The U.S. Supreme Court in June struck down what some have called “burdensome” Environmental Protection Agency ( EPA) regulations that would have imposed new permitting requirements on large manufacturing facilities and power plants.

The regulations would have ultimately required a multitude of smaller facilities, including hospitals, churches, schools, apartment buildings and retailers, to comply with complicated greenhouse gas emission permitting requirements.

The 5-4 ruling, authored by Justice Antonin Scalia, declared that the regulation exceeded the authority granted to the EPA by Congress and violated the federal Clean Air Act.

The ruling stems from a case—Coalition for Responsible Regulation vs. U.S. Environmental Protection Agency—where Michigan joined Texas and 14 other states in challenging the regulations. The states opposed the EPA’s original “endangerment finding” under the Clean Air Act that greenhouse gases from new cars endanger public health and welfare because they contribute to climate change. The finding triggered the additional greenhouse gas regulations on “stationary sources,” the states said.

Michigan Attorney General Bill Schuette acknowledged that the first round of regulations applied only to larger facilities like power plants and oil refineries.

“A more significant problem,” Schuette said, “was the potential impact on thousands of smaller facilities, if the EPA lowered the regulation thresholds.”

Justice Scalia, in writing the majority opinion, said the statute “does not compel the EPA’s interpretation.” It would be “patently unreasonable,” he said, “not to say outrageous,” for the EPA to insist on “seizing expansive power that it admits the statute is not designed to grant.”

“In the tailoring rule,” the EPA asserts newfound authority to regulate millions of small sources … and to decide [without regard to Congress] … how many of those sources to regulate, Schuette wrote. “We are not willing to stand on the dock and wave goodbye as EPA embarks on this multi-year voyage of discovery. We reaffirm the core administrative-law principle that an agency may not rewrite clear statutory terms to suit its own sense of how the statute should operate.”

“We were to recognize the authority claimed by EPA in the Tailoring Rule, we would deal a severe blow to the Constitution’s separation of powers. Under our system of government, Congress makes laws and the president, acting at times through agencies like EPA, ‘faithfully execute[s]’ them. The power of executing the laws necessarily includes the power to decide what questions to leave open by Congress that arise during the law’s administration. But it does not include a power to rewrite the law or the rulemaking terms that turn out not to work in practice.”

Schuette said that to achieve real economic recovery, burdensome regulations must be cut.

“The high court’s decision is a victory for the rule of law and the Constitution,” Schuette said. “We should return to administration of laws and unelected bureaucrats cannot simply run roughshod over those laws. We will continue to … rein in overreaching policies that harm citizens, states and our economy.”

The DNR plans Pigeon River Country open house

An open house will be held July 31 at Vanderbilt to provide information and collect public comments on proposed management treatments for 2016 in the Pigeon River Country Forest.

The event is scheduled from 3 to 6 p.m. at the forest headquarters at 9966 Twin Lakes Road, Vanderbilt.

Each year, Michigan Department of Natural Resources (DNR) personnel evaluate one-tenth of the state forest. The inventory provides key decision-making information for foresters and wildlife, fisheries and other resource managers. The age, health, quality and quantity of trees and other vegetation are assessed to enable DNR staff to make informed decisions. Timber management, wildlife and fisheries habitat, minerals, archaeological sites, recreational use, wildfire potential and social concerns are just some of the topics taken into consideration during this review.

Because the forest is inventoried approximately every two years in advance, DNR officials said, a “year of entry” is assigned to indicate when treatments will be prepped. Information currently under review has a 2016 year of entry. This means that treatment activities on lands being reviewed this year will actually begin in 2016.

Proposed treatments, which may include timber harvesting, replanting and other management activities, are designed to ensure the sustainability of all forest resources.

“Open houses are a good way for interested residents, neighbors and stakeholders to learn about the DNR’s proposed treatment plans and to share input with foresters and biologists before any final decisions are made,” said Bill O’Neill, chief of the DNR’s Forest Resources Division. “Members of the public are invited to come and meet with our staff to ask questions.”

The DNR will provide feedback on public comments.

North Woods Notes

Black River Blues

Frequent anglers in The Big Wild are probably familiar with the “Black River Blues,” song lyrics posted online 10 years ago by local volunteer Bob Thurlow. Thurlow described the Black River as his “home water” and started posting the song’s lyrics on a Facebook page.

“I wrote it in about 2001. It’s about the Black River and my experiences fishing it,” Thurlow said.

Thurlow said the Black River is a very accessible river that’s usually not crowded. And it’s close to home.

“The Black River flows through the north end of Emmet County and the west end of Cheboygan County,” Thurlow said.

Thurlow said the Black River is a popular spot for people who like to fish for walleye, crappie and smallmouth bass.

Thurlow said he often cross-country skis on the Black River in the winter or takes his snowmobile on some stretches of the river.

The Black River is about 10 miles long and runs through a number of little towns. The river passes through the village of Sumpter and the city of Kalkaska.

Thurlow said the river’s stories are ones of adventure and hard work.

Outside of fishing, Thurlow said he enjoys being outdoors. And he’s a big fan of nature.

“I really enjoy being outdoors. I enjoy the outdoors, the woods, the rivers, you know. I enjoy the outdoors,” Thurlow said.

Thurlow said he’s a married man with two beautiful children.

Black River Blues—North Woods Call photo
A boat ride to St. James
By Glen Sheppard
There is much magic in places like a trout stream you’ve known and loved since boyhood, a small lily-pads dotted lake and a favorite groove cover or squirrel woods.
It is the kind of wonderment most of us grow close to and feel a part of. We get to know the moods, the trees, what makes the gurgling, where the lures play, when the put will flash. We come to consider a kilderkin part of a family we’ve known for a generation.

Which, in a way, I guess, means that these places are personal and compact enough for us to relate to and feel comfortable with.

Big, beautiful, untamed Lake Michigan is something else. She (no man would be so unpredictable) claims 600-foot-long steamboats as a kind of savage sacrifice when the wind strikes her. Like her sisters, Superior and Huron, no wise man has ever claimed to be her master.

Men and governments may seek to conquer the stars. But maybe that is easier, simpler, than learning to understand such mysteries as Lake Michigan.

The Call’s editor, while he dearly worships and will forever fight for that South Branch of the Au Sable he has known virtually all of his life, could not live away from the shores of one of the truly Great Lakes.

Anyone who lives constantly on the brink of conflict and disaster, it seems to me, must have something beyond his comprehension, something that truly humbles his troubles, to turn to at the end of the day. That something, for me, is a walk up the street to stand in awe at the endlessness of Lake Michigan.

Others in Charlevoix tell the same story. Some have tried moving away. They come back. “I can’t live away from these lakes,” one son simply so sincerely exclaimed.

“Out on the lake”—even if you can’t get there tonight—you know this hour’s, this day’s, significance pales and all that becomes real is nature. There is nothing else.

So the other evening young Irv Drost and I decided to take the old, fantastically rugged, Lyman out to drag our hooks on the bottom at 110 feet for lake trout. We feared nothing below. We don’t really like scratching the bottom for lake trout.

“Let’s go to Beaver Island,” I suggested.

As a college graduate, with a degree in fisheries biology, Irv should be more cautious. But he said something like, “Yeah, let’s go.”

The lake was already rolling enough that most of the lake trout trollers had pulled their lines from the fishing grounds only a few hundred yards from shore. But Denali II, despite her 12 years, is a game old gal. The compass works, the charts are beside the wheel and we’ve made the 35-mile crossing dozens of times.

The big, churning, glimmering seas are her life. She was built for it. All she asks for is a helmsman who understands she must become a part of—not a challenge to—the big waves.

So we turned her head on 341 degrees and settled back for a long, wave-by-wave journey.

The lake was in comparison to some, kindly. There was a glint, a brilliance in their center and a dark, somberness above and below. We rode up, hung a second and slid down. One by one. Wave by wave.

The sun, setting behind the big island of the Mormon king, outlined its eastern shore. Indians, for centuries, had paddled their canoes to this refuge. Early explorers had been intrigued by its massive aloneess.

As dusk came on, the lights of Sand Bay sparkled. Then, the farther north we traveled, the lights of St. James Harbor. Irv had not made such a reckless trip before, so was cheered by the assurance that the lights meant Denali was handling her course.

We slid into the harbor, the sun now down, and as if out of a play script, old friend Karl Kuebler was there at his dock to greet us.

The thing to do, of course, was to go to town, latch onto a few beers, and spend a few hours sitting on the dock looking out over the harbor; soaking up the quiet and magic we had crossed the lake to its eastern shore. Indians, for centuries, had paddled their canoes to this place. Early explorers had been intrigued by its massive aloneess.

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It was madness. Screams! Shouts! Roaring! Ugly (oh, so ugly) music!

Irv agreed he would rather take his chances with Dame Nature (Continued on Page 7)

BLOOMING L’ANSE
A portion of the Upper Peninsula community of Baraga can be seen in the distance, as the camera lens peaks through a flower garden in a small park on L’Anse Bay. The park in downtown L’Anse is a picturesque place for a picnic lunch and relaxation during the long drive from the Mackinac Bridge to Copper Harbor at the tip of the Keweenaw Peninsula. L’Anse, on U.S. Highway 41, is on the edge of the Copper Country State Forest and is a good stopping off point to explore the region’s rich natural beauty.

Pigeon River Country State Forest open house
(Continued from Page 1) (Ozaukee County)
Maps and information regarding proposed treatments will be available at the open house. The information can also be found at www.michigan.gov/forestry.

New state-record fish hooked in Michigan waters
Two state-record fish were caught recently in Michigan.
On May 25, Jared Gusler of Fairview reeled in a 17.5-inch, 3.77-pound brown bullhead from Alcona Pond in Alcona County. This surpasses the previous record set by Michael Kemp of Lansing in 1989.
On June 15, Joshuav Tenims of Grand Raven caught a 38.25-inch, 41.25-pound black buffalo in Muskegon County’s Bear Lake. This surpasses the previous record set in 2012 by Bryan Degode of Kalamazoo.
“We’ve had 12 of Michigan’s 56 state-record fish beat in the past 10 years, said Department of Natural Resources Fisheries Division Chief Jim Dester, “which just goes to show you how outstanding the state’s fishing is.”

—North Woods Call photo

Here, 30-plus miles out in northern Lake Michigan, Irv’s old polio wound nearly got him hosed in by a car as it sped through town and the beached car needed to learn the hard way.

It was madness. Screams! Shouts! Roaring! Ugly (oh, so ugly) music!

Irv agreed he would rather take his chances with Dame Nature (Continued on Page 7)
The U.S. Environmental Protection Agency (EPA) and Michigan Department of Environmental Quality (DEQ) have proposed removing Muskegon County’s White Lake from the interstate list of Great Lakes Areas of Concern. As such, they are soliciting comments on the draft “final delisting.”

White Lake was polluted by a number of former manufactur- ing facilities and deep-seated experiences the loss of habitat due to lake development. Eight “beneficial use imp- airments” concern the lake, including: loss of aquatic life, health concerns, and economic impacts.

The Michigan Department of Natural Resources (DNR) has acknowledged that it has received a land transaction application proposing the exchange of more than 1,700 acres of mineral rights in Chippewa and Mackinac counties. The proposal, submitted by Graymont Inc., requests the exchange of Graymont-owned mineral rights near the town of Reston in northern Michigan and state-owned mineral rights in the Hiawatha National Forest near Sturgeon River in Chippewa County, according to an official news announcement released by DNR on June 20. As reported in the late June edition of The North Woods Call, this application is separate from the company’s previously submitted land transaction proposal to acquire approximately 11,000 acres in the eastern Upper Peninsula, which was already under review by the DNR. Each application will undergo a separate review by DNR staff, officials said, and the two proposals will have no bearing on each other.

“Apparently Graymont feels that 11,000 acres isn’t enough,” said one opponent of the proposal. “Their decision to decline the draft proposal was within the signed agreement.”

The Michigan National Guard has reported a land transaction agreement for military use on more than 30,000 new acres of sensitive recreational and river corridor lands in Crawford and Kalkaska counties to be listed as a Great Lakes Area of Concern in 1987.

The DEQ has now determined that environmental conditions in the lake have improved to the point where these impair- ments no longer apply. A list of these impairment issues is available for review. Public is invited to comment on the draft final delisting report which can be found at www.michigan.gov/de- quipment. The Call

The proposal, discussed recently in con- versations with the Michigan Department of Natural Resources (DNR) and submitted in the late June edition of The North Woods Call, has generated great concern among area conservationists.

According to Attorney General VGadalins, the military and that particular parcel may be further detailed at a later time, but Pregler said he believes the parcel will only be pur- chased after further discussion with and input from area stakeholders.

“General Vadnais told us he made the de- cision not to pursue Draft Expansion Zones 2, 3, and 5 after receiving a detailed letter of concern dated June 9, from Anglers of the Au Sable River and the State of Michigan,” Pregler said. “The Ag was well-prepared and understood and shared our concerns, and would comply with the letter’s request—a denial of Draft Expan- sion Zones 2, 3, and 5.”

Specifically, the June 9 letter raised the following serious concerns:

- Map zones 2, 3, and 5 contained thou- sands of acres purchased by the public, for the public’s recreational use. In other words, many tracts within the expansion zones were already spoken for—exclusively for recreational, not military, use.

- The full text of the June 9 letter of con- cern was posted on the Anglers of the Au Sable web site, according to Pregler.

“The DNR’s maps of Draft Expansion Zones 2, 3, and 5 were posted on our web site in early June,” he said. The maps were reportedly created by DNR Forestry Divi- sion staff, and distributed within the DNR in June. DNR staff initially declined the Ag letter’s request to provide the maps, but they were provided to the organization by others within the department who were concerned about the Camp Grayling expansion plan.

Graymont, the owner of the lands in question, has also posted an informational website about the project in an effort to keep interested parties informed.

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Each application will undergo a separate review by DNR staff, officials said, and the two proposals will have no bearing on each other.

“Apparently Graymont feels that 11,000 acres isn’t enough,” said one opponent of the proposal.

The military may still want to connect with some of these lands. However, military expansion zones could be off the table, according to General Vadnais. However, the Michigan National Guard has reported a land transaction agreement for military use on more than 30,000 new acres of sensitive recreational and river corridor lands in Crawford and Kalkaska counties to be listed as a Great Lakes Area of Concern in 1987.

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Fear & propaganda: Scaring us into the “climate change” agenda

There are some who would call this smart social marketing, but we call it propaganda, fear mongering and wasteful special-interest spending.

The National Science Foundation (NSF) has given Columbia University a $5.7 million grant for a so-called education project that uses games to “engage adult learners” in climate change, and inform public understanding and respond to climate change. According to a story in Hillsdale College’s student newspaper, only enough for purchase of what was known as Y2K.

We could be wrong in our cynicism, of course. We freely admit that the absolute truth—if it exists—escapes us in many areas. But we need to call these things as we see them. Anything less would be a shirking of our duty.

We apologize if this offends the true believers out there. But we’d probably all be better off if there were more skeptics and fewer people willing to blindly follow the latest Pied Pipers down the road to perdition—at least until we know whether they’re right or wrong.

Chief Joseph of the Nez Perce refused to have missionaries among his people, he says, “lies waiting in those who will come under their spell and take up their responsibilities to all living things.”

On the surface, I think Deloria is unduly harsh on Christian beliefs. And traditions. He often seems to equate them with those of Christianity, or what its adherents are actually called to do and be. But if there isn’t a difference, then how can he explain the violent discontents, con tempt for other things and general hypocrisy of many who have followed the path of Christianity over the years? There are important lessons to be learned by facing them, and thinking about the consequences.

Thousands of years of occupancy on their lands taught tribal peoples a sacred landscape for which they were responsible, according to Deloria. It was not what people believed to be true that was the problem, but what they experienced to be true.

As a result, the vast majority of Indian tribal religions have a sacred center at a particular place—be it a river, a mountain, a plateau, a valley, or other natural features. This center enables them to “look out among the four dimensions and locate their lands, to relate all historical events within the context of their world and to accept responsibility for it.”

Thus, tribal religions are actually all about the attitude—beliefs and practices fine-tuned to harmonize with the lands on which the people live. Western European people, by contrast, “have never learned to consider the nature of the world we live on, the relationship of ourselves to it, or the responsibilities we have to it.”

For the boy who cries wolf, the problem is that the absolute truth—if it exists—escapes us in many areas. But we need to call these things as we see them. Anything less would be a shirking of our duty.

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Outdoor skill and ethics: It’s time to get back to the basics

Editor:
We as outdoorsmen are being impacted on our credibility to call ourselves hunters or fishermen. Let’s start by reviewing a common word and the definition. An animal is a living or nonliving organism, or hunt animals. Hiring a person to method of hunting.

There is a difference in the ability to kill an animal. Right?

Food or sport. 

With the definition.

Thanks for supporting The North Woods Call

My John Gunnell

My John Gunnell is a writer and outdoorsman living in Rockford, Michigan.

U.P. Industry

A leftover water tower in Pequaming, Michigan—along with Henry Ford’s former summer home, the company store and some additional buildings—are reminders of when the Ford Motor Company owned the Upper Peninsula community and operated a lumber mill there. Today, the abandoned industrial site in L’Anse Township of Baraga County boasts many new homes and summer residences.

Straits of Mackinac hawk count

(Continued from Page 1)

More red-tailed hawks (9,702) were counted than at any other 270 hawk sites in the United States. Many people were report-edly surprised that no black vultures were seen, since a few were counted during both of the last two years.

The final count by species was: 649 bald eagles, 164 golden eagles, 122 ospreys, 82 northern harriers, 1,836 cooper’s hawks, five northern goshawks, 58 red-shoul-dered hawks, 26,709 broad-winged hawks, 9,702 red-tailed hawks, one ferruginous hawk, three swamp’s hawks, 37 American kestrels, 26 merlins, 3,467 turkey vultures, 11 unknown ac-piters and three unknown bu-tters.

The data appears on the web-sites of the Hawk Migration Asso-ciation of North America and e-Bird, and is being archived by the University of Michigan Bio-logical Station.

Owls will be surveyed on the north side of the Straits this fall before they head south to winter territories.

Celebrate conservation!
That old fiberglass rod will still cast a fly, although maybe not with the fly line, a leader and a fly. Your grandfather’s flies will still catch trout.

Fading U.P. History

Travelers across Michigan's Upper Peninsula can still get a flavor of the region’s early architectural heritage if they want to see a block of U.S. 41/M-28 and cruise through downtown Michigan. This old store on the main drag looks like something out of the Old West, but it is firmly anchored in the north woods. Nearby on the main highway is the Mt. Shasta Lodge, which appeared prominently in Hollywood Director Otto Preminger’s “Anatomy of a Murder” with scenes featuring Jimmy Stewart, Lee Remick and Duke Ellington. The movie was shot in Marquette County during the spring of 1959.

The North Woods Call

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Travelers across Michigan's Upper Peninsula can still get a flavor of the region’s early architectural heritage if they want to see a block of U.S. 41/M-28 and cruise through downtown Michigan. This old store on the main drag looks like something out of the Old West, but it is firmly anchored in the north woods. Nearby on the main highway is the Mt. Shasta Lodge, which appeared prominently in Hollywood Director Otto Preminger’s “Anatomy of a Murder” with scenes featuring Jimmy Stewart, Lee Remick and Duke Ellington. The movie was shot in Marquette County during the spring of 1959.

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Conservation Officer Logs (6/8/14 through 6/23/14)

Rip Van Winkles, a sneaky snake, a lost toddler, bear tales and a turkey burglar

Patten conducted a patrol in the Adirondacks and visitors related to ORVs and trucks destroying wetlands. With the US Service (USFS) COs contacted and ticketed two operators for illegal use and further discovered the individuals had posted on a popular hunting-related media site their illegal act. Enforcement action was taken.

DISTRICT 8 (Rose Lake)
CO Jeff Goss and CO Matt Page responded to a RAP complaint in Hillside County, referring possible trespassing activity. The complainant advised that he had been hearing noise on the back side of her property. Further investigation, the COs found that all shots heard were well beyond the property line. COs were unable to locate any subjects on the complainant’s property.

DISTRICT 9 (Southfield)
CO Laclee Rabon received a RAP complaint that a turkey had been shot or fallen down in a ravine at the rear of a hotel near Metropilan Airport. On arrival, CO Rabon found that the turkey appeared to be a vacated swimming pool full of weed. The local fire department, animal control, Department of Public Works, and personnel from DNR Wildlife Division had been contacted. A large crowd of spectators, CO Rabon made numerous telephone calls to wildlife rehabilitation and Michigan Humane Society and other animal rescue facilities. With the assistance of the Department of Public Works and some of the spectators, a makeshift ladder was used to retrieve the turkey and it was brought and placed at the top of a hill. The following day the deer walked out of the ravine and ate the food, and returned to the wild. The spectators and the community were pleased and thanked me for my service.

BELLE ISLE
CO Rich Nickols was directing traffic so a wrecker could pull out a stuck truck. A vehicle approached and stopped to see what was going on. When the vehicle stopped, CO Nickols could smell a strong odor of marijuana coming from the vehicle. CO Nickols returned to his patrol vehicle and conducted a traffic stop on I-75 near Charlevoix. The driver admitted to just smoking a marijuana cigarette. The driver was arrested for operating a motor vehicle while under the influence of drugs. During a search of the vehicle, additional mari-juana was recovered and a small plastic bag containing possible bombs was located. The driver was arrested.

The tru...
Northern conservation network folds

Those familiar with the Northern Michigan Conservation Network will be saddened to hear that the website is folding its tent for the foreseeable future.

In a June 29 “thank you” note posted on the site, Senior Editor Paul Rose pointed to “personal reasons and a series of events which have caused us to reassess the need for this initiative” as the primary reasons for the decision.

“Although the issues which have occupied the pages of this website are likely to resurface again over time, it has become necessary for us to leave it to others to do the ‘heavy lifting’ on such matters,” he said. “Thankfully, here in Michigan we are blessed with no shortage of dedicated sportsmen/conservationists who are better positioned to continue to deliver these messages in a more effective manner than we are—leaving us to conclude that one less voice is unlikely to be missed.”

“The Northern Michigan Conservation Network has been formative, well-balanced and carefully researched since its founding a few years ago,” said Mike VanBuren, editor of The North Woods Call. “Its strong and clear voice will be missed by many, including us.”

Rose said the network is not entirely going away, although its commitment to the regular development of original content will be ending.

“While one should never say, ‘never,’ at least for the foreseeable future we will be leaving these issues to others to advance and debate,” he said.

Since its beginning, the network has been dedicated to connecting conservation-minded hunters, anglers and outdoor enthusiasts to the issues facing Michigan forests, waters and wildlife. To that end, some of the state’s foremost conservationists and environmental policy experts have contributed content and advice.

“We would like to thank all who have supported [us] through their contributions of written content, ‘insider tips,’ and topic suggestions,” Rose said. “Still others are owed a debt of thanks for their counsel, editorial review and comment.”

Hiawatha Country

The iron-rich Tahquamenon River water sometimes resembles root beer as it rushes over the precipice at the Upper Tahquamenon Falls in Michigan’s Upper Peninsula. This is the land of Longfellow’s Hiawatha and boasts one of the largest waterfalls east of the Mississippi. A maximum flow of more than 50,000 gallons of water per second has been recorded cascading over the nearly 50-foot drop. The Ojibwa Indians once camped, farmed and fished along the river’s banks. It may seem unreal today, but the Call’s editor remembers a time during the 1950s when visitors could walk along a rock ledge underneath the falls.