

INFORMATION- 4/14/15

VI. COMMUNICATIONS

A. COMMUNICATIONS RECEIVED:

1. Letter from City of Escanaba(2)
2. Letter from State of Michigan(2)
3. Letter from US Army Corps of Engineers
4. Letter from CUPPAD
5. Letter from US Dept. of the Interior

B. COMMUNICATIONS FORWARDED:

1. Letter to Sally Schultz
2. Letter to Florence Cutter
3. Letter to George Botbyl
4. Letter to Joel Frizzell
5. Letter to Dennis Wiltzius

VII. REPORTS OF STANDING AND STATUTORY COMMITTEES

1. CAA/HRA minutes of 1-8-15
2. Airport Advisory minutes of 1-28-15
3. Human Services Board minutes of 2-9-15
4. Concealed Weapons minutes of 2-17-15, 3-17-15
5. Public Health minutes of 2-18-15
6. Solid Waste Authority minutes of 2-24-15
7. Pinecrest Board minutes of 2-26-15

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS

1. Township Association minutes of 2-26-15



March 2, 2015

ESCANABA PLANNING COMMISSION
ESCANABA MICHIGAN 49829

Dear Property Owner/Occupant:

A scheduled meeting of the Escanaba Planning Commission has been scheduled for March 18, 2015, at 6:00 p.m. at the Catherine Bonifas Civic Center, 225 North 21st Street. The following item will be on the agenda:

SITE PLAN REVIEW – 505 North 26th Street – Meijer, Inc.

Meijer, Inc. is proposing to construct a 208,447 s.f. retail, grocery facility and gas station at property owned and/or controlled by Marvin R. Pouliot & Frank Stropich, a Michigan Co-partnership.

You are cordially invited to attend this meeting should you have any comments concerning this project. If you have comments, but are unable to attend this meeting, please submit your written comments to the City of Escanaba Planning Commission prior to March 18, 2015. All written and signed comments will be read into the public record.

The City of Escanaba will provide all necessary, reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting/hearing upon five (5) days notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba by writing or calling the City of Escanaba at (906) 786-9402. A copy of the proposed site plan for the referenced project can be viewed at City Hall, Second Floor, 410 Ludington Street, Escanaba, MI, Monday through Friday, 7:30 a.m. to 4:00 p.m.

Sincerely,

Patrick Connor, Chairperson
Escanaba Planning Commission

COPIES OF SERVICE - FINALLY
This document was enclosed in
sealed envelope, was class posted
and will be read into the public
record.
Signature of Property
Owner/Occupant
Date: 3/2/15
Witnessed by: KC?

Mission Statement:



Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.
The City of Escanaba is an equal opportunity employer and provider.

NOTES

1. THESE PLANS ARE THE PROPERTY OF THE ENGINEER AND ARCHITECT.
2. THESE PLANS ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.
3. ANY CHANGES TO THESE PLANS MUST BE APPROVED BY THE ENGINEER AND ARCHITECT.
4. THE ENGINEER AND ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION NOT SHOWN ON THESE PLANS.
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meijer

MEIJER DS1.9 ECB

200 WALNUT AVENUE
GRAND RAPIDS, MICHIGAN 49504
PH: 616.771.1111

ECB
SITE LAYOUT PLAN
EPC/PLAN 11/18/20

NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/18/20
2	REVISED	11/18/20
3	REVISED	11/18/20
4	REVISED	11/18/20
5	REVISED	11/18/20
6	REVISED	11/18/20
7	REVISED	11/18/20
8	REVISED	11/18/20
9	REVISED	11/18/20
10	REVISED	11/18/20
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13	REVISED	11/18/20
14	REVISED	11/18/20
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16	REVISED	11/18/20
17	REVISED	11/18/20
18	REVISED	11/18/20
19	REVISED	11/18/20
20	REVISED	11/18/20

UP INDUSTRIES & ARCHITECTS, PC
1000 EAST WASHINGTON AVENUE
ANN ARBOR, MI 48106
PH: 734.769.1111
WWW.UPTI.COM

SITE LAYOUT & PAVEMENT PLAN

DATE: 11/18/20
SCALE: AS SHOWN
PROJECT NO.: C200
JOB NO.: 118-1148

PARKING SUMMARY

TYPE	NO.	AREA (SQ. FT.)
ASPHALT PAVED	10	10,000
GRAVEL PAVED	10	10,000
CONCRETE PAVED	10	10,000
TOTAL	30	30,000

CONCRETE PAVED

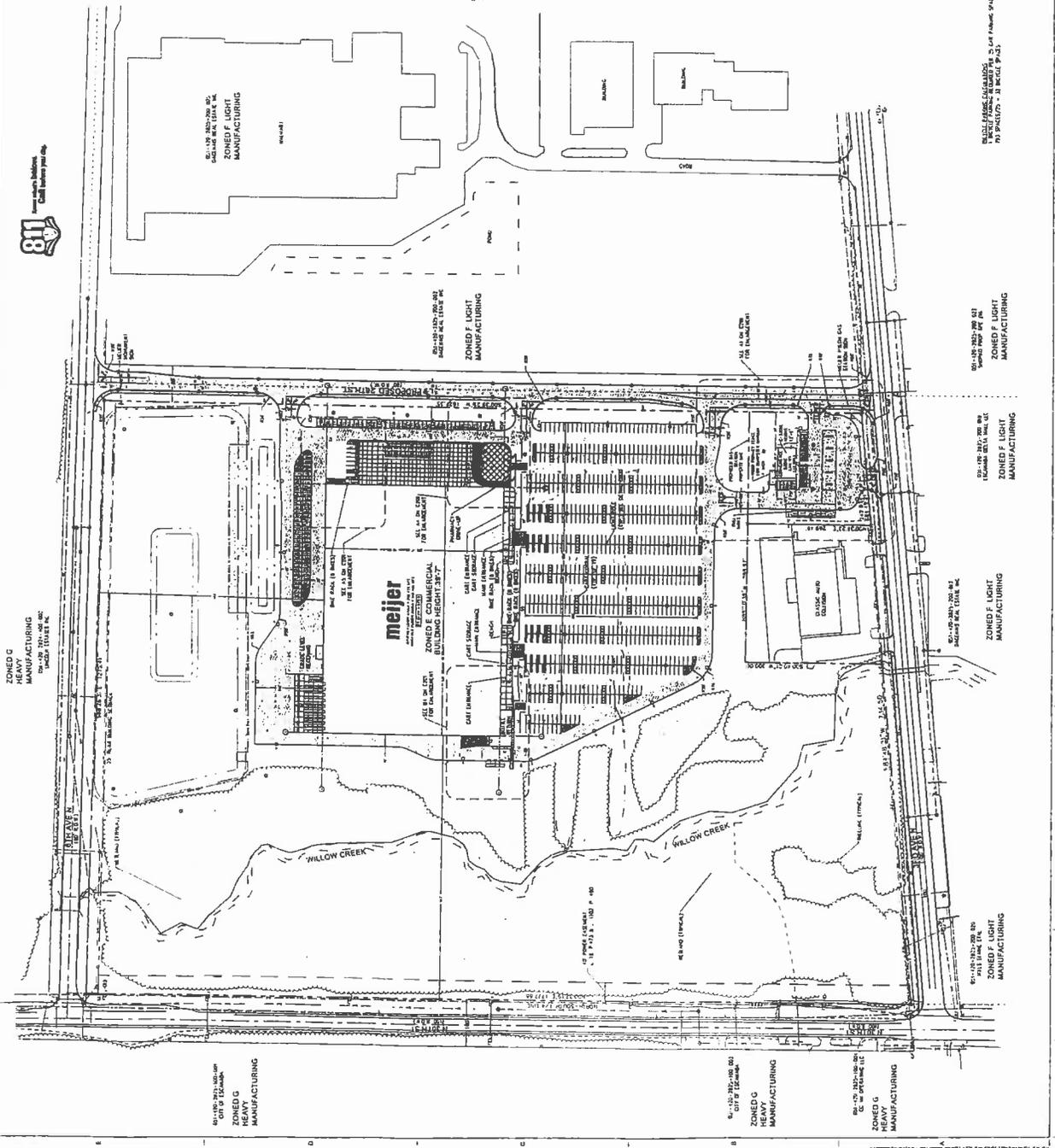
TYPE	NO.	AREA (SQ. FT.)
ASPHALT PAVED	10	10,000
GRAVEL PAVED	10	10,000
CONCRETE PAVED	10	10,000
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ASPHALT PAVED	10	10,000
GRAVEL PAVED	10	10,000
CONCRETE PAVED	10	10,000
TOTAL	30	30,000



ZONED G
MANUFACTURING
INDUSTRIAL

ZONED G
HEAVY
MANUFACTURING

meijer

MEIJER DS1.9 ECB

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WWW.MEIJER.COM

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March 20, 2015

ESCANABA PLANNING COMMISSION
ESCANABA MICHIGAN 49829

Dear Property Owner/Occupant:

A scheduled meeting of the Escanaba Planning Commission has been scheduled for April 9, 2015, at 6:00 p.m. at the City Hall/Library Complex, Room C101 Council Chambers, 410 Ludington Street, Escanaba, MI 49829. The following item will be on the agenda:

Special Land Use Permit – Delta County U.P. State Fair Authority – On or around 9th Avenue North (Undeveloped)

Explanation: The Delta County U.P. State Fair Authority is requesting an 18 month special land use permit be issued which would allow property that is owned and controlled by the Authority near 9th Avenue North to be leased to the American Transmission Company which will be used as a temporary storage facility for ATC's Bay Lake transmission line construction.

You are cordially invited to attend this meeting should you have any comments concerning this project. If you have comments, but are unable to attend this meeting, please submit your written comments to the City of Escanaba Planning Commission prior to April 9, 2015. All written and signed comments will be read into the public record.

The City of Escanaba will provide all necessary, reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting/hearing upon five (5) days notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba by writing or calling the City of Escanaba at (906) 786-9402. A copy of the proposed site plan for the referenced project can be viewed at City Hall, Second Floor, 410 Ludington Street, Escanaba, MI, Monday through Friday, 7:30 a.m. to 4:00 p.m.

Sincerely,

Patrick Connor, Chairperson
Escanaba Planning Commission

Mission Statement:



Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.

The City of Escanaba is an equal opportunity employer and provider.

<Title> Proposed Laydown Yard 9

<Subtitle> EXHIBIT A



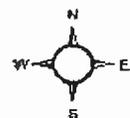
McMAHON
ENGINEERS ARCHITECTS

Utilities Data

	Water Main		Hydrant		Catch Basin
	Storm Main		Storm Manhole		System Valve
	Sanitary Main		Sanitary Manhole		Outlet
	Culverts		Record Drawings		

Land Base Data

	Water Body		Parcel Boundary		Municipal Boundary
	Roads		Contour Interval		



This document, unless otherwise noted, is the property of McMahon, Engineers, Architects, Inc. It is to be used only for the project and site for which it was prepared. It is not to be used for any other purpose without the written consent of McMahon, Engineers, Architects, Inc. The user of this document shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. McMahon, Engineers, Architects, Inc. shall not be held responsible for any errors or omissions in this document.

03/18/2015
Scale 1:5000

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING
FOR THE NATURAL GAS CUSTOMERS OF
DTE GAS COMPANY
CASE NO. U-17763**

- DTE Gas Company requests Michigan Public Service Commission approval to amend its Energy Optimization (EO) Plan, filed February 12, 2015, pursuant to the provisions of Public Act (PA) 295 of 2008.
- The information below describes how a person may participate in this case.
- You may call or write DTE Gas Company, One Energy Plaza, Detroit, Michigan 48226, (800) 477-4747, for a free copy of its application. Any person may review the application at the offices of DTE Gas Company.
- A public hearing in this matter will be held:

DATE/TIME: Wednesday, March 18, 2015, at 9:00 a.m.

This will be a prehearing conference to determine future hearing dates and other procedural matters.

BEFORE: Administrative Law Judge Suzanne D. Sonneborn

LOCATION: Michigan Public Service Commission

7109 West Saginaw Highway

Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider DTE Gas Company's (DTE Gas) February 12, 2015 application, which seeks approval to amend its EO plan, for authority to implement its proposed EO plan surcharges and for relief pursuant to the provisions of PA 295 of 2008. DTE Gas represents that its proposed amended EO plan is designed to deliver significant gas savings to all customer classes, including low-income and small business customers. DTE Gas is seeking Commission approval of recovery of annual EO base revenue of approximately \$20.7 million in 2016 and \$20.6 million in 2017, totaling approximately 41.3 million between 2016 and 2017. DTE Gas is also seeking Commission approval of certain accounting authority along with other regulatory approvals.

DTE Gas' proposed levelized base surcharges beginning in January 1, 2016 and ending December 31, 2017 as shown in the table below:

<u>Customer Class</u>	<u>Levelized Base Surcharges</u>
Residential	\$0.01220/Ccf (hundred cubic feet)
Commercial & Industrial	\$0.01386/Ccf
End Use Transportation	\$0.00089/Ccf
C&I/EUT Exploratory Program	\$0.00019/Ccf

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by March 11, 2015. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon DTE Gas' attorney, Richard P. Middleton, One Energy Plaza, Detroit, Michigan 48226.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Requests for adjournment must be made pursuant to the Michigan Administrative Hearing System's Administrative Hearing Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of DTE Gas' request may be reviewed on the Commission's website at michigan.gov/mpscedockets, and at the office of DTE Gas Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 2008 PA 295, MCL 460.1001 et seq.; and the Michigan Administrative Hearing System's Administrative Hearing Rules, 2015 AC, R 792.10401 et seq.

February 20, 2015

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING
FOR THE NATURAL GAS CUSTOMERS OF
DTE GAS COMPANY
CASE NO. U-16999**

- DTE Gas Company, f/k/a Michigan Consolidated Gas Company requests Michigan Public Service Commission review of the Company's annual costs of its Main Renewal Program (MRP), Meter Move-out Program (MMO), and Pipeline Integrity Program (PI), and confirmation that the Infrastructure Recovery Mechanism (IRM) surcharge that is projected to begin July 1, 2015 can be implemented without downward adjustment.
- The information below describes how a person may participate in this case.
- You may contact DTE Gas Company, One Energy Plaza, Detroit, Michigan 48226, (800) 477-4747, for a free copy of its application. Any person may review the application at the offices of DTE Gas Company.
- A public hearing in this matter will be held:

DATE/TIME: Wednesday, April 15, 2015, at 9:00 a.m.

This will be a prehearing conference to determine future hearing dates and other procedural matters.

BEFORE: Administrative Law Judge Suzanne D. Sonneborn

LOCATION: Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider DTE Gas Company's (DTE Gas) February 13, 2015 application, which seeks Commission review of the annual costs of the Company's MRP, MMO, and PI, and confirmation that the IRM surcharge to begin July 1, 2015 can be implemented without downward adjustment. DTE Gas also requests the Commission to: 1) find that the Company spent an annual combined MMO, MRP and PI of approximately \$80,886 million for 2014; and 2) confirm implementation of the IRM surcharges to begin July 1, 2015, as described in its filing.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by April 8, 2015. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon DTE Gas' attorney, Richard P. Middleton, One Energy Plaza, Detroit, Michigan 48226.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

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A copy of DTE Gas' request may be reviewed on the Commission's website at michigan.gov/mpscedockets, and at the office of DTE Gas Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

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March 16, 2015



US Army Corps
of Engineers

Detroit District

Public Notice

Applicant: Panayiotis Zingas

In Reply Refer To: Corps File No. LRE-2014-00376-10-S14

Date: March 20, 2015

Expires: April 19, 2015

Proposed Residential Structures and Fill in wetlands of the St. Clair River (Middle Channel) at Harsens Island, Clay Township, St. Clair County, Michigan

Applicant: Panayiotis Zingas, 37754 Maple Hill Drive, Harrison Township, MI 48045

Project Location: The site is located on the south side of the west end of North Channel Drive, on Harsens Island in Section 08, Township 2 N, Range 16 E, St. Clair County, Michigan, 48028.

Federal Authority: The applicant has applied for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

State Authority: Section 401 of the Clean Water Act requires that all discharges of dredged or fill material must be certified by the State as complying with applicable effluent limitations and water quality standards. Coastal Zone Management Certification (or waiver thereof) is required from the State of Michigan if this proposed activity would occur within the designated coastal zone.

Project Description: As shown on the attached plans, the applicant proposes to:

1. Install 585.7 linear feet (lf) of geotextile filter fabric and silt fence to serve as a retaining border and perimeter around a 90 ft by 120 ft septic field area, and enclose approximately 822 sq.ft. for a septic tank located between the septic field and the residential structure.
2. Discharge 553.65 cubic yards (cyds) of sand on a portion of the above enclosed wetland area measuring 90 feet (ft) by 70 ft (6,300 sq.ft. = 0.145 acres (ac)) by 5.1 ft deep inclusive of side slopes of 1:3 (V:H) for a primary septic field.
3. Discharge approximately 73.25 cyds of sand on the above 822 sq.ft. (=0.02 ac) of wetlands to a top elevation of 581.1 ft IGLD-1985 to support a septic tank.
4. Discharge 18.5 cyds of concrete and crushed concrete onto a wetland area measuring 10 ft wide by 50 ft long by 1.0 ft deep to a top elevation of 576.4 ft IGLD-

1985 (=+3.4 ft LWD) for a driveway, and discharge 16.9 cyds of concrete and crushed concrete onto a wetland area measuring 20 ft wide by 22.83 ft long by 1.0 ft deep for a storage structure (total = 0.022 ac).

5. Construct a 3 x 4 grid of twelve (12) 8"-diameter piles in wetlands as supports, and construct a residential structure measuring 35 ft by 25 ft (= 875 sq.ft. = 0.02 ac) with a lowest invert elevation of 580.5 ft IGLD-1985 (=+7.5 ft LWD) and a top structure elevation of 594 ft IGLD-1985 (=+ 21 ft LWD).

6. Discharge 5.34 cyds of concrete and sand to a depth of 8 inches on 215 sq.ft. (0.005 ac) of wetlands to construct 43 lf of 5 ft wide walkway between the driveway and residence.

The total proposed wetland impacts are 0.317 ac.

The purpose of the proposed work is to construct a private residence.

Avoidance & Minimization: The applicant has stated the following concerning avoidance and minimization of impacts to Waters of the United States: "Erosion control would be provided; Elevation on piers is provided; Septic area is minimized."

The Corps has not verified the adequacy of the applicant's avoidance and minimization statement at this time.

Compensatory Mitigation: The applicant has stated the following concerning compensatory mitigation for unavoidable impacts to Waters of the United States: "0.309 acres of wetland is impacted." In an earlier application form, the applicant stated: "5.98 acres is granted to go under conservation easement."

The applicant has not made any other statement regarding compensatory mitigation.

The Corps has not verified the adequacy of this mitigation proposal at this time.

Other Authorizations:

A permit is required from the Michigan Department of Environmental Quality under applicable provisions of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451.) The State file number is 14-74-0065-P.

Comments: We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-332. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to file number

LRE-2014-00376-10-S14. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with:

Wally Gauthier
Chief, Permit Evaluation Eastern Branch
Regulatory Office
Detroit District, Corps of Engineers
477 Michigan Avenue
Detroit, Michigan 48226-2550

Comments may be e-mailed to: Henry.Rosenfield@usace.army.mil, but must include a name and mailing address.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation: The decision whether to issue the Department of the Army permit will be based on evaluation of the probable impacts of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This activity involves the discharge of dredged or fill material into waters of the United States. Therefore, the U.S. Army Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator of the Federal Environmental Protection Agency, under the authority of Section 404(b)(1) of the Clean Water Act.

Endangered Species: We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. We are not aware of the presence of any Federally listed species or critical habitat at or in the vicinity on Harsens Island of the proposed worksite.

We invite information and/or comments regarding the potential presence of, or impacts to, any listed species or critical habitat.

Cultural Resources: The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. There are no recorded historic properties within the permit area.

The District Engineer invites responses to this public notice from federal, state and local agencies, historical and archaeological societies, Indian tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

Additional Information: This public notice and drawings are also available for viewing/printing at: <http://www.lre.usace.army.mil/Missions/RegulatoryProgramandPermits/PublicNotices.aspx>. Questions concerning this application may be directed to Henry Rosenfield at the Corps of Engineers address listed above, or telephone number 313-226-6706.

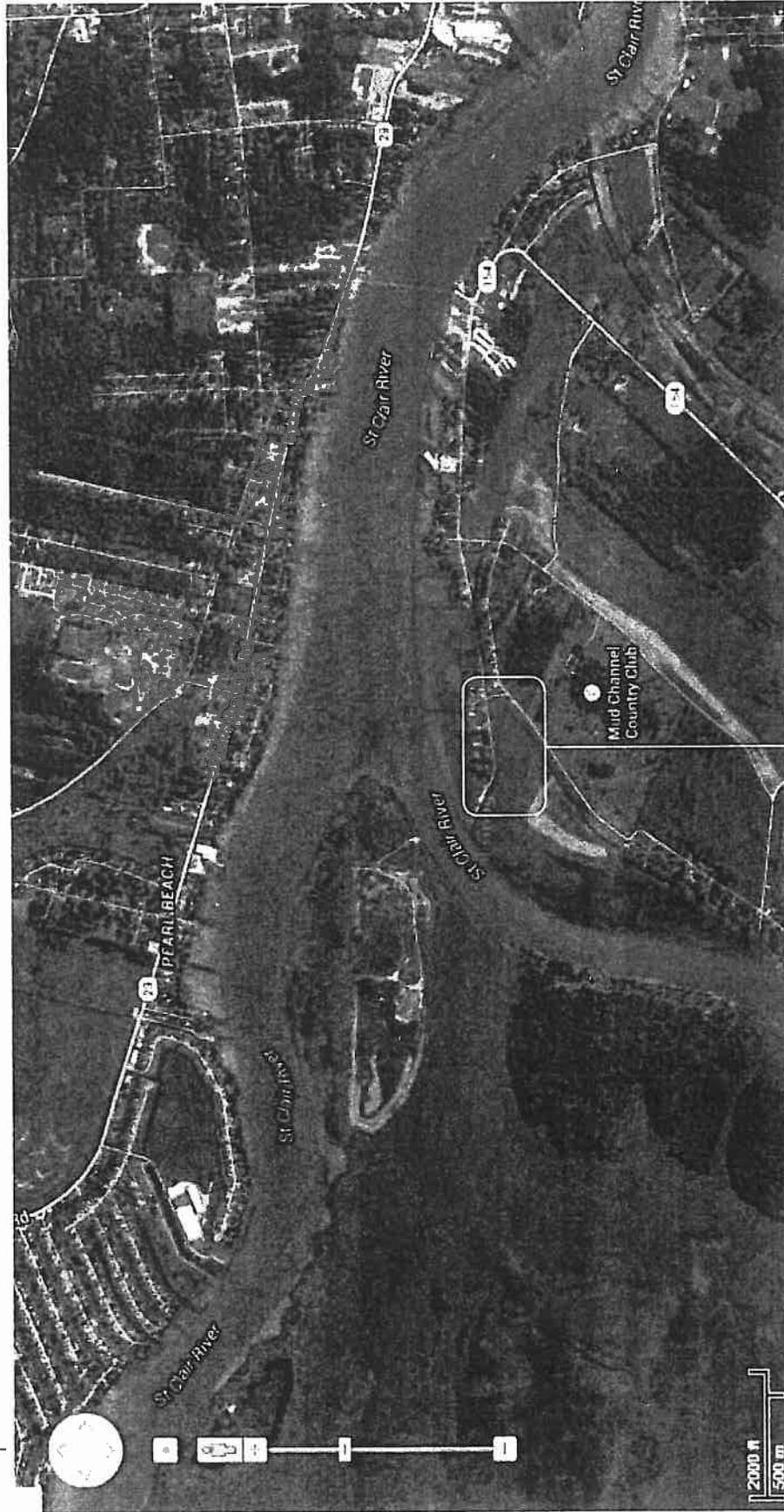
FOR THE DISTRICT ENGINEER:

Wally Gauthier
Chief, Permit Evaluation Eastern Branch
Regulatory Office

NOTICE TO POSTMASTERS:

We request that the above notice be conspicuously and continuously posted for the time period of this notice.

VICINITY MAP

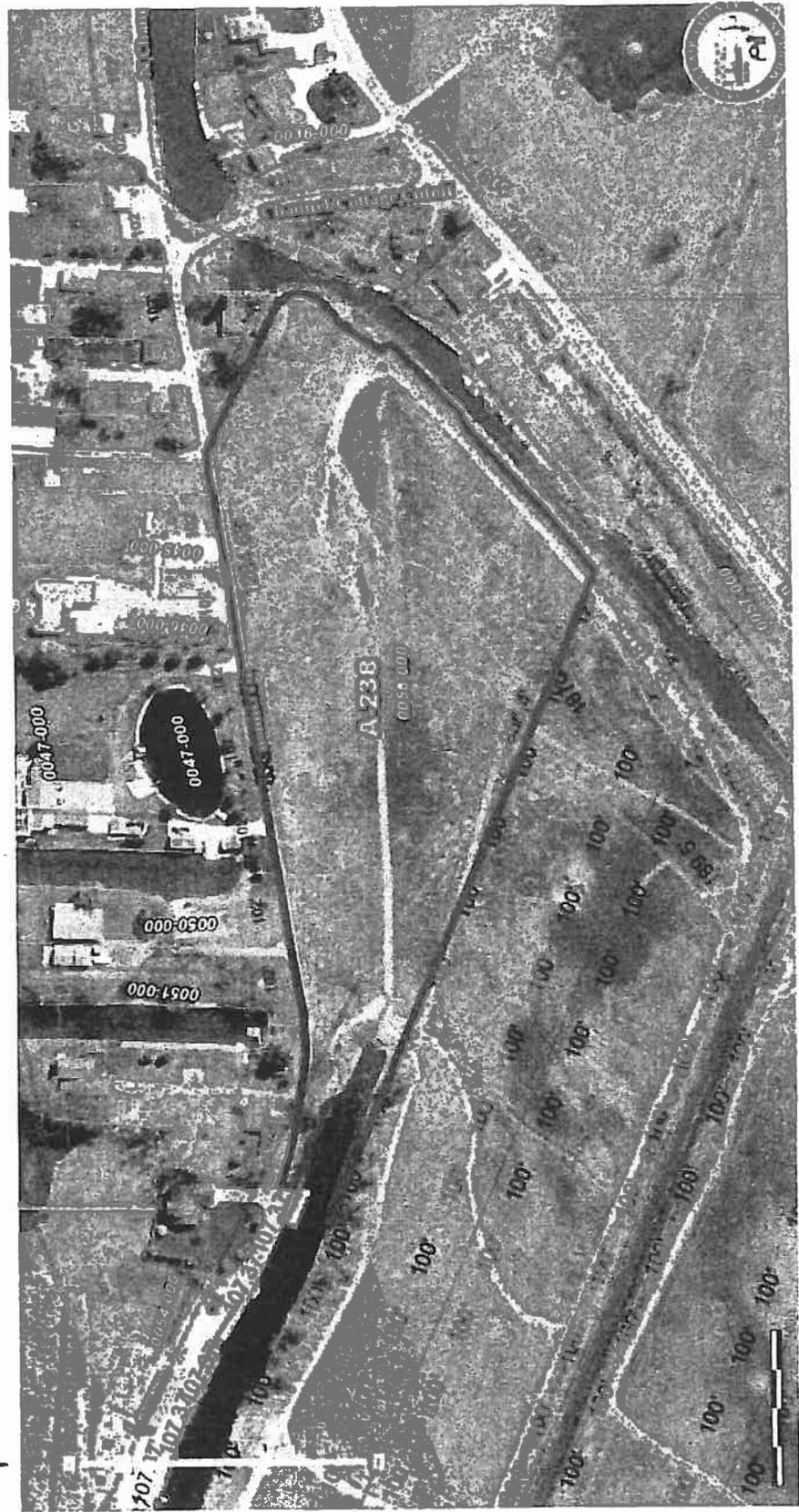


LRE-2014-00376-10-S14
Zingas - Residential Structures and Wetland Fill
BY: Panayiotis Zingas
St. Clair River (Middle Channel), Harsens Island
ST. Clair County, MICHIGAN
SHEET 1 OF 8

To Sheet 2 of 8
Location Map

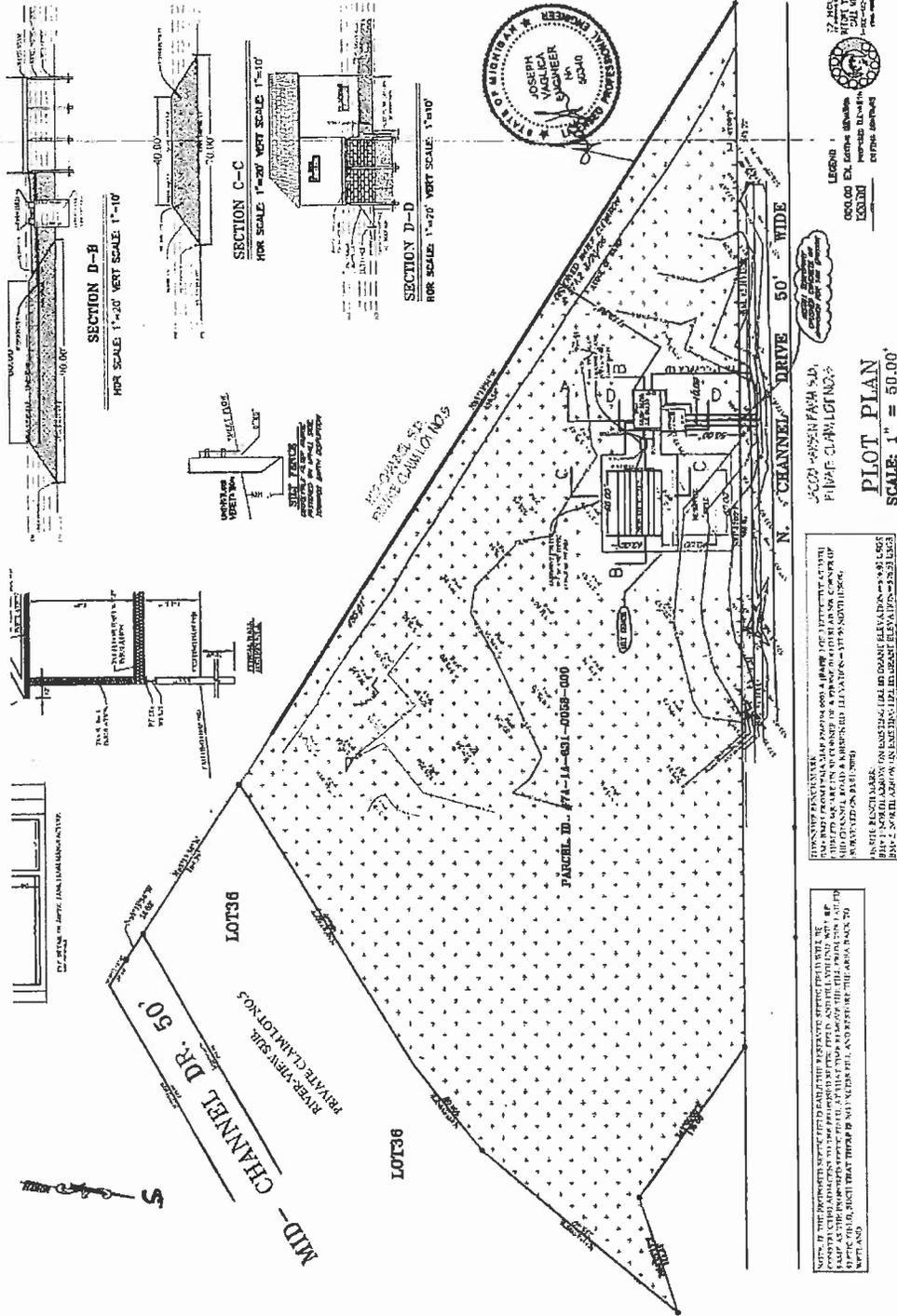


SITE LOCATION MAP



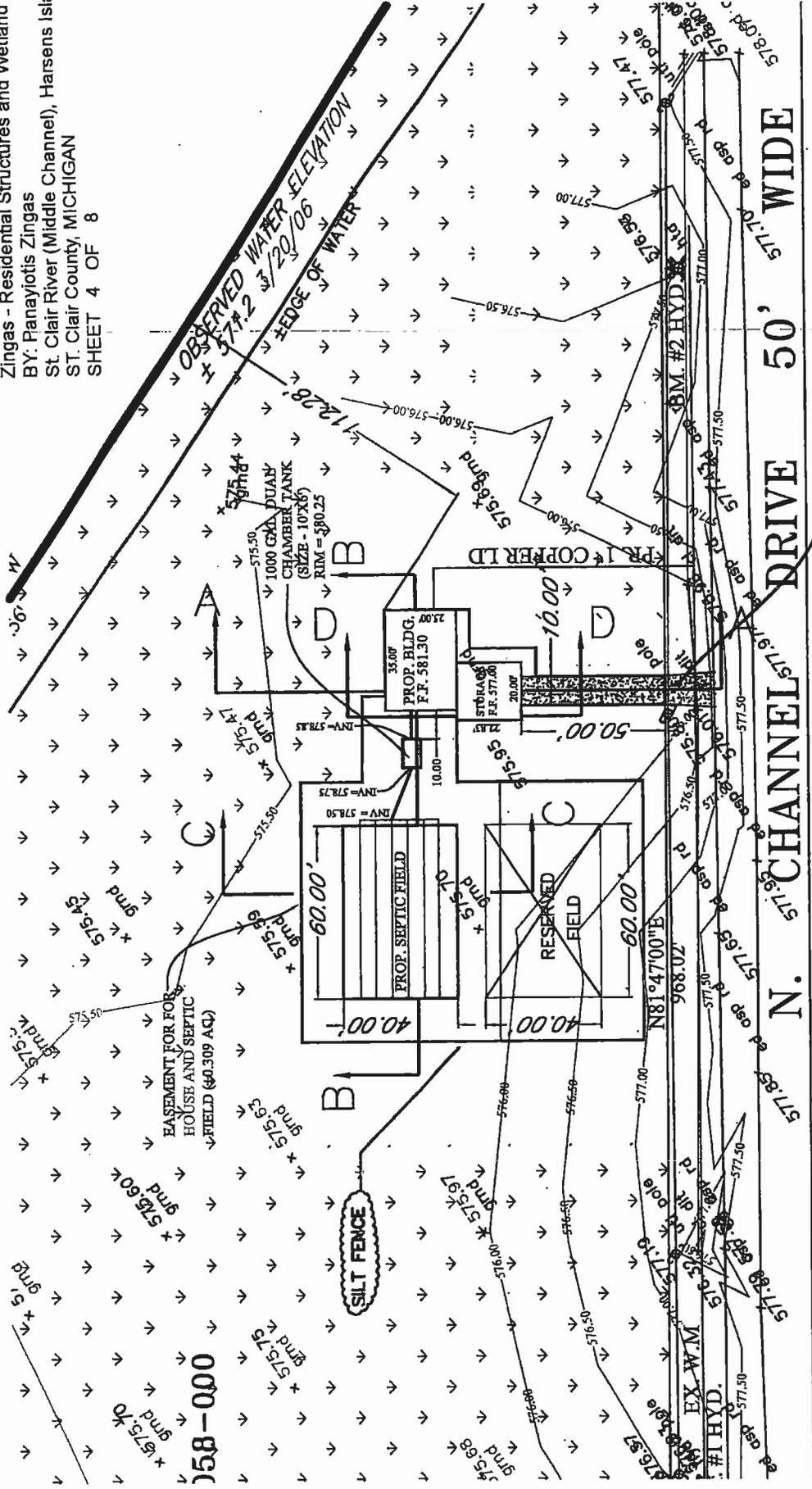
LRE-2014-00376-10-S14
Zingas - Residential Structures and Wetland Fill
BY: Panayiotis Zingas
St. Clair River (Middle Channel), Harsens Island
ST. Clair County, MICHIGAN
SHEET 2 OF 8

PROJECT LOCATION MAP



LRE-2014-00376-10-S14
 Zingas - Residential Structures and Wetland Fill
 BY: Panayiotis Zingas
 St. Clair River (Middle Channel), Harsens Island
 ST. CLAIR COUNTY, MICHIGAN
 SHEET 3 OF 8

LRE-2014-00376-10-S14
 Zingas - Residential Structures and Wetland Fill
 BY: Panayiotis Zingas
 St. Clair River (Middle Channel), Harsens Island
 St. Clair County, MICHIGAN
 SHEET 4 OF 8



JACOB HARSEN FARM SUB.
 PRIVATE CLAIM LOT NO.5

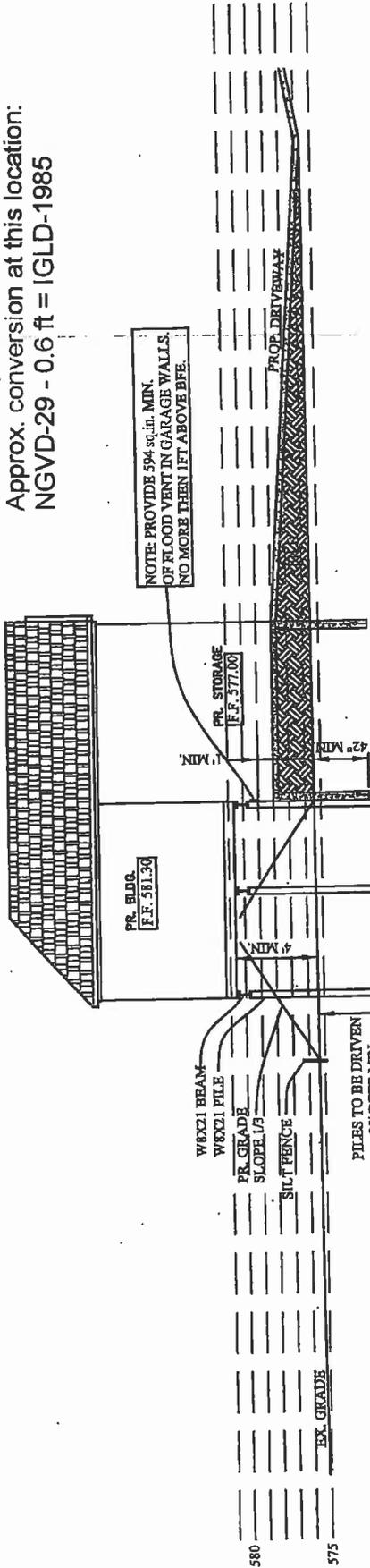
PLOT PLAN

SCALE: 1" = 50.00'

- 4 0003 A (PAGE 3 OF 3 EFFECTIVE 6/1/1978)
- F A PHONE BOOTH SLAB NW CORNER OF
- ELEVATION = 577.90 NGVD (USGS)
- 3 FIRE HYDRANT ELEVATION = 576.93 USGS
- 3 FIRE HYDRANT ELEVATION = 576.53 USGS

Elevations provided in NGVD-1929 (USGS)
 Approx. conversion at this location:
 NGVD-29 - 0.6 ft = IGLD-1985

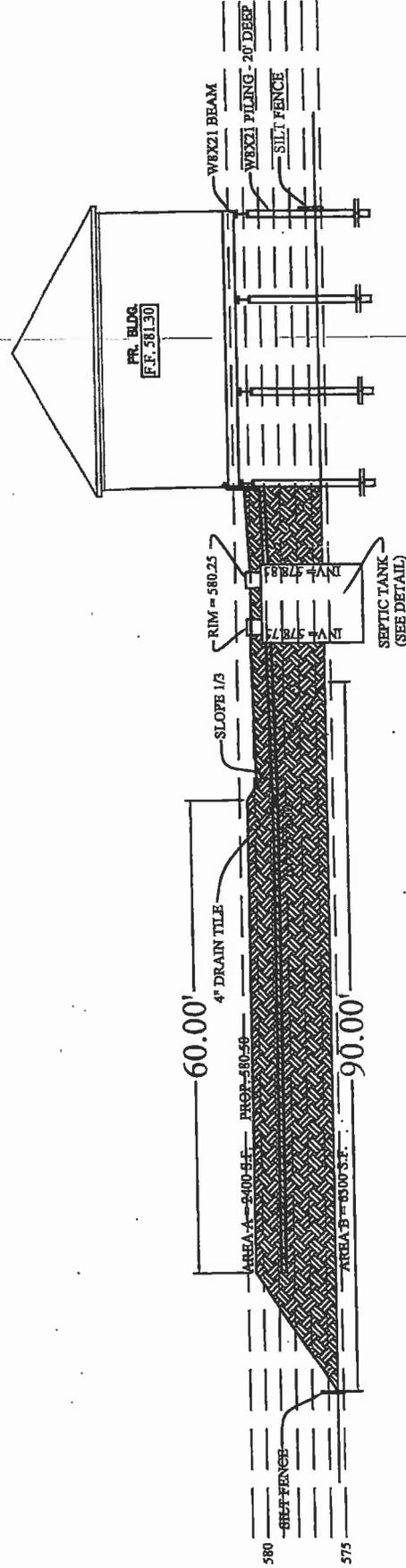
Elevations provided in NGVD-1929 (USGS)
 Approx. conversion at this location:
 NGVD-29 - 0.6 ft = IGLD-1985



LRE-2014-00376-10-S14
 Zingas - Residential Structures and Wetland Fill
 BY: Panayiotis Zingas
 St Clair River (Middle Channel), Harsens Island
 ST. Clair County, MICHIGAN
 SHEET 5 OF 8

SECTION A-A

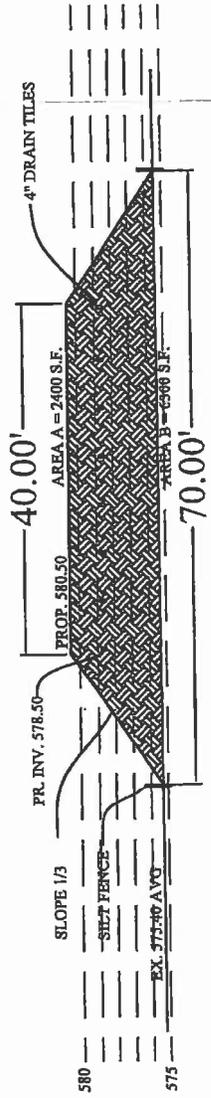
HOR SCALE: 1"=20' VERT SCALE: 1"=10'



SECTION B-B

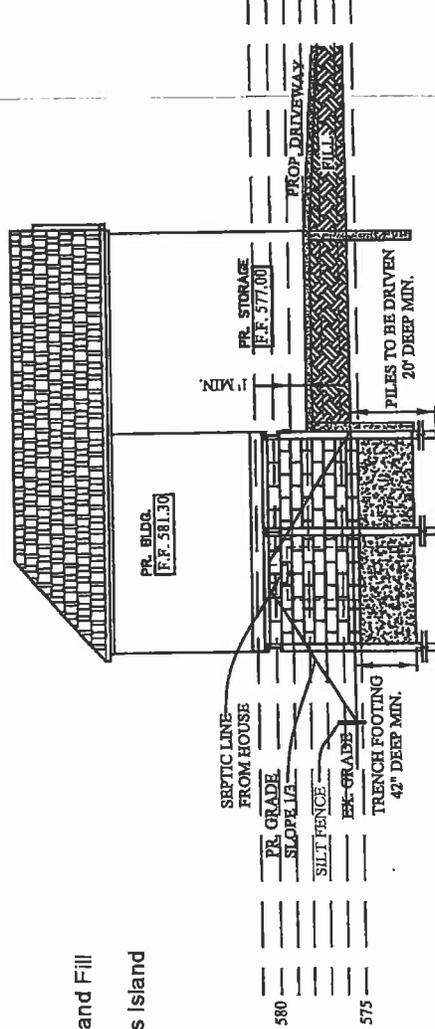
HOR SCALE: 1"=20' VERT SCALE: 1"=10'

Elevations provided in NGVD-1929 (USGS)
 Approx. conversion at this location:
 NGVD-29 - 0.6 ft = IGLD-1985



SECTION C-C

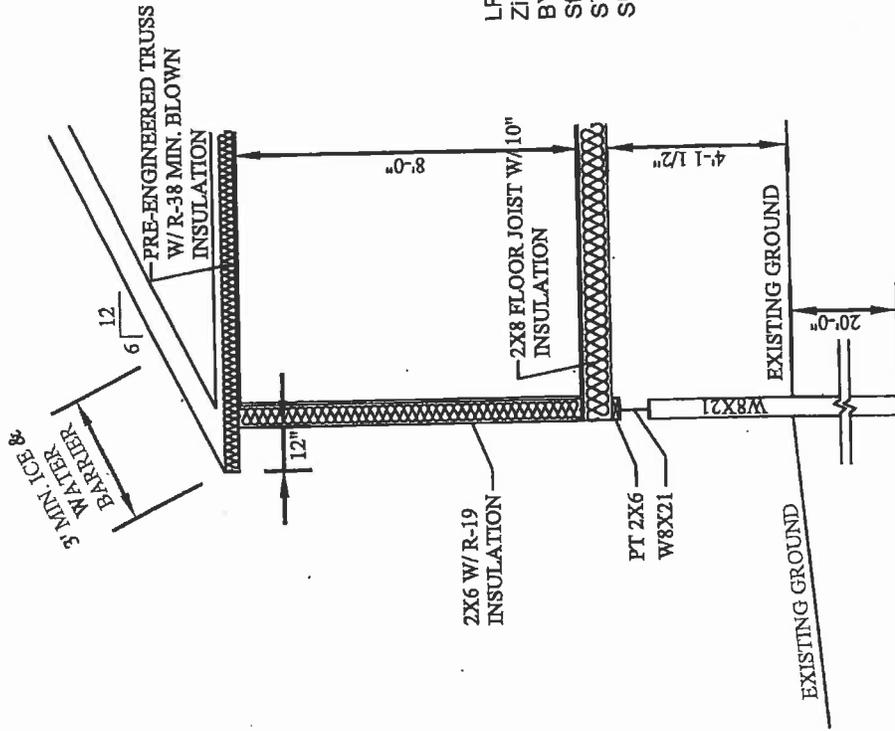
HOR SCALE: 1"=20' VERT SCALE: 1"=10'



SECTION D-D

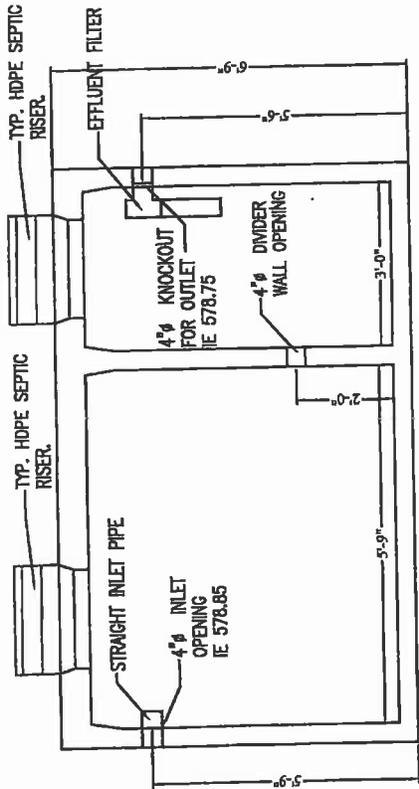
HOR SCALE: 1"=20' VERT SCALE: 1"=10'

LRE-2014-00376-10-S14
 Zingas - Residential Structures and Wetland Fill
 BY: Panayiotis Zingas
 St. Clair River (Middle Channel), Harsens Island
 St. Clair County, MICHIGAN
 SHEET 6 OF 8

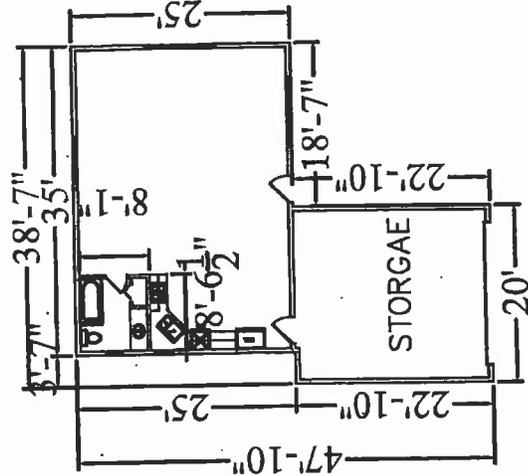
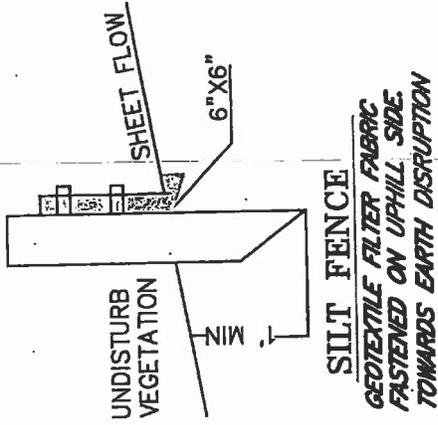


TYPICAL WALL SECTION N.T.S.

LRE-2014-00376-10-S14
 Zingas - Residential Structures and Wetland Fill
 BY: Panayiotis Zingas
 St. Clair River (Middle Channel), Harsens Island
 St. Clair County, MICHIGAN
 SHEET 7 OF 8

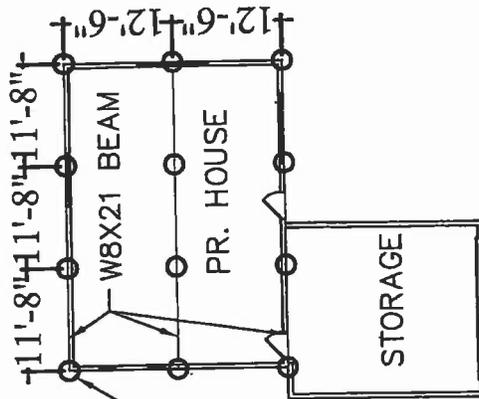


TYP. DETAIL OF SEPTIC TANK FROM MANUFACTURE
NOT TO SCALE



FLOOR PLAN

SCALE = 1" = 20'



PILE LOCATIONS

SCALE = 1" = 20'

LRE-2014-00376-10-S14
Zingas - Residential Structures and Wetland Fill
BY: Panayiotis Zingas
St. Clair River (Middle Channel), Harsens Island
St. Clair County, MICHIGAN
SHEET 8 OF 8

TO: LOCAL UNITS OF GOVERNMENT AND LOCAL AGENCIES *April 10, 2015*

The CUPPAD Regional Commission is notifying you of an intended project which may have impact on plans and programs of your municipality or agency. We invite your review and to submit remarks.

A description of the proposed project (Notice of Intent) is attached. The Comment Form below is for your convenience.

NOTICE OF INTENT COMMENT FORM

PROJECT TITLE: Upper Peninsula State Fairgrounds Improvement Plan
APPLICANT: Delta County-Delta County Parks and Recreation

COMMENTS MUST BE RECEIVED BY: **May 13, 2015**

THIS FORM IS TO BE RETURNED TO THE REGIONAL CLEARINGHOUSE IF ANY OF THE FOLLOWING CONDITIONS APPLY.

PLEASE WRITE ANY COMMENTS ON BACK OF FORM OR SEPARATE PAPER.

___ SUPPORT ONLY WITH CONDITIONS (Indicate below major reservations about the project and the specific substantive changes or modifications desired.)

___ DO NOT SUPPORT (Summarize below the major reasons for recommended disapproval including documentation or references to plans, statutes, regulations, etc. which substantiate disapproval.)

IF YOU WISH TO RECEIVE THE FULL APPLICATION OR WISH A CONFERENCE WITH THE APPLICANT PLEASE CONTACT: **Vickie Micheau, Management Agent, UP State Fair 906-786-2192**

___ THE FULL APPLICATION HAS BEEN REQUESTED. (Please contact the Applicant for Application.)

___ A CONFERENCE WITH THE APPLICANT HAS BEEN REQUESTED. (Please contact the Applicant to arrange a conference.)

RESPONDENT'S NAME _____

SIGNATURE _____

AGENCY OR L.U.G. _____

DATE _____

Please return any comments to:

Peter Van Steen, Federal Review Coordinator
CUPPAD Regional Commission
2950 College Avenue
Escanaba, MI 49829



NOTICE OF INTENT FOR RECREATION GRANT PROJECTS

This information is requested by authority of Part 19, Act 451 of 1994, to be considered for a MNRTF grant.

1. Name of Project: Upper Peninsula State Fairgrounds Improvement Plan		2. Date: March 17, 2015									
3a. Identity of the applicant agency, organization, or individual: Delta County Parks and Recreation Upper Peninsula State Fair Authority		3b. Indicate below the representative of the applicant to contact for additional information regarding this Notice: <table border="1"> <tr><td>Name</td><td>Vickie Micheau, Management Agent</td></tr> <tr><td>Address (Street / PO Box)</td><td>230 Ludington Street</td></tr> <tr><td>City, State, ZIP Code</td><td>Escanaba, MI 49829</td></tr> <tr><td>Telephone</td><td>(906) 786-2192</td></tr> </table>		Name	Vickie Micheau, Management Agent	Address (Street / PO Box)	230 Ludington Street	City, State, ZIP Code	Escanaba, MI 49829	Telephone	(906) 786-2192
Name	Vickie Micheau, Management Agent										
Address (Street / PO Box)	230 Ludington Street										
City, State, ZIP Code	Escanaba, MI 49829										
Telephone	(906) 786-2192										
4a. Agency from which assistance will be sought: <input type="checkbox"/> Michigan Department of Natural Resources		Name of Program: _____ Public Law or USC#: _____ <input type="checkbox"/> Michigan Natural Resources Trust Fund Part 19 of Act 451 of 1994									
5. Estimated Cost: FEDERAL: \$ _____ STATE: \$300,000 OTHER: \$75,000 TOTAL: \$375,000		6. Estimated date by which time the applicant expects to formally file an application: April 1, 2015 7. Geographic location of the project to be assisted: (indicate specific location as well as city or county. Attach map if necessary). Upper Peninsula State Fairgrounds in Delta County located in Escanaba									
8. Brief description of the proposed project. This will help the clearinghouse identify agencies of state or local government having plans, programs, or projects that might be affected by the proposed project:											
8a. Type of project: Grounds enhancement and infrastructure improvement											
8b. Purpose: Relocate utility lines underground, upgrade emergency public address system and upgrade equestrian center at trailhead.											
8c. General size or scale: Major grounds improvemen											
8d. Beneficiaries (persons or institutions benefited): All visitors and customers involved in educational and recreational events and activities planned at the Upper Peninsula State Fairgrounds											
8e. Indicate the relationship of this project to plans, programs, and other activities of your agency and other agencies (attach separate sheet if necessary) The project is included in the Delta County Recreation Plan as amended on Sept. 22, 2014, the 10-year facility improvement plan adopted by the U.P. State Fair Authority and Comprehensive Economic Development Strategic list of projects as defined by the CUPPAD Regional Commission											



NOTICE OF INTENT FOR RECREATION GRANT PROJECTS

This information is requested by authority of Part 703, Act 451 of 1994, as amended, to be considered for a LWCF grant.

1. Name of Project: Masonville Township Recreation Area renovation		2. Date: March 3, 2015									
3a. Identity of the applicant agency, organization, or individual: Masonville Township, Delta County		3b. Indicate below the representative of the applicant to contact for additional information regarding this Notice:									
_____ _____ _____ _____		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Name</td> <td style="padding: 2px;">Peter F. Brock</td> </tr> <tr> <td style="padding: 2px;">Address (Street / PO Box)</td> <td style="padding: 2px;">P.O. Box 166</td> </tr> <tr> <td style="padding: 2px;">City, State, ZIP</td> <td style="padding: 2px;">Rapid River, MI 49878</td> </tr> <tr> <td style="padding: 2px;">Area Code and Telephone No.</td> <td style="padding: 2px;">(906) 241-3306</td> </tr> </table>		Name	Peter F. Brock	Address (Street / PO Box)	P.O. Box 166	City, State, ZIP	Rapid River, MI 49878	Area Code and Telephone No.	(906) 241-3306
Name	Peter F. Brock										
Address (Street / PO Box)	P.O. Box 166										
City, State, ZIP	Rapid River, MI 49878										
Area Code and Telephone No.	(906) 241-3306										
4a. Agency from which assistance will be sought: <input checked="" type="checkbox"/> Michigan Department of Natural Resources		<table style="width: 100%;"> <tr> <td style="width: 50%;">Name of Program:</td> <td style="width: 50%;">Public Law or USC#:</td> </tr> <tr> <td><input checked="" type="checkbox"/> Land and Water Conservation Fund</td> <td>Part 703 of Act 451 of 1994</td> </tr> </table>		Name of Program:	Public Law or USC#:	<input checked="" type="checkbox"/> Land and Water Conservation Fund	Part 703 of Act 451 of 1994				
Name of Program:	Public Law or USC#:										
<input checked="" type="checkbox"/> Land and Water Conservation Fund	Part 703 of Act 451 of 1994										
5. Estimated Cost: FEDERAL: \$ _____ STATE: \$ 55,000 OTHER: \$ 55,000 TOTAL: \$ 110,000		6. Estimated date by which time the applicant expects to formally file an application: March 30, 2015									
7. Geographic location of the project to be assisted: (indicate specific location as well as city or county. Attach map if necessary). Masonville Township Recreation Area Located within the village of Rapid River		_____ _____									
8. Brief description of the proposed project. This will help the clearinghouse identify agencies of state or local government having plans, programs, or projects that might be affected by the proposed project:											
8a. Type of project: Renovation of the playground within the Masonville Township Recreation Area											
8b. Purpose: Upgrade the playground to make it ADA and universally accessible to all children Using the playground at the park											
8c. General size or scale: About 2 acres											
8d. Beneficiaries (persons or institutions benefited): Young children up to age 12											
8e. Indicate the relationship of this project to plans, programs, and other activities of your agency and other agencies (attach separate sheet if necessary): This project is the township's highest priority in it's recently submitted Recreation Plan to the State of Michigan											

TO: LOCAL UNITS OF GOVERNMENT AND LOCAL AGENCIES **April 10, 2015**

The CUPPAD Regional Commission is notifying you of an intended project, which may have impact on plans, and programs of your municipality or agency. We invite your review and to submit remarks.

A description of the proposed project (Notice of Intent) is attached. The Comment Form below is for your convenience.

NOTICE OF INTENT COMMENT FORM

PROJECT TITLE: Masonville Township Recreation Area Renovation
APPLICANT: Masonville Township

COMMENTS MUST BE RECEIVED BY: **May 13, 2015**

THIS FORM IS TO BE RETURNED TO THE REGIONAL CLEARINGHOUSE IF ANY OF THE FOLLOWING CONDITIONS APPLY.

PLEASE WRITE ANY COMMENTS ON BACK OF FORM OR SEPARATE PAPER.

___ SUPPORT ONLY WITH CONDITIONS (Indicate below major reservations about the project and the specific substantive changes or modifications desired.)

___ DO NOT SUPPORT (Summarize below the major reasons for recommended disapproval including documentation or references to plans, statutes, regulations, etc. which substantiate disapproval.)

IF YOU WISH TO RECEIVE THE FULL APPLICATION OR WISH A CONFERENCE WITH THE APPLICANT PLEASE CONTACT: **Peter F. Brock, Supervisor 906.241.3306**

___ THE FULL APPLICATION HAS BEEN REQUESTED. (Please contact the Applicant for Application.)

___ A CONFERENCE WITH THE APPLICANT HAS BEEN REQUESTED. (Please contact the Applicant to arrange a conference.)

RESPONDENT'S NAME _____

SIGNATURE _____

AGENCY OR L.U.G. _____

DATE _____

Please return any comments to:

Peter Van Steen, Federal Review Coordinator
CUPPAD Regional Commission
2950 College Avenue
Escanaba, MI 49829



United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)

2651 Coolidge Road, Suite 101

East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

April 1, 2015

Dear Interested Party,

On April 2, 2015, the U.S. Fish and Wildlife Service will publish a final rule in the *Federal Register* designating the northern long-eared bat as a threatened species under the Endangered Species Act (ESA). The listing becomes effective on May 4, 2015. Also effective May 4 is an interim special rule under section 4(d) of the ESA that provides flexibility to landowners, land managers, government agencies and others as they conduct activities in areas that could be northern long-eared bat habitat. The Service will continue to refine this interim rule and is accepting comments on the interim rule for 90 days beginning April 2, 2015. Based on the comments and any other new information we receive, we intend to revise the interim 4(d) rule and publish a final version by the end of this year.

The Service proposed the northern long-eared bat as endangered in October 2013. During its review process, however, the Service determined the northern long-eared bat meets the ESA's definition of threatened rather than endangered. Under the Act, an endangered species is currently in danger of becoming extinct, while a threatened species is likely to become endangered in the foreseeable future. Essentially, endangered species are at the brink of extinction now; threatened species are likely to be at the brink in the future.

The Service considered a wide range of data in making its determination. White-nose syndrome, the primary threat to the northern long-eared bat, has not yet been detected throughout the entire range of the species, and will not likely affect the entire range for some years. In addition, the species has not yet suffered declines and appears stable in the area not yet affected by disease. Finally, the species still persists in some areas impacted by white-nose syndrome, creating some uncertainty as to the risk posed by the disease.

The ESA protects threatened and endangered wildlife from "take," which includes harming, harassing or killing a listed species. However, the Service may implement 4(d) rules for wildlife listed as threatened that tailor take prohibitions to those that are "necessary and advisable to provide for the conservation of such species."

In areas of the bat's range that may be affected by white-nose syndrome, we believe incidental take caused by some tree removal and tree-clearing activities, when combined with conservation measures that protect the bat's most vulnerable life stages, does not need to be prohibited to conserve the northern long-eared bat. In addition, we believe removing bats from human dwellings does not need to be regulated.

Take incidental to certain activities conducted in accordance with the following habitat conservation measures, as applicable, is not prohibited (i.e., excepted from the prohibitions):

- (i) Activities that occur more than 0.25 mile (0.4 km) from a known, occupied hibernacula;
- (ii) Activities that avoid cutting or destroying known, occupied roost trees during the pup season (June 1–July 31); and
- (iii) Activities that avoid clearcuts (and similar harvest methods, including seed tree, shelterwood, and coppice) within 0.25 mile (0.4 km) of known, occupied roost trees during the pup season (June 1–July 31).

Purposeful take, however, other than removal of bats from dwellings, is prohibited.

You may submit comments on the interim 4(d) rule by one of the following methods:

- (1) Electronically: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter FWS–R5–ES–2011–0024, which is the docket number for this rulemaking. You may submit a comment by clicking on “Comment Now!” or
- (2) By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R5–ES–2011–0024; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042–PDM; Arlington, VA 22203.

We request that you send comments only by one of the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us. Deadline for comments is July 1, 2015.

The Service is hosting three information briefing teleconferences to provide details and answer questions about the listing and interim 4(d) rule:

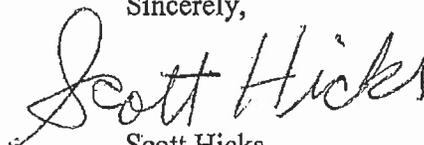
Friday, April 3 at 2:00 p.m. Eastern Time (ET), 1:00 p.m. Central Time (CT)
Wednesday, April 8 at 4:00 p.m. ET, 3:00 p.m. CT
Thursday, April 9 at Noon ET, 11:00 a.m. CT

To participate, call toll-free: 877-918-2510, enter passcode 9285200, and press #

For more information about the northern long-eared bat, the final listing as threatened, the 4(d) rule and related information, visit the Service’s web site at www.fws.gov/midwest/endangered/mammals/nleb. For more information about white-nose syndrome, visit www.whitenosesyndrome.org.

If you have questions or wish to discuss the listing or the interim 4(d) rule, please contact this office at 517-351-2555.

Sincerely,



Scott Hicks
Field Supervisor



Listing the Northern Long-Eared Bat as Threatened *Questions and Answers*

1. What action is the U.S. Fish and Wildlife Service taking?

The U.S. Fish and Wildlife Service (Service) is listing the northern long-eared bat as threatened under the Endangered Species Act (ESA). The Service has also developed an interim 4(d) rule under the ESA for the northern long-eared bat and opened a 90-day public comment period on the interim 4(d) rule. The final rule listing this bat as threatened and the interim 4(d) rule were published in the *Federal Register* on April 2, 2015. The rules are effective on May 4, 2015.

The Service originally proposed to list the northern long-eared bat as endangered on October 2, 2013. The proposed rule opened a 60-day public comment period that was extended to 90 days. Two additional comment periods were opened in June and November 2014. On January 16, 2015, the Service published a proposed 4(d) rule for the northern long-eared bat. That proposal opened a fourth public comment period.

A separate set of FAQs are available that explain the interim 4(d) rule for the northern long-eared bat www.fws.gov/midwest/endangered/mammals/nleb/FAQsInterim4dRuleNLEB.html.

2. What is the northern long-eared bat and where is it found?

The northern long-eared bat is about 3 to 3.7 inches long with a wingspan of 9 to 10 inches. As its name suggests, it is distinguished by its long ears, particularly compared to other bats in its genus, *Myotis*. It eats insects and emerges at dusk to fly primarily through the understory of forest areas, feeding on moths, flies, leafhoppers, caddisflies and beetles. It catches these insects while in flight using echolocation or by using gleaning behavior, catching motionless insects from vegetation.

Northern long-eared bats spend winter hibernating in caves and abandoned mines, collectively called hibernacula. During summer, they roost alone or in small colonies underneath bark or in cavities or crevices of both live trees and snags (dead trees).

The northern long-eared bat's range includes much of the eastern and north central United States and all Canadian provinces from the Atlantic Coast west to the southern Northwest Territories and eastern British Columbia. The species' range in the United States includes the following 37 states: Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming, and the District of Columbia.¹

¹ In the proposed rule we identified the northern long-eared bat's range as 39 states, including the District of Columbia. Since publication of the proposed rule, the Service has refined the northern long-eared bat's range based on additional data. We now consider the range to include 37 states and the District of Columbia; the species is no longer thought to occur in Florida. A map of the northern long-eared bat's range can be viewed at www.fws.gov/midwest/endangered/mammals/nleb/nlebRangeMap.html

3. Why is the Service protecting the northern long-eared bat under the ESA?

White-nose syndrome (WNS), a fungal disease known to affect only bats, is the predominant threat to the northern long-eared bat. This disease was first observed in New York in 2006 and rapidly spread from there. Throughout the Northeast, the northern long-eared bat has disappeared completely from many hibernation sites. Prior to the emergence of WNS, the northern long-eared bat was found with higher abundance in the East and becoming less common westward.

WNS has spread throughout the East and is now spreading through the Midwest and South. The rate of spread has been rapid, from the first documented occurrence in New York in February 2006 to 25 states and five Canadian provinces by 2014. Although the disease has not yet been found throughout all of the northern long-eared bat's range, the disease or the fungus that causes it has been documented in 28² of 37 states where the northern long-eared bat occurs. Experts expect that where it spreads, WNS will have the same impact on the northern long-eared bat as seen in the Northeast.

There are other factors that cause mortality and harm to the northern long-eared bat and these include: wind energy development, habitat destruction or disturbance (e.g., vandalism to hibernacula, roost tree removal), and contaminants. Although no significant population declines have been observed due to these threats individually, additional mortality caused by these factors may affect this bat's ability to persist while experiencing dramatic declines caused by WNS.

4. Why is the Service concerned about human activities that take bats if the cause of the bat's decline is a disease we cannot control?

The primary factor threatening the northern long-eared bat is white-nose syndrome. However, because populations of the bat are depressed by this disease, human activities that were not significant before may be so now.

FWS has worked closely with local, state and federal partners to create an interim 4(d) rule that exempts activities that have negligible impact on the species' long-term survival. The 4(d) rule will also allow activities that are beneficial to the bat to continue, ensuring there are not undue regulatory burdens on individuals not negatively impacting northern long-eared bat populations.

In particular, in areas of the northern long-eared bat's range that have not yet been affected by white-nose syndrome, as defined in the interim rule, any incidental take (unintentional harm to the bats as a result of otherwise lawful activities) is not prohibited. In areas of the bat's range that may be affected by white-nose syndrome, incidental take caused by some tree removal and tree-clearing, when combined with conservation measures that protect the bat's most vulnerable life stages, is not prohibited.

² To see the current spread of WNS visit www.whitenosesyndrome.org/resources/map.

5. The Service proposed listing the northern long-eared bat as endangered, so why is the Service now listing the bat as threatened?

The ESA describes two categories of declining species that need the Act's protections – “endangered” and “threatened”– and provides these definitions:

Endangered: any species that is in danger of extinction throughout all or a significant portion of its range;

Threatened: any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

In simple terms, endangered species are at the brink of extinction now; threatened species are likely to be at the brink in the foreseeable future. Therefore, the definition of each term hinges on the time element, now versus the future.

After we proposed listing the northern long-eared bat, we looked more critically at how the definitions of threatened and endangered fit within the context of the northern long-eared bat and the spread of WNS. We determined that the bat is not endangered at this time because WNS has not yet spread throughout its range and will not likely affect its entire range from some years. Furthermore, the area not yet affected by WNS has not yet suffered declines and appears stable. We expect that WNS will continue to spread and eventually will be present throughout this bat's entire range, and at that time the northern long-eared bat would be considered “in danger of extinction” and thus “endangered.” Therefore, our determination is that the northern long-eared bat, due to WNS, is likely to become endangered within the foreseeable future throughout its range, thus is currently a “threatened” species.

6. Northern long-eared bats are difficult to find at winter hibernacula because they tend to hibernate singly or in small groups, often located deep in cracks or crevices in caves. Thus, isn't it likely that the northern long-eared bat is doing better than the Service's evaluation indicates?

It is true that, compared to other species, the northern long-eared bat is often difficult to find during winter hibernacula surveys. They do not cluster in large numbers, as do some species like the Indiana and little brown bats, and they will often hibernate deep in cracks and crevices. However, those conditions are constant, so hibernacula surveys provide relative abundance information from year to year, and provide accurate population trend information. Collectively, data from consistent hibernacula surveys show that numbers are down in WNS-impacted areas and the magnitude of those declines.

7. Are northern long-eared bat mortality rates similar to mortality rates of other affected species?

WNS has been confirmed in seven species of hibernating bats in North America. As indicated by hibernacula counts, numbers of four of those species – northern long-eared, little brown, tri-colored, and Indiana bats – have experienced the most severe declines.

8. Are northern long-eared bat mortality rates similar in all states where WNS has been confirmed?

Where WNS has been present for at least three years, northern long-eared bats are often extirpated or are found at extremely low numbers during winter hibernacula surveys. However, they continue to be found during summer in some WNS affected areas, although in very low numbers. Numbers observed in some areas of West Virginia and at some coastal sites suggest that there may be scattered locations where this species has not been as severely impacted as other areas of eastern North America. These observations are purely anecdotal at this point. The numbers of locations are very few and the numbers of northern long-eared bats at these locations are also very low. In most WNS-affected areas, summer trapping and acoustic data corroborate the declines of over 90 percent observed during winter surveys for northern long-eared bat.

9. Why are we not seeing population declines in some areas where WNS has been present for a few years?

There are some states that have not reported high bat mortality, despite WNS being present in the state for more than two years. However, for some states there is a lack of data pre-WNS to compare current (post-WNS) hibernacula counts to. There have been low numbers in hibernacula pre-WNS as well, with count numbers fluctuating greatly in some hibernacula. Therefore, it may not be possible to detect a change in population trends for sites in these states. However, during the winter of 2013 to 2014, WNS and/or *P. destructans* continued to spread throughout the Midwest and South, and there were many documented cases of mortality and population declines throughout these regions.

For several years, researchers have recognized that a time lag exists between the first detections of *P. destructans* at a cave and actual mortalities causing population declines, but the factors that determine the length of that time lag are not yet well understood. It may be that the time lag is longer for some sites than others, based on as yet unidentified factors.

10. Do we expect to see the same impacts of WNS on the northern long-eared bat as it spreads west that we saw in the Northeast? If so, what evidence do we have to support that?

We have no evidence to expect the impact of WNS to be any different in the West than it was in the Northeast. While there is variation among bat species and individuals in the conditions they select for hibernation, the bat's physiological demands of hibernation limit this selection to relatively cool, humid conditions similar to those where the WNS fungus *P. destructans* grows well. As WNS has spread in all directions from its North American point of origin, it has caused mortality and population declines. The timeframe of disease progression and overall impact varies among sites, but the end result has almost always been disease and population declines in sites where the fungus has been present for multiple years.

11. Are bats less likely to develop WNS in the South? Will impacts of the disease be less due to shorter hibernation periods in the South (i.e., shorter hibernation results in bats spending less time exposed to the fungus that causes WNS)?

Some have hypothesized that bats in the Southeast may not be as susceptible to WNS because their hibernation periods are shorter than in Northeast. However, WNS-related population

declines have already been reported in southern states with warmer climates. Therefore, the hypothesis of some protection from WNS in areas of milder climates has not been supported.

12. Does the northern long-eared bat hibernate in structures other than caves or mines or similar structures (i.e., do they hibernate in trees where they won't be exposed to WNS)?

For the most part, northern long-eared bats hibernate in caves and abandoned mines. There are a few documented instances of these bats using other types of structures that simulate a cave-like environment that is suitable for hibernation (culverts, sewer pipes and a dam in Michigan). To date, there have been no documented cases of this bat hibernating in trees. More importantly, WNS and *P. destructans* have been detected in forts, buildings, culverts, and aqueducts used by bats during winter. Therefore, it is not accurate to suggest that *P. destructans* exposure is limited to only certain types of hibernacula.

13. The species seems to be doing fine in my state, so why is it being considered for listing throughout its range?

The Endangered Species Act only provides for listing as a species, subspecies or distinct population segment, so listing decisions cannot be made on a state-by-state basis unless a state boundary coincides with a species' range, subspecies' range or distinct population segment boundary. There are no clear biological or ecological demarcations across the range of the northern long-eared bat that would clearly identify a segment of the population as different from another. In addition, we expect that WNS will continue to spread across the entire range of the bat.

14. What are federal and state agencies doing to find the cause and a cure for WNS?

The Service and our many partners have made it a priority to find a way to stop or slow the spread of WNS. Since this disease was first confirmed in the winter of 2006-2007 in New York, we have been leading a nationwide network of state and federal agencies, tribes, organizations, researchers and individuals to investigate the source, spread and cause of WNS and to minimize its impact. We have awarded more than \$20 million in grants to address WNS and have made great progress in this effort. Finding ways to minimize the impact of this disease on our nation's bats is a priority for the Service and members of the WNS Team.

The overall WNS investigation has three primary focus areas: research, monitoring/management and outreach. In 2009 and 2010, the Service led a team of federal and state agencies and tribes in preparing a national WNS management plan to address the threat to hibernating bats. This National Plan outlines actions necessary for state, federal and tribal coordination. It provides an overall strategy for investigating the cause of WNS and a strategy for finding ways to manage it. Find out more about the plan at <http://whitenosesyndrome.org/national-plan/white-nose-syndrome-national-plan>.

Find out more about the work of the WNS Team at <http://whitenosesyndrome.org/>.

15. What is the Service doing to help the northern long-eared bat?

Pre-listing Habitat Conservation Plans or Agreements

There are multiple Habitat Conservation Plans (HCPs) in development that propose covering the northern long-eared bat. For example, the Service, state natural resource agencies and wind

energy industry representatives are developing the Midwest Wind Energy Multi-Species Habitat Conservation Plan to conserve several species, including the northern long-eared bat, amid wind energy development in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

There are also individual HCPs being developed for wind developments covering the northern long-eared bat throughout the species' range. Many states are currently developing management and conservation alternatives to address northern long-eared bat conservation. The conservation efforts associated with HCPs are expected to benefit the northern long-eared bat once they are implemented.

WNS Research and Response

Since 2008, the Service has granted more than \$20 million to institutions and federal and state agencies for WNS research and response, including investigating the cause of the disease, variation in species susceptibility, transmission routes and management options. As a result of this research, we have identified what causes WNS, the fungus *P. destructans*, and have developed ways to detect it, including molecular analyses and UV light. Research in progress is looking into treatments for the disease and molecular and genetic tools to reduce the ability of the fungus to cause the disease. While most projects are not specific to the northern long-eared bat, past, current and future research is anticipated to provide significant benefits for the species, as WNS is the primary threat to this bat.

The Service has led an effort to develop the National Plan for Assisting States, Federal Agencies, and Tribes in Managing WNS in Bats (WNS National Plan) and subsequent WNS Implementation Plan. As part of the National Plan, a multi-species recovery team has been developed consisting of state and federal agencies, conservation organizations and scientific institutions. The team is broken into seven working groups: disease surveillance, diagnostics, epidemiological and ecological research, disease management, conservation and recovery, data and technical information management, and communications and outreach. All work collaboratively on various aspects of the effort to understand and respond to WNS. These working groups have each developed goals and specific tasks to implement the various strategies in the WNS National Plan.

The WNS Conservation and Recovery Working Group has several efforts underway that may benefit northern long-eared bat (and all bats impacted by WNS). For example, Best Management Practices are being developed for transportation agencies working with bats roosting under bridges, nuisance wildlife control officers, rehabbers, and forest managers. See <https://www.whitenosesyndrome.org/national-plan/conservation-and-recovery-affected-bat-species> for more about this group.

Forest Management Research

The U.S. Forest Service (USFS) has been conducting research on the northern long-eared bat and forest management practices for over a decade. More recently, at the Fernow Experimental Forest in Tucker County, West Virginia, the USFS has researched the effects of WNS on bat activity on the forest and specifically to the northern long-eared bat's roosting networks and tree

selection. Similarly, the Fort Knox Military Reservation (DoD) in Kentucky has funded research on day roost selection by northern long-eared bat maternity colonies, in the context of forest succession.

Wind

In addition to working with wind energy companies to develop HPCs, the Service is using radar to document bird and bat migratory pathways in and around the Great Lakes coastlines. Information about the radar project is available at www.fws.gov/radar/. While not specific to northern long-eared bats, information will help address wind development issues along Great Lakes shorelines.

Also, the Service recently announced funding for three projects to study the spring and fall migration patterns of Indiana bats and northern long-eared bats. Bats emerging from hibernacula in the spring, as well as bats leaving maternity roosts in the fall, will be tagged and tracked to help learn how they are using the landscape during migration times, when they are most vulnerable to wind turbine mortality. This will help refine conservation measures associated with wind projects and potentially lead to strategies for reducing bat fatalities at wind turbines.

Abundance and Trend Studies

Many entities (e.g., states, USFS, National Wildlife Refuges) are conducting acoustic transect surveys as part of a larger effort to help determine bat species trends.

The Service is funding the Department of Defense and U.S. Geological Survey to conduct regional trend analyses of previously collected acoustic transect data from sites across the eastern U.S. While not targeted at northern long-eared bat, results may be informative to determine where to focus future conservation efforts.

The North American Bat Monitoring Program is a multi-agency collaborative effort currently under development to better coordinate and standardize bat population monitoring.

16. How does listing help conserve the northern long-eared bat?

Listing under the ESA helps conserve species in several ways. Listing focuses conservation planning and funding, raises awareness that can lead to additional opportunities and partners, and by regulation protects listed species from intentional and unintentional harm.

The ESA requires the Service to prepare a recovery plan for each listed species. A recovery plan identifies and prioritizes actions needed to conserve and recover a species. Non-governmental agencies, universities and other federal and state agencies often carry out conservation actions identified in recovery plans.

Federally listed threatened and endangered species are usually considered as priorities during land-use planning.

Listing protects species by prohibiting “take” under section 9 of the Act. The take prohibition includes significant habitat modification or degradation that results in the direct killing or injury

to listed animal species. States may also have their own laws restricting activity that affect federally listed species.

In addition, section 7 of the ESA protects listed species by requiring that other federal agencies formally consult with the Service to ensure that their actions are not likely to jeopardize the continued existence of a listed species or adversely modify critical habitat. Through this consultation, the Service works with the federal agency and advises on whether the actions would affect the species or critical habitat as well as ways to avoid those impacts. Listed species often become priorities for grants and other funding because of the section 7(a)(1) requirement that all federal agencies use their authorities to carry out programs for the conservation of threatened and endangered species.

17. Is the Service going to propose critical habitat for the northern long-eared bat?

In the final listing rule for the northern long-eared bat, we state that critical habitat is not determinable at this time. Thus, under the ESA, we have one year from the time a final listing rule is published to propose and determine appropriate critical habitat.

18. What can I do to help the northern long-eared bat?

Support conservation efforts and disease management efforts: Through our actions, people can play an important role in conservation efforts by observing recommendations and regulations designed to protect bat caves and mines where bats roost and hibernate. Minimizing visits and contact with roost and hibernation areas and avoiding movement of equipment and clothing among different areas, can help prevent the spread of WNS. Public use of and support for the national WNS response plan is essential for the plan to be effective. Visit www.whitenose.org for the decontamination protocols and the national plan.

Visit local parks, refuges and sanctuaries: While you enjoy these areas, your entrance fees and donations provide essential funds to manage and conserve habitat for plants and animals that rely on these lands. Visiting parks and refuges also provides opportunities to learn more about wildlife in your area.

Avoid disturbing hibernating bats: For the protection of bats and their habitats, comply with all cave and mine closures and regulations. If you are in an area without a cave and mine closure policy, follow all approved decontamination protocols. Under no circumstances should caving clothing, footwear or equipment used in a WNS-affected state or region be used in a state or region unaffected by the disease. Visit <http://whitenosesyndrome.org> for decontamination protocols and the national plan.

Install a bat box: Like most eastern bats, the northern long-eared bat moves to trees for the summer, often using dead and dying trees. When safe to do so, leave these standing, but if dead or dying trees are not available, bats may use bat boxes as replacement roost sites. Bat boxes are especially needed from April to August when females look for safe and quiet places to give birth and raise their pups.

Leave Dead and Dying Trees Standing: Like most eastern bats, the northern long-eared bat roosts in trees during summer. Where possible and not a safety hazard, leave dead or dying trees on your property. Northern long-eared bats and many other animals use these trees.

Support sustainability: Support efforts in your community, county and state to ensure that sustainability is a development goal. Sustainable living helps alleviate some of the pressures and threats on imperiled species, like the northern long-eared bat, and their habitat.

Spread the word: Understanding the important ecological role that bats play is a key to conserving the northern long-eared and other bats. Helping people learn more about the northern long bat and other endangered species can lead to more effective recovery efforts.

Join and volunteer: Join a conservation group; many have local chapters. Volunteer at a local nature center, zoo, or national wildlife refuge. Many state natural resource agencies benefit greatly from citizen involvement in monitoring wildlife. Check your state agency websites and get involved in citizen science efforts in your area.

19. What scientific data and analysis did the Service use to evaluate the status of the northern long-eared bat?

As our biologists reviewed the status of the northern long-eared bat and developed our listing proposal, we made a significant effort to obtain the best available scientific information, including contacting all state fish and wildlife agencies, other federal agencies, Native American tribes and research institutions within the species' range to request survey data and any other available information. Since publication of the proposed rule we made another data request to these same agencies and organizations for updated information including pre- and post-WNS data. Our analysis involved using this available pre-and post-WNS data and published models, in consultation with WNS experts, to assess the WNS risk to this bat and to evaluate its potential rate of spread.

We acknowledge that the Service did not adequately explain in the proposed rule the coordination process we used to work with federal and state agencies, tribes and research institutions, and the depth of data that we received from those agencies. After the proposed rule published we continued and increased our coordination with these entities. We worked through the Association of Fish and Wildlife Agencies to share and receive information from state natural resource agencies and state forestry associations. We conducted numerous conference calls with state wildlife agency directors and tribes to keep them informed, to answer questions and to receive information. We have continued data and technical assistance sharing with state and federal agencies, tribes and research institutions, and lead a WNS stakeholder team of federal and state agencies, NGOs, and universities working on addressing all aspects of WNS. The WNS team provided the information on the impact and rate of WNS spread that was used in evaluating the status of the northern long-eared bat.

20. Critics suggest that the survey data that the Service used are faulty, particularly the reliance on winter hibernacula survey data. Some have said that summer surveys show the bat's population is large and increasing.

Survey information that the Service used to assess the northern long-eared bat's population status came from many different sources, including state natural resource agency surveys, U.S. Forest Service surveys, contractors conducting surveys for agencies, and research institutions conducting basic research. There are difficulties comparing data that are collected in different ways and almost all survey techniques have some limitations, but that does not mean that the data is faulty. We used standard statistical analysis tools to compare the data and only used the data within its range of relevancy.

Hibernacula surveys are considered the best available data for cave-dwelling bats in general. However, in recognition of the limitations of these data, we generally do not use the available hibernacula counts to estimate northern long-eared bat population size. Instead we use the hibernacula data to understand and estimate population trends for the species. The relative difficulty of observing northern long-eared bats during hibernacula surveys should be consistent from year to year, and these data can be used to estimate relative change in numbers and indicate if the species is increasing or decreasing in number in those hibernacula.

The northern long-eared bat declines estimated at hibernacula are often corroborated by declines in acoustic records and mist-net captures in summer (typically where WNS has been present for 2 or more years). There are a number of long-term summer surveys that used the same survey techniques both pre- and post-WNS. These surveys document marked summer declines in nearly all WNS impacted areas. Here are four examples of results from these types of surveys:

- Virginia: total captures of northern long-eared bats:
 - pre-WNS = 175;
 - 2011 = 115;
 - 2012 = 83; and
 - 2013 = 7; a 96 percent decline in total captures.
- Pennsylvania: northern long-eared bats captured per 1,000 units
 - Pre-WNS = 2.4;
 - 2012 (after WNS) = 0.85
- New York:
 - 2003 = northern long-eared bats were captured during 90 percent of survey nights;
 - 2012 = northern long-eared bats were captured during less than one percent of survey nights.
- Indiana: No or few northern long-eared bats at mist-net sites where they had been reliably captured before WNS.

It should also be noted that mist-net surveys, in particular, are extremely sensitive to changes in effort. If higher or stable numbers of northern long-eared bats were found in recent years, it may

be due to recent increases in survey effort. Standardized catch per unit effort or other similar data are necessary to make population trend comparisons over time.

21. Did the Service consider weaknesses in hibernacula data raised by the Ingersoll *et al.* (2013) technical journal article (cited below) when making a decision on listing the northern long-eared bat?

The Service did evaluate the Ingersoll *et al* 2013 paper, which includes a critique of hibernacula survey data, pointing out the limitations of data derived from these surveys to adequately estimate regional bat populations. However, in our evaluation, we do not use hibernacula survey data to make population estimates. Hibernacula surveys are considered the preeminent source of population data for cave-dwelling bats, including the northern long-eared bat. In the listing rule, we use the hibernacula data (in addition to summer data) to understand and estimate population trends for northern long-eared bat.

Ingersoll T.E., B.J. Sewall and S.K. Amelon. 2013. Improved Analysis of Long-Term Monitoring Data Demonstrates Marked Regional Declines of Bat Populations in the Eastern United States. PLoS ONE 8(6): e65907. doi:10.1371/journal.pone.0065907

22. Some people have cited the Ingersoll *et al.* (2013) paper as evidence that the northern long-eared bat was declining before WNS caused high bat mortality. Does the Service agree?

The Service reviewed the Ingersoll *et al.* (2013) paper and we were not able to find support for the conclusion that the northern long-eared population was declining before WNS. The models used in the Ingersoll *et al.* paper to estimate regional population size over time did not compare estimates pre- to post-WNS. Thus, there is no way to identify the impact of WNS on the model results, or to show a pre-WNS model versus a post-WNS model. Moreover, the authors interpret their results to suggest that northern long-eared bat population declines did not increase as a result of WNS. The weight of other available evidence contradicts this interpretation, and still supports the conclusion that the bat was not imperiled prior to WNS.

23. Where can I learn more about the northern long-eared bat and the rule to list it as threatened?

Information is online at www.fws.gov/midwest/nleb or you may contact the U.S. Fish and Wildlife Service's Twin Cities Field Office at:

Peter Fasbender, Field Supervisor
U.S. Fish and Wildlife Service
4101 American Boulevard East
Bloomington, MN 55425
Telephone: (612)725-3548
FAX: (612) 725-3609

If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339.



Northern Long-eared Bat - Interim Final 4(d) Rule *Questions and Answers*

1. What action is the Service taking?

On January 15, 2015, the Service published a proposed rule under section 4(d) of the Endangered Species Act (ESA) for the northern long-eared bat and opened a public comment period on the proposal. Rather than publishing a final 4(d) rule at this time, we are publishing an interim 4(d) rule in conjunction with the final rule to list the northern long-eared bat as threatened. We are also opening a 90-day public comment period on the interim rule to gather additional information as we work to refine and finalize the 4(d) rule.

2. Is the 4(d) rule in effect now?

The final listing and interim rule published in the *Federal Register* on April 2, 2015, and the rule goes into effect on May 4, 2015.

3. What provisions are included in the interim 4(d) rule for the northern long-eared bat?

For all areas within the range of the northern long-eared bat, all purposeful take is prohibited except:

- removal of northern long-eared bats from human structures, and
- actions relating to capture, handling, and related activities for northern long-eared bat by individuals permitted to conduct these same activities for species of bats (for a period of one year).

For areas of the country not affected by white-nose syndrome (i.e., areas outside the white-nose syndrome buffer zone), the interim 4(d) rule exempts incidental take from all activities.

For areas of the country impacted by white-nose syndrome, take from hazardous tree removal is exempt from ESA prohibitions.

For areas of the country impacted by white-nose syndrome, the measures provided in the interim 4(d) rule exempt take from the following activities:

- forest management practices,
- maintenance and limited expansion of transportation and utility rights-of-way,
- prairie habitat management,
- limited tree removal projects, provided these activities protect known maternity roosts and hibernacula,

as long as these activities include these measures:

- (i) Activity occurs more than 0.25 mile (0.4 km) from a known, occupied hibernacula.
- (ii) Activity avoids cutting or destroying known, occupied roost trees during the pup season (June 1–July 31).

(iii) Activity avoids clearcuts (and similar harvest methods, e.g. seed tree, shelterwood and coppice) within 0.25 mile (0.4 km) of known, occupied roost trees during the pup season (June 1–July 31).

4. What is a 4(d) rule?

A 4(d) rule is one of many tools provided by the ESA to allow for flexibility in the ESA’s implementation and to tailor prohibitions to those that make the most sense for protecting and managing at-risk species. This rule, which may be applied only to species listed as threatened, directs the Service to issue regulations deemed “necessary and advisable to provide for the conservation of threatened species.”

The 4(d) rule ensures private landowners and citizens are not unduly burdened by regulations that do not further the conservation of the species and are exempted from “take” prohibitions (defined in the ESA as to harass, harm, pursue, hunt, shoot, wound, kill, etc.), when conducting certain activities. The rule is often used to clarify or simplify what forms of take of a threatened species are and are not prohibited. Without a 4(d) rule, threatened wildlife species automatically get the same protections as endangered species under section 9 of the ESA and FWS regulations.

5. Why is the Service publishing an “interim” 4(d) rule?

The intent of the proposed 4(d) rule is to lessen ESA restrictions that do not provide conservation benefit for the bat. In the proposed 4(d) rule, we specifically asked for comments on “Whether it may be appropriate to except incidental take as a result of other categories of activities beyond those covered in this proposed rule and, if so, under what conditions and with what conservation measures.” Due to the complexity of this issue, the volume of comments and the limited time between proposing the 4(d) rule and the date that the final listing rule had to be published, we decided to publish an interim 4(d) rule. An interim 4(d) rule allows incidental take exemptions to be in place when the listing of the northern long-eared bat becomes final, but also allows us additional time to open another public comment period and engage with stakeholders to explore whether additional exemptions should be included in a final 4(d) rule.

6. Why did the Service implement a 4(d) rule for the northern long-eared bat?

The primary threat to the northern long-eared bat is white-nose syndrome. This disease, first discovered in the winter of 2006-2007, has decimated many cave-hibernating bat populations in the Northeast. Since that time the disease or the fungus that causes it has spread to 28 of the 37 states (plus the District of Columbia) within the range of the northern long-eared bat. However, there are other activities considered secondary threats that may harm or kill northern long-eared bats. These activities include: cave/mine modifications, human disturbance in roosts and hibernation areas, forest habitat modification, and wind power development.

Now that the northern long-eared bat is listed under the ESA, incidental take of a bat while conducting any of these otherwise lawful activities would be prohibited without a permit or authorization. However, a 4(d) rule allows the Service to avoid regulating activities that may benefit the species or cause only limited amounts of take. This would then allow the Service and our partners to focus on actions that are most important to conserving northern long-eared bats.

7. Why does the Service believe the exempted activities identified in the interim 4(d) rule do not need to be prohibited to protect and conserve the northern long-eared bat?

The primary factor threatening the northern long-eared bat is white-nose syndrome. Other human activities, including forest management, habitat modification, destruction and disturbance may cause limited mortality, but did not cause significant population declines prior to the onset of white-nose syndrome. The cumulative mortality from these activities is expected to be minimal and not enough to impact the species' conservation. Additionally, the prohibitions may also have caused some activities beneficial to the bat to be stopped, and place an undue regulatory burden on individuals not negatively impacting northern long-eared bat populations.

In particular, in areas of the northern long-eared bat's range that have not yet been affected by white-nose syndrome, as defined in the interim rule, incidental take by any means is not prohibited. In areas of the bat's range that may be affected by white-nose syndrome, we believe incidental take caused by some tree removal and tree-clearing activities, when combined with conservation measures that protect the bat's most vulnerable life stages, does not need to be prohibited to conserve the northern long-eared bat. In addition, we believe removing bats from human dwellings does not need to be regulated.

8. How do I know if my activity is in an area of the country within the white-nose syndrome buffer zone?

The Service has identified such areas as those counties within 150 miles of the boundaries of U.S. counties or Canadian districts where the fungus *Pseudogymnoascus destructans* or white-nose syndrome has been detected. We have chosen to use county boundaries to delineate the boundary because they are clearly recognizable and will minimize confusion. If any portion of a county falls within 150 miles of a county or district where WNS has been detected, the entire county will be considered affected.

For illustrative purposes, you may view the most recent map of such areas at the following website: <http://www.fws.gov/midwest/nleb/>. Contact your local U.S. Fish and Wildlife Service Ecological Services Field Office for assistance in determining if your activity falls within an area where there are northern long-eared bat WNS infections. Visit <http://www.fws.gov/offices/index.html> to find your local office.

9. What does the Service mean by "forest management practices?" Does that include timber harvest?

The Service considers forest management practices to include a suite of activities used to maintain and manage forest ecosystems, including, but not limited to, timber harvest and other silvicultural treatments, prescribed burning, invasive species control, wildlife openings and temporary roads. These activities must be carried out using the applicable conservation measures outlined in Question 3 and the interim 4(d) rule, along with applicable state water quality best management practices.

The conversion of mature hardwood, or mixed forest into intensively managed monoculture pine plantation stands is not exempted under this interim rule, as typically these types of monoculture pine plantations provide very poor-quality bat habitat.

10. What is meant by “minimal tree removal?”

The Service considers minimal tree removal to be cutting or removal of individual or a limited number of trees as long as the activity does not significantly change the overall nature and function of the local forest habitat and is carried out under the rule’s conservation measures. By “minimal,” we mean to limit the effect to an impact of one acre or less. This could be one acre of contiguous habitat, or a total of one acre within a larger tract that is entirely forested, or a mixture of forested and non-forested cover types. Activities that remove an acre or less of forested habitat are expected to have little or no impact on the ecological value and function and, therefore, would be considered to be “minimal” as defined by this rule. Examples of activities that might fall within this category are: firewood cutting, shelterbelt renovation, removal of diseased trees, culvert replacement, habitat restoration for fish and wildlife conservation, and backyard landscaping

11. Does the interim 4(d) rule allow me to remove a northern long-eared bat from my home?

Yes. Northern long-eared bats have been documented roosting in human-made structures including buildings, barns, pavilions, sheds, cabins, under building eaves, behind shutters and in bat houses. The Service considers that the overall impact of removing northern long-eared bats from these structures is not expected to adversely affect the species’ conservation or recovery. Removal activities must comply with any applicable state laws. The Service recommends minimizing the use of pesticides and avoiding the use of sticky traps around bat roosts. If bats are to be excluded from where they are roosting, the Service recommends those exclusions be done in the spring or fall if possible. The Service also recommends you contact a nuisance wildlife specialist for humane exclusion techniques.

12. How do human activities impact northern long-eared bats, especially those populations already affected by white-nose syndrome?

Several sources of mortality may be important factors affecting the northern long-eared bat’s ability to persist while experiencing dramatic declines caused by white-nose syndrome.

Impacts to hibernacula: Cave-dwelling bats are vulnerable to human disturbance while hibernating. Bats use up their energy stores when roused and may not survive the winter, or females may not successfully give birth or rear young. Improperly designed or installed gates or other structures to exclude people from caves and mines may restrict bat flight and movement and change airflow and internal cave and mine microclimates. A few degrees change can make a cave unsuitable for hibernating bats. Many agencies and organizations are working to protect caves and mines that are important hibernacula for cave-dwelling bats.

Loss or degradation of summer habitat: Many activities such as commercial and residential development, transportation and energy rights-of-way development, surface mining and wind facility construction permanently remove habitat and are prevalent in many areas of this bat’s range. Timber harvest and forest management can remove or degrade summer roosting and foraging habitat. When done during the active season, these activities can also directly kill or injure bats by cutting down their roosts.

Wind farm operation: Wind turbines kill bats, including northern long-eared bats, although only a relatively small number have been documented to date. However, there are many wind projects within a large portion of the bat's range, and many more are planned. The Service and others are working to minimize bat mortality from wind turbines on several fronts. We fund and conduct research to determine why bats are susceptible to turbines, how to operate turbines to minimize mortality, and where important bat migration routes are located. The Service, state natural resource agencies, and wind energy industry are developing a Midwest Wind Energy Multi-Species Habitat Conservation Plan, which will provide wind farms a mechanism to continue operating legally while minimizing and mitigating listed bat mortality. In other Service regions, individual HCPs that include the northern long-eared bat are in development.

13. How are private landowners affected by the interim 4(d) rule?

Many factors dictate whether a wooded area provides northern long-eared bat habitat or whether the bats use the area. For private actions on private property, we do not presume that northern long-eared bats are present in all wooded areas throughout its range, and we do not require private landowners to conduct surveys. However, with the 4(d) rule in place, landowners have the added certainty that any incidental take resulting from the exempted activities are not prohibited.

14. How are states and tribes affected by the 4(d) rule?

Similar to private actions on private lands, we do not require states and tribes to survey for listed species before conducting actions that do not have a federal nexus. But, if listed species are known to occur in an area and a proposed action is likely to cause incidental take, then development of a Habitat Conservation Plan, in conjunction with an application for an Incidental Take Permit, would be necessary. With the interim 4(d) rule in place, incidental take permits will not be required for activities exempted in the 4(d) rule.

15. How are federal agencies affected by the 4(d) rule?

The ESA holds federal agencies to higher standards than private landowners, states and tribes. Under section 7 of the ESA, federal agencies must consult with the Service to ensure that any action they authorize, fund, permit or carry out does not jeopardize the existence of a listed species. This requirement does not change when a 4(d) rule is implemented. Federal agencies are still required to consult with the Service on actions that may affect the northern long-eared bat. However, with a 4(d) rule in place, any actions taken by an agency that are exempted in the 4(d) rule will not require an incidental take statement in a biological opinion.

16. How will the interim 4d rule help federal agencies comply with their section 7 consultation requirements for activities taking place in forested areas during the breeding season?

We believe that with the interim 4(d) rule in place on the effective date of the final listing rule, and the advance work that we and other federal agencies have done during the proposal period, most federal agencies will be able to comply with their section 7 consultation requirements and the listing should not prevent or delay their activities. For example, the Service's Northern Long-eared Bat Interim Conference and Planning Guidance has assisted many federal agencies with assessing the impact their activities may have on the bat. We will continue to work with all

federal agencies to help them understand where and to what extent their activities may have an effect on the bat.

17. Are there similarities between the northern long-eared bat and the endangered Indiana bat, whose range overlaps that of the northern?

The Indiana bat was recognized as an endangered species in 1967 when populations were declining primarily due to human disturbance at hibernation sites. Indiana bats are found in 20 states across much of the eastern half of the country. Like northern long-eared bats, Indiana bats hibernate in caves and use forested habitat in the summer to roost and raise their young. We expect that any best management practices recommended for the northern long-eared bat would be very similar to recommendations for the Indiana bat.

Since the Indiana bat was listed, we have worked with a variety of federal, state and private partners to conserve the Indiana bat. For example, we have funded research, gated and protected hibernacula, protected summer habitat, and worked with various entities to minimize impacts from projects on the species. Since white-nose syndrome has affected Indiana bats, we have focused on also addressing this new threat to the species.

18. How has the Indiana bat's endangered status affected development within its range, and do you expect the impacts to be similar for northern long-eared bat for activities not exempted under the interim 4(d) rule?

Our approach to conservation of the Indiana bat is to work with states and federal partners at the planning stage to avoid and minimize impacts on the species and to mitigate remaining impacts. In this way, projects are not delayed, but carried out to be the least environmentally detrimental, with mitigation to offset unavoidable losses. If listed, we expect to work in a similar way to conserve the northern long-eared bat.

19. Are entities with HCPs, completed consultations or other conservation agreements for Indiana bats covered for the northern long-eared bat?

No, any existing vehicle (i.e., HCPs and section 7 consultations) that provides an exemption from ESA take prohibitions will need to be updated to include northern long-eared bats. If the 4(d) rule is adopted, actions exempted by the rule would not require a permit and thus would not need to be included in an HCP. For section 7 consultations, take from those actions would not be included in an incidental take statement.

20. What are examples of a 4(d) rule aiding in the conservation of a threatened species?

In 2014, the Service listed the Dakota skipper, a prairie butterfly, as threatened and implemented a 4(d) rule. The listing prohibits actions that threaten the Dakota skipper, but the 4(d) rule also provides flexibility to non-federal landowners for specific activities that do not negatively affect the species' conservation. The rule exempts from take prohibitions some actions associated with ranching, such as grazing, fencing, watering livestock and haying after July 15. Although some of these activities may impact some individual Dakota skippers, many can result in benefits to the species. For more information, go to

<http://www.fws.gov/midwest/endangered/insects/dask/DASKfinal4dRuleFAQs22Oct2014.html>

In March 2014, the Service finalized a special 4(d) rule for the lesser prairie-chicken concurrently with the listing of the species as threatened. The Service developed the 4(d) rule in

recognition of significant and ongoing efforts of states and landowners to conserve this ground-dwelling bird. The 4(d) rule allows the five range states to continue to manage conservation efforts for the species and avoid further regulation of activities such as oil and gas development and utility line maintenance that are covered under the Western Association of Fish and Wildlife Agencies' range-wide conservation plan for the lesser prairie-chicken. The special rule also establishes that conservation practices carried out through the USDA Natural Resources Conservation Service's Lesser Prairie-Chicken Initiative and through ongoing normal agricultural practices on existing cultivated land are all in compliance with the ESA and not subject to further regulation.

21. How can the public have input into the 4(d) rule development process?

You may submit comments on the interim 4(d) rule by one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter FWS-R5-ES-2011-0024, which is the docket number for this rulemaking. You may submit a comment by clicking on "Comment Now!"

(2) By hard copy: Submit by U.S. mail or hand-delivery to:

Public Comments Processing, Attn: FWS-R5-ES-2011-0024
Division of Policy, Performance, and Management Programs
U.S. Fish and Wildlife Service, MS: BPHC
5275 Leesburg Pike
Falls Church, VA 22041-3803

We request that you send comments only by one of the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us. Deadline for comments is July 1, 2015.

22. Where can I find more information?

For more information about the northern long-eared bat, the final listing as threatened, the 4(d) rule and related information, visit the Service's web site at www.fws.gov/midwest/endangered/mammals/nleb



Do I Need A Permit?

A Key to Northern Long-eared Bat Interim 4(d) Rule for non-Federal Projects

1. Using this map <http://www.fws.gov/midwest/endangered/mammals/nleb/nlebRangeMap.html> , does your project take place within the range of the northern long-eared bat?

NO

No further action is necessary.

YES

Continue to question 2.

2. Northern long-eared bats hibernate in caves during the winter and often raise their young in trees during the summer. They also migrate between their winter and summer habitats each year. With this in mind, is it possible that your project could harm, kill or otherwise harass (also known as "take") any northern long-eared bats? For example, are you clearing trees where northern long-eared bats could be living?

NO

No further action is necessary to comply with Endangered Species Act protections for the northern long-eared bat.

YES

Continue to question 3.

3. Will the action that causes take of bats be purposeful or incidental?

Purposeful Take – All or part of the purpose of the action is to handle bats in a way that may result in harm, harassment or killing of bats. An example of purposeful take would be removing bats that are roosting in the attic of your home.

If action is PURPOSEFUL, continue to 4A.

Incidental Take – When take of bats is a side effect of otherwise lawful actions. An example of incidental take would be if bats roosting in a tree are killed when the tree is cut for harvest or clearing purposes.

If the action may cause INCIDENTAL take, go to 4B.

4A. PURPOSEFUL TAKE - Is the action:

- 1) Removal of bats from a human structure, *or*
- 2) The capture or other related activities for northern long-eared bats undertaken by individuals authorized to conduct these same activities for other bats listed under the Endangered Species Act *and* the action is taking place within one year of the effective date of the interim 4(d) rule?

YES

These activities are exempted by the 4(d) rule and no further action is necessary to comply with Endangered Species Act requirements to protect northern long-eared bats.

NO

Because this is purposeful take of northern long-eared bats, a permit cannot be issued for the activity. This take is prohibited under the Endangered Species Act.

4B. Is the action within the White-nose Syndrome Buffer Zone?

<http://www.fws.gov/midwest/nleb/WNSBuffer.pdf>

YES

Continue to question 5.

NO

No further action is necessary to comply with Endangered Species Act requirements to protect northern long-eared bats. Under the 4(d) rule, all incidental take outside the white-nose syndrome buffer zone is exempted from ESA prohibitions.

5. Is your activity (which may cause take of bats) any of the following actions?

- Forest management
- Maintenance or expansion of existing rights-of-way and transmission corridors (work occurs no further than 100 feet on either or both sides of existing right-of-way)
- Native prairie management
- Minimal tree removal
- Hazardous tree removal

YES

Continue to question 6.

NO

The incidental take that may result from your project is not exempted by the 4(d) rule and an incidental take permit may be necessary. Please contact the U.S. Fish and Wildlife Service Ecological Services Field Office nearest to your project area. Field Office locations and contact

information may be found at www.fws.gov/offices. If you are in Wisconsin, please contact the Twin Cities Field Office.

6. Is your action hazardous tree removal?

YES

The incidental take that may result from your project is exempted by the 4(d) rule and no further action is necessary to comply with ESA prohibitions to protect northern long-eared bats.

No

Continue to question 7.

7. Has a northern long-eared bat maternity roost tree or hibernacula been documented on or near the project area?

YES

Continue to question 8.

NO

The incidental take that may result from your project is exempted by the 4(d) rule and no further action is necessary to comply with ESA prohibitions to protect northern long-eared bats.

I DON'T KNOW

We suggest that you contact the U.S. Fish and Wildlife Service Ecological Services Field Office nearest to your project area. Field Office locations and contact information may be found at www.fws.gov/offices. If you are in Wisconsin, please contact the [Twin Cities Field Office](#).

8. Northern long-eared bats use their maternity roost trees and hibernacula repeatedly for many years. Unless a survey or other information indicates otherwise, if the habitat around a roost is intact and the tree is suitable, we would conclude that the tree is likely an occupied maternity roost during the pup season (June 1 - July 31). Similarly, we would assume that a hibernaculum remains occupied unless a survey or other information indicates otherwise.

Therefore, if you have a northern long-eared bat roost tree or hibernacula documented on or near your project area, any incidental take of bats will be exempted by the 4(d) rule if you follow these conservation measures:

- Do not conduct any activities within ¼ mile of known, occupied hibernacula;
- Do not cut or destroy a known, occupied roost tree from June 1 to July 31 (the pup season);
- Do not clearcut (and similar harvest methods that cut most or essentially all trees from an area, e.g., seed tree, shelterwood, and coppice) within a ¼ mile of known, occupied roost trees from June 1 to July 31.

Are you going to follow the above listed conservation measures?

YES

The incidental take that may result from your project is exempted by the 4(d) rule and no further action is necessary on your behalf in order to protect northern long-eared bats.

NO

The incidental take that may result from your project is not exempted by the 4(d) rule and an incidental take permit may be necessary. Please contact the U.S. Fish and Wildlife Service Ecological Services Field Office nearest the project area. Field Office locations and contact information may be found at www.fws.gov/offices.

Definitions and Additional Information about Terms

Human Structures - includes houses, barns, pavilions, sheds and cabins.

Forest Management - Forestry management is the practical application of biological, physical, quantitative, managerial, economic, social, and policy principles to the regeneration, management, utilization and conservation of forests to meet specific goals and objectives (Society of American Foresters (SAF)(a), http://dictionaryofforestry.org/dict/term/forest_management). Forestry management includes the suite of activities used to maintain and manage forest ecosystems, including, but not limited to: timber harvest and other silvicultural treatments, prescribed burning, invasive species control, wildlife openings, and temporary roads.

The conversion of mature hardwood, or mixed, forest into intensively managed monoculture pine plantation stands, or non-forested landscape, is not exempted under this interim rule, as typically these types of monoculture pine plantations provide poor-quality bat habitat. Pine plantations are densely planted (*e.g.*, typically 675 to 750, or more, trees per acre) and are comprised of single-age or similar age class timber. They are typically managed for timber production with, depending on the product, a uniform, planned endpoint. Maximum stocking rates and short rotations result in the forfeiture of structural diversity in exchange for elevated rates of wood productivity. Plantation productivity may be further enhanced through the use of genetically improved stock, fertilization, extensive site preparation, and reduction of competition. These management actions prohibit variably stocked stands, layers of understory and midstory vegetation, and longer rotations that enhance and maintain habitat traits required by many forest-dependent wildlife species (Allen *et al.* 1996, p. 13).

“Known, occupied hibernacula” - locations where one or more northern long-eared bats have been detected during hibernation or at the entrance during fall swarming or spring emergence. Given the documented challenges of surveying for northern long-eared bats in the winter (use of cracks, crevices), any hibernacula with northern long-eared bats observed at least once, will continue to be considered “known hibernacula” as long as the hibernacula and its surrounding habitat remain suitable for northern long-eared bat. However, a hibernaculum may be considered to be unoccupied if there is evidence (*e.g.*, survey data) that it is no longer in use by northern long-eared bats.

Coordination with your local Ecological Services Field Office is recommended to determine specific locations. Visit <http://www.fws.gov/offices/> to find the Field Office nearest you.

Known roost trees – trees that northern long-eared bats have been documented as using during the active season (approximately April – October). Once documented, a tree will be considered to be a “known roost” as long as the tree and surrounding habitat remain suitable for northern long-eared bat. However, a tree may be considered to be unoccupied if there is evidence that the roost is no longer in use by northern long-eared bats.

Rights-of-way and transmission corridors

Rights-of-way and transmission corridors - are in place for activities such as transportation (*i.e.*, highways, railways), utility transmission lines, and energy delivery (pipelines), though they are not limited to just these types of corridors.

Maintenance of existing rights-of-way and transmission corridors - Routine maintenance within an existing corridor or right-of-way maintenance is designed to limit vegetation growth, within an existing footprint, so that operations can continue smoothly. These activities may include tree trimming or removal, mowing, and herbicide spraying. However, depending on the purpose of the corridor or right-of-way, maintenance may only be performed infrequently and trees and shrubs may encroach into, or be allowed to grow within, the right-of-way until such a time as maintenance is required.

Expansion of existing rights-of-way and transmission corridors - Expansion of a corridor or right-of-way by up to 100 feet (30 m) from the edge of an existing cleared corridor or right-of-way. Expansion of these areas requires removal of vegetation along the existing ROW to increase capacity (*e.g.*, road widening).

Native prairie management - Prairie management involves management to maintain existing prairies and grasslands or efforts to reestablish grasslands that had previously been converted, usually to cropland. Landowners and agencies working to establish or conserve prairies may have to manage trees and brush in order to maintain grasslands. Management activities include cutting, mowing, burning, grazing or herbicide use on woody vegetation to minimize encroachment into prairies.

Minimal tree removal - many activities that involve cutting or removal of individual or limited numbers of trees do not significantly change the overall nature and function of the local forested habitat. Some of these activities include firewood cutting, shelterbelt renovation, removal of diseased trees, tree removal for other small projects (*i.e.*, culvert replacement), habitat restoration for fish and wildlife conservation, and backyard landscaping.

With respect to the term “minimal,” we limit the effect to an impact of one acre of contiguous habitat or one acre in total within a larger tract, whether that larger tract is entirely forested or a mixture of forested and non-forested cover types. Tract may be further defined as the property under the control of the project proponent or ownership.

Hazardous Tree Removal - Removal of hazardous trees is typically done as deemed necessary for human safety or for the protection of human facilities. Hazardous trees typically have defects in their roots, trunk, or branches that make them likely to fall, with the likelihood of causing personal injury or property damage. Wherever possible, it is ideal for removal of hazardous trees to be done during the winter when these trees will not be occupied by bats.

White-nose Syndrome Buffer Zone – the set of counties within the range of the northern long-eared bat range within 150 miles of the boundaries of U.S. counties or Canadian districts where the fungus *Pseudogymnoascus destructans* or WNS has been detected.
www.fws.gov/midwest/nleb/WNSBuffer.pdf



Northern Long-Eared Bat

Myotis septentrionalis

The northern long-eared bat is federally listed as a threatened species under the Endangered Species Act. **Endangered** species are animals and plants that are in danger of becoming extinct. **Threatened** species are animals and plants that are likely to become endangered in the foreseeable future. Identifying, protecting and restoring endangered and threatened species is the primary objective of the U.S. Fish and Wildlife Service's Endangered Species Program.

What is the northern long-eared bat?

Appearance: The northern long-eared bat is a medium-sized bat with a body length of 3 to 3.7 inches and a wingspan of 9 to 10 inches. Their fur color can be medium to dark brown on the back and tawny to pale-brown on the underside. As its name suggests, this bat is distinguished by its long ears, particularly as compared to other bats in its genus, *Myotis*.

Winter Habitat: Northern long-eared bats spend winter hibernating in caves and mines, called hibernacula. They use areas in various sized caves or mines with constant temperatures, high humidity, and no air currents. Within hibernacula, surveyors find them hibernating most often in small crevices or cracks, often with only the nose and ears visible.

Summer Habitat: During the summer, northern long-eared bats roost singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags (dead trees). Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. They rarely roost in human structures like barns and sheds.

Reproduction: Breeding begins in late summer or early fall when males begin to swarm near hibernacula. After



Photo by Steve Taylor, University of Illinois

This northern long-eared bat, observed during an Illinois mine survey, shows visible symptoms of white-nose syndrome.

copulation, females store sperm during hibernation until spring. In spring, females emerge from their hibernacula, ovulate and the stored sperm fertilizes an egg. This strategy is called delayed fertilization.

After fertilization, pregnant bats migrate to summer areas where they roost in small colonies and give birth to a single pup. Maternity colonies of females and young generally have 30 to 60 bats at the beginning of the summer, although larger maternity colonies have also been observed. Numbers of bats in roosts typically decrease from the time of pregnancy to post-lactation. Most bats within a maternity colony give birth around the same time, which may occur from late May or early June to late July, depending where the colony is located within the species' range. Young bats start flying by 18 to 21 days after birth. Maximum lifespan for the northern long-eared bat is estimated to be up to 18.5 years.

Feeding Habits: Like most bats, northern long-eared bats emerge at dusk to feed. They primarily fly through the

understory of forested areas feeding on moths, flies, leafhoppers, caddisflies, and beetles, which they catch while in flight using echolocation or by gleaning motionless insects from vegetation.

Range: The northern long-eared bat's range includes much of the eastern and north central United States, and all Canadian provinces from the Atlantic Ocean west to the southern Yukon Territory and eastern British Columbia. The species' range includes 37 States and the District of Columbia: Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Why is the northern long-eared bat in trouble?

White-nose Syndrome: No other threat is as severe and immediate as

this. If this disease had not emerged, it is unlikely that northern long-eared bat populations would be experiencing such dramatic declines. Since symptoms were first observed in New York in 2006, white-nose syndrome has spread rapidly from the Northeast to the Midwest and Southeast; an area that includes the core of the northern long-eared bat's range, where it was most common before this disease. Numbers of northern long-eared bats (from hibernacula counts) have declined by up to 99 percent in the Northeast. Although there is uncertainty about the rate that white-nose syndrome will spread throughout the species' range, it is expected to continue to spread throughout the United States in the foreseeable future.

Other Sources of Mortality:

Although no significant population declines have been observed due to the sources of mortality listed below, they may now be important factors affecting this bat's viability until we find ways to address WNS.

Impacts to Hibernacula: Gates or other structures intended to exclude people from caves and mines not only restrict bat flight and movement, but also change airflow and microclimates. A change of even a few degrees can make a cave unsuitable for hibernating bats. Also, cave-dwelling bats are vulnerable to human disturbance while hibernating. Arousal during hibernation causes bats to use up their energy stores, which may lead to bats not surviving through winter.

Loss or Degradation of Summer

Habitat: Highway construction, commercial development, surface mining, and wind facility construction permanently remove habitat and are activities prevalent in many areas of this bat's range. Many forest management activities benefit bats by keeping areas forested rather than converted to other uses. But, depending on type and timing, some forest management activities can cause mortality and temporarily remove or degrade roosting and foraging habitat.

Wind Farm Operation: Wind turbines kill bats, and, depending on the species, in very large numbers. Mortality from windmills has been documented for northern long-eared bats, although a

small number have been found to date. However, there are many wind projects within a large portion of the bat's range and many more are planned.

What Is Being Done to Help the Northern Long-Eared Bat?

Disease Management: Actions have been taken to try to reduce or slow the spread of white-nose syndrome through human transmission of the fungus into caves (e.g. cave and mine closures and advisories; national decontamination protocols). A national plan was prepared by the Service and other state and federal agencies that details actions needed to investigate and manage white-nose syndrome. Many state and federal agencies, universities and non-governmental organizations are researching this disease to try to control its spread and address its affect. See www.whitenosesyndrome.org/ for more.

Addressing Wind Turbine

Mortality: The Service and others are working to minimize bat mortality from wind turbines on several fronts. We fund and conduct research to determine why bats are susceptible to turbines, how to operate turbines to minimize mortality and where important bird and bat migration routes are located. The Service, state natural resource agencies, and the wind energy industry are developing a Midwest Wind Energy Habitat Conservation Plan, which will provide wind farms a mechanism to continue operating legally while minimizing and mitigating listed bat mortality.

Listing: The northern long-eared bat is listed as a threatened species under the federal Endangered Species Act. Listing a species affords it the protections of the Act and also increases the priority of the species for funds, grants, and recovery opportunities.

Hibernacula Protection: Many federal and state natural resource agencies and conservation organizations have protected caves and mines that are important hibernacula for cave-dwelling bats.

What Can I Do?

Do Not Disturb Hibernating Bats:

To protect bats and their habitats, comply with all cave and mine closures, advisories, and regulations. In areas without a cave and mine closure policy, follow approved decontamination protocols (see <http://whitenosesyndrome.org/topics/decontamination>). Under no circumstances should clothing, footwear, or equipment that was used in a white-nose syndrome affected state or region be used in unaffected states or regions.

Leave Dead and Dying Trees

Standing: Like most eastern bats, the northern long-eared bat roosts in trees during summer. Where possible and not a safety hazard, leave dead or dying trees on your property. Northern long-eared bats and many other animals use these trees.

Install a Bat Box: Dead and dying trees are usually not left standing, so trees suitable for roosting may be in short supply and bat boxes may provide additional roost sites. Bat boxes are especially needed from April to August when females look for safe and quiet places to give birth and raise their pups.

Support Sustainability: Support efforts in your community, county and state to ensure that sustainability is a development goal. Only through sustainable living will we provide rare and declining species, like the northern long-eared bat, the habitat and resources they need to survive alongside us.

Spread the Word: Understanding the important ecological role that bats play is a key to conserving the northern long-eared and other bats. Helping people learn more about the northern long-eared bat and other endangered species can lead to more effective recovery efforts. For more information, visit www.fws.gov/midwest/nleb and www.whitenosesyndrome.org

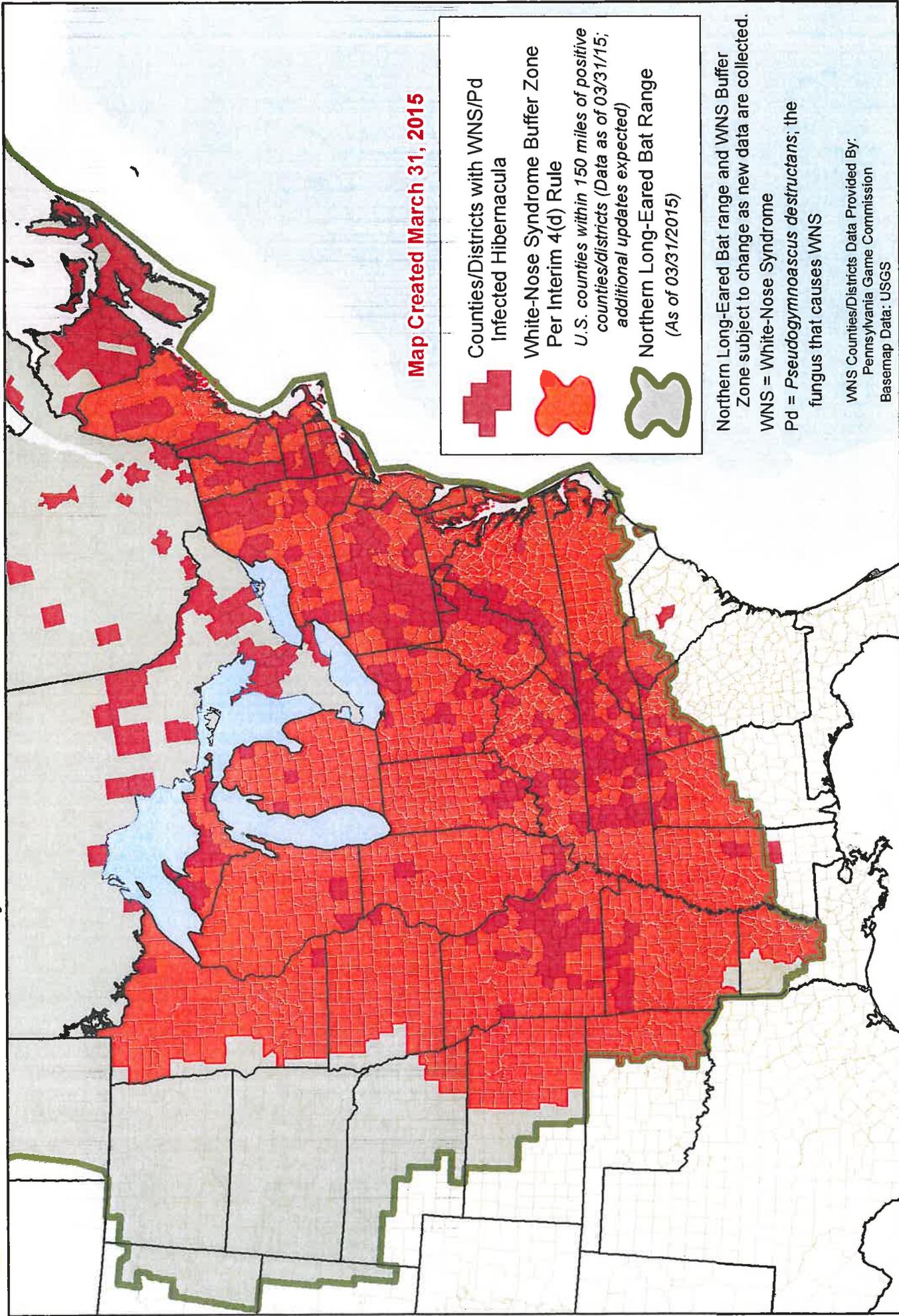
Join and Volunteer: Join a conservation group; many have local chapters. Volunteer at a local nature center, zoo, or national wildlife refuge. Many state natural resource agencies benefit greatly from citizen involvement in monitoring wildlife. Check your state agency websites and get involved in citizen science efforts in your area.



U.S. Fish & Wildlife Service

Northern Long-Eared Bat Interim 4(d) Rule

White-Nose Syndrome Buffer Zone Around WNS/Pd Positive Counties/Districts



Map Created March 31, 2015

-  Counties/Districts with WNS/Pd Infected Hibernacula
-  White-Nose Syndrome Buffer Zone Per Interim 4(d) Rule
-  Northern Long-Eared Bat Range (As of 03/31/2015)

U.S. counties within 150 miles of positive counties/districts (Data as of 03/31/15; additional updates expected)

Northern Long-Eared Bat range and WNS Buffer Zone subject to change as new data are collected.

WNS = White-Nose Syndrome

Pd = *Pseudogymnoascus destructans*; the fungus that causes WNS

WNS Counties/Districts Data Provided By:
 Pennsylvania Game Commission
 Basemap Data: USGS

DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE
310 LUDINGTON STREET
ESCANABA, MICHIGAN 49829
PHONE: 906-789-5100
FAX: 906-789-5197



March 5, 2015

Sally Schultz
E4040 Hwy M-35
Bark River, MI 49807

Dear Ms. Schultz :

At their regular meeting of March 3, 2015, the Delta County Board of Commissioners decided to appoint another individual to the Pathways Authority Board.

The Board would like to thank you for the leadership and dedicated service you have provided to the citizens of Delta County, while a member of the Pathways Authority Board, and wishes you the best of luck in your future endeavors.

Again, thank you for your service.

Sincerely yours,

A handwritten signature in black ink that reads "Mary K. Harrington". The signature is written in a cursive style and is positioned to the right of the typed name.

Mary K. Harrington, Chairperson
Delta County Board of Commissioners

DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE
310 LUDINGTON STREET
ESCANABA, MICHIGAN 49829
PHONE: 906-789-5100
FAX: 906-789-5197



March 5, 2015

Ms. Florence Cutter
8853 Twp Hall X.5 RD
Rapid River, MI 49878

RE: Pathways Authority Board

Dear Ms. Cutter:

Congratulations on your recent re-appointment to the Pathways Authority Board.

Enclosed is an Oath of Office. Please sign this document in front of a Notary Public and return it to the County Clerk's Office, at the Delta County Courthouse, as soon as possible. For your convenience, a Notary Public is located in the Clerk's office during the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday.

The Delta County Board of Commissioners looks forward to working with you in the upcoming years.

Sincerely,

Mary K. Harrington, Chairperson
Delta County Board of Commissioners

Enclosure

DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE
310 LUDINGTON STREET
ESCANABA, MICHIGAN 49829
PHONE: 906-789-5100
FAX: 906-789-5197



March 5, 2015

George Botbyl
7307 Lake Bluff 19.4 Rd
Gladstone, MI 49837

RE: Pathways Authority Board

Dear George:

Congratulations, At their regular meeting of March 3, 2015, the Delta County Board of Commissioners appointed you to the Pathways Authority Board. Your term will expire on 3-31-2018.

Enclosed is an Oath of Office. Please sign this document in front of a Notary Public and return it to the County Clerk's Office as soon as possible. For your convenience, a Notary Public is located in the County Clerk's office at the Delta County Courthouse during the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday.

The Delta County Board of Commissioners looks forward to working with you during the upcoming year.

Sincerely,

A handwritten signature in black ink that reads "Mary K. Harrington". The signature is written in a cursive style.

Mary K. Harrington, Chairperson
Delta County Board of Commissioners

Enclosure

DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE
310 LUDINGTON STREET
ESCANABA, MICHIGAN 49829
PHONE: 906-789-5100
FAX: 906-789-5197



March 5, 2015

Joel Frizzell
3064 Truex 24th Rd
Cornell, MI 49818

RE: Brownfield Redevelopment Authority

Dear Joel:

Congratulations, At their regular meeting of March 3, 2015, the Delta County Board of Commissioners appointed you to the Brownfield Redevelopment Authority. Your term will expire on 5-31-2016.

Enclosed is an Oath of Office. Please sign this document in front of a Notary Public and return it to the County Clerk's Office as soon as possible. For your convenience, a Notary Public is located in the County Clerk's office at the Delta County Courthouse during the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday.

The Delta County Board of Commissioners looks forward to working with you during the upcoming year.

Sincerely,

A handwritten signature in black ink, reading "Mary K. Harrington", written in a cursive style.

Mary K. Harrington, Chairperson
Delta County Board of Commissioners

Enclosure

DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE
310 LUDINGTON STREET
ESCANABA, MICHIGAN 49829
PHONE: 906-789-5100
FAX: 906-789-5197



March 5, 2015

Dennis A. Wiltzius
9427 Stage Coach Q.5 Ave
Gladstone, MI 49837

RE: Building Authority

Dear Dennis:

Congratulations, At their regular meeting of March 3, 2015, the Delta County Board of Commissioners appointed you to the Building Authority. Your term will expire on 11-01-2015.

Enclosed is an Oath of Office. Please sign this document in front of a Notary Public and return it to the County Clerk's Office as soon as possible. For your convenience, a Notary Public is located in the County Clerk's office at the Delta County Courthouse during the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday.

The Delta County Board of Commissioners looks forward to working with you during the upcoming year.

Sincerely,

A handwritten signature in black ink, reading "Mary K. Harrington", written in a cursive style.

Mary K. Harrington, Chairperson
Delta County Board of Commissioners

Enclosure

**Menominee-Delta-Schoolcraft
Community Action Agency**

GOVERNING BOARD MEETING

**Thursday, January 8, 2015
511 First Avenue North, Escanaba MI
12:30 p.m. (EST)**

MINUTES

The meeting was called to order at 12:31 p.m. by Chair Karen Wigand. A quorum was noted with the following in attendance:

MEMBERS PRESENT

Karen Wigand, Delta
Omer Doran, Schoolcraft
Dan LaFoille, Schoolcraft
Susan Kleikamp, Menominee
Clyde Thoune, Menominee
Tom Lippens, Delta
Susan Phillips, Schoolcraft
Myra Croasdell, Delta
Julie Moberg, Delta
Dave Anthony, Menominee
Geri Nelson, Delta
Ken Penokie, Delta

OTHERS PRESENT

Bill Dubord, Executive Director
Cathy Pearson, Executive Assistant
Theresa Nelson, RSVP Director
Sally Kidd, Senior Services Director
Mary Bunnin, FGP Director
Connie Maule, SCP Director
Joe Dehlin, Weatherization Director
Kim Johnson, ECP Director
Bernie Lang, Menominee Co. Commissioner

MEMBERS ABSENT

Mari Negro, excused
Kristi Wood, excused
Lee Robbert, excused
Cathy Mercier
Dave Moyle
Doug Kreinke

Karen introduced and welcomed new board member, Clyde Thoune who is representing the Mid-County Senior Center.

APPROVAL OF NOVEMBER 6, 2014 GOVERNING BOARD MINUTES

Members received a draft of the November 6, 2014 Governing Board minutes for their review and they were **APPROVED WITH A MOTION FROM MR. DORAN, SECONDED BY DAN LAFOILLE; MOTION CARRIED.**

UPCOMING ADMINISTRATIVE STAFF CHANGE

Members had been notified by mail that our Early Childhood Program Director, Kim Johnson, has submitted her resignation to be effective this coming spring. The Chair called on Bill Dubord who indicated we will miss her but wish her well in her new endeavor. It was noted that the Policy Council and Governing must approve hire of the ECP Director. It was suggested that at least one member of the ECP Committee help with interviews and possibly with screening the resumes with the Executive Director. Julie Moberg and Myra Croasdell volunteered to assist in any way needed. Since there is no board meeting in February and the hire has to be approved by the board, the members were asked if they wish to give the Executive Committee (the officers) authority to approve the hire should timing be an issue. **MR. PENOKIE MOVED TO GIVE THE**

EXECUTIVE COMMITTEE AUTHORITY TO APPROVE THE HIRE OF THE NEW ECP DIRECTOR, SECONDED BY GERI NELSON; MOTION CARRIED.

Karen announced that our Executive Director will be retiring sometime in 2015. She indicated that she really appreciates the amount of notice he is giving the organization and his concern for leaving our organization in a good position for the new person. He notified the Finance Committee because of financial considerations regarding health insurance, vacation pay, etc. that will affect when he decides to officially retire. Also, if the board feels that it may be good for him to serve in a consultant role when the new person comes on, that may be a consideration. **KEN PENOKIE MOVED TO HAVE THE FINANCE COMMITTEE WORK OUT BILL'S EXIT DETAILS AND BRING IT TO THE FULL BOARD FOR APPROVAL, SECONDED BY SUSAN PHILLIPS; MOTION CARRIED.** Members were reminded that the board recently passed a succession plan policy for replacing the Executive Director and it charges the Personnel Committee with assisting in the hiring process.

Bill told the board that he has had great staff and board members to work with over his tenure and is proud of the many accomplishments that have been achieved since 1981.

ACCEPTANCE OF REAPPOINTMENT OF TOM LIPPENS BY THE DELTA/SCHOOLCRAFT COMMUNITY LABOR COUNCIL

Members received a copy of a letter from the D/S Community Labor Council reappointing him to our Governing and this was **ACCEPTED WITH A MOTION FROM DAVE ANTHONY, SECONDED BY SUSAN KLEIKAMP; MOTION CARRIED.**

FINANCE COMMITTEE REPORT

The Chair called on Treasurer Dan LaFoille who reported that the Finance Committee met on 12/11/14 & 1/8/15 and reviewed the October and November Accounts Payable Schedules and recommends their approval – **THIS WAS DONE WITH A MOTION FROM SUSAN KLEIKAMP, SUPPORTED BY TOM LIPPENS; MOTION CARRIED.** The auditors will be sending out a questionnaire to all board members and you are asked to fill it out to the best of your ability. If you have any questions about the questions please contact our auditing firm for clarification. **(see attachment "A")**

PERSONNEL COMMITTEE REPORT

Karen Wigand called on Ms. Kleikamp who reported that the Personnel Committee met on 12/16/14 to begin the process of reviewing and revising the Personnel Policies. There were only 2 out of 8 committee members present. If you are on the Personnel Committee (D. Moyle, K Wigand, S. Kleikamp, G. Nelson, J. Stapleton, K. Penokie, S. Phillips, M. Croasdell) but are unable to attend most of the committee meetings, please let us know & we will take you off the committee if you wish. The next Personnel Committee meeting will be on February 5th at 11:00 a.m. **MS. PHILLIPS MOVED TO ACCEPT THE PERSONNEL COMMITTEE REPORT, SECONDED BY MR. LAFOILLE; MOTION CARRIED. (see attachment "B")**

REVIEW/APPROVAL OF AGENCY MISSION STATEMENT

Members were mailed a copy of the agency's mission statement for their review and **IT WAS APPROVED WITH A MOTION FROM KEN PENOKIE, SECONDED BY DAN LAFOILLE; MOTION CARRIED.**

RESOLUTION FOR SIGNATURES FOR SAFETY DEPOSIT BOX

We recently discovered that the authorized signers for our safety deposit box include one deceased board member and one who is no longer on the board. Therefore we are requesting a resolution authorizing the Chair, Treasurer, Executive Director and Finance Director to be authorized signers on the agency's safety deposit box. **THIS WAS DONE WITH A MOTION FROM TOM LIPPENS, SECONDED BY DAVE ANTHONY; MOTION CARRIED.**

HEALTH & SAFETY 45 DAY REQUIREMENT CERTIFICATION

A new requirement in the Early Childhood Program is that the board certify that the Health & Safety Checklist is completed within 45 days of receiving the grant award. The ECP Director informed the board that this has been done. **MR. LAFOILLE MOVED TO HAVE THE BOARD CERTIFY THAT THE HEALTH & SAFETY CHECKLIST WAS COMPLETED WITHIN THE 45 DAY REQUIREMENT; SECONDED BY KEN PENOKIE; MOTION CARRIED.**

APPROVAL OF 11/19/14 HEAD START/ECP POLICY COUNCIL MINUTES

Members were given a copy of the 11/19/14 Head Start/ECP Policy Council minutes for their review. There were no questions or comments **AND THEY WERE APPROVED UPON A MOTION FROM JULIE MOBERG, SUPPORTED BY OMER DORAN; MOTION CARRIED.**

ACCEPTANCE OF ECP MONTHLY REPORT DATED 1/5/15

Members were given a copy of the ECP report dated 1/5/15 for their review. There were no questions or comments **AND THEY WERE ACCEPTED WITH A MOTION FROM SUSAN PHILLIPS, SUPPORTED BY TOM LIPPENS; MOTION CARRIED.**

UPDATE ON ORGANIZATIONAL STANDARDS

Ms. Wigand called on Bill Dubord who reminded the members that some of the organizational standards included many items that we are already doing. The following are some of the items we have recently completed: review of the mission statement, succession plan for the Executive Director, Conflict of Interest Policy and an agency risk assessment. We are in the process of reviewing/revising the Personnel Policies and know that we need to make arrangements to conduct strategic planning.

EXECUTIVE DIRECTOR'S REPORT

Karen Wigand called on the Executive Director who reported that a new requirement for the Early Childhood Program is a Governance Screener item that will be brought before the board.

Mr. Dubord noted that John Stapleton's extended term (until 12/31/14) has expired. Although he is willing to continue serving he has not been reappointed by the Schoolcraft County Transit at this time so he will come off the board. On a related note, the Executive Director reminded the members that there has been discussion on changing the board seats from 21 to 18 through attrition, rather than asking someone to step down. CAPLAW (a legal resource for CAA's) strongly recommends that board reduction not take place through attrition. After some discussion the board consensus was to leave the board size at 21. **OMER DORAN MOVED TO ACCEPT THE EXECUTIVE DIRECTOR'S REPORT, SUPPORTED BY MYRA CROASDELL; MOTION CARRIED.**

PUBLIC COMMENT/OTHER BUSINESS

There were no public comments or other business to come before the board.

ADJOURNMENT

The meeting adjourned at 1:21 p.m. **WITH A MOTION FROM TOM LIPPENS, SECONDED BY OMER DORAN; MOTION CARRIED.**

THE NEXT MEETING IS MARCH 12, 2015 AT 12:30 P.M. (EST)

FINANCE COMMITTEE MEETING
Thursday, December 11, 2014
11:00 a.m.

MINUTES

The following were present: Omer Doran, Dan LaFoille, Susan Kleikamp, Tom Lippens, Julie Moberg, Karen Wigand, Bill Dubord, Kris Thibeault, Cathy Pearson, Sally Kidd

The members were mailed information from the Executive Director regarding his position and noted that he is tentatively planning to retire sometime in 2015. The committee acknowledged his correspondence to them and indicated that are very willing to work with him on his desire to come to an agreement on exit terms, including health insurance and a role in transitioning to a new director. Bill thanked the committee for their understanding of the timing element and kind words regarding his efforts on behalf of the agency over the years. The committee agreed to the following:

- Karen would inform the board at the January 8th meeting of Bill's intent to leave sometime in 2015, with a definite date yet to be determined.
- She will request that the board authorize the Finance Committee to negotiate the terms of Bill's departure, including a transition role to assure a smooth transfer of authority.
- The Chair will work with the board following the succession plan to interview potential candidates based on the timing of Bill's official notice of retirement.

The Chair appointed Tom Lippens to represent the agency on UPCAN along with the Executive Director.

Members were mailed a draft credit card policy for their review (as we had no written policy). They asked Bill to check to see if an individual's name is required to be on the card as well as the agency's as they feel it would be better to not have an individual's name on the card(s). Bill noted that this will be incorporated into the Financial Procedures Manual when it is reviewed and revised in the next couple of months.

The committee reviewed the CAA/HRA October credit card statements. Bill noted that there was a significant amount charged for training as they had funds to cover some good training sessions.

The committee reviewed the CAA October Accounts Payable Schedule and **IT WAS APPROVED WITH A MOTION FROM TOM LIPPENS, SECONDED BY OMER DORAN; MOTION CARRIED.**

The committee reviewed the HRA October Accounts Payable Schedules and **THEY WERE APPROVED WITH A MOTION FROM SUSAN KLEIKAMP, SUPPORTED BY LIPPENS; MOTION CARRIED.**

Mr. LaFoille called on the Executive Director who requested that we bring our In-Home Services Manager's wage up to what the Nutrition Mgr. wage is. He indicated that she works many evenings and weekends and has a lot of responsibility. **TOM LIPPENS MOVED TO INCREASE THE IN-HOME SERVICES MANAGER'S WAGE BY \$1.58/hour, SECONDED BY JULIE MOBER; MOTION CARRIED.**

The Treasurer called on Mr. Dubord who requested that when board members receive a questionnaire from the auditors (Anderson, Tackman Co.) he would appreciate if they would try to answer to the best of their ability and return it. They had very few responses from the board last year.

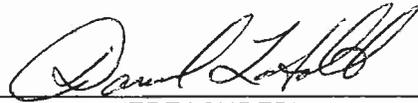
Bill noted that we would like one or two board members to be signatories on the agency's safety deposit box to replace former board members who are currently listed. The committee suggests that it be the Chair and Treasurer. Bill indicated the board will have to pass a resolution to do so at the January meeting.

The meeting adjourned at 12:55 p.m.

THE FINANCE COMMITTEE HAS REVIEWED THE OCTOBER 2014 ACCOUNTS PAYABLE SCHEDULES FOR MDS COMMUNITY ACTION AGENCY. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

HEAD START	\$	229,931
EARLY HEAD START		62,212
EARLY-ON CHILDHOOD		303
GSRP		117,623
ASSET & LIABILITY ACCOUNTS		42,708
TOTAL	\$	452,777

SIGNED



(TREASURER)

DATE

1-8-15

THE FINANCE COMMITTEE HAS REVIEWED THE OCTOBER 2014 ACCOUNTS PAYABLE SCHEDULES FOR **HUMAN RESOURCES AUTHORITY**. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

SENIOR CITIZENS	\$	180,211
VOLUNTEER PROGRAMS		58,323
NUTRITION		121,007
STATE & LOCAL PROGRAMS		72,882
ENERGY AND HOUSING		13,621
ASSET & LIABILITY ACCOUNTS		4,007
TOTAL	\$	450,052

SIGNED 
(TREASURER)

DATE 1-8-15

THE FINANCE COMMITTEE HAS REVIEWED THE NOVEMBER 2014 ACCOUNTS PAYABLE SCHEDULES FOR **MDS COMMUNITY ACTION AGENCY**. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

HEAD START	\$	261,718
EARLY HEAD START		78,099
EARLY-ON CHILDHOOD		749
GSRP		40,720
ASSET & LIABILITY ACCOUNTS		57,452
TOTAL	\$	438,738

SIGNED


(TREASURER)

DATE

1-8-15

THE FINANCE COMMITTEE HAS REVIEWED THE NOVEMBER 2014 ACCOUNTS PAYABLE SCHEDULES FOR HUMAN RESOURCES AUTHORITY. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

SENIOR CITIZENS	\$	119,257
VOLUNTEER PROGRAMS		45,566
NUTRITION		136,525
STATE & LOCAL PROGRAMS		125,602
ENERGY AND HOUSING		69,688
ASSET & LIABILITY ACCOUNTS		40,542
TOTAL	\$	537,180

SIGNED 
(TREASURER)

DATE 1-8-15

PERSONNEL COMMITTEE MEETING
December 16, 2014
11:00 a.m.

The meeting was called to order at 11:00 a.m. Susan Kleikamp, Susan Phillips, Bill Dubord and Cathy Pearson were present. Geri Nelson and Karen Wigand asked to be excused. Members not present: Dave Moyle, John Stapleton, Myra Croasdell or Ken Penokie.

Bill informed the members that Kim Johnson, Early Childhood Program Director, is resigning in the spring and her position is being posted.

It was noted that we will proceed with reviewing the draft recommendations that were mailed to committee members as well as a few suggestions from Geri Nelson. No action will be taken at this time we just wish to proceed with the revision of this document as it will take some time.

Recommendations to marked up copy dated 11/14/14:

- Section I., second to last second remove **and prerogatives**.
- Section III., 1st sentence change after hold office **as an at-will employee**.
- Section VI., B. 2 – Just put any family with the suffix “In-law” once
- “ ”, B. 3 – More discussion non-critical positions, i.e. PC Aides?????????????
- Section VI. E. 1 – 1st sentence replace termination with **temporary or permanent lay-off**
- Section VI. F, Make 1st paragraph # 1 and add after 2nd sentence a new 3rd sentence:
“All employees shall be required to immediately disclose any criminal convictions and any pending felony charges.” Make a # 2 beginning with the sentence “in the case of employees within the agency’s (change licensed preschool programs to **Early Childhood** programs. Change “may” to “will” be suspended. & “may” to “will” result in dismissal.
- Section VII., B. 3 – check to see that we have the most recent copy of the Hatch Act.
- Section VIII., D. 1 Add after 2nd sentence: **“Evaluations are performed for the benefit of the employer, employee and the program.**
- Section VIII., D 5 – move 1st sentence to # 1 as described above and eliminate #5

The committee reviewed recommendations through Section X.

The next meeting will be scheduled at the January 8th board meeting.

**Menominee-Delta-Schoolcraft
Human Resources Authority**

GOVERNING BOARD MEETING

**Thursday, January 8, 2015
511 First Avenue North, Escanaba MI
12:45 p.m. (EST)**

MINUTES

The meeting was called to order at 1:22 p.m. by Chair Karen Wigand. A quorum was noted with the following in attendance:

MEMBERS PRESENT

Karen Wigand, Delta
Omer Doran, Schoolcraft
Dan LaFoille, Schoolcraft
Susan Kleikamp, Menominee
Clyde Thoune, Menominee
Tom Lippens, Delta
Susan Phillips, Schoolcraft
Myra Croasdell, Delta
Julie Moberg, Delta
Dave Anthony, Menominee
Geri Nelson, Delta
Ken Penokie, Delta

OTHERS PRESENT

Bill Dubord, Executive Director
Cathy Pearson, Executive Assistant
Theresa Nelson, RSVP Director
Sally Kidd, Senior Services Director
Mary Bunnin, FGP Director
Connie Maule, SCP Director
Joe Dehlin, Weatherization Director
Kim Johnson, ECP Director
Bernie Lang, Menominee Co. Commissioner

MEMBERS ABSENT

Mari Negro, excused
Kristi Wood, excused
Lee Robbert, excused
Cathy Mercier
Dave Moyle
Doug Krienke, excused

Karen introduced and welcomed new board member, Clyde Thoune who is representing the Mid-County Senior Center.

APPROVAL OF NOVEMBER 6, 2014 GOVERNING BOARD MINUTES

Members received a draft of the November 6, 2014 Governing Board minutes for their review and they were **APPROVED WITH A MOTION FROM TOM LIPPENS, SECONDED BY MYRA CROASDELL; MOTION CARRIED.**

UPCOMING ADMINISTRATIVE STAFF CHANGE

Karen announced that our Executive Director will be retiring sometime in 2015. She indicated that she really appreciates the amount of notice he is giving the organization and his concern for leaving our organization in a good position for the new person. He notified the Finance Committee because of financial considerations regarding health insurance, vacation pay, etc. that will affect when he decides to officially retire. Also, if the board feels that it may be good for him to serve in a consultant role when the new person comes on, that may be a consideration. **KEN PENOKIE MOVED TO HAVE THE FINANCE COMMITTEE WORK OUT BILL'S EXIT DETAILS AND BRING IT TO THE FULL BOARD FOR APPROVAL, SECONDED BY MR. DORAN; MOTION CARRIED.** Members were reminded that the board recently passed a succession plan

policy for replacing the Executive Director and it charges the Personnel Committee with assisting in the hiring process.

Bill told the board that he has had great staff and board members to work with over his tenure and is proud of the many accomplishments that have been achieved since 1991.

ACCEPTANCE OF REAPPOINTMENT OF TOM LIPPENS BY THE DELTA/SCHOOLCRAFT COMMUNITY LABOR COUNCIL

Members received a copy of a letter from the D/S Community Labor Council reappointing Tom to our Governing Board and this was **ACCEPTED WITH A MOTION FROM DAN LAFOILLE, SECONDED BY GERI NELSON; MOTION CARRIED.**

FINANCE COMMITTEE REPORT

The Chair called on Treasurer Dan LaFoille who reported that the Finance Committee met on 12/11/14 & 1/8/15 and reviewed the October and November Accounts Payable Schedules and recommends their approval. **THIS WAS DONE WITH A MOTION FROM MS. NELSON, SUPPORTED BY MS. KLEIKAMP; MOTION CARRIED.** The auditors will be sending out a questionnaire to all board members and you are asked to fill it out to the best of your ability. If you have any questions about the questions please contact our auditing firm for clarification. **(see attachment "A")**

PERSONNEL COMMITTEE REPORT

Karen Wigand called on Ms. Kleikamp who reported that the Personnel Committee met on 12/16/14 to begin the process of reviewing and revising the Personnel Policies. There were only 2 out of 8 committee members present. If you are on the Personnel Committee (D. Moyle, K Wigand, S. Kleikamp, G. Nelson, J. Stapleton, K. Penokie, S. Phillips, M. Croasdell) but are unable to attend most of the committee meetings, please let us know & we will take you off the committee if you wish. The next Personnel Committee meeting will be on February 5th at 11:00 a.m. **MS. PHILLIPS MOVED TO ACCEPT THE PERSONNEL COMMITTEE REPORT, SECONDED BY MR. THOUNE; MOTION CARRIED. (see attachment "B")**

REVIEW/APPROVAL OF AGENCY MISSION STATEMENT

Members were mailed a copy of the agency's mission statement for their review and **IT WAS APPROVED WITH A MOTION FROM KEN PENOKIE, SECONDED BY TOM LIPPENS; MOTION CARRIED.**

APPROVAL OF POLICY ADVISORY COMMITTEE MINUTES

Members received copies of the following Policy Advisory Committee minutes for their review:

- 11/20/14 Foster Grandparent Program PAC minutes
- 11/12 (School) & 11/13/14 (Menominee) Senior Companion Program PAC minutes
- 11/18 (M/M) & 11/19/14 (Delta) Retired & Senior Volunteer Program PAC minutes
- 11/17/14 (Hermansville) Senior Center PAC minutes

AND THEY WERE APPROVED WITH A MOTION FROM MR. LAFOILLE, SUPPORTED BY OMER DORAN; MOTION CARRIED.

ACCEPTANCE OF PROGRAM MONTHLY REPORTS

Members received copies of the various program monthly reports for their review and **THEY WERE ACCEPTED WITH A MOTION FROM OMER DORAN; SUPPORTED BY MYRA CROASDELL; MOTION CARRIED.**

RESOLUTION FOR SIGNATURES FOR SAFETY DEPOSIT BOX

We recently discovered the authorized signers for our safety deposit box include one deceased board member and one who is no longer on the board. Therefore we are requesting a resolution authorizing the Chair, Treasurer, Executive Director and Finance Director to be authorized signers on the agency's safety deposit box. **THIS WAS DONE WITH A MOTION FROM TOM LIPPENS, SECONDED BY DAVE ANTHONY; MOTION CARRIED.** Staff were asked if there is a need for a safety deposit box over a fire-proof safe and they indicated they will check on this.

UPDATE ON ORGANIZATIONAL STANDARDS

Ms. Wigand called on Bill Dubord who reminded the members that some of the organizational standards included many items that we are already doing. The following are some items we have recently completed: review of the mission statement, succession plan for the Executive Director, Conflict of Interest Policy and an agency risk assessment. We are in the process of reviewing/revising the Personnel Policies and know that we need to make arrangements to conduct strategic planning.

EXECUTIVE DIRECTOR'S REPORT

Mr. Dubord noted John Stapleton's extended term (until 12/31/14) has expired. Although he is willing to continue serving he has not been reappointed by the Schoolcraft County Transit at this time so he will come off the board. On a related note, the Executive Director reminded the members that there has been discussion on changing the board seats from 21 to 18 through attrition, rather than asking someone to step down. CAPLAW (a legal resource for CAA's) strongly recommends that board reduction not take place through attrition. After some discussion the board consensus was to leave the board size at 21.

Members were given a copy of several news articles about our Adult Day Care Program and the fact that Pat Besse is donating \$450,000 to have Bishop Noa Home add a wing to their facility to house this service. We will still be running the program and continue with the sliding fee scale. An additional benefit is that we will not have to pay space costs and Bishop Noa will provide meals to the participants. It is Mrs. Besse's intent to donate another \$25,000 to us to furnish the facility. It will be named after her son, Gary Abrahamson. Ken Penokie commended Sally and Bill in particular for brokering this arrangement, which could have been very sensitive. They expect to break ground this spring.

The Executive Director reported that we spent approximately \$209,000 in deliverable fuel funds in five weeks and have received an additional \$60,000. The members were notified that one of our key intake staff has been off on medical leave since the beginning of December and will most likely be off another two months. Staff have been extremely busy trying to help the best they can and assisting folks in submitting True North applications for assistance since they have no physical presence. Because we do this folks think that we know whether or not they will receive assistance through True North, but we do not, so we field many of those calls as well. Members suggested staff make these issues known to our legislators and Bill noted he will mention it at a meeting he is attending in Lansing early next week.

Walks for Warmth will be held on Saturday, February 28th in Escanaba, Manistique and Menominee. Members were reminded that this is our only major fund raiser, so any support you can give will be greatly appreciated.

Bill announced that Theresa Nelson, RSVP Director, is going to part-time (70% of her current schedule). He indicated she was thinking about retiring but he talked her into staying as she is the face of RSVP and very connected in the community. **MR. LAFOILLE MOVED TO ACCEPT THE EXECUTIVE DIRECTOR'S REPORT, SUPPORTED BY SUSAN PHILLIPS; MOTION CARRIED.**

PUBLIC COMMENT/OTHER BUSINESS

Ms. Wigand called on Mr. Thoun who asked if there could be more fish on the menu for the senior program, particularly during Lent and if bread could be offered more often. Sally Kidd, Senior Services Director, noted that new nutritional requirements for the program don't allow for much starch which means bread often can't be served if we are serving potatoes or rice for example. She indicated many of the seniors do not care for fish but we do offer meatless meals on Fridays during Lent.

ADJOURNMENT

The meeting adjourned at 2:00 p.m. **WITH A MOTION FROM SUSAN KLEIKAMP, SECONDED BY MR. THOUNE; MOTION CARRIED.**

THE NEXT MEETING IS MARCH 12, 2015 AT 12:30 P.M (EDT)

Delta County Airport Advisory board
January 28, 2015 8:00 a.m.
Approved- Minutes

ROLL CALL: The meeting was called to order Manager Smith at 8:00 am

PRESENT: Herioux, Carne, Johnson, Anderson-Skradski, Moyle and Schwab

ABSENT: None

- II. NOMINATION AND ELECTION OF CHAIRMAN: Motion was made by Moyle and seconded by Anderson to re-elect Herioux as Chairman for 2015. MOTION CARRIED UNANIMOUSLY

Chairman Herioux presided over remainder of meeting

- III. NOMINATION AND ELECTION OF VICE-CHAIR: Motion was made by Chairman Herioux and seconded by Moyle to re-elect Anderson-Skradski as Vice-Chair for 2015. MOTION CARRIED UNANIMOUSLY.

- IV. APPROVAL OF AGENDA: Moved to approve the agenda of Jan 28, 2015 by Anderson-Skradski and supported by Moyle . MOTION CARRIED UNANIMOUSLY.

- V. APPROVAL OF MINUTES: Motion made by Johnson and seconded by Moyle to approve June 2014, August 2014, Sept 2014 and Nov 2014 minutes. MOTION CARRIED UNANIMOUSLY.

VI. MANAGERS REPORTS:

- A. MAAE Winter Conference: Motion made by Moyle and seconded by Anderson-Skradski to approve Smith travelling to MAAE Winter Conference Feb 17 – 20, in Lansing. MOTION CARRIED UNANIMOUSLY

B. Finances:

- a. Budget status for thru Dec 2014 was presented and discussed
- b. Customer Service: Enplanements and Fuel Gallons sold–December 2014-presented

- C. EAS – Skywest started Dec 2 for Delta's last month and now Jan 1, are our EAS contracted carrier – with code sharing partnership with Delta.

- i. Cancelled flights, Mechanicals, New Billing software for Skywest, Fuel Inspection for Software, and AWOS/ILS issues were all discussed.
- ii. AWOS repairs are becoming an issue we will need to deal with. Smith informed the board of the project list for the FAA in which ESC was on to get an entire new AWOS because of all issues from July 2013 – Dec 2013. Smith will begin an email campaign copying all government officials for the Upper Peninsula, as well as all Marquette FAA maintenance employees, managers, and FAA Great Lakes Region administration – we will be very diligent in receiving a new AWOS this year. New training in Oklahoma for FAA maintenance staff to be trained on new systems, and individual from Marquette is slated something this winter to go to training. More info to follow as it becomes available.

VII OLD BUSINESS:

- A. New hangar construction: Survey sent to current Tenants and due back Feb 9th.
- B. Letter to County Board requesting Commissioner Johnson stay on Airport Board – approve 1/20/2015. Johnson will now make his choice for last seat on Airport Advisory Board.
- C. Regional Boarding Ramp – First Use December 16, possible ribbon cutting 2/11/15
- D. County Board approved Randall Gascon as part-time Winter Trainer 2014-15.

VIII. NEW BUSINESS:

- a. Ims Fuel – After history of IMS fuel discount was given to the board and discussion held regarding the agreement, a motion was made by Moyle and seconded by Herioux to change the discount given to IMS to 10% off the current retail gallon price for the 2015 year, starting February 1. This will be for total gallons purchased for the year between 20,000 and 30,000. This discount will be looked at yearly. MOTION CARRIED UNANIMOUSLY.
- b. Advisory Board meeting schedule:
 - i. Motion by Moyle and seconded by Johnson to change the meetings to 6 meetings per year, every other month, starting January of each year, to be held at the Airport Administration office conference room, the second Monday of each month, 8:00 a.m. (March meeting will be Wednesday, March 11 due to Smiths conflict with vacation schedule.) MOTION CARRIED UNANIMOUSLY.

IX. RenZone Update

- a. MRO Americas – Maintenance Repair Overhaul, National Convention, Miami, April 12 thru 17th, Smith will be attending for the Renzone group, representing Delta County, along with Sawyer International and Houghton Smart Zone – sharing booth space. Have attended in past, best opportunity for our project within our Renzone for leads, etc – Delta County Aerospace and Marine Integrator. Trip being paid for through the Renzone Budget.

X EDA Update: Schwab reported she was heading to the Operation Action UP Meeting. Awards were being presented – One to Norfab, Gladstone – Business of the Year – Governor also made this a company in the Top 50 for the State of Michigan to “Watch”; the other company was Fleet Maintenance was being recognized.

XI PUBLIC & BOARD MEMBER COMMENTS:

XII. ADJOURNED: Meeting adjourned at 9:15 am
Next Board Meeting is Wednesday, March 11, 2015.

Respectfully Submitted by:
Kelly Smith, Airport Manager

Brian Herioux, Board Chair

**Delta County
Department of Human Services Board
305 Ludington Street
Escanaba, MI 49829**

BOARD MEMBERS

**GERALD SMITH, CHAIR
ELAINE BOYNE
DEBBI SPRINGINSGUTH**

DIRECTOR

RUSSELL K. SEXTON

Meeting #972

Date: February 9, 2015

A regular meeting of the Delta County Department of Human Services Board was called to order by Russell Sexton, Board Secretary, at 10:00 a.m. Eastern Time. The meeting was held in the Delta County Board Room on the second floor of the State Office Building located at 305 Ludington Street, Escanaba.

Present: Gerald Smith, Board Chair; Debbi Springinsguth, Board Member (via phone); and Russell Sexton, Board Secretary.

Others Present: Tammy Marenger, DHS

APPROVAL OF AGENDA:

A motion to approve the agenda was made by Mr. Smith and supported by Ms. Springinsguth. Motion passed without opposition.

APPROVAL OF JANUARY 12, 2015 MINUTES:

Minutes of the January 12, 2015 Board Meeting were reviewed and discussed. A motion to accept the minutes was made by Ms. Springinsguth and supported by Mr. Smith. Motion passed without opposition.

FINANCIAL REPORT:

The financial report for January 2015 was reviewed. There was \$30.80 in expenditures for DHS Board Meeting attendance; leaving a balance of \$199.85.

There were no expenditures from the Child Care Fund with the balance remaining \$3,098.73.

A motion to approve the financial report was made by Ms. Springinsguth and supported by Mr. Smith. Motion passed without opposition.

DIRECTOR'S REPORT:

Staffing Information: Delta County: There are 5 full time management staff, including 1 tri-county director and four first line supervisors consisting of 1 children's protective

services supervisor, 1 foster care supervisor, 1 assistance payments supervisor and 1 general program supervisor who covers some assistance payments staff in Delta county, Indian outreach worker in Menominee county and adult services specialists in Delta, Dickinson and Menominee counties. There is 1 tri-county community resource coordinator. There are 5 administrative support staff, 4 general and 1 fiscal. There are 5 children's protective services specialists, 5 foster care and foster home licensing specialists, with one position currently vacant, 1 educational planner who serves the entire Upper Peninsula, 1 peer coach the covers the Triad and one Michigan Youth Opportunity Initiative worker. There are 13 assistance payments specialists (two are on a long term military leave); one limited term assistance payments specialist (to alleviate some of the extra work due to the military leaves) and two adult services specialists.

We have 2 Business Service Center staff stationed in our office, which includes 1 contract specialist and 1 child welfare funding specialist.

We have 5 central office personnel stationed in our office, which includes 1 recoupment specialist, 1 Bureau of Child Welfare licensing analyst, 1 maltreatment-in-care specialist and 2 Michigan Rehabilitation Services analysts – 1 full time and 1 part time.

Statewide Director's Meeting Information: No meeting occurred this month.

Mr. Sexton notified the board members of the Governor's Executive Order that combines the Department of Human Services with the Department of Community Health into the Department of Health and Human Services. This will become official on April 10, 2015.

Community Health Director Nick Lyon, now also the interim director of DHS, was named the director for the new department - which will be the largest in terms of overall budget. We do not yet know the complete extent of the reorganization. Mr. Lyon hopes to have the operational structure for the new DHHS department in place by October 1, the start of the 2015-16 fiscal year.

Beyond combining the two departments into one, the order will also create a new Michigan Children's Services Agency within the new department. The order will also convert the current Offices of Services to the Aging to the Aging and Adult Services Agency, which will coordinate all the services now provided the state's adults and elderly. The relatively new Autism Council will be moved to the new department, as will the State Child Abuse and Neglect Prevention Board. Also, the licensing operations now within the Office of Children and Adult Services will be moved to the Department of Licensing and Regulatory Affairs.

Collaborative Issues: No new information was provided.

Business Plan Update:

Operational Funds:

- FY 2015 Operating Funds Expenditure Report: Allocation: \$68,742.00. Year-to-date expenditures: \$2,742.90, which constitutes 4% of the allocation expended with 17% of the year elapsed.
- FY 2015 Travel Funds Expenditure Report: Allocation: \$52,332.00. Year-to-date expenditures: \$3,416.96, which constitutes 6.5% of the allocation expended with 17% of the year elapsed.
- Assistance Payments Standard of Promptness: Current data for Delta County is 92.15%. Business Services Center 1 average is 92.17% and State average is 89.34%.
- Family Independence Program Work Participation Rate: Current data is 75% Statewide Goal is 50%.

Miscellaneous:

Total cases, recipients and payments for FIP, FAP, SDA, CDC and SER benefits for December 2014:

- Family Independence Program: 37 cases; 69 recipients; \$10,324.00 in benefits provided.
- Food Assistance Program: 2,995 cases; 5,523 recipients; \$628,196.00 in benefits provided.
- State Disability Assistance: 24 cases; 24 recipients; \$6,153.00 in benefits provided.
- Child Development and Care: 76 cases; 115 recipients; \$22,933.00 in benefits provided.
- State Emergency Relief: 46 cases; \$18,676.00 in benefits provided.
- Unduplicated total: 3,038 cases; 5,590 recipients; \$686,282.00 in benefits provided.

Total Eligible Medicaid Cases and Recipients:

- Family Medicaid: 1042 cases; 2,116 recipients
- Other Children < Age 21: 237 cases; 265 recipients
- Pregnant Women & Children Under 19: 1,208 cases; 1,965 recipients
- Non-SSI Aged, Blind & Disabled: 1,075 cases; 1,112 recipients
- SSI Aged, Blind & Disabled: 1,072 cases; 1,072 recipients
- Medicaid Eligible Total: 4,287 cases; 6,512 recipients

Healthy Michigan Plan County Enrollment: 1792

Assistance Payments caseloads and financial information can be obtained by anyone at any time by logging onto the DHS public website at www.michigan.gov/dhs, go to Forms and Publications and search the key word: Green Book. There you can look at past years and specific month data.

DHS policy for all programs, as well as a variety of other information one might want to know about DHS can be found at the www.michigan.gov/dhs site.

Board Member Input/Suggestions: None.

A motion to accept the Director's Report was made by Mr. Smith and supported by Ms. Springinsguth. Motion passed without opposition.

UNIT REPORT: Tammy Marenger, Children's Protective Services Supervisor, provided a comprehensive overview of the children's protective services program in Delta County. She related that she has 5 staff who have CPS investigative and ongoing responsibilities and that their maximum caseload is 12 CPS cases, 15 ongoing cases, or a combination of the two. She related that Delta County had 458 CPS complaints in 2014 and that the complaints are increasing in volume, with 48 in January alone, thus it is anticipated that there will be more CPS complaints in 2015 than there were in 2014. Ms. Marenger related that there are a lot of issues with various types of drug abuses and drug exposed newborns and that we are seeing at least one per week, with the high being 3 in a week.

The board members also asked a few questions for which Ms. Marenger provided answers.

BOARD BUSINESS:

1. **Approval of Vouchers:**
Vouchers were reviewed and a motion to approve all vouchers was made by Mr. Smith and supported by Ms. Springinsguth. Motion passed without opposition.
2. **MCSSA:** The next District One meeting will be held on April 15, 2015 at 11:45 Eastern, at the Country Grill in Ishpeming, MI. There will be an MCSSA Legislative Forum and Training Program on March 18 and 19, 2015. Information sent to each board member by the MCSSA.

NEW BUSINESS: There was contract presented for review:

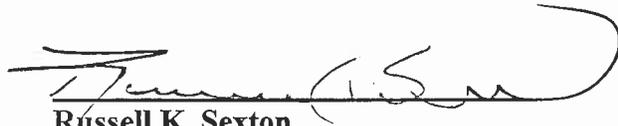
COUN15-Variou (counties throughout the state). This is a statewide contract for counseling services that licensed counselors could use to contract with the state to provide counseling in specific geographical areas of the state. There is no dollar amount connected to this contract as it simply allows DHS offices to utilize a counselor who has a contract with the state and the amount of money going toward this is dependent upon what funds an individual county DHS office has available, as well as on what referrals are made throughout the year. The rates for counseling are: \$63 per unit (50 minutes of counseling time) for clinical counseling; \$73 per unit for outreach counseling; and \$120 per unit for group counseling. The agreement is for April 1, 2015 through March 31, 2018, with 2 one year options to extend to March 31, 2020.

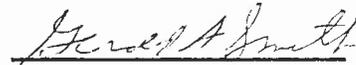
A motion to approve the review of the contract was made by Mr. Smith and supported by Ms. Springinsguth. Motion passed without opposition.

PUBLIC COMMENT: There were no public comments.

NEXT MEETING: March 16, 2015 at 10:00 a.m. in the Delta County DHS Board Room.

ADJOURNMENT: Motion to adjourn made by Ms. Boyne and supported by Ms. Springinsguth. Meeting adjourned at 10:29 a.m.


Russell K. Sexton
Board Secretary


Gerald Smith
Chairperson

Pc: DHS Board Members; Delta County BOC; Delta County DHS Office File

A G E N D A

DELTA COUNTY DEPARTMENT OF HUMAN SERVICES BOARD MEETING

305 Ludington Street, Second Floor Conference Room

April 20, 2015, 10:00 A.M. Eastern Time

- A. Approval of agenda**
- B. Approval of March 16, 2015 minutes**
- C. Financial report**
 - 1. Review of vouchers**
- D. Director's Report**
 - 1. Staffing Information**
 - 2. Statewide Directors Meeting/Information**
 - 3. Collaborative Issues/Information**
 - 4. Director's Portfolio Update**
 - 5. Miscellaneous**
 - 6. Board Member Input/Suggestions**
- E. Unit Reports:**
- F. Board business**
 - 1. Approval of vouchers**
 - 2. MCSSA**
- G. New business**
- H. Public comment (5 minute limit per speaker)**
- I. Next meeting – May 11, 2015 – 10:00 AM**
- J. Adjournment**

“What do we believe? Who do we serve? What do we do?”

Mission:

Improving the quality of life in Michigan by providing services to vulnerable children and adults that will strengthen the community and enable families and individuals to move toward independence.

Vision:

Compassion. Protection. Independence.

COUNTY OF DELTA

NANCY J. KOLICH
COUNTY CLERK AND REGISTER OF DEEDS
310 LUDINGTON ST.
ESCANABA, MICHIGAN 49829

HOPE I. RUDDEN
CHIEF DEPUTY CLERK

SUSANNE DUBORD
DEPUTY CLERK

PHONE: (906) 789-5105
FAX: (906) 789-5196

WEBSITE:
www.deltacountymi.org
dclerk@charterinternet.com

MINUTES OF THE DELTA COUNTY CONCEALED PISTOL LICENSE BOARD

Date: February 17, 2015

Time: 1:30 p.m.

Place: Probate Courtroom

VOTING MEMBERS PRESENT: Philip Strom, Prosecuting Attorney
Sheriff Ed Oswald
Det. Sgt. Jeremy Hauswirth, MSP

The meeting was called to order at 1:30 p.m. by Mr. Strom.

Moved by Sheriff Oswald and seconded by Det. Hauswirth to approve the minutes of the January 20, 2015 meeting. Motion carried.

Moved by Det. Hauswirth and seconded by Sheriff Oswald to approve a total of 49 applicants as presented. Motion carried.

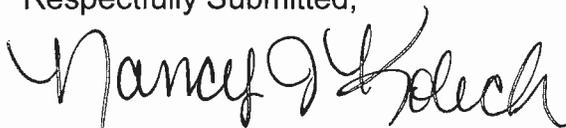
20 new licenses were issued with expiration dates 4 years from their next birthday. List attached.

29 renewal licenses were issued, one with Pistol-free exemption. List attached.

Moved by Det. Hauswirth and seconded by Sheriff Oswald to deny Mr. Peltin's request for renewal due to a misdemeanor conviction. Motion carried.

Moved by Det. Hauswirth and seconded by Sheriff Oswald to adjourn at 2:04 p.m. Motion carried.

Respectfully Submitted,



Nancy J. Kolich
Delta County Clerk

COUNTY OF DELTA

NANCY J. KOLICH
COUNTY CLERK AND REGISTER OF DEEDS
310 LUDINGTON ST.
ESCANABA, MICHIGAN 49829



HOPE I. RUDDEN
CHIEF DEPUTY CLERK

SUSANNE DuBORD
DEPUTY CLERK

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MINUTES OF THE DELTA COUNTY CONCEALED PISTOL LICENSE BOARD

Date: March 17, 2015

Time: 1:30 p.m.

Place: Circuit Courtroom

VOTING MEMBERS PRESENT: Philip Strom, Prosecuting Attorney
Under Sheriff Phil Griebel
Det. Sgt Jeremy Hauswirth, MSP

The meeting was called to order at 1:31 p.m. by Mr. Strom.

Moved by Det. Hauswirth and seconded by U.S.Griebel to approve the minutes of the February 17, 2015 meeting. Motion carried.

Moved by U.S.Griebel and seconded by Det. Hauswirth to approve a total of 37 applicants as presented. Motion carried.

17 new licenses were issued with expiration dates 4 years from their next birthday, one with Pistol Free Exemption. List attached.

20 renewal licenses were issued. List attached.

Moved by U.S.Griebel and seconded by Det. Hauswirth to authorize Mr. Strom to send a letter notifying Mr. Macklem that he meets the criteria for automatic restoration as he has no specified felonies. Motion carried.

Moved by Det. Hauswirth and seconded by Sheriff Oswald to adjourn at 1:52 p.m. Motion carried.

Respectfully Submitted,

A handwritten signature in black ink that reads "Nancy J. Kolich". The signature is written in a cursive style with a large initial "N".

Nancy J. Kolich
Delta County Clerk



Public Health

Delta & Menominee Counties



Board of Health Meeting

Pinecrest Medical Care Facility
Powers, MI

Meeting Minutes

Wednesday, February 18, 2015

Board Members Present

Bob Burie
Patrick Johnson

Jan Hafeman
Larry Schei

Mary Harrington
Tom Trudgeon

Public Health Staff

Mike Snyder, Health Officer/ Administrator
Dr. Terry Frankovich, Medical Director
Kim Gustafson, Executive Assistant
Lynn Woelffer, Director of Finance

1. Call to Order/Roll Call

The regular monthly meeting of the Delta-Menominee District Board of Health (BOH) was held on February 18, 2015. The meeting was called to order at 4:30 p.m. CDT by Chairman Trudgeon. Roll call was taken by the Executive Assistant, and is recorded above.

2. Approval of Agenda

Mr. Snyder made an addition to the agenda under the Finance Committee;
5c. American Express Statements.

Ms. Harrington moved to approve the agenda with the addition of the American Express statements. Motion was supported by Ms. Hafeman and carried.

3. Approval of Minutes

There was discussion regarding the Family Support Worker. Mr. Burie requested to see a copy of the job description. Mr. Snyder assured a copy will be given to each board member.

Ms. Hafeman moved the minutes from January 21, 2015, be approved. Motion was supported by Mr. Schei and carried.

4. Public Comment

There was no public comment.

5. Finance Committee**a. FY2015 First Quarter Report**

Chairman Trudgeon briefed the BOH on the FY 2015 First Quarter Report. He also reported the Governor has made budget cuts for FY2015 and FY2016 that will affect PHDM. Fortunately, PHDM has gained four additional programs through grants that have been awarded. Programs funded through grants will not be affected by the budget cuts.

Additionally, PHDM has agreed to share an Emergency Preparedness Coordinator with LMAS Health Department.

b. Cost-Based Reimbursement

Chairman Trudgeon reported the FY2012 Cost-Based Reimbursement was received in November 2014. Mr. Snyder reported MDCH has stated the FY2013 Cost-Based Reimbursement should be received in March or April of 2015.

c. American Express Statements

Ms. Hafeman reported the American Express Statements were reviewed and all expenses were appropriate.

Ms. Hafeman moved the FY2015 First Quarter Report, Cost-Based Reimbursement and American Express Statements, all be approved. Motion was supported by Ms. Harrington and carried.

6. Review and Approval of January Check Register

The Board of Health reviewed the January check register. Questions were answered by Mr. Snyder and Ms. Woelffer.

Ms. Hafeman moved the January check register, be approved. Motion was supported by Mr. Schei and carried.

7. Medical Director's Report

Dr. Frankovich presented information to the BOH on measles. In 2000, measles was declared eliminated in the U.S., as it was no longer continually circulating in the population. In recent years as vaccination rates have declined in some areas, measles is increasing. Cases are now primarily related to international exposures for U.S. citizens traveling abroad or to residents of other countries visiting the U.S. Internationally, nearly 150,000 people die every year from the measles.

Parents waiving vaccination for their children presents increased risk for all children. Michigan has the 4th highest waiver rate in the country. In an effort to decrease waivers, Michigan law will now require parents to receive education on vaccination at local health departments before signing a State waiver. The hope is that when parents receive credible information on the subject, most will choose to vaccinate their children. Dr. Terry also reported that the flu season appears to have peaked in the U.P., and the number of cases should gradually decrease through the coming months.

8. Health Officer's Report

- The Michigan Community Dental Clinic will be open on March 10th, in the old Northern Menominee Health Center in Spalding.
- PHDM's Nurse Practitioner (NP), Jenny Smith will be retiring at the end of April. PHDM utilizes the NP approximately eight days a month. Bellin Health in Marinette, WI, contacted PHDM about contracting with them for NP services. Bellin's NP has already worked in many of the programs PHDM offers. She will begin training on April 1st.
- Mr. Snyder reported the union negotiations have resulted in a tentative agreement. The union will be voting February 26th. Mr. Snyder will present the agreement to the board at the March 18th meeting if the union ratifies the contract.
- Anderson Tackman has just completed the annual audit of PHDM. Ms. Woelffer has reported there have been no findings.
- The UP Health Officers sent a memo and letter to MDCH on their thoughts regarding the regionalization of the health departments. UP Health Departments received a letter from Mark Miller stating the regionalization of the UP health departments will not proceed at this time.
- Bob Berbohm is scheduled to do a building-wide Active Shooter training for the Delta County Service Center on Thursday, March 19th. The Escanaba office will be closed in the afternoon to allow for the training.

9. Public Comment—None

10. Board Member Comments

- Ms. Harrington would like to thank the PHDM nurses for assisting at the Escanaba Civic Center during the power outage; Jennie Miller, Jennifer Nagy, and Billie Jo Tebo.
- Mr. Johnson would like to thank the BOH for moving the meeting time so he is able to attend.

11. Adjournment

There being no further business, Ms. Hafeman made a motion the meeting be adjourned at 5:55 p.m. CDT. Motion was supported by Ms. Harrington and carried.

Thomas L. Poljan 3-18-15
Chairperson

:kg

**DELTA SOLID WASTE MANAGEMENT AUTHORITY
MONTHLY MEETING
FEBRUARY 24, 2015, AT 7:00 P.M., DELTA COUNTY SERVICE CENTER, 2920 COLLEGE AVENUE**

MEMBERS PRESENT: Randy Gorecki, Steve Rose, Ralph Blasier, Gary Boudreau, Eric Buckman and Patrick Johnson

MEMBERS ABSENT: Hugo Mattonen

OTHERS PRESENT: Don Pyle, Kim Peterson, and Matt Peltin

Meeting was called to order at 7:00 p.m. by Chairman Randy Gorecki.

Public Comment – None.

Secretary's Report – Minutes of January 27, 2015

A motion was made by Gary Boudreau, seconded by Ralph Blasier, to approve the January 27, 2015, meeting minutes. Motion was approved unanimously.

Treasurer's Report

The Authority in January had operating revenue of \$110,609 and operating expenses of \$111,149 for a loss of \$540. The employees' insurance deductible is done once a year and was taken out in January for \$19,000. Don Pyle stated a typical year has January – March a little behind and picks up again around April.

A motion was made by Steve Rose, seconded by Gary Boudreau, to accept the Treasurer's Report. Motion was approved unanimously.

Payment of Bills

A motion was made by Gary Boudreau, seconded by Steve Rose, to approve payment of bills in the amount of \$89,695.22. Motion was approved unanimously.

Additions to Agenda – None.

IRS Letter Pertaining to BAB Bonds

Mr. Pyle stated last summer the landfill refinanced out of the Build America Bond money and refunded those and went to a typical government muni-bonds. During this process, under the Build America Bonds, the federal government had committed to pay a percentage of the interest rate because they were not municipal bonds and were not tax free bonds so there was higher return to the government. They chose to subsidize their interest so every six months when interest was due they would pay into an account to help cover such interest costs. Last fall the landfill submitted the information to the federal government on what it needed to be because the bonds were sold in October just before they were done. The paperwork was submitted to the IRS and sent the normal amount versus the reduced amount which left \$8,307.47 in that account. The landfill has been trying to pay the IRS back and finally sent the money in

January. The IRS cannot locate such payment; however, the check has been cleared. They are now asking for all funds they gave to the landfill so they can send the landfill the correct amount. They are asking for \$55,564.08. The check will be written out for \$47,256.61 because the cancelled check was located and scanned to them for the \$8,307.47. At some point in the time, to be determined by the IRS, they will send the landfill a corrected check in the amount of \$50,978.01.

Chairman Gorecki would like the check sent certified to the IRS. Everyone was in agreement.

Initial Information on Revenue and Expenses

Mr. Pyle reviewed current and past tonnage, along with income. He is concerned that expenses are increasing and revenue is decreasing due to lower tonnage coming across the scale. During the last four years rates have been raised by \$2.75. In 2011, rates increased by \$2.00 and in 2012-2014, rates increased \$.25. Those increases have helped the landfill stay flat as far as total dollars of income over the last years even with a lower total tonnage. Expenses have increased about 44.62% on average over the last fifteen years. One large expense that is being expected is the leachate to be increased dramatically as operations begin into the north side site. The landfill will be going from 5 acres open to 15 acres open. The majority of that is without any waste over the cell so it will be direct flush into the City Wastewater Plant without any opportunity to recirculate or be absorbed by waste. There was 26,527 tons of MSW, General Refuse and Construction Demolition for 2014. Every dollar increase (not including a 10% discount) generated \$26,527 of revenue. The unaudited December 2014 financials show the landfill cut the retained earnings by nearly half (\$263,554). Another year like 2014, will have the landfill very close to operating in a deficit and that kicks in all kinds of issues for the landfill with the state auditors, let alone nothing left to replace aging equipment or add on new cells in the future.

Discussion took place on rate increases, leachate and a 10% discount which is given to the City of Gladstone, City of Escanaba and Delta Disposal. The 10% discount given to the three entities comprises 85% of revenue for the landfill. Discussed how rate increases would affect competitors in the area and Delta Disposal's customers. Using last year's numbers if the 10% discount was eliminated would cost the City of Gladstone an additional \$8,835, City of Escanaba an additional \$23,425.78 and Delta Disposal an additional \$57,665. Discussed having a sliding discount scale based on volume from the three entities benefiting from such.

Matt Peltin stated he picks up recycling in the Lake Bluff area two times a month and the recycling program is a great asset for the landfill from his business doing such and that is where the 10% discount came about.

The Board would like Mr. Pyle to prepare projections for increasing the per car minimum amount, increasing per ton amount and eliminating the 10% discount for users or to reduce such discount.

The \$5 per car minimum rate has not been increased since 1985. Suggested raising the per car minimum to \$10 which would generate \$26,000 annually. Discussed drop off charges, tires, appliances, etc. to generate additional income.

Discussed bond payments and 2017 will have the last payment on the bonds in the amount of \$306,357.50 which was taken out in 1995. This being paid off will be a huge help. With the recent refinancing, approximately \$250,000 will be saved.

Gary Boudreau suggested utilizing the Bay College Economic Class to conduct a study.

Mr. Pyle stated \$7.5 million was spent on the landfill preparing for the future and such infrastructure would last fifty or more years. There will be over \$1 million in 2016 to be used for the capping project.

Discussed applying for grant money, the Hannahville 2% grants, etc.

Manager Report

Mr. Pyle stated he will be attending a DEQ Meeting in Marquette on February 25 – 26, 2015.

Mr. Pyle has been in communications with Kent County. He has spoken to the suppliers who are currently taking the electronics for free. The market is changing and there is a large quantity of older style televisions coming in. Kent County has now started to charge for all recycling of televisions. The Goodwills located in the Grand Rapids area are no longer accepting CRT televisions. Kent County collected over 26,000 pounds in January 2014 in e-waste from all three sites and it generated a revenue of \$1,575. In January 2015 Kent County collected over 74,000 pounds of e-waste at all three sites and it costs \$7,000 to dispose of.

The landfill stopped charging a fee for electronics approximately 3-4 years ago as money was never made. Currently it doesn't cost the landfill anything to recycle the televisions and dispose of, however, this will be changing in the near future and Mr. Pyle would like to be prepared and start charging when this occurs.

A motion was made by Ralph Blasier, seconded by Gary Boudreau, to allow Don Pyle to implement a fee for recycling electronics at his discretion and report back to the Board once it takes place. Motion was approved unanimously.

Mr. Pyle stated he received a request from Rick Aho to do a presentation at the next landfill meeting on changing the compost facility. There is a grant available for approximately \$100,000, however, the landfill would need to provide approximately \$30,000 in matching or in-kind services. The board agreed since there are no funds available and there is not a market, this isn't something they are interested in. If Mr. Aho has material he would like to distribute to the board so they can review, the board would be happy to do so.

Mr. Pyle stated the gas reporting to DEQ will be having significant changes. The cost last year was \$4,532.95 and with EPA new gas emission rules coming out could be up to \$20,000 for such reporting. Five years ago the testing did not cost anything. This will be monitored as the regulations come out.

Board Comments – None.

A motion was made by Gary Boudreau, seconded by Steve Rose, to adjourn the meeting with the time being 8:15 p.m. Motion was approved unanimously.

REGULAR MEETING
DELTA SOLID WASTE MANAGEMENT AUTHORITY

March 24, 2015

The regular meeting of the Delta Solid Waste Management Authority will be held on Tuesday, February 24, 2015 at 7:00 p.m. in the County Building at 2950 College Avenue in Escanaba.

Pledge of Allegiance
Public comment
Secretary report
Treasurer report
Payment of bills
Additions to agenda

AGENDA:

1. Change December meeting date.
2. Continued discussion of revenue and expenses.
3. Manager report.
4. Board comments.

Randy Gorecki
Chairman



MINUTES OF THE MEETING OF
THE PINECREST BOARD OF TRUSTEES

Date: Thursday, February 26, 2015	Place: Board Room
Presiding: Barbara Oliver, Chairperson	Time: 2:03 p.m. CST
Recording Secretary: Lois Ball, Executive Secretary	

Call to Order: The meeting was called to order at 2:03 p.m. CST by Chairperson Oliver.

Roll Call
 Present: Trustees Gerald Smith, Elaine Boyne, Mary Harrington, Barbara Oliver, Catherine Driscoll, Randall VanGasse, John Degenauer, Jr., Gary Eichhorn, Jan Hafeman, David Prestin. Administrator Smith introduced Mr. David Prestin to the Board and Guests. Mr. Prestin has been newly assigned to the Menominee County DHS Board and is now a Board member for the Facility.
 Absent: Trustees Debbi Springinsguth, Jeff Naser.
 Also Present:
 Leadership Team Members: Candace Meintz, CFO and Susan Williamson, Director of Nursing.
 Guests:
 Gerald McCole, Heather Niarhos, Todd Flath, Terry Grondine, Steve Hruska, Ombudsman Connie Grahovac, Sandi Gauthier

TOPIC	DISCUSSION	OUTCOME
Approval of the February 2015 Agenda	There were no additions or deletions to this agenda.	A motion was made by Trustee Hafeman, supported by Trustee Smith, to approve the Agenda as presented. Motion carried.

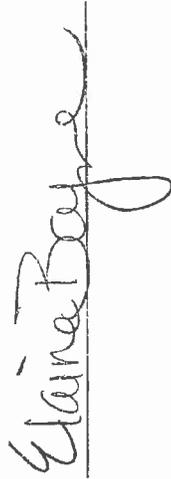
Board action on the minutes of the January 22, 2015 meeting	The minutes had been sent to Board Members for review prior to this meeting.	A motion was made by Trustee Smith, supported by Trustee Degenauer to approve the minutes as presented. Motion carried.
Review and approval of Financial Statements for January 2015	Candace Meintz, CFO reviewed the Financial Statements with those present.	A motion was made by Trustee Eichhorn, supported by Trustee Smith, to approve the Financial Statement as presented. Motion carried.
Board action on the January Manifest of Invoices	The Manifest of Invoices was sent to Board Members for review prior to this meeting.	A motion was made by Trustee Hafeman, supported by Trustee Driscoll, to approve the Manifest of Invoices and to pay the bills. Motion carried.
Whispering Pines/Powers Activity Center Committee Report	Trustee Driscoll reported that they had reviewed several policies. She noted that all homes are doing well and are able to fill vacant beds. She also noted that Whispering Pines South had an inspection and were in full compliance.	A motion was made by Trustee Degenauer, supported by Trustee Boyne, to approve the report as presented. Motion carried.
Report from Finance Committee Meeting.	Trustee Smith reported that the Finance Committee had met prior to this meeting. To discuss negotiations in action at this time. Administrator Smith stated that we had negotiations with Local 854 and got through all contract verbiage and policies. We will be negotiating again with Local 854 on wages and insurance and we will also be negotiating with SEIU.	
Request for approval of meals and lodging	The Administrator and Director of Nursing requested permission to attend the Joint Provider meeting in Grand Rapids on March 23 and 24 and	A motion was made by Trustee Hafeman, supported by Trustee Degenauer, to approve the requests

<p>Board's final approval and signature on changes made to Board By-Laws in June 2014.</p>	<p>also requested approval of meals and lodging in the amount of \$225.00.</p> <p>A motion was made by Trustee Driscoll, supported by Trustee Degenauer, to approve the By-Laws from June 2014.</p> <p>Trustee Harrington asked that language be included to reflect on the designation of the County Commissioners to the Board on the front page as well as in the other section. It was also requested that the date for the signature page be changed to reflect the current date.</p> <p>A motion was then made by Trustee Eichhorn, supported by Trustee Hafeman to rescind the motion that had been made to approve the By-Laws. Motion carried.</p>	<p>and amount of \$225.00 for this conference. Motion carried.</p> <p>A motion was made by Trustee Eichhorn, supported by Trustee Smith, to approve the By-Laws with the amendments as proposed today. Motion carried.</p>
<p>Report of Quality Assurance and Resident Council Committees</p>	<p>Susan Williamson, Director of Nursing reported on the monthly Quality Assurance Meeting and the Resident Council Meetings at each of the 3 buildings.</p>	<p>A motion was made by Trustee Degenauer, supported by Trustee Boyne, to approve each of the reports as presented. Motion carried.</p>
<p>Report of Safety Committee</p>	<p>Lois Ball, secretary for the Safety Committee reported on the meeting held in February. She noted that all incidents and accidents had been reviewed.</p>	<p>A motion was made by Trustee Driscoll, supported by Trustee Hafeman to approve the report as presented. Motion carried.</p>
<p>House Committee Meeting</p>	<p>Administrator Smith stated that there will be House Committee Meeting held directly following this Board Meeting to hear 2 grievances from Union Local 854.</p>	
<p>Facility bus</p>	<p>Administrator Smith stated that through Trustee Harrington she has been in touched with the DATA Bus people, who are willing to look into purchasing</p>	

	<p>a larger bus and make a few runs out here to accommodate our residents/outings, etc. She noted that we are looking into doing something with the DATA bus before purchasing a bus for the facility.</p>	
<p>DNR Grant Committee report</p>	<p>Administrator Smith stated that the DNR Grant Committee is actually Spalding Township, they are looking into putting a walking trail to go around the park. They are asking the facility for a letter of support. She read the letter that had been prepared.</p>	<p>A motion was made by Trustee Eichhorn, supported by Trustee Hafeman, to approve the letter of support to the DNR Grant Committee for the walking trail in the Powers Veterans' Park. Motion carried.</p>
<p>Administrator's Report</p>	<p>Administrator Smith reported that she took park in the UPHP Phone Conference on February 9th. She noted that UPHP is the pilot program for our dual enrolled residents who have Medicare and Medicaid. The residents are getting letters regarding joining or opting out. As the facility, we cannot sway them in their decision. She attended the HCAM Meeting in Iron Mountain on February 11th, and a meeting with Vince Babcock from Employee Benefits Agency of Marquette. Mr. Babcock is our agent for our employee health insurance. She announced that Penney Gierke, our Food Service Supervisor is retiring next month.</p>	<p>A motion was made by Trustee Hafeman, supported by Trustee Smith, to approve the Administrator's report as presented. Motion carried.</p>
<p>Comments from the Public</p>	<p>Gerald McCole addressed the Board. Mr. McCole read a letter he had prepared which addressed the composition of the Board with members now being made up of one Board of Commissioners from each county being assigned to the Pinecrest Board.</p>	

Adjournment	The meeting adjourned at 2:40 p.m. CST	A motion was made by Trustee Eichhorn, supported by Trustee Smith, to adjourn the meeting. Motion carried.
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Elaine Boyne, Secretary



Darlene Smith, Administrator

 Darlene Smith, Adm 3/26/15

DELTA COUNTY TOWNSHIPS ASSOCIATION

The meeting of the Delta County Townships Association was held on February 26, 2015 at the Tri-Township School in Rapid River. President Steve Rose led in the Pledge of Allegiance.

Townships that were represented were: Baldwin, Bark River, Bay de Noc, Brampton, Cornell, Ensign, Escanaba, Ford River, Garden, and Maple Ridge. Representing the County Board of Commissioners was David Rivard and Patrick Johnson.

The minutes of the January 22, 2015 meeting were presented. A motion to accept the minutes was made by Gary Boudreau and supported by Ginny Dahlin. Motion carried.

The Treasurer's Report was given. A motion to accept was made by Gary Boudreau and supported by Greg Johnson. Motion carried.

BALANCE as of Jan. 2015\$4046.35	PICNIC FUND.....\$718.34
INCOME:	EXPENSES:
2015 Dues.....248.60	Salaries.....110.00
	Greg Johnson (CUPPAD)...546.00
	Lunch.....28.54
Feb. 26, 2015	
NEW BALANCE.....\$3632.17	

COMMUNICATIONS:

Michigan Legislative Advocacy Day, April 16, 2015

UNFINISHED BUSINESS: Equalization Services Agreement.

NEW BUSINESS: Memorial Card for the family of Kenneth Viau. Flowers were sent from the Township Association.

SPEAKER:

Jim O'Toole, City of Escanaba Manager, spoke about the creation of the "Superior Trade Zone". It is made up of the cities of Marquette and Escanaba and the counties of Delta and Marquette. He discussed the advantages for new industry in this zone, since there is the availability of shipping transportation by: water, rail, air and trucking

The next regular meeting is March 26, 2015. Baldwin Township will be in charge of coffee and snacks.

A motion to adjourn was made by Gary Boudreau and supported by Greg Johnson. Motion carried.

**Respectfully Submitted,
Linda Trombley-Robitaille, Recording Secretary**