harm and all of the following apply:

(a) The owner, tenant, or lessee knew or had reason to know of the condition or risk.

(b) The owner, tenant, or lessee failed to exercise reasonable care to make the condition safe, or to warn the person of the condition or risk.

(c) The person injured did not know or did not have reason to know of the condition or risk.

(7) As used in this section, "agricultural or farm products" means the natural products of the farm, nursery, grove, orchard, vineyard, garden, and apiary, including, but not limited to, trees and firewood.

Sec. 73302. (1) A cause of action does not arise against a railroad that owns or formerly owned or operated a right-of-way of a rail line that has been dedicated for interim trail use and rail banking under 16 USC 1247(d) for injuries to a person who is on the right-of-way that occur after the Surface Transportation Board approves the dedication of the right-of-way under 16 USC 1247(d) and before the right-of-way is reactivated for return to rail service.

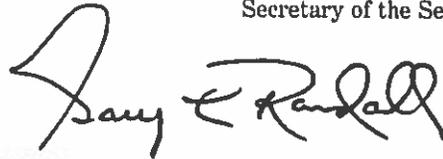
(2) A cause of action does not arise against a railroad that owns or formerly owned or operated a right-of-way of a rail line that has been set apart for interim trail use and rail banking under the state transportation preservation act of 1976, 1976 PA 295, MCL 474.51 to 474.70, for injuries to a person who is on the right-of-way that occur after the dedication of the right-of-way under the state transportation preservation act of 1976, 1976 PA 295, MCL 474.51 to 474.70, and before the right-of-way is reactivated for return to rail service.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor