The FLOW Public Trust Policy Center (FLOW) in Traverse City has told the International Joint Commission (IJC) that principles of public trust can help find solutions to problems with Great Lakes water levels.

In comments submitted to the IJC, FLOW said such principles can be applied to compliment and help the IJC in both current and future decisions affecting the flows, levels, environment, public uses, private uses and benefits of the Great Lakes.

“We’re trying to demonstrate to decision makers how we might begin to think about the issues we face in the 21st Century and how we might find more effective solutions,” said Jim Olson, chairman of FLOW and an environmental law attorney.

“We’re taking each threat issue and looking at it through the Public Trust Doctrine to see whether those principles can actually help solve those problems and move us toward a solution.”

The prolonged period of low water levels seen in the lower and upper Great Lakes poses serious threats to wetlands, fish and aquatic habitat, shipping and navigation, boating, recreation, power generation and agriculture, according to a document submitted to the IJC.

“These factors have increased competition and conflict between various uses of the Great Lakes, because most of which are determined by both water quantity and quality, as the two are inextricably connected,” the document says.

Activities affecting Great Lakes water levels—such as the Chicago diversion and dredging in Lake St. Clair that has significantly lowered levels in Lake Michigan and Lake St. Clair—will begin at 11:50 a.m., instead of 11:30 a.m., and run until 3 p.m. The board of directors will meet that same day, beginning at 10:30 a.m. Raccoon and coypu may be taken on private property by a property owner or designee all year without a license or writ- ten permit if done to protect private property from damage.

U.P. ADVISORY COUNCILS: The Michigan Department of Natural Resources is seeking applications for open positions on the eastern and western Upper Peninsula Citizens’ Advisory Councils. The councils are designed to advise the DNR on regional programs and policies, identify areas in which the department can be more effective, and offer insight and guidance. The deadline to apply is November 1. For more information, contact Upper Peninsula Regional Coordinator Stacy Welling Haughey at (906) 228-6561.

SPARKLESHINING: After nearly 75 years, the spearfishing prohibition on Roscommon County’s Houghton Lake has been removed by executive order of the DNR. The order also allows crossbows as a permissible spearfishing gear for anglers throughout Michigan.

“EHD” TOLL GROWS: The Michigan Department of Natural Resources now says more than 10,400 deer have died as the result of the outbreak of Epizootic Hemorrhagic Disease (EHD) in the state. These deaths have occurred in at least 39 counties, they said—the hardest hit being Ionia County with 2,184 deaths and Kent County with 1,604 deaths reported. The disease is caused by a type of biting fly and DNR officials say more than 40 deer deaths have been reported after the first deer test of the season.

There is no evidence that humans can contract the EHD virus, they said, either from the midden, or from handling and eating venison.

CONSERVATION GRANT: Ducks Unlimited has been awarded a North American Wetlands Conservation Act grant to conserve key wetland habitat in western Michigan. The organization and its partners will use this grant to protect a minimum of 1,687 acres of wetlands and associated grasslands in 12 counties. They will also restore approximately 300 acres of wetlands and 100 acres of grasslands.

RESOURCE STEWARDS: The next scheduled meeting of the Resource Stewards is Wednesday, December 5, at Jay’s Sporting Goods in Clare. Starting times have changed. The general membership meeting will begin at 11:50 a.m., instead of 11:30 a.m., and run until 3 p.m. The board of directors will meet that same day, beginning at 10:30 a.m. Applications are being sought for the Porcupine Mountains Artist-in-Residence Program for the Porcupine Mountains Wilderness State Park in the Upper Peninsula.

Biodiversity restoration would no longer be a responsibility of the Michigan Department of Natural Resources (DNR) under a bill proposed in the state Senate.

Introduced by Sen. Tom Casperson (R-Escanaba), Senate Bill 1276 prohibits the DNR from designating land for biological diversity, deletes the conservation of biological diversity from the agency’s duties regarding forest management, changes the definition of “conservation” to exclude biological diversity, and requires the DNR to balance its management activities with economic values.

Furthermore, it eliminates a requirement that the DNR manage forests in a manner that promotes restoration, takes out a reference to “unsual flora and fauna” in the definition of “natural area” and deletes a legislative finding that most losses of biological diversity are the result of human activity.

When contacted by The North Woods Call, Casperson said the legislation is aimed in part at protecting access to public land for all users.

The bill is designed to eliminate a program called Living Legacies, which was scheduled for implementation in 2013, according to a position paper by Drew Youngedyke on the Michigan League of Conservation Voters (MLCV) website.

The program had faced criticism for designating specific Biodiversity Stewardship Areas, but the DNR said that it would only be implemented in a manner that ensured no net loss of timber harvest, or hunting access on state land, the document says.

The Michigan League of Conservation Voters and members of the Audubon Society are among numerous individuals and groups condemning the bill.

“Michigan’s proud legacy of conservation should not be diminished by removing a central tenant of conservation efforts,” Youngedyke said.

Lease Wars

This old gas pump at Glen Haven reminds us of our years of dependence on fossil fuels—an addiction that continues today. Having an abundant and affordable supply of gasoline requires a fair amount of exploration and digging, but sometimes this activity generates a lot of controversy. See Page 3 for more on the “fracking” debate, and a lawsuit filed over the sales of Michigan oil & gas leases.
Conservationists condemn Senate “biodiversity bill”

Continued From Page 1

Continued From Page 1

Lake Huron could be addressed through the Public Trust Doctrine, Olson said.

When we have a conflict, those types of uses would be sub-
odinate to public trust uses, such as fishing, foraging, boating, swimming and other forms of recre-
ation,” Olson said.

Public trust principles can be traced from Rome to the present through both civil law and com-
on law systems. These princi-

bles—which have become known as the Public Trust Doctrine—deem water a public resource, un-
like land that can be transferred with exclusive rights of posses-

sion. As a result, water is gener-
ally considered to be in the public domain in Canada, and for the benefit and welfare of citizens in the United States.

According to the comments submitted to the IJC by FLOW, all eight American states and two Canadian provinces sur-
rounding the Great Lakes basin have adopted the public trust doctrine in regard to the lakes, as well as connected or tributary wa-
ters. These principles have been routinely applied to the public’s Great Lakes Education Meeting

The Great Lakes Place-Based Education Conference is slated for November 13-14 at Michigan State University in East Lansing.

The meeting will bring together practitioners, teachers, local community partners and other organi-
izations from across the region to help develop environmental stewardship and education initiatives around the Great Lakes and its ecosystems.

For additional information visit gletoweducation.org

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The Michigan Department of Natural Resources (DNR) is working to resolve 129 cases of encroachment—or trespass—on public lands through a streamlined process, DNR Director Keith Creagh told the Michigan Natural Resources Commission at its Oct. 24 meeting to get organized.

The deadline to file for quick resolution on an encroachment case is Dec. 31, 2012.

According to DNR, The Encroachment Resolution Initiative (ERI) is an incentive program that works with property owners who are trespassing, either by having a permanent structure or historical encroachment on public land.

The program allows owners to list encroachments on public land were notified by letter that they are eligible to resolve their cases through the ERI.

Those who own property adjacent to public land and are not receiving any benefit from the trespassing, can request that an ERI hearing be held.

"This customer-focused process has so far helped us address nearly 20 percent of the encroachment cases we have in the system," said Creagh. "By resolving these cases, we can refocus our staff and resources on properly managing the state’s land and the state’s natural resources."

The Kirtland’s warbler “A conservation success story”

The Kirtland’s warbler population has reached an all-time high in Michigan, according to a recent study.

“We are witnessing a conservation success story,” said Dan Kennedy, Michigan Department of Natural Resources endangered species coordinator.

Biologists, researchers and volunteers in Michigan observed 2,063 singing males during the official 2012 survey period, compared to the 1,712 males seen in 2011. This represents the largest single-year increase since 1977.

The lowest numbers were recorded in 1974 and 1987, when only 167 singing males were found.

This year, singing males (numbers in parentheses) were found in 12 northern Lower Peninsula counties: Antrim (2), Alcona (266), Clare (40), Crawford (322), Iosco (248), Kalkaska (72), Montmorency (63), Ogemaw (540), Osceola (194), Presque Isle (24) and Roscommon (49).

Surveyors identified 38 singing males in seven Upper Peninsula counties: Alger (4), Baraga (2), Chippewa (13), Delta (55), Luce (3), Marquette (4) and Schoolcraft (7). Twenty-seven additional singing males were observed outside Michigan in Wisconsin (23) and Ontario (4).

According to DNR officials, the Kirtland’s warbler survey is conducted during the second and third weeks of June, when the birds are defending their nesting territories.

Warblers are detected by listening for their songs, which can be heard at distances up to one-quarter mile. Only the males sing, so estimates of population size are obtained by doubling the number of singing males recorded, based on the assumption that each male has a mate in its territory.

For more information, visit www.michigan.gov/wildlife.

Annual Fish Egg Collection

The Michigan Department of Natural Resources’ Fisheries Division has been collecting eggs necessary for the continued production of hatchery fish to support Michigan’s world-class fisheries.

Fall egg takes were organized for wild Chinook and coho salmon, and for captive broodstocks of brown, rainbow, brook and lake trout.

Michigan contributes to the collaborative efforts of neighboring states to support the Great Lakes fishery. Of the Chinook salmon eggs collected, 3 million will be used in Michigan, while 600,000 will go to Indiana and 570,000 to Wisconsin.

Of the coho salmon eggs collected, 2.8 million will be used in Michigan while 1.2 million will go to Indiana, 850,000 to Illinois and 600,000 to Wisconsin.

Shown here is the interior of a historic fishery equipment car at the Michigan Fisheries Visitor Center at Odens. (North Woods Call photo)

Lawsuit filed Oct. 24

Conservationists continue to challenge state officials over “hydraulic fracturing” in Michigan

Despite concerns expressed by conservationists and others, the Michigan Department of Natural Resources (DNR) went ahead with a planned Oct. 24 auction of oil and gas leases on nearly 196,000 acres of state-owned land in 22 counties.

Some 15,000 acres of this land reportedly include state parks, recreational trails, and game and recreation areas, parcels that conservationists say should be off-limits and protected under the public trust.

“These are jewels in the system and represent only a small percentage of state land,” said Steve Losher, Executive Director of the Michigan Land Air Water Defense (MLAW)—a nonprofit citizens’ group that filed a lawsuit against the DNR on Oct. 24, just as The North Woods Call print edition was coming off the press.

The group seeks to nullify the May 8 and Oct. 24 auctions of mineral rights within Barry and Allegan State Game Areas, and impact the long-term with what is left in the ground after these operations. They also have large impacts in terms of noise, trucking, etc., and are flatly incompatible with wildlife, hunting, fishing and other general recreation in state parks and game areas.

Some observers are wondering why the DNR doesn’t just tell the trespassers to move off state-managed land, rather than resolving such cases through transfers, or land sales. They ask whether it’s just a way for preferred individuals to get ownership of state land.

DNR officials say that they’re just trying to be practical and fair.

“Many of these encroachments have been in place for years and have become part of people’s understanding of their own property,” said Ed Golder, public information officer at the agency. “Our intent with this initiative is to resolve these encroachments in a way that meets the needs and expectations of property owners, while obtaining some fair compensation for public land. We think that’s fair to property owners and the general public.

We recognize that the initiative has a time limit. Penalties for encroachment will resume after the initiative ends. We hope the program will resolve many of these longstanding trespasses, to the benefit of the state and citizens.”

Under the ERI, property owners who are encroaching on state-managed land can apply to have their cases resolved. DNR staff will work with the property owner to properly document ownership. If the property owner can show that the encroachment began prior to March 1, 1973, the property will be transferred to the property owner after a new property survey is completed and new boundaries are established.

Structural encroachments that have occurred after March 1, 1973, will be resolved through land sales. The DNR will streamline its land sale process for encroachment cases resolved through the ERI.

Individuals with non-structural encroachments occurring on public land after March 1, 1973—such as fences, gardens, sheds or other non-permanent structures—will need to remove the items from the state-managed land. During the ERI, the DNR will not seek penalties, or take escalated enforcement action, for these types of encroachments.

After the application period closes on Dec. 31, any existing or new cases of encroachment that were not brought forward will be dealt with through DNR encroachment and enforcement procedures.

Individuals with specific questions on the ERI should contact Lori Burford, the DNR’s encroachment specialist, at 989-275-5151, ext. 2100. For more information on the ERI, go to the DNR’s website at www.michigan.gov/dnr-encroachment.

(Photograph of the Kirtland’s warbler)

Keith Creagh and other state officials brought this Kirtland’s warbler to the DNR’s Oct. 24 meeting to get organized.

The group seeks to nullify the Sept. 13 Michigan Natural Resources Commission meeting, the DNR director instructed staff to review the classifications of land that were to be offered for auction on Oct. 24, according to Ed Golder, public information officer at the DNR.

“Since these classifications are used to make sure that appropriate environmental protections are in place,” Golder said. “For instance, we never auction leasing rights on Great Lakes bottomlands, or critical dunes. Those lands are always classified as ‘non-development,’ which means there can be no development of wells on the surface of that land. We determined that the classifications for the lands being offered for lease in October were correct.”

“The DNR needs to zero in on the difference between traditional oil and gas development on state land and this deep-shale ‘fracking’,” Olson said. “We need a technique that’s not conventional in the way that putting down a pipe and drawing from a pool is. Even placing these operations near one of those special jewels of our system could have large impacts.”

Golder said the DNR will continue to review land classifications in subsequent auctions to make sure the proper protections are in place.

When asked whether the DNR is satisfied with industry assurances of the safety of hydraulic fracturing, Golder said, “We are confident that Michigan has a rigorous regulatory structure for hydraulic fracturing.”

“That said, we are going to continue to listen to those who have questions about the practice to make sure the utmost care is taken with any method of extraction on public land, which is where we have authority,” said Golder.

Olson acknowledged that oil and gas extraction could potentially impact natural resources, which is why the DNR continually evaluates methods of extraction and its own role in those processes.

NOTE: Michigan Land Air Water Defense (MLAW)—a nonprofit citizens’ group—filed a lawsuit against the DNR on Oct. 24, just as The North Woods Call print edition was coming off the press.

The group seeks to nullify the May 8 and Oct. 24 auctions of mineral rights within Barry and Allegan State Game Areas, and the Yankee Springs Recreation Area.

“Yankeecreek Springs Recreation Area—and Barry and Allegan State Game Areas—are irreplaceable treasures,” said Steve Losher, president of MLAW. “For the state to risk the sanctity and integrity of these areas, with the promise toward ‘due diligence,’ is a betrayal of their obligation to responsibly manage our public lands.”

The North Woods Call will have more about this in the next issue.
Oil & gas leases demand caution

Conservation groups have asked the Michigan Department of Natural Resources (DNR) for a moratorium on state leasing of oil and gas interests—particularly within and near environmentally sensitive areas.

Despite this continuing public outcry and many unanswered questions about “horizontal hydraulic fracturing” technology—commonly known as “fracking”—the DNR went ahead with an October 24 auction for nearly 196,000 acres of state-owned oil and gas lease rights. Some 15,000 of these acres reportedly include state parks, recreational trails, and game and recreation areas.

While we understand the desire to proceed with business and know that some land areas are probably appropriate for leasing—at least with conventional drilling techniques—we believe officials should honor such moratorium requests and at minimum cancel lease sales for environmentally sensitive areas. These special areas are supposed to be protected under the public trust and seem that much more needs to be known about the overall safety of hydraulic fracturing before oil and gas operations are allowed to proceed there.

Even though the DNR says that “non-development leases” in these areas do not alter existing wells on the surface, there are still questions about the impact of drilling underneath such land from adjacent parcels.

It simply makes sense to exercise more caution when leasing these areas—and any other area that involves hydraulic fracturing—until more is known about the process. We don’t need any unintended accidents, spills, or other side effects that could result in wasteland development and damage our environmental problems.

It’s time for DNR officials to ignore the lure of added revenue for the state treasury in favor of their responsibility to protect the public interest.

Should we alter our Constitution?

A lot has been said about Michigan Ballot Proposal 3, which would amend the state constitution to require that 25 percent of Michigan’s energy comes from renewable sources by 2025. In the autumn, the DNR urged us to vote yes to pass the ballot initiative because “the anticipated environmental and economic advantages of increasing the use of renewable energy sources in the state are too large to ignore.”

We aren’t about to ignore the opportunity to decrease our dependency on fossil fuels, reduce energy costs and decrease our carbon footprint—but we’re not sure it’s something we should do without more analysis.

It’s not that we don’t think that a 25 percent increase in renewable energy is a good idea. It’s just that the DNR needs to know more about the overall environmental impact before we can make this decision.

We know that some land areas are probably appropriate for leasing, but we need to know more about the environmental impact before we can make this decision.

Free hunting and fishing licenses for disabled vets

Hats off to the state of Michigan for making hunting and fishing licenses available free to disabled veterans, beginning in January 2013.

These veterans will be able to obtain any resident hunting or fishing license for which a lottery is not needed. Proof of eligibility is required, however.

This is but a small token of appreciation for the significant sacrifices such veterans have made in service to the country. Thank you, vets!

Remembering Joe Johnson

Johnson’s contributions to Michigan conservation, and his work on behalf of trumpeter swans helped restore the endangered species back to one of its native habitats. His continuous research led to better waterfowl management and was instrumental in returning the species to the United States. Johnson wanted to help his fellow Canadians and left Canada to go to the state. These personal accomplishments and his efforts on behalf of environmental education cannot be over-estimated.

The North Woods Call honors this important legacy that will pay dividends for years to come.

Well done, Mr. Johnson, well done.
Michigan ballot question 25 X 25 is really about water

By Elizabeth Kirkwood

When you think Michigan, you can’t help but think water. I just moved here and I recently met a friend who didn’t skip a beat to proudly tell me that the state has the longest freshwater shoreline in the nation. The economy of this beautiful state is intricately connected and bound to the waters of the Great Lakes.

So what does water have to do with the proposed 25 by 25 bill on the ballot this November that asks Michiganders to generate 25 percent of the state’s electricity with renewable energy sources by 2025? Simply, everything.

It’s a perspective that hasn’t been discussed much, and that’s not surprising given that the economy is on everyone’s minds. 25 by 25, or the Michigan Energy Michigan Jobs Initiative, promises to create at least 74,495 jobs and spur $10.3 billion in investment in accordance with a recent MSU report commissioned by the Michigan Environmental Council. Nearly 43,000 of those jobs would be in operations and management of new renewable energy facilities—commercial and small-scale wind projects, solar photovoltaics, anaerobic digestion, and biomass—and another 31,000 jobs would be in new economies such as ships.

According to a recent MSU report, nearly all natural resource use is the government’s duty to protect and care for. This includes of fish, boat, or swim. Fast forward to 1215, British Courts ruled that the sea, its fish, and habitat were also held in trust, and that the Crown could not “export” or alienate (transfer) the public’s right to fish, boat, or swim. Fast forward to 1892, and since then, the United States Supreme Court, and virtually every Great Lakes state, including Michigan, have ruled that the Great Lakes are a perpetual trust in favor of citizens, and that neither government nor others can diminish, impair, or dispose of their public waters. It is the government’s duty to protect these waters, exactly like that of a bank trustee protecting the trust for the public.

What the public trust adds to nearly all natural resource use conversations is an absolute backstop to the trading command-and-control environmental laws and regulations established in the late 1800s and early 1900s. Now, as we will plan for the future and make decisions about our energy consumption and generation, we must understand how it affects our water, our legacy preserved by the public trust.

This November, Michiganders face another watershed moment in which we can alter our energy consumption and generation practices through legislation like 25 by 25, or we can stay the course. According to Keith Schneider from Circle of Blue (www.circleofblue.org), we have about another generation, or approximately thirty years, to change our thirsty fossil fuel economy, other-wise, the uncertainty and harms we are already witnessing, such as those to the Great Lakes, may be irreversible.

Let’s avoid business as usual and chart a new course that isn’t tethered to fossil fuels and their heavy environmental impacts; air, water, and land. Since the first modern environmental laws enacted in the 1860s and 1970s, Schmalz and VanBuren have witnessed enormous pollution clean-up efforts; we can do it again by drawing on our creativity, innovation, capacity, and sheer will.

Adapting a renewable energy source like wind is certainly not easy, but it’s the right thing to do to avoid another impending energy crisis, to gain improved energy security with a shift to renewable energy sources, and to create a economic engine for state-wide growth.

Equally if not more important, 25 by 25 will protect our precious Great Lakes, the real driver behind our economy, jobs, and quality of life.

Elizabeth Kirkwood is policy law director at the FLOW Public Trust Policy Center in Traverse City.

Letter to the Editor

Protecting Pigeon River Country still an important goal

Editor,

Please sign me up for a year’s subscription to The North Woods Call. I believe I was a previous subscriber for more than a half-century. Glen Sheppard’s printing kept us hunters here in northern Michigan up to speed on many important conservation issues.

Glen was very instrumental in assisting the need for a nature, and provided us with readable public factual and accurate information to try to maintain the character of this great piece of wild country.

If you’re not aware, the problems that existed in the 1960s are still here.

Doug & Judy Mummert

Gaylord

A note to letter writers

All letters must be signed. Please include your name and mailing address (e-mail address, too, if you prefer). We reserve the right to accept or reject letters at our discretion. We cannot address requests for responses to letters. We reserve the right to edit letters for brevity and clarity. We reserve the right to publish any portion or all of a letter, and to publish multiple letters on the same topic.

Calling all store owners

If you own a store and want to stock The North Woods Call, please call or e-mail to discuss options. If you are, where your store is located and how much you would like to purchase. We may be able to accommodate you if we can find a cost-effective and to your request.

editor@mynorthwoodscall.com
Country dogs: Born to be wild

When it comes to chew toys for dogs, some last for years but others ... well, they’re much easier to swallow. Consider the coyote—but we’ve dubbed him Crunchy Calvin—because we found him at our barnhouse. “Calvin” had obviously had a rough winter. By the time our black lab dragged him home, he was little more than a scruffy pelt with a few scrubby fur tufts. During his first dog/coyote play date, Calvin lost his head—and not just figuratively. Within three days, his feet, tail and other random tufts were likewise dwindled and most likely eaten. So: would you let your dog eat a dead coyote? Or browse on the spot where the dead coyote lived? I didn’t dwell before I knew the baby rabbit that it just dug, still squeaking, from a grassy burrow.

If you answered “yes” to at least two of these questions, then chances are you’ve got a country dog—or at least a city dog that lives by country dog rules. By that, I mean a dog that’s left as free as possible to pursue its own doggish nature. Country dogs enjoy plenty of freedom, with all the adventure and hardship that a life lived out-of-doors entails. Country dogs are loved, but never smothered; they’re cared for, but rarely pampered; they’re well-trained, but not expected to act like a miniature human being.

When I was a kid in the 60s and 70s, dogs occupied a much lower rung on the social ladder. Even in town, they lived in backyard dog houses where they chewed real bones and survived on table scraps or cheap pet food. They had dog names like Sport, Dixie, Buddy and Sarge. They were friendly enough, but your hand always smelled a little funky after reaching down to pet one of the occasional rabies or distemper shot dog that barely saw the inside of a vet’s office.

Nowadays, millions of Americans have elevated their dogs to the status of a living, breathing family member. In his book “One Nation Under Dog,” author Michael Schaffer writes that eighty-five percent of pet owners now refer to themselves as the Mommy or Daddy of their companion animals. Forty-seven percent of dog owners say their pets sleep in bed with them. According to the Associated Press, in 2000, spending on pets mushroomed from $15 billion in 1995 to $45 billion in 2009. There are now pet-food nutritionists, veterinary dermatologists, dog kennels with TVs, and, inevitably—lawyers—because of all the pet custody cases.

The sad paradox, animal experts say, is that dogs get confused and misbehave when we treat them too much like people. They still expect us to be leaders of the pack. Consequently, thousands of “pet parents” misbehave when we treat them too much like people. They still expect us to be leaders of the pack. Consequently, thousands of “pet parents” treat them too much like people. They still expect us to be leaders of the pack. Consequently, thousands of “pet parents” treat them too much like people.

But what if we’re trying to make a simple, fur-bearing mammal serve a social purpose that it’s biologically unsuited to fill? Furthermore, what if it’s not the dog that needs therapy? As Edward Abbey once said, “When a man’s best friend is a dog, then that dog has a problem.”

With a country dog, you try to balance reasonable safety with the canine’s natural curiosity. You can’t expect my dog to kill something that you don’t want it to kill. Sometimes they kill things that you wish they hadn’t. Other times they’ll roll in something dead, flat and stinky that you wish they’d left on the road. Yet these are dogs, so we must micro-manage their every instinct and pleasure.

It’s been about 10,000 years since dogs first consented to live with humans. In so many ways, they’ve never been born to live. But every so often, its doesn’t hurt to unhook the leash, cry havoc and let them live that way.

Unsportsmanlike fireworks leave wildlife with no sporting chance

Some years ago, in an era before we all carried cell phones, I was cutting up a fallen oak limb near the rear of my small wooded parcel in northern Muskegon County.

The late September afternoon was sunny and breezy. Patches of color already grace the trees. It was a lovely day.

After an hour of steady work with a bow saw, I pinned the last piece of wood neatly into my ancient and rusty wheelbarrow for transport back to the house. I dawdled before to cool down from the exertion—at the same time cleaning the teeth of my saw with an old toothbrush.

Two hunters unexpectedly popped into view some distance to the west. They looked like they had stepped out of the pages of an upper-class sporting goods catalogue—spotless calf-high leather boots, lined orange hats, matching coats and pants with factory sewn fluorescent panels, and a pair of very nice over-under shotguns that I knew were well beyond the price range of the average Joe.

A small-game hunter muttered, the last thing I wanted to do was disturb anyone’s hunting experience. As yet undetected, I very quietly began trundling away with my heavy load of wood. When I was fifty or sixty yards along, I turned to look if the two men were out of sight.

I straightened up, but my jaw dropped.

Flames were licking around the base of an eight-foot stub of a dead tree, which I knew to be an animal den. The men stood poised, guns ready. I’m sure this was on of the occasional rare cases when they rarely saw the inside of a vet’s office.

When my two “friends” chose to vacate the scene at a fast walk, I decided to try to terminate the firebug on my own.

In a few minutes, the stub was smoldering smoke and flames out the top like a stack of an old-time locomotive. It was also beginning to lean.

There was nothing else to do. I grabbed my saw and sprinted to the tree. I’d managed to cut and scrape the fall zone of most combustible materials.

About ten minutes later, the old stub crashed to earth, exploding with flaming debris. I stomped out all the secondary fires, partially melting the soles of my boots in the process.

The burn site eventually cooled. Dew was forming in the openings and the wind had finally quit by the time I’d returned to my wheelbarrow to resume the long hard haul.

Despite making some phone calls that evening and doing immediate research, I was unable to learn the identities of the two firebugs. I was pretty certain I’d seen one of the culprits spotted me. He tapped his buddy’s shoulder, pointed in my direction. As an unarmed witness to a criminal act, I was not exactly feeling comfortable at that moment.

Fortunately, my two new “friends” chose to vacate the scene at a fast walk. Unfortunately, I had little background in fighting forest fires.

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Despite making some phone calls that evening and doing immediate research, I was unable to learn the identities of the two firebugs. No one spoke with had seen the pair, either coming or going. There were no reports of unfamiliar vehicles on any of the local roads that day.

All I knew about the men was that they had access to expensive gear, and were willing to devastate a beautiful piece of our natural environment for a nonsensical small gain.

They looked like sportsmen, but turned out to be unscarred and less opportunist. People like that need watching.

Michigan loses conservationist

Michigan conservationists are mourning the loss of Wilbur “Joe” Johnson, former manager of the Kellogg Bird Sanctuary near Au Gres, who died Oct. 9 in Kalamazoo as he neared his 71st birthday.

Johnson, a lifetime resident of the Kalamazoo area, was a certified wildlife biologist whose interests focused primarily on wetland management and wetland use.

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Panel makes recommendations for Michigan parks & recreation areas

A 16-member panel says Michigan should encourage greater connections between recreational assets and communities to promote the long-term viability of state parks.

The Blue Ribbon Panel on State Parks and Outdoor Recreation was appointed last year by Gov. Rick Snyder to consider the entirety of Michigan’s outdoor opportunities at the local, state and regional levels— not just state-managed facilities—and examine their collective role in growing Michigan’s economy and improving the health and well-being of residents.

“My goal was to create a blueprint to help state parks adapt for 21st Century growth and investment,” said Snyder.

In addition to connecting communities with outdoor assets, the panel recommended protecting important natural, cultural, historic and prehistoric resources; diversifying funding and new criteria for targeted investments; giving high priority to developing regional connected trail networks; creating four or five “signature parks” in Michigan’s core urban areas as a tool for revitalizing those areas; integrating tourism and economic development marketing; and prioritizing investment in safety and maintenance of—as well as access to—parks and recreation spaces.

The panel included representatives from nature conservancies, trails and marine groups and environmental agencies, as well as other acknowledged experts in recreation, parks and tourism issues. The full report can be seen by visiting the documents page at www.Michigan.gov.

Another State-Record Whopper

For the second time in a little more than a month, a Michigan angler has landed a state-record fish—this time a muskellunge. Joseph Seebacher of Portage (center) pulled in this 59-inch lunker October 13 on Antrim County’s Lake Bois Blanc. He was actually bass fishing with a plug when he noticed the fish on the line for what seemed like ages before he landed the huge fish. The catch confirms that “Michigan waters are capable of producing huge fish,” said Jim Dexter, state Department of Natural Resources fisheries chief. “Great waters, coupled with appropriate management strategies can result in even more record fish.”

Conservation Officer Logs (10/1/12 through 10/14/12)

Family lost while tracking deer in dark; “pretty cool” adventure for kids

CO Marvin Gerlach assisted several agencies on a lost hunter complaint. A subject had shot a buck with his bow late in the day. His wife and small children went with him to track the deer after dark. While after a while, the family’s only flashlight died while tracking the deer. The subject had spotty cell phone coverage at his location but was able to contact Menominee County Dispatch and give a general location. A sirens was activated at the hunters’ vehicle and the family walked out of the woods on their own, following the sound of the sirens. All members of the family were in good condition; the children thought the adventure was “pretty cool.”

CO Jason Wicklund received a complaint of a someone burning nails along a U.S. Forest Service road. CO Wicklund contacted the local U.S. Forest Service officer and a suspect was developed. The officer also recovered over 60 nails buried all along the road. The officers interviewed the suspect, who confessed to burying the nails to deter ORVs from operating near his hunting area.

CO Marvin Gerlach responded to a hunter who had fallen approximately 20 feet out of a tree holding his deer stand. A limb broke that the subject was standing on as he attempted to climb into his stand. No safety belt was located at the scene. The subject suffered severe internal injuries as a result of the fall. His condition is unknown at this time.

A NOTE TO READERS: These are brief excerpts from the CO’s bi-monthly field reports. To conserve space, we have excluded the more routine activities in favor of what we think are the most unusual and interesting.

Some readers have asked that we include more specific information about where each conservation officer lives and works. We have been told, however, that most conservation officers don’t like their home locales publicized. Instead, they can be contacted by calling the district office and getting a phone number.

We are checking into what is possible in this regard. For now, please bear with us. We want to do what is best for both our readers and the conservation officers.

If you want a more complete log than we are able to provide, you can find an archive of them under the Law Enforcement tab on the Michigan Department of Natural Resources website.

CO Andrea Erratt worked the Boyne River in plain clothes and fished alongside other anglers. CO Erratt was next to a fly-fishingerman when he fouled hooked a salmon in the tail and then reeled it in while he was walking up to his vehicle with the salmon. CO Erratt identified herself, issued the subject a ticket and confiscated the salmon.

CO Matt Theunick caught a young man tearing up state land in his truck, doing donuts and spinning out. The truck also didn’t have plates or insurance. Enforcement action was taken.

In another instance, CO Jenny Kehoe issued a ticket to a family of three who were fishing in a state-managed facility. The family was fishing without licenses.

Another State-Record Whopper

On opening day of archery season, CO Jon Skiba checked on an illegal blind and bait pile on state land he had found earlier. The subject had also made his own hide and plot in front of the blind. Upon contacting the subject in the blind, the CO found that he was in possession of a .308 rifle. The subject promptly informed CO Skiba he was hunting squirrels, not deer. After a brief discussion, the subject admitted to hunting deer with a firearm during the closed season. A warrant is being sought and his rifle has been seized.

Another State-Record Whopper

Another State-Record Whopper

Another State-Record Whopper

Another State-Record Whopper

Another State-Record Whopper

Another State-Record Whopper

Another State-Record Whopper

Another State-Record Whopper
Final Shot

Vandalism blamed for 5,700 coho deaths at Platte River Hatchery

BEULAH—State officials say that vandalism is the likely cause of late night damage to the Platte River State Fish Hatchery that killed 5,700 coho salmon there.

The incident was discovered on the morning of October 5 when Michigan Department of Natural Resources (DNR) Fisheries Division staff arrived for work. The dead fish were in one of the maturation ponds in the upper weir, they said.

“This is the first time in 45 years where we have had this type of incident at this facility,” said Gary Whelan, DNR fish production manager. “It could have put our entire coho salmon program in serious jeopardy.”

It appeared that the fish were forcibly crowded into a small area, which blocked water flow through the screens and created conditions in which the dissolved oxygen concentrations became lethal, he said.

“The loss of this program would have cost the state economy millions of dollars in revenue,” Whelan said. “We were exceptionally fortunate to have an above-average coho salmon spawning run this year and will still have enough adults to fully meet our coho salmon egg take needs.”

The dead salmon—which included 5,130 adults and 570 small jacks (yearlings)—were salvaged by American-Canadian Fisheries Inc., the contractor for the surplus salmon carcasses from DNR weirs that are used in the fish meat industry.

Additional security measures were put in place to protect the remaining fish at the hatchery, a key egg take facility.

“We would appreciate any information on this incident to assist us with our investigation,” said Edward Eisch, the DNR’s northern Lower Peninsula fish production manager.

The hatchery said the information can be provided to any Michigan conservation officer, or by phoning the RAP (Report All Poaching) hotline at 1-800-292-7800.

Fishtown

The boardwalk at historic Fishtown in Leland welcomes many visitors each year and also serves as a gateway to North and South Manitou Islands—part of the picturesque Sleeping Bear Dunes National Lakeshore. The collection of weathered fishing shanties, smokehouses, docks, fish tugs and charter boats represent the heart of a commercial fishing village.

CO field logs: Poachers, snappers, dopers and militant rebels on parade

Continued from Page 7

trash instead of taking it to a landfill. Enforcement action was taken.

CO Steve Converse was on foot patrol along a closed portion of the Petoskey River when he encountered three subjects fishing with illegal gear and attempting to snag salmon. As CO Converse observed the subjects, he noted that all three were snorting some substance. The suspects were contacted and issued tickets for the illegal fish. The suspected drugs were seized and will be sent to the lab. One of the subjects was arrested and lodged on an outstanding warrant.

CO Angela Greenway and Sgt. Kevin Hackworth were watching from a concealed location when they observed several subjects attempting to catch salmon with spawn bags and illegal methods. As time went by and more salmon moved in, the group gave up fishing legally and attempted to snag while fishing with untieable treble hooks. Four subjects were ticketed for attempting to foul hook salmon.

DISTRICT 5

While patrolling state land, CO Mark Papineau observed a vehicle parked on a closed forest trail. When he approached the vehicle, CO Papineau discovered the bed of the pickup truck was full of sugar beets. Officer Papineau had received a report of excessive bait piles in the area the previous year; however, he was unable to make contact with the responsible parties. After a thorough search on foot, CO Papineau was able to locate a subject deer hunting from a tree stand. The subject was also hunting over a pickup truck load of sugar beets. Enforcement action was taken.

CO Brian Olsen apprehended a subject who was road hunting for grouse. The subject had a loaded, uncased .410 shotgun right next to him in the front seat of his truck. The subject was from Ohio and stated he didn’t know it was illegal. CO Olsen educated him on Michigan laws.

DISTRICT 6

CO Jason A. Smith observed a vehicle pull into a state game area (SGA) parking lot after dark and shut off the headlights before disappearing on foot into the dark. CO Smith waited the subject out and contacted him when he returned to the vehicle. A search of the vehicle ultimately resulted in the seizure of an oversized duffle bag full of marijuana. Charges are pending.

While patrolling Isabella County, CO Larr K. Straw did receive a complaint of persons trespassing and hunting waterfowl on the Mt. Pleasant water treatment facility ponds. While investigating the complaint the CO contacted three waterfowl hunters who were hunting the ponds when they shot 20 minutes later at a flock of Mallards searching for a good roosting spot. Enforcement action was taken.

DISTRICT 7

CO Chris Simpson and Sgt. John Jurcich were on patrol scouting for the waterfowl opener and checking deer hunters in eastern Muskegon County when they checked two hunters slowly moving along a two-track road. The hunters were returning to their camp and the smell of the interior of the vehicle led to a passenger surrendering the marijuana he had been smoking prior to beginning his afternoon hunt. Enforcement action taken.

CO Greg Patten was called to a dispute between waterfowl hunters as one was reported to have set a blind 15 feet lakeward of another blind on Muskegon Lake. When he arrived, CO Patten determined this to be true and had to attempt to settle the issue of sportsmanship and sharing the resource between the two hunters. Several COs reported conflicts related to very low water levels and confined hunting areas.

DISTRICT 9

While checking anglers in the evening hours, CO Todd Syska encountered anglers attempting to cast for and catch walleyes. However, one of the subjects did not have a fishing license; he claimed he had never bought one in his life. After running the subject’s information through the license system, it was determined that he was telling the truth and had never purchased one. Enforcement action was taken.

While responding to a complaint in Macomb County, COs Todd Syska and Kris Kiel observed a subject dressed in green carrying a long gun in a field. The COs attempted to contact the subject, who put his firearm down but barricaded himself in his barn and refused to come out. The COs called in back-up. In the meantime, as the COs tried talking the subject out, the subject was yelling profane, anti-government and anti-law enforcement language at the COs. Shortly after back-up arrived, the subject came out. After talking with the subject, it was determined that he had some previous bad experiences with other law enforcement agencies. The subject admitted to hunting woodchucks on his own property without wearing hunter orange. Enforcement action was taken.