



Sportfishing Industry asks for Congressional Action on arbitrary fishing limits

Alexandria, VA – The American Sportfishing Association (ASA), along with numerous recreational fishing and boating organizations and dozens of Members of Congress on both sides of the aisle, continues to strongly advocate for a legislative solution that requires that science be the primary force behind federal marine fisheries management decisions. Without passage of the Fishery Science Improvement Act (FSIA), new catch limits will be put in place in early 2012 for hundreds of the nation’s marine fisheries based on little or no scientific data. The deadline is driven by a statutory requirement included in the 2006 reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

“While other legislative amendments to MSA have been offered to address a variety of federal fisheries issues, we need Congress to understand that there is an immediate need to address the specific problem that FSIA solves,” said Mike Nussman, ASA president and CEO. “With the new year, anglers and commercial fishermen alike will be facing hard new annual catch limits on numerous stocks of fish that are based on nothing more than guesswork.”

The National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries) presently has 528 fish stocks or complexes of stocks under its management, but only has updated stock assessment data on 121 of those. Because MSA requires that

annual catch limits (ACLs) and accountability measures be put in place for every stock under federal management, NOAA Fisheries is applying highly precautionary catch limits on each stock regardless of the amount of data, or dropping stocks from management entirely.

“ACLs are already established for most of the heavily-targeted fish stocks and for every stock that is undergoing overfishing,” said Ken Haddad, ASA’s Marine Fisheries Advisor and former Executive Director of the Florida Fish and Wildlife Conservation Commission. “NOAA Fisheries and the Regional Fishery Management Councils are now setting ACLs for the remaining 400-plus stocks of fish that they are

Arbitrary fishing limits

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Feedback needed on Lake Michigan salmon stocking

MADISON – Five years after cutting the number of Chinook stocked in Lake Michigan by 25%, Wisconsin, Michigan, Illinois and Indiana are reviewing if the reduction worked and encouraging anglers to weigh in.

"We cut the lake-wide stocking five years ago to better balance trout and salmon with the available food supply. We said at that time we'd review how it worked," says Bill Horns, Great Lakes fisheries specialist for the Wisconsin DNR. "Anglers report that the Chinook and coho they caught in 2011 were big and robust, so we're not hearing a lot of concern from anglers, but we want to follow through to revisit the issue."

Horns invites anglers to review information on the web about the

[Lake Michigan Stocking Strategies](#) workshops and to email him at William.Horns@Wisconsin.gov or call at (608) 266-8782 with their feedback on how the stocking reductions worked and suggestions to guide future trout and salmon stocking on Lake Michigan.

Anglers also can attend a Lake Michigan Stocking Strategies conference being planned for next summer. Stocking decisions for 2013 and beyond will be based on the data presented and discussed there.

"So far, we've had a good cross-section of the angling public represented in limited workshops to scope out the process," says Brad Eggold, who supervises DNR's southern Lake Michigan fisheries team. ✧

DEC reminds anglers of new ice fishing regulations

DEC reminds ice anglers about a recent change to the Environmental Conservation Law.

In waters where ice fishing is permitted, anglers will be allowed to use up to three lines and five tip-ups except as noted in special regulations for specific waters. Previously, ice anglers could only use two lines with five tip-ups.

The use of fish for bait may be used in most but not all waters open to ice fishing. See DEC's website for a list of special regulations by county to find out where baitfish can and cannot be used: www.dec.ny.gov/outdoor/71546.html.

Anglers are reminded to take these important steps when ice fishing:

- Follow the baitfish regulations to prevent the spread of harmful fish diseases and invasive species.
- Use only certified disease-free bait fish purchased at a local tackle store or use only personally collected baitfish for use in the same waterbody in which they were caught.
- Check for sufficient ice thickness before venturing onto the ice.

A minimum of three to four inches of solid ice is usually safe for anglers on foot. However, ice thickness varies on every body of water and anglers should be particularly wary of areas of moving water and around boat docks/houses where "bubblers" may be installed to reduce ice buildup. DEC cautions that the presence of snowmobile tracks or footprints on the ice should not be taken as evidence of safe ice conditions. Individuals are strongly encouraged to check ice conditions for themselves and avoid situations that present even a remote risk.

For more info on ice fishing, ice safety, and places to ice fish: <http://www.dec.ny.gov/outdoor/7733.html>. New York's freshwater fishing regulations can be found at www.dec.ny.gov/outdoor/7917.html.



Winter BOW Program set for U.P. Feb. 24-26

Women seeking the opportunity to improve their outdoor skills are invited to register for the 12th annual Becoming an Outdoors-Woman (BOW) winter program in the Upper Peninsula. The program will be held in Big Bay on February 24-26.

Sponsored by the Michigan DNR, this program offers instruction in more than a dozen kinds of indoor and outdoor activities, including cross-country skiing, dog sledding, ice fishing, fly tying, wilderness first aid, wood burning and more. Instructors provide basic and advanced instruction that is tailored to each participant's individual ability.

The program takes place at Bay Cliff Health Camp, a universally accessible facility, located in a picturesque wooded setting overlooking Lake Superior approximately 30 miles north of Marquette. The \$180 registration fee includes all food and lodging, as well as most equipment and supplies, except as noted in the registration materials. Participants will be housed in a dorm-style facility with amenities including a sauna and hiking trails with access to Lake Superior.

Becoming an Outdoors-Woman workshops are for women, 18 and older, who wish to learn outdoor skills in a relaxed, noncompetitive atmosphere. The winter BOW program also includes special evening programs during the weekend event.

Early registration is recommended as the program fills quickly each year. Class information and registration materials are available online at www.michigan.gov/bow, and payments may now be made online as well. For more information, contact Sharon Pitz at the DNR office in Marquette at 906-228-6561 or e-mail pitzs@michigan.gov.

Many outdoors programs for women are scheduled across Michigan. Call Sue Tabor: 517-241-2225; e-mail: DNR-Outdoors-Woman@michigan.gov ✧



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Position Statement

Representing a major interest in the aquatic resources of the Great Lakes states and the province of Ontario, the Great Lakes Sport Fishing Council is a confederation of organizations and individuals with a concern for the present and future of sport fishing, our natural resources and the ecosystem in which we live. We encourage the wise use of our resources and a search for the truth about the issues confronting us.

Inland Seas Angler GREAT LAKES BASIN REPORT

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MI-Grant opportunity for private forest landowners

Do you own at least 12 acres of connected forest land? Have you always wanted to better understand how to manage that land for timber, wildlife values, recreational activities or maybe a combination of all three? Here is your opportunity to receive cost share assistance to develop a certified management plan for your private forest land.

The Michigan DNR Forest Stewardship Program provides financial and technical assistance on Michigan's nonindustrial private forestlands. The program helps private landowners offset the initial costs of developing a management plan for their forested property. The landowner selects and hires a private consultant forester to aid in developing management goals and objectives, evaluate the property, and prepare a Forest Stewardship Plan. Landowners in the program pay approximately 50 percent of the cost of the plan development. The

remaining 50 percent of the costs will be paid by the State directly to the contractor.

The process for having a Forest Stewardship Plan written is as follows:

1. Landowner selects a certified plan writer. A list can be found for your county at www.michigan.gov/foreststewardship.
2. Together the landowner and certified plan writer complete the appropriate forms and application.
3. Certified plan writer submits the application to DNR service forester for project eligibility approval.
4. Certified plan writer writes plan. The plan must include all information required by DNR.
5. Landowner reviews, signs and accepts plan.
6. Landowner pays certified plan writer (minimum of 50 percent of plan costs).
7. Certified plan writer submits plan to DNR service forester for review

and approval.

8. DNR service forester reviews, approves or disapproves (note: plans will not be approved for payment if there are outstanding omissions of required components).

- If approved, DNR service forester forwards to the DNR stewardship coordinator for reimbursement to consultant forester.

- If the plan is not approved, the consultant and the landowner are advised so that corrections can be made to qualify the plan.

9. Certified plan writer is reimbursed in accordance with guidelines.

"This program is a win-win win for everyone — our forestlands, the landowners and future generations," added Meyer.

For more information on connecting with a consultant forester and learning more about the program please contact Shawna Meyer, DNR Forest Stewardship coordinator, at 517-335-3355 or by email at meyers6@michigan.gov. ✧

FWS destroying 434K lake trout for 'rock snot' fear

MONTPELIER, VT (AP) – The U.S. Fish and Wildlife Service is disposing of 434,000 lake trout from the White River, VT fish hatchery because of fears that stocking them in the Great Lakes could spread the invasive algae known as "rock snot."

Officials tried to find alternative locations where the 4-inch fingerlings could be stocked into waters already contaminated with the algae, known more formally as didymo, including lakes in Vermont and New Hampshire, but none could be found, said FWS spokeswoman Terri Edwards.

The decision to destroy the fish was made by the FWS Northeast regional director, Wendi Weber, who determined they could not be safely stocked in lakes Erie and Ontario — where they were supposed to be released — without posing a risk that

didymo could be transported to those bodies of water. In 2011, the Fish and Wildlife Service stocked more than 4 million lake trout in the Great Lakes.

Federal officials asked counterparts in states across the Northeast and around the Great Lakes for a lake that had already been contaminated with didymo where the fish could be released. In the end, they were not able to place them.

Didymo is believed to be transported by anglers moving from one body of water to another. It poses no threat to humans but can overwhelm coldwater lakes and streams, threatening aquatic insect and fish populations by smothering food sources. The hatchery is located on the banks of the White River, which is known to contain didymo, and was inundated by contaminated river water during flooding in August

caused by Tropical Storm Irene.

Once the lake trout have been removed from the hatchery, the tanks will be scrubbed and disinfected to be sure no threat of didymo remains. The water in the hatchery's tanks comes from wells. It's unclear how long the White River hatchery will be out of service or what its role will be once repairs have been completed. In addition to disinfecting the tanks, other repairs from Irene damage are also being carried out.

The loss of the hatchery comes as the Allegheny National Fish Hatchery in Warren, PA goes online after being out of service for several years. The Warren hatchery, originally established to produce rainbow, brook and brown trout for northwestern Pennsylvania streams, now is intended to produce lake trout for restoration in Lakes Erie and Ontario. ✧

Coast Guard studying effects of wind farms on marine traffic

Comments will be accepted through Jan. 31

The U.S. Coast Guard is undertaking a large-scale study of government, commercial and pleasure boat traffic up and down the Atlantic coast. Although the Coast Guard routinely looks at vessel traffic on a port-by-port basis, the study that's now under way is the first to examine waters beyond port entrances, from Maine to Florida.

As part of the investigation, officials are asking for input from maritime industries, commercial watermen and recreational boaters who operate within 200 nautical miles of the East Coast. Officials decided to launch the examination about a year ago, around the time that the U.S. Department of the Interior announced

“wind energy areas” off the coasts of several Atlantic states. No offshore wind farms are operational yet, but more than a dozen are in various stages of development.

Additionally, the Coast Guard is seeking written guidance from the public. It issued its first call for input in May, noting that some of the wind energy areas “are located in or very near the traditional routes used by vessels in foreign trade and on Atlantic coastwise transits.”

In its previous request, the Coast Guard received 26 comments, most of which were applicable to the Mid-Atlantic region and did not include information from all stakeholders.

“In addition to the Mid-Atlantic region, the Coast Guard has become aware of private sector interest in developing wind energy and hydrokinetic installations off the coasts of Maine, North Carolina, South Carolina, Georgia and Florida,” the Coast Guard said. “Therefore, it is important that the Coast Guard receive comments on the potential impacts to the maritime community in these locations, as well.”

Comments will be accepted through January 31. Click here for information: http://www.uscg.mil/lantarea/ACPARS/docs/Notice%20of%20study_reopening%20of%20the%20comment%20period.pdf. ✧

Infectious salmon disease spreads from Europe's fish farms to Canada

Discovery of the virus latest example of disease spreading to wild fish stocks from world's mega fish farms

The rise of the farmed fish industry in recent years has been accompanied by the emergence of many infectious diseases of fish. One of the most recent and serious diseases is the marine viral disease, Infectious Salmon Anaemia (ISA).

First detected in Atlantic salmon farmed along the southwest coast of Norway in 1984, it has since spread throughout the world. As the name suggests, ISA shows itself by a severe anaemia, with fish displaying pale gills, and often swimming close to the surface of the water, gulping for air. More insidiously, however, many fish show no signs at all until they suddenly die.

An outbreak of the ISA was detected in wild Pacific salmon last October, in the Canadian province of British Columbia. Outbreaks of this virus have previously been detected in fish farms in Chile and Scotland, and although not dangerous to human health, have had serious impacts on the industry and the communities who depend upon it.

Infection spreading to wild fish

Effective management of the diseases

of aquatic animals can be problematic. Often, too little is known about the infection itself, and infections can spread via flowing water and populations of wild fish sharing the same waters as farmed fish.

British Columbia's ISA outbreak in wild salmon was discovered by researchers from Simon Fraser University, led by Professor Richard Routledge. Samples were taken in May and June last year as part of a ten-year study into the importance of the Rivers Inlet area to migrating juvenile sockeye salmon.

'It was not until toward the end of the migration season, when we realised how few juvenile sockeye salmon we were going to be able to catch, that we began to consider possible causes of the low catch rate. ISA was just one of several potential causes that we eventually considered,' said Professor Routledge.

Samples from 48 wild salmon were sent to the reference laboratory at the University of Prince Edward Island, the global centre for tests to detect the virus. They confirmed the

presence of ISA in two of the fish. Subsequently, three out of ten fish collected from a tributary of Fraser River, the biggest wild salmon river in the world, also tested positive for the ISA virus. The three fish were all different species: coho, Chinook, and chum salmon, and all three died before they had spawned, although the cause of death has not yet been determined.

These results have not surprised many scientists, who see infection in the wild population as inevitable and point the finger of blame at nearby fish farms. Rivers Inlet, where the positive samples were taken, is just 60 miles from the nearest salmon farm, and although there is no definitive evidence, the fact that it was the European strain of the virus that was detected, seems to suggest that this is a distinct possibility.

The aquaculture industry in British Columbia has imported millions of Atlantic salmon eggs from Norway and other countries in Europe

Infectious salmon disease

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Lake Sturgeon rehab strategy open for public review

Comments will be received until January 23

The Michigan DNR announced the availability of the Draft Lake Sturgeon Rehabilitation Strategy for public comment. Lake sturgeon are an important part of Michigan's biodiversity, as they are the largest and longest-living fish that swim in state waters.

Populations were decimated near the turn of the 20th century due to overfishing, water pollution and habitat loss. Although management actions taken in recent decades have resulted in the recovery of some populations, the species is protected and listed as threatened on the State of Michigan's Endangered Species List.

The Draft Lake Sturgeon Rehabilitation Strategy outlines the management goals, objectives and actions that can be taken to help recover this important species. The document is not intended to be a briefing of current knowledge about the species or a specific management plan that includes prescriptions about how each population can be enhanced. Rather, this document includes a more holistic view of lake sturgeon management in Michigan and provides the guiding principles Fisheries Division will use in cooperation with its partners to recover this important species.

The Strategy is posted online at www.michigan.gov/fishpublicinput. Public comments will be received until January 23, 2012.

Written comments can be submitted through email to DNR-FISH-Sturgeon@michigan.gov or through mail to:

Sturgeon Rehabilitation Strategy
Comments
Michigan Department of Natural
Resources
96 Grant Street
Charlevoix, MI 49720 ✧

ON - \$25,000 fine for commercial fishing violations

Two Port Dover holders of a commercial fishing licence and the captain of a Lake Erie commercial fishing boat have been fined \$25,000 for commercial fishing violations.

James and Rhea Mummery pleaded guilty and were each fined \$1,000 for fishing in a prohibited area. The court also required any commercial fishing vessel operating under their licence to have a GPS unit installed that is monitored by the Ministry of Natural Resources.

Dale Mummery of Port Dover, captain of the commercial fishing vessel My Boys, pleaded guilty to violating the terms of his licence. He was fined \$15,000 for exceeding his yellow perch quota, \$4,000 for submitting daily catch reports with false information, \$1,500 for submitting daily catch reports with false information about the amount of fishing gear being used, and \$2,500 for fishing in a prohibited area. For one year he must also have a GPS unit monitored by the OMNR installed in any commercial fishing vessels he operates.

The court heard that on June 17, 2010, a conservation officer inspected Dale Mummery's logbook. The inspection revealed Dale Mummery had submitted false daily catch reports during the 2010 fishing season. When the correct information was obtained, the ministry found that he had exceeded his yellow perch quota in one of the quota zones on his licence by 4,447 kilograms. The logbook also showed that he set gill nets in a prohibited area on multiple occasions. Justice Gethin Edward heard the case in the Ontario Court of Justice, Simcoe, on December 19, 2011.

To report a natural resource violation, call 1-877-TIPS-MNR (847-7667) toll-free any time or contact your ministry office during regular business hours. You can also call Crime Stoppers anonymously at 1-800-222-TIPS (8477). ✧

OH grants to develop "WILD School Sites"

COLUMBUS, OH – Ohio teachers who have successfully used Project WILD in their classrooms now have the opportunity to provide students with additional hands-on learning tools about wildlife and habitat through grants being offered through the Ohio Department of Natural Resources (ODNR), Division of Wildlife.

Grants totaling \$500 each will be awarded on a competitive basis to 40 schools currently participating in Project WILD, a supplemental environmental education curriculum for grades K-12.

"A WILD School Site project allows teachers to take lesson plans outdoors, bringing conservation education concepts to life for students," said Jen Dennison, wildlife education coordinator for the Division of Wildlife. "An added benefit is the improvement of schoolyard habitat for wildlife and people, which enhances outdoor learning experiences."

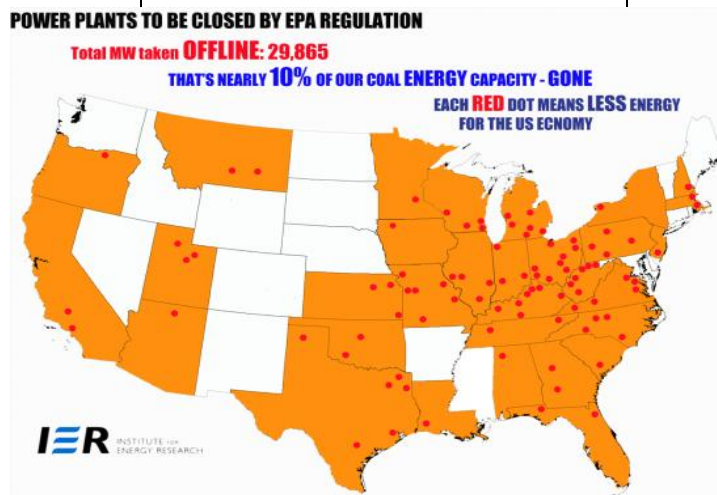
The grants are awarded to applicants that best meet the WILD School Site criteria. Criteria includes participation in one of Ohio's Project WILD programs, direct improvement of the habitat on the school grounds, involvement of the students in the projects as much as possible, and correlation of the projects to the school's curriculum.

Funding for the WILD School Site grant program comes directly from the sale of Ohio hunting and fishing licenses.

Interested educators should submit an application between January 1 and May 31 to the ODNR Division of Wildlife, Outdoor Education Section, 2045 Morse Road, Bldg. G, Columbus, OH 43229. Complete details of the grant program and an application packet can be found at ohioprojectwild.com. To learn more about Project WILD or to find an area workshop, go to www.ohioprojectwild.com or call 1-800-WILDLIFE. ✧

New EPA regs harm U.S. electricity generation, threaten national security EPA determined to shut down coal-fired power plants, the source of half our electricity

WASHINGTON D.C. – The Environmental Protection Agency opened the comment period for its latest regulatory assault on U.S. energy on December 20, 2011 with publication of a new emissions rule in the *Federal Register*. In advance of this important development, the Institute for Energy research released a [revised report](#) on the impacts that new and proposed EPA regulations will have on the nation's ability to meet current energy demands. The revised report includes new coal-fired plant closures in Wisconsin, Michigan, and Georgia, as well as cancelled coal-to-natural gas conversions in Minnesota, all of which account for an additional 1.5 GW of lost electricity generating capacity in the U.S.



"The EPA is determined to shut down coal-fired power plants, the source of nearly half of our electricity. The loss of 30 GW of power to our electric grid means much more than an inconvenience for American consumers or rolling blackouts. It means a real threat to our national security," noted IER's

Director of State and Regulatory Affairs, Dan Simmons.

"Already, [Americans are seeing record spikes in their monthly electricity bills](#), the largest sustained increases since the days of Jimmy Carter," Simmons added.

In October, [the Institute for Energy Research reported that](#), according to the EPA modeling and announced power plant closures, [EPA's upcoming regulations will shutter almost 28 GW](#) of electricity generation capacity. At the time, we warned, "this number will grow as plant operators continue to release their EPA compliance plans." Now, a mere two months later, our analysis indicates that the amount of generation set to close because of EPA's regulations has grown to almost 30 GW. ✧

Army Corps releases ANS Control proposals Public comment period ends Feb 17

The U.S. Army Corps of Engineers, on December 21 released the "Inventory of Available Controls for Aquatic Nuisance Species (ANS) of Concern – Chicago Area Waterway System (CAWS)," an Interim Product of the Great Lakes and Mississippi River Interbasin Study (GLMRIS). This document is available at http://glmr.is.anl.gov/documents/docs/ANS_Control_Paper.pdf

This paper identifies available options or technologies (ANS Controls) that may be effective at preventing the 39 ANS of Concern, as identified in the ANS White Paper released in July 2011, from transferring through the aquatic pathways in the CAWS, as well as other potential aquatic pathways.

It is important to note that the ANS Control Paper is intended to inventory available ANS Controls. It does not contain specific recommendations, rank the effectiveness of the Controls, or identify constraints, impacts, regulatory requirements or technological feasibility of application.

USACE is announcing an ANS Control Comment Period that began on December 21, 2011 and ends on February 17, 2012. USACE is asking the public to submit i) information on ANS Controls that may be effective at preventing the transfer of ANS of Concern but are not included in the paper, or ii) comments regarding ANS Controls identified in the paper.

The paper is posted, along with ANS Control Fact Sheets and the

ANS Control Comment Period details on the new ANS Controls page on the GLMRIS website at <http://glmr.is.anl.gov/documents/interim/anscontrol/index.cfm>.

USACE is hosting two conference calls for interested members of the public to ask questions about the paper. The calls will be held on January 10, 2012 from 2–4 p.m. (CST) and February 8, 2012 from 10 a.m.–noon (CST). Call-in information for both calls is: USA Toll-Free: 877-336-1839, Access Code: 8506361, Security Code: 0000

If you have any questions about this document, please contact GLMRIS Project Manager Dave Wethington at 312-846-5522 or David.M.Wethington@usace.army.mil. ✧

US Forest Service approves Vermont wind power facility

RUTLAND, VT – The U.S. Forest Service has approved the construction of a 15-turbine wind energy facility on the Green Mountain National Forest in Vermont, which they claim will provide enough electricity to power about 13,000 homes annually.

The announcement, on January 3, marks the culmination of an environmental analysis and record of decision for the proposal to construct and operate a commercially viable, utility-scale wind energy facility on the national forest in the towns of Searsburg, and Readsboro next to the Searsburg Wind Facility operated by Green Mountain Power Company on private land. Green Mountain Forest Supervisor Colleen Madrid decided to approve “Alternative 2” (reduced west).

The facility will consist of 15 state-of-the-art 2.0 megawatt turbines that will stand 389 ft tall, from the ground to blade tip. The turbines are expected to produce approximately 92,506 MWh with a nameplate capacity of 30 megawatts.

The Green Mountain National Forest accepted the formal application from Deerfield Wind, LLC, owned by Iberdrola Renewables, in November 2004. For projects of this magnitude, the Forest Service is required to conduct a National Environmental Policy Act review process, which includes in-depth analysis, scientific

studies, and public participation. The environmental impact statement and record of decision — which address various impacts and public concerns that have been raised — can be viewed at: <http://data.ecosystem-management.org/nepaweb/fs-usda-pop.php?project=7838>.

The Forest Service began the NEPA process for the proposal in July 2005. A similarly required state review process conducted by the Vermont Public Service Board formally began in 2007. The board concluded its review in July 2009, with a decision to approve construction and operation of a 15-turbine configuration, subject to specific conditions. Three other alternatives were considered through the federal NEPA process including:

► The original proposal presented by the applicant, known as the Proposed Action, was to construct 17 state-of-the-art 2.0 megawatts turbines. Ten turbines would have been constructed on the west ridge and seven would have been constructed on the east ridge, adjacent to the existing Searsburg Wind Facility. The anticipated annual electricity generation for this alternative would have been approximately 99,776 MWh, with a total nameplate capacity of 34 megawatts, enough to meet the annual needs of 14,000 average homes.

► The other alternative, known as Alternative 3, would have built 7 turbines on the east ridge and no turbines on the west ridge. This alternative would produce approximately 41,084 MWh, with a nameplate capacity of 14 megawatts, enough to meet the annual needs of about 5,800 average homes.

► A “No Action” alternative, which is required by law and federal regulation. The U.S. Forest Service is authorized to issue special use permits to individuals and businesses for certain uses and activities. The Agency intends to allow the project to proceed by issuing one special use permit to Deerfield Wind, LLC to use up to 80 acres of National Forest System land. A second special use permit will be issued to Central Vermont Public Service to facilitate the distribution of the power generated by the project over the transmission lines it currently owns.

A public notice of availability for the Final Environmental Impact Statement and Record of Decision will appear in the *Federal Register* in January. A legal notice announcing the documents and decision will be published shortly after in the *Rutland Herald*, which is the Forest Service’s official newspaper of record. Once the legal notice has been published, a mandatory 45-day administrative appeal period will begin. ✧

No new ruffe populations found

Surveys taken on Lake Huron and the St. Marys River

During September 2011, the USFWS Alpena Fish and Wildlife Office (FWCO) completed an annual survey to detect new populations of Eurasian ruffe (Ruffe) and monitor existing populations of other invasive fish species, including round goby (goby). Bottom trawling gear was used to conduct the survey. Sampling was conducted at eight nearshore locations in U.S. waters of Lake Huron from Port Dolomite near Cedarville to Harbor Beach, and at six locations in

the St. Marys River from Sault Ste. Marie to De Tour Village.

Ruffe were not captured during sampling. However, goby continue to persist and were captured at all eight Lake Huron sampling locations.

The Sea Lamprey Control Program reported a ruffe was caught in a trap located in the Trout River, north of Rogers City, MI. This prompted the Alpena FWCO staff to try and locate this exotic invader. During the week of September 12th, Fish Biologists Joseph Gerbyshak and

Adam Kowalski set out to try and confirm the presence of ruffe in the Trout River and several other watersheds in close proximity to the Trout River. Trap nets and electrofishing were used to sample fish communities in the Trout, Swan and Thunder Bay Rivers. Fortunately, no ruffe were detected. Nevertheless, yearly monitoring will continue to occur in Lake Huron and its tributaries for the presence of ruffe and other exotic species. ✧

Christmas trees as fish habitat may need permit

There are many ways to recycle Christmas trees, but tossing them on a frozen lake as a way of creating fish habitat has certain requirements.

“Fish attractors tend to bring fish and fishermen together,” said Bill James, Indiana’s Fish Chief. “They provide cover but don’t necessarily grow more fish.” Instead of waiting for an iced-over lake to thaw so a single discarded Christmas tree can sink to the bottom, James said there are better options for fish attractors.

“They need to be designed, sized and placed appropriately to attract and hold fish,” he said. “Large hardwood brush piles work well and last for many years. Soft woods such as pine or spruce attract fish initially but deteriorate quickly.”

Furthermore, state laws may apply, depending on the body of water. Discarding a Christmas tree on a private pond is at the owner’s discretion, but doing so on a public freshwater lake is governed by the Lake Preservation Act (Indiana Code 14-26-2) and Indiana Administrative Code (312 IAC 11-4-7).

Those two laws stipulate that a license from the DNR is needed to construct or place a fish attractor in a public freshwater lake. To qualify, the fish attractor must be anchored to ensure proper setting and must not be placed in a channel, a beach area, near the lake surface or in an area that would adversely affect public safety and navigation.

Three DNR divisions — Fish & Wildlife, Law Enforcement, and Water — have a role in reviewing and approving a permit request for placement of a fish attractor. If approved, the permit carries a \$100 fee and requires the permit holder to remove any portion or portions of the fish attractor that become unattached.

The administrative rule (312 IAC 11-4-7) was enacted in 1999 by the Indiana Natural Resources Commission. ✧

MI DNR simplifies fish spearing regulations

New spear and bow-and-arrow angling regulations, announced by the Department of Natural Resources, will provide additional recreational opportunities starting in the 2012 fishing season.

The changes are a result of a multi-year review process begun by an internal DNR Fisheries Division workgroup designed to simplify spearing regulations. Changes in the regulations were made in concert with citizens on the Warmwater Resources Advisory Committee and signed in a fisheries order by DNR Director Rodney Stokes.

Beginning April 1, licensed anglers will be allowed to use spears and bows and arrows to take designated species of fish year-round, except on designated trout waters or as noted in the list of non-spearing waters. Gizzard shad, goldfish and grass carp have been added to the list of species.

The season for spearing northern pike and muskellunge through the ice will remain December 1 – March 15, but the number of waters prohibiting spearing for pike and muskellunge has been reduced from 40 to 30. For additional information, please consult the 2012 Michigan Fishing Guide, which will be available on line at www.michigan.gov/fishingguide or license dealers in late February. ✧

New Steelhead Big Fish Contest

Harbor Bair and Tackle located at 786 Richmond Street in Fairport Harbor, Ohio (formerly D&W Bair) is conducting a Steelhead “Big Fish” contest this year. The contest is similar to the popular contest run by the former Grand River Tackle and runs until March 31st. The entry fee is \$15. Each fish checked in gets awarded points based on the length and weight of the fish. There will be a 100% payout. ✧

"I FISH NY" freshwater fishing map available from DEC

New York State DEC Bureau of Fisheries is offering a new, full color map/brochure free of charge for individuals who fish in the freshwaters of New York, the agency announced. The I FISH NY Guide to Freshwater Fishing in New York State provides information on over 320 NY lakes and ponds and 112 river and streams.

The large 36” x 37.5” map folds into a convenient 3.875” x 9” size. One side provides a map of New York identifying locations of fishing waters recommended by DEC. The other side provides tables with details on each water, including the fish species present, the type of access provided and who owns it, whether or not it is open to ice fishing, fishing piers, marinas or local campsites and any permits or other restrictions. Guidance on how to buy a fishing license, register a boat or make a camping reservation in New York is also included, along with information for anglers desiring to fish the Great Lakes for wild trout, wilderness brook trout or black bass. Anglers will also find important phone numbers and e-mail addresses. Color identification photos and descriptions of popular sportfish in New York are also provided.

The I FISH NY Guide to Freshwater Fishing in New York State was completed using Federal Aid in Sportfish Restoration grant funds and can be obtained free from any DEC regional office, or by mail. To receive a map in the mail, e-mail to: fwfish@gw.dec.state.ny.us. Requests by e-mail should include the name and complete address of the recipient, as well as NY Fishing Map in the subject line.

NYS Department of Environmental Conservation, Region 9
270 Michigan Avenue
Buffalo, NY 14203
region9@gw.dec.state.ny.us
www.dec.ny.gov ✧

Arbitrary fishing limits

Continued from page 1

supposed to manage. Because NOAA has been unable to perform up-to-date assessments on these stocks, which include popular sportfish such as cobia, mahi mahi and over a dozen stocks in the South Atlantic snapper-grouper complex, they are resorting to insufficient, and in many cases, overly-precautionary methods.”

The FSIA allows NOAA Fisheries to set ACLs only on those stocks of fish for which they have the up-to-date scientific information necessary to inform that decision. The bill’s two conditions exempting a fishery from the ACL requirements are:

- ▶ The lack of a stock assessment in the prior six years.
- ▶ The absence of any indication that overfishing is occurring

To help prevent the removal of stocks from management plans, the bill provides guidance for the agency to include some stocks in an “ecosystem management category” which allows them to remain under federal management without being subject to the ACL requirement. For a fact sheet on FSIA, go to www.asafishing.org/government/documents/FSIA_Fact_Sheet.pdf

“There are several problems that arise when managers try to set ACLs on stocks for which they have no biological data,” continued Haddad. “In most cases, the only data available are historic catch levels, which are in no way a useful indicator of what level of harvest a stock can handle to maximize fishing opportunity while ensuring sustainability. The result is that anglers are now going to be held to hard, but arbitrary, fishing quotas, which, if exceeded, will cause the fishery to be shut down. These new ACLs may also require managers to shut down other healthy fisheries, or fisheries complexes, if the ACL for a bycatch species has been exceeded.”

“The new annual catch limits proposed by NOAA Fisheries and the Regional Fishery Management Councils are fraught with uncertainty, confusion and unintended

consequences that will be felt in the form of lost access, lost jobs and lost business from coast to coast,” concluded Nussman. “The FSIA offers a thoughtful, realistic and common-sense solution that will uphold the conservation tenets of the Magnuson-Stevens Fishery Conservation and Management Act while relieving anglers and managers from totally unrealistic requirements that undercut the role science plays in management. ASA and the companies around the country it represents, urge Congress to pass this vitally important bill.” ♦

Infectious salmon disease

Continued from page 4

for the past 25 years. Previously ISA had been found in ocean-going salmon, but was not deadly until it morphed into a virulent strain in Norway’s fish-farming pens. Poor aquaculture practices are thought to have contributed to the mutation, with unhealthy fish being fed antibiotics and living in densely packed pens. A diseased fish comes into close contact with many other fish, spreading ISA via urine, blood and other bodily fluids. As the fish farm has an open net, disease can be easily transferred to the outside world.

Professor Routledge believes that the fish farms are ‘an important potential pathway for ISA to be spread to wild Pacific salmon.’

Industry rejects call to reform fish farms

Many have been campaigning for years against open net fish farming. The Coastal Alliance for Aquaculture Reform ([CAAR](http://www.caar.ca)), comprising of groups working to promote safe salmon farming in British Columbia, has led efforts to develop a safe salmon farming industry. Will Soltau who works for the Living Oceans Society, one of the member groups, says that CAAR has ‘worked for the last decade to stop the expansion of open net-cage salmon farming in BC and advocate for transitioning the open net-cage farms into closed containment technology. That

transition would separate the farmed fish from the wild fish and thereby eliminate a lot of the negative effect from the industry to the marine environment.

Unfortunately, the Canadian Government has not acted on advice and the industry has resisted change. ‘We are now faced with the possibility of this disease being introduced to the North Pacific Ocean for the first time and spreading in wild salmon stocks,’ adds Mr. Soltau.

Campaigners are right to be worried. In 2007, an outbreak of ISA in Chile decimated their lucrative farmed salmon industry. More than 100 fish farms were affected, with over a million fish being killed and 50 percent of workers losing their jobs. The cost of ISA over the last 4 years is estimated to be around US\$2 billion, and the industry is yet to recover from the impacts of the disease.

Scotland too has had to tackle its own outbreaks. In 1998/99, ISA was confirmed at 11 sites, and suspected at 34 additional sites, scattered across virtually the entire salmon farming region. The cost to the industry was estimated to have amounted to £30 million. Ten years later ISA returned, although this time on a much smaller scale. Six infected sites in Shetland were confirmed and depopulated of fish, and only after 2 years of monitoring and testing were they declared ISA free.

Shock of Canada disease outbreak

In British Columbia, salmon farming and the wild commercial salmon sector combined provide over 3,000 full-time equivalent jobs, and contribute hundreds of millions of dollars to the provincial GDP. Salmon sport fishing is also important to the economy, and is a significant employer.

The news of ISA in British Columbia has surprised those in the industry. The British Columbia Salmon Farmers Association stated that their fish health departments regularly test farmed fish for ISA but have never found a positive result. In addition, the Canadian Government

has conducted tests on the original wild samples.

They were sent to a laboratory at the University of Bergen in Norway, and the [Canadian Food Inspection Agency \(CFIA\)](#) announced that the lab found no evidence of ISA.

However, this statement is misleading according to Professor Routledge. 'The Norwegian lab was able to generate one positive test result on a sample from one of the two fish that had previously tested positive, but the result was not repeatable. One explanation for the discrepancy that seems highly credible to me is that the samples were by then degraded.' The samples were of too poor a quality for the results to be replicated so the CFIA announced, somewhat controversially, that the results were negative.

Alexandra Morton, the marine scientist and outspoken wild salmon activist who collected the Fraser River samples, cannot understand the government's response. 'Why would government jump out and deny evidence of ISA virus in BC? If the samples were poor wouldn't it make sense to go back to the places where the positive tested fish came from and take their own samples? How can we take any confidence when government says everything is fine because the virus was found in poor quality samples?' She continues: 'ISA virus is the most deadly salmon virus known, it plagues salmon farms worldwide but Canada is going to ignore the results from two of the top ISA virus labs in the world, because the samples were of poor quality?'

Alaska fears spread to its fish

While the Canadian Government is playing down the fears of ISA, the United States Government has taken the opposite stance. In a statement released by senators from Washington State and Alaska, fears were expressed that the Canadian government may be too close to the multi-billion dollar industry. They called upon the United States to conduct their own tests, as 'we should not rely on another government — particularly one that may have a

motive to misrepresent its finding — to determine how we assess the risk ISA may pose to American fishery jobs. We have to get a coordinated game plan in place to protect our salmon and stop the spread of this deadly virus.'

As 'Salmongate' (as the North American press have dubbed this debate) continues, it is clear that more tests are needed to confirm the initial findings. 'I believe that top priority needs to be given to collecting, preserving, and analysing new samples under tight protocols to obtain more definitive evidence regarding the presence, geographic range, origin, etc., of the virus in the North Pacific,' says Professor Routledge.

The stakes are high, especially with so many people dependent on salmon-related industries in the Pacific Northwest. Campaigners are viewing the ISA outbreak as one reason why changes to aquaculture procedures are essential, but scientists admit they are on a steep learning curve. Swift action is necessary, but no country has ever managed to completely eradicate ISA, and reverberations of this outbreak may be felt for many years to come. ✧

Hog grower fined for polluting Spring Creek, killing thousands of fish

Springfield — The Illinois Attorney General signed an agreement with an Iroquois County swine facility that illegally discharged livestock waste in Spring Creek, which killed more than 110,000 fish across more than 19 miles of the creek and a tributary.

The consent order partially resolves an amended complaint filed in February 2010 by Attorney General Madigan. R3E, LLC must pay \$17,500 in civil penalties to the Illinois EPA's Environmental Protection Trust Fund and \$63,782 to the Illinois Department of Natural Resources for the value of the aquatic life destroyed by waste discharge. ✧

NY to purchase 1200 acres of land in the Catskill Park

Big Indian acquisition protects important state forestland

New York State's purchase of 1,200 acres of land on the eastern side of Belleayre Mountain, known as Big Indian, is expected to be completed soon, New York State Department of Environmental Conservation Commissioner Joe Martens announced. The acquisition will expand the Catskill Park Preserve and further protect the New York City watershed.

"The Big Indian acquisition preserves a major undeveloped geographic feature of the scenic Route 28 corridor in the heart of the Catskill Park," Commissioner Martens said. "The property is an important natural resource for future public recreation and in protecting the New York City watershed. The completion of this acquisition protects the Catskill Park while allowing economic growth in the area."

The \$5.6 million used to purchase the land came from the Environmental Protection Fund (EPF). The property will be added to the constitutionally protected State Forest Preserve and will remain on local property tax rolls. This purchase fulfills a priority project area in the state's Open Space Conservation Plan.

The purchase also completes a key element in a non-binding Agreement in Principle reached between the State, the City of New York, several environmental groups and Crossroads Ventures LLC in September 2007. That agreement outlined a potential path forward to protect important lands in the New York City watershed and to allow for the potential future construction of a downsized private development project known as the Belleayre Resort at Catskill Park, as well as an expansion of the state's Belleayre Mountain Ski Center. ✧

HSUS casts dark cloud over American agriculture

The Humane Society of the United States (HSUS), has again resorted to “backdoor” tactics by partnering with—or possibly forcing its agenda on—the U.S. Department of Agriculture (USDA). Those HSUS efforts to infiltrate USDA regulations were recently exposed on the floor of U.S. Capitol with testimony by Senator Jerry Moran (R-Kansas).

Moran noted in his November 2, 2011 comments that he discovered U.S. Department of Agriculture memos authorizing the USDA’s Animal and Plant Health Inspection Service (APHIS) to hold a forum—at taxpayer expense—on animal rights and agriculture. In fact, another memorandum noted that a prior meeting with HSUS and USDA staffers was held to “set the agenda” for the upcoming forum. Moran noted in his Senate testimony that USDA met with HSUS despite it being an animal rights organization and “no friend to rural America, farmers or ranchers.”

“HSUS spends their dollars lobbying against rural America and farmers and ranchers,” stated Sen. Moran. “Tax documents show that HSUS spends less than one percent of its budget on animal shelters.”

In a March 2011 HSUS news release, the group applauded the U.S. Department of Agriculture for launching a new database to increase public access to information regarding research facilities and other entities regulated under the Animal Welfare Act. The new database came about, however, as a result of a lawsuit settlement agreement between USDA and the HSUS about access to animal research records under the Freedom of Information Act.

The HSUS had sued the USDA, and many taxpayer dollars were spent defending against the HSUS suit that was filed in 2005. Details are at http://www.humanesociety.org/news/press_releases/2011/03/usda_animal_care_records_database_032911.html. Was this an HSUS effort to gain more

control over the U.S. Department of Agriculture?

Many other HSUS actions showcase their efforts to attack and infiltrate the agriculture industry. Another September 2011 HSUS news release reveals that other groups are joining the HSUS in their costly and bitter ballot initiatives directed at farms, ranches and agriculture.

“In Ohio, in 2010, The HSUS—and many of our traditional allies such as Farm Sanctuary, Mercy For Animals, the Toledo Area Humane Society, the Ohio Environmental Stewardship Alliance, and others—waged a campaign to place a measure on the statewide ballot to phase out a variety of the most inhumane factory farming practices,” reports HSUS’s Wayne Pacelle in a blog about Ohio and farming. The HSUS has also focused their agriculture “sights” on Nebraska.

A September 14, 2011 blog by HSUS’s Wayne Pacelle decried Nebraska Governor Dave Heineman as “ill-informed and patently dishonest.” This was because the Governor held a series of meetings with ranchers and farm groups across the state to tell them that HSUS was attempting to force its way into the state and is definitely no friend to farming or the agriculture industry.

HSUS also boasted it had “...hammered out agreements in California, Colorado, Maine, Michigan, and Ohio on farm animal welfare” Of course those agreements were often the results of lawsuits or threats of costly ballot initiatives by HSUS.

In May 2011, another HSUS release noted the group’s pleasure when Florida’s “lawmakers chose not to enact agribusiness’ proposal to criminalize taking photographs or videos of farm animals.” Seems HSUS videos being taken by “planted” HSUS employees at farms have appeared on television shows as documentaries or in national news programs as actual news. Yet, according to HSUS in an April 14,

2011 release, “undercover investigations of the meat industry have a long and important history in the United States.”

“All sportsmen and American’s should be concerned that the nation’s largest animal rights group has become advisors and partners to the agriculture industry,” warns Bud Pidgeon, U.S. Sportsmen Alliance president and CEO. “This group’s recent pushes to pass animal rights legislation that affects farms nationwide should be a warning of what to expect in the future and that these recent actions by HSUS are very suspect.”

More info on HSUS undercover raid: www.humanesociety.org/news/press_releases/2011/06/telly_award_s_mithfield_video_060911.html. ✧

Passport to fishing instructor training

Columbus, OH – Any adult, group, or conservation club who has an interest in taking kids fishing should consider becoming a certified Passport to Fishing instructor, according to the Ohio Division of Wildlife. Three free workshops are available. Passport to Fishing is a one-day instructor training program that qualifies individuals to become Division of Wildlife certified fishing instructors, similar to a hunter education instructor.

The next workshops are:

Monday, January 28

Wildlife Central Office
2045 Morse Rd, Columbus 43229

Monday, February 4

Wildlife Central Office
2045 Morse Rd, Columbus 43229

Tuesday, February 19

Wildlife District One
1500 Dublin Rd, Columbus 43215

To register, call Jennifer McCray – 1-800-Wildlife or 614-644-3925. For additional class information, [Click here](#) ✧

Feds side with NY AG on Indian Point power plant

Reject efforts to have severe accident analysis ignored in relicensing

NEW YORK – The Nuclear Regulatory Commission has upheld the Landmark Ruling that Indian Point cannot be relicensed before review of upgrades is completed. Attorney General Eric T. Schneiderman announced a significant federal ruling in ongoing efforts to improve Indian Point's accident preparedness, and ensure the protection of public health and the environment of the surrounding region. The Nuclear Regulatory Commission (NRC) rejected a move by Entergy, Indian Point's owner, to reverse a landmark Atomic Safety and Licensing Board decision ordering the completion of legally required analyses of the facility's severe accident mitigation measures before it can be relicensed.

As part of the relicensing proceeding, nuclear power plants are required to identify the environmental impacts that could be caused by a severe accident and provide analyses of measures that facilities could take to protect the public if one were to occur. In its environmental review, Entergy identified numerous such measures at Indian Point Units 2 and 3, including flood protection and auxiliary power improvements.

In the context of Indian Point's relicensing, the Attorney General's office argued that the NRC has the obligation to require Entergy to complete analyses of cost-beneficial measures, or to require that the measures be adopted, consistent with NRC's own regulations, as well as those of the National Environmental Policy Act and the Administrative Procedure Act.

On July 15, the Atomic Safety and Licensing Board (ASLB) issued a decision that Indian Point cannot be relicensed without completing the legally required analyses of its severe accident mitigation measures. ✧

Obama says he won't be bound by gun-control ban in omnibus

The Obama administration won't be bound by a gun-control ban in the \$1 trillion spending bill for 2012, the president said Friday.

The funding provision for the federal Health agency says, "none of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control." The language aims to ban taxpayer dollars from supporting gun-safety research.

"I have advised the Congress that I will not construe these provisions as preventing me from fulfilling my constitutional responsibility to recommend to the Congress's consideration such measures as I shall judge necessary and expedient," Obama said in a statement as he signed the bill into law.

The Obama administration's anti-gun agenda, which has been sneaking into the federal bureaucracy in recent years, was blasted by [Congress](#) last week. Republicans used the \$1 trillion omnibus bill for 2012 to shoot back at the sneaky use of federal funds for gun control.

One sentence in the 2,100-page spending bill stopped taxpayers' money from being used for sham studies designed to make legal gun ownership seem like a public health hazard. The House [GOP](#) included a provision in the Health and Human Services appropriations bill preventing the National Institutes of Health ([NIH](#)) from using any of its \$30.7 billion funds to "advocate or promote gun control."

The president's signing statement also says he could end up ignoring a provision that bars taxpayer funds for paying for the "salaries and expenses" of so-called White House czars, including the director of the White House Office of Health Reform. The office was abolished earlier this year.

That provision "could prevent me from fulfilling my constitutional responsibilities, by denying me the

Firearm accident fatalities at an all-time low

Data recently released by the National Center for Health Statistics shows that in 2008, the number and per capita rate of firearm accident deaths fell to an all-time low. There were 592 firearm accident deaths (0.19 such accidents per 100,000 population) in 2008, as compared to 613 accidents (.20 per 100,000) in 2007. In 2008, the chance of a child dying in a firearm accident was roughly one in a million.

Firearm accidents accounted for 0.5% of all accidental deaths; well below the percentages accounted for by motor vehicle accidents, falls, fires, poisonings, and several other more common types of mishaps.

Firearm suicides rose in 2008 because total suicides rose, but the percentage of suicides accounted for by those misusing firearms remained steady, at just barely over half. This is down from about 60% during the 1980s and early 1990s. The firearm suicide rate remained at just under 6 per 100,000, as it has been every year from 1999 forward. Contrary to claims made recently by some gun control advocates, firearm suicides among children are extremely uncommon, and in 2008, fell to an all-time low.

Firearm homicides (including self-defense, but excluding lawful shootings by police) declined in 2008. More recent data reported by the FBI, shows that criminal homicides declined in 2008, again in 2009, and again in 2010, to a 47-year low. ✧

assistance of senior advisers and by obstructing my supervision of executive branch officials in the execution of their statutory responsibilities," Obama said. "I have informed the Congress that I will interpret these provisions consistent with my constitutional duty to take care that the laws be faithfully executed." ✧

MI workgroup presents recommendations for youth hunting

A workgroup comprised of conservation groups and youth hunters presented recommendations for mentored youth hunting in Michigan to the Michigan Natural Resources Commission.

Earlier this year, Governor Rick Snyder signed two bills that eliminated the minimum hunting age in Michigan and directed the NRC to create a new program for mentored youth hunting for kids under age 10.

Under the statute, the DNR will offer a Mentored Youth Hunting license starting on March 1, 2012. The \$7.50 license will be a "package" license that includes small game, spring and fall turkey, two deer tags, a furbearer trapping permit and an all-species fishing license. An adult mentor must be at least 21, have previous hunting experience and possess a valid Michigan hunting license. Another provision of the law allows 10 year-olds to hunt big game

on private land with a firearm, which was implemented with the 2011 deer season.

The recommendations for the Mentored program include:

- No limit on the number of youth a mentor can have with him or her in the field.
- Limit of two hunting devices – bow, crossbow or firearm – per mentor.
- The youth in possession of a hunting device and engaged in the act of hunting must be within arm's length of the mentor.
- The mentor shall ensure that the hunting device is sized appropriately to fit the physical abilities of the youth to ensure safe handling.
- The mentor will be held responsible for the youth's actions.
- The issued deer tags under the Mentored Youth Hunting license can be used for either sex (antlered or antlerless), are not subject to antler point restriction regulations in certain

parts of the state and can only be used on private land.

- A voluntary Mentor Guide program will be developed by the DNR to educate and inform mentors.

The NRC has directed the DNR to come forward with a Wildlife Conservation Order to create the regulations for Mentored Youth Hunting at the January 12 meeting in Lansing. The order would be eligible for an NRC vote at the February 9 meeting in Dearborn. Public comment on the proposed regulations can be made at the January or February meeting. Written comments can be sent to the NRC's executive assistant Deb Whipple at whipped1@michigan.gov or via U.S. Mail to Natural Resources Commission, P.O. Box 30028, Lansing, MI 48909.

For more information on the NRC, including agendas and past meeting minutes, go to www.michigan.gov/nrc. ✧

Illegal immigrants have no right to arms – court

Dec 16 (Reuters) – Illegal immigrants do not have a right to bear arms under the U.S. Constitution, a federal appeals court ruled December 16.

The U.S. Court of Appeals for the 8th Circuit, based in Missouri, rejected an appeal brought by Joaquin Bravo Flores, who was charged with possessing a firearm. Agreeing with the 5th Circuit, the court concluded that the protections of the Second Amendment do not extend to undocumented immigrants.

Executing a search warrant in 2010, police uncovered a semi-automatic handgun in Bravo Flores' Minneapolis apartment. A grand jury indicted him for being an alien in possession of a firearm in violation of federal law. He was sentenced to three years in prison.

Bravo Flores tried to dismiss the indictment, arguing that the criminal law barring illegal immigrants from possessing guns is unconstitutional.

The U.S. Supreme Court in 2008 recognized an individual right to possess firearms under the Second Amendment. Bravo Flores argued that the Second Amendment's guarantee of "the right of the people to keep and bear arms" also applied to him and other illegal immigrants.

His lawyer argued in a court filing that Bravo Flores is a member of "the people," having come to the country as a teenager and now living with his American citizen partner and their two citizen children.

The Supreme Court has previously ruled that undocumented immigrants have constitutional rights in criminal cases, including a Sixth Amendment right to trial and Fourth Amendment protection against unreasonable searches and seizures.

The 8th Circuit declined to extend the right to bear arms to illegal immigrants. The appeals court has previously upheld other criminal laws

that prohibit convicted felons and narcotics addicts from possessing firearms.

In June, the New Orleans-based 5th Circuit rejected a constitutional challenge brought by a Mexican citizen arrested in Texas for carrying a firearm, which he said he used to kill coyotes. The appeals court quoted language from the Supreme Court's 2008 case *District of Columbia v. Heller*, finding that the phrase "the people" referred to "law-abiding citizens" and "members of the political community."

One judge dissented, finding that the 5th Circuit decision in that case meant that "millions of similarly situated residents of the United States are non-persons who have no rights to be free from unjustified searches of their homes and bodies and other abuses, nor to peaceably assemble or petition the government." ✧

CCRKBA applauds legislation to withhold U.N. funding

BELLEVUE, WA – The Citizens Committee for the Right to Keep and Bear Arms applauded Illinois Congressman Joe Walsh's introduction of legislation HR3594 to withhold funding from the United Nations and assuring that the United States does not adopt any treaty posing a threat to national sovereignty or that abridges the firearms rights of American citizens as guaranteed by the Second Amendment.

Eleven members of Congress have already signed on as co-sponsors of the legislation

Rep. Walsh's bill, developed with the cooperation and assistance of CCRKBA staff, would block U.N. funding unless the President certifies that the world body "has not taken any action to restrict, attempt to restrict, or otherwise adversely infringe upon the rights of individuals...to keep and bear arms, or abridge any of the other constitutionally protected rights" of U.S. citizens.

"The United Nations' effort to adopt a global gun control initiative needs to be reined in," said CCRKBA Chairman Alan M. Gottlieb. "For too many years, bureaucrats in the United Nations have become far too cozy with international gun prohibition organizations, and Congressman Walsh's legislation seems the best way to get their attention. We've been delighted and honored to be part of this effort.

"It is an insult to United States sovereignty," he added, "that the U.N. would be entertaining such measures while enjoying this country's hospitality at its headquarters in New York City. It is the greatest irony, and perhaps the pinnacle of hypocrisy, for the United Nations to be discussing any treaty that might threaten our Second Amendment, because it has been the United States, with its citizen soldiers and our constitutional right to keep and bear arms that has come to the world's rescue not once, but twice in global conflicts.

ATF plots to undermine the Right To Bear Arms

Newly obtained documents show that the Bureau of Alcohol, Tobacco, Firearms and Explosives discussed using its covert operation Fast and Furious to argue for new rules about gun sales.

As observed in June, the way Fast and Furious — the government's gun-running operation that resulted in the death of Border Patrol Agent Brian Terry — was conducted made no sense unless its intent was to facilitate violence with U.S. weapons in the interests of pursuing the administration's gun-control agenda.

Now documents obtained by CBS News confirm our first suspicions were correct. As CBS' Sharyl Attkisson reports, emails show ATF officials discussed using the deliberate transfer of weapons to Mexican drug cartels to justify a new gun regulation known as "Demand Letter 3."

We say deliberate because congressional testimony by ATF agents demonstrates how the tracking of Fast and Furious weapons stopped at the border and that requests to interdict the weapons transfers and arrest the gun traffickers were denied by higher-ups. Demand Letter 3 was so named because it was the third ATF attempt to have Southwest gun shops report all long-gun (rifle or shotgun) sales to the ATF — even those to law-abiding American citizens with all the proper registration and other forms. (IBD) ✧

"When diplomacy fails, it is time to close our checkbook," Gottlieb said. "The Bush administration opposed such a treaty, but the Obama administration is moving forward with discussions on an international Arms Trade Treaty. It is up to Congress to put the brakes on such efforts and protect our national sovereignty, which has been protected and defended for more than two centuries because our citizens have the right, and the resources, to defend it." ✧

DNR offers handgun class for women

The Michigan DNR is offering an Introduction to Handgun Shooting class through the Becoming an Outdoors-Woman (BOW) program in Linwood, near Bay City, on March 3, 8:30-3 PM. This popular class teaches women all of the basics of handgun safety and use.

All firearms, ammunition, and eye and ear protection will be provided. Attendees are asked not to bring their own guns to this class. This is not the class required by law to obtain a concealed pistol license, but is a great prerequisite course for those who are considering a CPL.

Cost per person is \$25, which includes lunch. Class size is limited, so those interested in attending are encouraged to register early. The registration deadline is February 21. For driving directions or more information about the club, visit www.linwoodbaysportsmans.com. ✧

NY acquires 600 acres along Black Creek

New York State acquired nearly 600 acres of public land creating the Black Creek State Forest in the town of Esopus, which adjoins the rustic retreat of noted naturalist John Burroughs. The property will become part of a network of public and private conservation lands surrounding the John Burroughs Nature Sanctuary along Black Creek.

The state purchased the land from the Scenic Hudson Land Trust for \$1.29 million paid from the NYS Environmental Protection Fund.

The network of public and private conservation lands surrounding these properties extends along Black Creek from its mouth on the Hudson River to Chodikee Lake, a popular fishing destination. In addition to Black Creek State Forest and the John Burroughs Nature Sanctuary, the network of preserved natural areas includes streamside lands owned by Scenic Hudson in Esopus. ✧

Other Breaking News Items:

(Click on title or URL to read full article)

[Underwater cannon may help protect Great Lakes](#)

Biologists plan to use a seismic gun to chase invasive round gobies from several Lake Michigan reefs.

[Lake Huron find raises hopes in search for signs of ancient human activity](#)

The recovery of a pole-shaped piece of wood that's 8,900 years old and some 30 metres below the surface of Lake Huron has offered hope that more intact evidence of human activity will be found in the area.

[EDITORIAL: Obama and dictatorship](#)

Can a defense authorization law create an Obama dictatorship? Many people on the political right and left have been alarmed by language in the 2012 National Defense Authorization Act (NDAA) that they argue authorizes the president to use military force to capture, detain, torture and kill Americans at home and abroad. The furor centers on Sections 1021 and 1022 of the law, which deal with detaining terrorist suspects.

[Understanding Gun Jargon: Calibers and gauges](#)

There are many misconceptions and legends about guns and ammunition, and it seems everyone who knows anything about firearms considers themselves an expert. The language of firearms has evolved with few rules, and as a result there is a lot of confusion. This won't solve everything, but here are some

[EDITORIAL: Firing back at gun control](#)

The Obama administration's anti-gun agenda, which has been sneaking into the federal bureaucracy in recent years, was blasted by Congress last week. Republicans used the \$1 trillion omnibus bill for 2012 to shoot back at the sneaky use of federal funds for gun control.

[Timeline for Asian Carp report delayed](#)

A final report on how to control Asian carp and 38 other invasive species won't go to Congress until or early 2016, officials from the Army Corps of Engineers said. That may not sit well with conservation groups and officials pushing to separate the Chicago waterways from the Great Lakes to keep Asian

[Lake Erie algae problems grow](#)

Toxic algae blooms have never been worse in Lake Erie, and the situation is threatening fish and tourism, Ohio officials said.

[Lake Erie's tiny new invader](#)

A tiny invader, the parasitic copepod *Neoergasilus japonicus*, almost slipped into Lake Erie unnoticed.

[Feds list possible methods for blocking Asian carp](#)

The U.S. Army Corps of Engineers released a report listing more than 90 options for blocking the path of would-be aquatic migrants between the Great Lakes and Mississippi River systems.

[Chiefs say 'NO' to nuclear disposal](#)

The First Nations of the North Shore Tribal Council strongly reject the prospect of the North Shore of Lake Huron becoming a site for the long-term storage of nuclear waste.

[CCRKBA applauds Walsh legislation to withhold U.N. funding](#)

The Citizens Committee for the Right to Keep and Bear Arms today applauded Illinois Congressman Joe Walsh's introduction of legislation to withhold funding from the United Nations and assuring that the United States does not adopt any treaty posing a threat to national sovereignty or that abridges the firearms rights of American citizens as guaranteed by the Second Amendment.

[Report on waterway shipping decline fuels Asian carp debate](#)

A federal report showing that cargo traffic on Chicago-area waterways has been flat or declining for 15 years was embraced by those who support closing locks or installing barriers to keep invasive species out of the Great Lakes

[Efforts to bolster lake herring populations in Lake Huron may be stunted by deadly disease](#)

Although Michigan officials want to bring lake herring back in Lake Huron, there's a new concern – the fish are highly susceptible to the fatal disease: VHS virus.

[Invasive species wreaking havoc with salmon fishing in Lake Huron](#)

As invasive species turn Lake Huron's food web on its head, the Michigan Department of Natural Resources is cutting its salmon stocking efforts by more than 50 percent.

[Senator wants Canadian boater fee dropped](#)

U.S. Sen. Charles Schumer, D-N.Y., introduced legislation that would prohibit the feds from charging new fees on Canadians who enter the United States by boat or plane.

Washington doesn't need to regulate rain

If the Supreme Court declines to review it, a recent ruling from the 9th U.S. Circuit Court of Appeals in San Francisco will put federal courts into the business of managing every acre of privately owned timberland in America. Farmers beware. You could be next.

EPA defends ballast water proposal

The proposal beefs up equipment onboard cargo vessels, most of them ocean-going “salties,” so most foreign organisms in the ballast water are killed. People can submit comments to the EPA or go to public hearings in Washington or one in Chicago on January 23. The new rules would take effect in mid-December 2013.

NY sets hearings on water use regulations

New York regulators are holding public hearings this month on new permit rules for withdrawals of large amounts of water.

Great Lakes safer after Purdue studies data

A new method of visualizing data developed by Purdue University is helping the Coast Guard reduce deaths on the Great Lakes.

Great Lakes islands have unique wildlife, landscape and environmental challenges

Kraus, manager of conservation science and planning at the Nature Conservancy of Canada, worked on a report called Islands of Life, which measured the biodiversity of Great Lakes islands and the things that threaten it.

End