

## NORTH COUNTRY NOTEBOOK/George Vukelich

# Seen But Not Herd

Up at the American Legion Bar in Three Lakes—where they translate DNR as “Damn Near Russia”—they make an exception for department employees like Cliff Germain.

Germain's 36-year career in the outdoors began with the old Wisconsin Department of Conservation—which evolved into the organization we have come to know and love as the Department of Natural Resources. When he started his job, the very worst thing you could call a fellow human being was “deer biologist.”

Germain was telling us the other day that in the 1930s and '40s, the biologists looked at the deer herd in one way and the resort owners looked at the deer herd in another way.

An old Merrill boy, Germain admits that he did like to look at the deer herd through the iron sights of his 30-gauge. But the resort owners didn't want any of “their” deer hunted, so the tourists (their customers) could “enjoy” them.

“Back then,” Germain recalled, “a lot of people up north thought that ‘deer refuges’ were just the thing until Aldo Leopold came along and said: ‘You know, you can't stockpile deer.’”

“But a lot of the resort owners thought you could. They figured that if you didn't hunt the deer, the deer would be available for the tourist to see. The resort people even went to the extent of putting in ‘food patches’ along the roads for deer.

“Then the resort people discovered this little ordinance that said towns and townships can post areas ‘Closed to Hunting’ for ‘safety’ purposes. So, up in Vilas County, they posted an area of about 1,500 acres—half a mile off the town road—and said: ‘It's closed.’”

“Now, understand that the deeryards were being browsed out. There were too many deer, and that's bad for the herd and the land.



“Other people in the department said, ‘We've got to get rid of these closed areas.’ When we tried, we ran into tremendous opposition from every resort owner up there, especially from the Vilas County Board.

“Well, I paid no attention to their signs, and I hunted deer in their closed area. When I came out, there was the town constable waiting for me. He was rather ferocious. ‘You're under arrest,’ he said, ‘for hunting in our closed area.’”

“We went to court and I lost. I paid my fine—\$10—and then I appealed my conviction to the Circuit Court. Back in Madison, the department didn't know what to do with me. They wanted the closed areas opened, but they didn't want any problem with the resort owners. My supervisor said my action ‘bordered on the ridiculous.’”

“But there were other department people down in Madison who were in-

terested in my case and who supported me in my stand. I felt that the resort owners shouldn't be closing wild areas to hunting—and I felt perfectly within my rights. After all, it was *state* land that I had been hunting on—state forest land—and it was all getting chewed to death by the deer. Why not take a few out of there?”

“So I appealed, and finally, the State attorney general's office and the Wisconsin Conservation Department decided to join in the case and make it a test case.

“We got my conviction overturned in the Circuit Court and we also got a lot of press coverage about that decision, which was that the state of Wisconsin has the right to regulate the deer harvest, and the townships don't have that right.

“The decision also said that the township, in closing the area to hunting, was using the ordinance in a way it shouldn't have, because the area they closed was

really a wilderness area. There wasn't any safety problem.

“We won. I'll never forget that. I'll never forget the bill either. John O'Melia of Rhinelander was my lawyer, and his bill was \$170. I think I was very wise to get John, but I didn't have \$170.

“‘Don't worry about it,’ John said. ‘You can be slow in paying it.’”

“But he didn't say that I could *forget* it.

“A sportsman's club in Milwaukee raised \$93 and sent it to me. I think the club was called the Schulz Rod and Gun Club or something like that. I thought it was pretty nice that there were people in Milwaukee who felt we were doing something for their benefit.

“My relationship with that constable never did improve, but I left the Vilas County area about two years later and came down to Racine-Kenosha County as a wildlife manager.

“The constable and the resort people were wrong about the deer herd and Aldo Leopold was right. You know, you

read *A Sand County Almanac* even today, and you can't help but be influenced by it.”

“I now suspect,” Aldo Leopold wrote of his days in Arizona and New Mexico, “that just as a deer herd lives in mortal fear of its wolves, so does a mountain live in mortal fear of its deer. And perhaps with better cause, for while a buck pulled down by wolves can be replaced in two or three years, a range pulled down by too many deer may fail of replacement in as many decades....”

“Perhaps,” Aldo concludes, “this is behind Thoreau's dictum: *In wildness is the salvation of the world*. Perhaps this is the hidden meaning in the howl of the wolf, long known among mountains, but seldom perceived among men.”

Up at the Legion, they won't let Cliff Germain pay for a thing. ■

*George Vukelich reads selections from North Country Notebook Sunday night at 8 on Wisconsin Public Radio, WERN (88.7 FM).*