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CWCS supports multiple use recreation of the Boundary Waters, which includes the use of boats and motors, as well as canoes. Often canoeists choose the use of towboats to get to their destination faster, so this year CWCS is having a special Membership Drive.

Membership dues received by June 1st will be entered into a drawing for a Round Trip Tow on the Moose Lake Chain for 4 from Moose Bay Company. This is a \$200 value.

All new and renewing members will be entered in the drawing.

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# CWCS

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Sense



SPRING 2006 NEWSLETTER

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**CWCS mission statement:** To educate the public in order to preserve reasonable access to and sensible, multiple-use recreation of public lands and waters (including motorized uses) in Northeastern Minnesota, especially the Boundary Waters Canoe Area Wilderness (BWCAW), with care for the environment.

**Why CWCS continues to fight:** “(We will) embark on a 10 year campaign to get every single motor out of the Boundary Waters” – Brian O’Neill, quoted in May 20, 1998 Minneapolis Star-Tribune

## Appeals Court upholds USFS authority to adjust permit quotas

*Court rules motor permit quota levels must be recalculated in “Chain of lakes” case*

An opinion was issued by the US Court of Appeals for the Eighth Circuit that upheld the ability and need for the US Forest Service to adjust motor permit quotas on those lakes affected by the “Chain of Lakes” court rulings.

The court stated “We reverse the District Court insofar as we conclude that the USFS has the authority to recalculate the base period use to correct a significant legal error made manifest by the Dombeck ruling.”

Several preservation groups had attempted to claim that the USFS did not have the ability to manage the Boundary Waters as spelled out in the 1978 BWCAW Act.

The Court’s opinion directs and empowers the USFS to recalculate current quota cap levels that were to be based on the actual use during a base year period in the 1970’s as spelled out by the 1978 BWCAW Act. The court ruled that the current permit cap

levels and a USFS first attempt at adjusting these quotas were not consistent with the BWCAW law.

Quota levels are currently set at a level which does not count the use of the homeowners, resort owners, and their guests on the affected lakes in the original cap numbers.

The original numbers were compiled prior to the 1978 law, and at that time did not include any of this use since the USFS considered all of this use “exempt” from permits. This use accounted for a large portion of the actual use, thus creating the need for the USFS to include this use in their quota cap.

The ruling also directs the USFS to work towards correcting these incorrect numbers “at the earliest practicable time” and to include groups such as, “...Conservationists with Common Sense (CWCS) and other affected parties in the rule making process.”

These affected parties look forward to working with the Forest Service to correct the currently dysfunctional system as quickly as possible so that the law and intent of the law is upheld.

CWCS is disappointed there will be yet another delay in properly managing the Boundary Waters because of the judges’ ruling the method in which the Forest Service recalculated the base period use on the three chains of lakes was flawed.

CWCS considers the reversing of the District Court’s decision a victory for common sense and the continuation of motorized use in the Boundary Waters, as allowed by law. The Court of Appeals judges ruled the present quotas are inadequate, and the USFS must recalculate the number of permits to accommodate the Chain of Lakes property owners’ use.

## Community Wildfire Protection Plans

Last fall area communities, counties and the Forest Service came together to discuss wildfire preparedness. Superior National Forest Kawishiwi District Ranger Mark VanEvery explained that the meeting was being held in accordance with the Healthy Forest Restoration Act of 2003 which authorizes community wildfire protection planning, including forest management and hazardous fuel reduction projects on public and private lands in regard to community wildfire response.

The Community Wildfire Protection

Plan will address the local forest conditions, assess values and prioritize a plan of action. The risk to property owners’ structures and what property owners can do to protect themselves is also a part of the planning. Keeping vegetation away from structures is a good start, especially with fewer conifer trees which burn more quickly.

Lake and Cook Counties have developed their Community Wildfire Protection Plans, and this spring the Forest Service is looking to reduce hazardous fuels with prescribed burns to reduce balsam fir seed; re-

duce ladder fuels; reduce understory ladder fuels; and to provide improved forage for wildlife. Twenty such burns are planned in Lake County with proposed treatment of 819 acres.

The state of Minnesota has adopted Firewise, a national program to address the risk of homes in the wildland/urban interface to wildland fire. The main concern is that more people are building in the woods and existing firefighting resources are less able to protect these properties while trying

*(Continued on Page Two)*



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# WICOLA, MPCA teaming up to develop Kawishiwi watershed monitoring project

*Reprinted with permission from Ely Echo*

With 12 years of initial testing already complete a local lake association is looking to keep the water in the White Iron chain of lakes clean and the property owners informed.

White Iron Chain of Lakes Association (WICOLA) president Jim Pinckney welcomed a group of interested parties to begin developing a plan for monitoring the Kawishiwi watershed.

"We're trying to expand our testing program, this is what this is all about," said Pinckney. "We're very concerned that our chain of lakes don't end up like lakes in the central part of the state where they are trying to recover instead of taking care of it in advance."

WICOLA board member Ray Doran explained how the organization has been testing water clarity.

"WICOLA members have been taking secchi disc readings and depth levels on our chain of lakes since 1994 for the Minnesota Pollution Control Agency. This past year alone, 66 water readings were sent in to the MPCA," said Doran.

"The plan of the New Kawishiwi Water Shed Monitoring project is proceeding with water testing to develop a baseline of water quality data for our chain of lakes," said Doran.

One of the main goals is to create more informed lake property owners.

"We started a water sampling and testing program this last summer, taking monthly samples at a 55 feet deep hole on Garden Lake. The first samples were sent to state labs, courtesy of Nolan Baratono of MPCA. The next four months samples have gone to RMB Environmental Labs in Detroit Lakes, with shipping and lab fees paid by WICOLA.

The exception to that are algae samples, all of which have been sent to and processed by MPCA.



*Nolan Baratono of the Minnesota Pollution Control Agency spoke at a meeting on water quality at the Fall Lake Town Hall.*

"We also have purchased equipment to do some of the water testing and hope to purchase more in the future if our budget allows.

"As you may be aware, conditions in our lakes are described in terms of 'Trophic State Index' or TSI. A TSI of less than 40 Oligotrophic, 40-50 to Mesotrophic, and above 50 is Eutrophic.

Our chain is Mesotrophic, which is considered okay, lower is better, but our sampling shows we are at the very top end of that category. In fact, our Secchi Disk readings are consistently less than five which is not good. In itself, this is not a problem because our lower water clarity readings are due to 'bog stained' water, not high algae content," said Doran.

Expanding the program will mean more monitoring sites.

"Nolan Baratono of the Minnesota Pol-

lution Control Agency joined us in our last sampling of Garden Lake in October, and we spotted several potential locations for additional test sites for this year.

"Selected sites are a deep hole just before the North Kiwishiwi enters Farm, a spot in the middle of Farm, another deep hole in the channel just up from Silver Rapids, and one in White Iron north of Ring Rock. Cost, volunteers, time and grants are the limiting factors," said Doran.

Baratono presented a draft of the plan including project goals and objectives.

He said the project will include posting the data collected on the internet at <http://rainybasin.org>.

Baratono identified four phases of the project and asked the agency representatives to review the draft.

Several agencies are already collecting data in the area and some of that can be rolled into the plan, including measuring rainfall and mercury levels.

"What I would like to see is not to have a duplication of effort and make it so all of our data fits together," said Baratono.

Pinckney said WICOLA is committed to the project.

"We have the volunteers to do this our main constraint is going to be money. If we try to expand and we want more detailed analysis of our samples our only constraint is strictly monetary. We're willing and ready to do what we can on it," said Pinckney.

Down the road WICOLA would like to look at putting together a lake management plan.

"We recognize any kind of development has an impact on a chain of lakes. None of us in the association are against development per se but we do want it done properly within regulations," said Pinckney.

## Community Wildfire Protection Plans

*(Continued from Page One)*

to control a wildfire.

The Firewise program highlights the fact that homes close to evergreens and tall grasses are most at risk. Firewise provides tips to make your home more apt to survive an approaching wildfire, and help communities minimize the risks of damage or destruction from a wildfire.

For more information on Firewise, go to: [www.dnr.state.mn.us/firewise](http://www.dnr.state.mn.us/firewise)

## Ribbon cutting for Kawishiwi Falls

One of the requirements of the Federal Energy Regulatory Commission's settlement agreement for the relicensing of the Winton Hydroelectric Power Plant on Fall Lake included recreation sites along the project area. One of those sites, the Kawishiwi Falls viewing area, will have a ribbon cutting ceremony for its grand opening in May.

Kawishiwi Falls is located off the Fernberg Trail, and is one of the few waterfalls in the Ely area. A parking lot has been built off the Fernberg Trail just past the Garden Lake Bridge. Parking will also accommodate use of the relocated portage from Garden Lake to Fall Lake, which was moved from the west side of the dam facility to the east side.

The short hike to the viewing area of the Kawishiwi Falls is expected to become one of the Ely's many highlights for tourists to see when they visit the area.

# CWCS RAFFLE

*Tickets will also be sold at Ely area retailers Skube's Bait, Great Outdoors, Joe's Marine, Wilderness Outfitters, Ely Echo, Ely Shopper and Latourell's Resort. In the Gunflint area at Trail Center Lodge and My Sister's Place in Grand Marais.*



**1st Prize - 16 ft. Alumacraft Boat, 25 HP Johnson 4-Stroke Motor & Trailer**

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*(Donated by Pike Bay Repair/Tower)*

**3rd Prize - 2-night stay for two at Poplar Creek Guesthouse B&B/Gunflint Trail**

*(Donated by Ted & Barbara Young)*

### Drawing to be held at CWCS 17th Annual Meeting

Sunday, Sept. 10, 2006 Whiteside Park - Drawing at 5 p.m.

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## Feds to remove gray wolves from endangered species list

Interior Secretary Gale Norton recently announced that gray wolves in Minnesota, Wisconsin and Michigan have recovered from the threat of extinction, prompting the U.S. Fish and Wildlife Service to propose removing the wolves in this region from the federal list of threatened and endangered species.

In addition to the delisting proposal, the Service also proposes to designate gray wolves in the Western Great Lakes region as a distinct population segment (DPS) under the Endangered Species Act (ESA).

The Service's proposal to remove the gray wolf from the list of threatened and endangered species applies to the Western Great Lakes DPS. This area includes the states of Minnesota, Wisconsin and Michigan as well as parts of North Dakota, South Dakota, Iowa, Illinois, Indiana and Ohio.

Within this area, the Service is proposing to remove federal ESA regulation regarding the gray wolf and entrust wolf management responsibility with states and tribes.

The proposed DPS includes all the areas currently occupied by wolf packs in Minnesota, Michigan, and Wisconsin, as well as nearby areas in these states in which wolf packs may become established in the future. The DPS also includes surrounding areas into which wolves may disperse but are not likely to establish packs.

The population of wolves included in this DPS no longer meets the definition of threatened or endangered under the ESA. The threats to the population in Minnesota, Wisconsin and Michigan have been reduced or eliminated as evidenced by the current status of the population, where wolf num-

bers have exceeded the numerical recovery criteria established in its recovery plan.

The gray wolf population in the western Great Lakes region now numbers close to 4,000 animals over the three-state area. The Minnesota population has steadily expanded; the latest estimate in 2003-2004 found about 3,020 animals.

Wolves have become well-established in Michigan and Wisconsin, with numbers there of 405 and 425 respectively. Wolf numbers in these two states combined have exceeded 100 for the past 12 years, thereby exceeding the population criteria identified in the recovery plans.

The Service's current proposal, if finalized, would also remove ESA regulation of critical habitat for the gray wolf in Michigan and Minnesota, and eliminate special rules for wolf management in Minnesota, as they are no longer required.

Once removed from the threatened and endangered species list, gray wolves in the Western Great Lakes DPS will be managed by the states and tribes. The Michigan, Minnesota, and Wisconsin Departments of Natural Resources have developed plans to guide wolf management actions in the future. The Service reviewed these plans and found they established a sufficient basis for long-term wolf management. Issues such as control of problem animals, hunting and trapping, as well as long-term health of the wolf population, will be governed by the appropriate state or tribe.

The Service's proposal comes after court rulings which overturned a 2003 final rule that reclassified wolves in most of the lower 48 states from endangered to threat-

ened and established three distinct population segments of the gray wolf.

The rulings also invalidated a 2004 proposal to delist the gray wolf in the eastern United States. The current proposal replaces the previous actions with a much smaller Western Great Lakes DPS, a DPS that is narrowly structured around the core areas where wolves have exceeded their recovery goals since 1999 and the locations in which wolves have dispersed from the core areas.

A series of public hearings will be held throughout the Western Great Lakes DPS. The Service will announce details of these hearings in the near future. Following the public comment period, the Service will evaluate all information and make a decision on whether to finalize the proposal. Until a final decision is made, wolves in the Western Great Lakes DPS remain listed under the ESA as endangered and threatened.

Comments on the proposal to remove gray wolves in the Western Great Lakes DPS from the federal list of threatened and endangered species may be submitted by e-mail to [WGLwolfdelist@fws.gov](mailto:WGLwolfdelist@fws.gov) or by sending a letter to WGL Wolf Delisting, U.S. Fish and Wildlife Service, Whipple Federal Building, 1 Federal Drive, Fort Snelling, MN 55111-4056 or by sending a fax to 612-713-5292, or through the Federal eRulemaking Portal: [www.regulations.gov](http://www.regulations.gov)

More information on gray wolf recovery and the Service's proposal to delist gray wolves in the Western Great Lakes DPS can be found at [www.fws.gov/midwest/wolf](http://www.fws.gov/midwest/wolf)

## Gypsy moth infestation hits Minnesota

Gypsy moth is considered one of America's most destructive tree pests. The insect is not native to North America and has no effective natural controls. Since the early 1900s, the moth has slowly spread west from New England. It is now common in eastern and central Wisconsin, and is threatening to establish itself in Minnesota's northern forests. Once established in sufficient numbers, gypsy moth caterpillars can defoliate forests.

To slow the spread of gypsy moths, state and federal agencies propose to aerially apply disparlure in locations in Cook County. The proposed treatment application would be on 133, 275 acres across multiple ownerships.

Four treatment blocks have been identified along the North Shore. Treatment

would occur in late July or early August of 2006. The Forest Service will prepare an Environmental Assessment for the proposed treatment. The Minnesota Department of Agriculture would oversee implementation.

Disparlure is a synthetic pheromone that acts like the scent that female gypsy moths use to attract male moths. In order for the Disparlure to be distributed, a synthetic pheromone is embedded into tiny plastic flakes which are then sprayed from an airplane or helicopter flying at low elevation over a specified area. The synthetic pheromone floods the area and confuses the male gypsy moths so they cannot find female moths and reproduce more moths.

The pheromone is detectable only to gypsy moths, so no other invertebrate species would be affected. Birds, mammals, or

invertebrates would not be adversely affected. No human effects from the pheromone have been documented in the 16 years that the product has been used.



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## Message from the President

As a member of the Community Readiness Committee I met with the group in January to discuss the economic and socio impacts to area communities as a result of a large construction project for a new company.

Several economic projects such as NorthMet and Excelsior Energy are moving right along, and if all the permitting falls into place there very well may be a huge influx of people in our communities on a temporary basis for the construction of these proposed plants with some staying on the fill the permanent positions. The Community Readiness Committee is looking at what services will be needed, such as water and sewer plants, as well as roads, schools and housing.

I attended another meeting April 17 in Duluth with PolyMet, their engineers and several environmental groups. The meeting gave an informational overview of the NorthMet project proposed near Hoyt Lakes, and also discussed various environmental issues. Quite surprising, Clyde Hanson representing the Sierra Club arrived to the meeting an hour late and proceeded to rant about my presence there for Conservationists with Common Sense. Hanson asked what development CWCS had stopped. Evidently he doesn't consider people environmentalists unless they stop development. The meeting was further interrupted by a caucus of the other Minnesota Environmental Partnership members which included Janette Brommer with the Minnesota Center for Environmental Advocacy; Jane Reyer with the National Wildlife Federation and Steve Piragis with Northeastern Minnesotans for Wilderness. Hanson had no objections to the two tribal representatives in attendance. And people wonder why various groups can't sit at the same table and come to consensus on issues!

Just as in the 1970s when preservationists complained about the mining and logging industries of northern Minnesota - that we shouldn't put all our economical

eggs in one basket, that is exactly what they have done with wanting only tourism in the 'basket'. As gasoline prices top \$3.00 a gallon, it should be interesting to see how these high prices will affect the tourism economy.

The Sierra Club's closed mind approach to economic development that would diversify northern Minnesota's economy is very telling. They want to stop development, not work together with groups to see how projects can get up and running.

On another note, my husband and I are avid snowmobilers, and on a March snowmobile trip to the North Shore area we added a meeting with the newly formed Arrowhead Coalition for Multiple Use group in Grand Marais. We discussed how we can work together on various public land use issues and share information through our networking.

Bob LaTourell and I meet with John Roth the new executive director of the Friends of the Boundary Waters. Their organization has seen several board and staff changes in the past year and Roth said he was conducting a 'listening tour' with various people of northern Minnesota.

Both Bob and I let Roth know that CWCS has plenty of reasons to distrust the Friends, dating back to the passage of the 1978 BWCA Wilderness Act. We let him know that had that legislation been the end of it, most people would be content to live with the law. But that was not the case, ten years later it was their attack on the truck portages which lead to Senate hearings in Washington D.C. and the late Senator Wellstone's failed mediation. On top of that, we let Roth know what we thought of his predecessor's brag book, Troubled Waters by Kevin Proescholdt, that told of how the Friends purposefully added language to the '78 law that they could later challenge. This ultimately led to the Chain of Lakes lawsuit.

We further told Roth that the distorted

hype put out by the Friends to get support was not acting in good faith. All timber sales are not clear cuts; people do not want jetskis on Basswood Lake; we do not want to pave the portages and have McDonalds in the wilderness; and we do not want motors on all lakes of the Boundary Waters.

Surprisingly, Roth said he did not approve of the way the Friends handled things in the past, and that was not his way. The Friends still want all motors removed from the Boundary Waters, and we let Roth know that we want to keep things as they are. To us the Boundary Waters is truly a unique wilderness in that it allows limited motor use on 16 of its 1100 lakes. There is no legislation that calls for the removal of all motors.

A discussion about the recent decision of the reroute of the snowmobile trail to South Fowl Lake hopefully helped Roth better understand the people of northern Minnesota. He said the Friends' support of the southern route would have given snowmobilers a longer trail and asked isn't that what they want... more trails? I let him know that this was not the case at all, for this particular snowmobile trail. The objective is to get to their fishing hole on South Fowl, not to go snowmobiling, two entirely different reasons with the common use of snowmobiles.

Time will only tell if the Friends will change their ways of dealing with various BWCA and public lands issues changes. Until CWCS sees some proof of that change we will continue to keep our guard up and look out for all of our interests.

Look for CWCS at the Babbitt Walleye Whamma, the Ely Blueberry Festival and also at the Ely Harvest Moon Festival. This year we will hold our annual meeting and raffle drawing on Sunday, September 10th at the close of the Harvest Moon Festival. Hope to see you there. Thank you for your continued support.

Nancy McReady  
CWCS President

## Possible state funding increase for ATV programs

ATV users may see the benefit if the Minnesota legislature considers a new formula for allocating gasoline tax revenue for ATV (all terrain vehicle) recreation.

A new study ordered by the Legislature found that ATV riders purchase almost one third the amount of gasoline sold at pumps for their recreational riding. That amounts to an estimated seven million gallons of

gasoline a year. If the new formula becomes law, monies available for ATV programs would increase to \$600,000 a year.

According to Dave Hendricks, president of the All-Terrain Vehicle Association of Minnesota (ATVAM), riders support spending more money on trails, education and enforcement. How much money will be spent on new trails is the big question.

CWCS supports multiple recreational uses of our public lands and waters, but we also acknowledge that all areas are not appropriate for all uses. There are very few trails for ATVs to legally ride, but hopefully funding increases will get more ATV trails on the ground for proper ATV use. ATV clubs need to work with the Forest Service and DNR to get these trails in place.

## Bush approved 1.4 million acres of wilderness

Like so many presidents before him, George W. Bush has created new wilderness areas on federal lands. In all, Bush has signed nine wilderness bills for a total of 1.4 million acres since taking office.

Since last fall, Bush has approved three wilderness areas totaling more than 120,000 acres in New Mexico, Utah and Puerto Rico. The largest designation is in the Utah Cedar Mountains.

Most interesting of these wilderness designations is that of the 11,000-acre Ojito Wilderness in New Mexico where county commissioners, local ranchers, city councils, state senators and the governor supported the designation. In addition, the wilderness bill passed Congress with strong support from New Mexico Republicans and Democrats.

Recently a resolution for the way future

wilderness is designated was offered at several Minnesota precinct caucuses. The resolution reads as follows:

WHEREAS, Minnesota's forest areas provide places for a variety of activities, providing solitude for bird watchers, paddlers, campers, hikers, and cross-country skiers; as well as beautiful natural areas to be enjoyed with motorized recreation such as snowmobilers, ATVers, and motor-boaters; and

WHEREAS, the BWCAW already makes up 1,075,500 acres of the National Forest in Minnesota, a land mass sufficient for non-motorized recreation users; and

WHEREAS, the development of semi-primitive non-motorized areas (SPNM) and/or other non-motorized areas created defacto expansions of the wilderness without the

consent of Congress; and

WHEREAS, protection of our public lands for continued multiple use by all is overwhelmingly supported by the citizens of this state; NOW THEREFORE,

BE IT RESOLVED that any future Wilderness designation have the support of the U. S. Senators and House Representatives of Minnesota (or any other state) representing the proposed Wilderness area, with input and support from the Governor and county and local representatives of the area where the proposed Wilderness area is located, and that this be done through federal legislation.

This is something that should be taken into consideration by both Republicans and Democrats.

## Bush selects Interior Secretary replacement

President Bush selected Dirk Kempthorne as interior secretary, saying the Idaho governor brings wide experience to the job of managing the nation's parks, public lands and natural resources.

If confirmed by the Senate, the 54-year-old Kempthorne — himself a former senator — would replace Gale Norton as head of an agency that manages one of every five acres in the United States, areas as diverse as Yellowstone National Park and the Civil War battlefield at Gettysburg, Pa.

"Dirk understands that those who live closest to the land know how to manage it best," the president said, "and he will work

closely with state and local leaders to ensure wise stewardship of our resources."

Said Kempthorne: "God bless America the beautiful. I would be honored to serve this land."

Bush praised Norton as the first woman to lead the Interior Department and said she had been instrumental in establishing an initiative to protect communities from catastrophic wildfire. He said she had also helped lead efforts to restore offshore energy production after Hurricane Katrina.

The Interior portfolio often generates controversy — developers clashing with environmentalists — and Norton's succes-

or will have to deal with issues as diverse as a backlog of building needs in the National Park system and the state of health care on impoverished Indian reservations.

The Senate rarely turns down one of its former members for the Cabinet, and Republicans hold the majority with 55 of 100 seats.

"Dirk is a strong nominee for interior secretary," said Majority Leader Bill Frist of Tennessee. "He's an outspoken advocate for America's parks and has a wealth of public service experience at both the state and federal levels. I look forward to his swift confirmation by the Senate."

## Moose Mountain SNA expanded

The Minnesota Department of Natural Resources plans to move ahead with an expansion of the Moose Mountain Scientific and Natural Area, or SNA, in Lakewood Township near Duluth, MN.

The 55-acre Moose Mountain SNA was established in 1989 to protect old growth sugar maple, basswood, and oak forest, along with plant and animal species. A neighbor to the SNA offered his 122-acre property to be added to the Moose Mountain SNA in 2004.

By state law, SNAs are closed to hunting and trapping, unless opened through a public hearing. By DNR regulations, prohibited uses in SNAs include camping, picnicking, or fires; damaging vegetation; mo-

torized vehicles, unless on a designated trail (e.g. grant-in-aid snowmobile or OHV trail); collecting plants or animals; and pets and horses.

DNR staff believes deer browsing is negatively affecting vegetation. Public hearings were held, and the new plan will allow limited snowmobile use as well as deer hunting, berry picking and pets on leashes in the SNA. ATV use, tree stands for hunting, camping, campfires and cutting of trees or other vegetation will remain prohibited. The DNR also proposes opening the SNA to picnicking.

A special deer hunt permit with limited number of either-sex licenses for Moose Mountain is proposed for the fall of 2006.

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## Grass roots effort fights for multiple forest use

The controversy over the reroute of a snowmobile trail in Hovland, a rural township in northeastern Minnesota, is the catalyst for the formation of a group whose mission is to promote multiple use of forest lands in the Arrowhead Region.

The Arrowhead Coalition for Multiple Use (ACMU) was formed at a meeting in Grand Marais, attended by approximately 30 representatives from area snowmobile and sports clubs.

"Our goal is to fight the negativism that surrounds use of lands in the Arrowhead Region," said one organizer, Curtis Gagnon of Grand Portage. "We plan to be a positive group. We are not opposed to anything. We believe the forest should be open for all—hikers, bikers, skiers, snow-shoers, snowmobilers, ATVers, anglers, motor boaters, canoeists, kayakers, and horseback riders. There is a place for all."

Attendees discussed a variety of shared concerns about forest access, but the Coalition agreed that the first order of business

was to have the US Forest Service replace the snowmobile trail it shut down in 2002 with a similar trail.

The trail, called the South Fowl Lake snowmobile access by the Forest Service and the Tilbury Trail by snowmobilers, was closed in 2002 because it had been found to be encroaching on the Boundary Waters Canoe Area Wilderness (BWCAW). ACMU acknowledges that the trail crosses the line into the BWCAW, however, the group points out that the trail existed long before the area was declared wilderness.

Former users of the closed trail state that the trail was known to have been within the BWCAW when the boundaries changed with the 1978 Boundary Waters Wilderness Act. The Forest Service environmental assessment confirms that the snowmobile trail is evident on aerial photographs from as long ago as 1961, before the 1964 Boundary Waters Act. ACMU argues that legally, the trail should have been replaced when the boundaries changed in 1978.

## 'On your honor' decision in snowmobile trail reroute

A decision has been made on the reroute of a snowmobile trail in the Hovland/Grand Marais area that has been the center of controversy for several months. The little used trail accessing South Fowl in 2003 was discovered to be encroaching into the Boundary Waters Canoe Area Wilderness (BWCAW), a fact that had gone unnoticed when the 1978 expansion of the BWCAW included the land where the trail is located. The Tilbury Trail, as locals call the trail, had been built in the early 1960s, and is predominantly used by snowmobilers to access South Fowl Lake from McFarland Lake.

The Forest Service received comments from the public on the potential reroute of the snowmobile trail, with most comments focused on two possible routes—the northern route, preferred by snowmobilers and the southern route, preferred by wilderness users who want motorized trails as far away from the BWCAW as possible.

A bitter debate raged over the "best" way to safely route snowmobile traffic from McFarland to South Fowl Lake with Gunflint District Ranger Dennis Neitzke to decide the best route. His decision approves two routes, but only one will be constructed and used at a time.

To clarify the unusual decision, Neitzke explained that the northern route, Alternative 2, would be constructed first—with some caveats. If trail users abide by the restrictions on the northern route trail, that will

be the permanent route between the two Hovland area lakes. The northern route begins at the existing Little John Lake parking lot. The 8 to 10 foot wide route will follow the ridge above the Royal River in an east-southeast direction for about 1.3 miles, then down-slope northeast to level ground and directly east to South Fowl Lake.

Neitzke cautions that if trail users abuse the trail—by driving on it with ATVs or by straying off the trail onto the old trail leading into the BWCAW—the northern route will be closed and obliterated.

"This puts some onus on local groups to keep people off the trail. Enforcement saw some ATV use on the old Tilbury Trail in 2003, but after that point there was less and recently there has not been any. We hope the local user groups will cooperate on education and monitoring to eliminate attempts to ride ATVs on the northern route as well," said Neitzke.

If ATV use or infringement on the BWCAW cannot be controlled Neitzke said the other route, alternative 4, would be constructed. This approximately 12-foot wide route would run along side the Arrowhead Trail to the South Fowl Road with reconstruction of a steep hill on the Arrowhead Trail and the construction of switchbacks to a trail leading to South Fowl Lake. Alternative 4 is a slightly longer, less scenic route.

CWCS commends the common sense decision made by Gunflint District Ranger

Of the five proposed reroutes in the Forest Service environmental assessment, two have risen to the forefront, Alternate 2, the North Route, preferred by ACMU and Alternative 3, the South Route, preferred by environmental groups such as the Sierra Club, Friends of the Boundary Waters, and Northeastern Minnesotans for Wilderness. There is relatively little difference between the two trails regarding their impact on sensitive plants, wildlife, or soil resources.

Environmental groups argue that the Northern Route, although introduced as an option to protect the Boundary Waters wilderness, is still too close. Atop a bluff overlooking Royal Lake, the trail is approximately 400-feet from the wilderness boundary. Opponents claim that noise will be trapped by the bluff and will echo into the wilderness. They also believe the trail will be visible to wilderness visitors below. Environmental groups support the South Route, a longer, wider, trail built along County Road 16, the Arrowhead Trail.

Dennis Neitzke. This 'on you honor' approach puts self policing on the back of snowmobilers and ATV users, and will determine if the northern route remains permanent.

The northern route will most closely resemble the original trail. It is shorter, narrower and safer than the proposed southern route, and it will be less costly to build.

The 1978 legislation doesn't include any buffer zone to the Boundary Waters. The new reroute's closeness to the Boundary Waters is a very poor argument by the preservation groups who favor the longer, wider, unsafe and more costly southern route. Outside the Boundary Waters is just that... outside the Boundary Waters, where snowmobile use is allowable. These groups have further argued that snowmobiles **may** go into the Boundary Waters because of the trail's closeness to the Boundary Waters, and that ATVs **may** use the trail. This is just their typical rhetoric to prevent trails for motorized uses on public lands.

Northeastern Minnesotans for Wilderness, Friends of the Boundary Waters Wilderness, Sierra Club North Star Chapter, Izaak Walton League of America and others have filed an administrative appeal against a snowmobile trail proposed by the U.S. Forest Service along the edge of the Boundary Waters Canoe Area Wilderness.